

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)
K Thomas (Minute Secretary)

1. **Opening**

The Mayor Dean Dolling opened the meeting

12 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 – R 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 item 6.1 Deputation as his sister is a director of Fishermans Bay Management.

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

4.1 Ordinary Meeting – 11th April 2012

70:12

MOVED: Cr Simmons

"That the Minutes of the Ordinary Meeting of Council held on 11th April 2012 be confirmed as printed and supplied.

SECONDED: Cr Weedon

CARRIED

5. **Business Arising from the Minutes**

5.1 A response has been received from Telstra regarding the quote received for the lowering of cables and pits on the Kadina road as part of the shared path program.

Mayor Dolling declared that in accordance with Section 73 of the Local Government Act 1999 he had a conflict of interest with item 6.1 as his sister is a Director of Fishermans Bay Management.

Mayor Dolling left the meeting at 7.04pm.

Deputy Mayor Rooney took conduct of the meeting.

6. Deputations

6.1 A request was received from Botten Levinson, on behalf of Fisherman's Bay Management Pty Ltd to appear regarding an Infrastructure Deed. This request was refused by the Deputy Presiding Member and in accordance with the provisions of the *Local Government (procedures at Meetings) Regulations 2000*. A verbal report from the Deputy Presiding Member and the Chief Executive Officer was given.

71:12
MOVED: Cr Rowlands
SECONDED: Cr Kerley
CARRIED UNANIMOUSLY

Mayor Dolling re-entered the meeting at 7.07pm and resumed conduct of the meeting.

7. Members Reports

Mayor Dolling:

13/4/12	LGA General Meeting - Adelaide
25/4/2012	Anzac Day Dawn Service and March– Port Broughton
2/5/12	YP Council Alliance meeting - Balaklava
8/5/12	Council Budget and Planning Workshop

Deputy Mayor Rooney

25/4/2012	Anzac Day Dawn Service – Bute
8/5/12	Council Budget and Planning Workshop

Cr Axford

25/4/2012	Anzac Day Dawn Service – ANZAC Cove, Gallipoli
8/5/12	Council Budget and Planning Workshop

Cr Kerley

11/4/12	NRM Regional Integration Workshop – Crystal Brook
12&13/4/12	Conservation Action Planning - Wallaroo
25/4/2012	Anzac Day Dawn Service – Port Broughton
8/5/12	Council Budget and Planning Workshop

Cr McDonald

1/5/12	Meeting with CEO, David Altmann, Gavin Leydon & Simone Fogarty re Fishermans Bay
7/5/12	Port Broughton Area School Governing Council Meeting
8/5/12	Council Budget and Planning Workshop

Cr Rowlands

8/5/12	Council Budget and Planning Workshop
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Cr Simmons

16/4/2012	Bute Sporting Club Meeting
24/4/12	Barunga Village Meeting
25/4/2012	Anzac Day Dawn Service – Bute
1/5/12	YP Community Transport Meeting & Governance Training - Maitland
8/5/12	Council Budget and Planning Workshop

Cr Smith

8/5/12	Council Budget and Planning Workshop
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Cr Weedon

8/5/12	Council Budget and Planning Workshop
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8. Petitions

8.1 Nil.

9. Questions with Notice

9.1 Nil.

10. Questions without Notice

10.1 Cr Weedon asked whether action should be taken in regards to local farmers removing local trees and vegetation from roadsides to move farming machinery which was not approved by Council and permits were not granted by Council.

72:12

MOVED: Cr Kerley

*"That Council investigate reports of deliberate damage to roadside vegetation by a local farmer and report that farmer to relevant authorities for appropriate action;
and*

That Council send a public notice to all ratepayers advising of legal requirements for damage to roadside vegetation."

SECONDED:

MOTION LAPSED FOR WANT OF A SECONDER

73:12

MOVED: Cr Rowlands

"(a) That Council write to the farmer in question in the strongest possible terms advising:

- 1) The farmer should immediately desist in future unauthorised damage to roadside vegetation;*
- 2) Should any further unauthorised damage be made to roadside vegetation by the same farmer, Council will report the offending parties to relevant authorities recommending immediate action;*
- 3) That fines for this type of offending can be substantial (enclosing copies of relevant legislation detailing applicable fines and expiation fees).*

(b) That Council send a public notice to all ratepayers advising of legal requirements of oversize and over mass agricultural vehicles and for damage to roadside vegetation."

SECONDED: Cr Axford

CARRIED

11. Motions with Notice

11.1 Nil.

12. Motions without Notice

12.1 Public Consultation for Change of Council Name

74:12

MOVED: Cr Rowlands

"That Council undertake a public consultation process in accordance with Section 13 of the Local Government Act 1999 seeking suggestions for change of council name that better represents the location which identifies the Council district and region."

SECONDED: Cr Smith

CARRIED

13. Adoption of Committee Reports

13.1 Nil.

14. Council Business – Managers Report

14.1 Chief Executive Officer – Nigel Hand

75:12

MOVED: Cr Axford

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

SECONDED: Cr Simmons

CARRIED

14.1.1 Proposed Bill – Hon Michelle Lensink MLC – re: Crown Land Holiday Homes
Noted.

14.1.2 Ombudsman - Investigations

76:12

MOVED: Cr Kerley

"Pursuant to Section 246(5)(b) of the Local Government Act 1999, the Council resolves that the expiation fee for a breach of clause 9.10 of By-law 2 in relation to launching boats from Council owned and operated boat ramps without a permit is \$50."

SECONDED: Cr McDonald

CARRIED

14.1.3 Council's Community Survey for 2011
Noted.

14.1.4 Bute Railway Corridor project.
Noted.

14.1.5 Stormwater Management Issues – Port Broughton and Bute

77:12

MOVED: Cr Smith

"That Council authorise the Chief Executive Officer to prepare, in consultation with appropriate authorities, a "briefing paper" for the preparation of concept plans for the diversion of stormwater at Port Broughton, at two locations (East Terrace and Duffield Road), in an effort to minimise stormwater discharge into the bay at Port Broughton.."

SECONDED: Cr Kerley

CARRIED

14.1.6 Arts SA – Jetty Sculpture

78:12

MOVED: Cr Rowlands

"That Council proceed with the design option for a jetty sculpture that was provided in the competition, that did not require engineering to be sought, and could be built within Council budget."

SECONDED: Cr Axford

CARRIED

14.1.7 Local Government Association – Local Excellence Program

Noted.

14.1.8 Port Broughton Seawall upgrade/repairs

Noted.

14.1.9 Port Broughton Visitor Information Outlet (VIO)

Noted

14.1.10 Mr Steven Griffiths, Member for Goyder – re Kulpara to Port Broughton Road

Noted

14.1.11 Approval of Authorised Officers

79:12

MOVED: Cr Kerley

"That Council approve as Authorised Officers, Debra Jayne Brokenshire and Colin Murray Crockford in respect of the following Acts of Parliament (including the associated Regulations):

- *Local Government Act 1999*
- *Development Act 1993*
- *Fire & Emergency Services Act 2005*
- *Environmental Protection Act 1993*
- *Impounding Act 1920*
- *Liquor Licensing Act 1997*
- *Housing Improvement Act 1940*

And further that the approval for Mark Marziale as an authorised officer be revoked."

SECONDED: Cr Weedon

CARRIED

14.2 Deputy Chief Executive Officer – Peter Ward

80:12

MOVED: Cr Simmons

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

SECONDED: Cr McDonald

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 Interim Auditor Report

Noted.

14.2.5 Financial Statement Amendments

Noted.

14.3 Manager – Infrastructure Services – Fred Linke

14.3.1 No report – Manager on leave

14.4 Development Report – Nigel Hand

81:12

MOVED: Cr Axford

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

SECONDED: Cr Smith

CARRIED

14.4.1 Rural Living Development Plan Amendment (DPA) – Site History and Environmental Audits

Noted.

14.4.2 DC Barunga West Better Development Plan conversion (BDP)

Noted.

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

Noted.

14.4.4 New sign policy

82:12

MOVED: Cr Rowlands

"That Council agree for the Draft Sign Policy to be made available for public consultation, and that the Council review the Draft Policy, with any community comments at its July 2012 meeting."

SECONDED: Cr Kerley

CARRIED

14.4.5 Development Applications – Progress report

Noted

14.4.6 Environmental Health Services

Noted

15. Closure

15.1 The Mayor declared the meeting closed at 8.16pm.

Cr D Dolling
Mayor, District Council of Barunga West