

Present: Mayor D Dolling, Cr B Rooney, Cr L Kerley, Cr M McDonald, Cr G Simmons, Cr C Axford, Cr R Smith, Cr M Weedon, Cr G Rowlands

Staff in Attendance: P Ward (Acting CEO)  
RC Linke (Manager Infrastructure Services)  
J Ackland (Minute Secretary)

## 1. Opening

The Mayor Dean Dolling opened the meeting at 7.03pm.  
7 members of the public were in the gallery at the commencement of the meeting.

## 2. Apologies and Leave of Absence

2.1 Apologies – Deb Brokenshire (Planning Officer)

2.2 Leave of absence - Nil

## 3. Conflict of Interest Provisions

3.1 Mayor Dolling declared that he had a conflict of interest with regards to item 15.1.

## 4. Confirmation of Minutes

4.1 Special Meeting held on the 12<sup>th</sup> November 2013

**233 MOVED:** Cr Simmons

**SECONDED:** Cr Rowlands

*“That the Minutes of the Special Meeting of Council held on 12<sup>th</sup> November 2013 be confirmed as printed and supplied as amended.”*

**CARRIED**

4.2 Ordinary Meeting held on the 12<sup>th</sup> November 2013

**234 MOVED:** Cr Kerley

**SECONDED:** Cr Smith

*“That the Minutes of the Ordinary Meeting of Council held on 12<sup>th</sup> November 2013 be confirmed as printed and supplied.”*

**CARRIED**

4.3 Special Meeting held on the 27<sup>th</sup> November 2013

**235 MOVED:** Cr Weedon

**SECONDED:** Cr Axford

*“That the Minutes of the Special Meeting of Council held on 27<sup>th</sup> November 2013 be confirmed as printed and supplied.”*

**CARRIED**

## **5. Business Arising from Minutes**

5.1 Nil

## **6. Deputations**

6.1 Nil

## **7. Members Reports**

### **7.1 Mayor Dolling**

12/11/2013 Special Council Meeting, Port Broughton  
21/11/2013 Audit Committee, Port Broughton  
27/11/2013 Special Council Meeting, Nyrstar presentation, Port Broughton  
05/12/2013 Library presentation, Port Broughton  
10/12/2013 Works Committee, Bute

### **7.2 Deputy Mayor Rooney**

21/11/2013 Audit Committee, Port Broughton  
27/11/2013 Special Council Meeting, Nyrstar presentation, Port Broughton  
10/12/2013 Works Committee, Bute

### **7.3 Cr Axford**

27/11/2013 Special Council Meeting, Nyrstar presentation, Port Broughton  
27/11/2013 Special Meeting, CEO Appointment, Port Broughton  
10/12/2013 Works Committee, Bute

### **7.4 Cr Kerley**

27/11/2013 Special Council Meeting, Nyrstar presentation, Port Broughton  
10/12/2013 Conservation Actin Planning (CAP) workshop, Port Broughton  
10/12/2013 Works Committee, Bute

### **7.5 Cr McDonald**

27/11/2013 Special Council Meeting, Nyrstar presentation, Port Broughton  
29/11/2013 Primary Health Care Meeting  
02/12/2013 Port Broughton Area School Governing Council Meeting, Port Broughton  
03/12/2013 Port Broughton Hospital and Health Services, Health and Advisor Council  
Christmas Dinner, Port Broughton  
10/12/2013 Works Committee, Bute

### **7.6 Cr Rowlands**

27/11/2013 Special Council Meeting, Nyrstar, CEO Appointment, Port Broughton  
05/12/2013 Library award presentation, Port Broughton  
10/12/2013 Works Committee, Bute

### **7.7 Cr Smith**

10/12/2013 Works Committee, Bute

### **7.8 Cr Simmons**

22/11/2013 YPCT Christmas Lunch, Port Broughton  
25/11/2013 Barunga Village Meeting, Port Broughton

27/11/2013 Special Council Meeting, Nyrstar presentation, Port Broughton  
27/11/2013 Bute 2000 Meeting, Bute  
04/12/2013 YPCT Meeting, Maitland  
10/12/2013 Works Committee, Bute

7.9 [Cr Weedon](#)

27/11/2013 Special Council Meeting, Nyrstar presentation, Port Broughton  
10/12/2013 Works Committee, Bute

**8. [Petitions](#)**

8.1 Nil

**9. [Questions with Notice](#)**

9.1 Nil

**10. [Questions without Notice](#)**

10.1 Nil

**11. [Motions with Notice](#)**

11.1 Nil

**12. [Motions without Notice](#)**

**236 MOVED:** Cr Kerley

**SECONDED:** Cr Rowlands

*"That a letter, or a certificate of appreciation, be sent to the organisers of the Port Broughton Christmas pageant to congratulate them on the success of the event."*

**CARRIED**

**237 MOVED:** Cr Axford

**SECONDED:** Cr Smith

*"That administration investigate the cost of producing a promotional video and other marketing information for packaging as a tool to attract new residents and businesses to Port Broughton."*

**CARRIED**

**238 MOVED:** Cr Simmons

**SECONDED:** Cr Rowlands

*"That the Barunga West District Council form a policy with regard to the burial of deceased persons and or the placement of ashes in niche walls. This policy is to contain the procedure to be followed by all staff with regard to the treatment of families concerned and all staff to be educated in advising such families about sizes of niche receptacles, flower vases, attendance at the time of interment."*

**CARRIED**

### **13. Adoption of Committee Reports**

#### 13.1 Executive Committee Meeting held on the 26<sup>th</sup> August 2013

**239 MOVED:** Cr Rowlands

**SECONDED:** Cr Axford

*"That the Minutes of the Executive Committee Meeting of Council held on 26<sup>th</sup> August 2013 be confirmed as printed and supplied."*

**CARRIED**

#### 13.2 Executive Committee Meeting held on the 13<sup>th</sup> September 2013

**240 MOVED:** Cr Rooney

**SECONDED:** Cr Axford

*"That the following recommendations from the Executive Committee Meeting held on the 13<sup>th</sup> September 2013, be accepted by Council:*

1. *"That the Executive Committee appoint Hender Consulting as consultant for the CEO recruitment process."*
2. *"That the members of the Executive Committee will form the selection panel for the CEO recruitment."*
3. *"That Deb Brokenshire be Acting CEO from the period October 8 – 11, whilst both the Acting CEO and Manager – Infrastructure Services are on leave."*
4. *"That the detailed Building Development Report as previously constituted at Council meetings be reinstated."*
5. *"That as a once-only, the residence garden of the Council house in Dalling Street, currently being occupied by the Acting CEO, be cleaned up to the value of \$200."*

**CARRIED**

#### 13.3 Executive Committee Meeting held on the 17<sup>th</sup> September 2013

**241 MOVED:** Cr Axford

**SECONDED:** Cr Rowlands

*"That the following recommendations from the Executive Committee Meeting held on the 17<sup>th</sup> September 2013, be accepted by Council:*

1. *"The means of advertising for the role is to be communicated in the following;*
  - *Yorke Peninsula Country Times*
  - *Hender Consulting website*
  - *Linked In*
  - *Seek*
  - *The Advertiser"*
2. *"Salary range is to be \$110k - \$120k + Vehicle + Superannuation"*
3. *"Engage Norman Waterhouse to draft the CEO 'Contract of Employment.'"*

**CARRIED**

#### 13.4 Bushfire Prevention Committee Meeting held on the 17<sup>th</sup> October 2013

**242 MOVED:** Cr McDonald

**SECONDED:** Cr Simmons

*“That the Minutes of the Bushfire Committee Meeting of Council held on 17<sup>th</sup> October 2013 be confirmed as printed and supplied.”*

**CARRIED**

#### 13.5 Audit Committee Meeting held on the 21<sup>st</sup> November 2013

**243 MOVED:** Cr Rowlands

**SECONDED:** Cr Rooney

*“That the following recommendations from the Audit Committee Meeting held on the 21<sup>st</sup> November 2013, be accepted by Council:*

1. *“That the Audit Committee recommends to Council that the annual Financial Statements for 2012-13 be adopted.”*
2. *“That the Audit Committee recommends to Council that the Annual Report for 2012-13 be adopted.”*
3. *“That the Acting CEO issues a Notice of Intent to Negotiate with staff in relation to a proposed three (3) year Enterprise Agreement covering 2014-16, holds preliminary discussions with staff and the ASU representative, but defers any decision-making until the new CEO takes office and finalises the negotiations.”*
4. *“That the Acting CEO prepares a media release in conjunction with the LGA to the effect that the Council is satisfied with the decision handed down in the matter of NA Hand vs DC Barunga West.”*

**CARRIED**

### 14. Council Business – Manager’s Reports

#### 14.1 Acting Chief Executive Officer – Peter Ward

**244 MOVED:** Cr Kerley

**SECONDED:** Cr Axford

*“That the Report from the Acting Chief Executive Officer for the November 2013 meeting be received and noted”*

**CARRIED**

##### 14.1.1 Resolution of Appointments

**245 MOVED:** Cr Smith

**SECONDED:** Cr Weedon

*“That Council confirms the appointment of Cr Dean Dolling to the position of Mayor, and Cr Brian Rooney to the position of Deputy Mayor.”*

**CARRIED**

##### 14.1.2 Yorke Peninsula Alliance Election Strategy

**246 MOVED:** Cr Weedon

**SECONDED:** Cr Rowlands

*“That Council endorses the Yorke Peninsula Alliance Election Policy Platform as a basis for advocating the regions issues and projects prior to the State Government election in March 2014.”*

**CARRIED**

- 14.1.3 Local Government Stimulus Application Package November 2013  
Noted
- 14.1.4 Draft Integrated Transport and Land Use Plan  
Noted
- 14.1.5 Letter of support for Port Broughton Foreshore Shelter  
Noted
  
- 14.2 Finance Report: Acting Chief Executive Officer – Peter Ward  
Nil

## 15. Confidential Items

**Mayor Dolling left the meeting at 7.38pm due to a conflict of interest with item number 15.1.**

**Fred Linke (Manager Infrastructure Services) left the meeting at 7.38pm.**

**Deputy Mayor Rooney took conduct of the meeting at 7.38pm.**

### 15.1 Fisherman's Bay Freeholding

**247 MOVED:** Cr Axford

**SECONDED:** Cr Rooney

*"Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all persons, except Peter Ward, Acting Chief Executive Officer, and Jane Ackland, Minute Secretary, be excluded from attendance at the meeting for Agenda Item 15.1 Fisherman's Bay Management Freeholding development applications.*

*The Council is satisfied that, pursuant to Section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is legal advice received from Norman Waterhouse.*

*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."*

**CARRIED**

**248 MOVED:** Cr Axford

**SECONDED:** Cr Weedon

*"That having considered Agenda Item 15.1 Fisherman's Bay Management Freeholding in confidence under Section 90(2) and (3)(h) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of that Act orders that the Chief Executive Officers Report and attachments relevant to Agenda Item 15.1 be retained in confidence for a period of 6 months, or such lesser period as may be determined by the Chief Executive Officer."*

**CARRIED**

**Mayor Dolling re entered the meeting at 7.45pm**

**Deputy Mayor Rooney handed over conduct of the meeting at 7.45pm**

**Jane Ackland left the meeting at 7.45pm.**

### 15.2 Enterprise Bargaining Agreement - Employees

**249 MOVED:** Cr Axford

**SECONDED:** Cr Rooney

*"Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all persons, except Mr Peter Ward, Acting Chief Executive Officer, be excluded from attendance at the meeting for Agenda Item 15.2 Enterprise Bargaining Agreement, Employees. The Council is satisfied that, pursuant to Section 90(3)(e) of the Act, the information to be received, discussed or considered in relation to this Agenda Items is related to matters affecting a staff member(s) and his/her salary package.*

*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."*

**CARRIED**

**252 MOVED:** Cr Kerley

**SECONDED:** Cr Axford

*“That having considered Agenda Item 15.2 Enterprise Bargaining Agreement in confidence under Section 90(2) and (3)(h) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of that Act orders that the Chief Executive Officers Report and attachments relevant to Agenda Item 15.1 be retained in confidence for a period of 6 months, or such lesser period as may be determined by the Chief Executive Officer.”*

### Closure

16.1 The Mayor declared the meeting closed at 8.15pm.

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Cr Dean Dolling  
Mayor, District Council of Barunga West