

MINUTES

Council meeting of 20 July 2021

VENUE: Electronic meeting
Civic Centre, Ramsay Place, Noarlunga Centre

MEETING COMMENCED: 6.31pm

PRESENT: Mayor Thompson
Cr Bray
Cr Brown (arrived 6.47pm, left 10.30pm)
Cr de Graaf
Cr Eaton
Cr Greaves
Cr McMahon
Cr O'Brien
Cr Peat
Cr Themeliotis
Cr Tonkin

APOLOGIES: Cr Jamieson
Cr Olsen

LEAVE OF ABSENCE: Nil

ABSENT: Nil

Pledge

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

1. Opening of meeting

Mayor Thompson officially declared the meeting open at 6.30pm.

Cr McMahon read the pledge.

2. Confirmation of minutes

MOVED Cr Themeliotis.

That the minutes of the proceedings of the following meetings:

- *Council meeting held on 15 June 2021*
- *adjourned Council meeting of 15 June 2021 held on 29 June 2021*
- *Special Council meeting of 29 June 2021*

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

Australian of the Year Luncheon 2021

It was fantastic meeting Dr James Mueke who is the 2020 Australian of the Year for his work raising awareness of type 2 diabetes and its links to blindness. Dr Mueke gave a passionate speech at the Australian of the Year Luncheon at the Adelaide Convention Centre.

This was a timely event to attend as I commence my role as a volunteer board member with the Australia Day Council SA.

Aldinga Washpool

The state government will protect our unique Aldinga Washpool forever by proclaiming it as a conservation park.

This is a huge win for the Onkaparinga region and anyone who loves the Washpool area.

The City of Onkaparinga has been advocating strongly on behalf of the community for many years to secure the future of the Washpool and surrounding land.

Many thanks to the tireless efforts of local community and environment groups who've supported on this journey, providing their energy and support through advocacy and on-ground conservation activities.

Thanks to Minister David Speirs MP for this decision which represents a strong commitment to conservation, culture and the environment.

The Aldinga Washpool area can now continue providing environmental, cultural, social benefits for generations to come. However there are still areas of land adjacent the Washpool zone that are marked as “subject to further consideration for inclusion in the conservation park” on the state government’s proposed park map.

Both Council and our community agree that all land in the area should be included in the park, including these zones.

Given the cultural significance of the Washpool, the City of Onkaparinga also recognises the important opportunity the proclamation of the park presents for co-management with Kaurna representatives.

Through their community co-design process, we urge the state government to discuss the potential of involving Traditional Owners in the management of the park. We look forward to working alongside all stakeholders involved in the co-design process in shaping a management plan for the area.

16 new netball courts for the South

Earlier this year, Council received \$1.7M from stage 1 of the Federal Government’s Local Roads and Community Infrastructure stimulus program to enable the reconstruction of the existing 12 courts at Southern United Netball Association (SUNA) and installation of match standard lights.

Last month Council approved \$289,000 in additional funding along with SUNA’s \$300,000 contribution to enable construction of an additional six courts and associated match standard lighting.

This investment is timely given the significant growth in netball participation we are seeing across the City of Onkaparinga which is fantastic to support the health, wellbeing, confidence and community connections for netball players and their families.

Aldinga Suburban Neighbourhood Development Plan Amendment

On 18 June 2021, we received a letter dated 16 June 2021 from the Deputy Premier and Minister for Planning and Local Government, Vickie Chapman MP, advising that the Aldinga Suburban Neighbourhood Development Plan Amendment (DPA) has been approved.

We made a submission to the State Planning Commission (the Commission) on the DPA, as approved by Council’s Strategic Directions Committee at the 6 April 2021 [meeting](#). Refer to the meeting agenda and minutes for details.

We acknowledge the concerns raised by both the Friends of Willunga Basin and Friends of Port Willunga, that the consultation for this DPA under the old planning system (Development Act) and finalising it under the new planning system (PDI Act) was confusing. We also share their concerns regarding residential density and our submission raised concerns on lack of density control (and noting reference to medium and high density), buildings up to three levels or 12m and the allowable floor area for non-residential development.

When we presented to the Commission at the public meeting on 7 April 2021, we also raised two other key matters being our preference for the Master Planned Township Zone and the need for a Concept Plan to reflect the Aldinga Structure Plan. Our preference for the Master Planned Township Zone was due to its focus toward lower density residential development, rather than allowing for medium to high densities as envisaged under the Master Planned Neighbourhood Zone.

Although the Minister has now approved the DPA with the Master Planned Neighbourhood Zone, the Concept Plan has been included which we consider to be an important, partial win, to set the foundation for the development of the land. We continue to have concern with the

lack of clarity on density controls and what may be proposed in a future land division application.

We do, however, note that the [Housing Analysis Report](#) provided with the Aldinga Structure Plan indicates a preferred development scenario for '*residential allotments generally in the range of 300m² to 600m² but with an appetite for smaller detached dwelling product in selected locations where specific house and land design solutions are delivered to a market seeking greater affordability and an alternative lifestyle outcome*'. Based on the report commentary, it would seem that most future housing would be accommodated on allotments not dissimilar to existing houses throughout Aldinga Beach. With the small lot/medium density housing, the report indicates they would be located close to transport and services and directed for people seeking affordable housing, retirement living and lifestyle choice. A major consideration for such housing forms is they need to be well designed; an outcome council will continue push for.

Whilst density is important and it plays a role in setting the future character of an area, we are also mindful of the need for more sustainable development, regardless of density outcomes. One key element is allotment orientation supported by house orientation, design and material selections, and open spaces for trees (including street trees), and water harvesting and reuse. We understand the community have the same aspirations for the site.

Council staff have been advocating to Renewal SA, as the landowners, for sustainable development outcomes, and we will continue to when assessing any future land division and housing applications.

Disposal of sharps in public areas

Last month we received reports of syringes being found nearby playgrounds at Minkarra Park, Flagstaff Hill and Warsaw Reserve, Hackham West.

All data regarding the collection of inappropriately disposed of syringes from our parks and reserves, in addition to the data of syringes removed from our public toilet facilities, is collated and utilised to identify 'hot spot' or 'at risk locations' for discarded syringes. This data is collected as part of our programmed visits for parks, garden beds, playgrounds, public toilets and building maintenance services. Syringe disposal containers installed in public toilets are checked daily.

At locations where higher numbers of syringes are collected, this data is forwarded onto SAPol's District Policing Teams for their information and investigation. It is also passed onto maintenance staff to ensure they are extra vigilant in looking for discarded syringes in these locations when on site. Although the numbers found at Minkarra Park and Warsaw Reserve are very low, we have added these sites to our list of at-risk locations.

We also undertake Crime Prevention through Environmental Design audits to identify what physical changes or crime prevention initiatives can be undertaken to reduce the opportunity for crime.

Potential crime prevention initiatives include:

- The pruning and lifting of trees and shrubs to increase natural surveillance by reducing hiding places and creating clear site lines.
- Installing signage to assist users with reporting hazards and required maintenance and repairs.
- Installing or increasing lighting - in areas where it is viable and not deemed to increase anti-social behaviour.
- Installation of fixed or short term CCTV cameras can be installed in public places where recommended by Police - in areas where it is viable, and there is significant criminal activity occurring and risk to users.

- Police paying extra attention to areas when resources permit.

With regard to the at risk locations we have identified as a result of the syringe collection data we have collated, we will:

- Install signage where it does not already exist, informing users how to report any hazards
- Undertake additional, or new CPTED audits at sites where no recent audits have been undertaken to assist with determining whether any addition crime prevention initiatives could be undertaken
- Forward our updated at risk locations list to SAPol's District Policing Teams for their information and investigation and with the aim of working with them on potential prevention initiatives.
- Forward our updated at risk locations list to staff and ask that they are extra vigilant in these areas.

McLaren Vale Character Preservation District - community meeting

When the State Planning Commission reviewed the Act and Character Preservation District in 2018, we were pleased that they recommended retaining the legislation for the continued protection of the District. As we've heard, they also recommended to investigate the merits of eight requests for amendments to the Barossa and McLaren Vale District boundaries and the mechanism with which to do this.

The requested amendments for our area are the expansion of the township boundary at McLaren Vale and changing Yaroona from 'rural' to 'township' to reflect its longstanding Township Zoning. It's the requested amendments for McLaren Vale that raise particular concern for us.

At the very first meeting of this current Council on 11 December 2018, Council resolved that it does not support any changes to the Act, it does not support any changes to the urban boundary including any expansion of our townships, and we don't support any further reviews because we believe our residents and landholders deserve certainty.

In undertaking this Review, the Commission must, and is, having regard to Greater Adelaide's land supply and demand for housing growth for the next 15 years, and as we understand it, the Commission's position is that there is an adequate provision of land. Land supply and demand has been the 'first test' for the Commission and based on their testing, there should be no need to consider altering the CPD boundary for more housing in Onkaparinga. Through the Commission's 'testing' process, we believe the expansion of the McLaren Vale township boundary is not warranted. Council's Elected Members will be considering a report on this issue at its 20 July Council meeting, where I suspect our position will continue to be that we do not support any change to the boundary of the McLaren Vale township. The community should be fully informed in detail about what the governments intentions are.

I encourage everyone to provide their feedback to the State Planning Commission through the public consultation process, which closes at 5pm on the 30 July 2021.

NAIDOC Mayor's Reception

Wednesday 7 July was an amazing day as we recognised National Aborigines and Islanders Day Observance Committee through our Mayor's Reception at the Hopgood Theatre, with the theme 'Heal Country'.

The event was powerful as we heard from Senior Southern Traditional Owner Karl Winda Telfer and his nephew Karno Kari Martin, Nyun-ki-burka Me-cow-wee, the Senior Woman of Water and southern country, Aunty Georgina Williams, Susan Roberts-Williams, Doug Clinch Jr, Nellie Egan, and Eddie Peters as they discussed the meaning of NAIDOC and 'Heal Country'.

The responses and discussion were insightful and wise and helped us to reflect on the theme of 'Heal Country' and what that means for us. Susie Roberts-Williams and Jannaya Williams presented beautiful clay artwork that has toured schools and community from last year, Yellaka also performed an awe-inspiring storytelling dance, and Kahl Wallis finished the event performing several powerful songs.

Thank you to all involved in delivering such a wonderful event for our community.

Reception at Government House to honour the Birthday of Her Majesty The Queen

I was very grateful to have been offered the privilege to be hosted by our wonderful Governor His Excellency the Honourable Hieu Van Le AC and Mrs Lan Le at Government House to celebrate the birthday of Her Majesty the Queen. Deputy Mayor Simon McMahon attended with me and we were fortunate to network with many of our state leaders such as Premier Steven Marshall, Leader of the Opposition Peter Malinauskas, Commissioner of Police Grant Stevens and other notable dignitaries.

National General Assembly

Recently Councillors McMahon and Peat and I attended the National General Assembly in Canberra.

Convened annually by the Australian Local Government Association (ALGA), the National General Assembly (NGA) of Local Government is the peak annual event for Local Government, attracting in excess of 800 Mayors and Councillors each year.

This event provides a unique opportunity for Local Government to engage directly with the Federal Government, to develop national policy, and to influence the future direction of our councils and our communities.

It was a fantastic experience. We made some great new local government connections, promoted our city, advocated to federal politicians about various Onkaparinga matters and learnt a lot.

The Councillors and I were fortunate enough to tour Parliament House and sit in on Question Time. Thank you to Amanda Rishworth, Federal Member for Kingston for facilitating this opportunity for us. We caught up with her afterwards and she also introduced us to the Federal Shadow Minister for Local Government Jason Clare.

We were also privileged to be hosted by Senator Anne Ruston at Parliament House where we were able to meet with various members of parliament.

Below link will direct you to the various documents and outcomes from the NGA and a link to some of the presentations for those interested.

Most of the NGA agenda items this year were somewhat linked to COVID or resilience building and natural disasters such as bushfire.

All resolutions carried at the NGA will be published on the ALGA website once completed (from Thursday 22 July) Link alga.asn.au

New Australian citizens

On Monday 28 June, 81 residents from 23 countries took the pledge at a citizenship ceremony held at the Hopgood Theatre.

Senator Andrew McLachlan, Ms Amanda Rishworth MP, Federal Member for Kingston, Mr Chris Picton, Member for Karna welcomed our newest citizens.

Cr Michael O'Brien of the Pimpala Ward was also in attendance.

Special thanks to Karna Elder Georgina Williams for providing the Karna Welcome and to our performer David Hull.

The TS Noarlunga Cadets assisted me with presentations to our newest Australian Citizens and I thank them for their continued support.

On behalf of my fellow councillors, we extend a warm welcome to all of our newest Australian Citizens.

Elected Member Representation

Thank you to Deputy Mayor McMahon for representing me at:

- Southern District Cricket Club – Annual General Meeting

Thank you to Cr De Graaf for representing me at:

- Noarlunga United Soccer Club derby day
- Morphet Vale Rotary year and induction of President

Thank you to Cr Tonkin for representing me at:

- Noarlunga Uniting Church - induction of second minister

Thank you to Cr Eaton for representing me at:

- Radial Motion Official Launch

Correspondence

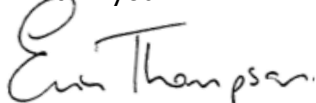
Att 1	Senator Richard Colbeck letter to Senator Andrew McLachlan	Funding for the rebuild of the top and bottom courts at Clarendon Netball Club (dated 15 June 2021)
Att 2	Hon Vickie Chapman MP	Local Government Review Bill 2020 (dated 17 June 2021)
Att 3	Hon Vickie Chapman MP	2021-22 Open Space Grant Program Opening (dated 17 June 2021)
Att 4	Hon David Speirs MP	Aldinga Washpool (dated 17 June 2021)
Att 5	Hickinbotham Group	Proposed suburb naming (dated 23 June 2021)
Att 6	Hon Vickie Chapman MP	Response to letter – First Nations People Advisory Group (dated 25 June 2021)
Att 7	Hon David Speirs MP	Waste management services (dated 25 June 2021)
Att 8	Hon David Speirs MP	Response to Washpool Conversation Park announcement (dated 25 June 2021)
Att 9	Local Government Association	Proposed Item of Business - 'Review of the 30-Year Plan for Greater Adelaide (dated 7 July)
Att 10	Letter to Department for Infrastructure and Transport	Main Road, Coromandel Valley – road safety (dated 8 July 2021)
Att 11	Letter to Department for Infrastructure and Transport	Happy Valley Drive and Chandlers Hill Road, Happy Valley – roundabout (dated 8 July 2021)
Att 12	Letter to Department for Infrastructure and Transport	Black Road, Flagstaff Road and Happy Valley Drive roundabout (dated 8 July 2021)
Att 13	Emily Bourke MLC	Local Government Bill 2020 (dated 9 July 2021)

Att 14	Hon David Speirs MP	Recycling Infrastructure Grants (dated 12 July 2021)
Att 15	Hon David Speirs MP	Greener Adelaide Grants Funding Boost (dated 13 July 2021)
Att 16	Hon David Speirs MP	Letter - Washpool Lagoon (dated 14 July 2021)

Mayor's calendar

- My activities between 11 June to 15 July 2021 are reflected in Attachment 17.
- The Deputy Mayor's activities are reflected in Attachment 18.

Thank you.



Erin Thompson
Mayor

Cr Themeliotis declared a perceived conflict of interest as one of the letters contained in the Mayor's Report is from her employer. Cr Themeliotis stated she would receive no benefit or detriment, direct or indirect, personal or pecuniary from considering and voting on the matter and chose to remain in the meeting.

MOVED Cr Themeliotis.

That Council note the 20 July 2021 Mayor's report.

Seconded by Cr Eaton.

CARRIED

Cr Themeliotis voted for the motion.

6. Presentations

Nil.

7. Deputations

7.1 Deputation - Keith Blyth, Onkaparinga Pipe Band

This deputation has been postponed to the August 2021 Council meeting at this stage.

7.2 Deputation – Windsong Court Morphett Vale traffic issues - Peter Andrew and Angela Branford

Angela Branford gave a deputation via electronic means and answered questions from elected members in relation to Windsong Court Morphett Vale traffic issues.

Cr Brown entered the meeting at 6.47pm.

Mayor Thompson brought forward item 11.4 at this point.

11.4 Notice of motion – Cr de Graaf – Windsong Court Morphett Vale Traffic Issues

MOVED Cr de Graaf.

That a review is undertaken as to what possible parking options, for general parking and kiss n drop zone or other suitable arrangement, by the possible extension of Windsong Court.

That school principal Angela Branford and Peter Andrew, chairperson at the Church, be consulted.

That the report come back to Council at the October meeting.

Seconded by Cr Themeliotis.

CARRIED

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

8.1 Non-confidential - Southern Region Waste Resource Authority – Constituent Council Information Report – Board Meeting 7 June 2021

MOVED Cr Bray.

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

Seconded by Cr Peat.

Cr Brown disconnected from the meeting 7.02pm.

CARRIED

8.2 Audit, Risk, Value and Efficiency Committee meeting minutes of 24 June 2021

MOVED Cr Eaton.

That Council note the minutes of the Audit, Risk, Value and Efficiency Committee meeting held on 24 June 2021 as attached to the agenda report.

Seconded by Cr Bray.

CARRIED

Cr Brown reconnected to the meeting at 7.05pm.

8.3 Special Audit, Risk, Value and Efficiency Committee meeting minutes of 28 June 2021

MOVED Cr Eaton.

That Council note the minutes of the Special Audit, Risk, Value and Efficiency Committee meeting held on 28 June 2021 as attached to the agenda report.

Seconded by Cr O'Brien.

CARRIED

Cr Brown disconnected from the meeting at 7.06pm.

8.4 Strategic Directions Committee meeting minutes of 6 July 2021

MOVED Cr Eaton.

That Council note the minutes of the Strategic Directions Committee meeting held on 6 July 2021 as attached to the agenda report.

Seconded by Cr Themeliotis.

CARRIED

Cr Brown reconnected to the meeting at 7.07pm.

8.5 ICT Reform Project Steering Committee meeting minutes of 12 July 2021

MOVED Cr Greaves.

1. Re Item 4.1 ICT Reform Program – Project 2 Update

That Council:

- a. *Endorse the revised Project Initiation Document (PID) for Project 2 (Attachment 1 to the ICT Reform Project Steering Committee meeting agenda report).*
- b. *Endorse the commencement of Tranche 2 (Execution) in accordance with the plan presented (Attachment 2 to the ICT Reform Project Steering Committee meeting agenda report).*

2. *That Council note the minutes of the ICT Reform Project Steering Committee meeting of 12 July 2021 as attached to the agenda report.*

Seconded by Cr Bray.

CARRIED

9. Reports of officers

9.1 Information and update report on the Lease over the Star of Greece Restaurant, Port Willunga

Cr Brown disconnected from the meeting at 7.08pm.

MOVED Cr Peat.

That, for the council owned land described as Allotment 11 in Deposited Plan 122861, comprised in Certificate of Title Volume 6238 Folio 138, known as the Star of Greece Restaurant, Port Willunga, Council:

1. *Notes the background to the council approved long term lease and the substantial satisfaction by the Lessee of the 11 September 2018 Council resolution (contained in Attachment 1 to the agenda report).*
2. *Resolves that the Lessee is granted an extension to complete the works (illustrated in Attachment 2 to the agenda report), from 30 June 2021 to 31 March 2022, noting that the proposed lease will also reflect that date (or such other date as the parties may agree in writing).*
3. *If the Lessee encounters unexpected delays and does not achieve practical completion of their works by 31 March 2022, then a report will come back to council.*

Cr Brown reconnected to the meeting at 7.09pm.

Seconded by Cr Bray.

CARRIED

9.2 Report and submission on the Environment and Food Production Areas Review 2021

MOVED Cr Bray.

1. *That Council supports the State Planning Commission's recommendation to amend the township of Yaroona from 'rural' to 'township', but does not support any expansion of the McLaren Vale township boundary, in reference to the McLaren Vale Character Preservation District.*
2. *That Council delegate to the Chief Executive Officer to write to the State Planning Commission advising of Council's position and any relevant information in relation to the proposal by 30 July 2021.*

Seconded by Cr Peat.

LOST

MOVED Cr Bray.

1. *That Council does not support the State Planning Commission's recommendation to amend the township of Yaroona from 'rural' to 'township', and does not support any expansion of the McLaren Vale township boundary, in reference to the McLaren Vale Character Preservation District.*
2. *That Council delegate to the Chief Executive Officer to write to the State Planning Commission advising of Council's position and any relevant information in relation to the proposal by 30 July 2021.*

Seconded by Cr Brown.

Cr de Graaf MOVED an AMENDMENT.

1. *That council requests the State Planning Commission to undertake direct consultation with land owners and residents of the Yaroona township regarding the proposal to amend from 'rural' to 'township' and does not support any expansion of the McLaren Vale township boundary, in reference to the McLaren Vale Character Preservation District.*
2. *That Council delegate to the Chief Executive Officer to write to the State Planning Commission advising of Council's position and any relevant information in relation to the proposal by 30 July 2021.*

Seconded by Cr Tonkin.

The AMENDMENT was PUT and CARRIED.

The MOTION, thus AMENDED, was PUT and CARRIED.

9.3 Thalassa Park & Gardens Trust

Mayor Thompson declared a perceived conflict of interest as, in her position of Mayor, she is automatically assigned to sit as a trustee on the Thalassa Park & Gardens Trust Board. This is not a discretionary position. Mayor Thompson stated she is not a beneficiary of the Trust and did not stand to personally gain or lose from the decision on the matter. Whilst she felt she could chair the item, she decided that should it require her deciding vote this could be negatively perceived and therefore felt it best to hand over to the Deputy Mayor and chose to leave the meeting at 7.48pm.

Deputy Mayor McMahon took the Chair.

MOVED Cr Eaton.

- 1. That Council endorses the Thalassa Park & Gardens Trust Guiding Principles document negotiated between Mayor Erin Thompson and Trustees, with staff support.*
- 2. That staff commence the development of a new Master Plan for Thalassa Park and follow required community consultation processes and present the final plan to Council.*

Seconded by Cr Themeliotis.

CARRIED

Mayor Thompson returned to the meeting as Chair at 7.55pm.

9.4 National Park City

MOVED Cr Brown.

That Council:

- 1. Provide public support for greater metropolitan Adelaide becoming a National Park City through the Mayor signing the Universal Charter at an event to be coordinated by the Green Adelaide Board (attachment 1 to the agenda report).*
- 2. Provide in-principle support for Green Adelaide to submit an application for Adelaide to become a National Park City, subject to:*
 - a. Funding and governance for the preparation and submission of the application being borne by the Green Adelaide Board*
 - b. City of Onkaparinga is consulted on the draft Adelaide National Park City Vision, Charter and Action Plan*
 - c. The Chief Executive Officer nominating a suitable staff member to participate in the development of the draft Adelaide National Park City Vision, Charter and Action Plan.*
- 3. Note that if the application for Adelaide to become a National Park City is successful, any potential City of Onkaparinga involvement in governance or funding will be presented to Council for consideration.*

Seconded by Cr Eaton.

Cr de Graaf left the meeting at 7.57pm.

Cr de Graaf returned to the meeting at 7.59pm.

Cr Tonkin left the meeting at 7.59pm.

CARRIED

Cr Tonkin returned to the meeting at 8.01pm.

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

For:

<i>Cr McMahon</i>	<i>Cr Bray</i>	<i>Cr Tonkin</i>	<i>Cr Brown</i>	<i>Cr O'Brien</i>
<i>Cr de Graaf</i>	<i>Cr Greaves</i>	<i>Cr Themeliotis</i>	<i>Cr Eaton</i>	

Against:

<i>Cr Peat</i>				
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CARRIED

9.5 LGA advocacy survey

MOVED Cr Brown.

That Council approves participation in the Local Government Association survey regarding election advocacy priorities, with the following issues selected as most important:

- 1. State road network funding*
- 2. Coastal management*
- 3. Solid Waste Levy*
- 4. Climate change – risk management and adaption*
- 5. Waste and recycling*

Seconded by Cr Eaton.

CARRIED

9.6 ON Business Grants – Round One 2021

MOVED Cr Bray.

That Council:

- 1. Approve the grant allocation totalling \$51,099 distributed across 11 businesses for the ON Business Partner Program's ON Business Grants – Round One 2021 as detailed and recommended in Attachment 1 to the agenda report.*
- 2. Note ON Business Grants will move to one grant round per financial year and a reduced grant pool of \$50,000 commencing July 2021 to increase efficiencies and align to council's grants programs.*
- 3. That ON Business Grants are reviewed during the 2021-22 financial year by Council through a report from staff in terms of the overall benefit of such grants to citywide economic inclusiveness.*

Seconded by Cr Eaton.

Cr Greaves MOVED an AMENDMENT.

- 1. Approve the grant allocation totalling \$51,099 distributed across 11 businesses for the ON Business Partner Program's ON Business Grants – Round One 2021 as detailed and recommended in Attachment 1 to the agenda report.*
- 2. Note ON Business Grants will move to one grant round per financial year and a reduced grant pool of \$50,000 commencing July 2021 to increase efficiencies and align to council's grants programs.*
- 3. That the ON Business Grants are reviewed during the 2021-22 financial year by Council through a report from staff.*

Seconded by Cr Themeliotis.

Cr Eaton sought and was granted leave of the meeting to make a personal explanation (refer attachment 1 to these minutes).

The AMENDMENT was PUT and CARRIED.

The MOTION, thus AMENDED, was PUT and CARRIED.

At 8.30pm Cr Peat MOVED that the meeting break for 10 minutes.

Seconded by Cr Themeliotis.

CARRIED

Mayor Thompson reconvened the meeting at 8.40pm with all members present that were present before the break with the exception of Cr Tonkin, Cr Brown and Cr de Graaf.

9.7 Application to reduce speed limit on section of Beach Road

MOVED Cr Peat.

That Council endorse an application to the Commissioner of Highways to reduce the speed limit on Beach Road from 50km/h to 40km/h between the Esplanade and Overland Terrace Christies Beach.

Cr Tonkin returned to the meeting at 8.41pm.

Seconded by Cr Eaton.

CARRIED

Cr Brown returned to the meeting at 8.43pm.

Cr de Graaf returned to the meeting at 8.43pm.

9.8 Updated Bushfire Management Plan 2021

MOVED Cr Eaton.

That Council receive and note the updated City of Onkaparinga Bushfire Management Plan as contained in Attachment 1 to the agenda report.

Seconded by Cr Brown.

CARRIED

9.9 Chief Executive Officer Code of Conduct Complaint Handling Administrative Procedure

The Chief Executive officer left the meeting for this item.

MOVED Cr de Graaf.

That Council:

- 1. Endorse and approve the new Chief Executive Officer Code of Conduct Complaint Handling Administrative Procedure (Attachment 1 to the agenda report).*
- 2. Approve that the CEO Performance Management Committee Terms of Reference be amended to remove any reference to complaints management involving the Chief Executive Officer, and instead, preserve this role for the full Council as anticipated by the attached procedure.*
- 3. That the same time constraints that control our code of conduct for elected members and code of conduct for staff is also applied for the CEO Complaint Handling Administrative Procedure.*

LAPSED for want of a seconder

MOVED Cr Greaves.

That Council:

- 1. Endorse and approve the new Chief Executive Officer Code of Conduct Complaint Handling Administrative Procedure (Attachment 1 to the agenda report).*
- 2. Approve that the CEO Performance Management Committee Terms of Reference be amended to remove any reference to complaints management involving the Chief Executive Officer, and instead, preserve this role for the full Council as anticipated by the attached procedure.*

Seconded by Cr Bray.

Cr de Graaf left the meeting at 8.58pm.

Cr Bray left the meeting at 8.59pm.

Cr de Graaf returned to the meeting at 9pm.

Cr Bray returned to the meeting at 9.01pm.

CARRIED

The Chief Executive Officer returned to the meeting at 9.02pm.

9.10 Confidential items

MOVED Cr Eaton.

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

Seconded by Cr Greaves.

Cr Bray left the meeting at 9.03pm.

Cr Bray returned to the meeting at 9.03pm.

CARRIED

9.11 Council and Committee Reporting Schedule

MOVED Cr Greaves.

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

Seconded by Cr Brown.

CARRIED

10. Questions on notice

10.1 Questions on notice – Cr Themeliotis – Flagstaff Community Centre

Could I please get a breakdown (dot points is fine) on the funding Council has put towards or agreed to put towards the redevelopment of flagstaff community centre?

- Cricket nets?

- Tennis Courts?

- Tennis court fencing?
- Public use toilets?
- Funding towards development?
- Any additional funds?

Response

Council has committed or contributed considerable funding toward development of new and renewal of existing infrastructure at the Flagstaff Community Centre (Sports Complex) in recent years. A summary of Council's investment in the site's buildings, sports and recreation facilities is outlined below.

ITEM	COST
<i>New Modular Unisex Changeroom</i>	
Contribution to new changeroom module including the following demolition and site preparation works; <ul style="list-style-type: none"> - Building services installation trenching - Site excavation - Site fencing - Demolition (cricket nets) - Site stormwater drainage - Service locations - Wastewater connection 	\$264,975
Finishing works around the changeroom and surrounds including fencing, paving, irrigation and landscaping	\$47,401
<i>Sport and recreation facility works</i>	
Tennis courts reconstruction including new fencing and existing fence repairs	\$310,343
Resurfacing of 2 tennis courts	\$18,084
Resurfacing of additional tennis courts (scheduled)	\$20,000
Replacement of the two existing playgrounds	\$92,069
Mobile cricket nets	\$11,200
<i>Professional consultancy Fees</i>	
Other professional services including design consultancy, legal advice, arborist	\$57,904
<i>Flagstaff Community Centre main building refurbishment</i>	\$306,981
Total	\$1,128,957
<i>In addition to direct funding Council has also been able to secure Local Roads and community Infrastructure Funding toward development of two new cricket practice nets and pitches</i>	<i>\$91,751</i>

Council's funding contribution complements funding from the State and Federal Government delivering a complete transformation of the Flagstaff Sports Ground and its facilities to meet the changing needs of the local community.

11. Motions on notice

11.1 Notice of Motion – Cr Themeliotis – Options to commemorate Paul Murray

MOVED Cr Themeliotis.

That a report be presented to Council to its 21 September 2021 meeting to provide information on options to commemorate the late Paul Murray.

The options should be consistent with the Plaques and Memorials Policy and the Place Naming Policy and include estimated costs.

Seconded by Cr Peat.

CARRIED

11.2 Notice of motion – Cr Peat – Australian National Security and Foreign Investment

MOVED Cr Peat.

That a report be prepared for the October Strategic Directions Committee meeting:

- 1. To further define the requirements of the Foreign Investment Review Board (FIRB) in reference to the future sales or divestment of Council assets.*
- 2. To seek legal advice to support the information provided in the report with legal cost to be captured as part of the overall advice and due diligence associated with the Water Asset Strategic Review.*
- 3. That the City of Onkaparinga comply with the Foreign Acquisitions and Takeovers Act 1975 (Cth) for all future sale or divestment of assets and that such requirements are incorporated into the City of Onkaparinga's policies and procedures.*
- 4. That amendments to the City of Onkaparinga's Policies and Procedures accompany the report as drafts for council's adoption.*

Seconded by Cr Eaton.

CARRIED

11.3 Notice of motion – Cr de Graaf – Deadlines for motions and questions on notice

MOVED Cr de Graaf.

That the City of Onkaparinga Code of Practice – proceedings of meetings deadline for Questions and Motions on Notice be changed from midday Monday the week before Council and Strategic Directions Committee meetings to fall in line with the Local Government Act and be changed to 5pm on the Wednesday before the Council and or SDC meeting.

Cr Peat disconnected from the meeting at 9.28pm.

Cr Peat reconnected to the meeting at 9.29pm.

Seconded by Cr Peat.

LOST

12. Petitions

Nil.

13. Urgent business

Nil.

14. Confidential items

14.1 Public lighting legal matter

1. Exclusion of the public

MOVED Cr Themeliotis.

That:

- a. under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.*
- b. the Council is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Council to consider the report at the meeting on the following grounds:*

Section 90(3)(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.

As it relates to a potential litigation matter it is recommended that the report be considered in confidence.

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

Seconded by Cr McMahon.

CARRIED

2. Confidential recommendations

3. Period of confidentiality and delegations

MOVED Cr O'Brien.

- a. That the matter of Public lighting legal 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) 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 has been resolved.*
- 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 Peat.

CARRIED

14.2 Flat to Vale Trail – Easement negotiation

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)(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.*

All easement negotiations for the Flat to Vale Trail have been in confidence between the Grantee (Council) and the individual Grantor (landowner). This report must also be in confidence as it discloses financial information agreed between the two parties.

- 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 Themeliotis.

- a. That the matter of Flat to Vale Trail – Easement Negotiation, having been considered by the Council in confidence under sections 90(2) and 90(3)(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 easements to cover the Flat to Vale Trail have been registered and landowner compensation paid.*
- 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

14.3 Potential purchase of property in Reynella East

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)(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.*

Information to be considered in this report includes specific financial information the disclosure of which may prejudice commercial outcomes.

- 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 Peat.

- a. That the matter of Potential purchase of property in Reynella East having been considered by the Council in confidence under sections 90(2) and 90(3)(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 commercial negotiations are complete.*
- b. That, pursuant to section 91(9)(a) of the Local Government Act 1999, Council delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub-delegate.*
- c. That, pursuant to section 91(9)(c) of the Local Government Act 1999, Council delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub-delegate.*

Seconded by Cr de Graaf.

CARRIED

At 10.37pm Cr Peat MOVED that the meeting continue to end of business.

Seconded by Cr Themeliotis.

CARRIED

14.4 Pepper Tree Café update report

1. Exclusion of the public

MOVED Cr Themeliotis.

That:

- a. under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.*
- b. the Council is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Council to consider the report at the meeting on the following grounds:*

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

- 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 Tonkin.

CARRIED

Cr Brown left the meeting at 10.39pm and did not return.

Cr Greaves left the meeting at 10.39pm.

2. Confidential recommendations

MOVED Cr Bray.

That Council note the Pepper Tree Café update report.

Seconded by Cr Peat.

Cr Greaves returned to the meeting at 10.45pm.

Cr O'Brien left the meeting at 10.48pm.

CARRIED

3. Period of confidentiality and delegations

MOVED Cr McMahon.

That the matter of Pepper Tree Café update report, having been considered by the Council in confidence under sections 90(2) and 90(3)(a) of the Local Government Act 1999 that the agenda report, related attachments, discussion and minutes of the Council relating to the subject matter be released upon consideration by Council.

Seconded by Cr de Graaf.

CARRIED

14.5 Legal Services Summary

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)(h) legal advice

and

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;

The information to be received, discussed or considered in relation to this agenda report is information relating to:

- *actual litigation involving the Council concerning appeals, enforcement actions or negotiations before various Courts, and*
- *development proposals*

where the legal advice concerning these matters will be discussed.

- 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 McMahon.

- a. *That the matter of Legal Services Summary having been considered by the Council in confidence under sections 90(2) and 90(3)(h) and (i) 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 the matters referred to in the agenda report are finalised.*
- b. *That the personal details contained within the agenda report be kept confidential on the grounds it would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
- c. *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.*
- d. *That, pursuant to section 91(9)(c) of the Local Government Act 1999, Council delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub-delegate.*

Seconded by Cr de Graaf.

CARRIED

14.6 Audit, Risk, Value and Efficiency Committee meeting confidential minutes of 24 June 2021 re Organisational Effectiveness Report

1. Exclusion of the public

MOVED Cr Eaton.

That:

- a. under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.*
- b. the Council is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Council to consider the report at the meeting on the following grounds:*

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

Section 90(3)(e) matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person.

It is proposed that this item be dealt with in confidence as the details of the report have the potential to impact on the current organisational structure, and therefore impact on the priorities and expectations of staff employed by the City of Onkaparinga.

- 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 Greaves.

- a. That the matter of Audit, Risk, Value and Efficiency Committee meeting confidential minutes of 24 June 2021 re Organisational Effectiveness Report having been considered by the Council in confidence under sections 90(2) and 90(3)(a) and (e) of the Local Government Act 1999 that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the agenda report, discussion and minutes of the Council relating to the subject matter be kept confidential until a decision has been made by Council in favour of approving the recommendations in the Organisational Effectiveness Report and until staff potentially impacted by the recommendations have been consulted.*
- 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

14.7 Audit, Risk, Value and Efficiency Committee meeting confidential minutes of 24 June 2021 re Appointment of Internal Auditor

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)(k) tenders for the supply of goods, the provision of services or the carrying out of works.*
- 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 Audit, Risk, Value and Efficiency Committee meeting confidential minutes of 24 June 2021 re Appointment of Internal Auditor having been considered by the Council in confidence under sections 90(2) and 90(3)(k) 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 the contracts have been executed.*
- 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

14.8 Southern Region Waste Constituent Council Information Confidential Report – Board Meeting 7 June 2021

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)(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 de Graaf.

- a. That the matter of Southern Region Waste Constituent Council Information Report – Board Meeting 7 June 2021 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 McMahon.

CARRIED

Mayor Thompson reopened the meeting to the public at 11.06pm.

15. Closure

Mayor Thompson officially declared the meeting closed at 11.06pm.

*Certified Correct**Chair*

/ /2021

Personal explanation by Cr Eaton – Council meeting 20 July 2021

Cr de Graaf made a comment in respect to me both sitting on the Audit Committee and the ON Business Grant Committees. I'd like Cr de Graaf to understand that I actually ran the Fraud area of the South Australia Police for some eight years and made significant changes in respect to the way that investigations were done, and as a member of the Audit Committee I could also run my eye across some of these applications, so it gives another bit of rigour, so I'm actually sitting there not only as a member of that Grants Committee but I'm also looking at it from the perspective of the Audit Committee as well.

Also, it would be nice if a few other councillors decided to put their hands up to actually sit on some of these committees. I've sat on the ON Business Grant Committee meetings for the last two years. I've also made a point of getting along to the Economic Development Forum meetings which not many others do get along to. Thank you.