



MINUTES

Ordinary Council Meeting

(Subject to confirmation)

11 June 2025

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON
ON WEDNESDAY, 11 JUNE 2025 AT 5:30 PM**

1 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY BY MAYOR

Acting Mayor Richard Carruthers welcomed everyone to the meeting and declared the meeting open.

2 OPENING PRAYER

3 PRESENT

Acting Mayor Richard Carruthers, Cr Naomi Bittner, Cr Trevor Clerke, Cr Scott Hoyle, Cr Roger Johns, Cr Adam Meyer, Cr Kristin Murdock, Cr Michael O'Connell, Cr Tania Stock

In Attendance

Andrew Cameron (CEO), Andre Kompler (Director Assets & Infrastructure Services), Ben Thompson (Director Corporate & Community Services), Dustin Guthberg (Director Development Services), Natalie McDonald (Minute Secretary), Adele Field (Governance Officer)

4 LEAVE OF ABSENCE

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Scott Hoyle

That Council grant Cr Kylie Gray a leave of absence until 31 July 2025.

CARRIED 163/2025 (11/06/2025)

RESOLUTION

Moved: Cr Trevor Clerke

Seconded: Cr Kristin Murdock

That Council grant Cr Adam Meyer a leave of absence from 5 July 2025 to 20 July 2025.

CARRIED 164/2025 (11/06/2025)

5 APOLOGIES

Cr Danny Le Feuvre.

6 CONFLICT OF INTEREST

Acting Mayor Richard Carruthers reminded all Elected Members of the requirement to disclose any conflict of interest in relation to any matters before Council.

1. Elected Member Name:	Tania Stock
2. Type of Conflict of Interest being declared:	General Conflict of Interest <input checked="" type="checkbox"/>
3. Matter to be discussed (<i>Agenda Item #</i>):	Agenda Item 23.1 – Appointment of Audit and Risk Committee Presiding Member

4. Nature of the Interest being declared:	I am declaring a General Conflict of Interest due to communications received from the Mayor in relation to this item that may give rise to a perceived conflict of interest.
5. I intend to participate in the meeting in relation to this General Conflict of Interest:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
6. If yes to question 5, I intend to deal with this General Conflict of Interest in the following manner:	Leave the meeting and will not vote
7. If yes to question 5, my reasons for participating (and, if relevant, voting) in relation to the matter are:	<p>RESOLUTION</p> <p>Moved: Cr Scott Hoyle Seconded: Cr Trevor Clerke</p> <p>That Council endorse Independent Member Rob Reiman as the Presiding Member of the Audit and Risk Committee for their current term (expiring 30 November 2028) to Council.</p> <p>CARRIED 181/2025 (11/06/2025)</p>

7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Trevor Clerke

That the minutes of the Ordinary Council Meeting held on 14 May 2025 be confirmed.

CARRIED 165/2025 (11/06/2025)

RESOLUTION

Moved: Cr Michael O'Connell
Seconded: Cr Trevor Clerke

That the minutes of the Confidential Council Meeting held on 14 May 2025 be confirmed.

27.1 – South Australian Jetty Renewal Program Funding and Lease – Ardrossan and Edithburgh Jetties

CARRIED 166/2025 (11/06/2025)

RESOLUTION

Moved: Cr Tania Stock
Seconded: Cr Michael O'Connell

That the minutes of the Confidential Council Meeting held on 14 May 2025 be confirmed.

27.2 – Independent Organisational Review

CARRIED 167/2025 (11/06/2025)

RESOLUTION

Moved: Cr Trevor Clerke
Seconded: Cr Adam Meyer

That the minutes of the Confidential Council Meeting held on 14 May 2025 be confirmed.

27.3 – Audit and Risk Committee – Independent Member Appointment

CARRIED 168/2025 (11/06/2025)

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Scott Hoyle

That the minutes of the Confidential Council Meeting held on 14 May 2025 be confirmed.

27.4 – Tender 245-2024 – Programmed Maintenance Painting Services

CARRIED 169/2025 (11/06/2025)

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Michael O'Connell

That the minutes of the Confidential Council Meeting held on 14 May 2025 be confirmed.

27.5 – Hygiene Services – Tender 260-2024

CARRIED 170/2025 (11/06/2025)

RESOLUTION

Moved: Cr Trevor Clerke
Seconded: Cr Kristin Murdock

That the minutes of the Confidential Council Meeting held on 14 May 2025 be confirmed.

27.6 – Point Pearce Youth Shed Toilet Addition – Tender 262-2025

CARRIED 171/2025 (11/06/2025)

RESOLUTION

Moved: Cr Michael O'Connell
Seconded: Cr Scott Hoyle

That the minutes of the Confidential Council Meeting held on 14 May 2025 be confirmed.

27.7 – Edithburgh Jetty Dive Stairs – Tender 256-2024

CARRIED 172/2025 (11/06/2025)

RESOLUTION

Moved: Cr Roger Johns
Seconded: Cr Trevor Clerke

That the minutes of the Confidential Council Meeting held on 14 May 2025 be confirmed.

27.8 – Balgowan Playground Project Update

CARRIED 173/2025 (11/06/2025)

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 - MAY 2025****PURPOSE**

To update Elected Members on Mayoral activities during the month of May 2025.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Scott Hoyle

That the report be received.

CARRIED 174/2025 (11/06/2025)

13 COUNCILLORS' REPORT

Nil

INFORMATION AGENDA**14 ITEMS FOR EXCLUSION**

Cr Stock withdrew Item 16.1 – Action item from last meeting – Notice of Motion Pine Point Road Realignment – requesting that a copy of the correspondence sent to the Department for Infrastructure be included in the information agenda for next meeting and any other correspondence pertaining thereto.

15-19 RECEIPT OF INFORMATION REPORTS**RESOLUTION**

Moved: Cr Michael O'Connell

Seconded: Cr Adam Meyer

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

CARRIED 175/2025 (11/06/2025)

20 VISITORS TO THE MEETING

Nil

DEBATE AGENDA**21 MAYOR**

Nil

22 CHIEF EXECUTIVE OFFICER**22.1 SECTION 270 REVIEW - ADOPTION OF RATE INCREASE****PURPOSE**

For Council to reconsider the decision made at its 10 July 2024 meeting regarding the adoption of rate model option 3 relating to general rates, following receipt of a request pursuant to Section 270 of the Local Government Act 1999 for a review of the decision.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Trevor Clerke

That Council receives the request for an internal review of a Council decision, dated 17 October 2024, seeking a review of the Council decision made at the Council meeting held on 10 July 2024, resolution number 183/2024 (10/07/2024):

'RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Michael O'Connell

Council, having considered the UHY Haines Norton 'Rating Review – Completion Report', adopts model 3, as provided in an attachment to this report, which was **not** included, in the draft Annual Business Plan and Budget for public consultation between Wednesday, 29 May 2024 and 5pm Thursday, 27 June 2024 and in adopting this model notes the effect thereof on the general rate revenue being raised.

The vote was tied at five all. Due to equality of votes the Mayor was required to use his casting vote and voted in favour of the motion.

MOTION CARRIED

Cr Tania Stock called for a division.

In Favour: Mayor Darren Braund and Crs Richard Carruthers, Naomi Bittner, Trevor Clerke, Scott Hoyle and Michael O'Connell

Against: Crs Kylie Gray, Roger Johns, Adam Meyer, Kristin Murdock and Tania Stock

CARRIED 183/2024 (10/07/2024)'

(Original Decision).

CARRIED 176/2025 (11/06/2025)

AND

RESOLUTION

Moved: Cr Michael O'Connell

Seconded: Cr Adam Meyer

That Council, in accordance with its PO037 Internal Review of a Council Decision Policy, for the purposes of the review of the Original Decision notes:

1. It has reconsidered the following information that had been considered by the Council at the time it made the Original Decision:
 - a. the Council report, attachments and minutes relating to Agenda Item 7.1 Request for Community Consultation on the General Rate Review first presented to the Council at its 22 May 2024 Council meeting.
 - b. the Council report, attachments and minutes relating to Agenda Item 7.2 Draft Annual Business Plan and Budget 2024.2025 first presented to the Council at its 22 May 2024 Council meeting.
 - c. the Council report, attachments and minutes relating to Agenda Item 8.1 Draft 2024/2025 Annual Business Plan and Budget and General Rate Review – Public Consultation Opportunity for Verbal Submissions first presented to the Council at its 26 June 2024 Council meeting.
 - d. the Council report, attachments and minutes relating to Agenda Item 22.1 General Rate Review Final Report first presented to the Council at its 10 July 2024 Council meeting.
 - e. the Council report, attachments and minutes relating to Agenda Item 22.2 Draft 2024/2025 Annual Business Plan and Budget – Public Consultation first presented to the Council at its 10 July 2024 Council meeting.
2. it has considered the Council report, attachments and minutes relating to Item 8.2 Adoption of the 2024/2025 Budget, Property Valuations and Declaration of Rates and Service Charges first presented to the Council at its 17 July 2024 Council meeting;
3. considered the matters specified in Clause 4.4 of Council's PO037 Internal Review of a Council Decision Policy;
4. considered the report and attachments provided by the external reviewer which includes additional relevant information which has been provided/become available since the date of the making of the application for review.

CARRIED 177/2025 (11/06/2025)

AND

MOTION

Moved: Cr Michael O'Connell

Seconded: Cr Naomi Bittner

That Council, having considered and reconsidered the information contained within resolutions 1 and 2 above, resolve:

1. That:
 - The decision was within delegated authority;
 - All relevant matters were considered;
 - The decision was made based on good faith and for proper purposes;
 - The findings were based on evidence;

- The decision was reasonable;
 - The person requesting the review was treated with fairness and in keeping with the principles of procedural fairness (also called natural justice);
 - That a discretionary power was not exercised at the direction of another;
 - Existing policies were adequately considered and applied;
 - Council made the best possible decision in the circumstances.
2. That the Original Decision be upheld on the basis it is:
- 2.1 a lawful decision; and
- 2.2 the best or preferable decision.

Cr Tania Stock moved a formal motion that was put to the meeting:

Moved: Cr Tania Stock

Seconded: Cr Adam Meyer

That the matter be laid on the table.

MOTION CARRIED

Cr Scott Hoyle called for a division.

Moved: Cr Tania Stock

Seconded: Cr Adam Meyer

In Favour: Crs Trevor Clerke, Roger Johns, Adam Meyer, Kristin Murdock and Tania Stock

Against: Crs Naomi Bittner, Scott Hoyle and Michael O'Connell

CARRIED 178/2025 (11/06/2025)

22.2 PROPOSED RATING MODEL 2025/2026

PURPOSE

For Council to endorse the proposed rating model to raise General Rate revenue for 2025/2026 to fund Council's Annual Business Plan and Budget (Annual Business Plan and Budget).

RESOLUTION

Moved: Cr Michael O'Connell

Seconded: Cr Adam Meyer

That Council receive the report and endorse the rating model, as presented, for inclusion in the draft 2025/2026 Annual Business Plan and Budget for public consultation commencing Tuesday, 17 June 2025 and concluding at the close of Council's Ordinary meeting on Wednesday, 9 July 2025.

CARRIED 179/2025 (11/06/2025)

22.3 DRAFT ANNUAL BUSINESS PLAN AND BUDGET 2025/2026**PURPOSE**

To seek Council endorsement of the Draft 2025/2026 Annual Business Plan and Budget (ABP&B) for public consultation in accordance with the provisions of the Local Government Act 1999 South Australia (the Act).

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Trevor Clerke

That Council endorse the draft 2025/2026 Annual Business Plan and Budget for public consultation commencing Tuesday, 17 June 2025 and concluding at the close of Council's Ordinary meeting on Wednesday, 9 July 2025.

CARRIED 180/2025 (11/06/2025)

23 CORPORATE AND COMMUNITY SERVICES

At 6:15 pm, Cr Tania Stock declared a conflict of interest and left the meeting.

23.1 APPOINTMENT OF AUDIT AND RISK COMMITTEE PRESIDING MEMBER**PURPOSE**

To seek Council's endorsement of a Presiding Member to the Audit and Risk Committee.

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Trevor Clerke

That Council endorse Independent Member Rob Reiman as the Presiding Member of the Audit and Risk Committee for their current term (expiring 30 November 2028) to Council.

CARRIED 181/2025 (11/06/2025)

At 6:16 pm, Cr Tania Stock returned to the meeting.

23.2 REQUEST FOR EXTENSION - COMMUNITY GRANT SCHEME 2024/2025 - YORKETOWN GOLF CLUB & YORKETOWN SPORTING CLUB**PURPOSE**

For Council to consider an extension for the acquittal of the Community Grant as requested by the Yorketown Golf Club and Yorketown Sporting Club.

RESOLUTION

Moved: Cr Trevor Clerke

Seconded: Cr Tania Stock

That Council endorse:

1. An extension until 31 December 2025 for the acquittal of the \$5,000 Community Grant that was awarded to the Yorketown Golf Club in September 2024, to build a free-standing veranda off the clubhouse.
2. An extension until 31 July 2025 for the acquittal of the \$4,658.50 Community Grant that was awarded to the Yorketown Sporting Club in September 2024, to mouse proof their storage shed.

CARRIED 182/2025 (11/06/2025)

23.3 POLICY REVIEW - PO184 BUSINESS ENHANCEMENT PROGRAM

PURPOSE

To seek Council's endorsement for the proposed updated PO184 Business Enhancement Program Policy.

RESOLUTION

Moved: Cr Michael O'Connell
Seconded: Cr Scott Hoyle

That Council endorse the proposed updated PO184 Business Enhancement Program Policy as presented.

CARRIED 183/2025 (11/06/2025)

23.4 FINANCIAL REPORT AS AT 31 MAY 2025

PURPOSE

For Council to consider the financial report and capital projects update report as at 31 May 2025.

RESOLUTION

Moved: Cr Adam Meyer
Seconded: Cr Scott Hoyle

That Council receive the financial report and capital projects update report as at 31 May 2025.

CARRIED 184/2025 (11/06/2025)

24 ASSETS AND INFRASTRUCTURE SERVICES

24.1 2025 TRANSPORT ASSET MANAGEMENT PLAN

PURPOSE

To report on recent community consultation and seek Council endorsement of the 2025 Council Transport Asset Management Plan.

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Roger Johns

That Council:

1. Receive this report on community consultation for the 2025 Transport Asset Management Plan; and
2. Adopt the 2025 Transport Asset Management Plan.

CARRIED 185/2025 (11/06/2025)

25 DEVELOPMENT SERVICES

25.1 DRAFT DOG AND CAT MANAGEMENT PLAN AND COMMUNITY ENGAGEMENT

PURPOSE

For Elected Members to consider the feedback received from the draft Dog and Cat Management Plan community engagement process and endorse the 2025-2030 Dog and Cat Management Plan as presented.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Tania Stock

That Council:

1. Receive and consider the submissions from the draft Dog and Cat Management Plan Community Engagement process.
2. Endorse the 2025-2030 Dog and Cat Management Plan as presented for a period of five years.

CARRIED 186/2025 (11/06/2025)

25.2 ACCESS ADVISORY WORKING PARTY MINUTES

PURPOSE

For Council to receive the Minutes of Council's Access Advisory Working Party meeting held on 12 May 2025.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Scott Hoyle

That Council:

1. Receive the Minutes of the Access Advisory Working Party meeting held on 12 May 2025.
2. Commit \$1,500 (Excluding GST) to obtain design plans for the Apex Park accessibility improvement project, Ardrossan.

CARRIED 187/2025 (11/06/2025)

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 sought an update in relation to Yorke Peninsula Tourism, requesting that information be brought back to Council. CEO responded that Manager Economic Development and Business Sustainability has been requested to provide an update. Director Corporate and Community Services took on notice that his team will get an update to the Elected Members and provide an information report to the next meeting.

Cr Meyer sought an update in relation to the Marion Bay boat ramp, requesting an information report to the next month’s agenda. Director Assets and Infrastructure Services took on notice that his team will provide an update to Elected Members and prepare an information report to the next meeting.

CONFIDENTIAL AGENDA

27 CONFIDENTIAL ITEMS

27.1 STANSBURY SEAWALL UPDATE

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Michael O’Connell

Section 90 Order

That pursuant to Section 90(2) and (3)(b)(i),(b)(ii),(i),(k) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.1 Stansbury Seawall Update, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to CEO and Mayor
- Governance Officer
- Director Corporate and Community Services
- Director Assets and Infrastructure Services
- Director Development Services
- Manager Financial Services
- Operations Manager

The Council is satisfied that, pursuant to Section 90(2) and (3)(b)(i),(b)(ii),(i),(k) of the Act, the information to be received, discussed or considered in relation to report Item 27.1 Stansbury Seawall Update, is confidential information relating to:

- (b)(i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council
- (b)(ii) information the disclosure of which would, on balance, be contrary to the public interest
- (i) information relating to actual litigation, or litigation that the Council or Council committee believes on reasonable grounds will take place, involving the council or an employee of the Council
- (k) tenders for the supply of goods, the provision of services or the carrying out of works

- (i) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

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 188/2025 (11/06/2025)

At 6:33 pm, Cr Kristin Murdock left the meeting.

At 6:35 pm, Cr Kristin Murdock returned to the meeting.

6.35pm – the public were removed from the meeting and the Chamber secured.

RESUMPTION OF PUBLIC MEETING

Released in camera minute 6.53pm

27.1 STANSBURY SEAWALL UPDATE

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Scott Hoyle

Section 91 Order

That having considered report 27.1 Stansbury Seawall Update in confidence under Section 90(2) and (3)(b)(i),(b)(ii),(i),(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 Stansbury Seawall Update be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 190/2025 (11/06/2025)

28 NEXT MEETING

Wednesday 9 July 2025

29 CLOSURE

The Meeting closed at 6.54pm.

The minutes of this meeting were confirmed at the Council Meeting held on 9 July 2025.

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ACTING MAYOR RICHARD CARRUTHERS