

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

IN ATTENDANCE: P Ward (Acting CEO)
K Thomas (Minute Secretary)

1. **Opening**

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

2. **Apologies & Leave of Absence**

2.1 **Apologies** – Cr B Rooney, F Linke (Manager – Infrastructure Services)

2.2 **Leave of absence** – Nil

3. **Conflict of Interest Provisions**

3.1 Mayor Dean Dolling declared a conflict of interest with Agenda Items 6 and 14.2.5 which both related to the Port Broughton Bowling Club of which Mayor Dolling is a member.

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

4.1 **Ordinary Meeting – 8th January 2013**

16:13 **MOVED:** Cr Kerley
“That the Minutes of the Ordinary Meeting of Council held on 8th January 2013 be confirmed as printed and supplied.”
SECONDED: Cr Smith
CARRIED

5. **Business Arising from the Minutes**

5.1 Nil

Mayor Dolling declared a conflict of interest with Agenda Item 6 and asked Cr Rowlands to take conduct of the meeting at 7.06pm. Mayor Dolling did not leave the meeting.

6. **Deputations**

6.1 Mr Geoff Edwards from the Port Broughton Bowling Club addressed Council regarding an application for a Community Loan as part of a grant process for the installation of a synthetic green.

Mayor Dolling resumed conduct of the meeting at 7.17pm.

7. **Members Reports**

- 7.1 Mayor Dolling:
26/01/13 Australia Day Breakfast and Award Ceremony at Port Broughton
31/01/13 Adelaide and Moonta to inspect side tippers with Manager, Infrastructure Services
08/02/13 Central Local Government Region meeting at Clare
12/02/13 Briefing with Council's Planning Consultant
- 7.2 Cr Axford
26/01/13 Australia Day Breakfast and Award Ceremony at Bute
12/02/13 Briefing with Council's Planning Consultant
- 7.3 Cr Kerley
14/01/13 Meeting with Manager, Infrastructure Services
22/01/13 Barunga Village Board Meeting
26/01/13 Australia Day Breakfast and Award Ceremony at Bute
04/02/13 Port Broughton Progress Association Meeting
10/02/13 Brian Duffield 80th Birthday
12/02/13 Briefing with Council's Planning Consultant
- 7.4 Cr McDonald
26/01/13 Australia Day Breakfast and Award Ceremony at Port Broughton
11/02/13 Port Broughton School Governing Council meeting
12/02/13 Briefing with Council's Planning Consultant
- 7.5 Cr Rowlands
22/01/13 Barunga Village Board Meeting
12/02/13 Briefing with Council's Planning Consultant
- 7.6 Cr Simmons
22/01/13 Barunga Village Board Meeting
26/01/13 Australia Day Breakfast and Award Ceremony at Bute
11/02/13 Bute Sporting Club Meeting
12/02/13 Briefing with Council's Planning Consultant
- 7.7 Cr Weedon
26/01/13 Australia Day Breakfast and Award Ceremony at Bute
31/01/13 Adelaide and Moonta to inspect side tippers with Manager, Infrastructure Services
12/02/13 Briefing with Council's Planning Consultant
- 7.8 Cr Smith
26/01/13 Australia Day Breakfast and Award Ceremony at Port Broughton
12/02/13 Briefing with Council's Planning Consultant

8. Petitions

- 8.1 A petition was received from Mr Steven Pattingale via email dated 5th February 2013 entitled "Beach Shelters for the Beach". The petition contained 214 signatures asking that the events shelter on the northern foreshore be removed and replaced on the beach.

17:13 **MOVED:** Cr McDonald
"That the petition and the issue of the location of the foreshore shelter be referred to the Foreshore Working Party, for discussion, research and consideration as part of the whole foreshore redevelopment."
SECONDED: Cr Simmons
CARRIED

9. Questions with Notice

- 9.1 Nil.

10. Questions without Notice

- 10.1 Cr McDonald asked:
"Could the Manager of Works and Infrastructure please provide a report at the March Council meeting detailing the current status of Rural Property Addressing for Council, and the stages to be completed for finalisation of this project."
The Acting CEO advised that the question would be taken on notice for the March 2013 Council meeting.
- 10.2 Cr McDonald asked:
"Does management regard the completion of Rural Property addressing as a priority, and if so, what may be required to work towards the satisfactory completion of this project."
The Acting CEO advised that the question would be taken on notice for the March 2013 Council meeting.
- 10.3 Cr Kerley asked:
"Has the Tickera Community been informed of the Council Coastcare funding round which is now open and which would be applicable to their need for stormwater diversion and cliff face remediation. Expressions of interest close February 28 2013 and projects must be completed by June 2013. Will Council also inform the Tickera community of the Significant Environmental Benefit Grant which is now available and which may also suit their needs and closes 31 March 2013."
The Acting CEO advised that staff will check if this information has been provided to the Tickera community, and if not will provide the information to the Tickera Community & Recreation Association.
- 10.5 Cr Rowlands asked for the Acting CEO to provide to the next Council meeting the statistics from the road counter in Bay Street for this year with comparisons over previous years.
The Acting CEO advised that the question would be taken on notice for the March 2013 Council meeting.
- 10.6 Cr Rowlands asked when the toilet at the Port Broughton skate park will be installed?
The Acting CEO advised that the question would be taken on notice for the March 2013 Council meeting.

11. Motions with Notice

11.1 Nil

12. Motions without Notice

12.1 Nil.

13. Adoption of Committee Reports

13.1 Nil.

14. Council Business – Managers Report

14.1 Acting Chief Executive Officer – Peter Ward

18:13 **MOVED:** Cr Simmons
“That the Report from the Acting Chief Executive Officer for the February meeting be received and noted.”
SECONDED: Cr Kerley
CARRIED

14.1.1 Port Broughton & Fishermans Bay Boat Ramps
Noted.

14.1.2 Snapper Spatial Zones
Noted.

14.1.3 Alford Speed Limit
Noted.

14.1.4 Coastal Sea Wall

19:13 **MOVED:** Cr Kerley
“That Council authorise the Acting CEO to appoint consultants to complete the grant applications for remedial work and beautification of the Port Broughton sea wall if Council is invited to provide costings for the next round of the grant process.”
SECONDED: Cr Axford
CARRIED

14.1.5 Coast Protection Board

20:13 **MOVED:** Cr Kerley
“That Council advise the Coast Protection Board that it is willing to match available funding from the Board in the amount of up to \$60,000 for immediate replacement of further sections of the seawall.”
SECONDED: Cr Simmons
CARRIED

14.1.6 Website & Associated Matters

Noted.

14.1.7 Register of Council Meetings held in confidence

This Item has been deferred for discussion at the March Council Meeting. The Acting CEO will seek further advice in relation to some matters in the meantime.

14.2 Report to Council - Finance - Acting Chief Executive Officer – Peter Ward

- 21:13 **MOVED:** Cr Axford
“That the Finance Report from the Acting Chief Executive Officer for the February meeting be received and noted.”
SECONDED: Cr McDonald
CARRIED

14.2.1 December 2012 Quarterly Budget Review

- 22:13 **MOVED:** Cr Kerley
“That the recommended budget amendments contained within the December 2012 budget revision be adopted in accordance with Regulation 9 of the Local Government (Financial Management) Regulations 2011.”
SECONDED: Cr Rowlands
CARRIED

14.2.2 Rate Arrears

Noted.

14.2.3 Rates Review

Noted.

14.2.4 Patrol Grader Contracts

Refer to Confidential Agenda Item 15.3.

Mayor Dolling declared a conflict of interest with Agenda Item 14.2.5 and asked Cr Rowlands to take conduct of the meeting at 8.16pm.
Mayor Dolling did not leave the meeting.

14.2.5 Port Broughton Bowling Club.

- 23:13 **MOVED:** Cr McDonald
That
 - 1. Council approve a \$15,000 upfront contribution loan to the Port Broughton Bowling Club with a short repayment time frame to be negotiated between the Acting CEO and the Club; and*
 - 2. That if the Port Broughton Bowling Club are successful in obtaining a grant from the Department of Recreation and Sport, Council organises an \$80,000 Local Government Financial Authority Community Loan for the Port Broughton Bowling Club to be repaid over 15 years.”***SECONDED:** Cr Simmons
CARRIED

Mayor Dolling resumed conduct of the meeting at 8.19pm.

14.2.6 Bayside Caravan Park

Cr Smith requested an answer to his Question without Notice from the February Meeting. The Acting CEO advised that he misinterpreted Mayor Dolling's question with Notice for Cr Smith's and undertook to provide an answer to the March 2013 Council meeting.

14.2.7 North Fishermans Bay

- 24:13 **MOVED:** Cr McDonald
"That Council defer the request of Mr Joyce to the March meeting of Council for the Manager, Infrastructure Services to provide further information on the ownership of the road and potential required works for the Elected Members to consider further."
SECONDED: Cr Kerley
CARRIED

14.2.8 Library Funding Noted.

14.2.9 Solar Funding.

- 25:13 **MOVED:** Cr Rowlands
"That Council make application for grant funding under the Local Government Energy Efficiency Program for solar hot waters systems for appropriate Council buildings."
SECONDED: Cr Smith
CARRIED

14.2.10 Kulpara Showjumping Club Noted.

14.2.11 Dog Fees 2013-2014

- 26:13 **MOVED:** Cr Kerley
"That the Acting CEO write to the Dog & Cat Management Board and request approval for the maximum annual dog registration to be \$40.00."
SECONDED: Cr Rowlands
CARRIED

14.3 Manager – Infrastructure Services – Fred Linke

- 27:13 **MOVED:** Cr Rowlands
"That the Report from the Manager – Infrastructure Services for the February meeting be received and noted."
SECONDED: Cr Simmons
CARRIED

14.3.1 Semi Side-Tipper Trailer Noted.

14.3.2 Apprenticeships

Noted.

14.3.3 Funding for Sea-Wall Repair Works

Noted.

14.3.4 Works Opportunity with Department of Planning, Transport & Infrastructure

- 28:13 **MOVED:** Cr Weedon
"That Council agree to undertake the works project at the Wallaroo-Alford intersection on Kadina Road if offered by the Department of Planning, Transport and Infrastructure."
SECONDED: Cr Smith
CARRIED

14.3.5 Town Entrance Committee

- 29:13 **MOVED:** Cr Rowlands
"That Council accept the nominations received and form a Town Entrance Committee with interested Elected Members."
SECONDED: Cr McDonald
CARRIED

14.3.6 Bute Stormwater Land

Noted.

Kim Thomas left the meeting at 8.46pm.

15. **Confidential Items**

15.1 Enterprise Bargain Administration Employees

- 30:13 **MOVED:** Cr Axford
*"That pursuant to Sections 90(2) of the Local Government Act 1999 the Council orders that all persons, other than Elected Members, be excluded from attendance at the meeting for Confidential Agenda Item 15.1 Enterprise Bargain Administration Employees.
The Council is satisfied that pursuant to Section 90(3)(e) of the Act, the information to be received, discussed or considered in relation to Confidential Agenda Item 15.1 Enterprise Bargain Administration Employees is related to matters affecting a staff member(s) and his/her salary package.
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 Rowlands
CARRIED

Peter Ward left the meeting at 8.57pm.

- 32:13 **MOVED:** **Cr Axford**
"That having considered Confidential Agenda Item 15.1 Enterprise Bargain Administration Employees, in confidence under Sections 90(2) and 90(3)(e) 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 twelve months, or such lesser period as may be determined by the Chief Executive Officer."
SECONDED: **Cr Rowlands**
CARRIED

Peter Ward returned to the meeting at 9.07pm.

15.1.2 Staff Working Hours

- 33:13 **MOVED:** **Cr Rowlands**
*"That pursuant to Sections 90(2) of the Local Government Act 1999 the Council orders that all persons, except Mr Peter Ward, Acting Chief Executive Officer, be excluded from attendance at the meeting for Confidential Agenda Item 15.2 Staff Working Hours.
The Council is satisfied that pursuant to Sections 90(3)(a) and 90(9) the consideration of issues relating to the Confidential Agenda Item 15.2 Staff Working Hours, included information that the receipt of which advice would involve at this time, the unreasonable disclosure of information, concerning the personal affairs of a staff member.
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

- 35:13 **Moved:** **Cr Kerley**
"That having considered Confidential Agenda Item 15.2 Staff Working Hours, in confidence under Sections 90(2), 90 (3)(a) and 90(9) 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 six months, or such lesser period as may be determined by the Chief Executive Officer."
SECONDED: **Cr Simmons**
CARRIED

15.1.3 Patrol Grader Contracts

- 36:13 **MOVED:** **Cr Rowlands**
*"That pursuant to Sections 90(2) of the Local Government Act 1999 the Council orders that all persons, except Mr Peter Ward, Acting Chief Executive Officer, be excluded from attendance at the meeting for Confidential Agenda Item 15.3 Patrol Grader Contracts.
The Council is satisfied that pursuant to Sections 90(3)(a) and 90(9) the consideration of issues relating to the Confidential Agenda Item 15.3 Patrol Grader Contracts, included information that the receipt of which advice would involve at this time, the unreasonable disclosure of information, concerning the personal affairs of persons contracted to Council.
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 McDonald**
CARRIED

- 38:13 **MOVED:** **Cr Rowlands**
“That having considered Confidential Agenda Item 15.3 Patrol Grader Contracts., in confidence under Sections 90(2), 90(3)(a) and 90(9) 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 twelve months, or such lesser period as may be determined by the Chief Executive Officer.”
SECONDED: **Cr Smith**
CARRIED

15.1.4 CEO Update

- 39:13 **MOVED:** **Cr Rowlands**
*“That pursuant to Sections 90(2) of the Local Government Act 1999 the Council orders that all persons, except Mr Peter Ward, Acting Chief Executive Officer, be excluded from attendance at the meeting for Confidential Agenda Item 15.4 CEO Update.
The Council is satisfied that pursuant to Sections 90(3)(a) and 90(9) the consideration of issues relating to the Confidential Agenda Item 15.4 CEO Update., included information that the receipt of which advice would involve at this time, the unreasonable disclosure of information, concerning the personal affairs of a staff member.
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

- 41:13 **MOVED:** **Cr Weedon**
“That having considered Confidential Agenda Item 15.4 CEO Update in confidence under Sections 90(2), 90(3)(a) and 90(9) 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 twelve months, or such lesser period as may be determined by the Chief Executive Officer.”
SECONDED: **Cr Kerley**
CARRIED

- 42:13 **MOVED:** **Cr Rowlands**
“The Council resolve to conclude its confidential session on Items 15.1, 15.2, 15.3 and 15.4 and re-admit Council staff to the meeting.”
SECONDED: **Cr Kerley**
CARRIED

Kim Thomas returned to the meeting at 9.46pm.

16. Closure

16.1 The Mayor declared the meeting closed at 9.47pm.

Cr D Dolling
Mayor, District Council of Barunga West