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**MINUTES OF THE ORDINARY MEETING OF THE
DISTRICT COUNCIL OF BARUNGA WEST
HELD AT THE BUTE COUNCIL CHAMBERS, BUTE
ON 8th DECEMBER 2009 AT 7.00 PM**

1.0 PRESENT:

Mayor Dolling, Cr I Burgess (Deputy Mayor), Cr M McDonald, Cr T Schkabaryn, Cr G Simmons, Cr L Kerley, Cr. Smith, Cr Weedon, and Cr. Rooney, N Hand (Chief Executive Officer), L Jolly (Manager – Finance & Administration), R Linke (Manager Works), and Ms C Hewett (Minutes Secretary)

In attendance:

A Public Gallery of 2 (Media)

2.0 APOLOGIES AND LEAVE OF ABSENCE:

2.1 Leave of Absence

Nil

2.2 Apologies

Crs Ireland and M. Marziale (Manager – Environmental Services)

3.0 CONFLICT OF INTEREST PROVISIONS

- 3.1** Cr. Kerley advised that she had a Conflict of Interest with Agenda Item 11.1.2 - Citizen of the Year Awards.
Cr. McDonald advised that she had a Conflict Of Interest with Agenda Item 11.1.2 - Event of the Year Awards.

4.0 CONFIRMATION OF COUNCIL MINUTES

4.1 Ordinary Meeting – 10th November 2009

Cr. Burgess moved, Cr. Schkabaryn seconded

“That the minutes of the Ordinary Meeting of Council held on 10th November 2009 be confirmed as printed and supplied.”

CARRIED

5.0 BUSINESS ARISING FROM THE COUNCIL MINUTES

- 5.1** Arrangements are in progress to have an appropriate security company review the requirements for a closed circuit television system for the main street precinct of Port Broughton.

Cr. Smith moved Cr. Simmons seconded

“That Council do not proceed with a CCTV system for the main street, as a result of the advice received on the high costs and the issue on monitoring the system.”

CARRIED

- 5.2** A letter has been received from the President of the Broughton Muntoora Football Club acknowledging Council’s concerns at the recent vandalism. Advising that they do not endorse such behavior and apologise for the concern and offence that the incident has caused community members, and that they will address this issue with the players of the Club.

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6.0 DEPUTATIONS

6.1 Nil

7.0 MEMBERS REPORTS

Cr. DOLLING

- Nov 30th - Pt Broughton Community School Library Photographic Exhibition
- Dec 4th - Council Xmas Party
- Dec 6th - Combined Churches Christmas Carols

Cr. McDONALD

- Nov 18th - Port Broughton & District Hospital & Health Services Health Advisory Council AGM and ordinary meeting
- Nov 25th - Port Broughton Area School Governing Council meeting & Xmas meal
- Nov 30th - Port Broughton Community Library Photographic Exhibition opening

Cr. SCHKABARYN

- Dec 4th - Council Xmas Party
- Dec 5th - Fisherman's Bay Progress Association
- Dec 7th - Port Broughton Progress Association
- Dec 8th - Audit Committee meeting

Cr. SIMMONS

- Nov 20th - Barunga Village Volunteer Xmas Lunch
- Nov 24th - Barunga Village general meeting
- Nov 24th - Barunga Village Building meeting
- Nov 25th - Bute 2000 Onwards Committee
- Dec 1st - YPCT Meeting Maitland
- Dec 3rd - Bute School Concert (presented Barunga Village Medal)
- Dec 4th - Council Xmas Party
- Dec 7th - Barunga Village Xmas Dinner

Cr. KERLEY

- Nov 30th - Pt Broughton Community School Library Photographic Exhibition

Cr. BURGESS

- Nov 25th - Bute 2000 Onwards Committee
- Nov 27th - LGA Conference Call
- Dec 1st - Canowindra Homes meeting
- Dec 4th - Council Xmas Party
- Dec 8th - Audit Committee meeting

Cr. SMITH

- Dec 4th - Council Xmas Party

Cr. WEEDON

- Dec 4th - Council Xmas Party

Cr. ROONEY

- Dec 4th - Council Xmas Party
- Dec 8th - Audit Committee meeting

8.0 PETITIONS OR MEMORIALS

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8.1 No Petitions were received for consideration by the Council.

9.0 QUESTIONS WITHOUT NOTICE

9.1 Nil

10.0 QUESTIONS WITH NOTICE

10.1 **Cr. Schkabaryn** seeking Council to reconsider its motion regarding application for the Fisherman's Bay Progress Association seeking the title for its property at 23 Snook Road, Fisherman's Bay. The Chief Executive Officer responded with advice on a request for a meeting with Fisherman's Bay Management Pty Ltd, to address the issues of the Progress Association.

10.2 **Cr. Smith** commented on the amount of cigarette butts discarded at the Port Broughton cemetery and the need to do something about the problem.

Cr. Smith moved Cr. McDonald seconded

"that Council investigate the proposal for Smoke Free Zones at all Council cemeteries"

CARRIED

11.0 COUNCIL BUSINESS – Managers Reports

11.1 Chief Executive Officer's Report

Cr. Burgess moved, Cr. Schkabaryn seconded

"That the District Manager's Report for the December 2009 meeting be received and noted."

CARRIED

11.1.1 Delegations Regional Development Australia (RDA) Board

Cr. Weedon moved, Cr. Smith seconded

"That the Council, at this time, as a result of a lack of information from the Office of Regional Affairs, in respect to the formation of the Mid North and Yorke Regional Development Australia Board, advise the Office, that it will not make any decision on its commitments to the new Board, until such time that Council has received the required information to make such a decision."

CARRIED

Cr. Kerley advised that a relative was a nominee for the Council's Australia Day Awards (Bute District) and declared a conflict of interest, in accordance with the provisions of Section 73 (2) of the Local Government Act 1999.

Cr. Kerley left the meeting at 7.15 pm.

11.1.2 Citizen of the Year Awards

Cr. Burgess moved, Cr. Rooney seconded

"That Council agree to the following recipient of the 2010 Australia Day Award for the District Council of Barunga West.

Bute District – Citizen of the Year - Mrs. Maxine Rose "

CARRIED

Cr. Kerley returned to the meeting at 7.20 p.m.

Cr. Weedon moved Cr. Smith seconded

"That Council agrees to the following recipient of the 2010 Australia Day Award for the District Council of Barunga West

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Bute District - Event of the Year - Bute 125 Celebrations.”

CARRIED

Cr Schkabaryn moved Cr Simmons seconded
“That Council agree to the following recipient of the 2010 Australia Day Award for the District Council of Barunga West Port Broughton District – Citizen of the Year- Mr. Doug Hewett “

CARRIED

Cr. Kerley moved Cr. Smith seconded
“That Council agree to the following recipient of the 2010 Australia Day Award for the District Council of Barunga West Port Broughton District – Young Citizen of the Year- Mr. Sonny Coombs”

CARRIED

Cr. McDonald advised that she was a member of a community group that was nominated for the Council’s Australia Day Awards and declared a conflict of interest, in accordance with the provisions of Section 73 (2) of the Local Government Act 1999.

Cr. McDonald left the meeting at 7.22pm

Cr. Kerley moved Cr. Smith seconded
“That Council agree to the following recipient of the 2010 Australia Day Award for the District Council of Barunga West Port Broughton District - Event of the Year - Port Broughton Sailing & Boating Club Rubber Duck Race & Fishing Competition.”

CARRIED

Cr McDonald returned to the meeting at 7.27pm

Cr. Schkabaryn suggested that all nominated Community Groups should receive recognition for their efforts over the year, perhaps with a certificate to be presented at Awards Day

11.1.3 Dry Zones - Application for extension

Cr. Kerley moved Cr. Simmons seconded
“That the Council endorse the Liquor Management Plan as endorsed by the Dry Zone Working Group, and lodge an application with the Commissioner for Liquor and Gambling seeking an extension to the Dry Zone areas at Port Broughton and Fisherman’s Bay, for the maximum period of five years.

CARRIED

11.1.4 Governance and Development Assessment Compliance Audits

Cr. Schkabaryn moved Cr. Burgess seconded
“That the Council note the report of the CEO in regards to the progress made in respect of the Governance and Development Assessment Compliance Audits undertaken by Wallman’s earlier this year.”

CARRIED

11.1.5 Tickera Community Group - Elections

At the closing time for receiving nominations for the committee members for the new Tickera Community Group, nine nominations were received, with only seven being required. Accordingly I have arranged for ballot papers to be distributed for the election process.

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11.1.6 Elected Members Training

Cr. Weedon moved Cr. Schkabaryn seconded

“That the CEO be authorised to arrange an in house training session, with Wallman’s Lawyers, to be held prior to the Council’s February or March 2010 Council meeting, with the CEO to arrange the agenda for the training, to include any specific issues of elected members.” **CARRIED**

11.1.7 Canowindra Homes - Bute

- *Refer Agenda Item 12.2*

11.1.8 Bute Hall - replacement of the glass door

Cr. Kerley moved Cr. Weedon seconded

“That Council accepts the quote of Kadina Aluminium Products for the supply and installation of new doors at the Bute Hall, for a cost of \$6,322 (incl. GST).” **CARRIED**

11.1.9 Regional and Local Community Infrastructure Program

Cr. Smith moved Cr. Schkabaryn seconded

“That the Chief Executive Officer submit an application for the installation of a BBQ area and shelter shade, as part of the Port Broughton foreshore upgrade, in accordance with the guidelines for the Australian Government’s Regional and Local Communities Infrastructure Program.”

CARRIED

11.1.12 Resignation - Cr. Stacey Ireland.

Council was advised that Cr Ireland has submitted her resignation, effective immediately. At Council’s November 2006 Council meeting, a policy was established (in accordance with Section 6 (2) (b) (iv) of the Local Government (Elections Act) 1999), that should Council have a vacancy arise, that there is no requirement to fill that vacancy prior to the next general election.

11.1.13 Staffing issues

A letter of resignation has been received from Ms. Corinne Hewett, who after ten years of great service to the Council is leaving the district with her family. I have advertised for her replacement (closing date 4th December 2009).

I would confirm that Mrs. Bronwyn Scholes has accepted the new OHS&W and Risk Management Coordinator’s position with Council and will commence on 1st February 2010

11.1.14 Council Office Extensions

I am currently waiting for Building Rules consent for the Council Office extensions, which I should receive by 4th December 2009. Provided there are no issues, tenders will be called immediately for the project.

11.1.15 Coast Protection Board - Grant

The Council has received a small grant of \$5,000 from the Coast Protection Board for the investigation of a remediation/reconstruction strategy for the Port

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Broughton Seawall. Arrangements are being made for an appropriate engineer to prepare the report required.

11.2 Manager – Finance and Administration

Cr. Kerley moved, Cr. Burgess seconded

“That the Manager – Finance and Administration’s Report for the December 2009 meeting be received and noted.”

CARRIED

11.2.1 Audit Committee – 2008/09 Annual Report

- To be tabled at the next Council meeting

11.3 Manager – Works

Cr. Kerley moved Cr. Smith seconded

“That the Manager – Works Report for the December 2009 meeting be received and noted.”

CARRIED

11.3.1 DTEI Road Naming / Rural Property Addressing

Cr. Simmons moved, Cr. Kerley seconded

“That Council put forward the name of “Upper Yorke Highway” for the road from Port Broughton to Maitland via Bute and Kulpara”

Cr. Schkabaryn moved Cr. Burgess seconded an amendment

“That Council put forward the name of “Upper Yorke Road” for the road from Port Broughton to Maitland via Bute and Kulpara”

The Amendment was put to the vote and was CARRIED

The Amendment became the Motion, and was put to the vote and CARRIED

Cr. Kerley moved Cr. Simmons seconded

That Council agrees with the name of “Barunga Gap Road” for the road from Snowtown to Bute.”

CARRIED

11.3.2 Christmas Events Road Closures

Cr. Schkabaryn moved, Cr. Burgess seconded

“That Council exercise the 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:

(a) South Terrace Alford (from High Street to the end of the Hotel Property on South Terrace), and Third Street Alford (from South Terrace to the end of the Hotel property on Third Street), between the hours of 5pm and 10pm on Sunday 20th December 2009.

(b) South Terrace Muntoora (from East Terrace to Cross Street) between the hours of 4.00pm to 10.00pm on Thursday 24th December 2009.”

CARRIED

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11.3.3 Garfield Road

Cr. McDonald moved, Cr. Burgess seconded
“That Council consider upgrading Garfield Sandy Road during budget deliberations for the 2010-11 budget **CARRIED**

Cr. Schkabaryn moved Cr. Dolling seconded an amendment
“that Council consider upgrading Garfield Sandy Road during budget deliberations for the 2010-11 budget after full vehicle usage information is collated, utilising the Council’s traffic counter.” **CARRIED**

The Amendment was put to the vote and was CARRIED
The Amendment became the Motion, and was put to the vote and CARRIED

11.3.4 CLGR Special Local Roads – Council Priorities

Cr Schkabaryn moved Cr. Rooney seconded
“that a decision on Councils priority roads for the Central Region of Local Government’s Road Strategy for the region be deferred until the next Council meeting” **CARRIED**

11.4 Manager - Environmental Services

Cr. Rooney moved, Cr. Burgess seconded
“That the Manager – Environmental Services Report for the December 2009 meeting be received and noted.” **CARRIED**

11.4.1 Approved Development Report – Period 1st – 30th November 2009.
Noted.

11.4.2 Draft Coastal Assessment Report

Cr. Burgess moved, Cr. Kerley seconded
“That Council resolves that the Draft Coastal Assessment Report be released for public consultation.”

CARRIED

11.4.3. Development Act 1993: Section 50 A Review of Proposed Council Car parking Fund.

Cr. Kerley moved, Cr. Weedon seconded
“That, Council resolves that following a review of its original proposal, pursuant to Section 50A of the Development Act 1993, To seek the Minister’s authorisation to establish a Car parking Fund, for the designated area defined within the District of Barunga West Development Plan, as set out below:

a. The Town Centre Zone;

Determines that the dollar amount per car parking space, which the subject development proposal does not provide for, after taking account of the provisions of the Development Plan, for the designated area, be calculated as set out below:

a. The Town Centre Zone - \$2500.00 per car parking space”

CARRIED

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12. NOTICES OF MOTION

12.1 Cr. Dolling has submitted two Notices of Motion in regards to the purchase of the fuel trailer.

Cr. Dolling moved, Cr. Rooney seconded

- “1. That Council agree to rescind the following motion from the meeting of Council held on 10th November 2009, Minute reference 11.3.4
“That Council purchases the Fuel Tanker Trailer from Hunts Fuels for \$2000.00 plus GST.”, and
2. That Council purchases the Fuel Tanker Trailer from Hunts Fuels for \$2500.00 plus GST.”

CARRIED

12.2 Cr. Burgess has submitted two Notices of Motion of Motion relating to Canowindra Homes Bute.

Cr. Burgess moved, Cr. Schkabaryn seconded

- “1. That Council does not agree with the Draft Agreement between DC Barunga West, Housing SA and RSL Warminster, and
2. That the Chief Executive Officer be authorised to investigate the financial and legal implications and requirements to have the Homes transferred to Council’s care and control.”

CARRIED

13. CLOSURE

The Mayor declared the meeting closed at 8.40 p.m.

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Cr D. DOLLING
MAYOR