

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

PRESENT:

Cr D Dolling (Mayor), Cr S Ireland, Cr M McDonald, Cr I Burgess, Cr R Smith, 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 T Read (Minutes Secretary)

APOLOGIES:

M Marziale (Manager – Environmental Services), Cr B Rooney

DECLARATION OF CONFLICT OF INTEREST

Cr Smith declared a Conflict of Interest with regards to the Port Broughton Community School Library.

CONFIRMATION OF COUNCIL MINUTES

Cr Simmons moved, Cr Schkabaryn seconded,

“that the Minutes of Meeting held on August 14th 2007 be confirmed as printed and supplied, with the alteration on page 13 for the motion regarding Insurances for Sporting Bodies to include

“with the exception for the Public Liability for all Progress Associations and the Bute Sporting Club and the Port Broughton Combined Sporting Club (and including the Port Broughton Tennis Club), for which the Council shall provide cover”

CARRIED

BUSINESS ARISING FROM THE COUNCIL MINUTES

1. No response has been received from the Department of Transport Energy and Infrastructure regarding the Road Classification of the Heavy Vehicle By-Pass Road, for Bay Street, from the Pirie Road T-Junction to the intersection of Bay Street and Kadina/Wallaroo Road.

MEMBERS REPORTS

Cr. DOLLING

19 th August	- Long Tan Vietnam RSL Service
23 rd August	- Audit Committee Meeting
23 rd August	- Executive Committee Meeting
29 th August	- Roads Conference
5 th September	- Works Committee Meeting
6 th & 7 th September	- Waste Disposal Inspection

7th September - Discussion with Port Pirie Regional Council – Bituminising of the Boundary Road south of Mundoorra.

Cr. McDonald

15th August - Port Broughton & District Hospital & Service Board Meeting
23rd August - Executive Committee Meeting
5th September - Works Committee Meeting
10th September - Port Broughton Area School Governing Council Meeting

Cr. SCHKABARYN

23rd August - Audit Committee Meeting
29th – 31st August - Roads Conference Yankalilla
4th September - OHS & W
5th September - Works Meeting
6th & 7th September - Lameroo, Victor Harbour, Goolwa Waste Disposal Tour

Cr. SIMMONS

16th August - Volunteers Meeting
18th August - Service for the Battle Long Tan
21st August - Barunga Village Building Meeting
28th August - Barunga Village General Meeting
29th August - Bute 2000 Onwards Meeting
4th September - Barunga Village Building Meeting
5th September - Works Committee Meeting
10th September - Bute Sports Club Meeting

Cr KERLEY

15th August - Met with Chris Peers & District Manager
5th September - Works Committee Meeting

Cr WEEDON

4th September - CAT Grader Demo
5th September - Works Committee Meeting

Cr IRELAND

18th August - Bute RSL Service Long Tan Battle

CR BURGESS

18th August - Bute RSL Service Long Tan Battle
23rd August - Audit Committee Meeting
23rd August - Executive Committee Meeting
29th August - Bute 2000 Onwards Committee Meeting
6th September - Canowindra Homes Meeting

CR SMITH

16th August - YP Community Transport Meeting
5th September - Works Meeting
6th & 7th September - Waste Management Trip

MEMBERS' QUESTIONS

Cr Dolling advised Council of a letter from Port Pirie Regional Council in regards to the Boundary Road south of Mundoorra to be tabled at next Council Meeting.

COMMITTEE MEETINGS

Cr Burgess moved, Cr Ireland seconded

“that all Committee reports be received”

CARRIED

WORKS AND INFRASTRUCTURE COMMITTEE

Cr McDonald moved, Cr Schkabaryn seconded

“That Council considers resealing this portion of Arbon Road, in front of Mr R. Paterson, after consideration at Council’s budget review, or in the 2008/09 financial year upon Mr R Paterson providing 50% of the cost of the reseal”

CARRIED

Cr Smith moved, Cr McDonald seconded

“That due to the Council improving the method of waste disposal within the Council district, and a greater emphasis on improving recycling at Bute and Port Broughton, that Council does not support the collection of hard waste at Fisherman’s Bay or any other part of the Council district”

CARRIED

Cr McDonald moved, Cr Burgess seconded

“That a letter be forwarded to all property owners at Whiting Road from No2 to Bee Hive corner, advising of green waste being deposited on the Crown land is illegal and is to be stopped”

CARRIED.

Cr Kerley moved, Cr Weedon seconded

“That the District Manager investigates the possibility of obtaining exemption permits from SA Water for watering reserves in the Council area to maintain lawned area”.

CARRIED

Cr Smith moved, Cr Kerley seconded

“That the Works Manager be authorised to do some remedial work to the intersection of Mundoora Road and Oaklands Road.”

CARRIED

AUDIT COMMITTEE

Cr Smith moved, Cr Burgess seconded

“that recommendations 1 – 2, of the Audit Committee on the 23rd August 2007 be adopted

1. “that the Audited 2006/07 Financial Statements be adopted by way of Conference Call Meeting of the Audit Committee at a date to be decided”

2. “That a Work Program modeled on the Local Government Associations template be developed by the District Manager and Manager Finance and Administration and tabled, for consideration, at the next meeting.”

CARRIED

EXECUTIVE COMMITTEE

Cr Schkabaryn moved, Cr Burgess seconded

“that recommendation 1, of the Executive Committee on the 23rd August 2007 be adopted

1. “That in accordance with the Council’s recommendation at its July meeting for the Executive Committee to have the authority to approve the successful tenderers, that the District Manager be authorised to continue consultations with the Architect and the builders to obtain an amended price for the Port Broughton Community School Library Extensions, and that the Mayor and District Manager be authorised to approve the tender, should the price be within the budget established for the project”

CARRIED

Cr Kerley moved, Cr Burgess seconded

“that in accordance with the provisions of Section 90 Parts (2) and (3) (e) of the Local Government Act 1999, that the Committee exclude the public from the Council meeting”

CARRIED

Cr Schkabaryn moved, Cr Kerley seconded

“that in accordance with the provisions of Section 90 of the Local Government Act, the Council invites the public back to the meeting.

CARRIED

MANAGERS’ REPORTS

Cr Burgess moved, Cr Kerley seconded,

“That all Managers’ Reports be received.”

CARRIED

DISTRICT MANAGER’S REPORT

1. Port Broughton Waste Disposal Site

As Members are aware the contract with Broughton Waste Management Services expires on 30th September 3rd, 2007, and it has been agreed to not renew the contract, due to the changes in operation at this site, as a result of the new EPA guidelines for landfill from 1st July 2008.

It was Council's intention to place a "temporary" casual employee at the site until a long-term plan, based on work currently being done by the Central Local Government Region, and Council staff. One of the considerations was working with the Port Broughton Recycling Centre to relocate their operation to our site, and for them to operate the Waste Disposal site in conjunction with their business.

The proprietors of the Recycling Centre are willing and able to operate from the Port Broughton Waste Disposal Sites as from 1st October 2007, by utilising a temporary set up for their own operations. If Council were to approve the establishment of an agreement with the Port Broughton Recycling Centre, we need to establish a lease agreement for the site to be operated by the centre, and a suitable contractual arrangement between Council and the Recycling Centre.

A detailed report was submitted by the District Manager on the Council requirements under the Local Government Act.

These agreements would require the involvement of Council's solicitor and the Local Government Mutual Liability Scheme.

Cr Smith moved, Cr Simmons seconded

“(a) That after consideration of the District Managers Report, Council agrees to enter into a contractual arrangement, including an appropriate lease with Port Broughton Recycling Centre, to establish a joint arrangement at the Port Broughton Waste Disposal Site. Further, that the District Manager be authorised to prepare a contract and lease agreement with the proprietors of the Port Broughton Recycling Centre for consideration and approval by Council

(b) That after considering the District Manager's Report that Council resolves that it will not tender for the contract for the provision of services at the Port Broughton Waste Disposal Site “

(c) That, in accordance with Council's Competitive Tendering, Contracting Out and Sale of Land and Other Asset's Policy, whereby Council has demonstrated that there are benefits in not going to public tender, that Council agrees that the public is to be advised of the reasons for such a decision in the next Council Newsletter.

CARRIED

2. 2006/07 External Audit of Council

Attached to my report is a copy of the Auditors report following their field audit for the 2006/07. The issues raised are not significant issues and have been or will be addressed by the Manager of Finance and Administration.

This letter will be referred to Council's Audit Committee for their attention at their next meeting.

- **Noted**

3. Policies – Section 221 and 222

Following consultation with Council’s solicitors, we have now developed two policies relating to encroachment on Council’s roads. One policy is an Encroachment Policy, which deals with current encroachments onto footpaths or roads, and also covers the laying of pipes under the road.

The second policy enables Council to grant authorisation for structural alterations to Public Roads under Section 221 (2)(b) of the Local Government Act 1999. (This policy covers the Bay Street Café Verandah and the proposed ramp at the new coffee shop on the corner of Bay Street and West Terrace)

Cr Kerley moved, Cr Burgess seconded

“That Council adopts the following two policies in accordance with the provision of Section 221 and 222 of the Local Government Act 1999.

(1) Encroachments onto Council Streets and Roads Policy

(2) Granting Authorisation for Structural Alterations to Public Roads Policy”

CARRIED

4. G & H Rowlands – Bay Street Cafe

Following the Council’s decision to review and rescind the original motion to reject the application of Messrs G & H Rowlands for a balcony over the verandah of Bay Street Café, members are required to reconsider the application.

Cr Schkabaryn moved, Cr Simmons seconded

“that the Council approves the application of G & H Rowlands of Bay Street Café, for a balcony no more than 2 metres wide on top of the verandah of the Café, with the provisions
(a) that any work to be undertaken is to be in keeping with the character of the existing building

(b) that the balcony not be used for any domestic purposes

and further that the District Manager be authorised to issue a permit in accordance with Council’s policy for Granting authorisation for Structural Alterations to Public Roads under Section 221 (2) (b) of the Local Government Act, with an annual fee of \$100 per year to be charged, and the fee to be increased annually in accordance with the rate rise imposed by Council”

CARRIED

5. R & J Rawlins – Dock of the Bay Coffee Shop – Bay Street

An application has been received from Mrs J Rawlins owners of the new Coffee Shop in Bay Street for a ramp to be constructed to their premises. The ramp will be on a portion of the West Terrace footpath and has been assessed and approved by the Manager Works.

An application has been received from Mr & Mrs Rawlins for financial assistance for the construction of the ramp. They have received a quote of \$5,480 (Council has previously assisted two other businesses with ramps)

Cr Kerley moved, Cr Weedon seconded

“That Council approves the application for a ramp for J Rawlins, at the Coffee Shop, Bay Street Port Broughton, and that the District Manager be authorised to issue a permit in accordance with Council’s policy for Granting Authorisation for Structural Alterations to Public Roads under Section 221 (2)(b) of the Local Government Act and, further, that Council will not offer any financial support”.

CARRIED

Cr Smith advised that in accordance with the provisions of Section 74 of the Local Government Act 1999, that he had a conflict of interest with the contract for the Port Broughton Community School Library, due to a family member having submitted a tender as part of the project for the extensions, and left the meeting at 8.07pm.

6. Port Broughton Community School Library

Following negotiations with builders for the new extensions to the Community School Library, I can advise that I have negotiated an acceptable price from Barry Ramsay Constructions (Port Pirie).

In accordance with the recommendation of the Executive Committee at its meeting of 23rd August 2007 the Mayor and myself approved the quote of Barry Ramsey Constructions, and for the work to proceed. Mr. Ramsey has indicated that he will commence work in approximately four weeks, and the project will take approximately 18 weeks to complete.

I met with representatives of the Department of Education on 28th August 2007 to progress the lease agreement for the Library. At this stage there have been agreements on some issues that I raised, but final agreement, including on going costs are to be negotiated.

Cr Schkabaryn moved, Cr McDonald seconded

“That Council endorses the action of the Mayor and District Manager in awarding the contract for the construction of the Port Broughton Community School Library extensions to Barry Ramsey Constructions Pty Ltd.”

CARRIED

Cr Smith returned to the meeting at 8.10pm.

Cr Simmons moved, Cr Burgess seconded

“that Council endorses the Draft Lease Agreement for the Port Broughton Community School Library between the Department of Education and the District Council of Barunga West as negotiated by the District Manager and the Department of Education”

CARRIED

7. Broughton Bayside Caravan Park

On 15th August 2007 I met with Chris Peers of the Broughton Bayside Caravan Park (with Cr Kerley) to discuss the issues relating to the Caravan Park and in particular the Building Fire Safety Committee attendance (which is scheduled for Friday 21st September 2007)

- **Noted**

8. Port Broughton Caravan Park
Mr. Richard Hall, Business Broker of Sunbelt Select, has met with the proprietors of the Port Broughton Caravan Park (Jason and Jody Boundy) on 27th August 2007 to undertake the 5 yearly reviews as required by the terms of the lease with Council. A report form for this review will be available for the October meeting.

- **Noted**

9. Hillgrove Resources Pty Ltd
On Monday 20th August 2007, I met with Mr John Popow of Hillgrove Resources who advised of some exploratory drilling work in the Port Broughton and Alford areas. Sampling work will commence in January for approximately three months in the Port Broughton area. This form of sampling is “non intrusive”, and is the first stage of any prospective investigation.

- **Noted**

MANAGER FINANCE AND ADMINISTRATION REPORT

1. Cheque and EFT Listing

Cr Schkabaryn moved, Cr Kerley seconded

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

CARRIED

2. Local Government Grants Commission Funding

Our Grants funding for 2007/08 is \$470,806 (Budget \$420,000), which translates to a 7.65% increase from 2006/07. The obligatory Budget Review as at 30th September 2007 will reflect the increased income. The attached letter is self-explanatory.

3. LGA Workers Compensation Scheme - Rebate

Our rebate for 2006/07 was \$23,730 (Budget \$20,000) and is detailed in the attached schedule.

4. Tickera Beach Shelter – Insurance Claim

We received a cheque for \$7,850 from our insurers for the flood damage to the Tickera Beach Shelter (Excess was \$750).

5. 2006/07 Financial Statements and Final Budget Review

It is proposed to table the audited 2006/07 Financial Statements and Final Budget Review to the Audit Committee late September/early October 2007 for adoption. Following that process those documents will be presented to Council for adoption on 9th October 2007.

6. 2007/08 Budget Review as at 30th September 2007

The 2007/08 Budget Review will be tabled to the Audit Committee in late October 2007 for adoption and presented to Council on 13th November 2007 for adoption.

7. Public Address System

Delivery of the Public Address System was made on 30th August 2007 and is available for official community functions.

CORRESPONDENCE

Cr Simmons moved, Cr Burgess seconded

“that the correspondence be received”.

CARRIED

1. Minister for Volunteers

Advising of the establishment of the Volunteer Infrastructure Program to assist Council to establish a Volunteer Resource Centre with one off funding of \$150,000. The District Council of Copper Coast has indicated an interest in establishing a Regional Volunteer Information Centre.

(It should be noted that there is no funding for operational costs)

Cr Kerley moved, Cr Simmons seconded

“That the Council further investigates the possibility of the establishment of a Volunteer Infrastructure Program, with other interested community groups, with the proviso that there is no financial cost to Council.”

CARRIED

2. Yorke Regional Development Board

Notifying the Council that appointment for the appointment of community representatives expire at the next Annual General Meeting of the Board

Cr Weedon moved, Cr Smith seconded

“That Council appoints Mr Philip Harris of Wokurna, as it’s community representative to the Yorke Regional Development Board, for the period expiring at the 2008 Annual General Meeting of the Board.”

CARRIED

3. Messers L & C Horrocks

Expressing concerns at the proposed mineral exploration work of Hillgrove Resources Pty Ltd on her property and is seeking some answers on some issues.

(I am aware that Hillgrove Resources did meet with Mr & Mrs Horrocks on 21st August 2007)

Cr Kerley moved, Cr McDonald seconded

“That the Council acknowledges the letters from Mr & Mrs Horrocks and endorses the response of the District Manager in regards to the proposed mineral exploration by Hillgrove Resources.”

CARRIED

4. Environmental Protection Agency

Thanking Council representatives for attending the EPA Forum at Port Pirie in April and drawing Council’s attention to the issues raised at the forum.

- **Noted**

5. Local Government Association of SA

Forwarding LGA Report No’s 32-35

- **Noted**

Tabled Correspondence

1. KESAB

Advising of the changes to the future organisation and delivery of Clean Up Australia Day, which will be coordinated from Sydney.

2. Central Local Government Region

(a) Advising of the recent Region’s Charter Review which has been completed

(b) Forwarding a copy of the July Newsletter

3. Yorke Peninsula Tourism Marketing

(a) Forwarding a copy of Marketing Managers Report – August 2007

(b) Forwarding a copy of their 2007/08 Marketing Plan

4. Department of Environment and Heritage

Forwarding information on the establishment of Marine Parks in SA_

PETITIONS, MEMORIALS, NOTICES OF MOTION

- **Nil**

NOTICE OF MOTION

Cr Kerley moved, Cr Schkabaryn seconded

“that the Council rescinds the following motion made at the meeting on 10th July 2007, on page 6 – “that Council does not support the application from G & H Rowlands for a balcony over Bay Street, as it is for residential purposes.”

CARRIED

Cr T Schkabaryn moved, Cr Simmons seconded

“That the council rescinds the following motion made at the meeting on 10th July 2007, on page 11 – “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 premiums for 2006/07 only.”

CARRIED

TENDERS

- Nil

GENERAL BUSINESS

Cr Burgess expressed concern at the high level of Bridal Creeper in the area.

Cr Burgess moved, Cr Kerley seconded

“that Council writes to the Northern and Yorke NRM Board expressing their concerns on the increased amount of Bridal Creeper within the area, and ascertain what action is being taken to reduce the level of it within the district.”

CARRIED

Cr Weedon enquired as to the disposal of Waste Oil within the district following the cancellation of the collection of such oil. The District Manager advised those members attending the Waste Forum at Clare on 27th September to enquire on the matter.

CLOSURE

The Mayor declared the meeting closed at 8.40pm.

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D.DOLLING
MAYOR