



Yorke Peninsula Council

Minutes of the Meeting of the Yorke Peninsula Council

held on Wednesday 10th May 2017,
in the Council Chambers
57 Main Street Minlaton commencing at 5.30pm
(Subject to confirmation)

ITEM 1 WELCOME

Mayor Ray Agnew OAM welcomed everyone to the meeting, he then recited the opening prayer and declared the meeting open.

Special Welcome to Mr Grant Smith as the Acting Director Assets and Infrastructure Services, he then proceeded to present a Certificate of 10 years meritorious service to Cr David Langford and Cr Veronica Brundell, he also advised it is 20 years since Cr Davey joined Council.

PRESENT

Mayor Ray Agnew OAM, Deputy Mayor Scott Hoyle, Councillors Trevor Davey, Naomi Bittner, John Rich, Veronica Brundell, Alan Headon, Darren Braund, Adam Meyer, Jeff Cook David Langford and Tania Stock.

IN ATTENDANCE

Andrew Cameron	Chief Executive Officer
David Harding	Director Corporate and Community Services
Roger Brooks	Director Development Services
Grant Smith	Acting Director Assets and Infrastructure Services
Jackie Reddaway	Minute Secretary

LEAVE OF ABSENCE

Nil

APOLOGIES

Nil

CONFLICT OF INTEREST

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

Cr Tania Stock declared a Material Conflict of Interest for Item 5 and 6.4 R7, R8, R9, R10 she completed the SF019 declaration with details of the conflict of interest.

MINUTES OF THE PREVIOUS MEETING

Cr Davey moved Cr Headon seconded

That the minutes of the Council meeting held on Wednesday 12th April 2017 at 5.30pm be confirmed as a true record.

CARRIED 104/2017 (10/05/2017)

Cr Langford moved Cr Hoyle seconded

That the minutes of the Confidential Council meeting held on Wednesday 12th April 2017 at 6.26pm be confirmed as a true record.

CARRIED 105/2017 (10/05/2017)

ITEM 2 MAYOR'S REPORT

Cr Braund moved Cr Brundell seconded

That the report from Mayor Agnew be received.

CARRIED 106/2017 (10/05/2017)

ADOPTION OF INFORMATION AGENDA

Cr Headon moved Cr Rich seconded

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

CARRIED 107/2017 (10/05/2017)

5.36pm Cr Tania Stock left the meeting and the Chamber for the presentation by Visitors to the Meeting.

ITEM 5 VISITORS TO THE MEETING

5.37pm Mayor Agnew invited Dr John Gray to address the Council in relation to the Black Point Community Land revocation proposal.

5.47pm The presentation concluded.

5.48pm Mayor Agnew invited Mr George Kourlis to address the Council in relation to the Black Point Community Land revocation proposal.

5.54pm the presentation concluded.

5.54pm Mayor Agnew invited Mr Arch Thorne to address the Council in relation to the Black Point Community Land revocation proposal.

5.57pm the presentation concluded.

5.58pm Cr Tania Stock returned to the Chamber and re-joined the meeting.

ITEM 6 DEBATE AGENDA

CORPORATE AND COMMUNITY SERVICES – DEBATE

DA/CCS/R1

FINANCIAL REPORT 30th APRIL 2017

Cr Cook moved Cr Meyer seconded

That Council receive the financial report and capital projects update report as at 30th April 2017.

CARRIED 108/2017 (10/05/2017)

DA/CCS/R2

2016/2017 MARCH QUARTERLY BUDGET REVIEW

Cr Rich moved Cr Headon seconded

That Council endorse the March 2017 Budget Review changes as presented in the attached Summary of Changes, Uniform Presentation of Finances and Statement of Comprehensive Income and receive the updated Statement of Financial Position, Statement of Cash Flows, Statement of Changes in Equity and Financial Indicators (Ratios) reports.

CARRIED 109/2017 (10/05/2017)

DA/CCS/R3

CHINAMAN WELLS PROPOSED SEAWALL FUNDING BY SEPARATE RATE REQUEST

Cr Hoyle moved Cr Langford seconded

That Council declare, pursuant to Section 154 of the Local Government Act 1999, and in accordance with section 154(2)(b) of the Act, an annual separate rate on each of the land parcels listed below, being an annual charge based on a proportional measure or basis related to the relevant land or the area or to the estimated benefit to the occupiers of the land in the part of the area subject to the rate, for a period of ten (10) years commencing 1 July 2017 for the purpose of reimbursing Council the costs of the development and construction of a seawall at Chinaman Wells being works of particular benefit to the landholders and to the occupiers of the land adjacent the seawall construction.

Assessment Number	Property Description	Certificate of Title	Total Liability (\$)	Annual Separate Rate (\$)
24687	Lot 1, Chinaman Wells Road, Chinaman Wells	5932/504	\$46,598.50	\$4,659.85
24653	Lot 4, Chinaman Wells Road, Chinaman Wells	5928/511	\$29,733.65	\$2,973.37
24646	Lot 5, Chinaman Wells Road, Chinaman Wells	5926/618	\$38,921.83	\$3,892.18
24588	Lot 11, Chinaman Wells Road, Chinaman Wells	5930/227	\$38,195.67	\$3,819.57
24547	Lot 14, Chinaman Wells Road, Chinaman Wells	5925/29	\$27,569.99	\$2,757.00
24505	Lot 18, Chinaman Wells Road, Chinaman Wells	5930/98	\$34,876.07	\$3,487.61
24430	Lot 26, Chinaman Wells Road, Chinaman Wells	5933/775	\$42,434.09	\$4,243.41

That the annual separate rate commence in the financial year commencing 1 July 2017 and extend for a ten (10) year period, including the financial year ending 30 June 2027.

CARRIED 110/2017 (10/05/2017)

DA/CCS/R4

DRAFT 2017/18 ANNUAL BUSINESS PLAN AND BUDGET

Cr Davey moved Cr Bittner seconded

That Council endorse the 2017/18 draft Annual Business Plan, including the 2017/18 draft Budget and the 2017/18 Fees and Charges for the financial year ending 30th June 2018, for public consultation.

CARRIED 111/2017 (10/05/2017)

DEVELOPMENT SERVICES – DEBATE

DA/DS/R1

PROPOSED ROAD PROCESS ORDER – ADELBRIDGE PTY LTD

Cr Meyer moved Cr Cook seconded

That Council:

1. receive written submissions in response to the Community Engagement process on the proposed road closure of a portion of unmade road reserve between Section 420 PLN 130500, Crown Record Volume 5765 Folio 587 and Section 182 PLN 130500, Certificate of Title Volume 5576 Folio 139, Section 181 PLN 130500, Certificate of Title Volume 5231 Folio 179, Section 178 PLN 130500, Certificate of Title Volume 5231 Folio 178 and Section 180 PLN130500, Certificate of Title Volume 5487 Folio 867.
2. make a road process order in accordance with the Roads (Opening and Closing) Act 1991, to close the said portion of unmade road for the purpose of selling the land to Adelbridge Pty Ltd for \$5,000.
3. authorise the Mayor and Chief Executive Officer to sign and affix Council's seal to the necessary documentation to give effect to this resolution.

CARRIED 112/2017 (10/05/2017)

DA/DS/R2

PROPOSED ROAD PROCESS ORDER – S T JOHNS PTY LTD

Cr Davey moved Cr Hoyle seconded

That Council:

1. receive written submissions in response to the Community Engagement process on the proposed road closure of the unmade road reserve between Section 297 PLN 130800, Certificate of Title: Volume 5348 Folio 524 and Sections 93 and 94 PLN 130800, Certificate of Titles: Volume 5337 Folio 30 and Volume 5337 Folio 29 respectively.
2. make a road process order in accordance with the Roads (Opening and Closing) Act 1991, to close the said portion of unmade road for the purpose of selling the land to S T Johns Pty Ltd for \$6,000 per hectare.
3. authorise the Mayor and Chief Executive Office to sign and affix Council's seal to the necessary documentation to give effect to this resolution.

CARRIED 113/2017 (10/05/2017)

DA/DS/R3

PROPOSED EXPANSION OF BUSH CAMPING LOCATIONS

Cr Stock moved Cr Hoyle seconded

That Council:

1. agree to lift the matter "Proposed Expansion of Bush Camping Locations" from the table for further consideration by Elected Members.
2. resume the point of debate with the live motion under consideration below;

Cr Headon moved Cr Bittner seconded

That Council endorse the commencement of the public consultation in relation to the inclusion of bush camping sites on the foreshore at Parsons Beach and Wauraltee Beach.

MOTION LOST

DA/DS/R4

BUSH CAMPING WORKING PARTY

Cr Bittner moved Cr Headon seconded

That Council receive the Minutes of the Bush Camping Working Party meeting held on Wednesday 12th April 2017.

CARRIED 114/2017 (10/05/2017)

DA/DS/R5

REGULATION OF SHOP TRADING HOURS

Cr Headon moved Cr Brundell seconded

That the report be received.

CARRIED 115/2017 (10/05/2017)

DA/DS/R6

SETTING OF DOG REGISTRATION FEES AND CHARGES

Cr Hoyle moved Cr Braund seconded

That Council adopt the following fee schedule in relation to dog registrations commencing 1 July 2017:

Standard dog - \$40 (Desexed and microchipped)

Non-standard dog - \$80

Desexed dog - \$40

Working Livestock Dog - \$40

Assistance dog - Free

Pensioner/Concession Rebate

To be 50% of the applicable fee for Standard, Non Standard and Desexed dogs only and applies to a maximum of two dogs per property.

Business Registration - \$80 per dog

Transfer of registration - \$5

Replacement Disc - \$2

Fee for late registrations - \$20

Fee for impound - \$70 during normal working hours, \$110 after hours

Daily pound fee - \$20

Dogs under 3 months of age as of 1st January receive 50% rebate

CARRIED 116/2017 (10/05/2017)

6.05pm Cr Tania Stock left the meeting and the Chamber for consideration of the next 4 Items in relation to the Proposed Revocation of Community Land at Black Point as she had declared a material conflict of interest.

DA/DS/R7

REVOCATION OF COMMUNITY LAND BLACK POINT – ALLOTMENT 201

Cr Bittner moved Cr Hoyle seconded

That Council:

1. receive the 13 written submissions from authors of the original submissions and the 12 new submissions received from Black Point property owners in response to the extension of the community engagement process for the proposed revocation of community land.
2. give approval to proceed with seeking Ministerial approval for the revocation of Community Land classification over the Council owned property located on Black Point Road, Black Point, being Allotment 201, Plan 41613, Certificate of Title: Volume 5294 Folio 896.
3. authorise the Mayor and Chief Executive Officer to sign and affix Council's Common seal to the relevant documents necessary to execute the revocation, transfer of properties and licence.

CARRIED

Cr Meyer called for a division – As a consequence the result of the above motion was set aside.

Upon dividing, seven Members voted in the affirmative; and three Members voted in the negative.

Members voting in the affirmative

Cr Hoyle
Cr Langford
Cr Cook
Cr Braund
Cr Rich
Cr Bittner
Cr Davey

Members voting in the negative

Cr Meyer
Cr Headon
Cr Brundell

The Mayor declared the motion

CARRIED 117/2017 (10/05/2017)

DA/DS/R8

REVOCAION OF COMMUNITY LAND BLACK POINT – ALLOTMENT 202

Cr Rich moved Cr Bittner seconded

That Council:

1. receive the 13 written submissions from authors of the original submissions and the 12 new submissions received from Black Point property owners in response to the extension of the community engagement process for the proposed revocation of community land.
2. give approval to proceed with seeking Ministerial approval for the revocation of Community Land classification over the Council owned property located on Black Point Road, Black Point, being Allotment 202, Plan 41613, Certificate of Title: Volume 5294 Folio 897.
3. authorise the Mayor and Chief Executive Officer to sign and affix Council's Common seal to the relevant documents necessary to execute the revocation, transfer of properties and licence.

CARRIED 118/2017 (10/05/2017)

DA/DS/R9

REVOCAION OF COMMUNITY LAND BLACK POINT – ALLOTMENT 203

Cr Hoyle moved Cr Bittner seconded

That Council:

1. receive the 13 written submissions from authors of the original submissions and the 12 new submissions received from Black Point property owners in response to the extension of the community engagement process for the proposed revocation of community land.
2. give approval to proceed with seeking Ministerial approval for the revocation of Community Land classification over the Council owned property located on Black Point Road, Black Point, being Allotment 203, Plan 41613, Certificate of Title: Volume 5294 Folio 898.
3. authorise the Mayor and Chief Executive Officer to sign and affix Council's Common seal to the relevant documents necessary to execute the revocation, transfer of properties and licence.

CARRIED 119/2017 (10/05/2017)

DA/DS/R10

REVOCAION OF COMMUNITY LAND BLACK POINT – ALLOTMENT 204

Cr Bittner moved Cr Hoyle seconded

That Council:

1. receive the 13 written submissions from authors of the original submissions and the 12 new submissions received from Black Point property owners in response to the extension of the community engagement process for the proposed revocation of community land.
2. give approval to proceed with seeking Ministerial approval for the revocation of Community Land classification over the Council owned property located on Black Point Road, Black Point, being Allotment 204, Plan 41613, Certificate of Title: Volume 5294 Folio 899.
3. authorise the Mayor and Chief Executive Officer to sign and affix Council's Common seal to the relevant documents necessary to execute the revocation, transfer of properties and licence.

CARRIED 120/2017 (10/05/2017)

6.11pm Cr Tania Stock returned to the Chamber and re-joined the meeting.

GENERAL BUSINESS

Nil

ITEM 8 CONFIDENTIAL AGENDA

ASSETS AND INFRASTRUCTURE SERVICES– CONFIDENTIAL AGENDA

CA/AIS/R1

PURCHASE OF ONE (1) MINIMUM 90KW TRACTOR TENDER 165/2017

Cr Langford moved Cr Headon seconded

Section 90(3)(k) Order

1. That pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Executive Assistant to the CEO and Mayor, Director Corporate and Community Services, Director Development Services and Acting Director Assets and Infrastructure Services,

The Council is satisfied that, pursuant to section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to agenda item 8 Purchase of One (1) Minimum 90KW Tractor Tender 165/2017 is confidential information relating to –

“(1) tenders for the supply of goods, the provision of services or the carrying out of works;”

Accordingly, the Council is satisfied that the principle which states the meeting be conducted in a place open to the public has been outweighed in the circumstances.

Section 91(7) Order

2. That having considered agenda item 8 Purchase of One (1) Minimum 90KW Tractor Tender 165/2017 in confidence under section 90(2) and (3) (k) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the agenda report, and supporting documentation relevant to agenda item 8 titled Purchase of One (1) Minimum 90KW Tractor Tender be retained in confidence for a period of 12 months.

CARRIED 121/2017 (10/05/2017)

6.12pm

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

6.14pm The public meeting resumed.

Released In Camera Minute 122/2017

Cr Meyer moved Cr Davey seconded

That Council accept the tender of \$98,000 (GST exclusive) for the purchase of one (1) New Holland T6050 Tractor from AW Vater & Co, including the trade-in of \$5,000 (GST exclusive) offered for Council's current Ford 8340 SLE Tractor, affecting a changeover price of \$93,000 (GST exclusive).

CARRIED 122/2017 (10/05/2017)

ITEM 9 NEXT COUNCIL MEETING

Wednesday 14th June 2017 commencing at 5.30pm.

6.16pm

Mayor Ray Agnew thanked all for their attendance and declared the meeting closed.

ITEM 10 CLOSURE

The Meeting Closed at 6.16pm.

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Mayor Ray Agnew OAM

14th June 2017