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**MINUTES OF THE ORDINARY MEETING OF THE
DISTRICT COUNCIL OF BARUNGA WEST
HELD AT THE BUTE COUNCIL CHAMBERS, BUTE
ON 11th JANUARY 2010 AT 7.00 PM**

1.0 PRESENT:

Mayor Dolling, Cr I Burgess (Deputy Mayor), Cr M McDonald, Cr T Schkabaryn, Cr G Simmons, Cr L Kerley, Cr Weedon, and Cr. Rooney, N Hand (Chief Executive Officer), L Jolly (Manager – Finance & Administration), R Linke (Manager Works), and Ms C Hewett (Minutes Secretary)

In attendance:

A Public Gallery of 2 plus 1 (Media)

2.0 APOLOGIES AND LEAVE OF ABSENCE:

2.1 Leave of Absence

Nil

2.2 Apologies

Cr. R. Smith

3.0 CONFLICT OF INTEREST PROVISIONS

3.1 Nil

4.0 CONFIRMATION OF COUNCIL MINUTES

4.1 Ordinary Meeting – 8th December 2009

Cr Kerley moved, Cr McDonald seconded
“That the minutes of the Ordinary Meeting of Council held on 8th December 2009 be confirmed as printed and supplied.”

Cr Schkabaryn moved an amendment
“That an alteration be made to 10.1 (Page 3) that the following be included – The Chief Executive Officer responded to the chamber that the Council has written to Fishermans Bay Management on the 16th November stating Council will accept the amendment to the plan, (to replace The Chief Executive Officer responded with advice on a request for a meeting with Fisherman’s Bay Management Pty Ltd, to address the issues of the Progress Association)”

The amendment lapsed for want of a seconder.

The original motion was put to the vote and

CARRIED

5.0 BUSINESS ARISING FROM THE COUNCIL MINUTES

5.1 A report on the possibility of Smoke Free Zones at all Council Cemeteries has not been prepared at this time.

5.2 No response has been received to date from the Commissioner of Liquor and Gambling on our application for the extensions of the Dry Zones.

6.0 DEPUTATIONS

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6.1 Nil

7.0 MEMBERS REPORTS

Cr. DOLLING

12th December – Port Broughton Xmas pageant
17th December – Adelaide trip to inspect backhoe
6th January – Adelaide trip to inspect backhoe
RSL Xmas dinner

Cr. McDONALD

9th December- Port Broughton Area School Awards day
16th December – Port Broughton District Hospital & Health Services Health Advisory Council
Christmas dinner

Cr. SCHKABARYN

3rd January – Fishermans Bay Progress Association AGM
3rd January – Meeting with residents of Fishermans Bay re Fishing/Netting ban
3rd January – Meeting with members of community re freeholding of Fishermans Bay

Cr. SIMMONS

24th December – Bute 2000 Onwards Xmas party
12th January – Barunga Village building meeting

Cr. KERLEY

12th January – Port Broughton Christmas pageant

Cr. BURGESS

24th December – Bute 2000 Onwards Xmas party

Cr. WEEDON

17th December – Adelaide trip to inspect backhoe
6th January – Adelaide trip to inspect backhoe

Cr. ROONEY

6th January – Adelaide trip to inspect backhoe

8.0 PETITIONS OR MEMORIALS

8.1 PJ & DF Melling and approx 93 others - Concerns at net fishing in harbour

Expressing concern at the activities of commercial net fishermen fishing in the area zoned as voluntary closure recently, and seeking to have discussions with the local commercial fishermen and Department of Fisheries, to have the voluntary closure area altered to be permanently closed for commercial fishing. Messrs John Benn and Peter Petagna

Cr Schkabaryn moved, Cr Burgess seconded

“that the Council agree for the Chief Executive Officer to contact Primary Industries and Resources South Australia (PIRSA) to seek details on the required action to have the voluntary net bans in the Port Broughton and Fisherman’s Bay areas converted to a permanent ban, and the local commercial net fishermen be advised of this proposal, and seeking any comments that they have.”

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9.0 QUESTIONS WITHOUT NOTICE

- 9.1 Cr Dolling – Expressing his disappointment at the ANZ Banks decision to disallow the Rural Transaction Centre to supply coin to customers.

Cr Weedon moved Cr McDonald seconded

“That Council seek further discussions with Mr. Adam Moss, ANZ Regional Manager regarding his recent decisions regarding the operations of the Port Broughton Rural Transaction Centre”

CARRIED

- 9.2 Cr McDonald – Advising of footpath problems in Cross Street, with cracking and lifting of cement (*Manager - Works advised that he is aware of and attending to the problems*)

- 9.3 Cr Simmons – Advising of problems experienced with library system at the Bute office. (*Chief Executive Officer advised that he would review the current system*)

- 9.4 Cr Kerley raised the following issues

- Complaints on the operation of the Port Broughton waste Disposal Site relating to odours, hours of operations and payments to the contractor (*Manager - Works responded to the questions*)
- Concerns at the access from Duffield Road to the Bute Road, and the beach access road opposite the Port Broughton Bypass on the Kadina Road
- Enquired regarding the possible removal of the large number of dead trees on the Kadina Road, which were watered by the waste water from the Caravan Park prior to the STEDS. (*The Chief Executive Officer advised that this would incur a very large cost, and would have to be prioritised by Council*)
- Enquired if the Australia Day presentations at Bute and Port Broughton could be staggered to enable her to attend both ceremonies. (*The Chief Executive Officer explained that this would cause some concerns with delayed presentation times*)
- Expressed concern at unauthorised use of the Port Broughton Hall. (*The Chief Executive Officer advised that he would address this issue*)

10.0 QUESTIONS WITH NOTICE

- 10.1 Cr Schkabaryn seeking Council to reconsider its motion regarding application for the Fisherman’s Bay Progress Association seeking the title for its property at 23 Snook Road, Fisherman’s Bay.

Cr Schkabaryn moved

“that Council instruct the Manager Environmental Services to correspond with the Fishermans Bay Management and inform them that the Council recognises the site at 23 Snook Road, and allow for changes to the concept plans to incorporate this site.”

The motion lapsed for want of a seconder

11.0 COUNCIL BUSINESS – Managers Reports

11.1 *Chief Executive Officer’s Report*

Cr Burgess moved, Cr Simmons seconded

“That the District Manager’s Report for the January 2010 meeting be received and noted.”

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11.1.1 Regional Development Australia (RDA) Board

Cr Schkabaryn moved, Cr Simmons seconded

“That the Council advise the Office of Small Business and Regional Development that:

- 1. It agrees to the amalgamation of the Yorke Regional Board with the Southern Flinders and Mid North Board to form the new Mid North and Yorke Regional Development Australia, and*
- 2. The Council does not make any commitment to the Mid North and Yorke Regional Development Australia, until a Resource Agreement and Funding Agreement is received for consideration by Council. “*

CARRIED

Cr Simmons moved, Cr McDonald seconded

“That the Council agrees to sign the Deed of Variation for the extension of the Yorke Regional Development Board for the period ending 31st January 2010, as requested by the Office of Small Business and Regional Development”

CARRIED

11.1.2 Tickera Community Group - Elections

At the closing time for receiving ballot papers for the election of committee members for the new Tickera Community Group, the following persons were elected.

Randall FIGG, Anne RULE, Scott BUSSECHUTT, Juniece MUELLER, Valmai SKELTON, John PUSKAS and Jeff WILLMENT

11.1.3 Canowindra Homes - Bute

A report was presented on the legal advice being sought (and yet to be received) for the Council to purchase the Canowindra Homes from the Housing Trust.

11.1.4 Local Government Association - Comparative Performance Measurement Project

Cr Weedon moved, Cr Schkabaryn seconded

“That the Council does not participate in the 2010 Local Government Association’s Comparative Performance Measurement Project. “

CARRIED

11.1.5 Appointment Acting Chief Executive Officer

Cr Schkabaryn moved, Cr Weedon seconded

“That Council appoint Lawrence Milton (Blue) Jolly as Acting Chief Executive Officer for the period 12th February to 23rd February 2010 during the absence of the Chief Executive Officer on Annual Leave.”

CARRIED

11.1.6 Land Management Agreement - AJ & JF Aitchison

Cr Schkabaryn moved, Cr Rooney seconded

“that the Council agree to the lodging of the Deposit of Plan 43643, in accordance with the Land Management Agreement of AJ & JF Aitchison, and authorise the Mayor and Chief Executive Officer to use the Council seal and the sign the documentation.”

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11.2 Manager – Finance and Administration

Cr Rooney moved, Cr Simmons seconded
“That the Manager – Finance and Administration’s Report for the January 2010 meeting be received and noted.” **CARRIED**

11.2.1 Audit Committee – 2008/09 Annual Report

Cr Burgess moved, Cr Schkabaryn seconded
“That the 2008/09 Annual Report of the Audit Committee be received and noted.” **CARRIED**

11.2.2 Long Term Financial Plan – Review

Cr Rooney moved, Cr Schkabaryn seconded
“That the Long Term Financial Plan, tabled for review, is adopted.” **CARRIED**

11.2.3 2009/10 2nd Quarterly Budget Review

Cr Rooney moved, Cr Burgess seconded
“That in accordance with Section 7 (1) of the Local Government (Financial Management) Regulations 1999 the Budget Review as at 31st December 2009 is adopted.” **CARRIED**

11.3 Manager – Works

Cr Burgess moved, Cr Simmons seconded
“That the Manager – Works Report for the January 2010 meeting be received and noted.” **CARRIED**

11.3.1 Community Waste Management System (CWMS) Rising Main

A report on problems with the Port Broughton CWMS Scheme was presented.

11.3.2 Vandalism

A report on damage to the Dry Zone signs was presented.

11.3.3 Council Plant Replacement

Cr Rooney moved, Cr Weedon seconded
“That Council purchases the JCB 3CX Backhoe and trade-in the Dresser 510 Front End Loader for a change over price of \$97,000 (GST exclusive). The purchase is to be funded in the form of a Debenture Loan of \$90,000 from the Local Government Finance Authority of SA, for a term of 7 years, at the current interest rate. The remaining balance of \$7,000 is to be withdrawn from the Asset Sales Reserve. The Mayor and Chief Executive Officer are authorised to sign, under Council Seal, all documentation associated with the Debenture settlement. Adjustments for the acquisition are to be made in the next Budget Review as at 31st March 2010.”

CARRIED

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11.4 Manager - Environmental Services

Cr Kerley moved, Cr Burgess seconded
“That the Manager – Environmental Services Report for the December 2009 meeting be received and noted.”
CARRIED

11.4.1 Approved Development Report – Period 1st – 31st December 2009.

Noted.

12. NOTICES OF MOTION

12.1 Nil.

13. COMMITTEE MEETINGS

13.1 Audit Committee

Cr Schkabaryn moved, Cr McDonald seconded
That the Minutes of the Audit Committee meeting held on 8th December 2009 as presented be received and the recommendations contained within be adopted.”
CARRIED

14. CLOSURE

The Mayor declared the meeting closed at 8.56 p.m.

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Cr D. DOLLING
MAYOR