



MINUTES

Of the ordinary meeting of the
District Council of Lower Eyre Peninsula
held in the Council Chambers, 32 Railway Terrace, Cummins,
on Friday, June 21, 2019 at 9am

This page is intentionally left blank.

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

MINUTES OF THE COUNCIL MEETING HELD IN THE CUMMINS COUNCIL CHAMBERS, RAILWAY TERRACE, CUMMINS, ON FRIDAY, JUNE 21, 2019 COMMENCING AT 9.05AM.

PRESENT:

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

R Pearson (Chief Executive Officer), A Douglas (Director Works and Infrastructure), S Hopewell (Manager Corporate Services), L Blacker (Manager Development and Environmental Services), G Jutzen (Works Manager), P. O'Rielly (Airport Operations Manager), B Breed (Senior Corporate Services Officer) and B Puckridge (Executive Assistant).

I61 WELCOME

Mayor Quigley welcomed staff and Councillors to the meeting.

Mayor Quigley acknowledged the sudden passing of Cr Geoff Bayly earlier in the week. Mayor Quigley gave a testament to Cr Bayly's character and work for the Council, and stated Council's thoughts were with Geoff's wife Cheryl and children Tom and Katie.

I62 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.

I63 APOLOGIES

Nil.

Cr Tingay noted it would be appropriate to formally recognise the contribution of Cr Bayly to District Council of Lower Eyre Peninsula.

TINGAY/ WOOLLEY

That Council acknowledge the sudden passing of its fellow Councillor and friend Geoff Bayly and that Geoff is remembered as a passionate advocate for his community and a valued, hardworking member of Council who was widely respected.

Carried.

I64 DECLARATION OF CONFLICT OF INTEREST

Cr Mitchell declared a material conflict of interest (pursuant to section 74 of the Local Government Act 1999) as an employee of Regional Development Australia Whyalla and Eyre Peninsula and advised he would leave the meeting for consideration of item CL/40/19.

I65 OVERVIEW OF ADDITIONAL DOCUMENTS

The Chief Executive Officer gave an overview of additional items.

W58 WORKS AND INFRASTRUCTURE REPORT**W&I/36/19BUDGET 2019/20 RESHEETING PRIORITY LIST**

Late report & folio have been emailed to Councillors & uploaded to EM website.

W63 WORKS AND INFRASTRUCTURE CORRESPONDENCE – INFORMATION ONLY**(1) Flight Training Adelaide**

Comments received in the last week have been folio'd for Elected Members.

**D50 DEVELOPMENT AND ENVIRONMENTAL SERVICES REPORT
DES/10/19 FARM BEACH CAMPGROUND WASTEWATER
SYSTEM UPGRADE**

Late report has been emailed to Councillors & uploaded to EM website.

I66 CONFIRMATION OF MINUTES**HOWELL/ HOLMAN**

That the Minutes of the following meetings:-

- *Ordinary council meeting held 17 May 2019*
 - *Confidential council meeting held 17 May 2019*
- be confirmed.*

Carried.

I67 BUSINESS ARISING FROM THE MINUTES

Nil.

I68 INVITED GUESTS

Nil.

I69 DEPUTATIONS

Mayor Quigley advised that Andrew Bowey of the Coffin Bay Caravan Park was no longer able to make a deputation.

(1) Lower Eyre Peninsula Airports Residents Association

Association representatives Telene Clark and Susanne Wegener addressed Council regarding current Flight Training Adelaide activity at the Port Lincoln Airport, advising of the angst and distress it has caused within their communities.

Ms Wegener stated Council had a choice whether to continue with the Flight Training Adelaide arrangements and negotiations, warning of the legacy Council will leave if this operation remains. Ms Wegener noted the beautiful rural environment is not compatible with such a commercial operation.

The association played a recorded presentation before advising the Council's primary role was to represent its community.

Mayor Quigley thanked Ms Clark and Ms Wegener for their deputation.

FINANCE

F49 FINANCE REPORT

MITCHELL/ HOLMAN

That the Finance Reports be received.

Carried.

SENIOR CORPORATE SERVICES OFFICER

FN/20/19 - BAD DEBT WRITE OFF – DEBTOR 1634/01

HOLMAN/ WOOLLEY

That Council authorises the writing off of \$1,055.50 from debtor 1634/01 as a bad debt.

Carried.

FN/21/19 - TRANSFER OF ADVERTISING AGREEMENT – EYRE PROMOTIONS

MITCHELL / HOLMAN

That Ms P Kenny of Eyre Promotions be advised that Council will approve the transfer of the Port Lincoln Airport Advertising Agreement to WA Billboards subject to Eyre Promotions not being in default of the terms of the agreement; and

Council authorise the Chief Executive Officer to sign the assignment of the agreement between all parties.

Carried.

ECONOMIC AND COMMUNITY DEVELOPMENT OFFICER

FN/22/19 - EYRE PENINSULA REGIONAL TOURISM PLAN

Noted.

FN/23/19 - DRIVER TRAINING PROGRAM

Noted.

HOLMAN/ WOOLLEY

That the Finance Reports be adopted.

Carried.

F50 FINANCE UPDATES

- (1) **Bank Reconciliation Statement as at 11/06/2019**
- (2) **Reserve Status Report as at 11/06/2019**
- (3) **Funds Status Report as at 11/06/2019**
- (4) **Council Budget Report as at 11/06/2019**

Noted.

F51 FINANCE MEETINGS ATTENDED

Noted.

F52 FINANCE CORRESPONDENCE – FOR COUNCIL DECISION

- (1) **Request for donation – Port Lincoln Sporting Car Club**

WOOLLEY/ MITCHELL

That Council advise the Port Lincoln Sporting Car Club that once the hosting of the March 2020 Dirt Circuit State Titles for Port Lincoln has been secured then Council will provide a \$3,000 financial contribution towards the preparation of the facilities, subject to:-

- *Council being provided with an invitation to the Gala presentations;*
- *Financial contributions provided by the District Council of Lower Eyre Peninsula being acknowledged in all promotional materials, speeches and media pertaining to the event.*

Carried.

F53 FINANCE CORRESPONDENCE – INFORMATION ONLY

Nil.

F54 TENDERS / QUOTATIONS

- (1) **Utility 53 & 58 Replacement**

Noted.

F55 FINANCE GENERAL BUSINESS

Nil.

... The Senior Corporate Services Officer left the meeting at 9.32am and did not return.

Council agreed to move to item C170 CL/42/19 as Cr Woolley needed to leave at 2pm.

WORKS AND INFRASTRUCTURE

W58 WORKS AND INFRASTRUCTURE REPORT

HOLMAN/ WOOLLEY

That the Works and Infrastructure Report be received.

Carried.

DIRECTOR WORKS AND INFRASTRUCTURE

W&I/28/19 - REQUEST TO REVIEW REGULATORY SIGNS AT RAIL CROSSINGS

Cr Holman queried why Council was not asking for a review of all railway crossing signage across the district.

The Director of Works and Infrastructure advised Council to commence with the township crossings, as to do otherwise would overwhelm DPTI in its initial assessment of this request.

HOLMAN/ WOOLLEY

That Council request the Department for Planning, Transport and Infrastructure together with Genesee and Wyoming Australia to review rail crossing signage within or adjacent the townships of Karkoo, Yeelanna, Cummins, Edillilie and Wanilla with a view to replacing STOP signs with GIVE WAY signs where appropriate.

Carried.

W&I/29/19 - COASTAL COUNCILS PROJECT - UPDATE

WOOLLEY/ HOLMAN

That Council notes the report and nominates Cr Alan Tingay to the South Australian Coastal Councils Alliance Executive Committee.

Carried.

W58 WORKS AND INFRASTRUCTURE REPORT**CONT'D:****W&I/30/19 - FLIGHT TRAINING ADELAIDE OPERATIONS UPDATE**

The Chief Executive Officer advised that relevant agency reports had not yet been provided to Council.

MITCHELL/ HOLMAN

1. *That Council notes the information related to the following:-*

- *Amendments to the En-Route Supplement aimed at Protection of the townships of North Shields and Poonindie;*
- *Correspondence received from Air Services Australia; and*
- *Monitoring of circuits at the Port Lincoln Airport.*

2. *That Flight Training Adelaide be advised that the fees for flight training activity at the Port Lincoln Airport from 1 July 2019 will be: -*

- *\$5,500 per annum GST Inclusive per plane covering landings at the Port Lincoln Airport and the Cummins and Coffin Bay Authorised Landing Areas.*
- *\$440 per week for occupation of part of the Port Lincoln Airport Administration building.*

Carried.

WORKS MANAGER**W&I/31/19 - PERMIT APPLICATION TO USE A PUBLIC ROAD FOR BUSINESS PURPOSES – MR ELLIS**

HOLMAN/ HOWELL

That Council, pursuant to Section 222 of the Local Government Act (1999) issue Mr Ellis a permit to crop and graze the section of road reserve adjacent the western boundary of the parcel of land described as Block 7 of H511400 with the following conditions:

1. *The permit is issued until 30 September 2023;*
2. *An annual fee is payable based on Council's Fees and Charges Schedule for the use of 7.11 hectares for cropping and 3.16 hectares for grazing land payable in advance by the 30 September of each year that the permit is held.*

Carried.

W&I/32/19 - PERMIT APPLICATION TO USE A PUBLIC ROAD FOR BUSINESS PURPOSES – MR MACDONALD

Noted.

(continued)

W58 WORKS AND INFRASTRUCTURE REPORT**CONT'D:****W&I/33/19 - CAPITAL RESEALS**

WOOLLEY/ TINGAY

That Council commits to maintaining the annual capital expenditure on reseals as per the current Strategic Plan for the next three (3) years in order to allow the CEO the option of tendering for a three (3) year Capital Reseal contract.

Carried.

W&I/34/19 - VARIOUS ISSUES, NORTH SHIELDS – WENDY LAMBERT

MITCHELL/ HOLMAN

That Council endorse the drafted response letter to Mrs W Lambert in relation to issues she has raised in relation to various matters in the township of North Shields.

Carried.

W&I/35/19 - BIG SWAMP BIRD HIDE

Cr Tingay suggested that consideration of the matter be deferred pending further being received information from the Big Swamp Community Centre, in particular whether the group has been allocated any Natural Resources Management grant funding to maintain the area.

TINGAY/ MITCHELL

That the item lay on the table.

Carried.

W58 WORKS AND INFRASTRUCTURE REPORT**CONT'D:****W&I/36/19 - BUDGET 2019/20 RESHEETING PRIORITY LIST**

MITCHELL/ WOOLLEY

That Council adopt the 2019/20 re-sheeting projects exclusive of the carry-overs from the previous budget year as follows:

ID	ROAD	Location	Amount
55	VARIOUS	Patching and Fixing Pot Holes Where Required	\$ 42,000.00
94	VARIOUS - POLYCOM trials	Dolphin Dr / Broccabrana Dr Intersection, White Flat Rd bend & Farm Beach Rd / Broccabrana Dr Intersection	\$ 21,000.00
20	AIRPORT LANE (stage 2)	2200m end stage 1 to Coffin Bay Road	\$ 105,000.00
73	FISHERY BAY ROAD	4500m to 6500m from Proper Bay Rd, Patch 2 corners 2500m and 7700m from Proper Bay Rd.	\$ 100,000.00
57	HYDE ROAD	500m from Green Patch Road for 2000m heading west	\$ 125,000.00
95	WARROW ROAD	Stage 1 Cummins to 500m	\$ 45,000.00
41	SMITH ROAD	From Glovers driveway west 2 kms towards Yeelanna	\$ 80,000.00
79	YELTUKKA ROAD	Northern section of Yeltukka Road	\$ 85,000.00
69	SLEAFORD BAY ROAD	500m section from Mary Ellis to Proper Bay	\$ 35,000.00

for a total amount of \$638,000.

Carried.

AIRPORT OPERATIONS MANAGER**W&I/37/19 - ELEVATED WORK PLATFORM (EWP) PURCHASE**

HOLMAN/ MITCHELL

That Council approve the un-budgeted purchase of an UG20DC Uplift 20ft 12V, DC power lift at an estimated cost of \$10,488.00 (GST Exc) within the current financial year budget.

Carried.

TINGAY/ HOLMAN

That the Works and Infrastructure Report be adopted.

Carried.

W59 WORKS AND INFRASTRUCTURE OPERATIONS UPDATES

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

Noted.

W60 AIRPORT OPERATIONS UPDATES

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

Noted.

W61 WORKS AND INFRASTRUCTURE MEETINGS ATTENDED

Noted.

W62 WORKS AND INFRASTRUCTURE CORRESPONDENCE – FOR COUNCIL DECISION

- (1) Request to install memorial seat – Point Drummond**

HOLMAN/ HOWELL

That Council advise the relatives of the late Mr Brad Skinner that approval is given for the installation of the bench seat at Point Drummond subject to the following conditions:

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

Carried.

- (2) Request for road closure – 2020 Hillclimb Event – EP Autosports Club**

HOLMAN/ TINGAY

That the matter be deferred until the August Council meeting to allow time to conclude the status of outstanding construction issues on this section of the Flinders Highway.

Carried.

W63 WORKS AND INFRASTRUCTURE CORRESPONDENCE – INFORMATION ONLY**(1) Flight Training Adelaide**

The Chief Executive Officer noted the additional correspondence from the public that had been received in the last week.

TINGAY/ WOOLLEY

That the Chief Executive Officer write a third letter of response to members of the public who have contacted Council in relation to Flight Training Adelaide operations at the Port Lincoln Airport, noting that no further updates will be provided until such time as the SA Planning Commission makes a determination on the current Flight Training Adelaide Development Application.

Carried.

W64 WORKS AND INFRASTRUCTURE – LATE CORRESPONDENCE

Nil.

W65 WORKS AND INFRASTRUCTURE GENERAL BUSINESS**1. Roads of Strategic Importance**

Mayor Quigley advised that at the at the recent Australian Local Government Association National General Assembly of Local Government Federal Minister for Local Government Mark Coulton had invited Councils to advocate to his office for road funding under the Roads of Strategic Importance initiative, noting that the Bratten Way may meet the guidelines for this program.

The Director of Works & Infrastructure advised that Council has previously been advised to feed all such requests through the State Government, and despite doing so have received no feedback in this regard. It was agreed that a direct approach will be made to Minister Coulton.

2. Mobile Muster & No Butts initiatives

Mayor Quigley advised of two initiatives promoted at the ALGA conference – Mobile Muster, which encourages mobile phone recycling, and the ‘No Butts’ product which Councils and businesses can purchase and make available to the public to promote correct disposal of cigarette butts.

QUIGLEY/ WOOLLEY

That Council investigate the No Butts and Mobile Muster initiatives, as well as the recycling of batteries, in conjunction with the District Council of Tumby Bay and City of Port Lincoln.

Carried.

W65 WORKS AND INFRASTRUCTURE GENERAL BUSINESS CONT'D:**4. State Budget 2019/20**

Cr Mitchell queried the impact of the State Government increasing the Solid Waste Levy to \$110 per tonne on 1 July 2019, then to \$140 per tonne from 1 January 2020 as part of the State Budget 2019/20.

The Chief Executive Officer advised it would cost Council and additional \$17,000 for the 2019/20 year and a further \$10,000 per year for the following financial year, equating to approximately 0.5 per cent of rate revenue across the two years.

The Chief Executive Officer noted motor vehicle registration charges would also increase by 5 per cent from 1 July 2019, while landowners are also paying in excess of CPI in increased NRM levies.

MITCHELL/ WOOLLEY

That Council write to the State Government noting Council's discount with the large increase in the solid waste levy, while also noting the other large increases in state government fees and levies impacting on Council and its ratepayers.

Carried.

5. Port Lincoln Airport internet connection

The Director of Works and Infrastructure advised further to budgetary/quotation enquiries with Telstra to have an optic fibre NBN service at the Port Lincoln Airport, staff have subsequently been advised that an NBN fibre optic service has been arranged by Qantas for the Port Lincoln Airport terminal to service their ground handling operations.

The DWI advised discussions with Telstra will be held in relation to option for Council to access this service, noting this may require staff to make out-of-session financial decisions.

6. Retirement of Director of Works & Infrastructure

TINGAY/ WOOLLEY

That Council acknowledge the work of the Director of Works and Infrastructure over the last six years and thank Mr Alex Douglas for his commitment and dedication to his role and Council.

Carried.

Council agreed to move to item C170 CL/43/19 as Cr Woolley would be leaving at 2pm.

DEVELOPMENT AND ENVIRONMENTAL SERVICES

D50 DEVELOPMENT AND ENVIRONMENTAL SERVICES REPORT

HOLMAN/ HOWELL

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

DES/08/19 - PLANNING REFORMS UPDATE

Noted.

DES/09/19 - REGIONAL DEVELOPMENT AUSTRALIA - EYES ON EYRE PROJECT

HOWELL/ TINGAY

That Council endorse the amended Eyes on Eyre Project report dated 21 May 2019 and received by Council on 27 May 2019.

Carried.

DES/10/19 - FARM BEACH CAMPGROUND WASTEWATER SYSTEM UPGRADE

TINGAY/ HOLMAN

That the replacement of the Farm Beach campground wastewater treatment system be included in the 2019/20 budget at an estimated cost of \$15,000; and,

That the project be funded from Council's Asset Sustainability Allocation for the 2019/20 financial year.

Carried.

MITCHELL/ HOLMAN

That the Development and Environmental Services Report be adopted.

Carried.

D51 DEVELOPMENT AND ENVIRONMENTAL SERVICES UPDATES

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

Noted.

D52 MANAGER DEVELOPMENT AND ENVIRONMENTAL SERVICES MEETINGS ATTENDED

Noted.

D53 DEVELOPMENT AND ENVIRONMENTAL SERVICES CORRESPONDENCE – FOR COUNCIL DECISION

Nil.

D54 DEVELOPMENT AND ENVIRONMENTAL SERVICES CORRESPONDENCE – INFORMATION ONLY

Nil.

D55 DEVELOPMENT AND ENVIRONMENTAL SERVICES – LATE CORRESPONDENCE

Nil.

D56 DEVELOPMENT AND ENVIRONMENTAL SERVICES GENERAL BUSINESS

.

COUNCIL

C155 MAYOR'S REPORT

Mayor Quigley

17 May 2019	Ordinary Council meeting
17 May 2019	Phone call regarding Flight Training Adelaide - Joy Millard
17 May 2019	Radio interview with ABC North Western
20 May 2019	Council Inspection Day
21 May 2019	Phone call with Lloyd Hetzel
21 May 2019	Cummins Area School STEM Opening
21 May 2019	Met with CEO, DWI and EA regarding Flight Training Adelaide
22 May 2019	CAS Breakfast Club
23 May 2019	Along with CEO and Airport Manager met with REX
5 June 2019	CAS Breakfast Club
5 June 2019	Council Draft Annual Business Plan & Budget public consultation sessions – Port Lincoln, Coffin Bay & Cummins
7 June 2019	Regional Development Australia Whyalla & Eyre Peninsula presentation
7 June 2019	Port Lincoln Airport Business Plan Workshop III
12 June 2019	CAS Breakfast Club
12 June 2019	Met with Mark Bolton, Regional Manager Telstra
12 June 2019	Queen's Birthday Reception, Government House
13 June 2019	Cummins Homes Committee meeting
16 June 2019	Phone conversation Dianne Payze regarding FTA
16-19 June 2019	Australian Local Government Association National General Assembly of Local Government, Canberra
21 June 2019	Ordinary Council meeting
21 June 2019	Farewell for Director of Works & Infrastructure Alex Douglas

C156 MEMBER'S REPORTS**Cr Mitchell**

20 May 2019	Council Inspection Day
24 May 2019	Met with the Chinese Consul-General, Coffin Bay
30 May 2019	ABC local radio interview re: rail closure
30 May 2019	Community event for closure of grain trains on EP rail network
5 June 2019	Council Draft Annual Business Plan & Budget public consultation sessions – Port Lincoln & Coffin Bay
6 June 2019	Council Assessment Panel meeting
21 June 2019	Ordinary Council meeting
21 June 2019	Farewell for Director of Works & Infrastructure Alex Douglas

Cr Tingay

20 May 2019	Council Inspection Day
21 May 2019	Coffin Bay Yacht Club AGM
22 May 2019	SA Ambulance Service – Coffin Bay volunteers dinner
21 June 2019	Ordinary Council meeting
21 June 2019	Farewell for Director of Works & Infrastructure Alex Douglas

... Cr Woolley left the meeting at 2.03pm and did not return.

**Cr Holman
Council**

20 May 2019	Council Inspection Day
23 May 2019	Driver for Creating Connections for Red Cross event at Croatian Club
31 May 2019	SA Water's National Reconciliation Week event – opening of Barngarla artwork
5 June 2019	Council Draft Annual Business Plan & Budget public consultation sessions – Port Lincoln, Coffin Bay & Cummins
7 June 2019	Regional Development Australia Whyalla & Eyre Peninsula presentation
7 June 2019	Port Lincoln Airport Business Plan Workshop III
16-19 June 2019	Australian Local Government Association National General Assembly of Local Government, Canberra
21 June 2019	Ordinary Council meeting
21 June 2019	Farewell for Director of Works & Infrastructure Alex Douglas

Community

21 May 2019	STEM opening at Cummins Area School
22 May 2019	Cummins Caravan Park meeting
28 May 2019	SAPOL heavy vehicle forum, Cummins
30 May 2019	Community event for closure of grain trains on EP rail network
12 June 2019	Cummins & District Enterprise Committee meeting

C156 MEMBER'S REPORTS**CONT'D:****Cr Howell**

20 May 2019	Council Inspection Day
20 May 2019	Cummins Recreation Centre meeting
28 May 2019	SAPOL heavy vehicle forum, Cummins
5 June 2019	Council Draft Annual Business Plan & Budget public consultation sessions – Port Lincoln, Coffin Bay & Cummins
7 June 2019	Regional Development Australia Whyalla & Eyre Peninsula presentation
7 June 2019	Port Lincoln Airport Business Plan Workshop III
17 May 2019	Cummins Recreation Centre meeting
20 June 2019	EPLGA Tourism Committee meeting, Wudinna
21 June 2019	Ordinary Council meeting
21 June 2019	Farewell for Director of Works & Infrastructure Alex Douglas

Cr Woolley

20 May 2019	Council Inspection Day
23 May 2019	Discussion with ratepayer and onsite inspection of Warrow Road re: condition
5 June 2019	Council Draft Annual Business Plan & Budget public consultation sessions – Port Lincoln, Coffin Bay & Cummins
7 June 2019	Regional Development Australia Whyalla & Eyre Peninsula presentation
7 June 2019	Port Lincoln Airport Business Plan Workshop III
13 June 2019	Cummins Homes Committee meeting
21 June 2019	Ordinary Council meeting

C157 QUESTIONS WITHOUT NOTICE

Nil

C158 QUESTIONS WITH NOTICE

Nil.

C159 MOTIONS WITHOUT NOTICE

Nil.

C160 MOTIONS WITH NOTICE

Nil.

C161 MOTIONS ON THE TABLE

Nil.

C162 PETITIONS

Nil.

C163 COMMITTEE MINUTES

Nil.

C164 MINUTES FROM OTHER BODIES

- (1) **Cummins Area School Community Library – Local Partnership meeting, 23 June 2019**

Noted.

C165 PUBLIC MEETINGS

Nil.

C166 POLICY DEVELOPMENT**(1) Policies & Codes for Review – With Amendment**

HOLMAN/ MITCHELL

That Council adopt the following policies & codes with amendment:

<u>Policy Number:</u>	<u>Title</u>
DEV-POL-04	Habitation of Sheds, Garages & other outbuildings;
DEV-POL-02	Land Division applications;
ANI-POL-04	Keeping of dogs & cats;
ANI-POL-03	Keeping of bees;
ANI-POL-02	Horses on residential allotments.

Carried.

(2) Policies & Codes for Review – Without Amendment

HOLMAN/ HOWELL

That Council adopt the following policies without amendment:

<u>Policy Number:</u>	<u>Title</u>
DEV-POL-03	Building Inspections
CR-POL-07	Mobile Food Vendor Location Rules
DEV-POL-01	Height of fences
ANI-POL-01	Poultry in townships.

Carried.

(continued)

C166 POLICY DEVELOPMENT**CONT'D:****(3) Policies & Codes for Adoption****(a) Public Interest Disclosure Policy**

MITCHELL/ HOLMAN

Effective 1 July 2019, that Council replace the current Whistleblower Policy (Policy GOV-POL-08) with the Public Interest Disclosures policy as presented to the June 2019 Council meeting and appoint the Manager Corporate Services, Sacheen Hopewell as the nominated contact officer for disclosures.

Carried.

C167 REGIONAL DEVELOPMENT**(1) Regional News – June 2019**

Noted.

C168 EYRE PENINSULA LOCAL GOVERNMENT ASSOCIATION

Nil.

C169 LOCAL GOVERNMENT ASSOCIATION**(1) Local Government Association Circulars**

HOLMAN/ HOWELL

That Local Government Association Circulars numbered 19.4-24.5 be noted by Council.

Carried.

C170 COUNCIL OFFICER REPORTS

MITCHELL/ HOLMAN

That the Council Officer Reports be received.

Carried.

CHIEF EXECUTIVE OFFICER**CL/39/19 - LOCAL GOVERNMENT ASSOCIATION OF SA VOTING DELEGATE**

HOLMAN/ WOOLLEY

That Council endorse the actions of staff in nominating Mayor Quigley as Council Delegate and Deputy Mayor Mitchell as proxy Delegate for Local Government Association of SA meetings.

Carried.

CL/40/19 - RDA WEP FUNDING AGREEMENT*... Cr Mitchell left the meeting at 1.38pm due to a conflict of interest.*

WOOLLEY/ HOLMAN

That Mayor Quigley be authorised to sign the Regional Development Australia Whyalla & Eyre Peninsula 2019 – 2022 funding agreement on behalf of Council.

Carried.

*... Cr Mitchell returned to the meeting at 1.40pm.***CL/41/19 - STRATEGIC PLAN – ENGAGEMENT OF CONSULTANT**

TINGAY/WOOLLEY

*That the Chief Executive Officer issue a 'Request for Quote' to the wide public and to select persons to lead the District Council of Lower Eyre Peninsula Strategic Plan review process; and**Council be provided with a summary of quotes received and make the appointment no later than the September Council meeting.*

Carried.

C170 COUNCIL OFFICER REPORTS**CONT'D:****CL/42/19 - MONARCH CREST DEVELOPMENT**

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

HOLMAN/ MITCHELL

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 Works and Infrastructure), S Hopewell (Manager Corporate Services), L Blacker (Manager Development and Environmental Services), G Jutzen (Works Manager), P O'Rielly (Airport Operations Manager) and B Puckridge (Executive Assistant), be excluded from attendance at the meeting for Agenda Item C170 CL/42/19 – Monarch Crest Development.

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.

Carried.

... *Council moved in to a confidential meeting at 9.33am and resumed its ordinary meeting at 10.33am.*

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 such time as decisions related to Council's financial contribution towards road connectivity has been resolved.

HOLMAN/ HOWELL

That Council adjourn for morning tea.

Carried.

C170 COUNCIL OFFICER REPORTS**CONT'D:**

... Council adjourned for morning tea at 10.33am and resumed at 10.55am. Following morning tea Council returned to the Works & Infrastructure section of the Agenda.

Council considered item CL/43/19 of the Agenda following the Works & Infrastructure section of the meeting.

CL/43/19 - PROPOSED PARTNERSHIP AGREEMENT - REGIONAL EXPRESS

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 Works and Infrastructure), S Hopewell (Manager Corporate Services), L Blacker (Manager Development and Environmental Services), G Jutzen (Works Manager), P O'Rielly (Airport Operations Manager) and B Puckridge (Executive Assistant) be excluded from attendance at the meeting for Agenda Item C170 CL/43/19 – Proposed Partnership Agreement – Regional Express.

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, or*
- *to confer a commercial advantage on a third party.*

In that Council has multiple airlines providing Regular Passenger Transport services from the Port Lincoln Airport.

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 circumstances due to commercial sensitivity.

Carried.

... Council moved in to a confidential meeting at 12.21pm and resumed its ordinary meeting at 12.44pm.

C170 COUNCIL OFFICER REPORTS**CONT'D:**

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 the proposed partnership arrangement is finalised..

HOLMAN/ MITCHELL

That Council adjourn for lunch.

Carried.

... Council adjourned for lunch at 12.44pm and resumed at 1.36pm without the Airport Operations Manager. Council continued with Council Officer Reports – C170.

MANAGER CORPORATE SERVICES**CL/44/19 - REVIEW OF COFFIN BAY SUN AND CUMMINS CONNECTION PRINTING COSTS**

HOWELL/ HOLMAN

That Council endorse revised printing fees for the 'Cummins Connection' and 'Coffin Bay Sun' community publications at a cost of \$0.02 per piece of paper (inclusive of paper costs and irrelevant of whether both sides of the page are printed) for the printing of the above newsletters with the pricing to be subject to annual review.

Carried.

CL/45/19 - LAKE WANGARY CEMETERY

MITCHELL TINGAY

That Council thank Flinders University, Professors Andrew Frost & Ian Moffat and their students for taking the time to work with Council at the Lake Wangary Cemetery and advise that this work will now inform the Council on any future expansions of the Cemetery and assist the historians of the area with their work.

Carried.

CL/46/19 - SA WATER

HOLMAN/ HOWELL

That Council write to SA Water and the Barngala people to pass on their congratulations for the community artwork project undertaken along Gledstanes Terrace.

Carried.

C170 COUNCIL OFFICER REPORTS**CONT'D:****CL/47/19 - ZONE EMERGENCY MANAGEMENT COMMITTEE – COMMITTEE REPRESENTATIVE**

HOWELL/ WOOLLEY

That Council advise the Zone Emergency Management Committee that Council's representative to the committee will be Ms Sacheen Hopewell, with Mr Rod Pearson as a proxy member.

Carried.

CL/48/19 - HUMAN RESOURCES

Noted.

CL/49/19 - LGA SA SUBMISSION – LOCAL GOVERNMENT REFORM

Noted.

CL/50/19 - REVIEW OF CONFIDENTIALITY ORDERS

HOLMAN/ WOOLLEY

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 Works and Infrastructure), S Hopewell (Manager Corporate Services), 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 C170 – CL/50/19 - Review of Confidentiality Orders that relate to information concerning Passenger screening at PLA, Quotations for PLA Apron extension, PLA Commercial activities and Monarch Crest Development.

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 the Passenger Screening arrangements, PLA Commercial activities and Monarch Crest Development is information the disclosure of which would prejudice the commercial position of the Council as negotiations are still ongoing with the relevant parties regarding each of the matters to which the existing confidentiality orders relate.

The Council is satisfied that, pursuant to section 90(3)(k) of the Act the information to be received, discussed or considered in relation to the Quotations for the PLA Apron Extension is information the disclosure of which would prejudice the commercial position of the Council as negotiations are still ongoing with the relevant parties regarding each of the matters to which the existing confidentiality order relates.

Carried.

... Council moved in to a confidential meeting at 1.45pm and resumed its ordinary meeting at 1.50pm.

C170 COUNCIL OFFICER REPORTS**CONT'D:**

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.

HOWELL/ HOLMAN

That the Council Reports be adopted.

Carried.

C171 COUNCIL OFFICER'S MEETINGS ATTENDED

Noted.

C172 COUNCIL CORRESPONDENCE – FOR COUNCIL DECISION**(1) Request for support – Flying the Rainbow Flag**

HOLMAN/ HOWELL

That Council congratulate LGBTIQ on their Arts and Cultural festival, and advise that Council is prepared to display promotional material or small flag within its office and public notice boards over the period of the Festival, noting that Council has only one flag pole which is reserved for the Australian Flag.

Carried.

(2) Renewal SA – Karkoo School site

MITCHELL/ WOOLLEY

That Council endorse staff's actions in advising Renewal SA that Council will not be expressing an interest for the purchase of the former Karkoo School site and have no knowledge of any services on the site that are not subject to a registered easement.

Carried.

C173 COUNCIL CORRESPONDENCE – FOR INFORMATION ONLY

- (1) Artwork on railway carriage, Cummins Community Caravan Park**
- (2) Advice of closure - Brand South Australia**
- (3) Thank you - Advocating for Federal 2019/20 Budget inclusions**
- (4) Nominations open - 2019 Community Achievement Awards**

Noted.

C174 COUNCIL CORRESPONDENCE – MEDIA RELEASES, MAGAZINES AND NEWSLETTERS

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

Noted.

C175 COUNCIL – LATE CORRESPONDENCE

Nil.

C176 COUNCIL GENERAL BUSINESS**1. Acknowledge for funding**

Mayor Quigley advised that at the ALGA Conference councils were encouraged to write to acknowledge/ thank the relevant bodies, whether they be State or Federal Government, for any funding they receive.

2. Meet & greets

The Chief Executive Officer advised of the upcoming meet and greets at Louth Bay, Poonindie and North Shields, with all Councillors encouraged to attend.

3. Regional Development Strategy

The Chief Executive Officer advised Primary Industries and Regions SA are hosting a public feedback forum in Port Lincoln on Monday as part of preparation of the Regional Development Strategy and that a discussion paper has been released for comment.

4. Flight Training Adelaide

The Chief Executive Officer advised he and Mayor Quigley will be meeting with Flight Training Adelaide's Chief Executive Officer the following week, and will again advise of the local opposition to current activities from the Port Lincoln Airport.

**MEETING CLOSED AT 3.17PM
MINUTES CONFIRMED:**

.....
(CHIEF EXECUTIVE OFFICER)
DATED: 19 JULY 2019

.....
(MAYOR)