

OPENING

Deputy Mayor Brian Rooney opened the meeting at 7.00pm.
10 members of the public were in the gallery at the commencement of the meeting.

ATTENDANCE RECORD

Present: Cr B Rooney, Cr L Kerley, Cr M McDonald, Cr G Rowlands, Cr M Weedon
Apologies: Mayor D Dolling, Cr G Simmons, Cr R Smith, Cr C Axford
Absent: F Linke (Manager – Infrastructure Services)
Staff Present: P Ward - Acting Chief Executive Officer
K Thomas - Personal Assistant
D Brokenshire - Planning Officer
S Davey -- Works Supervisor

CONFLICT OF INTEREST PROVISIONS - Nil

CONFIRMATION OF MINUTES

43 **MOVED:** Cr Rowland **SECONDED:** Cr Kerley
"That the Minutes of the Ordinary Meeting of Council held on 12th February 2013 be confirmed as printed and supplied."
CARRIED

BUSINESS ARISING FROM THE MINUTES - Nil

DEPUTATIONS - Nil

MEMBERS REPORTS

Deputy Mayor Rooney

Kulpara Progress Association Meeting

Cr Kerley

21 February Coastcare Meeting at beach accesses, Port Broughton
4 March Briefing by Resources and Energy Group
4 March Port Broughton Progress Association Meeting

Cr McDonald

Nil

Cr Rowlands

26 February PIRSA Snapper Closure Public Meeting
Interview with YP Country Times and ABC re: snapper closures
Barunga Village Workers Health Safety Meeting

Cr Weedon

26 February PIRSA Snapper Closure Public Meeting

PETITIONS - Nil

QUESTIONS WITH NOTICE

Cr Kerley asked:

1. What is the estimated time of construction of the 'slip lane' at the junction of Spencer Highway/Wallaroo Road, for which council has tendered?
The Acting Chief Executive Officer advised 3 - 4 weeks.
2. What is the estimated profit which will be derived from the project?
The Acting Chief Executive Officer advised that Council do not make a profit as such. The Department of Planning, Transport & Infrastructure (DPTI) pay our works staff during the tenure of the project as well as external hire of some plant.
3. What planned and budgeted projects will be put 'on hold' to undertake the construction of the 'slip lane' if the tender is won by council?
The Acting Chief Executive Officer advised that roadworks will be placed on hold in 2012-2013 and deferred until 2013-2014. The works program has not yet been reviewed as we have not yet been advised that our quotation has been accepted.

In response to the answers provided above, Cr Kerley asked the following:

1. In response to Question 2 - What we are not paying staff for the duration of the construction of the slip lane then becomes a profit to Council. How many staff will be involved in the project, what would be saved in wages for those staff and how will those saved wages be utilised?
2. Why would we tender for a project if not to make a profit?
3. Of what benefit will this project be if we have a machinery breakdown considering the project will not be making a profit, other than the amount saved on wages?

The Acting CEO advised that these Questions would be taken on notice for the next Council meeting.

QUESTIONS WITHOUT NOTICE

Cr McDonald:

At the Council meeting held 12th February 2103 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 Manager - Infrastructure Services provided the following answer:

Late last year council decided to change a series of road names in the Melton / Kulpara area after previously agreeing with a Road Name Plan that was presented to council, of which they had no changes. At the time Cr McDonald asked if changing these road names would delay the process, of which I replied, Yes. So those road names are now changed.

In January I had a further approach for a road to remain as per sign posted which was proposed to be different on the RAK Plan of which has been sorted. We also needed to research some properties with dual or 2 homes or accesses on the same land of which has now been sorted.

My understanding is that DPTI has now provided all information to Australia Post who are now putting the New Addresses to all Rural Properties. Once they have done that we will receive that info at which time we will need to send a letter to all Rural Properties advising them of their New

Address. At that point there is opportunity for complaints concerns about the New Addresses which will need to be worked through. Once all concerns are rectified, the actual Address Plates can be ordered and arranged to be installed.

Cr McDonald:

At the Council meeting held 12th February 2103 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 Manager - Infrastructure Services provided the following answer:

Once the New Addresses are received from Australia Post DCBW will need to do a mail-out to all the new addresses. (Requirement – staff to action the mail-out)

Once the mail-out is done it is anticipated that some people will have concerns with their new address.

(Requirement – Depending on the issues, if unable to be resolved through council's administration, there may need to be reports to council to resolve various issues, which may lead to a Public Consultation Process, I anticipate these could be road name changes)

Once resolved above the new signs can be ordered and installation be arranged.

(Requirement - A budget line will be required to purchase and install the signage. Once we receive the new addresses we can seek prices. An estimated figure is around the \$40,000 mark).

Cr McDonald accepted the answer provided. However she further asked whether once all information had been sourced from outside agencies and the project progressed for action of Council staff, will additional resources need to be utilised to finalise the project as expeditiously as possible?

The Acting CEO advised that this Question would be taken on notice for the next Council meeting.

Works Supervisor, Steve Davey entered the meeting at 7.15pm.

Cr Rowlands:

At the Council meeting held 12th February 2103 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 Manager - Infrastructure Services provided the following answer:

The counter was set up adjacent the Palate to Palette Restaurant, on the southern side of the road, or the east to west track only, meaning it only counted traffic flow in one direction. The time the traffic counter was in place also varied so an average figure is used.

24th Dec 2010 till 13th Jan 2011 average daily vehicles = 1592/day

19th Dec 2012 till 9th Feb 2013 average daily vehicles = 1293/day

Cr Rowlands asked whether a report could be provided to Council, potentially at a Strategic Planning and Development Policy Committee Meeting, in regards to the long term financial impact of the predicted rate of growth (as per information received at a recent Council workshop) against a 4% annual rise in employee costs and a 2.5% growth in CPI.

The Acting CEO advised that this Question would be taken on notice for the next Council meeting.

Cr Rowlands:

At the Council meeting held 12th February 2103 Cr Rowlands asked when the toilet at the Port Broughton skate park will be installed?

The Manager - Infrastructure Services provided the following answer:

The Skate Park Toilet is due to arrive on the 8th March 2013.

Cr Smith:

At the Council meeting held 8th January 2103 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 Acting Chief Executive Officer provided the following answer:

A quote has been received from O'Brien's Plumbing & Building Services in the sum of \$2450 and is attached. Upon his return from leave, the Manager Infrastructure Services will progress this matter further.

Cr Kerley:

What is happening with the replacement of the Port Broughton Town Hall windows where asbestos was thought to be in the putty?

The Works Supervisor Officer responded that this matter was progressing, and confirmed that the putty was tested and did not contain asbestos.

Cr Kerley:

What can be done, and what signage is required, to prevent tourists and visitors camping along the West Terrace carpark and beach foreshore at Port Broughton. Evidence of inappropriate behaviour has been witnessed on a variety of occasions.

The matter was discussed and noted that Police should be called in some circumstances. The Acting CEO advised that options would be investigated and a report provided at a future Council meeting.

Cr McDonald:

Who is responsible for removal of the unused oyster bed sites and poles in local waters? People fishing have found that the markers do not adequately depict the location of the sites, and safety concerns have been raised.

Advice was provided that information was received from PIRSA in 2012 and would be addressed with them again.

Cr Rowlands:

Why were questions in relation to road works at North Fishermans Bay not addressed in the Agenda.

Refer to Item 14.2.5 for relevant motion.

MOTIONS WITH NOTICE - Nil

MOTIONS WITHOUT NOTICE - Nil.

ADOPTION OF COMMITTEE REPORTS - Nil

COUNCIL BUSINESS – OFFICER'S REPORTS

- 14.1 ACTING CHIEF EXECUTIVE OFFICER – PETER WARD
- 44 **MOVED: Cr Kerley** **SECONDED: Cr McDonald**
"That the Report from the Acting Chief Executive Officer for the March meeting be received and noted."
CARRIED
- 14.1.1 Enterprise Bargain Administration Employees
Noted
- 14.1.2 Nominations for LGA of SA State Executive Committee
Agreed for the Acting CEO and Mayor Dolling to discuss and decide. A preference was made for representation from DC Yorke Peninsula to be included.
- 14.1.3 Snapper Spatial Zones
Noted.
- 14.1.4 Alford Speed Limit
Noted
- 14.1.5 RDA Funding
Noted
- 14.1.6 Fishermans Bay Freeholding Application/s and proposed Coast Protection Infrastructure
Noted.
- 14.1.7 Emerging Leaders Program 2013
- 45 **MOVED: Cr Kerley** **SECONDED: Cr Rowlands**
"That the Acting CEO enrol in the Emerging Leaders Program 2013."
CARRIED
- 46 **MOVED: Cr Rowlands** **SECONDED: Cr Kerley**
"That the Council agree to move the May Council meeting to the 7th May 2013."
CARRIED
- 14.1.8 Road Closures - Anzac Day - Port Broughton
- 47 **MOVED: Cr Weedon** **SECONDED: Cr McDonald**
*"That Council exercises its powers pursuant to Section 33 of the Road Traffic Act 1961 and Clause F of the Instrument of General Approval of the Minister dated 12 March 2001 to:
Pursuant to Section 33(1) of the Road Traffic Act 1961, declare that the event described below ("the roads") is an event to which Section 33 of the Road Traffic Act 1961 applies; and
Pursuant to Section 33(1)(a) of the Road Traffic Act 1961, make an order directing that The Roads on which the Event are to be held and any adjacent or joining roads specified below, be closed to traffic:*

West Terrace (from James Street to Edmund Street) and Bay Street (from Mackay Street to West Terrace) between the hours of 6.15am to 7.15am on Thursday 25th April 2013 for the purpose of ANZAC Day Dawn Service.

McKay Street (from James Street to Bay Street) Bay Street (from Harvey Street to West Terrace) and West Terrace (from James Street to Edmund Street) between the hours of 10.45am to 12.45pm on Thursday 25th April 2013."

CARRIED

14.1.9 Road Closures - Anzac Day - Bute

48 MOVED: Cr Weedon **SECONDED: Cr McDonald**

"That Council exercises its powers pursuant to Section 33 of the Road Traffic Act 1961 and Clause F of the Instrument of General Approval of the Minister dated 12 March 2001 to:

Pursuant to Section 33(1) of the Road Traffic Act 1961, declare that the event described below ("the roads") is an event to which Section 33 of the Road Traffic Act 1961 applies; and

Pursuant to Section 33(1)(a) of the Road Traffic Act 1961, make an order directing that The Roads on which the Event are to be held and any adjacent or joining roads specified below, be closed to traffic:

High Street (from Railway Terrace to Northwest Terrace) Railway Terrace (from Second Street to First Street) and Third Street (from Second Street to First Street) between the hours of 6.00am to 10.00am on Thursday 25th April 2013."

CARRIED

14.1.10 Lease alteration/addition Request - Bute Sporting Club

49 MOVED: Cr McDonald **SECONDED: Cr Kerley**

"That Council request

1. "That the Bute Cricket Club provide written permission from the official lease holder – Bute Sporting Clubs Inc – to move the cricket practice nets to face north to south

2. Council grant permission to the Bute Cricket Club to move the cricket practice nets to face north to south upon receipt of written permission from the official leaseholder The Bute Sporting Clubs Inc.

3. That Council provide in kind support as requested in the correspondence from the Bute Cricket Club dated 4th March 2013."

CARRIED

14.2 FINANCE REPORT- ACTING CHIEF EXECUTIVE OFFICER – PETER WARD

50 MOVED: Cr Weedon **SECONDED: Cr McDonald**

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

CARRIED

14.2.1 Notice of Sale of Property

51 MOVED: Cr Kerley **SECONDED: Cr McDonald**

"That Council staff proceed with the sale of land being Railway Terrace, Mundoora and described in Certificate of Title Register Book Volume 5437 Folio 109"

CARRIED

14.2.2 Patrol Graders Contracts
Noted.

14.2.3 YPCTS (HACC) Vehicle
Noted.

14.2.4 Bayside Caravan Park
This item was deferred for discussion later in the meeting.

14.2.5 North Fishermans Bay

52 **MOVED: Cr Kerley** **SECONDED: Cr Weedon**
"That Council agree to provide the cash or equivalent sum of \$5,000 for works on the gazetted section of the road to the shacks located on the northern side of Fishermans Bay and for these works to be completed by the shack owners."
CARRIED

14.2.6 Solar Funding
Noted.

14.4 REPORT TO COUNCIL - PLANNING DEPARTMENT

53 **MOVED: Cr McDonald** **SECONDED: Cr Kerley**
"That the Report from the Planning Department for the March meeting be received and noted."
CARRIED

14.4.1 Strategic Planning and Development Policy Committee

54 **MOVED: Cr Rowlands** **SECONDED: Cr Kerley**
"That the District Council of Barunga West
1. Establishes a Strategic Planning and Development Policy Committee pursuant to section 101A of the Development Act
2. Appoints all members of the council to the committee
3. Appoints the Mayor as the presiding member of this committee
4. Adopts the Terms of Reference, reporting requirements and associated procedural matters."
CARRIED

14.4.2 Development Assessment Panel Members
This item was deferred for discussion at the April Council meeting.

14.3.3 Southern Foreshore Area - Port Broughton

56 **MOVED: Cr Kerley** **SECONDED: Cr Rowlands**
"That Council agreed for investigations to continue to proceed on the proposal to explore using stormwater runoff to establish a water feature at the southern end of the Port Broughton foreshore."
CARRIED

CONFIDENTIAL ITEMS

15.1 RURAL LIVING DEVELOPMENT PLAN AMENDMENT (DPA)

57 **MOVED: Cr Kerley**

SECONDED: Cr McDonald

"That Council approves under the provisions of Section 90 (2) of the Local Government Act 1999 an order be made that the public be excluded from attendance at the meeting with the exception of the Chief Executive Officer, Minute Taker and Planning Officer in order to consider, in confidence, a matter on the grounds of Section 90 (3)(m) being information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Development Plan Amendment proposal relating to the amendment is released for public consultation under that Act."

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."

CARRIED

59 **MOVED: Cr McDonald**

SECONDED: Cr Kerley

"That Council approves:

a. That all documentation relating to the above matter be kept confidential, pursuant to Section 91 (7) (b) of the Local Government Act, except for the purpose of consulting with relevant Agencies.

b. Further, that pursuant to Section 91 (9) (a) of the Local Government Act, that part "a" of this resolution shall cease from the day the Council releases the DPA for public (not agency) consultation."

CARRIED

15.2 PORT BROUGHTON SEAWALL

59 **MOVED: Cr McDonald**

SECONDED: Cr Kerley

"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, Mrs Debra Brokenshire, Planning Officer and Ms Kim Thomas, Minute Taker, be excluded from attendance at the meeting for Confidential Agenda Item 15.2 Port Broughton Seawall.

The Council is satisfied that pursuant to Sections 90(3)(d) of the Local Government Act 1999, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party.

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."

CARRIED

60 **MOVED: Cr Kerley**

SECONDED: Cr McDonald

"That Council instructs the Acting CEO to negotiate with Walling Systems to construct the remaining northern section of Seawall (to the north of last year's seawall replacement)."

CARRIED

15.3 BROUGHTON BAYSIDE CARAVAN PARK

62 **MOVED: Cr Kerley**

SECONDED: 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, Mrs Debra Brokenshire, Planning Officer and Ms Kim Thomas, Minute Taker, be excluded from attendance at the meeting for Confidential Item 15.3 Broughton Bayside Caravan Park.

The Council is satisfied that pursuant to Sections 90(3)(d) of the Local Government Act 1999, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party.

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."

CARRIED

64 **MOVED: Cr Kerley**

SECONDED: Cr Weedon

"That having considered Confidential Item 15.3 Broughton Bayside Caravan Park, in confidence under Sections 90(2) and 90(3)(d) 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."

CARRIED

CLOSURE

The Deputy Mayor declared the meeting closed at 9.02pm.

Cr B Rooney
Deputy Mayor, District Council of Barunga West