

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)
F Linke (Manager – Infrastructure Services)
K Thomas (Minute Secretary)

1. Opening

The Mayor Dean Dolling opened the meeting at 7.00pm.
9 members of the public 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 item 14.1.6 as his sister is a director of Fishermans Bay Management.

4. Confirmation of Minutes of the Previous Meeting

4.1 Ordinary Meeting – 11th December 2012

01:13 **MOVED:** Cr Simmons
“That the Minutes of the Ordinary Meeting of Council held on 11th December 2012 be confirmed as printed and supplied.”
SECONDED: Cr Kerley
CARRIED

5. Business Arising from the Minutes

- 5.1 Nil

6. Deputations

- 6.1 Nil

7. Members Reports

- 7.1 Mayor Dolling:
 - 12/12/12 Snapper Management Workshop, PIRSA, Adelaide
 - 8/1/13 Executive Meeting of Council

- 7.2 Cr Axford
24/12/12 Bute 2000 Christmas Town Party
8/1/13 Executive Meeting of Council
- 7.3 Cr Kerley
18/12/12 Opening of Clare Natural Resources Management Centre
8/1/13 Executive Meeting of Council
- 7.4 Cr McDonald
12/12/12 Port Broughton Area School Awards Presentation Assembly
13/12/12 Port Broughton District Hospital & Health Services Health Advisory
Council Christmas Dinner
8/1/13 Executive Meeting of Council
- 7.5 Cr Rooney
8/1/13 Executive Meeting of Council
- 7.6 Cr Rowlands
12/12/12 Snapper Management Workshop, PIRSA, Adelaide
- 7.7 Cr Simmons
14/12/12 Barunga by the Sea Open Day
19/12/12 Barunga by the Sea Christmas Lunch
24/12/12 Bute 2000 Children's Christmas Party
- 7.8 Cr Weedon Nil
- 7.9 Cr Smith Nil
8. **Petitions**
- 8.1 Nil
9. **Questions with Notice**
- 9.1 Nil.
10. **Questions without Notice**
- 10.1 Cr Simmons asked whether the Bute 2000 Committee could lease the unused male toilet area on the east side of the Bute Community Rest Centre to store goods.
The Acting CEO and Manager, Infrastructure Services advised that this request would be considered and answered at the next meeting.
- 10.2 Cr Smith asked whether fire hydrants have been installed at the Bayside Caravan Park. There is a requirement for a number of hydrants to be installed.
The Manager Infrastructure Services will investigate and report at the next meeting.

10.3 Cr Rowlands asked whether the shared path was constructed to a height that did not require installation of hand rails.

The Manager, Infrastructure Services confirmed Cr Rowlands question as correct.

10.5 Cr Rowlands asked whether the shower will be installed at the Port Broughton jetty this month which was confirmed by the Manager, Infrastructure Services.

10.6 Cr Weedon asked for the current situation regarding purchase of a side tipper trailer.

The Manager, Infrastructure Services advised that quotes have been received. Trailers will be available for inspection in Adelaide and it is hoped to inspect these next week.

10.7 Cr Kerley asked if Council will be submitting a grant application under the NRM 2013 Community Grant Scheme. Expressions of interest close 8th February 2013 and applications close 15th February 2013.

The Manager, Infrastructure Services advised that grant applications were being considered.

10.8 Cr Kerley asked:

1. Whether Council have been officially informed of their requirement to assist in providing a healthy lifestyle for their community and how will Council go about this?
2. Will Council be assisted by the State and Federal Governments to allow us to implement this requirement?

The Acting CEO advised he would consider the Public Health Act and these requirements and provide further details as it comes to hand.

11. **Motions with Notice**

11.1 Nil

12. **Motions without Notice**

12.1 Nil.

13. **Adoption of Committee Reports**

13.1 Occupational Health, Safety & Welfare Committee Meeting held 27th November 2012

02:13

MOVED: Cr Kerley

"That Council accept the Minutes of the Occupational Health, Safety & Welfare Committee meeting held 27th November 2012 as printed and supplied."

SECONDED: Cr Weedon

CARRIED

14. **Council Business – Managers Report**

14.1 Acting Chief Executive Officer – Peter Ward

03:13

MOVED: Cr Axford

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

SECONDED: Cr Simmons

CARRIED

14.1.1 Port Broughton Seawall

Noted.

14.1.2 Enterprise Bargain Administration Employees

This item was deferred for consideration later in the meeting.

14.1.3 Annual Report 2011-2012

04:13

MOVED: Cr Kerley

"That the Annual Report for 2011-2012 be received and adopted by Council."

SECONDED: Cr Simmons

CARRIED

14.1.4 Snapper Spatial Zones

Noted.

14.1.5 Alford Speed Limit

05:13

MOVED: Cr Rowlands

"That in accordance with the responses from Alford residents in relation to the current Alford speed limit of 50km/hr, Council forward the 25 responses to the Department of Planning, Transport and Infrastructure and recommend that they consider increasing the speed limit in Alford to 60km/hr."

SECONDED: Cr Axford

CARRIED

Mayor Dolling declared that in accordance with Section 73 of the Local Government Act 1999 he had a conflict of interest with item 14.1.6 as his sister is a Director of Fishermans Bay Management.

Mayor Dolling left the meeting at 7.38pm
Cr Rooney took conduct of the meeting

14.1.6 Fishermans Bay Freeholding Application/s and proposed Coast Protection Infrastructure

06:13

MOVED: Cr Smith

"That Council:

- 1. Formally responds to the Fishermans Bay Management coast protection application along the lines recommended by its legal advisors; and*
- 2. Receives the reports of Tonkin Consulting and Wallbridge & Gilbert in relation to proposed infrastructure at Fishermans Bay."*

SECONDED: Cr Kerley

CARRIED

Mayor Dolling returned to the meeting at 7.40pm and resumed conduct of the meeting.

14.1.7 Executive Committee Meeting - Minutes from meeting held 6th December 2012

07:13 **MOVED:** **Cr Rowlands**

"That:

- 1. The Minutes of the Executive Committee Meeting held 6th December 2012 remain in confidence pursuant to Sections 90 (3)(a) and 90(9) of the Local Government Act 1999, as the Council is satisfied that these Minutes include consideration of issues relating to the Performance Development Review of the Chief Executive Officer, the receipt of advice which would involve at this time, the unreasonable disclosure of information, concerning the personal affairs of a staff member.*
- 2. That Council orders that pursuant to Section 91(7) of that Act that any information and Minutes relating to the Minutes of the Executive Committee Meeting held 6th December 2012 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

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

08:13 **MOVED:** **Cr McDonald**

"That the Finance Report from the Acting Chief Executive Officer for the January meeting be received and noted."

SECONDED: **Cr Rooney**
CARRIED

14.2.1 Notice of Sale of Property
Noted.

14.2.2 Patrol Grader Contracts
Noted.

14.2.3 YPCTS Funding
Noted.

14.2.4 Rates Review
Noted.

14.2.5 Bute 2000 Onwards Committee
Noted.

14.3 Manager – Infrastructure Services – Fred Linke

09:13 **MOVED:** **Cr Smith**

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

SECONDED: **Cr Rooney**
CARRIED

14.3.1 E-Waste Infrastructure Grant

Noted.

14.3.2 Late Item - Alford/ Wallaroo intersection

The Manager, Infrastructure Services verbally advised that the Department of Planning, Transport & Infrastructure have contacted Council to advise that they are considering works at the Alford – Wallaroo corner on the Kadina Road and for Council to potentially undertake these works. The Manager, Infrastructure Services advised that discussions will be held with the Department of Planning, Transport & Infrastructure in the near future to discuss this project further.

15. Confidential Item

15.1 Minutes of Executive Committee Meeting held 6th December 2012

10:13

MOVED: Cr Rooney

"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 Agenda Item 15 Minutes of Executive Committee Meeting held 6th December 2012.

The Council is satisfied that pursuant to Sections 90(3)(a) and 90(9) the consideration of issues relating to the Minutes of the Executive Committee Meeting held 6th December 2012, 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 Rowlands

CARRIED

Fred Linke and Kim Thomas left the meeting at 8.15pm.

13:13

MOVED: Cr Rowlands

"That having considered Confidential Agenda Item 15 Minutes of the Executive Committee Meeting held 6th December 2012, in confidence under Sections 90(2), (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 Rooney

CARRIED

14.1.2 Enterprise Bargain Administration Employees

14:13

MOVED: Cr Rowlands

Pursuant to Section 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 Agenda Item 14.1.2 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 this Agenda Items 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 Smith

CARRIED

15:13

Moved: Cr Rooney

"That the Acting CEO consult with Geoff Hill to determine the appropriate course of action for Council to negotiate the provisions of the Enterprise Bargaining Agreement."

Seconded: Cr Smith

CARRIED

Fred Linke and Kim Thomas returned to the meeting at 8.46pm.

16. Closure

16.1 The Mayor declared the meeting closed at 8.47pm.

Cr D Dolling
Mayor, District Council of Barunga West