

**MINUTES of the Ordinary Meeting
of the District Council of Barunga West
held on Tuesday 13th July 2010, commencing at 7.00pm
at at the Bute Council Chambers, Railway Terrace, Bute**

1. Present:

Mayor Dean 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 K Thomas (Minutes Secretary).

In attendance:

A Public Gallery of:

Sonny Coomb, Yorke Peninsula Country Times

2. Apologies And Leave Of Absence:

2.1 Leave of Absence

Nil

2.2 Apologies

M Marziale (Manager – Environmental Services)

3. Conflict of Interest Provisions

3.1 Mayor Dolling advised that he had a conflict of interest with Agenda Item 11.4.5.

4. Confirmation of the Minutes of the previous Meeting

4.1 Ordinary Meeting –8th June 2010

MOVED: Cr Schkabaryn SECONDED: Cr McDonald

“That the Minutes of the Ordinary Meeting of Council and Minutes of the Public Meeting both held on the 8th June 2010 be confirmed as printed and supplied.”

CARRIED

5. Business Arising from the Minutes

5.1 A letter has been forwarded to the Northern & Yorke NRM regarding weed control, mice plagues and locust control. No response has been received to date, although in the Board’s Newsletter (Refer Agenda Item 11.1.18.4) there is a reference to some of these issues.

5.2 Preliminary discussions have been held with the Kulpara Progress Association regarding the use of the Kulpara Oval, and Council staff will continue to work with the Association.

6. Deputations

6.1 Nil

7. Members Reports

Mayor Dolling

29/6/10 Syngas Meeting, Balaklava

9/7/10 Bute Skate Park and RCLIP Projects Official Opening

Cr Burgess

2/3/10 Tickera Community & Recreation Association Working Party

Cr McDonald

- 16/6/10 Port Broughton District Hospital & Health Services Health Advisory Council Meeting
- 23/6/10 Local Government Risk Management Meeting
- 9/7/10 Meeting with State Government Members of Parliament, Mr Geoff Brock, Mr John Darley and Mr John Dawkins re: Fishermans Bay freeholding process at the Port Broughton Town Hall.
- 9/7/10 Bute Skate Park and RCLIP Projects Official Opening

Cr Schkabaryn

- 23/6/10 Local Government Risk Management Meeting
- 3/7/10 Fishermans Bay Progress Association Meeting
- 5/7/10 Port Broughton Progress Association Meeting
- 9/7/10 Meeting with State Government Members of Parliament, Mr Geoff Brock, Mr John Darley and Mr John Dawkins re: Fishermans Bay freeholding process at the Port Broughton Town Hall.

Cr Simmons

- 21/6/10 Bute Sporting Club Meeting
- 9/7/10 Meeting with State Government Members of Parliament, Mr Geoff Brock, Mr John Darley and Mr John Dawkins re: Fishermans Bay freeholding process at the Port Broughton Town Hall.
- 9/7/10 Bute Skate Park and RCLIP Projects Official Opening

Cr Kerley

- 9/7/10 Meeting with State Government Members of Parliament, Mr Geoff Brock, Mr John Darley and Mr John Dawkins re: Fishermans Bay freeholding process at the Port Broughton Town Hall.
- 9/7/10 Bute Skate Park and RCLIP Projects Official Opening

Cr Weedon

- 9/7/10 Bute Skate Park and RCLIP Projects Official Opening

Cr Rooney

- 24/6/10 Kulpara Progress Association

Cr Smith

- 21/6/10 Road Safety AGM
 - 22/6/10 Aged Care Barunga Village
 - 9/7/10 Meeting with State Government Members of Parliament, Mr Geoff Brock, Mr John Darley and Mr John Dawkins re: Fishermans Bay freeholding process at the Port Broughton Town Hall.
 - 9/7/10 Bute Skate Park and RCLIP Projects Official Opening
- Cr Smith advised that he would be an apology for the CDAP meeting on 21st July and the next Council meeting on 10th August 2010.

8. Petitions

- 8.1 No Petitions were received for consideration by the Council.

9. Questions with Notice

- 9.1 Nil.

10. Questions without Notice

- 10.1** Cr McDonald requested that a progress report regarding the transfer station and new waste management system be provided at all Council meetings.
- 10.2** Cr Kerley expressed concern regarding the drainage pond on Casey Road which currently contains water. Chief Executive Officer provided update and that owners of the land are aware of issues and responsibilities.
- 10.3** Mayor Dolling noting the lack of mobile telephone coverage in the Bute area, and lack of progress on the proposed development of a mobile telephone tower at Bute, which will be followed up by the Chief Executive Officer.

11. Council Business – Managers Report

11.1 Administration – Chief Executive Officer

MOVED: Cr Burgess **SECONDED:** Cr Smith

"That the Report from the Chief Executive Officer for the July 2010 meeting be received and noted".

CARRIED

11.1.1 By-law Review

MOVED: Cr Kerley **SECONDED:** Cr Weedon

"In the exercise of its powers contained in Section 246 of the Local Government Act 1999, having satisfied the consultation requirements of that Act and noting that no public submissions have been received and, after having had regard to the National Competition Policy Report, the Certificates of Validity provided by a legal practitioner, the comments from the Dog and Cat Management Board in relation to the Dogs and Cats By-laws and the letter of approval from the Minister of Transport in relation to the Local Government Land By-law, the majority of Council, in the presence of at least two thirds of its members, hereby makes and passes the following by-laws as attached:

- *By-law No 1 Permits and Penalties*
- *By-law No 2 Local Government Land*
- *By-law No 3 Roads*
- *By-law No 4 Moveable Signs*
- *By-law No 5 Dogs*
- *By-law No 6 Cats."*

CARRIED UNANIMOUSLY

11.1.2 Regional and Local Community Infrastructure Program – Round 3

MOVED: Cr Weedon **SECONDED:** Cr Smith

"That Council approve the RLCIP Round 3 allocation of \$30,000 to the Tickera Community and Recreation Association Inc for the Tickera Community venue project."

CARRIED

11.1.3 Council Office Extensions – Progress Report

Noted.

11.1.4 Repairs to Kulpara Hall

MOVED: Cr Rooney **SECONDED:** Cr Simmons

"That Council approves the request of the Kulpara Progress

Association for the upgrade to the Kulpara Hall, and that the Council funds this upgrade from the Reserve Fund established for maintaining Council properties."

CARRIED

11.1.5 Tickera Community & Recreation Association

MOVED: Cr Weedon SECONDED: Cr Smith

"That the Tickera Community & Recreation Association consider their options in light of funding approved by Council and to liaise with Council's Manager – Administration and Finance to present to Council a firm proposition for the remaining funding requirements for Stage 1 of the Tickera Community venue project."

CARRIED

11.1.6 Repairs to the former Buff Lodge Hall at Port Broughton

MOVED: Cr Smith SECONDED: Cr Rooney

"That Council agree for the Council's Senior Managers to be authorised to engage a builder for the upgrade of the former Port Broughton Buff Lodge Hall, and that the project be funded from Council's reserve funds for maintaining Council properties."

CARRIED

11.1.7 North Fishermans Bay – Damages to Sand Dunes

MOVED: Cr Kerley SECONDED: Cr McDonald

"That Council adopt the following proposals in regards to the protection of the sand dunes at North Fishermans Bay:

- (a) Placing of two fences and gates, with appropriate materials at the commencement of the public track at Durman's gate, and southern entrance to the sand dune area*
- (b) Erection of a number of appropriate signs at the entrance at the Port Pirie Road, Durman's gate, southern entrance to the dune area, and along the beach at appropriate locations. The suggestion is these signs should have a "conservation" flavour*
- (c) A media campaign utilising the local papers at Port Pirie and Kadina*
- (d) Consultation with police (local and regional) to arrange for policing to occur*
- (e) The Mayor and Chief Executive Officer to make a presentation to the NRM Yorke sub group at Port Broughton on 2nd August 2010, and this issue to be raised, with a plea for appropriate funding."*

CARRIED

11.1.8 Appointment of Environment Health Officer

MOVED: Cr Burgess SECONDED: Cr Simmons

"That Council hereby revokes the appointment of Peter Bryant Timoney as an Authorised Officer for the District Council of Barunga West, and hereby appoint Christopher Dale Hunt as an Authorised Officer for the District Council of Barunga West, in respect of the following legislation:

*Environmental Protection Act 1993 (Part 10, Division 1);
Dog and Cat Management Act 1995 (Sections 27 (1) and 68 (1));
Impounding Act 1920;*

*Expiation of Offences Act 1996;
Public and Environmental Health Act 1987 (Section 7 (1));
Public and Environmental Health (Waste Control) Regulations;
Supported Residential Facilities Act 1992 (Section 21);
Housing Improvement Act 1940
Food Act 2001".*

11.1.9 Bute – Kulpara Road

MOVED: Cr Weedon SECONDED: Cr Burgess

"That Council Senior Staff approach the Local Members of Parliament for assistance in facilitating a condition assessments audit of the Bute – Kulpara Road by the Department of Transport, Energy & Infrastructure."

CARRIED

11.1.10 2010 Council Elections

Noted.

11.1.11 Road Closure Orders

MOVED: Cr Weedon SECONDED: Cr Schkabaryn

Road Order No. 1

1. Order to Close Road

The following road is CLOSED:

The whole of the unnamed Public Rods situate south of Paskeville-Kulpara Road and adjoining allotment 399 in Filed Plan 190151, allotment 389 in Filed Plan 190141, allotment 391 in Filed Plan 190143, section 379, the southern and eastern boundary of section 141 and the southern and western boundary of section 142, Hundred of Kulpara, more particularly delineated and lettered 'A', 'B', 'C', 'D', 'E' and 'F' on Preliminary Plan 09/0052.

2. Order for Disposal of Closed Road

The road closed by this order must be dealt with in accordance with the following order:

Transfer the whole of the land subject to closure lettered 'A' to Andrew Donald Bowey in accordance with the agreement for transfer dated 13th July 2010 entered into between the District Council of Barunga West and Andrew Donald Bowey.

Transfer the whole of the land subject to closure lettered 'B' and 'C' to Brenton Reginald Pridham and Debra Joan Pridham in accordance with the agreement for transfer dated 13th July 2010 entered into between the District Council of Barunga West and Brenton Reginald Pridham and Debra Joan Pridham.

Transfer the whole of the land subject to closure lettered 'D' to Keith Flint Stock in accordance with the agreement for transfer dated 13th July 2010 entered into between the District Council of Barunga West and David Flint Stock.

Transfer the whole of the land subject to closure lettered 'E' and 'F' to Brenton Reginald Pridham and Steven Graham Pridham in accordance with the agreement for transfer dated 13th July 2010 entered into between the District Council of Barunga West and Brenton Reginald Pridham and Steven Graham Pridham.

Road Order No. 2

1. Order to Close Road

The following road is CLOSED:

The whole of the unnamed public road situated north of Pridhams-Paskeville Road and adjoining Section 433, Hundred Kulpara, as delineated and lettered 'A' in Preliminary Plan 09/0063.

2. Order for Disposal of Closed Road

The part of a road, closed by this order must be in accordance with the following order:

Transfer the whole of the land subject to closure lettered 'A' to Brenton Reginald Pridham and Debra Joan Pridham in accordance with the agreement for transfer dated 13th July 2010 entered into between the District Council of Barunga West and Brenton Reginald Pridham and Debra Joan Pridham.

CARRIED

11.1.12 Lions Club of Bute & Districts

MOVED: Cr Weedon SECONDED: Cr Smith

"That the Council agrees to the request of the Lions Club of Bute and Districts, for the erection of a restored Bute wheat stack elevator, adjacent to the Bute Heritage Shed in Railway Terrace, with the Council preparing the site and the Club arranging for the supply and installation of an appropriate fence."

CARRIED

11.1.13 Australia Day Council

Noted.

11.1.14 Council's proposed new recycling program – letters of concern

Noted.

11.1.15 Port Broughton Cemetery – Niche Wall

MOVED: Cr Kerley SECONDED: Cr Weedon

"That Council adopt a policy for all niche walls within the Council district to be ornament free, and for all existing ornaments to be removed."

CARRIED

11.1.16 Mrs Lill – concern at rate rise

Noted.

11.1.17 Aitchison Earthmoving and Concrete

MOVED: Cr Kerley SECONDED: Cr Schkabaryn

"That Council take no action to Aitchison Earthmoving correspondence seeking reimbursement of their costs for part sealing of Aitchison Road."

CARRIED

11.2 Manager - Finance & Administration

MOVED: Cr Burgess **SECONDED:** Cr Weedon

"That the Report from the Manager – Finance & Administration for the July 2010 meeting be received and noted".

CARRIED

11.3 Manager – Works

MOVED: Cr Burgess **SECONDED:** Cr Weedon

"That the Report from the Manager –Works for the July 2010 meeting be received and noted".

CARRIED

11.3.1 Foreshore Shelter at Port Broughton

MOVED: Cr Burgess **SECONDED:** Cr Weedon

"That council remove the remaining shelter located on the Port Broughton foreshore south of the jetty. "

CARRIED

11.3.2 Special Local Roads Grants

MOVED: Cr Kerley **SECONDED:** Cr Schkabaryn

"That Council defer any recommendation and consideration of Agenda item 11.3.2 to the next meeting".

CARRIED

11.3.3 Lending Signs & Liability

MOVED: Cr Burgess **SECONDED:** Cr Simmons

"That in accordance with advice from Local Government Association Mutual Liability Scheme council do not provide signage to the public for private works."

CARRIED

11.4 Manager – Environmental Services

MOVED: Cr Schkabaryn **SECONDED:** Cr Burgess

"That the Report from the Manager – Environmental Services for the July 2010 meeting be received and noted".

CARRIED

11.4.1 Approved Development Report

Assessment Period 1 – 30 June 2010 inclusive.
Noted.

11.4.2 Environmental Health Officer – New Appointment

Noted.

11.4.3 Changes to the Development Application Fees.

Noted.

11.4.4 Development Act 1993: Council DAP Meeting proposed to be held 21 July 2010

Noted that Cr Smith will be an apology for the CDAP Meeting.

- 11.4.5 Invitation to meet with four (4) Members of Parliament, namely the Hon Geoff Brock, John Darley, John Dawkins and Tony Piccolo,** regarding the Land Division and freeholding processes for the DA 344/D006/99 Fisherman Bay private lease settlement (Residential Park) on Friday 9th July 2010 in Port Broughton.
Mayor Dolling declared that he had a conflict of interest in this issue, as his sister was a Director of Fishermans Bay Management Pty Ltd, the proponent for DA 344/D006/99.
Mayor Dolling left the meeting at 9.00pm.
Overview of meeting provided by the Chief Executive Office in the absence of the Manager – Environmental Services.
Mayor Dolling returned to the meeting at 9.07pm.

12. Notices of Motion

12.1 Nil

13. Adoption of Committee Report

13.1 Nil

14. Closure

The Mayor declared the meeting closed at 9.08pm.

Cr D Dolling
Mayor
District Council of Barunga West