

Present: Mayor L Kerley, Cr Margaret McDonald, Cr G Simmons, ,
Cr B Lockyer, Deputy Mayor P Button, Cr R Hewett, Cr D
Eason, Cr G Rowlands

Staff in Attendance: A Cole (Chief Executive Officer)
L Gale (Personal Assistant)
F Linke (Infrastructure Services Manager)

1. [Opening](#)

The Mayor Leonie Kerley opened the meeting at 7:00pm.

9 members of the public were in the gallery at the commencement of the meeting.

2. [Apologies and Leave of Absence](#)

2.1 Apologies: Cr Rob Locke

2.2 Leave of Absence: Nil

3. [Conflict of Interest Provisions](#)

Nil

4. [Confirmation of Minutes](#)

4.1 [Ordinary Meeting of Council held on the 11th December 2018](#)

MOVED: Cr Rowlands

SECONDED: Cr McDonald

"That the Minutes of the Ordinary Meeting of Council held on the 11th December 2018, with amendments, be confirmed as printed and supplied, with amendments as follows, namely;

Inclusion of the December 2018 Members Report for Cr Rowlands (absent from December 2018 meeting)

19 Nov Council swearing in ceremony, Pt Broughton

20 Nov Ordinary meeting of council, Pt Broughton

27 Nov EM Training day, Balaklava

4 Dec Informal meeting of council, Pt Broughton".

CARRIED UNANIMOUSLY

5. Business Arising from Minutes

Nil

6. Deputations

Nil

7. Members Reports

7.1 Mayor Kerley

11 Dec Ordinary Meeting of Council
12 Dec Awards Day PBAS
12 Dec Bute RSL Ladies Auxiliary Christmas
14 Dec Legatus at Nuriootpa
14 Jan Meeting with reps of Fisherman Bay Licensee Group
15 Jan Met with Sonny Coombs YPCT at Bute
15 Jan Inspected the fire site at Wokurna

Mayor Kerley sought, and was granted, leave of the meeting to make a personal explanation.

"I would like to, on behalf of Council, express our appreciation to all involved in fighting the fire near Wokurna yesterday. On such a hot and dangerous day, our emergency services and volunteers did an extraordinary job to contain the fire without loss of life or homes. My inspection this morning showed the fire had travelled to Kym & Helen Flowers shed and house boundary fence but, thankfully, all is okay. So a huge thankyou to all involved." Mayor Leone Kerley.

7.2 Cr Locke

n/a

7.3 Cr Lockyer

12 Dec Port Broughton Area School for RSL/Council
13 Dec Addressed concern with Judy Coad FBPA
30 Dec Attended Meet/greet FBPA Annual General Meeting
1 Jan New years fireworks at Fisherman Bay
2 Jan Visited Tickera Broughton Tce Road works
4 Jan Conferred with Corrin at FBM re Sea wall at Dunny Lane
6 Jan Meet and greet Muntoora Markets
8 Jan Conference with Mayor re Committee procedures
8 Jan Discussion with Fred Linke re. Nails on Jetty/Overgrowth on Bike/Walkway Fisherman Bay Road. Unpleasant smell of Boat ramp seaweed. Discussed Possible concerns John Lewis Drive.
15 Jan FB meeting

7.4 Deputy Mayor Button

12 Dec Awards Day PBAS
14 Jan Meeting with reps of Fisherman Bay Licensee Group

7.5 Cr Hewett

Nil report

7.6 [Cr Margaret McDonald](#)

- 12 Dec Port Broughton Area School's Awards Day assembly.
- 14 Jan Fisherman Bay Licensee Group meeting

7.7 [Cr Rowlands](#)

- 14 Jan Meeting with reps of Fisherman Bay Licensee Group

7.8 [Cr Eason](#)

- 12 Dec Awards Day PBAS
- 13 Dec Morning tea at hospital. CFS, Ambulance, Men's Shed, Country Health & other volunteers
- 14 Dec Met with several farmers at Bute, discussed various Council issues
- 8 Jan Spoke with Karimi from Alford re council matters, including street lighting
- 8 Jan Met with Tickera CRA members
- 10 Jan visited Tickera to photograph areas as discussed with CRA members
- 14 Jan Discussion with ratepayer re local government voting for ratepayers
- 14 Jan Met with members of Fisherman Bay Licensee group

7.9 [Cr Simmons](#)

- 12 Dec Barunga Village xmas lunch
- 17 Dec Barunga Village Board xmas lunch
- 8 Jan Barunga Village Butterfly House accreditation audit
- 14 Jan Met with Fisherman Bay Licensee Group

8. [Adoption of Committee Recommendations](#)

nil

9. [Adjourned Items](#)

Nil

10. [Questions with Notice](#)

10.1 [Question received from Cr Margaret McDonald](#)

At Council's August 2017 meeting, the following motion was carried, not unanimously, *"that Council agree to totally remove all four Aleppo pine trees located at the southern end of John Lewis Drive, with selection of quote to be undertaken by the Manager of Infrastructure Services, and be determined using " value for money" and appropriate Work, Health and Safety requirements."*

Can a full report be given to Council detailing the following, and any other relevant information:

a) Who was the contractor employed and at what initial quoted cost to Council?

T & J Tree Professionals were engaged. Cost was as per quote being \$5,500. This company were not a preferred contractor at the time with Council, so had to meet the induction requirements prior to being engaged. Two other quotes were received being \$10,175 and \$11,400.

b) What damage was done to surrounding properties by the contractors?

Some minor damage occurred to fences at two properties being a broken pine rail to one property and fence palings and gate hinge to another. There was some plant damage of which a \$100 voucher was given to two property owners to purchase new plants. Council staff assisted one elderly resident with re-planting. There was also some pine needles in a garden which were debatable if they were as a consequence of the tree removal or they were there prior to tree removal. These were removed by the contractor.

c) Who was responsible to rectify this damage, Council or contractors, and who did?

The Contractor was responsible and when notified he quickly arranged for repairs.

d) Was the finding of asbestos at the start of John Lewis Drive connected to this work?

No, the asbestos was on a section of footpath south of the Aleppo Pines.

e) What is the total cost of this project, including tree removal, the footpath repairs, fence repairs and vouchers given to homeowners as compensation?

Tree removal = \$5,500

Fence Repairs = \$0

Vouchers = \$200

Footpath = \$1645

The tree removal was completed promptly and to our satisfaction. When we contacted the contractor about the damage to the fences, he promptly attended to the repairs without fuss. The damage to the plants was minor and we believe they would have grown back but it was determined to supply a voucher to both residents as a sign of goodwill.

The footpath work was not part of the tree removal. As with any trees we remove from footpaths, we remediate the area to provide access.

Asbestos was discovered whilst doing footpath work near North Terrace and was removed by contractor.

10.2 Question received from Mayor Kerley

What action has been undertaken to carry out this motion from the Ordinary Meeting of Council 14 August 2018 which was moved by Cr Kerley, seconded by Cr Margaret McDonald, and carried unanimously?

'That an action plan is implemented to target declared plant species in the district, especially Gazania which is currently controllable, and undertake advertising and an awareness and assistance program to engage and inform the community of their responsibilities for declared plant eradication.'

The Motions and Actions Register states in the comments section that, 'Council's weed spraying program currently sprays Gazania plants. Info for the public is provided on council's web site.' Councillors are yet to see an action plan or an advertising, awareness and assistance program undertaken. I am yet to see any evidence of Gazania being sprayed out and the ratepayers would be better served by having a thorough advertising and information program undertaken along with information provided on council's web site.

Answer:

Information regarding weeds have been provided in the following locations:

- Winter 2018 newsletter article
- September 11 2018 Facebook Post – 454 people reached
- Council website January 2019

It is also planned to apply to the Commonwealth's "Communities Combating Pests and Weed Impacts During Drought – Biosecurity Management of Pests and Weeds funding round" in order to address these issues. Barunga West Council has been invited to apply for funding under this program. This application will be assessed through a restricted selection process, so this funding is not guaranteed.

10.3 Question received from Mayor Kerley

Has the cleaning of footpaths been undertaken as per the motion at the Ordinary Meeting of Council Sept 2018? Moved by Cr Barker seconded Cr Kerley, carried unanimously, *'That all footpaths in the commercial area of Harvey Street, Bay Street, McKay Street, Port Broughton plus High Street and Railway Terrace, Bute, be professionally cleaned as soon as practical, using funds set aside in the current budget for footpath maintenance.'*

Answer:

The footpaths are scheduled to be cleaned during the week commencing 21st January 2019 to avoid interruptions during the busier tourist period. The contractor is not one of councils preferred contractors so we are working with them to ensure they have provided appropriate documentation/induction prior to commencing works.

10.4 Question received from Cr Rowlands

What is the current status of the Port Broughton beach sand replenishment plans and does the Council have any plans to expand the useable sand footage by removal of the seaweed accumulated on both sides of the jetty foreshore?

Background

Council began investigating options for beach sand replenishment in September 2016 after storms left some sections with little to no sand.

At the January 2018 Council meeting then Councillor Greg Winen asked could sand replenishment be done at Port Broughton beach near the jetty and for it to be discussed at the next workshop.

In February 2018 it was announced by the CEO in the media that permission from State Government agencies was needed to proceed, but that the Coast Protection Board had approved the source of the sand and that Crown Lands was showing a lot of support for the project.

I note that the Minister for Environment, David Spiers, has scheduled a visit to Yorke Peninsula in February and will be visiting Black Point to see its sand replenishment project.

Answer:

There is no current Council "sand replenishment project" in place at the moment. Options were considered in 2018, but were not progressed by Council.

The dune remediation work in front of the Port Broughton Caravan Park is an NRM Northern & Yorke Project funded through a Council application. This NRM project consists of \$14,000 of remediation work, including sand replacement and protective fencing.

10.4 Question received from Cr Rowlands

What is the Council doing regularly to communicate with our ratepayers and visitors about events, actions, proposals, plans, general news, what's on in towns, etc.

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Background

There is a general lack of knowledge in our community of what the Council is doing. Relying on our web page, minutes from our meetings, the annual report posted with rate notices and any "newsletter" posted quarterly does not reach enough people. Too often I hear "what is the Council doing" or "I didn't know the Council was planning that" or "why wasn't I told".

[On our web page there is no link to media releases – do we ever issue any ? The latest news on the home page is on 20 November about the Christmas road closures, the display board outside the Council chambers is a hotchpotch of fliers and the only media release is from the CFS on 18 December, on facebook there are only 3 posts from the Council and they all in the last week of December – a notice about Vacswim, the winner of Christmas lights competition and a fire ban warning. Articles in the media appear to be generated as follow up by journalists attending Council meetings rather than self generated items.]

The recent confusion about the installation of a safe and diverse playing area for children on the foreshore is a clear example of poor communications.

This was a project where the location was unanimously endorsed by the whole Council, but because of “misunderstandings and misinterpretations” by people in the Community, Council wisely put the project on hold.

If we want to get off the ground projects like this, which may not require public consultation, there is a need for our administration to firstly consider what is it they are trying to achieve and then how best to communicate this to our ratepayers. To forge ahead without keeping our public informed is a recipe for disaster and dissatisfaction.

Effective communications of the Council’s aims, ambitions, aspirations and achievements would significantly increase the understanding of the role and responsibilities of Council.

High performing Councils recognise the importance and value of communicating well and understand communications as a strategic integral part of effective service delivery rather than a bolt-on chore at the end.

It is understood that the need to communicate more often and effectively in a small council like ours must be balanced against costs, staffing, experience and abilities. I am not suggesting that we employ, or contract, a professional to undertake this task. However, I do think that we could significantly improve our communications, consultation and marketing outcomes through the development of a strategic plan that utilises existing resources and introduces simple and more regular resources and tools to spread the message.

Asking residents and ratepayers if they would like to be put on an email mailing list, a group sms list , or a facebook friends list is just one way to massively expand our contact base.

The key objective of our communications should be to :

- Ensure all communication is timely, accurate, reliable and consistent.
- Present Barunga West and the Council in a positive light.
- Inform, educate and engage our ratepayers and residents in an efficient, effective and professional manner.
- Avoid public confusion by readily providing information on Council activities
- Avoid negative publicity and encourage positive publicity

Answer:

The process of communicating information to ratepayers within a small Council, and with approximately 44.63% of ratepayers that do not live in the Council area.

Where information is to be distributed, Council does utilise the following channels, namely:

- Council’s Website (news items, Agenda and Minutes;
- Council’s Facebook site;
- Council quarterly Newsletter, available on the Web and pick up from the Council Offices;

14.5 [Risk Management Report- Andrew Cole on behalf of Penny Sternal](#)

MOVED: Cr Rowlands

SECONDED: Cr Lockyer

"That the Risk Management Report from the Risk Management Officer for the January 2019 meeting be received and noted"

CARRIED UNANIMOUSLY

14.5.1 [Risk Management Update](#)

noted

15. [Correspondence](#)

Noted

MOVED: Mayor Kerley

SECONDED: Cr Lockyer

"That the meeting be suspend short term for a break."

CARRIED UNANIMOUSLY

The meeting was suspended short term at 8:39PM

MOVED: Cr Hewett

SECONDED: Cr Rowlands

"That the meeting resume."

CARRIED UNANIMOUSLY

The meeting resumed at 8:53PM

16. [Confidential Items](#)

16.1 [Drought Communities Programme - Extension](#)

MOVED: Cr Rowlands

SECONDED: Cr Simmons

"Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except Andrew Cole, CEO, Fred Linke, Manager Infrastructure Services and Lucy Gale, PA to the CEO, be excluded from attendance at the meeting for Agenda item 16.1 Drought Communities Programme - Extension.

The Council is satisfied that, pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is proposing to conduct business.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in these circumstances."

CARRIED UNANIMOUSLY

MOVED: Cr McDonald

SECONDED: Cr Simmons

"That formal proceedings be suspend short term."

CARRIED UNANIMOUSLY

Formal proceeding were suspended at 8:56PM

MOVED: Cr Rowlands **SECONDED:** Cr Hewett

"That formal proceedings resume."

CARRIED UNANIMOUSLY

Formal proceeding resumed at 10:08PM

MOVED: Cr McDonald **SECONDED:** Deputy Mayor Button

"That having considered Confidential Agenda Item 16.1 in confidence under Sections 90 (2) and 90 (3) (b) 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 until each grant application is approved and that this order be reviewed every 12 months."

CARRIED UNANIMOUSLY

16.2 [Proposed Skate Park Event](#)

MOVED: Cr Rowlands **SECONDED:** Cr McDonald

"Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except Andrew Cole, CEO, Fred Linke, Manager Infrastructure Services and Lucy Gale, PA to the CEO, be excluded from attendance at the meeting for Agenda item 16.1 Proposed Skate Park Event.

The Council is satisfied that, pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is proposing to conduct business.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in these circumstances."

CARRIED UNANIMOUSLY

MOVED: Cr McDonald **SECONDED:** Cr Simmons

"That having considered Agenda Item 16.1 Proposed Skate Park Event in confidence under Section 90(2) and (3)(b) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of that Act orders that the documents and Report only be retained in confidence until mutual consent to release documents from both YMCA and Council and that this order be reviewed every 12 months."

CARRIED UNANIMOUSLY

17. [Closure](#)

17.1 The Mayor declared the meeting closed at 10:33PM.