

**MINUTES OF THE MEETING OF THE
DISTRICT COUNCIL OF BARUNGA WEST
HELD AT THE BUTE COUNCIL CHAMBERS ON
OCTOBER 14TH 2003 AT 7.00PM**

PRESENT:

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

APOLOGIES:

Cr

CONFIRMATION OF MINUTES

Cr moved, Cr seconded,

“that the Minutes of Meeting held on September 9th 2003 be confirmed as printed and supplied”.

CARRIED

BUSINESS ARISING FROM THE MINUTES

1. Discussions held with Transport SA on 18th September 2003 regarding the Bute-Kulpara Road indicated that consideration is being given to some repairs to the road, but no major works are scheduled for the next five year program.

2. A response has been received from Fishermans Bay Management Pty Ltd regarding the transfer of 37 Snook Road (Hall) to the Council.

To enable the allotment to be transferred to Council in the interim, they require a request from Council for ownership of the Hall to be transferred to Council and for the site to be held under licence tenure by Council for a taken annual fee. Upon freeholding taking place consideration for the site would be considered.

3. Work has commenced for repairs (internal and external) at the Works Manager's house in Dalling Street, with works scheduled for completion in late October. Three large trees have been removed from the yard at the house.

4. A price from Kerley's Air Conditioning has been accepted for replacing the air conditioners at the Port Broughton Town Hall and will be installed during October.

5. Public consultation has been undertaken for the leasing of the former Buffalo Lodge Hall (Gym Centre) to the Broughton and Districts Apex Club. Only one response has been received from the Lions Club of Port Broughton and Districts, who have also seeking use of the Hall.

Cr moved, Cr seconded

“that Council, after seeking public comments in accordance with the Public Consultation Policy, agree to lease the former Buff Lodge Hall, located on the corner of East Terrace and Cross Street, Port Broughton for a period of 21 years in accordance with the provisions of the Local Government Act 1999, and a suitable lease agreement be prepared”.

CARRIED

MEMBERS REPORTS

Cr. DOLLING

- 1.
- 2.
- 3.
- 4.

Cr. DANIEL

- 1.
- 2.
- 3.
- 4.

Cr. SCHKABARYN

- 1.
- 2.
- 3.

4.

Cr. BURGESS

1.

2.

3.

4.

Cr. G.SIMMONS

1.

2.

3.

4.

Cr. AITCHISON

1.

2.

3.

4.

Cr. THEOBALD

1.

2.

3.

4.

Cr ROONEY

1.

2.

3.

4.

Cr KERLEY

- 1.
- 2.
- 3.
- 4.

Cr YOUNG

- 1.
- 2.
- 3.
- 4.

MEMBERS QUESTIONS

Nil

COMMITTEE REPORTS

Cr. moved, Cr seconded

“that the Committee reports be received”.

CARRIED

EXECUTIVE MEETING

Cr moved, Cr seconded

“that the Recommendations 1 & 2 of the Executive Committee meeting held on 8th October, 2003 be adopted

1. *That a recommendation be made to Council that Matthew rose be paid in accordance with the Municipal Officers Award, General Officers stream at Level 5 Grade 1 (\$40,375)”.*
2. *That Peter Ward be appointed as the Manager – Finance and Administration for the Council, on a five year contract, in accordance with the information sheet prepared for this position”.*

CARRIED

WORKS COMMITTEE

Cr moved, Cr seconded

“that the Recommendations No’s 1 – 13 of the Works Committee meeting held on 24th September 2003 be adopted.

1. *That conduit be laid in the Bute Caravan Park ready for the undergrounding of TV cables at the Bute Caravan Park while the irrigation system is installed and consideration be given to the second quote for the TV cables when obtained.*
2. *That the footpath be repaired at Alford Primary School by removing the lump and sealing the footpath.*
3. *That a contractor be authorised to clear the boat ramp at Tickera prior to the October long weekend.*
4. *That a contractor be authorised to clear the boat ramp at Tickera prior to the October long weekend.*
5. *That discussions be held with Terry and Paul Manners regarding a contract for clearing of the Tickera Boat Ramp and report to the Council.*
6. *That a contractor be arranged to repair the roof at the Bute Town Hall.*
7. *That the tree at Adrian Hewett’s property be cut down.*
8. *That the Works Manager be authorised to clean up the garden waste section of the Bute Rubbish Dump.*
9. *That Council agree to assist the Association to rebuild the retaining wall at Fishermans Bay in preparing the base and erecting the concrete blocks.*
10. *That the Fishermans Bay Progress Association be authorised to install the “barrier gate” on the foreshore beach at Fishermans Bay.*
11. *That Colin Elsworthy (Bardavcol) be invited to address members of the Council on the proposal for construction of the Port Broughton Boat Ramp.*
12. *That Council advise Mr Snook that as he has one driveway to his property that he be responsible for the construction of the new driveway and that approval be granted to Mr Snook to use a suitable contractor to perform the work.*
13. *That the necessary repairs be done to the potholes at Lot 1 West Park Road.*

CARRIED

FINANCE COMMITTEE

Nil

AUDIT COMMITTEE

Nil

STAFF MEETINGS

Noted

BOAT RAMP ADVISORY COMMITTEE

Nil

REPORTS

Cr moved, Cr seconded,

“All reports be received”.

CARRIED

DISTRICT MANAGER’S REPORT

1. Bute Rural Transaction Centre

I am pleased to advise that renovation work has now commenced on the Bute Office to house the Centre. Following a meeting with Tony Bell of Australia Post some minor security issues have to be resolved and these have been attended to.

A range of administrative matters were attended to at the meeting with Licensed Post Office Operations Manager Judith Balfour on 2nd October 2003 and everything is currently on track for the projected opening on 3rd November.

Training arrangements for Lynn Reed and Chantelle Axford have been made and will be mostly undertaken prior to 3rd November. The official opening is scheduled for 14th November and arrangement will be made for this event next week.

A contract for the sale of the Bute Post Office from Josie Treloar to Council has been prepared by Germein~Reed and been accepted by Australia Post. It contains all the provisions that have been discussed by Council with the Treloars.

Cr moved, Cr seconded

“That the Council authorize the Chairman and District Manager to sign the contract of sale, and to use the Council seal, for the transfer of the Bute Post Office to the Council”.

CARRIED

2. Conflict of Interest

Recently there has been discussions on the Conflict of Interest provisions of the Local Government Act. I have attached a copy of the Local Government’s Association’s Guidelines, which have been accepted by Council previously, but can be reviewed by members.

Following discussions with another Council and Norman Waterhouse lawyers there is a change to our agenda, whereby members can advise of any agenda item for which they have a conflict, have it recorded and then take the necessary actions at the time the agenda item is discussed.

- Noted

3. Meeting Procedures

At the last meeting discussions were held on Council's meeting procedures and I have included in my report a copy of a Local Government Associations Information paper on meeting procedures for members information.

At the last meeting Councillor Schkabaryn asked if I had "misled" Council at the Special Meeting held on 19th August 2003, in respect of me being present at the Council meeting.

Section 91 of the Local Government Act refers to the Minutes as follows:

Minutes and release of documents

91. (1) The Chief Executive Officer must ensure that minutes are kept of the proceedings at every meeting of the Council or a Council Committee.

(2) If the Chief Executive Officer is excluded from a meeting pursuant to part 3, the person presiding at the meeting must ensure that minutes are kept.

Part 3 refers to the meetings being held in public with exclusion for various purposes including staff issues. I was not required to leave the room, even though I volunteered and as such believed that I was required to be in the meeting.

Accordingly I do not believe that I misled Council.

- Noted

4. New Logo

As part of the development of the Council's webpage a modification was made to our logo. A copy of the logo is shown on the agenda page and I believe that it should be used by Council and seek support for the change.

As Council's stationery requirements are reordered the logo would then be implemented.

Cr moved, Cr seconded

"That the Council agree to endorse the modified Council logo and that the District Manager be authorized to purchase stationery with the new logo as required".

CARRIED

5. Citizen of the Year Nominees

Arrangements are currently being made for the calling of nominations for Citizens of the Year, Young Citizen of the Year and Event of the Year for the Bute and Port Broughton areas.

Closing date for the nominations will be 1st December, 2003.

- Noted

6. Manager – Finance and Administration

Interviews are currently being held for the Manager – Finance and Administration by the Executive Committee. There were 23 enquiries for the Job Description and 13 applications received, several with Local Government experience.

Cr moved, Cr seconded

7. B & C White – Lot 510 Kadina Road

At the last meeting of Council it was resolved that I forward a letter from our Solicitors to B & C White regarding the lack of landscaping and fencing at Lot 510 Kadina Road. The lawyers advised that the fencing issue does not form part of the Development Approval and can therefore not be pursued. In reference to landscaping the lawyers refer to the Eastern boundary not being satisfactory landscaped. In discussions with Lyn we both believe that attempts have been made to landscape the eastern boundary and it would be unfair to pursue any action on the eastern boundary.

Reference is made to the small gap on the Northern Boundary in the lawyer's letter and a recommendation is sought from Council. A copy of the lawyer's two letters are attached.

- Noted

8. Native Title Discussions - Narrungga

Attached is a brief report of the negotiations with the Narrungga Native Title discussions for the Yorke Peninsula area that was held on 16th and 17th September and attended by Councillor Burgess and myself.

Negotiations for the completion of the Indigenous Land Use Agreement are getting close to being finalized.

- Noted

9. Port Broughton Office Petty Cash

Approval is sought to raise the limit of the Petty Cash holdings at the Port Broughton Office from \$100 to \$200. We are finding that the \$100 is having to be replaced on a regular basis and would assist the office staff if it was increased.

Cr moved, Cr seconded

“That Council authorize the increase of the petty cash limit at the Port Broughton office to \$200”.

CARRIED

10. Meetings

A table of meetings attended by the District Manager was noted.

- Noted

ENVIRONMENTAL HEALTH OFFICER’S REPORT

1. Summary of Septic Tank Applications 1st June 2002 to 30th June 2003

K. Polmear	Lot 18 Falie Street, Pt Broughton	New
B. Cock	7 James Street, Pt Broughton	New
N. Hand	Lot 10 Dale Street, Pt Broughton	New
L. Larcombe	24 Mckay Street, Pt Broughton	Replacement
Donald & Prior	43 Fishermans Bay Road, Pt Broughton	Replacement
R. Talbot	10 Falie Street Pt Broughton	New
R. Palmer	15 Falie Street Pt Broughton	New
B. Alexander	85 Fishermans Bay Road, Pt Broughton	Replacement
R. Locke	15 Kadina Road, Pt Broughton	New
B. Wehr	32 North East Road, Bute	New
D. Wolms	Lot 123 Coast Road, Tickera	New
MSP Group	Section 207 Hd, Kulpara	New
D. Schilling	Section 274, Bute	New
R. Marsh	1 Mildren Avenue, Pt Broughton	New
D. Price	2 Gunner Bills Road, Bute	Replacement
G. Hooker	3 Park Terrace, Bute	New
A. Theobald	Lot 15 Kerley Street, Pt Broughton	Replacement
K. Halliday	36 Snapper Road, Fishermans Bay	New
K. Rodgers	101 Fishermans Bay Road, Pt Broughton	Replacement
P. Pullenger	18 John Lewis Drive, Pt Broughton	Replacement
C. Snook	7A Harvey Street, Pt Broughton	New
S. Smith	29 Mudoora Road, Pt Broughton	New
R. Vanderbrink	71 Fishermans Bay Road, Port Broughton	Replacement
J. Forrester	95 John Lewis Drive, Pt Broughton	Replacement
M. Ventura	25 Penang Drive, Pt Broughton	New
A. Klement	Lot 1014 Snapper Road, Fishermans Bay	New

17 New installations

8 Replacements to connect to STEDS

2. Summary of Food Industry Recalls Period June 2003 to June 2004

June 2003

- Chocolate, Hazelnut & Vanilla Duo Spread
Recall category 2 – Undeclared allergies peanuts.
- Trident Thai Soup – Recall Category 2
Package products are gluten free – Some contain gluten.
- Greens Tweety Cupcake – Recall Category 2
Undeclared allergies – milk, protein and soy.
- Uncle Toby's Porridge
Incorrect packaging – may contain egg protein

June 2003

Banana, Dale & Pecan Breakfast Bar
Labelled gluten free – has detectable levels of gluten.

Organic Cornflakes
Labelled gluten free has gluten detected.

Original Croissant Gourmet
Metal wire fragments detected

Campbell's condensed Soup (Vegetable Beef)
Pieces of rubber and rubber-coiled metal on some cans

Logan Farm Spinach Portions
Product may contain small thistles

August 2003

Dairy-free Fruccie are desert
Products dairy free but contains undeclared milk protein (casein)

September 2003

Dark cooling compound
Some products may contain small metal fragments
Naytura Nibbles Mix
Undeclared allergies – milk and soy

Virginian Ham and Cooked Beef
Listeria monocytogenes contamination

Rosemount Estate Semithon Sauvignon Blanc
Glass Packaging – break at rim

Banilla Pasta Sauce
Contains food colouring not permitted in Australia

This report is to provide information on the numbers of food recall matters that happen in South Australia and notes the input of the National Food Authority input in keeping the food chain under surveillance.

- Noted

3. **CONNECTION TO STEDS**

From some discussions around Port Broughton.

Comments have been made regarding the connection from an approved septic tank to the STEDS connection point on each property.

“The drain connection the septic tank to the STEDS shall conform with the requirements of the South Australian Health Commission Code – Waste Control System – standards for connection to a septic tank Effluent Disposal Scheme STEDS”.

Connection requirements

Connecting drains and other work must be installed by a person authorized under the provisions of the Plumbers, Gasfitters and Electrician Act of 1995, and all work must be done in a workmanlike manner and be in accordance with the South Australian Health Commission Code.

For breaches of this Code the Regulations under the Public and Environmental Health Act 1987 Regulation No 80 Part 26 allows for Expiation of offences:

26(1) an alleged offence against or under these regulations may be expiated in accordance with the “Expiation of Offences Act 1987”.

(2) A Division 9 expiation fee is prescribed for the purposes of these regulations:

The same regulation call for:

1. 12 (1) An application to be made to Council with prescribed details.
12 (2) (a) (b), 12 (5)
Note the fee for the first 12 months is NIL
2. 13 (1) an approval to carry out the prescribed connection.
13 (1) (7) A person must not contravene or fail to comply with a condition imposed under this regulation imposed under this regulation.
Penalty Division 8 fine.
3. Inspections
17 (1) Mandatory notification stage
17 (2) Notification the authority
Penalty Division 9 fine.

It is important for this Council to have in place the procedures to accept an application, to approve the application efficiently and for the owners to be aware that only licensed tradesman can install the drains to the STEDS and all drains and connections must be advised to connect 24 hours before installation.

Breaches of these requirements will not be allowed and Council must have in place the ability to commence procedures under this Act and Regulations for breaches through the Court procedures or by expiations.

- Noted

Cr moved, Cr seconded

“that the meeting be adjourned at pm for the sitting of the Development Assessment Panel”.

CARRIED

The Council meeting was recommenced at pm

ANIMAL AND PLANT CONTROL

1. Branched Broomrape

I have completed my two weeks of branched broomrape surveys at Murray Bridge. The season there is looking good and broomrape is flourishing.

I have one link survey to carry out in this Board area this season.

- Noted

2. Yorke Peninsula Field Days

The display at the field days was well received by the public, much interest was shown in the bio control and broomrape displays. I believe the field days to be a good public relations exercise for the Board.

- Noted

3. Board Meeting

Board Delegates are reminded that the next Board meeting will be at Kadina on Friday 17th October at 3.30pm

- Noted

FINANCE REPORT

Cr. Daniel moved Cr. Kerley seconded

“the accounts totaling \$ as paid on cheque numbers to including Salary Debts be passed for payment”.

CARRIED

CORRESPONDENCE

Cr moved, Cr seconded

“that the correspondence be received”

CARRIED

1. Minister of Health

Forwarding a response regarding our concerns at the future of the Port Broughton Hospital. She advises that the Government’s policy is that no hospital will close and there will be no forced removal of country health boards, and that they are looking for less bureaucracy, improved primary health care services, easier links with city based specialists, and more integrated rural workforce recruitment and retention.

- Noted

2. Bute Sporting Club Inc

Advising that they have agreed to purchase the second hand playground equipment from Council that was recently obtained from Adelaide by Council.

- Noted

3. Port Broughton Historical Society

Responding to our letter regarding the request of the Port Broughton Sailing and Boating Club, requesting that the bust of Captain Dale be transferred to the Club and that the wax moulding be used by the Society.

The Society advise they do not support the request and give details for their decision.

- Noted

4. Department for Environment and Heritage

Advising that following a review of its front counter service at Kadina, the office will only be open on Fridays between 9.00am and 5.00pm.

- Noted

5. Minister for Environment and Conservation

Advising Council of a program for reducing the level of plastic shopping bags in the community and seeking Council support for South Australia to be “plastic bag free”.

- Noted

6. Australian Local Government Association

Seeking Council support for the continuance of the Roads to Recovery program of the Federal Government, which has assisted in Council's in Australia being able to upgrade their road networks.

Cr moved, Cr seconded

"That Council write to our two Members of Federal Parliament, seeking their support for the Roads to Recovery program and outlining the benefits to our district for that program to continue".

CARRIED

7. Central Region of Local Government

Forwarding a Newsletter of activities by the Region.

- Noted

8. Local Government Association of SA

(a) Forwarding information from the Annual General Meeting held on 2nd and 3rd October 2003.

- Noted

(b) Forwarding Report No's 36-40.

- Noted

CHANGE OF OWNERSHIP

LAND

532 Coast Road, Tickera
15 Everard Street, Bute
49 John Lewis Drive, Pt B
Lot 623 Mundoora
Lot 34 Penang Drive Pt B
17 Garfish Rd, Fishermans Bay

Lot 31 East Tce, Mundoora
Sect 436, Hd Tickera

SELLER

Jongh Visscher JP
Hutson RJ & CA
Cooley MJ & DTH
Hutchison GL & LB
Matthews M & S
Manser LG

Donnelly NA
Illicevs GD & PL

BUYER

Harpas SP, A, MN, DE,
Edwards K
Dedear J
Hatzipanagiotis NM
Sims T & P
Brody RL Jones DF
Doonan JS, Hanson At
Kerr GP & JL
Gallasch AI & CE

PETITIONS, MEMORIALS, NOTICES OF MOTION

Nil

TENDERS

Nil

GENERAL BUSINESS

1.

DEPUTATION

Nil

CLOSURE

The Chairman declared the meeting closed at pm

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D.DOLLING
CHAIRMAN