

PRESENT: Mayor D Dolling, Cr C Axford, Cr L Kerley, Cr M McDonald, 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)
K Thomas (Minute Secretary)

Public Consultation Meeting

1. Mayor Dean Dolling opened the public meeting at 7.02pm.

11 members of the public and 1 member of the media were in the gallery at the commencement of the public consultation meeting.
 2. Apologies – Cr Brian Rooney
 3. The Deputy CEO explained the Draft Annual Business Plan and Budget for 2012-2013. A range of comments were received from community members and responded to by Council staff.
 4. The Manager – Infrastructure Services gave a report on the proposed Capital Works program and responded to comments.
 5. The CEO advised that the Annual Business Plan, with any amendment from comments received will be discussed and adopted at the Council meeting immediately following the public meeting.
 6. The Mayor thanked the public for attending, and the public Consultation Meeting was closed at 8.22pm.
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Council meeting

1. Opening

The Mayor Dean Dolling opened the meeting at 8.38pm.

11 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 Brian Rooney
- 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.

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

4.1 Ordinary Meeting – 12th June 2012

104.12

MOVED: Cr Rowlands

“That the Minutes of the Ordinary Meeting of Council held on 12th June 2012 be confirmed as printed and supplied.

SECONDED: Cr Axford

CARRIED

4.2 Special Meeting – Friday 29th June 2012

105.12

MOVED: Cr Rowlands

“That Minutes of the Special Meetings of Council held on 29th June 2012 and 5th July 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**

Mayor Dolling:

21/6/12 District Roads Inspection

22/6/12 Meet with Premier Weatherill and Geoff Brock MP, Port Broughton

25/6/12 Meeting with Geoff Brock MP – Launch of Fight for the Murray

27/6/12 YP Tourist Awards - Ardrossan

29/6 & 4/7/12 Special Meeting of Council

Cr Axford

21/6/12 District Roads Inspection

22/6/12 Meet with Premier Weatherill and Geoff Brock MP, Port Broughton

29/6 & 4/7/12 Special Meeting of Council

7/7/12 Tree planning and spraying weeds – Bute Walking Trail

Cr Kerley	
25/6/12	FOBBS Planing with PBAS students
29/6 & 4/7/12	Special Meeting of Council
Cr McDonald	
21/6/12	District Roads Inspection
22/6/12	Meet with Premier Weatherill and Geoff Brock MP, Port Broughton
29/6/12	Primary Health Care Meeting
29/6 & 4/7/12	Special Meeting of Council
Cr Rowlands	
26/6/12	Barunga Village Board Meeting
22/6/12	Meet with Premier Weatherill and Geoff Brock MP, Port Broughton
29/6 & 4/7/12	Special Meeting of Council
Cr Simmons	
18/6/12	Bute Sports Club Meeting
21/6/12	District Roads Inspection
26/6/12	Barunga Village Board Meeting
29/6 & 4/7/12	Special Meeting of Council
3/7/12	YP Community Transport Meeting - Maitland
Cr Smith	
21/6/12	District Roads Inspection
22/6/12	Meet with Premier Weatherill and Geoff Brock MP, Port Broughton
29/6 & 4/7/12	Special Meeting of Council
Cr Weedon	
21/6/12	District Roads Inspection
29/6 & 4/7/12	Special Meeting of Council

8. Petitions

8.1 Nil.

9. Questions with Notice

9.1 At the last meeting Cr Weedon asked about the logo for the Bute Memorial Town Hall following a School Competition.
CEO's response: Council staff are currently pursuing the placement of the logo on the glass doors.

10. Questions without Notice

10.1 Cr Rowlands asked whether Council meetings scheduled to be held at Bute could be held in the Bute Bowling Club rather than the Bute Council Meeting Room.

106:12

MOVED: Cr Rowlands

"That all future Council meetings held at Bute be conducted at the Bute Bowling club venue and the availability and cost of holding those meetings be investigated."

SECONDED: Cr Kerley

CARRIED

10.2 Cr Rowlands asked a number of questions pertaining to the Motions Approved and Actions Outstanding List provided to all Elected Members:

10.2.1 Motion dated 9/8/11 – Council Website. Cr Rowlands asked when the motion would be implemented, as the website needs an upgrade.

The CEO and Deputy CEO advised that the LGA had scheduled upgrades to the operating system, which was not available to Council until February 2012. Subsequent training then occurred, however there are limited staff resources available, which is being addressed with another staff member soon to be trained.

10.2.2 Motion dated 13/12/11 - Handicapped carparks to be installed at Sunnyside Motel. Cr Rowlands asked if those carparks have been installed?

The Manager – Infrastructure Services advised that the carparks will be installed when the linemarking crew are next in Port Broughton, which is scheduled for when the shared path is nearing completion and ready for linemarking.

10.2.3 Motion dated 14/2/12 – Investigate costing to restore old well at Ninnes. Cr Rowlands asked when this work would be done?

The Manager – Infrastructure Services advised that this has been overlooked, and he would investigate costs for this project and report back to Council.

10.2.4 Motion dated 8/5/12 – Prepare "briefing paper" for the preparation of concept plans for diversion of stormwater. Cr Rowlands asked when this would be done.

The CEO advised that contact has been made the Central Local Government Region, who have consultants available in late July 2012. Council have arranged to spend 3 days with the consultants to prepare the briefing paper. No date has been set at present.

10.3 Cr Rowlands asked about water pooling after rain near the Sunnyside Hotel, and asked when this would be fixed.

The Manager – Infrastructure Services advised that some work has been done after rain, but it has been established that a lot more work will need to be done which may include re-laying half the road. The road in question is a Department of Planning, Transport & Infrastructure (DPTI), and we need to liaise with DPTI about these works.

10.4 Cr Rowlands asked of progress as to the jetty sculpture from jetty timbers competition.

The Manager – Infrastructure Services advised that the winner has been contacted and a cheque is being arranged. Discussions have been had as to the design, and it is going to be built.

10.6 Cr Axford asked:
What is Council's current policy regarding the handling of cash deposits and change at our ANZ Bank agencies? The provision of these banking facilities are essential to our customers to encourage the number of transactions that we perform at our Rural Transaction Centres.

The Deputy CEO advised he would investigate the question asked and report back at a later meeting.

10.7 Cr Weedon advised whether Council could approach the Bute Primary School and ask whether their students could take responsibility for putting the flag up and bringing it in on a daily basis. This has arisen from a recent theft of the flag and flag rope from the Bute Main Street.

The CEO advised that an approach could be made to the Bute Primary School in this regard, and he would facilitate this.

11. Motions with Notice

11.1 Nil.

12. Motions without Notice

12.1 Cr Rowlands

107:12

MOVED: Cr Rowlands

"That no travel allowance be paid to any councillor using their own vehicle for transport to any Council function."

SECONDED: Cr Kerley

DEFEATED

THE MOTION WAS LOST.

13. Adoption of Committee Reports

13.1 Nil.

14. Council Business – Managers Report

14.1 Chief Executive Officer – Nigel Hand

108:12

MOVED: Cr Kerley

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

SECONDED: Cr Simmons

CARRIED

14.1.1 Ombudsman – Preliminary Report – Confidentiality Audit
Noted.

14.1.2 Ombudsman – Investigations – Boat Ramp Permits
Noted.

14.1.3 Strategic Planning & Development Committee – Requirement of Development Act

109:12

MOVED: Cr Kerley

"That Council agree, in accordance with Section 101A of the Development Act 1993, to establish a Strategic Planning and Development Committee, and to

(a) Appoint the whole Council to be members of such Committee, and

(b) Adopt the Terms of Reference as prepared by the Chief Executive Officer, and included in the Agenda (Item 14.1.3) for the Council meeting of 10th July 2012."

SECONDED: Cr Weedon

CARRIED

14.1.4 PIRSA – Fisheries & Aquaculture

110:12

MOVED: Cr Rowlands

"That Council invite local fishing industry representatives to meet with Council to discuss the potential impact of the Draft Management Plan for the South Australian Commercial Marine Scalefish Fishery and any response to be made to PIRSA."

SECONDED: Cr Kerley

CARRIED

14.1.5 2011 Census

Noted

14.1.6 Request for Information – Cost of possible Council Name Change

Noted

14.1.7 Mr C Orr – One Big Switch

Noted

14.1.8 Mr P Paterson – Native Vegetation

Noted.

14.1.9 Mr S Pattingale

111:12

MOVED: Cr McDonald

"That a proposal be prepared by the CEO to form a working party for the seawall and foreshore redevelopment to be presented to Council at the next council meeting."

SECONDED: Cr Rowlands

CARRIED

14.2 Deputy Chief Executive Officer – Peter Ward

112:12

MOVED: Cr Kerley

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

SECONDED: Cr McDonald

CARRIED

14.2.1 Annual Business Plan 2012-2013

- 113:12 **MOVED:** Cr Smith
"That Council adopts the 2012-2013 Annual Business Plan as tabled."
SECONDED Cr McDonald
CARRIED

14.2.2 2011/12 Valuations & Rates Modelling

Noted.

14.2.3 Budget Amendments

Noted.

- 114:12 **MOVED:** Cr Smith
"That Council take no action on the request from the Mundoora Progress Association for assistance when printing a book for the Mundoora Centenary of Proclamation."
SECONDED Cr Weedon
CARRIED

- 115:12 **MOVED:** Cr Rowlands
"That the 2012-2013 Budget include an allowance for \$10,000 for pigeon control."
SECONDED Cr Axford
CARRIED

- 116:12 **MOVED:** Cr Kerley
"That Council accept the quote of \$10,213.50 for repairs to the Bute Rest Centre and include this allocation in the 2012-2013 Budget."
SECONDED: Cr Weedon
CARRIED

14.2.4 2011-2012 Valuations, Budget & Rate Declaration

- 117:12 **MOVED:** Cr Rowlands
'That Council adopts the 2012-13 valuations for rating purposes, the 2012-13 financial budget and declares rates as follows:

ADOPTION OF VALUATIONS FOR RATING

Notice is hereby given that at a meeting of Council held on 10th July 2012, it was resolved that the District Council of Barunga West adopts the Capital Valuations of the Valuer General, dated July 1 2011, that are to apply for the area of rating purposes for the 2011-12 financial year, being Capital Valuations totalling \$1,018,352,380, comprising \$986,122,880 for rateable land and \$32,229,500 for non-rateable land.

ADOPTION OF BUDGET AND DECLARATION OF RATES

Notice is hereby given that by virtue of the powers vested in it by the Local Government Act 1999, and all other powers there unto enabling the Council of the District Council of Barunga West (hereinafter called "the Council") at a meeting on 10th July 2012:

1. *Adopts the Annual Budget as prepared pursuant to Section 123 of the Local Government Act 1999 and Regulation 5B of the Local Government (Financial Management) Regulations 1999, including Estimates of Income (excluding general rate income) totalling \$1,005,514 as amended and the Estimates of Cash Expenditure of \$5,233,268 as amended for the financial year ending 30 June 2012.*
2. *Declared differential general rates on rateable land with the area of the Council for the financial year ended 30 June 2013 which differential general rates are pursuant to Section 152 (1) (c) based on two components – (1) one being the value of the rateable land and (2) the other being the fixed charge applicable to the rateable land and which general rates vary according to the use in accordance with Section 156 (1) (a) of the Local Government Act 1999.*
3. *Declared that an amount of \$325 as a fixed charge on each separate piece of rateable land in the area of the Council for the purposes of rates, pursuant to Section 152 of the Local Government Act 1999, for the year ended 30 June 2013.*
4. *That the amounts of differential general rates are as follows:*
 - a. *That the differential general rate for all rateable land within the area of the Council which has a land use of Residential be declared at 0.2573 cents in the dollar; and*
 - b. *That the differential general rate for all rateable land within the area of the Council which has a land use of Commercial – Shop – Office or Other, Industrial – Light or Other be declared at 0.3000 cents in the dollar; and*
 - c. *That the differential general rate for all rateable land within the area of the Council which has a land use of Primary Production be declared at 0.2225 cents in the dollar; and*
 - d. *That the differential general rate for all rateable land within the area of the Council which has a land use of Vacant be declared at 0.2400 cents in the dollar.*

CWMS SCHEMES

1. PORT BROUGHTON SCHEME
 - 1.1 *Adopts the Estimates of Expenditure totalling \$161,756 (excluding depreciation), relating to the operation, maintenance, replacement and improvements and residual balance being allocated to reserves for the financial year 2012-13.*
 - 1.2 *Pursuant to Section 155 of Local Government Act 1999, imposes annual service charges on rateable and non-rateable land within the District to which this service is provided as specified:*
 - *In respect of each effluent unit applying to occupied allotments a charge of \$290; and*
 - *In respect of each vacant allotment, a charge of \$205.*
- 2.. BUTE SCHEME
 - 2.1 *Adopts the Estimates of Expenditure totalling \$6,288 (excluding depreciation), relating to the operation, maintenance, replacement and improvements and residual balance being allocated to reserves for the financial year 2012-13.*
 - 2.2 *Pursuant to Section 155 of Local Government Act 1999, imposes annual service charges on rateable and non-rateable land within the District to which this service is provided as specified:*
 - *In respect of each effluent unit applying to occupied allotments a charge of \$290; and*

- *In respect of each vacant allotment, a charge of \$55.*
- 3. *Any reference to a "unit" being as defined in the CWMS Property Units Code in accordance with Regulation 9A of the Local Government (General) Regulations 1999.*

SECONDED Cr Weedon
CARRIED

NATURAL RESOURCES MANAGEMENT LEVY

- 118:12 **MOVED:** Cr Kerley
"That pursuant to Section 95 of the Natural Resources Management Act 2004 and Section 154 of the Local Government Act 1999 and in order to reimburse the Council the amount contributed to the Northern and Yorke Natural Resources Management Board for the year ending 30 June 2012, being \$132,157 a separate rate in the dollar of 0.0135 is declared on all rateable land in the Council's area."
SECONDED Cr McDonald
CARRIED

FEES & CHARGES

- 119:12 **MOVED:** Cr Kerley
"That pursuant to Section 188 of the Local Government Act 1999, Council adopts the schedule of Fees & Charges and the Dog Management Fees for the 2012-13 Financial Year, as tabled by the Deputy CEO:
SECONDED : CR SMITH
CARRIED

PAYMENT OF RATES

- 120:12 **MOVED: CR KERLEY**
"That Notice is hereby given that the requirements for the payments of rates are as follows:
1. *Rates (ie Differential General Rates plus fixed Charges, Service Charges and Separate Rates) declared by Council for the financial year ending 30 June 2013 will fall due in four equal or approximately equal instalments.*
 2. *The said instalments shall be payable on or before Wednesday 5th September 2012, Wednesday 5th December 2012, Tuesday 5th March 2013 and Wednesday 5th June 2013; failing which the said rates shall be regarded as being in arrears and subject to the imposition of fines, as prescribed.*
 3. *In 2012-13, no discount will apply on rates instalments paid in full on OR before 5th September 2012."*
- SECONDED** Cr ROWLANDS
CARRIED

14.2.5 EPA Solid Waste Contribution 2011-2012
Noted

14.2.6 LGA Mutual Liability Scheme Renewal 2012-2013
Noted

14.2.7 Effect of Carbon Tax on Council Operations

Noted

14.2.8 Building Fees

Noted

14.2.9 Administration Trainee

Noted

14.2.10 Australia Post

Noted

14.2.11 Annual Business Plan Responses

Noted

14.2.12 Progress Association Policy

Noted

121.12

MOVED: Cr Kerley

"That council adopt the Community Group Funding policy as presented, but remove the section titled "Reimbursement of Water Costs" and from 1st July 2012 agree that no reimbursement for water supply will be provided to any sporting clubs."

SECONDED: Cr Axford

CARRIED

14.3 Manager – Infrastructure Services – Fred Linke

122:12

MOVED: Cr Axford

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

SECONDED: Cr McDonald

CARRIED

14.3.1 Bute Community Rest Centre

Noted. Refer to Agenda Item 14.2.3.

14.3.2 Pigeon Control Port Broughton

Noted. Refer to Agenda Item 14.2.3.

14.3.3 Bute School Crossing and Bus Parking

Noted.

14.3.4 Rural Property Addressing

Noted.

14.3.5 Request for Road Works

- 123:12 **MOVED:** Cr McDonald
“That Council adhere to the list of road works agreed to at the district inspection and that any subsequent requests received be noted for future planning.”
SECONDED: Cr Axford
CARRIED

14.4 Development Report – Nigel Hand

- 124:12 **MOVED:** Cr Smith
“That the Development Report from the Chief Executive Officer for the July meeting be received and noted.”
SECONDED: Cr McDonald
CARRIED

14.4.1 DC Barunga West Better Development Plan Conversion (BDP) Noted

14.4.2 Rural Living Development Plan Amendment (DPA) Noted.

14.4.4 DC Barunga West – Development Application Report Noted.

14.4.5 Sign Policy

- 125:12 **MOVED:** Cr Rowlands
“That Council agrees that the following public consultation for its Draft Sign Policy, and there being no submissions received, that the Policy be adopted as a Council policy”.
SECONDED Cr Weedon
CARRIED

- 126:12 **MOVED:** Cr Axford
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 Kim Thomas, Minute Secretary, 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 request from the legal advisers for Fisherman’s Bay Management Pty Ltd to seek a deputation to Council in respect of their freeholding application.
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

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 as his sister is a Director of Fishermans Bay Management.

Mayor Dolling left the meeting at 11.20pm
Cr Grant Rowlands took conduct of the meeting

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

A request from the legal advisors for Fishermans Bay Management Pty Ltd was received requesting a deputation to Council, along with advice from Council's legal advisor.

128:12

MOVED: Cr Weedon

"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 6 months, or such lesser period as may be determined by the Chief Executive Officer.

SECONDED: Cr McDonald

CARRIED

Mayor Dolling returned to the meeting at 11.38pm.

Closure

15.1 The Mayor declared the meeting closed at 11.39pm.

Cr D Dolling
Mayor, District Council of Barunga West