
City of Onkaparinga
Minutes of the Council meeting
held on 24 May 2016

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

Meeting commenced: 7pm

Present: Mayor L F Rosenberg
Cr M Bray
Cr S Brown (7.39pm)
Cr D Chapman
Cr J Deakin
Cr H Greaves
Cr J Gunn
Cr G Hennessy
Cr R Holtham
Cr W Jamieson
Cr G Kilby (left 9.01pm)
Cr H Merritt
Cr B Nankivell
Cr L Nicholls
Cr G Olbrich (7.48pm)
Cr W Olsen (left 10.42pm)
Cr D Parslow
Cr P Schulze
Cr N Swann
Cr M Themeliotis
Cr H Wainwright

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 Rosenberg officially declared the meeting open at 7pm.

Cr Swann entered the meeting at 7pm.

2. Confirmation of minutes of the Council meeting held on 3 May 2016

Cr Kilby MOVED that the minutes of the proceedings of the Council meeting held on 3 May 2016 be received and confirmed as an accurate record of those proceedings.

Seconded by Cr Chapman.

CARRIED

3. Adjourned business

Nil.

4. Leave of absence

Nil.

5. Mayor's Communication

5.1 Mayor's Report 24 May 2016

Environment and Food Production Area

Parliament has endorsed the legislative establishment of the Environment and Food Production Areas (EFPAs). The Minister for Planning, Hon John Rau MP has sent correspondence confirming this and providing useful information relating to the purpose of the areas and the boundaries under the legislation, current planning rules prevail within the EFPAs boundary but additional allotments will not be approved for residential development. Interestingly this excludes hotels, motels – other temporary residential accommodation. Attachment 1 is the letter and boundary information.

Planning, Development and Infrastructure Act 2016

The *Planning, Development and Infrastructure Act 2016* passed Parliament on the 12 April 2016 and assented to on 21 April 2016.

The Minister for Planning, Hon John Rau MP has sent correspondence confirming the key factors covered by the Act. There is no indication of the time that will be needed to implement the changes other than the need for enabling legislation as a transitional phase. Attachment 2 is the letter with associated details.

World Heritage Bid

It is very pleasing to report that after many months of negotiation both Clare and Gilbert Valley and Light Regional Councils are now much closer to being members of our Bid. It was important to get this finalised so that the final boundaries for the bid can be determined. I recently wrote to the Minister for Planning, the Hon Jon Rau seeking support of the World Heritage Bid. Attachment 3 is the letter with associated details.

Local Government (Rate Increases) Amendment Bill 2016

Mr Steven Griffiths MP, Member for Goyder wrote advising of his introduction of a Private Member Bill to amend the *Local Government Act 1999* to implement a Rate Capping scheme in South Australia. Please refer to attachment 4 for my response.

Health Service levels

As a result of a resolution of Council I wrote to the Minister for Health, Hon Jack Snelling MP seeking assurance on behalf of the southern community with regard to service levels on transforming health will be honoured. Please refer to attachment 5 to view the letter.

Noarlunga TAFE

As requested at the 5 April 2016 council meeting, I wrote to the Minister for Higher Education and Skills, Hon Susan Close MP requesting information on the status of the future of the Noarlunga TAFE Campus. My letter is at attachment 6.

SAPOL Organisation Reform Program

The Commissioner of Police invites the City of Onkaparinga to provide a written submission on the Metropolitan Police Stations Review (attachment 7) by COB 27 May 2016. Further information can be found at <https://www.police.sa.gov.au/>

Member for Fisher, Nat Cook MP

I received correspondence from the Member for Fisher, Nat Cook MP requesting we give consideration to her correspondence whilst rate setting for the 2016-17 financial year. I have attached my response at attachment 8.

Federal Budget Overview 2016-2017

Please find below commentary and priorities in response to the budget from the following key organisations:

1. Australian Local Government Association
2. Local Government Association SA
3. SA Council of Social Service
4. Australian Council of Social Service
5. Urban Development Institute of Australia
6. The Property Council of Australia

Website links are also included below for press releases and other further detail.

- The Federal Budget targets a cash deficit of \$37.1 billion in 2016-17, a \$26.1 billion cash deficit in 2017-18 and no Budget surpluses in the forward estimates period.
- The Australian economy is expected to grow at an anticipated rate of 2.5 per cent in 2016-17 with a growth rate of 3.0 per cent projected for 2017-18.
- Despite recent volatility in the employment market, the Government is expecting unemployment to remain steady at 5.5 per cent over the next few years.

- The Government is forecasting an inflation rate of 2.0 per cent in 2016-17.

1. Australian Local Government Association (ALGA) - Commentary and priorities

- called for additional funding for the Roads to Recovery program and the extra funds indicated in the budget will be welcomed in helping to address the challenge of maintaining more than 640,000 km of local roads.
- more needs to be done to ensure the local road network has the capacity required to address access, productivity and road safety issues, especially in regional areas. Additional investment in local roads must be part of the solution to increasing transport productivity on the nation's transport network.
- The three-year pause on FAGs indexation implemented in the 2014-15 budget was unexpected and had a severe impact on the sector. We sought a specific commitment from the Government and the Opposition to restore indexation. The indication that indexation is expected to return in 2017-18 is welcome although it does not completely guarantee an end to the freeze, which will reduce ongoing funding for councils around Australia by more \$300 million per year.
- A commitment to infrastructure is essential and was one of the strong themes running through ALGA's [budget submission](#) and [2016 election plan](#), and from ALGAs' perspective the additional \$60 million in funding for the Bridges Renewal Program and Black Spot Programme will be very welcome.
- There is a need for continued investment in infrastructure at all levels of government and this should remain a priority for all parties in their upcoming election campaigns. ALGA has proposed some specific initiatives that directly address this issue in its election plan, [Local Government's Plan for an Innovative and Prosperous Australia](#), which outlines a broad range of initiatives expected to add a total of \$7.5 billion to GDP and create more than 19,000 jobs over three years and we're calling on all parties to consider these proposals in their election platforms."

Budget Points of Interest

- Increasing Roads to Recovery by \$50 million per year from 2019-20, making the annual payment \$400 million, signaling an intention to continue the program beyond the expiry of 2019.
- \$2 billion National Water Infrastructure Loan Facility to support major projects over the next 10 years.
- Re-allocation of \$101 million from the National Landcare Programme to support the Reef 2050 Plan.
- Additional \$20 million for the 20 Million Trees Programme.
- \$56.1 million funding towards marine biodiversity.
- \$2.1 billion deposit into a yet to established NDIS Savings Fund.
- An additional \$49.7 million for the ABC and SBS
- \$5 million in additional funding to support activities designed to combat violent extremism in communities.

Status of Financial Assistance Grants (FAGs)

- The 2016-17 Budget maintains the system of payments to support local government, through Financial Assistance Grants (FAGs).
- After strong advocacy to the Federal Government the Budget papers indicated that the freeze on indexation, that will cost councils \$925 million by the end of financial year 2017-18, is expected to end, with indexation to be restored in 2017-18.
- In the 2016-17 year, the Australian Government will allocate \$2.29 billion in FAGs for local government services to the community.
- FAGs continue to comprise two components: general purpose assistance grants; and untied local roads grants.

Table 1: Commonwealth funding for local government 2016-17 (\$m)	
General Purpose Assistance	1,585.3
Untied Local Road Funding	703.4
Total local government funding	2,288.7

Table 2 outlines total Financial Assistance Grants (FAGs) for the period 2015-16 to 2019-20.

Table 2: Total Financial Assistance Grants to local government 2015-16 to 2019-20 (\$m)					
	2015-16	2016-17	2017-18	2018-19	2019-20
General Purpose Assistance	792.5	1,585.3	1,649.5	1,714	1,783.9
Untied Local Road Funding	351.7	703.4	731.9	760.5	791.6
Total financial assistance	1,144.2	2,288.7	2,381.4	2,474.5	2,575.4

FAGs are increased annually, based on an escalation factor determined by the Treasurer with reference to population growth and the consumer price index. Budget Paper 3 indicates 2016-17 will be the final year that the indexation of Financial Assistance Grants will be frozen.

Table 3: Financial Assistance Grants to local government by jurisdiction 2016-17 (\$m)									
Financial assistance grants	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Total
General Purpose Assistance	508.1	396.8	318.3	172.7	112.8	34.3	26.1	16.2	1,585.3
Untied Local Road Funding	204.1	145.0	131.8	107.6	38.7	37.3	22.6	16.5	703.4
Total	712.2	541.8	450.1	280.2	151.5	71.6	48.6	32.7	2,288.7

Website links – fact sheets for ALGA’s analysis of the 2016-17 Federal Budget:

- [Key Points](#)

- [Financing local government](#)
- [Transport](#)
- [Media Release](#)

2. Local Government Association of SA - Commentary and priorities

The LGA's response Media Release can be found here: [LGA Media Release](#)

Budget effects on Local Government in South Australia

Commonwealth **Financial Assistance Grants** (FAGs) for South Australian councils are estimated at \$151.5 million in 2016-17. This compares with an allocation of \$152.0 million in 2015-16 (after adjusting for the early payment of grants in June 2015). The small decrease is attributable to a reduction in South Australia's population share relative to other jurisdictions. The three-year pause in indexation of FAGs remains in place. For 2016-17 and thereafter, the lost revenue for South Australian councils is approximately \$19 million. The pause was announced in the 2014-15 Federal Budget with effect until 30 June 2017. The Budget papers indicate that indexation of FAGs will resume in 2017-18.

The 'core' Commonwealth **'Roads to Recovery' Program** funding for South Australian councils in 2016-17 will be \$28.4 million. However, as advised in LGA Circular 29.7 on 15 July 2015 - see the following link: [Circular 29.7 of 2015](#) - very significant additional 'Roads to Recovery' funding is being made available for South Australian councils in 2015-16 and 2016-17 from the proceeds of indexation of Federal fuel excise income. The boost to Roads to Recovery funding from fuel excise indexation was an extra \$24.3 million in 2015-16 and is expected to be an extra \$65.4 million in 2016-17 (resulting in total Roads to Recovery funding for South Australian councils in 2016-17 of \$93.8 million). These figures exclude funding made available to South Australia for local roads outside council areas. Roads to Recovery funding may be used, at a council's discretion, on maintaining, renewing, replacing or upgrading existing roads or constructing new roads.

The Commonwealth's **'Supplementary Local Roads' Program for South Australia** has not been reinstated. The cessation of the Program had been announced in the 2014-15 Federal Budget with effect from 1 July 2014.

The Commonwealth's **'Bridges to Renewal' Program** involving payments direct to local government continues in 2016-17 at an increased funding level of \$80 million nation-wide. Outcomes for South Australian councils in 2016-17 are dependent upon a competitive application process.

The 'core' Commonwealth's **'Black Spot' Program** provides \$100 million of funding in 2016-17 (nation-wide). Payments are made to State and Territory Governments and the allocation to the South Australian Government is estimated at \$5.5 million in 2016-17. Outcomes for South Australian councils in 2016-17 are dependent on a competitive application process, although local government's share of the estimated \$5.5 million can be expected to be about \$1.8 million.

The Commonwealth's **'National Stronger Regions Fund'** Program commenced in 2015-16 and is providing \$1 billion (nation-wide) over five years to fund priority infrastructure in regional communities. Councils are eligible to apply for grant funding on a competitive basis.

The Commonwealth's **'Heavy Vehicle Safety and Productivity'** Program commenced in 2014-15 and is providing funding of \$200 million (nation-wide)

over five years. An amount of \$64.6 million has been allocated for 2016-17. The Program seeks to deliver improved safety and productivity for the heavy vehicle industry. Councils are eligible to apply for grant funding on a competitive basis.

The Commonwealth's '**Stronger Communities**' Program commenced in 2015-16 as is providing \$45 million over a two year period. The Program funds small capital projects put forward by community groups. The projects are required to deliver social benefits to local communities. Funding of up to \$150,000 per year over two years is being made available in each of Australia's Federal electorates.

As more detailed information becomes available, the LGA will analyse it and provide any corrections or clarification needed on any of the abovementioned programs, as well as advice on any material changes to a variety of other Commonwealth Programs which may have direct or indirect implications for South Australian councils.

The main Programs involved are:

- Safer Streets Program;
- Commonwealth Home Support Program;
- National Partnership Agreement on Preventative Health Program;
- Natural Disaster Funding;
- Community Development Grants Program;
- The Green Army Program;
- National Bushfire Mitigation Program;
- Direct Action Climate Change Measures;
- Regional Development Australia Communities;
- Regional Aviation Access Program; and
- Mobile Phone Black Spots Program.

3. South Australian Council of Social Service – Commentary and priorities

- Budget fails on Newstart, housing affordability and community services
- There were several welcome initiatives (eg addressing superannuation tax breaks for the rich, getting global companies to pay their fair share of tax and changing work for the dole).
- However there was no increase to basic income support payments like Newstart and Youth Allowance which are vital to helping people endure periods of extended unemployment and as a means to boost productivity. This budget again failed to deliver any meaningful increase to these allowances – in fact it reduces them by withdrawing carbon price compensation for future applicants.
- This is a particular concern to South Australians because we have an economy that is not growing, and regrettably we have the highest rate of unemployment in the nation.
- We should be doing everything we can to ensure people are well supported, get access to training opportunities and remain engaged so that when jobs do become available they will be ready to put their best foot forward.

- In this context we welcome overdue changes to the failing work for the dole arrangements. We remain hopeful that this reorientation will help young people prepare to work, but our remaining fear is that there won't necessarily be jobs for them to move into. We welcome the additional \$100 p/wk income support boost for young people undertaking any internship but note that for a 25hr week, their effective pay is just \$4 per hour.
- The budget contained no initiatives to address housing affordability nor any measures that secure funding support to services for the homelessness into the future. SA's social housing infrastructure has been shrinking and housing affordability is a major concern.
- Homelessness, like so many other areas of social service, will exist for a long time to come. SA urgently needs investments that create affordable housing infrastructure and federal-state funding arrangements that gives security to services that help people who become homeless when things go wrong in their lives.
- On top of the \$80 billion in cuts to health and education by Treasurer Hockey in 2014, this budget also effectively locks in \$13 billion in cuts to family payments, income support and paid parental leave as well as vital community services. These cuts are unreasonable and will have drastic consequences for some of the most disadvantaged South Australians.
- I commend the more detailed Budget Statement developed by ACOSS and now as we hurtle towards a federal election, I call on all our political parties to commit to concrete action to address the inadequacy of Newstart, issues of housing affordability and homelessness services, and cuts to vital community services – especially in a context of the very real challenges facing South Australia today.
- Press release - <https://www.sacoss.org.au/budget-fails-newstart-housing-affordability-and-community-services>

4. Australian Council of Social Service – Commentary and priorities

Welcome measures:

- Restrictions on retirement tax breaks for people with high incomes and wealth
- Lowering of the superannuation contributions cap and reintroduction of a scheme to prevent low income earners from being penalised when they contribute to their retirement
- Curbs on tax avoidance by multinational corporations
- Shift from the failed Work for the Dole scheme towards work experience in regular jobs for young people

Concerning measures:

- Harsh cuts from previous budgets carried over to the 2016-17 budget, including cuts to family payments for low income families, reductions in PBS concessions, higher age pension eligibility age, one month waiting period for young people to access income support and lower payments for many young unemployed people
- The vast majority of the cuts to state health and schools funding remain in place

- The risk of further harmful spending cuts due to the failure to fully fund personal and company tax cuts, especially over the next four years
- An effective cut to dental health programs
- Reassessment of 90,000 people currently receiving the Disability Support Pension, putting them at risk of a \$170 per week cut to payments
- Some increases in superannuation tax breaks for contributions for people on higher incomes who don't need them (the new tax deduction and carrying forward of the concessional cap)
- More reductions in Centrelink resources, when the system is already under strain

Missing in action:

- A long overdue increase to the unemployment payment
- Investment in affordable housing programs and supply, and certainty for homelessness services into the future
- Changes to the child care package to ensure vulnerable children have 2 days per week of quality education and care
- Additional funding for struggling community services, including Aboriginal and Torres Strait Islander and legal services.
- Press release - http://www.acoss.org.au/media-releases/?media_release=some-positive-directions-but-budget-locks-in-harsh-cuts-with-more-likely-to-come

5. Urban Development Institute of Australia – Commentary and priorities

UDIA is pleased to see that the budget features and confirms several positive and stimulatory outcomes for our industry, including a commitment to the current status of negative gearing and capital gains tax as well as key investments in infrastructure for our growing cities.

Our research and policy advocacy over the past six months via the Prime Minister, the Treasurer and the Cities Minister has focused heavily on gaining support for these two outcomes. It is pleasing to see the government support for these initiatives in this budget.

UDIA has prepared the following summary for members from the government's budget lockup.

Dwelling investment is expected to remain at high levels, although growth will slow to 2 per cent in 2016-17 and 1 per cent in 2017-18. This follows 7.9 per cent growth in 2014-15 – the largest growth in a decade – supported by low interest rates and an increase in the level of work under construction. The easing in growth is largely due to a record number of dwellings reaching completion.

Key Budget Measures There are several significant measures in this year's budget that will have a direct impact on the development industry.

In support of ongoing growth in housing supply, the government announced its commitment to leave the negative gearing and capital gains tax regimes unchanged. In addition, the government has confirmed that there will be no changes made to the GST base or rate.

- The government will provide \$4.6 million in 2016-17 to continue and expand the Cities Taskforce within the Department of the Prime Minister and Cabinet. This funding will drive implementation of the government's agenda for Australian cities. This builds on the initiatives announced in the Mid-Year Economic and Fiscal Outlook in 2015-16.
- The budget includes more than \$33 billion over the forward estimates in infrastructure funding to improve the economy's productive capacity. Infrastructure highlights include: \$496 million for the North-South Corridor – Darlington Interchange in Adelaide.

Additional measures that will support growth and confidence in our economy include:

- a modest tax cut for individuals earning more than \$80,000 to ensure average full time wage earners do not move into the second top tax bracket
- a ten year enterprise tax plan comprising of a tax cut for small businesses with a turnover of less than \$10 million from 28.5 per cent to 27.5 per cent. Each year the turnover threshold for access to the lower company tax rate of 27.5 per cent will continue to step up, from \$10 million to \$25 million in 2017-18, to \$50 million in 2018-19 and \$100 million in 2019-20.
- extending the lower tax rate of 27.5 per cent to all businesses, by continuing to step up the threshold each year until 2023-24
- reducing the 27.5 per cent rate for all businesses to 25 per cent at the end of ten years in 2026-27
- extending access to instant write off for equipment purchases of up to \$20,000 to businesses with a turnover of less than \$10 million. This measure will expire on 30 June 2017.

Supporting the South Australian economy, the government reaffirmed its \$89 billion commitment to build the next generation of Australian submarines in Adelaide.

6. The Property Council of Australia – Commentary and priorities

- Forecasts for growth and jobs depend on continued strong performance by the construction sector.
- There is good news in this Budget for the industry – record infrastructure investment continues, there is certainty over property taxation and business stimulus measures are provided.
- The current negative gearing and capital gains tax arrangements are vital if our industry is to continue to deliver strong growth.
- We are currently moving through the top of the construction cycle and the Budget forecasts this to continue for another two years, with economic growth also to lift to 3 per cent.
- To deliver this growth will require a concerted effort by all governments. It will rely on continued reform of state planning regimes, continued strong investment in infrastructure, steady consumer confidence, and certainty in taxation arrangements.
- There is a strong economic case for the Commonwealth to work with the States and Territories and deliver housing supply incentives. Last week, the Property

Council released a paper that detailed how these incentives could work. Our estimates are that they could deliver \$3 billion in economic uplift.

- It seems the Government has given up on state taxation reform. We know state tax reform is difficult, but it is essential if we are to boost growth over the long term.
- Whatever benefit Australians will get from cuts to company law and PAYE taxes over coming years is offset by the drag on our economy from inefficient state taxes.
- Stamp duty, in particular, is a drag on growth and jobs as well as a huge hit on homebuyers and investors. If we are to have meaningful tax reform, the States and Territories have to be part of it.

ANZAC Day Dawn Service

Please find at attachment 9 a thank you letter from the Returned and Services League, Morphett Vale and District Sub Branch Inc.

Elected member representation

Thank you to the following elected members who represented me during this period:

Cr Darryl Parslow, Southern United Netball ANZAC Remembrance Match, 4 May 2016

Cr Greg Olbrich, Ground Breaking Ceremony, Living Choice, 5 May 2016

Elected member sessions

10 May 2016, Representation Review, Noarlunga Regional Centre

Mayor's calendar

My activities from 26 April 2016 to 15 May 2016 are reflected in attachment 10.

Thank you



Lorraine Rosenberg

Mayor

MOVED Cr Greaves.

That Council note the 24 May 2016 Mayor's report.

Seconded by Cr Themeliotis.

CARRIED

6. Presentation

Nil.

7. Deputations

7.1 Licence fee - Aberfoyle and Districts Lions Club Book Shed Coromandel Valley – Reg Wymond

Reg Wymond gave a deputation and answered questions from elected members in relation to waiver of the licence fee for the site of the book shed on Main Road, Coromandel Valley.

Mayor Rosenberg brought forward item 12.2 Notice of Motion – Cr Themeliotis re Licence fee –Aberfoyle and Districts Lions Club at this point.

12.2 Notice of Motion - Cr Themeliotis re Licence fee - Aberfoyle and Districts Lions Club

Cr Nankivell declared an actual conflict of interest as Treasurer and member of the Aberfoyle and Districts Lions Club and left the meeting at 7.27pm.

MOVED Cr Themeliotis.

That when fees and charges are set for the 2016-17 budget that Council agree to a peppercorn fee of \$1.00 for Aberfoyle and Districts Lions Club in lieu of an annual licensing fee.

Seconded by Cr Greaves.

Cr Kilby MOVED that the MOTION be PUT.

Seconded by Cr Merritt.

CARRIED

The MOTION was PUT and CARRIED.

7.2 Sellicks Beach Motorcycle Classic Event – Michael Madeley and Brenton Matters, Motorcycling SA

Michael Madeley and Brenton Matters gave a deputation and answered questions from elected members in relation to the Sellicks Beach Motorcycle Classic Event.

Cr Nankivell resumed his seat in the Chamber at 7.37pm.

Cr Brown entered the meeting at 7.39pm.

Cr Olbrich entered the meeting at 7.48pm.

Cr Jamieson left his seat in the Chamber at 7.52pm.

Cr Jamieson resumed his seat in the Chamber at 7.59pm.

Cr Olsen left his seat in the Chamber at 8pm.

Cr Olsen resumed his seat in the Chamber at 8.01pm.

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

8.1 Audit, Risk, Value and Efficiency Committee meeting minutes

MOVED Cr Gunn.

That Council note the minutes of the Audit, Risk, Value and Efficiency Committee meeting held on 2 May 2016 as attached to the agenda report.

Seconded by Cr Wainwright.

CARRIED

8.2 Strategic Directions Committee minutes

MOVED Cr Parslow.

That Council note the minutes of the Strategic Directions Committee meeting held on 17 May 2016 as attached to the agenda report.

Seconded by Cr Themeliotis.

CARRIED

9. Reports of officers

9.1 Sellicks Beach Motorcycle Classic event permit

MOVED Cr Chapman.

That Council:

- 1. Notes that 10 submissions (9 objecting, 1 supporting) were received during the public consultation phase of the permit assessment process.*
- 2. Having considered the objections received, resolves to approve a permit application received from Motorcycling South Australia Inc. to host the proposed event titled Sellicks Beach Motorcycle Classic in 2017 on the basis that:*
 - a. Motorcycling South Australia Inc. move the event to an area of Sellicks Beach of low risk to all aspects of the Sellicks Beach environment*
 - b. Approval is granted subject to the submission by Motorcycling South Australia Inc. updating the Event's Risk Management Plan to Council officers and include a comprehensive risk action plan to protect the community and the environment.*

Seconded by Cr Holtham.

Cr Greaves MOVED an AMENDMENT.

That for the land described as portion of Crown Record Volume 5752 Folio 695 and including the adjoining Aldinga Beach coastal lands both of which are under Council's care and control, Council:

- 1. Notes that 10 submissions (9 objecting, 1 supporting) were received during the public consultation phase of the permit assessment process.*
- 2. Having considered the objections received, resolves to approve a permit application received from Motorcycling South Australia Inc. to host the proposed event titled Sellicks Beach Motorcycle Classic in 2017 on the basis that approval is granted subject to the submission by Motorcycling South Australia Inc. updating the Event's*

Risk Management Plan to address feedback from the state government agencies in attachment 4 to the agenda report and to include a risk action plan for each of the 12 'moderate' rated risks as measure to protect the community and the environment given the nature of these risks.

Seconded by Cr Olbrich.

Cr Wainwright declared a perceived conflict of interest as the Chair of Aldinga Bay Business and Tourism, who are mentioned in the Motorcycling South Australia report. Cr Wainwright stated that 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.

The AMENDMENT was PUT and CARRIED.

Cr Wainwright voted in the affirmative.
The majority of members entitled to vote at the meeting voted in the affirmative.

The MOTION, thus AMENDED, was PUT and CARRIED.

Cr Wainwright voted in the affirmative.
The majority of members entitled to vote at the meeting voted in the affirmative.

Cr Chapman called a Division and the decision was set aside.

For:

<i>Cr Swann</i>	<i>Cr Kilby</i>	<i>Cr Schulze</i>	<i>Cr Parslow</i>	<i>Cr Wainwright</i>
<i>Cr Bray</i>	<i>Cr Deakin</i>	<i>Cr Themeliotis</i>	<i>Cr Jamieson</i>	<i>Cr Greaves</i>
<i>Cr Nankivell</i>	<i>Cr Merritt</i>	<i>Cr Olbrich</i>	<i>Cr Brown</i>	<i>Cr Gunn</i>
<i>Cr Hennessy</i>	<i>Cr Nicholls</i>			

Against:

<i>Cr Holtham</i>	<i>Cr Olsen</i>	<i>Cr Chapman</i>		
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CARRIED

Cr Hennessy left his seat in the Chamber at 8.52pm.

Cr Nankivell left his seat in the Chamber at 8.52pm.

9.2 Mount Lofty Ranges Agricultural Landscape World Heritage Listing Bid update

MOVED Cr Greaves.

That Council:

- 1. Receives and notes the contents of the Annual Report 2015-16 for the Mount Lofty Ranges Agricultural Landscape World Heritage Listing bid project as found at attachment 1 to the agenda report.*
- 2. Authorises the Chief Executive Officer to sign an amended Memorandum of Understanding between the Adelaide Hills Council, the Alexandrina Council, The Barossa Council, District Council of Mount Barker and the City of Onkaparinga for the Mount Lofty Ranges Agricultural Landscape World Heritage Site Listing Project to include the Light Regional Council and Clare and Gilbert Valleys Council and (potentially) the District Council of Yankalilla (who will consider its position in the coming weeks).*

3. *Notes that progression of Stage 1 (National Heritage Listing bid) will require a \$15,000 contribution from Onkaparinga to align with the contributions from Adelaide Hills Council, Alexandrina Council, Barossa Council and Mount Barker District Council (noting a lesser financial commitment from Light Regional Council and Clare and Gilbert Valleys Council is expected).*
4. *Notes that a temporary reduction in the Strategic Planning PCW category quantum of \$15,000 for 2016-17 will be incorporated into budget balancing deliberations on 21 June 2016.*

Seconded by Cr Kilby.

Cr Nankivell resumed his seat in the Chamber at 8.54pm.

Cr Hennessy resumed his seat in the Chamber at 8.54pm.

CARRIED

9.3 Place Naming Applications - Anderson Avenue reserve, Port Noarlunga

MOVED Cr Swann.

That Council approve:

1. *Contacting Kurna Warra Pintyanthi (Kurna language group) to identify a traditional name suitable to the location of the reserve.*
2. *Undertaking community engagement on five public place names:*
 - a. *an Aboriginal name determined by Kurna Warra Pintyanthi (KWP)*
 - b. *three dual Aboriginal and European names referencing each of the three place name proposals (William Henry Trimmer, Ethel Wache and Ray and Edith Gilbert)*
 - c. *Anderson Avenue reserve (the common name for the reserve)*
for the open space in Port Noarlunga (bounded by Esplanade and Anderson Avenue)
in accordance with our Place Naming Policy.
3. *A report be presented to Council on the place naming community engagement outcomes for a Council decision.*

Seconded by Cr Jamieson.

CARRIED

9.4 City of Onkaparinga ATP Challenger 2016 evaluation report

MOVED Cr Parslow.

That Council notes the agenda report.

Seconded by Cr Merritt.

Cr Greaves left her seat in the Chamber at 8.58pm.

Cr Greaves resumed her seat in the Chamber at 9pm.

CARRIED

At 9.01pm the Mayor sought and was granted leave of the meeting for a 10 minute break.

Cr Kilby left the meeting at 9.01pm.

Mayor Rosenberg reconvened the meeting in the Chamber at 9.11pm with all members present that were present before the adjournment with the exception of Cr Olbrich and Cr Kilby.

9.5 Southern Region Waste Resource Authority membership

MOVED Cr Merritt.

That the Council appoint Mr Paul Harwood, Director Finance and Commercial to replace Mr Steve Mathewson as a City of Onkaparinga Board Member of the Southern Region Waste Resource Authority for the remainder of the current term which expires on 30 November 2018.

Seconded by Cr Deakin.

CARRIED

9.6 Quarterly financial update incorporating Budget Review 3

MOVED Cr Deakin.

- 1. That Council note the quarterly financial update provided in this report and presented as attachment 1 to the agenda report.*
- 2. That Council adopt the proposed 2015-16 Budget incorporating Budget Review 3 outcomes as discussed in the agenda report and presented at attachments 1 and 2 to the agenda report.*

Seconded by Cr Gunn.

CARRIED

9.7 Economic Development Reserve

Cr Olbrich resumed his seat in the Chamber at 9.21pm.

MOVED Cr Olbrich.

That Council:

- 1. Approve the proposed Administration Procedure, Reserves - Economic Development as presented at attachment 1 to the agenda report noting the requirement to establish an Economic Growth Working Group in order to approve utilisation of discretionary expense funding.*
- 2. Nominate the following four Elected Members to be part of an Economic Growth Working Group of Council for the period ended 30 June 2018:*
 - Cr Deakin*
 - Cr Greaves*
 - Cr Wainwright*
 - Cr Hennessy*

3. *Approve the transfer of \$400,000 from the Economic Development Reserve to cover operating expenses for the completion of phase one of the ON Business Partner Program.*

Seconded by Cr Greaves.

Cr Chapman MOVED an AMENDMENT.

That Council:

1. *Approve the proposed Administration Procedure, Reserves - Economic Development as presented at attachment 1 to the agenda report noting the requirement to establish an Economic Growth Working Group in order to approve utilisation of discretionary expense funding.*
2. *Nominate the following four Elected Members to be part of an Economic Growth Working Group of Council for the period ended 30 June 2018:*
 - *Cr Deakin*
 - *Cr Greaves*
 - *Cr Wainwright*
 - *Cr Hennessy*
 - *That Cr Themeliotis be a proxy to the working group.*
3. *Approve the transfer of \$400,000 from the Economic Development Reserve to cover operating expenses for the completion of phase one of the ON Business Partner Program.*

Seconded by Cr Jamieson.

The AMENDMENT was PUT and CARRIED. The MOTION, thus AMENDED, was PUT and CARRIED.

9.8 Code of Conduct for Council Members investigation report (GC2015-13)

Cr Jamieson declared a material conflict of interest as a person named in the investigation report and left the Chamber at 9.42pm.

MOVED Cr Themeliotis.

1. *That Council notes that as per the Code of Conduct for Council Members, Part 2.24, a breach of the Behavioural Code must be the subject of a report to a public meeting of the Council.*
2. *That Council resolves:*

To accept the investigator's findings, that as per the Code of Conduct for Council Members and Council's procedure for investigating complaints, the investigation found a breach of the following clauses of the Code of Conduct for Council Members, Part 2, Behavioural Code by Cr Jamieson:

 - *Clause 2.3 by not acting "in a reasonable, just, respectful way".*
 - *Clause 2.10 by acting to "bully or harass other Council members".*
 - *Clause 2.11 by acting to "bully or harass Council staff".*
3. *That Council request a public formal apology to Council from Cr Jamieson for his behaviour, for the breach of Code and for bringing Council into disrepute, at the first available opportunity.*

LAPSED for want of a seconder

MOVED Cr Chapman.

That Council resolves:

- a. Not to accept the investigator's findings and justifies not accepting the findings because the time delays in assessing the complaint, notifying the complainant and investigating the complaint were too far outside the boundaries of our Code of Conduct procedure to be fair to both Crs Kilby and Jamieson.*
- b. That the most appropriate course of action is for the Council to apologise to both Councillors for this unfortunate delay and for the stress and anxiety resulting from this delay.*
- c. That the Code of Conduct review report come to Council for consideration as a matter of urgency by the Council meeting in July 2016.*

Seconded by Cr Bray.

Cr Schulze declared a perceived conflict of interest as a person who provided a written submission in the investigation and was named within the report. Cr Schulze stated that he 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 Schulze MOVED an AMENDMENT.

That Council resolves:

- a. Not to accept the investigator's findings and justifies not accepting the findings because the time delays in assessing the complaint, notifying the complainant and investigating the complaint were too far outside the boundaries of our Code of Conduct procedure to be fair to both Crs Kilby and Jamieson.*
- b. That the most appropriate course of action is for the Council to acknowledge through this resolution the unfortunate delay and the stress and anxiety resulting from this delay, to both Councillors.*
- c. That the Code of Conduct review report come to Council for consideration as a matter of urgency by the Council meeting in July 2016.*

Seconded by Cr Holtham.

MOVED Cr Greaves.

That the meeting continue until the conclusion of business.

Seconded by Cr Olbrich.

CARRIED

Cr Greaves declared a perceived conflict of interest as a person named in the investigator's report. Cr Greaves stated that 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.

The AMENDMENT was PUT and LOST.

Cr Schulze voted in the affirmative.

Cr Greaves voted in the negative.

The majority of members entitled to vote at the meeting voted in the negative.

Cr Chapman declared a perceived conflict of interest as a person named in the investigator's report. Cr Chapman stated that he 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 Chapman voted in the negative.

Cr Holtham declared a perceived conflict of interest as a person named in the investigator's report. Cr Holtham stated that 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 Holtham voted in the affirmative.

The original MOTION was PUT and CARRIED.

Crs Schulze, Holtham and Chapman voted in the affirmative

Cr Greaves voted in the negative.

The majority of members entitled to vote at the meeting voted in the affirmative.

10. Nominations to external bodies

Nil.

11. Questions on notice

Nil.

12. Motions

12.1 Notice of Motion - Cr Nankivell re Draft Budget and Annual Business Plan Adjustment

MOVED Cr Nankivell.

That prior to Council's adoption of the Annual Business Plan and budget, the Noarlunga Regional Centre Revitalisation and Noarlunga Office Accommodation be removed from our long term financial modelling and the Annual Business Plan and budget updated accordingly.

Seconded by Cr Deakin.

Cr Hennessy left his seat in the Chamber at 10.19pm.

Cr Jamieson resumed his seat in the Chamber at 10.19pm.

Cr Chapman left the meeting at 10.20pm.

Cr Hennessy resumed his seat in the Chamber at 10.20pm.

LOST

Cr Jamieson called a Division and the decision was set aside.

For:

<i>Cr Holtham</i>	<i>Cr Bray</i>	<i>Cr Deakin</i>	<i>Cr Jamieson</i>	<i>Cr Nankivell</i>
<i>Cr Brown</i>	<i>Cr Gunn</i>			

Against:

<i>Cr Swann</i>	<i>Cr Schulze</i>	<i>Cr Parslow</i>	<i>Cr Wainwright</i>	<i>Cr Olsen</i>
<i>Cr Themeliotis</i>	<i>Cr Greaves</i>	<i>Cr Merritt</i>	<i>Cr Olbrich</i>	<i>Cr Hennessy</i>
<i>Cr Nicholls</i>				

LOST

13. Petitions

13.1 Petition - Ulmus Parvifolia (Chinese Elms)

MOVED Cr Gunn.

- 1. That the petition be received.*
- 2. That Council note issues associated with Ulmus Parvifolia (Chinese Elms) are currently being investigated with a further report being presented to Council by end of June 2016, as per Council meeting of 3 May 2016 resolution 13.2.2.*
- 3. That the head petitioner be notified of Council's decision.*

Seconded by Cr Themeliotis.

CARRIED

Cr Greaves left her seat in the Chamber at 10.35pm.

14. Urgent business

14.1 Urgent business – Cr Schulze re Metropolitan Police Station Review 2016

MOVED Cr Schulze.

That Council notes that the City of Onkaparinga has been invited by the Commissioner of Police to provide a written submission on the Metropolitan Police Station Review 2016 and requests the Mayor to respond by:

- a. Thanking the Commissioner of Police for the invitation to provide a submission.*
- b. Notes that the impact on local communities by the proposed changes to the SAPOL business will be minimal.*
- c. express an interest in participating in future engagements by SAPOL on any future organisational reviews that have the potential to impact on our communities.*

Seconded by Cr Swann.

Cr Greaves resumed her seat in the Chamber at 10.37pm.

Cr Nicholls left her seat in the Chamber at 10.40pm.

CARRIED

Cr Nicholls resumed her seat in the Chamber at 10.41pm.

Cr Olsen left the meeting at 10.42pm.

14.2 Urgent business – Cr Parslow re confidential documents

MOVED Cr Parslow.

That Council note that the documents provided to Elected Members from the Department of Aboriginal Affairs in the matter of 9.1 Sellicks Beach Motorcycle Classic event permit be kept confidential until further advice from the Department of Aboriginal Affairs.

Seconded by Cr Greaves.

CARRIED

14.3 Urgent business – Cr Nankivell re Leave of Absence Federal Election

MOVED Cr Nankivell.

That Council invites Cr Holtham to consider taking leave of absence until after the Federal Election.

Seconded by Cr Themeliotis.

Cr Holtham declared a material and actual conflict of interest as a candidate in the Federal Election with the potential loss of remuneration for Council obligations and left the meeting at 10.45pm.

LOST

Cr Deakin called a Division and the decision was set aside.

For:

<i>Cr Nankivell</i>	<i>Cr Themeliotis</i>			
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Against:

<i>Cr Swann</i>	<i>Cr Schulze</i>	<i>Cr Parslow</i>	<i>Cr Wainwright</i>	<i>Cr Bray</i>
<i>Cr Deakin</i>	<i>Cr Jamieson</i>	<i>Cr Greaves</i>	<i>Cr Merritt</i>	<i>Cr Olbrich</i>
<i>Cr Brown</i>	<i>Cr Gunn</i>	<i>Cr Hennessy</i>	<i>Cr Nicholls</i>	

LOST

Cr Holtham resumed her seat in the Chamber at 10.50pm.

15. Confidential items

15.1 Audit, Risk, Value and Efficiency Committee meeting confidential minutes

MOVED Cr Hennessy.

1. 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 and discuss 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 Olbrich.

CARRIED

MOVED Cr Jamieson.

2. *That Council note the following resolution of the Audit, Risk, Value and Efficiency Committee:*

Re 12.1 Service Review

2. *That the Audit, Risk, Value and Efficiency Committee note the recommendation of the Community Information Service Review report (attachment 1 to the agenda report) and discussion of the Committee regarding:*
 - *the use of the My Local Services App to include a link to sacommunity.org*
 - *identification of the gap and contributions from other service providers, including provision of referral services*
 - *monitoring of call centre calls to determine the effect of removing this service.*

Seconded by Cr Merritt.

CARRIED

MOVED Cr Greaves.

3. *That the matter of the Audit, Risk, Value and Efficiency Committee confidential minutes 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) of the Local Government Act 1999 that the Audit, Risk, Value and Efficiency Committee confidential minutes and discussion relating to the subject matter be kept confidential until Council's consideration of the recommendation of the review.*
4. *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.*
5. *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 Wainwright.

CARRIED

15.2 Service Review

MOVED Cr Nankivell.

1. *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 Hennessy.

CARRIED

MOVED Cr Greaves.

- 2. That Council approves the recommendations of the Community Information Service review as detailed in attachment 1 to the agenda report, as follows:*
- the removal of the Community Information service*
 - the development of an implementation and communication plan to manage the impacts to residents and local community based organisations*
 - that the community information needs of our communities are monitored for 12 months after removal of the service and any gaps in information needs are met using existing resources, where available.*

Seconded by Cr Wainwright.

CARRIED

MOVED Cr Bray.

- 3. That the matter of Service Review 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) of the Local Government Act 1999 that the Service Review and the minutes and the report of the Council relating to discussion of the subject matter be kept confidential until Council's consideration of the recommendation of the review.*
- 4. 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.*
- 5. 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 Nankivell.

CARRIED

Mayor Rosenberg reopened the meeting to the public at 10.55pm.

16. Closure

There being no further business Mayor Rosenberg officially declared the meeting closed at 10.55pm.

Certified CorrectChair

/ /2016