

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

Staff in Attendance: A Cole (Chief Executive Officer)
P Ward (Finance Manager)
L Gale (Personal Assistant)
K Baak (Planning Officer)

1. [Opening](#)

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

7 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](#): Cr Hewett

3. [Conflict of Interest Provisions](#)

14.2.1 Cr Rowlands advised he is a member of Pt Broughton Bowling Club.

14.2.1 Mayor Kerley declared a conflict of interest as her husband is a current office bearer of the Pt Broughton Bowling Club

4. [Confirmation of Minutes](#)

4.1 [Ordinary Meeting of Council – Tuesday 9th July 2019](#)

MOVED: Cr Lockyer

SECONDED: Cr Eason

“That the Minutes of the Ordinary Meeting of Council held on the 9th July 2019 be confirmed as printed and supplied.”

CARRIED UNANIMOUSLY

5. [Business Arising from Minutes](#)

Nil

6. [Deputations](#)

SAPOL presentation is to be deferred to the September 2019 meeting of Council due to SAPOL staff being unexpectedly unavailable for this meeting.

7. [Members Reports](#)

7.1 [Mayor Kerley](#)

23 July - Council Informal Gathering, Strategic Plan Review, Port Broughton

24 July - Meeting with Jane Hewett, HR Advisor Barunga West Council

26 July - CEO Catchup

30 July - Informal Gathering at Kulpara

01 Aug - Met with Lucy Gale

06 Aug - Visited the Men's Shed, Bute

08 Aug - PBAS Community Library Committee Meeting, Port Broughton

12 Aug – CEO catchup

7.2 [Cr Locke](#)

n/a

7.3 [Cr Lockyer](#)

12 July - Roads Forum Clare

21 July - Visit community garden and conferred with contractors on progress and completion.

7.4 [Deputy Mayor Button](#)

Nil

7.5 [Cr Hewett](#)

n/a

7.6 [Cr Margaret McDonald](#)

23 July - Strategic Plan meeting with consultant David Harding.

30 July - Council's Informal Meeting at Kulpara.

31 July - Port Broughton District Hospital and Health Services Health Advisory Council Meeting.

07 Aug - Port Broughton Area School's Governing Council Meeting.

7.7 [Cr Rowlands](#)

15 July - Visited several project locations around Port Broughton and Fisherman Bay

23 July - Strategic Plan meeting with consultant David Harding.

30 July - Council's Informal Meeting at Kulpara.

7.8 [Cr Eason](#)

Nil

7.9 [Cr Simmons](#)

30 July – Council Informal workshop, Kulpara

06 Aug – Barunga Village Building Meeting

07 Aug – Barungq Village Employee appreciation day

07 Aug – Barunga Village Board meeting

13 Aug – Bute Men’s Shed open day

8. [Adoption of Committee Recommendations](#)

Nil

9. [Adjourned Items](#)

Nil

10. [Questions with Notice](#)

Nil

11. [Questions without Notice](#)

Cr Rowlands – what has been the outcome of the following motion from 2018? ; *“That Council contact and liaise with DPTI to discuss the flooding problem and how to rectify it in their section of both Bay St and Harvey St and that following positive discussions a costing report be prepared into necessary works for better drainage to the Barunga West owned section of Bay St.”*

Answered at meeting, follow up email to be sent to DPTI

Cr Rowlands – When will the projects identified in the 2019-20 budget (\$300,000 value) be scheduled to start?

Taken on notice, a schedule of works will be provided

Cr Rowlands – What is the expected completion date for the access ramp at the southern side of the jetty?

Taken on notice, completion date to be advised

Cr Rowlands – Will there be any signage installed at Snook road showing the proposed walking trail?

Answered at meeting. Signage to be considered.

Cr Button – in regards to a previous meeting held with a representative of the Best Years Music & variety club, Chris Ellsmore, what is the progress on the actions sought for work to be done in the PB town hall?

Taken on notice, update to be provided

Cr Lockyer – Is it planned to consider in upcoming budget processes any permanent fencing along the seawall walkway at Pt Broughton? If not can a temporary measure be considered for the safety of people walking in low-light conditions where visibility may be impacted.

Answered at meeting, temporary solution to be considered.

12. [Motions with Notice](#)

12.1 Motion from Mayor Kerley

MOVED: Mayor Kerley **SECONDED:** Cr McDonald

“That Council investigates access routes and the cost of extending Walk the Yorke to Port Broughton and reports to Council at its December Ordinary Meeting.”

CARRIED UNANIMOUSLY

13. [Motions without Notice](#)

MOVED: Cr Rowlands **SECONDED:** Cr Lockyer

“That the motion passed 5 years ago (12 August 2014) that “Council prepare a report offering options and analysis of costs to attract extra and diverse businesses and extra and permanent new homebuilders” be finally resolved with a report brought back to the next Council meeting.”

CARRIED UNANIMOUSLY

14. [Council Business – Manager’s Reports](#)

14.1 [Chief Executive Officer Report – Andrew Cole](#)

MOVED: Deputy Mayor Button

SECONDED: Cr Simmons

“That the Report from the Chief Executive Officer for the August 2019 meeting be received and noted.”

CARRIED UNANIMOUSLY

14.1.1 [SAROC Annual Business Plan 2019-2020](#)

Noted

14.1.2 [SA Government LG Reform Program](#)

Noted

14.1.3 [Murray Darling Association \(MDA\) Region 8 Update](#)

MOVED: Cr Eason **SECONDED:** Mayor Kerley

“That Council nominate Councillor Brian Lockyer for position as Chair of Region 8 of the Murray Darling Association.”

CARRIED UNANIMOUSLY

14.1.4 [Seafood on Spencer Sponsorship Proposal](#)

MOVED: Cr McDonald **SECONDED:** Cr Lockyer

“That formal proceedings be suspended short term.”

CARRIED UNANIMOUSLY

Formal proceedings were suspended short term at 7:45pm

MOVED: Cr Simmons

SECONDED: Deputy Mayor Button

“That formal proceedings resume.”

CARRIED UNANIMOUSLY

Formal proceedings resumed at 7:58pm

MOVED: Cr Rowlands **SECONDED:** Cr Lockyer
“That Council agree to be a Major Sponsor (\$5,000) of the initial Seafood on Spencer event in 2020.”

CARRIED UNANIMOUSLY

14.1.5 [Motions and Actions Register](#)
Noted

14.1.6 [Meetings](#)
Noted

14.2 [Finance Report – Andrew Cole on behalf of Peter Ward](#)

MOVED: Cr McDonald **SECONDED:** Cr Rowlands
“That the report from the Finance Manager for the August 2019 meeting be received and noted.”

CARRIED UNANIMOUSLY

Mayor Kerley declared a conflict of interest and departed the meeting at 8:06pm
Deputy Mayor Peter Button took chair of the meeting at 8:06pm

14.2.1 [Port Broughton Bowling Club](#)

MOVED: Cr Rowlands **SECONDED:** Cr McDonald
*“1. That Council provides the Port Broughton Bowling Club with a five year community loan up to \$25,000, on the proviso that the Bowling Club approves the loan application at its meeting on 15 August 2019; and
2. The interest rate on the loan will be the Local Government Finance Authority rate for a 5 year loan.”*

CARRIED UNANIMOUSLY

Mayor Kerley re-joined the meeting and took chair of the meeting at 8:14pm

14.3 [Manager Infrastructure Services – Andrew Cole on behalf of Fred Linke](#)

MOVED: Deputy Mayor Button **SECONDED:** Cr Rowlands
“That the Report from the Manager Infrastructure Services for the July 2019 meeting be received and noted.”

CARRIED UNANIMOUSLY

14.3.1 [Customer Service Report](#)
Noted

14.4 [Development Services Report – Kuol Baak](#)

MOVED: Cr Eason **SECONDED:** Cr Lockyer
“That the Report from Development Services for the August 2019 meeting be received and noted.”

CARRIED UNANIMOUSLY

14.4.1 Road opening Tickera

MOVED: Cr McDonald **SECONDED:** Deputy Mayor Button
“That formal proceedings be suspended short term.”
CARRIED UNANIMOUSLY

Formal proceedings were suspended short term at 8:18pm

MOVED: Cr McDonald **SECONDED:** Cr Lockyer
“That formal proceedings resume.”
CARRIED UNANIMOUSLY

Formal proceedings resumed at 8:23pm

MOVED: Mayor Kerley **SECONDED:** Cr Eason
“That the Barunga West Council approve the following four projects in Tickera:
3.1 *Initiate a Road Process to open the road Mark A on the map contained within this report; and*
3.2 *Seek dedication of that part of Crown Land Marked B on the map contained within this report; and*
3.3 *Initiate a Road Process to open the road Mark C on the map contained within this report; and*
3.4 *Initiate a Road Process to open the road Mark D on the map contained within this report.”*
CARRIED UNANIMOUSLY

14.4.2 Development Assessment Statistics

Noted

14.4.3 Meetings

Noted

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

MOVED: Cr Eason **SECONDED:** Mayor Kerley
“That the Risk Management Report from the Risk Management Officer for the August 2019 meeting be received and noted”
CARRIED

14.5.1 Risk Management Update

Noted

15. [Correspondence](#)

Noted

MOVED: Cr Lockyer **SECONDED:** Cr Simmons
“That the meeting be suspend for a 15 minute break.”
CARRIED UNANIMOUSLY

The meeting was suspended short term at 8:36pm

MOVED: Cr Rowlands
"That the meeting resume."
CARRIED UNANIMOUSLY

SECONDED: Deputy Mayor Button

The meeting resumed at 8:50pm

16. [Confidential Items](#)

16.1 [Review of Confidential Items Register](#)

MOVED: Cr Rowlands
"That pursuant to Sections 90 (2) of the Local Government Act 1999 the Council orders that all persons, except Senior Managers and the Minute Taker be excluded from attendance at the meeting for Confidential Agenda Item 16.1. The Council is satisfied that pursuant to Sections 90 (3) (a) of the Act that the consideration of issues relating to the Confidential Agenda Item 16.1 is information relating to the personal affairs of any person. 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 UNANIMOUSLY

SECONDED: Cr Lockyer

MOVED: Mayor Kerley
"That formal proceedings be suspended short term."
CARRIED UNANIMOUSLY

SECONDED: Cr McDonald

Formal proceedings were suspended short term at 8:51pm

MOVED: Cr Eason
"That formal proceedings resume."
CARRIED UNANIMOUSLY

SECONDED: Deputy Mayor Button

Formal proceedings resumed at 9:51pm

MOVED: Cr Rowlands
*"1. That Council agrees to release from confidence those agenda items identified for release in the attached Register of Confidential Items, Working Document, dated 9 August 2019.
2. That having considered Confidential Agenda Item 16.1 in confidence under Sections 90 (2) and 90 (3) (a) 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."*
CARRIED UNANIMOUSLY

SECONDED: Cr McDonald

16.2 Dalling Street Property

MOVED: Cr McDonald

SECONDED: Cr Lockyer

"Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except Senior Managers and the Minute Taker, be excluded from attendance at the meeting for Agenda item 16.2 Confidential Report to Council –Dalling Street Property.

The Council is satisfied that, pursuant to section 90(3)(b) of the Act, the information to be received, discussed and considered in relation to this Agenda Item could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and would, on balance, be contrary to the public interest.

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 because the information to be disclosed and discussed has the potential to impact adversely on the commercial position of Council and not be in the public interest."

CARRIED UNANIMOUSLY

MOVED: Cr Kerley

SECONDED: Cr Rowlands

"That having considered Confidential Agenda Item 16.2 in confidence under Sections 90 (2) and 90 (3) (a) and (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 for a period of 12 months."

CARRIED UNANIMOUSLY

16.3 Fisherman Bay Land Division

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 Council Staff Officers, be excluded from attendance at the meeting for Agenda item 16.3 Fisherman Bay Land Division.

The Council is satisfied that, pursuant to section 90(3)(b) of the Act, the information to be received, discussed and considered in relation to this Agenda Item could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and would, on balance, be contrary to the public interest.

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 because the information to be disclosed and discussed has the potential to impact adversely on the commercial position of Council and not be in the public interest."

CARRIED UNANIMOUSLY

MOVED: Cr Rowlands

SECONDED: Deputy Mayor Button

"That having considered Agenda Item 16.3 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 relating to agenda item 16.1 be retained in confidence for a period of 12 months and that this order be reviewed every 12 months."

CARRIED UNANIMOUSLY

17. [Closure](#)

17.1 The Mayor declared the meeting closed at 10:00PM.

Cr Leonie Kerley
Mayor, Barunga West Council