

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

Staff in Attendance: A Cole (CEO)
P Ward (Deputy CEO)
RC Linke (Manager Infrastructure Services)
D Brokenshire (Development Services Manager)
P Sternal (Risk Management Officer)
J Ackland (Minute Secretary)

1. Opening

The Mayor Dean Dolling opened the meeting at 7.00pm.

4 members of the public were in the gallery at the commencement of the meeting.

2. Apologies and Leave of Absence

2.1 Apologies – Cr R Smith

3. Conflict of Interest Provisions

3.1 Nil

4. Confirmation of Minutes

MOVED: Cr Axford

SECONDED: Cr Rooney

4.1 Ordinary Meeting of Council held on the 10th June 2014

“That the Minutes of the Ordinary Meeting of Council held on the 10th June 2014 be confirmed as printed and supplied.”

CARRIED UNANIMOUSLY

5. Business Arising from Minutes

5.1 Nil

6. Deputations

6.1 Nil

7. Members Reports

7.1 Mayor Dolling

15/06/2014 National General Assembly, Canberra
25/06/2014 YP Tourism Award, Ardrossan
25/06/2014 Informal Workshop, Port Broughton
02/07/2014 101A Committee Meeting, Port Broughton
08/07/2014 CEO Forum, Port Broughton

7.2 Deputy Mayor Rooney

02/07/2014 101A Committee Meeting, Port Broughton
02/07/2014 DAP Meeting, Port Broughton
08/07/2014 CEO Forum, Port Broughton

7.3 Cr Axford

23/06/2014 Met Deb Brokenshire & Bute 2000 Committee (re Proposed Info Bay at Bute)
25/06/2014 Informal Workshop at Port Broughton (Policy Implementation)
01/07/2014 Met Penny Sternal - Bute Soldiers' Memorial Hall at Bute
02/07/2014 Fisherman Bay initial meeting, Port Broughton
02/07/2014 101A Committee Meeting, Port Broughton
08/07/2014 CEO Forum, Port Broughton

7.4 Cr McDonald

16/06/2014 Port Broughton Area School Governing Council Meeting
25/06/2014 Informal Workshop, Port Broughton
27/06/2014 Primary Health Care Meeting
01/07/2014 Port Broughton Area School's Breakout Graduation
02/07/2014 Council Meeting with Stuart Headland of Hames Sharley re The Planning and Development of Fisherman Bay
08/07/2014 CEO Forum, Port Broughton

7.5 Cr Rowlands

08/07/14 CEO Forum, Port Broughton

7.6 Cr Simmons

25/06/2014 YPCT Meeting, Maitland
25/06/2014 Informal Workshop, Port Broughton
25/06/2014 Bute 2000 Meeting
01/07/2014 Met with Risk Management and 2 others re Bute Hall
02/07/2014 101A Committee Meeting, Port Broughton
08/07/2014 CEO Forum, Port Broughton

8. Petitions

8.1 Nil

9. Questions with Notice

Cr Simmons asked:

“Would Council consider increasing Bute Dump Hours? 4 hours per week makes opening times very limited for residents. Considering that Port Broughton is open for 9 hours per week could Bute’s hours be increased by 1 hour on Sundays – 2pm to 5pm instead of 3pm to 5pm?”

Answer:

Please refer to the Manager Infrastructure Services Report in this Agenda.

Cr Axford asked:

“The Bute Rural Transaction Centre was closed on Friday, 13th June without notice to its customers. What strategic staff planning has been implemented to ensure that procedure is in place to avert this from happening in the future?”

Answer:

Andrew Cole, Chief Executive Officer

The Bute Rural Transaction Centre / Australia Post LPO (RTC) was closed for a major part of the day on Friday the 13th of June 2014, due to staff absences and illness on that particular day. The Bute Office was partially opened during the morning to allow received mail to be sorted into Post Boxes, but was later closed due to unavailability of trained staff. On the day, one staff member was ill, one staff member was at a medical appointment in Adelaide (who partially opened the Office in the morning) and one staff member was completing an Australia Post training session in Adelaide.

The timing of the partial closure of the Bute RTC was unfortunate, as the Friday was the last day of required Australia Post training for our new Staff Member at the Bute RTC. With this training now complete, Council has three trained staff members available to attend the Bute RTC Office / Australia Post LPO on any particular day of the week.

With Council staff resources back to three trained staff members, this circumstance is not expected to occur again.

Cr Axford asked:

“What progress has been made relating to the ongoing storm water problem on Railway Terrace along the DPTI Bute - Kadina Road, since receiving an engineers report, some 2 years ago. Lease arrangements on Viterra land are in place for storm water, but the small amount of remedial work performed along the adjoining footpath has not resolved the problem?”

Answer:

Fred Linke, Manager - Infrastructure Services

After the Engineers report was received, it highlighted that there was a need to increase the amount of pipes under Railway Terrace with a lower invert level, along with a proposal to create a stormwater detention basing on land currently owned by Viterra.

A subsequent inspection was held on site with representatives of Viterra to clarify the requirements of the proposal. In February 2013, it was reported to Council that Viterra expected some lengthy delays due to a take over of Viterra.

Viterra agreed to a lease arrangement of the section of land in question for an annual fee of \$500.00 plus GST and a increase of 3% annually. This fee amount was reported to Council. This proposal was not found acceptable at the time, so a subsequent submission was put back to Viterra for consideration.

In May 2013, it was reported to Council that Viterra would agree to a lease arrangement for an annual fee of 50.00 plus GST. It was also advised that the estimated cost of the proposed project, at that time, was \$74,320.

Preliminary discussions were also held with DPTI (Railway Terrace being a DPTI road) in relation to the proposed works.

Due to no budget allocation, in July 2013 Council's Infrastructure Services Department attended the footpath area of Railway Terrace in question. Council staff consulted with local resident, Mr Gill, advising of what was proposed as a temporary measure, which included providing and placing material into Mr Gill's yard to lessen the severity of his driveway entry/exit. Additional material was added to raise the height of the footpath, inturn reducing the amount of stormwater able to flow over the footpath into properties.

Mr Gill was again consulted after a further rain event about the effect the footpath works had. His comments were positive in that the works done had certainly helped the situation.

Council's Audit Committee has now provided guidance to Council to the effect that Council finances should be prioritised to Council assets first, rather than being spent on land/roads not belonging to Council. As Railway Terrace is a DPTI Arterial Road, the proposal to increase the drain capacity under Railway Terrace is putting council funds into a DPTI owned roadway. Therefore, there is no specific budget allocation in the 2014/15 financial year.

The main issue is getting the stormwater under Railway Terrace. This means increasing the capacity of pipes/culverts and lowering the invert level. An option to review this area of concern may be to cost this project into several stages, so as to break up any proposed works into smaller 'steps'.

It is proposed to re-scope and cost this work into several stages, such as:

1. Additional pipe work under road (including DPTI involvement), and;
2. Development of a Retention Basin on leased land.

This scope would include liaising with DPTI to determine their capacity for financial support to this proposed project.

10. Questions without Notice

10.1 Cr Rowlands asked:

"What is the average annual cost of cleaning up illegal dumping in the entire District?"

The CEO took this question on notice to be answered at the next Council Meeting.

11. Motions with Notice

11.1 Nil

12. Motions without Notice

12.1 Nil

13. Adoption of Committee Reports

MOVED: Cr Simmons

SECONDED: Cr Axford

"That the Minutes of the Strategic Planning and Development Policy Committee Meeting held on the 2nd July 2014 be confirmed as printed and supplied."

CARRIED UNANIMOUSLY

MOVED: Cr McDonald

SECONDED: Cr Rooney

"That the Rural Living DPA Summary of Consultation and Proposed Amendments Report (as contained in Appendix A) and the 'for Authorisation' Rural Living DPA (as contained in Appendix B) be endorsed by Council for signing by the Chief Executive Officer and be submitted to the Minister for approval."

CARRIED UNANIMOUSLY

MOVED: Cr Rooney

SECONDED: Cr Axford

"That Council gives further consideration to the matter of zoning of land in proximity to the Port Broughton waste transfer facility, through the Council's upcoming Section 30 Review (Strategic Directions Report), in liaison with DPTI and the EPA, and also seeks external funding for a waste facility audit and remedial works."

CARRIED UNANIMOUSLY

14. Council Business – Manager's Reports

14.1 Chief Executive Officer Report – Andrew Cole

MOVED: Cr Simmons

SECONDED: Cr Axford

"That the Report from the Chief Executive Officer for the July 2014 meeting be received and noted"

CARRIED UNANIMOUSLY

14.1.1 Draft Policy for Review – Prescribed Consultation

MOVED: Cr Rowlands

SECONDED: Cr McDonald

"That the Draft Order Making Policy be released for a period of public consultation of not less than 28 days."

CARRIED UNANIMOUSLY

14.1.2 Draft Policies and Procedures for Review – Public Consultation

MOVED: Cr Axford

SECONDED: Cr Simmons

"That the following Draft Policies, Procedures and Form be released for a period of public consultation of no less than 21 days, being namely:

- Complaint Handling Procedure – Code of Conduct for Elected Members;*
- Internal Review of Council Decision Procedure;*
- Internal Review of Council Decision Form;*

- *Complaints Policy;*
- *Complaints Handling Procedure, and;*
- *Election Signs Policy.”*

CARRIED UNANIMOUSLY

14.1.3 [Draft Freedom of Information Statement](#)

MOVED: Cr Rooney

SECONDED: Cr Simmons

“That the Draft Freedom of Information Statement 2014 be adopted.”

CARRIED UNANIMOUSLY

14.1.4 [Draft Request for Service Procedure](#)

MOVED: Cr Axford

SECONDED: Cr McDonald

That the Draft Request for Service Procedure be received for Information.

CARRIED UNANIMOUSLY

Cr Weedon enters the meeting at 7.30pm.

14.1.5 [Nominations to the Yorke Peninsula Group of the Northern and Yorke NRM Board](#)

MOVED: Cr Rowley

SECONDED: Cr Axford

“That the report be received for information

CARRIED UNANIMOUSLY

14.1.6 [Meetings](#)

Noted

14.2 [Finance Report - Peter Ward](#)

MOVED: Cr Rooney

SECONDED: Cr Simmons

“That the Finance Report from the Deputy CEO for the July 2014 meeting be received and noted.”

14.2.1 [Port Broughton Seawall Tender](#)

Noted

14.2.2 [Rates Notices](#)

Noted

14.2.3 [Interim Audit](#)

Noted

14.3 [Manager Infrastructure Services – Fred Linke](#)

MOVED: Cr Simmons

SECONDED: Cr McDonald

“That the Report from the Manager Infrastructure Services for the July 2014 meeting be received and noted.”

CARRIED UNANIMOUSLY

14.3.1 [Bute Waste Transfer Opening Hours](#)

MOVED: Cr Axford

SECONDED: Cr Simmons

“That the Bute Waste Transfer Station Opening Hours to be increased on a Sunday to 2pm – 5pm for a trial period of at least 3 months.”

CARRIED UNANIMOUSLY

14.3.2 Roads and Works Conference

MOVED: Cr Weedon

SECONDED: Cr Rooney

"That Council's Manager Infrastructure Services, Works Supervisor, and

1. *Mayor Dolling*
2. *Deputy Mayor Rooney*
3. *Cr Smith*

Attend the Local Government Roads and Works conference to be held in Port Lincoln.

CARRIED

14.3.3 Capital Fund Project

MOVED: Cr Rowlands

SECONDED: Cr McDonald

"That the proposal as described to alleviate stormwater at the Port Broughton Skate Park be agreed to and financed from the Council Capital Fund."

CARRIED

MOVED: Cr Rowlands

SECONDED: Cr Weedon

"That a proposal be submitted to Council with costing's for the work required at the Kulpara Car park, to be funded from the Council Capital Fund."

CARRIED UNANIMOUSLY

14.3.4 Tasks

Noted

14.3.5 Meetings

Noted

14.4 Planning Report – Deb Brokenshire

MOVED: Cr Axford

SECONDED: Cr Simmons

"That the Report from the Manager Development Services for the July 2014 meeting be received and noted."

CARRIED UNANIMOUSLY

14.4.1 Development Services Update

Noted

14.4.2 Meetings

Noted

14.5 Risk Management Update – Penny Sternal

MOVED: Cr Rooney

SECONDED: Cr Simmons

"That the Report from the Risk Management Officer for the July 2014 meeting be received and noted."

CARRIED UNANIMOUSLY

14.5.1 Risk Management Update

Noted

14.5.2 Meetings

Noted

15. Correspondence

MOVED: Cr Axford

SECONDED: Cr Simmons

"That the late item of correspondence be received and noted for information."

CARRIED UNANIMOUSLY

- 15.1 Minister Ian Hunger – Water Prices
- 15.2 FOI Annual Report
- 15.3 Important Changes to Royalty Provisions under the Mining Act 1971
- 15.4 SA Health – Interim Guideline on Regional Public Health Plans
- 15.5 Murray Darling Association Incorporated – Forum with Mr Craig Knowles
- 15.6 EPA – Consideration of site contamination in the SA Planning system
- 15.7 YP Community Transport - Annual review of payment back to Councils
- 15.8 Minister Geoff Brock – New Regional Development Fund Programs

The gallery left the meeting at 8.10pm.

16. Confidential Item

16.1 Recreational Land Use

MOVED: Cr McDonald

SECONDED: Cr Weedon

"That pursuant to Sections 90 (2) of the Local Government Act 1999 the Council orders that all persons, except the Chief Executive Officer, Deputy Chief Executive Officer, Manager Infrastructure Services, Development Services Manager and the Minute Taker be excluded from attendance at the meeting for Confidential Agenda Item 16.1. The Council is satisfied that pursuant to Sections 90 (3) (a) of the Act that the consideration of issues relating to the Confidential Agenda Item 16.1 is information relating to the personal affairs of any person. 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 UNANIMOUSLY

MOVED: Cr Simmons

SECONDED: Cr McDonald

"That having considered Confidential Agenda Item 16.1 in confidence under Sections 90 (2) and 90 (3) (a) of the Local Government Act 1999, the Council, pursuant to Section 91 (&) of that Act orders that any information and Minutes relating to that item, be retained in confidence for a period of twelve (12) months."

CARRIED UNANIMOUSLY

17. Closure

- 17.1 The Mayor declared the meeting closed at 8.38pm.