

MINUTES OF THE MEETING OF THE DISTRICT COUNCIL OF BARUNGA WEST HELD AT THE BUTE COUNCIL CHAMBERS ON SEPTEMBER 13th 2005 AT 7:00PM

PRESENT:

Cr D Dolling (Chairman), Cr I Burgess, Cr J Aitchison, Cr T Schkabaryn, Cr G Simmons, Cr G O'Connor, Cr L Kerley, Cr I Young, N Hand (District Manager), P Ward (Manager-Finance & Admin), M Marziale (Manager – Environmental Services), R Linke (Works Manager)

APOLOGIES:

Cr B. Rooney, Cr H. Daniel

CONFIRMATION OF MINUTES

Cr Schkabaryn moved, Cr Simmons seconded,

"that the Minutes of Meeting held on August 9th 2005 be confirmed as printed and supplied.

CARRIED

BUSINESS ARISING FROM THE MINUTES

1. The ticket machines for the Port Broughton and Fisherman's Bay are due for delivery at the end of September and will be installed upon delivery
2. No response has been received from the Department of Environment and Heritage regarding the application for transferring Allotment 413 Hd of Ninnes to Council (Thomas Plains Tennis Club).
3. Advice from Harpers Carpentry is that work on the new Mundoora Public Toilets will commence shortly.

CONFLICT OF INTEREST

Cr L Kerley declared that she had a potential Conflict of Interest in the Audit committee matter of contract patrol graders.

MEMBERS REPORTS

Cr. DOLLING

1. 14th August – VP day service - Bute
2. Opening of the Skate Park – Port Broughton
3. Fisherman's Bay management free holding meeting – Port Broughton
4. Fisherman's Bay Management Court Hearing

Cr. YOUNG

Cr. SCHKABARYN

1. 25th August – Yorke Peninsula Tourism Association
2. 30th August – Works, Audit and Waste Committee meeting
3. 5th September – Port Broughton Progress Association
4. 6th September – Occupational Health and Safety Committee meeting
5. 9th September – Fisherman’s Bay Progress Association

Cr. BURGESS

1. 14th August – VP Day
2. 31st August – Works Committee meeting
3. 31st August – Audit Committee meeting
4. 31st August – Waste Committee meeting
5. 1st September – LGA Presidents forum

Cr. G.SIMMONS

1. 10th August – Sporting Club Meeting
2. 10th August – Bute 2000 Meeting
3. 14th August – RSL VP Day
4. 16th August – Barunga Village Meeting
5. 18th August – Special Barunga Village Meeting
6. 25th August – Port Broughton Library Meeting
7. 31st August – Works Meeting
8. 12th September – Sporting Club Meeting

Cr O’CONNOR

1. 31st August – Audit Committee meeting
2. 31st August – Works Committee meeting
3. 14th August – VP Meeting at Bute

Cr AITCHISON

1. 31st August – Audit and Waste Committee meeting
2. Skate Park opening
3. 12th September – School Council meeting

Cr KERLEY

1. 10th August – Hospital Board meeting
2. 15th August – VP Day Service, Port Broughton
3. 31st August – Works Meeting

MEMBERS QUESTIONS

The District Manager asked Cr Schkabaryn about meeting numbers at the recent Yorke Peninsula Tourism Association meeting.

REPORTS

Cr Burgess moved, Cr Simmons seconded,

"All reports be received".

CARRIED

WORKS COMMITTEE

Cr Kerley moved, Cr Schkabaryn seconded

"That Recommendations No's 1 – 10, of the Works Committee on the 31st August 2005, be adopted

1. *"That Cr Daniel be acting Chairman in the absence of Cr Dolling."*
2. *"That an article on weed spraying near townships be inserted in the next newsletter."*
3. *"That the Jacaranda Tree on South Terrace Port Broughton be heavily trimmed."*
4. *"That Council agree to the construction of the ramp at the Port Broughton Thrifty Link, with Council paying 50% of the cost with a limit of width on the footpath."*
5. *"That Council agree for C and D Peers of the Broughton Bayside Caravan Park to remove dead and dying bushes from the beach front area of the Caravan Park and to replace these with palm and melaluca trees, in consultation with Matthew Rose and for the installation of a No Through Road sign."*
6. *"That the Parks and Gardens Supervisor be authorized to obtain prices for the installation of a bike rack at Bute for use by the School students and other interested people, and for Council to consider these prices at the next Council meeting."*
7. *"That the removal of trees in Everard Street be deferred until an inspection is held."*
8. *"That Committee meetings be held on Wednesday before Council meetings."*
9. *"That Council agree to concrete the IGA Footpath driveway in lieu of replacing the pavers."*
10. *"That Council agree to concrete Thrifty Links driveway in lieu of replacing with the pavers."*

CARRIED

The meeting was adjourned at 7.55pm for a delegation from the School Library Board, comprising Kath Dunstan (Chairperson), Mary Lill & Roger Nottage, who addressed the meeting in relation to the proposed School Library extensions.

Cr Young moved, Cr Simmons seconded

"That Council provides in-principle support for the proposed extensions of the school/community library on the Port Broughton school grounds."

CARRIED

The School Library Board delegation left the meeting at 8.30pm and the meeting was adjourned.

The meeting resumed at 8.40pm.

Cr Kerley left the meeting at 8:40pm.

AUDIT COMMITTEE

Cr O'Connor moved, Cr Burgess seconded

"That Recommendations No's 1 – 2, of the Audit Committee on the 31st August 2005, be adopted

- 1. "That the Deputy District Manager be directed to appoint a qualified building group to update Council's Asbestos Register over a two year period, following discussions with the Regional Risk Co-coordinator."*
- 2. "That Martins electricians in Bute be instructed to proceed with all necessary re wiring of the Alford public toilets as quoted."*

CARRIED

Cr Kerley returned to the meeting at 8:50pm

WASTE MANAGEMENT COMMITTEE

- **Noted**

ADMINISTRATION STAFF MEETING

- **Noted**

CONSTRUCTION STAFF MEETING

- **Noted**

OHS & W COMMITTEE

Cr O'Connor moved, Cr Kerley seconded

"That Recommendations No's 1 – 3, of the Audit Committee on the 31st August 2005, be adopted

- 1. "That Council re-adopt the Design, Purchasing, Hire & Lease Policy, the Contracting Policy, and the Training & Development Policy policies and procedures reviewed."*

2. *"That the Council adopts the 2005-08 OHS & W Injury Management Program."*
3. *"That Council contracts out the electrical testing and tagging of all electrical equipment."*

CARRIED

OFFICER'S REPORTS

DISTRICT MANAGER'S REPORT

Cr Schkabaryn moved, Cr Simmons seconded

"that the District Manager's report be received."

1. Local Government Financial Sustainability Review

The Local Government Financial Sustainability Review has now been released by the Local Government Association and it available in two volumes (one is a summary of the review and the second is the full report). The review takes a critical look at the financial sustainability of Council's in general and in isolation. The review classified Council's in six categories ranging from financially sustainable Council to an unsustainable financial Council.

It outlines 62 recommendations for Council's (through the LGA) to consider in improving sustainability. These range from establishment of long term plans, changes to methods of reporting (in respect of assets and depreciation) and administrative issues.

A copy of Volume 1 – Overview Report is included with your agenda. Cr I. Burgess and I attended LGA the Presidents Forum on 1st September 2005 in Adelaide to discuss this report. The thrust of the discussion was certainly on accountability of financial reporting, but it is obvious that the larger Council's, despite their nice words, are not too worried about the difficulties facing their country colleagues, about being able to provide the information with the resources available.

The LGA has agreed for Access Economics, who did the assessment of Council's financial data on behalf of the review panel, to give the Council's their details, and this confidential information is attached. Access Economics go to lengths to advise that this information is preliminary only as it does not include some information in respect to local situations. At this stage the Manager – Finance and myself have not had an opportunity to assess the information.

- Noted

2. Local Government Association Annual General Meeting

The Association has arranged for its AGM and conference to be held on Thursday 6th and Friday 7th October 2005 in Adelaide. The conference is based around "Showcasing Local Government" and include sessions on financial governance, rates and budget seeking, asset management and recycling incentives. Programs will be available at the meeting for any interested members.

- Noted

3. **Delegations for staff**

At the last meeting of Council, arrangements were made for the authorization of Council officers to be authorized to police the provisions of the Dog and Cat Management Act, and the Local Government Act.

Following the recent training courses undertaken by Matthew Rose, Michael Krieger and Steven Daniel, there are other delegations that are required to be approved by Council.

Cr Kerley moved, Cr Schkabaryn seconded

"(1) That pursuant to Section 260 of the Local Government Act 1999, and the provisions of the Dog and Cat Management Act 1995, that Robert (Fred) Linke and John Dalle – Nogare be appointed as authorized officers.

(2) That pursuant to the provisions of the Fire and Emergency Service Act 2005, Expiation Offences Act 1996 and the Australian Road Rules that the following officers be appointed Authorised Officers

*Nigel Hand Matthew Rose
Peter Ward Michael Krieger
Robert (Fred) Linke Steven Daniel
Mark Marziale John Dalle-Nogare*

(3) That Nigel Hand, Peter Ward and Matthew Rose be given delegated authority to supervise the authorised officers appointed to Council under the provisions of the following Acts:

- Local Government Act 1999*
- Dog and Cat Management Act 1995*
- Fire and Emergency Service Act 2005*
- Expiation officers Act 1996*
- Australian Road Rules"*

CARRIED

4. **Dog and Cat Management Plan**

The Council is required to prepare a Dog and Cat Management Plan prior to 2007 (refer correspondence) and Matthew Rose is about to begin the preparation of the plan. As part of the plan the Council needs to identify area that can be "lead free" areas and I would appreciate any comments that Council may have in determining "lead free" areas and indeed "dog free" areas if that is suitable.

Matthew would appreciate these comments as soon as practicable.

- Noted

5. **Broadband Aggregation Program**

The Central Region of Local Government is currently programming a scheme for the Region to seek broadband access the whole of the region that currently does not have broadband. This includes rural areas as well as townships. As information sheet is attached to my report, which outlines the program and the benefits available. YP employment has been engaged as the "Broker" for the project and I am meeting with their representatives on 8th September 2005 to look at how to engage our whole community.

(Note that this is a separate project from which I am currently working with Telstra. This aggregation project is more beneficial to our whole Council area)

- Noted

6. **Next Committee meeting**

At our last Committee meeting it was agreed to alter the date of the Committee meetings to allow me to represent Council on the LGA STEDS Committee should my nomination be accepted. At this stage the nominations have not yet been finalized. However the date set by Council for the next meeting is Wednesday 5th October 2005, which is the date for the Lord Mayors Regional Mayors (Chairman) Forum which commences at 2:00pm, (this event is held prior to the LGAS AGM each year). I need to seek Council's support for either changing the date again, or meeting early in the morning and finishing by 11:30am to allow the Chairman to attend.

Cr Simmons moved, Cr Young seconded

"that Council agree to change the Audit & Works Committee meetings to 8:30am on October 5, 2005, to enable the Chairman to attend the meetings, prior to the Lord Mayor's Regional Mayors (Chairman) Forum in Adelaide later that same day."

CARRIED

7. **Meetings**

A list of the meetings attended in the past month were supplied.

- Noted

8. **Annual Leave**

I wish to advise that I will be on Annual Leave from 19th – 22nd September 2005 (dates inclusive) and that Peter Ward will be acting as District Manager in my absence.

- Noted

Cr O'Connor Moved, Cr Young Seconded

"that Council agrees to remove the pine trees on the southern side of the Measday's Shed, Bute, as the roots of these trees are causing structural damage to the property."

Cr Simmons Moved, Cr O'Connor Seconded

"that the District Manager make arrangements on behalf of the Council to appoint a suitable person to become Council's representative on the Yorke Peninsula Regional Development Board."

CARRIED

ENVIRONMENTAL HEALTH OFFICER'S REPORT

1. Sunnyside oysters and Council's mosquito management program

Cr Aitchison moved, Cr Young seconded

"That Council investigates the use of Altosid Lavaecide products as used in its Mosquito Management Program in order to conclusively determine their neutrality in the environment, and further as part of a precautionary approach, Council investigates the availability of non-toxic alternatives for future programs"

CARRIED

Cr Schkabaryn left the meeting at 7:45pm.

2. Fisherman's Bay public shelter DA 344/504/04- appeal in the environment Resources and Development Court - Update

Cr O'Connor moved, Cr Young seconded

"That, Council rescinds its previous decision 8.2.2 made at the meeting held 9 August 2005, and Council accepts a new application by the Fisherman's Bay Progress Association for the proposed public shelter on Lot 3 in DP 50577, and continues with its assessment as the relevant authority."

CARRIED

Cr Schkabaryn returned to the meeting at 7:52pm

3. Delegations under the Public and Environmental Health Act and Regulations 1987

Cr Young moved, Cr Aitchison seconded

"That pursuant to Section 6(1) and 7(3) of the Public and Environmental Health Act 1987 and Regulation 6 of the Waste Control Regulations, John Dalle Nogare, as Environmental Health Officer, is appointed as an authorised person, subject to the Minister's consent, to exercise all powers, functions and duties of Council in respect to Regulations 7, 8, 11, 12(1)a & b, 12(3)& (4), 13(4)& (5), 14(1)& (2), 16, 17(1)& (2), 19(1)& (2), 22(2), 23 (1), 24(1)a & b, 24(2-4).

John Dalle Nogare is also appointed as an authorised officer, subject to Ministerial consent, to exercise all powers, functions and duties of Council in respect of Regulation 18."

CARRIED

Mark Marziale left the meeting at 7:50pm

ANIMAL & PLANT CONTROL OFFICER'S REPORT

1. Bridal Creeper

The Bute Primary School are rearing bridal creeper leafhoppers again this year, and also treating areas with the rust fungus. I have obtained supplies of the leafhoppers for them from the Port Vincent School and the rust was harvested from a site at the Wallaroo Mines.

- Noted

2. Branched Broomrape

I will be taking part in the branched broomrape surveys at Murray Bridge from the 19th to the 23rd September and the 31st October to the 4th November. I will also be attending the training day on Wednesday 7th September.

- Noted

FINANCE REPORT

1. **BANK RECONCILIATION**

The bank reconciliations for July 31 2005 and August 31 2005 was presented at the meeting.

Cr O'Connor moved, Cr Schkabaryn seconded

"That the Bank Reconciliations for July and August 2005 be accepted."

CARRIED

2. **CHEQUE LISTING**

A cheque listing for payments made in August 2005 was presented to members.

Cr Simmons moved, Cr Aitchison seconded

"That cheques numbered 11102-11201 totalling \$132,118.17, and payroll EFTs totaling \$66,998.57 be approved for payment."

CARRIED

3. **BUDGET COMPARISON**

Presented to members was the Budget comparison for the 2 months ended 31 August 2005.

Cr Young moved, Cr Schkabaryn seconded

"That the Budget Comparison for the 2 months ended 31 August be accepted."

CARRIED

4. **LGFA INVESTMENTS**

Attached is a listing of all LGFA Reserves as at 31 August 2005.

- Noted

5. **RECORDS MANAGEMENT**

We have appointed DA Scott Records Management Services to begin a review of the Council Records Management on September 12 & 13 2005, as budgeted. There will be an Audit of Council's record management policies and procedures later in 2005.

- Noted

6. **ASBESTOS REGISTER**

We are awaiting one more quote for compilation of the Asbestos Register, and anticipate the total cost being in the order of \$8,000 - \$8,500, which we will split over this financial year and next.

- Noted

7. **ASSET VALUATIONS**

Maloney Field Services have been appointed to value Council's assets, as required by legislation. They will begin in early October 2005.

- Noted

8. **CONTRACT PATROL GRADERS**

I have had further discussions with the patrol graders in relation to fuel prices, and while they agree with the methodology of the fuel price calculation in general, they would like further information on the city-country differential.

- Noted

9. **GRANTS COMMISSION**

For those councilors not on the Audit committee, attached are Grants Commission allocations to Councils for the 2005-06 financial year, as well as a comparison of grants for the Central Local Government Region for the past 5 years.

It can be seen from those reports that the District Council of Barunga West has fared poorly in comparison to other Councils. This reduction in Grants shifts the income-raising burden to rates, without any consideration of ratepayer's capacity to pay.

Some relevant statistics are listed below:

- The total Grants allocation for South Australia has *increased* by 17.85% since 2000-01.
- Barunga West's allocation over that same period has *fallen* by 26.55%.
- If Barunga West's allocation had *remained at the same level* as 2000-01, Council would have received an extra \$254,353 in Grants.
- If Barunga West's allocation had *increased in line with the state average* since 2000-01, Council would have received an extra \$409,935 in Grants.

- The decline in Grants relative to the rest of state would require a 20.5% increase in rates to offset.

- Noted

10. **RTC FEES & COMMISSIONS**

Nigel and I had a meeting with Adam Moss from the ANZ, in which we advised that the commission from the ANZ for the RTC fell well short of our costs. The balance of supplementary commissions from Centrelink, Services SA, the ATO, etc brought the RTC to a break-even position. On top of that, Council is being charged for each and every transaction going through the bank. We are awaiting a reply from the ANZ.

On a related matter, Councillors would be interested to know that the Bute Post Office contract incorporates a penalty provision for the PO failing to meet pre-set transaction volume targets. In 2004-05, Council incurred penalty fees totaling \$1,469.85, and in the 2 months of the 2005-06 financial year, we have already incurred \$444.47 in similar fees.

- Noted

11. **LIBRARY ASSISTANTS**

Letter attached from the Dept of Education and Children's Services regarding Library Assistant's hours.

- Noted

CORRESPONDENCE

Cr Schkabaryn moved, Cr Young seconded

"that the correspondence be received".

CARRIED

1. **Minister of Local Government**

Advising of the allocation from the Local Government Grants Commission, being for general-purpose grants \$215,273 and \$195,708 for road grants, for a total of \$411,081 which is a decrease from 2004/05.

(District Managers Note: I have arranged with District Council of Yorke Peninsula to be involved in a deputation with the Minister to discuss the continuing decreases in general purpose grants. This deputation will involve a number of rural Council's)

- Noted

2. **Port Broughton Combined Sporting Clubs**

Advising that the wire fence between the Oval and the new Skate Park is in need of repair, as it has been flattened since the opening of the skate park. Asking Council to consider the options of upgrading the fence to protect young children straying from the Oval area.

Cr Aitchison advised that has repaired the fence and installed a gate.

- Noted

3. **Fisherman's Bay Progress Association**

(a) Advising Council of their decision not to construct an Information Bay at the entrance to the Bay and outlining their reasons for not constructing the Information Bay.

- Noted

(b) Drawing to Council's attention their frustration at the continuing vandalism at Fisherman's Bay, including Council signs, (which they would like to see replaced with one common sign). Advising of their approach to the local Police for further surveillance and asking for any advice that Council can offer.

- Noted

4. **Mr. K Paterson**

Expressing concern at Council's proposal to not call the road to their property Caropa Road, in preference to Carlene Paterson's Road and asking Council to reconsider their request.

Cr O'Connor moved, Cr Simmons seconded

"that the road to the Paterson property be named Caropa Road."

CARRIED

5. **K, B, R and A Cock**

Asking Council to reconsider the proposed naming of Bufan Road in the Bute District to calling the road Mona Road or Mona Siding Road to reflect the history of the area.

Cr Kerley moved, Cr O'Connor seconded

"that Council reject the proposal to rename the road to the Cocks' properties Bufan Rd, and instead name the road Mona Siding Road."

CARRIED

6. **Mr. D Copley**

Asking Council to consider the signposting of the road past his property (between section 167,168 and 200 Hd Wiltunga) to be named Copley's Road.

- Noted

7. **Mr. J Copley**

Asking Council to consider the naming of Herbert's Road (the road between Section 211, 212 and 216 Hd Wiltunga) and the naming of Venning Road (adjoining Section 211 and 251 Hd Wiltunga).

- Noted

8. **Aboriginal Legal rights Movement**

Drawing to Council's attention the progress of the Narungga (Local Government) area Indigenous Land Use Agreement (ILUA) in respect to see Native Title Tribunal. Asking Council to nominate their delegate to be on the Liaison Committee, which is required to be established to enable the requirements of the ILUA to be put in place.

Cr O'Connor moved, Cr Kerley seconded

"that Council agree for the District Manager be appointed as Council's representative for the Liaison Committee for the Narungga (Local Government) Indigenous Land Use Agreement."

CARRIED

9. **Dog and Cat Management Board**

Drawing to Council's attention the requirement of the Dog and Cat Management Act, and in particular the need to prepare an Animal Management Plan, which are required to be endorsed by the Board.

- Noted

10. **Yorke Regional Development Board**

Advising of the Boards recent proposal to consider aligning itself with the Barossa Riverland Mid North Area Consultation Committee in preference to being aligned to the Flinders Region Area Consultative Committee.

Cr Schkabaryn moved, Cr Simmons seconded

"that Council agree to realign with Barossa Riverland Mid North Area Consultation Committee."

CARRIED

11. **Northern and Yorke Natural Resource Board**

Forwarding a Consultation Paper on the establishment of NRM Group in the Northern and Yorke NRM Region and asking for Council feedback on the proposal outlined. There is a workshop to be held for Local Government to discuss local government issues on 19th September 2005 in Adelaide.

- Noted

12. **G & T Barnes**

Expressing concern on a range of issues in respect of the new Port Broughton Boat Ramp, and in particular to the Seaweed Build-up in front of his residence and the need for sand replacement to protect the seawall.

- Council agreed that no action was to be taken

13. **Mr. E Ebsary – Bute RSL**

Thanking the Council for their assistance and support for the Bute VP Day Celebrations held recently.

- Noted

14. **Local Government Association**
Forwarding the LGA Report Nos 31 – 35

- Noted

CHANGE OF OWNERSHIP

Cr Schkabaryn moved, Cr Kerley seconded

ASSESS No	ADDRESS	SELLER	BUYER
27652	Lot 2 Kadina Road, Port Broughton	SS Tancock	E & A Skrembos
16720	Lot 374,375 Lime Kiln Road, Kulpara	L&S Wright & C Rapley	P Papas
15958	Bayside Caravan Park (Lease)	RJ & SJ Smith	C & D Peers

PETITIONS, MEMORIALS, NOTICES OF MOTION

Mrs. Grace Aitchison presented a petition against the relocation of the Mundoora War Memorial and associated commemorative palm trees.

Cr Simmons moved, Cr Kerley seconded

"that Council approach Pirie Council to re-dedicate the land once all legal requirements are met."

CARRIED

TENDERS - NIL

GENERAL BUSINESS

Cr Simmons reported that despite signage to the contrary, bikes, gophers & motorbikes were being used on the Port Broughton jetty etc. She was concerned for the safety of the riders.

Cr Aitchison asked about the Enterprise Bargaining agreement for the Works/Construction staff and was wondering if there was a copy available for him to look at.

Cr O'Connor enquired if Council were going to put on a lunch or dinner for Kevin Thompson's retirement. The District Manager advised that he was checking Kevin's finishing date and would advise.

Cr Schkabaryn reported on how pleased he was with the recent work on the seawall at Fisherman's Bay.

Cr Young reported to Council about a load of dirt that was dropped in McKay Street, Port Broughton.

DEPUTATION

A deputation from the Port Broughton Area School/Community Library addressed the Council at 8.00pm

CLOSURE

The Chairman declared the meeting closed at 10:05 pm.

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D.DOLLING
CHAIRMAN