

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)
R Linke (Manager Infrastructure Services)
P Ward, (Deputy CEO)
K Thomas (Minute Secretary)

1. **Opening**

The Mayor Dean Dolling opened the meeting

10 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 item 11.1 Motion with Notice as his sister is a director of Fishermans Bay Management.

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

4.1 Ordinary Meeting – 14th February 2012

24:12

MOVED: Cr Rooney

"That the Minutes of the Ordinary Meeting of Council held on 14th February 2012 be confirmed as printed and supplied.

SECONDED: Cr Weedon

CARRIED

5. **Business Arising from the Minutes**

5.1 Nil.

6. **Deputations**

6.1 Nil.

7. Members Reports

Mayor Dolling:

16/02/2012	Yorke Peninsula Alliance Meeting
21/02/2012	LGA Forum – Adelaide
09/03/2012	Maitland Marine Park – meet with Rowan Ramsay MP and Julie Bishop
28/02/2012	Audit Committee Meeting
10/03/2012	Welcome Yacht Gulf Cruise

Deputy Mayor Rooney

13/03/2012	Council Workshop
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Cr Axford

28/02/2012	Audit Committee Meeting
01/03/2012	Meeting at Bute Rest Centre with representatives from Bute 2000 Committee and Kadina Medical Clinic
13/03/2012	Council Workshop

Cr Kerley

28/02/2012	Audit Committee Meeting
05/03/2012	Port Broughton Progress Association meeting
13/03/2012	Council Workshop

Cr McDonald

05/03/2012	Port Broughton Area School Governing Council meeting and Annual General meeting
13/03/2012	Council Workshop

Cr Rowlands

28/02/2012	Audit Committee Meeting
28/02/2012	Barunga Village meeting
13/03/2012	Council Workshop

Cr Simmons

16/02/2012	YP Community Transport BBQ & Meeting – Port Broughton
22/02/2012	Barunga Village Accreditation Audit
29/02/2012	Bute 2000 Committee Meeting
06/03/2012	YP Community Transport Meeting - Maitland
08/03/2012	YP Community Transport – Road Rules Presentation - Wallaroo
13/03/2012	Council Workshop

Cr Smith

13/03/2012	Council Workshop
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Cr Weedon

Nil

8. Petitions

- 8.1 A petition has been received and tabled in response to Council's proposal to construct a seawall on the Port Broughton foreshore.

25:12

MOVED: Cr McDonald

"That proposed major capital projects in the Council district which impact upon the whole community (excluding roadworks) require a public consultation meeting to be called, where ratepayers can be fully informed of the proposal, have the opportunity to ask questions and express their opinions, and for that feedback to be taken back to Council to be considered and to assist in the decision making process."

SECONDED: Cr Kerley

CARRIED

9. Questions with Notice

- 9.1 Cr Kerley asked:

When the Port Broughton Visitor Information Centre is operating in the new venue, will it be provided with wireless internet access?

The Chief Executive Officer replied:

Yes.

- 9.2 Cr Kerley asked:

When the Port Broughton Visitor Information Centre is operating in the new venue, will it be provided with a budget line to cover general operating costs (eg stationery, printer cartridges) and the cost of providing free items to tourists such as information flyers and maps, and for sale items such as caps, fridge magnets and post cards and for replacement of a computer and printer and other necessary items as required?

The Chief Executive Officer replied:

The Council has, since the inception of the VIO provided funding for the VIO, to be used for a range of activities, such as Telstra charges, stationary, administration (now for the Co-ordinator), postcards etc. Replacement of a computer, printer and other large items would be through Council's budget.

Generally any large items of expenditure (e.g. brochures) has been discussed with staff and funds provided.

10. Questions without Notice

- 10.1 Mayor Dolling asked for Council to approach the Local Government Association for advice as to any required action from Council to a ratepayer regarding signage on the rear window of that ratepayer's vehicle that refers to the Council and the Mayor personally.

26:12

MOVED: Mayor Dolling

"That Council seek advice from the Local Government Association regarding action that could be taken against statements made about the Mayor and Council on the rear window of a ratepayer's vehicle in the council district. "

SECONDED:

MOTION LAPSED FOR LACK OF A SECONDER

- 10.2 Cr McDonald asked whether the Manager for Infrastructure Services could report on the progress of Rural Property Addressing at the next Council meeting.
- 10.3 Cr Rowlands asked for progress on removal and updating of signs in the Port Broughton township that was brought to the attention of Council recently in writing by Mrs Julie Norman.
The Chief Executive Officer advised that an update is to be provided at the April meeting after discussions with Council's Planning Officer. In the meantime, the Chief Executive Officer would undertake to have the signs removed.

11. **Motions with Notice**

11.1 Cr M McDonald

Mayor Dolling declared that in accordance with Section 73 of the Local Government Act 1999 he had a conflict of interest with item 11.1 as his sister is a Director of Fisherman's Bay Management.

Mayor Dolling left the meeting at 7.20pm.

Deputy Mayor Rooney took conduct of the meeting.

27:12

MOVED: Cr M McDonald

"That Council agree to rescind the following motion from the October 2011 Council Meeting:

"That the Chief Executive Officer is accompanied by at least one Councillor, at all discussions with Fisherman's Bay Management and associated lawyers, regarding the free-holding negotiations of Fisherman's Bay."

SECONDED: Cr Rowlands

CARRIED

Mayor Dolling returned to the room at 7.23pm and resumed conduct of the meeting.

12. **Motions without Notice**

12.1 Nil.

13. **Adoption of Committee Reports**

13.1 Audit Committee – 28th February 2012

28:12

MOVED: Cr Axford

"That Council accept the Minutes from the Audit Committee meeting held on 28th February 2012 as printed and supplied."

SECONDED Cr Simmons

CARRIED

29:12 **MOVED:** **Cr Weedon**
"That Council accept Recommendations 1 and 2 below from the Audit Committee meeting held on 28th February 2012:
"That the Deputy CEO make recommendations in relation to the proposed treatment of building assets and associated valuations, and prepare a report for Council consideration and decision."
"That Council awards the tender for provision of independent audit opinion of the accounts and annual financial statements to Ian McDonald."
SECONDED Cr Axford
CARRIED

30:12 **MOVED:** **Cr Axford**
"That Council accept Recommendation 3 below from the Audit Committee meeting held on 28th February 2012:
"That Management:
1 Recommends the maximum cost for motor vehicle turnover each year for consideration in Budget deliberations; and
2 That the Audit Committee recommends to Council that the motor vehicle policy is adopted, subject to revisions and amendments made by the Committee."
SECONDED Cr Rowlands
CARRIED

31:12 **MOVED:** **Cr Rowlands**
"That Council accept Recommendation 4 below from the Audit Committee meeting held on 28th February 2012:
"That the quarterly Budget Review for December 2011 is adopted."
SECONDED: **Cr Smith**
CARRIED

32:12 **MOVED:** **Cr Smith**
"That Council accept Recommendation 5 below from the Audit Committee meeting held on 28th February 2012:
"That the Deputy CEO prepare a report on Council's roads with proposed extensions to the Useful Lives of all road classes, and its effect on Council's annual depreciation expense."
SECONDED: **Cr Rooney**
CARRIED

14. **Council Business – Managers Report**

14.1 **Chief Executive Officer – Nigel Hand**

33:12 **MOVED:** **Cr Simmons**
 "That the Report from the Chief Executive Officer for the February meeting be received and noted."

SECONDED: **Cr McDonald**
CARRIED

14.1.1 Port Broughton Waste Disposal Site – Lease with Port Broughton Recycling Centre (PBRC)

34:12 **MOVED:** **Cr McDonald**
 "That Council agree to:

- (a) Accept the offer of the Department of Environment And Natural Resources to purchase Section 114 Hundred of Mundoora for \$10,000 (excl. GST), and*
- (b) Confirm its resolution of 8th April 2011, to lease portion of the site (Port Broughton Waste Disposal Site) to the Port Broughton Recycling Centre for a five year period commencing 1st July 2012, in accordance with the lease agreement prepared by Wallmans Lawyers (dated 24th March 2011)"*

SECONDED: **Cr Simmons**
CARRIED

14.1.2 Enterprise Agreement – Australian Workers Union

35:12 **MOVED:** **Cr Rowlands**
 "That in respect of the Enterprise Agreement between the District Council of Barunga West and the Australian Workers Union, for employees engaged under the Local Government Employees Award (SA), that Council agrees to:

- (a) A three year agreement, commencing on 1st April 2012, and*
- (b) An annual wages increase of 4% for each year of the Agreement."*

SECONDED: **Cr Kerley**
CARRIED

14.1.3 Ombudsman – Investigations
Noted.

14.1.4 Council's Community Survey for 2011
Noted.

14.1.5 Bute Rail Corridor Project
Noted.

14.1.6 2012 Yorke Peninsula Tourism Awards – Sponsorship Request

36:12 **MOVED:** **Cr Simmons**
 "That the Council agrees to support the Yorke Peninsula Tourism's Award night in June 2012, with a bronze sponsorship of \$300."

SECONDED: **Cr Kerley**
CARRIED

14.1.7 Parliament of South Australia – Local Government 2010 Election Review
Noted.

14.1.8 Proposed Recreational Vehicle (Motor Home) Park at Munderoo and Alford
Noted

14.1.9 Port Broughton Seawall upgrade
Noted

14.1.10 Port Broughton Visitor Information Outlet (VIO)
Noted

37:12 **MOVED:** Cr Smith
"That an official invitation be extended to Helen Taplin to attend and open the Port Broughton Visitor Information Outlet".

SECONDED: Cr Simmons

CARRIED

38:12 **MOVED:** Cr Weedon
"That Council send a letter of thanks to Bob Brokate for his dedicated years of service to the Bute Fauna Park."

SECONDED: Cr Axford

14.1.11 Approval for use of Council seal – Easement at High Street, Bute

39:12 **MOVED:** Cr Smith
"That the Council approves the use of the Council seal by the Mayor and the Chief Executive Officer to formalize the approval for an easement to be located on Allotment 459 Township Bute (CT5779/507), for the purpose of allowing a water supply to 14 Third Street Bute."

SECONDED: Cr Weedon

CARRIED

14.1.12 Wakefield Regional Council

40:12 **MOVED:** Cr McDonald
"That the Council agree to consider participation in the Office and Recreation and Sports STARCLUB Field Officer Program for a 3 year period commencing in 2012/2012."

SECONDED: Cr Simmons

CARRIED

14.2 Deputy Chief Executive Officer – Peter Ward

41:12 **MOVED:** Cr Kerley
"That the Report from the Deputy Chief Executive Officer for the March meeting be received and noted."

SECONDED: Cr McDonald

CARRIED

14.2.1 Barunga Village Inc Pensions Concessions

Noted

14.2.2 Financial Audit Tender

Noted

14.2.3 Council Audio Visual

Noted

14.2.4 Building Fees

Noted.

14.2.5 Community Group Funding

Noted.

14.2.6 Port Broughton & District Genealogy Society.

42:12

MOVED: Cr Rowlands

"That the discussion regarding payment of public liability insurance for the Port Broughton Genealogy Society be postponed until the administration has had discussions with insurance company regarding public liability for clubs and associations."

SECONDED: Cr Simmons

CARRIED

14.2.7 Port Broughton Library

Noted.

14.2.8 Port Broughton District Hospital & Health Services Ladies Auxiliary

43:12

MOVED: Cr Kerley

"That Council do not waive fees for the hire of any town halls in the Council District."

SECONDED: Cr Axford

CARRIED

14.2.9 Wallmans Retainer

Noted.

14.2.10 Motor Vehicle Policy

Noted.

14.3 Manager – Infrastructure Services – Fred Linke

44:12

MOVED: Cr Axford

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

SECONDED: Cr Rowlands

CARRIED

14.3.1 Speed Advisory Signs - Melton

- 45:12 **MOVED:** **Cr Rooney**
"That Council do not accept the advice from the Department of Planning, Transport & Infrastructure and contact the Department again about the speed limits that apply in Melton, to seek a review of the existing speed limits."
SECONDED: **Cr Weedon**
CARRIED

14.3.2 Rail and Roadside Significant Sites Database Noted

- 46:12 **MOVED:** **Cr Kerley**
"That Council correspondence with appropriate agencies and bike clubs regarding the issues of damage caused by off road motorbike riding to these significant site areas."
SECONDED: **Cr McDonald**
CARRIED

14.3.3 Street Tree Removal

- 47:12 **MOVED:** **Cr Kerley**
"That Council removes the pine trees in the footpath located adjacent to no. 8 Kadina Road, Port Broughton."
SECONDED: **Cr McDonald**
CARRIED

14.4 Development Report – Nigel Hand

- 48:12 **MOVED:** **Cr Kerley**
"That the Development Report from the Chief Executive Officer for the March 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.

14.4.3 Fishermans Bay Management (FBM) Freeholding application Noted.

14.4.4 Development Answers – Consultancy Services Noted.

14.4.5 Development Applications – Progress report Noted

14.4.6 Environmental Health Services

Noted.

15. Ombudsman Report

49:12

MOVED: Cr Simmons

"That pursuant to Sections 90(2) of the Local Government Act 1999 the Council orders that all persons, except N Hand – Chief Executive, be excluded from attendance at the meeting for Agenda Item 15 Ombudsman's Final Report.

The Council is satisfied that pursuant to Section 90(3)(h) the receipt of advice from the Ombudsman and Council's legal advisor should be considered in confidence.

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

Mayor Dean Dolling left the meeting at 8.31 p.m.

Deputy Mayor Rooney took conduct of the meeting

51:12

MOVED: Cr Simmons

"That Pursuant to Section 91(7), that having considered Agenda Item 15 Ombudsman Report, 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 all information in respect of Agenda Item 15 Ombudsman Report for the Council Meeting held on 13th March 2012 be retained in confidence for a period of one (1) year "

SECONDED: Cr Kerley

CARRIED

Mayor Dean Dolling returned to the meeting at 8.36 p.m. and resumed conduct of the meeting.

16. Closure

16.1 The Mayor declared the meeting closed at 8.36 p.m.

Cr D Dolling
Mayor, District Council of Barunga West