

MINUTES OF THE MEETING OF THE DISTRICT COUNCIL OF BARUNGA WEST HELD AT THE BUTE COUNCIL CHAMBERS ON JANUARY 10th 2006 AT 7:25PM

PRESENT:

Cr D Dolling (Chairman), Cr B. Rooney, Cr L. Kerley, Cr I Burgess, Cr T Schkabaryn, Cr G Simmons, Cr G O'Connor, Cr I Young, N Hand (District Manager), P Ward (Deputy District Manager), M Marziale (Manager – Environmental Services),

APOLOGIES:

Cr J Aitchison, Cr H. Daniel, R Linke (Works Manager)

CONFIRMATION OF MINUTES

Cr Burgess moved, Cr O'Connor seconded,

“that the Minutes of Meeting held on December 13th 2005 be confirmed as printed and supplied.

CARRIED

BUSINESS ARISING FROM THE MINUTES

1. The work on the Port Broughton Institute has now been completed and a lot of positive comments have been received on the “new appearance”. The insurance claim for the partial cost has been submitted.
2. A lot of concern has been expressed in regard to the mosquito problem in Port Broughton and Fisherman’s Bay. A leaflet was prepared by Mark Marziale explaining what Council’s were trying to do. Mark has arranged additional spraying and treatment over the holiday period.
3. The boat ramp ticket machines have been installed, and a good response to seasonal ticket has been noted. A letter has been forwarded to all commercial fishermen, oyster growers and charter boat operators asking them for the annual contribution.

Cr Schkabaryn moved, Cr O'Connor seconded

“That approval be given for the District Manager to advertise to seek public comment for the proposed Council By-Laws for Boat Ramps.

DISTRICT COUNCIL OF BARUNGA WEST PROPOSED BY-LAW TO BE MADE UNDER THE LOCAL GOVERNMENT ACT 1999 By-Law No. 6 – Boat Ramps

To regulate the use of boat ramps within the Council area and surrounding lands used for access to the boat ramps and which are under the control of the Council.

Definitions

1. In this by-law:

- (1) 'Annual Ticket' means a ticket purchased from the council offices authorizing the launch of one craft at a boat ramp, and is valid until the next 30 June.
- (2) 'Boat Ramp' means a facility constructed, maintained and operated by the council for the launching of craft at Port Broughton and Fisherman's Bay.
- (3) 'Council Offices' means the offices of the council located at Bay Street, Port Broughton and Railway Terrace, Bute in the State of South Australia.
- (4) 'Short Term Ticket' means a ticket purchased from a vending machine located at the boat ramp, valid for one launch of any one craft at the boat ramp within 24 hours from the time of purchase.
- (5) 'Officer' means a Council Officer, Police Officer of any other authorised person.
- (6) 'Ticket' means either an Annual Ticket of a Short Term Ticket

Boat Ramp Usage

2. No person shall use a boat ramp without having first purchased a ticket.
3. Council shall from time to time prescribe a fee for a ticket to use a boat ramp.
4. An annual ticket may be purchased from any one of the council offices.
5. A short-term ticket may be purchased from the vending machine(s) located at or near a boat ramp.
6. Council may erect signs or notices stating the fee and the location of the ticket vending machine(s).
7. Upon request of an officer, any person about to use, using, or having used, a boat ramp may be asked to produce a ticket.
8. Council may exempt organisations involved in search and rescue at sea from the requirement to purchase a ticket.

Offence

9. Any person using a boat ramp without having first obtained a ticket commits an offence.

10. If a ticket cannot be produced, the officer may issue an account to the person using a boat ramp."

CARRIED

DECLARATION OF CONFLICT OF INTEREST

Nil

MEMBERS REPORTS

Cr. DOLLING

Bute Senior Citizen Xmas Lunch
RSL Christmas Dinner
Outside staff wind up
Council Christmas Party

Cr. YOUNG

Tour of Primo meat works at Port Wakefield

Cr. SCHKABARYN

22nd December – Primo tour – outside staff party

Cr. G.SIMMONS

9th December – Council Christmas Dinner
24th December – Christmas Eve Party
6th January – Barunga Village Special Meeting
7th January – Lions Club of Yorke Peninsula Rail meeting Wallaroo

Cr O'CONNOR

Council Christmas Party
Christmas Eve celebrations at Bute Oval

Cr ROONEY

9th December – Council Christmas Dinner

Cr BURGESS

14th December – 2000 onwards meeting
22nd December – Outside staff party
24th December – Christmas Eve Party 2000 onwards committee

Cr KERLEY

Nil

MEMBERS QUESTIONS

Nil

COMMITTEE REPORTS

Nil

OFFICER'S REPORTS

Cr Rooney moved, Cr Schkabaryn seconded

"That all Officer's Reports be received."

DISTRICT MANAGER'S REPORT

1. Bute Desludging Program

Following the closure of the tenders for the desludging of Septic Tanks that are connected to the Bute STED Scheme, I can advise that Jury's Liquid Waste (of the Barossa Valley) has been awarded the tender, following the consideration by the four Mangers.

Letters are in the process of being sent to all the residents in Bute advising of their requirements. Work is required to be undertaken in February/March 2006.

- Noted

2. Broughton Bayside Caravan Park

Discussions were held with ETSA utilities on 21st December 2005 regarding the upgrading of the supply to the Broughton Bayside Caravan ark, from 100 Amps to 200 or 300 amps.

The original quote from ETSA was in the region of \$165,000 (200amps) to \$310,000 (300 amps), but the attached quotation received in December 2005 is \$58,000 (200amps) to \$68,000 (300amps). Council has received a grant of \$30,000 from SA tourism Commission toward the cost of this project.

Council is required to pay \$495 to obtain a firm quote and then there is a 4 – 5 month lead time for the work to be done (in 2005/2006). However a 50% deposit is required to be paid up front.

Prior to acceptance of this quote the lessees will be preparing their business plan for consideration by Council.

Cr Rooney moved, Cr O'Connor seconded

"That the District Manager obtain, at a cost of \$495, a firm quote from ETSA for upgrading the power supply to the Port Broughton Bayside Caravan Park."

CARRIED

3. New Residents

As indicated at the last meeting, work was progressing on a New Residents Kit. A draft copy has been completed and this is enclosed with the Agenda and I welcome any comments on this kit.

A lot of work has been done on this kit by Chantelle and the girls in the Bute office and I have praised them on the great work.

Cr Schkabaryn moved, Cr O'Connor seconded

"That the New Resident kits be given out, upon ratepayers request, for no charge."

CARRIED

4. Alford Primary School

I have been advised by the Department of Environmental of Heritage that the Alford Primary School is being offered to Government agencies and the Council. I have advised the department of Council's interest in the School.

A telephone call from the department has acknowledged our interest and I have been advised that Council would be required to purchase the property at current valuation and freehold title of the property would be granted. (Currently the property comprises a mix of freehold, Crown and Trust land). A formal acknowledgement letter will be sent shortly. The Council may negotiate with the Education Department for a reduced price, when the valuation figure is advised, to seek a lower figure to compensate for the work that the Council has undertaken at the School over a long period of time.

- Noted

5. Port Broughton STEDS irrigation

Recently I had a meeting with the people involved in setting up the irrigation system at the Port Broughton Oval and Golf Club, which uses the STED water after treatment, to ensure that work was continuing on the completion of the scheme. Currently there is still some minor work being done to ensure that the system is working, as it should be, including the computer technology. It is intended that the completion date is 6th March 2006.

- Noted

6. Replacement Vehicles

Recently I sought to obtain prices for the replacement of two vehicles (Ford Fairmont and HACC vehicles) through Carfleet. Unfortunately prices obtained were over budget, and I seek Council's direction on the prices. The prices were \$9206 (budget \$7500) for the Commodore Wagon (HACC) and \$11610 (budget \$7500) for the Fairmont.

Cr Schkabaryn moved, Cr Young seconded

"that the District Manager arrange for the replacement of his vehicle and the HACC vehicle (with both vehicles to have 06 plates) through Carfleet, on the best available terms."

CARRIED

7. Mobile Amusements

Permission was granted for Mobile Amusements to set up rides on West Terrace from December 28 to January 5 2006, as has occurred in prior years. They arrived on Monday 2nd, a public holiday, and set up without any notification to Council. Both Steve Daniel and the Deputy District Manager had discussions with them about this lack of etiquette. They left on January 4th, without any notice, apparently as a result of low patronage.

These amusements offer some variety to tourists during the holiday period, but any future requests will be subject to strict requirements on the part of any company concerned.

- Noted

8. Black Spot Submission

The Department of Transport has advised that the submission for Black Spot funding got the Kadina Road - Wallaroo turnoff has been rejected due to "insufficient injury crashes for a specified period".

- Noted

9. Narungga Native Title ILUA Liaison Committee

Cr Young moved, Cr Simmons seconded

"That the Deputy Chairman be appointed Council's representative for the Narungga Native Title ILUA Liaison Committee, with the District Manager to act as his proxy."

10. Meetings

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

- Noted

ENVIRONMENTAL HEALTH OFFICER'S REPORT

1. Council's mosquito control program - update

Purpose

To present to Council the **Report on the Rapid Assessment of Mosquito Populations and their management in the DC of Barunga West** by the University of South Australia's Mosquito Research Laboratories for adoption, and inform Council on the mosquito control operations to date.

Background

On Thursday 24 and Friday 25 November two members of the University of SA's Mosquito Research Laboratories, accompanied by the Manager of Environmental Svs, conducted the initial rapid assessment of the mosquito situation in the Pt Broughton and Fishermans Bay areas.

A copy of the Mosquito Report by the Uni of SA researchers is attached to this Report.

Discussion

Council has been conducting ongoing identification and monitoring of mosquito breeding areas since 24 November 2005 and Mosquito Control operations since 14 December 2005.

Council's Mosquito Control operations no longer utilise aerial spraying of lavaecides, instead there has been the establishment of permanent control points of specific mosquito breeding habitats around Fishermans Bay and the Pt Broughton Bay estuarine areas. 30 Mosquito Control Points have been established at the time of this report, in accordance with the information in the *Mosquito Report December 2005*, with upto another 120 to be established in January- February 2006.

Each mosquito control point consists of a permanent marker stake located at the deepest point of a mosquito breeding pond, the stake suspends a lavaecide brickete in the water just above the silt level. Each lavaecide brickete is effective for 150 days according to the manufacturer's specifications. The Mng'r Env'tl Svs has also undertaken the mosquito controls for the STEDs effluent ponds, and prepared and issued a community information brochure, along with the **Fight the Bite** pamphlets and posters provided by the Dept Of Health.

Cr Young moved, Cr Burgess seconded

*"that Council adopt the **Report on the Rapid Assessment of Mosquito Populations and their Management in the DC of Barunga West**, by University Of SA's Mosquito Research Laboratories, and hereby endorses the continuation of Council's Mosquito Control Operations, in accordance with the Report."*

2. Proposed use of public reserve for private access- Ireland – 8 Wilson Place, Port Broughton

Purpose

To inform the Council of the correspondence proposing the use of a Council reserve for private access, and recommend approval subject to conditions and the determination of lease licence fees.

Background

Following standard inspections of its reserve lands conducted 15 November 2005, it came to the attention of Council that L F and S M Ireland were using Council's reserve lands adjoining the subject land situate at 8 Wilson Place Pt Broughton, on the northern side, for the purposes of access to a shed at the rear of your property, this use of Council's reserve is unauthorized.

In correspondence dated 16 November 2005 the applicant has been advised to note that the public land adjoining their subject land was not a declared road, but is a public reserve primarily serving as a stormwater drainage reserve, and for limited pedestrian access.

The difficult situation was created when by a combination of a lack of details in the subject development application and failure on Council's part to realise the intention of the applicants to utilize the public lands for access to the new shed DA 344/40/05 which was subsequently approved 19 April 2005.

Discussion

The permission of Council is required for the use and/or vehicle access across the public reserve.

In correspondence dated 4 January 2006 the applicants were informed that Council, given the difficult situation, would grant approval for a lease licence over that portion of the reserve land required for safe access to the approved shed, subject to a number of conditions. A copy of the letter of approval , and conditions is attached to this Report.

Cr O'Connor moved, Cr Schkabaryn seconded

“that Council approves the Ireland's use of a public reserve for private access to their property at 8 Wilson Place, Port Broughton, on the proviso that they instal a suitable crushed metal driveway at their own expense.”

CARRIED

3. Update – LAND DIVISION - DA 344/ D006 /99 Fishermans Bay Freeholding- Disputed Conditions of Approval

Purpose

To advise members of correspondence from Fishermans Bay Management via their solicitors, requesting clearance of conditions and disputing Condition 5.

Background

Council has recently received correspondence dated 8 December 2005 from Fisherman's Bay Management , being represented by Mr W Rudd of Jamie Botton & Associates solicitors.

FBM seek clarification of certain points so that the conditions may be cleared under section 51 of the Development Act 1993.

FBM have also sought to dispute Condition No 5, requiring the transfer of lots 451 & 451 to be vested in Council as public roads.

Discussion

Council has had numerous discussions regarding the conditions, and most recently, at the ERD Court conference, explicitly detailed its expectations, in terms of the required standards and documentation to be provided, prior to Council considering section 51 clearance to the Development Assessment Commission.

It is most interesting to note, that FBM's solicitors have chosen this method to dispute the condition No 5, seeking to persuade Council, rather than attempting to appeal the condition in the ERD Court.

Cr Burgess moved, Cr Simmons seconded

"That Council delegates the preparation of a response to correspondence dated 8 December 2005 from Fisherman's Bay Management, regarding the conditions attached to the approval for DA 344/D006/99, to a Fisherman's Bay Land Division working party consisting of the Chairman, the Dep. Chairman, Cr H. Daniel, the District Manager and the Manager – Environmental Services.

CARRIED

FINANCE REPORT

1. BANK RECONCILIATION

The bank reconciliation for December 31 2005 was presented at the meeting

Cr Burgess moved, Cr Schkabaryn seconded

"that the Bank Reconciliation for December 31 2005 be accepted."

CARRIED

2. CHEQUE LISTING

A cheque listing for payments made in December 2005 was presented at the meeting.

Cr Schkabaryn moved, Cr Rooney seconded

"that cheques numbered 11541-11682 totalling \$252,727.31, and payroll EFTs totaling \$74,373.85 be approved for payment."

CARRIED

3. LGFA INVESTMENTS

Presented at the meeting was a listing of all LGFA Reserves as at 31 December 2005.

- Noted

4. PAYROLL

We are trying to simplify the payroll procedures for all staff concerned. Currently the District Manager is required by Councillors to take leave loading as a separate payment in the year that it is accrued, as a result of previous large accruals on annual leave. This will continue.

- Noted

5. ASSET VALUATION

We have received Maloney Field Services valuation, and will report their findings to the Audit Committee meeting in February 2006.

- Noted

6. NRM LEVY

Council will be required to collect this levy from 2006, and onwards. It will appear as a separate levy on the Council Rates Notice, and will be based on the capital value of each property. Council will receive a formula-based fee for providing this service. On behalf of the Council I voiced my objections to this proposal at an information session. Basically, ratepayers will most likely view it as a Council levy.

- Noted

CORRESPONDENCE

Cr Burgess moved, Cr Kerley seconded

“that the correspondence be received”.

CARRIED

1. Fishermans Bay Progress Association

Advising that the Fishermans Bay Progress Association AGM will be held on January 16th 2006, and all Councillors are welcome.

- Noted

2. AS Harris & Sons

Expressing concern at Council's new burning regulations, and contrary CFS advice that he has received .

Cr Burgess moved, Cr Young seconded

“that Mark Weedon be advised to use a Sulo bin for weekly collection, that council does not supply skip bins for commercial operators, and that he be advised that the issue of incinerator burning will be addressed at the next Waste Management Committee meeting.”

3. Northern YP Animal & Plant Control Board (2 letters)

Ken Rudd advising that he has declined the offer of employment from the NRM Board.

- Noted

4. Minister for Health

Advising that the seven Country Regional Health Boards will be replaced on July 1, 2006 with one new health region for the whole of country SA.

- Noted

5. The Department of Water, Land & Biodiversity Conservation

Calling for applications for subsidies under the Catchment Management Subsidy Scheme for the 2006-07 year, and advising that applications close on Friday February 3, 2006.

- Noted

6. Yorke Peninsula Tourism Marketing

Marketing Manager's Report for November 2005.

- Noted

7. Local Government Association

- (a) Comparative Performance Measurement Project – 2006 Community Survey
Requesting Council's participation in a community survey. Council has about 2,600 assessments, of which approximately 2,200 are rateable. The charge for the standard survey would be \$5,315.

Cr Burgess moved, Cr Rooney seconded

"that Council decline the invitation to participate in the Local Government Associations "Comparative Performance Measurement Project" for 2006."

CARRIED

- (b) Forwarding copies of LGA Reports No 49 – 51

- Noted

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
A1444	4 Dalling Street, Port Broughton	K Bouzikos	SR Palmer
A870	4 East Terrace, Port Broughton	GB Schuller	CONFIDENTIAL
A11568	114 Whiting Road, Fisherman's Bay	GM Curnow & JM Dohnt	WP & CA Harding
A29723	Lot 23 Government Road, Port Broughton	KP Cock	SI Arbon
A29737	Lot 24 Government Road, Port Broughton	KP Cock	JK & TS Harrison
A29755	Sections 37 & 38, Hundred Nines	Cartref Pty Ltd	John Rooney Family Trust
A29787	Lot 27 North Gully Road, Tickera	RR & PM Granger	SA Matthews
A262	24 West terrace, Port Broughton	HR & PM Westlake	RH & SE Tarr

A6575	4 Whelan Road, Port Broughton	MJ Miller & EP Haylock	IS & LB Sparks
A3529	51 John Lewis Drive, Port Broughton	AW Collins	DW Venables
A29791	Lot 72 Broughton Terrace, Tickera	MA Manners	GD & CD Manners

CARRIED

PETITIONS, MEMORIALS, NOTICES OF MOTION -

TENDERS -

GENERAL BUSINESS

Cr Schkabaryn advised that a ratepayer claimed to have heard the District Manager on ABC Radio claiming that the Easter Sports Day was in doubt. The District Manager advised that he had never discussed the matter on radio.

Cr O'Connor queried the progress of the sale of closed roads; the absence of quarterly reports from the YP Regional Development Board; and advised that the Kulpara Town entrance sign had been damaged by a vehicle and a replacement could be arranged if the Council desired.

Cr Dolling reported on vandalism on the foreshore and at the boat ramp.

The Works, Audit and Waste Committee meetings will proceed on February 1st, as planned.

CLOSURE

The Chairman declared the meeting closed at 9.20pm

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D.DOLLING
CHAIRMAN