



## *Yorke Peninsula Council*

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

held on Wednesday 8<sup>th</sup> July 2015,  
in the Council Chambers  
57 Main Street Minlaton commencing at 5.30pm  
(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 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

## **MINUTES OF THE PREVIOUS MEETING**

### **Cr Rich moved Cr Brundell seconded**

That the minutes of the Council meeting held on Wednesday 10<sup>th</sup> June 2015 at 5.30pm, be confirmed as a true record.

**CARRIED 154/2015 (08/07/2015)**

### **Cr Rich moved Cr Brundell seconded**

That the minutes of the Confidential Council meeting held on Wednesday 10<sup>th</sup> June 2015 at 6.38pm, be confirmed as a true record.

**CARRIED 155/2015 (08/07/2015)**

## **CONFLICT OF INTEREST**

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

## **ITEM 2 MAYOR'S REPORT**

### **Cr Bittner moved Cr Headon seconded**

That the report from Mayor Agnew be received.

**CARRIED 156/2015 (08/07/2015)**

## **ITEM 3 COUNCILLORS' REPORT**

### **Cr Headon moved Cr Bittner seconded**

That the report from Deputy Mayor Davey be received.

**CARRIED 157/2015 (08/07/2015)**

## **ADOPTION OF INFORMATION AGENDA**

### **Cr Bittner moved Cr Rich seconded**

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

**CARRIED 158/2015 (08/07/2015)**

## **ITEM 6 DEBATE AGENDA**

### **CHIEF EXECUTIVE OFFICER**

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

### **SOCIAL MEDIA POLICY AND IMPLEMENTATION**

#### **Cr Davey moved Cr Cook seconded**

That Council

1. approves the use of social media; and
2. endorses the draft Social Media Policy (attachment 1) and draft Terms of Use (attachment 2).

**CARRIED 159/2015 (08/07/2015)**

**DA/CEO/R2**

**STRATEGIC MANAGEMENT PLAN FRAMEWORK**

**Cr Rich moved Cr Bittner seconded**

That Council endorse the proposed framework and timelines for developing its 2016 – 2020 Strategic Management Plan.

**CARRIED 160/2015 (08/07/2015)**

**DA/CEO/R3**

**REPRESENTATIVE FOR YP COMMUNITY TRANSPORT SERVICES INC**

**Cr Bittner moved**

That Council nominate Andrew Cameron as Council's representative to YP Community Transport Services Inc.

The Acting Chief Executive Officer advised Council that the current constitution of YP Community Transport Services Inc does not allow for the Council representative to be anyone other than an Elected Member at this time.

MOTION LAPSED

**Cr Rich moved Cr Hoyle seconded**

That Council nominate Deputy Mayor Davey as the Council representative to the YP Community Transport Services Inc Board.

**CARRIED 161/2015 (08/07/2015)**

Council delegated authority to the Acting CEO to contact the YP Community Transport Services Inc Board to seek consideration of a change to their constitution to allow Andrew Cameron to be appointed as Council's representative to the Board.

**DA/CEO/R4**

**ORDER MAKING POLICY**

**Cr Cook moved Cr Hoyle seconded**

That Council endorse and adopt the updated Order Making Policy in accordance with the requirements of Section 259 of the Local Government Act.

**CARRIED 162/2015 (08/07/2015)**

**DA/CEO/R5**

**NOMINATION TO CENTRAL LOCAL GOVERNMENT REGION**

**Cr Rich moved Cr Hoyle seconded**

That Council nominate Mayor Ray Agnew as the Chair of the Central Local Government Region.

**CARRIED 163/2015 (08/07/2015)**

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

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

#### **2015-2016 ANNUAL BUSINESS PLAN**

##### **Cr Brundell moved Cr Davey 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 2015-2016 be adopted.

**CARRIED 164/2015 (08/07/2015)**

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

#### **FORMAL ADOPTION OF BUDGET, VALUATIONS AND RATES FOR 2015-2016 (FINAL)**

##### **Cr Davey moved Cr Rich seconded**

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

That pursuant to section 123(7) of the Local Government Act 1999 and regulation 7 of the Local Government (Financial Management) Regulations 2011 and having determined the budget to be consistent with the adopted Annual Business Plan and in respect of the financial year ending 30 June, 2016 -

The budget for that year as laid before Council at this meeting, which consists of –

- 1.1 budgeted Uniform Presentation of Finances; and
- 1.2 budgeted Statement of Comprehensive Income; and
- 1.3 budgeted Balance Sheet; and
- 1.4 budgeted Statement of Changes in Equity; and
- 1.5 budgeted Cash Flow Statements; and
- 1.6 budgeted Financial Indicators

be adopted, such budget involving an amount of \$15,409,300 to be raised from the general rates.

**CARRIED 165/2015 (08/07/2015)**

##### **Cr Cook moved Cr Headon seconded**

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

That pursuant to section 167(2)(a) 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 2016, totalling \$5,558,419,820, comprising \$166,992,618 in respect of non-rateable land and \$5,391,427,202 in respect of rateable land.

**CARRIED 166/2015 (08/07/2015)**

##### **Cr Bittner moved Cr Headon 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 167/2015 (08/07/2015)**

**Cr Rich moved Cr Bittner seconded**

**4. Declaration of General Rates**

- 4.1 That pursuant to Sections 152(1)(c), 153(1)(b) and 156(1)(a) of the Local Government Act 1999, and in order to raise the amount of \$15,409,300, a fixed charge is imposed and differential general rates are declared for the financial year ending 30 June 2016, 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 0.1689 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 0.2274 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 168/2015 (08/07/2015)**

**Cr Davey moved Cr Hoyle seconded**

**5. Service Charges**

**5.1 Community Wastewater Management Systems Service Charges**

That pursuant to Section 155 of the Local Government Act 1999, service charges are imposed for the financial year ending 30 June 2016 (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:

Maitland and Tiddy Widdy Beach Areas	Occupied Land: \$460.00 per unit
Ardrossan, Balgowan, Black Point, Edithburgh, Point Turton, Port Vincent, Port Victoria, Stansbury, Sultana Point and Yorketown areas	Occupied Land: \$460.00 per unit Vacant Land: \$350.00
Bluff Beach, Chinaman Wells, Foul Bay, Port Julia, Hardwicke Bay and Rogues Point area	All land: \$460.00 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.

**5.2 Water Supply Schemes Service Charges**

That pursuant to Section 155 of the Local Government Act 1999, service charges are imposed for the financial year ending 30 June 2016 as follows on each assessment of rateable and non-rateable land in the following area to which land the Council provides or make available a water supply service;

Balgowan area	\$160.00
Black Point area	\$180.00
Hardwicke Bay area	\$180.00

### **5.3 Waste Collection and Recycling 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 2016 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:-

\$240.00 for a two (2) bin service and  
\$260.00 for a three (3) bin service.

**CARRIED 169/2015 (08/07/2015)**

**Cr Headon 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 2016, a separate rate of 0.01404 cents in the dollar is declared on all rateable land in the area of the Council to raise the amount of \$756,353 payable to the Northern and Yorke Natural Resources Management Board.

**CARRIED 170/2015 (08/07/2015)**

**Cr Cook moved Cr Bittner seconded**

### **7. Payment**

- 7.1 That all rates (general and separate) and service charges are payable in four equal or approximately equal instalments in the Months of September and December 2015, and March and June 2016 (unless otherwise agreed with the Principal Ratepayer) and pursuant to Section 44 of the Local Government Act 1999, the Chief Executive Office is delegated authority to fix the dates by which rates must be paid; 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 171/2015 (08/07/2015)**

### **DA/CCS/R3**

#### **REQUEST FOR EXEMPTION UNDER POLICY PO072**

**Cr Headon moved Cr Brundell seconded**

That Council approve an exemption under clause 4.7 of PO072 Disposal of Land and Other Assets to enable the transfer of five vehicles to YPCTS Inc for nil consideration effective 1<sup>st</sup> July 2015.

**CARRIED 172/2015 (08/07/2015)**

### **DA/CCS/R4**

#### **ESCOSA REPORTING REQUIREMENTS AND POLICIES**

**Cr Rich moved Cr Hoyle seconded**

That Council:

1. endorse and adopt PO018 Hardship Policy for Residential Customers of Minor and Intermediate Water Retailers as presented for inclusion in Council's policy manual and on Council's website.

2. endorse and adopt the updated PO147 Complaints Policy as presented for inclusion in Council's policy manual and on Council's website.

**CARRIED 173/2015 (08/07/2015)**

**DA/CCS/R5**

**PO122 LOANS TO COMMUNITY GROUPS POLICY REVIEW**

**Cr Bittner moved Cr Davey seconded**

That Council endorse and adopt the updated Policy PO122 Loans to Community Groups as presented for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 174/2015 (08/07/2015)**

**DA/CCS/R6**

**PO124 ASSET ACCOUNTING POLICY REVIEW**

**Cr Davey moved Cr Headon seconded**

That Council endorse and adopt Policy PO124 Asset Accounting Policy as presented for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 175/2015 (08/07/2015)**

**DA/CCS/R7**

**PO142 BUDGET REPORTING AND AMENDMENT POLICY REVIEW**

**Cr Davey moved Cr Headon seconded**

That Council endorse and adopt PO142 Budget Reporting and Amendment Policy as presented for inclusion in Council's policy manual and on Council's website.

**CARRIED 176/2015 (08/07/2015)**

**DA/CCS/R8**

**PO132 CEMETERY MANAGEMENT POLICY REVIEW**

**Cr Cook moved Cr Headon seconded**

That Council give permission to proceed with the public consultation process to inform the public of the Revised PO132 Cemetery Management Policy as a result of legislative changes to the management of Cemeteries in South Australia.

**CARRIED 177/2015 (08/07/2015)**

**DA/CCS/R9**

**PORT VICTORIA HOTEL – MOTEL PUBLIC CONSULTATION**

**Cr Davey moved Cr Bittner seconded**

That Council give permission to proceed with a further public consultation process for the granting of a five year lease with three, five year rights of renewal over a portion of road reserve for the proposed development of a hotel decking area to Mr Peter J Raison and Mr Kenneth John Davey and Parker Hotels Pty Ltd.

**CARRIED 178/2015 (08/07/2015)**

**DA/CCS/R10**

**ARTHURTON WAR MEMORIAL SPORTS CLUB INC : ARTHURTON BOWLING CLUB  
COMMUNITY LOAN APPLICATION**

**Cr Cook moved Cr Rich seconded**

That Council:

1. approve the provision of a Community Loan to the Arthurton War Memorial Sports Club Inc. Bowling Club for the amount of \$140,000 for a period of ten years repayable by 6 monthly instalments in arrears.
2. pursuant to the provision of Section 134 of the Local Government Act 1999, the Yorke Peninsula Council hereby orders that the said Council shall borrow by means of a debenture loan on the security of the general revenue of the Council, the sum of \$140,000 (One Hundred and Forty Thousand Dollars) from the Local Government Finance Authority and that the said loan shall be for a period of 10 (Ten) years. The said loan will be for the Arthurton War Memorial Sports Club Inc. to fund the installation of artificial bowling greens.
3. authorise the Mayor and Chief Executive Officer to sign and seal any documentation to give effect to this resolution.

**CARRIED 179/2015 (08/07/2015)**

**DA/CCS/R11**

**ARDROSSAN BOWLING CLUB SPONSORSHIP REQUEST**

**Cr Bittner moved Cr Headon seconded**

That Council approve sponsorship of the 2015 Men's and Women's Prestige Medley event for the amount of \$2,000 on the condition that the club's tender is successful.

**CARRIED 180/2015 (08/07/2015)**

**DA/CCS/R12**

**YORKE PENINSULA ART EXHIBITION REQUEST FOR SPONSORSHIP**

**Cr Headon moved**

That Council approve additional sponsorship of \$2,000 for the Yorke Peninsula Art Exhibition  
MOTION LOST FOR WANT OF A SECONDER

**Cr Hoyle moved Cr Cook seconded**

That Council do not provide additional sponsorship for the Yorke Peninsula Art Exhibition.

**CARRIED 181/2015 (08/07/2015)**

**ASSETS AND INFRASTRUCTURE SERVICES – DEBATE**

**DA/AIS/R1**

**WASTE AND RECYCLING SERVICE**

**Cr Davey moved Cr Bittner seconded**

That Council:

1. extend its green waste collection to community groups, businesses and non-rateable properties within townships and charge an annual fee of \$52.80 per bin for that service.
2. endorse the need for a Statutory Declaration to be provided as proof of a stolen or damaged bin.



3. waive the fee for a replacement putrescible (140 litre red lidded bin) and recyclable (240 litre yellow lidded bin) once reported stolen or damaged.
4. endorse all recommendations being incorporated into Policy PO125 Waste and Recycling Policy.

**CARRIED 182/2015(08/07/2015)**

## **DEVELOPMENT SERVICES – DEBATE**

### **DA/DS/R1**

#### **COMMEMORATIVE GIRAFFE STATUE**

**Cr Rich moved Cr Hoyle seconded**

That Council not support the erection of a giraffe statue as proposed by Mr Andrew Costello at Federation Park, or any other land owned, or in the care, control and management of Council.

**CARRIED UNANIMOUSLY 183/2015(08/07/2015)**

## **ITEM 7 GENERAL BUSINESS**

### **Deputy Mayor Davey**

Deputy Mayor Davey advised Members that he would be unavailable to Chair the next Council meeting in the Mayor's absence and asked Members to consider if they wish to change the meeting date or elect someone else to Chair the meeting on his behalf.

**Cr Hoyle moved Cr Brundell seconded**

That Cr Rich be appointed to Chair the August Council meeting in the Mayor and Deputy Mayor's absence.

**CARRIED 184/2015 (08/07/2015)**

Advised Members that road spikes had been placed indiscriminately near Cape Elizabeth, Mr Graham responded advising that the police had been notified and were dealing with the matter.

Further advised members of a TV programme Better Homes and Gardens he had recently seen which showcased the home at Cape Elizabeth built among the sand dunes and what a credit it was to both the developer and Council for the way in which this home was built.

## **ITEM 8 CONFIDENTIAL AGENDA**

### **CA/CCS/R1**

#### **BULK FUEL SUPPLY TENDER 130/2015**

**Cr Brundell moved Cr Davey 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 Acting Chief Executive Officer, Executive Assistant to the CEO and Mayor, Director Corporate and Community Services, Director Development Services and 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 Bulk Fuel Supply Tender 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 Bulk Fuel Supply Tender 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 Bulk Fuel Supply Tender be retained in confidence for a period of 12 months.

**CARRIED 185/2015(08/07/2015)**

*6.17pm The meeting moved into confidential mode, the public were asked to leave and the Chamber secured.*

6.29pm *The public meeting resumed.*

**ITEM 9 NEXT COUNCIL MEETING**

Wednesday 12<sup>th</sup> August 2015 commencing at 5.30pm.

6.29pm *The Mayor declared the meeting closed.*

**ITEM 10 CLOSURE**

The Meeting Closed at 6.29pm.

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**Chairperson Cr John Rich**

**12<sup>th</sup> August 2015**