

**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

13 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 Motions with Notice as his sister is a director of Fishermans Bay Management.

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

4.1 Ordinary Meeting – 10<sup>th</sup> January 2012

1:12 **MOVED:** Cr Axford  
*"That the Minutes of the Ordinary Meeting of Council held on 10<sup>th</sup> January 2012 be confirmed as printed and supplied.*  
**SECONDED:** Cr Simmons  
**CARRIED**

4.2 Special Meeting – 24<sup>th</sup> January 2012

2:12 **MOVED:** Cr Axford  
*"That the Minutes of the Special Meeting of Council held on 24<sup>th</sup> January 2012 be confirmed as printed and supplied.*  
**SECONDED:** Cr Simmons  
**CARRIED**

#### 4.3 Special Meeting – 24<sup>th</sup> January 2012

- 3:12            **MOVED:**            Cr Axford  
                  *“That the Minutes of the Ordinary Meeting of Council held on 24<sup>th</sup> January 2012 be confirmed as printed and supplied.*  
**SECONDED:**      Cr Simmons  
**CARRIED**

#### 5. Business Arising from the Minutes

5.1      Nil.

#### 6. Deputations

6.1      Ms Caroline Schaeffer (Chairperson) and Lynne Waldon (CEO) Northern & Yorke NRM presented to the meeting. Questions were asked and discussions ensued.

#### 7. Members Reports

Mayor Dolling:

29/01/2012	Official opening of Tickera Community Centre
26/01/2012	Australia Day Award Ceremony – Port Broughton
14/02/2012	Ann Jones, ABC Radio Interview – Sea Wall Port Broughton
01/02/2012	Meeting with Minister Conlon, Member for Frome, Member for Goyder, Chief Executive Office and Deputy Mayor at Parliament House
14/02/2012	Budget Workshop meeting
13/02/2012	Central Local Government Region meeting

Deputy Mayor Rooney

26/01/2012	Australia Day Award Ceremony – Bute
24/01/2012	Special Meetings of Council – Port Broughton
01/02/2012	Meeting with Minister Conlon, Member for Frome, Member for Goyder, Chief Executive Office and Deputy Mayor at Parliament House
14/02/2012	Budget Workshop meeting

Cr Axford

29/01/2012	Official opening of Tickera Community Centre
26/01/2012	Australia Day Award Ceremony – Bute
24/01/2012	Special Meetings of Council – Port Broughton
14/02/2012	Budget Workshop meeting

Cr Kerley

24/01/2012	Special Meetings of Council – Port Broughton
29/01/2012	Official opening of Tickera Community Centre
06/02/2012	Natural Resource Management Group Meeting
06/02/2012	Port Broughton Progress Association meeting
14/02/2012	Budget Workshop meeting

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Cr McDonald		
24/01/2012	Special Meetings of Council – Port Broughton	
30/01/2012	Telephone conference with CEO, G Leydon and D Altmann	
08/02/2012	Port Broughton District Hospital and Health Services Health Advisory Council Meeting	
13/02/2012	Port Broughton Area School Governing Council meeting	
14/02/2012	Budget Workshop meeting	
Cr Rowlands		
24/01/2012	Special Meetings of Council – Port Broughton	
14/02/2012	Budget Workshop meeting	
Cr Simmons		
24/01/2012	Special Meetings of Council – Port Broughton	
26/01/2012	Australia Day Award Ceremony – Port Broughton	
29/01/2012	Official opening of Tickera Community Centre	
31/01/2012	Barunga Village General Meeting	
31/01/2012	Bute Sporting Club Meeting	
14/02/2012	Budget Workshop meeting	
Cr Smith		
26/01/2012	Australia Day Award Ceremony – Bute	
24/01/2012	Special Meetings of Council – Port Broughton	
14/02/2012	Budget Workshop meeting	
Cr Weedon		
26/01/2012	Australia Day Award Ceremony – Bute	
24/01/2012	Special Meetings of Council – Port Broughton	
29/01/2012	Official opening of Tickera Community Centre	

8. **Petitions**

8.1 Nil

9. **Questions with Notice**

9.1 Nil

10. **Questions without Notice**

- 10.1 Cr Kerley asked if arrangements had been made for David Sloper to visit. The CEO advised that discussions have begun and a meeting will be arranged shortly.
- 10.2 Cr Kerley asked whether Council will make a submission with regard to off road vehicle management as requested in the LGA circular 5.8. The CEO answered that he would certainly look at responding.

- 10.3 Cr McDonald – asked whether the CEO will report to Council on the suggestions in the correspondence received from Julie Norman regarding signage within Port Broughton after discussions with the Planning Officer. The CEO advised that this information will be brought back to Council at the April meeting.

11. **Motions with Notice**

- 11.1 Cr R Smith:

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 Fishermans Bay Management.

Mayor Dolling left the meeting at 7.58pm.

Deputy Mayor Rooney took conduct of the meeting.

- 4:12 **MOVED:** Cr R Smith  
*"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  
**MOTION WAS TIED – NO ACTION TAKEN**

Mayor Dolling returned to the room at 8.01pm and resumed conduct of the meeting.

- 11.2 Cr R Smith

- 5:12 **MOVED:** Cr R Smith  
*"That Council amend the Elected Member Allowance and Benefits Policy to include Council members  
use Council car(s) for travelling when available for Council functions and duties."*  
**SECONDED:** Cr Weedon  
**CARRIED**

**CR ROWLANDS CALLED FOR A DIVISION.**

**FOR:** Cr Smith, Mayor Dolling, Cr Rooney, Cr Axford, Cr Weedon  
**AGAINST:** Cr Simmons, Cr Kerley, Cr Rowlands, Cr McDonald

- 11.3 Cr L Kerley

- 6:12 **MOVED:** Cr L Kerley  
*"That DCBW invites Joanne Baulderstone (DENR/Native Vegetation Council) and David Sloper  
(Natural Resource Management) to speak at a council meeting about Roadside Vegetation  
Management and Natural Resource Management."*  
**SECONDED:** Cr Rowlands  
**CARRIED**

11.4 Cr L Kerley

- 7:12 **MOVED:** Cr L Kerley  
*"That Council includes in the Budget Discussions for 2012/2013:*
- 1. Undertaking a beautification program along the new shared use track at Port Broughton by:planting native endemic shrubs (eg Rhagodia parabolica) and native grasses on the bare soil from Don Smith's to Barunga by the Sea, western gate. Before planting, to also undertake poisoning of the re shooting peppertrees.*
  - 2. To undertake a beautification program along the fence of Boundy's caravan park (in consultation with Boundys) and*
  - 3. Also along the fence which is the boundary of Barunga Village and the hospital abutting the Port Broughton to Bute Road "*
- SECONDED:** Cr Axford  
**CARRIED**

11.5 Cr L Kerley

- 8:12 **MOVED:** Cr L Kerley  
*"That DCBW undertake eradication and safe disposal of cacti, boxthorn and oleander (under instruction from David Sloper or another qualified person) growing on the cliff top along Chalmers Road (north of public toilets) in Tickera, with consideration given to preservation of existing native vegetation and to undertake a revegetation program when these weeds have been removed.(as soon as practicable to staff availability)."*
- SECONDED:** Cr Rowlands  
**CARRIED**

11.6 Cr L Kerley

- 9:12 **MOVED:** Cr L Kerley  
*"That DCBW restore or replace the fence around the parking platform at the old well in Tickera with appropriate materials, replace or revamp the sign indicating the old well and to build steps for safe access to view the well."*
- SECONDED:** Cr Rooney  
**CARRIED**

11.7 Cr L Kerley

- 10:12 **MOVED:** Cr L Kerley  
*"That administration and councillors prepare a list of possible projects to be undertaken in the DC Barunga West in readiness for future grant applications."*
- SECONDED:** Cr Simmons  
**CARRIED**

12. Motions without Notice

12.1 Old Well at Ninnes

- 11:12 MOVED: Cr Rooney  
*"That council investigate costing to restore and repair the old well (including necessary masonry works) at Ninnes (corner Limekiln and Old Well Roads)."*  
SECONDED: Cr Weedon  
CARRIED

12.2 Cr Rowlands

- 12:12 MOVED: Cr Rowlands  
*"That Council hold all Council Meetings at the Port Broughton Council Offices."*  
SECONDED: Cr Kerley  
DEFEATED

CR ROWLANDS CALLED FOR A DIVISION.

FOR: Cr Rowlands, Cr Kerley, Cr McDonald

AGAINST: Cr Smith, Cr Simmons, Mayor Dolling, Cr Rooney, Cr Axford, Cr Weedon

13. Adoption of Committee Reports

13.1 Nil.

14. Council Business – Managers Report

14.1 Chief Executive Officer – Nigel Hand

- 13:12 MOVED: Cr Smith  
*"That the Report from the Chief Executive Officer for the February meeting be received and noted."*  
SECONDED: Cr Weedon  
CARRIED

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

Noted.

14.1.2 Native Vegetation Plans

Noted.

14.1.3 Ombudsman – Investigations

Noted.

**14.1.4 Kulpara – Port Broughton Road – Approach to the Minister**

Noted.

**14.1.5 Council's Community Survey for 2011**

14:12

**MOVED:** Cr Rowlands

*"That council hold a workshop for Budget discussions, Community Survey and Strategic Plan discussions from 12.00noon on 13<sup>th</sup> March 2012 (the date of March Council meeting)."*

**SECONDED:** Cr Kerley

**CARRIED**

**14.1.6 Bute Rail Corridor Project**

Noted

**14.1.7 Casey Road – Stormwater Retention Basis**

Noted

**14.1.8 State Bicycle Fund – Call for applications**

15:12

**MOVED:** Cr Rowlands

*"That Council apply for a State Government Bicycle Fund Grant to upgrade the original bicycle path commencing at North Terrace heading north along Fishermans Bay Road."*

**SECONDED:** Cr Axford

**CARRIED**

**14.1.9 Proposed Recreational Vehicle (Motor Home) Park at Bute**

Noted.

**14.1.10 Port Broughton Seawall upgrade**

Noted

**14.1.11 Port Broughton Visitor Information Outlet (VIO)**

Noted

**14.1.12 Native Vegetation negotiations – Nukunu Native Title Claim**

Noted

## 14.2 Deputy Chief Executive Officer – Peter Ward

16:12

**MOVED:** Cr Rooney

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

**SECONDED:** Cr Simmons

**CARRIED**

### 14.2.1 Barunga Village Inc Pensions Concessions

Noted

### 14.2.2 Port Broughton Caravan Park

Noted

### 14.2.3 Financial Audit Tender

Noted

### 14.2.4 Council Audio Visual

Noted.

### 14.2.5 Building Fees

Noted.

## 14.3 Manager – Infrastructure Services – Fred Linke

17:12

**MOVED:** Cr Kerley

*“That the Report from the Manager – Infrastructure Services for the February meeting be received and noted.”*

**SECONDED:** Cr McDonald

**CARRIED**

### 14.3.1 Anzac Day Road Closure – Port Broughton

18:12

**MOVED:** Cr Kerley

*“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 5.45am to 6.45am on Wednesday 25th April 2012 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 11.15am to 12.15pm on Wednesday 25th April 2012."*

**SECONDED: Cr McDonald**

**CARRIED**

#### 14.3.2 Anzac Day Road Closure – Bute

19:12

**MOVED: Cr Kerley**

*"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 Wednesday 25th April 2012."*

**SECONDED: Cr McDonald**

**CARRIED**

#### 14.3.3 Tree Trimming for Farm Machinery

20:12

**MOVED: Cr Kerley**

*"That council adopt the "Rural Road Tree Trimming Policy" as follows:*

*Council will maintain all Category One (1) and Category Two (2) roads in accordance with the "Roadside Vegetation Management Plan" "Appendix A: Maintenance Envelope Definition".*

*Council will also maintain those roads where a gate to the property in question, cannot be relocated to allow access from/to a Category One (1) or Category Two (2) roads, or have access via adjoining land, "owned" or "share farmed" by the applicant.*

**SECONDED: Cr McDonald**

**CARRIED**

#### 14.3.4 Rural Property Access – Road Upgrade

21:12

**MOVED: Cr Kerley**

*"That council adopt the Rural Property Access Policy as follows:*

*RURAL PROPERTY ACCESS POLICY*

*Council will not upgrade Category four (4) roads if the property in question can be accessed via another route. This includes if a gate can be relocated to provide access at the said property or the applicant has access via a neighbouring property of which the applicant has rights over."*

**SECONDED: Cr Rowlands**

**CARRIED**

#### 14.3.5 Speed limit in Melton

Noted.

#### 14.3.6 Refuse Depots Closures on Fire Ban Days

22:12        **MOVED:**        Cr Weedon  
                  *"That Council close its Refuse Depots to the general public on forecast Total Fire Ban Days."*  
**SECONDED:**    Cr Rooney  
**CARRIED**

#### 14.4    Development Report – Nigel Hand

23:12        **MOVED:**        Cr Weedon  
                  *"That the Development Report from the Chief Executive Officer for the February 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 Applications – Progress report

Noted

##### 14.4.5 Environmental Health Services

Noted.

#### 15.    Closure

15.1    The Mayor declared the meeting closed at 9.38pm.

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Cr D Dolling  
Mayor, District Council of Barunga West