City of Onkaparinga

Minutes of the Council meeting

held on 11 March 2014

Venue:	Council Chamber, Civic Centre Ramsay Place, Noarlunga Centre
Meeting commenced:	7pm
Present:	Mayor L F Rosenberg Cr M Bray Cr R A Brown (left 8.52pm) Cr S Brown (left 8.52pm) Cr D Chapman (left 9.23pm) Cr R de Jonge Cr J Gunn Cr W Jamieson Cr G Kilby Cr H Merritt Cr W Olsen Cr D Parslow Cr K Richardson (7.02pm) (left 8.52pm) Cr P Schulze Cr P Sutherland Cr N Swann (7.02pm) Cr S Webster Cr Y Wenham (left 9.27pm)
Apologies:	Cr H Greaves Cr S Nash
Leave of absence:	
Absent:	Cr C Knight

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.

2. Confirmation of minutes of the Council meeting held on Tuesday 18 February 2014

Cr Gunn *MOVED that the Minutes of the proceedings of the Council meeting held on 18 February 2014 be received and confirmed as an accurate record of those proceedings.*

Seconded by ***Cr Kilby***.

CARRIED

3. Adjourned business

Nil.

4. Leave of absence

Nil.

5. Mayor's Communication

5.1 Mayor's Report – 11 March 2014

Jim Aldridge

Members will recall I reported that the ex Mayor of Willunga District Council had requested his ashes be distributed on Port Willunga Beach following his recent funeral. I had suggested to his family who agreed that a plaque be established at Port Willunga to note this site. I am pleased to say this has been completed and will hopefully be in place around 14 March 2014. In conjunction with Jim's family, the lookout area on the Esplanade has been chosen as the site for the plaque.

World Heritage Bid

Council will recall that we are part of a collaboration of councils with the aim of exploring World Heritage status for the rural area of council. The other councils are Barossa, Mount Barker, Adelaide Hills, Alexandrina and the City of Onkaparinga. We have allocated a small sum of money to continue the research for a successful bid subject to a financial contribution from the State Government.

Attachment 1 is Minister for Agriculture, The Hon Gail Gago's letter indicating that no support from the State Government is forthcoming. Attachment 2 is the response letter from the Chair of the Mount Lofty Ranges World Heritage Bid - Project Steering Group, Mayor Bill Spragg.

This appears to be a very poor response to a great cross council boundary collaboration. The response also misses the point of the research, which is designed to answer the questions raised in the Minister's letter.

Grants

Council recently received Local Government Stimulus grant funding of $75,000 for Gemmel Tassie Reserve and three Planning and Development fund approvals consisting of:

$675,000 Foreshore Access Plan – Snapper Point project

$190,000 Aldinga District Centre Town Square project

$50,000 towards the Foreshore Access Plan – Estuary project

I have written a thank you letter to the Hon John Rau MP, Minister for Planning on Council's behalf.

State Election

There have been a few commitment announcements to Local Government during this State election period. I encourage everyone to follow both the City of Onkaparinga and the Local Government Association's websites:

http://www.onkaparingacity.com/onka/council/policies_strategies/strategies_plans/state_election_2014.jsp

Local Government Association Acting President

This has been a great experience and I recently travelled to both Port Pirie and Naracoorte council's for regional announcements and meetings. We have also held two election forums on regional development and planning. During this period I have signed a Memorandum of Understanding with the development sector and Volunteering SA. I also attended the Australia Local Government Association in Canberra.

Mayor Felicity-ann Lewis

I had the privilege of attending a celebration by the City of Marion and the Local Government Association for Mayor Lewis to recognise her achievement of South Australia of the Year. This acknowledgement was one for her personally, but also for Local Government generally. We really appreciate her work and this recognition is richly deserved.

Country Arts SA

The good news that is gradually filtering down is the contract for Country Arts SA to continue managing Hopgood Theatre. The bad news; the music school will move out north for TAFE SA. This will be a blow for our students.

Canberra delegation

On 3-4 March 2014 the Local Government Association will host a return Canberra delegation to consolidate our relations with the new Federal Government and opposition. There is a full minutes for the two days and I hope to be able to report good progress on my return.

Elected Member representation, 22 January 2014 – 28 February 2014

I thank the following Elected Members who have represented me over this period:

Deputy Mayor Gail Kilby

- Willunga 175 launch – 26 January 2014
- 1 Billion rising event – 14 February 2014
- OPAL event – 20 February 2014
- OPAL Mayor's Club – 26 February 2014

EM Briefings/Workshops from 22 January 2014 – 28 February 2014

30 January 2014 - Briefing - Budget Process
4 February 2014 - Briefing - Budget Process
25 February 2014 - Briefing - Budget Process

Mayor's calendar

My activities from 22 January 2014 – 28 February 2014 are reflected in Attachment 3.

Thank you



Lorraine Rosenberg

Mayor

Cr Chapman *MOVED that the Mayor's Report is noted by Council.*

Seconded by ***Cr Webster***.

CARRIED

6. Presentation

Nil.

7. Deputation

7.1 Bus shelter at Stop 44W Panalatinga Road (Robyn Rushton)

Cr Swann entered the meeting at 7.02pm.

Cr Richardson entered the meeting at 7.02pm.

Robyn Rushton gave a deputation and answered questions from Elected Members in relation to bus shelter at Stop 44W Panalatinga Road.

7.2 Proposed cliff fence at Esplanade, Sellicks Beach (Haydon Manning)

Haydon Manning gave a deputation and answered questions from Elected Members in relation to the proposed cliff fence at Sellicks Beach.

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

8.1 Arts Culture Community Capacity Events and Heritage Committee minutes

7.2 Grant application for works at 70 Strout Road, McLaren Vale

*MOVED **Cr Merritt**.*

That Council approve the funding application for $6,047.50 under Council's Local Heritage Incentive Scheme for works to a Local Heritage Place at 70 Strout Road, McLaren Vale (Local Heritage item ID No. 364).

That the funding be contingent on the approval of the development application for this project.

*Seconded by **Cr Chapman**.*

CARRIED

7.3 Review and outcome of trial of increased funding of Local Heritage Incentive Scheme

*MOVED **Cr Chapman**.*

1. *Following the trial of revised eligibility criteria and grant funding thresholds and levels through the Local Heritage Incentive Scheme between July 2013 and February 2014 the following recommendations be implemented:*
    a. *Continuation of the following grant funding allocation thresholds for the heritage grants:*
        - *funding subsidy of 30% of the cost of works with a maximum subsidy of $5,000 for the cost of works between $1,000 and $20,000*
        - *funding subsidy of 25% of the cost of works with a maximum subsidy of $7,500 for the cost of works above $20,000.*
    b. *That no increase to the existing rolling funding level of $34,000 (indexed to CPI) occur at this time to allow ongoing monitoring of demand for the service against the scheme objectives.*
    c. *That the staff Heritage Panel continue to assess the applications seeking funding up to $5,000 in accordance with the eligibility criteria and providing a recommendation to the Director Finance and Commercial. These applications will be determined under delegation by the Director Finance and Commercial upon recommendation of the Heritage Panel. A report on expenditure of the fund determined by the Panel would be presented to the Committee biennially.*
2. *Council include in-kind contributions as part of the heritage grant applications and amend the guidelines accordingly.*

*Seconded by **Cr Merritt**.*

CARRIED

7.4 History and Heritage Awards 2014

*MOVED **Cr Chapman**.*

1. *That Council endorse the categories and process for the 2014 biennial History and Heritage awards contained within this report and also summarised as:*

- *That monetary prizes of $2000, $1500 and $1500 be associated with the 'Heritage Places/Items', 'Friends of History and Heritage' and 'Heritage Stories' categories respectively.*
- *The judging panel comprise council's Heritage Adviser, Andrew Stevens, a recognised history expert and two members of the Arts, Culture, Community Capacity, Events and Heritage Committee.*
- *Endorsement of the judging panel's recommendations for awardees be through the Arts, Culture, Community Capacity, Events and Heritage Committee.*
- *Announcement of the awardees be via media release, website, the Onkaparinga News section of the Southern Times and the Hills and Valley newspapers and by direct contact with nominees.*
- *A presentation event to occur on 25 May 2014 as part of History Month.*

2. *That the following Arts, Culture, Community Capacity, Events and Heritage Committee members be appointed to the judging panel for the 2014 built heritage conservation awards:*

   A. Cr Nash

   B. Cr Chapman (subject to Cr Chapman's agreement).

3. *That $6,750 from the 2013–14 Local Heritage Incentive Scheme be allocated to support the 2014 Built Heritage Conservation Awards.*

Seconded by ***Cr Jamieson***.

CARRIED

Cr Chapman *MOVED that the remaining business of the meeting is noted by Council.*

Seconded by ***Cr Olsen***.

CARRIED

8.2 Audit, Risk, Value and Efficiency Committee minutes

Cr Schulze *MOVED that the minutes of the Audit, Risk, Value and Efficiency Committee meeting held on 24 February 2014 are noted by Council.*

Seconded by ***Cr Gunn***.

CARRIED

8.3 Chief Executive Officer Performance Management Committee minutes

Cr Parslow *MOVED that the public minutes of the Chief Executive Officer Performance Management Committee meeting held on 25 February 2014 are noted by Council.*

Seconded by ***Cr Kilby***.

CARRIED

9. Reports of officers

9.1 Petition - Bus Shelter - stop 44(w) Panalatinga Road, Old Reynella

*MOVED **Cr Merritt**.*

1. *That Council note the contents of this report.*
2. *That Council endorse the reallocation of funding for the installation of a bus shelter from Stop 70(W) Panalatinga Road, Old Reynella, approved as part of the 2013–14 Project and Capital Works plan budget allocation process, to Stop 43(W) Sir James Hardy Way, Woodcroft, subject to Department of Planning, Transport, and Infrastructure approving a revised funding application.*
3. *That the head petitioner be advised of Council's decision.*
4. *That a shelter for Stop 44(W) Panalatinga Road be considered as part of the 2014-15 budget.*

*Seconded by **Cr Schulze**.*

Cr Chapman left his seat in the Chamber at 7.58pm.

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

CARRIED

Cr De Jonge called a Division.

For:

Cr Olsen	*Cr Kilby*	*Cr Schulze*	*Cr Chapman*	*Cr Bray*
Cr Merritt	*Cr Gunn*	*Cr Jamieson*	*Cr Webster*	*Cr Parslow*
Cr Richardson				

Against:

Cr de Jonge	*Cr S Brown*	*Cr Sutherland*	*Cr Swann*	*Cr R Brown*
Cr Wenham				

CARRIED

Mayor Rosenberg brought forward item 12.1 Notice of Motion (Cr Kilby) at this point.

12.1 Notice of Motion (Cr Kilby)

Background

Following a notification letter sent to Sellicks residents from Council to inform them of the impending Sellicks "Fencing" project. Sellicks residents called a very well attended public meeting with Councillors to express their concerns regarding the project and the lack of community engagement. This group is very happy to work with the Council in a collaborative and constructive manner to ensure satisfactory outcomes are achieved for both the Community and the Council.

*MOVED **Cr Kilby**.*

1. *That the Sellicks Fencing project be put on hold until the following options have been addressed.*
2. *That the Council work with a reference group consisting of Sellicks residents, and other stakeholders, including Mutual Liability Scheme, as required to*

develop options for the management of the Sellicks esplanade coastline project.

3. *That these options address issues of:*
   a. *Risk and environmental management*
   b. *Improvement of the amenities and safety for local community, visitors and tourists*
   c. *Development of a tourist walk along the esplanade.*
4. *That a report with all the feasible options be brought back to Council for decision by July 2014.*

Seconded by ***Cr Merritt***.

Cr Chapman *MOVED an AMENDMENT.*

1. *That the Sellicks fencing project be put on hold.*
2. *That a report with all the feasible options be brought back to Council for decision by July 2014.*

Seconded by ***Cr Wenham***.

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

Cr Kilby called a Division.

For:

Cr Olsen	*Cr Schulze*	*Cr de Jonge*	*Cr Chapman*	*Cr Sutherland*
Cr Merritt	*Cr Gunn*	*Cr Swann*	*Cr Jamieson*	*Cr R Brown*
Cr S Brown	*Cr Webster*	*Cr Wenham*	*Cr Parslow*	*Cr Richardson*

Against:

Cr Kilby	*Cr Bray*			

CARRIED

At 8.52pm ***Cr Wenham*** *MOVED that the meeting adjourn for a ten minute break.*

Seconded by ***Cr Kilby***.

CARRIED

Cr Richardson, Cr R Brown and Cr S Brown left the meeting at 8.52pm.

Mayor Rosenberg reconvened the meeting in the Chamber at 9.01pm with all Members present that were present before the adjournment with the exception of those Members who left the meeting and Cr Kilby, Cr Chapman and Cr Wenham.

9.2 Petition Response - Reduction in Speed Limit - Turners Gully Road, Clarendon

*MOVED **Cr Webster**.*

1. *That Council note that Turners Gully Road does not meet the criteria for a 40km/h speed limit as contained in the Department of Planning, Transport and Infrastructure's operational instruction.*
2. *That vegetation will be trimmed along the whole length of the road and line marking, signage and guide posts will be installed to improve safety.*
3. *That the head petitioner be advised of Council's decision.*

*Seconded by **Cr Bray**.*

Cr Chapman resumed his seat in the Chamber at 9.04pm.

Cr Wenham resumed her seat in the Chamber at 9.04pm.

Cr Kilby resumed her seat in the Chamber at 9.05pm.

CARRIED

9.3 Budget Review 2 2013-14

*MOVED **Cr Merritt**.*

That Council adopt the proposed amendments to the 2013-14 Budget as detailed in the agenda report and summarised in Attachment 1 (Funding Statement as at Budget Review 2) and Attachment 2 (Budgeted Financial Statements) to the agenda report.

*Seconded by **Cr Chapman**.*

CARRIED

9.4 The Quarter December 2013

*MOVED **Cr Wenham**.*

1. *That the December 2013 Quarter be received.*
2. *That a report comes back to the next meeting of Council that details the review undertaken of The Quarter for the last three years.*

*Seconded by **Cr de Jonge**.*

CARRIED

9.5 Corporate Greenhouse Emissions 2012-13

*MOVED **Cr Swann**.*

That Council approve the 2012-13 inventory of corporate greenhouse gas emissions for public release on our website.

*Seconded by **Cr Wenham**.*

Cr Chapman left the meeting at 9.23pm.

Cr Wenham left the meeting at 9.27pm.

CARRIED

9.6 Request to purchase portion of council reserve adjoining Seaford Day and Night Clinic

*MOVED **Cr Parslow**.*

That for the reserve described as portion of Allotment 624 in Deposited Plan 7973, comprised in Certificate of Title Volume 3507 Folio 178 and delineated in red on Attachment 1 to the agenda report, Council:

1. *Declares the subject portion of the reserve land to be surplus to requirements and suitable for disposal.*
2. *Approves the commencement of the process to revoke the subject land from its Community Land classification, including the undertaking of public consultation in accordance with the provisions of subsection 194(2)(b) of the Local Government Act 1999.*
3. *Requests a further report be presented to Council following the outcome of the public consultation phase of the revocation process.*

*Seconded by **Cr Gunn**.*

***Cr de Jonge** MOVED an AMENDMENT.*

That for the reserve described as portion of Allotment 624 in Deposited Plan 7973, comprised in Certificate of Title Volume 3507 Folio 178 and delineated in red on Attachment 1 to the agenda report, Council:

1. *Declares the subject portion of the reserve land to be surplus to requirements and suitable for disposal.*
2. *Approves the commencement of the process to revoke the subject land from its Community Land classification, including the undertaking of public consultation in accordance with the provisions of subsection 194(2)(b) of the Local Government Act 1999.*
3. *Requests a further report be presented to Council following the outcome of the public consultation phase of the revocation process.*
4. *That funds from the sale be allocated to footpaths in the area.*

LAPSED for want of a seconder

The original MOTION was PUT and CARRIED.

9.7 Update report on the proposal to revocate and sell a drainage reserve at Glenburn Close, Onkaparinga Hills

*MOVED **Cr Webster**.*

That, for the land described as Allotment 9 in Deposited Plan 45297 comprised in Certificate of Title Volume 5334 Folio 385, and delineated in yellow on Attachment 1 to the agenda report, Council:

1. *Resolves to formally approve the revocation of the land from its Community Land classification pursuant to subsection 194(3)(b) of the Local Government Act 1999.*
2. *Approves the sale of the land to the applicants at 3 Glenburn Close, Onkaparinga Hills at the current market value as advised by a licensed valuer,*

subject to all costs associated with the transfer, plan of amalgamation and drainage easement creation being met by the purchasers.

3. *Conditions the sale of the land with the condition precedent to create a drainage easement in favour of Council over the stormwater infrastructure.*
4. *Authorises the Mayor and Chief Executive Officer to sign and seal any documentation required to finalise the revocation process and to complete the sale and amalgamation of the reserve land with the purchaser's land.*

Seconded by ***Cr Sutherland***.

CARRIED

9.8 Update report on the revocation of a portion of council drainage reserve land at Bond Street, Happy Valley

MOVED ***Cr Webster***.

That for the land described as portion of Allotment 100 in deposited Plan 10568 (delineated in red on the aerial photograph Attachment 1 to the agenda report) and comprised in Certificate of Title Volume 5632 Folio 735, Council:

1. *Notes that no objections were received during the public consultation process.*
2. *Recommends a request be submitted to the Minister for Planning for approval to revoke the subject land from its Community Land classification to enable the land to be sold to the applicants at 2 Bond Street, Happy Valley for amalgamation with their existing property.*
3. *Requests that a final report be presented to Council once the Minister's decision regarding the proposed revocation has been received, to enable finalisation of the process.*

Seconded by ***Cr Kilby***.

CARRIED

9.9 Certificate of Consent for the Deposit of a Plan of Division DP 89645, Seaford Meadows

MOVED ***Cr Sutherland***.

That Council:

1. *Consents to the Deposit of Plan of Division DP 89645 (Attachment 1 to the agenda report) at Seaford Meadows approved in Development Application 145/8133/2012.*
2. *Acknowledges that its interest, 11547936, will be unaffected by issuing its consent.*
3. *Delegates to the Mayor and Chief Executive Officer the authority to affix the Council Seal to and execute Certificate of Consent for the Deposit a Plan of Division form. (Attachment 4 to the agenda report).*

Seconded by ***Cr Merritt***.

CARRIED

9.10 Skills for All in Regions extra funding deeds

*MOVED **Cr Swann**.*

1. *That the Chief Executive Officer be delegated the authority to negotiate and finalise documentation relevant to the new Skills for Jobs in Regions programs.*
2. *That the Mayor and Chief Executive Officer be authorised to sign and seal all relevant documentation for the new Skills for Jobs in Regions programs, subject to the Chief Executive Officer being satisfied with the negotiated documentation.*

*Seconded by **Cr Schulze**.*

CARRIED

9.11 Dog Registration and Dog Management Update 2014-15

*MOVED **Cr Kilby**.*

1. *That the report be received.*
2. *That the following be recommended to the Minister for Environment and Conservation as the dog registration fees for the City of Onkaparinga for the 2014-15 financial year:*

Annual registration fee	*$60*
Rebate for desexed dogs	*25% of the annual registration fee*
Rebate for microchipped dogs	*10% of the annual registration fee*
Rebate for appropriately trained dogs	*25% of the annual registration fee*
Fee for guide, hearing & disability dogs	*No fee*
In addition, discount for concession card holders	*50%*
Rebate for working dogs	*75% of the annual registration fee (no other rebate to apply)*
Rebate for racing greyhounds	*75% of the annual registration fee (no other rebate to apply)*
Fee for business registration	*1-9 dogs $155* *10-19 dogs $285* *20-29 dogs $440* *30+ dogs $600*
Fee for transfer of registration or issue of replacement discs	*$5*
Fee for late registrations	*$13*
Impounding fee	*$66.60*
Impounding fee after hours	*$68.70*
Daily holding fee (customer)	*$25.00*
Boarding kennel inspection fee	*$45.00*

3. *That Council endorse free first year registration of dogs adopted from the Royal Society for the Prevention of Cruelty to Animals (RSPCA) and other recognised responsible dog shelters.*

4. That subject to approval of these fees by the Minister for Environment and Conservation, the registration fees set out in the Fees and Charges Schedule be amended to reflect the 2014-15 approved dog registration fees.

*Seconded by **Cr de Jonge**.*

CARRIED

9.12 Council and Committee meeting cycle

*MOVED **Cr Parslow**.*

That the Council and Committee schedule be altered such that the Ordinary Council meeting of Tuesday 22 April 2014 be deferred to Tuesday 29 April 2014.

*Seconded by **Cr Gunn**.*

CARRIED

9.13 Elected Member attendance at 2014 Australian Coastal Councils Conference

*MOVED **Cr Kilby**.*

That Council approve the application and the associated costs for Cr William (Bill) Jamieson to attend the 2014 Australian Coastal Councils Conference in Ballina, NSW from 24–26 March 2014.

*Seconded by **Cr Gunn**.*

CARRIED

9.14 Elected Member attendance at the 2014 Local Government Managers Association National Congress

*MOVED **Cr de Jonge**.*

That Council approve the application and associated costs for Mayor Lorraine Rosenberg to attend the 2014 Local Government Managers Association National Congress and Business Expo in Melbourne from 30 April to 2 May 2014.

*Seconded by **Cr Webster**.*

CARRIED

9.15 Elected Member attendance at the 2014 National General Assembly of Local Government

*MOVED **Cr de Jonge**.*

That Council approve the attendance and associated costs for Crs Merritt and Parslow to attend the 2014 National General Assembly of Local Government in Canberra from 15–18 June 2014.

*Seconded by **Cr Gunn**.*

CARRIED

10. Nominations to external bodies

Nil.

11. Questions on notice

11.1 Questions on notice - Cr Wenham

1. What 'type' of community engagement was undertaken for the Coastal Fencing Project - Sellicks Beach?

2. Please provide the background and the basis for choosing this 'type' of community engagement ?

The following response has been provided by the Manager, Assets:

1. *What 'type' of community engagement was undertaken for the Coastal Fencing Project - Sellicks Beach?*

   Our engagement process included a mail out to 900 properties in the adjacent area to inform the community of the project and seek input into the design and location of the fencing. The mail out included a concept plan with an indicative design for the fencing. Following the mail out we received objections, representing 18 properties, to the proposal and met with concerned residents to discuss the project.

   Ward Councillors have also been in direct communication with residents.

2. *Please provide the background & the basis for choosing this 'type' of community engagement?*

   The Coastal and cliff top fencing project has been guided by studies such as the "2005 Cliff Stability Investigations" Stage 2 report, and the "Cliff Top Erosion Audit 2007". The studies have identified geotechnical hazards and impacts on the environment and public safety and confirm the need for mitigating the risk along the coast including Sellicks Beach. In addition, relevant studies and assessments relating to the environmental and biodiversity value have also informed the project. With the exception of Chinamans Gully, north of Port Willunga, the Sellicks Beach cliffs is the final stage of cliff fencing along our high risk sites that has progressively been implemented over recent years. Other fencing projects in a similar environment included Maslin Beach to Blanche Point installed in 2010 and Port Willunga to Blanche Point installed in 2012.

   The Sellicks Beach fencing project was approved by Council as part of the 2013/14 Project and Capital Works Plan and budget process. The project budget is $152,000 and includes the replacement of 150 metres of existing fencing and the installation of an additional 1050 metres of new fencing and which would provide continuity of fencing along the west side of the Esplanade from Sellicks Beach Road to Palmerston Avenue. The fencing component is valued at approximately $80,000 with the balance allocated to revegetation and erosion management, signage and a lookout proposed for opposite Gulfview Rd.

   The Sellicks cliffs grade from 5m in height up to 72m at Cactus Canyon. The area has very steep slopes to near vertical in about 80% of the area. The slope material comprises of topsoil, clay soils with sand and gravel beds which are slippery and could subside under foot. Currently the entire area has unrestricted access. The project is to warn users of the risks and for us to improve safety measures at a high risk location.

The engagement process did not offer residents the option to have or not have the fence acknowledging the identified risks of accessing the cliff top. Preparation of a concept plan and providing opportunity to residents to influence how the fence is installed to minimise concerns has been successfully used in the past for delivering fencing projects along the coast and was again intended as a key part of the engagement process for this project.

12. Motions

12.2 Notice of Motion (Cr Richardson)

*MOVED **Cr de Jonge**.*

That Council nominate Cr Kym Richardson as a Local Government member on the South Australian Boating Facility Advisory Committee.

*Seconded by **Cr Jamieson**.*

CARRIED

12.3 Notice of Motion (Cr de Jonge)

*MOVED **Cr de Jonge**.*

That Cr Robert de Jonge be nominated for the South Australian Boating Facility Advisory Committee.

***Cr de Jonge** withdrew his MOTION.*

12.4 Notice of Motion (Cr de Jonge)

Background

Elected Members have received some very comprehensive and useful information from the Council administration that has been excellent in relation to the up and coming Operating Budget for 2014–2015. The following motion is to give Elected Members the opportunity to further put forward ideas together and discuss in a close knit environment possible ways to reduce the Budget.

*MOVED **Cr de Jonge**.*

That a Workshop, limited to Elected Members, be implemented that is to discuss options to achieve a rate rise limited to 3% for the 2014 – 2015 Annual Budget. At this Workshop, it may also be relevant to obtain and seek opinion or expert input from individuals outside the organisation. The results and deliberations of this Workshop are to be communicated to staff and Chief Executive Officer.

*Seconded by **Cr Bray**.*

***Cr Webster** MOVED that the motion lie on the table.*

*Seconded by **Cr Merritt**.*

CARRIED

*At 10.09pm **Cr Schulze** MOVED that the meeting continue until the conclusion of business.*

*Seconded by **Cr Webster**.*

CARRIED

13. Petitions

13.1 Petition - Use of Roundup Weed Killer

*MOVED **Cr Kilby**.*

1. *That the petition be received.*
2. *That the matter be investigated and a further report be presented to Council by April 2014.*
3. *That the head petitioner be notified of Council's decision.*

*Seconded by **Cr Olsen**.*

CARRIED

14. Urgent business

Nil.

Cr Olsen left his seat in the Chamber at 10.11pm.

Cr Kilby left her seat in the Chamber at 10.11pm.

Cr Kilby resumed her seat in the Chamber at 10.12pm.

15. Confidential items

15.1 Audit, Risk, Value and Efficiency Committee confidential minutes

*MOVED **Cr de Jonge**.*

1. *That:*
   a) *under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from attendance at the meeting in order to consider in confidence this item.*
   b) *the Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the confidential minutes of the Audit, Risk, Value and Efficiency Committee on the following grounds:*

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

      The Council is satisfied that it is reasonably foreseeable that public disclosure of the information disclosed in the report may result in vulnerabilities to the council's information technology network affecting the security of council property and the safety of employees and members of the public.

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 Gunn**.*

CARRIED

Cr Olsen resumed his seat in the Chamber at 10.13pm.

*MOVED **Cr de Jonge**.*

3. That the matter of the Audit, Risk, Value and Efficiency Committee confidential minutes having been considered in confidence under Sections 90(2) and 90(3)(h) of the Local Government Act 1999 an order be made under the provisions of Section 91(7)and (9) of the Local Government Act 1999 that the confidential minutes of the Audit, Risk, Value and Efficiency Committee and the minutes and the report of the Council relating to discussion of the subject matter be kept confidential until 31 December 2015.

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 Gunn**.*

CARRIED

15.2 Chief Executive Officer Performance Management Committee confidential minutes

5.1 Chief Executive Officer Performance and Remuneration Review

*MOVED **Cr de Jonge**.*

1. That:

a. under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public and staff 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 be excluded to enable the Council to receive and consider the information 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 the employment performance of the Chief Executive Officer and the terms and conditions of his contract.

The Council is satisfied that it is reasonably foreseeable that the public disclosure or discussion of information concerning the employment performance of a person at the meeting would be inconsistent with accepted principles of professional human resource management.

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

*Seconded by **Cr Merritt**.*

CARRIED

*MOVED **Cr Sutherland**.*

4. That Council approve that the Chief Executive Officer's cash component be increased by eight per cent (8%) as per Schedule 1 of the Chief Executive Officer's contract, plus:

- *superannuation to be paid at 10%*
- *car allowance of $19,500.*

*Seconded by **Cr de Jonge**.*

CARRIED

Cr Olsen called a Division.

For:

Cr Kilby	*Cr Schulze*	*Cr de Jonge*	*Cr Sutherland*	*Cr Merritt*
Cr Gunn	*Cr Swann*	*Cr Jamieson*	*Cr Parslow*	

Against:

Cr Olsen	*Cr Bray*	*Cr Webster*		

CARRIED

*MOVED **Cr de Jonge**.*

6. That the matter of the Chief Executive Officer Performance Management Committee minutes having been considered in confidence under Sections 90(2) and 90(3)(a) of the Local Government Act 1999 an Order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that:

a. the report and the minutes of the Chief Executive Officer Performance Management Committee relating to discussion of the subject matter (including the attachments to the report being Clause 14 and Clause 13 and Schedule 4 of the Chief Executive Officer's Contract of Employment), having been dealt with on a confidential basis under Section 90(3)(a) of the Local Government Act 1999, be kept confidential until 31 December 2014.

b. the minutes of the Chief Executive Officer Performance Management Committee relating to discussion of the Chief Executive Officer's remuneration and decisions relevant thereto all of which has occurred on a confidential basis under Section 90(3)(a) of the Local Government Act 1999, be kept confidential until the matter has been determined by Council.

*Seconded by **Cr Kilby**.*

CARRIED

16. Closure

Mayor Rosenberg officially declared the meeting closed at 11pm.

Certified Correct .....Chair

/ /2014