

**MINUTES OF THE ORDINARY MEETING OF THE
DISTRICT COUNCIL OF BARUNGA WEST
HELD AT THE BUTE COUNCIL CHAMBERS, BUTE
ON 14TH JULY 2009 AT 7.00 PM**

1.0 PRESENT:

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

In attendance:

A Public Gallery of 2

2.0 APOLOGIES AND LEAVE OF ABSENCE:

2.1 Leave of Absence

Cr. Smith sought leave of absence for the August meeting

Apologies

Cr S Ireland

3.0 CONFLICT OF INTEREST PROVISIONS

3.1 Nil

4.0 CONFIRMATION OF COUNCIL MINUTES

4.1 Ordinary Meeting –9TH June 2009

Cr Burgess moved, Cr Simmons seconded

“That the minutes of the Ordinary Meeting of Council held on 12th May 2009 be confirmed as printed and supplied.”

CARRIED

4.2 Public Consultation Meeting – 9th June 2009

Cr Schkabaryn moved, Cr Simmons seconded

“That the notes of the Public Consultation Meeting of Council held on 12th May 2009 be confirmed as printed and supplied.”

CARRIED

5.0 BUSINESS ARISING FROM THE COUNCIL MINUTES

5.1 Nil

6.0 DEPUTATIONS

6.1 Bute Deli and Diner – Mr. C. Keynes and Mr. B. Fitzgerald – Attended at 7.37p.m.

The Mayor advised Mr. Keynes and all present that this portion of the Council meeting would be taped on an audio recording device, and a copy will be made available to Mr. Keynes and Mr. Fitzgerald.

Mr. Chris Keynes addressed the Council on his concerns in respect of the development of the Bute Deli and Diner, and his concerns with the requirements of Council staff for this development to occur. He also notified Council of the advice that he received from various sources.

He expressed concern at the issuing of a Section 84 Notice (Development Act 1993), which required him to cease operating on the footpath of his business, until his development application had been processed.

The members of the Public Gallery departed at 8.00 p.m.

Mr. Keynes and Mr. Fitzgerald left the meeting at 8.27p.m.

Mr. Keynes and Mr. Fitzgerald returned to the meeting at 8.38p.m.

It was agreed that Mr. C. Keynes and Mr. Fitzgerald, and the Manager of Environmental Services, along with three elected members would meet on 16th July 2009 to discuss the issues of concern, and that the Section 84 Notice would be placed “on hold” subject to a successful resolution of the concerns expressed by Mr. Keynes.

Mr. Keynes also raised the issue of individual hirers seeking to utilise Council properties requiring public liability insurance. The District Manager advised that following recent advice from Council’s Mutual Liability Scheme, individuals were now not required to have public liability insurance when hiring Council facilities, as Council’s policy would cover this type of hire. This did not apply to groups or clubs.

Mr. Keynes and Mr. Fitzgerald left the meeting at 9.02p.m.

The audio recording device was switched off at 9.02 p.m.

The Mayor adjourned the meeting at 9.02 p.m. for a coffee break, and the meeting resumed at 9.15 p.m.

7.0 MEMBERS REPORTS

Cr DOLLING

15th June – Bute Hall Public meeting

6th July – Opening of Employment Directions building

21-24th June –National General Assembly of Local Government Canberra

8th July –YP Alliance meeting with a presentation from SYNGAS

9th July – Fire Prevention meeting

Cr ROONEY

11th June – Meeting with Bute Pony Club representatives

Cr McDONALD

11th June – Meeting with Bute Pony Club representatives

15th June – Meeting with residents concerning Council extensions

17th June – Port Broughton District Hospital & Health Services, Health Advisory Council Meeting

14th & 15th June – Port Broughton Area School Governing Council meeting

Cr SCHKABARYN

15th June- Bute Hall Public meeting

4th July –Fisherman’s Bay Progress Association

Cr SMITH

15th June – Bute Hall Public meeting

23rd June – Barunga Village meeting
7th July – Barunga Village meeting

Cr SIMMONS

10th June – Barunga Village building meeting
11th June – Bute Pony Club meeting
11th June – Bute Skate Park meeting
15th June – Bute Hall Public meeting
15th June – Bute Sporting Club meeting
16th June – Barunga Village building meeting
24th June – Bute 2000 Onwards Committee meeting
29th June – Opening of Employment Directions office in Kadina
30th June – YP Community Transport extra meeting at Maitland
6th July – Barunga Village building meeting
7th July – Barunga Village Special meeting
13th July – Bute Sporting Club AGM

Cr WEEDON

11th June – Bute Pony Club meeting
15th June – Bute Hall Public meeting

Cr KERLEY

Nil

Cr BURGESS

11th June – Meeting with Bute Pony Club
11th June – Bute Skate Park meeting
24th June – Bute 2000 Onwards Committee

8.0 PETITIONS OR MEMORIALS

8.1 No Petitions were received for consideration by the Council.

9.0 QUESTIONS WITH NOTICE

9.1 No questions with Notice were received

10.0 QUESTIONS WITHOUT NOTICE

10.1 Cr Kerley enquired if the Grader Operators contractors still include clearing overgrown roadside vegetation. The Manager – Works responded to this query.

10.2 Cr Burgess advised that he believed that the recent notice on Weed Control in the YP Country Times was not easy to understand.

10.3 Cr. Simmons advised of painting of the Niche Wall at the Bute Cemetery.

11.0 COUNCIL BUSINESS – Managers Reports

11.1 *District Manager's Report*

Cr Schkabaryn moved, Cr Burgess seconded

“That the District Manager's Report for the July 2009 meeting be received and noted.”

CARRIED

11.1.1 Elector Representation Review – Options Paper

The period for public consultation for the Elector Representation Review Options Paper will conclude on Friday 14th August 2009, and a report will be available at the September meeting.

11.1.2 Council Office Extension

Following the Council's decision at the last meeting for Council to accept the draft plans for the proposed Council Office extensions (subject to some minor alterations that were required), the Mayor was asked to attend a meeting of concerned residents, along with Cr. McDonald, to consider amending the plans to at least allow a small portion of the original Council Chambers to be viewed from Harvey Street. During the meeting the Mayor asked me to attend.

As a result of this request, minor amendments have been made, which provides for the new extensions on the Harvey Street boundary, and to the Bay Street frontage, being taken to the boundary of the property, and the verandah, on these two sides of the building to be erected over the footpath.

Cr Schkabaryn moved, Cr Rooney seconded

“that Council accept the plans for the proposed extensions to the Port Broughton Council Offices, with the minor amendments as presented, and authorises the District Manager to proceed with the arrangements for obtaining full plans and specifications to enable tenders to be called.”

CARRIED

11.1.3 Regional Development Australia Boards

Cr Kerley moved, Cr Rooney seconded

“That the Council endorse the decision of the District Manager to agree to pay the first six month contribution to the Yorke Regional Development Board, without the additional voluntary support payment, as requested by the Department of Trade and Economic Development.” **CARRIED**

Cr Rooney moved, Cr Burgess seconded

“That the Council endorse the appointment of Mr. Philip Barry, CEO of the Wakefield Regional Council, as our Local Government nominee for the Board of Directors for the Yorke and Mid North Regional Development Australia Board.”

CARRIED

11.1.4 Bute Soldiers Memorial Hall

Details of the Public meeting held at Bute on 15th June 2009 to consider the issues relating to the Bute Hall, and the subsequent Committee meeting were advised.

11.1.5 Bute Pony Club

Details of the meeting on 11th June 2009 with a number of elected members and two representatives of the Bute Pony Club were advised.

11.1.6 OHS&W and Injury Management Plan

At the recent meeting of Council's OHS&W Committee (25th June), the above Plan for 2009 was presented to the Committee members for consideration. The Plan was adopted.

11.1.7 Tickera Golf Club

Due to my absence from the Office, I have not been able to progress this issue, but will do so in the next month.

11.1.8 Community Infrastructure Program – Additional allocation

The Australian Government, at the National General Assembly of Local Government announced a further allocation to Councils under the Community Infrastructure Program. Our Council allocation from this additional allocation was \$30,000, which is the base amount for Councils.

Cr Simmons moved, Cr Schkabaryn seconded

“That the additional allocation from the Australian Government's Community Infrastructure Fund, be allocated to the proposed Council Office extensions, which allows for the upgrade of the Port Broughton Rural Transaction Centre, and the off street car parking for the community.”

CARRIED

11.1.9 Alford School

Formal advice has now been received from the Department of Environment & Heritage that the Minister of Education has agreed for the transfer of portion of the former Alford School site for a total of \$32,000 (including surveying), which includes all the infrastructure on the site.

11.1.10 Bute Deli and Diner

Refer Agenda Item 6.1 Deputations

11.1.11 Graham Manners

The District Manager advised that Graham Manners has reached 30 years of service on the 30th June 2009 with Council.

Cr Dolling moved Cr Rooney seconded

“that a letter be sent to Graham Manners congratulating him on his 30 years of Service to Council”

CARRIED

11.2 Manager – Finance and Administration

Cr Rooney moved, Cr Burgess seconded

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

CARRIED

11.2.1 Balances of ANZ Bank & LGFA 24 Hour Investment Fund and Reserves

Noted

11.2.2 Dean Newbery & Partners – External Audit

A report in response to matters raised in the External Audit Report was presented.

Cr Rooney moved, Cr Weedon seconded

“that Council notes the issues raised in the Auditor’s Report on the External Audit, and agrees with the recommendations and appropriate remedial action being taken by the Manager, Finance and Administration. Furthermore, all relevant documentation pertaining to this Agenda item be tabled at the next Audit Committee meeting for their attention.”

CARRIED

11.2.3 Rate Rebate Policy - Community or Sporting Clubs/ Organisations

Cr Smith moved, Cr Weedon seconded

“that the Rate Rebate Policy - Community or Sporting Clubs/Organisations Policy be adopted, as tabled.”

CARRIED

11.2.4 Yorke Peninsula Celebration of Employment Awards

Cr Smith moved, Cr Rooney seconded

“that our contribution to the Yorke Peninsula Celebration of Employment Awards event to be held in October 2009 be \$1,500.”

CARRIED

11.2.5 Long Term Financial Plan and Infrastructure and Asset Management Plan (Roads)

Cr Schkabaryn moved, Cr McDonald seconded

“that the Long Term Financial Plan and the Infrastructure and Asset Management Plan (Roads), as tabled, be adopted.”

CARRIED

11.2.6 Port Broughton Progress Association, Fisherman’s Bay Progress Association and Bute Beyond 2000 Committee proposed projects/funding for 2009/10.

A report on the projects for the Progress Associations for 2009 -10 were presented.

11.2.7 Land Services Group – General Valuations for 2009/10

Information on the 2009/10 General Valuations from Land Services Group was presented.

11.2.8 SA Local Government Grants Commission

The Commission has advised our Financial Assistance Grants allocation for 2009/10 with approximately one quarter of the funding being provided in 2008/09.

11.2.9 Northern Yorke Peninsula Greyhound Club at Kulpara

A report was presented on the dismantling and removing infrastructure from the grounds at Kulpara, and the interest of the Kulpara Progress Association in taking over the grounds.

11.3 Manager – Works

Cr Dolling moved, Cr Schkabaryn seconded

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

CARRIED

11.3.1 Roads and Works conference

Cr Burgess moved, Cr Schkabaryn seconded

“that Council’s Manager – Works, Works Supervisor and Councilors Rooney, Schkabaryn & Dolling attend the 2009 South Australian Local Government Roads and Works Conference.”

CARRIED

11.3.2 Port Broughton By-Pass Road Upgrade

A report was presented to Council that the By-Pass Road has been ranked second overall for funding from the Special Local Roads Grant Funding as nominated by the Central Local Government Region.

11.3.3 Request for Tree Removal

Cr Kerley moved, Cr Schkabaryn seconded

“That the Jacaranda Tree located adjacent number 91 Fisherman’s Bay Road be completely removed.”

CARRIED

11.3.4 Letter of Support

Advising that that Council had received a letters of thanks from Ms. Bethany Paterson thanking Council for the upgrade of Pine Flat Road which is located west of Bute.

11.4 Manager - Environmental Services

Cr Schkabaryn moved, Cr McDonald seconded

“That the Manager – Environmental Services Report for the July 2009 meeting be received and noted.”

CARRIED

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

Noted.

11.4.2 Changes to the Development Application Fees

Advising Council of the new schedule of Development Application Fees, as published in the SA Government Gazette on 4 June 2009

11.4.3 Changes to the Waste Control Systems Applications Fess

Advising Council of the new schedule of Waste Control system Application Fees, as published in the SA Government Gazette on 4 June 2009

11.4.4 Development Plan Rezoning Request – Sections 336 & 251 Hd. Mundoora

Advising Council regarding a rezoning request by the owner to change the zoning of land situated at Sections 236 & 251, Flowers Road Pt Broughton Hd: Mundoora, from General Farming to Rural Living Zone.

11.4.5. Development Policy & Assessment Procedures: Establishment of the Council Car Parking Fund.

Advising Council of the issues arising in regards to the car parking requirements as part of the development application requirements for commercial/Light Industrial development applications in the Town Centre Zone of Pt Broughton, and the Township Zones and Industry Zones Council Wide, and to recommend that Council seeks the approval of the Minister for Local Government and Planning, for the establishment of the DC Barunga West *Car Parking Fund*.

Cr Burgess moved, Cr McDonald seconded

“That, Council:

1. Resolves, that pursuant to Section 50A of the Development Act 1993, to seek the Minister’s authorisation to establish a Car Parking Fund, for the designated areas defined within the District of Barunga West Development Plan, as set out below:

- a. The Town Centre Zone;*
- b. Township Zones, including the Township (Bute) Zone;*
- c. The Industry Zone.*

2. 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, according to each designated area, be calculated as set out below:

- a. The Town Centre Zone - \$2500.00 per car parking space*
- b. Township Zones, including the Township (Bute) Zone- \$2000 per car parking space*
- c. The Industry Zone- \$1000.00 per car parking space”*

CARRIED

12. NOTICES OF MOTION

No Notices of Motion were received for this meeting.

14. CLOSURE

The Mayor declared the meeting closed at 9.45 pm.

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Cr D. DOLLING
MAYOR