

**MINUTES of the Ordinary Meeting  
of the District Council of Barunga West  
held on Tuesday 11<sup>TH</sup> May 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) and Ms K Thomas (Minutes Secretary).

**In attendance:**

A Public Gallery of:

1 media (Sonny Coomb), Yorke Peninsula Country Times)

**2. APOLOGIES AND LEAVE OF ABSENCE-**

**2.1 Leave of Absence**

Nil

**2.2 Apologies**

R Linke (Manager – Works)

**3. Conflict of Interest Provisions**

3.1 Mayor Dolling advised that he had a conflict of interest with Agenda Item 11.4.5, DA 344/D006/99-Application for the Extension of the Operative Date of Consent for the Land Division by Fishermans Bay Management Pty Ltd: UPDATE

**4. Confirmation of the Minutes of the previous Meeting**

**4.1 Ordinary Meeting –13<sup>th</sup> April 2010**

Cr Simmons advised that paragraph 11.1.9 from the Minutes of the previous meeting held 13<sup>th</sup> April 2010 should read “... with any remaining funds to be used for a shade area on the beach next to the jetty.”

**MOVED: Cr Simmons SECONDED: Cr Schkabaryn**

*“That the Minutes of the Ordinary Meeting of Council held on the 13<sup>th</sup> April 2010 be confirmed as printed and supplied, with the above alteration included.”*

**CARRIED**

**5. Business Arising from the Minutes**

5.1 Cr Smith asked for progress update for paragraph 10.1 regarding the property at 8 Dalling Street, which was provided by the Manager – Environmental Services.

5.2 Cr McDonald asked for clarification of paragraph 11.3.3 and the confirmed attendees to the Roads & Works Conference.

**6. Deputations**

**6.1 Nil**

**7. Members Reports**

**Cr Dolling**

7/5/10 Audit Committee Meeting

21- 23/4/10 LGA Conference (Adelaide)

25/4/10 Anzac Dawn Service

21/4/10 Mobile Homes discussion, Kulpara

**Cr Burgess**

- 25/4/10 Anzac Day - laying of the wreath
- 7/5/10 Audit Committee Meeting

**Cr McDonald**

- 24/4/10 Fishermans Bay Licences Meeting
- 30/4/10 Port Broughton Primary Health Care Committee Meeting
- 3/5/10 Port Broughton Area School Governing Council meeting
- 4/5/10 Mid North Cluster Health Advisory Council Combined meeting at Laura

**MOVED: Cr McDonald      SECONDED: Cr Smith**

*"That Council agree to purchase a double paving brick for the Port Broughton Area School at a cost of \$70."*

**CARRIED**

**Cr Schkabaryn**

- 21- 23/4/10 LGA Conference (Adelaide)
- 24/4/10 Fishermans Bay Concerned Licences Group
- 29/4/10 Fishermans Bay Progress Association
- 3/5/10 Port Broughton Progress Association AGM
- 7/5/10 Audit Committee meeting

**Cr Simmons**

- 19/4/10 Sports Club Meeting
- 20/4/10 Barunga Village Strategic Planning
- 21/4/10 Barunga Village Strategic Planning
- 21/4/10 Barunga Village General Meeting
- 28/4/10 Bute 2000 Meeting
- 29/4/10 Library Meeting
- 25/4/10 Anzac Day Service

**Cr Kerley**

- 25/4/10 Anzac Dawn Service - Port Broughton
- 25/4/10 Anzac March and Service at Port Broughton (11am)
- 25/4/10 Anzac March at Bute (9am)
- 24/4/10 Fishermans Bay Lessees Meeting

**Cr Weedon**

Nil

**Cr Rooney**

- 7/5/10 Audit Committee Meeting
- 21/4/10 Kulpara Progress Association meeting re: mobile homes at Kulpara.

**Cr Smith**

- 21/4/10 Aged Care meeting
- 25/4/10 Anzac Day Dawn Service
- 25/4/10 Anzac Day Town Marching Parade
- 24/4/10 Meeting in town hall over freeholding of Fishermans Bay

**8. Petitions**

No Petitions were received for consideration by the Council.

**9. Questions with Notice**

9.1 Nil.

**10. Questions without Notice**

10.1 Cr McDonald proposed Council consider purchasing subscription to the "Our Community Grants" newsletter and making this information available to local community groups.

10.2 Cr McDonald proposed holding discussions with local schools regarding work experience, traineeship and other learning opportunities to youth of the area.

**11. Council Business – Managers Report**

**11.1 Administration – Chief Executive Officer**

**MOVED: Cr Burgess                      SECONDED: Cr Simmons**

*"That the Report from the Chief Executive Officer for the May 2010 meeting be received and noted".*

**CARRIED**

**11.1.1 By-law Review**

Noted.

**11.1.2 Regional and Local Community Infrastructure Program - Opening Ceremony**

Council have requested the 9<sup>th</sup> July as a preferred date.

**11.1.3 Council Office Extensions**

**MOVED: Cr Simmons                      SECONDED: Cr Schkabaryn**

*"That the Chief Executive Officer, and the available Managers be authorised to assess the tenders for the air conditioning for the Council Office Extensions, and to accept the most appropriate tender."*

**CARRIED**

**11.1.4 Repairs to the former Buff Lodge Hall at Port Broughton**

Noted that quotations will be received for the June meeting.

**MOVED: Cr Burgess                      SECONDED: Cr McDonald**

*"Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all persons, except Nigel Hand, Chief Executive Officer, Blue Jolly, Manager - Finance and Administration, Mark Marziale, Manager - Environmental Services, Fred Linke, Manager Works, and Kim Thomas, Minute Secretary, be excluded from attendance at the meeting for Agenda Item 11.1.5 Arbon Road Development - Bute*

*The Council is satisfied that, pursuant to Section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to*

*prejudice the commercial position of the person who supplied the information.*

*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 the circumstances."*

**CARRIED**

**11.1.5 Arbon Road Development - Bute**

**MOVED: Cr Simmons      SECONDED:      Cr Rooney**

*"That Council defer the Arbon Road Development and review the development as required and instruct the Manager - Environmental Services and the Chief Executive Officer to apply to the Development Assessment Commission for an extension of time for a period of 24 months for the Development Application."*

**CARRIED**

**11.1.6 Caretaker Policy**

**MOVED: Cr Burgess      SECONDED:      Cr Kerley**

*"That the Council adopts the District Council of Barunga West's Caretaker Policy, as included in the Chief Executive Officer's Report, in preparation for the 2010 Council elections."*

**CARRIED**

**11.1.7 Australian Government Regional Infrastructure - Program - Round 2**

Noted.

**11.1.8 Local Government Association of South Australia**

Report on the Research Project being undertaken by the Local Government Association with the Australian Centre of Excellence for Local Government.

**11.1.9 Port Broughton Jetty – concerns at moored boats**

The letter from Gary Barnes was noted and members indicated that the suggestion of Mr Barnes for closure of the jetty to the public was not supported.

**11.1.10 Annual Leave – Appointment of Acting Chief Executive Officer**

The Chief Executive Officer advised Council that he had appointed Mark Marziale as Acting Chief Executive Officer of the Council for the period 17<sup>th</sup> May to 28<sup>th</sup> May (both dates inclusive) during his absence on leave.

**11.1.11 Alford Primary School**

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

*"That Council acknowledges and supports the proposal from the Alford Progress Association to lease the former Alford School site subject to the public consultation process."*

**CARRIED**

**11.1.12 Letter from Aitchisons Earthmoving – reimbursement for sealing costs**

**MOVED: Cr Simmons                      SECONDED:                      Cr Smith**

*"That Council defer this correspondence until the Budget meeting".*

**CARRIED**

**11.1.13 Port Broughton Progress Association**

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

*"That Councillor Kerley and Cr Schkabaryn, and Mayor Dolling as an observer, form part of the sub-committee of the Port Broughton Progress Association to deal specifically with the Visitor Information Outlet."*

**CARRIED**

**11.2 Manager - Finance & Administration**

**MOVED:                      Cr Burgess                      SECONDED:                      Cr Kerley**

*"That the Report from the Manager – Finance & Administration for the May 2010 meeting be received and noted".*

**CARRIED**

**11.2.1 2010/11 Draft Business Plan and Budget – Adoption and Public Consultation Process**

**MOVED: Cr Burgess                      SECONDED:                      Cr McDonald**

*"The Council logo caption 'Uniting Bute & Port Broughton' be replaced by the Council slogan 'Lifestyle for the future'."*

**CARRIED**

**11.3 Manager – Works**

Nil due to apology.

**11.4 Manager – Environmental Services**

**MOVED:                      Cr Kerley                      SECONDED:                      Cr Schkabaryn**

*"That the Report from the Manager – Environmental Services for the May 2010 meeting be received and noted".*

**CARRIED**

**11.4.1 Approved Development Report**

Assessment Period 1 – 31 March 2010 inclusive.  
Noted.

**11.4.2 Environmental Health Officer – Position Vacant**

Noted.

**11.4.3 Coastal (Access) Assessment – Public Consultation Completed**

**MOVED: Cr Schkabaryn      SECONDED: Cr Burgess**

*“That Council adopts the Coastal (Access) Assessment Report, Nov 2009, including the Recommended (Coastal) Management Actions, by Deb Allen, Coast Care Officer, (Rural Solutions SA, for incorporation into its scheduled Works Program.*

**CARRIED**

**11.4.4 Liquor Licensing Act 1997: Application for Redefinition (Liquor) of the licenced area for the Existing Club Licence, by the Mundoora Community Sports Club.**

**MOVED: Cr Weedon      SECONDED: Cr Schkabaryn**

*“That Council advises the Office of the Liquor & Gaming Commissioner that it has no objections to the proposed Application for Redefinition of the Existing Club Licence No: 50900381, by the Mundoora Community Sports Club, dated 18/03/10 by the OLGC, involving an increase in the licenced trading area to accommodate an outdoor, but covered, smoking area, in accordance with the plans and details contained in the application.”*

**CARRIED**

**11.4.5 DA 344/D006/99-Application for the Extension of the Operative Date of Consent for the Land Division by Fishermans Bay Management Pty Ltd: UPDATE**

**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 8.41pm.**

**MOVED: Cr Simmons      SECONDED: Cr Kerley**

*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 11.4.5 DA 344/D006/99-Application for the Extension of the Operative Date of Consent for the Land Division by Fishermans Bay Management Pty Ltd: UPDATE*

**CARRIED**

**CONFIDENTIAL: DA 344/D006/99-Application for the Extension of the Operative Date of Consent for the Land Division by Fishermans Bay Management Pty Ltd: UPDATE**

**MOVED: Cr Rooney      SECONDED: Cr Weedon**

*That having considered Agenda Item 11.4.5 DA 344/D006/99-Application for the Extension of the Operative Date of Consent for the Land Division by Fishermans Bay Management Pty Ltd: 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 11.4.5 DA 344/D006/99-Application for the Extension of the Operative*

*Date of Consent for the Land Division by Fishermans Bay Management Pty Ltd: 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 9.30pm**

**12. Notices of Motion**

Nil

**13. Adoption of Committee Report**

**13.1 Audit Committee Meeting held 7<sup>th</sup> May 2010.**

**MOVED: Cr Burgess                      SECONDED: Cr Schkabaryn**

*“That Council accept the Audit Committee Minutes from the meeting of 7<sup>th</sup> May 2010 and Recommendations 1-3 as detailed.”*

1. *Council increase General Rates Revenue by 12.34% from 2009/10 with the fixed rate being \$320 and the remainder (CPI 4.8%) to be increased across the board.*
2. *The 2010/11 Draft Annual Business Plan and the 2010/11 Draft Budget, with cosmetic changes, be adopted and made available for public consultation, in accordance with Section 123 of the Local Government Act 1999 and the Local Government (Accountability Framework) Amendment Act 2009 (SA).*
3. *That the Review of policies:*
  - *Revenue & Financing*
  - *Treasury*
  - *Reserves*
  - *Asset Valuation*
  - *Asset Impairment*

*have been reviewed and are recommended to Council for adoption, subject to any changes.”*

**CARRIED**

**14. Closure**

The Mayor declared the meeting closed at 9.50pm.

---

**Cr D Dolling**  
**Mayor**  
**District Council of Barunga West**