

## PUBLIC CONSULTATION MEETING

### OPENING

Mayor Dolling opened the meeting at 7.00pm.

7 members of the public were in the gallery at the commencement of the meeting.

### ATTENDANCE RECORD

Present: Mayor D Dolling, Cr B Rooney, Cr L Kerley, Cr M McDonald, Cr G Rowlands, Cr M Weedon, Cr G Simmons, Cr R Smith, Cr C Axford

Apologies: Nil

Staff Present: P Ward - Acting Chief Executive Officer  
F Linke - Manager, Infrastructure Services  
D Brokenshire - Planning Officer  
K Thomas - Personal Assistant

### 2013-2014 ANNUAL BUSINESS PLAN

1. The Acting CEO explained the Draft Annual Business Plan and Budget for 2013-2014. A range of comments were received from Elected Members and responded to by the Acting CEO.
  2. The Acting CEO advised that the Annual Business Plan, with any amendment from comments received will be discussed and adopted at the Council meeting immediately following the public meeting.
  3. The Mayor thanked the public for attending, and the public Consultation Meeting was closed at 7.50pm.
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## COUNCIL MEETING

### OPENING

Mayor Dolling opened the meeting at 7.51pm.

7 members of the public were in the gallery at the commencement of the meeting.

### ATTENDANCE RECORD

Present: Mayor D Dolling, Cr B Rooney, Cr L Kerley, Cr M McDonald, Cr G Rowlands, Cr M Weedon, Cr G Simmons, Cr R Smith, Cr C Axford

Apologies: Nil

Staff Present: P Ward - Acting Chief Executive Officer  
F Linke - Manager, Infrastructure Services  
D Brokenshire - Planning Officer  
K Thomas - Personal Assistant



**Cr Kerley**

15/6/13 Royal Flying Doctor Service Ball, Broken Hill  
24/6/13 Council Strategic Management Plan Workshop  
24/6/13 Fishermans Bay proposed seawall site visit  
25/6/13 Barunga Village Board meeting  
25/6/13 Meeting with fencing contractor for FOBBS  
1/7/13 Port Broughton Progress Association meeting  
6/7/13 Barunga By the Tea Christmas in July

**Cr McDonald**

13/6/13 Special Meeting of Council  
13/6/13 Public meeting - Development Assessment Commission - Fishermans Bay seawall application - Adelaide  
17/6/13 Port Broughton Area School Governing Council meeting  
18/6/13 Pacific Hydro Cheque Presentation, Crystal Brook  
24/6/13 Council Strategic Management Plan Workshop  
28/6/13 Primary Health Care Meeting  
3/7/13 Port Broughton District Hospital & Health Services Health Advisory Council meeting

**Cr Rowlands**

13/6/13 Special Meeting of Council  
24/6/13 Council Strategic Management Plan Workshop  
25/6/13 Barunga Village Board meeting

**Cr Smith**

13/6/13 Special Meeting of Council  
17 & 18/6/13 Court proceedings in Adelaide  
3/7/13

**Cr Simmons**

13/6/13 Special Meeting of Council  
17/6/13 Bute Sporting Club meeting  
24/6/13 Council Strategic Management Plan Workshop  
24/6/13 Bute Sporting Club Special meeting  
25/6/13 Barunga Village Board meeting  
26/6/13 Bute Progress Association meeting  
3/7/13 YP Community Transport meeting

**Cr Weedon**

13/6/13 Special Meeting of Council

**PETITIONS - Nil**

**QUESTIONS WITH NOTICE - Nil.**

## QUESTIONS WITHOUT NOTICE

Cr Kerley asked the following Question in response to the answer provided to Questions Without Notice at the June 2013 Council Meeting:

When will lighting be installed outside the new skate park toilets? What will be the added cost for the installation of lighting?

*The Manager Infrastructure Services provided the following answer:*

*The toilet at the Skate Park came with lights. There is a light mounted outside the toilet between the toilet doors which is on a day night sensor. Each toilet cubicle has a light which turns on manually and turns off automatically. Council has not provided a budget line for additional lighting in its proposed budget. Solar lighting as installed in the township of Orroroo was done via tender for approximately 50 lights. I am advised these lights cost approximately \$6500 each however one would imagine there were savings by bulk purchasing. If a single additional light is required over the toilet building, I would recommend the light be wired into the toilet lighting system as this would be much cheaper than the cost of and ongoing maintenance cost of Solar powered.*

At the June 2013 Meeting Cr Axford asked:

What is the current annual fee being charged to landholders who own property that adjoin Council reserves and road and/or railway corridors who have, in past years been given permission and/or the option to occupy this Council land? Is the fee based on the size of land 'leased' and are all landholders being charged? Have the relevant accounts been sent out accordingly?

*The Planning Officer provided the following answer:*

*Landholders adjoining road reserves are permitted to occupy/use the land for an annual fee payable to DCBW.*

*This is a requirement of the Local Government Act under Section 222 – Permits for business purposes ie cropping the road reserve; depasturing stock.*

*An audit of current road rentals along with the possible sale of some of the unmade roads is proposed to be conducted this financial year. This will include reassessment of fees for road rentals to better reflect the current economy as the current charges appear somewhat outdated.*

*All permit holders are charged the required fees, and historically this is based on a per acre basis with charges reflecting if the unused road is arable or non-arable land.*

*Relevant accounts were sent for 2012/13.*

*I am aware there is a possibility there may be some landholders currently utilising unmade roads who are not being charged. Should this be the case, the audit process will identify these anomalies and they will be rectified accordingly.*

At the June 2013 Meeting Cr Axford asked:

Has official Council approval and documentation been forwarded to the RV Coordinator Mr Kevin Collins to finalise the process required to advertise the township of Bute as an RV site?

*The Planning Officer provided the following answer:*

*Official Council approval and documentation has not yet been forwarded to RV Co-ordinator Mr Kevin Collins.*

*This matter was forwarded to me recently to coordinate and finalise. As I have not been involved in the process I was required to research the file and familiarise myself to gain a clear understanding of the history.*

*During this time, it was determined some procedures may still be required to be performed. Consequently, I am currently determining exactly what is required ie decision of Council requirements, use of land and will report to Council and relevant stakeholders accordingly.*

Cr Kerley asked:

What progress has been made on the repair of the windows to the Port Broughton Town Hall?

*The Manager - Infrastructure Services advised that investigations have continued, and difficulties have been experienced with obtaining quotes from contractors. The job itself is not simple, and is quite expensive. Also, other building specific factors need to be considered before this project can be progressed.*

Cr McDonald asked -

Now that people have their letters advising of their rural property address, but the road signposts are not yet installed, should those people begin using the new property address or do they have to wait for the sign posts?

*The Manager - Infrastructure Services advised that the letter sent to residents explained that the new address should be used from a specific date that was given in the letter. This is correct, and the address can be used. However, the letter also recommends that residents give both addresses until individuals themselves are confident that everything is changed.*

#### **MOTIONS WITH NOTICE** - Nil.

#### **MOTIONS WITHOUT NOTICE**

**141 MOVED: Cr Axford**

**SECONDED: Cr Smith**

*"That Council rescind the motion at item 14.1.7 from the meeting of 11<sup>th</sup> December 2012 that stated:*

*"That Council agree to the conditions of the Section 222 license for Matthew Rose in relation to the road reserve adjacent Section 90 Hd Wiltunga to the railway corridor.""*

**CARRIED**

#### **ADOPTION OF COMMITTEE REPORTS**

13.1 Nil.

#### **COUNCIL BUSINESS – OFFICER'S REPORTS**

14.1 **ACTING CHIEF EXECUTIVE OFFICER – PETER WARD**

**142 MOVED: Cr Kerley**

**SECONDED: Cr Rooney**

*"That the Report from the Acting Chief Executive Officer for the July meeting be received and noted."*

**CARRIED**

14.1.1 **Strategic Management Plan (SMP)**

Noted.

**Cr Dolling vacated the chair at 8.29pm, and remained in the gallery.**

**Cr Brian Rooney took conduct of the meeting.**

14.1.2 Fishermans Bay Freeholding

The motion was deferred to allow Elected Member, staff and the public to attend the site on a date to be determined.

**Cr Dolling returned to the chair of the meeting at 8.44pm.**

14.1.3 Native Title Claim

Noted.

14.1.4 Grant Funding RDA Round 5

Noted.

14.1.5 Grant Funding Tourism Industry Regional Development Fund (TIRF)

Noted.

14.1.6 Snapper Fishing Bans

Noted.

14.2 FINANCE REPORT- ACTING CHIEF EXECUTIVE OFFICER – PETER WARD

**143 MOVED: Cr Kerley**

**SECONDED: Cr Axford**

*"That the Finance Report from the Acting Chief Executive Officer for the July meeting be received and noted."*

**CARRIED**

14.2.1 Annual Business Plan 2013-2014

**144 MOVED: Cr Kerley**

**SECONDED: Cr Rowlands**

*"That Council adopts the 2013-2014 Annual Business Plan as tabled."*

**CARRIED**

14.2.2 2013/2014 Valuations & Rates Modelling

Noted.

14.2.3 2011-2012 Valuations, Budget & Rate Declaration

**145 MOVED: Cr Weedon**

**SECONDED: Cr Rowlands**

*"That Council adopts the 2013-14 valuations for rating purposes, the 2013-14 financial budget and declares rates as follows:*

***ADOPTION OF VALUATIONS FOR RATING***

*Notice is hereby given that at a meeting of Council held on 9<sup>th</sup> July 2013, it was resolved that the District Council of Barunga West adopts the Capital Valuations of the Valuer General, dated July 1 2013, that are to apply for the area of rating purposes for the 2013-14 financial year, being Capital Valuations totalling \$1,046,655,660, comprising \$1,013,547,800 for rateable land and \$33,107,860 for non-rateable land.*

### **ADOPTION OF 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 on 9<sup>th</sup> July 2013:

1. Adopts the Annual Budget as prepared pursuant to Section 123 of the Local Government Act 1999 and Regulation 5B of the Local Government (Financial Management) Regulations 1999, including Estimates of Income (excluding general rate income) totalling \$1,208,768 as amended and the Estimates of Cash Expenditure of \$3,902,236 as amended for the financial year ending 30 June 2014.
2. Declared differential general rates on rateable land with the area of the Council for the financial year ended 30 June 2014 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) (a) of the Local Government Act 1999.
3. Declared that an amount of \$325 as 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 2014.
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 use of Residential be declared at **0.2650** 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 use of Commercial – Shop – Office or Other, Industrial – Light or Other be declared at **0.2650** 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 use of Primary Production be declared at **0.2315** 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 use of Vacant be declared at **0.2750** cents in the dollar.

### **CWMS SCHEMES**

1. **PORT BROUGHTON SCHEME**
  - a. Adopts the Estimates of Expenditure totalling \$161,756 (excluding depreciation), relating to the operation, maintenance, replacement and improvements and residual balance being allocated to reserves for the financial year 2013-14.
  - b. Pursuant to Section 155 of Local Government Act 1999, imposes annual service charges on rateable and non-rateable land within the District to which this service is provided as specified:
    - In respect of each effluent unit applying to occupied allotments a charge of \$320; and
    - In respect of each vacant allotment, a charge of \$205.
2. **BUTE SCHEME**
  - a. Adopts the Estimates of Expenditure totalling \$6,288 (excluding depreciation), relating to the operation, maintenance, replacement and improvements and residual balance being allocated to reserves for the financial year 2013-14.
  - b. Pursuant to Section 155 of Local Government Act 1999, imposes annual service charges on rateable and non-rateable land within the District to which this service is provided as specified:

- *In respect of each effluent unit applying to occupied allotments a charge of \$320; and*
  - *In respect of each vacant allotment, a charge of \$55.*
3. *Any reference to a "unit" being as defined in the CWMS Property Units Code in accordance with Regulation 9A of the Local Government (General) Regulations 1999.*

#### **NATURAL RESOURCES MANAGEMENT LEVY**

*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 2014, being \$137,934 a separate rate in the dollar of 0.0137 is declared on all rateable land in the Council's area.*

#### **FEES & CHARGES**

*That pursuant to Section 188 of the Local Government Act 1999, Council adopts the schedule of Fees & Charges and the Dog Management Fees for the 2013-14 Financial Year, as tabled by the Acting CEO.*

#### **PAYMENT OF RATES**

*That Notice is hereby given that the requirements for the payments of rates are 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 2014 will fall due in four equal or approximately equal instalments.*
2. *The said instalments shall be payable on or before Thursday 5<sup>th</sup> September 2013, Thursday 5<sup>th</sup> December 2013, Wednesday 5<sup>th</sup> March 2014 and Thursday 5<sup>th</sup> June 2014; failing which the said rates shall be regarded as being in arrears and subject to the imposition of fines, as prescribed.*
3. *In 2012-13, no discount will apply on rates instalments paid in full on OR before 5<sup>th</sup> September 2013.*

#### **CARRIED**

14.2.4 NRM Levy Contribution 2013-2014  
Noted.

14.2.5 Administration Trainee  
Noted.

14.2.6 Fire Safety Committee Recommendations  
Noted.

14.3 REPORT TO COUNCIL - MANGER INFRASTRUCTURE SERVICES - FRED LINKE

146 **MOVED: Cr Rowlands**

**SECONDED: Cr Axford**

*"That the Report from the Manager, Infrastructure Services for the July meeting be received and noted.*

**CARRIED**

14.3.1 Roads & Works Conference

147 **MOVED: Cr Axford**

**SECONDED: Cr Kerley**

*"That Council's Manager, Infrastructure Services, Works Supervisor and Councillors Kerley, Rooney, McDonald and Mayor Dolling attend the Local Government Roads & Works Conference to be held in Renmark."*

**CARRIED**

14.3.2 Request for Road Closure - Fishermans Bay

148 **MOVED: Cr Rowlands**

**SECONDED: Cr Smith**

*"That Council:*

1. Exercises its powers pursuant to Section 33 of the Road Traffic Act 1961 and Clause F of the Instrument of General Approval of the Minister dated 12 March 2001 to:  
Pursuant to Section 33(1) of the Road Traffic Act 1961, declare that the event described below ("the roads") is an event to which Section 33 of the Road Traffic Act 1961 applies; and  
Pursuant to Section 33(1)(a) of the Road Traffic Act 1961, make an order directing that The Roads on which the Event are to be held and any adjacent or joining roads specified below, be closed to traffic:  
Snook Road (from the Y-section in Snook Road to Whiting Road) and Whiting Road (from the intersection of Snook Road, west along Whiting Road to the end of the road) between the hours of 9.30am and 4.00pm on Saturday 10<sup>th</sup> August 2013.
2. That council agree to clear any seaweed build up on the Fisherman Bay foreshore area to be used for the Variety Club Event. "

**CARRIED**

14.3.3 Roads to Recovery 2014-2019

Noted.

14.3.4 Removal of Old Oyster Beds - Port Broughton

Noted.

14.3.5 Roadside Vegetation Management Plan

149 **MOVED: Cr McDonald**

**SECONDED: Cr Smith**

*"That Council agree:*

- 1 *To adopt the draft Roadside Vegetation Management Plan;*
- 2 *To release the draft Roadside Vegetation Management Plan for public consultation;*
- 3 *For Council staff to consider all written submissions to the draft RVMP at the conclusion of the public consultation process, and:*
  - (a) *if no changes are suggested or necessary, the RVMP be submitted to the Native Vegetation Council for final approval.'*
  - (b) *if significant changes are recommended after the public consultation process, the RVMP be amended accordingly, and referred back to Council for their endorsement before submission to the Native Vegetation Council."*

**CARRIED**

14.3.6 Correspondence

Noted.

14.4 REPORT TO COUNCIL - PLANNING OFFICER - DEB BROKENSHIRE

150 **MOVED: Cr Axford**

**SECONDED: Cr Weedon**

*"That the Report from the Planning Officer for the July meeting be received and noted.*

**CARRIED**

14.4.1 Update of Council's Delegations regarding SA Public Health Act 2011, SA Public Health (Legionella) Regulations 2013 and SA Public Health (Wastewater) Regulations 2013

151 **MOVED: Cr Rowlands**

**SECONDED: Cr Weedon**

*"That in accordance with Section 44(6) of the Local Government Act 199, the Council:*

1. *Hereby revokes its previous delegations to the Chief Executive of those powers and functions under the following:*

*Public and Environmental Health Act 1987 and Public and Environmental Health (Waste Control) Regulations 2010 and Public and Environmental Health (Legionella Regulations) 2008*

2. *Delegations made under the South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013 and South Australian Public Health (Wastewater) Regulations 2013:*

*In exercise of the power contained in Section 44 of the Local Government Act 199 the powers and functions under the following Acts and specified in the proposed Instruments of delegations contained in the associated attachment are hereby delegated this 9th day of July 2013 to the person occupying the office of Chief Executive to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation:*

*South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013 and South Australian Public Health (Wastewater) Regulations 2013.*

3. *Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 199 as the Chief Executive Officer sees fit.*

**CARRIED**

Fred Linke, Deb Brokenshire and Kim Thomas left the meeting at 9.28pm.

CONFIDENTIAL ITEMS

15.1 LEGAL PROCEEDINGS

152 **MOVED: Cr Rowlands**

**SECONDED: Cr Smith**

*"That pursuant to Sections 90(2) of the Local Government Act 1999 the Council orders that all persons, except Mr Peter Ward, Acting Chief Executive Officer, be excluded from attendance at the meeting for Confidential Agenda Item 15.1 Legal Proceedings.*

*The Council is satisfied that pursuant to Sections 90(3)(i) of the Act that the consideration of issues relating to the Confidential Agenda Item 15.1 Legal Proceedings is information relating to actual litigation.*

*The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances."*

**CARRIED**

153 **MOVED: Cr Kerley**

**SECONDED: Cr Simmons**

*"That having considered Confidential Agenda Item 15.1 Legal Proceedings in confidence under Sections 90(2) and 90(3)(i) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of that Act orders that any information and Minutes relating to that item, be retained in confidence for a period of twelve months, or such lesser period as may be determined by the Chief Executive Officer."*

**CARRIED**

## **CLOSURE**

The Mayor declared the meeting closed at 9.45pm.

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Cr Dean Dolling  
Mayor, District Council of Barunga West