

**MINUTES of the Ordinary Meeting
of the District Council of Barunga West
held on Tuesday 9th February 2010, commencing at 7.00pm
at the Bute Council Chambers, Railway Terrace, Bute**

- 1. PRESENT:**
Mayor Dean Dolling, Cr I Burgess (Deputy Mayor), Cr M McDonald, Cr T Schkabaryn, Cr G Simmons, Cr L Kerley, Cr Smith, Cr Weedon and Cr Rooney, N Hand (Chief Executive Officer), L Jolly (Manager – Finance & Administration), R Linke (Manager – Works), Ms C Hewett and Ms K Thomas (Minutes Secretary).
In attendance:
A Public Gallery of:
4 members of the public (Jeffrey Barnes, Ben Barnes, Carly Barnes, Simon Manners)
2 media (John Duncan and Sonny Coombs, Country Times)
1 Local Member (Geoff Brock MP, Member for Frome)
- 2. APOLOGIES AND LEAVE OF ABSENCE-**

 - 2.1 Leave of Absence**
Nil
 - 2.2 Apologies**
Nil.
- 3. Conflict of Interest Provisions**
Nil.
- 4. Confirmation of the Minutes of the previous Meetings**

 - 4.1 Ordinary Meeting –11th January 2010**
MOVED: Cr Rooney SECONDED: Cr Schkabaryn
“That the Minutes of the Ordinary Meeting of Council held on the 11th January 2010 be confirmed as printed and supplied.”

CARRIED
- 5. Business Arising from the Minutes**
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. Deputations**
Nil.
- 7. Members Reports**

Cr Dolling
26/01/10 Australia Day Celebrations
04/02/10 Isobel Redmond, Leader of the Opposition
09/02/10 Audit Committee Meeting

Cr Burgess
26/1/10 Australia Day Presentations
9/2/10 Audit Committee Meeting

Cr McDonald

- 26/1/10 Australia Day Celebrations at Port Broughton
- 3/2/10 Port Broughton District Hospital and Health Services Advisory Council meeting
- 9/2/10 Port Broughton Area School Governing Council meeting.

Cr Schkabaryn

- 1/2/10 Port Broughton Progress Association Meeting
- 6/2/10 Fishermans Bay Progress Association Meeting
- 26/1/10 Australia Day Breakfast

Cr Simmons

- 19/1/10 Barunga Village Meeting
- 26/1/10 Australia Day Breakfast
- 2/2/10 Barunga Village Building Meeting
- 8/2/10 Bute Sporting Club Meeting

Cr Kerley

- 26/1/10 Australia Day Breakfast at Port Broughton for ½ hour then to Bute for Australia Day Celebrations.
- 1/2/10 Port Broughton Progress Association

Cr Weedon

- 26/1/10 Australia Day Breakfast at Bute

Cr Rooney

- 9/2/10 Audit Committee meeting at Bute

Cr Smith

Nil.

8. Petitions

No Petitions were received for consideration by the Council.

9. Questions with Notice

No Questions with Notice were received for consideration by the Council.

10. Questions without Notice

- 10.1 Mayor Dolling - Seeking discussion for a direction for staff policing the boat ramp for non payment of fees and issuing infringement notices.

MOVED: Cr Rooney SECONDED: Cr Kerley

“That Council contact the District Council of Copper Coast as ascertain how they police their non-payment of boat launching fees.”

CARRIED

- 10.2 Cr McDonald - Seeking discussion regarding dead trees at end of the Port Broughton Caravan Park.

Agreed to refer to Works Committee meeting for inspection and discussion.

11. Council Business – Managers Report

11.1 Administration – Chief Executive Officer

MOVED: Cr Rooney SECONDED: Cr Simmons

“That the Report from the District Manager for the February 2010 meeting be received and noted”.

CARRIED

11.1.1 LGA Good Governance Program - Policies

MOVED: Cr McDonald SECONDED: Cr Smith

“(a) That the Council adopt the following policies as included in the Chief Executive Officer’s February 2010 Report to Council

- Council Members Training and Development Policy*
- Council Members Allowances and Benefits Policy*
- Fraud and Corruption Policy*
- Whistleblowers Protection Policy,*

and, that Nigel Andrew Hand is appointed as the Responsible Officer in accordance with the Fraud and Corruption, and the Whistleblower Protection Policies, and

(b) That the Council adopt the Terms of References for the following Council Committees, as detailed in the Chief Executive Officer’s February 2010 Report to Council

- Executive Committee*
- Works and Infrastructure Committee”*

CARRIED

11.1.2 Regional and Local Community Infrastructure Program - Opening Ceremony

A proposal has been submitted to Canberra for an opening ceremony of the Bute Skate Park to be held on 26th March 2010.

11.1.3 Council Office Extensions - Tenders

At the closing time (29th January 2010) for receipt of tenders for the extensions to the Council Office, a total of five tenders were received.

MOVED: Cr Schkabaryn SECONDED: Cr Rooney

“That Council sign the contract with Unique Urban Built to build the renovations to the Council office, at a cost of \$692,916.73 (including GST) which includes a contribution from SAPol for the fit out costs of the new Port Broughton Police Station”.

CARRIED

11.1.4 Consideration of the netting ban

Photograph of permanent and voluntary closed areas shown to all.
DVD of netting/fishing shown to all. Discussion between all parties.

MOVED: Cr Burgess SECONDED: Cr Kerley

That Council's Executive Committee and local Commercial fisherman meet to discuss and negotiate

- *the Voluntary Ban area*
- *potential zones for net fisherman; and*
- *development of an education strategy.*

CARRIED

11.1.5 Canowindra Homes

MOVED: Cr Burgess SECONDED: Cr McDonald

"That Council agree to not pursue the acquisition of Canowindra Homes from Housing SA."

CARRIED

11.1.6 By-laws Review

As required by legislation the Council is required to review their By-laws every seven years.

The Council has six By-laws:

- | | |
|----------|-----------------------|
| By-Law 1 | Permits and Policies |
| By-Law 2 | Moveable signs |
| By-law 3 | Roads |
| By-Law 4 | Local Government Land |
| By-Law 5 | Dogs |
| By-Law 6 | Boat Ramps |

There are three possible changes for By-law 4 (Local Government Land) to make at this stage and they are:

1. In respect of the Cemeteries, to have smoking bans.
2. In respect of the pontoon attached to the Port Broughton Jetty, to impose a 48 hour time limit for mooring at the jetty.
3. Speed limit on the Port Broughton Boat Ramp.

MOVED: Cr Kerley SECONDED: Cr Weedon

"That Council endorse a public consultation process for the review of Council's By-Laws, with the above suggestions to be included. This consultation to take place in accordance with Council's Public Consultation Policy."

CARRIED

11.1.7 Port Broughton Jetty and Fisherman's Bay Channel

Noted.

11.1.8 Port Broughton Rural Transaction Centre (RTC) and ANZ Bank

Noted.

11.1.9 Regional Development Australia (RDA)

MOVED: Cr Schkabaryn SECONDED: Cr Smith

“That Council agree to be a member of the new Regional Development Australia Yorke and Mid North, and agree for the Mayor and the Chief Executive Officer to sign and place the Council seal on the Funding Agreement between the Minister for Regional Development, and the fifteen member Councils.”

CARRIED

11.1.10 Land Management Agreement 7587340 - Rescission

MOVED: Cr Burgess SECONDED: Cr Weedon

“That the Council endorse the action of the Mayor and the Chief Executive Officer in signing and sealing the two Land Management Agreement Rescission Documents, and further that the Mayor and Chief Executive Officer be authorised to use the Council seal, and sign any documents that relate to the rescission of the Land Management Agreement No. 7587340.”

CARRIED

11.2 Manager - Finance & Administration

MOVED: Cr Burgess SECONDED: Cr Simmons

“That the Report from the Manager – Finance & Administration for the February 2010 meeting be received and noted”.

CARRIED

11.3 Manager – Works

MOVED: Cr Weedon SECONDED: Cr Burgess

“That the Report from the Manager – Works for the February 2010 meeting be received and noted”.

CARRIED

11.3.1 Casey Road Upgrade Request

MOVED: Cr Simmons SECONDED: Cr Kerley

“That council consider kerb and sealing of the unsealed section of Casey Road during budget deliberation for the 2010-11 budget.”

CARRIED

11.3.2 Bushfire Prevention Committee

MOVED: Cr Simmons SECONDED: Cr McDonald

“That Council make no decision on whether to continue with a District Bushfire Prevention Committee until after this issue has been discussed at the next meeting of that group”.

CARRIED

11.3.3 Alford Primary School – Removal of Buildings

A report on the removal of buildings from the Alford Primary School was presented.

MOVED: Cr Smith SECONDED: Cr Rooney

“That Council do not proceed any further with the removal of buildings from the Alford Primary School.”

CARRIED

11.3.4 Rural Road Naming Request

MOVED: Cr Rooney SECONDED: Cr Weedon

“That the District Council of Barunga West support the renaming of the road from Clare to Paskeville to be “Ninnes Way”, and send a letter of support to the Wakefield Regional Council.”

CARRIED

11.3.5 Youngs & Wokurna Road Upgrade Request

MOVED: Cr Burgess SECONDED: Cr Schkabaryn

“That Council considers upgrading Youngs and Wokurna Roads during budget deliberations for the 2010 – 2011 budget.”

CARRIED

11.3.6 Waste Management Update

A report was provided on the proposed bin system and subsequent rollout, together with works for the Port Broughton Transfer Station.

MOVED: Cr Simmons SECONDED: Cr Schkabaryn

“That Council:

- 1. Adopt a recycling management program to be implemented at the 1st July 2010.*
- 2. The Manager - Works to research all costings involved in purchase and roll out of bins and collection costs.*
- 3. The Manager - Administration & Finance provides a report and program regarding financing the program.*
- 4. The Chief Executive Officer implements and commences an education and awareness program to the community.”*

CARRIED

11.4 Manager – Environmental Services

MOVED: Cr Burgess SECONDED: Cr Kerley

“That the Report from the Manager –Environmental Services the February 2010 meeting be received and noted”.

CARRIED

11.4.1 Approved Development Report

Assessment Period 1 – 31 January 2010 inclusive.
Noted.

11.4.2 Correspondence – Request for the Amendment of Building Height Limits in the Residential Zone: Policy Area 3.

MOVED: Cr Smith SECONDED: Cr Simmons

“Council resolves that the Manager of Environmental Services alters the Non-Complying list for the Residential Zone in its forthcoming draft BDP & General Development Plan Amendment for consideration of Council before release for Public Consultation, to effect the following changes as set out below:

- (a) A dwelling in Policy Area 3 shall be limited to a height of seven (7) metres;*
- (b) The height limit set in point (a) as above, is to be measured from the required Australian Height Datum (“AHD”) site levels, and not the natural ground level.”*

CARRIED

11.4.3 Pest and Vermin Control

Noted.

11.4.4 Compliance Update

MOVED: Cr Schkabaryn SECONDED: Cr Smith

“Council resolves that the Manager of Environmental Services progresses compliance and enforcement proceedings against the Owners/Occupiers of the Bute Deli & Diner, for the unauthorised use of the road, comprising the extension of a cafe business to Outside Tables over the public footpath on the northern side of Railway Terrace, Bute, and unauthorised signage, as offences under both of the Acts as set out below:

- (i) Section 222 of the Local Government Act 1999; and*
- (ii) Section 84 of the Development Act 1993.”*

CARRIED

12. Notices of Motion

Nil

13. Adoption of Committee Report

No Committee meetings held in the past month.

14. Closure

The Mayor declared the meeting closed at 10.05pm

Cr D Dolling
Mayor
District Council of Barunga West