

**MINUTES OF THE MEETING OF THE
DISTRICT COUNCIL OF BARUNGA WEST
HELD AT THE BUTE COUNCIL CHAMBERS ON
JULY 11th 2006 AT 7:00PM**

PRESENT:

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

APOLOGIES:

Cr J Aitchison

The Deputy District Manager presented the 2006-07 Financial Budget to Councillors and members of the public. The presentation concluded at 8.00pm, at which point the meeting was adjourned. The meeting resumed at 8.25pm.

CONFIRMATION OF MINUTES

Cr Young moved, Cr Rooney seconded,

“that the Minutes of Meeting held on June 13th 2006 be confirmed as printed and supplied.

CARRIED

BUSINESS ARISING FROM THE MINUTES

1. Prices have been obtained from Bob Roper for the upgrade of the two windows at the Bute Rest centre, and a ramp into the Doctors surgery. The total cost is approximately \$3020. This allows for no difficulties in removing the existing windows, and the new windows are reinforced security type glass.

Cr Simmons moved, Cr Rooney seconded

“That the District Manager obtain further quotes for the upgrade of two windows and a ramp to the Bute Rest Centre.”

CARRIED

2. The Bylaw for the charging of fees for the boat ramp has now been gazetted and is currently before the Legislative Review Committee for their endorsement.

- Noted

3. Letters have been forwarded to CFS, Council's Mutual Liability Scheme and the Environmental Protection Agency (EPA) regarding the construction of a public incinerator. To date no formal response has been received, although the EPA has verbally advised of their requirements, which would be prohibitive to Council.

- Noted

DECLARATION OF CONFLICT OF INTEREST

Cr Rooney advised that he has a conflict of interest in the issue relating to rental and sale of road reserves.

Mr Linke advised that he has a conflict of interest in the issue relating to the 100mm council reserve on Fishermans Bay Road.

MEMBERS REPORTS

Cr. DOLLING

July 3 Planning SA, Kadina
July 3 Port Broughton Progress Association
July 4 Road Inspection re: Road Reserves
July 5 Audit, Works and Waste Management Committee Meetings

Cr. YOUNG

July 5 Audit, Works and Waste Management Committee Meetings

Cr. SCHKABARYN

June 19 Tourism Conference, Balaklava
June 28 YP Tourism Association
July 3 Planning SA, Kadina
July 3 Port Broughton Progress Association
July 5 Audit, Works and Waste Management Committee Meetings
July 8 Fishermans Bay Progress Association

Cr. G.SIMMONS

June 14 Bute 2000 Committee
June 19 Bute Sports Club
July 1 Lions Club YP Rail Changeover Dinner
July 5 Barunga Village Building Meeting

Cr ROONEY

July 4 Road Inspection re: Road Reserves
July 5 Audit, Works and Waste Management Committee Meetings

Cr BURGESS

June 14 Bute 2000 Committee

Cr KERLEY

July 5 Works Committee Meeting

Cr DANIEL

July 4 Road Inspection re: Road Reserves
July 5 Audit, Works and Waste Management Committee Meetings

Cr O'CONNOR

July 5 Audit Committee Meeting

MEMBERS QUESTIONS

Cr Burgess advised that he would refer his queries raised at the last Council meeting on a number of issues to the next Council meeting for further discussion.

COMMITTEE REPORTS

Cr Rooney moved, Cr Burgess seconded

“that all committee reports be received”

CARRIED

WORKS & MACHINERY COMMITTEE

Cr Schkabaryn moved, Cr Daniel seconded

“that recommendation 1, of the Works Committee on the 5th July 2006 be adopted

- 1. That arrangements be made for the sale of the rib roller, McDonald Roller and the Fisherman’s Bay Garbage Truck”*

CARRIED

AUDIT COMMITTEE

Cr Young moved, Cr Kerley seconded

“that Council not contribute to the cost of fencing the Mundoora water tanks, as Council insurers have advised that there is no requirement to do so.”

CARRIED

Cr Rooney moved, Cr O’Connor seconded

“that Council adopt the Rates Model whereby Rural rates in the dollar = 0.211, Vacant = 0.1700, Residential = 0.2345 and Commercial = 0.4375, which gives an overall rates increase of 5.04%.”

CARRIED

WASTE MANAGEMENT COMMITTEE

Cr Schkabaryn moved, Cr Young seconded

“that recommendations 1 - 2 of the Waste Management Committee on the 5th July 2006 be adopted.

- 1. That Cr Daniel be appointed as Acting Chairman for this meeting held on 5th July 2006 in the absence of Cr I Burgess.*
- 2. That the Council leave the Bute Waste Disposal site open for 6 hours per week for 3 months and to be reviewed at that time, and that arrangements for a new contractor be deferred until that time”*

CARRIED

OHS&W COMMITTEE

- **Noted**

OFFICER'S REPORTS

Cr Kerley moved, Cr Burgess seconded

"That all Officer's Reports be received."

CARRIED

DISTRICT MANAGER'S REPORT

1. Fire Season Permits – new requirements

The CFS has now brought in new requirements for the accreditation of officers to issue permits during the Fire Danger Season. There is a requirement for the officers to apply for accreditation and to undertake an exam.

However there are two issues that are of major concern to me in the new requirements. These are:

- Council is liable for any incident as a result of issuing the permit, and
- Council is required to inspect the property prior to approving the permit.

The Council has four officers that have issued permits (Matthew Rose, Fred Linke, Peter Ward and myself). I have advised them to not seek accreditation until the matters are resolved the CFS. This issue has been raised by the Eyre Peninsula Local Government Association, and I have arranged for the Central Region of Local Government to support the request to have these matters reviewed by the CFS.

I have attached the relevant information.

- **Noted**

2. Port Broughton STED Desludging Program

Work is now being done to prepare a four-year contract to pump out the septic tanks connected to the Port Broughton STED Scheme. To date some 375 applications for connection have been received for connection to the scheme (from 670), with some 75-80 being required to be pumped out now. (Every 2 years for small tanks and 4 years for larger tanks, with some requiring desludging every year).

A database has been prepared to allow Council to identify the properties requiring the pump outs.

- **Noted**

Cr Rooney declared a conflict of interest in the following item and left the meeting at 8.55pm.

3. Sale/Lease of Roads

Work has commenced on the investigation to sell or lease roads within the Council district. Currently we have commenced work on the Hundreds of Clinton and Kulpara. Crs Daniel, Rooney, and Dolling, along with myself have identified 246 acres approximately that can be either sold or leased (previously 113.5 acres were leased). This is made up of:

81.2 acres – arable land – sale
17.0 acres – non arable land – sale
56.2 acres – arable land – lease

7.5 acres – non arable land – lease
43.0 acres – grazing lands – lease
41.5 acres – possible sale – to be determined

I have arranged for Mosel Browne to give me details of the cost involved in selling the roads, which involves the Road (Opening and Closing) Act and the Local Government Act. Letters will then be sent to the adjoining owners advising of the offer to purchase or lease the road. Lease agreements are also being prepared for roads that cannot be sold.

Cr Young moved, Cr Schkabaryn seconded

“That the following road rent be charged for roads utilised by adjoining property owners in the Hds of Clinton, Kulpara, Ninnas and Wiltunga.

<i>Grazing Road</i>	<i>\$15 per acre</i>
<i>Now arable land</i>	<i>\$15 per acre west of the Hummocks</i>
	<i>\$5 per acre east of the Hummocks</i>
<i>Arable land</i>	<i>\$40 per acre west of the Hummocks</i>
	<i>\$15 per acre east of the Hummocks</i>

and further that the roads that have been identified as suitable for sale be sold to the adjoining landowners for the following prices, plus all associated costs,

<i>Arable land</i>	<i>\$600 per acre west of the Hummocks</i>
	<i>\$250 per acre east of the Hummocks</i>
<i>Non arable land</i>	<i>\$300 per acre west of the Hummocks</i>
	<i>\$150 per acre east of the Hummocks”</i>

CARRIED

Cr Rooney returned to the meeting at 9.05pm

4. SA Water Upgrade

Recently I spoke with a representative for SA Water regarding the upgrade of the water supply to Port Broughton. Apparently plans are well in hand for the upgrade, with new mains being laid down Casey Street and Dale Road (which will assist the Barunga Village project and other developments occurring).

- **Noted**

5. SA Planning - Grants

Arrangements have been made for The Manager – Environmental Services and myself to meet with representatives of Planning SA on 17th July to discuss the possibility of obtaining grants under the Places for People fund and Open Spaces fund for redevelopment of the footpath in Bay Street and the foreshore area at Port Broughton. The upgrades are in line with the Under Study Report done previously by Hames Sharley.

Preliminary discussions indicate a positive response to our proposals and for the implementation of a three-year program, which would certainly benefit Council.

- **Noted**

6. Bylaw – Alcohol Free Zone

A response has been received from our Lawyers relating to a request for a Bylaw or alcohol free zones at the Fisherman's Bay foreshore (copy attached). In essence the Council can implement the alcohol free zone utilizing its current Bylaw Four, but cannot enforce the time period that Council is seeking. This requires the implementation of an amendment to the Bylaw, which involves the same process that Council is required to undertake for a new Bylaw. (This advice would indicate that the time limits at the Port Broughton foreshore are not quite legal and also requires a review).

Any decision on which direction Council wishes to take in respect of the alcohol free zone would require a public consultation process, prior to any formal decision being made.

Cr Kerley moved, Cr O'Connor seconded

"that Council seek public comment before proceeding with any new by-laws or amendments relating to the issue of declaring alcohol free zones."

CARRIED

7. NRM Levy

Following discussions at the last Council meeting regarding our concerns at the NRM Levy and the method of implementation, I wrote to the Minister for Environment and Heritage to express our concerns. (attached is a copy of the letter).

To date I have not had a formal response from the Minister.

Cr Daniel moved, Cr Rooney seconded

"that Council write to the NRM Board and request a works programme and associated expenditure details for the District Council of Barunga West in 2006-07."

CARRIED

8. Port Broughton Community School Library - Funding

I have been advised by the Department of Transport and Regional Services that our application under the Regional Partners Program for funding for extensions to the Library, is due for consideration in late July and we should be advised at the time of our success or otherwise.

- **Noted**

9. Meetings

A list of meetings attended to 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 – Negotiations Update

Purpose – For information only

To inform the Council of the progress of the negotiations with Fishermans Bay Management (“FBM”), regarding their proposed claim for the return of Lot 452, in the approved plan of division for the freeholding of Fisherman’s Bay DA 344/D006/99 (“the Plan”).

Council is still awaiting a response from Fisherman’s Bay Management.

- Noted

2. Fisherman’s Bay Public Shelter DA 344/86/05 – Appeal by Barrie in the ERD court - Update

Purpose – For a Decision

To inform Council of correspondence received from the Fisherman’s Bay Progress Association (“FB Progress”) regarding the submission of amended plans, and the subsequent requirement to repeat Cat 3 Public Notification pursuant to Schedule 9 in the Development Act 1993.

FB Progress has submitted amended plans, received 28 June 2006, for the relocation of the Public shelter, which were tabled and approved at its meeting held 9 June 2006.

FB Progress has requested that the required fees of \$268.50 for Category 3 Public Notification be waived. In order to advance the application expeditiously Cat 3 Public Notification has commenced, with the notice to be posted in the YP Country Times on Wednesday 5 July 2006. Responses will be due by Wednesday 19 July 2006.

A date for the resumption of the ERD Court Directions Hearing for DA 344/86/05 Public Shelter, is yet to be advised.

Please find attached correspondence from the Fisherman’s Bay Progress Association.

Summary of Outgoing Expenses	Legal Fees to date:-	\$ 4337.04
	Consultants Fees:-	\$ 3635.50
	TOTAL	\$ 7972.54

Cr Burgess moved, Cr Simmons seconded

“that Council defers any decision on the proposed Fishermans Bay Public Shelter Development Application until the conclusion of the public consultation process on July 19, 2006.”

Amendment to the motion

Cr Schkabaryn moved, Cr O’Connor seconded

“that Council refuses consent as owner/controller of the subject land, for the proposed public shelter.”

CARRIED

Amendment became the motion.

CARRIED

Cr Young moved, Cr O'Connor seconded

“that Council grant the request of the Fisherman’s Bay Progress Association by waiving the prescribed fees (\$268.50) for the Category 3 public notification under the Development Act.

Vote tied.

The Chairman cast the deliberative vote.

CARRIED

3. Risk Mitigation of Hazards to Coastal Development – Implementation of Development Plan Provisions

Purpose – For a Decision

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 for the interpretation and implementation of the provisions.

Background

In 1998 Objectives and Principles of Development Control (“PDC”) were installed in Council’s Development Plan by the State Government, with the intent to address risks to coastal development caused by storm surge, rising sea levels and inundation, as set out below:

Council’s Objectives under its Development Plan outline the core strategies for hazard risk minimisation:

Objective 65: Development which recognises and allows for hazards to coastal development by inundation, storm tides and stormwater, or combined storm tides and stormwater, coastal erosion, and sand drift, including an allowance for changes in sea level due to natural subsidence and predicted climate change during the first 100 years of the development.

Objective 66: Developers bearing the cost of protecting private development from the effects of coastal processes or the environment from the effects of development rather than the community.

The requirements under Principle Of Development Control 7 in the Residential Zone, Principle Of Development Control 13 in the Settlement Zone (Fishermans Bay) section of Council’s Development Plan are set out as follows:

PDC 7. Residential Zone –

In the case of those areas adjacent the Coastal Zone and subject to coastal flooding, all development should have a minimum site level of 3.15 metres AHD and a floor level of 3.40 metres AHD, to comply with Council’s Hazard Risk Minimisation standards.

PDC 13. SETTLEMENT ZONE -

In the case of Fishermans Bay settlement, all development should have a minimum site level of 3.15m AHD and a minimum floor level of 3.40m AHD, to comply with Council’s Hazard Risk Minimisation standards.

Discussion

Advice was sought by the Manager Env'tl.Svs from the Mutual Liability Scheme’s (“MLS”) Carolyn Jachmann in late June 2006. The MLS advised that Council was only at risk of liability with regards to damages caused to property adjoining the coast, where it could be

proven to have acted (ie have made decisions ie approved development in low lying sites) unreasonably.

The MLS further advised regarding risk of liability, in this case associated with development approvals that ignored the requirements for minimum site and finished floor levels prescribed in its own Development Plan, that in order for Council's decisions to be legally reasonable the following matters would need to be addressed:

- ❑ Council needs to form an overall policy position that is itself reasonable and which meets the needs of the issue;
- ❑ Council must be able to demonstrate that its reasons for its interpretation/policy on the subject matter has not been ad-hoc, but derived from a fuller process of consideration.
- ❑ Council must be able to provided evidence of its consideration of the consequences of its decision making.

The MLS advised that the above requirements determining the reasonableness of Council's interpretation or implementation of any statutory obligation, should start with Council seeking formal legal advice on the specific matter. MLS officers advised that they are investigating Risk Management issues related to Climate Change and will be meeting with the Manager Envntl. Svs on Thursday 13 July to discuss local risks.

In discussions held 30 June 2006 with the Manager Environmental Services for DC Yorke Peninsula, it was noted that they have long held concerns for hazards and liabilities relating to existing freeholded (formerly Crown Lease) shack settlements on low lying land adjoining the coast. DCYP are already addressing the same issues by drawing up an Land Management Agreement, which shall include a statement warning prospective purchasers of the projected hazards from coastal processes which the subject land will be subject to. Also, DC YP have policies to be integrated into their Development Plan which seek to prohibit the engineering of land to raise the site levels to the prescribed minimum AHD levels, instead requiring that only relocatable structures be allowed on sites at risk.

Victoria Galit of the LGA has advised in discussions with the Manager Envntl.Svs that the issues appear to be relevant to a large number of councils, and where that is the case the LGA may seek legal advice on behalf of its member organisations. The LGA would also need to liase further with the Mutual Liability Scheme.

Cr Burgess moved, Cr Daniel seconded

“that Council authorises its staff to seek legal advice regarding the interpretation and implementation of PDC 7 in the Residential Zone and PDC 13 in the Settlement Zone (Fishermans Bay) section of Council's Development Plan”

CARRIED

Cr Simmons moved, Cr Schkabaryn seconded

“that Council seek Australian Height Data levels from the appropriate authorities in the form of a contour map.”

CARRIED

4. Changes to the waste control systems application fees

Purpose – For a Decision

To seek the Council's endorsement for the adoption of the new schedule of fees concerning waste control systems applications, as published in the SA Government Gazette No 34, 15th June 2006.

Background

Please refer to the attached copy from the SA Government Gazette No 34, 15th June 2006 pp 1756 -1758 *Public and Environmental Health(Waste Control)(Fees) Variation Regulations 2006* concerning Schedule 2- Fees applicable from 1 July 200 for the processing of waste control system applications.

Discussion

The Minister's approved increases are the expected incremental increases, attributed to annual indexation.

Cr Young moved, Cr O'Connor seconded

“that Council adopts the new Schedule 2- Fees applicable from 1 July 2005 for the processing of waste control system applications, as published in the SA Government Gazette No 34, 15th June 2006 pp 1756 -1758 Public and Environmental Health(Waste Control)(Fees) Variation Regulations 2006.”

CARRIED

5. Changes to the Development Application Fees

Purpose – For a Decision

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 35, 22 June 2006 pp2035 –2048 *Development (Review of Fees) Variation Regulations 2006*

Background

Please refer to the attached table in the Development Act 1993 Advisory Notice from Planning SA summarising those changes to the fees approved by the Minister and published in the Government Gazette No 35, 22 June 2006 pp2035 –2048 *Development (Review of Fees) Variation Regulations 2006*, applicable from 1 July 2006.

Discussion

The Minister's approved increases are the clear result of an extraordinary review of the development application fees structure, exceeding the usual incremental increases attributed to annual indexation.

Particular note should be given to the increases in the state government agency referral fees, which in most cases have more than doubled. Also additional new fees have been included.

Cr Young moved, Cr O'Connor seconded

“that Council adopts the new prescribed Fees under the Development Regulations 1993 applicable from 1 July 2006 for the processing of development applications, as published in the SA Government Gazette No 35, 22 June 2006 pp2035–2048 Development (Review of Fees) Variation Regulations 2006”

CARRIED

6. Execution of Consent Form 2 Under Land Management Agreement – DA 344/D002/02 (Stage 3) for A Aitchison

Purpose – For a Decision

To advise members of the continuation of the Land Management Agreement No 7587340 documents relating to Fishermans Bay Road and Parma Street DP 65647, Pt Broughton, HD: Mundoora and seek a resolution to use Council's seal.

Background

When a subdivision was proposed on the subject land, between Fishermans Bay Road and what is now known as Parma Street in Land Division application 344/D002/02 (Stage 3) by Allan Aitchison, Council negotiated an LMA with a commitment by the owners, in order to ensure the owners contribution to the upgrade of mains water supply to the subject land in order that the subdivision could progress.

The subject land was approved for a land division and Council, as the registered beneficiary under the Land Management Agreement, is required to consent to the terms and registration of the LMA over the land.

A copy of the proposed Land Management Agreement over the subject land is attached to this report.

Discussion

The legal documents relating to the Land Management Agreement require Council's consent, as the LMA shall be to the benefit of Council. This consent includes use of the use of the seal, for which a resolution of Council is required.

The use of the seal will enable the registration of the Land Management Agreement on the new land titles obligating the owners/developers related to the land, intended to ensure the payment of the prescribed \$2000 water upgrade implementation fees.

The LMA is now superseded as SA Water has taken over control of water augmentation in Pt Broughton, however the LMA will continue to legally apply until it is withdrawn from the effected titles.

Cr Daniel moved, Cr Young seconded

“that Council's seal be used in the execution of the Land Management Agreement No 7587340, as shown in the attachment to this report in the Agenda for the meeting of Council held on 11 July 2006, situate between Fishermans Bay Road and Parma Street DP 65647, Pt Broughton, HD: Mundoora.”

CARRIED

ANIMAL & PLANT CONTROL OFFICER'S REPORT

- Noted

FINANCE REPORT

1. BANK RECONCILIATION

The bank reconciliation for 30 June 2006 was presented at the meeting.

2. CHEQUE LISTING

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

Cr Young moved, Cr Schkabaryn seconded

“that the Bank Reconciliation for 30 June 2006 be accepted and that cheques numbered 12180-12320 totalling \$176,263.97, and payroll EFTs totaling \$65,742.25 be approved for payment.”

CARRIED

3. LGFA INVESTMENTS

A listing of all LGFA reserves was presented at the meeting

- **Noted**

4. ANNUAL BUDGET 2006-07

Cr Daniel moved, Cr Schkabaryn seconded

“That Council adopts the 2006-07 financial budget as follows:

ADOPTION OF VALUATION FOR RATING

Notice is hereby given that at a meeting of Council held on 11 July 2006, it was resolved that the Council of the District Council of Barunga West adopts the most recent Capital Valuation of the Valuer General that is to apply for the area of rating purposes for the 2006-07 financial year, being Capital Valuation totaling \$751,284,860, comprising \$727,567,260 for ratable land and \$23,717,600 for non-ratable land.

ADOPTION BUDGET AND DECLARATION OF RATES

Notice is hereby given that by virtue of the powers vested in it by the Local Government Act 1999, and all other powers there unto enabling the Council of the District Council of Barunga West (hereinafter called “the Council”) at a meeting 11 July 2006:

- 1. Adopts the Annual budget as prepared pursuant to Section 123 of the Local Government Act 1999 and Sections 5 of the Local Government (financial Management) Regulations Act 1999, including Estimates of Income (excluding general rate income) totaling \$2,379,301 as amended and the Estimates of Cash Expenditure of \$4,464,605 as amended for the financial year ending 30 June 2007.*
- 2. That an amount of \$200 be a fixed charge on each separate piece of rateable land in the area of the Council for the purposes of rates pursuant to Section 152 of the Local Government Act 1999 for the year ended 30 June 2007.*
- 3. That the differential general rates on capital value of rateable land with the area of the Council be declared for the financial year ended 30 June 2007 which differential general rates are pursuant to Section 152 (1) (c) based on two components – (1) one being the value of the rateable land and (2) the other being the fixed charge applicable to the rateable land and which general rates vary according to the use in accordance with Section 156 (1) (c).*
- 4. That the amounts of differential general rates are as follows:*

- a. *That the differential general rate for all rateable land within the area of the Council which has a land designated as Residential be fixed at 0.2345 cents in the dollar; and*
- b. *That the differential general rate for all rateable land within the area of the Council which has a land designated as Commercial – Shop – Office or Other, Industrial – Light or Other be fixed at 0.4375 cents in the dollar; and*
- c. *That the differential general rate for all rateable land within the area of the Council which has a land designated as Primary Production be fixed at 0.211 cents in the dollar; and*
- d. *That the differential general rate for all rateable land within the area of the Council which has a land designated as Vacant be fixed at 0.17 cents in the dollar.*

PAYMENT OF RATES

Notice is hereby given that the requirements for the payments of rates as follows:

1. *Rates (ie Differential General Rates plus fixed Charges, Service Charges and Separate Rates) declared by Council for the financial year ending 30 June 2007 will fall due in four equal or approximately equal instalments.*
2. *The said instalments shall be payable on or before 8th September 2006, 8th December 2006, 8th March 2007 and 8th June 2007; failing which the said rates shall be regarded as being in arrears and subject to the imposition of fines, as prescribed.*

STEDS SCHEMES

1. *Adopts the Estimates of Expenditure totaling \$208,038 (excluding depreciation), relating to the operation, maintenance, replacement and improvements to the Port Broughton Septic Tank Effluent Disposal Scheme for the financial year 2006-07.*
2. *Pursuant to Section 155 of Local Government Act 1999, Council imposes annual service charges on rateable and non-rateable land within the District to which the following service is provided as specified:*
 - *Port Broughton Septic Tank Effluent Disposal Scheme*
 - *In respect of each effluent unit applying to occupied allotments a charge of \$290; and*
 - *In respect of each vacant allotment, a charge of \$205.*
3. *Adopts the Estimates of Expenditure totaling \$15,628 (excluding depreciation), relating to the operation, maintenance, replacement and improvements to the Bute Septic Tank Effluent Disposal Scheme for the financial year 2006-07.*
4. *Pursuant to Section 155 of Local Government Act 1999, Council imposes annual service charges on rateable and non-rateable land within the District to which the following service is provided as specified:*
 - *Bute Septic Tank Effluent Disposal Scheme*
 - *In respect of each effluent unit applying to occupied allotments a charge of \$135; and*
 - *In respect of each vacant allotment, a charge of \$55.*

RATING POLICY

Pursuant to Section 171 (1) of the Local Government Act 1999, Council adopts the Rating Policy for the 2006-07 Financial Year, as tabled by the Manager – Finance & Administration.

FEES & CHARGES

Pursuant to Section 188 of the Local Government Act 1999, Council adopts the schedule of Fees & Charges for the 2006-07 Financial Year, as tabled by the Manager – Finance & Administration.

CARRIED

NATURAL RESOURCES MANAGEMENT LEVY

Cr Daniel moved, Cr Schkabaryn seconded

That pursuant to Section 95 of the Natural Resources Management Act 2004 and Section 154 of the Local Government Act 1999 and in order to reimburse the Council the amount contributed to the Northern and Yorke Natural Resources Management Board for the year ending 30 June 2007, being \$37,833.35, a separate rate in the dollar of 0.0052 per assessment is declared on all rateable land in the Council's area."

CARRIED

CORRESPONDENCE

Cr Burgess moved, Cr Daniel seconded

"that the correspondence be received".

CARRIED

1. Mr C Cederblad

Thanking Council staff for the assistance received in research for the South Hummocks Cemetery.

- **Noted**

2. Fisherman's Bay Progress Association

Thanking Council for the donation of wheelie bins to the Association for the use of the Association and community.

- **Noted**

3. RC & TM Linke

Drawing to Council's attention their concerns at their property which faces Parma Street, and has a 100mm reserve butting onto Fisherman's Bay Road. Their concern is the way the house will be fronting Fisherman's Bay Road and people will be seeking access from that road. Seeking to have a licence granted.

Mr Linke advised the Council of a conflict of interest in this matter, addressed the Council detailing his reasons why he should be granted a license over the reserve to enable him to access his Palma Street property from Fishermans Bay Road, and then left the meeting at 9.55pm.

Cr Kerley moved, Cr Young seconded

“that Council maintain the 100mm reserve on Fishermans Bay Road and deny Mr Linke access to his Palma Street property from Fishermans Bay Road.”

Amendment to the Motion.

Cr Daniel moved, Cr O’Connor seconded

“that Council remove the 100mm reserve on Fishermans Bay Road and each allotment which fronts Fishermans Bay Road be granted a 99 year lease over the reserve.”

The amendment became the motion.

CARRIED

Cr Schkabaryn moved, Cr Daniel seconded

“that council seeks to extend the 50 km/h speed restriction on Fishermans Bay Road to the northern end of Viking Street.”

CARRIED

Mr Linke retruned to the meeting at 10.00pm.

4. KESAB

Forwarding interim reports following their visit to Bute, Kulpara, Port Broughton, Fisherman’s Bay and Tickera.

- **Noted**

5. Port Broughton Visitor Information Centre

Forwarding a copy of a report on the VIC Working Party Conference recently held at Woomera (attended by Mrs. R Evers).

- **Noted**

6. Yorke Peninsula Community Transport and Services

Forwarding a report on the Council area for June 2006.

- **Noted**

7. Yorke Peninsula Tourism Marketing Board

Forwarding a copy of their June 2006 Newsletter (Yorke Talk) and Regional Managers Report.

- **Noted**

8. Yorke Peninsula Tourism Association

Forwarding a copy of the June and July Newsletters

- **Noted**

9. Local Government Association of SA

Forwarding copies of LGA Report No 24 – 26

- Noted

CHANGE OF OWNERSHIP

Cr Schkabaryn moved, Cr Rooney seconded

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

ASSESS No	ADDRESS	SELLER	BUYER
A2509	13 McKay Street, Port Broughton	D. Creek (Deceased)	RK McCourt (Estate)
A5771	977 Whiting Road, Fisherman’s Bay	HL and JM O’Shaughnessy	Minister for Environment and Con
A3191	27 Dalling Street, Port Broughton	OH Simounds	CC & JA Jeremy
A25478	6 Florence Street, Bute	TA Loader	S & J Mumme
A29886	Lot 1 Aerodome Road, Bute	HJ & MM Cummings	RL Cummings
A25806	4 High Street, Bute	Exec MA Rose and LH Kerley	KW Moyses
A5456	94 Fisherman’s Bay Road, Port Broughton	PB Nacevicius & BL Brooks	BL Brooks
A7202	Lot 2 Richards Road, Port Broughton	GD & S Franke	JM Ward & EC Birkett
A29985	Lot 3 Richards Road, Port Broughton	GD & S Franke	PB Ward
A29935	Lot 27 Summerton Road, Port Broughton	AJ & JF Aitchison	HL Clark Pty Ltd
A29949	Lot 26 Summerton Road, Port Broughton	AJ & JF Aitchison	GI Robb
A29953	Lot 25 Summerton Road, Port Broughton	AJ & JF Aitchison	SW Robb
A29917	Lot 12 Cameron West Road, Bute	Wellshot Pyt Ltd	LM & SJ Rowe
A24197	Sections 290, 296 & 297 Hundred Tickera	TT & NR Petherick	LW & GR Johns
A22472	Sections 241, 242, 243 & 244 Hundred Tickera	TT & NR Petherick	LW & GR Johns

CARRIED

PETITIONS, MEMORIALS, NOTICES OF MOTION -

DEPUTATION – Port Broughton Golf Club – Re: Assistance for mowing of golf course

Cr Burgess moved, Cr Daniel seconded

“that Council defer any decision on Council assistance to the Port Broughton Golf club until the required work is costed by the Works Manager.”

CARRIED

TENDERS -

Nil

GENERAL BUSINESS

Nil

CLOSURE

The Chairman declared the meeting closed at 10.22pm

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D.DOLLING
CHAIRMAN