

**MINUTES of the Ordinary Meeting of the
District Council of Barunga West held on
Tuesday 14th December 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 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 Coombs, Yorke Peninsula Country Times
Ryneisha Bollard, Yorke Peninsula Country Times
Penny Smith

2. Apologies And Leave Of Absence:

2.1 Leave of Absence
Nil

2.2 Apologies
Cr Brian Rooney

3. Conflict of Interest Provisions

3.1 Nil

4. Confirmation of the Minutes of the previous Meeting

4.1 Ordinary Meeting – 23rd November October 2010

MOVED: Cr Smith **SECONDED: Cr Weedon**

“That the Minutes of the Ordinary Meeting of Council held on the 23rd November 2010 be confirmed as printed and supplied.”

CARRIED

5. Business Arising from the Minutes

5.1 Answers to Questions Without Notice from Cr Kerley regarding the Port Broughton Office car park were provided by Manager – Works.

5.2 Mr Rob Locke (Plans by Design) has been engaged to draw concept plans for the Port Broughton Community Hall to accommodate the Visitor Information Outlet.

5.3 Cr Simmons advised that the Bute community have raised concerns for the motion previously moved by Council to plant bottle brush trees (item 13.3.7) in the streets of Bute. The Chief Executive Officer advised that a consultation process could be undertaken through the Bute RTC newsletter and this will be arranged in the interim period before the next meeting.
Cr Simmons advised that she would have a Notice of Motion at the next meeting to rescind the motion made on 23rd November 2010 at item 13.3.7.

5.4 Cr McDonald advised further details in relation to item 13.1.11 have been provided, and that a monetary contribution in the range of \$1271.98 plus in kind support of use of office space, use of Council vehicle one day a month is a likely scenario of the costs involved from Council (pro rata) for involvement in the Obesity Prevention and Lifestyle Program (OPAL).

8. Deputations

Nil

9. Members Reports

Cr Axford

3/12/10 Council Christmas function
24/11/10 Elected Member Training, Clare

Cr Dolling

10/12/10 Senior Citizens Christmas Dinner
3/12/10 Council Christmas function
11/12/10 Port Broughton Progress Association Christmas Pageant

Cr Kerley

24/11/10 Elected Member Training, Clare
9/12/10 Meeting with David Sloper, NRM Board

Cr McDonald

24/11/10 Elected Member Training, Clare
3/12/10 Council Christmas function
9/12/10 Port Broughton Area School End of Year Assembly
11/12/10 Port Broughton Progress Association Christmas Pageant
26/11/10 Port Broughton Primary Health Care meeting

Cr Rooney

Apology

Cr Rowlands

24/11/10 Elected Member Training, Clare

Cr Simmons

26/11/10 YPCT Christmas lunch
2/12/10 Barunga Village medal presentations for Bute Primary School
4/12/10 Council Christmas function
7/12/10 YPCT Meeting, Maitland
8/12/10 Bute 2000 Meeting
10/12/10 Lions Club Senior Citizens Christmas lunch

Cr Smith

13/12/10 CDAP Training at District Council of Copper Coast
3/12/10 Council Christmas function
11/12/10 Port Broughton Progress Association Christmas Pageant

Cr Weedon

3/12/10 Council Christmas function

10. **Petitions**

Nil

11. **Questions with Notice**

9.1 Cr Rowlands asked:

1. Does the Council plan to carry out an extensive mosquito control program before the arrival of holiday makers and tourists at Christmas?
2. Does the mosquito control program involve spraying?
3. If not why not?

Detailed answers were provided by Manager – Environmental Services and provided in Agenda Papers.

Cr Rowlands requested amendments to be made to report provided by Manager – Environmental Services.

Cr. Rowlands further asked, as a result in comments from the report of the University of SA's report

- Is the Council preparing a 5 year Strategic Management Plan for the management of mosquitoes for 2011 - 2016
- Has the Council established an inventory of complaints and issues, and
- Has an education program for residents (especially seasonal residents) been undertaken

The Manager Environmental Services reported that he would be liaising with the University of SA regarding a new Strategic Plan. The Chief Executive Officer advised that all written complaints were kept and that Newsletter articles were done on a regular basis, that was distributed to all ratepayers.

9.2 Cr Kerley asked:

1. Did we in the past have money set aside in the budget for flood mitigation in Port Broughton? Is there money currently in the budget and a plan for flood mitigation along the foreshore and in Duffield Road, Port Broughton? If not, why not? What happened to the budgeted money for flood mitigation if not still in the budget? Who will be responsible should inundation occur along the foreshore and Duffield Road?

The Chief Executive Officer advised that money had been allocated for a review of the Council's stormwater system at Port Broughton, but was diverted to allow for a Stormwater Asset Management Plan to be prepared as required by legislation and the Auditor. Money was allocated in this year's budget for a review of stormwater systems and this would be undertaken. Should inundation occur the courts will decide liability.

2. When will all garbage bins be delivered to ratepayers and why weren't they delivered to everyone in the first delivery thus making the whole task less onerous and concerning for ratepayers who now have to follow up not having received their bins? What is the intended commencement date for the new garbage collection? Is green waste currently being accepted, free, at the Port Broughton dump?

The Manager Works advised all bins were due for delivery this week, with the commencement date being the first week in January. A newsletter was being distributed on 17th December. Green waste (clean) is accepted free at the dump.

3. What happened to the timber from the old shelter shed, recently removed from the foreshore? (This question was asked at the council meeting held 23 November but was not recorded in the minutes. I am asking the question

again as I require the question and answer to be recorded for the information of the several interested people who asked me this question.)
The Manager Works advised that the timbers were disposed at the Port Broughton Waste Disposal Site.

10. Questions without Notice

- 10.1** Cr Rowlands asked why a letter received from CJ Chapman was not included in Agenda papers, *and was advised by the Chief Executive Officer that the correspondence will form part of the public consultation process for the Better Development Plan – General Development Plan Amendment.*
- 10.2** Mayor Dolling asked for progress on mobile phone towers at Bute. *Manager – Environmental Services advised that no correspondence had been received in that regard for some time. The Chief Executive Officer advised that he would pursue the issue with Telstra.*
- 10.3** Mayor Dolling asked for progress report on toilets being provided at the Bute and Port Broughton cemeteries. *Manager – Works advised that this matter has been allowed for consideration in the 2011/2012 budget for capital works.*
- 10.4** Cr. Rowlands asked if the Council Office bituminising will be put to tender to assure the best and cheapest possible price. *The Manager Works advised that quotes would be called for the project, and the Chief Executive Officer advised on Council's tendering policy.*

11. Council Business – Managers Report

11.1 Administration – Chief Executive Officer

MOVED: Cr Simmons

SECONDED: Cr McDonald

"That the Report from the Chief Executive Officer for the December 2010 meeting be received and noted".

CARRIED

MOVED: Cr Rowlands

SECONDED: Cr Kerley

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all persons, except Nigel Hand (Chief Executive Officer) be excluded from attendance at the meeting for Agenda Item 11.1.2 Salary and Wages Review for all staff. 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.

Blue Jolly (Manager Finance and Administration), Fred Linke (Manager Works, Mark Marziale (Manager Environmental Services) and Kim Thomas (Minutes Secretary) left the meeting at 7.30pm.

11.1.2 Salary and Wages Review for all staff

MOVED: Cr. Kerley

SECONDED: Cr. Rowlands

"That the Council agree to increase staff salaries by 4.0% with staff

employed under the Local Government Municipal Officer Award having the increase effective as from the first pay period after the 1st January 2011, and staff employed under the Australian Workers Union Local Government Employee Award having the increase effective as from the first pay period after 1st April 2011.

AMENDMENT

MOVED: Cr Smith SECONDED: Cr Axford

"That the Council agree to increase staff salaries by 4.5% with staff employed under the Local Government Municipal Officer Award having the increase effective as from the first pay period after the 1st January 2011, and staff employed under the Australian Workers Union Local Government Employee Award having the increase effective as from the first pay period after 1st April 2011."

Amendment put to the vote and **CARRIED**

Amendment became the Motion, was put to the vote and **CARRIED**

MOVED: Cr Rowlands SECONDED: Cr Kerley

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all persons, except Nigel Hand (Chief Executive Officer) be excluded from attendance at the meeting for Agenda Items 11.1.1 Enterprise Bargaining Agreement – Australian Workers Union. 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 these 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.

11.1.1 Enterprise Bargaining Agreement – Australian Workers Union

MOVED: Cr. Rowlands SECONDED: Cr. Weedon

"That the Council agree that the Enterprise Bargaining Agreement be put on hold until the appropriate Performance Indicators for staff are included in the agreement under Clause 24 of the Agreement."

CARRIED

MOVED: Cr Rowlands SECONDED: Cr Kerley

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all persons, except Nigel Hand (Chief Executive Officer) be excluded from attendance at the meeting for Agenda Item 11.1.9 Chief Executive Officer's salary adjustment. 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 these 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.

11.1.9 Chief Executive Officer's salary package – adjustment

MOVED: Cr. Weedon SECONDED: Cr. Smith

"That Council agrees to adjust the Chief Executive Officer's salary package for the additional superannuation payment to be transferred to his salary component of his package, as detailed in his report, which will have a net effect of very minimal cost to Council."

CARRIED

Blue Jolly (Manager Finance and Administration), Fred Linke (Manager Works, Mark Marziale (Manager Environmental Services) and Kim Thomas (Minutes Secretary) returned to the meeting at 8.10 pm.

11.1.3 R & M Lewis – Cnr Fishermans Bay Road and Bennier Road

MOVED: Cr Smith SECONDED: Cr Rowlands

"The Council agrees to sell portion of Fisherman's Bay Road and Bennier Road to Richard L. Lewis and Maureen E. Lewis, of 91 Fisherman's Bay Road with the following conditions

(a) The portion of Fisherman's Bay Road adjoining their property at Section 832 Hundred of Mendoora be 0.60 metres,

(b) The portion of Bennier Road adjoining their property at Section 832 Hundred of Mendoora be 0.40 metres,

(c) That Mr. & Mrs. Lewis be required to pay ALL costs associated with this purchase, including the requirements under the Roads (Opening and Closing) Act 1991, and

(d) That Mr. & Mrs. Lewis be required to pay Council a fee of \$200.00 for the purchase of the road."

CARRIED

11.1.4 Broughton Bayside Caravan Park – C & D Peers

MOVED: Cr Rowlands SECONDED: Cr Simmons

"That the Council agree to extend the lease of the Broughton Bayside Caravan Park (Chris and Debra Peers), for an additional 5 year period, concluding on 30th June 2030."

CARRIED

11.1.5 Citizen of the Year Awards

MOVED: Cr Simmons SECONDED: Cr Weedon

"That Council agree to award Barbara Simpson the 2011 Australia Day Award for the District Council of Barunga West - Bute District - Citizen of the Year."

CARRIED

MOVED: Cr Kerley SECONDED: Cr Rowlands

"That Council agree to award Rhys O'Donohue the 2011 Australia Day Award for the District Council of Barunga West Port Broughton District - Young Citizen of the Year."

CARRIED

MOVED: Cr Rowlands SECONDED: Cr McDonald

"That Council agree to award Port Broughton Rainbow Quilters - Quilters Exhibition the 2011 Australia Day Award for the District Council of Barunga West Port Broughton District - Event of the Year."

CARRIED

MOVED: Cr Axford SECONDED: Cr Smith

"That Council agrees to award the Kulpara Community Newsletter the 2011 Australia Day Award for the District Council of Barunga West - Bute District - Event of the Year."

CARRIED

- 11.1.6 Barunga West Council Development Assessment Panel (CDAP)**
MOVED: Cr Kerley SECONDED: Cr McDonald
“That Council agrees to
(a) Accept the District Council of Copper Coast’s offer to allow the Independent Members of their Council Development Assessment Panel to be our Council’s Independent members
(b) Appoint John Meier as the Independent Presiding Member of the Council Development Assessment Member for the period 14th December 2010 to 13th December 2012,
(c) Appoint Graham Hancock, Stephen Horsell and Sandra Wood as the Independent Members of the Council Development Assessment Panel for the period 14th December 2010 to 13th December 2012,
(d) Appoint Cr Smith, Cr Weedon and Cr Rooney to the Council Development Assessment Panel for the period 14th December 2010 to 13th December 2012, and
(e) Appoint the Chief Executive Officer as the Public Officer of the Panel.”

CARRIED

- 11.1.7 Port Broughton Progress Association & Visitor Information Outlet (VIO)**
Noted.

- 11.1.8 Mr. R C Routley**
Noted.

- 11.1.10 Council meeting venue roster.**
Agreed and noted. (January to June at Port Broughton and July to December at Bute)

- 11.1.11 January Council meeting – change to date**
MOVED: Cr McDonald SECONDED: Cr Kerley
“That the next meeting of Council be held on Tuesday 11th January 2011.”

CARRIED

- 11.1.12 Port Broughton Visitor Information Outlet**
MOVED: Cr Kerley SECONDED: Cr McDonald
“That Council defer purchase of aerial photographs until Visitor Information Outlet location is determined.”

CARRIED

Meeting adjourned at 8.39pm.
Meeting reconvened at 8.46pm.

- 11.2 Manager - Finance & Administration**
No report from Manager – Finance & Administration due to annual leave.

- 11.3 Manager – Works**
MOVED: Cr Smith SECONDED: Cr Rowlands
“That the Report from the Manager –Works for the December 2010 meeting be received and noted”.

CARRIED

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- 11.3.1 Rural Addressing Project.**
Noted
- 11.3.2 Roadworks at Tickera**
Cr Rowlands asked that a report be tabled at the next Council meeting detailing all road works undertaken at Tickera over the last 4 years.
Referred to Manager – Works.
- 11.4 Acting Chief Executive Officer's Report – Mark Marziale**
MOVED: Cr Simmons **SECONDED:** Cr McDonald
"That the Report from the Acting Chief Executive Officer for the December 2010 meeting be received and noted".
CARRIED
- 11.4.1 Storm Event and Business Continuity 7-8 December 2010**
Noted.
- 11.4.2 Correspondence - PJ Melling.**
Noted.
- 11.4.3 Caring for our Country Grants 2010-11 for Coastal Conservation Projects.**
Noted.
- 11.5 Manager – Environmental Services**
MOVED: Cr Kerley **SECONDED:** Cr Simmons
"That the Report from the Manager – Environmental Services for the December 2010 meeting be received and noted".
CARRIED
- 11.5.1 Approved Development Report**
Assessment Period 1 – 30 November 2010
Noted.
- 11.5.2 Annual Report 2007/08 to the Public & Environmental Health Council.**
Noted.
- 11.5.3 Development Act 1993 – Section 84 Enforcement Notices**
Noted.
- 11.5.4 Development Plan Rezoning Request**
Noted.
- 11.5.5 Council Development Assessment Panel Members Training**
Noted.
- 11.5.6 Meeting with the Fisherman Bay Concerned Licence Holders Association**
Noted.
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12. Notices of Motion

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

"That before Christmas Dry Zone signs are erected in Bay Street (at McKay Street outside the Port Broughton Hotel on the corner of Harvey Street and Bay Street and on the corner of Kadina Road and Bay Street and West Terrace, within 25 metres of Bay Street both left and right) and that a map delineating the dry zones is created, sent to business owners in Bay Street for public display, and placed in the community notice boards at the Central Deli and the Beachfront Deli and on permanent display in the Council office foyer."

CARRIED

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

- "1. That a permanent display is created and erected in both Council Office foyers which has pictures of the councillors, names and phone contact details so that ratepayers new to the district can easily identify and contact Councillors.*
- 2. That a table and chair is provided in the Council foyer for the public to use to view Council documents."*
- 3. That Council make application to the Department of Transport Energy & Infrastructure seeking to have a 3 month trial of 40km/hr speed limit in Bay Street as soon as practicable."*

CARRIED

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

"That the District Council of Barunga West supports the volunteer conservation group by acting as sponsor for future grant applications."

CARRIED

13. Notices without Motion

13.1 Nil.

14. Adoption of Committee Reports

Nil.

15. Closure

The Mayor declared the meeting closed at 10.01pm.

Cr Dean Dolling
Mayor
District Council of Barunga West