

**MINUTES OF THE MEETING OF THE  
DISTRICT COUNCIL OF BARUNGA WEST  
HELD AT THE BUTE COUNCIL CHAMBERS ON  
8<sup>th</sup> APRIL 2008 AT 7.00PM**

**PRESENT:**

Cr D Dolling (Mayor), Cr I Burgess, Cr M McDonald, Cr R Smith, Cr T Schkabaryn, Cr B Rooney, Cr G Simmons, Cr L Kerley, Cr M Weedon, N Hand (District Manager), L Jolly (Manager – Finance & Administration), M Marziale (Manager – Environmental Services), R Linke (Works Manager) and T Read (Minutes Secretary)

**APOLOGIES:**

Cr S Ireland

**CONFLICT OF INTEREST PROVISIONS**

Cr Dolling declared a Conflict of Interest with regards to the discussions held with the Grader Contractors at the Executive Committee Meeting dated Wednesday 2<sup>nd</sup> April 2008.

**CONFIRMATION OF COUNCIL MINUTES**

Cr Rooney moved, Cr Schkabaryn seconded

*'That the minutes of the Meeting held on 11<sup>th</sup> March 2008 be confirmed as printed and supplied'*

**CARRIED**

**BUSINESS ARISING FROM THE COUNCIL MINUTES**

Cr Burgess moved, Cr Simmons seconded

*'That the District Manager be authorised to continue with the transfer of the road reserve adjoining Section 197 Hd Kulpara with Mr Peter Ewen upon receiving any favourable advice from the Environmental Protection Agency in respect to the buried tyres on the road reserve'*

**CARRIED**

**PRESENTATION**

Mr. Ian McDonald, a consultant that is working with the Council was welcomed and introduced by the Mayor, to give a presentation on the legislative requirements for the Council in regards to Long Term Financial Planning, and Asset Management Plans, and advised of the Council's progress to date.

Cr Simmons moved, Cr Schkabaryn seconded

*'That the Council Meeting be adjourned at 7.40pm for the purposes of having an inspection of the new Bute CFS attack vehicle.'*

**CARRIED**

Cr Kerley moved, Cr McDonald seconded

*'That the Council meeting recommence at 7.48pm'*

**CARRIED**

## **MEMBERS REPORTS**

### **Cr ROONEY**

- Nil

### **Cr McDONALD**

- 17<sup>th</sup> March – Port Broughton Area School Governing Council
- 19<sup>th</sup> March – Meeting with Minister Janine Rankin
- 2<sup>nd</sup> April – Works & Infrastructure Committee Meeting

### **Cr SCHKABARYN**

- 18<sup>th</sup> March – met with Uni Students @ Fisherman's Bay
- 19<sup>th</sup> March – Meeting with Minister Janine Rankin
- 26<sup>th</sup> March – Central Region Local Government Waste Meeting, Balaklava
- 2<sup>nd</sup> April – Works & Infrastructure Committee Meeting
- 4<sup>th</sup> April – Fisherman's Bay Progress Association
- 7<sup>th</sup> April – Port Broughton Progress Association Meeting

### **Cr SIMMONS**

- 18<sup>th</sup> March – Barunga Village Governance Training
- 26<sup>th</sup> March – Barunga Village Meeting
- 27<sup>th</sup> March – Library Meeting
- 1<sup>st</sup> April – YPCTS Meeting, Maitland
- 2<sup>nd</sup> April - Works & Infrastructure Committee Meeting
- 7<sup>th</sup> April – Bute Sporting Club Meeting

### **Cr WEEDON**

- 2<sup>nd</sup> April – Works & Infrastructure Committee Meeting

### **Cr BURGESS**

- 26<sup>th</sup> March – Bute 2000 Onwards Committee Meeting
- 2<sup>nd</sup> April – Works & Infrastructure Committee Meeting
- 2<sup>nd</sup> April – Executive Committee Meeting

### **Cr SMITH**

- 18<sup>th</sup> March – Barunga Village Adelaide trip
- 26<sup>th</sup> March – Aged Care Barunga Village Meeting
- 2<sup>nd</sup> April – Works & Infrastructure Committee Meeting

## Cr KERLEY

- 19<sup>th</sup> March – Meeting with Minister Jennifer Rankin
- 2<sup>nd</sup> April – Works & Infrastructure Committee Meeting

## Cr DOLLING

- 19<sup>th</sup> March – Meeting with Minister Jennifer Rankine
- 31<sup>th</sup> March – Regional Development Board Dinner
- 2<sup>nd</sup> April – Works & Infrastructure Committee Meeting
- 2<sup>nd</sup> April – Executive Committee Meeting
- 4<sup>th</sup> April – Port Broughton Progress Association
- 8<sup>th</sup> April – Youth Opportunities Graduation

## QUESTIONS WITH NOTICE

### Cr. Kerley

Cr. Kerley has asked 12 Questions with Notice for discussion by members. The District Manager has supplied the following responses (abbreviated) in italics.

1. I believe we currently have an alcohol free zone. What area does it encompass and for what hours? Almost every event in the town now includes the provision of alcohol, which I believe is not always necessary.

*The Partial Dry Zone encompasses the Port Broughton foreshore from North to South Terrace, and operates between the hours of 11.00pm and 6.00 am.*

*The Partial Dry Zone was established to allow for residents and visitors to enjoy picnics on the foreshore, and gives the opportunity during the late evening to have the area a Dry Zone.*

2. Do we do a blanket deal and declare the whole town an alcohol free zone? This would of course be difficult. The caravan parks would probably be exempt. How would we police the sporting clubs? Perhaps alcohol should only be consumed within the complexes themselves.

*A blanket deal can be done. A legal opinion from Norman Waterhouse has been received regarding the best way to establish legal Dry Zones.*

*There is a requirement for Council to provide details to the Commissioner for Liquor Licensing and gambling, outlaying the issue that Council has to consider before the Commissioner would approve the Dry Zone.*

3. Can Council declare the town a dry zone but on request give approval to serve alcohol at certain functions?

*My understanding is that a Dry Zone is that, a Dry Zone. Legal advice would need to be sought to clarify this issue.*

4. Can we speak to our local police officers and perhaps Port Pirie officers who I believe sometime work in Port Broughton. We need advise on what are our best options.

5. Can we, along with the police talk with the sporting clubs, school to work out some sort of program whereby we are educating not only teenagers but adults on how best to tackle this problem?

Cr Kerley moved, Cr Simmons moved

*“That Council ask the Members of the Port Broughton Police Station and Chief Inspector Graham Goodwin from Port Pirie Police station to attend the next meeting in May to discuss the issue of Dry Zones and the drinking problems at Port Broughton”*

**CARRIED**

6. With the possibility of the land south of Boundy’s Caravan Park being used for a community walking track and bicycle track can Council be informed as to what progress has been made?

*This issue was discussed at Council’s Works and Infrastructure Committee Meeting of 6<sup>th</sup> February 2008, and the resolution was that Council would be prepared to consider establishing a walking/bicycle trail along the coastal reserve south of Port Broughton, on land that is dedicated to the care and control of Council.*

*No plans have been prepared, or costings done to date, as Council needs to consider an allocation in next years budget to allow the work to progress. A plan would need to be prepared, for public consultation to occur.*

7. Has this project been include for consideration in the budget? We may need to budget to complete a section each year.

Cr Weedon moved, Cr Rooney seconded,

*‘That Council do not consider the construction of a Walking Trial south of the Port Broughton Caravan Park as part of the 2008/09 Budget deliberations’*

**CARRIED**

8. Can we apply for grants for this important project? On a visit to meet with Councillors recently, Minister Jennifer Rankine indicated that small, volunteer grants may be available.

*At this stage I have not researched any grant that may be available, but I can undertake research in this area.*

9. I have several people who have registered an interest in forming a “Friends of the Park” Committee and people prepared to grow suitable shrubs native to our coastal zone. Would it be timely to begin this process?

*The only stipulation that I have is that this group has no affiliation with Council and is an incorporated group. The Council was advised by Michael Kelledy at the recent presentation that one of Council’s greatest liability was volunteers. In recent times the Council has removed all Progress Association and other Section 41 off our books.*

10. Now that rubbish dumping has been prohibited in this area will the previously dumped material be removed? We would be able to regenerate the native tea trees which have been poisoned by the toxic nature of some of the materials which have been previously dumped.
11. There are many huge rocks in this dumped material. Could these be reused for landscaping the proposed walking/bicycle trail?

*This is an issue that has to be resolved by Council. The recovery of material from this site, on the northern part, which has been levelled, would be a costly exercise by Council.*

12. Over the summer months the area around Hussman Drive, Casey Road and Brandon Norton's house yard has become a huge sand pit. So much so that the wind has built up sand on the corner of Hussman Drive which has become an eyesore and dangerous. Whose problem is this (Council or landowners) and should the sand be cleaned up and removed?

*I am not sure who would be responsible for removing the sand from the corner of Hussman Drive and Casey Road. Some of the sand may not have come from the Hussman Drive development, but also from the new development south of that area.*

*I do not believe it would be a big expense to remove the sand when weather conditions are appropriate.*

#### Cr. Burgess

Cr. Burgess has forwarded a recent letter from the Citizen's Electoral Council of Australia for discussions by members.

*Following the receipt of Cr. Burgess request for this letter to be tabled at Council's meeting, I sought the advice of Wendy Campana of the Local Government Association, on any policies that the LGA may have.*

Cr Simmons moved, Cr McDonald seconded,

*'That Council do not support the contents of the letter sent from the Citizen's Electoral Council of Australia'*

**CARRIED**

#### Mayor Dolling

The Mayor has received a request from the Minister for the Status of Women and Volunteers, seeking requests for nominations for commendations for a Women's Honour Role.

Cr Weedon moved, Cr Dolling seconded,

*'That Council does not wish to be involved in the proposal for the establishment of the Women's Honour Role, and will therefore not submit any nominations'*

**CARRIED**

#### **QUESTIONS WITHOUT NOTICE**

- Nil

## PETITIONS OR MEMORIALS

- Nil

## DEPUTATIONS

- Nil

## NOTICE OF MOTIONS

- Nil

## COMMITTEE MEETINGS

### Executive Committee 2<sup>nd</sup> April 2008

Cr Dolling declared a conflict of interest in the issue of Patrol Grading Contractors, on the basis of him leasing the farming land of one of the contractors (DJ & SL Aitchison) and left the meeting at 8.32pm.

Cr Schkabaryn moved, Cr Rooney seconded,

*“That Council increase the hourly rate of the Contract patrol Graders to \$95per hour, as from the 1<sup>st</sup> July 2008, which will allow for a diesel price variation of 25 cent per litre on the price of diesel as from 1<sup>st</sup> July 2008, and that no fuel allowance will be paid on the contract, unless the price of diesel exceeds the 25 cent variation, and further that in lieu of the contracted CPI increase currently available as at 1<sup>st</sup> December each year, this be replaced with a review of the contract at 1<sup>st</sup> July each year, which will include an increase equivalent to the amount that Council increases its general rates for operating purposes (and not rates, special charges or levies for specific purposes), and, further that a review of the price of diesel be held at 1<sup>st</sup> July each year.”*

Amendment to the motion

Cr Kerley moved, Cr McDonald seconded an amendment to the motion

*“That Council increase the hourly rate of the Contract Patrol Graders to \$95per hour, as from the 1<sup>st</sup> July 2008, which will allow for a diesel price variation of 30 cent per litre on the price of diesel as from 1<sup>st</sup> July 2008, and that no fuel allowance will be paid on the contract, unless the price of diesel exceeds the 25 cent variation, and further that in lieu of the contracted CPI increase currently available as at 1<sup>st</sup> December each year, this be replaced with a review of the contract at 1<sup>st</sup> July each year, which will include an increase equivalent to the amount that Council increases its general rates for operating purposes (and not rates, special charges or levies for specific purposes), and, further that a review of the price of diesel be held at 1<sup>st</sup> July each year.”*

The Amendment was put to the vote and was DEFEATED

The original motion was put to the vote and

CARRIED

Cr McDonald moved, Cr Simmons seconded,

*'That when the current Patrol Grading Contracts of RJ Edwards (1<sup>st</sup> December 2008), and DJ & SL Aitchison 31<sup>st</sup> January 2009) expire, that Council agree to renew these two contracts for the period ending 1<sup>st</sup> October 2012 (to coincide with the expiration of the contract of CR Lamshed.'*

**CARRIED**

Cr Dolling returned to the meeting at 8.52pm.

### **Works and Infrastructure 2<sup>nd</sup> April 2008**

Cr Simmons moved, Cr Burgess seconded

*'That the District Manager be authorised to get plans and a preliminary costing for the possible extensions of the Port Broughton Council Office, with the plans to cater for the possible long term future of the Council, and for the construction of any possible extensions to match the existing structure, and not to be of a transportable style.'*

**CARRIED.**

Cr Burgess moved, Cr Schkabaryn seconded,

1. *That the Manager – Works approach the Department of Transport, Energy and Infrastructure regarding the approaches to their roads on a number of intersections including:
  - *Lanner Park Road with Bute - Kadina Road*
  - *Cameron Road with Bute - Kulpara Road*
  - *Commons Road with Bute - Kulpara Road*
  - *Wards Hill Road with Port Broughton - Alford Road*
  - *Young's Road with Port Broughton - Bute Road*
  - *Bews Road with Bute – Kadina Road**
2. *That following the public consideration process whereby 66 submissions were received, and all expressing an objection to the proposal, that Council does not implement a one-way street policy for John Lewis Drive and allow it to remain a two way street.*
3. *That the Manager – Works prepare a costing for the sealing of Dale Road for the portion from the Port Broughton – Kadina Road to the Port Broughton Waste Disposal Site, for consideration by Council, and that this costing be itemised as follows
  - *Port Broughton – Kadina Road to the entrance of Barunga by The Sea*
  - *The entrance of Barunga by the Sea to the Port Broughton – Bute Road, and*
  - *Port Broughton – Bute Road to the Port Broughton Waste Disposal Site.**
4. *That the Council assist the Bute RSL in renovating the garden memorial in High Street, Bute, by Council assisting to remove the existing lawn area and supplying and laying of crusher dust in preparation for the laying of paver bricks.*
5. *That Council's Manager – Works, Works Supervisor and three Councillors (Crs. Simmons, Schkabaryn and Rooney), attend the Local Government Roads and Works Conference at Port Lincoln in August 2008.*

6. (1) *That Council continue to pursue the exchange of By-pass Road for Bay Street and Port Broughton Kadina Road.*  
(2) *That Council explore the possibility of upgrading the intersections at both ends of By-pass Road.*  
(3) *That external funding be sought for the upgrade of the intersections at both ends of By-pass Road.*
7. *That the Manager – Works prepare tender documents and advertise for the purchase of a new grader to replace the existing Cat 12H Grader.*

**CARRIED**

Cr Simmons moved, Cr Schkabaryn seconded,

*‘That Council advise the Port Broughton Bowling Club that they will consider a firm proposal for the Club’s intention for the eastern green, when they have resolved their plans for the future of the green’*

**CARRIED**

Cr Smith moved, Cr McDonald seconded,

*‘That Council support the application for a permanent Section 221 Permit (Local Government Act), to M J Smith and H R Kolizos of 116 John Lewis Drive, to enable permanent access to the rear of their property, and that the District Manager be authorised to issue similar permits to the owners of 114, 118 and 120 John Lewis Drive.’*

**CARRIED**

Cr McDonald moved, Cr Burgess seconded,

*‘That the Council supports the request of the lessees (C & D Peers) of the Broughton Bayside Caravan Park, for an appropriate post and rail fence on the eastern boundary of the Broughton Bayside Caravan Park, and that the District Manager, approach the adjoining landowners, seeking them to pay the required 50% contribution, with the remaining 50% cost being equally divided between the Council and the lessees of the Broughton Bayside Caravan Park.’*

**CARRIED**

## **MANAGERS’ REPORTS**

Cr Burgess moved, Cr Kerley seconded

*‘That all Managers Reports be received’*

**CARRIED**

## **DISTRICT MANAGER’S REPORT**

1. Bute Residential Development

Cr Burgess moved, Cr Weedon seconded

*“That Council engage Mosel Browne Surveyors to prepare a detailed survey plan for the proposed residential development off Arbon Road Bute, for a cost of \$6528 (incl. GST).”*

**CARRIED**

2. Staffing Arrangements

- **Noted**

3. Port Broughton Community School Library

- **Noted**

4. OHS&W Council Representative

- **Noted**

5. Important Seminars for Elected Members

- **Noted**

6. Improved Council Webpage

- **Noted**

7. Annual Leave

Cr Burgess moved, Cr Simmons seconded

*“That Lawrence Milton (Blue) Jolly be appointed as Acting District Manager, for the period of 16<sup>th</sup> May to 30<sup>th</sup> May 2008 during the absence of the District Manager on leave.”*

**CARRIED**

**MANAGER, FINANCE AND ADMINISTRATION REPORT**

1. Monthly Financial Reports

- **Noted**

2. Port Broughton Progress Association

Cr Smith moved, Cr McDonald seconded

*“That the Port Broughton Progress Association application for a \$15,000 allocation for next financial year is noted and will be considered during the preparation of the 2008/09 Budget. The Port Broughton Progress Association is to be advised accordingly.”*

**CARRIED**

3. Mundoora/Wokurna Sporting Bodies

Cr Simmons moved, Cr Schkabaryn seconded

*“That Council considers contributing \$2,500 to the purchase of the Mundoora/Wokurna Sporting Bodies’ frontend loader in the 2008/09 Budget preparation and, if approved, the portion forms part of the Mundoora Progress Association’s 2008/09 Budget allocation.”*

**CARRIED**

4. Barunga by the Sea – Application for Rates Rebate

Cr Burgess moved, Cr Dolling seconded

*“That under Section 161 (1) of the Local Government Act 1999 Barunga by the Sea be granted a 75% rebate on their rates, for their property on Dale Road, Port Broughton, commencing from the 2008/09 Financial Year.”*

**CARRIED**

**MANAGER ENVIRONMENTAL SERVICES**

1. Minutes of the meeting of the DC Copper Coast Development Assessment Panel for DC Barunga West for DA 344/085/07.

**- Noted**

2. Proposed Rural Living & Residential Development Plan Amendment (DPA) seeking approval for preparation of a Statement of Intent

Cr Kerley moved, Cr Weedon seconded

*“That, Council approves the preparation, by the Manager of Environmental Services, of a draft DC Barunga West Rural Living & Residential Development Plan Amendment – Statement of Intent to be submitted to Council at a later date for its assessment”.*

**CARRIED**

**CLOSURE**

The Mayor declared the meeting closed at 9.46pm

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**DC DOLLING  
MAYOR**