

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

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

1. **Opening**

The Mayor Dean Dolling opened the meeting at 7.00pm.

8 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 – Nil

2.2 Leave of absence – Nil

3. **Conflict of Interest Provisions**

3.1 Mayor Dean Dolling declared a conflict of interest with items 14.4.3 & 14.4.4 as his sister is a director of Fishermans Bay Management.

4. **Confirmation of Minutes of the Previous Meeting**

4.1 Ordinary Meeting – 8th May 2012

82.12

MOVED: Cr Rooney

"That the Minutes of the Ordinary Meeting of Council held on 8th May 2012 be confirmed as printed and supplied.

SECONDED: Cr Simmons

CARRIED

5. **Business Arising from the Minutes**

5.1 Letters were sent to the people "alleged" to have damaged the native vegetation on Collee Rd. Responses have been received from the people who received the letter, advising that they did not use a loader to destroy the trees. A report has been included in the YP Times and Council's Newsletter.

MOVED: Cr Simmons

"That Council issues an apology to a ratepayer for accusing him of intentional damage to roadside vegetation."

The Motion lapsed for want of a seconder

5.2 A public consultation process has now commenced for the suggestion of a possible name change. In accordance with legislative requirements the closing date for receiving submissions is 30th July 2012.

6. Deputations

6.1 Nil

7. Members Reports

Mayor Dolling:

May 10	Economics and Finance Meeting, Wallaroo
May 11	Central Local Government Region, Ardrossan
June 1	ABC Interview

Deputy Mayor Rooney

Nil

Cr Axford

May 30	Bute 2000 Onwards Committee Meeting
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Cr Kerley

May 14	Bute Walking Trail Inspection
May 26/27	Tree planting with Friends of Broughton Beach South
June 4	NRM Group meeting at Port Victoria
June 4	Port Broughton Progress Association

Cr McDonald

May 10	Phone conference regarding Fisherman Bay DA
May 28	Passport Program Meeting
June 1	Primary Health Care Meeting

Cr Rowlands

Nil

Cr Simmons

May 17	Port Broughton Library Meeting
May 24	Barunga Village Meeting
June 1	ABC Interview

Cr Smith

Nil

Cr Weedon

Nil

8. Petitions

8.1 Nil.

9. Questions with Notice

9.1 Nil

10. Questions without Notice

10.1.1 Cr Kerley referred to a motion from the meeting of February 14 2012 in which Council moved to improve the amenity of the entrance to Port Broughton outside the Hospital, and asked when the work would commence.

The CEO advised that he needed direction as to the nature of the works.

10.1.2 Cr Kerley advised that the issue of patrol graders clearing trees was raised at an NRM meeting at Port Victoria on June 4 2012, specifically in relation to unsightly clearing on Patingale Road and asked what Council's policy was on this issue?

The Manager Infrastructure Services advised that he had contacted other Councils about this issue and was looking to obtain quotes and advice from a tree trimming contractor.

10.1.3 Cr Kerley advised that the Alford Dump was closed, yet dumping continued, and was Council aware of that?

The Manager Infrastructure Services advised that the dumping was from the old school site, that this was permitted, and that when sufficient quantities of material were dumped there, he will arrange for the materials to be crushed.

10.1.4 Councillor Kerley advised that the condition of the Bute Public Toilets and the surrounds had deteriorated.

The Manager Infrastructure Services advised that he was aware of this and that an inspection would be carried out.

10.1.5 Councillor McDonald asked if the StarClub Officer project had been approved.

The CEO reported that it had been, and that the four Councils involved would soon meet with Justin Stevens of the Department of Recreation & Sport to determine how to proceed.

10.1.6 Councillor Weedon asked about the progress of a school competition to design a logo for a glass door at the Bute Memorial Town Hall?

The CEO advised that he would follow up.

10.1.7 Councillor Axford congratulated the Manager Infrastructure Services for the remediation work at the Bute dump, and asked if a new shelter would be provided for the operator.

The Manager Infrastructure Services advised that a new shelter would be provided.

10.1.8 Cr Rowlands advised that there was confusion amongst the Progress Associations as to how funds would be allocated in 2012-13, and that they should be advised in writing about the funding arrangements.

The Deputy CEO agreed to do so.

10.1.9 Cr Rowlands advised that City of Tea Tree Gully had estimated that funding the Carbon Tax would require an extra 0.8% increase in Rates income. He asked how Council is estimating the impact of the carbon tax, and requested a report for the July 2012 Council meeting.

The Deputy CEO advised that the City of Tea Tree Gully had significantly more financial resources to dedicate to estimating this cost, that the Budget increases for utility expenditure was significantly higher than for other expenditure, and that there will likely be no impact from dumping, given Council's current volume. He agreed to report further at the July 2012 meeting.

11. **Motions with Notice**

11.1 Nil.

12. **Motions without Notice**

12.1 Cr. Kerley – Possible Council name change

83:12

MOVED: Cr Kerley

"That Council prepare an estimate of the costs involved in re-badging in the event of a change in name of the Council."

SECONDED: Cr Rowlands

CARRIED

13. **Adoption of Committee Reports**

13.1 Nil.

14. **Council Business – Managers Report**

14.1 Chief Executive Officer – Nigel Hand

84:12

MOVED: Cr Smith

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

SECONDED: Cr McDonald

CARRIED

14.1.1 Proposed Bill – Hon. M. Lensink MLC – re Crown land Holiday Homes
Noted.

14.1.2 Ombudsman – Investigations – Boat Ramp Permits
Noted.

14.1.3 Bute Rail Corridor
Noted.

14.1.4 Stormwater Management Issues – Port Broughton and Bute
Noted.

14.1.5 Independent Commission against Corruption (ICAC)

Noted

14.1.6 Port Broughton Seawall Repairs/Upgrade

Noted

14.1.7 Port Broughton Waste Disposal Site

85:12

MOVED: Cr Rowlands

"The Council, having accepted the Crown's offer to purchase from the Crown the land comprised in Crown Record volume 5755 folio 690, and noting the impending transfer of the land, resolves that:

- 1. before the land is acquired by the Council, it is to be excluded from classification as community land pursuant to section 193(4) of the Local Government Act 1999; and*
- 2. the Chief Executive Officer be authorised to finalise the land transfer subject to any contractual terms Council considers satisfactory."*

SECONDED Cr McDonald

CARRIED

14.1.8 CEO's Performance Review

86:12

MOVED: Cr Rowlands

"That the CEO obtains quotes from three (3) Human Resources agencies to undertake a Performance Review of the Chief Executive Officer, at an estimated cost in the order of \$2,000."

SECONDED Cr Simmons

CARRIED

14.1.9 Yorke Peninsula Tourism Awards

87:12

MOVED: Cr Simmons

"That Council invites a member from the Port Broughton Visitor Information Centre to attend the tourism awards in Ardrossan on June 27 2012."

SECONDED: Cr Rowland

CARRIED

14.2 Deputy Chief Executive Officer – Peter Ward

88:12

MOVED: Cr Rowlands

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

SECONDED: Cr Axford

CARRIED

14.2.1 Workplace Planning Assistance for Councils

Noted.

14.2.2 Building Fees

Noted.

14.2.3 Administration Trainee

Noted.

14.2.4 Office Closure – December 31 2012

Noted

14.2.5 Aboriginal & Torres Strait Islander War Memorial

89:12

MOVED: Cr Kerley

"That Council contribute the requested amount (\$184) to the Aboriginal & Torres Strait Islander War Memorial."

SECONDED Cr Rooney

CARRIED

14.2.6 March Quarterly Budget Review

90:12

MOVED: Cr Kerley

"That the recommended budget amendments contained within the March 2012 budget revision be adopted in accordance with Regulation 9 of the Local Government (Financial Management) Regulations 2011"

SECONDED Cr McDonald

CARRIED

14.2.7 Mundoora Uniting Church

91:12

MOVED: Cr Smith

"That Council do not contribute toward the cost of the requested repairs for the Mundoora Uniting Church."

SECONDED Cr Axford

CARRIED

14.3 Manager – Infrastructure Services – Fred Linke

92:12

MOVED: Cr Kerley

"That the Report from the Manager – Infrastructure Services for the June meeting be received and noted."

SECONDED: Cr Rooney

CARRIED

14.3.1 Bute Community Rest Centre

93:12

MOVED: Cr Weedon

"That Council obtain a quotation for repairs to the roofing, gutters, fascias, etc. at the Bute Rest Centre."

SECONDED Cr McDonald

CARRIED

14.3.2 Request for Road Closure

- 94.12 **MOVED:** Cr McDonald
*“That Council exercise the powers pursuant to Section 33 of the Road Traffic Act 1961 and Clause F of the Instrument of General Approval of the Minister dated 12 March 2001 to: Pursuant to Section 33(1) of the Road Traffic Act 1961, declare that the event described below (“the roads”) is an event to which Section 33 of the Road Traffic Act 1961 applies; and Pursuant to Section 33(1)(a) of the Road Traffic Act 1961, make an order directing that the Roads on which the Event are to be held and any adjacent or joining roads specified below, be closed to traffic:
South Terrace Mundoora (from East Terrace to Cross Road) between the times of 9.30am to 4.00pm on Saturday 13th October 2012, for the purpose of Centenary of Proclamation of Mundoora celebrations..”*
SECONDED Cr Smith
CARRIED

14.3.3 Notification to relay water main – Routley’s Rd Mudoora Noted.

14.3.4 Barunga West – 2.7m wide Hay Network

- 95.12 **MOVED:** Cr Weedon
“That Council agree to allow
 - *Ninnes Road, Ninnes (between the Bute-Kulpara Road and the Copper Coast Highway)*
 - *(from Ninnes Road) Abbott Road, Church Road (between Abbott Road and J Price Road), J Price Road, Thomas Plain*
 - *(from Bute-Kulpara Road) Ninnes-Lochiel Road up to the Barunga West/Wakefield border Roads to be accessed as 2.7m wide hay network.”***SECONDED** Cr Axford
CARRIED

14.3.5 Roads and Works Conference 2012

- 96.12 **MOVED:** Cr Smith
“That Council’s Manager – Infrastructure Services, Works Supervisor and four Elected Members attend the 2012 South Australian Local Government Roads and Works Conference.’
SECONDED Cr Axford
CARRIED

14.3.6 District Roads and Asset Inspection

- 97.12 **MOVED:** Cr Axford
“That council hold a district inspection on Thursday June 21 2012.”
SECONDED Cr Smith
CARRIED

14.4 Development Report – Nigel Hand

- 98:12 **MOVED:** Cr Smith
“That the Development Report from the Chief Executive Officer for the June meeting be received and noted.”
SECONDED: Cr McDonald
CARRIED

14.4.1 DC Barunga West Better Development Plan Conversion (BDP)

- 99:12 **MOVED:** Cr Axford
That Council agrees to respond to the Department for Planning, Transport and Infrastructure on the basis of the report presented to Council, subject to receipt and consideration of legal advice relating to Fishermans Bay.”
SECONDED: Cr Weedon
CARRIED

14.4.2 Rural Living Development Plan Amendment (DPA)

Noted.

- 100:12 **MOVED:** Cr. McDonald
Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all persons, except Nigel Hand, Chief Executive Officer, Peter Ward, Deputy Chief Executive Officer, and Fred Linke, Manager Infrastructure Services, be excluded from attendance at the meeting for Agenda Item 14.4.3 Fisherman’s Bay Management Freeholding development applications.
The Council is satisfied that, pursuant to Section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is legal received from Council’s legal advisers in respect of the Fisherman’s Bay Management freeholding advice.
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.”
SECONDED: Cr Smith
CARRIED

Mayor Dolling declared that in accordance with Section 73 of the Local Government Act 1999 he had a conflict of interest with item 14.4.3 and 14.4.4, as his sister is a Director of Fishermans Bay Management.

Mayor Dolling left the meeting at 8.55pm.
Deputy Mayor Rooney took conduct of the meeting

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

Noted.

- 101:12 **MOVED:** Cr McDonald

“That having considered Agenda Item 14.4.3 Fisherman’s Bay Management Freeholding in confidence under Section 90(2) and (3)(h) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of that Act orders that the Chief Executive Officers Report and attachments relevant to Agenda Item 14.4.3 be retained in confidence for a period of 12 months and that this order be reviewed every 12 months.

SECONDED: Cr Kerley
CARRIED

102:12

MOVED: Cr Rowlands

“Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all persons, except Nigel Hand, Chief Executive Officer, Peter Ward, Deputy Chief Executive Officer, Fred Linke, Manager Infrastructure Services, and Deb Brokenshire, Minute Secretary, be excluded from attendance at the meeting for Agenda Item 14.4.4 DC Barunga West Better Development Plan Conversion – Fisherman’s Bay.

The Council is satisfied that, pursuant to Section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is legal received from Council’s legal advisers in respect of the Fisherman’s Bay component of the DC Barunga West Better Development Plan conversion.

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.”

SECONDED: Cr Kerley
CARRIED

14.4.4 DC Barunga West Better Development Plan Conversion – Fisherman’s Bay
Noted.

103:12

MOVED: Cr McDonald

“That having considered Agenda Item 14.4.4 DC Barunga West Better Development Conversion Fisherman’s Bay in confidence under Section 90(2) and (3)(h) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of that Act orders that the Chief Executive Officers Report and attachments relevant to Agenda Item 14.4.4 be retained in confidence for a period of 12 months and that this order be reviewed every 12 months.”

SECONDED: Cr Smith
CARRIED

Mayor Dolling returned to the meeting at 9.13pm.

Closure

15.1 The Mayor declared the meeting closed at 9.16pm.

Cr D Dolling
Mayor, District Council of Barunga West