

WATTLE RANGE COUNCIL

Minutes of the Special Meeting of Wattle Range Council held in the Council Chambers, Civic Centre, George Street, Millicent on Tuesday 25 June 2019 at 5.01 pm.

1. OPENING OF THE MEETING / CIVIC PRAYER / ACKNOWLEDGEMENT OF COUNTRY

[Cr Cox attended the meeting at 5.02 pm]

2. PRESENT

His Worship the Mayor D Noll
 Cr D Agnew
 Cr D Burrow
 Cr S Cox [Cr Cox arrived at 5.02 pm]
 Cr P Dunnicliff
 Cr K McGrath [Cr McGrath arrived at 5.23 pm]
 Cr M Neagle
 Cr R Paltridge
 Cr D Price
 Cr G Slarks

Messrs BJ Gower (Chief Executive Officer)
 PA Duka (Director Corporate Services)
 PE Halton (Director Engineering Services)
 SW Chapple (Director Development Services)
 Ms CP Allen (Executive Assistant)

3. APOLOGIES

Cr J Drew

4. DISCLOSURE OF INTERESTS

Nil

5. DEPUTATIONS

5.1 Norman Waterhouse Lawyers – Council By-Laws Review

[Mr Paul Kelly and Ms Felice D'Agostino attended the meeting at 5.03 pm]

Mr Paul Kelly and Ms Felice D'Agostino made a presentation to Council in regard to Council's By-Law Review

Mr Kelly advised that two By-Laws i.e. Roads By-Law 2019 and Dogs By-Law 2019 were updated today and copies have been provided to Elected Members.

[Cr McGrath attended the meeting at 5.23 pm]

[Mr Paul Kelly and Ms Felice D'Agostino left the meeting at 5.55 pm]

6. PETITIONS

6.1 Petition from Tameka Walker on behalf of Glencoe Residents on Council's Proposed Changes to its Rating Policy

Cr Price moved that the petition be received and noted.

Cr Agnew seconded

CARRIED

7. REPORTS FROM COUNCIL OFFICERS

7.1 Chief Executive Officer

7.1.1 Council By-Laws Review

Cr Agnew moved that Council accept the updated tabled versions of Roads By-Law 2019 and Dogs By-Law 2019.

Cr Cox seconded

CARRIED

Cr Paltridge moved:

1. That the Chief Executive Officer be authorised to refer the draft Dogs By-law 2019 (as tabled at the meeting) to the Dog and Cat Management Board for comment in accordance with Section 90(5)(a)(b) of the *Dog and Cat Management Act 1995*.

Cr Cox seconded

CARRIED

Cr Neagle moved:

2. That the Council endorse the draft:

- (a) Permits and Penalties By-law 2019
- (b) Moveable Signs By-Law 2019
- (d) Local Government Land By-Law 2019
- (f) Foreshore By-Law 2019

as attached to the report entitled "Council By-Laws Review" for the purposes of public consultation in accordance with Section 249 of the *Local Government Act 1999*. Such consultation will commence 21 days after the Chief Executive Officer has complied with resolution No 1.

Cr Agnew seconded

CARRIED

Cr Cox moved:

3. That the Council endorse the draft:

- (c) Roads By-Law 2019 (updated version tabled at meeting)
- (e) Dogs By-Law 2019 (updated version tabled at meeting)

as tabled at the meeting for the purposes of public consultation in accordance with Section 249 of the *Local Government Act 1999*. Such consultation will commence 21 days after the Chief Executive Officer has complied with resolution No 1.

Cr Price seconded

CARRIED

Cr Price moved:

4. That the Chief Executive Officer be authorised to make copies of the draft By-Laws available for public inspection without charge at the principal office of the Council during ordinary office hours 21 days after complying with resolution No 1.

Cr Neagle seconded

CARRIED

Cr Agnew moved:

5. That the Chief Executive Officer be authorised to publish a notice informing the public of the availability of the draft By-Laws in the South Eastern Times, Penola Pennant and Border Watch 21 days after complying with resolution No 1.

Cr Slarks seconded

CARRIED

Cr Slarks moved:

6. That the Chief Executive Officer be authorised to provide the Minister for Transport with copies of the draft Local Government Land By-Law 2019 and Foreshore By-Law 2019 in accordance with Section 18A of the *Harbors and Navigation Act 1993*.

Cr Cox seconded

CARRIED

7.2 Director Corporate Services

7.2.1 2019/20 Annual Business Plan Budget and Declaration of Rates and Charges – Confirmation

Mr Paul Duka advised that there have been additional changes made to Item 7.2.1 today and copies have been provided to Elected Members.

Cr Price moved that Council receive the updated tabled version of the Annual Business Plan 2019/20 as presented.

Cr Agnew seconded

CARRIED

Cr Agnew moved that Council:

1. Pursuant to and in accordance with Section 123 of the *Local Government Act 1999* and Regulation 6 of the Local Government (Financial Management) Regulations 2011 and having considered all submissions in accordance with Section 123(6) of the *Local Government Act 1999*, adopt the 2019/20 Annual Business Plan (as tabled at the meeting).

Cr Price seconded

CARRIED

Cr Slarks moved that Council:

2. Pursuant to, and in accordance with Section 123 of the *Local Government Act 1999* and Regulation 7 of the *Local Government (Financial Management) Regulations 2011*, the Council adopt a budget comprising the following Financial Budget Statements for 2019/20 as presented having considered the budget in conjunction with, and determined it to be consistent with, the Council's Annual Business Plan:
 - Budgeted Statement of Comprehensive Income
 - Budgeted Cash Flow Statement
 - Budgeted Balance Sheet
 - Budgeted Statement of Changes in Equity
 - Budgeted Uniform Presentation of Finances
 - Budgeted Financial Indicators

Cr Paltridge seconded

CARRIED

Cr Neagle moved that Council:

3. In accordance with Section 167(2)(a) of the *Local Government Act 1999*, adopt for the financial year ending 30 June 2020, the most recent valuations of the capital value of land by the Valuer-General available to the Council that are to apply to land in the area of the Council for rating purposes, with the total of the valuations being \$3,799,709,300.

Cr Cox seconded

CARRIED

Cr Dunicliff moved that Council:

4. Sections 152(1)(c)(i), 153(1)(b) and 156(1)(a) of the *Local Government Act 1999*, declares the following differential general rates on rateable land within its area for the year ending 30th June 2020, based upon the capital value of the land which rates vary by reference to land use categories as per Regulation 14 of the *Local Government (General) Regulations 2013* as follows:
 - a) Residential - a differential rate of 0.4914 cents in the dollar
 - b) Commercial Shop - a differential rate of 0.4200 cents in the dollar
 - c) Commercial Office – a differential rate of 0.4200 cents in the dollar
 - d) Commercial Other – a differential rate of 0.4200 cents in the dollar
 - e) Industry Light - a differential rate of 0.4200 cents in the dollar
 - f) Industry Other – a differential rate of 0.4200 cents in the dollar
 - g) Primary Production – a differential rate of 0.3684 cents in the dollar
 - h) Vacant Land – a differential rate of 0.5920 cents in the dollar
 - i) Other - a differential rate of 0.5920 cents in the dollar

Cr Price seconded

CARRIED

Cr Slarks moved that Council:

5. Pursuant to Section 153(3) of the *Local Government Act 1999* determine that it will not fix a maximum increase in the general rate to be charged on rateable land within its area that constitutes the principal place of residence of a principal ratepayer.

Cr Paltridge seconded

CARRIED

Cr Agnew moved that Council:

6. Annual Service Charges

- a. Waste Collection Service (2 Bin)

Pursuant to and in accordance with Section 155 of the *Local Government Act 1999*, the Council impose an annual service charge based on the level of usage of the service, on all land to which the Council provides or makes available the prescribed service of the collection, treatment disposal and recycling of waste via Council's two-bin waste management service of \$236.00 in respect of each set of bins, provided on the basis that the sliding scale provided for in Regulation 13 of the *Local Government (General) Regulations* will be applied to reduce the service charge payable, as prescribed.

- b. Waste Collection Service (3 Bin)

Pursuant to and in accordance with Section 155 of the *Local Government Act 1999*, the Council impose an annual service charge based on the level of usage of the service, on all land to which the Council provides or makes available the prescribed service of the collection, treatment, disposal and recycling of waste via Council's three-bin waste management service of \$306.00 in respect of each set of bins, provided on the basis that the sliding scale provided for in Regulation 13 of the *Local Government (General) Regulations* will be applied to reduce the service charge payable, as prescribed.

- c. Community Wastewater Management Systems

Pursuant to and in accordance with Section 155 of the *Local Government Act 1999* the Council impose the following annual service charge based on the nature of the service and varying according to the CWMS Property Units Code in accordance with Regulation 12 of the *Local Government (General) Regulations 1999* on all land in the Townships of Penola, Southend, Kalangadoo and Beachport to which it provides or makes available the Community Wastewater Management Systems being prescribed services for the collection, treatment and disposal of waste for the financial year ending 30 June 2020 as follows:

- i. Penola, Southend & Kalangadoo - Occupied Unit
\$612.00
- ii. Penola, Southend & Kalangadoo - Vacant Unit
\$458.00

- iii. Beachport - Occupied Unit
\$695.00
- iv. Beachport - Vacant Unit
\$521.00

Cr Burrow seconded

CARRIED

Cr Neagle moved that Council:

7. Separate Rates

South East Natural Resources Management Board Levy

Pursuant to Section 95 of the *Natural Resources Management Act 2004* and Section 154 of the *Local Government Act 1999* in order to reimburse the Council for amounts contributed to the South East Natural Resources Management Board, the Council declare a separate rate for the financial year ending 30 June 2020 based on a fixed charge varying on the basis of land use categories in the area of the Council and of the SENRM Board:

- i. for land assigned land use category 1,8 & 9 (Residential, Vacant & Other)
\$79.10
- ii. for land assigned land use category 2,3 & 4 (Commercial Shop, Commercial Office & Commercial Other)
\$115.50
- iii. for land assigned land use category 5 & 6 (Industrial light & Industrial Other)
\$184.05
- iv. for land assigned land use category 7 (Primary Production)
\$337.00

Cr Cox seconded

CARRIED

Cr Paltridge moved that Council:

8. Minimum Amount Payable by way of Rates 2019/20

Pursuant to Section 158(1)(a) of the *Local Government Act 1999* and in accordance with Section 158(2) of the *Local Government Act 1999* the Council declares that the minimum amount payable by way of rates in respect of any one piece of rateable land in the Council area shall be \$600.00.

Cr Slarks seconded

CARRIED

Cr Slarks moved that Council:

9. Payment of Rates

Pursuant to Section 181 of the *Local Government Act 1999* the Council declares that all rates declared or payable for the year ending

30 June 2020 will fall due in four equal or approximately equal instalments with the:

- first instalment payable on 4 September 2019;
- second instalment payable on 4 December 2019;
- third instalment payable on 4 March 2020;
- fourth instalment payable on 3 June 2020.

Cr Cox seconded

CARRIED

Cr Slarks moved that Council:

10. Rate Rebates

- a. Pursuant to Chapter 10, Part 1, Division 5 of the *Local Government Act 1999* the Council grant Discretionary Rebates of Rates in respect of those pieces of land listed in the attachment to this report;
- b. Pursuant to Section 182(4) of the *Local Government Act 1999* the Council grant an additional remission of \$120.00 for a 3 bin service and \$90.00 for a 2 bin service to all ratepayers liable to pay these annual service charges and eligible for remission of Council rates under the Rates and Land Tax Remission Act 1986 for the purposes of providing relief to such persons for 2019/20 in recognition of increased costs in living provided that such remission is reduced on the same basis as the sliding scale provided in Regulation 13 of the *Local Government (General) Regulations* for those ratepayers entitled to the proportionate reduction of the service charge prescribed the sliding scale.

Cr Neagle seconded

CARRIED

Cr Slarks moved that Council:

11. Fees and Charges

- a. Pursuant to Section 188 of the *Local Government Act 1999*, that Council adopt the Fees and Charges Schedule 2019/20 attached within the Annual Business Plan as Appendix 4.

Cr Neagle seconded

CARRIED

8. CORRESPONDENCE

- 8.1 Email from Andy Stott, SAPOL re NAIDOC Week and Beachport Cemetery Event – Police Tracker – Lanky Kana – Permission sought to erect a A3 sized plaque mounted on a rock next to Lanky Kana’s grave

Cr Burrow moved that

1. The correspondence be received and noted.

2. That permission be given to erect a stone and plaque next to Lanky Kana's grave.

Cr McGrath seconded

CARRIED

Meeting closed at 6.33 pm.

Taken as presented and confirmed.

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MAYOR

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DATE