

City of Onkaparinga
Minutes of the Council meeting
held on 16 September 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
Cr S Brown
Cr D Chapman – Left 9.30pm
Cr H Greaves
Cr J Gunn
Cr W Jamieson
Cr G Kilby – Left 8.07pm
Cr H Merritt
Cr S Nash
Cr W Olsen – Left 10.35pm
Cr D Parslow
Cr K Richardson – Left 9.50pm
Cr P Schulze
Cr N Swann
Cr Y Wenham

Apologies: Cr S Webster
Cr P Sutherland
Cr C Knight

Leave of absence:

Absent: Cr R de Jonge

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 Rosenberg officially declared the meeting open at 7.00pm.

2. Confirmation of minutes of the Council meeting held on Tuesday 26 August 2014.

Cr Nash *MOVED* that the Minutes of the proceedings of the Council meeting held on 26 August 2014 be received and confirmed as an accurate record of those proceedings.

Seconded by Cr Kilby.

CARRIED

Mayor Rosenberg brought forward item 9.3 Annual Report of the Development Assessment Panel 2013-14 at this point.

9.3 Annual Report of the Development Assessment Panel 2013-14

Mr Bill Chandler, Presiding Member of the Development Assessment Panel, presented the Annual Report.

Cr Wenham left her seat in the Chamber at 7.23pm.

MOVED Cr Chapman.

- 1. That Council receive and note the Development Assessment Panel's Annual Report for 2013-14.*
- 2. That Council approve the amendments to the Development Assessment Panel's Terms of Reference as provided in attachment 2 to this report.*
- 3. That Council note that no changes are required to the Development Assessment Panel's Operating and Meeting Procedure.*

Seconded by Cr Jamieson.

CARRIED

3. Adjourned business

Nil

4. Leave of absence

4.1 Leave of absence – Cr Webster

Cr Schulze *MOVED* that Cr Webster be granted leave of absence from 7 October to 14 October 2014 inclusive.

Seconded by Cr Nash.

CARRIED

5. Mayor's Communication

Mayor Rosenberg passed on Council's thoughts and wishes to the Dowd family.

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

Seconded by Cr Gunn.

CARRIED

6. Presentation

Nil

7. Deputation

Nil

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

8.1 Strategic Directions Committee minutes

MOVED Cr Parslow.

1. 7.2 Street directional signage updated report

That Council approve a fee to cover the installation and creation for directional signs which are not generic in nature, as outlined in the agenda report.

2. That Council note the minutes of the Strategic Directions Committee meeting held on 9 September 2014, as attached to the agenda.

Seconded by Cr Chapman.

CARRIED

9. Reports of officers

9.1 Sellicks Beach fencing styles update

Cr S Brown left her seat in the Chamber at 7.27pm.

Cr S Brown resumed her seat in the Chamber at 7.28pm.

Cr Wenham resumed her seat in the Chamber at 7.28pm.

Cr Kilby MOVED to adjourn item 9.1 Sellicks Beach fencing styles update until a Council meeting before the end of February 2015.

Seconded by **Cr Merritt**.

The MOTION was CARRIED on the Mayor's casting vote.

9.2 Temporary road closure Old Willunga Hillclimb council report

Cr Schulze declared a conflict of interest as an employee of SAPOL and left the Chamber at 7.38pm.

MOVED Cr Chapman.

2. That Council advise the event organisers and Commissioner of Police that it does not support the running of the Old Willunga Hillclimb through the associated closure of roads.

Seconded by **Cr Wenham**.

Cr Kilby left her seat in the Chamber at 7.39pm.

Cr Kilby resumed her seat in the Chamber at 7.40pm.

LOST

Cr Chapman called a Division.

For:

Cr Chapman	Cr Bray	Cr Wenham	Cr Richardson	
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Against:

Cr Olsen	Cr Kilby	Cr Greaves	Cr S Brown	Cr Merritt
Cr Gunn	Cr Swann	Cr Jamieson	Cr R Brown	Cr Parslow
Cr Nash				

LOST

MOVED Cr Jamieson.

- 1a In accordance with Clause G of the Minister for Transport and Infrastructure Notice dated 22 August 2013 (as presented to Council on 13 May 2014) which delegates power to Council to close roads and grant exemptions for events, Council consents to the proposed road closure of:

Old Willunga Hill Road, Willunga from St Matthews Street to Meadows Road from 9am to 5.30pm on Sunday 30 November 2014.

- 1b Council support the Commissioner of Police order that the proposed roads which are listed in recommendation 1a be closed, subject to the Southern Districts Car Club:*
- paying for the advertising and management of the temporary road closures for the Old Willunga Hillclimb event*
 - notifying all property owners along the route in writing*
 - advertising the event well in advance*
 - assuming responsibility for any damage to the road resulting from the event.*
 - if possible moving the start 100 meters up from the Courthouse*

*Seconded by **Cr Olsen**.*

Cr Kilby left the meeting at 8.07pm.

Cr Richardson MOVED an AMENDMENT.

- 1a In accordance with Clause G of the Minister for Transport and Infrastructure Notice dated 22 August 2013 (as presented to Council on 13 May 2014) which delegates power to Council to close roads and grant exemptions for events, Council consents to the proposed road closure of:*

Old Willunga Hill Road, Willunga from St Matthews Street to Meadows Road from 9am to 5.30pm on Sunday 30 November 2014.

- 1b Council support the Commissioner of Police order that the proposed roads which are listed in recommendation 1a be closed, subject to the Southern Districts Car Club:*
- paying for the advertising and management of the temporary road closures for the Old Willunga Hillclimb event*
 - notifying all property owners along the route in writing*
 - advertising the event well in advance*
 - assuming responsibility for any damage to the road resulting from the event.*
 - moving the start 100 meters up from the Courthouse*
 - request that the club pay for a community feedback form in respect to the event to be distributed within seven (7) days after the event to 500 homes in the specific area.*

The AMENDMENT lapsed for want of a seconder.

Cr Nash left her seat in the Chamber at 8.19pm.

Cr Nash resumed her seat in the Chamber at 8.20pm.

The original MOTION was PUT and CARRIED.

Cr Chapman called a Division.

For:

<i>Cr Olsen</i>	<i>Cr Greaves</i>	<i>Cr S Brown</i>	<i>Cr Merritt</i>	<i>Cr Gunn</i>
<i>Cr Swann</i>	<i>Cr Jamieson</i>	<i>Cr R Brown</i>	<i>Cr Parslow</i>	<i>Cr Nash</i>

Against:

<i>Cr Chapman</i>	<i>Cr Bray</i>	<i>Cr Wenham</i>	<i>Cr Richardson</i>	
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CARRIED

9.4 Annual Report of the Building Fire Safety Committee 2013-14

Cr Schulze resumed his seat in the Chamber at 8.29pm.

*MOVED **Cr Nash**.*

That Council receive and note the City of Onkaparinga Building Fire Safety Committee's Annual Report for 2013-14.

*Seconded by **Cr Merritt**.*

Cr R Brown left his seat in the Chamber at 8.30pm.

Cr Chapman left his seat in the Chamber at 8.34pm.

CARRIED

9.5 Response to Expert Panel on Planning Reform's Ideas for Reform Report

Cr R Brown resumed his seat in the Chamber at 8.34pm.

Cr Chapman resumed his seat in the Chamber at 8.35pm.

*MOVED **Cr Nash**.*

That Council endorses the draft response letter and table (refer attachments 1 and 2 to this report) regarding Our Ideas for Reform, the report recently released by the Expert Panel on Planning Reform.

*Seconded by **Cr Swann**.*

Cr Olsen left his seat in the Chamber at 8.38pm.

Cr Olsen resumed his seat in the Chamber at 8.42pm.

CARRIED

10. Nominations to external bodies

Nil.

11. Questions on notice

Nil.

12. Motions

12.1 Notice of Motion - Cr Jamieson

*MOVED **Cr Jamieson**.*

As part of the consideration of any future community land revocation process Council requests that a risk assessment be included into the revocation report that details the capacity of all relevant council owned infrastructure that may be affected by a change in the proposed land use, including densification of the catchment areas and adjacent areas serviced by that infrastructure.

*Seconded by **Cr Bray**.*

Cr Chapman left his seat in the Chamber at 8.47pm.

Cr Chapman resumed his seat in the Chamber at 8.48pm.

CARRIED

12.2 Notice of Motion – Cr Jamieson

*MOVED **Cr Jamieson**.*

That the City of Onkaparinga lobby the State Government to change the name of the Southern Expressway to the 'Fleurieu Expressway'

*Seconded by **Cr Swann**.*

CARRIED

Mayor Rosenberg brought forward items 13 Petitions and 14 Urgent Business at this point.

13. Petitions

Nil.

14. Urgent business

Cr Chapman sought leave of the meeting to make a statement.

Cr Chapman commended to members and the Chamber the current Shimmer photographic exhibition. An amazing 32 exhibitions, seven workshops, and seven events. He described it as extraordinary, inclusive, breathtaking, a perfect placement of art, wine and food.

He made special mention of "Lost Syria" at the new Rosemont Gallery. Finally he congratulated all the staff, venue providers, wineries and facilitators for an outstanding achievement

*At 9.00pm **Cr Chapman** MOVED that the meeting adjourn for a 10 minute break.*

*Seconded by **Cr Jamieson**.*

CARRIED

Mayor Rosenberg reconvened the meeting in the Chamber at 9.15pm with all Members present that were present before the adjournment with the exception of Cr S Brown.

Cr S Brown resumed her seat in the Chamber at 9.16pm.

Cr S Brown left her seat in the Chamber at 9.19pm.

Cr S Brown resumed her seat in the Chamber at 9.23pm.

12.3 Notice of Motion – Cr Wenham

*MOVED **Cr Jamieson**.*

That Council note the staff's explanation that Agenda item 12.3 Notice of Motion – Cr Wenham – not be considered in the public meeting because information has been received that Cr Wenham's Notice of Motion will have the effect that it will breach a designated decision of the Caretaker provisions and may generate discussion that is related to a matter currently before the District Court.

Therefore, the legal advice states that the notice of motion should be considered in confidence.

*Seconded by **Cr R Brown**.*

Cr Chapman left the meeting at 9.30pm.

CARRIED

15.1 15.1 Notice of Motion - Cr Wenham

Item 15.1 Legal Proceedings Council decision 1st April 2014

MOVED Cr R Brown.

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) *Council is satisfied that, pursuant to Section 90(3)(g) of the Local Government Act 1999, the information to be received, discussed and considered in relation to this agenda item is information concerning matters that must be considered in confidence in order to ensure that the Council does not breach any law, order or direction of a court or tribunal constituted by law, breach any duty of confidence, or any other legal obligation or duty.*
- c) *Council is satisfied that the principle that the meeting 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 Olsen.

CARRIED

15.2 Notice of Motion – Cr Wenham

MOVED Cr Olsen.

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) *Council is satisfied that, pursuant to Section 90(3)(g) of the Local Government Act 1999, the information to be received, discussed and considered in relation to this agenda item is information concerning matters that must be considered in confidence in order to ensure that the Council does not breach any law, order or direction of a court or tribunal constituted by law, breach any duty of confidence, or any other legal obligation or duty.*
- c) *Council is satisfied that the principle that the meeting 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 Jamieson.

CARRIED

Cr Olsen left the meeting at 10.35pm.

MOVED Cr Parslow.

3. *That Item 15.2 Notice of Motion having been considered in confidence under Section 90(2) and 90(3)(g) 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 Item 15.2 Notice of Motion, the report and all minutes of Council, relating to discussion of the subject matter, be kept confidential until conclusion of the 2014 Election process.*
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 Greaves.

CARRIED

Mayor Rosenberg reopened the meeting to the public at 10.39pm.

16. Closure

Mayor Rosenberg officially declared the meeting closed at 10.39pm.

Certified CorrectChair

/ /2014