

**MINUTES OF THE MEETING OF THE
DISTRICT COUNCIL OF BARUNGA WEST
HELD AT THE BUTE COUNCIL CHAMBERS ON
SEPTEMBER 12th 2006 AT 7:00PM**

PRESENT:

Cr D Dolling (Chairman), Cr G O'Connor, Cr B Rooney, Cr H Daniel, Cr J Aitchison, Cr T Schkabaryn, Cr I Burgess, Cr L Kerley, Cr G Simmons, N Hand (District Manager), P Ward (Deputy District Manager), R Linke (Manager – Works) and M Marziale (Manager – Environmental Services)

APOLOGIES:

Cr I Young

CONFIRMATION OF COUNCIL MINUTES

Cr Burgess moved, Cr Schkabaryn seconded,

“that the Minutes of Meeting held on August 8th 2006 be confirmed as printed and supplied.

CARRIED

BUSINESS ARISING FROM THE COUNCIL MINUTES

1. No response has been received to date from the Department of Environment and Heritage or Education Department, regarding access to the Alford Primary School toilets.

- Noted

DECLARATION OF CONFLICT OF INTEREST

Nil

MEMBERS REPORTS

Cr. DOLLING

Aug 23-25 Works Conference
Sept 6 Audit, Waste & Works Committee
Sept 8 Waste Management Forum at Clare

Cr. ROONEY

Sept 5 Road Reserves Meeting - Melton
Sept 6 Audit, Waste & Works Committee
Sept 8 Waste Management Forum at Clare
Sept 11 Road Reserves Meeting - Bute

Cr. SCHKABARYN

Aug 23-25 Works Conference

Sept 5 OHS & W Meeting
Sept 6 Audit, Waste & Works Committee
Sept 7 YP Tourism Association
Sept 8 Waste Management Forum at Clare
Sept 9 Fishermans Bay Progress Association

Cr. G.SIMMONS

Aug 22 Barunga Village Building Meeting
Aug 22 Barunga Village Strategic Planning Meeting
Aug 22 Barunga Village AGM
Sept 5 Barunga Village Building Meeting
Sept 6 Waste & Works Committee
Sept 7 Barunga Village Building Meeting
Sept 7 Barunga Village Governance Meeting
Sept 8 Councillors Information Meeting
Sept 11 Bute Sports Club Meeting

Cr AITCHISON

Nil

Cr BURGESS

Aug 9 Bute 2000 Onwards
Aug 15 Canowindra Homes
Sept 6 Audit, Waste & Works Committee

Cr KERLEY

Aug 22 Barunga Village Strategic Planning Meeting

Cr DANIEL

Sept 5 Road Reserves Meeting - Melton
Sept 6 Audit, Waste & Works Committee
Sept 8 Councillors Information Meeting
Sept 11 Road Reserves Meeting - Bute

Cr O'CONNOR

Sept 6 Audit & Waste Committee

MEMBERS QUESTIONS

Nil

COMMITTEE REPORTS

Cr Aitchison moved, Cr Burgess seconded

“that all committee reports be received”

CARRIED

WORKS & MACHINERY COMMITTEE

Cr Kerley moved, Cr Daniel seconded

“that recommendation 1 - 2, of the Works Committee on the 6th September 2006 be adopted

1. *That Council purchase from Measday’s Services Pty Ltd a John Deere 5425 Tractor for \$42,500 ex GST and a Nobili Mulcher for \$11,800 ex GST, with the cost of the machinery to be funded from our Machinery Replacement Fund.*
2. *That Council agree for a review replacement of Council administration vehicles at 80,000km and that all funds allocated in the budget for replacement of vehicles be transferred to the Machinery Replacement Reserve.”*

CARRIED

AUDIT COMMITTEE

Cr O’Connor moved, Cr Burgess seconded

“that recommendation 1 of the Audit Committee on the 6th September 2006 be adopted

1. *That the Committee adopt the ‘Road Construction & Maintenance – Priority Selection Policy’ drawn up by Council management.”*

CARRIED

WASTE MANAGEMENT COMMITTEE

Cr Daniel moved, Cr Schkabaryn seconded

“that recommendations 1 - 2 of the Waste Management Committee on the 6th September 2006 be adopted.

1. *That Council agree to be involved in discussions (without any financial commitment at this stage) with Wakefield Regional Council, in the possibility of the establishment of a waste processing facility at Everard.*
2. *That Council endorse the report for the Bute Stormwater Catchment and Re-use with the alterations required regarding catchment areas, and that a review of the costings, to ascertain viability of the costings provided be ascertained.”*

CARRIED

OHS & W COMMITTEE

- Noted

OFFICER’S REPORTS

Cr Rooney moved, Cr Simmons seconded

“That all Officer’s Reports be received.”

CARRIED

DISTRICT MANAGER'S REPORT

1. Election

A reminder is given to all members that the 2006 Elections for Council has now commenced and that the main timetable for all interested people is as follows.

Tuesday 5th September – Opening of Nominations

Tuesday 19th September – Closure of Nominations (at Noon)

23rd – 27th October – Issue of voting papers

Friday 10th November – Close of voting

Saturday 11th November – Counting of votes

Nomination packs are available from both offices of the Council. An Information night was held on Thursday 7th September.

- Noted

2. Library Extensions – Grant received

As members are aware that Council has received funding from the Federal Government's Regional Partners Program (refer Correspondence) for \$204,270 (incl GST) for the construction of the proposed extension to the Community School Library. This was the amount requested in our application. The grant is subject to two conditions relating to tenure of the land and securing the funding requirements.

Council's commitment to the proposed extension is \$154,000. An initial meeting of the people involved in the project was held on 7th September to begin the necessary planning of the project. Further details will be available at the meeting.

- Noted

3. Leasing of Council Property

Council has been requested by the Bute Pony Club to secure a lease of the grounds currently used by the Pony Club, as there is no formal lease to date (refer attached letter). The Council should bear in mind that there is a possibility that we may require some of the existing car park areas for a future stormwater catchment pond, as per the study prepared by Walbridge and Gilbert. The Council would need to then look at the availability of adjoining land to allow for the car parking at the club.

The Thomas Plains Tennis Club have sought Council support, when the transfer of land from the Crown is complete, for an extension of the land that they currently have. Currently Tickera Golf Club do not have a lease for their land, and the Liquor Licensing Commission is looking for a lease to be arranged as a part of its approval for a limited Liquor license.

Cr Burgess moved, Cr Rooney seconded

“that the District Manager be authorised to commence the public consultation process for the purpose of issuing 21-year lease to the following groups as required by the provision of the Local Government Act 1999

- *Bute Pony Club*
- *Thomas Plains Tennis Club*

- *Tickera Golf Club*

And that the Bute Pony Club lease reflect the Council's proposal to possibly utilize land for the establishment of a stormwater catchment pond".

CARRIED

4. Renting of Roads

On Tuesday 5th September Crs Rooney and Daniel met with some of the land owners looking to review the road rents in the Hds of Kulpara and Clinton. Most of the concern was related to acreages in respect of arable and non-arable land and this has been noted and amended accounts will be forwarded to these people concerned.

One comment that I have received since our meeting is that there is a belief that there should be a third category of land, called "commercially non viable" for land that is rocky and totally unproductive, which should be a lower (much) than non-arable/grazing. I agreed to seek Council's comments on this.

On Monday 11th September 2006, we again met to look at the Hundred of Wiltunga and Tickera, and the Hds of Mundoora and Wokurna will be completed in the next couple of months.

A letter from Jeff Daniel raising issues on road rentals was tabled.

Cr Daniel moved, Cr O'Connor seconded

"that Council create a new road reserve classification 'commercially non-viable', and that adjoin Sections 146 (GD & GM Daniel), 142 (KF Stock), 140 (Rooney & DJ Pridham) 426-430 and 432 (GD & RA Pridham, Daniel Kulpara, be classed as such and available for purchase from Council at \$150 per acre, or rental at \$7.50 per acre and that Council will consider similar appeals on a case-by-case basis."

CARRIED

5. Dry Zone – Fisherman's Bay

To date I have not any written advice following our Newsletter article on possible Dry Zones at Fisherman's Bay. I have had a small number of telephone calls on this issue.

Comments are required by 15th September and will be presented to Council's next meeting.

- Noted

6. Area School Phillipines Project

Cr Simmons moved, Cr Daniel seconded

"that Council donate \$200 to the Port Broughton Area School with which to buy materials for the Phillipines Education department, in return for which the school children will clean the Port Broughton foreshore every Tuesday morning for one school term."

CARRIED

7. Meetings

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

- Noted

MANAGER OF ENVIRONMENTAL SERVICES REPORT

1. Fisherman's Bay Management – Application for a variation to an approval DA 344/D006/99V1 - Update

Purpose – For information only

In accordance with the timeframes defined during the attempted negotiations process the Barunga West DAP at its Meeting to be held 8 August 2006 assessed and refused consent to FBM's application for a variation to an approval DA 344/D006/99 V1.

Fisherman's Bay Management responded to Council's DAP decision to refuse the application for a variation of the conditions attached to the approval for freeholding, and Council has been informally advised of FBM's intent to appeal the decision in the ERD Court, as was expected.

Please find the relevant correspondence, FBM Notice to License holders, attached to this Report.

- Noted

2. Land division DA 344/C006/05 – Appeal by Zajac in the ERD Court - Update

Purpose – For information only

To inform Council of the outcome of the ERD Court's Order following the ERD Court Conference.

Provisional Development Plan Consent was granted in the ERD Court Order.

Please find a copy of the ERD Court Order attached to this Report.

No additional/external costs were borne by Council in the process of the Court proceedings.

- Noted

3. Coastal Development Policy

Purpose – For information only

To inform the Council of the implementation of provisions in its Development Plan intended to mitigate risks associated with hazards to coastal development, and seek Council's direction.

At its last meeting Council resolved that its officers seek legal advice. That advice has been sought, and a report from Norman Waterhouse is expected within the next three weeks.

- Noted

FINANCE REPORT

1. Bank Reconciliation

The bank reconciliation for 31 August 2006 was presented at the meeting.

Cr Kerley moved, Cr Schkabaryn seconded

“that the Bank Reconciliation for 31 August 2006 be accepted.”

CARRIED

2. Cheque Listing

A cheque listing for payments made in **August 2006** was presented at the meeting.

Cr Schkabaryn moved, Cr Rooney seconded

“that cheques numbered 12412-12520 totalling \$244,822.24, and payroll EFTs totaling \$44,481.21 be approved for payment.”

CARRIED

3. LGFA Investments

A listing of all LGFA Reserves as at 31st August was presented at the meeting.

- Noted

4. Grants Commission

Presented at the meeting was the Grants Commission allocations for 2006 – 07. It is obvious that the Grants Commission has abandoned the formular in so far as they have now put a floor on the 2006 – 07 allocations, judging from the number of Councils that received no change from the 2005 – 06 allocations.

The General Manager of the Grants Commission, Jane Gascoyne, had advised the District Manager in July 2006 that our allocation would drop once more, so there must have been a change of policy, of which we have not been officially notified.

- Noted

5. End Of Year Financial Statements

The end of year reports have been completed to the Audit stage. The LGA advised on August 28 2006 that it wanted the reports prepared in a new format, but the Auditor has advised that the present style fulfills all requirements of the Local Government Act (1999).

In addition, I have updated the Asset Register module on our accounting software, Synergy Soft, so that all assets are now on the system, apart from roads, footpaths, Bute STEDS and office equipment, which will be loaded in 2006-07.

- Noted

6. Road To Recovery

The Annual Report for 2005-06 has been prepared and forwarded to Bob foster for audit verification and submission to DOTARS.

- Noted

7. Workers Compensation Scheme Rebate

Presented at the meeting was Council's Rebate Calculation sheet from the Local Government Association Workers Compensation Scheme. The Workers Compensation invoice for 2006-07 was \$42,288, based on a budgeted annual wages expense of \$995,000, which equates to a rate of 4.25%. Council receives a rebate for past claims experience and OHS component, which is based on a 65/35 ratio. For 2006-07, this amounted to \$19,113.00.

Accordingly, Council's net Workers Compensation rate for 2006/07 is 2.32%, compared to the state average for Councils of 2.61%.

- Noted

CORRESPONDENCE

Cr Burgess moved, Cr O'Connor seconded

"that the correspondence be received".

CARRIED

1. Minister of Transport and Regional Services

Advising Council of its success in obtaining a grant under the Regional Partnership Program for \$204,270 (incl GST) for the extension of the Community School Library. There are two conditions attached to the grant.

- Noted

2. State Library

Advising of the allocations to the Port Broughton Community School Library (\$11,982) and of Council's contribution of \$15,892 for the 2006/07 year.

- Noted

3. Model Aerosport SA Inc

Advising that the Association has withdrawn their support for the Department of Defence to test fly electric powered aircrafts at the South Hummocks due to some problems that have arisen.

- Noted

4. Fisherman's Bay Progress Association Inc

Seeking to ascertain the future of the area previously designated as the Rubbish Truck Site. (NB This area has always been zoned as coastal).

Cr Daniel moved, Cr O'Connor seconded

“that Fisherman’s Bay Progress Association be advised that Council has no proposal for development of the area previously used for the garbage truck”

CARRIED

5. Telstra

Advising of the proposed removal of the pay phone in West Terrace, Port Broughton.

Cr Aitchison moved, Cr Rooney seconded

“that Council write to Telstra to query the decision to remove the pay phone in West Terrace, Port Broughton and register its disapproval of that decision.”

CARRIED

6. Local Government Finance Authority

Advising of an election for two delegates for the Authority as part of their election process. A profile of the seven candidates is forwarded.

Cr Schkabaryn moved, Cr Daniel seconded

“that the Council vote for Messrs JL Sanderson and AC Taylor to be representatives on the Local Government Finance Authority.”

CARRIED

Tabled Correspondence

The following correspondence is available for members to peruse at the meeting if desired.

1. Local Government Association of SA

Forwarding LG Reports Nos 31-35

2. Central Region of Local Government

Forwarding the August Newsletter

3. Murray Darling Association

Forwarding a copy of their August News

4. Yorke Peninsula Tourism Marketing Board

Forwarding a number of reports including their 2005/06 initiatives

5. Yorke Peninsula Tourism Association

Forwarding a copy of their August Newsletter

6. NY Natural Resources Board

- Forwarding a copy of their August update
- Forwarding a copy of the concept statement for the region for Council comment

7. Australian Local Government Association

Forwarding information on the National General Assembly.

8. Yorke Peninsula Community Transport & Services

Forwarding a copy of their Annual Report for 2005/06

CHANGE OF OWNERSHIP

Cr Schkabaryn moved, Cr Simmons seconded

“That the Assessment Record be altered to reflect the following change of ownership.”

ASSESS No	ADDRESS	SELLER	BUYER
A1642	8 Whelan Road, Port Broughton	KM & L Kuchel	PG Aleer & CK Kennedy
A3470	41 John Lewis Drive, Port Broughton	PM & BL Barnes	SA Bulach
A442	19 West Terrace, Port Broughton	EM Clarke	AG & MJ Hewett
A4454	60 John Lewis Drive, Port Broughton	RJ & KP White	G & C Turner
A30128	Lot 13 Parma Street, Port Broughton	AJ & JF Aitchison	RC & KM Nottage
A30132	Lot 14 Parma Street, Port Broughton	AJ & JF Aitchison	P,E,S & G Stavropoulos
A30143	Lot 15 Parma Street, Port Broughton	AJ & JF Aitchison	PI & ML Harris
A7216	Section 84, Bute Road, Port Broughton	MM Jones	LER & JM Jones
A3763	99 John Lewis Drive, Port Broughton	PD Braddock	DB Loades & SF Hunter

CARRIED

PETITIONS, MEMORIALS, NOTICES OF MOTION - Nil

DEPUTATION - Nil

TENDERS - Nil

GENERAL BUSINESS

Cr Burgess queried whether or not the cost of finger road signs promoting commercial businesses are the responsibility of the owners. The District Manager confirmed that it was.

Cr Schkabaryn raised the issue of suggestions that the Council boundary be shifted to incorporate the entire township of Mundoora. This will be a matter for the new Council to further consider.

Cr O'Connor queried the current financial situation of the Council as regards continuing financial stability and likely increased pressure for Councils to further amalgamate.

CLOSURE

The Chairman declared the meeting closed at 8.30pm

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D.DOLLING
CHAIRMAN