

**MINUTES OF THE MEETING OF THE
DISTRICT COUNCIL OF BARUNGA WEST
HELD AT THE BUTE COUNCIL CHAMBERS ON
JULY 10th 2007 AT 7:40PM**

PRESENT:

Cr D Dolling (Mayor), Cr S Ireland, Cr M McDonald, Cr B Rooney, Cr T Schkabaryn, Cr L Kerley, 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) and Ms C Hewett (Minutes Secretary)

APOLOGIES:

Crs I Burgess and R Smith.

DECLARATION OF CONFLICT OF INTEREST

No members declared a Conflict of Interest in any issues on the Agenda.

CONFIRMATION OF COUNCIL MINUTES

Cr Schkabaryn moved, Cr McDonald seconded,

“that the Minutes of Meeting held on June 12th 2007 be confirmed as printed and supplied.”

CARRIED

BUSINESS ARISING FROM THE COUNCIL MINUTES

- Nil

MEMBERS REPORTS

Cr. DOLLING

June 13th – Joint meeting with Copper Coast and Yorke Peninsula Mayor & CEO

June 20th –Robert Arbons Farewell

June 23rd- Dunes Golf Course launching Port Hughes

June 27th- Met with Minister Environment & Water, Malcolm Turnbull

June 27th- PBAS Youth Opportunity Graduation ceremony-Kadina

Cr. ROONEY

NIL

Cr. McDONALD

18th June – PBAS Governing Council

20th June – Robert Arbons farewell afternoon tea

20th June – Pt Broughton & District Hospital meeting

27th June – Pt Broughton & District Hospital Board farewell dinner for Robert Arbon

27th June – PBAS Youth Opportunities Graduation ceremony - Kadina

Cr. SCHKABARYN

19th June – OHS & W meeting

2nd July – Port Broughton Progress Association meeting

7th July – Fishermans Bay Progress Association meeting

Cr.SIMMONS

19th June – Barunga Village general meeting

22nd June – Barunga Village Building meeting – Adelaide

26th June – Barunga Village Building meeting – Port Broughton

27th June – Bute 2000 meeting

10th July – Barunga Village Building meeting

10th July – Tidy Towns judging

Cr KERLEY

Inaugural Genealogy meeting

27th June – PBAS Youth Opportunities Graduation ceremony - Kadina

Cr WEEDON

Nil

Cr IRELAND

Nil

MEMBERS QUESTIONS

Cr Ireland –Advised of a letter received from L Elliott and asked for it to be tabled at the next meeting.

Cr Kerley moved Cr McDonald seconded

“That Council sends a letter to Robert Arbon commending him on his 27 years service to the Port Broughton & Districts Hospital Board both as a Board member and Chairperson”.

CARRIED

COMMITTEE MEETINGS

Works and Infrastructure

Cr Schkabaryn moved, Cr Simmons seconded

“that the following recommendations Nos 1 -5 of the Works and Infrastructure Committee meeting held on 10th July 2007 be accepted”

1. *“That Council agrees to a public consultation process to change the name of R Bussenchutt Road to Thomas Plains Road.
and
“ If at the completion of the Public Consultation process there are no issues raised, Council agree to change the name of R Bussenchutt Road to Thomas Plains Road.”*
2. *“That the Mundoora Road / Oakllands Road corner be speed assessed by an engineer to determine appropriate action and signage necessary, and simultaneously the Manager Works be authorised to seek approval from the Native Vegetation Council to remove vegetation to allow construction works on the intersection”.*
3. *“That 3 Councilors attend the Local Government Roads and Works Conference in August 2007.”*
- 4 *“That Council advertises the position of Refuse Depot Attendant for a period of 9 months commencing once the current operators contract expires at the end of September 2007”.*
5. *“That the Manager Works acquire costings for resurfacing the bitumen strip in front of R Paterson’s, Arbon Road, Bute and bring to the next committee meeting”
And
“That the Manager Works be authorised to complete the repair work to Arbon Road, Bute at his discretion”.*

MANAGERS REPORTS

Cr Kerley moved , Cr Simmons seconded,

“That all Officers’ Reports be received.”

CARRIED

DISTRICT MANAGER’S REPORT

1. Port Broughton Community School Library - Tender

I can advise that following the Expression of Interest for tendering for the construction of the extensions to the Library at the School, six builders have been asked to submit tenders for the project. Tenders are scheduled to close on Friday 27th July 2007.

Approval is sought from Council to allow myself and Simon Harley from the Department of Transport, Energy and Infrastructure to open the tenders and prepare a report for consideration of the Executive Committee to select a successful tenderer. This will enable a thorough examination of all tenders to ensure that the project will be completed within the budget.

Cr Rooney moved, Cr Weedon seconded

“That Council approves of the District Manager and Mr. Simon Harley of the Department of Transport Energy & Infrastructure to open the tenders for the Port Broughton Community School Library Extension, to enable a tender report to be prepared for consideration by the Executive Committee, who shall have the authority to select the successful tender.”

CARRIED

2. Broughton Bayside Caravan Park

Members may be aware that in 2006 Council received a grant from the Tourism Commission to upgrade the power to the Broughton Bayside Caravan Park (\$30,000). The estimated cost of this project was \$59,040.30 from ETSA, of which Council was required to pay 50% (\$29,520.15 incl GST) up front.

This was to upgrade the park to a 270-amp 3-phase service. From here Council was then required to upgrade the wiring in the Park, for which an estimate of \$80,000 was received, and the lessees agreed to pay 50% of this cost.

Cr Schkabaryn moved, Cr Dolling seconded

“That the Council advises ETSA that it does not wish to continue with the power upgrade to the Broughton Bayside Caravan Park, and that the District Manager be authorised to recoup monies already paid to ETSA and further that the District Manager advise the South Australia Tourism Commission of its inability to proceed with the project and return the monies received.”

CARRIED

3. 2006 Census

The statistics from the 2006 Census have now been received by the Australian Bureau of Statistics. For Council members information I have attached the statistics information to my report.

- **Noted**

4. Strategic Plan

I have commenced work on providing Council’s new Strategic Management Plan for the period 2007-2017. The process to be taken is for me to prepare a draft, taking into consideration

- (a) the responses received from our public survey in the last Newsletter
- (b) Council’s legislative requirements, and
- (c) The States Strategic Plan

From here I will seek any Council comment prior to the Draft being made available for public consultation and find adoption by Council.

- **Noted**

5. Port Broughton Caravan Park - review

Advice has been received from Richard Hall, Sunbelt Business Brokers, that he is prepared to conduct the review of the Caravan Park, and outlines his method of conducting the review. He is happy for the review to be undertaken in September when the financial records for 2006/07 will be available for the review.

The cost of this review is \$2,750. Please refer to Richards letter at the rear of my report.

- **Noted**

6. Contract Services – Building Inspections and Assessments

I would confirm with members that arrangements are almost complete for the contract arrangements to engage a qualified building technician to undertake the necessary building inspections required under the Building Code of Australia. This will ensure that Council meet its legislative requirements.

As part of this service arrangements are also being made for this contractor to undertake minor (class x) building assessments on a regular basis that will see an improvement in the services being provided, in respect of building rules assessment.

In conjunction with encouraging people to use private certifiers for other classes of buildings we are working our way towards improving our services.

- **Noted**

7. Community Infrastructure Fund

The Local Government Association and the Australian Local Government Association have invited Council's to submit local projects to the Community Infrastructure Ideas Register, in an effort to get some Federal Government funding projects to help upgrade Council's community assets.

I have lodged a number of projects on behalf of Council.

- **Noted**

8. Independent Review of Local Government Elections

The Local Government Association and the State Government have initiated an independent review of the 2006 Local Government elections and are encouraging the community to be involved (information is attached to my report). A number of information papers have been produced and a simple questionnaire (reply paid) has been prepared for which the review is seeking as many responses as possible (copies are available from the office). This questionnaire can also be accessed online at www.localgovt.sa.gov.au/electionsreview

- **Noted**

9. Shadow Spokespersons of Local Government – Hon M Pengilly

For members information I have attached a copy of News release from the Shadow Spokesperson for Local Government which highlights a speech by the Hon. J Rau MP in Parliament where he attacks Council's, CEO's and the Local Government Association, which raises the issues of what direction the State Government is trying to show Local Government.

- **Noted**

10. Meetings

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

- **Noted**

MANAGER FINANCE AND ADMINISTRATION REPORT

1. Asset Management – Bay Street Café

Enclosed is an application (with plan) from 'Plans by Design' on behalf of G & H Rowlands new owners of the Bay Street Café, for a balcony to be built over the footpath at the front of the building and is an extension of the residential portion of the premises. I am currently developing a number of policies at the moment and includes the Road Encroachment Policy which is applicable to this application. I am awaiting important information from the LGA which is integral to the completion of the policy in readiness for it's adoption. However, in the meantime, Council needs to consider the merits of this application to expedite any subsequent development approval.

Cr Weedon moved Cr McDonald seconded

“that Council does not support the application from G & H Rowlands for a balcony over Bay Street , as it is for residential purposes”.

CARRIED

2. Progress Associations – Budget Allocation Requirements

Council allocates budget funds to the various Progress Associations in our community. I have reviewed the current practice over the last month as funds provided to the Associations during 2006/07 were not fully expended.

I believe, to avoid recurrence of unnecessary issues that occur during the frenetic financial year end, that all projects undertaken by the Progress Associations that are funded by Council Budget must be completed by March 31st of the relevant financial year.

To enable completion of the projects by March 31st I propose the following improvements in these funding arrangements linked to the timetable below:

During July

Upon adoption of the Budget the Progress Associations are to be advised of the amount allocated for the current year. For 2007/08, the associations will be provided with our revised procedures and a copy of our policy (after adoption).

No later than 30th September

Council must be advised of full details of any proposed projects including, where necessary, plans and specifications and financial data (costings) within budgetary limits. This is very important because there have been instances recently where Council has been asked to provide in-kind assistance in addition to the allotted funds. This practice is not condoned as it is unapproved budget expenditure and disadvantages those who conform. Naturally, if these Council costs are part of the original costings then no advantage is gained. This deadline has been nominated to enable Council consent of the project (expenditure only, not development etc) at our October meeting.

No later than 31st October

Council advises the Progress Associations of the project/s' approval, subject to development or other regulatory consent that may be required. This deadline allows adequate time for Development approval to be obtained (particularly for a Category 3 application which requires public notification under the Development Act)

No later than 31st March

The project/s must be completed in their entirety and all invoices submitted to Council for payment. Failure to meet this deadline may jeopardise future allocations.

Cr McDonald moved, Cr Schkabaryn seconded

“That Council adopts the Progress Associations Policy, as tabled.

CARRIED

MONTHLY FINANCIAL REPORTS

Cash Flow

This report consists of:

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

Balances of LGFA 24 Hour Investment Fund and Reserves

Historical and current balances of funds held at LGFA.

Rates & General Income

This report details rates revenue and breakdown of General Income.

CHEQUE & EFT LISTING

Cr Simmonds moved, Cr Schkabaryn seconded

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

CARRIED

MANAGER OF ENVIRONMENTAL SERVICES REPORT

1. Approved Development Report -
Assessment Period 1 – 31 June 2007 inclusive.

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

Please note that the listed approvals are for Development Approvals only, and therefore does not include Planning Consents or Building Rules Consents where they were granted separately.

Cr McDonald moved, Cr Ireland seconded

“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 14th February 2006, and 21 November 2006.”

CARRIED

2. Changes to the Development Application Fees

To seek the Council’s endorsement for the adoption of the new schedule of Development Application Fees, as published in the SA Government Gazette No 34, 7 June 2007 pp2341 – 2351 ***Development (Fees) Variation Regulations 2007***

Please refer to the attached table in the Development Act 1993 Advisory Notice 12b (Reissued) June 2007 from Planning SA summarising those changes to the fees approved by the Minister and published in the SA Government Gazette No 34, 7 June 2007 pp2341 – 2351 ***Development (Fees) Variation Regulations 2007***, and the ***Development (Open Space Contribution Scheme)Variation Regulations 2007***

Please find attached a table of Distribution of Development Fees according to Schedule 6 & 7 of the Development regulations 1993.

- Noted

3. Changes to the Waste Control Systems Application fees

To inform Council that the gazetted fees for waste control system applications and inspections **will not change** at the beginning of this financial year as a new fee structure will be introduced as part of the **new** Public and Environmental Health (Wastewater Systems) Regulations which are expected to be introduced later this year.

- Noted

4. Council Development Assessment Panels (CDAP)

To advise Council of its obligations to delegate its powers and functions under the amended Development Regulations, and seek a decision from Council for the delegation of its development assessment powers.

Cr Simmonds moved, Cr Ireland seconded

“That Council seeks the Minister’s consent to the delegate, as the relevant authority, all of its powers and functions under the Development Act & Regulations, to Council’s authorised planning officer, with the following exemptions as set out below, which are to be delegated to the CDAP of the DC Copper Coast (subject to that councils consent):-

EXEMPTIONS

- (a) Where the authorised officer determines and /or recommends Refusal of an application, other than pursuant to Section 39 (4)(d);*
- (b) Where a respondent wishes to be heard in person as part of Category 3 Notification procedures for a development application.”*

and,

“That Council supports the establishment of a Regional DAP, with the DC Copper Coast, DC Yorke Peninsula and possibly Wakefield RC.”

CARRIED

CORRESPONDENCE

Cr McDonald moved, Cr Schkabaryn seconded

“that the correspondence be received”.

CARRIED

1. South Australian Housing Trust

Advising of a review of the joint venture properties in Third Street, Bute (Canowindra Homes) and seeking Council’s views on the current agreement.

Cr Kerley moved, Cr Weedon seconded

“That Council continues the current agreement for the South Australian Housing Trust units in Third Street, Bute, (known as Canowindra Homes) whereby Council supply services to maintain the gardens, and the Trust are responsible for all maintenance and rent.”

CARRIED

2. Port Pirie Regional Council

Forwarding information on the Council’s effort to rededicate the parcel of land containing the Munderoo Institute, which has not been very successful. The estimated cost to rededicate through the Supreme Court is \$10 - \$15,000.

- **Noted**

3. Fisherman’s Bay Progress Association

(a) Drawing to Council’s attention the proposal for rationalisation of the signs at the Fisherman’s Bay Boat Ramp into one sign, and that the project has not been undertaken. They are seeking a progress report.

Cr Rooney moved, Cr McDonald seconded

“That Council authorises the Manager – Works to purchase a suitable sign impacting the necessary details for the Fisherman’s Bay Boat Ramp.”

CARRIED

(b) Questioning the amount of money being spent at Fisherman’s Bay in relation to the income raised at Fisherman’s Bay and seeking a breakdown of the money spent on Fisherman’s Bay activities in 2006/07

Cr Simmons moved, Cr Kerley seconded

“That the District Manager arranges a response to the Fisherman’s Bay Progress Associations concern on allocation of funding reviewed by ratepayers of Fisherman’s Bay.”

CARRIED

4. Environment Protection Agency

Advising of the new Solid Waste Contribution required to be paid by Council, which has increased from \$6000 last year to \$12,093.12 for 2007/08

Cr Weedon moved, Cr Kerley seconded

“(a)That the District Manager advises the Minister for Environment of Council’s disappointment of the large increases in the solid waste levy, and in particular that 50% of this levy is to be returned to General Revenue of the State, and is not being used for constructive waste disposal activities such as recycling.

(b) That the Council participates in the Local Government Associations campaign to protest against the large fees.”

CARRIED

5. Port Broughton Bowling Club
Asking Council to reconsider the recent account for insurances for the Bowling Club which included the previous years premium.

Cr Kerley moved, Cr Schkabaryn seconded

“That Council agrees to rescind portion of the account for the Port Broughton Bowling Club that relates to previous financial years, and that the club be responsible for payment of premium for 2006/2007 only.”

CARRIED

6. Local Government Association of SA
Forwarding LGA Report Nos 23 – 26

- **Noted**

Tabled Correspondence

1. Local Government Association Mutual Liability Scheme
Forwarding a copy of the 2006 Annual Report
2. State Electoral office
Forwarding a report on Local Government activities conducted by the State Electoral Office in 2005/06
3. Local Government Grants Commission
(a) Forwarding a copy of their 2005-06 Annual Report
(b) Forwarding a copy of their June 2007 Newsletter
4. Department of Trade and Economic Development
Forwarding a copy of the Regional Budget Statement following the release of the 2007/08 State Budget
5. Yorke Peninsula Tourism Marketing Board
Forwarding a copy of their Newsletter for June 2007
6. Yorke Peninsula Tourism Association
Forwarding their June 2007 Newsletter advising of the demise of the Association

PETITIONS, MEMORIALS, NOTICES OF MOTION

- Nil

NOTICE OF MOTION

- Nil

TENDERS

- NIL

GENERAL BUSINESS

1. Cr Weedon – Enquired into the progress of Councils Planning Amendment Report which would allow residential land to be developed in Bute
 - Enquired into the process to allow houses to be built on General Farming Allotments.
2. Cr Kerley - Enquired into the process for establishing residential areas that would allow for different types of housing (eg. brick only)

CLOSURE

The Mayor declared the meeting closed at 9.20pm

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D.DOLLING
MAYOR