

**MINUTES OF THE MEETING OF THE  
DISTRICT COUNCIL OF BARUNGA WEST  
HELD AT THE BUTE COUNCIL CHAMBERS ON  
8<sup>th</sup> JANUARY 2008 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, Cr S Ireland, N Hand (District Manager), L Jolly (Manager – Finance & Administration), M Marziale (Manager – Environmental Services), R Linke (Works Manager) and T Read (Minutes Secretary)

**APOLOGIES:**

Nil

**CONFLICT OF INTEREST PROVISIONS**

Cr Schkabaryn declared a Conflict of Interest in regards to the matter relating to CJ & YE Tischer, in the District Manager's Report.

Cr Dolling declared a Conflict of Interest in regards to the Fisherman's Bay Management's application for freeholding as included in the Manager – Environmental Services Report.

**CONFIRMATION OF COUNCIL MINUTES**

Cr Schkabaryn moved, Cr Burgess seconded

*“That the minutes of the Meeting held on 11<sup>th</sup> December 2007 be confirmed as printed and supplied, with the following alterations:-*

- *Page 4 Cr Burgess declared a Conflict of Interest with regards to the nominations for Bute Citizen of the Year Award and left the meeting at 7.30 p.m.*
- *Cr Burgess returned to the meeting at 7.32 p.m.*
- *Page 4 Cr Kerley declared a Conflict of Interest with regards to the nominations for Port Broughton Citizen of the Year and left the meeting at 7.32 p.m.*
- *Cr Kerley returned to the meeting at 7.40 p.m.*
- *Page 10 Item 2 should read the Council's 2008/09 Budget in lieu of 2006/07”*

**CARRIED**

**BUSINESS ARISING FROM THE COUNCIL MINUTES**

1. A letter has been forwarded to Mr C Evans seeking his support for public access to the beach at Sunnyside. A response has been received by Mr. Evans advising that access is available, but the gate is shut to keep stock in the paddock.
2. Research into the history of the Port Broughton Institute (ref: the Port Broughton Story 1871-1971) indicates that the building has been known as an Institute (1888-1959) and Community Hall (from 1959).

Cr Simmons moved, Cr Smith seconded

*“That the Council agrees for the name of the Port Broughton Town Hall to be renamed the Port Broughton Community Hall “*

**CARRIED**

3. Mr Michael Kelledey has agreed to make a presentation to Council’s meeting of 11<sup>th</sup> March 2008 between 6.00 and 8.00pm. The presentation will cover a number of issues relating to governance.
4. Council has received a response from the Chief Executive Officer of the Department for Transport, Energy and Infrastructure advising of approval for the 60 kph speed zone for the Port Broughton T-piece. New signs have already been installed.
5. A request was made for clarification of members travelling allowance in respect of subcommittees and I have received a report from Michael Kelledey for members’ interest.

Cr Schkabaryn moved, Cr Dolling moved

*“All Councillor’s be reimbursed for travelling expenses for all Committee Meetings, including external organisations and associated sub-committees, that members are appointed to.”*

***Amendment to the motion***

Cr Smith moved, Cr McDonald seconded,

*“All Councillor’s be reimbursed for all travelling expenses for all Council Committees including external organisations that members are appointed, but excluding any associated sub-committees”*

The amendment was put to the vote and **CARRIED**. The amendment was then put to the vote and became the motion and was **CARRIED**

## **MEMBERS REPORTS**

### **Cr DOLLING**

14<sup>th</sup> December – Bute CWA & Pensioners Xmas Dinner

15<sup>th</sup> December – RSL Christmas Dinner

### **Cr ROONEY**

Nil

### **Cr McDONALD**

19<sup>th</sup> December – Port Broughton & Districts Hospital Board meeting

**Cr SCHKABARYN**

Nil

**Cr SIMMONS**

11<sup>th</sup> December – Presented Barunga Village awards at Bute School

11<sup>th</sup> December – Bute Senior Citizens Lunch

24<sup>th</sup> December – Bute 2000 Onwards Xmas Party

**Cr WEEDON**

Nil

**Cr BURGESS**

12<sup>th</sup> December – Bute 2000 Onwards meeting

23<sup>rd</sup> December – Bute 2000 Onwards Xmas light judging

24<sup>th</sup> December – Bute 2000 Onwards Christmas Party

**Cr SMITH**

Nil

**Cr KERLEY**

15<sup>th</sup> December – Port Broughton Xmas Pageant

**Cr. IRELAND**

23<sup>rd</sup> December – Alford Xmas Street party

**QUESTIONS WITH NOTICE**

- Nil

**QUESTIONS WITHOUT NOTICE**

- Nil

**PETITIONS OR MEMORIALS**

- Nil

**DEPUTATIONS**

- Nil

## MOTIONS OF NOTICE

- Nil

## COMMITTEE MEETINGS

- Nil

## MANAGERS' REPORTS

Cr Burgess moved, Cr Simmons seconded

*"That all Managers Reports be received."*

**CARRIED**

## DISTRICT MANAGER'S REPORT

### 1. LGA Comparative Performance Measurement Project, Community Survey

The LGA has advised that this Project has been initiated again for 2008, whereby Ray Morgan Research undertake a community survey on behalf of Council, to ascertain the community's perception of Council's performance, using a set of common survey questions.

There is a cost to this survey work of \$2598 for 100 interviews or \$4808 for 200 interviews. Because of the cost the Council has not been involved in the survey in the previous years.

Cr Burgess moved, Cr Kerley seconded

*"That the Council not participates in the LGA Comparative Performance Project for 2008, but it will give consideration to participation in a 2009 program when the Budget is prepared for the 2008/09 year."*

**CARRIED**

### 2. Yorke Peninsula Health Bus

The Council with its involvement with the Yorke Peninsula Community Transport and Service Scheme has been involved with a trial for a Yorke Peninsula Health Bus, which takes clients to Adelaide for medical appointments.

There have been some issues with the trial for our Council area as the clients are required to be collected at Kadina, which is not the ideal location for our clients and volunteers.

Accordingly our Council has now been excluded from this service, but we still have access to the service from Port Augusta and Port Pirie.

- Noted

3. Fisherman's Bay Management Pty Ltd Freeholding

Cr McDonald Moved, Cr Burgess seconded

*"That Pursuant to section 90 Part (2) and (3) of the Local Government Act 1998, the Council hereby declare information and matters contained in the report of the District Manager, shall be reviewed, discussed and considered on a confidential basis, and subsequently requires the exclusion of the public from attendance at 7.35 p.m., during so much of the meeting as is necessary to complete its dealings with the subject matter"*

**CARRIED**

Attached to my report is a letter from a Director (Ms R Hosking) of Fisherman's Bay Management giving details of a telephone conversation with Cr T Schkabaryn, which relates to Cr Schkabaryn's exclusion from any meetings with the company relating to the freeholding application of the company.

Cr Rooney moved, Cr Smith seconded

*"That the Director (Ms R J Hosking) of Fisherman's Bay Management Pty Ltd be advised that his letter was presented to the Council meeting of 8<sup>th</sup> January 2008 and its content noted."*

**CARRIED**

Cr Rooney Moved, Cr Smith seconded

*That the Council concludes the part of the Council meeting held in confidence and invite the public back to the meeting at 7:38 pm.*

**CARRIED**

4. Special Local Roads Program

An application has been submitted by our Manager – Works in conjunction with the Wakefield Regional Council for the upgrading of the Snowtown Wokurna Road under the Special Local Roads Program. A presentation was also given by our Manager-Works to the Transport and Infrastructure Committee of the Central Local Government Region, who are responsible for forwarding the applications to the State Committee.

- **Noted**

*Cr Schkabaryn advised that in accordance with Section 74 of the Local Government Act that he believed that he had a Conflict of Interest in the matter of Mr & Mrs Tischer and left the meeting at 7:40pm*

5. CJ & YE Tischer

The Mayor has received a letter from Mr & Mrs Tischer (attached to my report) regarding my requirement for a Real Estate Agent to remove a sign from Council's street name post, directing possible purchasers to their property which is up for sale and has a large For Sale sign in their front yard.

Cr Kerley moved, Cr McDonald seconded

*“That Council*

- a) Advise Mr & Mrs Tischer that Council has considered this letter of concern, and*
- b) Reaffirm its policy that in township areas that Real Estate Agents are not permitted to place small directional signs on street posts or other obstacles such as stobie poles etc, and*
- c) Advise all Real Estate Agents, locally and in neighboring areas of this policy*

**CARRIED**

*Cr Schkabaryn returned to the meeting at 7:45pm*

## 6. Meetings

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

- **Noted**

## 7. Annual Leave

I would like to remind members that I will be absent on Annual leave from 21<sup>st</sup> January 2008 to 1<sup>st</sup> February 2008 (both dates included).

- **Noted**

## **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 Kerley moved, Cr McDonald seconded

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

**CARRIED**

## 5. Information Technology (IT) – Renewed Computer Equipment Lease and IT Support

The lease for our computer equipment expired in December 2007 and tenders were called for its renewal. An independent consultant was engaged to assess the submissions, and following his recommendation, an organisation called The Electronic Brain, based in Blyth, was selected as the successful tenderer.

As is often the case, the changeover has had its share of problems but we are confident that securing the services of The Electronic Brain will vastly improve our IT facilities.

- **Noted**

## 6. Bute Public Toilets – Insurance Claim for vandalism

LGA Asset Mutual Fund has compensated us with \$2,352.90 for the vandalism of the Bute Public Toilets in May 2007.

- **Noted**

## 7. Boat Ramps – Port Broughton and Fisherman’s Bay

Five Expiation Notices were issued on Friday 28<sup>th</sup> December 2007 for non-payment of the fee for use of our boat ramps. This action was taken, and will continue, after the public was given considerable notice of our intention to clamp down on non-payers.

- **Noted**

## **MANAGER ENVIRONMENTAL SERVICES**

### 1. Approved Development Report – Period 1<sup>st</sup> December – 31<sup>st</sup> December 2008

*Cr Kerley 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**

*Cr Dolling advised that in accordance with Section 74 of the Local Government Act 1999 that he had a Conflict of Interest with the Fisherman’s Bay Freeholding Update and left the meeting at 7.56pm*

### 2. Fisherman’s Bay Freeholding Update

*Cr Kerley moved, Cr McDonald seconded*

*“That Pursuant to section 90 Part (2) and (3) of the Local Government Act 1998, the Council hereby declare information and matters contained in the report of the District Manager, shall be reviewed, discussed and considered on a confidential basis, and subsequently requires the*

*exclusion of the public from attendance at 7.56 p.m., during so much of the meeting as is necessary to complete its dealings with the subject matter”* **CARRIED**

The Manager advised that accordance with the understandings reached at the meeting between the Executive Committee and FBM Pty Ltd held on the 5 December in Adelaide, the Manager met with FBM’s Surveyor to negotiate the technical requirements of the final plan of division to be lodged with Council as a variation (round 2) to the approval previously given, and that this meeting held on 4<sup>th</sup> January 2008 was successful with FBM now preparing a final plan for Council’s endorsement..

*Cr Rooney moved, Cr Simmons seconded*

*“That Council resolves that any further minor amendments proposed by Fisherman’s Bay Management Pty Ltd, be assessed, negotiated and approved under joint delegation to the District Manager and Manager of Environmental Services, and that any further proposed amendments that are other than minor, will be referred under Council’s previous delegations, to the Executive Committee.”* **CARRIED**

*Cr Kerley moved, Cr Schkabaryn seconded*

*“Council requests in writing that Fisherman’s Bay Management Pty Ltd makes the necessary arrangements for the connection of the following sites to its approved vacuum sewerage disposal system, as set out below, with a written estimate for costs to be submitted to Council for approval prior to the subjects works being undertaken:-*

- 1. The existing public toilet facility, located adjacent the Fisherman Bay boat ramp and car park;*
- 2. Proposed Reserve lot 446, for a future public toilet facility, with the capacity for 8 pans, 1 urinal and associated hand basins, or the equivalent.”*

**CARRIED**

*Cr Weedon moved, Cr Smith seconded*

*“Council advises, in writing, Fisherman’s Bay Management Pty Ltd should make provision for the connection of the six (6) freehold allotments adjoining the Fisherman Bay settlement land owned by FBM, as Council will require those six properties to connect to the FB mains sewerage disposal system, in the future.”*

**CARRIED**

*Cr McDonald moved, Cr Kerley seconded*

*That the Council concludes the part of the Council meeting held in confidence and invite the public back to the meeting at 8.18 pm.*

**CARRIED**

*Cr Dolling returned to the meeting at 8.18pm*

## **CLOSURE**

**The Mayor declared the meeting closed at 8.22 pm**

.....  
**D.DOLLING**  
**MAYOR**