

Coorong District Council
Minutes of the Special Meeting held on 1 August 2019



Minutes of the Special Meeting of the Coorong District Council held at the Coorong Civic Centre Chambers, Tailem Bend on Tuesday 1 August 2019 commencing at 6:00pm.

PRESENT: Mayor Cr. PE Simmons, Deputy Mayor Cr. JJ Arthur, Councillors TF Hill, NR Jaensch, BD Qualmann, LF Rowntree & GA Taylor.

IN ATTENDANCE: D Mosel (Acting Chief Executive Officer), G Maxwell (Acting Director Community & Corporate), J Thompson (Finance Manager), C Johnson (Galpins), B Jarvis (Organisational Development Coordinator & minute taker) and A Crossman (minute taker).

APOLOGIES: Councillor SU Bland & VA Leng.

WELCOME

The Mayor welcomed all present, read the civic prayer and acknowledged the traditional owners of the land on which we meet.

203/19 RECEIPT OF OFFICER'S REPORTS

Moved Cr. Rowntree, Sec. Cr. Taylor that the officer's reports be accepted as presented.

CARRIED UNANIMOUSLY

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204/19 ADOPTION OF 2019-20 ANNUAL BUSINESS PLAN

Moved Cr. Arthur, Sec. Cr. Hill 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 submissions made during the community engagement period, Council adopts the 2019-20 Annual Business Plan as amended, including:

- Reduce the Primary Production Differential Rate from 87% to 85%;
- Defer patrol grader replacement until 2020-21;
- Cap the Tailem Bend Toilets Upgrade project at \$300,000;
- Fixed charge is amended to \$360;
- Community Wastewater Management Scheme (CWMS) service charge is amended to \$605;
- Water supply systems service charge is amended to \$235.

AMENDMENT

Moved Cr. Jaensch, Sec. Cr. 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 submissions made during the community engagement period, Council adopts the 2019-20 Annual Business Plan as amended, including:

- Reduce the Primary Production Differential Rate from 87% to 85%;
- Defer patrol grader replacement until 2020-21;
- Cap the Tailem Bend Toilets Upgrade project at \$300,000;
- Fixed charge is amended to \$360;
- Community Wastewater Management Scheme (CWMS) service charge is amended to \$605;
- Water supply systems service charge is amended to \$235;
- Inclusion of \$50,000 budget line for Community Grants.

Amendment LAPSED due to the want of a seconder
The original motion was PUT
Voting for the motion were Councillors Arthur, Hill,
Qualmann, Rowntree, Simmons and Taylor
Voting against the motion was Councillor Jaensch
The Mayor declared the motion CARRIED

205/19 ADOPTION OF 2019-20 BUDGET

Moved Cr. Rowntree, Sec. Cr. Qualmann that pursuant to the provisions of section 123(7) of the Local Government Act 1999 and regulation 7 of the Local Government (Financial Management) Regulations 2011, the financial budget for the Financial Year ended 2020 resulting in an estimated Operating Deficit of \$376k be adopted.

Voting for the motion were Councillors Arthur, Hill,
Qualmann, Rowntree, Simmons and Taylor
Voting against the motion was Councillor Jaensch
The Mayor declared the motion CARRIED

206/19 ADOPTION OF THE 2019-20 VALUATION

Moved Cr. Rowntree, Sec. Cr. Taylor that pursuant to the provisions of section 167(2)(a) of the Local Government Act 1999, that Council for rating purposes for the year ending 30 June 2020 adopts the most recent Valuer-General's capital valuations totalling \$1,776,771,000.

CARRIED UNANIMOUSLY

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207/19 DECLARATION OF 2019-20 DIFFERENTIAL RATES AND FIXED CHARGE

Moved Cr. Hill, Sec. Cr. Taylor that pursuant to the provisions of the Local Government Act 1999 and consistent with the prescribed categories of land use set out in regulation 14 of the Local Government (General) Regulations 2013, Council declares differential general rates according to the locality of land and its use for the year ending 30 June 2020 as follows:

1. A fixed charge of \$360 in respect to each rateable assessment in accordance with section 152(1)(c)(ii) of the Local Government Act 1999;
2. Differential general rates are declared on the capital value of all rateable land within the Bulk Handling Zone as described in Council's Development Plan as consolidated 29 November 2018 at 1.2027 cents in the dollar.
3. Differential general rates are declared on the capital value of all rateable land outside the Bulk Handling Zone and according to the use of the land as follows, in accordance with sections 152(1)(c)(i), 153(1)(b) and 156(1)(c) of the Local Government Act 1999:
 - a. 0.4220 cents in the dollar in respect of rateable land with a land use of Residential and Other
 - b. 0.4220 cents in the dollar in respect of rateable land with a land use of Commercial – Shop, Commercial-Office, Commercial-Other, Industry-Light, Industry-Other
 - c. 0.3587 cents in the dollar in respect of rateable land with a land use of Primary Production
 - d. 0.5064 cents in the dollar in respect of rateable land with a land use of Vacant Land.

CARRIED UNANIMOUSLY

208/19 DECLARATION OF 2019-20 COMMUNITY WASTEWATER MANAGEMENT SCHEME (CWMS) SERVICE CHARGES

Moved Cr. Arthur, Sec. Cr. Rowntree that pursuant to section 155 of the Local Government Act 1999, Council imposes the method of recovery of costs relating to the management of Council's Community Wastewater Management Scheme (CWMS) be by an annual service charge and applied as follows:

Tailem Bend, Meningie, Tintinara, and Wellington East

- \$605 per occupied unit
- \$605 per vacant allotment

CARRIED UNANIMOUSLY

209/19 DECLARATION OF 2019-20 WATER SUPPLY SYSTEMS SERVICE CHARGES

Moved Cr. Arthur, Sec. Cr. Qualmann that pursuant to section 155 of the Local Government Act 1999, service charges be imposed as follows on each assessment of rateable and non-rateable land to which the Council makes available a water supply service in the areas of Wellington East and Peake:

- Supply Charge of \$235 per property
- Non-Potable water charge: \$0.60 per kilolitre used

CARRIED UNANIMOUSLY

210/19 DECLARATION OF 2019-20 KERBSIDE WASTE MANAGEMENT CHARGE

Moved Cr. Rowntree, Sec. Cr. Hill that pursuant to section 155 of the Local Government Act 1999, a service charge of \$330 be imposed on each eligible assessment of rateable and non rateable land within the kerbside collection boundary to which the Council makes available a Kerbside Waste Management Service.

CARRIED UNANIMOUSLY

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211/19 PAYMENT OF RATES – 2019-20

Moved Cr. Arthur, Sec. Cr. Qualmann that pursuant to section 181(1) of the Local Government Act 1999, rates are payable in four equal or approximately equal instalments, with such instalments being due on:

- 27 September 2019
- 11 December 2019
- 11 March 2020
- 11 June 2020

CARRIED UNANIMOUSLY

212/19 2019-20 RATE CAPPING

Moved Cr. Arthur, Sec. Cr. Rowntree that pursuant to Section 153 of the Local Government Act 1999, Council will fix a maximum increase in the general rate to be charged on rateable land (excluding properties located within the Bulk Handling Zone) being the amount by which the general rate payable exceeds the 2018/19 general rate payable by more than 10% and that such a cap will not apply where:

- The property has been acquired by the ratepayer after 30 June 2018; and/or
- The increase in general rates payable is due in whole or in part to an increase in the valuation of the property attributable to improvements; and/or
- The increase in general rates payable is due in whole or in part to an increase in the valuation of the property attributable to a change in the zoning of the land under the Development Act 1993.

CARRIED UNANIMOUSLY

213/19 DECLARATION OF NATURAL RESOURCE MANAGEMENT LEVY

Moved Cr. Arthur, Sec. Cr. Rowntree that in accordance with section 154 of the Local Government Act 1999 and Section 95 of the Natural Resource Management Act 2004 and regulation 4B of the Natural Resources Management (Financial Provisions) Regulations 2005:

- I. Council declares a separate rate of 0.02134 cents in the dollar of capital value of all rateable land within that part of the area of the Coorong District Council that is within the area of the SA Murray Darling Basin Natural Resources Management Board for the purpose of reimbursing to Council the amount that Council contributes to that Board for the 2019-20 financial year;
- II. Council declares a separate rate per property of all rateable land within that part of the area of the Coorong District Council that is within the area of the South East Natural Resource Management Board with the following land uses:
 - a. \$82.66 per rateable property with the land use of Residential, Vacant & Other;
 - b. \$123.99 per rateable property with the land use of Commercial – Shop, Office or Other;
 - c. \$198.38 per rateable property with the land use of Industrial – Light or Other; and
 - d. \$363.70 per rateable property with the land use of Primary Production, for the purpose of reimbursing to Council the amount that Council contributes to that Board for the 2019-20 financial year.

CARRIED UNANIMOUSLY

214/19 RATING POLICY (FOR THE 2019-20 FINANCIAL YEAR)

Moved Cr. Taylor, Sec. Cr. Rowntree that the Rating Policy be adopted by Council as amended.

CARRIED UNANIMOUSLY

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215/19 **RATE REBATE POLICY**

Moved Cr. Rowntree, Sec. Cr. Hill that:

1. The Rate Rebate Policy be adopted by Council as amended;
2. Where any discretionary rebate has been applied, all service charges and the Natural Resource Management Levy are excluded.

CARRIED UNANIMOUSLY

216/19 **MOTION WITHOUT NOTICE**

Moved Cr. Arthur, Sec. Cr. Qualmann that Council express their appreciation to staff and consultants (UHY Haines Norton and Galpins) for their efforts in the 2019-20 budget preparation process.

CARRIED UNANIMOUSLY

217/19 **REQUEST FOR FUNDING ASSISTANCE – INSTALLATION OF DIRECTIONAL SIGNAGE FOR THE BEND MOTORSPORT PARK**

Moved Cr. Jaensch, Sec. Cr. Rowntree that Council:

1. Fund no more than 50% of the supply and installation of five blue attraction signs at the locations depicted on the plan attached to the Council report, with Peregrine Corporation funding the remaining 50% of the sign installation;
2. Make available funds from the adopted 2019-20 Annual Budget for the supply and installation of signage;
3. Acknowledge the effort that Council staff have expended in facilitating the signage process.

Voting for the motion were Councillors Arthur,
Jaensch, Rowntree and Simmons

Voting against the motion were Councillors Hill, Qualmann and Taylor

The Mayor declared the motion CARRIED

The Mayor suspended standing orders at 6:40pm for twenty minutes.

The Mayor resumed meeting procedures at 7:02pm.

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218/19 INTO CONFIDENCE - RECEIPT OF LEGAL ADVICE IN RESPECT OF COMPLAINTS – 7:02PM

Moved Cr. Jaensch, Sec. Cr. Rowntree that in accordance with sections 90(2) and 90(3)(a) and (h) of the Local Government Act 1999, the Council orders that the public and staff (with the exception of the Acting Chief Executive Officer, Acting Director Community & Corporate and Organisational Development Coordinator) be excluded from attendance at that part of this meeting relating to item 16, 'Receipt of Legal Advice in respect of Complaints', with the exception of Norman Waterhouse Lawyers representatives, Sathish Dasan and Virginia Liu, to enable the Council to consider the item in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting the aforementioned persons in order to receive, discuss or consider in confidence the following information or matter relating to item 16:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Specifically, item 16 relates to information pertaining to the personal affairs of a person

The disclosure of this information would be unreasonable because it is sensitive to that person and is not a matter of public knowledge.

and

- (h) legal advice.

Specifically, legal advice provided by Norman Waterhouse Lawyers.

Accordingly, on this basis, the Council considers the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

CARRIED UNANIMOUSLY

The public left the meeting at 7:02pm.

221/19 OUT OF CONFIDENCE – 8:44PM

Moved Cr. Rowntree, Sec. Cr. Hill that Council under section 90(3)(a) of the Local Government Act 1999, the Council pursuant to section 91(7)(b) of that Act order that the discussion, report and minute be held in confidence until the next annual review of confidential orders.

CARRIED UNANIMOUSLY

The public returned to the meeting at 8:45pm.

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CLOSURE

There being no further business, the Mayor declared the meeting closed at 8:45pm.

CERTIFIED CORRECT.....CHIEF EXECUTIVE OFFICER

CONFIRMED / /2019MAYOR