



# **MINUTES**

## **Ordinary Council Meeting**

(Subject to confirmation)

**14 April 2021**

**MINUTES OF YORKE PENINSULA  
COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON  
ON WEDNESDAY, 14 APRIL 2021 AT 5.30PM**

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

Deputy Mayor Tania Stock welcomed everyone to the meeting and declared the meeting open.

**2 OPENING PRAYER**

**3 PRESENT**

Deputy Mayor Tania Stock, Cr Richard Carruthers, Cr Adam Meyer, Cr Leanne O'Brien, Cr Anthony Bennett, Cr Naomi Bittner, Cr Kristin Murdock, Cr David Langford, Cr Michael Murdock, Cr John Rich

**In Attendance**

Andrew Cameron (CEO), Roger Brooks (Director Development Services), Natalie McDonald (Minute Secretary), Andre Kompler (Director Assets & Infrastructure Services)

**4 LEAVE OF ABSENCE**

Nil

**5 APOLOGIES**

Mayor Darren Braund and Cr Roger Johns

**6 CONFLICT OF INTEREST**

Deputy Mayor Tania Stock 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 Leanne O'Brien

Seconded: Cr David Langford

That the minutes of the Ordinary Council Meeting held on 10 March 2021 be confirmed.

**CARRIED 050/2021 (14/04/2021)**

**RESOLUTION**

Moved: Cr Anthony Bennett  
Seconded: Cr Richard Carruthers

That the minutes of the Confidential Council Meeting held on 10 March 2021 be confirmed.

- Acquisition of Land – Charles Street, Yorketown – Section 91 Order – Minute Reference 071/2020

**CARRIED 051/2021 (14/04/2021)**

**RESOLUTION**

Moved: Cr David Langford  
Seconded: Cr Adam Meyer

That the minutes of the Special Council Meeting held on 30 March 2021 be confirmed.

- Port Vincent CWMS Expansion Project – Public Consultation

**CARRIED 052/2021 (14/04/2021)**

**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 MARCH 2021****PURPOSE**

To keep Elected Members updated on Mayoral activities during the month of March 2021.

**RESOLUTION**

Moved: Cr David Langford  
Seconded: Cr Naomi Bittner

That the report be received.

**CARRIED 053/2021 (14/04/2021)**

**13 COUNCILLORS' REPORT**

Nil

**INFORMATION AGENDA**

**14 ITEMS FOR EXCLUSION**

Nil

**15 RECEIPT OF INFORMATION REPORTS**

**ADOPTION OF INFORMATION AGENDA**

Moved: Cr Leanne O'Brien

Seconded: Cr Adam Meyer

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

**20 VISITORS TO THE MEETING**

Nil

**DEBATE AGENDA**

**21 MAYOR**

Nil

**22 CHIEF EXECUTIVE OFFICER****22.1 ELECTOR REPRESENTATION REVIEW - FIRST PUBLIC CONSULTATION SUBMISSIONS AND PREFERRED OPTION****PURPOSE**

To consider the submissions received following the first public consultation process and the Representation Review Report, prepared by CL Rowe and Associates and seek an 'in principle' decision on the preferred future composition and structure for comment.

**RESOLUTION**

Moved: Cr Michael Murdock  
Seconded: Cr Leanne O'Brien

That the full submission from Vivienne Lambert as tabled be recorded in the Minutes.

**CARRIED 054/2021 (14/04/2021)**

5.37pm

With approval from the members the Deputy Mayor advised that the meeting would move to informal mode to discuss this matter.

**RESOLUTION**

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

5.45pm – The Deputy Mayor advised that a Motion was required to return to Formal Mode

**CARRIED 055/2021 (14/04/2021)**

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Anthony Bennett

That Council:

1. Receive and consider the submissions resulting from the first public consultation process;
2. Receive and consider the Elector Representation Review - First Public Consultation – Submissions Report prepared by CL Rowe and Associates Pty Ltd;
3. Provide 'in principle' support for preferred Option No 1, as described in the Elector Representation Review – Representation Options Paper (Options Paper) (provided in Attachment 1).

**CARRIED UNANIMOUSLY 056/2021 (14/04/2021)**

## 22.2 FIRE AND EMERGENCY SERVICES INSTRUMENT OF DELEGATION UPDATE

### PURPOSE

For Council to update the Instrument of Delegation made under the Fire and Emergency Services Act 2005 and the Fire and Emergency Services Regulations 2005, following the implementation of the Fire and Emergency Service Regulations 2021.

### RESOLUTION

Moved: Cr David Langford

Seconded: Cr Leanne O'Brien

That having considered its Fire and Emergency Services Act 2005 and the Fire and Emergency Services Regulations 2005 Instrument of Delegation 8A, in response to legislative change, Council:

#### 1. Revocations

1.1 Hereby revokes its previous delegations of those powers and functions under the following:

1.1.1 Fire and Emergency Services Act 2005

1.1.2 Fire and Emergency Services Regulations 2005

#### 2. Delegations made under Local Government Act 1999

2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2021 and specified in the proposed Instrument of Delegation 8A (provided in Attachment 1) are hereby delegated this 14th day of April 2021 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

2.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

**CARRIED 057/2021 (14/04/2021)**

## 23 CORPORATE AND COMMUNITY SERVICES

### 23.1 FINANCIAL REPORT AS AT 31 MARCH 2021

#### PURPOSE

For Council to consider the financial report and capital projects update report as at 31 March 2021.

#### RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Leanne O'Brien

That Council receive the financial report and capital projects update report as at 31 March 2021.

**CARRIED 058/2021 (14/04/2021)**

**23.2 LONG TERM FINANCIAL PLAN 2022-2031****PURPOSE**

Council consideration of public submissions and feedback received regarding the Draft Long Term Financial Plan 2022 - 2031 (LTFP) which was advertised for public consultation from Thursday, 11 March 2021 to Monday, 5 April 2021.

**RESOLUTION**

Moved: Cr David Langford  
Seconded: Cr Leanne O'Brien

That Council receive and consider all public consultation feedback and adopt the Long Term Financial Plan 2022 – 2031 as presented.

**CARRIED 059/2021 (14/04/2021)**

**23.3 2021-2022 YPC HOLIDAY PARK ANNUAL SITE LICENCE AND VAN STORAGE FEES****PURPOSE**

To seek early adoption of increases to some of the YPC Holiday Park Annual Site Licence and Van Storage fees for 2021/2022.

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Richard Carruthers

That Council adopt the 2021/2022 Annual Site Licence and Van Storage Fees as presented.

**CARRIED 060/2021 (14/04/2021)**

**23.4 RATE REBATE - ARTHURTON WAR MEMORIAL SPORTING CLUBS INC****PURPOSE**

For Council to consider a rate rebate application received from Arthurton War Memorial Sporting Clubs Inc. ("Club") for land leased from Council.

**RESOLUTION**

Moved: Cr Naomi Bittner  
Seconded: Cr Leanne O'Brien

That Council do not grant a rate rebate to the Arthurton War Memorial Sporting Clubs Inc. for the property at 3 South Tce, Arthurton (Assessment no. 37739) for 2019/2020, 2020/2021 and future financial years.

**CARRIED 061/2021 (14/04/2021)**

**23.5 HARDWICKE BAY PROGRESS ASSOCIATION - REQUEST FOR ACCEPTANCE - FREE OF CHARGE ASSET****PURPOSE**

Council has been approached by the Hardwicke Bay Progress Association seeking to gift a barbeque to Council as a "Free of Charge" asset.

**RESOLUTION**

Moved: Cr Leanne O'Brien

Seconded: Cr Adam Meyer

That Council accept the donation of the barbeque installed at Progress Park, Hardwicke Bay as an asset "Free of Charge" and authorise the amenity to be added to Council's asset register.

**CARRIED 062/2021 (14/04/2021)**

**24 ASSETS AND INFRASTRUCTURE SERVICES**

Nil

**25 DEVELOPMENT SERVICES****25.1 POLICY REVIEW - PO157 CAMPING ON COUNCIL LAND****PURPOSE**

To seek endorsement and approval from Council for the updated PO157 Camping on Council Land Policy.

**RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr Naomi Bittner

That Council endorse and adopt the updated PO157 Camping on Council Land Policy for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 063/2021 (14/04/2021)**

**25.2 POLICY REVIEW - PO141 ENFORCEMENT POLICY****PURPOSE**

To seek endorsement and approval from Council for the updated PO141 Enforcement Policy.

**RESOLUTION**

Moved: Cr Leanne O'Brien

Seconded: Cr Adam Meyer

That Council endorse and adopt the updated PO141 Enforcement Policy for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 064/2021 (14/04/2021)**



**25.3 POLICY REVIEW - PO098 REBATE VIA DONATION DEVELOPMENT APPLICATION FEES****PURPOSE**

To seek endorsement from Council for the updated and revised policy to PO098 Rebate Via Donation Development Application Fees Policy to be renamed PO098 Waiving Development Application Fees.

**RESOLUTION**

Moved: Cr Leanne O'Brien  
Seconded: Cr Richard Carruthers

That Council endorse and adopt the updated and revised policy PO098 Rebate Via Donation Development Application Fees Policy to be renamed PO098 Waiving Development Application Fees and to be included in Council's Policy Manual and on Council's website.

**CARRIED 065/2021 (14/04/2021)**

**25.4 SETTING OF CAT REGISTRATION FEES AND CHARGES****PURPOSE**

For Council to consider the setting of registration fees for cats pursuant to the Dog and Cat Management Act commencing on 1 July 2021.

**RESOLUTION**

Moved: Cr Naomi Bittner  
Seconded: Cr Leanne O'Brien

That the matter lie on the table.

**CARRIED 066/2021 (14/04/2021)**

**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 Meyer questioned the reactivation of the Roads Working Party.

CEO Andrew Cameron to undertake a review and update of the Terms of Reference of the Roads Working Party and present to the next Council Meeting in May 2021.

**CONFIDENTIAL AGENDA**

**27 CONFIDENTIAL ITEMS**

Nil

**28 NEXT MEETING**

Wednesday 12 May 2021

**29 CLOSURE**

The Meeting closed at 6.28pm.

The minutes of this meeting were confirmed at the Council Meeting held on 12 May 2021.

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**MAYOR DARREN BRAUND**