Coorong District Council
Minutes of the Ordinary Meeting held on 28 June 2016

Minutes of the Ordinary Meeting of the Coorong District Council held at the Coorong Civic Centre Chambers, Tailem Bend on Tuesday 28 June 2016 commencing at 2:00pm.

PRESENT: Mayor Cr. NR Jaensch, Deputy Mayor Cr. SU Bland, Councillors JJ Arthur, J Barrie, VA Leng, DM Middleton, MS O’Hara, RW Simcock and PE Wright.

IN ATTENDANCE: V Cammell (Chief Executive Officer), N Traeger (Director Community & Corporate), D Mosel (Director Infrastructure & Assets) K Fromm (Senior Finance Officer), C Garrett (UHY Finance consultant), B Jarvis (Governance & Organisational Development Coordinator) and A Crossman (minute taker).

APOLOGIES: NIL

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

111/16 CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF THE COORONG DISTRICT COUNCIL HELD ON 17 MAY 2016 AND THE SPECIAL MEETING HELD ON 7 JUNE 2016
Moved Cr. Barrie, Sec. Cr. Leng that the minutes (including the confidential minutes) of the Ordinary Meeting of the Coorong District Council held on 17 May 2016, and the Special Meeting held on 7 June 2016 be adopted as a true and correct record.
CARRIED UNANIMOUSLY

BUSINESS ARISING / ACTION LIST
Cr. Arthur requested an update on minute 078/16 (Department of State Development – Rubble royalty legislation). Chief Executive Officer provided a response.

Cr. Arthur requested an update (including terms of rental agreement) on minute 220/15 (Intention to grant a lease to Country Health SA Local Health Network over Tintinara and Coonalpyn community health centres). Chief Executive Officer provided a response.

Cr. Bland requested an update on minute 058/16 (Disposal of Salt Creek CFS shed). Chief Executive Officer provided a response.

QUESTIONS WITH NOTICE
NIL

QUESTIONS WITHOUT NOTICE
NIL

PETITIONS
NIL

These minutes are subject to final ratification at the next council meeting.
Where an amendment results in the change of intent then a revised copy will be forwarded with the subsequent meetings minutes.
DEPUTATIONS
Council’s Code of Practice – Proceedings of Council and Committee Meetings, underpinned by the Local Government Act 1999 and Local Government (Procedures at Meetings) Regulations 2013 provides that:

A Deputation may be made by a person or group who wish to appear personally before a Council or Council Committee meeting in order to speak on a particular matter.

A person wishing to appear as a Deputation must deliver a written request to the Principal Office of the Council.

The request is forwarded to the Mayor who will decide if the request is granted or refused. If it is refused the Mayor must report the decision to the next meeting of the Council or Council Committee. The Council may resolve to allow a Deputation to appear despite a contrary ruling by the Mayor.

Deputations are limited to a maximum of three (3) per Council meeting.

A request for a Deputation must be received at the Principal Office of the Council by mid-day on the day of the meeting at which the Deputation wishes to appear. Any request for a Deputation received after this time will be treated as a request to appear at the next ordinary meeting of the Council.

The hearing of a Deputation may be referred to the relevant Council Committee unless the person/s seeking the deputation request to be heard at a Council meeting.

Attendance or non-attendance must be notified in writing with details of the date and time of the meeting as well as the length of time to speak (if approved). Persons are allocated a 10 minute time limit in which to address the meeting excluding questions. This time can be extended by a resolution of the Council or Committee.

Elected Members will be invited to ask questions after the Deputation.

Council is in receipt of three (3) deputation requests for it’s meeting on 28 June 2016:

- Henry Angas, representative from the Meningie Football Club regarding no interest loan application
- Wayne Lehmann, representative from the Meningie Bowling Club regarding no interest loan application
- Brenton Jones, representative from the Tintinara Bowling Club regarding no interest loan application

MAYOR’S REPORT
The Mayor elaborated on his written report.
ELECTED MEMBERS’ REPORTS
Councillors Arthur, Barrie, Bland and Middleton elaborated on their written reports.

NOTICES OF MOTION
NIL

MOTIONS WITHOUT NOTICE

112/16 Moved Cr. Barrie, Sec. Cr. Bland that Council write to Country Health SA Local Health Network requesting the terms and conditions of the commercial rental agreements for the Tintinara and Coonalpyn community health centres, and require that they disclose information in an appropriate and accurate manner.
CARRIED UNANIMOUSLY

OFFICE OF THE CHIEF EXECUTIVE OFFICER’S REPORT

113/16 ABOLITION OF TAILEM BEND PROCLAIMED SHOPPING DISTRICT
Moved Cr. Wright, Sec. Cr. Bland that Council:
1. Proposes to apply to the Minister for Industrial Relations under section 12 of the Shop Trading Hours Act 1977 for the abolition of the Tailem Bend Proclaimed Shopping District;
2. Pursuant to section 12(6) of the Shop Trading Hours Act 1977, Council seeks the views of the following persons on this proposal, being ‘interested persons’ for the purpose of that section:
   - Persons/residents in the area of Coorong District Council; and
   - Shopkeepers and shop assistants residing outside the area of the Council, but employed or engaged in shops within it
3. Conduct a period of community engagement for the purpose of obtaining the views of interested persons in accordance with it’s Community Engagement Policy.
CARRIED UNANIMOUSLY

114/16 COMMUNITY ENGAGEMENT POLICY REVIEW
Moved Cr. Simcock, Sec. Cr. Leng that having undergone a period of community engagement, Council adopt the Community Engagement Policy as tabled.
CARRIED UNANIMOUSLY

115/16 EQUAL EMPLOYMENT OPPORTUNITY, DISCRIMINATION, HARASSMENT AND BULLYING POLICY REVIEW
Moved Cr. Leng, Sec. Cr. Bland that Council adopt the Equal Employment Opportunity, Discrimination, Harassment and Bullying Policy as tabled.
CARRIED UNANIMOUSLY

116/16 COMPLAINTS AND COMPLIMENTS POLICY REVIEW
Moved Cr. Barrie, Sec. Cr. Middleton that Council adopts the Complaints and Compliments Policy as reviewed.
CARRIED UNANIMOUSLY
SECTION 41 COMMITTEES AND SECTION 43 SUBSIDIARIES

117/16 TINTINARA COMMUNITY MEN’S SHED COMMITTEE – MINUTES OF MEETING HELD 17 MAY 2016
Moved Cr. Simcock, Sec. Cr. Barrie that Council receive the minutes of the Tintinara Community Men’s Shed Committee meeting held on 17 May 2016.
CARRIED UNANIMOUSLY

118/16 COONALPYN COMMUNITY HALL COMMITTEE – MINUTES OF MEETING HELD 29 FEBRUARY 2016
Moved Cr. Barrie, Sec. Cr. O’Hara that Council receive the minutes of the Coonalpyn Community Hall Committee meeting held on 29 February 2016, and that the recommendations be forwarded to the appropriate department for consideration.
CARRIED UNANIMOUSLY

119/16 COONALPYN COMMUNITY HALL COMMITTEE – MINUTES OF ANNUAL GENERAL MEETING HELD 25 MAY 2016
Moved Cr. Barrie, Sec. Cr. Middleton that Council receive the minutes of the Coonalpyn Community Hall Committee annual general meeting held on 25 May 2016.
CARRIED UNANIMOUSLY

120/16 COONALPYN COMMUNITY HALL COMMITTEE – MINUTES OF MEETING HELD 25 MAY 2016
Moved Cr. Barrie, Sec. Cr. Simcock that Council receive the minutes of the Coonalpyn Community Hall Committee meeting held on 25 May 2016, and that the recommendations be forwarded to the appropriate department for consideration.
CARRIED UNANIMOUSLY

121/16 TINTINARA WAR MEMORIAL HALL COMMITTEE – MINUTES OF MEETING HELD 17 MAY 2016
Moved Cr. Arthur, Sec. Cr. Middleton that Council receive the minutes of the Tintinara War Memorial Hall Committee meeting held on 17 May 2016, and that the recommendations be forwarded to the appropriate department for consideration.
CARRIED UNANIMOUSLY

122/16 TINTINARA COMMUNITY GYMNASIUM COMMITTEE – MINUTES OF ANNUAL GENERAL MEETING HELD 1 MARCH 2016
Moved Cr. Barrie, Sec. Cr. Leng that Council receive the minutes of the Tintinara Community Gymnasium Committee annual general meeting held on 1 March 2016.
CARRIED UNANIMOUSLY

123/16 TINTINARA HOMES AND COMMUNITY CENTRE COMMITTEE – MINUTES OF MEETING HELD 2 JUNE 2016
Moved Cr. Arthur, Sec. Cr. Leng that Council receive the minutes of the Tintinara Homes and Community Centre Committee meeting held on 2 June 2016, and that the recommendations be forwarded to the appropriate department for consideration.
CARRIED UNANIMOUSLY
COMMUNITY & CORPORATE REPORT

124/16 ADOPTION OF BUDGET REVIEW 3
Moved Cr. Wright, Sec. Cr. Barrie that following consideration of Council’s Revised Forecast that Council adopts:

- The Revised Forecast for Statement of Uniform Presentation (Financial Position & Performance Statement)

CARRIED UNANIMOUSLY

125/16 ADOPTION OF 2016/17 ANNUAL BUSINESS PLAN
The Mayor suspended standing orders at 2:35pm.
The Mayor resumed meeting procedures at 2:40pm.

Moved Cr. Bland, Sec. Cr. Leng 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 minor changes to the 2016/17 Annual Business Plan as presented.

CARRIED UNANIMOUSLY

126/16 ADOPTION OF 2016/17 BUDGET
The Mayor suspended standing orders at 2:41pm.
The Mayor resumed meeting procedures at 2:49pm.

Moved Cr. Wright, Sec. Cr. Barrie 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 2017 resulting in an estimated Operating Deficit of $414k be adopted.

CARRIED UNANIMOUSLY

127/16 ADOPTION OF THE 2016/17 VALUATION
Moved Cr. Bland, Sec. Cr. Wright 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 2017 adopts the most recent Valuer-General’s capital valuations totalling $1,477,576,700.

CARRIED UNANIMOUSLY

128/16 REVIEW OF BASIS OF RATING
Moved Cr. Barrie, Sec. Cr. O’Hara that the report be received and recommendations within the report be considered when adopting the Rates, Fixed Charge and Service Charges.

CARRIED UNANIMOUSLY
129/16 DECLARATION OF 2016/17 DIFFERENTIAL RATES AND FIXED CHARGE
Moved Cr. Wright, Sec. Cr. Middleton that pursuant to the provisions of the Local Government Act 1999 and consistent with the prescribed categories of land use set out at 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 2017 as follows:
1. A fixed charge of $300 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 13 February 2014 at 1.1292 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. 0.3962 cents in the dollar in respect of rateable land with a land use of Residential and Other
   b. 0.3962 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. 0.3368 cents in the dollar in respect of rateable land with a land use of Primary Production
   d. 0.4754 cents in the dollar in respect of rateable land with a land use of Vacant Land.
CARRIED UNANIMOUSLY

130/16 DECLARATION OF 2016/17 COMMUNITY WASTEWATER MANAGEMENT SCHEME (CWMS) SERVICE CHARGES
Moved Cr. Leng, Sec. Cr. Barrie 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 Systems (CWMS) be by an annual service charge and applied as follows:
   Tailem Bend, Meningie, Tintinara, and Wellington East
       $585 per occupied unit
       $585 per vacant allotment
Voting for the motion were Councillors Barrie, Bland, Jaensch, Leng, Middleton, O’Hara, Simcock and Wright
Voting against the motion was Councillor Arthur
The Mayor declared the motion CARRIED

131/16 DECLARATION OF 2016/17 WATER SUPPLY SYSTEMS SERVICE CHARGES
Moved Cr. Simcock, Sec. Cr. Middleton 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:
      o A service charge comprised of $305 plus $1.50 per kilolitre for usage in excess of 125 kilolitres per annum.
CARRIED UNANIMOUSLY
132/16 DECLARATION OF 2016/17 KERBSIDE WASTE MANAGEMENT CHARGE
Moved Cr. Bland, Sec. Cr. Barrie that pursuant to section 155 of the Local Government Act 1999, a service charge of $325 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

133/16 PAYMENT OF RATES AND DISCOUNT INCENTIVES FOR EARLY PAYMENT – 2016/17
Moved Cr. O’Hara, Sec. Cr. Bland:
1. That pursuant to section 181(1) of the Local Government Act 1999, rates be payable in four equal or approximately equal instalments, with due dates of the instalments being:
   - 9 September 2016
   - 9 December 2016
   - 9 March 2017
   - 9 June 2017

2. That pursuant to section 181(11) a discount of 1.5% of all current rates and service charges be granted to ratepayers who pay all rates and service charges owing (being general rates and separate rates and any service charges) in full by 9 September 2016 for those properties outside of the Bulk Handling Zone as described in Council’s Development Plan as consolidated 13 February 2014.

CARRIED UNANIMOUSLY

134/16 2016/17 RATE CAPPING
Moved Cr. O’Hara, Sec. Cr. Simcock:
1. That pursuant to section 153(3) of the Act, Council will not fix a maximum increase in the general rate to be charged on any rateable land that constitutes the principal place of residence of a principal ratepayer;
2. Pursuant to section 166(1)(l)(i) & (ii) of the Act and to provide relief against what would otherwise amount to a substantial change in rates levied by a ratepayer due to a change to the structure of the Council’s rates and/or rapid changes in valuations, Council will grant a rebate of general rates to the principal ratepayer of properties outside of the Bulk Handling Zone to provide that the maximum general rates payable for 2015/16 will be the amount payable plus:
   - 10% of that amount for Residential Land Use properties
   - 20% of that amount for all other Land use categories

   The amount payable includes the above capping rebates but excludes any other concession or relief and where the increase in valuation is not as a result of:
   I. Recognising significant capital improvements on the property (regardless of when the development was undertaken) or
   II. A change to the land use of the property or
   III. A change in ownership of the rateable property since 1 July 2015

CARRIED UNANIMOUSLY
135/16  **DECLARATION OF NATURAL RESOURCE MANAGEMENT LEVY**
Moved Cr. Wright, Sec. Cr. Bland 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 0.02377 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 2016/17 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. $69.91 per rateable property with the land use of Residential, Vacant & Other;
   b. $127.68 per rateable property with the land use of Commercial – Shop, Office or Other;
   c. $156.88 per rateable property with the land use of Industrial – Light or Other; and
   d. $290.00 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 2016/17 financial year.

CARRIED UNANIMOUSLY

136/16  **2016/17 RATING POLICY**
Moved Cr. Leng, Sec. Cr. Barrie that the 2016/17 Rating Policy, as amended, be adopted by Council.

CARRIED UNANIMOUSLY

137/16  **ADOPTION OF LONG TERM FINANCIAL PLAN**
Moved Cr. Barrie, Sec. Cr. Simcock that pursuant to the provisions of regulation 5 of the Local Government (Financial Management) Regulations 2011, the Long Term Financial Plan be adopted.

CARRIED UNANIMOUSLY

138/16  **ADOPTION OF BY-LAWS**
Moved Cr. Middleton, Sec. Cr. Leng that:

1. The following by-laws be made by the Council pursuant to section 246(1) of the Local Government Act 1999:
   
   By-law No. 1. - Permits and Penalties 2016
   By-law No. 2. - Roads 2016
   By-law No. 3. - Local Government Land 2016
   By-law No. 4. - Dogs 2016
   By-law No. 5. - Moveable Signs 2016

2. The By-laws be published in the South Australian Government Gazette;

3. The By-laws be provided to the Legislative Review Committee of the South Australian Parliament in accordance with the Subordinate Legislation Act 1978.

CARRIED UNANIMOUSLY
139/16 APPLICATION FOR NO INTEREST LOAN – MENINGIE FOOTBALL CLUB
Cr. O’Hara declared a conflict of interest in the agenda item due to his involvement with the Meningie Football Club, and left the chamber at 3:07pm.

Moved Cr. Arthur, Sec. Cr. Bland:
1. That Council provides an interest free loan to the Meningie Football Club for the purpose of developing a community gym and new change-rooms at the Meningie oval precinct. The loan be for $100,000 for a term of ten (10) years;
2. That a condition of the interest free loan is that the Meningie Football Club is ineligible for any grants that relate to the Community Events, Grants & Donations Policy during the borrowing term.

CARRIED UNANIMOUSLY

Cr. O’Hara entered the chamber at 3:09pm.

140/16 APPLICATION FOR NO INTEREST LOAN – TINTINARA BOWLING CLUB
Moved Cr. Wright, Sec. Cr. Simcock:
1. That Council provides an interest free loan to the Tintinara Bowling Club for the purpose of installing a commercial kitchen in their premises. The loan be for $35,000 for a term of five (5) years;
2. That a condition of the interest free loan is that the Tintinara Bowling Club is ineligible for any grants that relate to the Community Events, Grants & Donations Policy during the borrowing term.

CARRIED UNANIMOUSLY

141/16 APPLICATION FOR NO INTEREST LOAN – BOWLING CLUB
Moved Cr. Bland, Sec. Cr. Barrie:
1. That Council provides an interest free loan to the Meningie Bowling Club for the purpose of landscaping around a new synthetic green on their premises. The loan be for $32,524 for a term of five (5) years;
2. That a condition of the interest free loan is that the Meningie Bowling Club is ineligible for any grants that relate to the Community Events, Grants & Donations Policy during the borrowing term.

CARRIED UNANIMOUSLY

142/16 2015/16 ROUND TWO – COMMUNITY EVENTS, GRANTS & DONATIONS
The Mayor suspended standing orders at 3:16pm.
The Mayor resumed meeting procedures at 3:17pm.

Moved Cr. Wright, Sec. Cr. O’Hara that Council approves a community grant to:
1. Lake Albert Golf Club, for a facility upgrade $5,000
2. Meningie Sailing Club, for hosting 2016-17 Taipan Catamaran Australian Championships $1,050

CARRIED UNANIMOUSLY
INFRASTRUCTURE & ASSETS REPORT

143/16  2016 LGA ROADS & WORKS CONFERENCE
Moved Cr. Bland, Sec. Cr. Middleton that Council support the attendance of Councillors Arthur, Leng, Middleton and Wright at the 2016 LGA Roads & Works Conference and agree to meet all associated costs.

CARRIED UNANIMOUSLY

144/16  ADDITION TO 2016/2017 FEES AND CHARGES SCHEDULE
Moved Cr. Simcock, Sec. Cr. Barrie:
1. That the New Water Application fee for 2016/17 be $280, GST exempt;
2. That Council’s 2016/17 Fees & Charges Schedule be updated accordingly.

CARRIED UNANIMOUSLY

145/16  MENINGIE AERODROME – INTENTION TO GRANT A LEASE
Cr. Bland declared a conflict of interest in the agenda item due to her involvement with the Meningie Aerodrome, and left the chamber at 3:22pm.
The Mayor suspended standing orders at 3:23pm.
The Mayor resumed meeting procedures at 3:30pm.

Moved Cr. Barrie, Sec. Cr. Wright that the item lay on the table until further information is to hand.

CARRIED UNANIMOUSLY

Cr. Bland entered the chamber at 3:30pm.

Cr. Middleton left the chamber at 3:30pm.
Cr. Middleton returned to the chamber at 3:31pm.

QUESTIONS FROM THE INFORMATION DOCUMENT
Cr. Arthur asked the Director Infrastructure & Assets a question regarding weekly kerbside collection statistics. Director Infrastructure & Assets provided a response.

CONFIDENTIAL ITEMS
NIL

CLOSURE
There being no further business, the Mayor declared the meeting closed at 3:33pm.