

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)
D Brokenshire (Planning Officer)
J Ackland (Minute Secretary)

1. Opening

The Mayor Dean Dolling opened the meeting at 7.00pm.
6 members of the public were in the gallery at the commencement of the meeting.

2. Apologies and Leave of Absence

2.1 Apologies
RC Linke (Manager Infrastructure Services)

2.2 Leave of absence - Nil

3. Conflict of Interest Provisions

3.1 Nil

4. Confirmation of Minutes

4.1 Ordinary Meeting held on the 10th September 2013

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

"That the Minutes of the Ordinary Meeting of Council held on 10th September 2013 be confirmed as printed and supplied. Amendment to be made, location of meeting was at Bute."

CARRIED

5. Business Arising from Minutes

5.1 **Port Broughton Foreshore**

The Planning Officer advised in her report to Council in September 2013 that the southern shelter on the Port Broughton beach would require Ministerial approval. Cr Rowlands asked if this had been done. The Planning Officer advised that she is currently in discussion with the appropriate authorities.

6. Deputations

6.1 Nil

7. Members Reports

7.1 Mayor Dolling

13/09/13 Executive Committee Meeting, Port Broughton
17/09/13 Executive Committee Meeting, Port Broughton
12/10/13 Employment Awards Dinner, Balaklava
15/10/13 Works Committee Meeting, Bute

7.2 Deputy Mayor Rooney

13/09/13 Executive Committee Meeting, Port Broughton
17/09/13 Executive Committee Meeting, Port Broughton
12/10/13 Employment Awards Dinner, Balaklava
15/10/13 Works Committee Meeting, Bute

7.3 Cr Axford

13/09/13 Executive Committee Meeting, Port Broughton
17/09/13 Executive Committee Meeting, Port Broughton
27/09/13 Community Grants Funding Allocation, Port Broughton
02/10/13 Bute 2000 Onwards Committee Meeting with Deb Brokenshire,
Bute
09/10/13 Executive Committee Meeting, Bute

7.4 Cr Kerley

27/09/13 Community Grants Funding Allocation, Port Broughton
06/10/13 Seaside Markets, Port Broughton
15/10/13 Works Committee Meeting, Bute

7.5 Cr McDonald

16/09/13 Port Broughton Area School Governing Council Meeting, Port
Broughton
27/09/13 Primary Health Care Meeting
27/09/13 Community Grants Funding Allocation, Port Broughton
15/10/2013 Works Committee Meeting, Bute

7.6 Cr Rowlands

17/09/13 Executive Committee Meeting, Port Broughton
06/10/13 Seaside Markets, Port Broughton
09/10/13 Executive Committee Meeting, Bute
15/10/13 Works Committee Meeting, Bute

7.7 Cr Smith

15/10/13 Works Committee Meeting, Bute

7.8 Cr Simmons

16/09/13 Sports Club Meeting, Bute
25/09/13 Bute 2000 Onwards Committee Meeting, Bute
01/10/13 B.V. Meeting, Port Broughton
02/10/13 Meeting with Deb Brokenshire regarding RV Park, Bute
05/10/13 B.V. Garage Sale
15/10/13 Works Committee Meeting, Bute

7.9 Cr Weedon

15/10/13 Works Committee Meeting, Bute

8. Petitions

8.1 Nil

9. Questions with Notice

9.1 Nil

10. Questions without Notice

Mayor Dolling asked the following question without notice:

“Do the Elected Members think it is a good idea to have a Christmas celebration with council staff and members?”

The Acting CEO is to communicate this proposal to employees at the next staff meeting and report back to council.

Cr Rowlands asked the following question without notice:

“Item 37.1: What if anything are we doing regarding providing a response by 31 October. I believe this is a further invasion of personal space and non smokers have large indoor areas in hotels cafes and restaurants where smoking is not permitted. Smokers have been driven outside and have already had their private rights in public places severely restricted. Non smokers have a choice to sit in an outdoor area where there are smokers or not. Driving smokers away from outdoor eating and drinking venues will have a serious impact on businesses by encouraging people to not venture out. It will also increase the costs to Council of cleaning up butts in the streets and preventing them being washed into the Bay.”

Cr Rowlands left the room at 7.18pm due to a conflict of interest.

189 MOVED: Cr Kerley

SECONDED: Cr Simmons

“That Council submits a recommendation against the banning of smoking in designated outdoor areas.”

CARRIED

Cr Rowlands returned to the meeting at 7.20pm.

11. Motions with Notice

11.1 Nil

12. Motions without Notice

190 MOVED: Cr Rowlands

SECONDED: Cr Simmons

“In an effort to reduce administration time and costs and paper wastage, the l pads that have been approved by Council for Councillors be purchased and installed with appropriate programs and connectivity, and that training in their use be provided to Councillors before the next Council meeting.”

MOTION WITHDRAWN

191 MOVED: Cr McDonald

SECONDED: Cr Axford

"Jane Ackland is to present a report to council with options of suitable, high tech cost saving communication tools. This is to be presented at the November Council meeting."

CARRIED

192 MOVED: Cr Rowlands

SECONDED:

"That a cost comparison be provided to the next Council meeting of the full cost of holding a Council meeting in locations other than the main Council chamber at Port Broughton. This cost to take into account staff travelling time to and from a meeting, time off in lieu (if appropriate), meals etc, cost of running Council vehicles ie petrol based on an average of 15km to the litre, and all Councillor's travel expenses based on approved cents/km --- this latter point assumes all Councillor's claim travel expenses."

DEFEATED

13. Adoption of Committee Reports

13.1 Strategic Planning and Development Policy Committee

193 MOVED: Cr Kerley

SECONDED: Cr Smith

"That Council adopts the recommendations of the Strategic Planning and Development Policy Committee of 13 August 2013, inclusive of confidential item 4.0 Rural Living DPA.

NOTE: Should there be any further discussion on item 4.0 Rural Living DPA, the matter should be considered in confidence under Section 90(2) of the Local Government Act, to consider a matter on the grounds of Section (3)(m) of the Local Government Act."

CARRIED

14. Council Business – Officers Reports

14.1 CEO Report: Acting Chief Executive Officer – Peter Ward

194 MOVED: Cr Kerley

SECONDED: Cr Rowlands

"That the Report from the Acting Chief Executive Officer for the October 2013 meeting be received and noted"

CARRIED

Approval for the coastal sea wall has been given. Peter Ward circulated written advice from the DAC and Norman Waterhouse to all members in the meeting. This advice was received by email at 1.34pm on Tuesday, 15th October 2013.

Upon receipt of this late item, Mayor Dolling declared that in accordance with Section 73 of the Local Government Act 1999 he had a conflict of interest and ask Cr Rooney to take conduct of the meeting.

Mayor Dolling left the meeting at 7.30pm.

Cr Rooney took conduct of the meeting at 7.30pm.

195 MOVED: Cr Smith SECONDED: Cr Rowlands

“That a special meeting is to be called to discuss the email received by the Acting CEO from Norman Waterhouse Lawyers with regards to the development plan approval of the seawall. The meeting is to be held on Wednesday 23rd October 2013, commencing at 8.30am. It will be held at the Port Broughton council office”

CARRIED

Mayor Dolling resumed conduct of the meeting at 7.38pm

- 14.1.1 Strategic Management Plan**
Noted
- 14.1.1 Fisherman’s Bay Freeholding**
Noted
- 14.1.2 Braemar Bulk Export**
Noted
- 14.1.4 Snapper Fishing**
Noted
- 14.1.5 Native Vegetation Drive-by Survey Grants**
Noted
- 14.1.6 LGA AGM**
Noted
- 14.1.7 Meetings**
Noted

14.2 Finance Report: Acting Chief Executive Officer – Peter Ward

196 MOVED: Cr Kerley SECONDED: Cr McDonald

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

CARRIED

- 14.2.1 Community Grants Scheme**

197 MOVED: Cr Kerley SECONDED: Cr Simmons

“That Council endorse the allocations of community grants for 2013-14 as recommended by the panel, and that the Acting CEO notify all applicants.”

CARRIED

- 14.2.2 Council Audit**
Noted

14.3 Planning Report: Planning Officer – Deb Brokenshire

198 MOVED: Cr Axford

SECONDED: Cr Smith

“That the Report from the Planning Officer for the October 2013 meeting be received and noted.”

CARRIED

15. Confidential Item

15.1 Minutes of Executive Committee Meeting held Tuesday 17th September 2013

199 MOVED: Cr Kerley

SECONDED: Cr Smith

“That pursuant to Sections 90(2) of the Local Government Act 1999 the Council orders that all persons, except Ms Jane Ackland, be excluded from attendance at the meeting for Agenda Item 15.1, Chief Executive Officer – Recruitment.

The Council is satisfied that pursuant to Sections 90(3)(a) and 90(9) the consideration of issues relating to the recruitment of the new Chief Executive Officer should remain in confidence until such time as the appointment is made.

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

201 MOVED: Cr Axford

SECONDED: Cr Kerley

“That, having considered Agenda item 15.1 Chief Executive Officer – Recruitment. in confidence under Sections 90(2) and 90(3)(iv) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of the Act orders that all the documentation and minutes be retained in confidence for a period of 12 months or as such retained in confidence for a period of 6 months, or such lesser period as may be determined by the Chief Executive Officer.”

CARRIED

Closure

16.1 The Mayor declared the meeting closed at 8.10pm

Cr Dean Dolling
Mayor, District Council of Barunga West