



## *Yorke Peninsula Council*

### **Minutes of the Meeting of the Yorke Peninsula Council**

held on Wednesday 13<sup>th</sup> July 2016,  
in the Council Chambers  
57 Main Street Minlaton commencing at 5.30pm  
(Subject to confirmation)

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#### **ITEM 1 WELCOME**

Mayor Ray Agnew OAM welcomed everyone to the meeting, he then recited the opening prayer and declared the meeting open. Mayor Agnew advised Elected Members he wished to record the passing of Mr Arnold 'Ike' Treloar who was a former member of the District Council of Minlaton and part of the large group at amalgamation.

#### **PRESENT**

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

#### **IN ATTENDANCE**

David Harding	Acting Chief Executive Officer
Roger Brooks	Director Development Services
Trevor Graham	Director Assets and Infrastructure Services
Jackie Reddaway	Minute Secretary

#### **LEAVE OF ABSENCE**

Andrew Cameron

#### **APOLOGIES**

Cr Naomi Bittner, Cr Scott Hoyle, Cr David Langford

## **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.

## **MINUTES OF THE PREVIOUS MEETING**

**Cr Braund moved Cr Headon seconded**

That the minutes of the Council meeting held on Wednesday 8<sup>th</sup> June 2016 at 5.30pm be confirmed as a true record.

**CARRIED 126/2016 (13/07/2016)**

## **ITEM 1.11 PETITION**

**Cr Braund moved Cr Brundell seconded**

That the petition be received and noted.

**CARRIED 127/2016 (13/07/2016)**

## **ITEM 2 MAYORS REPORT**

**Cr Cook moved Cr Rich seconded**

That the report from Mayor Agnew be received.

**CARRIED 128/2016 (13/07/2016)**

## **ADOPTION OF INFORMATION AGENDA**

Cr Meyer queried the Construction and Maintenance report in relation to the advised completion of the Enviro toilets at Berry Bay (North and South). Mr Graham advised that he would follow the matter up with staff and advise Members.

**Cr Headon moved Cr Cook seconded**

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

**CARRIED 129/2016 (13/07/2016)**

## **ITEM 5 VISITORS TO THE MEETING**

**Mr Roger Hogben – Camping Areas used by Motor Homes**

*5.38pm Mayor Agnew invited Mr Roger Hogben to address the Council. Mr Hogben addressed the Elected Members in relation to low cost, self-sustained camping. Mr Hogben provided Council with statistics from the Campervan Motorhome Club of Australia (CMCA) to support the inclusion of low/no cost camping.*

*5.52pm The presentation concluded. Mayor Agnew thanked Mr Hogben for his presentation.*

## **ITEM 6 DEBATE AGENDA**

### **CHIEF EXECUTIVE OFFICER**

#### **DA/CEO/R1**

### **ELECTED MEMBERS POLICIES**

**Cr Davey moved Cr Headon seconded**

That Council endorse and approve the updated PO089 Elected Members Facilities, Services and Expenses, PO135 Elected Members Training Policy and PO088 Elected Member Use of Council Supplied Electronic Equipment Policy for inclusion in Council's Policy Manual and on the website.

**CARRIED 130/2016 (13/07/2016)**

## **CORPORATE AND COMMUNITY SERVICES – DEBATE**

### **DA/CCS/R1**

#### **2016-2017 ANNUAL BUSINESS PLAN**

**Cr Meyer moved Cr Braund seconded**

That pursuant to Section 123(6) of the Local Government Act 1999 and Regulation 6 of the Local Government (Financial Management) Regulations 2011 and having considered all submissions received, the Annual Business Plan for 2016-2017 be adopted, subject to formal adoption of the 2016/17 Budget and Rating Policies.

**CARRIED 131/2016 (13/07/2016)**

### **DA/CCS/R2**

#### **2016-2017 BUDGET, PROPERTY VALUATIONS AND RATES**

**Cr Rich moved Cr Cook seconded**

##### **1. Adoption of Budget**

That pursuant to Section 123 of the Local Government Act 1999 and Regulation 7 of the Local Government (Financial Management) Regulations 2011, the draft 2016/17 Budget as presented and considered by Council to be consistent with the adopted 2016/17 Annual Business Plan and laid before Council at this meeting, details of which are contained within the: -

- 1.1 budgeted statement of comprehensive income; and
- 1.2 budgeted statement of financial position; and
- 1.3 budgeted statement of changes in equity; and
- 1.4 budgeted statement of cash flows; and
- 1.5 budgeted uniform presentation of finances; and
- 1.6 budgeted financial indicators,

be adopted by Council as its Annual Budget for the Financial Year ending 30 June 2017.

**CARRIED 132/2016 (13/07/2016)**

**Cr Davey moved Cr Stock seconded**

##### **2. Adoption of Valuations**

That pursuant to Section 167 of the Local Government Act 1999, the most recent valuations of the Valuer-General available to the Council of the Capital Value of land within the Council's area, be adopted for rating purposes for the financial year ending 30 June 2017, totalling \$5,574,247,600, comprising \$167,152,448 in respect of non-rateable land and \$5,407,095,152 in respect of rateable land.

**CARRIED 133/2016 (13/07/2016)**

**Cr Headon moved Cr Rich seconded**

##### **3. Determination of basis for differential rates**

That pursuant to Section 156(1)(a) of the Local Government Act 1999, the Council determines that the basis for differential rates on land within its area shall be according to the attribution of land uses, in accordance with Regulation 14 of the Local Government (General) Regulations 2013.

**CARRIED 134/2016 (13/07/2016)**

**Cr Cook moved Cr Meyer seconded**

#### **4. Declaration of General Rates**

4.1 That pursuant to Sections 151, 152, 153 and 156 of the Local Government Act 1999, and in order to raise the amount of \$16,234,449, a fixed charge is imposed and differential general rates are declared for the financial year ending 30 June 2017, on rateable land as follows:-

4.1.1 on rateable land of category (g) use (primary production) in the area of the Council, a rate of 0.1799 cents in the dollar of capital value of such land; and

4.1.2 on all other rateable land within the Council area, a rate of 0.2455 cents in the dollar of the capital value of such land; and

4.1.3 the fixed charge component of the general rate is \$400.00

4.2 That pursuant to Section 153(3) of the Local Government Act 1999, Council will not fix a maximum increase in the general rates charged on the principal place of residence of a principal ratepayer.

**CARRIED 135/2016 (13/07/2016)**

#### **5. Service Charges**

**Cr Headon moved Cr Braund seconded**

##### **5.1 Community Wastewater Management Schemes Annual Service Charges**

That pursuant to Section 155 of the Local Government Act 1999, service charges are imposed for the financial year ending 30 June 2017 (in accordance with the CWMS Property Units Code as provided at Regulation 12 of the Local Government [General] Regulations 2013) as follows on each assessment of rateable and non-rateable land in the following areas to which land the Council makes available a Community Wastewater Management System, as follows:

5.1.1 Maitland and Tiddy Widdy Beach Areas:-

- Occupied Land: \$470.00 per unit

5.1.2 Ardrossan, Balgowan, Black Point, Edithburgh, Point Turton, Port Vincent, Port Victoria, Stansbury, Sultana Point and Yorketown areas:-

- Occupied Land: \$470.00 per unit

- Vacant Land: \$350.00 per allotment

5.1.3 Bluff Beach, Chinaman Wells, Foul Bay, Port Julia, Hardwicke Bay and Rogues Point area:-

- All land: \$470.00 per unit

and that in recognition of the additional costs incurred by the property owners of Assessment Numbers 200634, 200642, 200667, 200683, 200691, 202226, 202234 and 202242 due to the requirements to install and maintain a pumping facility and/or due to the provision of an Advanced Wastewater Treatment System a rebate of 50% of the Community Wastewater Management System charge payable be provided pursuant to Section 166(1)(m)(ii) of the Act.

**CARRIED 136/2016 (13/07/2016)**

**Cr Rich moved Cr Headon seconded**

##### **5.2 Water Supply Schemes Annual Service Charges**

That pursuant to Section 155 of the Local Government Act 1999, service charges are imposed for the financial year ending 30 June 2017 as follows on each assessment of rateable and

non-rateable land in the following area to which land the Council provides or makes available a water supply service:-

5.2.1 Balgowan area	\$180.00
5.2.2 Black Point area	\$180.00
5.2.3 Hardwicke Bay area	\$180.00

**CARRIED 137/2016 (13/07/2016)**

**Cr Cook moved Cr Meyer seconded**

### **5.3 Waste Collection and Recycling Annual Service Charges**

That pursuant to Section 155 of the Local Government Act 1999, the Council imposes an annual service charge for the year ending 30 June 2017 upon both rateable and non-rateable land to which it provides the prescribed service of waste collection (the Waste Collection and Recycling Service) which is based upon the nature and level of usage of the service and is imposed as follows:-

- 5.3.1 \$244.00 for a two (2) bin service and
- 5.3.2 \$265.00 for a three (3) bin service.

**CARRIED 138/2016 (13/07/2016)**

**Cr Cook moved Cr Rich seconded**

### **6. Declaration of Separate Rates**

That pursuant to Section 95 of the Natural Resources Management Act 2004, and Section 154 of the Local Government Act 1999 and for the financial year ending 30 June 2017, a separate rate of 0.01775 cents in the dollar is declared on all rateable land in the area of the Council to raise the amount of \$954,366 (net of rebates) payable to the Northern and Yorke Natural Resources Management Board.

**CARRIED 139/2016 (13/07/2016)**

**Cr Meyer moved Cr Headon seconded**

### **7. Rates Payments**

- 7.1 That in accordance with Section 181 of the Local Government Act 1999, all rates (general and separate) and service charges payable for the year ending 30 June 2017 be payable in four equal or approximately equal instalments due for payment on 9 September 2016, 9 December 2016, 9 March 2017 and 9 June 2017 or on other days determined by the Chief Executive Officer; and
- 7.2 That pursuant to Section 44 of the Local Government Act 1999, the Chief Executive Officer is delegated the power in Section 181(4)(b) of the Local Government Act 1999, to enter into agreements with ratepayers relating to the payment of rates in any case of hardship or financial difficulty.

**CARRIED 140/2016 (13/07/2016)**

**Cr Cook moved Cr Rich seconded**

### **8. Rate Rebates**

That pursuant to Sections 160, 161, 162, 163, 165 and 166 Council confirms all mandatory rebates and approves all discretionary rebates as laid before Council at this meeting.

**CARRIED 141/2016 (13/07/2016)**

**DA/CCS/R3**

**REVIEW OF FEES AND CHARGES REGISTER**

**Cr Cook moved Cr Headon seconded**

That Council adopt the additional Fees and Charges Register amendments as attached, and note the Legislative changes.

**CARRIED 142/2016 (13/07/2016)**

**DEVELOPMENT SERVICES – DEBATE**

**DA/DS/R1**

**REVOCATION OF COMMUNITY LAND – KANTON**

**Cr Davey moved Cr Headon seconded**

That Council:

1. give permission to proceed with the revocation of community land classification over properties, Section 625 Hundred of Clinton, 1439 Kainton Road, Kainton, Certificate of Title: Volume 323 Folio 36 and Allotment 287 Hundred of Clinton, 570 Bridge Road Kainton, Certificate of Title: Volume 5782 Folio 94, for the purpose of transferring the properties to the Kainton Recreation Grounds and Hall Committee Inc. for no monetary cost.
2. give permission to commence the community engagement process, being the initial step to the revocation of the community land classification, for Section 625 Hundred of Clinton, 1439 Kainton Road, Kainton, Certificate of Title: Volume 323 Folio 36 and Allotment 287 Hundred of Clinton, 570 Bridge Road, Kainton, Certificate of Title: Volume 5782 Folio 94.
3. give permission to also include in the community engagement process, the proposed granting of a five year licence, with a five year right of renewal, to the Kainton Recreation Grounds and Hall Committee Inc. over Section 139 Hundred of Clinton, PLN 210300, Kainton, Crown Record: Volume 5757 Folio 283, for the purpose of cropping.
4. authorise the Mayor and Chief Executive Officer to sign and affix Council's seal to the relevant documents necessary to execute the revocation and licence.

**CARRIED 143/2016 (13/07/2016)**

**DA/DS/R2**

**PORT VICTORIA RV FRIENDLY TOWN ENDORSEMENT**

**Cr Braund moved Cr Headon seconded**

That the written submissions to Council, in response to the community engagement process for the proposed SF194 Council Endorsement application for CMCA (Campervan and Motorhome Club of Australia), 'RV Friendly Town' status, received from Port Victoria Progress Association Inc. for Port Victoria, be received and:

That Council:

1. approves the SF194 Council Endorsement application for CMCA (Campervan and Motorhome Club of Australia) 'RV Friendly Town' status, received from Port Victoria Progress Association Inc., for Port Victoria.
2. authorise the Mayor and Chief Executive Officer to sign and affix Council's Common seal to the relevant documents necessary to execute the endorsement.

**MOTION LOST**

### **Formal Motion**

**Cr Meyer moved Cr Brundell seconded**

That this matter lie on the table pending further information being provided.

**CARRIED 144/2016 (13/07/2016)**

### **DA/DS/R3**

#### **ROAD PROCESS ORDER**

**Cr Cook moved Cr Headon seconded**

That Council:

1. give permission to commence with the road closure process under the Roads (Opening and Closing) Act 1991 for the un-named road reserve between Section 297, PLN 130800 Certificate of Title: Volume 5348 Folio 524 and Sections 93 & 94 PLN 130800 Certificate of Titles: Volume 5337 Folio 30 and Volume 5337 Folio 29 respectively, for the purpose of selling the 3 hectare road reserve to ST Johns Pty Ltd for \$6,000 per hectare.
2. exclude the said road reserve from community land classification under the Local Government Act 1999 Section 193 once the road closure process is complete.
3. authorise the Mayor and Chief Executive Officer to sign and affix Council's seal to the relevant documents necessary to execute the road closure and proposed sale.

**CARRIED 145/2016 (13/07/2016)**

### **DA/DS/R4**

#### **PROPOSED EXPANSION OF BUSH CAMPING LOCATIONS**

**Cr Meyer moved Cr Headon seconded**

That Council endorse the commencement of public consultation in relation to the inclusion of bush camping sites in the vicinity of Parara, Port Minlacowie, Foul Bay Boat Ramp and Len Barker Reserve.

**CARRIED 146/2016 (13/07/2016)**

### **DA/DS/R5**

#### **EDITHBURGH TOWN AND SURROUNDS DEVELOPMENT PLAN AMENDMENT**

**Cr Davey moved Cr Cook seconded**

That Council resolves to put the Edithburgh and Town Surrounds DPA out for further public consultation for a minimum period of 4 weeks.

**CARRIED 147/2016 (13/07/2016)**

### **DA/DS/R6**

#### **BALGOWAN SETTLEMENT DEVELOPMENT PLAN AMENDMENT**

### **Formal Motion**

**Cr Meyer moved Cr Headon seconded**

That this matter lie on the table.

Upon voting there were 4 votes in favour and 4 votes against making the vote **TIED**

The Mayor exercised his casting vote, voting against the motion and declared the motion

**MOTION LOST**

**Cr Cook moved Cr Davey seconded**

That Council adopts the recommendations contained in the public and agency submission summaries arising from the Yorke Peninsula Council Balgowan Settlement DPA and authorises the Chief Executive Officer to forward the DPA to the Minister for authorisation.

Upon voting there were 4 votes in favour and 4 votes against making the vote **TIED**

The Mayor exercised his casting vote, voting in favour of the motion and declared the motion

**CARRIED 148/2016 (13/07/2016)**

**GENERAL BUSINESS**

Cr Meyer highlighted some matters in relation to the State Government budget, queried how does Council make the community aware of the charges imposed by the State Government that Council is required to collect ie NRM Levy. He also commented on the timing of the State Government's announcement of charges that affect our budget.

Mayor Agnew advised Members that he would be conducting a Citizenship Ceremony on Friday morning in the Council Chambers at 10.30am.

**ITEM 8 CONFIDENTIAL AGENDA**

**ASSETS AND INFRASTRUCTURE SERVICES – CONFIDENTIAL AGENDA**

**CA/AIS/R1**

**CORNY POINT ROAD – UNSEALED ROAD CONSTRUCTION**

**Cr Davey moved Cr Rich seconded**

**Section 90(3)(d) 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 Acting Chief Executive Officer, Executive Assistant to the CEO and Mayor, Director Development Services and Director Assets and Infrastructure Services.

The Council is satisfied that, pursuant to Section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to agenda item 8 Corny Point Road – Unsealed Road Construction is confidential information relating to –

“commercial information of a confidential nature (not being a trade secret) the disclosure of which –

- (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
- (ii) would, on balance, be contrary to the public interest.

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 Corny Point Road – Unsealed Road Construction in confidence under Section 90(2) and (3)(d) 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 Corny Point Road – Unsealed Road Construction be retained in confidence for a period of 12 months.

**CARRIED 149/2016 (13/07/2016)**

6.22pm

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



6.24pm

The public meeting resumed.

**ITEM 9 NEXT COUNCIL MEETING**

Wednesday 10<sup>th</sup> August 2016 commencing at 5.30pm.

6.25pm

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

**ITEM 10 CLOSURE**

The Meeting Closed at 6.25pm.

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**Mayor Ray Agnew OAM**

10<sup>th</sup> August 2016

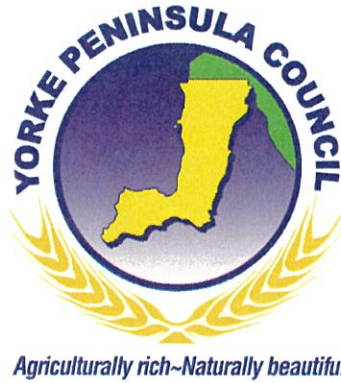


*Yorke Peninsula Council*

**The following Minutes of the Confidential Meetings  
of the Yorke Peninsula Council are  
released and Returned to the Public Record**

**10<sup>th</sup> June 2015 @ 6.38pm**

**8<sup>th</sup> July 2015 @ 6.17pm**



## *Yorke Peninsula Council*

# **Minutes of the Confidential Meeting of the Yorke Peninsula Council**

held on Wednesday 10<sup>th</sup> June 2015,  
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(Subject to confirmation)

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### **ITEM 1 WELCOME**

Mayor Agnew welcomed everyone to the meeting, recited the opening prayer and declared the meeting open.

### **PRESENT**

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

### **IN ATTENDANCE**

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

### **LEAVE OF ABSENCE**

Nil

### **APOLOGIES**

Crs Scott Hoyle and Jeff Cook

**ITEM 8 CONFIDENTIAL AGENDA**

**DIRECTOR ASSETS & INFRASTRUCTURE SERVICES**

**CA/AIS/R1**

**FIVE (5) 4 X 2 CAB CHASSIS UTILITIES TENDER NUMBER 126/2015**

**Cr Meyer moved Cr Davey seconded**

That Council accept the tender of \$107,500 (GST Exclusive) from MJ Murdock Motors for the supply of Five (5) 4x2 Cab Chassis Utilities (tender number 126/2015).

**CARRIED 153/2015 (10/06/2015)**

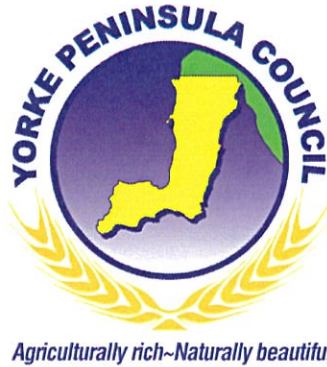
6.40pm

**Cr Langford moved Cr Stock seconded**

That the meeting move out of in camera discussions and return to the public meeting.

**CARRIED 154/2015 (10/06/2015)**

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## *Yorke Peninsula Council*

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Mayor Ray Agnew OAM, Deputy Mayor Trevor Davey, Councillors Alan Headon, Veronica Brundell, John Rich, Scott Hoyle, Jeff Cook and Naomi Bittner.

### **IN ATTENDANCE**

David Harding	Acting Chief Executive Officer
Roger Brooks	Director Development Services
Trevor Graham	Director Assets and Infrastructure Services
Jackie Reddaway	Minute Secretary

### **LEAVE OF ABSENCE**

Andrew Cameron

### **APOLOGIES**

Crs Tania Stock, David Langford, Adam Meyer and Darren Braund

**ITEM 8 CONFIDENTIAL AGENDA**

**CA/CCS/R1**

**BULK FUEL SUPPLY TENDER 130/2015**

**Cr Davey moved Cr Hoyle seconded**

That Council delegate authority to the CEO to further investigate, make enquiries, and review the Tender process for the supply of Bulk Fuel for the period 2015 through 2018 and bring the results of that review back to Council for a decision. Further, that the CEO be delegated authority to extend existing arrangements for a period as deemed necessary.

**CARRIED 186/2015 (08/07/2015)**

*6.28pm*

**Cr Brundell moved Cr Davey seconded**

That the meeting move out of in camera discussions and return to the public meeting.

**CARRIED 187/2015 (08/07/2015)**

*6.29pm The Confidential meeting closed.*

