

**MINUTES OF THE MEETING OF THE
DISTRICT COUNCIL OF BARUNGA WEST
HELD AT THE BUTE COUNCIL CHAMBERS ON
APRIL 10th 2007 AT 7:00PM**

PRESENT:

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

APOLOGIES:

Nil

DECLARATION OF CONFLICT OF INTEREST

Nil

CONFIRMATION OF COUNCIL MINUTES

Cr Rooney moved, Cr Simmons seconded,

“that the Minutes of Meeting held on March 13th 2007 be confirmed as printed and supplied.”

CARRIED

BUSINESS ARISING FROM THE COUNCIL MINUTES

1. Mr. Don Venn (Dean Newberry and Partners) has accepted our appointment of his company as our Auditor and has arranged for his staff to attend our office in early May. Arrangements will be made for the Audit Committee members appointed to date to meet with the Auditor.
2. Mr. David Harris was unfortunately unable to accept our invite to be on our Audit Committee and accordingly an invitation has been placed in our Newsletter seeking nominations from any interested person.
3. Mayor James Maitland and Mayor Ray Agnew have been appointed as the Central Region of Local Government representatives to be Local Government Association SA.

MEMBERS REPORTS

Cr. DOLLING

8th April - Fisherman's Bay Progress Association Presentations
- Port Broughton Progress Association

Cr. ROONEY

Nil

Cr. McDONALD

14th March – Port Broughton Area School Governing Council

28th March – Port Broughton & Districts Hospital Board Meeting
- Primary Health Care Introduction

Cr. SCHKABARYN

14th March - OHS&W Meeting

- Yorke Peninsula Tourist Association
- Fisherman's Bay Progress Association
- Port Broughton Progress Association

8th April - Easter Sports Day

Cr. SIMMONS

14th March – Bute 2000 Onwards

15th March – Port Broughton Library Meeting

20th March – Barunga Village Building Meeting

27th March – Barunga Village General Meeting

Cr SMITH

14th March – Road Safety Meeting

27th March – Aged Care Meeting

- Meetings with Rate Payer, District Manager and Manager –
Environmental Services - 25/3/07, 29/3/07 2/4/07 & 4/4/07.

Cr BURGESS

14th March – Bute 2000 Onwards

Cr KERLEY

Met with a ratepayer twice.

Cr IRELAND

Nil

Cr WEEDON

Nil

MEMBERS QUESTIONS

Cr McDonald enquired about the Mosquito baiting program at Port Broughton and Fisherman's Bay, and the location of the baits.

Cr Burgess reported on the discussion held the Bute 2000 Onwards Meeting regarding Bute Storm Water collection and the trees opposite the Bute Pub.

COMMITTEE REPORTS – Nil

MANAGERS REPORTS

Cr Kerley moved , Cr Burgess seconded,

“That all Officers’ Reports be received.”

CARRIED

DISTRICT MANAGER’S REPORT

1. Port Broughton Community School Library

At this stage it is anticipated that the electricity upgrade will occur during June/July with the School being closed during the July School holidays and construction work will commence mid July 2007, with completion in October/November.

- **Noted**

2. Port Broughton Caravan Park

Following an inspection of the Port Broughton Caravan Park to have a look at some new facilities undertaken by Jason and Jody Boundy, discussion was held on the need to re-roof the house at the Park, which is Council’s responsibility.

Discussion was also held on the need for a new office at the Park, as the existing office is too small for the current operations. It is my intention to take members on an inspection as part of our Works and Infrastructure Committee, but we will need to make provisions for these expenditures in our 2007/08 budget.

- **Noted**

3. Central Local Government Region

On 30th March I attended a CEO’s Forum of the Region and several items of interest were discussed. These included

- Special Local Roads
- There is a possibility of a review being undertaken by the Region with Department of Transport, Energy and Infrastructure with regards to road classifications and other transport issues such as litterbins at parking bays etc.
- No final resolution has been made with the CFS regarding the Memorandum of Understanding regarding availability of staff and machinery to the CFS if required during a fire.
- NRM levy is still an item of concern
- This is significant disappointment with the Government’s decision to change the Broadband funding program. It has had a dramatic effect in our region.
- A regional coastal forum will be held in Port Broughton on 4th May (members are welcome to attend)

- **Noted**

4. NRM Levy

The NRM levy continues to be of concern to Council's. On 30th March the Council's submission to the Minister of Environment regarding our concerns was raised in Parliament by the Opposition spokesperson and the statistics used in the speech was strongly criticized by the Minister.

Of interest is that the levy for the forthcoming financial year will be on a fixed charge basis, with Council being required to provide the total number of assessments (including an allowance for Single Farm Enterprises) to enable calculation of the levy.

- **Noted**

5. Performance Appraisal Review

I am seeking the Council's support for a Performance Appraisal Review to be undertaken on myself. The last review was commenced in May 2005 and I believe it would be appropriate for an update review to be undertaken.

Cr Kerley moved, Cr Smith seconded

"That the Executive Committee be authorised to commence a Performance Appraisal Review of the District Manager and report their findings to the Council."

CARRIED

6. Legal Opinion - CONFIDENTIAL

Cr Schkabaryn moved, Cr Burgess seconded

"That in accordance with the provisions of Section 90 (2) of the Local Government Act 1994, that Council exclude the public from the Council meeting at 9.30pm, to allow consideration of legal advice in accordance with Section 90(3)(h) of the same Act."

CARRIED

Cr Burgess moved, Cr Rooney seconded

"That Council concludes its business under Section 90(2) of the Local Government Act, and allows the return of the public to the Council Meeting at 9.40pm."

CARRIED

7. Environment Protection Agency – Incinerator Ban

Advising that Parliamentary approval has been obtained for the banning of incinerators within all townships within our Council area. The next stage is for Council to confirm the wording for description of the zoning of the areas to concur with Council's Development Plan, and for Council to consider including the Rural Living Zone as part of the prohibited area for banning.

Cr Schkabaryn moved, Cr Kerley seconded

"The District Council of Barunga West formally requests the Minister for Environment and Conservation to amend Schedule 1 of the Environment Protection (Burning) Policy, 1994"

pursuant to section 32(1)© of the Environment Protection Act, 1993 in accordance with Regulation 4A of the Environment Protection (General) Regulations 1994 to include –

The following portion(s) of the Council area as stated

Alford Township
Settlement Zone

Bute Township
Settlement Zone

Fisherman's Bay Township
The hatched area as shown on the attached plan titled Fisherman's Bay

Kulpara Township
The hatched area as shown on the attached plan titled Kulpara

Melton Township General
The hatched area as shown on the attached plan titled Melton

Mundoora Township
The hatched area as shown on the attached plan titled Mundoora

Port Broughton Township
Residential Zone, Town Centre Zone, Industry Zone, Community Zone, Rural Living

Tickera Township
Settlement Zone

In Schedule 1 of the Environment Protection (Burning) Policy 1994 as Council areas or portions of Council areas in which burning on domestic premises is prohibited.”

CARRIED

8. Port Broughton Jetty Upgrade

I have been advised by the Department of Transport Energy and Infrastructure that major upgrade work will be commencing on the Port Broughton Jetty within the next few weeks which will include new handrails on the south side of the jetty, new seating and replacement of sleepers.

- **Noted**

9. Annual Leave

I wish to advise that I will be on Annual Leave from Monday 14th May 2007 to 1st June 2007, both dates inclusive.

Cr Smith moved, Cr McDonald seconded

“That Lawrence “Blue” Jolly be appointed as Acting District Manager for the point of 14th May to 1st June 2007 during the absence of the District Manager on Annual Leave”

CARRIED

10. Use of Common Seal

Cr Simmons moved, Cr Burgess seconded

“That the Council endorse the action of the Mayor and District Manager to use the Council seal for signing documents relating to the Immunisation Contract between the Department of Health and Council, and for the finalization of the Development application (NO 344/D004/05 – Allotment II in DP55123) which will allow transfer of the Land Management Agreement for this development at Tickera”

CARRIED

FINANCE REPORT

1. Alford Bowling Club – Lighting Upgrade - Interest Free Loan

An application has been received from the Alford Bowling Club for an interest free loan of \$8,000 and is supported by their Financial Statements for the year ending 31st March 2006.

Cr Burgess moved, Cr McDonald seconded

“That Council grants an interest free loan of \$8,000 to the Alford Bowling Club for the installation of new floodlights and towers and the loan is to be included in the 2007/2008 Budget, repayable over 5 years by way of two repayments per year of \$800 each”

CARRIED

2. Works Manager’s Vehicle – Change Over

It is current Council Policy to change-over administration vehicles at 80,000 kilometres and the Works Manager’s vehicle is in this position.

Cr Weedon moved, Cr Simmons seconded

“That Carfleet is engaged to manage the changeover of the Works Manager’s vehicle and the District Manager is authorised to purchase the best option presented after due consideration of Council Policy, which will be for all Administration and the HACC vehicles to be changed at 100,000 kilometres”

CARRIED

3. Monthly Financial Reports

Cash Flow

This report consists of:

- Bank and General Reconciliations
- LGFA Funds (inc Reserves) Comparisons
- Grants Income

Balances of LGFA 24 Hour Investment Fund and Reserves

Rates & General Income

Cheque & EFT Listing

Cr Kerley moved, Cr McDonald seconded

“That the payments detailed on the Cheque and EFT listing for March 2007, as tabled, be endorsed.”

CARRIED

ENTERPRISE BARGAINING AWARDS – Pay Increase

Following Council’s decision in December 2006 granting a pay increase of 3.9%, which is aligned to CPI, the additional costs are:

Administration and Management Staff:	\$875 per fortnight
Construction and maintenance	\$357 per fortnight

The increase was factored in the 2006/2007 budget.

FINANCIAL SUSTAINABILITY OF LOCAL GOVERNMENT

The findings of an independent inquiry into the financial sustainability of Local Government was handed down in August 2005. The inquiry found, in general terms, that Councils recently have put community needs and demands for services ahead of financial sustainability. Whilst Councils have low net debts community, infrastructure has suffered from an unsatisfactory level of asset management, viz. replacement, upgrade, maintenance and up to date records.

The LGA has been proactive in the development of a Financial Sustainability Program which encompasses strategic planning in all areas relevant to achieving positive outcomes including:

- Audit Committees
- Service Delivery
- Infrastructure and Asset Management
- Long Term Financial Sustainability
- Debt Management
- Governance
- Strategic Planning

4. Asset Management

Recently, Senior Management has been attending seminars that form the program with one being Sustainable Asset Management Pathway.

The Pathway comprises four blocks:

1. **Asset Management Planning and Data** (Held on 14th February 2007)
2. **Service Levels and Risk**
3. **Expenditure Projections**
4. **Towards Sustainable Service Delivery**

An asset management team has been formed consisting of the District Manager, Works Manager, Environmental Development Manager and Manager, Finance and Administration. Asset Management is an integral part of the fortnightly Managers' Meeting Agenda.

We are currently reviewing the asset register data and we may gain assistance in this task as the LGA is currently sourcing funds or resources to assist Councils in preparing asset management plans.

Cr Schkabaryn raised the issue of creating a policy in regards to the amount of funding dollars the Progress Associations receive each year from Council. It was agreed that this figure may need to vary each year and the dollar figure be addressed when the Budget for 2007/08 is adopted, and reviewed annually.

MANAGER OF ENVIRONMENTAL SERVICES REPORT

1. Approved Development Report – Assessment Period 1 – 31 March 2007

To inform Council of Development consents granted under Delegation to the Authorised Officers, and seek Council's endorsement of the decisions made under delegation.

Cr Schkabaryn moved, Cr Kerley seconded

“That Council endorses the actions taken by the Authorised Officers in granting development approval pursuant to Section 33 of the Development Act, whereby the development has been assessed against provisions of the Development Plan, and the Building Rules unless otherwise indicated, pursuant to the delegation from Council of 14th June 2005.”

CARRIED

2. Application for an Extension of the Operative Date of Approval for land Division 344/D006/99 by Fisherman's Bay Management Pty Ltd

To inform the Council of the application by Fisherman's Bay Management (FBM), seeking an extension of the development approval granted originally in February 2000 for the private freeholding of the Fisherman Bay shack settlement, Lot 4 HD: Muntoora CT: 5503/193, and to seek Council's endorsement of a determination by its authorised officer.

Cr Schkabaryn moved, Cr Burgess seconded

“That Council endorses the decision taken by its Authorised Officer in making a preliminary determination to extend the operative date of the development approval for Land Division 344/D006/99 for the freehold division of the Fisherman Bay shack settlement, Lot 4 HD: Muntoora CT: 5503/193, for a period of two (2) years, until 24 April 2009, pursuant to Section 33 of the Development Act.”

CARRIED

3. Critically Endangered Species, Pygmy Blue Tongue Lizard: Department of Environment & Heritage, Seeking Support

To advise Council of the notice by the DEH of identified population of critically endangered species in the Kulpara area.

Council has been advised in correspondence dated 02 April 2007 of the existence of a population of the critically endangered pygmy Blue Tongue Lizard in the area of Kulpara. The DEH endangered species Recovery Team are seeking support in the form of information of applications for changes in land use in the relevant areas, prior to decisions being made.

- **Noted**

4. Sea Flood Risk Mapping Yorke Peninsula – Natural Disaster Planning & Risk Mitigation Project – CLGR Association

Purpose – For Information

To inform Council of the Reported Identification of Priority Areas for Sea Flood Risk Mapping within its jurisdiction, under the joint project by the SA Government and the Federal Governments Natural Disaster Mitigation Program.

- **Noted**

5. Notice of proposed telecommunications facility at existing site without Development Application

Purpose - For information

To advise Council of the notice dated 20 March 2007 from Telstra Corporation, of a proposed telecommunications facility located at the existing site Lot 2 on the Pt Broughton –Pt Pirie Road, Pt Broughton.

- **Noted**

Cr Rooney raised an issue with the Manager Environmental Services regarding a Demolition Application within the Port Broughton Area. A letter regarding this issue is to be tabled in the May Council Agenda for further discussion.

Cr Weedon enquired as to the Zoning Issues and whether they had been resolved on a recent property that had been sold in Bute. It was agreed that Zoning is an ongoing concern that needs to be addressed further by a Planning Amendment Report.

MANAGER –WORKS REPORT

Your Worship Mayor Dolling and Councilors I submit the following report to the General Council Meeting to be held on Tuesday 10th April 2007.

1. Environment Protection Agency Visit

On Thursday 22nd March an officer from the Environment Protection Agency visited this Council's four rubbish dumps namely Kulpara, Bute, Alford and Port Broughton. Sites closed prior to July 2008 will require less work than those still open after that date. The

Environment Protection Agency will be releasing “Closure Guidelines” in approximately three months, so hopefully we will have a better idea of what will be required.

- **Noted**

2. A Summary of works during the apst month was tabled along with machinery repairs that were required.

- **Noted**

CORRESPONDENCE

Cr Burgess moved, Cr Rooney seconded

“that the correspondence be received”.

CARRIED

1. Yorke Regional Development Board

Advising that the Copper Coast Council have resolved to seek approval to join the Development Board and seeking our Council support for that application.

Cr Simmons moved, Cr Weedon seconded

“That the District Council of Barunga West support the application of the District Council of Copper Coast to join the Yorke Regional Development Board and approve an addendum to the current Resource Agreement to reflect such approval”

CARRIED

2. Department of Transport, Energy and Infrastructure

- (a) Advising that they accept the report produced by Walbridge and Gilbert for the Storm water reuse study at Bute, and are asking for formal Council adoption of the report to enable payment of the subsidy.

Cr Schkabaryn moved, Cr Simmons seconded

“That Council formally adopts the report from Walbridge and Gilbert for the reuse of storm water within the Bute township and agrees to carry out any future works or actions in accordance with the study recommendations.”

CARRIED

- (b) Responding to our letter regarding the road reserve on the Port Broughton – Kadina Road being used by motorcycles and advise that the matter has been referred to the Police for their assistance. Also advise that the shoulder reserve is Council’s responsibility and that we could undertake any fencing if we choose to.

(District Managers Note: It is my understanding that Council has no responsibility for the Department’s Roads and that the Department has responsibility from fence line to fence line.)

Cr Burgess moved, Cr Kerley seconded,

'the District Manager seek advice from the LGA Mutual Liability Scheme as to who is responsible for road reserves on roads belonging to the Department of Transport, Energy and Infrastructure'

CARRIED

3. Northern and Yorke Natural Resource Management Board

Advising of a "Coastal Council's Forum" to be held on Friday 4th May 2007 at Port Broughton to look at coastal issues within the region.

- For members to advise of attendance to the Forum

4. Kulpara Progress Association

(a) Seeking financial support from Council for the erection of a "Niche Wall" at the Kulpara cemetery, along with repairs to the Soldiers Memorial Hall.

(District Managers Note: Some repairs to the Hall have been undertaken by Council)

Cr Burgess moved, Cr Rooney seconded

"That an allocation be made in the Council's 2007/08 Budget for the Kulpara Progress Association to construct a Niche wall at the Kulpara Cemetery subject to Plans and Specifications submitted by the Committee."

CARRIED

(b) Advising that in regards to the Kulpara Matthew Flinders Lookout being closed they feel that the lookout is a historic site and that the area should be available for people to access the monument and the view and seek Council support for this to happen.

(District Managers Note: The Manager – Works is negotiating with the Department for the lookout to have access)

- Noted

5. Port Broughton Golf Club

Enquiring if the Council could consider financial support for the Golf Club next financial year to assist the club with water expenses due to 9 holes being on Council parkland.

Cr Weedon moved, Cr McDonald seconded,

'District Manger to write to the Port Broughton Golf Club advising them of the Financial contribution the Council is already providing with the water currently used to water the Golf Course from the treated Waste Water system'

CARRIED

6. Sunnyside Oysters

Drawing to Council's attention their frustration of having a Development/Building issue resolved with Council staff and seeking an explanation of some of the decisions that have been made.

- **Noted**

7. Mr. J Robinson – Tickera (forwarded to Cr McDonald and other Councillors)

Expressing concerns at the state of roads around his property of Wallaroo Terrace, Tickera, which he advises, are rarely graded. This situation has worsened due to the additional traffic to the Tickera Golf Club. Also expresses concerns at the activities of the Golf Club.

Cr Burgess moved, Cr Kerley seconded

“That Mr. Robinson be advised that Council has commenced a program of sealing roads in Tickera over the past few years and has identified roads for future sealing in Tickera as part of its Works Program, and further that Mr. Robinson be advised that Council is working with the Tickera Golf Club to rectify the activities of the Tickera Golf Club.”

CARRIED

8. KESAB

Advising of the Tidy Towns judging timetable for 2008

- **Noted**

9. Hon G Gago – Minister for Environment and Construction

Responding to Council's letter regarding our concerns at the funding of the Northern and Yorke NRM Board. She advises that funding for NRM Boards throughout the state have received increased funding, and reject any criticism of decreased funding for Boards. She advises that the Government is contributing \$560,000 for 2007/08.

(District Managers Note: This is down from \$1,730,000 allocated for 2006/07. The Council's within the NRM Board are required to collect \$2,532,000 for 2007/08, up from \$760,402 in 2006/07)

- **Noted**

10. Port Broughton Progress Association

Advising that following completion of the rendering of the Port Broughton Town Hall that they are keen to have a range of repairs or upgrades undertaken.

Also advising of a donation to the Skate Park of a table and chairs setting in memory of Sylvia and Curly Cock. Also have concerns at the Playground area, Port Broughton entrance and Norfolk Island Pines.

Cr Kerley moved, Cr McDonald seconded

“That the letter of the Port Broughton Progress Association be referred to the Works and Infrastructure Committee meeting to be held on 7th May 2007 to allow an inspection to be undertaken by members.”

11. Local Government Association of SA

Forwarding LGA Report No11-14

- **Noted**

TABLED CORRESPONDENCE

1. Dog and Cat Management Board

Forwarding a copy of their February 2007 Bulletin.

2. Northern & Yorke Natural Resources Management Board

Forwarding the minutes of their January and February meeting.

3. Central Region of Local Government

(a) Forwarding a copy of their submission on the Natural Resource Management Act

(b) Forwarding a copy of their February Newsletter

4. Yorke Peninsula Tourism Marketing Board

Forwarding a copy of the Marketing Managers Report for March 2007

PETITIONS, MEMORIALS, NOTICES OF MOTION

- Nil

NOTICE OF MOTION

- Nil

DEPUTATION

Mr Rob Edwards – Scheme Manager – LGA Workers Compensation Scheme and Mrs Jodie Wells-Smith – Regional Risk Co-ordinator were in attendance at 7:10pm to discuss OHS&W and Risk Management Issues

Mr Edwards and Mrs Wells-Smith departed the meeting at 7:30pm

TENDERS

- NIL

GENERAL BUSINESS

Cr Schkabaryn advised of a printing error in the latest edition on Scoop Traveller in reference to the Boat Launching Facilities at Fisherman's Bay. District Manager advised he would write seeking a correction in the next issue.

Cr Kerley raised the issue of the number of signs lining the footpaths of Port Broughton and as to how many of these have been approved. The District Manager advised that under the current By Laws that each business be allowed one (1) A Frame sign. This issue is to be policed on an ongoing basis.

Cr Dolling raised the issue of concerns at professional fishermen (not local) fishing the channel areas prior to the holiday periods and ignoring the voluntary closures that were agreed some years ago by the local professional fishermen.

Cr Smith moved, Cr Schkabaryn seconded

'That Council approach the Local Professional Fishermen in regards to extending the voluntary Fishing Closures to a permanent closure'

CARRIED

CLOSURE

The Mayor declared the meeting closed at 9.40pm

.....
D.DOLLING
MAYOR