



**DISTRICT COUNCIL OF GRANT**

**MINUTES OF ORDINARY MEETING OF COUNCIL HELD AT THE  
COUNCIL CHAMBERS, 324 COMMERCIAL STREET WEST, MOUNT GAMBIER**

**ON MONDAY 18 MARCH 2019 AT 5.30PM**

**ATTENDANCE**

**Elected Members**

Mayor Richard Sage  
Cr BJ Bain  
Cr KA Boston  
Cr GM Clayfield  
Cr MJ Dukalskis  
Cr JL Elliott  
Cr BR Kuhl  
Cr SE Little  
Cr SB Mann  
Cr JA Reis

**Council Officers**

DJ Singe, Chief Executive Officer  
JF Fetherstonhaugh, Deputy Chief Executive Officer  
LJ McEvoy, Director, Environmental Services  
AA Schutz, Works Manager  
GP Button, Team Leader Finance & Customer Service  
MP Ryan, Economic Development Advisor  
ME Tucker, Manager Organisational Development  
KM Gilmore, Governance Officer  
JA O’Hehir, Executive Assistant

**Other Attendees**

Sandra Morello – The Border Watch

**19034 - ATTENDANCE**

1. Leave of Absence Request – [9.33.3/17] Item 2.1  
Cr Gillian Clayfield requested a leave of absence from Council from 23 June 2019 until 1 September 2019, inclusive.  
  
Moved Cr Reis that Council grant a leave of absence to Cr GM Clayfield from 23 June 2019 until 1 September 2019, inclusive.  
Seconded Cr Elliott CARRIED

**19035 - CONFIRMATION OF MINUTES**

1. Moved Cr Clayfield that the minutes of the:
  - Ordinary Meeting of Council held Monday 4 March 2019; and
  - Special Meeting of Council held Thursday 7 March 2019be taken as read and confirmed as a true and correct record of the proceedings of that meeting.  
Seconded Cr Dukalskis CARRIED

**19036 – REPORTS FROM REPRESENTATIVES ON OTHER ORGANISATIONS AND COMMITTEES**

Cr Kuhl	<ul style="list-style-type: none"> <li>• Designated Informal Gathering – Budget, Finance, Works, Airport &amp; Saleyards</li> <li>• Elected Members Mandatory Training Modules 3 &amp; 4 Workshop</li> </ul>
Cr Elliott	<ul style="list-style-type: none"> <li>• Bay Escape</li> <li>• Designated Informal Gathering – Budget, Finance, Works, Airport &amp; Saleyards</li> <li>• Elected Members Mandatory Training Modules 3 &amp; 4 Workshop</li> <li>• 2019 International Women’s Day breakfast hosted by Women in Business</li> <li>• Staff address at offices and PMCC</li> <li>• Various meetings with Council staff</li> </ul>
Cr Dukalskis	<ul style="list-style-type: none"> <li>• Bay Escape</li> <li>• Designated Informal Gathering – Budget, Finance, Works, Airport &amp; Saleyards</li> <li>• Breakfast meeting with the Hon Greg Hunt, MP</li> <li>• Elected Members Mandatory Training Modules 3 &amp; 4 Workshop</li> <li>• 2019 International Women’s Day breakfast hosted by Women in Business</li> <li>• Presentation of certificates to SA District Championships swim meet</li> </ul>
Cr Little	<ul style="list-style-type: none"> <li>• Designated Informal Gathering – Budget, Finance, Works, Airport &amp; Saleyards</li> <li>• Elected Members Mandatory Training Modules 3 &amp; 4 Workshop</li> <li>• Planning &amp; Development Committee</li> </ul>
Cr Reis	<ul style="list-style-type: none"> <li>• Elected Members Mandatory Training Modules 3 &amp; 4 Workshop</li> <li>• LGA Media Training</li> <li>• Group Training Employment Awards night</li> <li>• 2019 International Women’s Day breakfast hosted by Women in Business</li> </ul>
Cr Boston	<ul style="list-style-type: none"> <li>• Designated Informal Gathering – Budget, Finance, Works, Airport &amp; Saleyards</li> <li>• Elected Members Mandatory Training Modules 3 &amp; 4 Workshop</li> <li>• Meeting with staff regarding</li> <li>• 2019 International Women’s Day breakfast hosted by Women in Business</li> </ul>
Cr Bain	<ul style="list-style-type: none"> <li>• Designated Informal Gathering – Budget, Finance, Works, Airport &amp; Saleyards</li> <li>• Elected Members Mandatory Training Modules 3 &amp; 4 Workshop</li> </ul>

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Cr Mann	<ul style="list-style-type: none"> <li>• Designated Informal Gathering – Budget, Finance, Works, Airport &amp; Saleyards</li> <li>• Bay Escape</li> <li>• Elected Members Mandatory Training Modules 3 &amp; 4 Workshop</li> <li>• LGA Budget Workshop</li> <li>• Planning &amp; Development Committee</li> </ul>
Cr Clayfield	<ul style="list-style-type: none"> <li>• Governance Meeting</li> <li>• Bay Escape</li> <li>• Presentation of grant funding to the Port MacDonnell Bowls Club</li> <li>• Designated Informal Gathering – Budget, Finance, Works, Airport &amp; Saleyards</li> <li>• Meeting regarding Port MacDonnell harbour</li> <li>• Elected Members Mandatory Training Modules 3 &amp; 4 Workshop</li> <li>• 2019 International Women’s Day breakfast hosted by Women in Business</li> <li>• Planning &amp; Development Committee</li> <li>• Meetings with staff</li> <li>• Clean Up Australia Day – Woolwash Beach, Port MacDonnell</li> <li>• Shoreline Exhibition PMCC Gallery</li> </ul>
Mayor Sage	<ul style="list-style-type: none"> <li>• Local Government Roundtable with the Premier, the Hon Steven Marshall, MP in Adelaide with other Mayors from across the State</li> <li>• LGA President’s Mayor’s Networking Event in Adelaide</li> <li>• Bay Escape Official Opening &amp; competitor in the Surf Board Challenge</li> <li>• Meeting with Independent MP Troy Bell</li> <li>• Designated Informal Gathering – Budget, Finance, Works, Airport &amp; Saleyards</li> <li>• ICAC Elected Members Training Forum in Adelaide</li> <li>• Adelaide Superloop 500 Event – Invitation from the Premier, the Hon Steven Marshall</li> <li>• Elected Members Mandatory Training Modules 3 &amp; 4 Workshop</li> <li>• Clean Up Australia Day – Woolwash Beach, Port MacDonnell</li> <li>• Mil-lel Community Annual Meet &amp; Greet Day event</li> <li>• Media Catch up with CEO, DCEO, Community Development Coordinator &amp; Executive Assistant</li> <li>• SAROC General Meeting in Adelaide</li> </ul>

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	<ul style="list-style-type: none"><li>• Meeting with Regional Express Airlines Executive Chairman Lim Kim Hai &amp; Warrick Lodge, General Manager of Network Strategy &amp; Sales with two other Board Members in Sydney</li><li>• SE Country Musical Festival at Casadio Park</li><li>• District Council of Grant Planning and Development Committee Meeting</li><li>• Various Meetings with Marianne Tucker, Manager Organisational Development</li></ul>
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Moved Cr Reis that the reports from the Representatives on other organisations and committees be noted.

Seconded Cr Boston

CARRIED

### **19036 - CONFIRMATION OF MINUTES OF COMMITTEES (AND RECOMMENDATIONS)**

1. Non-Confidential Minutes of the Planning and Development Committee - [9.14.1/3] Item 11.1

Council was provided with the non-confidential Planning and Development Committee minutes for the meeting held Tuesday 12 March 2019.

Moved Cr Kuhl that Council receive the non-confidential Planning and Development Committee Minutes for the meeting held Tuesday 12 March 2019.

Seconded Cr Mann

CARRIED

### **REPORTS FROM OFFICERS AND COMMITTEES**

#### **19037 – CHIEF EXECUTIVE OFFICER**

1. Committee Structures and Memberships - [16.14.1/1; 16.14.1/2; 16.14.1/3] Item 13.1.1

Council considered the terms of reference for Council's Airport Security Committee, Airport Strategy Committee and Saleyards Strategy Committee.

1. Moved Cr Elliott that the Mayor to become the Presiding Member for Airport Security Committee, Airport Strategy Committee and Saleyards Strategy Committee.

Seconded Cr Reis

CARRIED

2. Moved Cr Reis that:

1. The term 'ex-officio' is removed from the Terms of Reference;

2. The item, minute reference 19012.1, be lifted off the table;

3. Council adopt the Mount Gambier Regional Airport Security Committee Terms of Reference;

4. Council adopt the Mount Gambier Regional Airport Strategy Committee Terms of Reference; and

5. Council adopt the Mount Gambier & District Saleyards Committee Terms of Reference.

Seconded Cr Elliott

CARRIED

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Cr Clayfield called a division:

Mayor Sage declared the vote set aside.

**Members voting in the affirmative:** Cr Elliott, Cr Reis, Cr Bain and Cr Mann

**Members voting in the negative:** Cr Kuhl, Cr Dukalskis, Cr Little, Cr Boston and Cr Clayfield

Mayor Sage declared the motion LOST

3. Moved Cr Elliott that Council rescind motion 19037.1.1.

Seconded Cr Clayfield

CARRIED

4. Moved Cr Little that:

1. The item, minute reference 19012.1, be lifted off the table.

2. The Terms of Reference for the Mount Gambier Regional Airport Security Committee, the Mount Gambier Regional Airport Strategy Committee and the Mount Gambier and District Saleyards Strategy Committee be adopted with the following changes:

1. The term 'ex-officio' to be removed from the Terms of Reference of Mount Gambier Regional Airport Security Committee, the Mount Gambier Regional Airport Strategy Committee and the Mount Gambier and District Saleyards Strategy Committee.

2. The Mayor to be included within the membership of the Mount Gambier Regional Airport Security Committee, the Mount Gambier Regional Airport Strategy Committee and the Mount Gambier and District Saleyards Strategy Committee.

Seconded Cr Bain

CARRIED

2. Mount Gambier Regional Airport Strategy Committee - [16.14.1/1] Item 13.1.2

Council considered the membership of the Mount Gambier Regional Airport Strategy Committee.

Moved Cr Little that Council accept and endorse the membership of the Mount Gambier Regional Airport Strategy Committee as follows:

- Dr Judy Nagy, as Board Member nominee of Regional Development Australia Limestone Coast;
- Ms Biddie Shearing, Limestone Coast Local Government Association, regional tourism nominee;
- Mr Jonathon Cheong, Aviation Consulting Specialist, as Adelaide Airport contact;
- Mr Mark Gill, Manager Aviation & Access Destination Development with the SA Tourism Commission as State tourism contact;
- Mr Ben Gower, CEO Wattle Range Council, as aviation career and industry contributor
- Cr Ben Hood – City of Mount Gambier and letter from the City of Mount Gambier advising of his nomination to the Committee.
- Mr David Herbert, Member of the Mount Gambier Aero Club and former Chair of the Mount Gambier Airport Advisory Committee, with both finance and general aviation knowledge.
- Regional Express Airlines – nominee to be advised by Regional Express Airlines.

Seconded Cr Bain

CARRIED

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3. Annual Review of Delegations of Powers of Council - [12.9.1/1] Item 13.1.3  
As per Section 44(6) of the *Local Government Act 1999*, Council reviewed the Delegations of its powers and functions.

Moved Cr Little that having conducted its annual review of the Council's Delegations Register in accordance with Section 44(6) of the *Local Government Act 1999*, the Council:

1. Revocations

- 1.1. Hereby revokes its previous delegations to the Chief Executive Officer and Council Staff of those powers and functions under the following:

- 1.1.1. Aerodrome Fees Act 1998
- 1.1.2. Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014
- 1.1.3. Children's Protection Act 1993
- 1.1.4. Community Titles Act 1996
- 1.1.5. Development Act 1993 and Development Regulations 2008
- 1.1.6. Dog & Cat Management Act 1995
- 1.1.7. Electronic Conveyancing National Law (South Australia) Act 2013
- 1.1.8. Environment Protection Act 1993 and the Environment Protection (Waste to Resources) Policy 2010
- 1.1.9. Expiation of Offences Act 1996 (with effect from 30 April 2018)
- 1.1.10. Fences Act 1975
- 1.1.11. Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005
- 1.1.12. Food Act 2001
- 1.1.13. Freedom of Information Act 1991 and the Freedom of Information (Fees and Charges) Regulations 2003
- 1.1.14. Graffiti Control Act 2001
- 1.1.15. Heavy Vehicle National Law (South Australia) Act 2013
- 1.1.16. Housing Improvement Act 1940
- 1.1.17. Impounding Act 1920
- 1.1.18. Land & Business (Sale and Conveyancing) Act 1994
- 1.1.19. Liquor Licensing Act 1997
- 1.1.20. Local Government Act 1999
- 1.1.21. Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017.
- 1.1.22. Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions -Levies) Regulations 2005

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- 1.1.23. Planning, Development and Infrastructure Act 2016
  - 1.1.24. Real Property Act 1886
  - 1.1.25. Roads (Opening & Closing) Act 1991
  - 1.1.26. Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014
  - 1.1.27. Safe Drinking Water Act 2011
  - 1.1.28. South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013
  - 1.1.29. Strata Titles Act 1988
  - 1.1.30. Supported Residential Facilities Act 1992
  - 1.1.31. Unclaimed Goods Act 1987
  - 1.1.32. Water Industry Act 2012 and Water Industry Regulations 2012
  - 1.1.33. Work Health and Safety Act 2012
  - 1.2. Hereby revokes its previous delegations to its Development Assessment Panel under the Development Act 1993 and Development Regulations 2008.
2. Delegations made under Local Government Act 1999
- 2.1. In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instrument of Delegation (Delegations Register distributed under separate cover) are hereby delegated this eighteenth day of March 2019 to the person occupying the office of Chief Executive Officer and anyone who may from time to time be appointed to act in that position subject to the conditions and or limitations specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
    - 2.1.1. Aerodrome Fees Act 1998
    - 2.1.2. Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014
    - 2.1.3. Children's Protection Act 1993
    - 2.1.4. Community Titles Act 1996
    - 2.1.5. Dog & Cat Management Act 1995
    - 2.1.6. Electricity Act 1996 and Electricity (Principles of Vegetation Clearance) Regulations 2010
    - 2.1.7. Electronic Conveyancing National Law (South Australia) Act 2013
    - 2.1.8. Environment Protection Act 1993 and the Environment Protection (Waste to Resources) Policy 2010

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- 2.1.9. Expiation of Offences Act 1996 (with effect from 30 April 2018)
- 2.1.10. Fences Act 1975
- 2.1.11. Fines Enforcement and Debt Recovery Act 2017 (with effect from 30 April 2018)
- 2.1.12. Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005
- 2.1.13. Freedom of Information Act 1991 and the Freedom of Information (Fees and Charges) Regulations 2003
- 2.1.14. Gas Act 1997
- 2.1.15. Graffiti Control Act 2001
- 2.1.16. Housing Improvement Act 1940
- 2.1.17. Impounding Act 1920
- 2.1.18. Land & Business (Sale and Conveyancing) Act 1994
- 2.1.19. Liquor Licensing Act 1997
- 2.1.20. Local Government Act 1999
- 2.1.21. Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017.
- 2.1.22. Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions Levies) Regulations 2005
- 2.1.23. Planning, Development and Infrastructure Act 2016
- 2.1.24. Real Property Act 1886
- 2.1.25. Roads (Opening & Closing) Act 1991
- 2.1.26. Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and the Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014
- 2.1.27. South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013
- 2.1.28. Strata Titles Act 1988
- 2.1.29. Unclaimed Goods Act 1987
- 2.1.30. Water Industry Act 2012 and Water Industry Regulations 2012
- 2.1.31. Work Health and Safety Act 2012
- 2.2. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegations.



3. Delegations made under Development Act 1993 and the Development Regulations 2008
  - 3.1. In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation (Delegations Register distributed under separate cover) are hereby delegated this eighteenth day of March 2019 to the person occupying the office of Chief Executive Officer and anyone who may from time to time appointed to act in that position, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
  - 3.2. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed instrument of Delegation under the Development Act 1993.
  - 3.3. In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation (Delegations Register distributed under separate cover) are hereby delegated this sixteenth day of April 2018 to the Council's Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
4. Delegations under Fire and Emergency Services Act 2005 to a Fire Prevention Officer
  - 4.1. In exercise of the power contained in Section 93 of the Fire and Emergency Services Act 2005 the powers and functions under the Fire and Emergency Services Act 2005 contained in the proposed Instrument of Delegation (Delegations register distributed under separate cover) are hereby delegated this eighteenth day of March 2019 to the person/s appointed Fire Prevention Officer/s of the Council under the Fire and Emergency Services Act 2005 subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Fire and Emergency Services Act 2005.
  - 4.2. Such powers and functions may be further delegated by the Fire Prevention Officer/s as the Fire Prevention Officer/s sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Fire and Emergency Services Act 2005.

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5. Delegations made under Food Act 2001
  - 5.1. In exercise of the powers contained in Section 91 of the Food Act 2001, the powers and functions under the Food Act 2001 contained in the proposed Instrument of Delegation (Delegations Register distributed under separate cover) are hereby delegated this eighteenth day of March 2019 to the person occupying the office of Chief Executive Officer and anyone who may from time to time be appointed to act in that position (“the head of the enforcement agency” for the purposes of the Food Act 2001), subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.
  - 5.2. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.
6. Delegations under the Heavy Vehicle National Law (South Australia) Act 2013
  - 6.1. In exercise of the powers contained in Section 44 of the Local Government Act 1999 and Section 22B of the Heavy Vehicle National Law (South Australia) Act 2013 (as relevant) the powers and functions under the Heavy Vehicle national Law (South Australia) Act 2013 contained in the proposed Instrument of Delegation (Delegations Register distributed under separate cover) are hereby delegated this eighteenth day of March 2019 to the person occupying the office of Chief Executive Officer and anyone who may from time to time be appointed to act in that position, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Heavy Vehicle National Law (South Australia) Act 2013.
  - 6.2. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Heavy Vehicle National Law (South Australia) Act 2013.
7. Delegations under Safe Drinking Water Act 2011 (of enforcement agency)
  - 7.1. In exercise of the power contained in Section 43 of the Safe Drinking Water Act 2011 the powers and functions of the Council as a relevant authority under the Safe Drinking Water Act 2011 contained in the proposed Instrument of Delegation (Delegations Register distributed under separate cover) are hereby delegated this eighteenth day of March 2019 to the person occupying the office of Chief Executive Officer and any person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of

Delegation (Delegations Register under separate cover) under the Safe Drinking Water Act 2011.

- 7.2. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Safe Drinking Water Act 2011.
8. Delegations under Supported Residential Facilities Act 1992
    - 8.1. In exercise of the power contained in Section 9 of the Supported Residential Facilities Act 1992, the powers and functions under the Supported Residential Facilities Act 1992 contained in the proposed Instrument of Delegation (Delegations Register distributed under separate cover) are hereby delegated this eighteenth day of March 2019 to the person occupying the office of Chief Executive Officer and anyone who may from time to time be appointed to act in that position, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.
    - 8.2. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.
  9. Authorisations and Subdelegation under the Road Traffic Act 1961
    - 9.1. In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (“the Instrument”), the Council authorises the following persons pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such person(s) shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements:

David Singe – Chief Executive Officer  
Adrian Schutz – Works Manager
    - 9.2. In accordance with Clause A.7 of the Instrument, the Council will engage an experienced Traffic Engineering Practitioner (as required), to prepare a Traffic Impact Statement as required by Clause A.7 of the Instrument.
    - 9.3. In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in Section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause G of the Instrument and contained in the proposed Instrument of Subdelegation (Delegations Register distributed under separate cover) is hereby sub-delegated this eighteenth day of March 2019 to the person occupying the office of Chief Executive Officer of the

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Council and anyone who may from time to time be appointed to act in that position subject to:

- i) the conditions contained in the Instrument; and
- ii) any conditions contained in this Resolution or in the instrument of subdelegation; and
- iii) the creation of a separate instrument in writing reflecting such subdelegation under the Instrument and this Resolution.

9.4. In accordance with Clause E.2 of the Instrument, the Council is of the opinion that the following person(s) have an appropriate level of knowledge and expertise in the preparation of traffic management plans:

Adrian Schutz – Works Manager  
Mathew Little – Works Supervisor

Seconded Cr Clayfield CARRIED

4. Economic Development Update Report – [9.87.1/2] Item 13.1.4  
Council was provided with an update on recent economic development activities within the Economic Development Advisor’s area of responsibility.

Moved Cr Kuhl that the Economic Development Update Report for March 2019 be received and noted.

Seconded Cr Mann CARRIED

5. Chief Executive Officer’s Update Report – [9.24.1/9, 16.64.1/6 & 3.85.1/8] Item 13.1.5

Council was provided with a general update of Council business and activities.

1. Moved Cr Clayfield that:

1. As per resolution 19007.2 from the Ordinary meeting of Council of 21 January 2019, that a working party be established to reassess and progress the Old Boatyard site at Port MacDonnell; and that the membership is to include Mayor Sage, Cr Clayfield and Cr Mann.
2. As per resolution 19007.3 from the Ordinary meeting of Council of 21 January 2019, that a working party be established to look at options for the harbour at Port MacDonnell; and that the membership is to include Mayor Sage, Cr Clayfield and Cr Mann.

Seconded Cr Reis CARRIED

2. Moved Cr Elliott that the Chief Executive Officer’s General Business Update be noted.

Seconded Cr Bain CARRIED

**19038 – DEPUTY CHIEF EXECUTIVE OFFICER**

1. Asset Management and Accounting Policy - [9.63.1/1] Item 13.2.1  
Council considered the new policy for management and accounting of Council assets.  
Moved Cr Dukalskis that:
  1. The new Asset Management and Accounting Policy be adopted by Council.
  2. The following policies be revoked:
    - FINPOL 05 Asset Management Policy
    - FINPOL 06 Asset Accounting PolicySeconded Cr Bain CARRIED
  
2. Asset Management Plans – [18.80.1/5 & 18.80.1/1] Item 13.2.2  
Council considered endorsing the new approach to asset management plans and adopt the new Strategic Asset Management Plan and individual Asset Management Plans.  
Moved Cr Clayfield that Council adopt the following 2019-2029 asset management plans:
  - Strategic Asset Management Plan
  - Buildings Asset Management Plan
  - Community Wastewater Management Systems Asset Management Plan
  - Fleet Asset Management Plan
  - Information & Communication Technology Asset Management Plan
  - Open Space Asset Management Plan
  - Stormwater Drainage Asset Management Plan
  - Transport Asset Management PlanSeconded Cr Dukalskis CARRIED
  
3. Budget Review #2 – 2018-2019 – [7.11.1/1] Item 13.2.3  
Council considered the second Budget Review for 2018-2019.  
Moved Cr Dukalskis that Council adopts the variations detailed in the February 2019 Budget Review.  
Seconded Cr Boston CARRIED
  
4. Deputy Chief Executive Officer Monthly Update – [9.24.1/9] Item 13.2.4  
Council was provided with the monthly update on projects, issues, information and events within the Deputy Chief Executive Officer's area of responsibility.  
Moved Cr Clayfield that Deputy Chief Executive Officer's Monthly Update report be noted.  
Seconded Cr Bain CARRIED

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### **19039 – WORKS**

1. Proposed Road Closing and Sale of Community Land – Whittington Square, Tarpeena – [14.3.2/7] Item 13.3.1  
Council was advised of an expression of interest which has been received to purchase road reserve and community land on Whittington Square in Tarpeena.  
Moved Cr Little that Council undertake a consultation process in accordance with Public Consultation Policy (GOVPOL 15) in relation to the proposed revocation of community land status of Lot 36 Whittington Square, Tarpeena and closure and sale of the adjacent road reserve, to enable to further consideration of the proposal by Council.  
Seconded Cr Bain CARRIED
2. Works Managers Monthly Update – [9.24.1/9] Item 13.3.2  
Council was provided with a monthly update on projects, issues, information and events within the Works Manager's area of responsibility.  
Moved Cr Bain that the Works Manager's monthly update be noted.  
Seconded Cr Elliott CARRIED

### **19040 – DIRECTOR OF ENVIRONMENTAL SERVICES**

1. Director of Environmental Services Monthly Update Report - [9.24.1/9] Item 13.4.1  
Council was provided with a monthly update on projects, issues, information and events within the Director of Environmental Services area of responsibility.  
Moved Cr Boston that the Director of Environmental Services Monthly Update Report for March 2019 be received and noted.  
Seconded Cr Dukalskis CARRIED

### **19041 – LATE ITEM**

1. Lease to Optus Mobile Pty Ltd – Common Seal - [16.51.1/36]  
Council considered authorising the Mayor and Chief Executive Officer to sign and seal the Lease between the District Council of Grant and Optus Mobile Pty Ltd.  
Moved Cr Bain that Council authorise the Mayor and Chief Executive Officer to execute the Lease between the District Council of Grant and Optus Mobile Pty Ltd, over the portion of the Land comprised in Certificate of Title Register Book Volume 6136 Folio 163 (more particularly described as 'Area Z' in FX251810 attached to this report) by affixing the Common Seal.  
Seconded Cr Elliott CARRIED

6.52pm Sandra Morello (The Border Watch), AA Schutz (Works Manager), MP Ryan (Economic Development Advisor) vacated the meeting.

**19042 – CONFIDENTIAL ITEMS**

6.52pm Cr GM Clayfield vacated the meeting.

1. **Confidential Minutes of the Planning and Development Committee – Meeting Held Tuesday 12 March 2019 - [9.14.1/3] Item 16.1.1**

1. Moved Cr Bain that:

1. Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except, DJ Singe (Chief Executive Officer), JF Fetherstonhaugh (Deputy Chief Executive Officer), LJ McEvoy (Director of Environmental Services), ME Tucker (Manager Organisational Development), GP Button (Team Leader Finance & Customer Services), KM Gilmore (Governance Officer) and JA O'Hehir (Executive Assistant) be excluded from attendance at the meeting for the Agenda Item 16.1 – Confidential Minutes of the Planning and Development Committee held Tuesday 12 March 2019 concerning the Rural Living and Township Zones – 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 6.1 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 Council 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 Kuhl

CARRIED

6.54pm Cr GM Clayfield re-joined the meeting.

2.

3. Moved Cr Clayfield that:

1. Having considered Agenda Item 16.1 – Confidential Minutes of the Planning and Development Committee held Tuesday 12 March 2019 concerning the Rural Living and Township Zones – 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 Zones – Boundaries Review and Master Plan as a public document, 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 Mann

CARRIED

2. Legal Advice Concerning Sandyridge Holdings Pty Ltd - [5.89.1/1 and A2849]

1. Moved Cr Boston that:

1. Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except David Singe, Chief Executive Officer, JF Fetherstonhaugh (Deputy Chief Executive Officer) LJ McEvoy (Director of Environmental Services), ME Tucker (Manager Organisational Development), GP Button (Team Leader Finance & Customer Services), KM Gilmore (Governance Officer) and JA O’Hehir (Executive Assistant), be excluded from attendance at the meeting for Agenda Item - Legal Advice concerning Sandyridge Landfill.
2. The Council 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 Council 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 Elliott

CARRIED



**District Council of Grant – Minutes of Meeting held 18 March 2019**

2.

3. Moved Cr Little that:

1. Having considered Agenda Item - 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 Bain

CARRIED

Meeting closed at 7.25pm

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MAYOR

/ /2019