



Minutes of the Council Meeting

Held on 21 August 2023

Alexandrina Council

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Minutes of the Alexandrina Council Ordinary Meeting held on Monday, 21 August 2023, commencing at 5.30 pm

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1. Opening of Meeting

An audio recording of this meeting was made for minute-taking purposes and lasted the length of the open meeting. The audio file will be available on the Council website after the draft Minutes have been circulated.

Present

Mayor Keith Parkes (Presiding Member), Councillors Bill Coomans, Margaret Gardner, Milli Livingston, Craig Maidment, Sue Miller, Lou Nicholson, Peter Oliver, Michael Scott and Christie Thornton.

Apologies / Leave of Absence

Nil

In Attendance

Nigel Morris (Chief Executive Officer), Matt Atkinson (Acting General Manager Community), Andy Baker (General Manager Infrastructure), Tash Hunt (Acting General Manager Corporate), Tanya Cregan (Executive Assistant to the Mayor and Council Members - Minute Secretary), and other staff as required.

Gallery

12 members of the public, a representative from the Victor Harbor Times and Fleurieu Sun, a representative from the Southern Argus, and a representative from South Coast Television.

Acknowledgement of Traditional Owners

The Alexandrina Council and its communities acknowledge the Ngarrindjeri people as the traditional custodians of the lands and waters of our Council District.

Local Government Prayer

Almighty God, we humbly beseech thee to grant thy blessing upon the works of this Council, guide us in our deliberations for the advancement and the true welfare of the people of this district.

Declarations of Interest

If a Council Member has an interest in a matter before the Council, they are asked to disclose the interest to Council and provide full and accurate details of the relevant interest. Members are reminded to declare their interest before each item.

Confirmation of Minutes

C23294

Moved Cr Craig Maidment seconded Cr Milli Livingston

That the Minutes of the Alexandrina Council meeting held on 17 July 2023 be received as a true and correct record.

CARRIED UNANIMOUSLY

2. Adjourned Debate

Nil

3. Presentations / Deputations

3.1. Middleton Storm Committee

The Presiding Member sought and was granted leave of the meeting for the deputation to be up to 10 minutes in duration.

Ms Rose Kentish made a deputation on behalf of the Middleton Storm Committee.

The Presiding Member thanked Ms Kentish for her deputation.

3.2. Langhorne Creek Cricket Club Inc

Mr Robran Cock, Treasurer of Langhorne Creek Cricket Club made a deputation regarding request for funding to assist with upgraded facilities at the Langhorne Creek Oval.

The Presiding Member thanked Mr Cock for his deputation.

3.3. Draft Community Land Management Plan

The Presiding Member sought and was granted leave of the meeting for the deputation to be up to 10 minutes in duration.

Mr David Gray AM made a deputation regarding his submission to Council's draft Community Land Management Plan.

The Presiding Member thanked Mr Gray for his deputation.

4. Petitions

4.1. Petition - Draft Milang Master Plan

C23295

Moved Cr Sue Miller seconded Cr Peter Oliver

That Council note the petition and that it be included as feedback for the Draft Milang Master Plan currently open for community consultation.

CARRIED UNANIMOUSLY

5. Questions with Notice

5.1. Goolwa Oval Recreation Precinct

At the Council Meeting held on 17 July 2023 the following question from Cr Sue Miller was taken on notice, and a response provided, however further information was inadvertently omitted, and the revised answer is provided below.

Question

Reference: Council Agenda & Minutes - 17 July 2023 - Item 5.1 - Goolwa Oval Recreation Precinct, Financials and Risk Management, (question 5)

'Were any of the clubs that form the Advisory Committee, or any other user at the time of redevelopment, ever compensated for the impact the Goolwa Oval Recreation Precinct would have on them? If so, what were those amounts, to whom were they paid, when were they paid, and what were the payments for, and how were they authorised and reported to Council?'

Answer

Response provided at the 17 July 2023 Council meeting:

During Stage 1 of the project a once off payment of \$10,000 in 2021/22 was made to the Goolwa Port Elliot Football Club to assist with relocation costs to avoid significant delays to the project and additional costs. The payment was authorised as a project cost by Administration and was not individually reported to Council.

Additional information:

- The croquet club was temporarily relocated to Port Elliot, with a pitch area established and maintained for the club to use for approximately 18 months. This area was maintained by Council's Parks and Gardens team from their existing operational budget, with works essentially limited to some additional mowing.
- The cricket club's fees for summer 2021/22 were waived by Council due to the fact they had no access to club rooms. The 2021/22 season fee for the cricket club was proposed to be \$4,666.95.

5.2. Cr Lou Nicholson - Granny Flat Rental

Question

'Within Alexandrina, what are the relevant laws/regulations concerning occupancy and private rental (short term and long term) of ancillary dwellings ("granny flats")?'

Answer

The *Planning, Development and Infrastructure Act 2016* (PDI Act) and associated *Regulations* govern the use, development and management of land and buildings in South Australia, by providing a planning system to regulate development within the State, being the Planning and Design Code (the Code).

The Code provides the relevant policy framework to facilitate the development of land based on relevant requirements of particular zones and overlays.

Typically speaking, most zones only permit up to one (1) dwelling per allotment in residential areas, however the Code does anticipate that 'ancillary accommodation' (i.e. a granny flat) may be constructed where associated with an existing dwelling.

The Code defines ancillary accommodation as the following:

Ancillary Accommodation means accommodation that:

- a. is located on the same allotment as an existing dwelling; and*
- b. is not a self-contained residence; and*
- c. contains no more than 2 bedrooms or rooms or areas capable of being used as a bedroom; and*
- d. is subordinate to and does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling.*

(my underline)

The definition of ancillary accommodation seeks to exclude a building that is used as a 'self-contained residence'. 'Self-contained' implies that the building would have all the relevant attributes needed to utilise the building under separate occupancy without any relationship with the existing dwelling, therefore becoming a second dwelling on its own accord.

Furthermore, the use of such a building for short term accommodation may in fact be a form of 'tourist accommodation' which is a different use altogether.

Therefore, under the current planning system, utilising an existing ancillary accommodation building (i.e. granny flat) for rental under separate occupancy would constitute a 'change in use' under the PDI Act to a 'dwelling', or 'tourist accommodation', depending on the nature of the rental arrangement.

Utilising a building approved as ancillary accommodation for separate occupancy under a rental arrangement would constitute a breach of the PDI Act for undertaking an activity that is contrary to what is approved.

Fundamental transformation of this policy position would need to occur at a State level in order to drive any changes that may assist in tackling pressing concerns regarding housing supply and rental shortage to open up pathways to utilise such buildings for rental under separate occupation. Council continues to advocate for changes to the Planning and Design Code to enable more access to housing supply.

5.3. Cr Craig Maidment - Nine Mile Road, Strathalbyn

Question

1. *'The roadworks on Nine Mile Road, Strathalbyn have progressed very slowly over a long period and were due to be completed by the end of July, could we have an update please?'*
2. *What works from the original scope are still to be finalised?'*
3. *Will the road widening be able to accommodate a shared walking/cycling path?'*
4. *Is there any rework required to the road shoulders due to the fact that they remained uncovered for some time and exposed to several rain events over the past two months?'*

Answer

1. Due to inclement weather the shoulders could not be trimmed and the road surface could not achieve the required moisture content levels before the spray seal treatment applied – this has now been achieved as of Friday 4 August.
2. At the time of providing this response the following timetable was scheduled:
 - Line Marking is to being completed 9 August.
 - Signage to commence 13 August and
 - Project will be completed by 16 August.
3. The grant funding and project scope was for blackspot safety works only, which is a strict criteria of the design to meet the funding conditions. There is Masterplan that has identified footpaths and other opportunities and this will be presented at Council in October 2023.
4. No.

5.4. Cr Sue Miller - Strathalbyn Town Plan 2014-2024

Question

1. *'Given the current Strathalbyn Town Plan 2014-2024 will expire next year, and there have been many significant changes to the town since the document was prepared almost 10 years ago, when is it proposed to undertake a review of Master Planning for Strathalbyn, and is there any budget to do this?'*

2. *Did the Strathalbyn Township and Environs (ST&E) Development Plan Amendment (DPA) in June 2018 replace the Strathalbyn Town Plan 2014-2024?*

Answer

1. It is recognised that the Strathalbyn Town Plan will expire in 2024, as highlighted in Item 8.14 of the 17 April 2023 *Council Agenda*. At this meeting when considering the Strategic Planning & Regional Plan Review Gap Analysis, Council also noted the range of strategic planning investigations that need to occur to inform the upcoming Regional Plan preparation. Whilst no specific budget has been allocated in 2023/24 to prepare an updated strategic or master plan for Strathalbyn, it is considered that the following planned investigations will inform such a plan:
- ‘Productive Economy’ Land Demand and Supply Analysis Report – a review of ‘employment’ lands (industrial, commercial and retail) has been undertaken for the larger townships in Alexandrina including Strathalbyn and will be considered by Council in September.
 - Village Conversation – The outcomes from this engagement process will help inform a new town strategic/master plan for Strathalbyn.
 - Lot 10 Langhorne Creek Rd, Strathalbyn – background investigations and engagement for this project will help inform the recreation needs of the community that can be translated into a future town strategic/master plan for Strathalbyn.

A new Strathalbyn Town strategic/master plan that incorporates and builds on the findings of these reports and identifies other future needs such as residential, could be included in the 2024/25 financial year budget.

2. No, the Strathalbyn Town Plan is a high-level strategic document that identifies broad future needs for the town and is used to inform decisions. Amendments to the (then) Development Plan and (now) Planning and Design Code, such as the ST&E DPA, are undertaken to **action** the land use (or planning policy) related recommendations of the Town/Strategic/Master plans.

5.5. Cr Sue Miller - Infrastructure Agreement with Developers

Question

"What is the time frame for when council members and Council's Audit and Risk Committee will be provided with a list or register of all Infrastructure Agreements entered into with developers since January 2018, as resolved by council on 20 March 2023 (C23087) to be provided "as soon as practicable."

Answer

Council's administration is currently compiling a register of Infrastructure Agreements, as no such register currently exists. It is anticipated that the new Infrastructure Agreement Register will be presented to Council at the 18 September 2023 Council Meeting and to the Audit and Risk Committee at its 6 October 2023 meeting.

6. Questions without Notice

C23296

Moved Cr Sue Miller seconded Cr Lou Nicholson

That the following Questions without Notice and the answers be recorded in the Minutes:

1. **Will Council be making a submission on the Planning SA's Greater Adelaide Regional Plan (GARP) Discussion Paper, released on Monday 14 August for 3 months' community consultation?**

Answer: Yes

2. **Is the administration aware that the GARP includes all of Alexandrina Council, and therefore our entire Council area will be included in the definition of 'Greater Adelaide Region'?**

Answer: Yes

3. **Does the GARP discussion paper consider where new housing and employment lands should be developed, how these homes should be serviced, how the State preserves its environmental assets, what major infrastructure will be required for future generations?**

Answer: Yes

4. **Will Council Members be given the opportunity to contribute to, review and endorse Council's submission before the 6 November 2023 deadline?**

Answer: Yes

5. **Will Council raise awareness across its social media channels and networks of the opportunity for the community to comment directly to Planning SA on the GARP?**

Answer: Yes

CARRIED UNANIMOUSLY

7. Notice of Motions

7.1. Cr Sue Miller - Lot 10 Langhorne Creek Road, Strathalbyn - Community Update

Moved Cr Sue Miller seconded Cr Lou Nicholson

That Council, given the email communication received from Mr Max Beasley, President, Strathalbyn Harness Racing Club dated Friday 11 August 2023, 10.01 am to Mayor Parkes:

Write to the following organisations advising them of Council's resolutions C23076 and C23077 of 20 March 2023, and advise the status of the Lot 10 Langhorne Creek Road, Strathalbyn initiative, including that the tender for the preparation of a business case for future recreational land use purposes will soon be awarded, and an infrastructure investigation report is being prepared, and of the allocation in Council's 2023/24 Annual Business Plan and Budget regarding this project, and to contact the Alexandrina Council CEO for any further information:

1. **Mr James Rogers, Development Manager/Acting General Manager Squash SA & Racquetball SA;**
2. **Ms Karla Della Pietra, Chief Executive Officer, Volleyball South Australia;**
3. **Mr Mark Koolmatrie, Founder, Tribal Expertise Facility and Kool Tours;**
4. **Mr Shane Fuller, Chief Executive Officer, Athletics SA;**
5. **Mr Mark Stokes, President, Alexandrina and Eastern Hills Cricket Association;**
6. **Mr Trevor Potts, President, Langhorne Creek Cricket Club;**
7. **Mr James Sexton, Chair, Regional Development Australia – Adelaide Hills Fleurieu and Kangaroo Island;**
8. **Mr Carol D'Ortenzio, Chair, Harness Racing SA Board; and**
9. **Mr Dean Ellio, Chief Executive, Harness Racing Club SA**

and the letter include the 'Description' text that was published on the SA Tenders website as that gives a comprehensive summary of the status of Strathalbyn Community Sport and Recreation Precinct – Needs Analysis and Business Case.

LOST

A division was requested by Cr Sue Miller.

The Presiding Member declared the vote set aside.

Voting in the AFFIRMATIVE	Voting in the NEGATIVE
Cr Christie Thornton	Cr Peter Oliver
Cr Sue Miller	Cr Michael Scott
Cr Milli Livingston	Cr Bill Coomans
Cr Lou Nicholson	Cr Craig Maidment
	Cr Margaret Gardner

The Presiding Member declared the motion **LOST**

7.2. Cr Bill Coomans - Strathalbyn Harness Racing Club proposal to purchase a portion of Lot 10 Langhorne Creek Road, Strathalbyn

Cr Craig Maidment declared a general conflict of interest in the matter for consideration due to being a life member of the Strathalbyn Harness Racing Club and advised he would stay in the Chamber, participate in the debate and vote on this item.

Moved Cr Bill Coomans seconded Cr Peter Oliver

- 1. That Council, upon confirmation from the Strathalbyn Harness Racing Club (SHRC) that they want to continue their interest in purchasing or leasing all or part of Lot 10 Langhorne Creek Road Strathalbyn, investigate its sale or lease with a further report to be presented to Council once further investigations have been completed, including:**
 - 1. A final Concept Plan that clearly illustrates the area in question for the SHRC;**
 - 2. Confirmation of other stakeholders that are part of the SHRC proposal;**
 - 3. A valuation of the proposed area to be sold or leased;**
 - 4. A definition and estimate of the cost of installing certain infrastructure as requested by the SHRC for future community recreation and sporting use;**
 - 5. Details of the ability to ensure SHRC delivers what they promise, e.g. A Memorandum of Understanding (MOU);**
 - 6. Details on the ability to ensure the return of land to Council ownership or responsibility under certain circumstances, e.g. SHRC no longer operates;**
 - 7. A business case that includes detailing the feasibility of the SHRC to deliver and operate their project;**
 - 8. Details regarding how the SHRC Concept Plan can integrate with the Lot 10 Langhorne Creek Road Project Steering Group Committee Master Plan; and**
 - 9. Consideration to establish a joint committee comprised of representatives of the SHRC and other users of the precinct to ensure good management of all the facilities.**
- 2. That Council inform the Lot 10 Langhorne Creek Road Project Steering Group Committee of its revised decision.**

The Presiding Member sought and was granted leave of at least two-thirds of the members present, approval to suspend the meeting procedures at 6.39 pm in order to allow informal discussions for a period of up to 15 minutes.

The Presiding Member determined that the period of suspension should be brought to an end and meeting procedures resumed at 6.54 pm.

Cr Michael Scott sought but was not granted leave of the mover and seconder to vary the motion.

FORMAL MOTION

Moved Cr Sue Miller

That the question be adjourned until the preparation of a Business Case for future recreational land uses at Lot 10 Langhorne Creek Road, Strathalbyn is completed; Village Conversations are conducted with the Strathalbyn community; a deputation is heard from Mr Max Beasley, President of the Strathalbyn Harness Racing Group; and the Lot 10 Langhorne Creek Road Project Steering Group is informed and consulted.

**LAPSED
for want of a seconder**

Upon request from Cr Sue Miller the Chief Executive Officer digitally tabled the email of 12 August 2023 sent to Cr Bill Coomans from Max and Debbie Beasley, representatives of the Strathalbyn Harness Racing Club, as referenced in the background information as submitted by Cr Bill Coomans, contained at Item 7.2 of this meeting agenda.

Cr Michael Scott left the Chamber at 7.00 pm

FORMAL MOTION

Moved Cr Milli Livingston seconded Cr Lou Nicholson

That the question be adjourned for representatives from the Lot 10 Langhorne Creek Road Project Steering Group and Strathalbyn Harness Racing Club to be provided the opportunity to make a deputation to Council; an estimate in increase of budget for the further investigations upon confirmation from the Strathalbyn Harness Racing Club (SHRC) that they want to continue their interest in purchasing or leasing all or part of Lot 10 Langhorne Creek Road Strathalbyn; and a further report to be provided at the September 2023 Council meeting.

Cr Michael Scott returned to the meeting at 7.03 pm

LOST

Cr Milli Livingston sought and was granted leave from the mover and seconder, and leave of the meeting, to vary the motion as follows:

C23297

- 1. That Council, upon confirmation from the Strathalbyn Harness Racing Club (SHRC) that they want to continue their interest in purchasing or leasing all or part of Lot 10 Langhorne Creek Road Strathalbyn, investigate its sale or lease with a further report to be included as part of the existing Business Case to be created and presented to Council, including:**
 - 1. A final Concept Plan that clearly illustrates the area in question for the SHRC;**
 - 2. Confirmation of other stakeholders that are part of the SHRC proposal;**
 - 3. A valuation of the proposed area to be sold or leased;**
 - 4. A definition and estimate of the cost of installing certain infrastructure as requested by the SHRC for future community recreation and sporting use;**
 - 5. Details of the ability to ensure SHRC delivers what they promise, e.g. A Memorandum of Understanding (MOU);**
 - 6. Details on the ability to ensure the return of land to Council ownership or responsibility under certain circumstances, e.g. SHRC no longer operates;**
 - 7. A business case that includes detailing the feasibility of the SHRC to deliver and operate their project;**
 - 8. Details regarding how the SHRC Concept Plan can integrate with the Lot 10 Langhorne Creek Road Project Steering Group Committee Master Plan; and**

9. Consideration to establish a joint committee comprised of representatives of the SHRC and other users of the precinct to ensure good management of all the facilities.
2. That Council inform the Lot 10 Langhorne Creek Road Project Steering Group Committee of its revised decision.

CARRIED

Conflict of Interest declaration: Cr Craig Maidment voted in the affirmative.

7.3. Cr Michael Scott - Port Elliot Oval Clubrooms

C23298

Moved Cr Michael Scott seconded Cr Lou Nicholson

That the appropriate Council staff engage with and give support to the Port Elliot Oval Management Committee in endeavouring to secure a grant for the upgrade of the oval clubrooms, to provide change rooms, showers and toilets for women and girls, as well as men.

CARRIED UNANIMOUSLY

8. Administration Reports

8.1. Community Donation Program Langhorne Creek Cricket Club Inc.

C23299

Moved Cr Margaret Gardner seconded Cr Milli Livingston

- 1 **That the Langhorne Creek Cricket Club be commended for raising \$125,000 themselves towards their Cricket Net Replacement Project.**
- 2 **That Council note the Langhorne Creek Cricket Club application request for \$2,000 through the Community Donations Program and their total request for \$11,000 towards the project.**
- 3 **That Council approves the Community Donation Program Application from the Langhorne Creek Cricket Club Inc for the amount of \$2,000 to assist with the progression of their cricket net replacement project.**
- 4 **That Council write to the Langhorne Creek Cricket Club to encourage them to apply to Council for a loan to enable them to proceed with their cricket net replacement project.**

CARRIED UNANIMOUSLY

8.2. Public consultation on the draft Environmental Action Plan 2030 and the draft Climate Emergency Action Plan

C23300

Moved Cr Bill Coomans seconded Cr Milli Livingston

That Council:

- a. **note and receive the draft Environmental Action Plan 2030 and the draft Climate Emergency Action Plan;**
- b. **approve the release the draft Environmental Action Plan 2030, contained at Attachment 1 in this meeting agenda, for public consultation;**

- c. approve and release the draft Climate Emergency Action Plan, contained at Attachment 2 in this meeting agenda, for public consultation;
- d. endorse the Community Engagement Plan contained at Attachment 3 in this meeting agenda; and
- e. be presented with a further report at the conclusion of the public consultation process.

CARRIED UNANIMOUSLY

8.3. Local Roads & Community Infrastructure (LRCI) Program: Phase 4 - Part B, Project Nomination

C23301

Moved Cr Sue Miller seconded Cr Craig Maidment

1. That Council endorse the following project to be submitted as the 'grant activity' in the Local Roads and Community Infrastructure (LRCI) Program: Phase 4 - Part B available funding of \$395,654
 - Ashbourne Stormwater Mitigation \$395,654
2. That an update to the Long Term Financial Plan and Annual Business Plan & Budgets to incorporate the additional grant funding and associated expenditure be performed at the next quarterly review.

CARRIED UNANIMOUSLY

8.4. Draft 2 Community Land Management Plan Consultation Outcomes

Cr Peter Oliver declared a general conflict of interest in the matter for consideration due to his business 'Coorong Café' having a license to occupy a reserve and advised he would stay in the Chamber, not participate in the debate and not vote on this item.

C23302

Moved Cr Lou Nicholson seconded Cr Margaret Gardner

That Council:

1. Receive and note the submissions from Round 2 of community engagement on the Draft 2023 - 2028 Community Land Management Plan at Attachment 1 as contained in this meeting agenda.
2. Endorse and adopt the Draft 2023 - 2028 Community Land Management Plan as provided at Attachment 2 as contained in this meeting agenda.
3. Receive and note the submissions received from Round 2 of community engagement on the current 2009 Community Land Management Plan revocation proposal and revoke the 2009 Community Land Management Plan at Attachment 3 as contained in this meeting agenda in accordance with Section 198 of the *Local Government Act 1999*.
4. Authorise the Administration to make any minor editorial or formatting changes to the 2023 - 2028 Community Land Management Plan that are considered necessary or desirable.
5. Receive a Report every 6 months following the commencement of the 2023 – 2028 Community Land Management Plan, listing any property additions or amendments (not of a minor editorial or formatting nature), that are subject to the Plan.

CARRIED UNANIMOUSLY

Conflict of Interest declaration: Cr Peter Oliver did not participate in the vote pursuant to Section 75B of the *Local Government Act 1999*.

8.5. Strategic Land Program Group 1 - Goolwa Terrace Roundabout

C23303

Moved Cr Peter Oliver seconded Cr Margaret Gardner

That Council:

- 1. Note the Information Pack at Attachment 1 as contained in this meeting agenda, in regard to a Strategic Land Program proposal to amend an anomaly associated with the Goolwa Terrace Roundabout encroachment on to adjacent community land.**
- 2. Is satisfied pursuant to Section 194 of the *Local Government Act 1999* with the proposal to revoke the classification of community land over a portion of the land parcel located at Lot 9 Goolwa Terrace Goolwa, deposited plan DP 36237 / 9, as contained within Crown Record Volume 5752 Folio 189.**
- 3. Grant consent to proceed to public consultation on the proposal, and receive a further Report on close of public consultation inclusive of all submissions received.**

CARRIED UNANIMOUSLY

8.6. Strategic Land Program Group 1 - Braeside Road Mt Observation

C23304

Moved Cr Margaret Gardner seconded Cr Craig Maidment

That Council:

- 1. Note the Information Pack at Attachment 1 as contained in this meeting agenda, in regard to a Strategic Land Program proposal to close a portion of unmade road for the purpose of merger into adjacent private property.**
- 2. Resolves to commence a 'Road Process Order' in accordance with the legislative process stipulated within the Roads (*Opening and Closing*) Act 1991 and the Roads (*Opening and Closing*) Regulations 2021, to progress the proposal to close a portion of approximately 5,350 m² (subject to survey) of unmade road located adjacent Lot 7 Braeside Road Mount Observation in Filed Plan 6384 Certificate of Title Volume 5898 Folio 626, with the intent that it be sold to the owner of that land by merger.**
- 3. Grants consent to proceed to public consultation on the proposal, with a further Report brought back to Council on close of public consultation inclusive of all submissions received.**

CARRIED UNANIMOUSLY

8.7. Minutes of Section 41 Committee - Cemeteries Advisory Committee - 6 July 2023

C23305

Moved Cr Craig Maidment seconded Cr Margaret Gardner

That Council receive and note the minutes of the Cemeteries Advisory Committee meeting held on 6 July 2023.

CARRIED UNANIMOUSLY

8.8. Minutes of Section 41 Committee - Heritage Advisory Committee - 12 July 2023

C23306

Moved Cr Craig Maidment seconded Cr Peter Oliver

That Council receive and note the minutes of the Heritage Advisory Committee held on 12 July 2023.

CARRIED UNANIMOUSLY

8.9. Report from Section 41 Heritage Advisory Committee - Pre-approved Road Name List

C23307

Moved Cr Bill Coomans seconded Cr Craig Maidment

That Council:

- 1. Approve the addition of the following names to the pre-approved road name list:**

For the Goolwa area:

- Herden**
- Pitkin**
- Sherwood**

For the Port Elliot area:

- Jim Smith**
- Mudge**

For the Mount Compass Area

- Banks**
- Leichardt**
- Hicks**
- Perry**
- Jerram**
- Duffield**
- Dugmore**
- Maloney**
- Paech**
- Sherry**
- Petherbridge**
- Zimmerman**
- Ienco**

For the Hindmarsh Island Area:

- Wheeler**
- Grimmer**

For the Middleton Area:

- O'Malley**

For the Milang area:

- **Tod**
- **Upton**
- **Chalklen**
- **Norman**
- **Violet Farm**
- **Brackenridge**
- **Jensen**
- **Moar**
- **Buckland**
- **Lipson**
- **Howard**
- **Wilcannia**
- **Bourke**
- **Punkerri**
- **Ada**
- **Clara**
- **Annie**
- **Fred Gardner**
- **Magarey**
- **Oldfield**
- **Heergard**

2. Approve the name Halyard to be used for the Oakford Homes development at 18 Fenchurch Street, Goolwa North.

CARRIED UNANIMOUSLY

8.10. By-law Review 2023

C23308

Moved Cr Margaret Gardner seconded Cr Sue Miller

- 1. That Council in exercise of the powers contained in section 246 of the Local Government Act 1999, having satisfied the consultation requirements of the Act, and having had regard to and note:**
 - a. the letter of approval from the Dog and Cat Management Board in relation to By-law number 5**
 - b. the letter of approval from the Minister for Infrastructure and Transport in respect of By-law numbers 2 and 5**
 - c. the submissions received from the public**
 - d. the Certificates of Validity provided by the Council's legal practitioner**
 - e. the National Competition Policy Report**
- 2. That the majority of Council, in the presence of at least two thirds of its members, hereby makes and passes the following By-laws as presented in the attachments as contained in this meeting agenda:**

- a. Permits and Penalties By-law No. 1 of 2023
 - b. Local Government Land By-law No. 2 of 2023
 - c. Roads By-law No. 3 of 2023
 - d. Moveable Signs By-law No. 4 of 2023
 - e. Dogs By-law No. 5 of 2023
 - f. Cats By-law No. 6 of 2023
3. That the Chief Executive officer be authorised to undertake all steps necessary to finalise the By-law review process and to give effect to the newly adopted By-laws, including making any minor editorial or grammatical changes that may be necessary prior to publication of the By-laws in the Gazette.
4. That Council note that a further report will be prepared and presented to Council regarding the setting of expiation fees, proposed resolutions of Council and the making of delegations under the By-laws, proper to the By-laws commencement date.

CARRIED

Voting in the AFFIRMATIVE	Voting in the NEGATIVE
6	3

(It was recommended that the minutes reflect the number of members who voted in favour of the resolution to evidence that the resolution was supported by an absolute majority of the members of Council).

8.11. Delegation updates

C23309

Moved Cr Margaret Gardner seconded Cr Craig Maidment

That Council:

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 Instruments of Delegation contained in this report (each of which is individually identified as indicated below) are hereby delegated this 21 day of August 2023 to the person occupying the office of the Chief Executive Officer (and anyone acting in that position) subject to the conditions and/or limitations specified herein:

- a) Burial and Cremations Act 2013 Appendix 1 (page 2)
- b) Expiation of Offences Act 1996 Appendix 2 (page 3)
- c) Local Government Act 1999 Appendix 3 (page 4)
- d) Road Traffic Act 1961 Appendix 4 (Page 5)
- e) Planning, Development and Infrastructure (General) Regulations 2016 Appendix 5 (page 6)
- f) Instrument B - Planning, Development and Infrastructure Act 2016 Appendix 6 (page 7)

CARRIED UNANIMOUSLY

8.12. Chief Executive Officer Report

C23310

Moved Cr Margaret Gardner seconded Cr Lou Nicholson

That the Chief Executive Officer's Report for July be received.

CARRIED UNANIMOUSLY

9. Council Member Reports

C23311

9.1. Presiding Member's Report - Mayor Keith Parkes

Moved Cr Peter Oliver seconded Cr Lou Nicholson

That the Presiding Member's Report for July 2023 be received.

CARRIED UNANIMOUSLY

9.2. Council Member Activity Reports

Nil

10. Confidential Items

Nil

11. Closure

The Presiding Member declared the meeting closed at 7.55 pm

MINUTES CONFIRMED.....DATE.....

Mayor Keith Parkes