

**MINUTES OF THE MEETING OF THE
DISTRICT COUNCIL OF BARUNGA WEST
HELD AT THE BUTE COUNCIL CHAMBERS ON
JUNE 13th 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 J Aitchison, 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)

Steve Griffiths MP, The Honourable Member for Goyder, and Anita Crisp, the CEO of the Central Local Government Region were in attendance.

APOLOGIES:

Nil

CONFIRMATION OF MINUTES

Cr Burgess moved, Cr Schkabaryn seconded,

“that the Minutes of Meeting held on May 9th 2006 be confirmed as printed and supplied.

CARRIED

BUSINESS ARISING FROM THE MINUTES

1. No response has been received from our legal people at this stage regarding the proposed Dry Zone at Fisherman’s Bay. The Fisherman’s Bay Progress Association has advised that they do not support the time restrictions and have asked Council to reassess the decision. (Refer attached correspondence)

Cr Simmons moved, Cr Rooney seconded

“That the Council maintains the proposed dry zone at Fishermans Bay between the hours of 11pm and 6am, and reviews this decision at a later date following a trial period.”

CARRIED

2. A response has been received from the South Australian Scouts advising that the Scout Hall at Port Broughton is still required and a new group is being considered/ (Refer attached correspondence)

Cr Daniel moved, Cr Kerley seconded

“that Barunga Village Inc be advised that the Port Broughton Scout Hall is still required, due to the possibility of Scouts recommencing in Port Broughton.”

CARRIED

3. Steve Griffiths MP, The Honourable Member for Goyder, addressed the meeting, highlighting his concerns for the region and his proposed methods for dealing with them.

4. Prices are being obtained for the renovation of two of the windows at the Bute Rest Centre. It is hoped to have this price at the Council meeting.
5. The CFS have acknowledged our letter regarding the banning of incinerators and have advised this will be considered. (Refer attached correspondence)

DECLARATION OF CONFLICT OF INTEREST

Nil

MEMBERS REPORTS

Cr. DOLLING

- May 12 Central Local Government Region meeting at Quorn.
- May 31 Meeting at offices of Norman Waterhouse re Fishermans Bay development application.
- June 5 Port Broughton Progress Association
- June 6 Queen's Birthday reception at Government House.
- June 7 Audit, Works and Waste committee meetings at Port Broughton.

Cr. YOUNG

- June 6 YP Community Transport Board Meeting
- June 7 Audit, Works and Waste committee meetings at Port Broughton.

Cr. SCHKABARYN

- May 17 Risk Management
- May 31 Meeting at offices of Norman Waterhouse re Fishermans Bay development application.
- May 25 Yorke Peninsula Tourist Association
- June 5 Port Broughton Progress Association
- June 6 OHS & W Committee Meeting
- June 7 Audit, Works and Waste committee meetings at Port Broughton
- June 9 Fishermans Bay Progress Association

Cr. G.SIMMONS

- May 10 Bute 2000 Onwards Meeting
- May 23 Barunga Village Meeting
- May 27 Barunga Village Building Meeting
- May 30 Barunga Village Meeting
- June 5 Tidy Towns judging
- June 7 Works Committee
- June 8 Port Broughton Library Meeting
- June 10 Lions Club Yorke Peninsula Railway meeting
- June 11 Barunga Village Xmas in June lunch.

Cr AITCHISON

Nil

Cr ROONEY

- June 6 District inspection in Bute Ward of road reserves.
- June 8 Rural Councillor's meeting at Arthurton

Cr BURGESS

- May 12 Central Local Government Region meeting at Quorn.
May 31 Meeting at offices of Norman Waterhouse re Fishermans Bay development application.
June 7 Audit, Works and Waste committee meetings at Port Broughton.

Cr KERLEY

- May 17 Port Broughton Hospital Board
June 8 Port Broughton Library Meeting

Cr DANIEL

- May 31 Meeting at offices of Norman Waterhouse re Fishermans Bay development application.
June 6 District inspection in Bute Ward of road reserves.
June 7 Audit, Works and Waste committee meetings at Port Broughton.

Cr O'CONNOR

- June 7 Audit committee meeting at Port Broughton.

MEMBERS QUESTIONS

Cr Burgess, in a written statement, expressed dissatisfaction with Council management over various decisions which in his opinion would lead to increased expenditure for the Council, namely the switch of rubbish collection to a large contractor, private use of vehicles for Council staff (albeit that staff pay for fuel use outside the Council district), the hiring of a new Works Overseer and a 4% increase in pay for outside workers.

The District Manager and Deputy District Manager advised that the pay rise for the outside workers was approved by Councilors at Council's budget meeting in July 2005. Cr Burgess advised that he was of the opinion that any pay rise was for Council to decide. The managers advised that adoption of the Budget provided tacit approval under delegated authority for management to act upon and within the budget income and expenditure limits set by Councilors. Items outside the limits set by Councilors during the budget adoption were referred to Council, either directly or through regular reporting on budget variance through the Audit Committee.

He expressed similar sentiments on increased government license fees. These are beyond control of Council management.

He also advised that the Deputy District Manager "showed disinterest in the works of the Community committees".

The Deputy District Manager advised that this was not the case, that he was supportive of work done by the Committees and that he merely sought to ensure that the proposed projects of these committees in 2006-07 were not at variance with Council's plans for 2006-07 and beyond.

COMMITTEE REPORTS

Cr Kerley moved, Cr Burgess seconded

“that all committee reports be received”

CARRIED

WORKS & MACHINERY COMMITTEE

Cr Daniel moved, Cr Simmons seconded

“that recommendations 1 – 9, of the Works Committee on the 7th June 2006 be adopted

1. *That the District Manager be authorised to liaise with the Port Broughton Caravan Park to install a sign on Highway 1 on Mr T O’Donnell’s property (Snowtown) and that the Council share the cost with the Port Broughton Caravan Park. (The sign to include Wokurna/Mundoora).*
2. *1/ That Council administration prepares documentation for the operation of the Bute Dump.
2/ That Council advertises for a refuse Depot Operator as a contract position.*
3. *That Council administration investigates machinery options and costs for the mowing of open areas in the Council District.*
4. *That Council administration investigates options and costs to reconfigure Council’s water tanker.*
5. *That Council administration investigate options and costs for future rolling needs.*
6. *That the District Manager advise the Coast Protection Board of the need for an upgrade of the seawall at Port Broughton and seek to have remedial work done over the next three year period.*
7. *That Council support the proposal for additional shade cover at the cemeteries and for the District Manager to seek any financial support from the Uniting Church.*
8. *That approval be granted for C Marchant to lay pavers on the reserve between 35 and 37 John Lewis drive as per his plan submitted.*
9. *That Council advise the Department Transport that the Lump Peg is the responsibility of the Department and seek to have the peg replaced.*

CARRIED

AUDIT COMMITTEE

Cr Daniel moved, Cr Rooney seconded

“That rather than Council allocate the bonus Roads-to-Recovery payment of \$135,000 to reseal West Tce and improve town footpaths, that the Works Manager cost the completion of the remaining 3.1 kms of the Port Broughton – Mundoora Road for further consideration and completion in 2006-07.”

CARRIED

Cr Burgess moved, Cr Aitchison seconded

“that recommendations 1, 2 & 5 of the Audit Committee on the 7th June 2006 be adopted.

Amendment to the Motion:

Cr Daniel moved, Cr O’Connor seconded

“that recommendations 1, 2, 4 & 5 of the Audit Committee on the 7th June 2006 be adopted.

Amendment Defeated

The original motion was voted upon.

- 1. That Council contribute 50% of the net cost of the Fisherman’s Bay foreshore paving project, up to a maximum council contribution of \$10,000.*
- 2. That the Deputy District Manager consult with the Regional Risk Co-ordinator to determine the risk and liability issue of the Mundoora Oval water tanks, prior to making a decision on a contribution toward the fencing costs*
- 5. That all council cheques may be signed by any 2 authorized signatories*

CARRIED

That the non-managerial outside workers be entitled to a 4% pay rise from the first full pay period following 31 March 2006 was noted as a 2005-06 budget item..

The Honourable member for Goyder, Mr Steve Griffiths MP left the meeting at 7.45pm

WASTE MANAGEMENT COMMITTEE

- Noted

OFFICER’S REPORTS

Cr Daniel moved, Cr Schkabaryn seconded

“That all Officer’s Reports be received.”

CARRIED

DISTRICT MANAGER’S REPORT

1. **Bylaw No 6 – Boat Ramps**

I have now received approval from the Minister of Transport for the implementation of the proposed Bylaw to allow for charging of boat ramp fees.

As indicated in my report to the March Council meeting the public consultation process has been undertaken, with only one submission being received, which was based on an objection to the fee. This was in accordance with Section 249 of the Local Government. A certificate of validity has been obtained and signed by our legal practitioner Mr. Tim Griffen of Norman Waterhouse.

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.

Council is now required to

- Formally adopt the Bylaw, and
- Approve the report to the Legislative Review Committee

Following this approval the information will be forwarded to the Parliamentary Review Committee for consideration prior to Gazettal. Once gazetted Council will be able to then enforce payments of the fees.

Cr Daniel moved, Cr Simmons seconded

“That the Council adopt in accordance with the provisions of the Local Government Act 1998, Bylaw No 6 – Boat Ramp, and the associated report to the Legislative Review Committee, and that the District Manager be authorised to sign the relevant documentation. Further, the District Manager arrange for the Bylaw and the documentation be forwarded to the Parliamentary Legislative Review Committee for consideration and the Bylaw be gazetted following approval from the committee.

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

2. Mr. T King – Pine Forest Road

The Chairman, Mark Marziale (Manager – Environmental Services) and myself have had several telephone calls from Mr. King regarding the development undertaken on his property. Mr. King has received approval for four second hand sheds but has placed five units on the property and not in accordance with the plan submitted by Council. At the time that Mark inspected the property on 9th May 2006 he was attacked by one of the dogs on the property. He subsequently issued an expiation notice for the attack.

Mark also advised that there was a pallet of paving bricks on the footpath and that Mr. King was going to be served a notice to tidy up the footpath.

Mr. King has advised that he wishes me to reconsider the issuing of the expiation notice. Following discussions with Mark I have agreed to the following:

1. Reduction of expiation notice of \$290 to \$210
2. No issuing of notice for removal of pavers, but a letter advising of the need to remove the pavers

Mr. King has raised other issues such as the plaque on the road reserve recognizing the History of the Church and his neighbours, which are not directly related to the development. Mr. King has advised that he intends to talk to the Ministers of Local Government and Planning, as well as the Ombudsman. A copy of the Correspondence is attached for members information.

- **Noted**

3. Broadband Internet

Advice has been received that the Port Broughton broadband project is back on track and should hopefully be operational in October 2006. Telstra have placed a lot of resources in the planning for the new mobile phone system (3G), which is scheduled for introduction in 2007, and there has now reached a stage what the broadband issue can be considered.

Currently contractors are preparing details of what is required for implementing the broadband at the Port Broughton exchange, in preparation for the work to be done.

In regards to Bute, Telstra advised that they are reassessing their “trigger” levels for the exchange and this information should be available in late July 2006.

The Central Region of Local Government are still continuing with their broadband project for the Region, which may take a couple of years before any on ground action will take place. This program does not have any effect on the Port Broughton programs, but may be of benefit to Bute.

- **Noted**

4. Sale of Roads

On Tuesday 6th June Crs Daniel and Rooney along with myself reviewed the roads in the Hds of Ninnes, Kulpara and Clinton and identified which road could be sold, and which road could be leased. A report identifying all the roads will be prepared and then arrangements for this group will be made to inspect the roads in question to enable certainly of what we are doing is correct.

Arrangements will also be made with the Local Government Mutual Liability Scheme for a suitable road rental agreement to be established.

- **Noted**

5. Port Broughton Caravan Park

Jason and Jody Boundy have submitted an application to construct a camp kitchen in the south side of the first ablation block. (refer attached correspondence). The building, 9.00m and 7.00m wide will have a colourbond roof and hardi plank sides (painted to match the ablation blocks) and will cater for large groups of people seeking to come to Port Broughton.

Approval is sought from Council to proceed with project and for any possible financial contribution toward the project, which will be a permanent structure.

Cr Young moved, Cr Simmons seconded

“that Council support the proposal of J & J Boundy for the construction of a camp kitchen at the Port Broughton Caravan Park.”

CARRIED

6. Thomas Plains Tennis Club

The Department for Environment and Heritage, have finally responded to our request to transfer the land (which is owned by the Department), currently leased to the Thomas Plains Tennis Courts to the Council. They advise of two options

One, for a transfer to Council at a cost of \$300 plus DAIS fees (one off cost) and

Two, for a transfer to the Tennis Club at a cost of \$300 (one off cost) and an annual fee of \$289 (currently)

Cr Schkabaryn moved, Cr Daniel seconded

“that Council agree for the transfer of land (CT 5797/945), currently utilised by the Thomas Plains Tennis Club, from the Department of Environment and Heritage, to the Council at a cost of \$300.00, plus fees.”

CARRIED

7. Tickera Social Golf Club

The Club has advised that they have lodged an application for a limited Club Licence for the Club, and is due to be heard by the Commission on 7th July. Council has the opportunity to lodge any objections prior to the hearing.

- Noted

8. Meetings

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

- Noted

ANIMAL & PLANT CONTROL OFFICER'S REPORT

- Noted

FINANCE REPORT

1. BANK RECONCILIATION

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

Cr Schkabaryn moved, Cr Young seconded

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

CARRIED

2. CHEQUE LISTING

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

Cr Aitchison moved, Cr Daniel Seconded

“that cheques numbered 12060-12179 totalling \$265,544.32, and payroll EFTs totaling \$44,407.87 be approved for payment.”

CARRIED

3. LGFA INVESTMENTS

A listing of all LGFA Reserves was presented at the meeting.

- Noted

The meeting was adjourned at 8:10pm

The meeting reconvened at 8:30pm.

CORRESPONDENCE

Cr Burgess moved, Cr Rooney seconded

“that the correspondence be received”.

CARRIED

1. Minister of Local Government

Advising of the forthcoming Council election in November 2006 and drawing to Council's attention their statutory authority for advising potential voters about candidates standing for elections, and of her Departments proposals for assisting Council's and the Local Government Association.

- **Noted**

2. District Council of Yorke Peninsula

Advising of the first meeting for the Land Use Agreement (ILUA) Liaison Committee to consider the Native Title issue for the region as per the ILUA.

- **Noted**

3. Mr I McSpanan

Forwarding a copy of the minutes of the meeting of the Council's to consider the "Native Title Update" for the Northern and Western areas of the State.

- **Noted**

4. Port Broughton Combined Churches

Inviting Council members to a dedication service for the Port Broughton Cemetery shelter to be held on Sunday 18th June 2006 at 2:00pm

- **Noted**

5. Yorke Regional Development Board

Forwarding a copy of their quarterly report "Development Brief" for May 2006

- **Noted**

6. Central Region of Local Government

Forwarding a copy of their monthly Newsletter for April and May 2006

- **Noted**

7. Northern and Yorke NRM Board Update

Forwarding a copy of the report from their Board Meeting of 22nd May 2006

- **Noted**

8. Yorke Peninsula Tourism Association

Forwarding a copy of their Newsletter for May 2006.

- **Noted**

9. Yorke Peninsula Tourism Marketing Board

Forwarding a copy of their May Newsletter “Yorke Talk”

- **Noted**

10. Local Government Association

- (a) Advising of a statewide promotional campaign being organised for the November 2006 elections and inviting Council to contribute towards the campaign (\$300).

Cr Schkabaryn moved, Cr Aitchison seconded

“that Council support the promotional campaign for the forthcoming November 2006 elections and agree to contribute \$300 towards the campaign.”

CARRIED

- (b) Forwarding copies of LGA Reports No 18 – 22

- **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
A25202	3 South West Terrace, Bute	Homestart Finance	RA & CR Cunningham
A22521	Section 82, Bews Road, Hundred Tickera	RG, JA & JM Stafford	AD & AS Pearce Family Trust
A4454	60 John Lewis Drive, Port Broughton	RJ & KP White	G & C Turner
A5519	111 Fisherman’s Bay Road, Port Broughton	BP & PJ Turner	BD Bennie
A3975	143 John Lewis Drive, Port Broughton	BK Maynard	Maleckas & Speight Nominees
A18788	Lot 5 Government Road, Tickera	JA Wight & BA Mitchell	PD Hackett

CARRIED

PETITIONS, MEMORIALS, NOTICES OF MOTION -

Nil

TENDERS -

Nil

GENERAL BUSINESS

Cr Aitchison queried the District Manager about the timing of septic pump-outs for commercial premises. The District Manager advised that a schedule was currently being prepared.

Cr Daniel raised the issue of insurance of CFS buildings.

Cr Daniel moved, Cr Rooney seconded

“that the District Manager request that the Central Local Government Region investigate the issue of property insurance of CFS property to ensure that the state government, and not Council, is funding this expenditure.”

CARRIED

Cr O’Connor moved, Cr Burgess seconded

“that Council’s July 2006 meeting be held at a venue to be determined and the public be invited to attend to participate in the public consultation process for the 2006-07 budget.”

CARRIED

Cr Kerley queried the District Manager about the Footpaths Committee, and when it would be implemented. The District Manager advised that a schedule was currently being prepared with the Works Manager.

Cr Young raised the matter of the state of the Girl Guides Hut on Bay Street and the existence of asbestos. The Deputy District Manager advised that Carter Corporation were conducting an Asbestos Register for all Council properties in the near future. The Manager – Environmental Services advised that he has spoken to the owners, the Lions Club, but cannot locate a contact for the Girl Guides Association. He will issue orders in the next few weeks for Dilapidation Reports and Asbestos Reports.

The Chairman, Cr Dolling, advised that the views he expressed in relation to a nuclear power plant in the Council district were his personal views and not those of the Council.

Cr Rooney Moved, Cr O’Connor Seconded

“That Council go into Camera pursuant to Section 91 of the Local Government Act for the Manager of Environmental Services Report.”

CARRIED

Cr I Burgess Moved, Cr Schkabaryn Seconded

“That Council go out of Camera”.

CARRIED

CLOSURE

The Chairman declared the meeting closed at 9.18pm

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D.DOLLING
CHAIRMAN