



MINUTES

Of the ordinary meeting of the
District Council of Lower Eyre Peninsula
held in the Council Chambers, 32 Railway Terrace, Cummins,
on Friday, March 15, 2019 at 9am

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DISTRICT COUNCIL OF LOWER EYRE PENINSULA

MINUTES OF THE COUNCIL MEETING HELD IN THE CUMMINS COUNCIL CHAMBERS, RAILWAY TERRACE, CUMMINS, ON FRIDAY, MARCH 15, 2019 COMMENCING AT 9.02am.

PRESENT:

Mayor JT Quigley, Councillors PL Mitchell, RB Howell, WJ Holman, A Tingay, GR Bayly and SJ Woolley.

S Hopewell (Acting Chief Executive Officer), A Douglas (Director Works and Infrastructure), L Blacker (Manager Development and Environmental Services), G Jutzen (Works Manager), and B Puckridge (Executive Assistant).

I34 WELCOME

Mayor Quigley welcomed staff and Councillors to the meeting.

I35 ACKNOWLEDGEMENT OF COUNTRY

Mayor Quigley cited an acknowledgement of country.

We acknowledge the traditional custodians of the ancestral land on which we meet today and pay our respects to elders past and present.

I36 APOLOGIES

R Pearson (Chief Executive Officer).

I37 DECLARATION OF CONFLICT OF INTEREST

Mayor Quigley declared a perceived and actual conflict of interest (pursuant to section 75 of the Local Government Act 1999) as a member of the Friends of Cummins Cemetery, and as a relation to the owner of Ben Quigley Constructions in relation to item FN/10/19.

Mayor Quigley advised she would leave the meeting if it was deemed necessary by Council at the time of discussion.

I38 OVERVIEW OF ADDITIONAL DOCUMENTS

The Acting Chief Executive Officer advised on additional documents.

W34 WORKS & INFRASTRUCTURE REPORT
W&I/16/19 PERMIT APPLICATIONS TO USE A PUBLIC ROAD
FOR BUSINESS PURPOSES

Additional information.

W38 WORKS AND INFRASTRUCTURE CORRESPONDENCE –
FOR COUNCIL DECISION

(5) Request for Road Manager Approval to Transition to
National Heavy Vehicle Law

Late correspondence.

I39 CONFIRMATION OF MINUTES

MITCHELL/ BAYLY

That the Minutes of the following meetings:-

- *Ordinary council meeting held 15 February 2019*
- *Confidential council meeting held 15 February 2019
be confirmed with the following amendments:*

Ordinary Council meeting, page 21

*Alter Cr Holman's comment regarding the Scout Hall in Cummins – it
has not been sold but instead Scouts SA was looking to sell it.*

Carried.

I40 BUSINESS ARISING FROM THE MINUTES

Nil.

I41 INVITED GUESTS

Nil.

I42 DEPUTATIONS**(1) Lorraine Fuller**

Mrs Fuller spoke to Council regarding North Shields beach access and her concern that vehicles and motorbikes are accessing and tearing up the beach.

Mrs Fuller said beach access has been an issue for a long time and reiterated her stance to introduce an alternate access point for vehicles at the northern end of Easton Road.

Mrs Fuller asked for an update on the status of nesting birds on the beach and how that would affect an alternate access.

The Director of Works and Infrastructure confirmed that the draft Management Plan will outline how to deal with nesting birds, should they be observed in the location and would be provided to the Coast Protection Board (CPB) by the end of March. Once the CPB approve the plan, a Development Application for an alternate access would be submitted.

Mayor Quigley thanked Mrs Fuller for her deputation and reiterated that Council's new by-laws will make it easier to control beach access.

(2) Peter & Debbie Bartley

Mr & Mrs Bartley will present to Council regarding the Monarch Crest development.

HOLMAN/ WOOLLEY

At the request of the Deputee, pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except S Hopewell (Acting Chief Executive Officer), A Douglas (Director Works and Infrastructure), L Blacker (Manager Development and Environmental Services), G Jutzen (Works Manager and B Puckridge (Executive Assistant), be excluded from attendance at the meeting for Agenda Item I47 (2) - D Bartley.

The Council is satisfied that, pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information as the discussion pertains to land currently on the market.

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.

(continued)

I42 DEPUTATIONS**CONT'D:**

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 disclosing the personal information of the third party would be detrimental to the Council and the public.

Carried.

... *Council moved in to a confidential meeting at 9.23am and resumed its ordinary meeting at 9.47am.*

The Acting Chief Executive Officer advised minutes would not be kept from the deputation as the meeting went into confidence to protect the commercial interests of the Bartley's and no decisions were made.

... *The Senior Corporate Services Officer joined the meeting at 9.48am.*

FINANCE

F29 FINANCE REPORT

HOWELL/ HOLMAN

That the Finance Reports be received.

Carried.

SENIOR CORPORATE SERVICES OFFICER

FN/08/19 - 2019/20 ANNUAL BUSINESS PLAN AND BUDGET PROCESS

... The Works Manager left the meeting at 9.52am.

Cr Holman queried the location of the Port Lincoln region drop in session with staff agreeing to consider alternative locations closer to the date.

WOOLLEY/ MITCHELL

That Council adopt the following general approach to the preparation of the 2019/20 budget, consultation with the community on the business plan and adoption of a final business plan and budget:

<i>Friday 26 April 2019</i>	<i>Councillors to be provided with the first draft for consideration.</i>
<i>Friday 3 May 2019</i>	<i>Council meet to consider first draft, amend where required and endorse for community consultation.</i>
<i>Tuesday 28 May 2019</i>	<i>Advertisement to be placed in Port Lincoln Times advising that the draft business plan is available to the public at no cost, a summary presentation is available on the Council website, along with the dates and venues where staff will be available to answer any questions from ratepayers, and that an invitation is extended for the public to complete an online survey and make written submissions with the opportunity to be heard by Council in relation to their submissions.</i>
<i>Tuesday 18 June 2019</i>	<i>Staff will provide a formal presentation of the Draft Annual Business Plan at the Cummins Council Chambers starting at 7.30pm.</i>
<i>Wednesday 19 June 2019</i>	<i>Staff will be available in the Port Lincoln Branch Office at 10am and the Coffin Bay Yacht Club at 2pm to answer questions and provide information regarding the Draft Annual Business Plan.</i>
<i>Wednesday 28 June 2019</i>	<i>Written submissions from community members close.</i>
<i>Friday 5 July 2019</i>	<i>Council to hear submissions from community members and determine any amendments as a result of submissions*.</i>
<i>17 July 2019 (Indicative date)</i>	<i>Draft Annual Business Plan and Budget presented to Audit Committee for review and endorsement to Council for adoption.</i>
<i>Friday 19 July 2019</i>	<i>Council adopt its Annual Business Plan and Budget at its July Council meeting.</i>

* Should there be a requirement for significant amendments a further meeting or meetings will be scheduled with the final adoption date to be reviewed as necessary.

Carried.

F29 FINANCE REPORT**CONT'D:****FN/09/19 - COMMUNITY CAPITAL SUPPORT GRANTS 2018/19**

Significant discussion was held regarding the applications and the grant program's criteria and whether any unspent funds in one grant type could be allocated to the other grant for distribution.

WOOLLEY/ MITCHELL

That the following organisations be selected to receive \$5,500 each of the 2018/19 Community Capital Support Grant:

- *United Yeelanna Football Club*
- *Cummins Kapinnie Netball Club*
- *North Shields Sports Association*
- *Cummins Agricultural and Horticultural Society.*

Amendment

HOLMAN/ HOWELL

That the following organisations be selected to receive \$5,500 each of the 2018/19 Community Capital Support Grant:

- *United Yeelanna Football Club*
- *Cummins Kapinnie Netball Club*
- *North Shields Sports Association*

The amendment became the motion, was voted on and carried.

Councillors requested that while the application from the Coffin Bay Progress Association did not meet the grant criteria, that the association be invited to apply for a donation from Council for the removal of the shed containing asbestos for the safety of the community.

... The Works Manager returned to the meeting at 10.11am.

FN/10/19 - COMMUNITY RESERVES SUPPORT GRANTS 2018/19

... Mayor Quigley declared a conflict of interest and left the meeting at 10.15am. Cr Mitchell took the Chair.

Significant discussion was held regarding the applications and the grant program's criteria.

... The Airport Operations Manager joined the meeting at 10.17am.

WOOLLEY/ BAYLY

That the following organisations be selected to receive a 2018/19 Community Reserves Support Grant:

- | | |
|--|-----------------|
| • <i>Tulka Progress Association (Shed)</i> | <i>\$10,000</i> |
| • <i>Cummins and District Enterprise Committee</i> | <i>\$7,400</i> |
| • <i>Coffin Bay Progress Association</i> | <i>\$5,300</i> |
| • <i>Big Swamp Community Centre</i> | <i>\$5,800</i> |

Carried.

F29 FINANCE REPORT**CONT'D:****FN/10/19 - COMMUNITY RESERVES SUPPORT GRANTS 2018/19
CON'TD:**

... Mayor Quigley returned to the meeting at 10.33am.

BAYLY/ MITCHELL

That Council adjourn for morning tea.

Carried.

... Council adjourned at 10.33am and resumed at 10.46am without the Works Manager.

**FN/11/19 - ACCOUNT 8047 COMPUTER SUPPORT BUDGET
REVIEW**

TINGAY/ WOOLLEY

That Council approves the replacement of Council's photocopiers and upgrade of Microsoft Office Licencing from savings realised in account 8047 – Computer Support in the 2018/19 Financial Year.

Carried.

ECONOMIC COMMUNITY DEVELOPMENT OFFICER**FN/12/19 - SOUTH AUSTRALIAN AGRICULTURAL TOWN OF THE
YEAR**

Noted.

**FN/13/19 - JOY BALUCH AWARD FOR WOMEN IN LOCAL
GOVERNMENT**

HOLMAN/ MITCHELL

That Council endorses the nomination of former Mayor Julie Low for the Joy Baluch Award for Women in Local Government.

Carried.

MANAGER DEVELOPMENT & ENVIRONMENTAL SERVICES**FN/14/19 - EYRE ON EYRE CAMPING NODE PROJECT – UPDATE**

Staff advised that feedback from Regional Development Australia Whyalla & Eyre Peninsula's community consultation was expected later today and requested this item be deferred until that feedback is received.

MITCHELL/ BAYLY

That item FN/14/19 be deferred to General Business of Council.

Carried.

F29 FINANCE REPORT**CONT'D:**

... *The Works Manager joined the meeting at 10.48am.*

HOLMAN/ BAYLY

That the Finance Reports be adopted.

Carried.

F30 FINANCE UPDATES

- (1) Bank Reconciliation Statement as at 05/03/2019**
- (2) Reserve Status Report as at 05/03/2019**
- (3) Funds Status Report as at 06/02/2019**
- (4) Council Budget Report as at 06/03/2019**

Noted.

F31 FINANCE MEETINGS ATTENDED

Noted.

F32 FINANCE CORRESPONDENCE – FOR COUNCIL DECISION**(1) SALT Festival – Request for donation**

Cr Holman queried the costs involved in replacing the images on the backlit panels. The Director of Works and Infrastructure advised it was not a significant cost at around \$150-160 for each changeover of the backlit panel images.

HOWELL/ BAYLY

That Council:

1. *Provide a cash contribution of \$3,000 towards the SALT Festival 2019 from the Festivals and Events budget line (15603) and also agree to 'in-kind support' as follows:*
 - *access to the sign at the airport in the lead up to the Festival once all information has been provided to the satisfaction of the Director Works & Infrastructure and the SALT Festival pay all costs associated with design and production of the artwork;*
 - *free use of council venues (subject to existing bookings); and,*
 - *the inclusion of SALT information in newsletters and social media.*
2. *Authorise the Director of Works & Infrastructure to negotiate and approve signage for display at the Port Lincoln Airport in line with Council guidelines.*

Carried.

(2) Cummins Tourism Committee – Request for donation

MITCHELL/ TINGAY

That Council provides \$750 to the Cummins Tourism Committee for the printing of 1,000 Cummins Town Brochures.

Carried.

F33 TENDERS / QUOTATIONS

Nil.

F34 FINANCE CORRESPONDENCE – INFORMATION ONLY

Nil.

F35 FINANCE GENERAL BUSINESS

Nil.

... The Senior Corporate Services Officer left the meeting at 10.56am and did not return.

WORKS AND INFRASTRUCTURE

W34 WORKS AND INFRASTRUCTURE REPORT

TINGAY/ WOOLLEY

That the Works and Infrastructure Report be received.

Carried.

DIRECTOR WORKS AND INFRASTRUCTURE

W&I/14/19 - COFFIN BAY YACHT CLUB CAR PARK – REQUEST FOR SEALING

Cr Tingay spoke for the project, citing that the carpark caters for more than just patrons of the yacht club.

Councillors noted it was also a site for school bus pickup/ drop off.

HOLMAN/ TINGAY

That Council approve the revised car park layout to accommodate car/caravan and bus parking and that staff commence discussions with the Coffin Bay Yacht Club to assess options for a stormwater drainage easement.

Carried.

HOLMAN/ TINGAY

That Council consider the construct and sealing of a car park to serve the Coffin Bay Yacht Club and Town Centre Foreshore area at an estimated cost of \$380,000 within the preparation of the 2019/20 business plan and budget.

Carried.

HOLMAN/ TINGAY

That the author's of the correspondence regarding the car park be advised accordingly.

Carried.

WORKS MANAGER

W&I/15/19 - RURAL SCHOOL BUS STOPS

HOLMAN/ WOOLLEY

That this item be deferred until after consideration of the School Bus Policy at item number C100 (1) (a).

Carried.

The item was deferred and revisited following the consideration of agenda item C100 – Policy Development.

(continued)

W34 WORKS AND INFRASTRUCTURE REPORT**CONT'D:****W&I/15/19 - RURAL SCHOOL BUS STOPS****CONT'D:**

HOLMAN/ WOOLLEY

That Council advise the Lincoln School Bus Committee that in relation to the bus stop located on Richardson Road near Cormorant Drive that it will be included for consideration in the preparation of the 2019/20 business plan and draft budget.

Carried.

HOLMAN/ WOOLLEY

That Council advise the Cummins Area School that in relation to the alternative bus stops located along Gap Road that it will be included for consideration in the preparation of the 2019/20 business plan and draft budget.

Carried.

W&I/16/19 - PERMIT APPLICATIONS TO USE A PUBLIC ROAD FOR BUSINESS PURPOSES

Staff noted late correspondence had been provided to Elected Members since the release of the agenda.

The Works Manager spoke to the report and gave an overview of the applications.

MITCHELL/ HOLMAN

That in relation to application by Mr Ellis to crop and graze the section of road reserve adjacent the western boundary of the parcel of land described as Block 7 of H511400, Council agrees that the application has merit to proceed and will undertake public consultation pursuant to Section 223 of the Local Government Act (1999), Regulation 25 of the Local Government (General) Regulations (2013) and Council's Public Consultation Policy. The public consultation will occur by way of:

- 1. advertising in the Port Lincoln Times*
- 2. advising the adjoining landowners*
- 3. advising the Minister of Planning*
- 4. advising the Minister of Recreation, Sport and Racing;*
- 5. allowing a 30 day response time for public comments.*

Carried.

(continued)

W34 WORKS AND INFRASTRUCTURE REPORT**CONT'D:****W&I/16/19 - PERMIT APPLICATIONS TO USE A PUBLIC ROAD FOR BUSINESS PURPOSES****CONT'D:**

HOLMAN/ WOOLLEY

That in relation to application by Mr MacDonald to graze the section of MacDonald Drive from Pope Drive eastwards to the southwest corner of Section 150 in the Hundred of Louth, Council agrees that the application has merit to proceed and will undertake public consultation pursuant to Section 223 of the Local Government Act (1999), Regulation 25 of the Local Government (General) Regulations (2013) and Council's Public Consultation Policy. The public consultation will occur by way of:

- 1. advertising in the Port Lincoln Times*
- 2. advising the adjoining landowners*
- 3. allowing a 30 day response time for public comments.*

Carried.

HOLMAN/ TINGAY

That Council resolve that any applications to Use a Road Reserve for Business Purposes attract the following fees effective 01 March 2019:

- 1. Initial Application (except for mobile food vendors) \$250 GST inclusive;*
- 2. Renewal (except for cropping and mobile food vendors) for grazing \$25 GST inclusive;*
- 3. Renewal for cropping \$250 GST inclusive;*

And that the Schedule of Fees and Charges be updated accordingly.

Carried.

HOLMAN/ MITCHELL

That Council charge an annual permit fee for the use of road reserves for business as follows:

- Grazing \$22/ha/annum (GST exempt)*
- Cropping \$35/ha/annum (GST exempt)*

And that the Schedule of Fees and Charges be updated accordingly.

Carried.

W34 WORKS AND INFRASTRUCTURE REPORT**CONT'D:****AIRPORT OPERATIONS MANAGER****W&I/17/19 - PROPOSAL TO CHANGE COMMON TRAFFIC ADVISORY FREQUENCY (CTAF) FOR COFFIN BAY ALA**

The Airport Operations Manager advised that after discussions with the Civil Aviation Safety Authority and stakeholders of the Cummins aerodrome it was deemed appropriate to retain the existing Common Traffic Advisory Frequency (CTAF) in Cummins.

MITCHELL/ TINGAY

That Council approve an application to the Civil Aviation Safety Authority to change the Common Traffic Advisory Frequency for Coffin Bay aerodrome (YCOF) to 128.0 and that information for inclusion in the En-Route Supplement Australia be submitted to Air Services Australia for inclusion in the next scheduled update.

Carried.

WOOLLEY/ MITCHELL

That the Works and Infrastructure Report be adopted.

Carried.

W35 WORKS AND INFRASTRUCTURE OPERATIONS UPDATES

- (1) Community Wastewater Management Systems**
- (2) Waste Transfer Station**
- (3) Construction Report**
- (4) Maintenance Report**
- (5) Patrol Grading**
- (6) Permits and Authorisations**

Noted.

W36 AIRPORT OPERATIONS UPDATES

- (1) Port Lincoln Airport Passenger Statistics – February 2019**
- (2) Airport Operations**

Noted.

W37 WORKS AND INFRASTRUCTURE MEETINGS ATTENDED

Noted.

W38 WORKS AND INFRASTRUCTURE CORRESPONDENCE – FOR COUNCIL DECISION**(1) Concern over footpath – Cummins District Community Bank**

WOOLLEY/ HOWELL

That the Cummins District Community Bank be thanked for their letter and be advised as follows:

- 1. Council staff have conducted a site inspection and believe a ramp opposite the ATM would be the best option;*
- 2. Due to the high kerb, the ramp would need quite a large footprint to achieve the desired conforming grades;*
- 3. The provision of a ramp will be considered during the setting of the 2019/20 budget.*

Carried.

(2) Request to waive waste fees – Cummins Lions Club

MITCHELL/ HOLMAN

That Council advise the Lions Club that it will waive fees at the Waste Transfer Station for an amount up to \$200 for the deposit of roadside litter from a roadside collection provided that:

- 1. Only waste is delivered to the Waste Transfer Station that the Waste Transfer Station is licenced to receive;*
- 2. Council is given advanced warning of the delivery date.*

Carried.

(3) Request to Install Bench Seat, North Shields – D & A Tohill

HOLMAN/ HOWELL

That Council advise D & A Tohill that approval is given for the installation of the bench subject to the following conditions:

- 1. the period of approval will be the useful life of the bench;*
- 2. the bench will be either removed or replaced by Council without consultation when the bench falls into disrepair;*
- 3. that the purchase and installation costs are met by them;*
- 4. The location and installation meet with the satisfaction of the Works Manager.*

Carried.

W38 WORKS AND INFRASTRUCTURE CORRESPONDENCE – FOR COUNCIL DECISION **CONT'D:****(4) Various issues, Dutton Bay area – J, J & J Cross**

Councillors discussed the various issues put forward with the Works Manager confirming that the counter on Farm Beach Road had been in place over a 12 month period.

a. Farm Beach Road finger board sign, Flinders Highway

HOLMAN/ BAYLY

That in relation to the Farm Beach Road fingerboard sign on the Flinders Highway, that Mr and Ms Cross be advised that as the sign was located on the Flinders Highway, Council maintenance teams mistakenly thought that the sign maintenance was a Department of Transport responsibility, however, road name fingerboard signs are a Council responsibility and the replacement of this sign has been placed on the task list.

Carried.

b. Farm Beach Traffic Counts

HOLMAN/ BAYLY

That in relation to traffic counts, that Mr and Ms Cross be advised that:

- 1. Council has conducted a 12 month traffic count on Farm Beach Road and conducts occasional counts that are referenced back and compared to previous 12 month traffic counts for the same period to determine changes in traffic volumes. Council conducts traffic counts over its entire network and this is an acceptable method to ensure as much of the council area is covered by the four traffic counters;*
- 2. Traffic counts are evaluated using the average annual daily traffic (AADT) count, so peaks and troughs are eliminated;*
- 3. Council acknowledges Farm Beach Road has one of the highest traffic counts in the district and takes this into account when prioritising spending and maintenance.*

Carried.

(continued)

W38 WORKS AND INFRASTRUCTURE CORRESPONDENCE – FOR COUNCIL DECISION CONT'D:**(4) Various issues, Dutton Bay area – J, J & J Cross cont'd:****c. Condition of Farm Beach Road**

HOLMAN/ BAYLY

That in relation to condition of Farm Beach Road, that Mr and Ms Cross be advised that:

- 1. Council has in the current budget resheeting works planned to alleviate some of the worst sections of Farm Beach Road;*
- 2. Limestone rubble roads such as Farm Beach cannot be graded when dry;*
- 3. Council has put additional funds into the patrol grading budget to undertake “wet” grades with a water truck, however, this is extremely costly and done sparingly across highest priorities in Council’s road network. As a consequence, a wet grade is planned for the worst sections of Farm Beach Road, particularly the intersection of Broccabrunna Drive.*
- 4. Unfortunately, the lack of local rubble material and in general, good quality material for roads in the southern half of the Council district is making it challenging and expensive for Council to maintain a good road network in these areas.*

Carried.

d. Garbage Collection Issue at Shelly Beach Road / West Bay Road Intersection

HOLMAN/ BAYLY

That in relation to waste issues at the Shelly Beach Road / West Bay Road intersection, that Mr and Ms Cross be advised that:

- 1. The main aim of the roadside waste collection is to provide a service to the towns where there is sufficient density of population to justify the service;*
- 2. The extension of the service to service 5 homes at Shelly Beach is not considered justifiable;*
- 3. In the past, Council has taken the decision to provide a waste collection service to any bins put out along the waste collection routes between the towns;*
- 4. Having a rural roadside bin collection service is fairly unique for a small regional Council, however, it comes at a cost;*
- 5. During the drawing up of the last contract, Council decided to no longer use bin racks due to the higher costs for servicing bins on bin racks coupled with the unsustainable demand for bin rack space;*
- 6. Unfortunately, as with any kerbside bin collections, when there are strong winds, the bins can blow over, however, this needs to be weighed up against providing a service for the orderly disposal of waste;*

W38 WORKS AND INFRASTRUCTURE CORRESPONDENCE – FOR COUNCIL DECISION CONT'D:**(4) Various issues, Dutton Bay area – J, J & J Cross cont'd:**

7. *The waste collection contractor, in the terms of the contract, is required to clean and up around bins as best as practicable;*
8. *The issue of waste deposited around bins is considered illegal dumping and this issue has now been referred to Council's General Inspector to monitor.*

Carried.

(5) Request for Road Manager Approval to transition to National Heavy Vehicle Law

The following was provided as late correspondence:

This matter is being brought to Council as a late item due to the timing of the Council meetings and the 28 day period for responding to the request.

A Road Manager consent request has been received from the National Heavy Vehicle Regulator (NHVR) to essentially transfer South Australian exemptions for Class 1 Agricultural Vehicles to the NHVR as the ongoing aim of standardising Heavy Vehicle (HV) access requirements across all states. This vehicle class which covers farming plant such as headers, seeders, tractors, augers etc. currently operate under exemption under South Australian legislation and subject to various conditions. These exemptions will be expiring as they are being transferred to the NHVR and therefore if Council does not provide consent, all the vehicles in this Class will no longer be legally able to access the road network without an individual permit. There are some minor changes in crossing over to the standardised national scheme. Of special note are the changes in dimensions as follows:

- *Combination Width from 25 metres to 30 metres*
- *Vehicle Width from 12.5 metres to 15 metres.*

Transferring to these new dimensions will come with added escort requirements. The new system will operate under the National Class 1 Agricultural Vehicle and Combination Mass and Dimension Exemption Notice Operator's Guide available at the following link:

<https://www.nhvr.gov.au/files/201903-1022-draft-national-class-1-agricultural-vehicle-combination-mass-dimension-exemption-notice-operators-guide.pdf>

(continued)

W38 WORKS AND INFRASTRUCTURE CORRESPONDENCE – FOR COUNCIL DECISION CONT'D:**(5) Request for Road Manager Approval to transition to National Heavy Vehicle Law cont'd;**

Other notables are (our Council area is Zone 5):

- *Pilot vehicle requirements for width remain the same in South Australia in Zone 5, as per page 15 of the Guide.*
- *There are other pilot vehicle requirements that apply nationally e.g. for rear overhang, or for crossing the road.*
- *Night travel requirements remain the same in South Australia in Zone 5, as per page 12 of the Guide.*
- *Special conditions for South Australia from existing requirements, have been transitioned to maintain safety and infrastructure protection, as per page 34-36 of the Guide.*
- *There are compulsory safety device requirements on all vehicles to improve visibility.*
- *There are new standards on vehicles for road safety and infrastructure protection e.g. speed limits and braking requirements.*

The Works Manager further outlined that should Council elect not to provide this consent, individual applications will be required to Council in each instance of agricultural machinery movement along Council roads.

MITCHELL/ BAYLY

That Council provides consent to the National Heavy Vehicle Regulator for the provision of access to eligible agricultural vehicles and combinations that comply with the National Class 1 Agricultural Vehicle and Combination Mass and Dimension Exemption Notice 2019 as for Zone 5 in the related Operator's Guide.

Carried.

W39 WORKS AND INFRASTRUCTURE CORRESPONDENCE – INFORMATION ONLY**(1) Vegetation maintenance, Coffin Bay Lookout – J Phelps**

Noted.

W40 WORKS AND INFRASTRUCTURE – LATE CORRESPONDENCE

Nil.

W41 WORKS AND INFRASTRUCTURE GENERAL BUSINESS**1. Cummins Homes kitchen upgrades**

The Director of Works and Infrastructure (DWI) advised the contract for the Cummins Homes kitchen upgrades had been entered in to and that work would begin the following week.

2. Coffin Bay Lookout shelter and platform

Cr Mitchell queried the progress of the Coffin Bay Lookout shelter and platform.

The DWI advised he was in discussions with a local builder regarding the structure's construction techniques. The DWI advised the initial design was over budget so staff were investigating the use of timber instead of steel and potentially utilising the services of the Work for the Dole program to erect the structure.

3. Coffin Bay fish cleaning station

Cr Bayly queried the status of the Coffin Bay fish cleaning station with the DWI advising that two activated carbon cartridges have been installed to better address the odour issue. Staff are also looking at upgrading the cleaning station's fan system.

4. Harris Road/ Mitshan Road

Cr Holman advised she had been notified that some sections of Harris and Mitshan Roads were not in good condition.

DEVELOPMENT AND ENVIRONMENTAL SERVICES

D29 DEVELOPMENT AND ENVIRONMENTAL SERVICES REPORT

HOLMAN/ MITCHELL

That the Development and Environmental Services Report be received.

Carried.

DES/03/19 - REQUEST TO WAIVE COMPLIANCE WITH LAND MANAGEMENT AGREEMENT 12648990 – 41 (LOT 32) EASTON ROAD, NORTH SHIELDS

The Manager Development & Environmental Services explained that Council have already approved a waiver of the LMA for the landfill at this site, however have not technically approved the applicant to build on that fill, hence this request.

WOOLLEY/ BAYLY

That Council advise the applicant that it is willing to waive compliance and/or allow for the Land Management Agreement Number 12648990 to be amended to allow for buildings/ structures to be constructed within the filled area (subject to obtaining Development Approval); and That all costs associated with waiving compliance and/or amendment to the Land Management Agreement Number 12648990 be at the applicant's cost.

Carried.

MITCHELL/ HOLMAN

That the Development and Environmental Services Report be adopted.

Carried.

D30 DEVELOPMENT AND ENVIRONMENTAL SERVICES UPDATES

- (1) **Animal Management**
- (2) **Fire Prevention**

Cr Bayly queried whether people could still apply for a fire permit to burn off, with the Manager of Development and Environmental Services confirming this was the case up until the end of the Fire Danger Season.

- (3) **Nuisance / Litter / Vandalism**
- (4) **Camping**
- (5) **Health**
- (6) **Building Inspection Policy**

Noted.

D31 MANAGER DEVELOPMENT AND ENVIRONMENTAL SERVICES MEETINGS ATTENDED

Noted.

D32 DEVELOPMENT AND ENVIRONMENTAL SERVICES CORRESPONDENCE – FOR COUNCIL DECISION

Nil.

D33 DEVELOPMENT AND ENVIRONMENTAL SERVICES CORRESPONDENCE – INFORMATION ONLY

Nil.

D34 DEVELOPMENT AND ENVIRONMENTAL SERVICES – LATE CORRESPONDENCE

Nil.

D35 DEVELOPMENT AND ENVIRONMENTAL SERVICES GENERAL BUSINESS

Nil.

COUNCIL

C89 MAYOR'S REPORT

Mayor Quigley

18 February 2019	Met with CEO re: Round Table with Premier and Minister Knoll
20 February 2019	Cummins Area School (CAS) Breakfast Club
20 February 2019	Round Table Adelaide Town Hall Ballroom with Premier, Ministers Knoll, Ridgway, Wade and Whetstone
21 February 2019	Elected Member Mandatory Training
25-26 February 2019	EPLGA Board meeting & Conference, Kimba
27 February 2019	ABC Radio North & West interview with Luke Redford re: Viterra's decision to stop rail cartage of grain
28 February 2019	Met with Mel Degner, Acting Principal CAS re: engaging with students in relation to the rail corridor closure and strategic planning process
28 February 2019	ABC Radio North & West interview with CEO
28 February 2019	Meals on Wheels
28 February 2019	Meet with LGA President and CEO, Cummins
28 February 2019	Friends of Cummins Cemetery meeting re: flyer
1 March 2019	Council inspection of Fishery Bay and Farm Beach campgrounds and Armistice Memorial handover, Farm Beach
2 March 2019	Opening of new netball/ tennis changerooms, Marble Range Community & Sports Centre
4 March 2019	Special Council meeting
4 March 2019	Port Lincoln Airport Stakeholder forum
5 March 2019	Helped cook pancakes with Chaplaincy Group for Shrove Tuesday
5 March 2019	Assisted with catering Rambler Netball Club
6 March 2019	CAS Breakfast Club
6 March 2019	Cummins Homes Committee meeting
7 March 2019	Along with CEO met with representatives from Viterra, James Murray and Nick Pratt
7 March 2019	Port Lincoln Airport Business Plan Workshop 1
13 March 2019	Volunteers at CAS Sports Day
13 March 2019	Met with CEO, DWI and MCS regarding interviews for DWI position with McArthur
13 March 2019	Cummins and District Enterprise Committee meeting
14 March 2019	Along with CEO, MCS and Renae Illsley of McArthur interviewed perspective proponents for DWI position
14 March 2019	Cummins Community Welcome Tea
15 March 2019	Council meeting

Mayor Quigley noted the Round Table with the Premier and Minister Stephan Knoll was a good experience and that the State Government was planning to hold more of these sessions with Local Government.

C90 MEMBERS REPORTS**Cr Mitchell**

21 February 2019	Elected Member Mandatory Training
1 March 2019	Council inspection of Fishery Bay and Farm Beach campgrounds and Armistice Memorial handover, Farm Beach
4 March 2019	Special Council meeting
4 March 2019	Port Lincoln Airport Stakeholder forum
7 March 2019	Council Assessment Panel meeting
7 March 2019	Port Lincoln Airport Business Plan Workshop 1
14 March 2019	FREE Eyre presentation re: Port Spencer
15 March 2019	Council meeting

Cr Mitchell noted the FREE Eyre presentation regarding Port Spencer was interesting and indicated that the company was taking an innovative approach to building the new port.

Cr Holman

25-26 February 2019	EPLGA Conference, Kimba
27 February 2019	Reinventing Rural Towns Forum, Kimba
28 February 2019	Meet with LGA President and CEO, Cummins
1 March 2019	Council inspection of Fishery Bay and Farm Beach campgrounds and Armistice Memorial handover, Farm Beach
2 March 2019	Opening of new netball/ tennis change rooms, Marble Range Community & Sports Centre
4 March 2019	Special Council meeting
4 March 2019	Port Lincoln Airport Stakeholder forum
6 March 2019	Cummins & District Enterprise Committee Strategic Plan review meeting
6 March 2019	Bus driver for Creating Connections to Railway Museum, Port Lincoln
7 March 2019	Port Lincoln Airport Business Plan Workshop 1
12 March 2019	Cummins-Yeelanna Sub Branch RSL AGM
13 March 2019	Cummins & District Enterprise Committee meeting
14 March 2019	Cummins Community Welcome Tea
15 March 2019	Council meeting

Cr Holman noted the Cummins District Enterprise Committee (CDEC) had written to Scouts SA requesting Scouts donate the site to the Christmas Wonderland volunteers for storage, however this request was declined. Cr Holman noted the CDEC would be meeting the following Monday and would be discussing other storage options with an approach to Council for assistance likely.

Cr Holman noted the last train carrying grain to leave Cummins for Port Lincoln will leave on the morning of 31 May, with the CDEC hoping to mark the occasion.

(continued)

C90 MEMBERS REPORTS**CONT'D:****Cr Tingay**

21 February 2019	Elected Member Mandatory Training
28 February 2019	Meet with LGA President and CEO, Cummins
1 March 2019	Council inspection of Fishery Bay and Farm Beach campgrounds and Armistice Memorial handover, Farm Beach
4 March 2019	Special Council meeting
4 March 2019	Port Lincoln Airport Stakeholder forum
7 March 2019	Port Lincoln Airport Business Plan Workshop 1
15 March 2019	Council meeting

Cr Bayly

21 February 2019	Elected Member Mandatory Training
25-26 February 2019	EPLGA Conference, Kimba
28 February 2019	Raising of the Auster, Port Lincoln Airport
1 March 2019	Council inspection of Fishery Bay and Farm Beach campgrounds and Armistice Memorial handover, Farm Beach
4 March 2019	Port Lincoln Airport Stakeholder forum
7 March 2019	Port Lincoln Airport Business Plan Workshop 1
12 March 2019	Met with K Warren & M Catt re: FTA
12 March 2019	Met with Hawson residents re: cottage restoration
13 March 2019	Met Sky Park representative re: FTA
15 March 2019	Council meeting

Cr Howell

18 February 2019	Cummins Recreation Centre meeting
20 February 2019	Regional Development Australia Whyalla & Eyre Peninsula Eyes on Eyre public consultation session, Wangary
21 February 2019	Elected Member Mandatory Training
28 February 2019	Meet with LGA President and CEO, Cummins
1 March 2019	Council inspection of Fishery Bay and Farm Beach campgrounds and Armistice Memorial handover, Farm Beach
2 March 2019	Opening of new netball/ tennis changerooms, Marble Range Community & Sports Centre
4 March 2019	Special Council meeting
4 March 2019	Port Lincoln Airport Stakeholder forum
7 March 2019	Port Lincoln Airport Business Plan Workshop 1
14 March 2019	Along with ECDO, EPLGA Tourism Advisory Committee meeting
15 March 2019	Cummins Community Welcome Tea
15 March 2019	Council meeting

Cr Woolley

21 February 2019	Elected Member Mandatory Training
25-26 February 2019	EPLGA Conference, Kimba
6 March 2019	Cummins Homes Committee meeting
15 March 2019	Council meeting
15 March 2019	Cummins Men's Shed 'My Life To Date' guest speaker

C91 QUESTIONS WITHOUT NOTICE

Nil.

C92 QUESTIONS WITH NOTICE

Nil.

C93 MOTIONS WITHOUT NOTICE

Nil.

TINGAY/ WOOLLEY

That Council adjourn for lunch.

Carried.

... Council adjourned at 12.23pm and resumed at 1.29pm without the Airport Operations Manager.

C94 MOTIONS WITH NOTICE**(1) Cr Tingay - Equinor Environment Plan, Stromlo 1 exploration drilling program**

Cr Tingay spoke to his motion and summarised the issues he believed were most relevant to Council. Cr Tingay commented that he believed Council should assess the Environmental Plan and form its own opinion without waiting for NOPSEMA's assessment.

Discussion ensued with Councillors agreeing there were considerable factors for and against Equinor's plans.

Mayor Quigley advised Equinor representatives were willing to visit Council and further explain its Stromlo 1 project with Cr Woolley agreeing Council should listen to both arguments before determining a status.

TINGAY/ BAYLY

That DCLEP write to NOPSEMA and Equinor to express its concern over the potential impact of a prolonged oil spill from the Stromlo 1 exploration well on the coastal and marine environments of Eyre Peninsula as described in the Equinor Environment Plan.

Carried.

C95 MOTIONS ON THE TABLE

Nil.

C96 PETITIONS

Nil.

C97 COMMITTEE MINUTES**1. Cummins Homes – 14 February 2019**

Noted.

C98 MINUTES FROM OTHER BODIES**1. Library Governance Meeting – 27 February 2019**

Noted.

C99 PUBLIC MEETINGS

Nil.

C100 POLICY DEVELOPMENT**(1) Policies & Codes for Adoption****a. Rural School Bus Stops**

WOOLLEY/ BAYLY

That Council adopt policy INF-POL-08 Rural School Bus Stops and that copies be provided to the school bus committees and placed on Council's website for the information of the public.

Carried.

Council returned to item W34 W&I/15/19 before continuing with C100 Policy Development.

... *The Director of Works and Infrastructure left the meeting at 2.17pm.*

b. Petitions

TINGAY/ BAYLY

That Council adopt the policy GOV-POL-14 – Petitions and place on Council's website for the information of the public.

Carried.

(2) Policies & Codes for Review – With Amendment

WOOLLEY/ HOWELL

That Council adopt the following policies & codes with amendment:

<u>Policy Number:</u>	<u>Title</u>
GOV-COD-03	Code of Practice – Access to Meetings & Associated Documents
GOV-COD-04	Code of Practice – Meeting Procedures
GOV-POL-11	Internal Review of Council Decisions
GOV-POL-13	Informal Gatherings.

Carried.
(continued)

C100 POLICY DEVELOPMENT**CONT'D:****(3) Policies & Codes for Review – Without Amendment**

HOLMAN/ TINGAY

That Council adopt the following policies without amendment:

<u>Policy Number:</u>	<u>Title</u>
WHS-POL-01	Work Health & Safety & Return to Work
WHS-POL-02	WHS Contractor Management
WHS-POL-03	WHS Administration
WHS-POL-04	WHS Communication & Consultation
WHS-POL-05	WHS Emergency Management
WHS-POL-06	WHS Hazard Management
WHS-POL-07	WHS Hazardous Work.

Carried.

(4) Policies & Codes for Deletion

Nil.

C101 REGIONAL DEVELOPMENT

Nil.

C102 EYRE PENINSULA LOCAL GOVERNMENT ASSOCIATION

Nil.

*... The Director of Works and Infrastructure returned at 2.19pm.***C103 LOCAL GOVERNMENT ASSOCIATION****(1) Local Government Association Circulars**

HOLMAN/ WOOLLEY

That Local Government Association Circulars numbered 6.1 – 10.4 be noted by Council.

Carried.

C104 COUNCIL OFFICER REPORTS

HOLMAN/ BAYLY

That the Council Officer Reports be received.

Carried.

CHIEF EXECUTIVE OFFICER**CL/20/19 - RAIL CLOSURE**

TINGAY/ HOLMAN

1. *That Council endorses the actions of the Chief Executive Officer in engaging Mr Darryl Matters to undertake an assessment of the Tod Highway to undertake the proposed grain freight task from the northern Council Boundary to the Flinders Highway.*
2. *That following any announcement from the State Government in relation to funding and plans they may have to manage the grain freight within the lower Eyre Peninsula region, Council seeks to engage with the Department of Planning Transport & Industry and Viterra in relation to the following: -*
 - *Options for the delivery of grain into the Cummins Strategic Grain Site; and*
 - *Options for the movement of grain through the Cummins township.*
3. *That subject to agreement with DPTI and Viterra to undertake such a grain freight study the Chief Executive Officer be authorised to engage a Road Traffic Engineer to assist with the drafting of viable options.*

Carried.

CL/21/19 - EQUINOR ENVIRONMENTAL PLAN

Noted.

CL/22/19 - MONARCH CREST ESTATE DEVELOPMENT

... *The Works Manager left at 2.30pm and returned with the Works Project Officer at 2.32pm.*

HOLMAN/ WOOLLEY

That;

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except, (S Hopewell (Acting Chief Executive Officer), A Douglas (Director Works and Infrastructure), L Blacker (Manager Development and Environmental Services), G Jutzen (Works Manager), D Stirling (Works Project Officer) and B Puckridge (Executive Assistant), be excluded from attendance at the meeting for Agenda Item C104 CL/22/19 Monarch Crest Estate development.

(continued)

C104 COUNCIL OFFICER REPORTS**CONT'D:****CL/22/19 - MONARCH CREST ESTATE DEVELOPMENT CONT'D:**

The Council is satisfied that, pursuant to section 90(3)(g) & (i) of the Act, the information to be received in relation to this Agenda Item is information concerning matters that must be considered in confidence as Council has a legal obligation to ensure complaints are dealt with properly, and a legal duty of care to staff; in addition to which, the information to be discussed is information relating to reasonably anticipated litigation, involving the council or an employee of the council.

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 of it's duty of care to staff and the right to retain in confidence matters pertaining to reasonably anticipated litigation is in the best interest of the public.

Carried.

... Council moved in to a confidential meeting at 2.32pm and resumed its ordinary meeting at 3.29pm.

Following the confidential meeting Mayor Quigley advised that Council had resolved to retain the minutes, reports and folios pertaining to the confidential meeting in confidence until this matter has been resolved.

... The Works Project Officer left the meeting at 3.29pm and did not return.

MANAGER CORPORATE SERVICES**CL/23/19 - LICENCE – OLD DEPOT, OLD WEST ROAD**

Noted.

CL/24/19 - COMMUNITY BUS – LEASE AGREEMENT

MITCHELL/ HOLMAN

That Council endorse the signing of the Community Bus Agreement, 2019-2021 for the ongoing administration of the Community Bus.

Carried.

CL/25/19 - CUMMINS MEN'S SHED

Noted.

C104 COUNCIL OFFICER REPORTS**CONT'D:****CL/26/19 - DOG & CAT MANAGEMENT BOARD – NOMINATION**

HOLMAN/ HOWELL

That should Cr Woolley's nomination to the Dog & Cat Management Board be successful, that Council formally request the Dog & Cat Management Board provide the District Council of Lower Eyre Peninsula with reimbursement for any plane fares to Cr Woolley's attendance at Board meetings and also for any kilometres travelled between the Port Lincoln Airport and Cr Woolley's place of residence for the purpose of attending Board meetings.

Carried.

CL/27/19 - SOUTHERN EYRE PENINSULA AGEING WELL STRATEGY

MITCHELL/ HOLMAN

That Council endorse the Regional 'Ageing Well in Southern Eyre Peninsula' document for administration by the Collaborative group as outlined in the document, and the Local Action Plan for the District Council of Lower Eyre Peninsula as provided.

Carried.

CL/28/19 - LOCAL GOVERNMENT REFORM

HOLMAN/ MITCHELL

That Council note the reforms proposed by the Local Government Association as meaningful sector wide reforms for Local Government and that a report be provided to Council following the release of the Ministers reform paper providing detail on the reform areas for Council comment.

Carried.

HOLMAN/ MITCHELL

That the Council Reports be adopted.

Carried.

C105 COUNCIL OFFICER'S MEETINGS ATTENDED

Noted.

C106 COUNCIL CORRESPONDENCE – FOR COUNCIL DECISION

Nil.

C107 COUNCIL CORRESPONDENCE – FOR INFORMATION ONLY

- (1) SA Water – Artwork on pipeline
- (2) Thank you – Armistice Community Group
- (3) 2019 Premier’s Certificate of Recognition

Noted.

C108 COUNCIL CORRESPONDENCE – MEDIA RELEASES, MAGAZINES AND NEWSLETTERS

- (1) Media Releases
- (2) Magazines and Newsletters

Noted.

C109 COUNCIL – LATE CORRESPONDENCE

Nil.

C110 COUNCIL GENERAL BUSINESS**1. Deferred item****FN/14/19 EYRE ON EYRE CAMPING NODE PROJECT – UPDATE**

TINGAY/ HOLMAN

That the following comments be provided to the Eyes On Eyre Project Steering Committee as Council’s formal comments on the proposed camping node development projects at Fishery Bay and Farm Beach:

Fishery Bay

Council’s comments on the proposal put forward by the Eyes On Eyre Project Steering Committee:

- *The existing toilet block is sufficient in its current location;*
- *The proposed BBQ shelter should be removed;*
- *The general proposed layout is deemed suitable subject to the site being surveyed and the proposed camp sites are able to be facilitated within the existing road reserve;*
- *The proposed pedestrian access should include consideration of a better access over the sand dunes (i.e. better sand ladder or boardwalk over the softer sand) rather than encourage pedestrians closer to the vehicles;*
- *The vehicle access to the beach warrants further consideration, with an appropriate engineering solution being researched;*

(continued)

C111 COUNCIL GENERAL BUSINESS**CONT'D:****1. Deferred item****cont'd:**

- *The low lying nature of the land and the impact that selective filling may have on surrounding land will need to be researched and assessed; and*
- *The ongoing maintenance and policing of the campground is likely to increase costs to Council and consideration needs to be given as to how the facility would be funded and how any camp fees would be collected by Council.*

Farm Beach Campground

Council's comments on the proposal put forward by the Eyes On Eyre Project Steering Committee:

- *Council supports the concept of relocating the existing tractor park however further research needs to be undertaken as to the best location (if any) for the tractors. This would include the requirement to construct a new access track for the tractors to be able to access the boat ramp;*
- *If the tractor park is able to be relocated, the old (existing) site could be rehabilitated and established as more of a 'bush camping' style to provide some of that type of camping whilst retaining the main campground area as is;*
- *The existing style of the campground, being larger sites that are closer together is to be retained with a general refurbishment of the whole campground being undertaken;*
- *Retain the existing vehicle access over the low-lying area within the campground;*
- *Remove the proposed shelter at the boat ramp carpark*
- *Consider aesthetic improvement to the existing toilet block;*
- *Retain the placement of a new toilet block at the boat ramp car park;*
- *Remove the concept of a boardwalk access across the dunes.*

Carried.

3. Reports and emails

Mayor Quigley reminded Elected Members to submit their monthly reports prior to the Council meeting, and to regularly check their emails given the amount of projects currently before the Council.

MEETING CLOSED AT 3.54PM**MINUTES CONFIRMED:**

.....
(CHIEF EXECUTIVE OFFICER)
DATED: 18 APRIL 2019

.....
(MAYOR)