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 6.33pm.
   Cr Olsen read the pledge.

2. Confirmation of minutes
   MOVED Cr O’Brien.
   That the minutes of the proceedings of the Council meeting held on 17 November 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
   Shellfish reef site at Port Noarlunga
   On Tuesday 17 November, I met with Federal Environment Minister, the Hon Sussan Ley MP, and Senator Andrew McLachlan CSC, at the future regenerated shellfish reef site at Port Noarlunga. The Nature Conservancy resident expert Anita Nedoskyo spoke to us about the special native Angasi oysters that will grow on the reef, and the many benefits this will bring to our marine environment.
   The Federal Government is supporting this reef through its $20 million reef builder program. Our community’s passion for the project helped secure its location in our city.
   The project is set to kick off early next year with construction due to begin in September 2021 bringing new jobs and many other great benefits to our region.

   International Day for the Elimination of Violence against Women/16 Days of Activism
   Wednesday 25 November was International Day for the Elimination of Violence against Women, it also marked the start of 16 Days of Activism Against Gender-Based Violence. This international campaign raises awareness about violence against women and girls and calls for change.
   We released the second instalment of the Southern Deadly Sounds Program which was produced at Base 10 Youth Centre. Young people involved in a song writing and performing program recorded two hip hop tracks that raise awareness of - and denounce - violence against women. The tracks will be shared on the Onkaparinga Youth Facebook page.
We’ve partnered with Zonta to display messages at locations around Onkaparinga over the 16 days of this campaign. We’re also supporting the Southern Women Matter campaign to secure funding for a hub and access to better support services in the south.

In the coming months, work will start on a contemporary public artwork project at Rotary Park which acknowledges the impact of domestic and family. The Place of Courage is a collaborative effort between the Spirit of Woman and council. Its intended to be a space of comfort and healing and an environment that will promote unity and courage.

**Mayors Garden Competition results**

On Monday 16 November I presented the award recipients of the 2020 Mayor’s Garden Competition at the Aldinga Community Centre. It was pleasing to see the passion that our community has in establishing and caring for their gardens and enhancing the liveability of our city.

On behalf of my fellow judges, Deputy Mayor Geoff Eaton and officers from our Parks and Natural Resources team, it was an absolute pleasure to have the opportunity to visit these incredible gardens and to meet with some passionate gardeners.

Congratulations to all those who nominated in this year’s competition and to the following award recipients:

- **Best Urban Garden**: Dee Jones
- **Best Community Garden**: The Big Backyard Garden
- **Best Courtyard Garden**: Melanie and Ben Volkmann
- **Best School Garden**: Willunga High School
- **Best Rural Garden**: Irene Moon

Special thanks to the Aldinga Community Centre volunteers who hosted the event.

**Covid-19 SA Lockdown**

On Wednesday 18 November the State Government announced that as of midnight the state would enter a six day lockdown which involved all schools closing (except for children of essential workers and vulnerable students), universities to close, all outdoor exercise and sport banned, all hospitality businesses including takeaway closed, elective surgeries postponed, construction industry unable to operate, house inspections and auctions cancelled, weddings/funerals banned and holiday homes were not available for lease. Essential services like water, power and telecommunications kept running, this included parts of Local Government that were able to continue operating, plus supermarkets, medical services, public transport, petrol stations, banks and post offices.

Everyone was to stay at home, except when completing essential activities. Essential workers were allowed to travel to and from work. People were allowed to leave the house to seek medical care or provide care for another person and one person per household was allowed to shop for food once per day.

On Friday 20 November the State Government announced an early end to the lockdown. As of 12:01am on Sunday 22 November the state reverted to similar restrictions to those that were in place earlier in the week. This meant that our services could begin resuming normal operations from Monday 23 November.

**National Peace Symposium**

On Saturday 28 November I attended the National Peace Symposium 2020 at the Noor Mosque at Morphett Vale. The Ahmadiyya Muslim Community held its first ever National Peace Symposium on the virtual platform. It was an opportunity for guests at the Noor Mosque to be linked to other mosques around Australia and listen to various politicians of the country talk on the topic of "Establishing Peace for a Bright Future".
Bushfire Awareness

Last year the CFS responded to over 20,000 incidents including fires, road crashes, animal rescues, storm damages, flooding and chemical spills. The CFS is a volunteer-based organisation providing a range of vital fire and emergency services to the communities of our state. I’d like to acknowledge the heroic, selfless and life saving efforts of CFS volunteers and those in emergency services. These extraordinary men and women work tirelessly to protect us, our property, animals, the environment and infrastructure.

Summer is the busiest time for the CFS and with the fire danger season fast approaching, it’s important that we all do our bit to prepare. Council is preparing for the season by providing advice to residents through our community development programs; inspecting all vacant land in the council area for fire hazards; and ensuring council-owned reserves and high-bushfire risk areas are mowed on a six-weekly schedule.

The CFS website has lots of helpful information and tips, including the things you need to consider for your bushfire survival plan. It’s also your go-to-place for up-to-date information on warnings and incidents. Please, think ahead and plan before it’s too late.

GM crops decision – update

Following my report tabled on 17 November I can provide you with a further update on the matter of GM crops in our city. Minister for Primary Industries and Regional Development David Basham responded to my letter asking him to review his decision to not designate our City as a non-GM crop area. His letter in response did not answer all of my specific questions, however it did include information on the guidelines used by the GM Crop Advisory Committee, and Minutes from the Committee’s past three meetings (confidential). He reiterated the Committee advised him none of the 11 councils that made an application to be a non-GM crop area presented sufficient evidence to recommend designation, and advised that the statutory timeframe to gazette City of Onkaparinga as a designated non-GM crop cultivation area has now passed.

As such, the legislative aspect of this matter appears settled and we can see no obvious pathways to challenge the decision.

In support of our local producers and growers, we will continue to consider other positions on this matter.

Christmas and New Year

This year has been a year like no other. To our community, Elected Members and staff, thank you for your resilience especially through this continually changing year.

I wish everyone a safe and happy holiday season and I look forward to working with you in 2021.

Correspondence

<table>
<thead>
<tr>
<th>Att 1</th>
<th>Local Government Association</th>
<th>Heidi Greaves appointed as deputy of the State Bushfire Coordination Committee</th>
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<tr>
<td>Att 2</td>
<td>Minister for Environment and Water David Speirs</td>
<td>Successful in receiving grant funding for investigating erosion mechanisms along coastal cliffs in southern suburbs</td>
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<td>Att 3</td>
<td>Hon David Basham MP</td>
<td>Response to non GM food crop cultivation area</td>
</tr>
</tbody>
</table>
Mayor’s calendar

My activities between 14 November and 4 December 2020 are reflected in Attachment 4. The Deputy Mayor’s activities are reflected in Attachment 5.

Thank you.

[Signature]

Erin Thompson
Mayor

MOVED Cr Eaton.

That Council note the 8 December 2020 Mayor’s report.

Seconded by Cr Jamieson.

CARRIED

6. Presentations

Nil.

Cr Greaves entered the meeting at 6.37pm.

7. Deputations

7.1 Indigenous signage – Deb McBratney

Deb McBratney gave a deputation and answered questions from elected members in relation to indigenous signage.

7.2 Flat to the Vale Trail – Charles Manning, Flat to the Vale Community Group

Charles Manning gave a deputation in relation to the Flat to the Vale Trail.

7.3 Cat confinement – Beverley and Glenn Langley, Minton Farm Animal Rescue Centre

Beverley Langley gave a deputation and answered questions from elected members in relation to cat confinement.

7.4 Cat confinement – Kat Lee, C.A.T.S. (Cats Assistance to Sterilise Inc)

Kat Lee was not in attendance at this time and was heard later in the meeting.
8. Presentation by Committee chairpersons and reports to Council by Council Committees

8.1 Audit, Risk, Value and Efficiency Committee meeting minutes of 30 November 2020

MOVED Cr O’Brien.

1. Re: Item 7.2 Active Ageing Service Review
   That Council approve the continued delivery of the Commonwealth Home Support Programme (CHSP) and Community Passenger Network (CPN) programs noting:
   - the current service model will continue to be delivered as per existing contractual arrangements
   - efficiencies will continue to be identified through continuous improvement processes that reduce the Council contribution
   - when changes to CHSP or CPN funding are announced a report will be prepared for Council recommending a way forward.

2. That Council note the minutes of the Audit, Risk, Value and Efficiency Committee meeting held on 30 November 2020 as attached to the agenda report.
   Seconded by Cr Eaton.

   CARRIED

8.2 Strategic Directions Committee meeting minutes of 1 December 2020

MOVED Cr Bray.

1. Re item 7.2 Wearing Street, Port Noarlunga – Sand Replenishment
   That Council approve the supply and installation of 400 tonnes of sand to replenish the areas shown in attachment 1 to the Strategic Directions Committee agenda report of 1 December 2020.

2. Re item 7.3 Management of vehicle compliance on protected foreshore areas - Engagement outcomes and proposed actions
   That Council endorse the actions recommended in the Management of Vehicle Compliance on Protected Foreshore Areas action plan (attachment 2 to the Strategic Directions Committee agenda report of 1 December 2020) and financial implications required to implement the action plan.

3. That Council note the minutes of the Strategic Directions Committee meeting held on 1 December 2020 as attached to the agenda report.
   Seconded by Cr Tonkin.

   CARRIED
9. Reports of officers

9.1 Council Rate Rebates 2020–21

Cr Tonkin declared a perceived conflict of interest as an employee of Junction Australia, who are a beneficiary of a 75% rebate. Cr Tonkin stated she would receive no benefit or detriment, direct or indirect, personal or pecuniary from considering and voting on this matter and chose to remain in the meeting.

Cr McMahon declared a material conflict of interest as his wife is employed at the Noarlunga Community Children’s Centre, who are applying for a 100% rate rebate, and left the meeting at 7.17pm.

MOVED Cr Bray.

1. That Council notes the 2020-21 mandatory rate rebates applied under Sections 160 – 165 of the Local Government Act 1999 to the properties which meet the eligibility criteria, as detailed in Mandatory Rate Rebate Groups Mandatory 100% (attachment 2 to the agenda report), Mandatory Rate Rebate Groups Mandatory 75% (attachment 3 to the agenda report), and Mandatory Rate Rebate Groups Housing Assoc 75% (attachment 4 to the agenda report).

2. That the property listed in Mandatory Rate Rebate Groups Mandatory 75% (attachment 3 to the agenda report) (School of the Nativity) continue to be granted an additional 25 per cent rate rebate in accordance with Section 159 (4) and Section 165(1) of the Local Government Act 1999 for 2020–21, due to the shared use with a government entity.

3. That Council endorses the 2020–21 discretionary rebates applied under Section 166 of the Local Government Act 1999 to the properties that previously received rebates and which currently meet the eligibility criteria, as detailed in Rate Rebates Discretionary (attachment 5 to the agenda report).

4. That Council does not grant an additional 50 per cent discretionary rebate for 2020–21 sought in the new application from McLaren Vale Bowling Club Inc (item 48), itemised in Rate Rebates Discretionary (attachment 5 to the agenda report), to ensure equity with other similar organisations, however does grant a 50 per cent rebate in their CWMS charges for 2020-21, in line with similar COVID-19 relief provided to community owned sporting clubs.

Seconded by Cr Greaves.

CARRIED

Cr Tonkin voted for the motion.

Cr McMahon resumed his seat in the Chamber at 7.19pm.

9.2 Appointment of Council Member and Deputy Council Member to the Council Assessment Panel

Cr de Graaf declared a material conflict of interest as a nominee and left the meeting at 7.20pm.

Cr Greaves declared a material conflict of interest as a nominee and left the meeting at 7.20pm.

MOVED Cr Themeliotis.

1. That Council appoints Cr Greaves to the Council Member position of the Council Assessment Panel, for a term expiring at the conclusion of the Local Government elections in November 2022.
2. That Council appoints Cr de Graaf to the Deputy Council Member position of the Council Assessment Panel, for a term expiring at the conclusion of the Local Government elections in November 2022.

Seconded by Cr O'Brien.

CARRIED

Cr Greaves and Cr de Graaf resumed their seats in the Chamber at 7.24pm.

Cr Olsen left his seat in the Chamber at 7.25pm.

MOVED Cr de Graaf.

To provide a point of clarification that the deputy position of Council Assessment Panel does not receive a sitting fee unless formally sitting on the panel.

Cr de Graaf declared a perceived conflict of interest as she holds the deputy position of Council Assessment Panel. Cr de Graaf stated she would receive no benefit or detriment, direct or indirect, personal or pecuniary from considering and voting on this matter and chose to remain in the meeting.

Cr Olsen resumed his seat in the Chamber at 7.26pm.

Seconded by Cr Themeliotis.

CARRIED

Cr de Graaf voted for the motion.

9.3 Appointment of Deputy Mayor

Cr McMahon declared a material conflict of interest as a nominee and left the meeting at 7.30pm.

MOVED Cr Bray.

That Council appoint Cr McMahon as Deputy Mayor for the period commencing 9 December until the last Council meeting in December 2021.

Seconded by Cr Tonkin.

CARRIED

Cr McMahon resumed his seat in the Chamber at 7.33pm.

7.4 Cat confinement – Kat Lee, C.A.T.S. (Cats Assistance to Sterilise Inc)

Kat Lee gave a deputation and answered questions from elected members in relation to cat confinement.

9.4 Strategic Directions Committee membership

MOVED Cr Jamieson.

1. That Council appoints all elected members to the Strategic Directions Committee from 8 December 2020 until the end of the current Council term in November 2022, specifically:
   - Mayor Thompson
   - Councillor Bray
   - Councillor Brown
2. That Council appoints Deputy Mayor McMahon as the Chairperson and Cr Themeliotis as the Deputy Chairperson of the Strategic Directions Committee from 8 December 2020 until the last Council meeting in December 2021.

Seconded by Cr Olsen.

CARRIED

9.5 Australia Day Awards Committee membership

MOVED Cr Themeliotis.

That the following three members be appointed to the Australia Day Awards Committee from 8 December 2020 until the last Council meeting December 2021:

- Mayor as Chairperson (as per the Terms of Reference)
- Councillor Eaton
- Councillor McMahon

Seconded by Cr Greaves.

CARRIED

9.6 Wearing Street Project Update

MOVED Cr Jamieson.

That Council:

1. Note the outcomes of the Chief Executive Officer review of the Wearing Street project provided as attachment 1 to the agenda report.

2. Approve Port Noarlunga Arts Centre carpark upgrade construction proceeding as an independent project to Wearing Street development, using Council approved 2020-21 funding.

3. Approve the Wearing Street revised concept plan provided as attachment 2 to the agenda report for detailed design and construction, with construction to proceed subject to:

   - external funding being secured and the land being transferred from the state government to council for no consideration
   - construction being staged as follows:
     - Stage 1 - aquatic user group facilities
Stage 2 - public realm including carpark and riverfront works.

4. Approve submission of grant applications seeking external funding toward construction of the project.

5. Note the continued engagement with local Kaurna communities.
   Seconded by Cr Bray.

Cr Olsen MOVED an AMENDMENT.

That Council:

1. Note the outcomes of the Chief Executive Officer review of the Wearing Street project provided as attachment 1 to the agenda report.

2. Approve Port Noarlunga Arts Centre carpark upgrade construction proceeding as an independent project to Wearing Street development, using Council approved 2020-21 funding including a redesigned plan to provide at least two drive through RV and caravan parking spots in accordance with Australian Standards.

3. Approve the Wearing Street revised concept plan provided as attachment 2 to the agenda report for detailed design and construction, with construction to proceed subject to:
   - external funding being secured and the land being transferred from the state government to council for no consideration
   - construction being staged as follows:
     Stage 1 - aquatic user group facilities
     Stage 2 - public realm including carpark and riverfront works.

4. Approve submission of grant applications seeking external funding toward construction of the project.

5. Note the continued engagement with local Kaurna communities.
   Seconded by Cr Greaves.

The AMENDMENT was PUT and CARRIED.

The MOTION, thus AMENDED, was PUT and CARRIED.

9.7 External Funding Sources for Infrastructure and Projects

MOVED Cr Brown.

That Council:

1. Approve the projects listed in Recommended Project List (attachment 2 to the agenda report) being submitted for funding through the Australian Government Local Roads and Community Infrastructure Program Extension (LRCI Program Extension), the State Government Local Government Infrastructure Partnership Program and the Planning and Development Fund Open Space and Places for People.

2. Delegate authority to the Chief Executive Officer to amend and submit alternative projects for funding through the LRCI program should any of the identified projects be ineligible under the grant funding guidelines.

3. Note the projects listed in Recommended Project List (attachment 2 to the agenda report) being submitted for funding through the Special Local Roads Program, Black Spot Program and Roads to Recovery Program
   Seconded by Cr Olsen.
Cr Bray MOVED an AMENDMENT.

That Council:

1. Approve the projects listed in Recommended Project List (attachment 2 to the agenda report - excluding the Aldinga Willunga Cycleway and the Port Willunga North Coast Park) being submitted for funding through the Australian Government Local Roads and Community Infrastructure Program Extension (LRCI Program Extension), the State Government Local Government Infrastructure Partnership Program and the Planning and Development Fund Open Space and Places for People.

2. Delegate authority to the Chief Executive Officer to amend and submit alternative projects for funding through the LRCI program should any of the identified projects be ineligible under the grant funding guidelines.

3. Note the projects listed in Recommended Project List (attachment 2 to the agenda report) being submitted for funding through the Special Local Roads Program, Black Spot Program and Roads to Recovery Program.

Seconded by Cr Eaton.

Cr de Graaf left her seat in the Chamber at 8.40pm.

Cr de Graaf resumed her seat in the Chamber at 8.41pm.

The AMENDMENT was PUT and LOST.

The original MOTION was PUT and CARRIED.

At 8.47pm Cr O’Brien MOVED that the meeting break until 9pm.

Seconded by Cr de Graaf.

CARRIED

Mayor Thompson reconvened the meeting in the Chamber at 9.02pm with all members present that were present before the break.

9.8 Submission on revised draft Planning and Design Code

MOVED Cr Bray.

That the Council approves the draft letter (as amended) and attachments prepared in response to the State Planning Commission’s draft Planning and Design Code - Phase 3, as contained in attachments 1, 2 and 3 to the agenda report.

Seconded by Cr de Graaf.

CARRIED

9.9 Proposal to close portion of a legal and open (but unmade) Public Road at Sellicks Hill to enable sale

MOVED Cr Tonkin.

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

1. Declares that the subject portion of road is surplus to our 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 of CT Volume 5846 Folio 62, comprising Allotment 32 in Deposited Plan 55920, at no less than the market value of the land, subject to all costs associated with the Road Process, sale, transfer and consolidation of the closed road with the adjoining landowner’s land.

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, 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

9.10 Grants and Sponsorship Program review

MOVED Cr Eaton.

That Council:

1. Approves the draft Grants Policy, attachment 1 to the agenda report.

2. Approves the deferral of any further grant rounds until July 2021 to allow the completion of the review, with the exception of the Every Generation Onkaparinga (EGO) Grants and the next round of ON Business Grants.

3. Notes the proposed process and timeline for the Grants and Sponsorship Program review as outlined in the agenda report.

Seconded by Cr Greaves.

CARRIED

9.11 Annual Review of Confidential Orders

MOVED Cr Greaves.

1. That, having undertaken a review of confidential orders as at 31 December 2019 as detailed in attachment 1 to the agenda report, Council is satisfied that the orders remain relevant.

2. That Council revoke the following confidential order:

Item 15.2 – Personal affairs, 1 April 2014 Council meeting, point 3: That item having been considered in confidence under Section 90(2) and 90(3)(a) of the Local Government Act 1999 an order be made under the provisions of Section 91(7) and (9) of
the Local Government Act 1999 that the discussion of the subject matter and all minutes and attachments of Council, be kept confidential.

Seconded by Cr McMahon.

CARRIED

9.12 Council and Committee Reporting Schedule

MOVED Cr Eaton.

That Council note the agenda report and Reporting Schedule (attachment 1 to the agenda report).

Seconded by Cr Greaves.

CARRIED

9.13 Flat to Vale Trail – Community Engagement

MOVED Cr Olsen.


2. Subject to approval of the confidential report Flat to Vale Trail – Private landowner negotiations provided at item 14.1 of this agenda:
   a. Council approves progress of landowner negotiations and acquisition of easements to support development of the Flat to Vale Trail ‘Alignment 2’.
   b. Council approves proceeding to detailed design and construction of Flat to Vale Trail ‘Alignment 2’ as supported by 92.4% of the community as reported in the Community Engagement Feedback Report (attachment 1 to the agenda report).
   c. Council approve allocation of the additional funding (estimated to be $230,000) required to construct the Flat to Vale Trail ‘Alignment 2’ through the Project and Capital Works Multiuse Trails category as part of the 2021-2022 budget process.

Seconded by Cr Greaves.

CARRIED

9.14 Hand sanitation for public toilets

MOVED Cr Olsen.

That Council approve:

1. That Council undertake a six month trial of providing liquid hand soap only in 10 selected high use sites as per attachment 1 to the agenda report.

2. That the installation occur prior to 25 December 2020.

3. That a report return to Council in June 2021 with the results of the trial, and for consideration in expanding the program to the remaining high use toilets.

4. That during budgeting for 2021-22, the additional capital costs and operating expenses for the installation and servicing of liquid soap in the remaining high use toilets, together with those already installed, be considered in the event that the program is decided to be expanded in June 2021.

Seconded by Cr Brown.

CARRIED
10. Questions on notice
Nil.

11. Motions on notice

11.1 Motion on notice – Mayor Thompson – Elected member conduct – early intervention
Mayor Thompson withdrew the motion.

11.2 Motion on notice – Mayor Thompson – Cat confinement

MOVED Cr Bray.

1. That the Mayor advocate to the Local Government Association and the state government for policy change, recognising that a review of the Dog and Cat Management Act 1995 is required with a focus on cat management and a state wide approach to the containment of cats.

2. That council offer Minton Farm Native Animal Rescue Centre $14,991 from our unallocated grant funds to assist with infrastructure improvements including to cat and fox proof their vulnerable animal enclosures. A funding contract be put in place to ensure funds are used for infrastructure improvement.

3. That the Mayor write to the Landscape Board requesting that they consider solutions for managing the impacts that feral cats and foxes have on wildlife.

Seconded by Cr Themeliotis.

Cr de Graaf left her seat in the Chamber at 10.02pm.

Cr Olsen MOVED an AMENDMENT.

1. That the Mayor advocate to the Local Government Association and the state government for policy change, recognising that a review of the Dog and Cat Management Act 1995 is required to improve cat management.

2. That a report come back to council outlining the potential offer of financial assistance to Minton Farm Native Animal Rescue Centre for assisting with cat and fox proofing their vulnerable animal enclosures.

3. That the Mayor write to the Landscape Board requesting that they consider solutions for managing the impacts that feral cats and foxes have on wildlife.

Cr de Graaf resumed her seat in the Chamber at 10.03pm.

Seconded by Cr Greaves.

The AMENDMENT was PUT and LOST.

The original MOTION was PUT and CARRIED.

12. Petitions
Nil.

13. Urgent business
Nil.
14. Confidential items

14.1 Flat to Vale Trail – Private landowner negotiations

1. Exclusion of the public

MOVED Cr O’Brien.

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)(b) information the disclosure of which—

(i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; 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 de Graaf.

CARRIED

2. Confidential recommendations

3. Period of confidentiality and delegations

MOVED Cr Jamieson.

a. That the matter of Flat to Vale Trail – Private landowner negotiations having been considered by the Council in confidence under sections 90(2) and 90(3)(a) and (b) 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 all of the necessary easements have been negotiated, compensation has been paid to the landowners and the easements registered on the title.

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 O’Brien.

CARRIED
14.2 Water Assets Divestment project update - Registrations of Interest

1. Exclusion of the public

MOVED Cr O’Brien.

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 receive the report at the meeting on the following grounds:

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. The Council is satisfied in considering the ‘public interest,’ that whilst disclosure would enhance:

• the accountability of council or council staff in the performance of their official powers, duties and responsibilities;
• the community’s ability to inform their own decisions; and
• informed debate about issues and public participation in democracy,

the public interest is outweighed by the following factors.

• That disclosure would provide a commercial advantage to another party as it relates closely to a proposed tendering process and may influence market responses.
• That disclosure may have a detrimental effect on the efficient and effective conduct of government functions.

d. 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 Eaton.

CARRIED

Cr Brown resumed her seat in the Chamber at 10.29pm.

2. Confidential recommendations

At 11.10pm Cr Greaves MOVED that the meeting continue to end of business.

Seconded by Cr Eaton.

CARRIED

3. Period of confidentiality and delegations

MOVED Cr McMahon.

a. That the Water Assets Divestment project update - Registrations of Interest report having been considered by the Council in confidence under sections 90(2) and
90(3)(d) of the Local Government Act 1999 that an order be made under the provisions of sections 91(7) and 9(9) of the Local Government Act 1999 that the Water Assets Divestment project update - Registrations of Interest report and the minutes and the report of the Council relating to discussion of the subject matter be kept confidential until such time as council has concluded all commercial aspects of the Water Assets Divestment Project, with the exception that:

- Attachment 2 ‘Shared Media Statement’ shall remain in confidence until such time as the partner councils, being Adelaide Hills Council and the Rural City of Murray Bridge, have each considered their own Water Assets Divestment Project Registrations of Interest update reports.

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 Jamieson.

CARRIED

14.3 Noarlunga Leisure Centre contractual matter

1. Exclusion of the public

MOVED Cr Brown.

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)(i) information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council.

   This report considers a commercial arrangement with an existing provider.

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 Olsen.

CARRIED

2. Confidential recommendations

3. Period of confidentiality and delegations

MOVED Cr O’Brien.

a. That the matter of Noarlunga Leisure Centre contractual matter having been considered by the Council in confidence under sections 90(2) and 90(3)(i) of the Local Government Act 1999 that an order be made under the provisions of sections 91(7) and 9(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 the matter is formally finalised and accepted in writing by both parties to the dispute.

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 McMahon.

CARRIED

14.4 Committee membership

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).

   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 Eaton.

CARRIED

2. Confidential recommendations

3. Period of confidentiality and delegations

MOVED Cr Olsen.

a. That the matter of Committee membership having been considered by the Council in confidence under sections 90(2) and 90(3)(a) of the Local Government Act 1999 that an order be made under the provisions of sections 91(7) and 9(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 November 2022, excluding notification to relevant parties.

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 McMahon.

CARRIED
14.5 Audit, Risk, Value and Efficiency Committee confidential minutes of 30 November 2020

1. Exclusion of the public

MOVED Cr O’Brien.

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)(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 Jamieson.

CARRIED

2. Confidential recommendations

3. Period of confidentiality and delegations

MOVED Cr McMahon.

a. That the matter of Audit, Risk, Value and Efficiency Committee meeting confidential minutes of 30 November 2020 having been considered by the Council in confidence under sections 90(2) and 90(3)(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 Eaton.

CARRIED

Mayor Thompson reopened the meeting to the public at 11.35pm.

15. Closure

Mayor Thompson officially declared the meeting closed at 11.35pm.