

**DISTRICT COUNCIL OF GRANT**

**MINUTES OF PLANNING AND DEVELOPMENT COMMITTEE**

**MEETING HELD AT THE DISTRICT COUNCIL OF GRANT**

**WEDNESDAY 19 JUNE 2019 AT 5.40 PM**

**ATTENDANCE**

**Committee Members**

Cr Barry Kuhl  
Cr Shirley Little  
Cr Brad Mann  
Cr Jody Elliott

**Council Officers**

J Fetherstonhaugh, Acting Chief Executive Officer  
LJ McEvoy, Director of Environmental Services  
TF Glynn, Planning Officer  
AM Price, Team Leader –  
Environmental Health and Compliance  
HL Michell, Administration Officer

**Observer**

Cr Bruce Bain

**APOLOGIES FOR ABSENCE**

Mayor Richard Sage (Presiding Member)  
Cr Gill Clayfield

*The Acting Chief Executive Officer advised that the Presiding Member Mayor Richard Sage, is an apology. As such the Committee needs to appoint an Acting Presiding Member for the meeting.*

*Cr Little moved that Cr Kuhl be appointed as Acting Presiding Member and chair the Committee meeting in the absence of Mayor Richard Sage.*

Seconded Cr Mann

CARRIED

**- CONFIRMATION OF MINUTES**

1. Moved Cr Little that the Minutes of the Planning and Development Committee meeting held on 12 March 2019 be taken as read and confirmed as a true and correct record of the proceedings of that meeting.

Seconded Cr Mann

CARRIED

**- REPORTS FROM OFFICERS**

1. **Director of Environmental Services Update Report – [9.24.1/9] – Item 6.1 – Planning, Development and Infrastructure Act 2016; Northern Gateway Precinct; and Glenelg River Shacks.**

Moved Cr Elliott that:

1. *Council receive and note the Report concerning the Planning, Development and Infrastructure Act 2016 – Transition Process.*

Seconded Cr Little

CARRIED

Moved Cr Mann that:

2. *Council advise Alexander Symonds that:*
  - a. *The only way to legally vary conditions of approval are by way of a new Development Application seeking approval to vary the conditions. Such an Application may be approved by Council Officers acting under delegation, or by Council's Assessment Panel.*
  - b. *At this time Council has no opposition to a second allotment being approved and developed, without the need to further upgrade the intersection, with a preference for such upgrading to occur as part of this section of the Riddoch Highway being improved and made into a dual carriageway.*
  - c. *Mr Tony Pasin MP, Member for Barker; Mr Troy Bell MP, Member for Mount Gambier; and the State Government Minister for Transport be advised of recommendations 2a and 2b above.*

Seconded Cr Elliott

CARRIED

*Note: The matter of establishing a Working Group with the Glenelg River Shack Owners Association to consider the 'Retaining Shacks for Vibrant Holiday Communities – Preliminary Discussion Paper – June 2019'; and the possible establishment of a Shack Code (or similar) in relation to the future maintenance, improvement and/or development of the shacks along the Glenelg River; is to be referred to Council.*

### **INFORMATION BULLETIN**

Nil

### **BUSINESS WITH NOTICE**

Nil

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Nil

### **- CONFIDENTIAL ITEMS**

#### **1. Rural Living and Township Zone Boundaries Review and Master Plan – Item 10.1**

1. Moved Cr Elliott that:

1. *Pursuant to section 90(2) of the Local Government Act 1999 the Planning and Development Committee orders that all members of the public, except JF Fetherstonhaugh (Acting Chief Executive Officer), LJ McEvoy (Director of Environmental Services), TF Glynn (Planning Officer), AM Price (Team Leader – Environmental Health and Compliance), and HL Michell (Administration Officer – Environmental*

*Services, be excluded from attendance at the meeting for Agenda Item Rural Living and Township Zone Boundaries Review and Master Plan.*

2. *The Planning and Development Committee is satisfied that, pursuant to section 90(3)(m) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Development Plan Amendment proposal relating to the amendment is released for public consultation under that Act. (Note: This may also apply to a proposed amendment of the Planning and Design Code under the new Planning, Development and Infrastructure Act 2016).*
3. *In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Planning and Development Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because such disclosure to the public may compromise the processes and outcomes associated with a proposed amendment to the Council's Development Plan before being released for public consultation.*

Seconded Cr Little

CARRIED

2. Moved Cr Elliott that:
  1. *Having considered Agenda Item Rural Living and Township Zone Boundaries Review and Master Plan in confidence under section 90(2) and (3)(m) of the Local Government Act 1999, the Planning and Development Committee, pursuant to section 91(7) of that Act orders that the documents and minutes relevant to the Agenda Item be retained in confidence until the Council resolves to release the draft Rural Living and Township Zone Boundaries Review and Master Plan as a public document, and that this order be reviewed every 12 months [if the confidentiality period is longer than 12 months in duration].*
  2. *The Planning and Development Committee recommends that Council delegates to the Acting Chief Executive Officer, pursuant to Section 91(9)(c) of the Local Government Act 1999, the power, at his discretion, to revoke the order made by Council under Section 91(7) and (9) of the Act at part (1) of this resolution at any time prior to the expiration of the period of the order specified therein.*

Seconded Cr Little

CARRIED

**2. Sandyridge Holdings Pty Ltd – Verbal Report provided by Director of Environmental Services**

1. Moved Cr Little that:
  1. *Pursuant to section 90(2) of the Local Government Act 1999 the Planning and Development Committee orders that all members of the public, except JF Fetherstonhaugh, (Acting Chief Executive Officer), LJ McEvoy (Director of Environmental Services), TF Glynn (Planning Officer), HL Michell (Administration Officer – Environmental Services), be excluded from attendance at the meeting for Confidential Item 2 (Legal Advice concerning Sandyridge Landfill).*
  2. *The Planning and Development Committee is satisfied that, pursuant to section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is legal advice, in that it has been provided by Kelledy Jones Lawyers on instructions from the Council.*
  3. *The Planning and Development Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because a Council decision has not yet been made in relation to the advice and its subject matter.*

Seconded Cr Mann

CARRIED

- 2. Moved Cr Mann that:
  - 1. Having considered Confidential Item 2 (Legal Advice concerning Sandyridge Landfill) in confidence under section 90(2) and (3)(h) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that legal advice from Kelledy Jones Lawyers all minutes be retained in confidence until the matter resolves and that this order be reviewed every 12 months.
  - 2. Council delegates to the Chief Executive Officer, pursuant to Section 91(9)(c) of the Local Government Act 1999, the power, at his discretion, to revoke the order made by Council under Section 91(7) and (9) of the Act at part (1) of this resolution at any time prior to the expiration of the period of the order specified therein.

Seconded Cr Elliott

CARRIED

**NEXT MEETING**

The next meeting of the District Council of Grant Planning and Development Committee is scheduled to be held on Tuesday, 10 September 2019. Members will be notified should this meeting be changed.

Meeting closed at 7.32pm.

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PRESIDING MEMBER

/ /2019