

MINUTES

Council Meeting 15 September 2020

VENUE: Council Chamber
Civic Centre, Ramsay Place, Noarlunga Centre

MEETING COMMENCED: 6.30pm

PRESENT: Mayor Thompson
Cr Brown
Cr de Graaf
Cr Eaton
Cr Greaves
Cr Jamieson
Cr McMahon
Cr O'Brien
Cr Peat (electronically)
Cr Themeliotis

APOLOGIES: Cr Bray
Cr Olsen

LEAVE OF ABSENCE: Nil

ABSENT: Nil

Pledge

We recognise this City's considerable natural and cultural heritage, including thousands of years of traditional ownership by Kurna, and the more recent contribution from people either born here or who have migrated here. As we meet together, we build on this heritage by respecting and listening to each other, thinking clearly, being receptive to new ideas, speaking honestly, and deciding wisely for the current and future well-being of those we serve.

1. Opening of meeting

Mayor Thompson officially declared the meeting open at 6.30pm.

Cr Themeliotis read the pledge.

Mayor Thompson brought forward item 6.1 at this point.

6.1 Declaration of office – Mid Coast ward councillor

Declaration of Office signing by Cr Suzanne Tonkin.

2. Confirmation of minutes

MOVED Cr Eaton.

That the minutes of the proceedings of the Council meeting held on 18 August 2020 be received and confirmed as an accurate record of those proceedings.

Seconded by Cr Themeliotis.

CARRIED

3. Adjourned business

Nil.

4. Leave of absence

Nil.

5. Mayor's Communication

5.1 Mayor's Report

Mayor's Cup 2020

Congratulations to South Adelaide Football Club for winning the Mayor's Cup against Central Districts. It was a great day and well done to the team for keeping the trophy in our city for another year.

Have your say – Witton Bluff

We want your feedback on the Witton Bluff Base Trail – a shared-use pathway that will be constructed around Witton Bluff, linking the foreshores of Christies Beach and Port Noarlunga.

We recently received matching \$2.65 million funding from the state government towards the design and construction of the 1.4-kilometre trail – which will provide a considerable tourist drawcard, and now we want your thoughts on the concept plan. We also look forward to working with the Kurna community to incorporate Kurna cultural aspects in how this important project is delivered in this location, which is an area of significant Aboriginal heritage.

You can have your say until 28 September before final designs are developed from November to early next year. Construction is expected to be completed by December 2021. You will find this project and more on our Your Say page where residents can provide feedback and help

shape the decisions that affect our region and communities. Register at onkaparingacity.com/yoursay to join the conversation and add your ideas and feedback.

Citizenship Ceremony

On Monday 24 August 2020 in the Civic Room, Noarlunga Centre, we held our first face to face citizenship ceremony since COVID-19 restrictions eased. It was my honour to welcome 15 new Australian citizens to the City of Onkaparinga, from seven different countries. The ceremony was much smaller than usual, however provided a personal celebration and warm welcome to our new Australian citizens.

Mayor's Leadership Onkaparinga 2020

Over several years, our community leadership program 'Leadership Onkaparinga' has provided in excess of two hundred residents with opportunities to build their knowledge skills, to progress ideas and initiatives that benefit our communities and region.

This year, the program has provided learning in social entrepreneurship with a focus on food security and active citizenship. Registrations for the program commenced in March at a time when COVID-19 changed the way we deliver services to our communities. Originally a face to face program, the program was adapted immediately to be delivered online, however with restrictions easing some recent face to face delivery was possible.

A key element of the program is to educate participants on the processes of government and in particular local government. A session delivered in August was "The Machinery of Government" which provided participants a full day exploring political systems with Adjunct Professor Haydon Manning, a discussion with CEO Scott Ashby and an experiential component with myself in the council chamber. I was very impressed with the passion and commitment to their communities displayed by the participants and congratulate staff for the development of such an innovative and adaptive leadership program.

ON Business Awards/Go South Go Local

This week we announced the launch of the 2020 ON Business Awards following the success of the inaugural ON Business Awards last year. It is a tremendous opportunity to recognise and celebrate the success of businesses within the City of Onkaparinga, in what has been a very difficult year for our economy.

I encourage everyone to support our vibrant business community by nominating a business you have had a great experience with, or by nominating a quiet achiever you'd like to shine a light on.

There are a range of different award categories and you can nominate businesses now at onbusinessawards.com. The awards come as our Go South Go Local campaign hits its strides, with messaging and branding appearing in shopfronts, shelves and social media across the city.

The campaign is aimed at supporting local businesses to recover and grow amid COVID-19, showcasing the amazing products and services available in the region, and promoting the incredible stories of Onkaparinga's business community. Remember – you can make a difference simply by buying local. Every dollar spent with a local business helps to rebuild our local economy, grow our local business community, ensure local people continue to be employed, and so much more!

Hooded Plover breeding season

If you're headed to the beach this spring, keep an eye out for our feathered friends. Hooded Plovers began laying eggs on our beaches last month, officially kicking off the breeding season for these threatened birds. Each year from August to March, the beach-nesting birds lay eggs at sites across Onkaparinga and attempt to raise chicks. Unfortunately chicks have a low

chance of survival because they can't fly for the first five weeks; become easily frightened by human and off-leash dog activity and are susceptible to a range of predators, hence we are alerting the community as much as possible. You can play your part to protect the Hoodies while they're breeding by giving them plenty of room so they are not disturbed, following the temporary beach restrictions through fencing and signage, and keeping your dogs on a leash.

Hooded Plover volunteers regularly check the beaches, raise awareness and identify when and where the birds are nesting. When a nest is identified, City of Onkaparinga's Parks and Natural Resources team works with project partners from Green Adelaide (through funding from the Landscapes Levy), the Australian Government's National Landcare Program and BirdLife Australia to follow guidelines that have proven to improve breeding success. Regular breeding sites include Moana Beach, Ochre Cove Beach, Maslin Beach, Port Willunga Beach, Snapper Point/Aldinga North, Aldinga Beach and Port Stanvac.

Correspondence

Att 1	Minister for Environment & Water	Shellfish reef project proposal
Att 2	Minister for Environment & Water	Establishment of stimulus packages to support the conservation and landcare sector
Att 3	Deputy Premier	National Redress Scheme for Institutional Child Sexual Abuse – Inclusion of SA local government institutions
Att 4	Assistant Minister to the Deputy Prime Minister	Shellfish reef support
Att 5	Assistant Minister for Waste Reduction & Environmental Management	Recycling Modernisation Fund
Att 6	SA Local Government Boundaries Commission	Notification of Stage 1 potential publicly initiated boundary proposal
Att 7	Minister for Education	My letter advocating for state government funding for Hopgood Theatre
Atts 8 & 8.1	Environmental Protection Authority	Southern Waste Resource Co's application

EM representation

Thank you to Deputy Mayor Geoff Eaton for attending the Coast FM radio session on 10 September 2020.

Mayor's calendar

My activities between 15 August and 11 September 2020 are reflected in Attachment 9.

The Deputy Mayor's activities are reflected in Attachment 10.

Thank you.



Erin Thompson
Mayor

MOVED Cr de Graaf.

That Council note the 15 September 2020 Mayor's report.

Seconded by Cr Greaves.

CARRIED

6. Presentations

6.2 [Can:Do Group –Heidi Limareff and Rebecca Young](#)

Heidi Limareff and Rebecca Young provided a presentation and answered questions from elected members in relation to the Can:Do Group.

7. Deputations

7.1 [Australia Day Council of SA relationship with Council - Jan Chorley, CEO](#)

Jan Chorley gave a deputation and answered questions from elected members in relation to the Australia Day Council of SA's relationship with Council.

Cr McMahon left his seat in the Chamber at 7.01pm.

8. Presentation by Committee chairpersons and reports to Council by Council Committees

8.1 [ICT Reform Project Steering Committee meeting minutes of 24 August 2020](#)

MOVED Cr Greaves.

That Council note the minutes of the ICT Reform Project Steering Committee meeting of 24 August 2020 as attached to the agenda report.

Seconded by Cr Themeliotis.

CARRIED

8.2 [Strategic Directions Committee meeting minutes of 1 September 2020](#)

MOVED Cr Eaton.

That Council note the minutes of the Strategic Directions Committee meeting held on 1 September 2020 as attached to the agenda report.

Seconded by Cr O'Brien.

CARRIED

8.3 Audit, Risk, Value and Efficiency Committee meeting minutes of 7 September 2020

Cr McMahon resumed his seat in the Chamber at 7.03pm.

MOVED Cr O'Brien.

1. *Re: Item 7.1 Sellicks Beach Cliff Top Access – Vegetation Planting Review update*
That Council approve that community engagement be undertaken as per the community engagement plan (attachment 2 to the Audit, Risk, Value and Efficiency Committee agenda report) for the upgrade of the lookout opposite Palmerston Avenue.
2. *That Council note the minutes of the Audit, Risk, Value and Efficiency Committee meeting held on 7 September 2020 as attached to the agenda report.*

Seconded by Cr Eaton.

CARRIED

9. Reports of officers

9.1 Council Assessment Panel Annual Report 2019-2020

MOVED Cr Greaves.

That Council receive the Council Assessment Panel Annual Report 2019 2020 as contained in attachment 1 to the agenda report.

Seconded by Cr O'Brien.

CARRIED

9.2 Can:Do South

MOVED Cr de Graaf.

That Council approves entering a five-year corporate partnership with Can:Do South, providing sponsorship for the Barista Breakout Area, at a cost of \$10,000 per annum over five years, funded from existing operating budgets.

Seconded by Cr O'Brien.

Cr Peat MOVED an AMENDMENT.

That Council approves entering a one-year corporate partnership with Can:Do South, providing sponsorship for the Barista Breakout Area, at a cost of \$10,000, funded from existing operating budgets.

Before future consideration for funding, a report be provided to Council evaluating council's funding compared against (maximising the opportunity) as outlined in this report and our long term financial plan.

Seconded by Cr Eaton.

The AMENDMENT was PUT and LOST.

With leave of the meeting and consent of the seconder, Cr de Graaf VARIED the original MOTION as follows:

That Council approves entering a five-year community partnership with Can:Do South, providing sponsorship for the Barista Breakout Area, at a cost of \$10,000 per annum over five years, funded from existing operating budgets.

The original MOTION was PUT and CARRIED on the Mayor's casting vote.

MOVED Cr Greaves.

- 1. That Council's community partnership with Can:Do clearly outlines community benefit and positive outcomes achieved for our community.*
- 2. That the community partnership agreement be provided as a matter of course to elected members.*

Seconded by Cr Jamieson.

CARRIED

9.3 Per- and polyfluoroalkyl substance (PFAS) petition

MOVED Cr Peat.

That Council:

- 1. Receives and notes the agenda report, its content and attachment.*
- 2. Does not approve the per- and polyfluoroalkyl substances (PFAS) petition included as attachment 2 to the agenda report being placed at McLaren Vale Visitor Information Centre.*
- 3. Refuse the placing of petitions for signing in Council operated buildings if the CEO in conjunction with the mayor considers that the content of the petition is not consistent with council's policy direction*
- 4. Refer the petition request to Council for endorsement if the CEO in conjunction with the mayor considers the petition is consistent with council's policy direction.*
- 5. Develop and approve a matrix for the exercise of discretion to be used by the CEO in conjunction with the mayor for assessing the placing of petitions and reports the draft matrix to council for its consideration.*
- 6. Endorse the position that Council does not support Southern Waste Resource Co application to the Environment protection Authority to receive, store, treat and dispose of waste contaminated with Per-and polyfluoroalkyl substance (PFAS) at their landfill site on Tatachilla Road McLaren Vale.*

Seconded by Cr McMahon.

Cr Greaves MOVED an AMENDMENT.

That Council:

- 1. Receives and notes the agenda report, its content and attachment.*
- 2. Does not approve the per- and polyfluoroalkyl substances (PFAS) petition included as attachment 2 to the agenda report being placed at McLaren Vale Visitor Information Centre.*
- 3. That requests for placing of petitions in council operated buildings be brought to Council for consideration on a case by case basis.*
- 4. Endorse the position that Council does not support Southern Waste Resource Co application to the Environment protection Authority to receive, store, treat and dispose of waste contaminated with Per-and polyfluoroalkyl substance (PFAS) at their landfill site on Tatachilla Road McLaren Vale.*

Seconded by Cr Jamieson.

The AMENDMENT was PUT and CARRIED.

The MOTION, thus AMENDED, was PUT and CARRIED.

9.4 Funding for Southern Volunteering

MOVED Cr de Graaf.

That Council:

- 1. Provide a series of three annual contributions of \$2860p.a. each to Southern Volunteering in 2020-21, 2021-22 and 2022-23, in recognition of the support and value that Southern Volunteering provides to volunteers and community groups in our region.*
- 2. Request a report come to Council regarding ongoing funding at the expiration of the third year.*

Seconded by Cr O'Brien.

CARRIED

9.5 GM Crops

MOVED Cr Eaton.

That Council endorse the draft application and letter to Minister Basham, attachment 1 to the agenda report, for his consideration, providing the Chief Executive Officer with authority to make further amendments to the application ensuring the intent remains the same.

Seconded by Cr Peat.

Cr Tonkin left her seat in the Chamber at 8.13pm.

Cr de Graaf MOVED an AMENDMENT.

That Council endorse the draft application and letter to Minister Basham, attachment 1 to the agenda report, for his consideration, providing the Chief Executive Officer with authority to make further amendments to the application ensuring the intent remains the same, which is to designate the City of Onkaparinga as a non GM crop area.

Cr Tonkin resumed her seat in the Chamber at 8.14pm.

Seconded by Cr O'Brien.

The AMENDMENT was PUT and CARRIED.

The MOTION, thus AMENDED, was PUT and CARRIED.

9.6 Council events update

MOVED Cr Themeliotis.

- 1. That Council approve the COVID-19 safe delivery recommendations for council's major events (over 1000 attendees) as per attachment 1 to the agenda report.*
- 2. That Council note the status of COVID-19 safe delivery options for council run events with 50-1000 attendees as per attachment 2 to the agenda report.*
- 3. That Council note the status of Tier 2 and 3 council grant funded events as per attachment 3 to the agenda report.*

Seconded by Cr Greaves.

Cr de Graaf left her seat in the Chamber at 8.17pm.

Cr de Graaf resumed her seat in the Chamber at 8.19pm.

CARRIED

9.7 Onkaparinga Summer Foreshore and Coastal Activations Evaluation

MOVED Cr Peat.

That Council:

1. *Notes the agenda report and attachments to the agenda report.*
2. *Notes that operators with existing approvals for permit and fee waivers for two years (refer attachment 2 to the agenda report) will be issued permits as per endorsed terms and conditions for the upcoming summer 2020-21, taking into account the Public Activities COVID-19 Directions, unless otherwise varied and approved in the recommendations below.*
3. *Approves a further one (1) year of activations on council land for 2021-22 for the operators listed in attachment 2 to the agenda report, with the same terms and conditions, including waiving fees and providing in-kind support previously approved for this year for viability purposes due to the unknown COVID-19 restrictions and impact over the 2020-21 summer, and noting that the recommended additional year is beyond the scope of the original community engagement process undertaken in 2019.*
4. *Approves an amendment to the existing Beach Road/Esplanade permit granted to Locally SOURC'D Wine and Coffee Bar such that condition 24 relating to noise be amended for viability purposes (refer attachment 4 to the agenda report).*
5. *Approves the permit terms and conditions for Para Praia Pty Ltd trading as Cabana Beach Club (affiliated with Hortas Restaurant at Port Noarlunga) be amended for viability purposes to allow an increase from 30 to 50 patrons within the existing approved defined permit area (considering Public Activities COVID-19 Directions), and note that the recommended 50 patrons are beyond the scope of the original community engagement process undertaken in 2019.*
6. *Approves the licence terms and conditions approved for 2019-20 under delegated authority to Para Praia Pty Ltd trading as Cabana Club (also affiliated with Hortas Restaurant, Port Noarlunga) and maintain a full licence fee waiver of \$14,700 (Inc. GST) for the 2020-21 and 2021-22 summer periods for viability purposes given the economic climate and that the activation is likely to be delivered in a scaled back format, compliant with Public Activities COVID-19 Directions.*
7. *Option 1 - That Council cease the Onkaparinga Summer initiative at the expiration of the existing two-year approval (2020-21), noting Recommendation 3 above to extend the existing two-year approval to a further one (1) year, which if approved will expire in 2021-22 in response to the current economic and COVID-19 challenges.*

Seconded by Cr Greaves.

CARRIED

MOVED Cr Jamieson.

That council investigates the expansion of a fuller year of activations including those supporting the night time/evening and winter economy, including that a report detailing high level costs and benefits will be presented to inform a final decision prior to proceeding.

Seconded by Cr Greaves.

CARRIED

At 8.42pm Cr Themeliotis MOVED that the meeting break for 10 minutes.

Seconded by Cr O'Brien.

CARRIED

Mayor Thompson reconvened the meeting in the Chamber at 8.56pm with all members present that were present before the break with the exception of Cr Brown, Cr Tonkin and Cr Peat.

9.8 Update – Petition regarding Saddle Bags Road, Kangarilla

MOVED Cr Jamieson.

That Council:

- 1. Notes that a further report will be presented to the November 2020 Council meeting seeking a resolution to restrict trucks from travelling along the full length of Saddle Bags Road, Kangarilla in accordance with Section 32 of the Road Traffic Act 1961.*
- 2. Authorises the publishing of a notice of the proposed resolution in a newspaper circulating generally in the State and within the City of Onkaparinga at least one month before the meeting.*
- 3. Authorises a letter to be written to each adjoining landowner along Saddle Bags Road and Cut Hill Road, as well as the Commissioner of Highways and Mount Barker District Council to provide notice of the proposed resolution at least one month before the meeting.*
- 4. Notes that new and upgraded signage and/or line marking will be installed to warn motorists of features such as narrow roads, tight curves, crests and the steep grade.*

Seconded by Cr Greaves.

Cr Tonkin resumed her seat in the Chamber at 8.56pm.

CARRIED

Cr Brown resumed her seat in the Chamber at 8.56pm.

9.9 Election for the position of Local Government Association President

Cr Peat returned to the meeting at 8.57pm.

MOVED Cr Greaves.

That Council vote for Mayor Redman as Local Government Association President.

Seconded by Cr Eaton.

CARRIED

9.10 Election for two positions of Local Government Finance Authority Board of Trustees.

MOVED Cr Jamieson.

That Council vote for Michael Rabbitt and Peter Field for the two positions for the Local Government Finance Authority Representative Board Members.

Seconded by Cr Themeliotis.

LOST

MOVED Cr Brown.

That Council vote for Michael Sedgman and John Smedley for the two positions for the Local Government Finance Authority Representative Board Members.

Seconded by Cr Peat.

CARRIED

9.11 Proposed Submission on Statutes Amendment (Animal Welfare Reforms) Bill 2020

MOVED Cr Greaves.

That Council endorse the attached draft Submission to the Joint Committee considering the proposed Statutes Amendment (Animal Welfare Reforms) Bill, attachment 1 to the agenda report.

Seconded by Cr Jamieson.

CARRIED

9.12 Proposal to close unmade road adjacent 153 Coxs Hill Road Onkaparinga Hills to enable sale

MOVED Cr Brown.

That for the legal and open (but unmade) public road bordered in red on attachment 1 to the agenda report, Council:

- 1. Declares that the subject road is surplus to the road network requirements and suitable for closure and disposal.*
- 2. Approves the commencement of the road closing process, including public consultation in accordance with the provisions of the Roads (Opening and Closing) Act 1991.*
- 3. Resolves that the subject road to be closed bordered in red on attachment 1 to the agenda report will be excluded from the classification of community land at the time of closure.*
- 4. Approves the sale of the subject road to the adjoining landowner at 153 Coxs Hill Road, Onkaparinga Hills at no less than the market value of the land, subject to all costs associated with sale, transfer and consolidation of the land with the purchaser's land being met by the adjoining landowner.*
- 5. Resolves that if any objections or applications for easements are received during the public consultation phase of the proposed road closure, a further report will be tabled for Council's consideration and determination of the matter.*
- 6. Authorises the Chief Executive Officer to sign any documentation necessary to finalise the road closing process, the sale and transfer of the subject road to the adjoining landowner and the consolidation of the subject land with the adjoining landowner's land.*
- 7. Approves the proceeds from the sale of the subject road to be assigned to the Community Investment Fund (CIF) to be used strictly in accord with Council's approved use of that Fund.*

Seconded by Cr Jamieson.

CARRIED

9.13 Aldinga Community Centre transition update

MOVED Cr Peat.

That Council notes the Aldinga Community Centre transition update report.

Seconded by Cr de Graaf.

CARRIED

9.14 City of Onkaparinga Building Fire Safety Committee Annual Report 2019-2020

Cr de Graaf left her seat in the Chamber at 9.12pm.

MOVED Cr Jamieson.

That Council receives the City of Onkaparinga Building Fire Safety Committee's Annual Report for 2019-2020.

Seconded by Cr Greaves.

CARRIED

9.15 Council and Committee Reporting Schedule

Cr de Graaf resumed her seat in the Chamber at 9.14pm.

MOVED Cr Eaton.

That Council note the agenda report and Reporting Schedules (attachments 1 and 2 to the agenda report).

Seconded by Cr Greaves.

CARRIED

10. Questions on notice

10.1 Questions on notice – Mayor Thompson – Impacts of Builders Grant

1. *Has Council seen an increase in development applications and enquiries following the introduction of the \$25k (COVID related) builders grant?*

The federal government's HomeBuilder Grant was announced on 4 June 2020 and is a time-limited grant program to help the residential construction market bounce back from the Coronavirus crisis. HomeBuilder provides eligible owner-occupiers (including first home buyers) with a grant of \$25,000 to build a new home or substantially renovate an existing home (where the contract is signed between 4 June 2020 and 31 December 2020). Construction must commence within three months of the contract date. HomeBuilder will complement existing State and Territory first home owner grant programs, stamp duty concessions and other grant schemes, as well as the Commonwealth's First Home Loan Deposit Scheme and First Home Super Saver Scheme.

Council staff noted a significant rise in development applications and enquiries in 2020 following the announcement of this program. Development enquiries jumped 20% in June to average close to 1300 phone enquiries per month during the winter months.

Development applications lodged with council have risen by 17% in comparison with the 2019 winter period. This increase is largely attributed to new houses. We are expecting to see this number continue to increase until the end of the year.

2. *What is the current turnaround time for development applications/enquiries? Has this increased at all with the introduction of the builders grant?*

Turnaround times for development applications were affected by the initial COVID-19 outbreak due to the new working arrangements of split teams, working from home etc with systems that were not as efficient when being used remotely.

As a result, there was a 15% decrease in the number of decisions made during the first months of the pandemic restrictions - 70% of development applications were assessed in

10 business days before the pandemic, which dropped to 55% of development applications assessed in 10 business days in the first months of the pandemic.

However, new processes have been implemented to adapt to the changing work environment, with the result that turnaround times are now improving and reaching the levels they were before the pandemic.

The LGA has recently established a Planning Vendor Panel to provide assistance to councils needing additional resourcing during high demand periods (and specifically for any influxes associated with the HomeBuilder Grant). All of the 15 companies on the panel are contracted to LGA Procurement under a head agreement with terms and conditions that favour councils rather than the supplier (including agreement on ceiling pricing). Depending on the level of demand experienced, council may take advantage of this, noting there are contract opportunities pending in the planning assessment team.

3. Is the builders grant likely to be extended beyond 2020?

The federal government is predicting that this program will have a cost of \$680 million. Final program costs will depend on actual take-up of the grant and may differ from these estimates as HomeBuilder is an uncapped and demand-driven program. Further review of the effectiveness of this program will inform the federal government's decision to extend or close the grants available in this form – council's lodgement data provided to state and federal governments will be considered in determining the success and continuation of the program.

11. Motions on notice

11.1 Motion on notice – Cr Themeliotis – Transparency and Integrity Hub

MOVED Cr Themeliotis.

1. *That Council commit to creating an online Transparency and Integrity Hub, similar to that of Ipswich Council, focusing on proactive and transparent release of public information.*
2. *That Council request the CEO to leverage new technologies and systems (such as OneCouncil), within existing budget and resource constraints, to continue to expand proactive release of information over time.*

Seconded by Cr de Graaf.

CARRIED

11.2 Motion on notice – Cr Themeliotis – Corflute signage in local government elections

MOVED Cr Themeliotis.

1. *That a letter be sent to the Hon Vickie Chapman MP in her role as Minister for Planning and Local Government, requesting that the Local Government Act 1999 be amended to remove the exemption for corflute signage during local government elections, as is proposed for state government elections.*
2. *That a letter be sent to the Local Government Association supporting a submission on a proposed item of business for the next Ordinary General Meeting, supporting the removal of the exemption for corflute signage during local government elections.*

Seconded by Cr McMahon.

CARRIED

Cr Peat called a DIVISION and the decision was set aside.

For:

<i>Cr McMahon</i>	<i>Cr Eaton</i>	<i>Cr Themeliotis</i>	<i>Cr Tonkin</i>	<i>Cr O'Brien</i>
<i>Cr Greaves</i>	<i>Cr Jamieson</i>			

Against:

<i>Cr Brown</i>	<i>Cr de Graaf</i>	<i>Cr Peat</i>		
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CARRIED

11.3 Motion on notice – Cr de Graaf – Council Land Assessment Group

Cr de Graaf withdrew her motion.

12. Petitions

Nil.

13. Urgent business

13.1 Urgent business – Cr de Graaf – Personal statement

MOVED Cr O'Brien.

That Cr de Graaf be granted leave of the meeting to make a personal statement.

Seconded by Cr Greaves.

CARRIED

Cr de Graaf made a personal statement – refer attachment 1 to these minutes.

14. Confidential items

14.1 ICT Reform Project Steering committee meeting confidential minutes of 24 August 2020

1. Exclusion of the public

MOVED Cr Themeliotis.

That:

a. under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.

b. the Council is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Council to consider the report at the meeting on the following grounds:

Section 90(3) (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

and

Section 90(3)(d) commercial information of a confidential nature (not being a trade secret) the disclosure of which—

- (i) 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; and*
- (ii) would, on balance, be contrary to the public interest;*
- c. accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.*

Seconded by Cr O'Brien.

CARRIED

2. Confidential recommendation

3. Period of confidentiality and delegations

MOVED Cr McMahon.

- a. That the matter of ICT Reform Project Steering Committee meeting confidential minutes of 24 August 2020 having been considered by the Council in confidence under sections 90(2) and 90(3)(a) and (d) of the Local Government Act 1999 that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the agenda report, related attachments, discussion and minutes of the Council relating to the subject matter be kept confidential.*
- b. That, pursuant to section 91(9)(a) of the Local Government Act 1999, Council delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub-delegate.*
- c. That, pursuant to section 91(9)(c) of the Local Government Act 1999, Council delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub-delegate.*

Seconded by Cr Eaton.

CARRIED

Mayor Thompson reopened the meeting to the public at 9.40pm.

15. Closure

Mayor Thompson officially declared the meeting closed at 9.40pm.

Certified CorrectChair

/ /2020

Personal statement by Cr Alayna de Graaf

I wish to raise this matter under urgent business tonight.

It concerns the Code of Conduct where I have been asked by the Council to apologise to an anonymous complainant.

Whilst I have serious concerns about the processes that occurred, and I do not believe that the matters were thoroughly or transparently investigated – I will make this statement WITHOUT PREJUDICE, and not admitting any guilt.

I do this in the interest of saving tax payer monies, and on the advice of my elected member colleagues, as I choose not to spend further of the legal funds to keep exploring “the truth”.

Thus my statement is this –

“I apologise”.

Cr Alayna de Graaf