



MINUTES

Of the ordinary meeting of the
District Council of Lower Eyre Peninsula
held in the Council Chambers, 32 Railway Terrace, Cummins,
on Thursday, April 18, 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 THURSDAY, APRIL 18, 2019 COMMENCING AT 9.04am.

PRESENT:

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

R Pearson (Chief Executive Officer), A Douglas (Director Works and Infrastructure), S Hopewell (Manager Corporate Services), P O'Rielly (Airport Operations Manager) and B Puckridge (Executive Assistant).

I43 WELCOME

Mayor Quigley welcomed staff and Councillors to the meeting.

I44 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.

I45 APOLOGIES

L Blacker (Manager Development and Environmental Services) and G Jutzen (Works Manager).

I46 DECLARATION OF CONFLICT OF INTEREST

Cr Holman declared a perceived conflict of interest (pursuant to section 75 of the Local Government Act 1999 as a co-author of the letter from the Wonderland Committee in relation to item CL/32/19).

Cr Holman advised she would remain in the meeting and inform other members if asked for further details. Cr Holman voted in favour of the motion, as did all Elected Members.

I47 OVERVIEW OF ADDITIONAL DOCUMENTS

The Chief Executive Officer advised on additional documents.

I51 DEPUTATIONS

4. Peter Kesting, 9.50am

Mr Kesting will address Council regarding Flight Training Adelaide activity at the Port Lincoln Airport.

F39 FINANCE CORRESPONDENCE – FOR COUNCIL DECISION

(8) Coffin Bay Progress Association – Request for donation

Late correspondence.

W42 WORKS & INFRASTRUCTURE REPORT

W&I/20/19 FLIGHT TRAINING ADELAIDE – INTERIM
ASSESSMENT OF PORT LINCOLN AIRPORT FOR
TRIAL PILOT TRAINING

Additional information to the item's folio.

C126 COUNCIL OFFICERS REPORTS

CL/30/19 MONARCH CREST

Addendum & late confidential report.

I48 CONFIRMATION OF MINUTES

MITCHELL/ HOLMAN

That the Minutes of the following meetings:-

- *Ordinary council meeting held 15 March 2019.*
- *Confidential council meeting held 15 March 2019 be confirmed.*

Carried.

I49 BUSINESS ARISING FROM THE MINUTES

Nil.

I50 INVITED GUESTS

Nil.

I51 DEPUTATIONS

Mayor Quigley advised that there will be four deputations, three of which concerned Flight Training Adelaide. Mayor Quigley advised the following were apologies for Council meeting - community members opposed to Flight Training Adelaide operations at the Port Lincoln Airport: Liz Dessart, Iris Lucena, Dustin, Jessica, Gracie & Henry Treasure and Wendy Lambert.

1. Kerry McEwan & Rachel Saxby, Coffin Bay Progress Association

Kerry McEwan and Rachel Saxby of the Coffin Bay Progress Association presented to Council regarding introducing recycling options for the district's residents.

Ms McEwan thanked Council for the opportunity to speak and advised a recent survey carried out by the association in regards to resource recovery and recycling services attracted 287 responses from all over the district.

Ms McEwan advised the survey had asked people how much they were willing to pay for a recycling service with results showing a change in that people are now more receptive towards a rate increase in exchange for a recycling service.

The survey also looked at the level of knowledge people had of existing waste and recycling services with results suggesting there is a need to increase community education.

Ms McEwan stated the group wanted Council's commitment to investigate the issue further, noting in the DCLEP Strategic Plan 2016-25 one of the items is to explore joint contracts for recyclables.

Mayor Quigley thanked Ms McEwan for the presentation and noted that waste and recycling was a topic at the recent LGA of SA Best Practice Showcase in Adelaide and it was interesting to hear how other councils are dealing with this issue.

Cr Holman noted people were becoming more aware of the implications of waste but it was difficult to relate to the metro councils due to the logistics regional councils faced.

Cr Holman congratulated the community on being on the front foot to take on the issue.

I51 DEPUTATIONS**CONT'D:****2. Lower Eyre Peninsula Airports Residents Association**

Association representatives Telene Clarke, Alana Cranswick Hansen and Jessica North addressed Council on behalf of the Lower Eyre Peninsula Airports Residents Association regarding the proposed Flight Training Adelaide project at the Port Lincoln Airport.

Ms Clark thanked Council for the opportunity to present to Elected Members and stated the association represented more than 200 individuals, families and community groups.

Ms Clark said the group wanted to bring three main issues to the attention of Council - the noise impact flight activity had on residents, the calculation of the proposal's economic benefit, and the public engagement process to date, including the State Commission Assessment Panel's involvement.

Ms Clark advised the group would like Council to acknowledge the current noise impact would rise exponentially if the development were to proceed, and recognise that noise issues would potentially affect residents not just around the airport.

Ms Clark stated the group believed noise issues had not been addressed in the Flight Training Adelaide development application and Council should request site-specific detailed data collection be obtained.

Ms Clarke questioned what evidence-based model Council has used to assess the potential economic benefits to the region and asked that a copy of the modelling be released publicly.

Ms Clarke stated the activity had and would mean a negative impact upon health, wellbeing and lifestyle with a loss of amenity for the area, devaluation of properties and tourism sites and community distress

The group asks Council to advocate for the SCAP submission process to be reopened and that the hearing be moved to Port Lincoln to allow resident's concerns to be heard in an open meeting.

Ms Clarke stated Flight Training Adelaide had been advertising and recruiting for a Port Lincoln Campus, making it appear like a development has been granted, and asked Council to clarify the current arrangement.

I51 DEPUTATIONS**CONT'D:****3. Dianne Hart**

Mrs Hart advised she was a member of SAAA Chapter 25 and as a recreational pilot she had concerns regarding the current Flight Training Adelaide activity and its potential future operations from the Port Lincoln Airport.

Mrs Hart advised local pilots held concerns around the practicalities of flying with multiple FTA trainees as congestion increases the chance of incidents occurring.

Increased and unclear radio traffic is also a concern. Mrs Hart pointed out there were 13 airfields across Lower Eyre Peninsula, some of which do not have radio and rely on a 'see and avoid' approach by local pilots.

Mrs Hart advised local pilots, especially with lighter aircraft, were also in favour of keeping Runway 0523 open due to its position and frequent wind directions allowing pilots in lighter aircraft to land more safely.

Mrs Hart noted if the full training facility was established there would be no turning back, and it was difficult to recognise the benefits against the negatives that have already been brought to the attention of Council.

4. Peter Kesting

Mr Kesting advised he lived on Easton Road, North Shields and that Flight Training Adelaide activity had already affected him with the potential to significantly change his lifestyle, health and environment.

He said he wanted to increase council's awareness of the issues surrounding both the process and the effects the approval of such a project will have on him, the broader community and the environment.

Mr Kesting said the project needed to be reviewed against the possible economic benefits in consultation with all of Council's ratepayers and he was frustrated and concerned about the lack of public information and consultation around the project.

Mr Kesting voiced concerns over the day to day functioning of the flight school in regards to flight paths, frequency and scheduling of flights with consistent low flying aircraft disrupting the area during the early morning, late at night and on weekends.

Mr Kesting said he believed it was the responsibility of council to protect, support and inform residents of possible major changes in the community and undertake community consultation prior to any development including trials.

(continued)

I51 DEPUTATIONS**CONT'D:**

Mr Kesting voiced concerns over the short turnaround time of receiving a letter from the State Planning Commission asking for feedback on the FTA development application, and when public submissions closed.

Mr Kesting reiterated he urged Council to review and extensively research the proposal to balance economic, social and environment issues.

Mayor Quigley thanked all those who made deputations and for attending the Council meeting. Mayor Quigley advised the Chief Executive Officer (CEO) would respond to the residents as a collective on the issue.

The CEO explained Council had, on approach, entered into a Non Disclosure Agreement (NDA) with Flight Training Adelaide, and under the terms of the NDA has not been able to release information to the community.

He advised the NDA was agreed to noting the potential economic benefit to the region from a flight training school, and in the knowledge the development would be subject to a thorough development assessment process led by the State Commission Assessment Panel.

The CEO advised Council had been aware of concerns with the project from local residents, and in this regard held a meeting with Flight Training Adelaide last week. The local concerns were presented to FTA, who has advised it wishes to work with the community in relation to its project.

The CEO advised FTA had made a commercial decision to not pursue the flight training school full development at this time, but did wish to proceed with the development application. In the interim FTA will place a maximum of six planes at the Port Lincoln Airport as an over flow from their Parafield operation.

The CEO further advised FTA wish to now operate under 'Fly Friendly Guidelines' to minimise local impact, including: -

- No circuits to be flown from runway 0523
- Dispersing planes to alternative airstrips to lessen the intensity of flight training from the Port Lincoln Airport.
- Controlled circuit paths to lessen impact on townships where possible.
- Reduced maximum flying hours.

The CEO advised a letter would be written to all persons who have contacted Council regarding the flying school, with a position statement to be placed on Council's website.

HOLMAN/ WOOLLEY

That Council adjourn for morning tea.

Carried.

... Council adjourned for morning tea at 10.37am and resumed at 10.52am.

FINANCE

F36 FINANCE REPORT

... The Senior Corporate Services Officer joined the meeting at 10.53am.

HOLMAN/ MITCHELL

That the Finance Reports be received.

Carried.

SENIOR CORPORATE SERVICES OFFICER

FN/15/19 - 2018/19 THIRD QUARTER BUDGET REVIEW

The Senior Corporate Services Officer advised that the adjusted Council Operations surplus for the first three quarters is \$63,000,

ECONOMIC COMMUNITY DEVELOPMENT OFFICER

FN/16/19 - TOURISM ADVISORY COMMITTEE

HOLMAN/ TINGAY

That consideration be given to a \$2,200 contribution towards the development of an Eyre Peninsula Regional Trails Strategy from Account 15601 – Tourism, in the formulation of the 2019/2020 budget.

Carried.

BAYLY/ WOOLLEY

That consideration be given to a \$3500 contribution towards the development of a Regional Tourism Marketing and Implementation Plan from Account 15601 – Tourism, in the formulation of the 2019/2020 budget.

Carried.

MANAGER DEVELOPMENT & ENVIRONMENTAL SERVICES

FN/17/19 - REGIONAL DEVELOPMENT AUSTRALIA - EYES ON EYRE PROJECT

General discussion ensued with Councillor Bayly suggesting a volunteer could be made responsible for collecting fees, instead of an honesty system at the Farm Beach Caravan Park.

Cr Tingay stated he was concerned the Fishery Bay concept was essentially being built around the existing road and that it was not ideal for a road to be going straight through the campground.

(continued)

F36 FINANCE REPORT**CONT'D:****FN/17/19 - REGIONAL DEVELOPMENT AUSTRALIA - EYES ON EYRE PROJECT****CONT'D:**

MITCHELL/ WOOLLEY

That the Eyes On Eyre Project Steering Committee be advised that Council will not endorse the final concept for the Farm Beach Campground as put forward in the final report received on 2 April 2019 until the following matters are resolved to Council's satisfaction:

- *The existing style of the main campground has to be retained. The final concept still proposes to create a 'bush camping' feel whilst Council indicated that it would like to see the larger sites remain and be closer together. Whilst the final concept has added some double sites, it still is substantially different to Council's previous feedback;*
- *With the relocation of the tractor park, the 'reclaimed area' has been provided with some larger double sites. This area would be more suited to having single sites with the 'bush camping' feel and add more double sites to the main area;*
- *Council indicated that it wanted the concept of a boardwalk across the dunes removed from the proposal. The final concept does not show a proposed boardwalk on the plan, however the text element on page 46 makes reference to an example boardwalk from the main campsite to the beach; and*
- *The final concept proposes to use a 'pay station' for collection of fees as well as 'smart' technology for the monitoring of the campground. It needs to be noted that whilst mobile coverage might be better at Farm Beach than it is at Fishery Bay, the suitability of using such devices in this location needs to be more thoroughly investigated. The ongoing maintenance/operating costs also need to be more thoroughly analysed prior to Council agreeing to install such a device.*

WOOLLEY/ MITCHELL

With regard to the Fishery Bay concept, Council endorses the final concept as put forward in the final report received on 2 April 2019, however requests that the following be further investigated;

- *Option 2 for pedestrian access over the dunes to the beach is Council's preferred option and as such, Council requests that this be identified as Option 1 for business case and grant funding application purposes; and*
- *The final concept proposes to use a 'pay station' for collection of fees as well as 'smart' technology for the monitoring of the campground. It needs to be noted that there is extremely limited mobile coverage in this area and as such the reliability of such devices will be limited. There will also be operational and management costs associated with such infrastructure which needs to be fully analysed as part of the business case development.*

Carried.

F36 FINANCE REPORT**CONT'D:**

HOLMAN/ HOWELL

That the Finance Reports be adopted.

Carried.

F37 FINANCE UPDATES**(1) Bank Reconciliation Statement as at 09/04/2019****(2) Reserve Status Report as at 09/04/2019**

Cr Holman queried the status of the Sleaford Bay Cabin Park reserve, with the Senior Corporate Services Officer advising the property relating to this reserve has recently been listed for sale and a three month extension to legal proceeding had been provided to allow sufficient time for the property to be sold. The SCSO advised should no contract for sale be confirmed prior to 21 June 2019 then legal proceedings for sale of property due to non-payment of rates will be further considered.

(3) Funds Status Report as at 09/04/2019**(4) Council Budget Report as at 09/04/2019**

Noted.

F38 FINANCE MEETINGS ATTENDED

Nil.

F39 FINANCE CORRESPONDENCE – FOR COUNCIL DECISION**(1) Financial contribution and request for community group loan – Cummins Ramblers Football Club**

MITCHELL/ WOOLLEY

That that the Cummins Ramblers Football Club be advised that Council:

- *Provides in-principal support towards the construction of the proposed facility; and*
- *will consider a financial contribution towards the construction of a clubrooms and community conference facility at the Cummins Oval during the formulation of Council's 2019/20 Annual Business Plan and Budget.*

Carried.

(continued)

F39 FINANCE CORRESPONDENCE – FOR COUNCIL DECISION CONT'D:**(1) Financial contribution and request for community group loan – Cummins Ramblers Football Club cont'd:**

WOOLLEY/ HOLMAN

That Council advises the Cummins Ramblers Football Club that it provides in-principal support to facilitate a community and sporting group loan of \$100,000 for the construction of a clubrooms and community conference facility at the Cummins Oval on the following terms;

- *The Cummins Ramblers Football Club supply a minimum of three and a maximum of six suitable guarantors for the loan;*
- *The rate of interest payable on the loan to the Cummins Ramblers Football Club being the rate of interest which Council can borrow this amount from the Local Government Finance Authority;*
- *The term of the loan being a maximum of ten years;*
- *Council reviewing and being satisfied with the financial position of the Cummins Ramblers Football Club;*
- *All necessary approvals being obtained for the construction of the proposed facility prior to commencing works; and*
- *The Cummins Memorial Recreation Centre providing Council its approval for the construction of the proposed facility to be undertaken following finalisation of plans.*

Carried.

(2) Electricity Supply Contracts – Local Government Association Procurement

Discussion ensued with Councillors in relation to the merit of purchasing green power.

WOOLLEY/ MITCHELL

That Local Government Association Procurement be advised:-

1. *That Councils Authorised representative is Rodney Pearson, CEO, to endorse the LGAP recommendations on behalf of Council for:*
 - *Above 160mWh electricity supplies;*
 - *Below 160mWh electricity supplies;*
 - *12 & 24 hour unmetered electricity supplies; and*
2. *That Council does not wish to purchase green power in each of the years of the new contract.*

(continued)

F39 FINANCE CORRESPONDENCE – FOR COUNCIL DECISION CONT'D:**(2) Electricity Supply Contracts – Local Government Association Procurement cont'd:**

Amendment

TINGAY/ BAYLY

That Local Government Association Procurement be advised:-

1. *That Councils Authorised representative is Rodney Pearson, CEO, to endorse the LGAP recommendations on behalf of Council for:*
 - *Above 160mWh electricity supplies;*
 - *Below 160mWh electricity supplies;*
 - *12 & 24 hour unmetered electricity supplies; and*
2. *That Council purchase 10 per cent green power up to a maximum cost of \$2,500.*

Carried.

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

TINGAY/ BAYLY

That Council continue to investigate opportunities for implementing energy efficiency measures.

Carried.

(3) Request for donation – Coffin Bay A Day On The Bay 2019

TINGAY/ MITCHELL

That Council advises the Coffin Bay Tourist Association that it will provide an allocation of \$2,000 within its 2019/20 annual budget as a contribution towards the event Coffin Bay - A Day OnThe Bay 2019.

Carried.

(4) Request for donation – Port Lincoln Motorcycle Club

BAYLY/ WOOLLEY

That the Port Lincoln Motorcycle Club be advised that Council will provide a donation of \$594.00 from account 15915 – Donation to Outside Bodies.

Carried.

(continued)

F39 FINANCE CORRESPONDENCE – FOR COUNCIL DECISION CONT'D:**(5) Request for donation – Lower Eyre Road Safety Committee Inc**

HOLMAN/ BAYLY

That the District Council of Lower Eyre Peninsula congratulate the LERSC on the work they have undertaken throughout the Lower Eyre Peninsula region and agree to provide an allocation of \$2,000 per annum within future budgets on the proviso that the District Council of Tumby Bay and City of Port Lincoln agree to provide equal support; and

That Council staff prepare a Memorandum of Understanding to give affect to this commitment and include a requirement for the reporting to Council of activities and spending throughout the agreement period.

Carried.

(6) Request for donation – UN Youth SA Conference 2019

HOLMAN/ WOOLLEY

The District Council wishes the United Nations South Australia every success with its 2019 State Conference, however Council does not sponsor events outside of our region in accordance with Council policy.

Carried.

(7) Sleaford District Progress Association – Provision of community priorities

MITCHELL/ HOLMAN

That Council congratulate the Sleaford District Progress Association on the time and effort taken in preparing this request and advise that the request will be taken into consideration in upcoming budget deliberations for the 2019/20 Council budget.

Carried.

The following was provided as late correspondence:

(8) Coffin Bay Progress Association – Request for donation

Late correspondence received from the Coffin Bay Progress Association requesting a donation of \$2,500 for the removal of a pump shed containing asbestos on the site of the Coffin Bay Hall.

An application was lodged for \$1,739 for this project under Council's Community Capital Support Grant applications, however Council determined it did not meet the grant funding criteria and as requested by Council, staff invited the Association to apply for a donation.

(continued)

F39 FINANCE CORRESPONDENCE – FOR COUNCIL DECISION CONT'D:**(8) Coffin Bay Progress Association – Request for donation**

It was noted that a donation of \$2,500 will fully expend all funds in account 15915 – Donations to Outside Bodies.

WOOLLEY/ HOWELL

That Council advise the Coffin Bay Progress Association that it will provide a donation of \$2,500 towards the removal of the pump shed at the rear of the Coffin Bay Hall.

Carried.

F40 TENDERS / QUOTATIONS**(1) Plant Replacement RFT 2018/17– Four (4) Wheel Drive Loader Backhoe with trade-in**

TINGAY/ HOLMAN

That tenders for the supply and delivery of One (1) Four (4) Wheel Drive Loader Backhoe with trade-in be received.

Carried.

MITCHELL/ WOOLLEY

That Tenderer 5 with the tendered changeover amount of \$119,000 (exclusive of GST) as submitted by Cavpower Pty Ltd for the supply and delivery of a Four (4) Wheel Drive Loader Backhoe with trade-in as specified in Tender No 2018/17 be accepted as the most advantageous to Council.

Amendment

TINGAY/ BAYLY

That Tenderer 5 with the tendered changeover amount of \$119,000 (exclusive of GST) as submitted by Cavpower Pty Ltd for the supply and delivery of a Four (4) Wheel Drive Loader Backhoe with trade-in as specified in Tender No 2018/17 be accepted as the most advantageous to Council in terms of equipment, sales and service, and operational performance and warranty.

Carried.

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

F41 FINANCE CORRESPONDENCE – INFORMATION ONLY**(1) Funding Increase – Roads to Recovery 2019-20 to 2023-24**

Noted.

F42 FINANCE GENERAL BUSINESS**1. 2019/20 Budget**

Cr Holman noted the draft 2019/20 budget was due to be released to Elected Members next Friday and confirmed with the Senior Corporate Services Officer that it was on track.

... The Senior Corporate Services Officer left the meeting at 11.45am and did not return.

WORKS AND INFRASTRUCTURE

W42 WORKS AND INFRASTRUCTURE REPORT

HOLMAN/ TINGAY

That the Works and Infrastructure Report be received.

Carried.

... *The Acting Works Manager joined the meeting at 11.47am.*

DIRECTOR WORKS AND INFRASTRUCTURE

W&I/18/19 - REQUEST FOR VEHICLE ACCESS RESTRICTIONS – LONG BEACH, COFFIN BAY

The Director of Works and Infrastructure advised that the report recommendation dot point two was not correct as it was prepared based on the incorrect interpretation of the request that had been made to DEW by Mr Doug Clarke.

The DWI advised the request was for bollards to be placed along the south side of the access track on to Long Beach and that the bollards were intended to protect the face of the dunes from vehicles proceeding to the south towards the National Park beach frontage.

MITCHELL/ HOWELL

That Council advise the author that Council remains of the view that access to the beach is acceptable and that the status quo remains.

Carried.

TINGAY/ MITCHELL

That Council advise the Department of Environment and Water that the land involved in this proposal adjacent to the southern car park at Long Beach is within Section 673 Hundred of Wangary. According to Council records this is an unvested Government reserve which is not the management responsibility of DCLEP. The Council has no objection to the appropriate authority installing bollards to protect dune vegetation in this Section.

Carried.

W&I/19/19 - PORT LINCOLN AIRPORT – RWY 15/33 AND RWY 05/23 DEVELOPMENTS

HOLMAN/ TINGAY

That Council endorse the acceptance of the Remote Airstrip Upgrade Program grant of \$180,000 for the pavement replacement of Runway 15/33 to be undertaken in the 2019/20 financial year with an anticipated project cost of \$360,000.

Carried.
(continued)

W42 WORKS AND INFRASTRUCTURE REPORT**CONT'D:****W&I/19/19 - PORT LINCOLN AIRPORT – RWY 15/33 AND RWY 05/23 DEVELOPMENTS****CONT'D:**

BAYLY/ TINGAY

That Council staff undertake consultation with relevant airport stakeholders to prepare options for the development of the airside land south of the Airport Terminal and west of Runway 15/33 including the option of the shortening of Runway 05/33 to 1,175 metres.

Carried.

W&I/20/19 - FLIGHT TRAINING ADELAIDE – INTERIM ASSESSMENT OF PORT LINCOLN AIRPORT FOR TRIAL PILOT TRAINING

TINGAY/ WOOLLEY

That Council notes the comments received and that it will respond to all parties who have contacted Council with concerns in relation to Flight Training Adelaide operations at the Port Lincoln Airport, as well as those who presented Deputations at Council's April meeting, providing Council's Position Statement as of 18 April 2019.

That Council publish its Position Statement on Council's website and Facebook pages.

That a media release be issued in relation to Council's Position Statement on Flight Training Adelaide operations.

Carried.

WORKS MANAGER**W&I/21/19 - LAND MANAGEMENT AGREEMENT (LMA) – ASHLEY WAYNE GRAY AND KATE JOANNE REDDING**

MITCHELL/ HOLMAN

That the Mayor and Chief Executive Officer be authorised to sign and seal the Land Management Agreement over 137-149 Richardson Road, Boston described as Allotment 1 in Deposit Plan 73862.

Carried.

W&I/22/19 - LOUTH BAY PLAYGROUND SHADE SAIL

HOWELL/ HOLMAN

That Council approve the removal of 2 or 3 trees to accommodate the shade sail at the Marjorie Agars Playground, Louth Bay.

Carried.

W42 WORKS AND INFRASTRUCTURE REPORT**CONT'D:****W&I/23/19 - LAST LINK HEAVY VEHICLE ROUTES**

WOOLLEY/ HOLMAN

That Council approve the last link highway to silo access for PBS Level 3A Heavy Vehicle use on the following Council controlled sections of roads:

1. *Railway Terrace, Cummins between Bruce Terrace and the bunker site entrance;*
2. *Koppio Road, Edillilie between Railway Terrace and the silo entrance.*

Carried.

MITCHELL/ TINGAY

That the Works and Infrastructure Report be adopted.

Carried.

W43 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.

W44 AIRPORT OPERATIONS UPDATES

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

Noted.

W45 WORKS AND INFRASTRUCTURE MEETINGS ATTENDED

Noted.

W46 WORKS AND INFRASTRUCTURE CORRESPONDENCE – FOR COUNCIL DECISION**(1) Request for road maintenance and offer of service – Eyre Land Development**

WOOLLEY/ HOLMAN

That Eyre Land Development be thanked for their offer to assist in improving Settlers Road and be advised that:

- *Council has previously considered the upgrade of this road however has not given this road a high priority given that all properties along this road have access to alternate all-weather roads and the cost to build the road in a water logged environment is excessive;*
- *Council would need to consider any contribution in an annual budget;*
- *They may undertake the work at their cost under an Authorisation to Undertake Works on a Public Road in order to convenience their business.*

Carried.

HOLMAN/ BAYLY

That Council adjourn for lunch.

Carried.

... Council adjourned at 12.30pm and resumed at 1.32pm without the Acting Works Manager.

(2) Request for recycling - Coffin Bay Progress Association

Cr Mitchell noted it was clear from the association's survey results that some people in the community did not know what items could be taken to the Coffin Bay refuse centre.

TINGAY/ HOLMAN

That the Coffin Bay Progress Association be thanked for the letter advocating for changes to the recycling of waste in Coffin Bay and advised as follows:

1. *Council's general kerbside collection service fully expires in June 2021 and the incorporation of kerbside recycling service in the next contract and joint tendering with another Council will be considered at this time;*
2. *Council will consider removing gate fees for metals, plastics and glass at its Waste Transfer Stations in the 2019/20 budget.*
3. *The Council will workshop and review waste management in LEP with the view to investigate opportunities to reduce waste through the use of recycled products, through initiatives with other Councils, by encouraging residents to be waste conscious, and by recycling and other means.*

Carried.

W46 WORKS AND INFRASTRUCTURE CORRESPONDENCE – FOR COUNCIL DECISION CONT'D:**(3) Clarification on road use – Mr B Moseby**

The Director of Works and Infrastructure advised point three was irrelevant given a misinterpretation to the incoming correspondence.

WOOLLEY/ HOWELL

That Mr Moseby be advised that:

- 1. Council's Development Plan, which governs development in the Council area, requires, for reasons of personal welfare and safety, a different level of access for a residential development to that of a shed. Council is bound by the Development Plan and the decisions made by the independent Council Assessment Panel;*
- 2. While Council is sympathetic to his circumstances, the legal onus is on the property buyer to practice due diligence when purchasing a property;*
- 3. Based on the recent discussions with staff, Mr Moseby's offer to undertake improvement work on selected sections of the road will be evaluated.*

Carried.

W47 WORKS AND INFRASTRUCTURE CORRESPONDENCE – INFORMATION ONLY

Nil.

W48 WORKS AND INFRASTRUCTURE – LATE CORRESPONDENCE

Nil.

W49 WORKS AND INFRASTRUCTURE GENERAL BUSINESS**1. Access to road reserve, Tulka Progress Association**

The Director of Works and Infrastructure (DWI) advised that correspondence had been received from Tulka Progress Association requesting Council reconsider its decision in September 2018 in relation to access to Council's Road Reserve adjacent 9 Sheoak Road, Tulka.

The DWI advised it would be brought to the May meeting of Council.

2. Clearing vegetation sections, Coffin Bay

Cr Mitchell asked for an update on the trial to clear sections of undergrowth on the Esplanade, Coffin Bay.

The DWI advised he was speaking with the Port Lincoln Prison to assist with the work and was hoping to get dates soon prior to meeting with Coffin Bay residents to identify the areas that would be cleared.

(continued)

W49 WORKS AND INFRASTRUCTURE GENERAL BUSINESS CONT'D:**3. Farm Beach Road**

Cr Woolley advised he attended the Mount Dutton Bay Progress Association meeting the week prior and there was concern from members that traffic counts on Farm Beach Road had not occurred.

The DWI advised a traffic counter had been placed on Farm Beach Road for 12 months in recent years, with the two traffic counters Council owns now on the Tod Highway and Bratten Way. The DWI advised there were hopes to purchase another two this financial year.

DEVELOPMENT AND ENVIRONMENTAL SERVICES

D36 DEVELOPMENT AND ENVIRONMENTAL SERVICES REPORT

BAYLY/ HOLMAN

That the Development and Environmental Services Report be received.
Carried.

DES/04/19 - DOG REGISTRATION FEES 2019/2020

HOLMAN/ MITCHELL

That the Dog Registration Fees remain the same for the 2019/20 year and be as follows:

Partial Year Registration - As of 1 January a 50% rebate applies for all new registrations.

<i>Fee Description</i>	<i>Fee \$</i>	<i>Fee \$ for new dogs from 1 January</i>
<i>Standard Dog – Desexed & Microchipped</i>	<i>30.00</i>	<i>15.00</i>
<i>Standard Dog – Concession</i>	<i>16.00</i>	<i>8.00</i>
<i>Non-Standard Dog – Not Desexed & Microchipped</i>	<i>60.00</i>	<i>30.00</i>
<i>Non-Standard Dog – Concession</i>	<i>30.00</i>	<i>15.00</i>
<i>Non-Standard Dog – Desexed not Microchipped</i>	<i>35.00</i>	<i>17.50</i>
<i>Non-Standard Dog – Concession – Desexed not Microchipped</i>	<i>18.00</i>	<i>9.00</i>
<i>Non-Standard Dog – Microchipped not Desexed</i>	<i>55.00</i>	<i>27.50</i>
<i>Non-Standard Dog – Concession – Microchipped not Desexed</i>	<i>27.50</i>	<i>13.75</i>
<i>Working Dog</i>	<i>15.00</i>	<i>7.50</i>
<i>Assistance Dog</i>	<i>0.00</i>	<i>0.00</i>
<i>Greyhound – Registered with SA DRCB</i>	<i>15.00</i>	<i>7.50</i>
<i>Replacement Disc</i>	<i>12.50</i>	<i>-</i>
<i>Replacement Renewal Notice</i>	<i>6.00</i>	<i>-</i>
<i>Late Registration</i>	<i>16.00</i>	<i>-</i>
<i>Breeder Registration</i>	<i>75.00</i>	<i>-</i>
<i>Dog Business 0 – 5 Dogs</i>	<i>300.00</i>	<i>-</i>
<i>Dog Business 6 – 10 Dogs</i>	<i>600.00</i>	<i>-</i>
<i>Dog Business 11 – 15 Dogs</i>	<i>900.00</i>	<i>-</i>
<i>Dog Business 16 – 20 Dogs</i>	<i>1,200.00</i>	<i>-</i>

Carried.

WOOLLEY/ TINGAY

That the Development and Environmental Services Report be adopted.
Carried.

D37 DEVELOPMENT AND ENVIRONMENTAL SERVICES UPDATES

- (1) Animal Management**
- (2) Fire Prevention**
- (3) Nuisance / Litter / Vandalism**
- (4) Camping**
- (5) Health**
- (6) Building Inspection Policy**

Noted.

D38 MANAGER DEVELOPMENT AND ENVIRONMENTAL SERVICES MEETINGS ATTENDED

Noted.

D39 DEVELOPMENT AND ENVIRONMENTAL SERVICES CORRESPONDENCE – FOR COUNCIL DECISION

Nil.

D40 DEVELOPMENT AND ENVIRONMENTAL SERVICES CORRESPONDENCE – INFORMATION ONLY

- (1) SA Health – Southern Eyre Peninsula’s Regional Public Health Plan Report 1/7/2016 – 30/6/2018**
- (2) SA Housing Authority – Antisocial Behaviour**

Noted.

D41 DEVELOPMENT AND ENVIRONMENTAL SERVICES – LATE CORRESPONDENCE

Nil.

D42 DEVELOPMENT AND ENVIRONMENTAL SERVICES GENERAL BUSINESS**1. Holly Rise Development Plan Amendment**

The Chief Executive Officer advised the draft Holly Rise Development Plan Amendment has been received back from MasterPlan,

COUNCIL

C111 MAYOR'S REPORT

Mayor Quigley

- 17 March 2019 Phone conversation with Ben Price regarding speed limit on Richardson Road
- 18 March 2019 Audit Committee meeting
- 18 March 2019 Phone conversation with Lloyd Hetzel, Dutton Bay regarding Farm Beach Road, Boat Ramp, Jetty Repairs and Lights at the Jetty
- 19 March 2019 Meeting regarding childcare in Cummins
- 19 March 2019 Interview with Isobel, Port Lincoln Times, regarding Cummins nomination for Agricultural Town of the Year
- 20 March 2019 Cummins Area School Breakfast Club
- 20 March 2019 Phone conversation with Emma Pedler, ABC Radio, regarding railway and general chat
- 25 March 2019 Phone conversation with Ricky Trenberth
- 25 March 2019 Phone conversation with MDES re: Ricky Trenberth conversation
- 27 March 2019 Cummins Area School Breakfast Club
- 28 March 2019 Meeting with Acting CEO
- 28 March 2019 Phone interview with Nathan, Southern Cross Television, Phone conversation with Emma Pedler, ABC Radio.
- 28 March 2019 Meeting regarding childcare in Cummins
- 29 March 2019 Meeting with Acting CEO
- 29 March 2019 Interview with Emma Pedler, ABC Radio
- 30 March 2019 Saucy Saturday, Cummins
- 1 April 2019 Volunteered at Interschool Athletics Carnival hosted by CAS
- 1 April 2019 Phone conversation with Deanne Payze, North Shields, re: Flight Training Adelaide (FTA)
- 2 April 2019 Phone Interview with Nathan, Southern Cross Television, re: Cummins nomination for Agricultural Town of the Year
- 2 April 2019 Interview with Emma Pedler, ABC Radio, re: Commonwealth Press Release re: \$25million funding for roads infrastructure on Lower Eyre Peninsula and lease of Coomunga Rifle Range from Department of Defence
- 3 April 2019 Cummins Area School Breakfast Club
- 3 April 2019 Phone conversation with Michael Callar from Adelaide regarding the closure of rail on EP
- 3 April 2019 Cummins and District Enterprise Committee Masterplan meeting
- 4 April 2019 Along with DWI, met with Casey and Paul regarding FTA
- 4 April 2019 Cummins Homes Committee meeting
- 5 April 2019 Council workshop re: Southern Launch
- 7 April 2019 Cummins Markets
- 8 April 2019 Along with Councillors Holman and Woolley and Member for Flinders Peter Treloar attended the Dutton Bay Progress Association meeting

(continued)

C111 MAYOR'S REPORT**CONT'D:****Mayor Quigley****cont'd:**

- 10 April 2019 Cummins Area School Breakfast Club
 10 April 2019 Along with CEO, CEO Tumby Bay, CEO and Mayor Port Lincoln attended a meeting with CEO of Eastern Health Authority Regional Subsidiary
 10 April 2019 *(Apology: Cummins and District Enterprise Committee meeting)*
 11 April 2019 Along with CEO attended the LGA Best Practice Showcase and Dinner
 12 April 2019 Along with CEO attended the LGA of SA Ordinary General Meeting
 14 April 2019 Health Auction, Cummins Showgrounds
 15 April 2019 Council meeting with Genesee & Wyoming Australia, Port Lincoln
 15 April 2019 Along with CEO, MCS and DWI interviewed candidate for DWI position
 16 April 2019 Joint council meeting with Tumby Bay and Port Lincoln, Tumby Bay
 17 April 2019 Meeting regarding childcare in Cummins
 18 April 2019 Ordinary Council meeting

C112 MEMBERS REPORTS**Cr Mitchell**

- 15 March 2019 Ordinary Council meeting
 4 April 2019 Council Assessment Panel meeting
 5 April 2019 Council workshop re: Southern Launch
 15 April 2019 Council meeting with Genesee & Wyoming Australia, Port Lincoln
 16 April 2019 Joint council meeting with Tumby Bay and Port Lincoln, Tumby Bay
 18 April 2019 Ordinary Council meeting

Cr Holman

- 15 March 2019 Ordinary Council meeting
 4 April 2019 Creating Connections – bus driver from Coffin Bay to Cummins for Red Cross activity
 5 April 2019 Council workshop re: Southern Launch
 8 April 2019 Dutton Bay Progress Association meeting
 11-13 April 2019 Investiture at Government House, Canberra
 15 April 2019 Council meeting with Genesee & Wyoming Australia., Port Lincoln
 16 April 2019 Joint council meeting with Tumby Bay and Port Lincoln, Tumby Bay
 17 April 2019 Lower Eyre Health Advisory Council meeting, Cummins
 18 April 2019 Ordinary Council meeting
Community
 23 March 2019 Cummins Men's Shed launch

(continued)

C112 MEMBERS REPORT**CONT'D:****Cr Holman****cont'd:**

3 April 2019 Cummins and District Enterprise Committee Masterplan meeting

10 April 2019 Cummins and District Enterprise Committee meeting

... *The Manager Corporate Services left the meeting at 2.08pm and returned at 2.09pm*

Cr Tingay

15 March 2019 Ordinary Council meeting

5 April 2019 Council workshop re: Southern Launch

15 April 2019 Council meeting with Genesee & Wyoming Australia, Port Lincoln

16 April 2019 Joint council meeting with Tumby Bay and Port Lincoln, Tumby Bay

18 April 2019 Ordinary Council meeting

Cr Bayly

15 March 2019 Ordinary Council meeting

5 April 2019 Council workshop re: Southern Launch

6 April 2019 Big Swamp Community Group meeting

15 April 2019 Council meeting with Genesee & Wyoming Australia, Port Lincoln

16 April 2019 Joint council meeting with Tumby Bay and Port Lincoln, Tumby Bay

18 April 2019 Ordinary Council meeting

Cr Howell

15 March 2019 Ordinary Council meeting

18 March 2019 Cummins Rec Centre Annual General Meeting

18 March 2019 Audit Committee meeting

5 April 2019 *(Apology: Council workshop re: Southern Launch)*

15 April 2019 Council meeting with Genesee & Wyoming Australia., Port Lincoln

15 April 2019 Cummins Rec Centre meeting

16 April 2019 Joint council meeting with Tumby Bay and Port Lincoln, Tumby Bay

18 April 2019 Ordinary Council meeting

Cr Woolley

15 March 2019 Ordinary Council meeting

15 March 2019 Christian Men's Shed guest speaker

4 April 2019 Cummins Homes Committee meeting

5 April 2019 Council workshop and inspection, Whalers Way

8 April 2019 Mount Dutton Bay Progress Association meeting

15 April 2019 Council meeting with Genesee & Wyoming Australia., Port Lincoln

16 April 2019 Joint council meeting with Tumby Bay and Port Lincoln, Tumby Bay

18 April 2019 Ordinary Council meeting

C113 QUESTIONS WITHOUT NOTICE

Nil.

C114 QUESTIONS WITH NOTICE

Nil.

C115 MOTIONS WITHOUT NOTICE

Nil.

C116 MOTIONS WITH NOTICE

Nil.

C117 MOTIONS ON THE TABLE

Nil.

C118 PETITIONS

Nil.

C119 COMMITTEE MINUTES

1. Cummins Homes – 4 April 2019

WOOLLEY/ HOWELL

That the Minutes of the Cummins Homes Committee Meeting held on 4 April 2019 be received and the recommendations contained therein be adopted.

Carried.

C120 MINUTES FROM OTHER BODIES

Nil.

C121 PUBLIC MEETINGS

Nil.

C122 POLICY DEVELOPMENT**(1) Policies & Codes for public consultation**

WOOLLEY/ BAYLY

That Council endorse the following policies & codes for public consultation:

<u>Policy Number:</u>	<u>Title</u>
CR-POL-02	Public Consultation
CR-POL-03	Community Engagement Strategy
GOV-COD-03	Code of practice for access to meetings & associated documents*.

NB - The Code of Practice – Access to Meetings & associated documents (GOV-COD-03) was adopted at the March meeting of Council and will now also be released for public consultation as required under the Local Government Act.

Carried.

(2) Policies & Codes for Review – With Amendment

MITCHELL/ HOLMAN

That Council adopt the following policies & codes with amendment:

<u>Policy Number:</u>	<u>Title</u>
LP-POL-01	Mayor / Chairperson seeking legal advice
IT-POL-01	Records Management
CR-POL-05	Compliments & Complaints
CR-POL-04	Requests for services.

Carried.

(3) Policies & Codes for Review – Without Amendment

HOLMAN/ MITCHELL

That Council adopt the following policies without amendment:

<u>Policy Number:</u>	<u>Title</u>
CR-POL-01	Media Policy
CR-POL-06	Australia Day Awards.

Carried.

(4) Policies & Codes for Deletion

TINGAY/ WOOLLEY

That Council delete the following policy:

<u>Policy Number:</u>	<u>Title</u>
ED-POL-01	Tourism development.

Carried.

C123 REGIONAL DEVELOPMENT**1. Regional News - March & April 2019**

Noted.

C124 EYRE PENINSULA LOCAL GOVERNMENT ASSOCIATION

Nil.

C125 LOCAL GOVERNMENT ASSOCIATION**(1) Local Government Association Circulars**

HOWELL/ BAYLY

That Local Government Association Circulars numbered 10.6– 15.5 be noted by Council.

Carried.

(2) Advice of Dog & Cat Management Board Shortlist

Noted.

C126 COUNCIL OFFICER REPORTS

HOLMAN/ MITCHELL

That the Council Officer Reports be received.

Carried.

CHIEF EXECUTIVE OFFICER**CL/29/19 - FUTURE OF THE RAIL NETWORK ON EYRE PENINSULA**

Cr Holman suggested Council make available to the public the various letters it had sent to government advocating for the importance of the issue.

HOLMAN/ BAYLY

That Council notes the content of the Eyre Peninsula Freight Strategy, and will await the condition report being prepared by Mr Darryl Matters in relation to the Tod Highway before entering into discussion with the State Government regarding upgrade to the Tod and Flinders Highways.

That the letter from the Minister, together with a brief background of the situation in Council's district, and the link to the Eyre Peninsula Freight Strategy, be sent to the Cummins Connection, Coffin Bay Sun, posted on Council's website and Facebook pages.

Carried.

C126 COUNCIL OFFICER REPORTS**CONT'D:****CL/30/19 - MONARCH CREST**

A confidential report has been prepared in relation to this item.

WOOLLEY/ HOLMAN

That;

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except, (R Pearson (Chief Executive Officer), A. Douglas (Director of Works and Infrastructure), S Hopewell (Manager Corporate Services) P. O'Rielly (Airport Operations Manager and B Puckridge (Executive Assistant), be excluded from attendance at the meeting for Agenda Item C126 CL/30/19 Monarch Crest.

The Council is satisfied that, pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is:

- proposing to conduct business; and,*
- the information would prejudice the commercial position of the Council;*

in that the Council will need to consider the merits, method and basis of a financial contribution to the future public road network within a private land division.

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. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstance because the disclosure of Council's commercial position may severely prejudice Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter and may hinder ongoing negotiations.

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.

C126 COUNCIL OFFICER REPORTS**CONT'D:**

... *The Acting Works Manager joined the meeting and Council moved in to a confidential meeting at 2.36pm and resumed its ordinary meeting at 3.23pm.*

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

... *The Acting Works Manager left the meeting at 3.24pm.*

MANAGER CORPORATE SERVICES**CL/31/19 - COOMUNGA RIFLE RANGE**

Noted.

CL/32/19 - REQUEST FOR SUPPORT - STORAGE SHED - CUMMINS CHRISTMAS WONDERLAND

... *Cr Holman declared a perceived conflict of interest and advised she would remain in the meeting.*

WOOLLEY/ MITCHELL

That Council advise the Wonderland Committee that Council has community land at 7 Hall Street, Cummins that might be suitable for the erection of a shed for the purposes of storing wonderland props when not in use.

Council also suggest that the Committee hold discussions with the A&H Society as erection of a storage shed on that site may be possible.

Carried.

CL/33/19 - LOCAL GOVERNMENT REFORM

The Manager Corporate Services advised draft feedback would be provided to Elected Members for comment the following week for a submission to be made by April 26.

... *The Director of Works and Infrastructure left the meeting at 3.29pm and returned at 3.33pm*

HOLMAN/ WOOLLEY

That Council submit a response to the Local Government Association of SA following Elected Members providing feedback to the Manager Corporate Services prior to the April 26 deadline.

Carried.

HOLMAN/ MITCHELL

That the Council Reports be adopted.

Carried.

C127 COUNCIL OFFICER'S MEETINGS ATTENDED

Noted.

C128 COUNCIL CORRESPONDENCE – FOR COUNCIL DECISION**(1) Concern over Local Government Elections voting**

MITCHELL/ WOOLLEY

That Mr Grundy be thanked for his correspondence and advised that the Minister for Local Government is currently consulting on Local Government reforms and suggest that he provide these comments to the Minister through that forum on the 'YourSAY' website.

Carried.

(2) Request for support - Port Lincoln Surf Life Saving Club

HOLMAN/ HOWELL

That Council write to Mr A Giumelli and congratulate him on his initiative to start the Port Lincoln Surf Life Saving Club and wish him all the best in his future endeavours towards the fulfilment of this project.

Carried.

C129 COUNCIL CORRESPONDENCE – FOR INFORMATION ONLY

- (1) Nominations open - 2019 SA Volunteer Awards**
- (2) South Australian Sport and Recreation Infrastructure Plan**
- (3) South Australian regional trains campaign**
- (4) South Australian Regional Visitor Strategy update**
- (5) Update - Schlumberger 2D seismic survey**
- (6) National Road Safety Week**
- (7) SA Water – Artwork on Pipeline**
- (8) Update – SANFL Regional Council**

Noted.

C130 COUNCIL CORRESPONDENCE – MEDIA RELEASES, MAGAZINES AND NEWSLETTERS

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

Noted.

C131 COUNCIL – LATE CORRESPONDENCE

Nil.

C132 COUNCIL GENERAL BUSINESS**1. SA Water**

The Manager Corporate Services advised that SA Water now plan to undertake their artwork project on an alternative section of pipeline on Gledstones Terrace, following a complaint by a member of the community in relation to the previously envisaged site.

2. Bight exploration

Staff advised Equinor Australia had offered to present its Stromlo-1 exploration well project to Council if Elected Members and staff were interested.

It was agreed that a presentation from Equinor will not be sought at this time.

MEETING CLOSED AT 3.41PM

MINUTES CONFIRMED:

.....

(CHIEF EXECUTIVE OFFICER)
DATED: 17 MAY 2019

.....

(MAYOR)