

# MINUTES OF THE MEETING OF THE DISTRICT COUNCIL OF BARUNGA WEST HELD AT THE BUTE COUNCIL CHAMBERS ON JANUARY 11TH 2005 AT 7.00PM

## PRESENT:

D. Dolling (Chairman), I. Burgess, I. Young, H. Daniel, T. Schkabaryn, G. Simmons, G. O'Connor, B. Rooney, L. Kerley, N. Hand (District Manager).

## APOLOGIES:

Cr. J Aitchison, P. Ward (Manager - Finance and Administration)

## CONFIRMATION OF MINUTES

Cr Burgess moved, Cr Schkabaryn seconded,

*"That the Minutes of Meeting held on December 14th 2004 be confirmed as printed and supplied, with an alteration to the motion on page 8 being altered as follows*

District Managers Report – Enterprise Bargaining Agreement – removal of the following words from the motion of Cr O'Connor *increase regardless of length of employment or current experience or grading."*

CARRIED

## BUSINESS ARISING FROM THE MINUTES

1. A response has been received from the Australian Services Union regarding the Enterprise Bargaining Agreement for the Council's Administration and Management staff.  
Work will begin in mid January to prepare the agreement.
2. At the last meeting the Council sought to have time to read the following OHS&W policies that were distributed to all members prior to the meeting for consideration.
  - Injury Management Policy and Procedure
  - Health and Safety Policy and Inclement Weather and Skin Cancer
  - Isolation Tagging and Lock out Policy and Procedure

Cr O'Connor moved, Cr Schkabaryn seconded

*"That the Council agree to adopt the following OHS&W policies*

- *Injury Management Policy and Procedure*
- *Health and Safety Policy & Inclement Weather & Skin Cancer*
- *Isolation tagging and Lock out Policy and Procedure"*

CARRIED

## **DECLARATION OF CONFLICT OF INTEREST**

Members are given the opportunity to detail an interest in any items that are in the Agenda for the Council meeting.

**- No members indicated any conflict of interest for this meeting**

### **MEMBERS REPORTS**

Cr. DOLLING

1. Dec 22 Meeting with Norman Waterhouse
2. Dec 17 Christmas Dinner

Cr. DANIEL

1. Dec 22 Meeting with Norman Waterhouse in Adelaide (Fisherman's Bay Bonding)
2. Dec 17 Christmas Dinner

Cr. SCHKABARYN

1. Dec 17 Christmas Show
2. Dec 24 Christmas Party 2000 Onwards

Cr. BURGESS

1. Dec 17 Christmas Show

Cr. G.SIMMONS

1. Dec 17 Christmas Show
2. Dec 21 Barunga Village Meeting
3. Dec 24 Bute 2000 Christmas Party

Cr ROONEY

1. Dec 17 Christmas Show

Cr O'CONNOR

1. Dec 17 Christmas Show

Cr KERLEY

1. Nil

Cr YOUNG

1. Nil

## **MEMBERS QUESTIONS**

1. Cr Burgess advised of rumors that he had heard, that Council was trying to remove Kevin Thompson (Works Manager) from his position, and that his Council house was on the market for sale. The District Manager advised that Council has not had any discussion on the sale of the Works Manager house and Kevin was still employed and was discussing his retirement plan for early 2006.

## **COMMITTEE REPORTS**

Cr Burgess moved, Cr Daniel seconded,

*"All reports be received".*

CARRIED

## **STAFF MEETINGS – Administration and Construction/Maintenance**

Discussion was held on call out of staff during the recent storm and the requirements of Council for payment of wages for these callouts.

**- Noted**

## **DISTRICT MANAGER'S REPORT**

1. Section 41 Committees

I have received the legal opinion from the lawyers regarding the abolishment of Section 41 Committee and to have them incorporated under the Association Incorporation Act. (Advice is attached to my report).

To date I have not received a response from the Mutual Liability Scheme regarding the insurance and this issue will need to be deferred to the next meeting.

**- Noted**

2. Commercial property listing

Attached to my report is the list of properties that will be charged commercial rates in the whole of the Council area in the 2005/06 financial year. I would be happy to hear from members if they believe there should be other properties included.

**- Noted**

3. Dog Control – leash free areas

Following discussions at the last meeting on dog control and leash free areas, I contacted the Dog and Cat Management Board to ascertain what legislation was in place or proposed, as there was no reference in the current Act and Regulations. I was advised that the Board was currently reviewing proposals for dog leash free areas and further information would be available in the New Year.

**- Noted**

4. Fisherman's Bay Management Pty Ltd

Discussions were held with our Lawyers on the Draft Bonding Agreement for the installation of the sewerage scheme at Fisherman's Bay. Following some adjustment to the Draft Agreement, it was agreed that this be forwarded to the Company's Solicitors for their input to enable both parties to investigate the agreement and negotiate an acceptable agreement.

It is proposed that Peter Fisher from Norman Waterhouse will make a presentation to Council's February meeting, and a copy of the draft agreement will be available at that time.

Ms Susie Slade of Norman Waterhouse will also make a presentation at that meeting on a range of governance issues.

**- Noted**

5. Development Officer support

On Tuesday 21<sup>st</sup> December I met with Peter Dinning CEO of Copper Coast Council to discuss future possible arrangements for assistance for our Development Officer (Cadet). We have agreed to get together in early February to put together a proposal for working together to share our resources for planning, building and health services, which will be of benefit to both Councils.

A further report will be available in February.

**- Noted**

6. Administration Car Report

Following the "concern" raised by Cr Young at the last meeting about the obtaining of prices for the changeover of the administration and HACC vehicles, I have prepared a report which was presented to members to consider.

7. Yorke Regional Development Board

At the last Council meeting I was asked to make arrangements for the presentation of a report on the Development Boards activities. I have sought assistance from the CEO of the Board in preparing a report for all Councilors.

I raised this issue at the last Board meeting, as I am aware that a lot of issues discussed by the Board are confidential and I do not wish to break that confidentiality. The CEO has advised that in the new year he will prepare a quarterly report for all member Councils.

- **Noted**

8. Council's Strategic Plan

The Council has agreed to undertake its new Strategic Plan for the Council in February 2005 with Warwick Welsh (CEO of the Development Board) being the facilitator. Warwick will also give a 15 – 20 minute presentation on the activities of the Board prior to discussing our Strategic Plan.

Members agreed to alter the proposed date for the review to Monday 21<sup>st</sup> February.

If members have any issues with regards to the Plan I would be pleased to accept these comments.

- **Noted**

9. Meetings

A table of meetings attended by the District Manager was noted

- **Noted**

10. Amusements

An application had been received from mobile Amusements to use the Port Broughton Foreshore for carnival activities from 13<sup>th</sup> January to possibly 23<sup>rd</sup> January 2005

Cr Daniel moved, Cr Simmons seconded

*"Approval be granted to Mobile Amusements to use the Port Broughton Foreshore with provisions to include the shutting down each night at 11.00pm and for music to be kept to a low noise and at a cost of \$20 per day plus power."*

11. Plaque at Bute

The Plaque that was purchased for the new time capsule at Bute had incorrect dates printed on it, and assistance is being sought to correct the dates. Cr Simmons advised that she would seek to get the correct information.

## **ENVIRONMENTAL HEALTH OFFICER'S REPORT**

- **Nil**

## **FINANCE REPORT**

### 1. BANK RECONCILIATION

The bank reconciliation for December 2004 was presented at the meeting.

Cr Schkabaryn moved, Cr Burgess seconded

*"That the Bank Reconciliation for December 2004 accepted."*

CARRIED

### 2. CHEQUE LISTING

Cr Schkabaryn moved, Cr Rooney seconded

*"That cheques numbered 10269 – 10390 totaling \$675,838.27, and payroll EFTs totaling \$69,012.62 be approved for payment."*

CARRIED

### 3. LGFA INVESTMENTS

A listing of all LGFA reserves as at 31<sup>st</sup> December 2004 was presented to Council.

Summary of Movements:

- The new truck was purchased for \$128,000 (plus GST). The loan for \$130,000 does not settle until 17<sup>th</sup> January 2005, and the purchase was funded from the General Reserve.
- No funds were received for the Boat Ramp – we are awaiting the final \$250,000 from the SA Boating Group. A progress claim of \$238,727 was funded from the General Reserve and the Asset Sales Reserve.

**- Noted**

### 4. BUDGET COMPARISON

Cr Simmons moved, Cr Daniel seconded

*"That the Budget comparison for the 6 months ended December 2004 be accepted"*

CARRIED

### 5. LOAN FOR A NEW TRUCK PURCHASE

This loan is signed and sealed and will settle on 17<sup>th</sup> January 2005.

**- Noted**

6. SYNERGY DEVELOPMENT MODULE

Following a query from Lyn Addison, I have determined from IT Vision that a Development Module is available for \$5,500, plus \$1,000 installation and training. I will refer this matter to the Audit Committee for consideration for the 2005-06 budget.

**- Noted**

7. OUTSTANDING RATES

When the 2003-04 rates were raised, Pensioners Rates were approximately \$89,000. In February 2004, Cynthia submitted a claim for \$89,000. In April 2004, we received \$71,000. Cynthia was unaware of any disparity between the amount claimed and received.

I have forwarded the relevant documentation to SA Water and asked them to explain why the entire claim was not honored. We are either entitled to the difference, or we are not, and I have asked them to explain the matter.

**- Noted**

8. LOCAL GOVERNMENT (FINANCIAL MANAGEMENT AND RATING) AMENDMENT BILL 2004

Correspondence is attached from LGA, summarizing proposed requirements for Council's in relation to Rating Procedures.

The Principal requirements are:

- Long term (10 year) financial plan, including infrastructure and asset management plan.
- Annual business plans and annual revenue and rating proposals.
- The CEO will be required to prepare annual reports on the above, detailing their effect on the Strategic Plan.
- Public consultation with community in the Annual Revenue and Rating Proposal.
- Seniors must (upon application) be granted postponement of rates payments, regardless of capacity to pay.

The requirements are fairly onerous. In a telephone hook-up with other Councils, several CEO's estimated that they would require an extra 1 to 2 employees to meet the requirements.

Norman Waterhouse is preparing an analysis that is hopefully available on January 10 2005, and if so, it will be presented at the meeting. In the meantime, Council is requested to provide formal feedback to the LGA.

**- Noted**

## **ANIMAL & PLANT CONTROL OFFICER'S REPORT**

**- Nil**

### **CORRESPONDENCE**

Cr Rooney moved, Cr Daniel seconded

*"That the correspondence be received"*.

CARRIED

1. TD. Thompson – 11 Kerley Street

Expressing appreciation at the new kerbing works at Kerley Street, and expressing concern at the condition of the kerbing as a result of heavy machinery driving on the kerb. Also expressing concern at the similar deterioration in other areas of Kerley Street.

Cr Burgess moved, Cr Daniel seconded

*"That the Works Manager investigate the concern of Mrs Thompson at the condition of Kerley Street on his return from Annual Leave"*.

CARRIED

2. Central Region of Local Government

Advising that the Region has appointed Tonkin Consulting to undertake and investigation into the water supply of the Region. Discussions will be held with all stakeholders, including Council during February/March 2005, with a workshop in April 2005.

Preliminary discussions are to be held with Council staff on 17<sup>th</sup> February 2005.

**- Noted**

3. Zero Waste SA

Advising of submissions being called for Councils to obtain funding under the "Kerbside Performance Grants" for 2004/05.

**- Noted**

4. Local Government Association

Forwarding copies of LGA Report No's 51 - 52

**- Noted**



5. Port Broughton Sunnyside Hotel Motel

Waywen Holdings Pty Ltd have purchased the Sunnyside Hotel motel and requesting consent for the variation to the current extended trading authorisation.

Cr Daniel moved, Cr Rooney seconded

*"That Council agree to the request for extended trading hours of the Sunnyside Hotel/Motel"*

CARRIED

Cr Kerley voted against the proposal

6. Workcover Audit 2005

The Local Government Association Workers Compensation Scheme have indicated to Council that this year's audit will commence in May 2005 and be conducted through to October 2005.

**- Noted**

7. Gunner Bills Gallery and Crafts

Seeking approval to alter the structure of the Bute Police Station by installing a doorway between the court room and the front bedroom.

Cr Burgess moved, Cr Simmons seconded

*"That Council agree to the request of Gunner Bills Gallery to install an access doorway to the courthouse, and that the approval of the SA Police be sought for this to occur"*

CARRIED

8. Minister for State/Local Government Relations

Advising of the consultation draft for the proposed changes to the Local Government Act in respect of electoral provisions and forwarding a package for consideration by Council, with comment to be received by 7<sup>th</sup> February 2004.

Cr O'Connor moved, Cr Simmons seconded

*"That the Council seek an extension of time (to 18<sup>th</sup> February 2004) for preparing a submission to the Minister and that all members be circulated with the information contained in the package"*

CARRIED

## CHANGE OF OWNERSHIP

Cr Schkabaryn moved, Cr Daniel seconded

*"That the assessment records be altered accordingly"*

ASSESS NO	ADDRESS	SELLER	BUYER
A1787	2 Barnes Road, Port Broughton	Richardson B & KW	Richardson KW
A17330	8 Broughton Terrace, Tickera	Tipton MA & JL	Cox CW & E & Robinson AK
A866	3 East Terrace, Port Broughton	Morse BM	Good AR & BM
A1854	2 Casey Street, Port Broughton	Ivey CN	Casey C & SL
A25892	9 Florence Street, Bute	Robinson EG (Est of)	Cramer D
A27599	14 North Gully Road, Tickera	Edwards/Geracitano	Camilleri J & LF
A4323	73 John Lewis Drive, Port Broughton	Langsford CA	Skinner JG & KA
A4260	20 John Lewis Drive, Port Broughton	Hocking RF	Hunter IG & CL

CARRIED

## PETITIONS, MEMORIALS, NOTICES OF MOTION

- Nil

## TENDERS

- Nil

## GENERAL BUSINESS

1. Cr Simmons reported on trees on the footpath in Third Street, that were possibly unsuitable for footpath.

Cr Rooney moved, Cr O'Connor seconded

*"That this issue of trees in Third Street, Bute be referred to the Works Committee"*

CARRIED

2. Cr Schkabaryn reported on problems with crossover on the Fisherman's Bay Road that have faded, asked if the Works Committee could inspect the road at its next Work Committee.

Reported on a request for handrails at the Butcher Shop.

3. Cr O'Connor reported a tree that had blown down in Railway Terrace, and needed removal.

4. Cr O'Connor enquired of what Council could contribute towards the Asian Tsunami Appeal.

Cr O'Connor moved, Cr Rooney seconded

*"That Council donate \$1000 towards the Asian Tsunami Appeal and the money be forwarded to World Vision"*

CARRIED

5. Cr Rooney reported on his disappointment at the condition of the Kulpara Cemetery.
6. Chairman reported on concerns at the new work on the Mundoora Road and that it should be inspected at the next Works Committee.
7. Cr Kerley reported on a number of issues including a request of Rachel Hobbs to remove bottlebrush trees from her property because of a child's allergy, but had the same trees in her own yard, that West Terrace needed to be swept with our broom sweeper, a request for a hand rail at the Bute RSL (Works Committee to investigate) and of the kind words spoken to her of the contribution of Cr Simmons.

## **DEPUTATION**

**- Nil**

## **CLOSURE**

The Chairman declared the meeting closed at 8:40 pm

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Cr. D.DOLLING  
CHAIRMAN