

**MINUTES OF THE MEETING OF THE
DISTRICT COUNCIL OF BARUNGA WEST
HELD AT THE BUTE COUNCIL CHAMBERS ON
13th MAY 2008 AT 7.00PM**

PRESENT:

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

APOLOGIES:

Nil

CONFLICT OF INTEREST PROVISIONS

Minutes Secretary Corinne Hewett declared a conflict of interest with the Wokurna Hall, which is in the District Manager's Report.

CONFIRMATION OF COUNCIL MINUTES

Cr Schkabaryn moved, Cr Smith seconded

'That the minutes of the Meeting held on 8th April 2008 be confirmed as printed and supplied, with one alteration on Page 6 ,amendment motion for the Contract Patrol Graders, line 4, where the 25 cent variation should be 30 cents variation'

CARRIED

BUSINESS ARISING FROM THE COUNCIL MINUTES

Cr Kerley moved Cr McDonald seconded

'That Council write to the Minister of State/Local Government Relations, advising that Council did not nominate a women from our Council district for the South Australian Women's Honour Roll, as they consider that there are too many worthy recipients and it is too difficult to single out anyone in particular for this award'

CARRIED

Cr Rooney occupied his chair at 7.07pm

PRESENTATION

Senior Constable Juan Elliott of the Port Broughton Police Station was present to discuss a number of issues that have been raised by Elected Members. These included:

- Binge drinking.

The Police are working hard to create educational forums, working closely with schools to educate children about drug and alcohol abuse. Community morale is a big issue with binge

drinking. Senior Constable Elliott explained the action taken when juveniles under the legal drinking age are caught consuming alcohol in a public place.

- **Dry Zones**

- **Vandalism**

- **Gophers/pushbikes/pedestrians**

(especially on John Lewis Drive when footpaths heavily congested with cars,boats and caravans)

- **Hoon driving**

The public are always encouraged to report any dangerous driving to the police.

(Snr Const Elliott apologised on behalf of Chief Inspector Graham Goodwin of the Local Service Area, who was unable to attend due to a commitment in Adelaide)

MEMBERS REPORTS

Cr ROONEY

7th May – Audit Committee meeting

14th April – Kulpara Progress Association meeting

Cr McDONALD

16th April – Port Broughton & District Hospital & Health Service meeting

21st April - Port Broughton & District Hospital & Health Service meeting

12th May - Port Broughton Area School Governing Council meeting

Cr SCHKABARYN

17th April – N.R.M meeting

29th April – Climate Change meeting Port Pirie

30th April – 2nd May LGA Half yearly conference Adelaide

3rd May - Fishermans Bay Progress Association

5th May - Port Broughton Progress Association AGM

7th May - Audit Committee meeting

9th May - LGA general meeting

Cr SIMMONS

17th April – Coastal Council network workshop

22nd April – Barunga Village meeting

25th April – ANZAC Day Dawn service

23rd April – Bute 2000 Onwards committee meeting

6th May - Barunga Village building meeting

Cr WEEDON

25th April – ANZAC Day service

Cr BURGESS

23rd April – Bute 2000 Onwards committee meeting

25th April – ANZAC Day service

Cr SMITH

22nd April – Barunga Village meeting
23rd April - Barunga Village meeting
25th April - ANZAC Day Dawn Service and March
29th April - Road Safety forum Gladstone

Cr KERLEY

25th April – ANZAC Day Dawn Service & March

Cr IRELAND

25th April – ANZAC Day service Bute

Cr DOLLING

17th April – NRM Coastal Protection meeting
21st April – CEO & Mayors meeting Maitland
25th April – ANZAC Day Dawn Service & March
29th April – Climate Change meeting Port Pirie
30th April – Lord Mayors Cocktail party Adelaide
1st May – 2nd May LGA Half yearly conference Adelaide
7th May – Audit committee meeting

QUESTIONS WITH NOTICE

- Nil

QUESTIONS WITHOUT NOTICE

Cr McDonald asked if the Bicentennial Road can be signposted as the lack of signage was confusing to the Port Broughton and Mundoora CFS on a callout recently.

Cr Weedon asked if Ratepayers can be reminded in the next Council newsletter that fires are prohibited on Sundays and Public holidays

PETITIONS OR MEMORIALS

- Nil

DEPUTATIONS

- Nil

NOTICE OF MOTIONS

1. Cr. Burgess

Cr. Burgess is seeking to have Council review the timing of Committee meetings, due to problems he is experiencing in attending daytime Committee meetings.

Cr Rooney moved Cr Burgess seconded

'That the Audit and Executive Committee meetings have the option of evening meetings if this is more suitable for members to attend, and for the members of these Committees be authorised to set their own meeting times'

CARRIED

2. Mayor Dolling

Re: Chemist Shop-McKay Street Port Broughton

Seeking Council support for the upgrading of the footpath, driveway and kerbing at the Chemist Shop, by seeking to have the owner provide all the paving bricks and Council providing the contractor.

Cr. Simmons moved Cr Burgess seconded

'That Council support the upgrading of the new Chemist shop in McKay Street, by way of paving the footpath and driveway, and that Council contract Kym Cocks to complete the paving of the footpath, with the owner paying for the paving bricks'

CARRIED

COMMITTEE MEETINGS

Audit Committee 7th May 2008

Cr. Smith moved, Cr. Rooney seconded

'That the following recommendations from the Audit Committee meeting held on 7th May 2008 be accepted

1. *That in accordance with Part 2, Section 123 of the Local Government Act 1999 and Part 2, Section 7 (1) of the Local Government (Financial Management) Regulations 1999 it is recommended that Council adopts the Budget Review as at 31st March 2008, as tabled.*
2. *That the Audit Committee accepts the Draft Asset Management Policy, as tabled, and acknowledges further refinement is required before adoption.*
3. *That as a result of the review, Council Administration is directed to pay 50% of the amount for the 2008/09 Annual Licence fees to IT Vision.*
4. *That Council approves the proposed Port Broughton Office extensions as detailed in the 2008/09 Preliminary Budget.*

5. *That Council approves the Port Broughton Waste Depot Transfer Facility project as detailed in the 2008/09 Preliminary Budget.*
6. *That Council approves the purchase of the replacement Construction Grader as detailed in the 2008/09 Preliminary Budget.*
7. *That the 2008/09 Draft Business Plan and the 2008/09 Preliminary Budget be available for public consultation, in accordance with Section 123 of the Local Government Act 1999.*
8. *That it is recommended to Council that the following cars be purchased utilising the budget allocations for the 2007/08 and 2008/09:*

(1). <i>Toyota RAV4 from Clare Toyota (Mngr – Environmental Services)</i>	\$17,055
(2) <i>Toyota Aurion ATX (Mngr – Admin & Finance)</i>	\$15,697
(3) <i>Commodore Wagon (YPCTS)</i>	\$14,158
(4) <i>Ford F6E Sedan (District Manager)</i>	\$19,446

The current vehicle utilised by the Manager – Works (Toyota Aurion) is to go to the Manager – Administration and Finance, and the Council to review the changeover of this vehicle at the time of the guaranteed buy back period'

CARRIED

MANAGERS' REPORTS

Cr Schkabaryn moved, Cr. Burgess seconded

'That all Managers Reports be received'

CARRIED

DISTRICT MANAGER'S REPORT

1. Barunga West Building Fire Safety Committee-Report

Cr. Smith moved, Cr Schkabaryn seconded

'That the Council authorises the District Manager to investigate the cost of establishing fire hydrant systems in accordance with the Australian Standards for the Port Broughton Caravan Park and Broughton Bayside Caravan Park, for consideration by Council, and that the Building Fire Safety Committee be advised accordingly.'

CARRIED

2. Patrol Grading Contractors

Cr Burgess moved Cr Simmons seconded

'That Council acknowledge the letters received by the Contractors regarding the fuel variation allocations, and to advise the contractors of the fuel rebate for diesel fuel, and that Council will not vary the rebate system that has been decided on.'

CARRIED

3. Appointments of Authorised Officers

Cr. McDonald moved, Cr. Ireland seconded

'That the Council as of 13th May 2008 revoke all previous appointments and Authorised Officers, and resolve to appoint the following officers as Authorised Officers for the District Council of Barunga West'.

Local Government Act 1999 (section 260):

Nigel Andrew Hand (District Manager)
Lawrence Milton Jolly (Manager – Finance and Administration)
Mark Marziale (Manager – Environmental Services)
Robert Charles Linke (Manger – Works)
Steven James Davey (Works Supervisor)
Michael Allen Krieger (Authorised Officer)
Steven Keith Daniel (Authorised Officer)
John Dalle – Nogare (Environmental Health Officer)

Development Act 1993 (section 18):

Nigel Andrew Hand (District Manager)
Lawrence Milton Jolly (Manager – Finance and Administration)
Mark Marziale (Manager – Environmental Services)
Robert Charles Linke (Manger – Works)
Colin Murray Crockford (Contract Building Technician)
Corinne Gaye Hewett (Administration Officer)
Carolyn Michelle Mildren (Administration Officer)

Environmental Protection Act 1993 (Part 10, Division1):

Nigel Andrew Hand (District Manager)
Lawrence Milton Jolly (Manager – Finance and Administration)
Mark Marziale (Manager – Environmental Services)
Steven James Davey (Works Supervisor)
Michael Allen Krieger (Authorised Officer)
Steven Keith Daniel (Authorised Officer)
John Dalle – Nogare (Environmental Health Officer)
Colin Murray Crockford (Contract Building Technician)

Dog and Cat Management Act 1995 (sections 27 (1) and 68 (1)):

Nigel Andrew Hand (District Manager)
Lawrence Milton Jolly (Manager – Finance and Administration)
Mark Marziale (Manager – Environmental Services)
Robert Charles Linke (Manger – Works)
Steven James Davey (Works Supervisor)
Michael Allen Krieger (Authorised Officer)
Steven Keith Daniel (Authorised Officer)
John Dalle – Nogare (Environmental Health Officer)

Impounding Act 1920:

Nigel Andrew Hand (District Manager)
Lawrence Milton Jolly (Manager – Finance and Administration)
Mark Marziale (Manager – Environmental Services)
Robert Charles Linke (Manger – Works)
Steven James Davey (Works Supervisor)
Michael Allen Krieger (Authorised Officer)
Steven Keith Daniel (Authorised Officer)
John Dalle – Nogare (Environmental Health Officer)

Road Traffic Act 1961 and Road Traffic (Road Rules – Auxillary and Miscellaneous Provisions) Regulations 1999:

Nigel Andrew Hand (District Manager)
Lawrence Milton Jolly (Manager – Finance and Administration)
Mark Marziale (Manager – Environmental Services)
Robert Charles Linke (Manger – Works)
Steven James Davey (Works Manager)
Michael Allen Krieger (Authorised Officer)
Steven Keith Daniel (Authorised Officer)

Expiation of Offences Act 1996:

Nigel Andrew Hand (District Manager)
Lawrence Milton Jolly (Manager – Finance and Administration)
Mark Marziale (Manager – Environmental Services)
Robert Charles Linke (Manger – Works)
Steven James Davey (Works Supervisor)
Michael Allen Krieger (Authorised Officer)
Steven Keith Daniel (Authorised Officer)
John Dalle – Nogare (Environmental Health Officer)

Fire and Emergency Services Act 2005 (Part 3, Division 8 and Part 4, Divisions 7 and 8):

Nigel Andrew Hand (District Manager)
Lawrence Milton Jolly (Manager – Finance and Administration)
Mark Marziale (Manager – Environmental Services)
Robert Charles Linke (Manger – Works)
Steven James Davey (Works Supervisor)

Public and Environmental Health Act 1987 (section 7 (1)):

John Dalle – Nogare (Environmental Health Officer)

Public and Environmental Health (Waste Control) Regulation

Robert Charles Linke (Manager – Works)
Mark Marziale (Manager – Environmental Services)
John Dalle – Nogare (Environmental Health Officer)

Food Act 1986 (section 8 (2)):

John Dalle – Nogare (Environmental Health Officer)
Supported Residential Facilities Act 1992 (section 21):
Mark Marziale (Manager – Environmental Services)
John Dalle – Nogare (Environmental Health Officer)
Colin Murray Crockford (Contract Building Technician)

Land and Business (Sale and Conveyancing) Act 1994:

Nigel Andrew Hand (District Manager)
Mark Marziale (Manager – Environmental Services)
Georgina Helen Adams (Administration Officer)

Liquor Licensing Act 1997:

Nigel Andrew Hand (District Manager)
Mark Marziale (Manager – Environmental Services)

Community Title Act 1996:

Nigel Andrew Hand (District Manager)
Mark Marziale (Manager – Environmental Services)
Colin Murray Crockford (Contract Building Technician)

Housing Improvement Act 1940

Nigel Andrew Hand (District Manager)
Mark Marziale (Manager – Environmental Services)
John Dalle – Nogare (Environmental Health Officer)
Colin Murray Crockford (Contract Building Technician)”

CARRIED

4. Leases - Cropping Land

Cr. Kerley moved, Cr. Schkabaryn seconded

‘That Council contact the following groups of people to ascertain their interest in leasing the properties as described for a further 5 year period’.

NAME	LOCATION
SN & KN Daniel	Sec 196, 204 Wokurna (Coastal Reserve)
Mundoora Community Progress Association	Pt Lot 23 Mundoora (Railway Reserve)
Pt Broughton Apex Club	Secs 504,505,506 Mundoora (Coastal Reserve) Pt Sec 935 Mundoora (Pt Broughton Cemetery)
Thomas Plains Tennis Club	Sec 236 Ninnes (Ninnes Oval area)
Bute Sporting Club	Pt Sec 340 Wiltinga (Bute Cemetery)

CARRIED

5. Northern Yorke Peninsula Greyhound Racing Club Inc.

Due to increasing costs the Northern Yorke Peninsula Greyhound Racing Club Inc has advised that it will be dissolving. Nigel will be meeting with the committee members to discuss the issues that arise from this decision.

Minute Secretary Ms. Corinne Hewett advised that she had a conflict of interest in respect to the letter of the Wokurna Community Centre, as she was Secretary of the Centre, and left the meeting at 8.34 p.m.

6. Wokurna Community Centre

Cr. Weedon moved, Cr. Simmons seconded

“That Council agree to consider an allocation of \$3000 in the Councils 2008-09 Budget for the upgrading of the Wokurna Hall by the Wokurna Community Centre.”

CARRIED

Ms Corinne Hewett returned to the meeting at 8.38 p.m.

7. DFC & EA Easson – Kerley Street

Cr. Kerley moved, Cr McDonald seconded

‘That Council acknowledge the letter of Messrs DFC & EA Easson in relation to their property at 5 Kerley Street Port Broughton.’

CARRIED

8. Yorke Regional Development Board

Cr. Schkabaryn moved, Cr. Weedon seconded

‘That Council accept the Resource Agreement for the Yorke Regional Development Board for the next five years, commencing on the 1st July 2008 and that the Mayor and District Manager be authorised to sign and use the Council Seal on the Agreement.’

CARRIED

9. Yorke Peninsula Community Transport and Services (YPCTS)

Cr. Smith moved, Cr. Simmons seconded

‘That Council agree to participate in the Yorke Peninsula Community Transport and Services for the period 2008-2013 and agree to continue funding of the Scheme on the same basis that currently occurs.’

CARRIED

10. Port Broughton Progress Association – KESAB Tidy Town

Cr Ireland moved Cr Smith seconded

‘That Council resolve that, due to the new process for entering and judging of the KESAB Tidy Towns competition, they do not participate in the judging program, but is happy to encourage any community groups that chooses to do so.’

CARRIED

11. New Road Names

Cr Smith. moved, Cr. Simmonds seconded

‘That the Council has no objection to the naming of Catherine Terrace and Robyn Crescent as part of the new sub-division. (Dev. No 344/D009/05) off Casey Road Port Broughton.’

CARRIED

12. Risk Management Policy

Cr. Kerley moved, Cr. Weedon seconded

'That Council adopt the Risk Management Policy as presented by the District Manager in his report.'

CARRIED

13. Review of current Policies.

Cr. McDonald moved, Cr. Ireland seconded

'That the District Manager undertake a public consultation process for the following policies, for review by Council, and that the Council Newsletter be utilised for such consultation.'

- *Consultation Policy*
- *Internal Review of Council Decisions*
- *Public Order Making*
- *Code of Conduct for Council Employees*
- *Code of Conduct for Elected Members*
- *Code of Practice to access Council Meetings*
- *Tendering, Contracting and Disposal of Land Policies*
- *General Policies.'*

CARRIED

14. Change of Council meeting venue – June 2008

Cr. Burgess moved, Cr. Schkabaryn seconded

'That Council agree to hold its meeting scheduled for 10th June 2008, commencing at 7.00pm, at the Bute Bowling Club, and that this meeting include the public consultation process for Council's 2008-09 budget deliberation.'

CARRIED

15. Possible Port Broughton Office Extensions

Members indicated some suggestions for the proposed development of the Council Office extensions.

16. Port Broughton Community School Library

- **Noted**

17. Grants Received

- **Noted**

18. Training Sessions or Conferences

- **Noted**

MANAGER - FINANCE AND ADMINISTRATION REPORT

1. Monthly Financial Reports

- **Noted**

2. Local Government Association Workers Compensation Scheme (LGAWCS) – Rebate/Penalty Summary Report

- **Noted**

MANAGER - WORKS

1. Central Local Government Region Waste Management Strategy

- **Noted**

2. Bute RSL

Cr. Burgess moved, Cr. Rooney seconded

‘That the Council endorses the action of the Manager – Works, to provide the Bute RSL with appropriate material to assist with repairs to the septic tank, at no cost.’

CARRIED

MANAGER - ENVIRONMENTAL SERVICES

1. Trade waste – General Policy

Cr. Rooney moved, Cr. McDonald seconded

‘Resolves to adopt the DC Barunga West Trade Waste General Policy, including the Standards of Acceptance, to assist its authorised officers in the regulation and protection of its Common Effluent Disposal Systems, for the benefit of the public health, and the environment.’

CARRIED

2. Development Act 1993: Compliance and Enforcement Action Pending

Cr. Schkabaryn moved, Cr. McDonald seconded

*‘That pursuant to Section 90 Parts 2 & 3(b), (d), (e) and (h) of the **Local Government Act 1999** the Council hereby declares information and matters contained in the following officers report, regarding compliance and enforcement actions under the Development Act 1993, shall be received, discussed and considered on a confidential basis, and subsequently **requires the exclusion of the public from attendance** during so much of the meeting as is necessary to complete its dealings with the subject matter.’*

CARRIED

The public was excluded at 9.20 pm.

Cr. McDonald moved, Cr. Kerley seconded

‘That the public be invited to return to the Council meeting at 10.10 pm.’

CARRIED

CLOSURE

The Mayor declared the meeting closed at 10.10 pm

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DC DOLLING
MAYOR