



MINUTES

Ordinary Council Meeting

(Subject to confirmation)

12 December 2018

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,
MINLATON
ON WEDNESDAY, 12 DECEMBER 2018 AT 5.30PM**

1 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY BY MAYOR

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

2 OPENING PRAYER

3 PRESENT

Mayor Darren Braund, 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 Roger Johns, Cr Jeffrey Cook

In Attendance

Andrew Cameron (CEO), David Harding (Director Corporate and Community Services), Trevor Graham (Director Assets and Infrastructure Services), Roger Brooks (Director Development Services), Luka Honner (Minute Secretary)

4 LEAVE OF ABSENCE

Cr John Rich

5 APOLOGIES

Nil

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.

AGENDA ITEM 6 CONFLICT OF INTEREST DECLARATION	
Disclosure of [type] of Conflict of Interest being declared	Perceived
Elected Member Name	Cr Adam Meyer
Matter to be discussed (Agenda Item #)	23.3 Final Speed Limit Review Results
Nature of the Interest (as described by the Member)	The item relates to recommending speed limits, where due to my employment, I am

	authorised to prosecute breaches of the relevant act. There could be a perception in the community that I should have no decision making ability over an issue I could potentially prosecute.
Manner in which the Member addressed with the Actual or Perceived Conflict of Interest	Remaining in the chamber, remaining silent on the matter and abstaining from voting.
If the Member voted on the matter, the manner in which he or she voted	Abstained from voting.
The manner in which majority of persons who were entitled to vote at the meeting voted on the matter	23.3 CARRIED 309/2018 (12/12/2018)

7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Tania Stock

That the minutes of the Ordinary Council Meeting held on 28 November 2018 be confirmed.

CARRIED 303/2018 (12/12/2018)

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 NOVEMBER 2018****PURPOSE**

To keep Elected Members updated on Mayoral activities during the month of September 2018.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Jeffrey Cook

That the report be received.

CARRIED 304/2018 (12/12/2018)

13 COUNCILLORS' REPORT

Nil

INFORMATION AGENDA**14 ITEMS FOR EXCLUSION**

Nil

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

Moved: Cr Adam Meyer

Seconded: Cr David Langford

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

CARRIED 305/2018 (12/12/2018)

20 VISITORS TO THE MEETING

Harry Butler Centenary Committee

5.35pm Mayor Darren Braund invited representatives of the Harry Butler Centenary Committee, Julie Searle and Robert Smith, to address the Council in relation to their request for sponsorship.

5.50pm The presentation concluded.

DEBATE AGENDA**21 MAYOR**

Nil

22 CHIEF EXECUTIVE OFFICER

Nil

23 CORPORATE AND COMMUNITY SERVICES**23.1 FINANCIAL REPORT AS AT 30 NOVEMBER 2018****PURPOSE**

For Council to consider the financial report and capital projects update report as at 30 November 2018.

RESOLUTION

Moved: Cr Jeffrey Cook
Seconded: Cr David Langford

That Council receive the financial report and capital projects update report as at 30 November 2018.

CARRIED 306/2018 (12/12/2018)

23.2 REQUEST FOR SPONSORSHIP - HARRY BUTLER CENTENARY**PURPOSE**

To seek additional funding to sponsor the Harry Butler Centenary Event to be held in Minlaton on 3-4 August 2019.

MOTION

Moved: Cr Naomi Bittner
Seconded: Cr Jeffrey Cook

That Council:

1. endorses a one-off contribution of \$5,000 to be a major sponsor of the Harry Butler Centenary Weekend;
2. further endorses waiving all fees associated with the hire of the Minlaton Hall and kitchen and associated facilities;
3. agrees to underwrite the entire event (approximately \$15,000) with the expectation that Council will be reimbursed via income from gate takings and stall holder fees;
4. agrees that if the weekend does not produce the anticipated income, that Council will be responsible for any shortfall from underwriting the event.

AMENDMENT

Moved: Cr Adam Meyer

Seconded: Cr Leanne O'Brien

That Council:

1. endorses a one-off contribution of \$5,000 to be a major sponsor of the Harry Butler Centenary Weekend;
2. further endorses waiving all fees associated with the hire of the Minlaton Hall and kitchen and associated facilities;
3. agrees to underwrite the entire event (to a maximum \$15,000) with the expectation that Council will be reimbursed via income from gate takings and stall holder fees;
4. agrees that if the weekend does not produce the anticipated income, that Council will be responsible for any shortfall from underwriting the event.

The amendment was put and

CARRIED 307/2018 (12/12/2018)

The original motion as amended was put and

CARRIED 308/2018 (12/12/2018)

5.55pm Cr Adam Meyer declared his perceived Conflict of Interest.

23.3 FINAL SPEED LIMIT REVIEW RESULTS**PURPOSE**

To inform Elected Members of the outcomes of the final speed review consultations and to seek endorsement of these outcomes prior to making Council's recommendations to the Department of Planning, Transport and Infrastructure (DPTI).

RESOLUTION

Moved: Cr Leanne O'Brien

Seconded: Cr David Langford

That Council:

1. does not support any change to current speed limits within Black Point;
2. endorse the recommendation to DPTI for the application of a 40 km area speed zone within the Marion Bay township;
3. endorse the recommendation to DPTI for the speed limit along Yorke Highway, Marion Bay to be reduced from 90 km to 60 km;
4. endorse the recommendation to DPTI to increase the zone for the reduced limit along Yorke Highway, Marion Bay to north of Investigator Way through to south of Lowan Drive.

CARRIED 309/2018 (12/12/2018)

24 ASSETS AND INFRASTRUCTURE SERVICES

Nil

25 DEVELOPMENT SERVICES**25.1 ACCESS ADVISORY WORKING PARTY MINUTES****PURPOSE**

For Council to receive the Minutes of Council's Access Advisory Working Party meeting held on 26 October 2018.

RESOLUTION

Moved: Cr David Langford
Seconded: Cr Richard Carruthers

That Council:

1. receive the Minutes of the Access Advisory Working Party held on 26 October 2018.
2. commit \$1,000 for a cross-over at the Kilkerran Terrace Corner, Maitland.

CARRIED 310/2018 (12/12/2018)

25.2 PROPOSED NEW LEASE - ARTHURTON WAR MEMORIAL SPORTS CLUB INC.**PURPOSE**

The Community Engagement process has now closed for the proposed new lease for the Arthurton War Memorial Sports Club Inc. to lease the storage shed located at 14 Main Street, Arthurton.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Adam Meyer

That Council:

1. grant the Arthurton War Memorial Sports Club Inc. a five year lease with one, five year right of renewal, over a Portion of Lot 41 PLN: 211001, 14 Main Street, Arthurton, Certificate of Title Volume 5855, Folio 784.
2. authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal to the necessary documentation to give effect to this resolution.

CARRIED 311/2018 (12/12/2018)

25.3 REVOCATION OF COMMUNITY LAND CLASSIFICATION - 14 BENNETT STREET, PORT VINCENT**PURPOSE**

To seek Council approval to revoke the community land classification for Lot 1 in Deposited Plan 38377, Certificate of Title Volume 5170, Folio 107, commonly known as 14 Bennett Street, Port Vincent for the purpose of selling the subject land.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Tania Stock

That Council:

1. pursuant to Section 194 (3)(b) of the Local Government Act 1999, revokes the community land classification for Lot 1 in Deposited Plan 38377, Certificate of Title Volume 5170 Folio 107, commonly known as 14 Bennett Street, Port Vincent, for the purpose of selling surplus land.
2. authorise the Mayor and Chief Executive Officer to sign and seal any documents in relation of the transfer of the property.
3. endorse the net proceeds from the sale of the land to be allocated to Community Projects within Port Vincent, which will be determined in consultation with the Port Vincent Progress Association.

CARRIED 312/2018 (12/12/2018)

25.4 PROPOSED LEASE TO FRIENDS OF PORT MOOROWIE**PURPOSE**

To seek permission to proceed with the public consultation process to grant a lease with the Friends of Port Moorowie Inc (FOPM) for 65 Moorowie Terrace, Port Moorowie, Crown Record Volume 5323 Folio 554.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr David Langford

That Council give permission to commence the public consultation process for a proposed lease agreement with the Friends of Port Moorowie Inc for 65 Moorowie Terrace, Port Moorowie, Volume 5323 Folio 554 for a period of (5) five years with an option to renew for a further (5) five year term.

CARRIED 313/2018 (12/12/2018)

25.5 BUILDING FIRE SAFETY COMMITTEE REPRESENTATION**PURPOSE**

Due to the recent retirement of the Senior Development Officer, Mr Allan Cotton, it is necessary to update representation on the Yorke Peninsula Building Fire Safety Committee.

RESOLUTION

Moved: Cr Jeffrey Cook

Seconded: Cr Naomi Bittner

That Council:

1. remove Mr Allan Cotton from the Yorke Peninsula Building Fire Safety Committee
2. appoint the following persons to the Yorke Peninsula Building Safety Committee for a period of three years;
Mr Peter Harmer – as a person who holds prescribed qualifications in Building Surveying.
Mr Julian Aggiss – as a person nominated by the Chief Officer of the Country Fire Service.
Mr Roger Brooks – as a person with expertise in the area of fire safety.
Mr Phillip Watters – as a person with expertise in the area of fire safety.
Mr Totem Douangmala – as a person with expertise in the area of fire safety.
3. adopt the attached Terms of Reference for the Yorke Peninsula Building Fire Safety Committee.

CARRIED 314/2018 (12/12/2018)

25.6 PROPOSED NEW LEASE - MAITLAND & DISTRICT PROGRESS ASSOCIATION - CLYDESDALE COTTAGE**PURPOSE**

For Council to consider endorsing a new lease agreement with the Maitland and Districts Progress Association Inc. (Progress) in relation to Clydesdale Cottage, 9 Gardiner Terrace, Maitland.

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Roger Johns

That Council:

1. endorse a new lease agreement with Maitland and Districts Progress Association Inc. for the a portion of the land commonly known as Clydesdale Cottage, comprised in Certificate of Title Volume 5855 Folio 809, for a period of (5) five years commencing on 1 December 2018, with an option to renew for a further (5) five year term.
2. authorise the Mayor and Chief Executive Officer to sign and seal any documents required to give effect to this lease.

CARRIED 315/2018 (12/12/2018)

26 GENERAL BUSINESS

Council has resolved that an Agenda Item "General Business" be included on the Council Agenda to enable members to raise matters of a minor nature for action by the Administration, or to call for reports

Mayor Darren Braund

Advised Council that Ranger Deb Furbank will be giving an interview on ABC Radio at 10.20am on Thursday 13 December 2018 in relation to Council's Bush Camping facilities.

Cr Roger Johns

Called for some background information in relation to land at Balgowan that has been rezoned.

The CEO will prepare background information in relation to this matter and provide to Elected Members.

Cr Leanne O'Brien

Sought clarification that the newly installed Edithburgh Outdoor Gym equipment will be rotated to face the ocean.

Cr Tania Stock

Sought a Leave of Absence from 14 January 2019 until 18 January 2019.

CONFIDENTIAL AGENDA**27 CONFIDENTIAL ITEMS**

Nil

28 NEXT MEETING

Wednesday 16 January 2019

29 CLOSURE

The Meeting closed at 6.19pm.

The minutes of this meeting were confirmed at the Council Meeting held on 16 January 2019.

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MAYOR DARREN BRAUND