MINUTES

Meeting
MUNICIPAL COUNCIL OF ROXBYS DOWNS
Ordinary Council Meeting

Meeting Date & Time
Wednesday 19 December 2018 at 4:00pm

Location
Council Office Boardroom, 6-8 Richardson Place, Roxby Downs

Present
Geoff Whitbread (Administrator)

Staff Present
Michelle Hales (Group Manager Governance & Community), Stuart Edwards (Group Manager Essential Services & Assets), Drew Ellis (Group Manager Corporate Services), Tony Weir (Group Manager Lifestyle & Sport), Kerrie Thomas (Executive Support)

Apologies
Roy Blight (Chief Executive)

1. Council Opening

The meeting commenced at 4:00pm.

Mr Whitbread acknowledged the Kokatha peoples, the traditional owners of the land on which we meet today and paid respect to their Elders past and present and extended that respect to other Aboriginal and Torres Strait Islander people who may be present today.

2. Confirmation of Minutes of the Previous Meeting

RESOLVED: The Minutes of the Council Meeting held on 28 November 2018 are confirmed as a true and accurate record of proceedings.

3. Council Business

3.1 Audit Committee Meeting Minutes 7 December 2018 (Subject to Confirmation)

PURPOSE: To receive the minutes (subject to confirmation) from the Audit Committee held 7 December 2018.

RESOLVED: That the minutes (subject to confirmation) of the Audit Committee held 7 December 2018 be received and noted and the recommendations contained therein be agreed to.

3.2 Financial Results 2017-2018

PURPOSE: To consider a review of Council’s 2017-2018 budget performance and associated matters.

RESOLVED: That Council adopts the Report on Financial Results 2017-2018 as recommended by the Audit Committee on 7 December 2018.

3.3 Financial Delegations

PURPOSE: To revise and update the expenditure limits of officers who have been approved to hold and exercise financial delegations.

RESOLVED: That Council adopt the amended Financial Delegations, as presented.
3.4 Council Delegations to the Chief Executive

PURPOSE: To request Council to delegate the powers and functions of the Local Government Act 1999 and any other relevant Acts to the Chief Executive.

RESOLVED: That having conducted its annual review of Council delegations 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 of those powers and functions under the following:

1.1.1 Community Titles Act 1996
1.1.2 Development Act 1993 and Development Regulations 2008
1.1.3 Dog and Cat Management Act 1995
1.1.5 Expiation of Offences Act 1996
1.1.6 Fences Act 1975
1.1.7 Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005
1.1.8 Food Act 2001
1.1.10 Land and Business (Sale and Conveyancing) Act 1994
1.1.11 Liquor Licensing Act 1997
1.1.12 Local Government Act 1999
1.1.13 Natural Resources Management Act 2004 and Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions Levies) Regulations 2005
1.1.14 Roads (Opening and Closing) Act 1991
1.1.15 Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014
1.1.16 South Australian Public Health Act 2011, the South Australian Public Health (Legionella) Regulations 2013 and the South Australian Public Health (Wastewater) Regulations 2013
1.1.17 Supported Residential Facilities Act 1992
1.1.18 Unclaimed Goods Act 1987
1.1.19 Work Health and Safety Act 2012
1.1.20 Safe Water Drinking Act 2011
1.1.22 Real Property Act 1886
1.1.23 Strata Titles Act 1988
1.1.24 Heavy Vehicle National Law (South Australia) Act 2013
1.1.25 Burial and Cremation Act 2013 and Burial and Cremation Regulations
1.1.26 Electronic Conveyancing National Law (South Australia) Act 2013
1.1.27 Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017
1.1.28 Planning, Development and Infrastructure Act 2016
1.1.29 Fines Enforcement and Debt Recovery Act 2017 (with effect from April 2018)

2. Delegations made under the 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 Instruments of Delegation contained in Appendices 1-25 (distributed under separate cover) are hereby delegated this 19th day of December 2018 to the person occupying the office of Chief Executive. This is to take immediate effect except where otherwise specified subject to the conditions and or
limitations specified herein or in the Schedule of Conditions in each proposed
Instrument of Delegation.

2.1.1 Community Titles Act 1996 (Appendix 1)
2.1.2 Dog and Cat Management Act 1995 (Appendix 2)
2.1.3 Environment Protection Act 1993 and the Environment Protection (Waste to
Resources) Policy 2010 (Appendix 3)
2.1.4 Expiation of Offences Act 1996 (Appendix 4)
2.1.5 Fences Act 1975 (Appendix 5)
2.1.6 Fire and Emergency Services Act 2005 and Fire and Emergency Services
Regulations 2005 (Appendix 6)
2.1.7 Freedom of Information Act 1991 and the Freedom of Information (Fees and
Charges) Regulations 2003 (Appendix 7)
2.1.8 Land and Business (Sale and Conveyancing) Act 1994 (Appendix 8)
2.1.9 Liquor Licensing Act 1997 (Appendix 9)
2.1.10 Local Government Act 1999 (Appendix 10)
2.1.11 Natural Resources Management Act 2004 and Natural Resources Management
(General) Regulations 2005 and Natural Resources Management (Transitional
Provisions Levies) Regulations 2005 (Appendix 11)
2.1.12 Roads (Opening and Closing) Act 1991 (Appendix 12)
2.1.13 Work Health and Safety Act 2012 (Appendix 13)
2.1.14 Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and
Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations
2014 (Appendix 14)
2.1.15 Unclaimed Goods Act 1987 (Appendix 15)
2.1.16 South Australian Public Health Act 2011, the South Australian Public Health
(Legionella) Regulations 2013 and the South Australian Public Health
(Wastewater) Regulations 2013 (Appendix 16)
2.1.17 Safe Water Drinking Act 2011 (Appendix 17)
2.1.18 Water Industry Act 2012 and Water Industry Regulations 2012 (Appendix 18)
2.1.19 Real Property Act 1886 (Appendix 19)
2.1.20 Strata Titles Act 1988 (Appendix 20)
2.1.21 Burial and Cremation Act 2013 and Burial and Cremation Regulations (Appendix
21)
2.1.22 Electronic Conveyancing National Law (South Australia) Act 2013 (Appendix 22)
2.1.23 Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control
Regulations 2017 (Appendix 23)
2.1.24 Planning, Development and Infrastructure Act 2016 (Appendix 24)
2.1.25 Fines Enforcement and Debt Recovery Act 2017 (with effect from April 2018)
(Appendix 25)

2.2 Such powers and functions may be further delegated by the Chief Executive in
accordance with Sections 44 and 101 of the Local Government Act 1999 as the
Chief Executive sees fit, unless otherwise indicated herein or in the Schedule of
Conditions contained in each such proposed Instrument of Delegation.

3. Delegations made under the Development Act 1993

3.1 In exercise of the powers contained in Section 20 and 34(33) 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 (Appendix 26) (distributed under separate cover) are hereby
delегated on 19th December 2018 to the person occupying the office of Chief
Executive 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 as
the Chief Executive sees fit and in accordance with the relevant legislation unless
otherwise indicated herein or in the Schedule of Conditions contained in the
4. **Delegations made under the Food Act 2001**

4.1 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 (Appendix 27) (distributed under separate cover) are hereby delegated this 19th day of December 2018 to the person occupying the office of Chief Executive (‘the head of the enforcement agency’ for the purposes of the Food Act 2001) subject to the conditions and or limitations specified in the schedule of Conditions in the proposed Instrument of Delegation under the Food Act 2001.

4.2 Such powers and functions may be further delegated by the Chief Executive as the Chief Executive 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.

5. **Delegations under the Supported Residential Facilities Act 1992**

5.1 In exercise of the powers 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 (Appendix 28) (distributed under separate cover) are hereby delegated this 19th day of December 2018 to the person occupying the office of Chief Executive subject to the conditions or limitations specified in the Schedule of Conditions in the proposed Instrument of Delegation under the Support Residential Facilities Act 1992.

5.2 Such powers and functions may be further delegated by the Chief Executive as the Chief Executive 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.

6. **Delegations under the Road Traffic Act 1961**

6.1 In exercise of 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 (Appendix 29) (distributed under separate cover) and contained in the proposed Instrument of Delegation is hereby delegated this 19th day of December to the person occupying the office of Chief Executive subject to the conditions contained in the proposed instrument.

7. **Delegations under the 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 as the relevant authority under the Safe Drinking Water Act 2011 contained in the proposed Instrument of Delegation (Appendix 30) (distributed under separate cover) are hereby delegated this 19th day of December 2018 to the person occupying the office of Chief Executive subject to the conditions or limitations indicated herein or in the Schedule of Conditions in the proposed Instrument of Delegation under the Safe Drinking Water Act 2011.

7.2 Such powers and functions may be further delegated by the Chief Executive as the Chief Executive 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 the Heavy Vehicle National Law (South Australia) Act 2013**
8.1 In exercise of the power 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 (Appendix 31) (distributed under separate cover) are hereby delegated this 19th day of December 2018 to the person occupying the Office of Chief Executive, subject to the conditions or limitations indicated herein or in the Schedule of Conditions in the proposed Instrument of Delegation under the Heavy Vehicle National Law (South Australia) Act 2013.

8.2 Such powers and functions may be further delegated by the Chief Executive as the Chief Executive 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.

3.5 Community Board Annual Grant 2018/2019

PURPOSE: To approve the annual operating grant for the Roxby Downs Community Board Inc. for 2018/2019.

RESOLVED: That Council approve the 2018/2019 Annual Operating Grant of $3,000.00 for the Roxby Downs Community Board Inc.

3.6 Review of Flag Policy

PURPOSE: To review and adopt the Flag Management Policy.

RESOLVED: That Council:

1. Approves the policy name change from the Flag Policy to the Flag Management Policy and

2. Adopts the Flag Management Policy as presented and publish on Council’s website.

3.7 Proposed Scout Hall Design

PURPOSE: To gain consent from the Municipal Council of Roxby Downs for Scouts SA to proceed in submitting a Development approval for the proposed plans for the Roxby Downs Scout Hall.

RESOLVED: That Council approves Scouts SA to proceed in submitting a Development Application for the proposed Scout Hall.

3.8 Upgrade of Hermit Street Playground – Stage 1 Consultation Summary

PURPOSE: To provide a summary of community submissions received during the Stage 1 consultation on the upgrade of the Hermit Street Playground to a nature based play space.

RESOLVED: That Council

1. Adopt the development of a design brief for a nature based play space at Hermit Street playground which incorporates elements identified from Stage 1 consultation and reflects the community wishes.

2. Issue the design brief as a Request for Procurement to suitably qualified play design companies.
3.9 Reports for Information

RESOLVED: The Council receive and notes the following reports:

- Chief Executive Report
- Development Application Decisions

4. Community Presentations, Petitions and Deputations

Nil

5. Next Meeting

The next Ordinary Council Meeting for the Municipal Council of Roxby Downs is scheduled for Wednesday 30 January 2019 at 4:00 pm - Council Office Boardroom, 6-8 Richardson Place, Roxby Downs, unless advised otherwise, by notice on the Council’s website.

6. Closure

The meeting closed at 4.21pm.