

MINUTES - Ordinary Meeting
Tuesday 14th August 2012 at 7.00pm
Council Chambers, Railway Terrace, Bute

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

IN ATTENDANCE: N Hand (Chief Executive Officer)
P Ward (Deputy CEO)
F Linke (Manager – Infrastructure Services)
K Thomas (Minute Secretary)

1. Opening

The Mayor Dean Dolling opened the meeting at 7.00pm.

10 members of the public and 1 member of the media were in the gallery at the commencement of the meeting.

2. Apologies & Leave of Absence

- 2.1 Apologies – Cr R Smith
- 2.2 Leave of absence – Nil

3. Conflict of Interest Provisions

- 3.1 Mayor Dean Dolling declared a conflict of interest with item 14.4.3 as his sister is a director of Fishermans Bay Management.
- 3.2 Cr Rowlands advised that in relation to Item 6.1 he regularly purchases stock for his business from members of the group, but did not declare a conflict of interest.

4. Confirmation of Minutes of the Previous Meeting

4.1 Ordinary Meeting – 10th July 2012

129.12 **MOVED:** Cr Rooney
“That the Minutes of the Ordinary Meeting of Council held on 10th July 2012 be confirmed as printed and supplied.
SECONDED: Cr Simmons
CARRIED

4.2 Special Meeting – Wednesday 18th July 2012

130.12 **MOVED:** Cr Kerley
“That Minutes of the Special Meeting of Council held on 18th July 2012 be confirmed as printed and supplied.
SECONDED: Cr McDonald
CARRIED

5. **Business Arising from the Minutes**

5.1 The issue of the flag being flown at Bute has been resolved with the kind assistance of Cr Weedon.

6. **Deputations**

6.1 A deputation was received from Simon Manners, Ben Barnes and Gary Barnes on behalf of local commercial fishermen regarding PIRSA's Draft Scalefish Management Plan.

131:12

MOVED: Cr Rowlands

"That Council:

1. *After further consultation with local commercial fishermen, Council prepare a submission to PIRSA in response to the Draft Scalefish Management Plan; and*
2. *that the draft submission is distributed to all local commercial fishermen for consideration of Council, before being submitted to PIRSA."*

SECONDED: Cr Kerley

CARRIED

132:12

MOVED: Cr Rowlands

"That Council:

1. *Take no action in response to Mr Melling's concerns.*
2. *Respond to Mr Melling's letter, and advise of the current map detailing all current fishing areas, confirmation that the signage will be updated, and provide reference to websites and information on the net fishing industry."*

SECONDED: Cr Kerley

CARRIED

133:12

MOVED: Cr Simmons

"That Council accept the offer from Mr Gary Barnes to assist Council on issues relating to the commercial fishing industry."

SECONDED: Cr Rooney

CARRIED

Members of the deputation left at 7.40pm.

7. **Members Reports**

Mayor Dolling:

18/7/12 Special meeting of Council, Port Broughton
25/7/12 Meeting with John Tonkin from Telstra at Bute Council Office
27/7/12 Bute Tree Planting - Walking Trail with Geoff Brock
10/8/12 Central Local Government Annual General Meeting, Barossa
13/8/12 DPTI Land Use Planning meeting, Port Broughton
14/8/12 Special meeting of Council, Bute

Cr Rooney

18/7/12 Special meeting of Council, Port Broughton
25/7/12 Meeting with John Tonkin from Telstra at Bute Council Office

10/8/12	Central Local Government Annual General Meeting, Barossa
13/8/12	DPTI Land Use Planning meeting, Port Broughton
14/8/12	Special meeting of Council, Bute
Cr Axford	
18/7/12	Special meeting of Council, Port Broughton
25/7/12	Meeting with John Tonkin from Telstra at Bute Council Office
25/7/12	Bute 2000 Onwards meeting, Bute
3/8/12	Bute History Group Annual General Meeting
14/8/12	Special meeting of Council, Bute
Cr Kerley	
18/7/12	Special meeting of Council, Port Broughton
30/7 & 2/8/12	Meetings with Fred Linke & David Sloper re: Wards Hill Corner fencing
6/8/12	NRM Meeting at Bute
6/8/12	Port Broughton Progress Association meeting
13/8/12	DPTI Land Use Planning meeting, Port Broughton
14/8/12	Deb Allen, NRM Coastcare officer, FOBBS site
14/8/12	Special meeting of Council, Bute
Cr McDonald	
18/7/12	Special meeting of Council, Port Broughton
19/7/12	Fishermans Bay Freeholding meeting, Adelaide
27/7/12	Primary Health Care meeting
30/7/12	Port Broughton Area School Governing Council meeting
13/8/12	DPTI Land Use Planning meeting, Port Broughton
14/8/12	Special meeting of Council, Bute
Cr Rowlands	
18/7/12	Special meeting of Council, Port Broughton
13/8/12	DPTI Land Use Planning meeting, Port Broughton
14/8/12	Special meeting of Council, Bute
Cr Simmons	
July 2012	Inspected damage to Fauna Park fence
18/7/12	Special meeting of Council, Port Broughton
25/7/12	Bute 2000 Onwards meeting
25/7/12	Meeting with John Tonkin from Telstra at Bute Council Office
23/7/12	Bute Sporting Club meeting
24/7/12	Barunga Village meeting
27/7/12	Bute Tree Planting - Walking Trail with Geoff Brock
2/8/12	Library meeting, Port Broughton
14/8/12	Special meeting of Council, Bute
Cr Weedon	
18/7/12	Special meeting of Council, Port Broughton
25/7/12	Meeting with John Tonkin from Telstra at Bute Council Office
14/8/12	Special meeting of Council, Bute

8. Petitions

8.1 A petition was received from residents from the Bute district regarding the possibility of a Council name change. Refer to Item 14.1.2.

9. Questions with Notice

9.1 Nil.

10. Questions without Notice

10.1 Cr Rooney asked about road naming as there are five roads in the Kulpara district with the same surname - "Daniels". The only way to distinguish the difference in roads is by the initial.

The Manager, Infrastructure Services advised that a Rack Plan Map was given to Council at the last meeting and no comment was made. These roads were included on that Plan.

The Manager, Infrastructure Services advised that as part of the Rural Addressing project, a letter will be sent to all homes with their new address. Residents then have an opportunity to provide comment, within 2 weeks, at which point changes can be made. Any changes to the Rack Plan would have to come back to Council, which is the process throughout South Australia. The final Rack Plan and map will be gazetted and those road names will be confirmed.

10.2 Cr Rowlands asked whether the full community survey is available on the website, and asked for the next newsletter to include a reminder about the survey being available on the website, and for purchase from Council offices.

The Deputy CEO advised that the survey document and summary are available on the website currently.

11. Motions with Notice

11.1 Nil.

12. Motions without Notice

12.1 Cr Kerley - Tree Stumps in Port Broughton

134:12

MOVED: Cr Kerley

"That Council remove the three tree stumps in Bay Street, Port Broughton (near the old Aitchison depot)."

SECONDED: Cr Dolling

CARRIED

12.2 Cr McDonald - Grant application

135:12

MOVED: Cr McDonald

"That Council reapply for funding later this year under the Department of Planning, Transport & Infrastructure 2013/2014 State Bicycle Fund and state Black Spot Program for the Fishermans Bay Bike path."

SECONDED: Cr Kerley

CARRIED

13. Adoption of Committee Reports

13.1 Nil.

14. Council Business – Managers Report

14.1 Chief Executive Officer – Nigel Hand

136:12

MOVED: Cr Rowlands

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

SECONDED: Cr McDonald

CARRIED

14.1.1 Port Broughton Seawall - Public Consultation Process

137:12

MOVED: Cr Kerley

“That the Council agree to establish a Community Working Party to investigate long term options for the future of the Port Broughton foreshore and seawall and that the Community Working Party be comprised of:

- *Five community people - to be decided by Council after a request of expression of interest;*
- *All elected members;*
- *Manager - Infrastructure Services and a Council administrative staff member;*
- *An appropriately qualified engineer, and*
- *A representative from the Coastal Management Branch.”*

SECONDED: Cr McDonald

CARRIED

14.1.2 Public consultation name change

138:12

MOVED: Cr Rowlands

“That following the public consultation process for the possibility of a Council name change, that Council acknowledges the community objection to the proposal and resolves not to pursue this issue.”

SECONDED: Cr McDonald

CARRIED

14.1.3 Register of Council meetings held in Confidence

139:12

MOVED: Cr McDonald

“That in accordance with Section 91(7) Local Government Act 1999, the Council agrees to release the following minutes and reports from matters considered in confidence

Meeting Date	Issue	Comment	Review Date	Decision Y/N	Details/Reasons – As agreed at Meeting
11 Aug 2009	Development Issues	Development Issues - Draft DC Barunga West Port Broughton Solar Power Station Development Plan Amendment	Aug-12	Release	To remain in confidence for 2 years - Review every 12 months

11 Aug 2009	Development issues	Rural Living Development Plan Amendment Statement of Intent	Aug-12	Release	To remain in confidence for 2 years - Review every 12 months
8 Mar 2011	Development issues	Development Compliance Register	Aug-12	Release	To remain in confidence for 12 months.

And further, the Council agrees that the following matters will not be released at this time, but will be reviewed by Council at its February 2013 meeting

Meeting Date	Issue	Comment	Review Date	Decision Y/N	Details/Reasons – As agreed at Meeting
10 Nov 2009	Fisherman's Bay Management Freeholding	Negotiation of <i>costs-to-protect</i> the Fishermans Bay Township.	Aug-12	Defer	To remain in confidence for 12 months. Review every 12 months.
9 Mar 2010	Fisherman's Bay Management Freeholding	Development Application for Fishermans Bay Freeholding - update	Aug-12	Defer	To remain in confidence for 2 years. Review every 12 months
13 Apr 2010	Fisherman's Bay Management Freeholding	ERD Court Appeal update	Aug-12	Defer	Review February 2013
11 May 2010	Fisherman's Bay Management Freeholding	Extension to operative date of consent	Aug-12	Defer	To remain in confidence for 2 years. Review every 6 months
14 Sept 2010	Fisherman's Bay Management Freeholding	Rescind motion (defeated)	Aug-12	Defer	To remain in confidence for 2 years - Review every 6 months
12 Apr 2011	Fisherman's Bay Management Freeholding	Fishermans Bay land division update	Aug-12	Defer	To remain in confidence for 2 years - Review every 6 months
12 Apr 2011	Administration issues	Fishermans Bay land division update	Aug-12	Defer	To remain in confidence for 1 years - Review every 6 months
24 Jan 2012	SPECIAL MEETING - Ombudsman Investigation	Into conflict of interest	Aug-12	Defer	To be held for 12 months. Review every 6 months.
24 Jan 2012	SPECIAL MEETING - Fish Bay Management freeholding	Submission to Development Assessment Commission	Aug-12	Defer	To be held for 12 months. Review every 6 months.
13 Mar 2012 <i>Motion 49:12</i>	Ombudsman investigation	Final report of Ombudsman re: Conflict of Interest presented to Council.	Aug-12	Defer	To be held for 12 months. Review every 6 months.

SECONDED: Cr Axford
CARRIED

14.1.4 Mr A Bowley - suggestion for providing incentives for purchase of house or land

Noted.

14.1.5 Mobile telephone reception - Bute & Tickera

Noted

14.1.6 Dog & Cat Management Plan

140:12

MOVED: Cr Kerley

"That Council agree to accept the Draft Dog and Cat Management Plan (with appropriate changes made) and to

- 1. Forward the Draft Plan to the Dog and Cat Management Board for their endorsement, and*
- 2. Seek comments from the public on the Draft Plan, and for any comments to be considered by the Council and forwarded to the Dog and Cat Management Board."*

SECONDED: Cr Simmons

CARRIED

14.1.7 Replacement of Council's Risk Management Officer

Noted

14.1.8 Fishermans Bay Progress Association - Request for waiver of fees

141:12

MOVED: Cr Weedon

"That council agree to waive the development and building fees as requested by the Fishermans Bay Progress Association."

SECONDED: Cr Simmons

CARRIED

14.1.9 Bute Solders Memorial Hall - logos

Noted

14.2 Deputy Chief Executive Officer – Peter Ward

142:12

MOVED: Cr Axford

"That the Report from the Deputy Chief Executive Officer for the August meeting be received and noted."

SECONDED: Cr Simmons

CARRIED

14.2.1 Preliminary Results EOY 2011-12

Noted.

14.2.2 Australia Post Coin Handling

Noted.

14.2.3 Rates Discount

Noted.

14.2.4 Australia Post

Noted.

14.2.5 Council website

Noted.

14.2.6 Progress Association Policy

Noted.

14.3 Manager – Infrastructure Services – Fred Linke

143:12

MOVED: Cr Weedon

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

SECONDED: Cr Kerley

CARRIED

14.3.1 SA Water Works Program

Noted.

14.3.2 Transfer Station Hard Waste Trailer - Port Broughton

144:12

MOVED: Cr Rowlands

“That council authorise the Manager Infrastructure Services to purchase a suitable trailer to the value of the budgeted amount for the purpose of storage and disposal of Hard Waste at the Port Broughton Waste Transfer Station in consultation and approval of the Mayor and Deputy Mayor of council.”

SECONDED: Cr Kerley

CARRIED

14.4 Development Report – Nigel Hand

145:12

MOVED: Cr Axford

“That the Development Report from the Chief Executive Officer for the August meeting be received and noted.”

SECONDED: Cr McDonald

CARRIED

14.4.1 DC Barunga West Better Development Plan Conversion (BDP)

146:12

MOVED: Cr Rooney

“That Council adopts the Better Development Plan and General Development Plan Amendment, dated August 2012, and associated documents in Attachment A-E and submits it to the Minister for final authorisation pursuant to Section 25 of the Development Act.”

SECONDED Cr Axford

CARRIED

14.4.2 Rural Living Development Plan Amendment (DPA)

Noted.

14.4.3 Fishermans Bay Management (FBM) Freeholding and levee bank applications

Noted.

14.4.4 DC Barunga West – Building Inspection Policy

147:12

MOVED: Cr Weedon

“That Council adopts the Draft Building Inspection Policy, dated August 2012, as included in the CEO’s Development Report to Council.”

SECONDED Cr Rooney

CARRIED

Closure

15.1 The Mayor declared the meeting closed at 9.14pm.

Cr D Dolling
Mayor, District Council of Barunga West