

MINUTES

Council Meeting 16 February 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 (6.35pm)
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 O'Brien read the pledge.

2. Confirmation of minutes

MOVED Cr Eaton.

That the minutes of the proceedings of the Council meeting held on 19 January 2021 be received and confirmed as an accurate record of those proceedings.

Seconded by Cr de Graaf.

CARRIED

3. Adjourned business

Nil.

4. Leave of absence

Nil.

5. Mayor's Communication

5.1 [Mayor's Report](#)

Cherry Gardens Bushfires

We are grateful to the SA Country Fire Service, and the volunteer firefighters and emergency service personnel who battled the fires at Cherry Gardens in January.

Once the fires were extinguished, our Council crews were on the ground clearing the roads of fallen trees and debris, as well as carrying out assessments to make further removals of trees posing a risk of causing further damage.

City of Onkaparinga partnered with the Local Government Association of South Australia and Red Cross to work to understand the full impact on the community, and ensure residents receive the support they need.

We will continue to reach out to affected residents and work to improve our responses in case of future bushfires.

Australia Day Awards 2021

The 2021 City of Onkaparinga Australia Day Awards were presented at the Hopgood Theatre.

Our 2021 Citizen of the Year was awarded to Paul Crate; Angus Miller was the recipient of the Young Citizen of the Year award and Jessica Jones Wildlife Event was awarded the Community Event of the Year.

These prestigious awards celebrate the outstanding contribution made by each recipient to their communities.

Thank you to the Australia Day Awards Committee for their time in reviewing the nominations for the Australia Day Awards. The Committee consisted of myself, Deputy Mayor McMahon, Cr Eaton with community representatives Helen Mikolaj and Joyal James.

Australia Day Citizenship Ceremony

Our Australia Day Citizenship ceremony was held after our Australia Day Awards presentation.

It was my honour to welcome 45 new citizens to our city from 18 different countries at the Hopgood Theatre with a performance from the Onkaparinga City Concert Band.

Australia Day Breakfasts

Four well-attended Australia Day breakfasts were held in our city.

I attended the Noarlunga breakfast coordinated by the Rotary Club of Morphett Vale.

Thank you to Deputy Mayor McMahon who attended the breakfast at Willunga, coordinated by the Rotary Club of McLaren Vale; Cr Peat who attended at Aldinga, coordinated by the Aldinga Community Centre, and Cr Eaton who attended at Happy Valley breakfast, coordinated by the Happy Valley Sports Park.

Santos Festival of Cycling

I was excited to welcome women riders, who for the first time participated in the Queen stage of Willunga Hill for the Santos Festival of Cycling.

The starting point for the race was the iconic d'Arenberg Cube in McLaren Vale. The inaugural Queen of the Mountain title was claimed by race favourite, Sarah Gigante.

The Mayor's Summer Reading Club

Local children accepted the challenge to pick up a book and read every day during the school holidays.

The Summer Reading Club finale was held at the Woodcroft Morphett Vale Neighbourhood Centre, and the challenge was supported by libraries across the city who provide fantastic services to our community.

Our Saviour Lutheran School

During my visit to Our Saviour Lutheran School, I spoke to a group of year 6s and 7s about the importance of leadership and how putting your hand up to lead can make a difference. The emerging school leaders asked some impressive and challenging questions, and clearly had a good understanding of local issues.

Go South Go Local Campaign

As part of the Go South Go Local campaign which encourages the community to support local businesses, four city waste trucks have been given a Go South Go Local makeover to help spread the word to the community how they can support local business and make a difference.

Elected Member Representation

Thank you to Cr Jamieson for representing me for Southern Montessori School's launch of their Reconciliation Action Plan. The launch included a smoking ceremony performed by Jack Buckskin and the unveiling of the school's new Welcome to Country plaque.

Thank you to Deputy Mayor McMahon for representing me at the Australian Asian Chamber of Commerce 2021 Cellar Door Fest and launch of their 'I love SA' campaign.

Correspondence

| | | |
|-------|---|---|
| Att 1 | Hon David Speirs MP, Minister for Environment and Water | Field River Valley Linear Park Project |
| Att 2 | Michael Lennon, Chair, State Planning Commission | South Australia’s new Planning and Design Code |
| Att 3 | Hon Michelle Lensink MLC, Minister for Human Services | Southern Domestic Violence Action Group (Southern DVAG) |

Mayor’s calendar

My activities between 15 January 2021 and 12 February are reflected in Attachment 4.

The Deputy Mayor’s activities are reflected in Attachment 5.

Thank you.



Erin Thompson

Mayor

MOVED Cr McMahon.

That Council note the 16 February 2021 Mayor’s report.

Seconded by Cr Jamieson.

CARRIED

Cr Greaves entered the meeting at 6.35pm.

6. Presentations

6.1 [Presentation of Jim Crawford Award for Innovation in Libraries for the Southern Deadly Yarns Project](#)

Philomena Taylor, Director Community Services, presented Mayor Thompson with the Jim Crawford Award for Innovation in Libraries won by City of Onkaparinga Libraries and Neporendi Aboriginal Forum for the Southern Deadly Yarns project

7. Deputations

7.1 [Willunga Basin Trail – Christopher Davies](#)

Christopher Davies gave a deputation and answered questions from elected members in relation to the Willunga Basin Trail.

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

8.1 Strategic Directions Committee meeting minutes of 2 February 2021

MOVED Cr Eaton.

That Council note the minutes of the Strategic Directions Committee meeting held on 2 February 2021 as attached to the agenda report.

Seconded by Cr O'Brien.

CARRIED

8.2 Chief Executive Officer Performance Management Committee meeting minutes of 4 February 2021

MOVED Cr Themeliotis.

That Council note the minutes of the Chief Executive Officer Performance Management Committee meeting held on 4 February 2021 as attached to the agenda report.

Seconded by Cr Eaton.

CARRIED

8.3 Audit, Risk, Value and Efficiency Committee meeting minutes of 8 February 2021

MOVED Cr Eaton.

1. *Re: Item 7.2 Art Collection Management*

That Council approve that external valuation of the Art Collection be undertaken to determine the financial value, ensuring appropriate insurance coverage for a cost of up to \$10,000.

2. *Re: Item 7.4 Corporate Division Risk Profile*

That Council approve:

- *That a working group be established to work on a draft Risk Appetite Statement.*
- *That the Risk Framework be updated to include a draft Risk Appetite Statement and presented to the May 2021 Audit, Risk, Value and Efficiency Committee meeting.*
- *That work on the Risk Appetite Statement be prioritised ahead of the review of Council's Risk Register.*

3. *That Council note the minutes of the Audit, Risk, Value and Efficiency Committee meeting held on 8 February 2021 as attached to the agenda report.*

Seconded by Cr Bray.

CARRIED

MOVED Cr Brown.

Re: Item 7.2 Art Collection Management

The following recommendation was a tied vote of the Committee and is now presented to Council for consideration:

That Council approve contracting the Auction House that sold a painting called Table Rock, Noarlunga by James Ashton in 2015, to find out if the painting sold was the painting recorded in our database, for a cost of up to \$1,500.

Seconded by Cr Eaton.

The MOTION was LOST on the Mayor’s casting vote.

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

For:

| | | | | |
|-----------------|----------------|--------------------|-----------------|-------------------|
| <i>Cr Peat</i> | <i>Cr Bray</i> | <i>Cr Jamieson</i> | <i>Cr Brown</i> | <i>Cr O’Brien</i> |
| <i>Cr Eaton</i> | | | | |

Against:

| | | | | |
|-----------------------|-----------------------|------------------|--------------------|-------------------|
| <i>Cr McMahon</i> | <i>Cr Olsen</i> | <i>Cr Tonkin</i> | <i>Cr de Graaf</i> | <i>Cr Greaves</i> |
| <i>Cr Themeliotis</i> | <i>Mayor Thompson</i> | | | |

The MOTION was LOST on the Mayor’s casting vote.

9. Reports of officers

9.1 Free Recreational Vehicle Dump Point Facility

MOVED Cr Olsen.

That Council approve:

- the McLaren Vale and Fleurieu Coast Visitor Centre as the location for council’s free Recreational Vehicle dump point facility*
- additional \$21,407 for installation costs to be funded through existing economic development budget identified savings.*

Seconded by Cr Bray.

CARRIED

9.2 Non confidential - Southern Region Waste Resource Authority – Constituent Council Information Report – Board Meeting 23 December 2020

MOVED Cr Jamieson.

That Council notes the Southern Region Waste Resource Authority Constituent Council Information Report – Public (attachment 1 to the agenda report).

Seconded by Cr Eaton.

CARRIED

9.3 Appointment of Independent Member to the Southern Region Waste Resource Authority Audit Committee

MOVED Cr Peat.

That Council appoint Ms Emma Hinchey as an independent member to the Southern Region Waste Resource Authority Audit Committee for a term of 12 months.

Seconded by Cr Eaton.

CARRIED

9.4 Strategic Asset Management Plan Final Draft for Endorsement

MOVED Cr Peat.

That Council:

- 1. Approve the revised Strategic Asset Management Plan (attachment 1 to the agenda report).*
- 2. Notes the service levels as attached to the report (attachment 2 to the agenda report).*

Seconded by Cr McMahon.

Cr Greaves left her seat in the Chamber at 7.37pm.

Cr Greaves resumed her seat in the Chamber at 7.39pm.

CARRIED

9.5 Council and Committee Reporting Schedule

MOVED Cr Eaton.

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

Seconded by Cr Themeliotis.

CARRIED

9.6 Long Term Financial Plan adoption

MOVED Cr Bray.

- 1. That Council adopt the Long Term Financial Plan, as per Attachment 1 to the agenda report.*
- 2. That net proceeds from asset sales that exceed requirements for budget balancing are to be used to reduce the debt ceiling.*

Seconded by Cr O'Brien.

Cr Olsen MOVED an AMENDMENT.

- 1. That Council adopt the Long Term Financial Plan, as per Attachment 1 to the agenda report.*

Seconded by Cr Greaves.

The AMENDMENT was PUT and CARRIED.

The MOTION, thus AMENDED, was PUT and CARRIED.

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

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

Cr Bray resumed his seat in the Chamber at 8.12pm.

Cr Themeliotis left her seat in the Chamber at 8.12pm.

9.7 Resource prioritisation documents 2021–22

MOVED Cr Jamieson.

That Council approve the draft Resource Prioritisation documents as summarised in attachment 1 to the agenda report.

Seconded by Cr Eaton.

Cr McMahon resumed his seat in the Chamber at 8.13pm.

Cr Themeliotis resumed her seat in the Chamber at 8.15pm.

CARRIED

9.8 Quarterly financial update incorporating Budget Review 1

MOVED Cr Bray.

- 1. That Council note the Quarterly Financial Update for the period 1 July 2020 – 31 October 2020 provided in this report and attachment 1 to the agenda report, specifically noting the impact of Budget Review 1 for 2020–21.*
- 2. That Council adopt the forecast 2020–21 position incorporating Budget Review 1 outcomes as discussed in the agenda report and presented at the Quarterly Financial Update for the period 1 July 2020 - 31 October 2020 (attachment 1 to the agenda report) and the Budgeted Financial Statements (attachment 2 to the agenda report).*

Seconded by Cr Eaton.

CARRIED

9.9 Final revocation report for land off Bayliss Road McLaren Vale to enable sale to the adjoining landowner

MOVED Cr Peat.

That for the council owned land described as Closed Road A in Road Plan 1550A comprised in Certificate of Title Volume 6227 Folio 846 and bordered in red on Attachment 1 to the agenda report, Council:

- 1. Receives the approval to revoke the subject land from its community land classification from the Minister for Planning and Local Government in letter dated 11 November 2020 as Attachment 2 to the agenda report.*
- 2. Resolves to formally approve the revocation of the subject land from its community land classification, as required pursuant to subsection 194(3)(b) of the Local Government Act 1999 to enable sale of the subject land to the adjoining landowner.*
- 3. Authorises the Chief Executive Officer to sign any documents required to finalise the revocation process and the direct disposal of the land to the adjoining landowner at no less than the market value.*
- 4. Approves the net proceeds from the sale of the subject land to be assigned to paying off Council debt.*

Seconded by Cr O'Brien.

Cr Olsen MOVED an AMENDMENT.

That for the council owned land described as Closed Road A in Road Plan 1550A comprised in Certificate of Title Volume 6227 Folio 846 and bordered in red on Attachment 1 to the agenda report, Council:

- 1. Receives the approval to revoke the subject land from its community land classification from the Minister for Planning and Local Government in letter dated 11 November 2020 as Attachment 2 to the agenda report.*
- 2. Resolves to formally approve the revocation of the subject land from its community land classification, as required pursuant to subsection 194(3)(b) of the Local Government Act 1999 to enable sale of the subject land to the adjoining landowner.*
- 3. Authorises the Chief Executive Officer to sign any documents required to finalise the revocation process and the direct disposal of the land to the adjoining landowner at no less than the market value.*
- 4. Approves the net proceeds from the sale of the subject land to be assigned to the Community Investment Fund (CIF) to be used in accord with Council's approved use of that Fund.*

Seconded by Cr de Graaf.

The AMENDMENT was PUT and CARRIED.

The MOTION, thus AMENDED, was PUT and CARRIED.

Cr Olsen left his seat in the Chamber at 8.30pm.

9.10 Final revocation report for a portion of council reserve land at 28 Helmsman Terrace Seaford to enable sale to the adjoining landowner

MOVED Cr Bray.

That for the council owned reserve land described as portion of Allotment 625 in Deposited Plan 7973 comprised in Certificate of Title Volume 6202 Folio 787 and bordered in red on Attachment 1 to the agenda report, Council:

- 1. Receives the approval to revoke the subject portion of the reserve land from its community land classification from the Minister for Planning and Local Government in letter dated 18 December 2020 as Attachment 2 to the agenda report.*
- 2. Resolves to formally approve the revocation of the subject portion of reserve land from its community land classification, as required pursuant to subsection 194(3)(b) of the Local Government Act 1999, to enable sale to the adjoining landowner.*
- 3. Authorises the Chief Executive Officer to sign any documents required to finalise the revocation process and the direct disposal of the subject portion of land to the adjoining landowner at no less than the market value, with all associated costs being met by the adjoining landowner.*
- 4. Approves the net proceeds from the sale of the subject portion of land to be assigned to the Community Investment Fund (CIF) to be used in accordance with Council's approved use of that Fund.*

Seconded by Cr Greaves.

Cr Brown left her seat in the Chamber at 8.30pm.

CARRIED

10. Questions on notice

Nil.

11. Motions on notice

Nil.

12. Petitions

Nil.

Cr Olsen resumed his seat in the Chamber at 8.31pm.

13. Urgent business

13.1 Urgent business – Meeting video records

MOVED Cr de Graaf.

1. *That a report be brought to council in April 2021 that considers options for maintaining council meeting video records.*
2. *That community feedback be considered in the report.*

Cr Brown resumed her seat in the Chamber at 8.33pm.

Seconded by Cr Tonkin.

LOST

13.2 Urgent business – Willunga Basin Trail

MOVED Cr Brown.

A report be brought to Council in April 2021 on the Willunga Basin Trail to update the Chamber on actions taken and to be taken to complete the trail.

Seconded by Cr de Graaf.

Cr Olsen MOVED an AMENDMENT.

That Council calls for a report in April 2021 that addresses:

- a. *That council staff prioritise finalising negotiations with both private and public landowners to achieve easements and approvals to facilitate the completion of the Willunga Basin Trail by 31 October 2021 as required by the Office of Recreation, Sport and Racing Funding Agreement.*
- b. *The funds required for the purchase of easements and associated survey costs be considered in the 2021-22 budget.*

Seconded by Cr Jamieson.

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

Cr O'Brien left his seat in the Chamber at 9.03pm.

Cr Greaves resumed her seat in the Chamber at 9.03pm.

Cr O'Brien resumed his seat in the Chamber at 9.05pm.

The AMENDMENT was PUT and CARRIED.

The MOTION, thus AMENDED, was PUT and CARRIED.

14. Confidential items

14.1 Confidential – Southern Region Waste Constituent Council Information Report – Board Meeting 23 December 2020

1. *Exclusion of the public*

MOVED Cr McMahon.

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)(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*

and

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

- (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and*
- (ii) would, on balance, be contrary to the public interest*

- c. *accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.*

Seconded by Cr Themeliotis.

CARRIED

2. *Confidential recommendations*

3. *Period of confidentiality and delegations*

MOVED Cr Greaves.

- a. *That the matter of Southern Region Waste Constituent Council Information Report – Board Meeting 23 December 2020 having been considered by the Council in confidence under sections 90(2) and 90(3)(b) and 90(3)(d) of the Local Government Act 1999 that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the agenda report, related attachments, discussion and minutes of the Council relating to the subject matter be remain confidential and not be available for public inspection until the SRWRA Board of Management resolves otherwise.*
- 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

14.2 ICT Reform Project Steering Committee independent member appointment

1. *Exclusion of the public*

MOVED Cr Tonkin.

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).

The disclosure of information concerning the preferred candidates should be kept confidential to ensure ongoing confidence of discretion for future candidates applying for positions on Council committees.

- 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 ICT Reform Project Steering Committee Independent Member Appointment 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 agenda report, discussion and minutes of the Council relating to the subject matter be kept confidential until all parties are notified of the outcome of Council's deliberations in respect to the appointment of the Independent Member, with the exception of Attachments 1, 2 and 3 to the agenda report, which are to be kept confidential until the relevant applicants have agreed to their release.*
- 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

14.3 CEO Performance Management Committee meeting confidential minutes of 4 February 2021

Cr Jamieson left the meeting at 9.09pm.

1. *Exclusion of the public*

MOVED Cr de Graaf.

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), in this instance being matters related to the terms and conditions of the employment contract for the Chief Executive Officer.

The Council is satisfied that it is reasonably foreseeable that the public disclosure or discussion of information concerning the contract of employment of a person at the meeting would be inconsistent with accepted principles of professional human resource management and that the commercial nature of the information that is presented in this report is not for broader public consumption.

- 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 Greaves.

CARRIED

2. *Confidential recommendations*

3. *Period of confidentiality and delegations*

MOVED Cr Eaton.

- a. *That the matter of CEO Performance Management Committee meeting confidential minutes of 4 February 2021 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 agenda report, discussion and minutes of the Council relating to the subject matter be kept confidential until 6 August 2032 (being seven years following the expiry of the CEO's contract in accordance with standard human resource record keeping practices), with the exception that this information may be released to the*

Chief Executive Officer, the Director Corporate, Manager Human Resources and the Independent Advisor.

- 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 Themeliotis.

CARRIED

Mayor Thompson reopened the meeting to the public at 9.09pm.

15. Closure

Mayor Thompson officially declared the meeting closed at 9.09pm.

Certified CorrectChair

/ /2021