

**MINUTES of the Ordinary Meeting
of the District Council of Barunga West
held on Tuesday 10th August 2010, commencing at 7.00pm
at 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 Weedon and Cr Rooney, N Hand (Chief Executive Officer), L Jolly (Manager – Finance & Administration), R Linke (Manager – Works) and Ms K Thomas (Minutes Secretary).

In attendance:

A Public Gallery of:
Sonny Coomb, Yorke Peninsula Country Times
Mr Colin Orr

2. Apologies And Leave Of Absence:

2.1 Leave of Absence
Nil

2.2 Apologies
Cr R Smith

3. Conflict of Interest Provisions

3.1 Mayor Dean Dolling advised that he had a conflict of interest with Agenda Item 11.3.4.

4. Confirmation of the Minutes of the previous Meeting

4.1 Ordinary Meeting – 13th July 2010

MOVED: Cr Simmons SECONDED: Cr Rooney

“That the Minutes of the Ordinary Meeting of Council and Minutes of the Public Meeting both held on the 13th July 2010 be confirmed as printed and supplied.”

CARRIED

5. Business Arising from the Minutes

5.1 A letter has been received from the Northern & Yorke NRM regarding weed control, mice plagues and locust control.
Noted.

5.2 Mr Colin Orr addressed Council regarding an article in the latest edition of the Port Broughton Echo regarding cemetery niche walls.
Mr Orr appealed to Council to rescind the motion 11.1.15 from Council's meeting of 13th July 2010 and to consider a new motion seeking alternative options to standardise the niche walls.
Cr McDonald foreshadowed a notice of motion to rescind the previous motion and a new motion to standardise all niche walls with appropriate ornaments for each plaque, that does not impede on any other plaques, and this should apply to all niche walls.
Mr Orr left the meeting at 7.15pm.

5.3 Manager - Environmental Services noted that in regards to paragraph 11.4.5 he has heard nothing further from the Members of Parliament in regards to the Land Division and freeholding process for DA 344/D006/99.

6. Deputations

Nil

7. Members Reports

Mayor Dolling

4/8/10 RCCC Dinner at Wallaroo
6/8/10 RCCC Presentation to Board
2/8/10 NRM Port Broughton
20/7/10 Council Alliance meeting, Kadina
21/7/10 District Managers Meeting

Cr Burgess

4/8/10 RCCC Dinner at Wallaroo

Cr McDonald

3/8/10 Port Broughton Area School Governing Council Meeting
13/8/10 Pending meeting with Pacific Hydro

Cr Schkabaryn

3/8/10 Australia Day forum, Port Pirie
4/8/10 RCCC Dinner at Wallaroo
7/8/10 Fishermans Bay Progress Association Meeting

Cr Simmons

19/7/10 Bute Sporting Club Meeting
27/7/10 Barunga Village meeting
28/7/10 Bute 2000 meeting
29/7/10 Port Broughton Library meeting
3/8/10 Barunga Village Building Meeting
4/8/10 RCCC Dinner at Wallaroo
10/8/10 Barunga Village Strategic Meeting

Cr Kerley

Nil

Cr Weedon

Nil

Cr Rooney

21/7/10 Kulpara Progress Association
4/8/10 RCCC Dinner at Wallaroo

8. Petitions

Nil

9. Questions with Notice

9.1 Cr Kerley submitted 5 written questions:

9.1.1 Question 1 was withdrawn by Cr Kerley.

- 9.1.2 *Question 2 – When will trees be planted along the southern roadside entrance to Port Broughton? With a wet season, trees should soon be planted to get them acclimatised and ready for the spring growing season.*
It was agreed to plant bottle brush (Gawler hybrid) trees in this area.
Manager - Works to implement.
- 9.1.3 *Question 3 – As yet no signs have been placed in the towns in DC Barunga West including ‘safe areas’ in time of bushfire or other disasters. When will this be done? Summer is on its way and there will be an abundance of dry vegetation after a wet season.*
The Chief Executive Officer advised that information was released on 9th August 2010 from Central Local Government Region of South Australia (Zoning Emergency Management Committee). Chief Executive Office is aware of this and will investigate further.
Manager - Works noting that this Council District does not have a fire rating, meaning that it is not a high risk.
- 9.1.4 *Question 4 – When will the remaining oyster farms be removed from Port Broughton Bay.*
MOVED: Cr Kerley SECONDED: Cr Rooney
“That Council contact PIRSA recommending removal of the oyster farm equipment in the Port Broughton and Fishermans Bay area.”
CARRIED
- 9.1.5 *Question 5 – Once again green rubbish, some timber and plastic bottles have been dumped in the little plantation opposite the bypass road, Port Broughton. Should we deny access to the areas along the beach to allow for regrowth and prevent dumping of rubbish, removal of beach sand, hooning, motor bikes etc? More recently large rocks were removed and access gained to the front of Boundy’s Caravan Park. These rocks have since been replaced. I believe Deb Allen in her report, recommended that these areas should be closed to traffic.*
Suggestion that public consultation be sought and referred to Works Committee for consideration.

10. Questions without Notice

- 10.1 Cr Rooney - Water pooling around Kulpara hall. Noted.
Cr Rooney - Condition of holes in road in Kulpara to Melton. Noted.
Cr Rooney - Grader being used in wet weather and roads being reduced to clay. Noted that the grader has been bogged in middle of the road, which is unacceptable. Manager - Works to action and refer to Works Committee for inspection of roads.
- 10.2 Mayor Dolling - fencing of pond on Casey Road.
Manager - Environmental Services provided verbal update. Agreed for further Action Notice be sent to owners as soon as possible, asking for their action within a certain period of time.
- 10.3 Cr McDonald - Demolition works on Dalling Street.
Manager - Environmental Services provided report.

11. Council Business – Managers Report

11.1 Administration – Chief Executive Officer

MOVED: Cr Schkabaryn **SECONDED:** Cr Rooney

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

CARRIED

11.1.1 By-law Review

Noted

11.1.2 Regional and Local Community Infrastructure Program – Round 3

Noted

11.1.3 Council Office Extensions – Progress Report

Noted.

11.1.4 Repairs to the former Buff Lodge Hall at Port Broughton

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

“That Council endorse the actions of the Chief Executive Officer to accept the quote and contract with Jaymac Electrical to conduct the repairs to the Buff Lodge Hall as tendered.”

CARRIED

11.1.5 Port Broughton Rainbow Quilters

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

“That the Chief Executive Officer negotiate with the Rainbow Quilters as to lease arrangements and further options for the use of the Buff Lodge Hall as a permanent meeting place.”

CARRIED

11.1.6 North Fishermans Bay – Damages to Sand Dunes

Noted.

11.1.7 Bute – Kulpara Road

Noted.

11.1.8 Kadina Road bicycle/pedestrian/gopher path

Noted.

11.1.9 2010 Council Elections

Noted.

11.1.10 Port Broughton Community Wastewater Management Scheme

Letter from Mr M Klingner noted.

11.2 Manager - Finance & Administration

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

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

CARRIED

- 11.2.1 Patrol Grading Contracts – Diesel Component**
MOVED: Cr Burgess SECONDED: Cr Schkabaryn
“That the median price of diesel fuel for the Patrol Grader Contractors be set at \$1.50 per litre with the variable of 25 cents remaining unchanged for the 2010/2011 financial year.”
CARRIED
- 11.2.2 Adoption of Valuations for 2010/11**
MOVED: Cr Burgess SECONDED: Cr Schkabaryn
“That Council adopts the amended Capital Valuations of the Valuer General, dated 31st May 2010, that are to apply for the area of rating purposes for the 2010/11 financial year, being Capital Valuations totalling \$914,869,580, comprising of \$874,161,200 of rateable land and \$40,708,380 of non-rateable land.”
CARRIED
- 11.2.3 External Audit: Year ended 30th June 2010**
MOVED: Cr Weedon SECONDED: Cr Rooney
“That Council notes the issues raised in the Auditor’s Report on the External Audit, and agrees with the recommendations and appropriate remedial action being taken by the Manager, Finance and Administration as detailed in his report to this Council meeting.. Furthermore, all relevant documentation pertaining to this Agenda item be tabled at the next Audit Committee meeting for their attention, and action, where necessary.”
CARRIED
- 11.2.4 2009/10 Last Quarterly Budget Review**
MOVED: Cr Burgess SECONDED: Cr Schkabaryn
“That Council has conducted the 2009/10 Last Quarterly Budget Review in accordance with Part 2, Section 7 of the Local Government (Financial Management) Regulations 1999.”
CARRIED
- 11.2.5 Internal Controls Policy - Review**
MOVED: Cr Weedon SECONDED: Cr Burgess
“That Council accept the Internal Controls Policy as provided in the report of the Manager – Finance and Administration.”
CARRIED
- 11.3 Manager – Works**
MOVED: Cr Rooney SECONDED: Cr Burgess
“That the Report from the Manager –Works for the August 2010 meeting be received and noted”.
CARRIED
- 11.3.1 Tickera Community Bonfire**
MOVED: Cr Kerley SECONDED: Cr Simmons
“That Council grant the Tickera Community and Recreation Association permission to conduct a Community Bon Fire at the Old Tickera Oval on the weekend of Saturday 4th September 2010.”
CARRIED

- 11.3.2 Special Local Roads Grants**
MOVED: Cr Schkabaryn SECONDED: Cr Rooney
"That Council approach Wakefield Regional Council for a joint application for 2011/12 for a Special Local Roads Funding Grant for the Wokurna Road from Cream Puff Corner to Highway One."
CARRIED
- 11.3.3 Road Closure – Council Office and Police Station Opening**
MOVED: Cr McDonald SECONDED: Cr Schkabaryn
*"That Council exercise its powers pursuant to Section 33 of the Road Traffic Act 1961 and Clause F of the Instrument of General Approval of the Minister dated 12 March 2001 to:
Pursuant to Section 33(1) of the Road Traffic Act 1961, declare that the event described below ("the roads") is an event to which Section 33 of the Road Traffic Act 1961 applies; and
Pursuant to Section 33(1)(a) of the Road Traffic Act 1961, make an order directing that The Roads on which the Event are to be held and any adjacent or joining roads specified below, be closed to traffic:
Harvey Street Port Broughton (from Bay Street to James Street) between the times of 8.30am 11.00am on Thursday 26th August 2010, for the purpose of the Opening of the New Police Station and Council Office.:"*
CARRIED
- 11.3.4 Request for Removal of tree**
Mayor Dolling declared his conflict of interest on this item due to the request being lodged by his son, and took no part in the discussion.
MOVED: Cr Kerley SECONDED: Cr McDonald
"That Council totally removed the tree from the footpath adjacent number 1, Fisherman's Bay Road, Port Broughton."
CARRIED
- 11.3.5 Bute Historical Society Building Repair**
MOVED: Cr Rooney SECONDED: Cr Weedon
"That Council seeks quotations to replace the roof on the Bute Historical Society Building."
CARRIED
- 11.3.6 Request for Kerbing**
MOVED: Cr Schkabaryn SECONDED: Cr Burgess
"The Council kerb 240 metres of the northern side of Dale Road from the intersection of Dale Road and Kadina Road running east, provided that Barunga Village pay a contribution of \$9,075 inc GST."
CARRIED
- 11.3.7 Waste Management Update**
Noted.

An adjournment of the meeting was held at 9.30pm.
The meeting resumed at 9.35pm.

11.4 Manager – Environmental Services

MOVED: Cr Burgess SECONDED: Cr Kerley

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

CARRIED

11.4.1 Approved Development Report

Assessment Period 1 – 31 July 2010 inclusive.
Noted.

11.4.2 Development Act 1993: Council DAP Meeting proposed to be held 21 July 2010

Noted.

11.4.3 The Barunga West DC Better Development Plans (BDP) and General Development Plan Amendment (DPA) Draft For Public Consultation.

MOVED: Cr Weedon SECONDED: Cr McDonald

*“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 11.4.3 **The Barunga West DC Better Development Plans (BDP) and General Development Plan Amendment (DPA) Draft For Public Consultation**, which discusses sensitive information regarding the proposed restructuring of Council's development plan, affecting all lands in the district and many stakeholders.*

The Council is satisfied that, pursuant to Section 90(3)(j) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would divulge information provided on a confidential basis by or to:

A Minister of the Crown, namely The Minister for Urban Development and Planning.

And

The Department for Planning and Local Government

The subject DPA contains sensitive information regarding proposed changes of the entire Barunga West DC Development Plan, which has been prepared in confidence between the DPLG and Council. The Report discusses sensitive information relating to proposed land use zoning changes under the Development Act 1993, effecting various lands and potentially numerous stakeholders, and may therefore be used by persons to speculatively seek to take advantage of the said 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.

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

The Barunga West DC Better Development Plans (BDP) and General Development Plan Amendment (DPA) Draft For Public Consultation.

The Manager – Environmental Services gave a report on the The Barunga West DC Better Development Plans (BDP) and General Development Plan Amendment (DPA) Draft For Public Consultation.

MOVED: Cr Kerley SECONDED: Cr McDonald

That Council:

- 1. Approves the release of the Barunga West DC Better Development Plans (BDP) and General Development Plan Amendment(DPA),including the Statement of Investigations, for Public and Agency Consultation, for a minimum of eight weeks, from Wednesday 18 August to Tuesday 26 October 2010, in accordance with Section 25(8) of the Development Act, 1993*
- 2. Authorises the Manager Environmental Services to undertake any minor grammatical and editorial corrections that may be required in finalising the draft, including Page 108 deleting the word "Caravan Park" and minor amendment to Zone Map BaW13 to adjust the residence adjoining the Tickera township on Coast Road.*
- 3. Directs the Chief Executive Officer to sign the Section 25 (10) Certificate for Public Consultation."*

CARRIED

12. Notices of Motion

12.1 Nil

13. Adoption of Committee Report

13.1 Nil

14. Closure

The Mayor declared the meeting closed at 10.28pm.

Cr D Dolling
Mayor
District Council of Barunga West