

Present: Mayor L Kerley, Cr Margaret McDonald, Cr G Simmons, Cr B Lockyer, Deputy Mayor P Button, Cr R Hewett, Cr D Eason, Cr G Rowlands, Cr Rob Locke

Staff in Attendance: A Cole (Chief Executive Officer)  
L Gale (Personal Assistant)  
F Linke (Infrastructure Services Manager)  
P Ward (Finance Manager)  
K Baak (Planning Officer)

1. [Opening](#)

The Mayor Leonie Kerley opened the meeting at 7:00pm.

2 members of the public were in the gallery at the commencement of the meeting.

2. [Apologies and Leave of Absence](#)

2.1 Apologies: Nil

2.2 [Leave of Absence](#): Deputy Mayor Button has requested a leave of absence for the July 2019 meeting of council  
Leave was granted by the meeting

3. [Conflict of Interest Provisions](#)

Nil

4. [Confirmation of Minutes](#)

4.1 [Ordinary Meeting of Council – Tuesday 9<sup>th</sup> April 2019](#)

**MOVED:** Cr Hewett

**SECONDED:** Cr Rowlands

*“That the Minutes of the Ordinary Meeting of Council held on the 9<sup>th</sup> April 2019 be confirmed as printed and supplied”*

**CARRIED UNANIMOUSLY**

5. [Business Arising from Minutes](#)

Nil

6. [Deputations](#)

Nil

## 7. Members Reports

### 7.1 Mayor Kerley

12 April - LGA Ordinary General Meeting in Adelaide  
15 April - CEO Catchup  
17 April -Kulpara Progress Association AGM  
25 April -ANZAC Day Dawn Service, Port Broughton  
25 April - ANZAC Day Church Service, Port Broughton  
25April- ANZAC Day Lunch at R&SL, Port Broughton  
30 April - Audit Committee Meeting, Port Broughton  
30 April - Designated Informal Gathering, Port Broughton  
2 May - Tricia Stringer Book Launch, Port Broughton Library  
4 May - Unveiling of James and Mary Ann Stevens Memorial headstone at Bute Cemetery  
4 May - Carpe Diem, Port Broughton  
7 May - Equinor (oil and gas exploration company) Port Pirie  
7 May - PBAS with Andrew for student talk  
7 May - Designated Informal Gathering, Port Broughton  
7 May - AGM Port Broughton Progress Association  
13 May - YP Alliance, Kadina  
14 May - CEO Catchup

### 7.2 Cr Locke

25 April - ANZAC Day Service  
30 April - Designated Informal Gathering, Port Broughton  
7 May - Designated Informal Gathering, Port Broughton  
7 May - AGM Port Broughton Progress Association

### 7.3 Cr Lockyer

9 April - Ordinary Meeting  
11 April - Roads inspection Young's/Wokurna to Mundoora Road  
15 April - Visited D Cock and discussed progress and problems  
21 April - Attended FBPA FUN run  
25 April - Attended ANZAC day March  
30 April - Informal Council Workshop  
01 May - Mundoora progress AGM  
07 May - Council informal gathering

### 7.4 Deputy Mayor Button

25 April - ANZAC Day Services  
30 April - Designated Informal Gathering, Port Broughton

### 7.5 Cr Hewett

30 April - Informal Council Workshop  
01 May - YP Community Transport meeting , Minlaton

### 7.6 Cr Margaret McDonald

25th April -ANZAC Day Dawn Service Port Broughton  
25th April - ANZAC Day Combined Church Service, March and Wreath Laying Port Broughton & Lunch at RSL  
30th April - Council's Audit Committee Meeting

30th April - Council's Informal Meeting

6th May - Reporting Abuse and Neglect training at Port Broughton Area School-  
requirement for Governing Council members

7th May - Council's Informal Meeting

#### 7.7 Cr Rowlands

25th April -ANZAC Day Service

30th April - Council's Audit Committee Meeting

30th April - Council's Informal Meeting

7th May - Council's Informal Meeting

#### 7.8 Cr Eason

25th April -ANZAC Day Dawn Service Port Broughton

25th April - ANZAC Day Combined Church Service, March and Wreath Laying Port  
Broughton & Lunch at RSL

26<sup>th</sup> April – Dr Witford re emergency attendance of clinical staff

#### 7.9 Cr Simmons

05 April – attended talk at Barunga by the Sea by Brett Ireland on trekking in Nepal

25 April – ANZAC Day Dawn Service Bute

25 April – ANZAC Day service Pt Broughton

30th April - Council's Informal Meeting

01 May – YP Community Transport farewell , Minlaton

01 May – Barunga village Meeting

7th May - Council's Informal Meeting

### 8. Adoption of Committee Recommendations

#### 8.1 Audit Committee Meeting held on April 30th 2019

**MOVED:** Cr Rowlands

**SECONDED:** Cr McDonald

1. Annual Business Plan Capital Programme 2019-20

*“That the Audit committee recommends to Council that it tables the proposed Council Capital Programme for 2019/20, to continue to move towards meeting full asset renewal in accordance with Council’s Roads Asset Management Plan, and makes it available for public consultation.”*

2. Annual Business Plan & Financial Statements 2019-20

*“That the Audit committee recommends to Council that it tables the draft Annual Business Plan & Financial Statements for 2019/20 including up to a further \$300,000 to fund new projects, in keeping with current Audit Committee financial targets for 2019/20 and makes it available for public consultation.”*

3. Draft Fees & Charges 2019/20

*“That the Audit committee recommends to Council that it tables the draft Fees & Charges 2019/20 and makes it available for public consultation.”*

4. Rating Policy Review

*“The Audit Committee recommends that Council maintains the differential rates system for 2019/20, and reviews the structure for 2019/20.”*

5. Financial Policies

*“The Audit Committee recommends to Council that the following policies, with*

amendments, be released for a period of public consultation of not less than 21 days, in conjunction with the draft Annual business Plan and Budget 2019/20:-

- Accounting Policy;
- Asset Accounting Policy;
- Internal Financial Controls Policy;
- Fraud and Corruption Prevention Policy
- Disposal of Assets Policy;
- Procurement Policy, and;
- Treasury Management Policy”

**CARRIED UNANIMOUSLY**

9. [Adjourned Items](#)

Nil

10. [Questions with Notice](#)

10.1 Question received from Cr Lockyer

In regards to the clearing of foliage north/south road entrance/exit to Pt Broughton cemetery, can the Council please advise progress requested re early meetings from Cr Lockyer. Is the work to be performed Council or DPI?

**Answer:**

A customer Service Request was created for this work on the 9/4/2019. At the moment the budget line for tree trimming has been used up. Subsequently this job is on hold until the new budget is passed and there is funding in the budget for tree trimming. (Note: the trees at the corner of Fisherman Bay Road and Dolling Crescent were recently removed, however, this was a formal decision from a Council meeting which means we are obliged to carry out that decision, as opposed to the normal operation of a budget line.

10.2 Question received from Cr Lockyer

At recent ordinary council meetings I have made inquiries regarding after hour/weekend call out for emergencies. The placement of notification signs would significantly assist public in inquiries/concerns and feed back.

**Answer:**

Notices have been prepared and will be installed in Council's public facilities.

10.3 Question received from Cr Lockyer

Can Council advise if road marking to Casey Road be obtained as due to undulating hills, vehicle often travel on wrong side of roads with possible disastrous results.

**Answer:**

A centre white line can be installed at the crests on Casey Road, and will be programmed to fit in with line-marking work as next scheduled in Port Broughton.

11. [Questions without Notice](#)

Nil

12. [Motions with Notice](#)

Nil

13. [Motions without Notice](#)

Nil

14. [Council Business – Manager’s Reports](#)

14.1 [Chief Executive Officer Report – Andrew Cole](#)

**MOVED:** Cr Lockyer

**SECONDED:** Cr Simmons

*“That the Report from the Chief Executive Officer for the May 2019 meeting be received and noted.”*

**CARRIED UNANIMOUSLY**

14.1.1 [Teddy Bear Fence](#)

**MOVED:** Cr McDonald

**SECONDED:** Cr Eason

*“That Council:*

1. *Note the Minutes of the 1 May 2019 Meeting of the Copper Coast Council;*
2. *Note the feedback from 17 April 2019 Meeting of the Kulpara Progress Association that they are not in favour of any relocation to Kulpara;*
3. *Notes that ‘teddy bear fence’ occurs on South Australian Government road reserve land, namely the Copper Coast Highway, and;*
4. *Affirms that Council is not responsible for the maintenance of the Copper Coast Highway road reserve;*
5. *Advise the Department of Planning, Transport and Infrastructure that Council is not in favour of the relocation of the ‘teddy bear fence’ anywhere within the Barunga West Council’s road network, and;*
6. *Requests the Department of Planning, Transport and Infrastructure to negotiate an appropriate resolution to the issues surrounding the ‘teddy bear fence’ with Andrew ‘Cosi’ Costello.*

**CARRIED UNANIMOUSLY**

14.1.2 [Review of Delegations 2019](#)

**MOVED:** Cr Lockyer

**SECONDED:** Cr Locke

*“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 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 & Cat Management Act 1995*
- 1.1.4 *Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010*
- 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*

- 1.1.9 Freedom of Information Act 1991
- 1.1.10 Fines Enforcement and Debt Recovery Act 2017
- 1.1.11 Land & Business (Sale and Conveyancing) Act 1994
- 1.1.12 Liquor Licensing Act 1997
- 1.1.13 Local Government Act 1999
- 1.1.14 Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005
- 1.1.15 Roads (Opening & Closing) Act 1991
- 1.1.16 Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014
- 1.1.17 South Australian Public Health Act 2011 the South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013
- 1.1.18 Supported Residential Facilities Act 1992
- 1.1.19 Unclaimed Goods Act 1987
- 1.1.20 Work Health and Safety Act 2012
- 1.1.21 Safe Drinking Water Act 2011
- 1.1.22 Water Industry Act 2012 and Water Industry Regulations 2012
- 1.1.23 Real Property Act 1886
- 1.1.24 Strata Titles Act 1988
- 1.1.25 Heavy Vehicle National Law (South Australia) Act 2013
- 1.1.26 Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014
- 1.1.27 Electronic Conveyancing National Law (South Australia) Act 2013
- 1.1.28 Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017
- 1.1.29 Planning, Development and Infrastructure Act 2016
- 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 Instruments of Delegation contained in Appendices 1-30 (each of which is individually identified as indicated below) are hereby delegated this **14<sup>th</sup> Day of May 2019** to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.
  - 2.1.1 Community Titles Act 1996 (Appendix 2)
  - 2.1.2 Dog & Cat Management Act 1995 (Appendix 4)
  - 2.1.3 Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010 (Appendix 6)
  - 2.1.4 Expiation of Offences Act 1996 (Appendix 7)
  - 2.1.5 Fences Act 1975 (Appendix 8)
  - 2.1.6 Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005 (Appendix 10)
  - 2.1.7 Freedom of Information Act 1991 (Appendix 12)
  - 2.1.8 Fines Enforcement and Debt Recovery Act 2017 (Appendix 9)
  - 2.1.9 Land & Business (Sale & Conveyancing) Act 1994 (Appendix 14)
  - 2.1.10 Liquor Licensing Act 1997 (Appendix 15)
  - 2.1.11 Local Government Act 1999 (Appendix 16)

- 2.1.12 *Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005 (Appendix 17)*
  - 2.1.13 *Roads (Opening and Closing) Act 1991 (Appendix 21)*
  - 2.1.14 *Work Health and Safety Act 2012 (Appendix 29)*
  - 2.1.15 *Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014 (Appendix 22)*
  - 2.1.16 *Unclaimed Goods Act 1987 (Appendix 27)*
  - 2.1.17 *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 (Appendix 24)*
  - 2.1.18 *Safe Drinking Water Act 2011 (Appendix 23)*
  - 2.1.19 *Water Industry Act 2012 and Water Industry Regulations 2012 (Appendix 28)*
  - 2.1.20 *Real Property Act 1886 (Appendix 20)*
  - 2.1.21 *Strata Titles Act 1988 (Appendix 25)*
  - 2.1.22 *Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014 (Appendix 1)*
  - 2.1.23 *Electronic Conveyancing National Law (South Australia) Act 2013 (Appendix 5)*
  - 2.1.24 *Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017 (Appendix 18)*
  - 2.1.25 *Planning, Development and Infrastructure Act 2016 (Appendix 19)*
  - 2.1.27 *Electricity Act 1996 (Appendix 30)*
- 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 each such proposed Instrument of Delegation.*
3. ***Delegations made under Development Act 1993***
- 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 (annexed to the Report 14<sup>th</sup> of May 2019 and entitled Review of Delegations 2019 and marked Appendix 3) (distributed under separate cover) are hereby delegated this 14<sup>th</sup> Day of May 2019 to the 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 under the Development Act 1993.*
  - 3.2 *Such powers and functions may be further delegated by the Chief Executive Officer as 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 (annexed to the Report dated 14<sup>th</sup> of May 2019 and*

entitled *Review of Delegations 2019*) (distributed under separate cover) and which are specified below are hereby delegated 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.

Development Act 1993:

6(3), 33, 33(3), 35(2), 35(3)(a), 37(1), 37AA, 37(5)(a), 37AA(2)(e), 37A(5), 38(3a)(b), 38(3a)(c), 38(10)(a), 38(10)(b), 38(11), 38(17), 38(18), 39(3)(b), 40(3), 41(1), 42(1), 42(3), 43, 45A(2), 45A(14), 45A(12), 49(4a), 49(5), 49(9), 49A(5), 49A(9), 50(1), 50(3), 50(2)(d), 50(3a), 50(11), 50A(5)(c), 50A(5)(d), 50A(5), 50A(6), 51(2), 52(4)

Development Regulations 2008:

16(1), 16(2), 17(3), 17(4), 17(6), 20(5), 23(2), 30(4), 34(1)(b), 34(1)(b)(iv), 36, 38(2), 39, 42, 45(2), 46(1), 55(4)

Schedule 4: Clause 2B(4)(b)

Schedule 8: Clause 2 – Items 1(b), 3, 5(1), 7, 10(b), 15

Schedule 9: Clause 1, 2(1)(g), 3, 5, 11, 17

Schedule 10: Clause 2

**4. Delegations made under 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 (annexed to the Report dated 14<sup>th</sup> of May 2019 and entitled *Review of Delegations 2019* and marked Appendix 11) (distributed under separate cover) are hereby delegated this 14<sup>th</sup> Day of May 2019 to the person occupying the office of Chief Executive Officer ('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.
- 4.2 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.

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

- 5.1 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 (annexed to the Report dated 14<sup>th</sup> of May 2019 and entitled *Review of Delegations 2019* and marked Appendix 26) (distributed under separate cover) are hereby delegated this 14<sup>th</sup> Day of May 2019 to the 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 under the Supported Residential Facilities Act 1992.
- 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 Supported Residential Facilities Act 1992.

**6. Authorisations and Subdelegation under the Road Traffic Act 1961**



6.1 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 person(s) 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:

Manager – Infrastructure Robert Charles (Fred) Linke

6.2 In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:

Manager – Infrastructure Robert Charles (Fred) Linke

6.3 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 (annexed to the Report dated 14<sup>th</sup> of May 2019 and entitled Review of Delegations 2019 and marked Appendix 22A & 22B) is hereby sub-delegated this 14<sup>th</sup> Day of May 2019 to the person occupying the office of Chief Executive Officer of the Council 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.

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

Manager – Infrastructure Robert Charles (Fred) Linke

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 (annexed to the Report dated 14<sup>th</sup> of May 2019 and entitled Review of Delegations 2019 and marked Appendix 23) are hereby delegated this 14<sup>th</sup> Day of May 2019 to the 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 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 Fire and Emergency Services Act 2005 to a Fire Prevention Officer**

8.1 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

(annexed to the Report dated 14<sup>th</sup> of May 2019 and entitled Review of Delegations 2019 and marked Appendix 10A (distributed under separate cover) are hereby delegated this 14<sup>th</sup> Day of May 2019 to the person appointed Fire Prevention Officer 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.

- 8.2 Such powers and functions may be further delegated by the Fire Prevention Officer as the Fire Prevention 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 Fire and Emergency Services Act 2005.

**9. Delegations under the Heavy Vehicle National Law (South Australia) Act 2013**

- 9.1 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 (annexed to the Report dated 14<sup>th</sup> of May 2019 and entitled Review of Delegations 2019 and marked Appendix 13 (distributed under separate cover) are hereby delegated this 14<sup>th</sup> Day of May 2019 to the 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 under the Heavy Vehicle National Law (South Australia) Act 2013.

- 9.2 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.

**10. Delegations under the Fines Enforcement and Debt Recovery Act 2017**

- 10.1 Council hereby revokes its previous delegations to its Chief Executive Officer of those powers and functions under the Expiation of Offences Act 1996 to take effect from 14 May 2019.

- 10.2 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 7 and 9 (annexed to the Report dated **14<sup>th</sup> of May 2019** and entitled **Review of Delegations 2019** (distributed under separate cover) identified as indicated below are hereby delegated this **14<sup>th</sup> of May 2019** to the person occupying the office of Chief Executive Officer of the Council to take effect from 14<sup>th</sup> of May 2019 subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instruments of Delegation:

- a. Expiation of Offences Act 1996 (Appendix 7)
- b. Fines Enforcement and Debt Recovery Act 2017 (Appendix 9)

- 10.3 The powers and functions may be further delegated by 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 each such proposed Instrument of Delegation.

**11. Acting Chief Executive Officer**

11.1 For the purposes of Council delegations made on the 14<sup>th</sup> day of May 2019, all delegations to the Chief Executive Officer extend to any person appointed to act in the position of Chief Executive Officer in his/her absence.”

**CARRIED UNANIMOUSLY**

14.1.3 Kulpara Cropping Lease

**MOVED:** Cr Hewett

**SECONDED:** Deputy Mayor Button

“That Council submit the Draft Kulpara Progress Association Cropping Lease 2019 to a period of public consultation of not less than 21 days.”

**CARRIED UNANIMOUSLY**

14.1.4 Public Artwork – Port Broughton Foreshore Toilets

**MOVED:** Cr Hewett

**SECONDED:** Cr Locke

“That formal proceedings be suspend short term.”

**CARRIED UNANIMOUSLY**

Formal proceedings were suspended at 7:33pm

**MOVED:** Cr Simmons

**SECONDED:** Cr Eason

“That formal proceedings resume.”

**CARRIED UNANIMOUSLY**

Formal proceedings resumed at 7:49pm

**MOVED:** Mayor Kerley

**SECONDED:** Cr Locke

“That Council:

1. Appoint Joel Van Moore to complete the repainting project
2. Support the themes of:
  - Flora/Fauna (northern wall)
  - Sunset on the shore (western wall)
  - Coastal activities (southern wall)
  - Hills/Farming/Agricultural views (eastern wall)”

**CARRIED**

Cr McDonald called for a division

**Voting for the motion:** Mayor Kerley, Cr Locke, Cr Lockyer, Cr Rowlands, Cr Eason, Cr Simmons

**Voting against:** Cr McDonald, Cr Hewett, Deputy Mayor Button

14.1.5 Council Policies for Annual Review

**MOVED:** Cr McDonald

**SECONDED:** Cr Lockyer

“That the following policies be released for a period of public consultation of not less than 21 days, in conjunction with the draft Annual business Plan and Budget 2019/20:-

- Accounting Policy;
- Asset Accounting Policy;
- Internal Financial Controls Policy;
- Fraud and Corruption Prevention Policy
- Disposal of Assets Policy;
- Procurement Policy, and;
- Treasury Management Policy”

**CARRIED UNANIMOUSLY**

#### 14.1.6 Motions and Actions Register

Noted

#### 14.1.7 Meetings

Noted

### 14.2 [Finance Report – Peter Ward](#)

**MOVED:** Cr McDonald

**SECONDED:** Cr Hewett

*“That the report from the Finance Manager for the May 2019 meeting be received and noted.”*

**CARRIED UNANIMOUSLY**

#### 14.2.1 [Rate Valuations](#)

Noted

#### 14.2.2 [March Quarterly Budget Review 2018-19](#)

**MOVED:** Cr Rowlands

**SECONDED:** Deputy Mayor Button

*“That the recommended budget amendments contained within the March 2019 budget revision be adopted by Council in accordance with Regulation 9 of the Local Government (Financial Management) Regulations 2011.”*

**CARRIED UNANIMOUSLY**

#### 14.2.3 [Draft Annual Business Plan & Financial Statements](#)

**MOVED:** Cr Rowlands

**SECONDED:** Cr Hewett

*“That formal proceedings be suspended short term.”*

**CARRIED UNANIMOUSLY**

Formal proceedings were suspended at 8:14pm

Cr Locke departed the meeting at 8:29pm

Cr Locke re-joined the meeting at 8:32pm

**MOVED:** Cr Simmons

**SECONDED:** Cr Lockyer

*“That formal proceedings resume.”*

**CARRIED UNANIMOUSLY**

Formal proceedings resumed at 8:34pm

**MOVED:** Cr Eason

**SECONDED:** Cr Locke

*“That the Annual Business Plan and Budget Financial Statements 2019/20 is amended by the Finance Manager to include additional projects, as decided by Council, up to a total of \$300,000, and then that those amended documents be released for a period of public consultation of not less than 21 days, including project proposals numbered 1 to 17, except for 5,6,14 and 16.”*

**CARRIED UNANIMOUSLY**

#### 14.2.4 [Rating & Rebate Policy 2019-20](#)

**MOVED:** Cr Hewett

**SECONDED:** Cr McDonald

*“That formal proceedings be suspended short term.”*

**CARRIED UNANIMOUSLY**

Formal proceedings were suspended at 8:35pm

**MOVED:** Cr Locke

**SECONDED:** Deputy Mayor Button

*"That formal proceedings resume."*

**CARRIED UNANIMOUSLY**

Formal proceedings resumed at 8:46pm

**MOVED:** Cr Rowlands

**SECONDED:** Cr Locke

*"That Council amends the differential rates for 2019/20 as follows, with the residential rate in the dollar being the base:*

- Residential 100.00
- Commercial – Shop 100.00
- Commercial – Office 100.00
- Commercial – Other 110.00
- Industrial – Light 110.00
- Industrial – Other 110.00
- Primary Production 70.00
- Vacant Land 120.00."

**CARRIED UNANIMOUSLY**

#### 14.3 Manager Infrastructure Services –Fred Linke

**MOVED:** Cr Simmons

**SECONDED:** Cr Hewett

*"That the Report from the Manager Infrastructure Services for the May 2019 meeting be received and noted."*

**CARRIED**

14.3.1 Works Progress Update  
Noted

14.3.2 Customer Service Report  
Noted

14.3.3 Meetings  
Noted

#### 14.4 Development Services Report – Kuol Baak

**MOVED:** Cr McDonald

**SECONDED:** Cr Lockyer

*"That the Report from Development Services for the May 2019 meeting be received and noted."*

**CARRIED UNANIMOUSLY**

14.4.1 Development Assessment Statistics  
Noted

14.4.2 Meetings  
Noted

14.5 [Risk Management Report- Andrew Cole on behalf of Penny Sternal](#)

**MOVED:** Cr Hewett

**SECONDED:** Cr Lockyer

*"That the Risk Management Report from the Risk Management Officer for the May 2019 meeting be received and noted"*

**CARRIED UNANIMOUSLY**

14.5.1 [Risk Management Update](#)

Noted

15. [Correspondence](#)

**MOVED:** Cr McDonald

**SECONDED:** Cr Lockyer

*"That the correspondence be received for information"*

**CARRIED UNANIMOUSLY**

16. [Confidential Items](#)

Nil

17. [Closure](#)

17.1 The Mayor declared the meeting closed at 9:15PM.

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Cr Leonie Kerley  
Mayor, Barunga West Council