

**MINUTES of the Ordinary Meeting of the District Council
of Barunga West held on Tuesday 13th September August 2011
commencing at 7.00pm at the Bute Council Chambers,
Railway Terrace, Port Broughton**

1. 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, N Hand (Chief Executive Officer), P Ward, (Manager – Finance & Administration), R Linke (Manager – Works), and Ms K Thomas (Minutes Secretary).

In attendance:

A Public Gallery of: 9

Sonny Coombs, Yorke Peninsula Country Times

2. Apologies And Leave Of Absence:

2.1 Leave of Absence:

Nil

2.2 Apologies:

Nil

3. Conflict of Interest Provisions

3.1 Mayor Dean Dolling declared a conflict of interest with item 14.4.3 Fishermans Bay Management (FBM) Freeholding application as his sister is a director of Fishermans Bay Management.

3.2 Cr Weedon, Cr Rooney and Cr Smith declared a conflict of interest with item 14.4.3 Fishermans Bay Management (FBM) Freeholding application as they are members of the Council Development Assessment Panel.

4. Confirmation of the Minutes of the previous Meeting

4.1 Ordinary Meeting – 9th August 2011

MOVED: Cr Kerley

SECONDED: Cr Rowlands

“That the Minutes of the Ordinary Meeting of Council held on the 9th August 2011 be confirmed as printed and supplied.”

CARRIED

5. Business Arising from the Minutes

5.1 The list of all motions actioned by Council, along with the details required, are included as an Appendix to the Chief Executive Officers Report.

5.2 Discussions (and a letter) have been held with our local Police regarding issues relating to the Dry Zones and New Years Eve celebrations.

5.3 Arrangements have been made to meet with the Coastal Management Branch, regarding the Port Broughton Seawall, and an application for Fishermans Bay Progress Association to extend their seawall on 14th September 2011.

6. Deputations

6.1 Nil.

7. **Members Reports**

Mayor Dolling

24/08/2011 Works & Infrastructure Committee Meeting and District Inspection
25 & 26/08/2011 LGA of SA 19th Roads & Works Conference, Barossa Valley
06/09/2011 Executive Committee Meeting
12/08/2011 Central Region of Local Government meeting
30/08/2011 CEO Performance Review, Allison Ashby, Adelaide

Cr Axford

24/08/2011 Works & Infrastructure Committee Meeting and District Inspection
25 & 26/08/2011 LGA of SA 19th Roads & Works Conference, Barossa Valley
06/09/2011 Executive Committee Meeting

Cr Kerley

24/08/2011 Works & Infrastructure Committee Meeting

Cr McDonald

24/08/2011 Works & Infrastructure Committee Meeting and District Inspection
26/08/2011 Primary Health Care Meeting
07/09/2011 Port Broughton District Hospital & Health Services Health Advisory Committee meeting
12/09/2011 Port Broughton Area School Governing Council meeting

Cr Rooney

24/08/2011 Works & Infrastructure Committee Meeting and District Inspection
25 & 26/08/2011 LGA of SA 19th Roads & Works Conference, Barossa Valley
06/09/2011 Executive Committee Meeting

Cr Rowlands

23/08/2011 Barunga Village Board Meeting
24/08/2011 Works & Infrastructure Committee Meeting
06/09/2011 Executive Committee Meeting

Cr Simmons

11/08/2011 Library meeting
19/08/2011 Volunteers meeting – Port Broughton
23/08/2011 Barunga Village Meeting
23/08/2011 Barunga by the Sea Opening Ceremony meeting
24/08/2011 Works & Infrastructure Committee Meeting and District Inspection
Cr Simmons advised that she was seeking leave of absence for the October 2011 meeting. Noted.

Cr Smith

23/08/2011 Barunga Village Meeting
24/08/2011 Works & Infrastructure Committee Meeting and District Inspection
25 & 26/08/2011 LGA of SA 19th Roads & Works Conference, Barossa Valley

Cr Weedon

24/08/2011 Works & Infrastructure Committee Meeting and District Inspection

8. Petitions

8.1 Graeme Schubert & Sandy Sheahan – Alford

MOVED: Cr Rowlands SECONDED: Cr Simmons

“That Council acknowledge receipt of the petition received from residents of Alford and forward the petition to the Department of Transport, Energy & Infrastructure.”

CARRIED

9. Questions with Notice

9.1 Cr Kerley provided five questions relating to vegetation removal:

- Was appropriate permission acquired to remove native vegetation some of which had significant environmental impact due to its rarity on Yorke Peninsula?
My direction to remove the vegetation on the Kadina Road was to
 - (a) *Remove the dead umbrella bushes and other dead vegetation in this area – which is approximately 100 metres*
 - (b) *To tidy up the existing fence which is old and in very poor repair*
 - (c) *Enhance this area following the removal of all the dead vegetation and casuarina trees on the former Port Broughton caravan Park soakage trench*
 - (d) *Enhance the work done by FOBBS with there terrific revegetation project adjoining this area.*
 - (e) *Two meetings ago there was discussion on the need to enhance the entrances to the townships, and this tidy up was deemed a part of improving the entrance to the town, and*
 - (f) *Compliment the work of the new shared use path on the eastern side of Kadina Road, as part of the entrance of the town.**In directing the staff I was aware of the Guidelines for the removal of vegetation on roadsides as published by the Native Vegetation Council.
I did not seek any approval from the relevant authority*
- Were staff instructed to remove all the vegetation or just the dead timber and whose idea was it to suddenly need the roadside tidied?
I gave the direction to remove the vegetation – refer details above
- Why was it necessary to remove everything with a front end loader when a chain saw would have done the job?
The work required a heavier machinery to remove the dead vegetation and the roots associated with this timber. The use of a chainsaw would have taken a longer period of time to undertake the work and not achieved the desired outcome.
- Will someone (eg David Sloper or qualified NRM person) educated in the appropriate roadside shrubs to plant, be consulted when replanting is undertaken?
*Shrubs planted should be low growing, endemic and local provenance.
AT this stage I had no plans to currently replace the vegetation, due to the good work that FOBBS are currently undertaking, and have plans for further planting in the area.*
- **The Mayor has decided that the fifth question asked by Cr. Kerley would not be allowed, in accordance with the provisions of the *Local Government (Procedures at Meetings) Regulations 2000.***

10. Questions without Notice

10.1 Nil.

11. Notices of Motion**11.1 Barunga West Road Safety Group funding****MOVED:** Cr Smith **SECONDED:** Cr McDonald

"That the District Council of Barunga West:

1. Donate the sum of \$1,000 to the Barunga West Road Safety Group for Defensive Driver and Awareness Training Programme to be included in the 2011/2012 budget; and
2. That the sum of \$2500 be included in Council's budget on an annual basis, and should other funding be sourced, Council ensure the contribution totals the sum of \$2500."

CARRIED**11.2 Native vegetation****MOVED:** Cr Kerley **SECONDED:** Cr McDonald

"That David Sloper or a suitably qualified NRM representative be consulted on appropriate native vegetation to be planted when the revegetation program is undertaken for the roadside replanting on Kadina Road, from south of the beach access to the front of Anthony Richardson's house."

CARRIED**12. Motions without Notice****12.1** Nil.**13. Adoption of Committee Reports****13.1** Works and Infrastructure Committee – 24th August 2011**MOVED:** Cr Rowlands **SECONDED:** Cr McDonald

"That Recommendations 1, 2, 3, 4, 5, 6, and 7 from the Works Committee Meeting held on 24th August 2011 be accepted as follows:

Recommendation 1

That the timbers from the Port Broughton jetty restoration will be retained by Council and utilised for Council and Community projects at the discretion of the Chief Executive Officer and staff.

Recommendation 2

That Council direct the Manager – Works to seek additional quotes for treatment of white ants at Alford Town Hall, from appropriately qualified tradespeople, and for the Manager – Works to determine the most appropriate quote and course of treatment.

Recommendation 3

That no action be taken at this time for a new Information Board on the Port Broughton jetty, but arrangements be made to renovate the existing board.

Recommendation 4

That no action be taken to install any additional grab rails on the pontoon at the Port Broughton boat ramp.

Recommendation 5

That Council agrees to allocate \$5000 to the owners of the North Fishermans Bay holiday homes to upgrade the road to their properties, in consultation with Council's Works Manager.

- 14.1.3 New Policy – Community Consultation Policy – Capital Works**
MOVED: Cr Simmons SECONDED: Cr Smith
“That the Council endorses the Community Consultation Policy for Capital Works as prepared by the Chief Executive Officer.”
CARRIED
- 14.1.4 Amended Policy – Tree Policy**
Noted. Agreed for this proposed amended Policy to be kept in abeyance until a review of the Roadside Vegetation Plan is held.
- 14.1.5 Council Policies – Completion of public consultation process**
MOVED: Cr Rooney SECONDED: Cr Weedon
That following appropriate public consultation that the Council endorse the following policies
- *Code of Practice for access to meetings and documents*
 - *Code of Practice for meeting procedures*
 - *Code of Conduct for Council members*
 - *Code of Conduct for Council employees*
 - *Contracts and Tenders Policy*
 - *Public Consultation Policy*
 - *Order Making Policy*
 - *Internal Review of Council decisions procedures*
 - *Safe environment - minimising the risk of harm to children and other vulnerable groups*
 - *Information Privacy”*
- CARRIED**
- 14.1.6 Performance Review – Chief Executive Officer**
Noted.
- 14.1.7 Community Access to Grants**
Cr Kerley commented on work completed by Kim Thomas regarding grants.
- 14.1.8 Port Broughton Jetty Opening**
MOVED: Cr Rowlands SECONDED: Cr Rooney
“That the following recommendations from the meeting called to consider the jetty opening celebrations be accepted by Council.
“That Council:
1. *Dismiss the proposed event to celebrate the opening of the Port Broughton jetty on 2nd October 2011*
 2. *Continue with arrangements for a formal opening of the jetty with government representatives on 25th October 2011.*
 3. *That advertisements and a media release detailing the jetty being opened be placed in the YP Country Times, the Northern Argus, the Port Pirie Recorder, The Flinders News, and the State pages of the Advertiser.”*
- CARRIED**

- 14.1.9 Australia Day Awards – Review of Celebrations**
MOVED: Cr Kerley SECONDED: Cr Axford
“That following a public consultation process that Council continues with its current practice of having separate Australia Day Awards for the Bute and Port Broughton districts.”
CARRIED
- 14.1.10 Ombudsman - Investigations**
Noted.
- 14.1.11 Native Vegetation Council - Investigation**
Noted.
- 14.1.12 Council’s Community Survey for 2011**
MOVED: Cr Rowlands SECONDED: Cr Rooney
“That Council investigate the costs to have all survey replies sent to a professional research company (eg McGregor Tan Research Pty Ltd) for analysis and a report to Council, to be considered at the next council meeting.”
CARRIED
- 14.1.13 Mr Brett Gill – Railway land, Bute**
MOVED: Cr Kerley SECONDED: Cr McDonald
“That Council agree in principle to support the proposal for the Bute railway corridor (east of Bute to the Council boundary) to be upgraded to a walking trail/bike path, subject to
 - *A feasibility study to be undertaken (to be arranged by the Chief Executive Officer),*
 - *An appropriate Risk Assessment of the proposal is undertaken, and*
 - *Appropriate grant funding is obtained for this proposal.”***CARRIED**
- 14.1.14 Minister for Transport & Infrastructure – Grant Received**
Noted.
- 14.1.15 Australian Electoral Commission – Redistribution Committee**
Noted.
- 14.1.16 Council’s Annual Financial Audit – 2010/2011**
Noted.
- 14.1.17 Messrs P & C Button – Harvey Street, Port Broughton**
MOVED: Cr McDonald SECONDED: Cr Simmons
“That Council representatives seek the opportunity to meet with Clare and Peter Button to seek appropriate resolution of the signage.”
CARRIED
- 14.1.18 Barunga West Outdoor Gym Working Party - Proposal**
MOVED: Cr Smith SECONDED: Cr McDonald
“That Council supports in principle the proposal for an outdoor gym on the Port Broughton foreshore (northern end) subject to, and not including:
 - *Consultation with adjoining land owners, and the community*

- *A risk assessment of the proposal*
- *Grant funding being obtained*
- *Development approval.*

CARRIED

14.1.19 Replacement Cat 298 Loader

MOVED: Cr Kerley **SECONDED:** Cr Simmons

“That Council agree for the Executive committee to be empowered to investigate the purchase options recently received for a loader.”

CARRIED

14.1.20 Development Axford School site

MOVED: Cr Rowlands **SECONDED:** Cr Weedon

“That Council allow public space contribution funds to be used to support the Alford Progress Association’s application for BBQ and reserve area at the former school site.”

CARRIED

14.2 Manager, Finance & Administration – Peter Ward

MOVED: Cr Smith **SECONDED:** Cr Axford

“That the Report from the Manager, Finance & Administration for the September 2011 meeting be received and noted”.

CARRIED

14.2.1 Workers Comp Rebate

Noted.

14.2.2 Tickera Golf Club Proposed Works

Noted.

14.2.3 Auditors Visit

Noted.

14.2.4 Port Broughton Golf Club Insurance Claim

Noted.

14.2.5 ANZ Online

Noted.

14.2.6 Grants Commission

Noted.

14.3 Manager, Works – Fred Linke

No report was provided due to the Manager – Works being on annual leave.

14.4 CEO – Development Report

MOVED: Cr McDonald **SECONDED:** Cr Axford

“That the Report from CEO - Development for the September 2011 meeting be received and noted”.

CARRIED

Cr Smith, Cr Rooney and Cr Weedon declared that in accordance with Section 73 of the Local Government Act 1999 they had a conflict of interest with item 14.4.3 as they are members of Council's Development Assessment Panel which may need to consider Development DA 344/D006/99 and 344/D007/10 in the future.

Cr Smith, Cr Rooney and Cr Weedon left the meeting at 9.35pm

Cr McDonald was appointed to act as Mayor for the duration of the absence of the Mayor and the Deputy Mayor.

Update provided by Chief Executive Officer and discussion ensued to which answers were provided by the Chief Executive Officer.

MOVED: Cr Kerley SECONDED: Cr Rowlands
"That the CEO be empowered to work through the Fishermans Bay freeholding land division and seawall levee matters with the assistance of the planning consultants, lawyers and staff as required."

CARRIED

Mayor Dolling, Cr Smith, Cr Rooney and Cr Weedon returned to the meeting at 9.45pm.

15. Closure

The Mayor declared the meeting closed at 9.47pm.

Cr Dean Dolling
Mayor
District Council of Barunga West