



Yorke Peninsula Council

Minutes of the Meeting of the Yorke Peninsula Council

held on Wednesday 9th July 2014,
in the Council Chambers
57 Main Street Minlaton commencing at 5.30pm
(Subject to confirmation)

ITEM 1 WELCOME

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

PRESENT

Mayor Ray Agnew OAM, Councillors Brenda Bowman (Deputy Mayor), Jeff Cook, Trevor Davey, Bob Nicholls, John Sendy, Dean Butler, Barry Schell, John Rich, Tania Stock and Veronica Brundell (from 5.33pm).

IN ATTENDANCE

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

LEAVE OF ABSENCE

Nil

APOLOGIES

Cr David Langford

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.

MINUTES OF THE PREVIOUS MEETING

Cr Davey moved Cr Schell seconded

That the minutes of the Council meeting held on Wednesday 11th June 2014, as circulated, be confirmed as a true record.

CARRIED 107/2014 (09/07/2014)

ITEM 2 MAYOR'S REPORT

Mayor Agnew advised that there were two items he had omitted from his report, he did attend the Council Meeting on 11th June and he inadvertently missed including staff member Wendy Story as attending the YP Tourism Awards Dinner.

Cr Sedy moved Cr Nicholls seconded

That the report from Mayor Agnew be received.

CARRIED 108/2014 (09/07/2014)

ADOPTION OF INFORMATION AGENDA

Cr Bowman moved Cr Cook seconded

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

CARRIED 109/2014 (09/07/2014)

ITEM 6 DEBATE AGENDA

CHIEF EXECUTIVE OFFICER - DEBATE

DA/CEO/R1

RSL VIRTUAL WAR MEMORIAL PROJECT

Cr Sedy moved Cr Butler seconded

That Council support the RSL Virtual War Memorial Project with the suggested once off contribution of \$1,281.

CARRIED 110/2014 (09/07/2014)

DA/CEO/R2

YP TOURISM FUNDING AGREEMENT

Cr Rich moved Cr Nicholls seconded

That Council approve the Mayor and CEO signing and sealing a new three (3) year funding agreement with Yorke Peninsula Tourism.

CARRIED 111/2014 (09/07/2014)

DA/CEO/R3

PRINCIPAL OFFICE EXPANSION PROPOSAL

Cr Bowman moved Cr Davey seconded

That Council endorse the inclusion of the Principal Office Expansion Project in the 2014/2015 budget.

CARRIED

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

Upon dividing, eight Members voted in the affirmative; two Members voted in the negative.

Members voting in the affirmative

Cr Brundell
Cr Rich
Cr Butler
Cr Sendy
Cr Nicholls
Cr Davey
Cr Bowman
Cr Cook

Members voting in the negative

Cr Stock
Cr Schell

The Mayor declared the motion

CARRIED 112/2014 (09/07/2014)

CORPORATE AND COMMUNITY SERVICES – DEBATE

DA/CCS/R1

2014-2015 ANNUAL BUSINESS PLAN

Cr Rich moved Cr Cook 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 2014-2015 be adopted.

CARRIED 113/2014 (09/07/2014)

DA/CCS/R2

FORMAL ADOPTION OF BUDGET, VALUATIONS AND RATES FOR 2014-2015 (FINAL)

1. Adoption of Budget

Cr Davey moved Cr Bowman seconded

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, 2015 –

The budget for that year as laid before the 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 statement; and
- 1.6 budgeted financial indicators

be adopted, such budget involving an amount of \$14,530,000 to be raised from the general rates.

CARRIED 114/2014 (09/07/2014)

2. Adoption of Valuations

Cr Nicholls moved Cr Cook seconded

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 2015, totalling \$5,417,726,380, comprising \$164,422,415 in respect of non-rateable land and \$5,253,303,965 in respect of rateable land.

CARRIED 115/2014 (09/07/2014)

3. Determination of basis for differential rates

Cr Bowman moved Cr Rich seconded

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 116/2014 (09/07/2014)

4. Declaration of General Rates

Cr Brundell moved Cr Davey seconded

- 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 \$14,530,000, a fixed charge is imposed and differential general rates are declared for the financial year ending 30 June 2015, on rateable land as follows:
- 4.1.1 on rateable land of category 7 use (primary production) in the area of the Council, a rate of 0.1621 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 0.2109 cents in the dollar of the capital value of such land; and
 - 4.1.3 a fixed charge component of the general rate of \$400.00 is imposed.
- 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 117/2014 (09/07/2014)

5. Service charges

Cr Bowman moved Cr Rich seconded

5.1 Community Wastewater Management Systems Service Charges

That pursuant to Section 155 of the Local Government Act 1999, service charges be imposed for the financial year ending 30 June 2014 (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 :	\$450.00 per unit
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Ardrossan, Balgowan, Black Point, Edithburgh, Point Turton, Port Vincent, Port Victoria, Stansbury, Sultana Point and Yorketown areas	Occupied land: Vacant allotment:	\$450.00 per unit \$340.00 per unit
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Bluff Beach, Chinaman Wells, Foul Bay, Port Julia, Hardwicke Bay & Rogues Point areas	All land:	\$450.00 per unit
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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 requirement 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 be imposed for the financial year ending 30 June 2015 as follows on each assessment of rateable and non-rateable land in the following areas to which land the Council provides or makes available a water supply service;

Balgowan area	\$140.00
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 declares an annual service charge for the year ending 30 June 2015 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 declared at:-

\$235.00 for a two (2) bin service and
\$255.00 for a three (3) bin service.

CARRIED 118/2014 (09/07/2014)

6. Declaration of Separate Rates

Cr Nicholls moved Cr Sedy seconded

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 2015 a separate rate of 0.01406 cents in the dollar is declared on all rateable land in the area of the Council to raise the amount of \$738,463 payable to the Northern and Yorke Natural Resources Management Board.

CARRIED 119/2014 (09/07/2014)

7. Payment

Cr Davey moved Cr Rich seconded

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, 2014, and March and June, 2015 (unless otherwise agreed with the Principal Ratepayer) and pursuant to Section 44 of the Local Government Act 1999, the Chief

Executive Officer 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 120/2014 (09/07/2014)

DA/CCS/R3

REVIEW OF FEES AND CHARGES REGISTER

Cr Davey moved Cr Rich seconded

That Council adopt the final Fees and Charges Register as amended, with statutory charges effective from 1st July 2014 and other discretionary charges effective from 10th July 2014.

CARRIED 121/2014 (09/07/2014)

DA/CCS/R4

SECTION 41 COMMITTEE DISSOLUTIONS

Cr Nicholls moved Cr Sendy seconded

That the previous Section 199 Committees of Council, now Section 41 Committees of Council, known as the Brentwood Institute Hall Committee, Curramulka Institute Hall Committee, Point Turton Swimming Centre and Stansbury Institute Committee are dissolved as Section 41 Committees of Council.

CARRIED 122/2014 (09/07/2014)

DA/CCS/R5

PORT VICTORIA CFS

Cr Davey moved Cr Cook seconded

That Council:

1. proceeds with the revocation of Community Land classification over a portion of 36 Main Street Port Victoria Section 282 Hundred of Wauraltee Crown Record: Volume 5757 Folio 278 which will accommodate the necessary requirements for the Minister for Emergency Services to build a new Country Fire Service station at Port Victoria.
2. give permission to commence the public consultation process being the initial step to the revocation of the Community Land classification over the portion of 36 Main Street Port Victoria Section 282 Hundred of Wauraltee Crown Record: Volume 5757 Folio 278.

CARRIED 123/2014 (09/07/2014)

DA/CCS/R6

COMMUNITY GRANTS ROLLOVER REQUESTS

Cr Bowman moved Cr Rich seconded

That Council approves the rollover to the 2014/2015 financial year of Community Grants Payments to:

1. Marion Bay Township Inc of \$2,000; and
2. Maitland and District Progress Association of \$2,000.

CARRIED 124/2014 (09/07/2014)

DEVELOPMENT SERVICES – DEBATE

DA/DS/R1

DEVELOPMENT PLAN AMENDMENT – BLUFF BEACH

Cr Schell moved Cr Davey seconded

That Council adopts the recommendations contained in the public and agency submission summaries arising from the Yorke Peninsula Council Bluff Beach Development Plan Amendment (DPA) and authorise the Chief Executive Officer to sign the Schedule 4B Certificate and forward the DPA to the Minister for authorisation.

CARRIED 125/2014 (09/07/2014)

DA/DS/R2

PORT VINCENT PROGRESS ASSOCIATION

Cr Nicholls moved Cr Bowman seconded

That a \$25,000 allocation is committed in 2014/2015 for the Port Vincent Urban Design Framework and that a review of future funding allocations be undertaken for the 2015/2016 budget.

CARRIED 126/2014 (09/07/2014)

DA/DS/R3

SECTION 30 REVIEW

Cr Rich moved Cr Cook seconded

Subject to any feedback or comments from Elected Members the draft Strategic Directions Report be received.

That staff be authorised to finalise the draft report and to place the final copy on public consultation as identified in the body of this report.

CARRIED 127/2014 (09/07/2014)

ITEM 7 GENERAL BUSINESS

Cr Rich

Advised that the email Councillors had received from Mr Dick in relation to the cut back of roadside vegetation was encouraging, the next step is to identify which roads are needed to be prioritised first – asked that this matter be brought back to the next workshop for informal discussion.

ITEM 8 CONFIDENTIAL AGENDA

Cr Rich moved Cr Bowman 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 'Tender 111-2014 - Management & Operation of Transfer Stations' 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 that 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 ‘Tender 111-2014 - Management & Operation of Transfer Stations’ 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 report, tender evaluation and any supporting documentation relevant to agenda item 8 titled ‘Tender 111-2014 - Management & Operation of Transfer Stations’ be retained in confidence for a period of 12 months.

CARRIED 128/2014 (09/07/2014)

5.53pm The public were asked to leave and the Chamber secured.

5.55pm *The public meeting resumed.*

Released in camera minute

Cr Davey moved Cr Butler seconded

That Council accept the tender of \$360,000 plus GST from Transpacific Industries Group Ltd for the management and operation of Council's Transfer Stations (tender 111-2014).

CARRIED 129/2014 (09/07/2014)

Cr Davey moved Cr Nicholls 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 Tender Principal Office Expansion Proposal 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 that 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 Tender Principal Office Expansion Proposal 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 report, tender evaluation and any supporting documentation relevant to agenda item 8 titled Tender Principal Office Expansion be retained in confidence for a period of 12 months.

CARRIED 131/2014 (09/07/2014)

5.56pm *The public were asked to leave and the Chamber secured.*

6.04pm *The public meeting resumed.*

Released in camera minute

Cr Davey moved Cr Rich seconded

That Council:

1. award the design and construct Tender for the Principal Office Expansion Project to Romaldi Constructions Pty Ltd based on the provided Tender Evaluation Report.
2. authorise the Mayor and Chief Executive Officer to sign and seal any documentation to give effect to this resolution.

CARRIED 132/2014 (09/07/2014)

ITEM 9 NEXT COUNCIL MEETING

Wednesday 13th August 2014 commencing at 5.30pm.

6.09pm *The Mayor declared the meeting closed.*

ITEM 10 CLOSURE

The Meeting Closed at 6.09pm.

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Mayor Ray Agnew

13th August 2014