

Present: Mayor C Axford, Deputy Mayor D Dolling, Cr M Barker,
Cr J Bettess, Cr L Kerley, Cr Margaret McDonald,
Cr Malcolm McDonald, Cr G Simmons, Cr G Winen

Staff in Attendance: A Cole (CEO)
P Ward (Deputy CEO)
RC Linke (Manager Infrastructure Services)
P Sternal (Risk Management Officer)

1. Opening

The Mayor Cynthia Axford opened the meeting at 7:00pm.

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

2. Apologies and Leave of Absence

- 2.1 Apologies – Nil
- 2.2 Leave of Absence - Nil

3. Conflict of Interest Provisions

- 3.1 Mayor Axford advised that she had a potential conflict of interest in the matter of the Bute Community Gym.
- 3.2 Deputy Mayor Dolling advised that he had a potential conflict of interest in the matter of the Fisherman Bay freeholding.

4. Confirmation of Minutes

MOVED: Cr Kerley

SECONDED: Cr Simmons

4.1 Ordinary Meeting of Council held on the 18th November 2014

“That the Minutes of the Ordinary Meeting of Council held on the 18th November 2014 be confirmed as printed and supplied.”

CARRIED UNANIMOUSLY

5. Business Arising from Minutes

- 5.1 Cr Kerley asked the CEO when the request to meet with the Minister for Road Safety re rural road limits was submitted, and when was the meeting likely to take place. The response from the CEO was that the request was submitted on the 2nd of December, and no response had been received as yet.

6. Deputations

6.1 Nil

7. Members Reports

7.1 Mayor Axford

25.11.2014 Star Club Management Committee Meeting-Kristian Whittaker-DCCC, Kadina
25.11.2014 YP Alliance Meeting-hosted by YPDC at DCCC, Kadina
26.11.2014 Informal Workshop, David Hope spoke on rate structuring, Pt Broughton
30.11.2014 Gunner Bill's Xmas Display, Bute
01.12.2014 EM Mandatory Governance Training, Norman Waterhouse Lawyers
03.12.2014 Meeting with Supt/SAPOL Regional LSA Office, Pt Pirie
03.12.2014 ICAC Workshop with Hon Bruce Lander QC, Pt Pirie
04.12.2014 EM & Staff Christmas BBQ, Pt Broughton Sporting Club
05.12.2014 Christmas with Pt Broughton & District Genealogy Society

7.2 Deputy Mayor Dolling

26.11.2014 Informal Workshop, Port Broughton
01.12.2014 EM Governance training, Norman Waterhouse lawyers, Port Broughton
04.12.2014 Elected Member/Staff Christmas BBQ
08.12.2014 Conservation Action Planning, Sustainable Soils, Port Broughton

7.3 Cr Barker

26.11.2014 Informal Workshop, Port Broughton
01.12.2014 EM Governance training, Norman Waterhouse lawyers, Port Broughton
03.12.2014 ICAC Workshop, Port Pirie Regional Council
04.12.2014 Elected Member/Staff Christmas BBQ

7.4 Cr Bettess

26.11.2014 Informal Workshop, Port Broughton
01.12.2014 EM Governance training, Norman Waterhouse lawyers, Port Broughton
03.12.2014 ICAC Workshop, Port Pirie Regional Council
04.12.2014 Elected Member/Staff Christmas BBQ

7.5 Cr Kerley

26.11.2014 Informal Workshop, Port Broughton
01.12.2014 EM Governance training, Norman Waterhouse lawyers, Port Broughton
03.12.2014 ICAC Workshop, Port Pirie Regional Council
04.12.2014 Elected Member/Staff Christmas BBQ
08.12.2014 NRM Meeting, Port Broughton
08.12.2014 Conservation Action Planning, Sustainable Soils, Port Broughton
08.12.2014 Port Broughton Progress Association Christmas Dinner
09.12.2014 Conservation Action Planning, Sustainable Soils, Port Broughton

7.6 Cr Margaret McDonald

21.11.2014 Primary Health Care Committee Lunch
26.11.2014 Informal Workshop, Port Broughton
01.12.2014 EM Governance training, Norman Waterhouse lawyers, Port Broughton
01.12.2014 Port Broughton Area School Governing Council Meeting
02.12.2014 Port Broughton & District Hospital & Health Service Christmas Dinner
03.12.2014 ICAC Workshop, Port Pirie Regional Council

04.12.2014 Elected Member/Staff Christmas BBQ
08.12.2014 Port Broughton Progress Association Christmas Dinner

7.7 [Cr Malcolm McDonald](#)

26.11.2014 Informal Workshop, Port Broughton
01.12.2014 EM Governance training, Norman Waterhouse lawyers, Port Broughton
03.12.2014 ICAC Workshop, Port Pirie Regional Council
04.12.2014 Elected Member/Staff Christmas BBQ

7.8 [Cr Georgie Simmons](#)

26.11.2014 Yorke Peninsula Community Transport, Maitland
26.11.2014 Informal Workshop, Port Broughton
26.11.2014 Barunga Village Meeting, Port Broughton
26.11.2014 Bute 2000 Meeting, Bute
30.11.2014 Barunga Village Xmas Celebration
01.12.2014 EM Governance training, Norman Waterhouse lawyers, Port Broughton
02.12.2014 Bute 2000 Xmas BBQ, Bute
04.12.2014 Elected Member/Staff Christmas BBQ

7.9 [Cr Gregory Winen](#)

Nil

8. [Petitions](#)

8.1 Nil

9. [Questions with Notice](#)

9.1 [Cr Malcolm McDonald](#) asked:

“What was the result of the survey of Alford residents regarding the town speed limit being raised from 50 KPH? Have the results been conveyed to the residents?”

Answer:

In August 2011, a petition was raised in support of a 50 km/hour speed limit through Alford, containing 26 signatures. This petition was received by Council at the 13 September 2011 Ordinary Meeting, and forwarded to the Department of Transport, Engineering & Infrastructure (DPTI). A short while later, the speed limit within Alford was reduced to 50km/hour.

Subsequently, concerns were raised by members of the Alford community over the perceived extent of consultation over the speed limit change and questioned whether the petition accurately reflected the opinions of the majority of residents.

As a result of the concerns raised, a questionnaire/survey was sent to 77 ratepayers at Alford on the 28th of November 2012, seeking feedback on the change of township speed limit to 50 km/hour. The result of this survey was that 40 responses were received in favour of restoring the 60 km/hour speed limit, while 5 responses were not in favour.

In February 2013, Council was advised through the Public Agenda of the Ordinary Council Meeting held that month, that a majority of respondents to the survey had supported the restoration of the 60 km/hour speed limit and that a letter had been sent to DPTI requesting a review. The respondents to the survey were not sent an individual reply to their submissions.

On the 3rd of May 2013, the then Minister for Road Safety, the Hon Michael O'Brien MP, wrote to Geoff Brock MP responding to various requests for a review the speed limit at Alford. This correspondence included acknowledging the February 2013 letter from Council, and advised that the 50 km/hour speed limit was still seen as appropriate at that time.

Recently, the now Minister for Road Safety, the Hon Tony Piccolo MP, has advised that he was willing to consult with regional Councils over the issue of rural speed limits, an issue that has included proposed changes to the 110km/hour zones.

A meeting request has been put to his Ministerial Office. A response has not been received as yet.

10. Questions without Notice

10.1 Deputy Mayor Dolling asked for an update on the remedial earthworks required to be carried out by the Developer at the Casey road detention basin/pond.

Answer:

This question was taken on notice for the January 2015 meeting.

10.2 Deputy Mayor Dolling asked if it was standard or normal practice for a crusher machine to operate at the Port Broughton waste transfer station to crush electrical items.

Answer:

This question was taken on notice for the January 2015 meeting.

11. Motions with Notice

11.1 Nil

12. Motions without Notice

12.1 Nil

13. Adoption of Committee Reports

13.1 Ni

14. Council Business – Manager’s Reports

14.1 Chief Executive Officer Report – Andrew Cole

MOVED: Deputy Mayor Dolling

SECONDED: Cr Simmons

“That the Report from the Chief Executive Officer for the December 2014 meeting be received and noted”

CARRIED UNANIMOUSLY

14.1.1 Status Report

Noted

14.1.2 Meetings

Noted

14.1.3 Pensioner Concessions 2014/15

MOVED: Cr Malcolm McDonald

SECONDED: Cr Margaret McDonald

That the late item ‘Pensioner Concessions 2014/15’ be received.

MOVED: Deputy Mayor Dolling

SECONDED: Cr Kerley

“That the Council:

- 1. Will not replace the withdrawn Federal and State Government funding for pensioner concessions;*
- 2. Agrees to participate in the LGA’s campaign to seek reinstatement of the pensioner concessions; and*
- 3. Agrees to insert a flyer in the next quarterly Council rates notice alerting ratepayers to the impact of expected removal of pensioner concessions on rates.”*

CARRIED UNANIMOUSLY

14.1.4 Meeting Locations

MOVED: Cr Kerley

SECONDED: Cr Bettess

That the late item ‘Meeting Locations’ be received.

MOVED: Cr Kerley

SECONDED: Cr Malcolm McDonald

“That the 2015 monthly meeting locations of the Ordinary Meetings of Council be as follows:

<i>January</i>	<i>Bute</i>
<i>February</i>	<i>Bute</i>
<i>March</i>	<i>Port Broughton</i>
<i>April</i>	<i>Port Broughton</i>
<i>May</i>	<i>Port Broughton</i>
<i>June</i>	<i>Port Broughton</i>
<i>July</i>	<i>Port Broughton</i>
<i>August</i>	<i>Bute</i>
<i>September</i>	<i>Bute</i>
<i>October</i>	<i>Port Broughton</i>

14.3 Manager Infrastructure Services – Fred Linke

MOVED: Cr Malcolm McDonald **SECONDED:** Cr Kerley
“That the Report from the Manager Infrastructure Services for the December 2014 meeting be received and noted.”
CARRIED UNANIMOUSLY

14.3.1 Request for removal of trees

MOVED: Cr Margaret McDonald **SECONDED:** Cr Barker
“That council remove the three bottlebrush trees in the vicinity of 10 Duffield Road, Port Broughton.”
CARRIED UNANIMOUSLY

14.3.2 Meetings

Noted

14.4 Development Services – Deb Brokenshire

MOVED: Cr Simmons **SECONDED:** Cr Margaret McDonald
“That the Report from the Manager Development Services for the December 2014 meeting be received and noted.”
CARRIED UNANIMOUSLY

14.4.1 Development Report

Noted

14.4.2 Meetings

Noted

MOVED: Deputy Mayor Dolling **SECONDED:** Cr Margaret McDonald
“That Council write a letter of appreciation to Colin Crockford, in appreciation of his years of service to this Council.”
CARRIED UNANIMOUSLY

14.5 Risk Management Update – Penny Sternal

MOVED: Cr Malcolm McDonald **SECONDED:** Cr Barker
“That the Report from the Risk Management Officer for the December 2014 meeting be received and noted.”
CARRIED UNANIMOUSLY

14.5.1 Risk Management Update

Noted

14.5.2 Meetings

Noted

15. Correspondence

15.1 Noted

MOVED: Cr Barker

SECONDED: Cr Dolling

"That the meeting be adjourned at 8:10pm for a period of 10 minutes to allow the public gallery to leave the meeting."

CARRIED UNANIMOUSLY

The meeting resumed at 8.20pm.

16. Confidential Item

16.1 Citizen of the Year Nominations

MOVED: Deputy Mayor Dolling

SECONDED: Cr Kerley

"That pursuant to Sections 90 (2) of the Local Government Act 1999 the Council orders that all persons, except Senior Managers 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

Cr Malcolm McDonald left the meeting at 8:40pm.

Cr Malcolm McDonald entered the meeting at 8:50pm.

MOVED: Cr Barker

SECONDED: Cr Margaret 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 12 months."

CARRIED UNANIMOUSLY

Deputy Mayor Dolling left the meeting at 9:03pm

16.2 Fisherman Bay – Land Division Infrastructure

MOVED: Cr Kerley

SECONDED: Cr Margaret McDonald

"That pursuant to Sections 90 (2) of the Local Government Act 1999 the Council orders that all persons, except Senior Managers and the Minute Taker be excluded from attendance at the meeting for Confidential Agenda Item 16.2. The Council is satisfied that pursuant to Sections 90 (3) (b) of the Act that the consideration of issues relating to the Confidential Agenda Item 16.2 is information where disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council, and would, on balance, be contrary to the public

interest. 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 Barker

“That having considered Confidential Agenda Item 16.2 in confidence under Sections 90 (2) and 90 (3) (b) of the Local Government Act 1999, the Council, pursuant to Section 91 (7) of that Act orders that any information and Minutes relating to that item, be retained in confidence for a period of 12 months.”

CARRIED UNANIMOUSLY

Deputy Mayor Dolling returned to the meeting at 9:47pm.

17. Closure

17.1 The Mayor declared the meeting closed at 9:57pm.

Cr Cynthia Axford
Mayor, District Council of Barunga West