



# **MINUTES**

## **Ordinary Council Meeting**

(Subject to confirmation)

**8 May 2019**

**MINUTES OF YORKE PENINSULA  
COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,  
MINLATON  
ON WEDNESDAY, 8 MAY 2019 AT 5.30PM**

**1 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY BY MAYOR**

Mayor Darren Braund gave an Acknowledgement of Country, recited the opening prayer, welcomed everyone to the meeting and declared the meeting open.

**2 OPENING PRAYER**

**3 PRESENT**

Mayor Darren Braund, Deputy Mayor Tania Stock, Cr John Rich, Cr Richard Carruthers, Cr Adam Meyer, Cr Leanne O'Brien, Cr Anthony Bennett, Cr Kristin Murdock, Cr Jeffrey Cook

**In Attendance**

Andrew Cameron (CEO), David Harding (Director Corporate and Community Services), Michael McCauley (Acting Director Assets and Infrastructure Services), Roger Brooks (Director Development Services), Jackie Reddaway (Minute Secretary)

**4 LEAVE OF ABSENCE**

Nil

**5 APOLOGIES**

Cr Naomi Bittner, Cr David Langford, Cr Roger Johns, Trevor Graham – Director Assets and Infrastructure Services

**6 CONFLICT OF INTEREST**

Mayor Darren Braund reminded all Elected Members of the requirement to disclose any conflict of interest in relation to any matters before Council.

**7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION**

**RESOLUTION**

Moved: Cr Anthony Bennett

Seconded: Cr Leanne O'Brien

That the minutes of the Ordinary Council Meeting held on 10 April 2019 be confirmed.

**CARRIED 089/2019 (8/05/2019)**

**RESOLUTION**

Moved: Cr Richard Carruthers

Seconded: Cr Tania Stock

That the minutes of the Confidential Council Meeting held on 10 April 2019 at 6.10pm – Sealed Shoulder Rework Tender be confirmed.

**CARRIED 090/2019 (8/05/2019)**

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr John Rich

That the minutes of the Confidential Council Meeting held on 10 April 2019 at 6.20pm – Stormwater Infrastructure Mitigation be confirmed.

**CARRIED 091/2019 (8/05/2019)**

**8 MOTIONS ON NOTICE**

Nil

**9 QUESTIONS ON NOTICE**

Nil

**10 QUESTIONS WITHOUT NOTICE**

Nil

**11 PETITIONS**

Nil

**12 MAYOR****12.1 MAYOR'S MONTHLY REPORT APRIL 2019****PURPOSE**

To keep Elected Members updated on Mayoral activities during the month of April 2019.

Mayor Braund advised Elected Members that Anzac Day Ceremonies were well attended throughout our Council region and thanked all involved for their support of these events.

**RESOLUTION**

Moved: Cr Leanne O'Brien  
Seconded: Cr Jeffrey Cook

That the report be received.

**CARRIED 092/2019 (8/05/2019)**

**13 COUNCILLORS' REPORT**

Nil

**INFORMATION AGENDA****14 ITEMS FOR EXCLUSION**CEO Activities Report - Query

Cr Adam Meyer queried an update on the Marion Bay Boat Ramp Project. Mr Cameron responded and advised that a briefing would be provided to Elected Members at the June Workshop.

**15 RECEIPT OF INFORMATION REPORTS****ADOPTION OF INFORMATION AGENDA****RESOLUTION**

Moved: Cr John Rich  
Seconded: Cr Leanne O'Brien

That the information items contained within the Information Agenda, be received.

**CARRIED 093/2019 (8/05/2019)**

**20 VISITORS TO THE MEETING**

Nil

**DEBATE AGENDA****21 MAYOR**

Nil

**22 CHIEF EXECUTIVE OFFICER****22.1 DRAFT ANNUAL BUSINESS PLAN AND BUDGET 2019/2020****PURPOSE**

Each year Council develops and adopts an Annual Business Plan (ABP) and Budget. This document explains the context in which the Budget has been developed, provides information on what Council plans to achieve in the coming financial year and describes how this will be funded.

As part of the annual business planning process, Council's 2019/2020 Fees and Charges Register has also been reviewed and updated.

This report requests Council endorsement of the 2019/2020 ABP, Budget and the Fees and Charges for public consultation.

Cr Adam Meyer requested that bush camping permits be retained at \$10 per night for the ensuing financial year, to support and encourage tourism to the region.

**RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr Tania Stock

That Council endorse the 2019/2020 draft Annual Business Plan, including the 2019/2020 draft Budget and the 2019/2020 Fees and Charges, noting that the bush camping fees will be retained at \$10 per night, for the financial year ending 30 June 2020, for public consultation.

**CARRIED 094/2019 (8/05/2019)**

**22.2 PROPOSED RATING MODELS 2019/2020****PURPOSE**

To provide Elected Members with details of indicative Capital Valuations and possible rating models for 2019/2020 consistent with Council's Long Term Financial Plan 2020-2029 (LTFP), to raise General Rates to fund Council's Annual Business Plan (ABP) and Budget.

Mayor Braund provided a pre-ambule on the raising of rates revenue, noting it was a "good tax" where Council and the community get to have the most influence on how the revenue is used, highlighting that is it the only tax paid by the community that is spent entirely in the community, unlike other forms of taxation.

5.44pm Cr Meyer requested that the meeting move to informal mode to discuss the Rating models.

The Mayor sought leave of the meeting to move to informal mode with 2/3 Members present in agreement - to discuss this agenda item.

6.04pm

**RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr John Rich

That the meeting return to Formal Mode.

**CARRIED 095/2019 (8/05/2019)**

**RESOLUTION**

Moved: Cr Anthony Bennett

Seconded: Cr Tania Stock

That Council endorse Model B2 as the preferred model for the raising of General Rates in 2019/2020.

MOTION LOST

**RESOLUTION**

Moved: Cr Jeffrey Cook

Seconded: Cr John Rich

That Council endorse Model B1 as the preferred model for the raising of General Rates in 2019/2020.

CARRIED

Cr John Rich called for a division

As a consequence the result of the above motion was set aside

In Favour: Crs John Rich, Richard Carruthers, Adam Meyer, Leanne O'Brien and Jeffrey Cook

Against: Crs Tania Stock, Anthony Bennett and Kristin Murdock

The Mayor declared the motion

**CARRIED 096/2019 (8/05/2019)**

**23 CORPORATE AND COMMUNITY SERVICES****23.1 TREASURY MANAGEMENT PERFORMANCE 2017/2018****PURPOSE**

Review of Council's treasury management (investments and borrowings) activity and performance for 2017/2018 in accordance with legislation and PO139 Treasury Management Policy.

**RESOLUTION**

Moved: Cr Jeffrey Cook

Seconded: Cr Adam Meyer

That the report be received and the contents noted.

**CARRIED 097/2019 (8/05/2019)**

**23.2 FINANCIAL REPORT AS AT 30 APRIL 2019****PURPOSE**

For Council to consider the financial report and capital projects update report as at 30 April 2019.

**RESOLUTION**

Moved: Cr Jeffrey Cook  
Seconded: Cr Leanne O'Brien

That Council receive the financial report and capital projects update report as at 30 April 2019.

**CARRIED 098/2019 (8/05/2019)**

**23.3 MARCH QUARTERLY BUDGET REVIEW 2018/2019****PURPOSE**

To consider and adopt the third and final quarterly review (as at 31 March 2019) of Council's 2018/2019 Budget and associated financial statements, ratios and changes.

**RESOLUTION**

Moved: Cr Anthony Bennett  
Seconded: Cr Leanne O'Brien

That Council endorse the 2018/2019 March Budget review changes as presented in the attached Summary of Changes, Statement of Comprehensive Income and Uniform Presentation of Finances and receive the updated Statement of Financial Position, Statement of Cash Flows, Statement of Changes in Equity and Financial Indicators (Ratios).

**CARRIED 099/2019 (8/05/2019)**

**23.4 REQUEST FOR SPONSORSHIP - YORKES CLASSIC SURF EVENT****PURPOSE**

To request funding in the form of sponsorship for the Yorkes Classic Surf Event being held in Innes National Park in June 2019.

**RESOLUTION**

Moved: Cr John Rich  
Seconded: Cr Anthony Bennett

That Council endorse a one-off contribution of \$1,500 as sponsorship of the Yorkes Classic Surf Event.

**CARRIED 100/2019 (8/05/2019)**

**23.5 PO149 COMMUNITY GRANTS SCHEME POLICY****PURPOSE**

To seek endorsement and approval from Council for the updated PO149 Community Grants Scheme Policy.

**RESOLUTION**

Moved: Cr Jeffrey Cook

Seconded: Cr Richard Carruthers

That Council endorse and adopt the updated PO149 Community Grants Scheme Policy, as presented for inclusion in Council's policy manual and on the website.

**CARRIED 101/2019 (8/05/2019)**

**23.6 SYP LANDCARE GROUP - COMMUNITY GRANT EXTENSION****PURPOSE**

A request has been received from the Southern Yorke Peninsula Landcare Group for Council to formally consider an extension in time for the application for funds approved as a Community Grant in 2018/2019.

**RESOLUTION**

Moved: Cr Jeffrey Cook

Seconded: Cr Anthony Bennett

That Council endorse an extension of the Southern Yorke Peninsula Landcare Group 2018/2019 Community Grant of \$1,010 to 31 December 2019.

**CARRIED 102/2019 (8/05/2019)**



**24 ASSETS AND INFRASTRUCTURE SERVICES****24.1 ROADS WORKING PARTY****PURPOSE**

For Council to receive the notes of Council's Roads Working Party meeting held on 27 March 2019.

**RESOLUTION**

Moved: Cr John Rich  
Seconded: Cr Anthony Bennett

That Council:

1. receive the notes of the Roads Working Party meeting held on 27 March 2019; and
2. endorse the amended Terms of Reference for the Roads Working Party.

**CARRIED 103/2019 (8/05/2019)**

**25 DEVELOPMENT SERVICES****25.1 UPDATE - COUNCIL POLICY - PO083 AUTHORISATION TO COLLECT FALLEN TIMBER****PURPOSE**

To seek endorsement and approval from Council for the updated PO083 Authorisation to Collect Fallen Timber Policy.

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Richard Carruthers

That Council endorse and approve the updated PO083 Authorisation to Collect Fallen Timber Policy for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 104/2019 (8/05/2019)**

**25.2 PROPOSED NEW LEASES - TELSTRA CORPORATION LIMITED, SITUATED AT LOT 1 KUHN TERRACE, PORT VICTORIA AND EAST TERRACE, MINLATON.****PURPOSE**

To endorse new lease agreements to Telstra Corporation Limited (Telstra) located at Lot 1 Kuhn Terrace, Port Victoria and East Terrace, Minlaton.

**RESOLUTION**

Moved: Cr Anthony Bennett

Seconded: Cr Leanne O'Brien

That Council:

1. endorse new lease agreements with Telstra for a portion of land comprised in Crown Record Volume 5859 Folio 590, 1 Kuhn Terrace, Port Victoria and Crown Record Volume 5859 Folio 142, Lot 1 East Terrace, Minlaton, for a period of (10) ten years commencing 19 November 2018, with an option to renew for a further (2) two terms of (5) five years each.
2. authorise the Mayor and Chief Executive Officer to sign and seal any documents required to give effect to leases.

**CARRIED 105/2019 (8/05/2019)**

**25.3 PROPOSED SALE OF 53 MAIN STREET PORT VINCENT****PURPOSE**

To seek approval to offer for sale 53 Main Street, Port Vincent, Allotment 80 Deposited Plan 112787 Hundred of Ramsay, Certificate of Title, Volume 6178 Folio 191.

**RESOLUTION**

Moved: Cr John Rich

Seconded: Cr Kristin Murdock

That Council:

1. resolve to dispose of 53 Main Street, Port Vincent, Allotment 80 Deposited Plan 112787 Hundred of Ramsay, Certificate of Title, Volume 6178 Folio 191.
2. authorise the Mayor and Chief Executive Officer to sign and seal any documents in relation to the transfer of the property.
3. authorise all net proceeds from the sale be allocated to community projects within Port Vincent in consultation with the Port Vincent Progress Association.

**CARRIED 106/2019 (8/05/2019)**

**25.4 LAND MANAGEMENT AGREEMENT****PURPOSE**

To seek authorisation from Council for the Mayor and Chief Executive Officer to execute a Land Management Agreement relating to development at Section 330 Hundred of Para Wurlie in the area named Point Souttar, commonly known as 10 Galway Crescent, Point Souttar.

**RESOLUTION**

Moved: Cr Jeffrey Cook  
Seconded: Cr Leanne O'Brien

That Council authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal on the relevant documents relating to the Land Management Agreement over land identified as Section 330 Hundred of Para Wurlie in the area named Point Souttar, as contained within Certificate of Title Volume 5776 Folio 80.

**CARRIED 107/2019 (8/05/2019)**

**25.5 UPDATE - COUNCIL POLICY - PO074 NATIVE PLANT COLLECTION PERMITS****PURPOSE**

To seek endorsement and approval from Council for the updated PO074 Native Plant Collection Permit Policy.

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Tania Stock

That Council endorse and approve the updated PO074 Native Plant Collection Permit Policy for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 108/2019 (8/05/2019)**

**26 GENERAL BUSINESS**

Section 85 of the Act requires that matters on the Agenda are described with reasonable "particularity and accuracy" and reports and other documentation to be considered at a meeting are available to the public prior to the meeting. The practice of general business should be restricted to matters of urgency.

**Cr Adam Meyer**

Councils on the Eyre Peninsula that appear to have Road Train access maps via Ravnet for permit holders to obtain Road Train permits for commodity transport:

Cleve, Elliston Lower Eyre Peninsula, Tumby Bay, Franklin Harbour, Kimba, Wudinna, Streaky Bay, Ceduna.

Can staff prepare a report into assessing YPC practices in relation to allowing Road Train operators to obtain a NHVR permit, to operate on all approved YPC roads for commodity purposes.

**RAVnet**

Stuart Hwy Port Augusta West

- GML Routes
- HML Routes
- OSM Routes
- PBS Routes
- Commodity Routes
  - B Double
  - Road Train
    - Grain (Road Train GML)
    - Fertilizer (Road Train GML)
    - Hay & Bulk Stock Feed (Road Train GML)
    - Dairy Milk (Road Train GML)
    - Livestock (Road Train GML)
    - Logging & Timber (Road Train GML)
    - Wine (Road Train GML)
    - Wool (Road Train GML)
    - Fruit & Veg (Road Train GML)
- DPTI Safe T Cam Sites
- State Maintained Roads

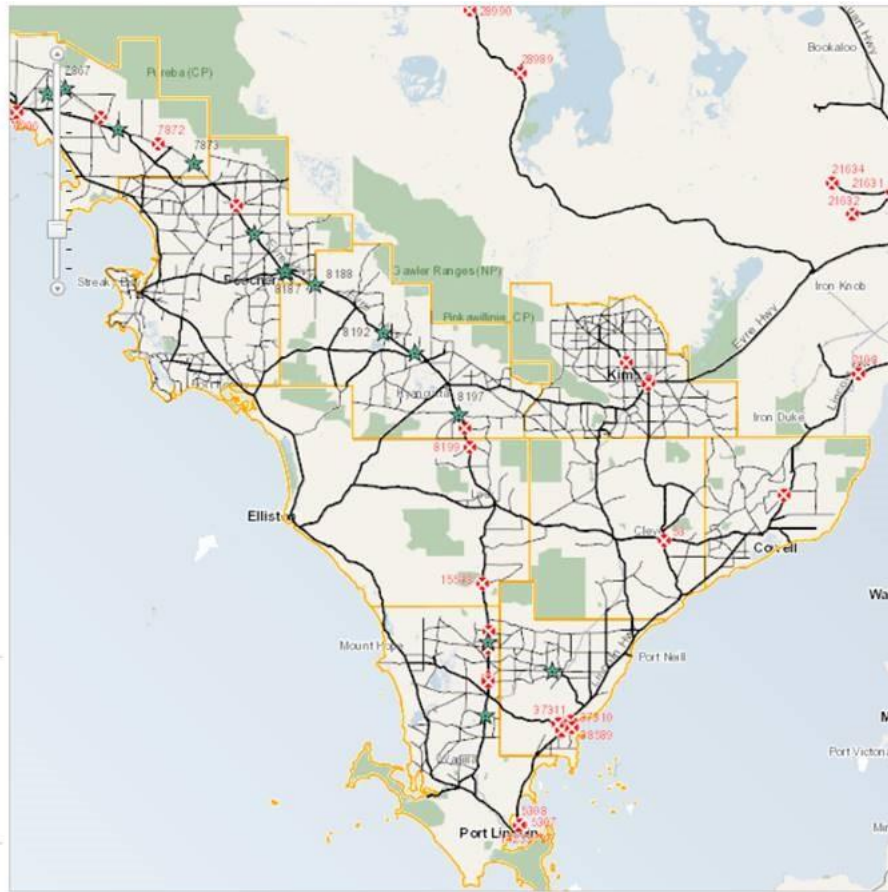
**Legend**

- General Freight Route
- Commodity Route
- State Maintained Roads
- Restriction
- Star (Level crossing) Restriction
- LGA with Commodity Restrictions
- DPTI Safe T Cam Site

**Tools**

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Government of South Australia  
Department of Planning, Transport and Infrastructure



**RAVnet**

Stuart Hwy Port Augusta West

- GML Routes
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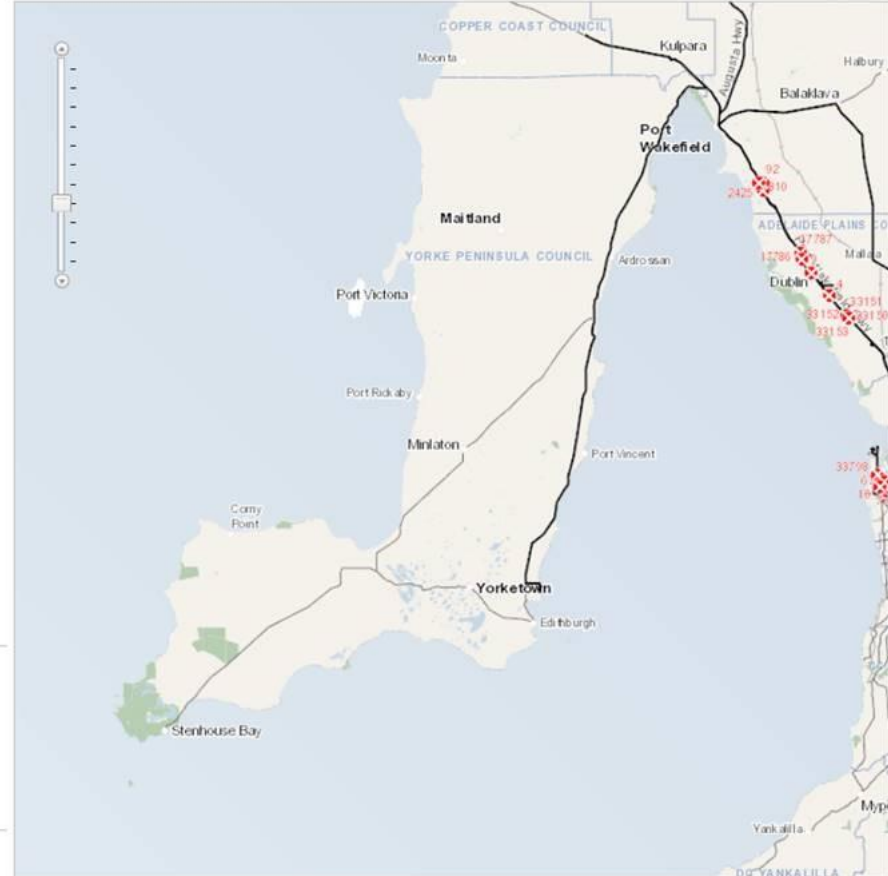
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**CONFIDENTIAL AGENDA****27 CONFIDENTIAL ITEMS****27.1 ELECTRICAL EQUIPMENT TESTING AND TAGGING TENDER 187-2018****RESOLUTION**

Moved: Cr Jeffrey Cook

Seconded: Cr John Rich

**Section 90 Order**

That pursuant to Section 90(2) and (3)(k) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.1 Electrical Equipment Testing and Tagging Tender 187-2018, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to CEO and Mayor
- Director Corporate and Community Services
- Acting Director Assets and Infrastructure
- Director Development Services

The Council is satisfied that, pursuant to Section 90(2) and (3)(k) of the Act, the information to be received, discussed or considered in relation to report Item 27.1 Electrical Equipment Testing and Tagging Tender 187-2018, is confidential information relating to:

- (k) tenders for the supply of goods, the provision of services or the carrying out of works.

Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

**CARRIED 109/2019 (8/05/2019)**

**27.2 JETTY PILE REPLACEMENT TENDER 197/2019****RESOLUTION**

Moved: Cr John Rich

Seconded: Cr Tania Stock

**Section 90 Order**

That pursuant to Section 90(2) and (3)(k) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.2 Jetty Pile Replacement Tender 197-2019, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to CEO and Mayor
- Director Corporate and Community Services
- Acting Director Assets and Infrastructure
- Director Development Services

The Council is satisfied that, pursuant to Section 90(2) and (3)(k) of the Act, the information to be received, discussed or considered in relation to report Item 27.2 Jetty Pile Replacement Tender 197-2019, is confidential information relating to:

(k) tenders for the supply of goods, the provision of services or the carrying out of works.

Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

**CARRIED 110/2019 (8/05/2019)**

*6.28pm The public were asked to leave and the Chamber was secured.*

**RESUMPTION OF PUBLIC MEETING**

6.42pm Released In Camera Minutes

**27.1 ELECTRICAL EQUIPMENT TESTING AND TAGGING TENDER 187-2018****RESOLUTION**

Moved: Cr Jeffrey Cook  
Seconded: Cr Anthony Bennett

That Council not award the contract to any tenderer and approve the recruitment of an Electrical Appliance Testing Officer (Test and Tag), classified as a Local Government Municipal Employee Grade 4 to undertake this compliance activity.

**CARRIED 111/2019 (8/05/2019)**

**RESOLUTION**

Moved: Cr John Rich  
Seconded: Cr Anthony Bennett

**Section 91 Order**

That having considered report 27.1 Electrical Equipment Testing and Tagging Tender 187-2018 in confidence under Section 90(2) and (3)(k) of the Local Government Act 1999 (the Act) the Council, pursuant to Section 91 (7) and 91 (9) of the Act orders that the agenda report, attachments, minutes and supporting documentation relevant to report 27.1 Electrical Equipment Testing and Tagging Tender 187-2018 be retained in confidence and not available for public inspection for a period of 12 months.

**CARRIED 112/2019 (8/05/2019)**

**27.2 JETTY PILE REPLACEMENT TENDER 197/2019****RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Tania Stock

That Council accept the tender from Davey Hydraulics Pty Ltd for jetty pile replacement.

**CARRIED 113/2019 (8/05/2019)**

**RESOLUTION**

Moved: Cr Jeffrey Cook  
Seconded: Cr Richard Carruthers

**Section 91 Order**

That having considered report 27.2 Jetty Pile Replacement Tender 197/2019 in confidence under Section 90(2) and (3)(k) of the Local Government Act 1999 (the Act) the Council, pursuant to Section 91 (7) and 91 (9) of the Act orders that the agenda report, attachments, minutes and supporting documentation relevant to report 27.2 Jetty Pile Replacement Tender 197/2019 be retained in confidence and not available for public inspection for a period of 12 months.

**CARRIED 114/2019 (8/05/2019)**

**28 NEXT MEETING**

Wednesday 12 June 2019

**29 CLOSURE**

The Meeting closed at 6.42pm.

The minutes of this meeting were confirmed at the Council Meeting held on 12 June 2019.

.....

**Mayor Darren Braund**

**12 June 2019**