City of Onkaparinga

Minutes of the Council meeting

held on 18 August 2015

Venue:	Council Chamber, Civic Centre Ramsay Place, Noarlunga Centre
Meeting commenced:	7pm
Present:	Mayor L F Rosenberg Cr M Bray Cr S Brown (7.14pm) Cr D Chapman Cr H Greaves Cr J Gunn Cr G Hennessy Cr R Holtham Cr W Jamieson Cr H Merritt Cr L Nicholls Cr G Olbrich Cr W Olsen (7.06pm) Cr D Parslow Cr P Schulze Cr N Swann Cr M Themeliotis Cr H Wainwright
Apologies:	Cr B Nankivell Cr G Kilby Cr Brown (for lateness)
Leave of absence:	Cr J Deakin
Absent:	

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 28 July 2015.

Cr Olbrich MOVED that the minutes of the proceedings of the Council meeting held on 28 July 2015 be received and confirmed as an accurate record of those proceedings.

Seconded by Cr Swann.

CARRIED

3. Adjourned business

Nil.

4. Leave of absence

Nil.

5. Mayor's Communication

5.1 Mayor's Report 18 August 2015

Mayor's Prayer Breakfast

A reminder that the 5th Mayor's Prayer Breakfast will be held on Thursday 27 August 2015 at 7am at Serafino Winery, McLaren Vale. Shaun Hart from Port Power Football Club will be the guest speaker and my charity is the Sports Chaplaincy of Australia. Please support this event and encourage others to do so.

LGA Board Update

The Local Government Association Board met on 16 July 2015. I will summarise major issues:

- The LGA President reported on the Shandong Trade Mission, rate capping enquiry of Parliament, community housing, Financial Assistance Grants and economic development project being run by the Metropolitan Government Group. There was also mention of the 2015 Roads and Works conference held in Murray Bridge on 26-28 August 2015.

- Ongoing consultation and project development to aid bulk purchase of renewable energy, replacement of street lighting by bulk purchase and models for community owned generation.
- Decided to not provide mandatory training for council candidates prior to elections.
- Strategic directions workshop to continue priority setting
- China investment – setting up Local Government Shandong engagement group to participate in managing the inbound delegation in September 2015
- Report on success (or otherwise of LGA communication and planning for improvements)

As always this is just a brief snapshot of items discussed and the full agenda is available on the LGA website.

Financial Assistance Grants

I received a letter from the Hon Geoff Brock, Minister for Local Government regarding payments of the Financial Assistance Grant. Please refer to attachment 1 for information.

Credit card expenditure

My credit card expenditure details from 8 October 2014 to 31 July 2015 are reflected in attachment 2.

Mayor's calendar

My activities from 20 July 2015 – 9 August 2015 are reflected in attachment 3.

EM Briefings/Workshops

28 July 2015 Workshop – General Miscellaneous and Residential DPA (Part 2 of 2)

11 August 2015 Workshop – Preparation of the Open Space Strategic Management Plan 2016-21 including a Workshop on Irrigated Spaces Service Levels.

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

Seconded by Cr Parslow.

CARRIED

6. Presentation

Nil.

Cr Olsen entered the meeting at 7.06pm.

7. Deputation

7.1 Banning of circuses that use exotic animals on council land (Molly Salt, Animal Liberation Inc.)

Cr Brown entered the meeting at 7.14pm.

Molly Salt gave a deputation and answered questions from elected members in relation to banning of circuses that use exotic animals on council land.

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

8.1 Audit, Risk, Value and Efficiency Committee minutes 3 August 2015

MOVED Cr Gunn.

That Council note the public minutes of the Audit, Risk, Value and Efficiency Committee meeting held on 3 August 2015, as attached to the agenda report.

Seconded by Cr Jamieson.

CARRIED

8.2 Strategic Directions Committee minutes

MOVED Cr Parslow.

That Council note the public minutes of the Strategic Directions Committee meeting held on 11 August 2015 as attached to the agenda report.

Seconded by Cr Wainwright.

CARRIED

9. Reports of officers

9.1 Annual Report of the Building Fire Safety Committee 2014-15

MOVED Cr Merritt.

That Council receive the City of Onkaparinga Building Fire Safety Committee's Annual Report for 2014-15.

Seconded by Cr Hennessy.

CARRIED

9.2 Proposal to temporarily exclude the public from accessing Dugdale Lane, McLaren Vale

MOVED Cr Chapman.

That, in respect to that portion of the legal public road, Dugdale Lane, McLaren Vale bordered in red in attachment 1 to this report, and pursuant to Section 359 of the Local Government Act 1934 (the Act), Council:

1. *resolves to exclude vehicles and pedestrians from accessing the subject road except emergency services vehicles and vehicles associated with the mining operation being conducted on Dugdale Lane from the locked gate and fence currently erected by the mine operator located within the subject road corridor east to Copper Mine Road.*
2. *approves the erection of fencing or other barricades and traffic controls, under the Traffic Act 1961, on the part of the road that may be necessary to give effect to the resolution*
3. *authorises publication of the resolution in the Government Gazette and in a newspaper circulating the area to give effect to the vehicle access restrictions*

4. authorises the Mayor and Chief Executive to sign and affix the Council Seal to any documentation necessary to put the resolution into effect.

Seconded by Cr Bray.

Cr Parslow MOVED an AMENDMENT.

That, in respect to that portion of the legal public road, Dugdale Lane, McLaren Vale bordered in red in attachment 1 to this report, and pursuant to Section 359 of the Local Government Act 1934 (the Act), Council:

1. resolves to exclude vehicles and pedestrians from accessing the subject road except emergency services vehicles and vehicles associated with the mining operation being conducted on Dugdale Lane

2. approves the erection of fencing or other barricades and traffic controls, under the Traffic Act 1961, on the road that may be necessary to give effect to the resolution

3. authorises publication of the resolution in the Government Gazette and in a newspaper circulating the area to give effect to the vehicle access restrictions

4. authorises the Mayor and Chief Executive to sign and affix the Council Seal to any documentation necessary to put the resolution into effect.

Seconded by Cr Greaves.

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

Cr Olsen MOVED an AMENDMENT.

That, in respect to that portion of the legal public road, Dugdale Lane, McLaren Vale bordered in red in attachment 1 to this report, and pursuant to Section 359 of the Local Government Act 1934 (the Act), Council:

1. resolves to exclude vehicles and pedestrians from accessing the subject road except emergency services vehicles and vehicles associated with the mining operation being conducted on Dugdale Lane

2. approves the erection of fencing or other barricades and traffic controls, under the Traffic Act 1961, on the road that may be necessary to give effect to the resolution

3. authorises publication of the resolution in the Government Gazette and in a newspaper circulating the area to give effect to the vehicle access restrictions

4. that a condition be placed that no further mining of the road reserve be undertaken

5. authorises the Mayor and Chief Executive to sign and affix the Council Seal to any documentation necessary to put the resolution into effect.

Seconded by Cr Wainwright.

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

Cr Chapman called a Division.

For:

Cr Themeliotis	*Cr Parslow*	*Cr Olbrich*	*Cr Brown*	*Cr Schulze*
Cr Nicholls	*Cr Swann*	*Cr Merritt*	*Cr Greaves*	*Cr Gunn*
Cr Holtham	*Cr Jamieson*	*Cr Olsen*	*Cr Wainwright*	

Against:

Cr Bray	*Cr Hennessy*	*Cr Chapman*		

CARRIED

9.3 2016 Santos Tour Down Under Stage 5 and associated event concepts report

Cr Greaves left her seat in the Chamber at 8.08pm.

Cr Wainwright declared a conflict of interest as Chairperson of the Aldinga Bay Business and Tourism Association and left the Chamber at 8.09pm.

MOVED Cr Jamieson.

That Council approve the proposed 2016 Santos Tour Down Under BikeExchange Stage 5 associated events concepts and a project budget increase of $30,000 bringing the total 2015-16 budget to $183,000 noting that this will be reflected as part of Budget Review 1.

Seconded by Cr Gunn.

Cr Greaves resumed her seat in the Chamber at 8.11pm.

CARRIED

10. Nominations to external bodies

Nil.

11. Questions on notice

Nil.

12. Motions

12.1 Notice of Motion (Cr Bray)

MOVED Cr Bray.

That two pages of the quarterly council communication to ratepayers be dedicated to providing information aimed at improving cat management as follows:

a. information from relevant agencies on the damage caused by stray and feral cats to be provided

b. the care taken by many community members to contain cats in their houses and/or cat runs be acknowledged

c. photographs of examples of cat runs be provided

d. residents to be encouraged to consider becoming part of the community movement to no longer allow free-roaming cats.

Seconded by Cr Holtham.

Cr Wainwright resumed her seat in the Chamber at 8.23pm.

Cr Chapman left his seat in the Chamber at 8.24pm.

Cr Chapman resumed his seat in the Chamber at 8.26pm.

Cr Gunn left his seat in the Chamber at 8.27pm.

Cr Themeliotis MOVED an AMENDMENT.

That council undertake a workshop relating to cat management.

Seconded by Cr Jamieson.

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

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

12.2 Notice of Motion (Cr Holtham)

MOVED Cr Holtham.

That Council explore including the non-use of Council land for circuses with live animals, in its policy position. That Council allocates time to workshop the issue prior to November 2015.

Seconded by Cr Swann.

Cr Olsen MOVED an AMENDMENT.

That Council explore including the non-use of Council land for circuses with live animals, in its policy position. That Council allocates time to workshop the issue prior to February 2016.

Seconded by Cr Greaves.

Cr Olsen left his seat in the Chamber at 8.46pm.

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

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

12.3 Notice of Motion (Cr Jamieson)

MOVED Cr Jamieson.

That a report be presented to the Strategic Directions Committee in the October meeting that includes:

1. A short term (12 month) plan that will reverse the upward trend of the Council subsidy that keeps the Willunga Golf Course financially viable to a downward trend that "falls sharply".

2. Secondly a medium term plan (3 years) that reduces the subsidy to the same level of that which Council supports our recreation centres.

Seconded by Cr Themeliotis.

Cr Chapman MOVED an AMENDMENT.

That a full report be presented to Council at the October meeting that covers all aspects of the future of the golf course.

LAPSED for want of a seconder

At 9pm Cr Jamieson MOVED that the meeting continue until the conclusion of business.

Seconded by Cr Themeliotis.

CARRIED

Cr Greaves MOVED an AMENDMENT.

That a report be presented to the Strategic Directions Committee in the October meeting that includes:

1. *A short term (12 month) plan that will reverse the upward trend of the Council subsidy that keeps the Willunga Golf Course financially viable.*
2. *Secondly a medium term plan (3 years) that identifies future opportunities to move the Willunga Golf Course from a deficit operating position to a sustainable one.*

Seconded by Cr Olsen.

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

13. Petitions

Nil.

14. Urgent business

Nil.

15. Confidential items

15.1 Audit, Risk, Value and Efficiency Committee confidential minutes 3 August 2015

MOVED Cr Olbrich.

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

      Section 90(3)(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
   c. *on this basis, the principle that meetings of 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

MOVED Cr Swann.

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)(a) of the Local Government Act 1999 that an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the minutes of the Council meeting relating to discussion of the subject matter be kept confidential until 30 November 2016.*
4. *That, pursuant to Section 91(9)(a) of the Local Government Act 1999, the 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 ,the Council delegates the power to revoke the confidentiality order to the Chief Executive Officer or their sub-delegate.*

Seconded by Cr Greaves.

CARRIED

15.2 Strategic Directions Committee confidential minutes

MOVED Cr Parslow.

1. *That:*
   a. *under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.*

b. the Council is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Council to consider the report at the meeting on the following grounds:

Section 90(3)(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 Hennessy.

CARRIED

MOVED Cr Merritt.

5. That the matter of Strategic Directions Committee confidential minutes having been considered by the Council in confidence under sections 90(2) 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 Strategic Directions Committee confidential minutes and the minutes and the report of the Council relating to discussion of the subject matter be kept confidential until there is no commercial need for confidentiality, subject to the annual review by the Chief Executive Officer.

6. 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.

7. 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 Hennessy.

CARRIED

Mayor Rosenberg reopened the meeting to the public at 9.16pm.

16. Closure

There being no further business Mayor Rosenberg officially declared the meeting closed at 9.16pm.

Certified Correct .....Chair

/ /2015