

**MINUTES of the Ordinary Meeting of the
District Council of Barunga West held on
Tuesday 23rd November 2010, commencing at 7.00pm
at the Bute Council Chambers, Railway Terrace, Bute**

1. Present:

Cr C Axford, Cr D Dolling, Cr L Kerley, Cr M McDonald, Cr B Rooney, Cr G Rowlands, Cr G Simmons, Cr R Smith, Cr M Weedon, N Hand (Chief Executive Officer), L Jolly (Manager – Finance & Administration), R Linke (Manager – Works), M Marziale (Manager – Environmental Services) and Ms K Thomas (Minutes Secretary).

In attendance:

A Public Gallery of:
Sonny Coomb, Yorke Peninsula Country Times

The Chief Executive Officer took the Chair and conducted the preliminaries for the meeting.

2. Apologies And Leave Of Absence:

2.1 Leave of Absence

Nil

2.2 Apologies

Nil

3. Declaration of Councillors

All Councillors took the Declaration of Office.

4. Chief Executive Officer's Report

4.1 Appointment of Principal Member

4.1.1 Title of Principal Member

MOVED: Cr Weedon SECONDED: Cr Smith

"That in accordance with the provisions of Section 51(i) of the Local Government Act 1999 the Council resolves that the Principal Member shall be called the Mayor."

CARRIED

4.1.2 Term of Office

MOVED: Cr Weedon SECONDED: Cr Rooney

"That the term of office for the position of Mayor for the District Council of Barunga West be four years."

CARRIED

4.1.3 Choosing the Mayor

MOVED: Cr Kerley SECONDED: Cr Weedon

"That Council accept the method of choosing the Mayor by an election process, should there be more than one candidate accepting the nomination, and that the method of election is by:

(i) secret ballot and the Chief Executive Officer will have staff members present to assist in the process by distributing voting

slips, collecting them and scrutinising the votes, and (ii) in the event that more than two candidates accept nominations, that the method of voting be preferential voting (with preference indicated by marking the voting slips 1,2 etc) and the elimination of the member receiving the lowest vote/s cast with re-distribution of the preferences of these votes until a member achieves a majority of the total votes cast."

CARRIED

Appointment of Mayor

*Cr Kerley nominated that **Cr Dolling** be Mayor for a four year term.*

The nomination was accepted by Cr Dolling.

There being no further nominations the Chief Executive Officer declared Cr Dolling was appointed as Mayor and was congratulated on his appointment.

The Mayor then took the Chair and conducted the balance of the meeting.

Appointment of Deputy Mayor

*"Cr McDonald nominated **Cr Rowlands** as Deputy Mayor*

*Cr Smith nominated **Cr Simmons** as Deputy Mayor*

*Cr Weedon nominated **Cr Rooney** as Deputy Mayor*

All Councillors accepted the nominations.

A vote, in accordance with Resolution 4.1.3 was undertaken.

*After a distribution of preferences, **Cr Rooney** was declared Deputy Mayor."*

4.2 Time, date and place of Council meetings

4.2.1 MOVED: Cr Rowlands SECONDED: Cr Kerley

"That future Council meetings be held in the new purpose built Council meeting room at Port Broughton on the second Tuesday of each month, commencing at 7.00pm.

AMENDMENT:

MOVED: Cr Smith SECONDED: Cr Rooney

"That for the next six months Council meetings be held equally between Port Broughton and Bute on the second Tuesday of each month, commencing at 7.00pm.

AMENDMENT WAS PUT TO THE VOTE AND CARRIED

Amendment becomes the motion.

SECOND AMENDMENT

MOVED: Cr McDonald SECONDED: Cr Dolling

Over the 4 year term, in each 12 month period, 6 meetings are held in Bute and 6 meetings are held in Port Broughton on the second Tuesday of every month at 7.00pm, the structure of which to be determined.

SECOND AMENDMENT WAS PUT TO THE VOTE AND CARRIED.

Second Amendment became the motion.

THIRD AMENDMENT

MOVED: Cr Rowlands SECONDED: Cr Kerley

"That for the first 12 months of the term, 6 meetings are held in Bute and 6 meetings are held in Port Broughton on the second Tuesday of every month at 7.00pm, the structure of which to be

determined and this is to be reviewed after 12 months."

THIRD AMENDMENT DEFEATED.

SECOND AMENDMENT REMAINED AS THE MOTION.

THIS AMENDMENT BECAME THE MOTION, WAS PUT TO THE VOTE

AND

CARRIED

4.3 Council Committees

4.3.1 **MOVED: Cr Rowlands SECONDED: Cr McDonald**

"(i) That Council forms an Executive Committee with the Mayor as an ex officio member, along with the Deputy Mayor and two other members, and that the Executive Committee have delegated authority to undertake the performance Appraisal of the Chief Executive Officer, and to consider any urgent matters of importance requiring attention between meetings.

(ii) That Council forms a Works and Infrastructure Committee with all members being a part of the membership, and that meetings be held as required to discuss and inspect issues of significance.

(iii) That the Chief Executive Officer prepare Terms of Reference for the two Committees, for consideration by Council."

CARRIED

4.3.2 Executive Committee Members

Cr Rowlands nominated himself as a Member of the Executive Committee.

Cr Weedon nominated Cr Axford as a Member of the Executive Committee.

Cr McDonald nominated herself as a Member of the Executive Committee.

Cr Smith nominated himself as a Member of the Executive Committee.

A vote was undertaken in accordance with Resolution 4.1.3.

The Chief Executive Officer advised that **Cr Rowlands** and **Cr Axford** were appointed to the Executive Committee.

4.3.3 Audit Committee

MOVED: Cr Rowlands SECONDED: Cr Rooney

"That Council appoint Mr Jeff Burgess as its independent Chair of their Audit Committee and that Cr Rowlands, Cr Axford, Cr Rooney and Cr Dolling be appointed members of the Audit Committee. "

CARRIED

4.3.4 Council Development Assessment Panel

MOVED: Cr Smith SECONDED: Cr Weedon

"That the Council continue to utilise the Independent members of the Copper Coast Council Development Assessment Panel and support that the Chief Executive Officer seek the approval of the District Council of Copper Coast for this to occur."

CARRIED

4.4 Council Member allowance

4.4.1 Level of allowance

MOVED: Cr Kerley **SECONDED:** Cr Rowlands

"That the Council notes the determination of the Remuneration Tribunal for the level of Council allowances in accordance with the provisions of Section 76 of the Local Government Act 1999 and that the allowances will be paid three months in advance

Mayor \$20,000

Deputy Mayor \$6,250

Councillors \$5,000

CARRIED

4.4.2 Travelling expenses

MOVED: Cr Rowlands **SECONDED:** Cr Kerley

"That the Council pay a travelling allowance to Councillors who submit a travelling expense claim form, in accordance with the travelling allowance set by the Australian Taxation Office, and this expense be paid every six months, in arrears."

CARRIED

4.4.3 Other expenses

MOVED: Cr Kerley **SECONDED:** Cr Simmons

"That the Council adopt the tabled Allowance and Benefits Policy to take effect from 23rd November 2010, in accordance with the provisions of Section 79 of the Local Government Act."

CARRIED

4.5 Community groups with Council Representation

MOVED: Cr Rooney **SECONDED:** Cr Smith

"That members agree for the following Community Groups and representation:

- * Yorke Peninsula Community Transport & Services (formerly HACC)
Representative Cr Simmons*
- * Port Broughton Community School Library
Representative Cr Simmons*
- * Central Region of Local Government
Representative Mayor Dolling*
- * Local Government Association of SA (including Local Government Finance Authority)
Representative Mayor Dolling*
- * Bute 2000 Onward Committee
Representative Cr Simmons*
- * Port Broughton Progress Association
Representative Cr Kerley*
- * Barunga Village
Representative Cr Simmons*
- * Port Broughton Area School
Representative Cr McDonald*
- * Port Broughton District Hospital and Health Services Health Advisory Committee
Representative Cr McDonald*

- * *Barunga West Building Fire Safety Committee*
Representative Mayor Dolling
- * *Barunga West Road Safety Committee*
Representative: Cr Smith

CARRIED**5. Conflict of Interest Provisions**

- 5.1 Cr Kerley advised of a conflict with Agenda item 13.3.5 regarding a quote received from Kerley's Air Conditioning.

6. Confirmation of the Minutes of the previous Meeting**6.1 Ordinary Meeting – 12th October 2010****MOVED: Cr Simmons SECONDED: Cr Smith**

"That the Minutes of the Ordinary Meeting of Council and Minutes of the Public Meeting both held on the 12th October 2010 be confirmed as printed and supplied."

CARRIED**7. Business Arising from the Minutes**

- 7.1 Nil.

8. Deputations

Nil

9. Members Reports**Cr Axford**

Nil

Cr Dolling

27/10/10 LGA Conference
21/10/10 Paul Caica, Minister for Environment & Conservation, Maitland
21/10/10 Coastal Gardens - Wallaroo
20/10/10 Carers Link Building Opening - Kadina

Cr Kerley

Nil

Cr McDonald

20/10/10 Port Broughton District Hospital & Health Services Advisory Committee
29/10/10 Barunga West Primary Health Care Community Meeting
17/11/10 ICAN launch - Wallaroo
22/11/10 PBAS Governing Council meeting and dinner

Cr Rooney

Nil

Cr Rowlands

Nil

Cr Simmons

19/10/10 Barunga Village Annual General Meeting
21/10/10 Port Broughton Library meeting

-
- 13.1.1 Council elections.**
Noted.
- 13.1.1 Casual vacancy for Councillor**
MOVED: Cr Weedon SECONDED: Cr Smith
"That the Council adopt a policy in accordance with Section 6 (2)(b)(iv) of the Local Government (Elections) Act 1999, to not fill any casual vacancy of the Council, should one occur."
CARRIED
- 13.1.3 Primary Returns – requirements to lodge**
Noted.
- 13.1.4 Elected Members training**
MOVED: Cr Simmons SECONDED: Cr Rowlands
"That the Council adopt the Council's member Training and Development Policy, as tabled, in accordance with the provisions of the Section 80A of the Local Government Act 1999."
CARRIED
- 13.1.5 Review of Council Policies & Delegations**
Noted.
- 13.1.6 Port Broughton Progress Association and Visitor Information Outlet (VIO)**
MOVED: Cr Kerley SECONDED: Cr Rooney
"That the Council agree in principle to the proposal of the Port Broughton Progress Association's Visitor Information Subcommittee for the new Visitor Information Outlet to be located in the Port Broughton Community Hall, and for the Chief Executive Officer be authorised to engage Plans by Design of Port Broughton, to prepare an initial floor plan of the concept (not detailed plans), and to seek public comment on the proposal."
CARRIED
- 13.1.7 Annual Report 1009/10**
MOVED: Cr Smith SECONDED: Cr Rowlands
"That the Council adopt the 2009/2010 Annual Report for the District Council of Barunga West."
CARRIED
- 13.1.8 Correspondence received from Mrs N Pattingale**
Noted.
- 13.1.9 Occupational Health Safety & Welfare (OHS&W) Audit**
Noted.
- 13.1.10 Port Broughton Jetty**
Noted.

13.1.11 Port Pirie Regional Health Service

MOVED: Cr McDonald SECONDED: Cr Rowlands

"1. A decision on Council's involvement in the Obesity Prevention & Lifestyle (OPAL) program be put on hold until further information and details of costs involved are forthcoming in early 2011.

2. That Cr McDonald attend the available information sessions with any other Councillors who are interested."

CARRIED

13.2 Manager - Finance & Administration

MOVED: Cr McDonald SECONDED: Cr Smith

"That the Report from the Manager – Finance & Administration for the November 2010 meeting be received and noted".

CARRIED

13.2.1 Audited 2009/10 Financial Statements

MOVED: Cr Rooney SECONDED: Cr Weedon

"That, in accordance with the Local Government Act 1999 and Part 4, Section 11 of the Local Government (Financial Management) Regulations 1999, Council adopts the Audited 2009/10 Financial Statements, as tabled, and is satisfied they present fairly the state of affairs of Council."

CARRIED

13.2.2 1st Quarterly 2010/11 Budget review

MOVED: Cr Kerley SECONDED: Cr Simmons

"That in accordance with Section 7 (1) of the Local Government (Financial Management) Regulations 1999 the Budget Review, as at 30 September 2010, is adopted."

CARRIED

13.2.3 Port Broughton Golf Club Inc

MOVED: Cr Weedon SECONDED: Cr Rooney

"That Council respond to the Port Broughton Golf Club advising that loans are available, and not agreeing to the allowance for diesel as requested."

CARRIED

13.2.3 Provision of IT Support Services

Noted.

13.3 Manager – Works

MOVED: Cr Rowlands SECONDED: Cr Rooney

"That the Report from the Manager –Works for the November 2010 meeting be received and noted".

CARRIED

13.3.1 Deteriorated Pavers at Bute

Noted

13.3.2 Council Works Depot Security

MOVED: Cr Smith SECONDED: Cr Rowlands

"That council install a security system at the Bute Depot and upgrade the existing system at the Port Broughton Depot at a cost of \$6000."

CARRIED

13.3.3 Request for Road Closure

MOVED: Cr Kerley SECONDED: Cr McDonald

"That Council exercise the powers pursuant to Section 33 of the Road Traffic Act 1961 and Clause F of the Instrument of General Approval of the Minister dated 12 March 2001 to: Pursuant to Section 33(1) of the Road Traffic Act 1961, declare that the event described below ("the roads") is an event to which Section 33 of the Road Traffic Act 1961 applies; and Pursuant to Section 33(1)(a) of the Road Traffic Act 1961, make an order directing that the Roads on which the Event are to be held and any adjacent or joining roads specified below, be closed to traffic:

Bay Street Port Broughton (between East Terrace and West Terrace) between the times of 6.00pm and 8.00pm, and West Terrace Port Broughton (between James Street and Bay Street), between the times of 6.00pm and 9 .00pm on Saturday 11th December 2010, for the purpose of a Christmas Pageant and Party."

CARRIED

13.3.4 Request for Road Closure

MOVED: Cr Kerley SECONDED: Cr McDonald

"That Council exercise the powers pursuant to Section 33 of the Road Traffic Act 1961 and Clause F of the Instrument of General Approval of the Minister dated 12 March 2001 to: Pursuant to Section 33(1) of the Road Traffic Act 1961, declare that the event described below ("the roads") is an event to which Section 33 of the Road Traffic Act 1961 applies; and Pursuant to Section 33(1)(a) of the Road Traffic Act 1961, make an order directing that the Roads on which the Event are to be held and any adjacent or joining roads specified below, be closed to traffic:

South Terrace (from East Terrace to Cross Street) between the hours of 4.00pm to 10.00pm on Friday 24th December 2010."

CARRIED

13.3.5 Bute Historical Society Building – Roof

Cr Kerley declared that she had a conflict of interest in this issue as she was related to a contractor providing a quotation.

Cr Kerley left the meeting at 9.22pm.

MOVED: Cr Weedon SECONDED: Cr Simmons

"1. That council accept the quotation from Tomo's General Improvements for the amount of \$6876.10 to remove the old and install a new roof on the Bute Historical Building.

2. *That council accept the quotation from Kerley's Air Conditioning & Refrigeration to install a split system air-conditioner to the Bute Historical Society Building."*

CARRIED

Cr Kerley returned to the meeting at 9.28pm.

13.3.6 Port Broughton Waste Water Treatment Plant Bank Guarantee

MOVED: Cr Weedon SECONDED: Cr McDonald

"That the decision made by Council on 8th June 2010 to release the Bank Guarantee to Mr G Furber be reaffirmed."

CARRIED

13.3.7 Request for Street Trees – Bute

MOVED: Cr Kerley SECONDED: Cr Simmons

"That council agrees to plant 50 Bottle Brush trees on footpaths in Bute Township area during the spring of 2011."

CARRIED

13.3.8 Request for road upgrade

MOVED: Cr McDonald SECONDED: Cr Weedon

"1. That council consider the upgrade of Old Bay Road during budget deliberations for the 2011/12 financial year budget.

2. That side drains be cut into the road verge along Mudoora Road adjacent Section 481 Hd Mudoora, and no other action be taken."

CARRIED

13.4 Manager – Environmental Services

MOVED: Cr Kerley SECONDED: Cr McDonald

"That the Report from the Manager – Environmental Services for the November 2010 meeting be received and noted".

CARRIED

13.4.1 Approved Development Report

Assessment Period 1 – 31 October 2010

Cr Rowlands raised concerns about Development Assessment processes and delays. Discussed and noted. The Chief Executive Officer and Manager – Environmental Services explained new systems that are now in place. For review in a further three months now that new systems have been implemented and working more effectively.

13.4.2 Engagement of Town Planning Consultant to Complete Rural Living DPA Statement of Intent

Noted.

13.4.3 Update: BDP & General Development Plan Amendment

Noted.

13.4.4 Development Act 1993: Summary of Recent Category 3 Public Notifications

Noted.

13.4.5 Port Broughton Community Waste Water Scheme

MOVED: Cr Rowlands SECONDED: Cr Kerley

That after a report from the EPA is received in relation to the Port Broughton Community Wastewater Scheme lagoon, consideration be given for the preparation of a report, to be brought to Council detailing:

- * the current state of the Port Broughton Community Wastewater Management Scheme (formerly STED system);*
- * the impact on the surrounding environment of any overflow or leaching from the system;*
- * the reason for any overflows;*
- * planned actions to remedy the cause of any overflows;*
- * the timetable for the pumping of septic tanks connected to the scheme;*
- * details on the proposed life of the current system and*
- * its adequacy to deal with potential growth in and around Port Broughton.*

CARRIED

14. Notices of Motion

Nil.

15. Adoption of Committee Reports

15.1 Audit Committee Minutes 12th October 2010

MOVED: Cr Smith SECONDED: Cr Rooney

"That Council accept the Audit Committee Minutes from the meeting of 12th October 2010 and Recommendations 1-4 as detailed below:

- 1. The Draft 2009/10 Financial Statements have been reviewed and, in the Audit Committee's opinion, have been prepared in accordance with Section 126(4)(a) of the Local Government Act.*
- 2. The Audit Committee advises Council's Auditor, Dean Newbery & Partners, it has reviewed the Draft Financial Statements for the financial year ended 30th June 2010 and is satisfied they present fairly the state of affairs of Council.*
- 3. Council adopts the Draft Financial Statements for the year ending 30th June 2010, subject to any alterations as advised by Manager, Finance & Administration.*
- 4. That a training programme for the newly elected Council and all Audit Committee members be developed."*

CARRIED

16. Closure

The Mayor declared the meeting closed at 10.27pm.

Cr Dean Dolling
Mayor
District Council of Barunga West