



# **MINUTES**

## **Ordinary Council Meeting**

(Subject to confirmation)

**13 June 2018**

**MINUTES OF YORKE PENINSULA  
COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,  
MINLATON  
ON WEDNESDAY, 13 JUNE 2018 AT 5.30PM**

**1 WELCOME BY MAYOR**

Mayor Ray Agnew OAM welcomed everyone to the meeting and declared the meeting open.

**2 OPENING PRAYER**

Mayor Agnew recited the Opening Prayer.

**3 PRESENT**

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

**In Attendance**

Roger Brooks (Acting CEO), Michael Cartwright (Manager Development Services), David Harding (Director Corporate and Community Services), Roy Dick (Acting Director Assets and Infrastructure Services), Jackie Reddaway (Minute Secretary)

**4 LEAVE OF ABSENCE**

Andrew Cameron (CEO), Trevor Graham (Director Assets and Infrastructure Services)

**5 APOLOGIES**

Nil

**6 CONFLICT OF INTEREST**

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

Cr Darren Braund declared a perceived conflict of interest with Agenda Item 23.3 as he is the Chairperson of Edithburgh Light Church.

Cr Adam Meyer declared a perceived conflict of interest with Agenda Item 23.2 as in his employment he is authorised to prosecute breaches of the relevant act.

**7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION**

**RESOLUTION**

Moved: Cr Alan Headon

Seconded: Cr John Rich

That the minutes of the Ordinary Council Meeting held on 9 May 2018 be confirmed.

**CARRIED 133/2018 (13/06/2018)**

*5.32pm Mayor Agnew advised all present that as required by legislation, a minimum of one (1) hour was required to be set aside to hear any submissions and/or take questions from the public on the*

*draft 2018/2019 Annual Business Plan. Two people had requested the opportunity to present to Council and they would be considered later in the Agenda at Item 20.*

**8 MOTIONS ON NOTICE**

**8.1 NOTICE OF MOTION - CR NAOMI BITTNER - PRESENTED TO 13 JUNE 2018 COUNCIL MEETING**

**RESOLUTION**

Moved: Cr Naomi Bittner

Seconded: Cr John Rich

That all future Council meetings and formal public meetings and events hosted by Council include, in their opening, an Acknowledgement of Country.

**CARRIED 134/2018 (13/06/2018)**

**9 QUESTIONS ON NOTICE**

**9.1 QUESTIONS ON NOTICE RECEIVED FROM CR ADAM MEYER**

The following questions on notice were received from Councillor Adam Meyer, Mayor Agnew prepared the responses to those questions and are outlined below.

1. Will the CEO restore the ability of Elected Members to view what activities and engagements, the CEO is performing on behalf of rate payers and assist Elected Members in monitoring his performance?

*I consider that this question is improper as it implies that the CEO is being secretive and underhanded.*

*The way it has been asked may cause detriment to the CEO as others may think less favourably of him.*

*In accordance with Regulation 9(6) I determine that this question will not be answered.*

2. Can the CEO please advise rate payers what his current (or most recent non confidential) remuneration package is?

[Public Salaries Register – extract CEO](#)

\$240,677	Private use of a vehicle
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3. Has any YPC staff accessed the emails of any Elected Members, without the knowledge or permission of the Elected Members?

If so, is there a register of this access?

Is there an audit process to ensure that any access of Elected Members emails is authorised and lawful?

*I consider that this question is improper and insulting as it implies unlawful conduct.*

*In accordance with Regulation 9(6) I determine that this question will not be answered.*

4. Why did the CEO introduce the Policy (PO 163), Elected Member Access to Information.

<https://yorke.sa.gov.au/content/uploads/PO163-Elected-Member-Access-to-Information-Policy.pdf>

I consider that this question is irrelevant as it is the Elected Body who adopted the policy.

In accordance with Regulation 9(6) I determine that this question will not be answered.

Why do Elected Members have to justify to the CEO, why access to the documents is required and/or cause a restriction of such access, when Section 61 of the Local Government Act, doesn't impose such restrictions or requirements?

I consider that this question is vague, as it is not clear what "justify to the CEO" means or what specific restrictions Cr Meyer is referring to.

In accordance with Regulation 9(6) I determine that this question will not be answered.

How much did it cost (Staff salaries and any Legal fees) to produce this policy?

Legal Fees were \$602.00 (incl GST), staff do not account for specific hours allocated to projects, so therefore it would be impossible to place a figure on staff time allocated for this Policy.

How does introducing a policy to restrict access of Council Documents to Elected Members, improve the ability for Elected Members to represent their community?

I consider that this question is vague and appears to be seeking an opinion rather than an answer to a question.

In accordance with Regulation 9(6) I determine that this question will not be answered.

5. Can Staff please advise which roads will have their grading schedule reduced, to facilitate this change [in scheduled grading of North Coast Road] and how staff has informed these affected residents and road users?

The increase to the grading schedule has been met within current resourcing and there has been no other grading schedule reductions.

6. Can the CEO please advise when the Mayor will answer the question, as accepted on notice, by the Mayor [April 2018 Council Meeting] at the time and by the Elected Body in the subsequently approved minutes?

I have advised Cr Stock that I consider her question without notice to be improper.

Such allegations relating to behaviour are captured within the provisions of the Code of Conduct for Council Members.

In accordance with Regulation 9(6) I determined that this question will not be answered.

Can the CEO confirm if the Mayor has received any advice from Council's legal representatives or had advice paid for on his behalf, in relation to how he performs his duties or his conduct towards staff or Elected Members?

I consider that this question is vague.

It is not clear what is meant by "how he performs his duties or his conduct..."

In accordance with Regulation 9(6) I determine that this question will not be answered.

7. How much does Yorke Peninsula Council pay for membership with the Local Government Association per year?

Payment for 2017/2018 financial year – \$ 31,598.00

How much money or equivalent value donations, has YPC contributed to the LGA campaign in relation to opposing rate capping?

A report was presented to the April 2017 Council meeting in support of the LGA campaign to oppose rate capping, however Council has not financially, or otherwise contributed to the campaign.

8. Can the CEO explain why he proposed a new procedure for handling Elected Member complaints, that didn't fit the template recommended by the LGA?

I consider that this question is irrelevant as the Elected Body adopted this procedure.

In accordance with Regulation 9(6) I determine that this question will not be answered.

9. What benefits if any, does the Yorke Peninsula Council receive from membership of the LGA?

The LGA facilitates councils working together to resolve issues through a strong and united voice.

Benefits to Council include:

- Advocacy and a strong, united voice when dealing with State and Federal Governments on matters that affect Local Government
- Providing information to assist in continuous improvement
- Facilitating engagement, collaboration and information sharing by and between Councils
- Access to industry relevant training, often at a reduced cost
- A range of tools to assist council in meeting legislative compliance and best practice requirements
- Access to an independent panel for complaint assessment
- Access to public sector procurement opportunities offering a number of financial and non-financial benefits
- Access to a number of insurance products offering a number of financial and non-financial benefits.

The LGA has prepared a report outlining the LGA's value, LGA Value of Membership Report April 2018. This UHY Haynes Norton report confirms that the average estimated annual benefit to members is just over \$2 million per council.

A copy of the full report is available via the LGA.

10. How much in Legal Fees (Advice/Policy) was authorised by the CEO during this elected term?

These figures incorporate all amounts for legal fees sourced from Audited Financial Statements included within the Annual Report – to determine a breakdown for Advice and Policy only would require the use of substantial resources.

2014/2015	\$106,000
2015/2016	\$95,000
2016/2017	\$101,000

Current Financial Year to date: \$76,900 (more expected)

As a member of the LGA, could the YPC save money seeking legal advice from legal firms, by utilising the industry expertise of the LGA for advice?

The LGA will provide some general legal guidance directly to its member Councils, however I understand that the role and function of the LGA does not extend to include professional legal advice.

I understand that it is not the LGA's intention to replace the professional legal advice sought by the LGA and/or their member Councils.

Each CEO is responsible for seeking professional legal advice as deemed necessary by the CEO.

11. Can the CEO please advise the financial cost to rate payers of the Black Point land revocation project, including but not limited to staff salaries, consultants and legal fees?

A response to this question is unable to be provided at this time, due to the complex nature of the matter and the substantial resources required to collate this information. It is my intention to request that a report be provided to Council in due course in answer to this question.

Has a copy of the result of the 270 Review been supplied to the applicant?

A response to the applicant of the Section 270 Review has been supplied.

If not, does this meet the Council Policy and Local Government Act in relation to the Section 270 review process?

Yes

Has an internal review been conducted into why the staff project didn't proceed?

I consider that this question is vague and irrelevant.

It is not clear why this has been referred to as a staff project as it was a matter considered by the Elected Body as a whole.

In accordance with Regulation 9(6) I determine that this question will not be answered.

12. How much has been spent of the Corporate Credit Card for the CEO and the Mayor during this current Elected Member term?

Mayor corporate card \$ 6,749.95

This figure is made up of training, development and conference related expenses

Chief Executive Officer corporate card \$ 48,305.36

This figure is made up of training, development and conference related expenses (flights, accommodation, attendance etc) for Elected Members and Staff. In addition to other Council business related expenses.

Have all the expenses been for YPC work purposes?

I consider that this question is improper and insulting as it implies unlawful conduct.

The way it has been asked may cause detriment to the CEO and the Mayor as others may think less favourably of them.

In accordance with Regulation 9(6) I determine that this question will not be answered.

13. Can the CEO please advise the total Fringe Benefits Tax paid by Council during this current Elected Member term?

2014/15 \$124,471.51 (per amended return)

2015/16 \$144,092.83

2016/17 \$126,213.22

2017/18 \$141,547.55

14. Can the CEO please advise the savings (Fuel, services, km's, depreciation, changeover costs and FBT) that could be made, by requiring all staff with a Council supplied vehicle, to be based at the YPC Council office/building (Maitland/Minlaton/Yorketown/Warooka), closest to their residential address?

I consider that this question is improper due to the substantial resources it will take to provide an answer.

For this reason, such a request should be made by a resolution of the Elected Body rather than just one Elected Member.

In accordance with Regulation 9(6) I determine that this question will not be answered.

15. Has an independent investigation/Audit occurred into how the fraud [involving the theft of over \$200,000 by former staff member Karen Schulz] could occur undetected for around 4 years?

As previously reported to Council and Council's Audit Committee, an independent Audit and Investigation was undertaken by the Independent Commissioner against Corruption (ICAC).

Following his investigation Bruce Lander made a point of attending a Council Meeting to advise the Council and CEO that he was extremely happy with the evidence gathering and internal investigation undertaken by Council staff into this incident.

He further advised that he would use the internal investigation strategies as a Best Practice example when providing training for other Government/Councils and their staff involved in Internal Investigation practices.

Have any policies been implemented to ensure this behaviour couldn't happen again?

Internal Audit Controls were reviewed in this matter with a report being presented to management including recommendations that a number of changes be implemented across the organisation.

Changes included a major segregation of duties, staff responsibilities, a review of access controls to business systems and a review and changes implemented to internal processes and procedures in relation to financial business.

In addition further audit reports and independent verification are regularly reviewed and reconciled back to source documentation.

Information Technology policies including usage and security and additional password protocols have been implemented to ensure there is not a repeat of this incident.

In addition as reported to Council's Audit Committee today an internal review has recently been conducted into access permissions to ensure that access is relevant to staff roles.

16. Did the CEO conduct an investigation into the overspend of \$132,627, on a total budget of \$197,865 [for the Sturt Bay Road project]?

Yes

What caused the 40% variance from the initial budget and what protections have been put in place to reduce a repetition of the error?

The variance occurred due to an error in calculating the volume and cost of the fill materials. The amount of work was also underestimated. A managerial review of all material components, prior to inclusion in the budget, has been implemented.

17. Can the CEO please confirm if the bitumen contractors, [for the Clinton Road project] advised against sealing the affected section at the time [works were undertaken]?

No. The contractors recommended and used an emulsion product instead of what would normally be utilised, in order to accommodate for the weather conditions.

As the project required grant funding, did YPC staff contact the relevant grant body, to request an extension of time, to complete the works in more favourable weather conditions?

No

What is the expected cost to fix the bitumen surface on this new road?

Remedial work was undertaken by the contractor at no cost to Council.

Who will be expected to pay for the remedial work required?

Remedial work has been undertaken by the contractor at no cost to Council.

As is the case for any Council road, jet patching will be undertaken as required.

## 10 QUESTIONS WITHOUT NOTICE

Nil

## 11 PETITIONS

Nil

## 12 MAYOR

### 12.1 MAYOR'S MONTHLY REPORT MAY 2018

#### PURPOSE

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

#### RESOLUTION

Moved: Cr Jeffrey Cook

Seconded: Cr Trevor Davey

That the report be received.

**CARRIED 135/2018 (13/06/2018)**



**12.2 DEPUTY MAYOR'S MONTHLY REPORT MAY 2018****PURPOSE**

Deputy Mayor Scott Hoyle has been performing many Mayoral duties whilst Mayor Ray Agnew OAM was on a leave of absence. This report is to keep Elected Members updated on these Mayoral activities during the month of May 2018.

**RESOLUTION**

Moved: Cr David Langford

Seconded: Cr Darren Braund

That the report be received.

**CARRIED 136/2018 (13/06/2018)**

**13 COUNCILLORS' REPORT**

Nil

**INFORMATION AGENDA****14 ITEMS FOR EXCLUSION**

Nil

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

Moved: Cr Naomi Bittner

Seconded: Cr John Rich

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

**CARRIED 137/2018 (13/06/2018)**

**20 VISITORS TO THE MEETING**

*5.40pm* Geoff Bagshaw – made his presentation to Elected Members on his Annual Business Plan submission.

*5.44pm* the presentation concluded.

*5.45pm* Iain McQueen – made his presentation to Elected Members on his Annual Business Plan submission.

*5.52pm* the presentation concluded.

Mayor Agnew asked if any other person present in the gallery wished to address the Council or ask a question about the Draft Annual Business Plan.

No-one responded in the affirmative.

**DEBATE AGENDA****21 MAYOR**

Nil

**22 CHIEF EXECUTIVE OFFICER****22.1 POLICY UPDATE - PO138 CARETAKER POLICY****PURPOSE**

To seek endorsement and approval from Council for the updated PO138 Caretaker Policy.

**RESOLUTION**

Moved: Cr David Langford

Seconded: Cr Alan Headon

That Council endorse and approve the updated PO138 Caretaker Policy for inclusion in Council's Policy Manual and on the Council website.

**CARRIED 138/2018 (13/06/2018)**

**22.2 POLICY UPDATE - PO140 PETITION MANAGEMENT POLICY****PURPOSE**

To seek endorsement and approval from Council for the updated PO140 Petition Management Policy.

**RESOLUTION**

Moved: Cr David Langford

Seconded: Cr Trevor Davey

That Council endorse and approve the updated PO140 Petition Management Policy for inclusion in Council's Policy Manual and on the Council website.

**CARRIED 139/2018 (13/06/2018)**

**22.3 REQUEST FOR FINANCIAL SUPPORT - ADELAIDE CITY COUNCIL****PURPOSE**

To seek Council's views on a request for funding support received from the Local Government Association on behalf of Adelaide City Council.

**RESOLUTION**

Moved: Cr Jeffrey Cook

Seconded: Cr Adam Meyer

That Council don't support the request for funding from the Local Government Association on behalf of the City of Adelaide.

**CARRIED 140/2018 (13/06/2018)**

**23 CORPORATE AND COMMUNITY SERVICES****23.1 FINANCIAL REPORT AS AT 31 MAY 2018****PURPOSE**

For Council to consider the financial report and capital projects update report as at 31 May 2018.

**RESOLUTION**

Moved: Cr Trevor Davey

Seconded: Cr Scott Hoyle

That Council receive the financial report and capital projects update report as at 31 May 2018.

**CARRIED 141/2018 (13/06/2018)**

5.58pm Cr Meyer declared a perceived conflict of interest for the next matter, he remained silent in the Chamber during consideration of the matter.

## 23.2 SPEED LIMIT REVIEW RESULTS UPDATED

### PURPOSE

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

### RESOLUTION

Moved: Cr Scott Hoyle  
Seconded: Cr Jeffrey Cook

That Council:

1. endorse the recommendation to DPTI for the application of a 30 km area speed limit for the Parsons Beach Township;
2. endorse the recommendation to DPTI for the permanent location of the 30 kph (previously 50 kph) speed sign in its current position east of Bush Track, Parsons Beach;
3. endorse the recommendation to DPTI for the application of a 30 km area speed limit for the Bluff Beach Township;
4. endorse the recommendation to DPTI for the application of a 30 km area speed limit for the Port Rickaby Township; and
5. endorse the recommendation to DPTI for the application of a 50 km town speed limit for the Stansbury Township (DPTI proposed new town area).

**CARRIED 142/2018 (13/06/2018)**

6:00 pm Cr Darren Braund – declared a perceived conflict of interest and left the meeting and the Chamber.

## 23.3 LIGHT CHURCH EDITHBURGH - COMMUNITY GRANT EXTENSION

### PURPOSE

A request has been received from the Light Church, Edithburgh for Council to formally consider an extension in time for the application for funds approved as a Community Grant in 2017/2018.

### RESOLUTION

Moved: Cr Scott Hoyle  
Seconded: Cr Alan Headon

That Council endorse an extension of the Light Church, Edithburgh 2017/2018 Community Grant of \$2,800 to 30 June 2019.

**CARRIED 143/2018 (13/06/2018)**

At 6:02 pm, Cr Darren Braund returned to the meeting.

Mayor Agnew advised that Agenda Item 23.4 would be deferred until the necessary one (1) hour has elapsed.

**23.4 DRAFT 2018/2019 ANNUAL BUSINESS PLAN, BUDGET AND FEES AND CHARGES - PUBLIC CONSULTATION**

Matter deferred until later in the meeting.

**24 ASSETS AND INFRASTRUCTURE SERVICES**

**24.1 POLICY UPDATE - PO096 MEMORIAL PLAQUES**

**PURPOSE**

To seek endorsement and approval from Council for the updated PO096 Memorial Plaques Policy.

**RESOLUTION**

Moved: Cr Jeffrey Cook  
Seconded: Cr Trevor Davey

That Council endorse and adopt the updated PO096 Memorial Plaques Policy for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 144/2018 (13/06/2018)**

**24.2 POLICY UPDATE - PO145 DESALINATION PLANT POLICY**

**PURPOSE**

To seek endorsement and approval from Council for the updated PO145 Desalination Plant Policy.

**RESOLUTION**

Moved: Cr John Rich  
Seconded: Cr Naomi Bittner

That Council endorse and adopt the updated PO145 Desalination Plant Policy for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 145/2018 (13/06/2018)**

**25 DEVELOPMENT SERVICES****25.1 POLICY UPDATE - COUNCIL ASSESSMENT PANEL DELEGATIONS POLICY PO127 AND REVIEW OF TERMS OF REFERENCE AND MEETING PROCEDURES DOCUMENTS****PURPOSE**

To seek endorsement and approval from Council for the update of Council Assessment Panel documents, PO127 Council Assessment Panel Delegations Policy, Terms of Reference and Meeting Procedures.

**RESOLUTION**

Moved: Cr Trevor Davey

Seconded: Cr Scott Hoyle

That Council;

1. endorse and adopt the updated PO127 Council Assessment Panel Delegations Policy for inclusion in Council's Policy Manual and on Council's website;
2. endorse the Council Assessment Panel Terms of Reference, inclusive of the reviewed Conditions of Appointment (Section 4.2) which outlines travel reimbursement to Independent Members; and
3. endorse the Council Assessment Panel Meeting Procedures.

**CARRIED 146/2018 (13/06/2018)**

**25.2 MEMBER APPOINTMENT TO THE COUNCIL ASSESMENT PANEL****PURPOSE**

Independent Member Ms Susan Avey has tendered her resignation from the Council Assessment Panel. In accordance with the Council Assessment Panel Terms of Reference, Council is now required to appoint (1) one Independent Member to the panel.

**RESOLUTION**

Moved: Cr Alan Headon

Seconded: Cr Veronica Brundell

That Council, having regard to Section 56A (3) of the Development Act 1993 appoint Susan Hadley as Independent Member to the Council Assessment Panel, commencing 1 July 2018 for the remainder of the current two year term, concluding 1 July 2019.

**CARRIED 147/2018 (13/06/2018)**

**25.3 PROPOSED AMENDMENTS TO COMMUNITY LAND MANAGEMENT PLANS****PURPOSE**

To seek permission to proceed with the community engagement process for the proposed amendment to the Community Land Management Plans.

**RESOLUTION**

Moved: Cr Jeffrey Cook  
Seconded: Cr Trevor Davey

That Council:

1. give permission to proceed with the community engagement process for the proposed amendments of the Community Land Management Plans.
2. endorse the draft document attached, proposed Amendments to Community Land Management Plans, which constitutes the information that is required to be made available to the public as part of the public consultation phase (in accordance with Section 198 (2) of the Local Government Act 1999).

**CARRIED 148/2018 (13/06/2018)**

**25.4 POLICY UPDATE - ENFORCEMENT POLICY PO141****PURPOSE**

To seek endorsement and approval from Council for the updated PO141 Enforcement Policy.

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Naomi Bittner

That Council endorse and adopt the updated PO141 Enforcement Policy for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 149/2018 (13/06/2018)**

**25.5 POLICY UPDATE - COMMERCIAL USE OF FOOTPATHS PO040****PURPOSE**

To seek endorsement and approval from Council for the updated PO040 Commercial Use of Footpaths.

**RESOLUTION**

Moved: Cr Alan Headon  
Seconded: Cr David Langford

That Council endorse and adopt the updated PO040 Commercial Use of Footpaths for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 150/2018 (13/06/2018)**

**25.6 ACCESS ADVISORY WORKING PARTY MINUTES****PURPOSE**

For Council to receive the Minutes of Council's Access Advisory Working Party meeting held on 4 May 2018.

**RESOLUTION**

Moved: Cr Trevor Davey  
Seconded: Cr Scott Hoyle

That Council receive the Minutes of the Access Advisory Working Party held on 4 May 2018.

**CARRIED 151/2018 (13/06/2018)**

**25.7 PROPOSED NEW LEASE - PINE POINT PROGRESS ASSOCIATION INC. - PINE POINT INSTITUTE****PURPOSE**

To endorse a new lease agreement to Pine Point Progress Association Inc. for the Pine Point Institute.

**RESOLUTION**

Moved: Cr Scott Hoyle  
Seconded: Cr Adam Meyer

That Council:

1. endorse a new lease agreement with the Pine Point Progress Association Inc. for the whole of the land comprised in Certificate of Title Volume 5547, Folio 5, being the Pine Point Institute for a period of (5) five years commencing 1 July 2018, with an option to renew for a further (5) five year term.
2. authorise the Mayor and Chief Executive Officer to execute and sign and seal any documents required to give effect to this lease.

**CARRIED 152/2018 (13/06/2018)**



**25.8 PROPOSED NEW LEASE - SOUTHERN YORKE PENINSULA COMMUNITY TELECENTRE INC.****PURPOSE**

To endorse a new lease agreement to Southern Yorke Peninsula Community Telecentre Inc.

**RESOLUTION**

Moved: Cr Naomi Bittner

Seconded: Cr Veronica Brundell

That Council:

1. endorse a new lease agreement with the Southern Yorke Peninsula Community Telecentre Inc. for a portion of the land comprised in Crown Record Volume 5757, Folio 205, for a period of (5) five years commencing 1 July 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 153/2018 (13/06/2018)**

**25.9 REVOCATION OF COMMUNITY LAND - BENNETT STREET, PORT VINCENT****PURPOSE**

To seek permission to proceed with the community engagement process for the revocation of community land classification and proposed sale of Council property.

**RESOLUTION**

Moved: Cr Jeffrey Cook

Seconded: Cr Naomi Bittner

That Council:

1. give permission to proceed to Public Consultation in relation to the revocation of community land classification over 14 Bennett Street, Port Vincent, Lot 1 in Deposited Plan 38377, Certificate of Title Volume 5170 Folio 107; and
2. endorse the draft document attached, Proposal to Revocate Bennett Street Reserve, which constitutes the information that is required to be made available to the public as part of the public consultation phase (in accordance with Section 194 (2) of the Local Government Act 1999).

**CARRIED 154/2018 (13/06/2018)**

**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

Nil

6.28pm Fraser Ellis – Not a ratepayer in this Council area, but would like to express his opinion about the proposed rate increase to Primary Production of 12%.

6.35pm the presentation concluded.

Mayor Agnew advised that as the required time had elapsed the deferred Agenda Item 23.4 could be considered.

## **23.4 DRAFT 2018/2019 ANNUAL BUSINESS PLAN, BUDGET AND FEES AND CHARGES - PUBLIC CONSULTATION**

### **PURPOSE**

To enable consideration of written submissions received during the public consultation period and any verbal submissions made by the public at the Council meeting on 13<sup>th</sup> June 2018 in relation to Council's Draft 2018/2019 Annual Business Plan, Budget and Fees and Charges in accordance with the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011.

### **RESOLUTION**

Moved: Cr Trevor Davey

Seconded: Cr Naomi Bittner

That Council receive submissions on the Draft 2018/2019 Annual Business Plan as presented before Council at this meeting.

**CARRIED 155/2018 (13/06/2018)**

### **MOTION**

Moved: Cr Naomi Bittner

Seconded: Cr Jeffrey Cook

That Council having considered all public consultation submissions received, endorse an increase for Total General Rate Revenue to approximately \$18.153m, an increase of 6.8% compared to 2017/2018.

**MOTION LOST**

Cr Trevor Davey called for a division

As a consequence the result of the above motion was set aside

In Favour: Crs Scott Hoyle, Trevor Davey, Naomi Bittner, John Rich and Jeffrey Cook

Against: Crs Veronica Brundell, Darren Braund, Alan Headon, Adam Meyer, David Langford and Tania Stock

The Mayor declared the motion

**MOTION LOST**

**RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr Tania Stock

That Council having considered all public consultation submissions received, endorse an increase for Total General Rate Revenue to approximately \$17.815m, an increase of 4.8% compared to 2017/2018.

CARRIED

Cr Tania Stock called for a division

As a consequence the result of the above motion was set aside

In Favour: Crs Veronica Brundell, Darren Braund, Alan Headon, Adam Meyer, Jeffrey Cook, David Langford and Tania Stock

Against: Crs Scott Hoyle, Trevor Davey, Naomi Bittner and John Rich

The Mayor declared the motion

**CARRIED 156/2018 (13/06/2018)**

**RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr David Langford

That Council having endorsed the increase to Total General Rate Revenue of 4.8% and with reference to rating Model A as presented, endorse the following approximate rate contributions (as a percentage of Total General Rate Revenue in 2018/2019) by land use category:

- a. Residential: 56%
- b. Commercial: 3.2%
- c. Industrial: 0.5%
- d. Primary Production: 33.4%
- e. Vacant Land: 6.0%
- f. Other: 1.0%

**CARRIED 157/2018 (13/06/2018)**

**RESOLUTION**

Moved: Cr David Langford

Seconded: Cr Alan Headon

That Council having considered all public consultation submissions received, endorses the Draft 2018/2019 Annual Business Plan and Budget, subject to any amendments resulting from recommendations above and any other alterations agreed at this meeting.

**CARRIED 158/2018 (13/06/2018)**

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Darren Braund

That Council having considered all public consultation submissions received, endorses the Draft 2018/2019 Fees and Charges, with the exception of any increase to the cemetery fees and charges, subject to any amendments resulting from recommendations above.

**CARRIED 159/2018 (13/06/2018)**

**CONFIDENTIAL AGENDA**

**27 CONFIDENTIAL ITEMS**

Nil

**28 NEXT MEETING**

Wednesday 11 July 2018

**29 CLOSURE**

The Meeting closed at 7.17pm.

The minutes of this meeting were confirmed at the Council Meeting held on 11 July 2018.

.....  
**MAYOR RAY AGNEW OAM**