

REGIONAL COUNCIL OF GOYDER

Minutes of the meeting of the **Regional Council of Goyder** held on **15th May 2018** in the Council Meeting Room, 1 Market Square, Burra commencing at 2.15pm.

1. ATTENDANCE**1.1 Present****1.1.1 Councillors Present**

Crs. S.P. Matthey (Mayor), J. Kellock, J.H. Neal, B.A. Rule, W. D. Gebhardt, D.J. Venning.

1.1.2 Staff Present

Mr. D. Stevenson (Chief Executive Officer)

14 ITEMS FOR CONSIDERATION IN CONFIDENCE**14.2 Good Golly Miss Polly**

Moved: Cr. Kellock

Seconded: Cr. Neal

- 70/18 1. Pursuant to Sections 90(2) and 90(3)(f) of the *Local Government Act, 1999* the Council orders that the public be excluded from attendance at that part of this meeting relating to Item 14.2, excepting the following persons:**

- **David J. Stevenson - Chief Executive Officer**

To enable the Council to consider 14.2 in confidence on the basis that Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to item 14.2 information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;.

- **Specifically the present matter relates to information regarding the business Good Golly Miss Polly, 11 Commercial Street, Burra SA 5417**

- 2. Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.**

CARRIED

Moved: Cr. Neal

Seconded: Cr. Venning

- 71/18 1. Council has received, reviewed and considered the Information supplied regarding the business Good Golly Miss Polly and pursuant to Section 91(7)(a)(b) of the *Local Government Act, 1999* the Council orders that the information shall be kept confidential, being documents (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(f) of the *Local Government Act, 1999*.**

Council considered and discussed the decision by Council to direct the owner of Good Golly Miss Polly to remove fence panels and a tea pot silhouette.

The CEO reported that when this matter was brought to his attention it was noted that Good Golly Miss Polly would not be the only business in the Council area that does not comply with Section 222 of the *Local Government Act, 1999*.

222—Permits for business purposes

- (1) A person must not use a public road for business purposes unless authorised to do so by a permit.
Maximum penalty: \$2 500.
Expiation fee: \$210.

Examples—

- carrying on business from a pie-cart drawn up on the side of the road;
- establishing a kiosk on the side of a road;
- extending the business of a restaurant or café to outside tables situated on a footpath or roadside;
- depasturing stock;
- cropping.

- (1a) However, subject to the regulations, a council must grant a permit under this section for the purposes of a mobile food vending business.
- (2) A permit may grant rights of exclusive occupation in relation to part of a public road.
- (3) A permit may be granted for a particular occasion or for a term stated in the permit.
- (4) The term of a permit cannot exceed five years.
- (5) This section does not apply to a person who is simply travelling along a road.
- (6) This section does not apply to any water/sewerage infrastructure established or used (or to be established or used) by or on behalf of a water industry entity under the Water Industry Act 2012.
- (7) In this section—
water/sewerage infrastructure has the same meaning as in the Water Industry Act 2012.

Council discussed the necessity to ensure risks to the public should be minimised and the CEO should undertake a review with Local Government Risk Services before any further action is taken.

2. On the grounds that the information relates to information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial. This order shall operate until 15th May 2018 and will be reviewed in 3 months.

CARRIED

CLOSE OF MEETING

4.54pm The confidential meeting closed

CONFIRMED

MAYOR

___/___/___

CONFIRMED

CHIEF EXECUTIVE OFFICER

___/___/___