

**MINUTES OF THE MEETING OF THE  
DISTRICT COUNCIL OF BARUNGA WEST  
HELD AT THE BUTE COUNCIL CHAMBERS ON  
MARCH 13<sup>th</sup> 2007 AT 7:00PM**

**PRESENT:**

Cr D Dolling (Mayor), Cr M McDonald, Cr B Rooney, Cr R Smith, Cr T Schkabaryn, Cr I Burgess, Cr L Kerley, Cr S Ireland, Cr G Simmons, Cr M. Weedon, N Hand (District Manager), L Jolly (Manager – Finance & Administration) and M Marziale (Manager-Environmental Services)

**APOLOGIES:**

R. Linke (Works Manager)

**DECLARATION OF CONFLICT OF INTEREST**

No member reported any conflict of interest for any items on the agenda.

**CONFIRMATION OF COUNCIL MINUTES**

Cr Smith moved, Cr Simmons seconded,

“that the Minutes of Meeting held on February 13<sup>th</sup> 2007 be confirmed as printed and supplied.”

**CARRIED**

**BUSINESS ARISING FROM THE COUNCIL MINUTES**

1. No response has been received from the Minister for Environment and Conservation responding to our query on the NRM levy.
2. An application under the State Bicycle Fund for a bike path (shared use) on the Kadina Road (from South Terrace to Dale Road) has been lodged with the Department of Transport, Energy and Infrastructure.
3. No response has been received from the Department of Transport Energy & Infrastructure regarding our concern at the damage to road reserves by motorcyclists on the Kadina Road.
4. No response has been received to date from the Local Government Association on the  
Country Fire Service on our concerns at the proposed Memorandum of Agreement  
for  
Council staff and plant to be utilised by the Country Fire Service.

## MEMBERS REPORTS

### Cr. DOLLING

- 18<sup>th</sup> February - Bute Drought meeting
- 7<sup>th</sup> March- Works meeting
- 12<sup>th</sup> March- Start Spencer Gulf Cruise

### Cr. ROONEY

- 15<sup>th</sup> February - RCC Meeting at Port Vincent
- 5<sup>th</sup> March - Kulpara Progress Association meeting
- 7<sup>th</sup> March- Works meeting

### Cr. McDONALD

- 21<sup>st</sup> February - Port Broughton & District Hosp Board meeting
- 6<sup>th</sup> March - Port Broughton Area School Governing Council AGM
- 7<sup>th</sup> March- Works meeting

### Cr. SCHKABARYN

- 15<sup>th</sup> February - RCC Meeting at Port Vincent
- 22<sup>nd</sup> February - YP Tourism Assoc meeting
- 24<sup>th</sup> February - Fishermans Bay Progress Assoc meeting
- 7<sup>th</sup> March - Works meeting
- 12<sup>th</sup> March - Met with Kerley St residents re building concerns

### Cr. SIMMONS

- 15<sup>th</sup> February - Barunga Village seminar Adelaide
- 20<sup>th</sup> February - Barunga Village building meeting
- 27<sup>th</sup> February - Barunga Village general meeting
- 6<sup>th</sup> March - Barunga Village building meeting
- 7<sup>th</sup> March - Works meeting
- 10<sup>th</sup> March - LCYP Rail meeting
- 12<sup>th</sup> March - Bute Sports Club meeting

### Cr SMITH

- 27<sup>th</sup> February - Barunga Village general meeting
- 27<sup>th</sup> February - Barunga Village OH & S
- 7<sup>th</sup> March - Works meeting
- 12<sup>th</sup> March - Gulf Cruise send off

### Cr BURGESS

- 18<sup>th</sup> February - Dealing with the Drought seminar Bute
- 7<sup>th</sup> March - Works meeting

### Cr KERLEY

- 12<sup>th</sup> March - Met with Kerley St residents re building concerns

### Cr IRELAND

- 7<sup>th</sup> March - Works meeting

### Cr WEEDON

- 7<sup>th</sup> March- Works meeting

## MEMBERS QUESTIONS

Cr Schkabaryn reported that the YPTA is currently struggling and unable to reach a quorum at meetings, and are seeking to wind up the Association.

The District Manager reported that Council received a letter of thanks from Bevan Rose of the Bute Drought Committee thanking them for their input.

Cr Simmons advised that a grant of up to \$1000 was available to cover expenses however Council agreed that it will not be forwarding a claim as it wished to support the community's efforts.

## COMMITTEE REPORTS

Cr Kerley moved, Cr Schkabaryn seconded

*“that all Committee reports be received”*

**CARRIED**

## WORKS COMMITTEE

Cr McDonald moved, Cr Burgess seconded

*“that recommendations 1 – 4, of the Works Committee on the 7<sup>th</sup> March 2007 be adopted*

1. *That the Council's Infrastructure and Works Committee meets every two months.*
2. *That the Manager – Works negotiate with the Department of Transport, Energy and Infrastructure to continue utilising the Kulpara Lookout at their expense.*
3. *That public comment be sought to alter the Give Way signs at the intersection of R Wehrs Road and Bews Road.*
4. *That the cemetery marker posts in the General Section of the Port Broughton Cemetery be moved to the northern end.*

**CARRIED**

## MANAGERS REPORTS

Cr Burgess moved , Cr Smith seconded,

*“That all Officers' Reports be received.”*

**CARRIED**

## DISTRICT MANAGER'S REPORT

### 1. Port Broughton Community School Library

On 2<sup>nd</sup> March I met with the Architect, School Library and other people involved in the project to extend the Library, now that the Department of Education and Children Services (DECS) have agreed to continue with the project.

The fine-tuning of the plan has now occurred and the plan and specifications will be prepared for consideration prior to going to tender. However there is one hurdle to be cleared prior to the project getting underway. This involved the relocation of the power main and the telephones at the school.

Accordingly further discussion is required on the timetable for the scheduled completion of works. The Department of Transport and Regional Services has been advised.

#### **- For members information**

### 2. Appointment of Auditor

I would advise that expressions of interest was received from three Auditors for appointment of Council Auditor.

Cr Schkabaryn moved, Cr Burgess seconded

*“that Council appoint Dean Newbury & Partners (Principal Auditor Don Venn) as the Auditor of Council, in accordance with the provisions of Section 128 of the Local Government Act 1997, for a period of 5 years, commencing from 1<sup>st</sup> July 2007, in accordance with the fee structural outlined in the submission to Council dated 1<sup>st</sup> February 2007”*

**CARRIED**

### 3. Audit Committee - Training

The Local Government Association has arranged trainings for Audit Committee members, with our Regional session to be held on Friday 20<sup>th</sup> April 2007 at Clare.

Cr Simmons moved , Cr Weedon seconded

*“that Crs Schkabaryn, Rooney, Burgess and Dolling be elected to the Council's Audit Committee after expressing their interest in being on the Audit Committee, and be authorised to attend the training session at Clare on 20<sup>th</sup> April 2007.*

**CARRIED**

Cr Burgess moved, Cr Smith seconded

*“that Council approach Mr David Harris to sit as the independent member on the Audit Committee”*

**CARRIED**

#### **- For members information**

4. Use of Council Seal

Endorsement from Council is sought for the use of the Council seal for the Council consent for the release of an interest of Council on a portion of land in Kerley Street, which relates to the cancellation of a Community Land to revert the land to one Certificate of Title.

Cr Burgess moved, Cr Schkabaryn seconded

*“that the Council endorse the use of the Council seal for the cancellation of the Community Plan (CT’s 5935/464, 5935/465 and 5935/466) to one Certificate of Title in accordance with Community Plan 22634.”*

**CARRIED**

5. Local Government Managers Association

I wish to advise that I attended the Associations annual two-day conference in Adelaide on 8<sup>th</sup> and 9<sup>th</sup> March 2007.

**FINANCE REPORT -**

1. Review of Dog Fees – Budget 2007/2008

At this time, it is considered appropriate to review Dog Fees for the Budget 200/2007 since any increases must gain Ministerial approval prior to Budget Adoption.

Cr Schkabaryn moved, Cr McDonald seconded

*“that the proposed, revised schedule of fees for the 2006/2007 Budget ,indicating an average increase of 50% (and below the maximum level) as tabled, be submitted to the Dog and Cat Management Board for Ministerial Approval.”*

**CARRIED**

2. Mobile Phones

A review has been completed on our Telstra Mobile Government Plan, and after considerable deliberation, has now been replaced by a more attractive Telstra Business ‘FleetSelect’ Plan.

**MANAGER OF ENVIRONMENTAL SERVICES REPORT**

1. Approved Development Report  
Assessment Period 1 – 28 February 2007

*Purpose – For a Decision.*

To inform Council of Development consents granted under Delegation to the Authorised Officers, and seek Council’s endorsement of the decisions made under delegation.

Please note that the listed approvals are for Development Approvals only, and therefore, does not include Planning Consents or Building Rules Consents granted separately.

Cr Kerley moved, Cr McDonald seconded

*“that Council endorses the actions taken by the Authorised Officers in granting development approval or Provisional Development Plan Consent pursuant to Section 33 of the Development Act, whereby the development has been assessed against provisions of the Development Plan, and the Building Rules unless otherwise indicated, pursuant to the delegation from Council of 14<sup>th</sup> June 2005.”*

**CARRIED**

2. ERD Court appeal by Fishermans Bay Management – Application DA344/D006/00V1 & the associated Bonding Agreement - Update

Purpose – For Information

To inform the Council of the progress arising from the meetings with Fishermans Bay Management (FBM), and seek approval for delegation of authority to assess and approve the Bonding Agreement for the Waste Water Collection and Treatment System, and for the use of Council’s common seal.

- **Noted**

3. Council Development Assessment Panels (CDAP) code of conduct, Planning SA Legislative Update Notice

Purpose - For information

To advise Council of its obligations under the amended Development Regulations.

At its January Meeting Council subsequently delegated authority to the Executive Committee to undertake hearings for Category 2 & 3 representations relating to a development application under the Development Act 1993, in accordance with a condition of the Ministers exemption from the requirement to form a CDAP by 26 February 2007. Pursuant to Section 21A of the development Act, where Council’s Committee is acting under that Act , as from the 26 February 2007 it is required to do so in accordance with the Code.

- **Noted**

4. Natural Disaster Planning and Risk Mitigation Project – Central Local Government Region of SA

To inform Council of its obligations to establish a Natural Disaster Mitigation Plan (“NDM Plan”) and to establish Natural Disaster Management Committee (“NDM Committee”) under the Federal Natural Disaster Mitigation Program , as an essential public service provision and a prudential disaster prevention mechanism, and to recommend approval for the commencement of the NDM Plan and the associated Committee.

Cr Schkabaryn moved, Cr Kerley seconded

*“that*

1. *Council resolves to form an Emergency Management Committee, with membership to comprise of the CEO, the Manager of Works, the Manager of Environmental Services, the Manger of Admin. & Finances, a SES delegate, a CFS delegate and upto three qualified community members.*
2. *The Emergency Management Committee shall be responsible for the following functions:*
  - *drafting and making recommending to Council regarding the EM Committees Membership & Terms of Reference;*
  - *direct and advise Council’s regarding the preparations and undertaking of the Natural Disaster Mitigation Plan project, in accordance with the advice of the CLGR.”*

**CARRIED**

## **CORRESPONDENCE**

Cr Schkabaryn moved, Cr Rooney seconded

*“that the correspondence be received”.*

**CARRIED**

### 1. Mr. L Elliott - Tickera

Expressing concern at some action of Council Staff (District Manager in particular) regarding some issues at Tickera, and in particular the Tickera Golf Club.

Cr Schkabaryn moved , Cr Burgess seconded

*“that the District Manager seeks legal opinion on the contents of the letter forwarded by Mr L. Elliott from Norman Waterhouse Lawyers”*

**CARRIED**

- **Noted**

### 2. Mr. J Bisset – Port Broughton

Expressing concern at the level of mosquitoes that are currently in Port Broughton and seeking Council to implement measures to control them.

- **Noted**

### 3. Mrs. J Humphris – Port Broughton

Expressing concern at the level of mosquitoes that are currently in Port Broughton and seeking Council to implement measures to control them.

- **Noted**

4. Central Local Government Region of SA

Advising that they have received three nominations (for two positions) for the Regions representation for the State Executive of the Local Government Association, and seeking Council's vote for the two representatives. The nominations are Mayor Ray Agnew (District Council of Yorke Peninsula), Cr Peter Graham (Light Regional Council) and Mayor James Maitland (Wakefield Regional Council).

Cr Schkabaryn moved, Cr Simmons seconded

*“that Council vote for Mayor James Maitland and Mayor Ray Agnew to be the Central Local Government Regions representatives on the State Executive of the Local Government Association.”*

**CARRIED**

5. Port Broughton Visitor Information Centre

Forwarding a report of the activities of the Centre during 2006 and advising that there was at least 2475 enquiries on the 262 days that the Centre was open.

- **Noted**

6. Local Government Association

(a) Advising that two nominations for the position of President of the Association have been received and seeking Council's vote on their preferred candidate. The nominations are Mayor Joy Baluch (Port Augusta) and Mayor Kym McHugh (Alexandrina)

Cr Kerley moved, Cr Simmons seconded

*“that Council vote for Mayor Joy Baluch as President of the South Australian Local Government Association.”*

**CARRIED**

(b) Forwarding copies of LGA Report Nos 6 – 9

7. Ms. B Noble – Port Broughton

Expressing concern at the level of mosquitoes that are currently in Port Broughton and seeking Council to implement measures to control them.

- **Noted**

8. Mrs R Flowers – Port Broughton

Expressing concern at the level of mosquitoes that are currently in Port Broughton and seeking Council to implement measures to control them.

- **Noted**



9. Ms. V. Flowers – Port Broughton

Expressing concern at the level of mosquitoes that are currently in Port Broughton and seeking Council to implement measures to control them.

- **Noted**

9 Mrs D Hockley – Port Broughton

Expressing concern at the level of mosquitoes that are currently in Port Broughton and seeking Council to implement measures to control them.

- **Noted**

**CARRIED**

**TABLED CORRESPONDENCE**

1. Local Government Association

Advising of calls for the 2007/08 Special Local Road Program funding application, in conjunction with Regional LGA's

(an application for the Wokurna Snowtown Road has been submitted)

2. Central Local Government Region

Advising of a meeting/inspection to consider application for the 2007/08 Special Local Road Program. (Held on 22<sup>nd</sup> February 2007)

**PETITIONS, MEMORIALS, NOTICES OF MOTION**

- Nil

**NOTICE OF MOTION**

Cr Dolling moved Cr Rooney seconded

*‘that the motion of Councils’ meeting of 13<sup>th</sup> February 2007, for the Councils monthly cheque listing to not be included in Councils agenda, be rescinded.’*

**CARRIED**

Cr Rooney moved , Cr Schkabaryn seconded

*“that the Council cheque listing be included in future Council meeting Agendas for perusal by Councillors”.*

**CARRIED**

**DEPUTATION**

-NIL

## TENDERS

- NIL

## GENERAL BUSINESS

1. Cr Schkabaryn sought Council permission to attend a 3 day LGA Conference in Adelaide (11<sup>th</sup> – 13<sup>th</sup> April 2007) on Community Renewal.

Cr Burgess moved , Cr Rooney seconded

*“that permission be granted for Cr Schkabaryn to attend the LGA Conference in Adelaide”*

**CARRIED**

2. Cr Smith enquired as to why the seaweed at the Fishermans Bay Boat Ramp had not been cleaned up yet. This will be followed up by the Works Manager.

Council will approach the Coastal Management Board re solutions to the seaweed problem at the Fishermans Bay Boat Ramp.

Cr McDonald enquired about the Tickera Golf Club.

Cr Schkabaryn moved , Cr Rooney seconded

*“that a letter be sent to the Tickera Golf Club requesting that they cease any operations immediately pending receipt of all information previously requested for development approval and until such time that all requirements have been met. An additional requirement is the Club is to forward a copy of their current Public Liability Insurance policy to Council”*

**CARRIED**

3. Cr Dolling reported on a complaint from the owner of the rubble from the pit on Mundoora road for which royalty had not yet been paid for.

Cr Rooney moved, Cr Smith seconded

*“that a letter of apology be sent with the payment to the landowner of the rubble pit, and for remedial action to be undertaken”.*

**CARRIED**

## CLOSURE

**The Mayor declared the meeting closed at 9.35 pm**

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