

MINUTES

Council Meeting 19 January 2021

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

MEETING COMMENCED: 6.30pm

PRESENT: Mayor Thompson
Cr Bray
Cr Brown
Cr de Graaf
Cr Eaton
Cr Greaves
Cr Jamieson
Cr McMahon
Cr O'Brien
Cr Olsen
Cr Peat
Cr Themeliotis
Cr Tonkin

APOLOGIES: Nil

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 Kaurna, 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 Bray read the pledge.

2. Confirmation of minutes

MOVED Cr Greaves.

That the minutes of the proceedings of the Council meeting held on 8 December 2020 be received and confirmed as an accurate record of those proceedings.

Seconded by Cr Eaton.

CARRIED

3. Adjourned business

Nil.

4. Leave of absence

Nil.

5. Mayor's Communication

5.1 Mayor's Report

Happy New Year and welcome back to what is shaping up to be an exciting year for our city with a number of key projects kicking off.

Wearing Street Update

The revised concept plan was approved by Council at our December meeting, following a review by key community stakeholders. Further we continue to work with Kurna representatives to explore ways to incorporate Kurna culture into this significant precinct.

As a hub for aquatic recreation, its an important site for our community and a great outcome for Port Noarlunga.

Flat to Vale Trail Update

Council also approved the Flat to Vale Trail which connects the townships of McLaren Flat and McLaren Vale for families, riders, walkers, runners and tourists. Two trails routes were presented to our residents in October and November with the preferred option being a 3.6km trail on the northern side of Pedler Creek. Construction is anticipated to start in September 2021 with the trail being open in June of 2022.

SRWRA Solar Farm Launch

On 16 December 2020 we launched the state's first solar farm built on landfill at Seaford.

The renewable energy hub will link to our existing bio-gas power station and will power up to 4,400 homes, reduce our reliance on fossil fuels and cut emissions by 135,000 tonnes per year. This exciting project demonstrates how three councils (City of Onkaparinga, City of Holdfast Bay and the City of Marion) can work together to respond to the impacts of climate change, reduce emissions and build community resilience.

Thanks to LMS Energy for their investment and the team at Southern Region Waste Resource Authority for getting this initiative up and running. Thanks also to City of Onkaparinga staff, my fellow Mayor's and their councils in achieving this great outcome.

2020 Mayor's Christmas Light Display Competition Winners

Thank you to all the nominees for their efforts in the 2020 Mayor's Christmas Light Display Competition and the wonderful community spirit they bring to so many families during the festive season.

On Thursday 17 December 2020, with my fellow judges in attendance, Cr Alayna de Graaf and Cr Geoff Eaton, we presented awards to the following winning Christmas light displays.

Best Street – Keane Court, Old Reynella

Best single House – 67 Emmerson Drive, Morphett Vale (Hall of Fame)

Community Spirit – 20 Summerford Road, Aberfoyle Park.

Congratulations to all of the winning displays and thank you once again.

Australia Day Events

January is an exciting month for the Onkaparinga region, with our Australia Day activities; free breakfasts, Australia Day Awards presentation and Citizenship ceremony.

Whilst these events may look a little different to previous years, there are a range of opportunities to connect with our communities to reflect, respect and celebrate our collective history and cultural diversity, our past achievements and exciting future together. We are all part of the Australian story.

Free Australia Day breakfasts will be held at four locations around our city from 8am to 11am at Aldinga Beach – Symonds Reserve, Noarlunga Centre – Ramsay Place, Willunga – Old Courthouse, and at Happy Valley – Happy Valley Sports Park.

Australia Day Awards and Citizenship Ceremony.

In the morning we will announce the recipients of the prestigious, 2021 City of Onkaparinga Australia Day Awards. We will also officially welcome approximately 50 new Australian Citizens at our Australia Day Citizenship Ceremony. Due to COVID-19 restrictions, this event is by invitation only.

Details of our Australia Day Award recipients will be available on our website after Australia Day.

Santos Festival of Cycling

New and reimagined, the Santos Festival of Cycling will run from 19 to 24 January 2021 in lieu of the 2021 Santos Tour Down Under. The City of Onkaparinga will be hosting the Be Safe and Be Seen Stage 3 on Saturday 23 January 2021, travelling through McLaren Vale, Aldinga Beach and Willunga. For the first time women will be racing in our region and taking on Willunga Hill.

Due to COVID 19 restrictions, selected events will be ticketed, including the start and finish for our stage. Free tickets are available via [Tour Down Under website](#). If ticket allocations are reached you can watch the race along the route in a COVID Safe and socially distanced way.

McLaren Vale and Fleurieu Coast Visitor Guide

The 7th Edition of the [McLaren Vale and Fleurieu Coast Visitor Guide](#) was released in time for the holiday break. It is a fantastic guide and source of inspiration to explore our region with top tips and a range of great vouchers and offers to cellar doors, restaurants and shops. You can view the guide online or pick up a copy from McLaren Vale and Fleurieu Coast Visitor Centre.

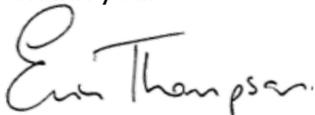
Correspondence

Att 1	Hon Corey Wingard MP, Minister for Recreation, Sport and Racing	City of Onkaparinga Community Plan 2030
Att 2	Hon Michael McCormack MP, Deputy Minister for Infrastructure, Transport and Regional Development	Building Better Region Fund (Round Five) Guidelines

Mayor’s calendar

My activities between 5 December 2020 and 15 January 2021 are reflected in Attachment 3. The Deputy Mayor’s activities are reflected in Attachment 4.

Thank you.



Erin Thompson

Mayor

MOVED Cr Themeliotis.

That Council note the Mayor’s Report of 19 January 2021, with the following changes:

- *That in relation to the commentary regarding the Wearing Street update it should be noted that the revised concept plan was approved by Council at the December 2020 meeting following a review by the CEO and not the key community stakeholders.*
- *That on 5 December 2020 the Mayor was unable to attend the McLaren Vale Native Opening and therefore provided an apology.*
- *That on 15 December 2020 the Mayor was unable to attend the Kaurna Representative Meeting. The CEO was in attendance at this meeting and provided the Mayor’s apology.*

Seconded by Cr Greaves.

CARRIED

6. Presentations

Nil.

7. Deputations

7.1 Port Willunga North Coast Park – Stephanie Johnston, Friends of Port Willunga and Christine James, Friends of Willunga Basin and Willunga Basin Trail

Stephanie Johnston and Christine James gave a deputation and answered questions from elected members in relation to the Port Willunga North Coast Park.

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

8.1 ICT Reform Project Steering Committee meeting minutes of 7 December 2020

MOVED Cr Olsen.

1. *That Council note the minutes of the ICT Reform Project Steering Committee meeting of 7 December 2020 as attached to the agenda report.*
2. *That Council reiterates the original approved business case target of \$8M ongoing cashable savings at the end of the project for inclusion into the project plan.*

Seconded by Cr McMahon.

CARRIED

8.2 Australia Day Awards Committee Meeting Minutes

MOVED Cr McMahon.

1. *That Council:*
 - a. *Approves the addition of an Active Citizenship category to be included in the 2022 Australia Day Awards.*
 - b. *Notes that the Active Citizenship category recognises the contribution to our community of individuals or groups who are not Australian Citizens.*
 - c. *Approves that the City of Onkaparinga Awards Policy be updated to include the Active Citizenship category in the City of Onkaparinga Australia Day Awards.*
2. *That Council note the minutes of the Australia Day Awards Committee meeting held on 14 December 2020 as attachment 1 to the agenda report.*

Seconded by Cr Eaton.

CARRIED

9. Reports of officers

9.1 Port Willunga North Coast Park

MOVED Cr Bray.

That Council:

1. *Notes the project update included within the agenda report.*
2. *Receives the Port Willunga North Coast Park Community Engagement Feedback Report (attachment 1 to the agenda report) and notes the outcomes of the community engagement process and how this feedback will influence further design development (Port Willunga North Coast Park Location Plan and Concept Plan - attachment 2 to the agenda report).*
3. *Review the proposal to incorporate a less formal lower impact path from Vincent Terrace to north of Chinaman Gully and bring the proposal back to Council.*

LAPSED for want of a seconder

Cr de Graaf MOVED:

1. *That the matter be deferred until a more comprehensive engagement with traditional owners has been undertaken.*
2. *That a forum is held for interested community members for feeding back in to the proposal.*
3. *That an on site visit for elected members who wish to attend is undertaken.*

Cr Olsen left his seat in the Chamber at 7.21pm.

Cr Olsen resumed his seat in the Chamber at 7.22pm.

Seconded by Cr Bray.

LOST

MOVED Cr Peat.

That Council:

1. *Notes the project update included within the agenda report.*
2. *Receives the Port Willunga North Coast Park Community Engagement Feedback Report (attachment 1 to the agenda report) and notes the outcomes of the community engagement process and how this feedback will influence further design development (Port Willunga North Coast Park Location Plan and Concept Plan - attachment 2 to the agenda report).*
3. *Approves the Port Willunga North Coast Park proceeding to detailed design noting the planned amendments as detailed within the agenda report, with the inclusion of further input from Friends of Willunga Basin and Willunga Basin Walking Trail and Friends of Port Willunga into the design.*

Seconded by Cr McMahon.

CARRIED

Cr de Graaf called a DIVISION and the decision was set aside.

For:

<i>Cr Peat</i>	<i>Cr McMahon</i>	<i>Cr Bray</i>	<i>Cr Olsen</i>	<i>Cr Jamieson</i>
<i>Cr Tonkin</i>	<i>Cr Brown</i>	<i>Cr O'Brien</i>	<i>Cr Greaves</i>	<i>Cr Themeliotis</i>
<i>Cr Eaton</i>				

Against:

<i>Cr de Graaf</i>				
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CARRIED

9.2 Strategic Asset Management Plan feedback summary and proposed updates

MOVED Cr Greaves.

That Council note the content in the Strategic Asset Management Plan Community Engagement Feedback Report (Attachment 1 to the agenda report).

Seconded by Cr Jamieson.

CARRIED

9.3 Declaration of Private Road (Welland Street Port Noarlunga) as Public Road

MOVED Cr Bray.

That, for the private road described as Allotment 200 in Deposited Plan 2142 comprised in Certificate of Title Volume 6239 Folio 873, named Welland Street, Port Noarlunga and bordered in red in attachment 1 to the agenda report, Council:

- 1. Notes that the subject private road is owned in fee simple by the Estate of Spencer Atkinson Hall who died on 13 June 1927.*
- 2. Notes that reasonable enquiries in accordance with Section 210(1)(b) of the Local Government Act 1999 have been undertaken to locate the Executors of the Estate of S A Hall deceased, but subsequent advice has confirmed that both executors are also deceased.*
- 3. Notes that the mandatory three-month public notice period to declare the private road to be a public road in accordance with Section 210(2)(b) of the Local Government Act 1999 commenced on 8 October 2020 by way of public notices being published:*
 - a. in the SA Government Gazette*
 - b. on Council's Your Say webpage*
 - c. in the Advertiser newspaper.*
- 4. Notes that Council did not receive any responses to the public notices detailed above.*
- 5. Declares the subject private road to be a public road pursuant to Section 210 of the Local Government Act 1999.*
- 6. Authorises the publication of the mandatory notice in the Government Gazette to declare the subject private road to be a public road and advice being furnished to the Registrar-General in accordance with Sections 210 (5) and (7) of the Local Government Act 1999.*

Seconded by Cr Jamieson.

CARRIED

9.4 Delegations Update

MOVED Cr Greaves.

Revocation

1. *That, in accordance with Section 44 of the Local Government Act 1999, Council revokes its previous delegations to the Chief Executive Officer of those powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder, effective from midnight on the day before Council's Development Plan is revoked by the Minister by notice in the Gazette pursuant to Clause 9(7) of Schedule 8 of the Planning, Development and Infrastructure Act 2016.*

Delegation of Powers of the Council as a Council, Designated Authority and Designated Entity under the Planning, Development and Infrastructure Act 2016 [Instrument A]

2. *In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation (as attached to the agenda report and marked Attachment 1) are hereby delegated, effective from midnight on the day before Council's Development Plan is revoked by the Minister by notice in the Gazette pursuant to Clause 9(7) of Schedule 8 of the Planning, Development and Infrastructure Act 2016, to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.*
3. *Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.*

Delegation of Powers of the Council as a Relevant Authority under the Planning, Development and Infrastructure Act 2016 [Instrument B]

4. *In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation (as attached to the agenda report and marked Attachment 2) are hereby delegated, effective from midnight on the day before Council's Development Plan is revoked by the Minister by notice in the Gazette pursuant to Clause 9(7) of Schedule 8 of the Planning, Development and Infrastructure Act 2016, to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.*
5. *Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.*

Seconded by Cr Jamieson.

CARRIED

9.5 Review of Council financial relief measures for COVID–19

MOVED Cr Jamieson.

That Council:

- 1. Approves, based on the current assessment of COVID–19 and the ongoing impacts on our community and sporting clubs, a further extension of the waiving of leases and associated costs to clubs in council owned facilities, and the extension of the relief measures offered to the three community owned sporting clubs, for a period of a further three months (until 31 March 2021) at an approximate cost of \$120,000.*
- 2. Approves, based on the current assessment of COVID–19 and the impacts on our lessees, a further extension of the waiving of leases and associated costs for businesses with Council leases, for a period of a further three months (until 31 March 2021) at an approximate cost of \$51,200, to assist with rebuilding their financial resources and capacity during the economic recovery phase.*
- 3. Approves an extension of time to pay outstanding rates for a further 8 weeks past the quarter 3 due date (to 30 April 2021) at a projected loss of revenue of approximately \$230,000 in lost fines and interest.*
- 4. Approves continuing support for our local businesses to assist with their ongoing recovery and growth, through enabling small businesses to become 'tender ready', and to encourage greater procurement participation by local businesses. This support provides a longer-term solution to recovery from COVID–19.*
- 5. At the expiry of the dates above in recommendations 1, 2 and 3, approves for the CEO to exercise delegated authority to extend the above measures for a further 3 month period, should ongoing COVID-19 impacts still be present.*
- 6. Notes that the loss of budgeted revenue will increase the projected deficit unless additional savings (operational and capital) can be realised to offset the impact.*

Seconded by Cr Bray.

CARRIED

9.6 Confidential items

Cr McMahon left his seat in the Chamber at 8.12pm.

MOVED Cr Greaves.

That Council receive and note the agenda report and attachment 1 to the agenda report relating to the release of confidential items.

Seconded by Cr Themeliotis.

CARRIED

9.7 Council and Committee Reporting Schedule

MOVED Cr Greaves.

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

Seconded by Cr Themeliotis.

Cr McMahon resumed his seat in the Chamber at 8.14pm.

CARRIED

10. Questions on notice

Nil.

11. Motions on notice

11.1 Motion on notice – Cr Olsen – A-frames and feather flags – Bylaws and Compliance

MOVED Cr Olsen.

That a report return to Council in April 2021 that reviews the MOVEABLE SIGNS BY-LAW 2016, BY-LAW NO.2 OF 2016 and attendant Guidelines for A and T frame Moveable Signs and Guidelines for Vertical Banner Moveable Signs and recommends potential amendments and/or improvements and information as follows:

- 1. Improved definition of a 'major road'.*
- 2. Improved definition of a 'business', 'business premises' and/or 'business property'.*
- 3. Improved definition of a 'footpath area'.*
- 4. Recommended limit on the total number of vertical banner signs that may be displayed per 'business property'.*
- 5. Observations from officers of issues and/or benefits of the amendments made to By-law 2 in 2016 compared to By-law 2 which was in place prior to 2016, focussing on enforceability, feedback received from the community/stakeholders (positive or negative) and comparison of moveable signage By-laws between other like councils.*
- 6. Any other recommendations for improvement to By-law 2 based on the officers' advice and experience, including addressing proliferation of signage, benefits of such signage in the digital age and being cognisant of the Citywide Signage Guidelines, the Development Plan and Directional Signs Procedure.*
- 7. Develop a process for a proactive, regular signage compliance inspection and enforcement regime, in contrast to the existing primarily reactive compliance approach.*
- 8. Provide information on the processes required to implement any change to By-law 2 and/or its attendant guidelines.*
- 9. Should the report recommend amendments to By-law 2 or changes to the Guidelines relating to A and T frame movable signs and vertical banners, that it initiates a community engagement process to enable feedback from the community and business sector.*

Cr Greaves left her seat in the Chamber at 8.18pm.

Cr Greaves resumed her seat in the Chamber at 8.20pm.

Seconded by Cr Peat.

CARRIED

12. Petitions

12.1 Petition – Sellicks Beach Structure Plan

MOVED Cr Greaves.

- 1. That the petition be received.*
- 2. That the petitioners' comments and requests be considered by Council as a submission on the draft Sellicks Beach Structure Plan, received during the community engagement period which ends 21 February 2021.*
- 3. That the head petitioner/s be notified of Council's decision.*

Cr Olsen left his seat in the Chamber at 8.36pm.

Cr Olsen resumed his seat in the Chamber at 8.38pm.

Seconded by Cr Peat.

Cr Brown left her seat in the Chamber at 8.51pm.

CARRIED

13. Urgent business

Nil.

Cr Brown resumed her seat in the Chamber at 8.53pm.

14. Confidential items

14.1 ICT Reform Project Steering Committee meeting confidential minutes of 7 December 2020

- 1. Exclusion of the public*

MOVED Cr Greaves.

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)(e) matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;

- 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 McMahon.

CARRIED

- 2. *Confidential recommendations*
- 3. *Period of confidentiality and delegations*

MOVED Cr McMahon.

- a. *That the matter of ICT Reform Project Steering Committee meeting confidential minutes of 7 December 2020 having been considered by the Council in confidence under sections 90(2) and 90(3)(a) and (e) 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 until 2030.*
- 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 de Graaf.

CARRIED

Mayor Thompson reopened the meeting to the public at 8.55pm.

15. Closure

Mayor Thompson officially declared the meeting closed at 8.55pm.

Certified CorrectChair

/ /2021