

**MINUTES OF THE MEETING OF THE
DISTRICT COUNCIL OF BARUNGA WEST
HELD AT THE BUTE COUNCIL CHAMBERS ON
11th DECEMBER 2007 AT 7:00PM**

PRESENT:

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

APOLOGIES:

Cr S Ireland

CONFLICT OF INTEREST PROVISIONS

Cr Dolling advised that he had a conflict of interest with regards to Fisherman's Bay Freeholding in the Environmental Service Manager Report.

Cr Burgess advised that he had a conflict of interest with regards to the Bute Citizen of the Year Award nominations.

Cr Kerley advised that she had a conflict of interest with regards to the Port Broughton Citizen of the Year Award nominations.

CONFIRMATION OF COUNCIL MINUTES

Cr Schkabaryn moved, Cr Smith seconded

"That the minutes of the Meeting held on 13th November 2007 be confirmed as printed and supplied."

CARRIED

BUSINESS ARISING FROM THE COUNCIL MINUTES

1. Council has been advised by the Local Government Association that Cr Schkabaryn's nomination for the Boating Facilities Advisory Panel was not successful.
2. Cr. Kerley sought information regarding the access to the Sunnyside fishing spot, that had recently been closed off. A study of the maps indicate that there is no gazetted road access from Sunnyside Road to the beach(refer attached maps).

Cr Kerley moved, Cr Schkabaryn seconded

"That a letter be forwarded to Mr Craig Evans, seeking his support for the public to have access to the Sunnyside Beach for the public to resume their fishing activities."

CARRIED

3. Cr. Simmons sought information regarding the spraying of vacant blocks in preference to mowing of the blocks. Advice is that Council's accreditation for weed spraying is for Council's own properties and does not extend to private properties, which need to be sprayed by appropriately accredited tradesmen.

MEMBERS REPORTS

Cr DOLLING

26th – 29th November - ALGA Annual meeting – Darwin
1st December - Employment Awards dinner – Kadina
3rd December - Progress Association meeting & dinner
7th December – Council Xmas dinner

Cr ROONEY

1st December – Employment Awards Dinner – Kadina
5th December – Executive Committee meeting with FB Land Management – Adelaide
7th December – Council Xmas dinner

Cr McDONALD

21st November – Port Broughton & District Hospital Board meeting
26th November – Port Broughton Area School Governing Council meeting
4th December – Council Executive Committee meeting
5th December – Executive Committee meeting with FB Land Management – Adelaide
7th December – Council Xmas dinner

Cr SCHKABARYN

1st December – Employment Awards dinner – Kadina
3rd December – Port Broughton Progress Association
4th December – Council Executive Committee meeting
7th December – CRLG Waste meeting – Balaklava
7th December – Fishermans Bay Progress Association meeting
8th December – Fishermans Bay Progress Association Xmas lunch
11th December – OHS & W meeting

Cr SIMMONS

16th November – Volunteers meeting & Xmas lunch
20th November – Barunga Village meeting
27th November – Barunga Village building meeting
1st December – LCYP Rail meeting & Xmas breakup
7th December – Council Xmas dinner
8th December – Barunga Village Xmas dinner
11th December – Barunga Village building meeting

Cr WEEDON

7th December – Council Xmas dinner

Cr BURGESS

14th November – 2000 Onwards committee
4th December – Council Executive meeting
5th December – Executive Committee meeting with FB Land Management – Adelaide
7th December – Council Xmas dinner

Cr SMITH

20th November – Barunga Village meeting
4th December – YP Transport meeting – Maitland
7th December – Council Xmas dinner
8th December – Barunga Village Xmas dinner

Cr KERLEY

Nil

COMMITTEE MEETINGS

Cr Smith moved Cr Simmons seconded

“That all Committee reports be received.”

CARRIED

EXECUTIVE COMMITTEE – 4th December 2007

- **Noted** (Refer Manager – Environmental Services Report)

MANAGERS’ REPORTS

Cr Smith moved, Cr McDonald seconded

“That all Managers’ Reports be received.”

CARRIED

DISTRICT MANAGER’S REPORT

1. Port Broughton Caravan Park

A request has been received from the lessees of the Port Broughton Caravan Park, advising of proposed capital works at the Park in the near future. They are asking Council to consider the possibility of extending our contractual agreement for another 20 years as from the next five year market review in July 2012.

Cr Schkabaryn moved, Cr Simmons seconded

“That as a result of the extensive Capital Upgrade to the Port Broughton Caravan Park, by the lessees Jason and Jody Boundy, that Council agree as from the conclusion of the five yearly review scheduled for 1st July 2012, to grant a twenty year lease agreement (made up of 4 periods x 5 years) for the Port Broughton Caravan Park.”

CARRIED

2. Port Broughton Community School Library Extension

I am pleased to advise that work has commenced on the extension of the new library extensions and to the time of writing this report the slab had been poured. At this stage the completion date is not set, but it will be late in February 2008.

- **Noted**

3. Annual Staff Salary Review

I wish to advise members that the staff annual salary review is scheduled for 1st January 2008 for all staff employed by the Local Government Municipal Officer Award and for April 2008 for all staff employed under the Australian Workers Union Local Government Employee Award.

Cr Smith moved, Cr McDonald seconded

“That the Council agree to increase staff salaries by 3.0% with staff employed under the Local Government Municipal Officer Award having the increase effective as from 1st January 2008, and staff employed under the Australian Workers Union Local Government Employee Award having the increase effective as from 1st April 2008.”

CARRIED

4. Citizen of the Year Award

At the closure of nominations for the Citizen of the Year, there have been several nominations received for a number of categories.

Cr Simmons moved Cr Weedon seconded

“that Danielle Price be awarded Citizen of the Year for Bute.”

CARRIED

Cr Burgess moved Cr Simmons seconded

“that Jeffrey Kerley and Coralie Bowley be joint winners of the Citizen of the Year for Port Broughton.”

CARRIED

Cr Burgess moved Cr Simmons seconded

“ that the RSL ANZAC Day March and celebrations be awarded the Event of the Year for Bute.”

CARRIED

Cr Kerley moved Cr McDonald seconded

“that the Broughton Rainbow Quilters Biggest Morning tea celebrations be awarded the Event of the Year for Port Broughton.”

5. Broadband at Bute

I am pleased to advise that the Bute telephone exchange at Bute has been activated by Telstra to enable Broadband Service to be available at Bute and surrounding areas. Council staff at Bute have sent a letter to all residents (via the RTC Newsletter) advising of its availability.

This is good news from the Council’s point of view as we are currently upgrading our computer system and will help improve the system between the two offices immensely.

- **Noted**

6. SA Water Exemptions

The Council has been advised by SA Water that exemptions have been granted for the watering of several areas in our District. These include the Bute Railway reserve, Bute Caravan Park, Port Broughton Foreshore and Fisherman’s Bay Foreshore.

The exemptions allow for watering by sprinklers only once per week, and SA Water will monitor the water usage.

-Noted

7. Alford and Mundoora Road Closure

Alford and Mundoora Progress Associations have requested a road closure for their Xmas Parties on Sunday 23rd December 2007 and Monday 24th December 2007 respectively and are seeking approval for the road closures.

Cr McDonald moved, Cr Burgess seconded

“that pursuant to Section 33 of the Road Traffic Act, Council agree to the temporary closure.

- 1. Third Street Alford, between South Terrace and the northern end of the Alford Hotel, and South Terrace, between the Alford CFS Shed (boundaries) between the hours of 6.00pm and 12 midnight on Sunday 23rd December 2007 for the purpose of a Street Christmas Party.*
- 2. South Terrace Mundoora between Cross Street and Main Road between the hours of 6.00pm and 12.00 midnight on Monday 24th December 2007 for the purpose of a Street Christmas Party.”*

CARRIED

8. Draft Strategic Management Plan

At Council’s October meeting members approved the Draft Strategic Management Plan to be put out for Public Consultation, and for comments to be reviewed.

No comment, verbal or written were received.

Cr Schkabaryn moved, Cr Kerley seconded

“That following a public consultation process, the Council adopt its “Strategic Management Plan, moving forward, 2007 – 2017”.

CARRIED

9. Common Road Name Project

At Council’s October meeting details of possible road name changes for roads adjoining the Wakefield regional Council boundary were considered and approved for public consultation.

Following notification in our October Newsletter. One written comment on the proposed changes was received which sought clarification. Comments are now sought from members on the proposed name changes prior to final consultation with Wakefield regional Council.

(A copy of the road name changes are attached for member information)

Cr Smith moved, Cr McDonald seconded

“That Council, following a public consultation process, agree to negotiate with Wakefield Regional Council on common road names for our common boundaries, in accordance with the listing outlined in the District Manager’s November 2007 report.”

CARRIED

10. Port Broughton Institute

Following a request from the Port Broughton Progress Association seeking Council approval for the renaming of the Port Broughton Institute to the Port Broughton Community Hall, I sought public comment in the Port Broughton Echo for such proposal.
No responses for such a name change was received.

Cr Simmons moved, Cr Burgess seconded

“That the Council advise the Port Broughton Progress Association that it has deferred any decision on the renaming of the Port Broughton Institute to the Port Broughton Community Hall until the next Council meeting pending a review of the history of the naming of the Hall.”

CARRIED

11. Litigation for Climate Change

At the recent Australian Local Government National General Assembly held in Darwin a National report into the “State of our Regions” was presented. Of interest in the report was one section relating to the future possible litigation of Council as a result of climate changes. This report was sponsored by, Jardine Lloyd Thompson Insurance (who are responsible for the South Australian Local Government Mutual Liability Scheme).

- **Noted**

12. Works and Infrastructure Committee meeting

The next scheduled meeting of the Works and Infrastructure Committee is scheduled for Wednesday 2nd January 2008, and I am seeking for Council to reschedule this meeting.

Cr Smith moved, Cr McDonald seconded

“That the meeting of the Council and Infrastructure Committee meeting be held on Wednesday 6th February 2008, in lieu of the scheduled date of 2nd January 2008.”

CARRIED

13. Meeting Procedure

At the last meeting of Council there was some confusion to the idea of Motions without Notice and General Business within the Council Agenda.

Cr Burgess moved, Cr Weedon seconded

“That Michael Kelledy from Wallman’s Solicitors be invited to do a training presentation presentation for Elected members on correct meeting procedures, roles and responsibilities of elected members, and code of conduct for elected members and staff, including the conflict of interest provisions.”

CARRIED

14. Annual Leave

I wish to advise members that I will be absent on Annual Leave from Tuesday 18th December 2007 to Friday 21st December 2007 and from Monday 21st January 2008 to Friday 2nd February 2008.

Cr Burgess moved, Cr Weedon seconded

“That Lawrence Milton (Blue) Jolly be appointed Acting District Manager for the period 18th to 21st December 2007 and for Monday 21st January 2008 to Friday 2nd February 2008 whilst the District Manager is on Annual leave.”

CARRIED

15. Meetings

A list of meeting attended by the District Manager was presented at the meeting.

- **Noted**

16. Hillgrove Resources

Advice was given That Hillgrove Resources were undertaking calcrete sampling of soils between Alford and the Port Broughton – Mundoora Road commencing from 16th December for approximately three weeks, as part of a mining exploratory survey.

MANAGER, FINANCE AND ADMINISTRATION REPORT

1. Cash Flow

This report consists of:

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

2. Balances of LGFA 24 Hour Investment Fund and Reserves

Historical and current balances of funds held at LGFA.

3. Rates & General Income

This report details rates revenue and breakdown of General Income.

4. Cheque and EFT listing

Cr Schkabarynmoved, Cr Weedon seconded

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

CARRIED

5. Port Broughton Rural Transaction Centre – ANZ Bank facility

Over recent times we have been concerned about the viability of the Rural Transaction ANZ Bank facilities, under the current arrangements, at Port Broughton. On Monday 12th November 2007 the District Manager and myself met with Mr Adam Moss, Regional Manager of ANZ Bank and his colleague Amanda Schultz to review the ANZ Bank operations.

- **Noted**

6. Bute Office – Re- Roof

The replacement of the eaves at the Bute Office is expected to be completed by 21st December 2007 and brings an end to the whole project.

7. Diesel Fuel Rebate Review

As reported last month attached is the Diesel Fuel Rebate Review conducted by AIT Specialists Pty Ltd. Following their recommendation the over claim of \$13,970 will be processed through the November 2007 Business Activity Statement.

8. Special Events Permit – C & D Leighton Amusements

C & D Leighton Amusements have applied for an amusement site on the Port Broughton Foreshore from 4th – 14th January 2008.

MANAGER ENVIRONMENTAL SERVICES

1. Approved Development Report – Assessment Period 1 – 30 November 2007 inclusive

Cr Schkabaryn moved, Cr McDonald 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, pursuant to the delegations from the Council dated 21 November 2006.”

CARRIED

2. ERD Court Action 388 of 2007 – Appeal by D & E Eason – Application DA 344/002/07: Update

ERD Court Action 388 of 2007, the Court conference is listed for 4 December 2007, in Pt Broughton Offices of Council. The conference was adjourned to allow the applicants time to consider their options, and will resume on Mon 11 February 2008.

-Noted

3. Mosquito Control Program - Update

This season Council has been conducting ongoing identification and monitoring of mosquito breeding areas and Mosquito Control operations since September 2007. The number of Mosquito Control points has been expanded, and existing points re-fitted with the chemical lavaecide.

4. Emergency risk management & natural disaster mitigation planning project – Central Local Government Region of SA - UPDATE

Pursuant to Section 7(d) of the Local Government Act 1999, Council has continued in its function to take measures to protect its area from natural and other hazards and to mitigate the effects of such hazards, through the attendance of the Manager of Environmental Services at the CLGR working group preparing a template Emergency Management and Disaster Mitigation Plan for Barunga West.

The next meeting of the CLGR Emergency Management and Disaster Mitigation Planning group is Wednesday 13th February at Clare. Final reports from Council are due to be submitted to the CLGR coordinator by the day before the February meeting. With only minimal resources council has to dedicate to the project, a Emergency Risk Management Plan, will be prepared, though limited in scope and detail, will satisfy councils obligations under Section 7 in the LG Act, and will serve as a solid foundation for future Emergency Risk and Disaster Mitigation planning for the district.

Cr Dolling advised that in accordance with the provision of Section 74 of the Local Government Act 1998 that he had a conflict of interest with the Fisherman's Bay Freeholding update, and left the meeting at 9.00pm

4. FISHERMAN BAY FREEHOLDING UPDATE :

Summary of Meeting between Council's Executive Committee and Fishermans Bay Management Pty Ltd regarding the requirements for clearance of titles for DA 344/D006/99;

Cr McDonald moved, Cr Rooney seconded

*"That pursuant to Section 90 Parts 2 & 3(b), (d), (e) and (h) of the **Local Government Act 1999** the Council hereby declares information and matters contained in the following officers report, regarding the freeholding of Fisherman Bay in DAs 344/ D006 /99 and D006/99 VI , shall be received, discussed and considered on a confidential basis, and subsequently **requires the exclusion of the public from attendance** at 9.00pm during so much of the meeting as is necessary to complete its dealings with the subject matter.*

CARRIED

Cr Rooney moved, Cr Schkabaryn seconded

"That in accordance with the provisions of Section 90 of the Local Government Act, the Council invites the public back to the meeting at 9.20pm"

CARRIED

Cr Dolling returned to the meeting at 9.20pm

5. Australian Greenhouse Office

The Manager – Environmental Services gave details of the Australian Greenhouse Office National Coastal Vulnerability Committee's investigation into the coastal issues at Port Broughton and Fisherman's Bay that includes money being made available for a study, that will result in engineering solutions being made available. The Manager advised that he been appointed as a Local Government representative to a Steering Committee for this important issue.

CORRESPONDENCE

Cr Kerley moved, Cr Schkabaryn seconded

“That the correspondence be received.”

CARRIED

1. Mrs. R. M. Paterson - Bute

Seeking Council support to enable the running tapes and index cards for the book “From Stumps to Stubble”, which details the history of the Bute region, being placed on a CD, to ensure that duplicate records of these important documents are kept. She is seeking a donation of \$450 to help cover the costs.

Cr Rooney moved Cr Kerley seconded

“That Council agree to support the project of recording the history of Bute (From Stumps to Stubble) being recorded on a CD (goldplated longlife CD’s) and are prepared to contribute up to \$450 to help cover costs of preservation of these record, upon the presentation of invoices for this project”

CARRIED

2. Port Broughton Uniting Church Opportunity Shop

Advising that they feel that there should be more seating at the Port Broughton Cemetery under the shelter, and advising that the opportunity shop would be prepared to contribute towards the cost.

Cr. McDonald moved, Cr. Weedon seconded

“That the issue of additional seating at the Port Broughton Cemetery be referred to the Audit Committee for consideration in the Council’s 2006/07 Budget.”

CARRIED

3. Bute Primary School

Advising Council to consider a major upgrade to the Bute Town Hall to improve the Facility, and list a number of items that require upgrading.

Cr Rooney moved, Cr Weedon seconded

“That Council refer the upgrading of the Bute Town Hall to the next Works and Infrastructure Committee meeting, and that a letter be sent to the Bute Primary School students explaining the costs of upgrades to the Hall, and the lack of use of the Bute Town Hall.”

CARRIED

4. Bute Sporting Club Incorporated

Seeking Council approval and assistance for the removal of five pine trees near the Clubroom to allow the installation of a new rainwater tank, following their success at receiving a Community Water Grant for the Bute Oval.

Cr Weedon moved, Cr Simmons seconded

“That Council advise the Bute Sporting Club that it grants approval for the removal of pine trees, but is unable to assist with the removal of the trees, however, it is willing to assist in site preparation for the installation of the rainwater tank.”

CARRIED

5. Local Government Association of SA

February LGA Report Nos 45-48

TABLED CORRESPONDENCE

1. KESAB
Advising of the 2007 KESAB Tidy Town Award winners
2. Yorke Regional Development Board
Forwarding a copy of their 2006/07 Annual Report
3. Rosemary Craddock
Forwarding the Final Strategic Overview and Mediation Report for the Nukunu Native Title Claim
4. Local Government Association of SA
Forwarding a copy of the LGA Annual Report 2006/07
5. Dog and Cat Management Board
Forwarding a copy of the October 2007 Bulletin
6. Yorke Peninsula Tourism Marketing Board
Forwarding a copy of their November Newsletter.

PETITIONS, MEMORIALS, NOTICES OF MOTION

- Nil

NOTICE OF MOTION

- Nil

TENDERS

- Nil

QUESTIONS WITHOUT NOTICE

Cr. Dolling raised the issue of when the replacement shelter shed at Tickera was being constructed. *The District Manager advised that Metal as Anything were constructing the shed in mid-January 2008.*

Cr. Weedon enquired into Council's policy for replacement of grass footpath with a metal footpath. *The District Manager responded outlining Council's policy and the reason behind it.*

GENERAL BUSINESS

-Nil

CLOSURE

The Mayor declared the meeting closed at 9.45pm

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D.DOLLING
MAYOR