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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 AUGUST 2009 AT 7.00 PM**

1.0 PRESENT:

Mayor Dolling, Cr I Burgess (Deputy Mayor), Cr M McDonald, Cr T Schkabaryn, Cr B Rooney, Cr G Simmons, Cr L Kerley, Cr M Weedon, Cr. S. Ireland, N Hand (District Manager), L Jolly (Manager – Finance & Administration), R Linke (Manager Works), M. Marziale (Manager – Environmental Services) and Ms C Hewett (Minutes Secretary)

In attendance:

A Public Gallery of 1 (Media)

2.0 APOLOGIES AND LEAVE OF ABSENCE:

- 2.1 Leave of Absence**
Cr. Smith
Apologies

3.0 CONFLICT OF INTEREST PROVISIONS

- 3.1** Cr Burgess declared that he has a Conflict of Interest regarding Agenda Item 11.4.4.

4.0 CONFIRMATION OF COUNCIL MINUTES

- 4.1 Ordinary Meeting –9TH June 2009**

Cr Rooney moved, Cr Schkabaryn seconded

“That the minutes of the Ordinary Meeting of Council held on 14th July 2009 be confirmed as printed and supplied.”

CARRIED

5.0 BUSINESS ARISING FROM THE COUNCIL MINUTES

- 5.1** Advice has been received from the Bute Deli and Diner, advising that they are preparing an application for a permit for trading on the footpath.

6.0 DEPUTATIONS

- 6.1** Nil

7.0 MEMBERS REPORTS

Cr DOLLING

21st July – Port Broughton Hospital Palliative Care opening
8th August –Alford Hall Centenary celebrations

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Cr ROONEY

Nil

Cr McDONALD

15th July – Port Broughton & District Hospital & Health Services Health Advisory Council meeting

21st July – Opening of Palliative Care room, Port Broughton Hospital

31st July – Primary Health Care meeting

3rd August – Peter Kenyon Workshop Port Pirie – Creating & building strong communities

3rd August – Port Broughton Area School Governing Council meeting

Cr SCHKABARYN

21st July – Community Cabinet morning tea Port Pirie

21st July – Opening of Palliative Care room, Port Broughton Hospital

1st August – Fisherman's Bay Progress Association meeting

3rd August – Peter Kenyon Workshop Port Pirie – Creating & Building strong communities

3rd August – Port Broughton Progress Association

Cr SIMMONS

28th July – Barunga Village meeting

30th July – Bute Onwards 2000 Committee meeting

4th August – Barunga Village building meeting

6th August – Library meeting

10th August – Bute Sporting Club meeting

Cr WEEDON

27th July – Bute Hall meeting

Cr KERLEY

Nil

Cr BURGESS

Nil

Cr IRELAND

Nil

8.0 PETITIONS OR MEMORIALS

8.1 No Petitions were received for consideration by the Council.

9.0 QUESTIONS WITH NOTICE

9.1 No questions with Notice were received

10.0 QUESTIONS WITHOUT NOTICE

10.1 Cr. Kerley enquired regarding Emergency Assembly areas and Emergency Plans, to which the District Manager gave a response.

10.2 The Mayor and Cr. McDonald enquired to the buildings located on the old Alford School site.

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- 10.3** Cr. Schkabaryn sought information regarding the application of the Fisherman's Bay Progress Association, for extensions to the storage shed, to which the District Manager and the Manager Environmental Services provided a response.

11.0 COUNCIL BUSINESS – Managers Reports

11.1 *District Manager's Report*

Cr. Burgess moved, Cr. Weedon seconded

“That the District Manager's Report for the August 2009 meeting be received and noted.”

CARRIED

11.1.1 Elector Representation Review – Options Paper

The Options paper is currently out for Public Consultation, with all comments to be received by Friday 14th August 2009.

11.1.2 Council Office Extension

A report was given on the progress of the Council office extensions.

11.1.4 Bute Soldiers Memorial Hall

A Report was given on the committee meeting of the Bute Hall held on 27th July 2009.

Cr Kerley moved Cr Simmons seconded

“that an account be sent to the Bute Football Club for cleaning the Hall after their recent event, due to the poor condition of the as the Hall.”

CARRIED

11.1.5 Bute Office Break in

A report was given on the Office break in on 22nd July 2009.

11.1.6 Proposed Bute Development – Update

An update on the Arbon Road (Bute) development was presented.

11.1.7 Tickera Golf Club

Arrangements have been made for our Asst. Building Surveyor to do a detailed report on the requirements of the buildings at the existing club.

11.1.8 Palate2Palette – Review of fee

Cr. Kerley moved, Cr. Weedon seconded

“that Council upon considering the application for a review of the costs associated with the permit fee for Plate2Palette, reject the request for a reduction in the fee.”

CARRIED

11.1.9 Port Broughton Brush with our Heritage Art Prize

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Cr. Weedon moved, Cr. McDonald seconded

“That Council supports the request of the coordinators of the Port Broughton Art Competition, to permanently display the winning entries in the Port Broughton Office of the Council.” **CARRIED**

11.1.10 Road Closure – Hd. Kulpara

Cr. Rooney moved, Cr. Schkabaryn seconded

1. ORDER TO CLOSE ROAD

The following road is closed.

The whole of the unnamed public roads generally situated between Tivers and Yaroo Roads and adjoining Sections 546, 189, 405, 438 and 444 in Hundred of Kulpara, as delineated and lettered “A”, “B” and “C” on the Preliminary Plan 09/0017

2. ORDER FOR DISPOSAL OF CLOSED ROAD

The road closed by this order must be in accordance with the following order:

Transfer the whole of the land subject to closure to Yarra Hills Pty Ltd in accordance with the agreement for transfer dated 11th August 2009 entered into between the District Council of Barunga West and Yarra Hills Pty Ltd.

3. *And that the Mayor and District Manager be authorised to use the Council seal on the documents relating to the road closure.”*

CARRIED

11.1.11 Port Broughton Swimming Beach

Advice has been received from the Coastal Management Branch advising that they do not support the excavation of a swimming beach at the Port Broughton foreshore.

11.1.12 Alcohol Management Plan

Cr Kerley and Cr Dolling nominated to go on a Committee to prepare the Alcohol Management Plan.

11.1.13 Sale of Bute House

Cr Kerley moved Cr Simmons seconded

“that Council continue the current arrangements with the Professionals but lower the price”

Cr Rooney moved an Amendment, Cr Burgess seconded

“that Council change Real Estate agencies and maintain current price”

The Amendment was put to the vote and was **CARRIED**

The Amendment became **the motion** and was **CARRIED**

11.1.14 Storm water harvesting at Port Broughton

A report was presented on options for obtaining grant funding for the preparation of a storm water harvesting plan for Port Broughton.

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11.1.15 Port Broughton Scouts

Cr. Kerley moved, Cr. McDonald seconded

“That Council agree to the request of Scouts SA to extend the lease of the Port Broughton Scout for a period of 10 years, expiring as at 31st December 2019, but that the lease agreement be amended to indicate that the lease will not be renewed (Item 11 of the Schedule).”

Cr Schkabaryn moved an amendment

“That Council amend the lease to 5 years instead of 10”

The amendment was lost for want of a seconder

The original motion was put to the vote and **CARRIED**

11.1.15 Council’s Strategic Management Plan Update

A report was presented on the Council’s Strategic Management Plan achievements for the past twelve months.

11.1.16 District Manager’s Performance Review

Cr. Ireland moved, Cr. Burgess seconded

“That the Executive Committee be authorised to undertake the 2009 Performance Review of the District Manager.” **CARRIED**

11.1.17 Department of Trade and Economic Development

Cr. Schkabaryn moved, Cr. Rooney seconded

“That the Mayor and the District Manager be authorised to sign and to use the Council seal on the Deed of Variation between the Minister and the Councils within the Yorke Regional Development Board, to allow funding of the Board for the period 1st July 2009 to 31st December 2009.”

CARRIED

11.2 Manager – Finance and Administration

Cr. Simmons moved, Cr. Weedon seconded

“That the Manager – Finance and Administration’s Report for the August 2009 meeting be received and noted.” **CARRIED**

11.2.1 2008/09 Final Budget Review

Cr. Kerley moved, Cr. Simmons seconded

“That in accordance with Part 2, Section 7 of the Local Government (Financial Management) Regulations 1999 Council adopts the Final 2008/09 Budget Review.” **CARRIED**

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11.2.2 End of Financial Year Audit 3rd – 4th August 2009

Advice was given that the Auditors conducted the End of Year Audit last week and it is proposed to adopt the audited 2008/09 Financial Statements at Council meeting on 8th September 2009.

11.3 Manager – Works

Cr. Burgess moved, Cr. Kerley seconded

“That the Manager – Works Report for the August 2009 meeting be received and noted.”

CARRIED

11.3.1 Rural Property Addressing.

Cr. Ireland moved, Cr. Rooney seconded

“That the unnamed road heading west off Coast Road, Tickera be named Tonetaway Road after consultation with the Manners family.”

CARRIED

11.3.2 Street Light Upgrade

A report was given on a request for a street light in Passat Drive.

11.3.3 Request for Speed Limit Changes

A report was given on the response from the Department of Transport, Energy and Infrastructure on a number of requests for amendments to speed limits at Port Broughton.

11.3.4 Traffic Data and Contact Details for Rail Level Crossings

Correspondence has been received from The Level Crossing Unit of the Department for Transport Energy and Infrastructure requesting traffic data for the railway crossings in our council district.

11.3.5 By-Pass Road & Port Broughton Bute Road

An application for Black Spot Funding for the upgrade of this intersection will be submitted.

11.3.6 Grant Application - NRM

An application has been made to the Natural Resource Management Board for reducing the evaporation level at the Port Broughton Community Waste Water System lagoon .

11.3 Manager - Environmental Services

Cr Burgess moved, Cr Schkabaryn seconded

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“That the Manager – Environmental Services Report for the August 2009 meeting be received and noted.”

CARRIED

11.4.1 Approved Development Report – Period 1st – 30th June 2009.

Noted.

11.4.2 Coastal Motor Vehicle Access Management Strategy

Cr Kerley moved, Cr Schkabaryn seconded

“That, Council resolves to adopt the Coastal Motor Vehicle Access Management Strategy, prepared by Deb Allen, Coast Care Officer, (Rural Solutions SA), version dated November 2008.”

CARRIED

Cr Schkabaryn moved, Cr McDonald seconded

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; Corinne Hewett, Administration Officer, be excluded from attendance at the meeting for Agenda Item 11.4.3 Manager Environmental Services Report, regarding the draft DC Barunga West Port Broughton Solar Power Station Development Plan Amendment (DPA) Statement of Intent, for submission to the Minister for Urban Development and Planning.”

CARRIED

11.4.3 Port Broughton Solar Power Station Development Plan Amendment, Statement of Intent.

Cr Rooney moved, Cr Burgess seconded

“That pursuant to Section 91(7) having considered Agenda Item 11.4.3 Manager Environmental Services Report August 2009, regarding the draft DC Barunga West Port Broughton Solar Power Station Development Plan Amendment (DPA) Statement of Intent, in confidence under Section 90(2) and (3)(j) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of that Act orders that the 11.4.3 Manager Environmental Services Report August 2009, regarding the draft DC Barunga West Port Broughton Solar Power Station Development Plan Amendment (DPA) Statement of Intent, 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

Cr Simmons moved, Cr McDonald seconded

“That 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; Corinne Hewett, Administration Officer, be excluded from attendance at the meeting for Agenda Item 11.4.4 Manager Environmental Services Report, regarding the draft DC Barunga West Rural Living Development Plan Amendment, Statement of Intent, for submission to the Minister for Urban Development and Planning.”

CARRIED

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Cr Burgess advised that his property was included in the area proposed as part Barunga West Rural Living Report declared that he had a Conflict of Interest with Agenda Item 11.3.3, in accordance with the provisions of Section 74 (4a)(c)(ii) of the Local Government Act 1999.

Cr. Burgess left the meeting at 9.05pm

11.4.4 Barunga West Rural Living Development Plan Amendment Report, Statement of Intent

Cr Rooney moved, Cr Ireland seconded

“Pursuant to Section 91(7) That having considered Agenda Item 11.4.4 Manager Environmental Services Report, regarding the draft DC Barunga West Rural Living Development Plan Amendment, Statement of Intent, in confidence under Section 90(2) and (3)(j) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of that Act orders that the 11.4.3 Manager Environmental Services Report August 2009, regarding the draft DC Barunga West Rural Living Development Plan Amendment, Statement of Intent, 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

Cr Burgess returned to the meeting at 9.30pm

12. NOTICES OF MOTION

No Notices of Motion were received for this meeting.

14. CLOSURE

The Mayor declared the meeting closed at 9.32 pm.

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Cr D. DOLLING
MAYOR