

**MINUTES of the Ordinary Meeting
of the District Council of Barunga West
held on Tuesday 9th March 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), M Marziale (Manager – Environmental Services), R Linke (Manager – Works) and Ms K Thomas (Minutes Secretary).

In attendance:

A Public Gallery of:

1 media (Sonny Coombs, 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 Cr McDonald advised that she had a conflict of interest with Agenda Item 6.1, Broughton Muntoora Football Club and Port Broughton Combined Sporting Clubs

3.2 Mayor Dolling advised that he had a conflict of interest with Agenda Item 11.4.2, DA No 344/D006/99 Freeholding of the Fisherman Bay Private Lease Settlement

4. Confirmation of the Minutes of the previous Meeting

4.1 Ordinary Meeting –9th February 2010

MOVED: Cr Simmons SECONDED: Cr Weedon

“That the Minutes of the Ordinary Meeting of Council held on the 9th February 2010 be confirmed as printed and supplied.”

CARRIED

5. Business Arising from the Minutes

5.1 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

6.1 Broughton Muntoora Football Club and Port Broughton Combined Sporting Clubs

Cr McDonald declared that she had a conflict of interest in this issue, as her family members were office bearers on the Committees. Due to the nature of Cr McDonald’s conflict of interest, she did not leave the meeting.

A submission for funding as a joint project with the Council has been received from the Broughton Muntoora Football Club and the Port Broughton Combined Sporting Club for upgrading the lighting of the western side of the Port Broughton Oval.

A representative of the Broughton Mundoora Football Club did not attend the meeting as Councillors had inspected and discussed the letter at the Works Committee meeting on 4th March 2010.

MOVED: Cr Smith **SECONDED:** Cr Schkabaryn

"That Council supports the Port Broughton Combined Sporting Club and Broughton Mundoora Football Club with their application for funding in the sum of \$6673.00 for lights at the Port Broughton Oval and should any grant funds be received by them for the project part or all funds be repaid to Council."

CARRIED

Cr McDonald abstained from voting.

7. Members Reports

Cr Dolling

- 12/2/10 Central Region Local Government Association (Burra)
- 4/3/10 Works Committee Meeting
- 26/2/10 Palate to Palette Art Gallery Presentation
- 1/3/10 MADEC Employment Opportunities (Kadina)
- 5/3/10 LGA Mayors & Chairs training (Mawson Lakes)
- 6/3/10 Welcome Sail Boats at start of Spencer Gulf Cruise

Cr Burgess

Nil.

Cr McDonald

- 20/2/10 Primary Health Care Committee Meeting
- 2/3/10 Port Broughton Area School AGM
- 4/3/10 Works Committee Meeting
- 5/3/10 Port Broughton Area School Sports Day

Cr Schkabaryn

- 12/2/10 Central Region Local Government Association
- 4/3/10 Works Committee Meeting
- 6/3/10 Fishermans Bay Progress Association

Cr Simmons

- 18/2/10 Library Meeting Port Broughton
- 23/2/10 Barunga Village Building Meeting
- 23/2/10 Barunga Village General Meeting
- 24/2/10 Bute 2000 Meeting
- 2/3/10 Yorke Peninsula Community Transport Meeting (Maitland)
- 9/3/10 Barunga Village Building Meeting
- 4/3/10 Works Committee Meeting

Cr Kerley

- 4/3/10 Works Committee Meeting
- Feb 10 Port Broughton Library Meeting

Cr Weedon

- 4/3/10 Works Committee Meeting

Cr Rooney

- 1/3/10 Kulpara Progress Association Meeting
- 4/3/10 Works Committee Meeting

Cr Smith

- 4/3/10 Works Committee Meeting

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

No Questions without Notice were received for consideration by the Council.

11. Council Business – Managers Report

11.1 Administration – Chief Executive Officer

MOVED: Cr Rooney SECONDED: Cr Simmons

“That the Report from the Chief Executive Officer for the March 2010 meeting be received and noted”.

CARRIED

11.1.1 LGA Good Governance Program – Policies

Noted.

11.1.2 Regional and Local Community Infrastructure Program - Opening Ceremony

Noted that no date had been set at this stage.

11.1.3 Council Office Extensions

A meeting was held with SAPol and Nathan O’Neill from Unique Urban Built on 5th March 2010 with positive results.

11.1.4 Consideration of the netting ban

A meeting with commercial fishermen is being arranged.

11.1.5 Canowindra Homes

MOVED: Cr Simmons SECONDED: Cr Schkabaryn

“That the Council advise SA Housing, that it does not wish to be a signatory to the agreement for the management of Canowindra Homes, with the Housing Trust and RSL Warmington Square Village Housing Association Inc., and agree to relinquish its interest in the land (situated at Section 352 Hundred of Wiltunga) to SA Housing”.

CARRIED

11.1.6 Arbon Road Development – Bute

More information on costing is required to determine the potential price of blocks of land. Further information will be provided at the next Council meeting.

- 11.1.7 Kulpara Progress Association.**
Reply to be sent that Council have noted their correspondence.
- 11.1.8 Lions Club of Bute & Districts**
MOVED: Cr Rooney SECONDED: Cr Weedon
“That Council approve the application of the Lions Club of Bute & Districts to install silhouettes on the northern side of the railway line at Bute, as a tourist attraction, in accordance with their request of 1st March 2010.”
CARRIED
- 11.1.9 Cr L Kerley**
MOVED: Cr Weedon SECONDED: Cr Schkabaryn
“That Council grant consent to Cr L Kerley for Leave of Absence for Council’s April and May 2010 meetings.”
CARRIED
- 11.1.10 ICLEI – Local Governments for Sustainability**
Agreed for Council to not be involved in their water program.
- 11.2 Manager - Finance & Administration**
MOVED: Cr Burgess SECONDED: Cr McDonald
“That the Report from the Manager – Finance & Administration for the March 2010 meeting be received and noted”.
CARRIED
- 11.2.1 Letter from Auditor, Dean Newbery & Partners – Council’s Asset Valuations and Database Upgrade Plan**
MOVED: Cr Schkabaryn SECONDED: Cr Kerley
“That the issues raised by the Auditor, Dean Newbery & Partners and the comments from Manager, Finance and Administration are noted.”
CARRIED
- 11.2.2 Dog Management Fees 2010/11**
MOVED: Cr Weedon SECONDED: Cr Burgess
“That the Dog Management Fees for 2010/11 remain unchanged.”
CARRIED
- 11.2.3 Internal Control (Accounting) Policy and Credit Card Policy - Review**
MOVED: Cr Burgess SECONDED: Cr Weedon
“That the Internal Control (Accounting) Policy and Credit Card Policy have been reviewed and are adopted”
CARRIED
- 11.2.4 Insurance Claim – Storm Damage at Port Broughton**
MOVED: Cr Burgess SECONDED: Cr Simmons
“That Council consider options for shade structures for the Port Broughton foreshore, and to inspect the structures at Office Beach, Wallaroo.”
CARRIED

11.3 Manager – Works

Refer to Paragraph 13.1 – Works and Infrastructure Committee meeting held 4th March 2010

11.4 Manager – Environmental Services

MOVED: Cr Burgess SECONDED: Cr Kerley

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

CARRIED

11.4.1 Approved Development Report

Assessment Period 1 – 28 February 2010 inclusive.

Noted.

11.4.2 DA No 344/D006/99 Freeholding of the Fisherman Bay Private Lease Settlement

Mayor Dolling declared that he had a conflict of interest in this issue, as his sister was a Director of Fishermans Bay Management Pty Ltd, the proponent for DA 344/D006/99.

Mayor Dolling left the meeting at 8.15pm.

MOVED: Cr McDonald SECONDED: Cr Burgess

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all persons, except N Hand – District Manager; M Marziale- Manager of Environmental Services; B Jolly – Manager Finance; Fred Linke- Manager of Works; Kim Thomas, Administration Officer, be excluded from attendance at the meeting for Agenda Item 11.4.2 Development Application No. 344/D006/99 for Land Division, by Fisherman Bay Management Pty Ltd – Freeholding of the Fisherman Bay Private Lease Settlement - UPDATE.

CARRIED

CONFIDENTIAL: Development Applicant No 344/D006/99 for Land Division, by Fisherman Bay Management Pty Ltd – Freeholding of the Fisherman Bay Private Lease Settlement - UPDATE

MOVED: Cr McDonald SECONDED: Cr Kerley

Section 91(7) Order- Confidentiality of Records of Agenda and Minutes Pursuant to Section 91(7)

That having considered Agenda Item 11.4.2 and 11.4.3 Development Application No. 344/D006/99 for Land Division, by Fisherman Bay Management Pty Ltd – Freeholding of the Fisherman Bay Private Lease Settlement - UPDATE, 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 Managers Report item 11.4.2 Development Application No. 344/D006/99 for Land Division, by Fisherman Bay Management Pty Ltd – Freeholding of the Fisherman Bay Private Lease Settlement – UPDATE, plus Minutes relating to that item in the said Report, be retained in confidence for

a period of two (2) years and that this order be reviewed every 12 months [if the confidentiality period is longer than 12 months in duration].

CARRIED

Mayor Dolling re-entered the meeting at 9.50pm.

12. Notices of Motion

Nil

13. Adoption of Committee Report

13.1 Works and Infrastructure Committee – held on 4th March 2010

MOVED: Cr Burgess SECONDED: Cr Schkabaryn

“That Council accept the Works and Infrastructure Committee Minutes from the meeting of the 4th March 2010 and Recommendations numbered 1 through 7.

1 – (a). That further investigation be carried out into the set up at handover of the Port Broughton Waste Water Treatment Plant to Council.

(b) That Council do not release the bank guarantee to the contractor at this point in time.

2 That Council adopt the District Council of Barunga West Waste Management Strategy as presented by the Manager - Works in his report.

3. That the request from the Port Broughton Bowling Club, for the laying of appropriate material at the Car Park be included in the Works Program for 2010/11.

4. That Council staff be instructed to investigate a number of issues relating to a proposed Walking Trail south of Port Broughton (Stages 3 and 4) in reference to risk management and costings.

5. Agreed for the area south of the fenced off area adjoining the Caravan Park, (and west of the trees in consideration) to be levelled, and an appropriate landscaping project be initiated.

Also agreed that consideration be given to a landscaping project on the portion of land east of the trees and between Kadina Road and the “Dale Road extension”.

6. Agreed that the Lions Club of Bute and District be approached to ascertain their level of involvement in the restoration project for the Bute Railway Platform, with recommendations for the removal of portion of the platform and installation of a fence around the crane and handrails.

7. Agreed for the Chief Executive Officer to obtain prices for repairs to the ceiling and gutters for the former Port Broughton Buff Lodge Hall for consideration by Council.”

CARRIED

13.1.2 Walking Trail

MOVED: Cr Schkabaryn SECONDED: Cr Kerley

“That Council staff be instructed to proceed with Stage 1 and 2 of the proposed Walking Trail south of Port Broughton Jetty.”

CARRIED

13.1.3 Arbon Road

An inspection of Arbon Road was held, and in particular the area of concern adjoining Mr. & Mrs. Paterson's property.

MOVED: Cr Schkabaryn SECONDED: Cr Simmons

"That Arbon Road be repaired in certain sections at the discretion of the Manager – Works."

CARRIED

13.2 Audit Committee Minutes – held on 9th February 2010

MOVED: Cr Simmons SECONDED: Cr Burgess

"That Council accept the Audit Committee Minutes from the meeting of 9th February 2010 and Recommendations 1-3 as detailed."

- 1. That Council reviews and adopts the Business Continuity Plan.*
- 2. That Council reviews and drafts new leases, with common terms and renewal dates, for the Community and Sporting Clubs with the intention of removing those Clubs' assets from Council's Asset Register.*
- 3. Council accepts in principle, the tender of \$692,916.73 (including GST) from Unique Urban Built to build the proposed renovations to the Port Broughton Office extensions.*

CARRIED

14. Closure

The Mayor declared the meeting closed at 9.55pm.

Cr D Dolling
Mayor
District Council of Barunga West