
City of Onkaparinga
Minutes of the Special Council meeting
held on 1 July 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 R de Jonge
Cr H Greaves
Cr J Gunn
Cr G Kilby
Cr C Knight
Cr H Merritt
Cr W Olsen – Left 9.15pm
Cr D Parslow
Cr K Richardson
Cr N Swann
Cr S Webster – 7.01pm
Cr Y Wenham

Apologies: Cr D Chapman
Cr P Schulze
Cr S Nash

Leave of absence: Cr W Jamieson

Absent: Cr P Sutherland

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 7.00pm.

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

2.1 Chief Executive Officer Performance Management Committee minutes

***Cr Kilby** MOVED that the minutes of the Chief Executive Officer Performance Management Committee meeting held on 24 June 2014 are noted by Council.*

*Seconded by **Cr Gunn**.*

CARRIED

Cr Webster entered the meeting at 7.01pm.

3. Reports of officers

3.1 2014-15 Adoption of Annual Business Plan, Budget, Valuations and Declaration of rates

*MOVED **Cr Parslow**.*

That Council, in exercise of the powers contained in Chapters 8, 9 and 10 of the Local Government Act 1999 (the Act) and in respect of the financial year ending 30 June 2015:

1. Adopt the Annual Business Plan

- Having considered submissions made during the public consultation period and having regard to all relevant information in the possession of the Council, the Annual Business Plan 2014–15 as laid before the Council at this meeting be adopted with the Appendices for budget statements, rating and rate rebate policies to be updated to reflect the adopted budget and rates declared for 2014–15 and*
- The Chief Executive Officer be authorised to make any necessary minor changes to the text of the Annual Business Plan prior to formal publication.*

*Seconded by **Cr Merritt**.*

CARRIED

MOVED Cr Merritt.

That Council, in exercise of the powers contained in Chapters 8, 9 and 10 of the Local Government Act 1999 (the Act) and in respect of the financial year ending 30 June 2015:

2. Adopt the budget

The budget for 2014–15, as detailed in Appendices 1 to 7 to the Annual Business Plan and as laid before Council at this meeting, comprising:

- *the budgeted funding statement*
- *the budgeted statement of comprehensive income*
- *the budgeted cash flow statement*
- *the budgeted balance sheet*
- *the budgeted statement of changes in equity*
- *other statements and information as required by Regulation 5B of the Local Government (Financial Management) Regulations 1999 be adopted, involving:*

- (1) *Total estimated expenditure of \$165,579,185*
- (2) *Total estimated income from sources other than general rates of \$49,829,398*
- (3) *Total amount required to be raised from general rates of \$115,749,787.*

3. Revision of budget

The budget will be reviewed four times during the financial year for the periods ended:

- *30 September 2014*
- *31 December 2014*
- *31 March 2015*
- *30 June 2015 (as part of our end of financial year processes)*

4. Loan Funds

That new loan funds totalling \$16,622,962 be raised as and when required to finance Project and Capital Works, Major Projects and general operations as identified in the Annual Business Plan and Budget.

Seconded by Cr Swann.

CARRIED

Cr Richardson called a Division.

For:

<i>Cr Olsen</i>	<i>Cr Kilby</i>	<i>Cr de Jonge</i>	<i>Cr Greaves</i>	<i>Cr Knight</i>
<i>Cr Merritt</i>	<i>Cr Gunn</i>	<i>Cr Swann</i>	<i>Cr Webster</i>	<i>Cr Parslow</i>

Against:

<i>Cr S Brown</i>	<i>Cr Bray</i>	<i>Cr R Brown</i>	<i>Cr Wenham</i>	<i>Cr Richardson</i>
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CARRIED

MOVED Cr Wenham.

That Council, in exercise of the powers contained in Chapters 8, 9 and 10 of the Local Government Act 1999 (the Act) and in respect of the financial year ending 30 June 2015:

5. Adopt the Valuations

Pursuant to Section 167(2)(a) of the Act the most recent valuations of the Valuer-General available to Council of the capital value of land within Council's area totalling \$26,298,849,400 be adopted for rating purposes.

Seconded by Cr Bray.

CARRIED

MOVED Cr Greaves.

That Council, in exercise of the powers contained in Chapters 8, 9 and 10 of the Local Government Act 1999 (the Act) and in respect of the financial year ending 30 June 2015:

6. Declaration of general rates

In order to raise the amount in recommendation 2 (3) above, Council determines that in exercise of the powers contained in Section 153(1)(b) of the Act, it is appropriate pursuant to Section 156(1)(a) of the Act to declare differential general rates in the area of Council according to land use in accordance with Regulation 14 of the Local Government (General) Regulations 2013 as follows:

- *Pursuant to Section 152 (1)(c) of the Act a general rate that consists of two components:*
 - i. *Being based on the value of the land subject to the rate*
 - ii. *A fixed charge to apply equally to each separate piece of rateable land in the area.*
- *Pursuant to Section 152(1)(c)(ii) of the Act Council imposes a fixed charge of \$350.*
- *Pursuant to Sections 152(1)(c)(i), 153(1)(b) and 156(1)(a) of the Act differential general rates be declared as follows:*
 - i. *0.319567 cents in the dollar on rateable land of category 1 (Residential) use*

- ii. 0.418739 cents in the dollar on rateable land of categories of 2, 3, 4 (Commercial - Shop, Office and Other) and 5 and 6 (Industrial - Light and Other) uses*
- iii. 0.330873 cents in the dollar on rateable land of category 7 (Primary Production) use*
- iv. 0.495530 cents in the dollar on rateable land of category 8 (Vacant Land) use and*
- v. 0.367077 cents in the dollar on rateable land of category 9 (Other) use.*
- *Pursuant to Section 153(3) of the Act Council will not fix a maximum increase in the general rate to be charged on any rateable land that constitutes the principal place of residence of a principal ratepayer.*
- *Pursuant to Section 166(1)(l)(i) & (ii) of the Act and to provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to a change to the structure of the Council's rates and/or rapid changes in valuations, Council will grant a rebate of general rates to the principal ratepayer of category 1 (Residential) land use, to provide that the maximum general rates payable for 2014–15 will be the amount payable for 2013–14 plus 10% of that amount (noting that the amount payable includes this capping rebate but excludes any other concession or relief) and where the increase in valuation is not as a result of:*
 - i. recognising significant capital improvements on the property (regardless of when the development was undertaken) or*
 - ii. a change to the land use of the property or*
 - iii. a change in ownership of the rateable property since 1 July 2013 or*
 - iv. a change in valuation methodology used for 2014–15 by the Valuer General to assess properties within a retirement village.*

The amount of the rebate being the difference between the amount of general rates in monetary terms imposed for the 2014–15 financial year and the amount of rates in monetary terms payable (after any rebate was applied but prior to deducting any pensioner concessions) for the 2013–14 financial year plus 10% of those rates.

- *Pursuant to Section 166(1)(l)(i) & (ii) of the Act and to provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to a change to the structure of the Council's rates and/or rapid changes in valuations, Council will grant a rebate of general rates to the principal ratepayer of category 1 (Residential) land use within retirement villages impacted by a change in valuation methodology used for 2014–15 by the Valuer General, to provide that the maximum general rates payable for 2014–15 will be the amount payable for 2013–14 plus 15% of that amount (noting that the amount payable includes this capping rebate but excludes any other concession or relief) and where the increase in valuation is not as a result of:*
 - i. recognising significant capital improvements on the property (regardless of when the development was undertaken) or*

- ii. *a change to the land use of the property or*
- iii. *a change in ownership of the rateable property since 1 July 2013.*

The amount of the rebate being the difference between the amount of general rates in monetary terms imposed for the 2014–15 financial year and the amount of rates in monetary terms payable (after any rebate was applied but prior to deducting any pensioner concessions) for the 2013–14 financial year plus 15% of those rates.

7. Declaration of separate rates – Natural Resource Management levies

In exercise of the powers contained in Section 95 of the Natural Resources Management Act 2004 and Section 154(1) of the Local Government Act 1999, in order to reimburse Council the amount contributed to the Natural Resources Management Boards, Council declares a separate rate upon the capital value of rateable land as follows:

1. *0.009525 cents in the dollar on all rateable land in Council's area in the region of the Adelaide and Mt Lofty Ranges Natural Resources Management Board*
2. *0.008982 cents in the dollar on all rateable land in Council's area in the region of the SA Murray Darling Basin Natural Resources Management Board.*

8. Service charges

- a) *That for the year ended 30 June 2015 pursuant to Section 155 of the Act Council imposes the method of recovery of community wastewater management costs for the disposal and treatment of residential waste and minor trade waste is by:*
- *An annual service charge of \$589 per unit on each occupied allotment*
 - *An annual service charge of \$589 per unit on each vacant allotment*

Pursuant to Regulation 12 of the Local Government (General) Regulations 2013 a unit is as defined in Section 2 of the Community Wastewater Management Systems (CWMS) Property Units Code. In the case of higher use properties (such as schools, hospitals and other multiple tenancy properties, etc) a unit charge is calculated as determined under the CWMS Property Units Code.

- b) *That for the year ended 30 June 2015 and pursuant to Section 155 of the Act Council impose an annual service charge to recover the costs incurred by Council (based on the nature and the level of usage of the service) for the disposal and treatment of major trade waste being a service charge calculated on a per kilolitre basis using the criteria specified in the City of Onkaparinga Trade Waste Guidelines. The formula to calculate the service charge on the basis of nature and level of usage being: (cost/kilolitre + capital charge) / number of kilolitres treated = annual service charge based upon an amount per kilolitre.*

9. Payment

That pursuant to the provisions of Section 181 of the Act Council resolves that the above mentioned rates including charges, which have been imposed for the financial year ending 30 June 2015 will fall due in four equal or approximately equal instalments on the following days:

- *1 September 2014*
- *1 December 2014*
- *1 March 2015*
- *1 June 2015*

10. That pursuant to section 44 of the Act Council delegate authority to the Chief Executive Officer to alter any due date where it is necessary to ensure compliance with Section 181(7) of the Act.

*Seconded by **Cr Kilby**.*

CARRIED

Cr Olsen left his seat in the Chamber at 7.49pm.

Cr Olsen resumed his seat in the Chamber at 7.50pm.

3.2 Chief Executive Officer Report

*MOVED **Cr de Jonge**.*

That the Chief Executive Officer's report be noted.

*Seconded by **Cr Greaves**.*

CARRIED

*At 7.59pm **Cr Greaves** MOVED that the meeting adjourn to the Civic Area for the purpose of conducting an Elected Member workshop and resume in the Chamber at the conclusion of the workshop.*

*Seconded by **Cr Gunn**.*

CARRIED

Mayor Rosenberg reconvened the meeting in the Chamber at 9.53pm with all Members present that were present before the adjournment with the exception of Cr Olsen.

At 10.00pm Cr Greaves MOVED that the meeting continue until the conclusion of business.

Seconded by Cr Swann.

CARRIED

3.3 Economic development and investment opportunities

MOVED Cr Swann.

1. *That Council notes this report, progress to date and the outcomes from the recent delegation to China as detailed in this report and attachment 1 to this report.*
2. *That Council approve that the Chief Executive Officer continue to seek and facilitate funding and investment and seek product and intellectual property import/export opportunities for our region including foreign investment opportunities and potential growth in manufacturing.*
3. *That Council note, based on an invitation from the Changli Municipal Government, a further delegation to China in August 2014 is to be undertaken to progress investment opportunities for our region and a Sister City relationship and this delegation seek to include a number of representatives from private businesses, educational institutions, state government agencies and other interested parties at their expense.*
4. *That Council approves the establishment of a Sister City relationship with Changli Municipal Government, China.*
5. *That Council approve the Mayor to represent the City of Onkaparinga as part of the delegation to China to further progress the government to government Sister City relationships and investment opportunities.*
6. *That Council note further investor and government delegations from China will occur later in 2014 and early 2015 as a direct outcome of the recent visit to China and ongoing development of inter government and investor relationships.*
7. *That Council note a further report will be presented to Council following the delegation to China in August 2014 detailing outcomes and future opportunities and directions resulting from our relationship with the Changli Municipal Government, investors and product and intellectual property import/export.*

Seconded by Cr Greaves.

Cr de Jonge MOVED an AMENDMENT.

1. *That Council notes this report, progress to date and the outcomes from the recent delegation to China as detailed in this report and attachment 1 to this report.*
2. *That Council approve that the Chief Executive Officer continue to seek and facilitate funding and investment and seek product and intellectual property import/export opportunities for our region including foreign investment opportunities and potential growth in manufacturing.*
3. *That Council note, based on an invitation from the Changli Municipal Government, a further delegation to China in August 2014 is to be undertaken to progress investment opportunities for our region and a Sister City relationship and this delegation seek to include a number of representatives from private businesses, educational institutions, state government agencies and other interested parties at their expense.*
4. *That Council approves the establishment of a Sister City relationship with Changli Municipal Government, China.*

5. *That Council unanimously approve the Mayor and another Elected Member to represent the City of Onkaparinga as part of the delegation to China to further progress the government to government Sister City relationships and investment opportunities.*
6. *That Council note further investor and government delegations from China will occur later in 2014 and early 2015 as a direct outcome of the recent visit to China and ongoing development of inter government and investor relationships.*
7. *That Council note a further report will be presented to Council following the delegation to China in August 2014 detailing outcomes and future opportunities and directions resulting from our relationship with the Changli Municipal Government, investors and product and intellectual property import/export.*

The AMENDMENT lapsed for want of a seconder.

Mayor Rosenberg declared a Conflict of Interest as she is nominated in point 5 of the resolution to be part of the delegation to China and left the Chamber at 10.35pm. Deputy Mayor Kilby took the chair.

The original MOTION was PUT and CARRIED.

Cr Parslow called a Division.

For:

<i>Cr deJonge</i>	<i>Cr Greaves</i>	<i>Cr Knight</i>	<i>Cr Merritt</i>	<i>Cr Gunn</i>
<i>Cr Swann</i>	<i>Cr Webster</i>	<i>Cr Parslow</i>	<i>Cr Richardson</i>	

Against:

<i>Cr S Brown</i>	<i>Cr Bray</i>	<i>Cr R Brown</i>	<i>Cr Wenham</i>	
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CARRIED

Mayor Rosenberg resumed her seat in the Chamber at 10.48pm.

4.1 Chief Executive Officer Performance Management Committee Confidential minutes

MOVED Cr Greaves.

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 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/report at the meeting on the following grounds:*

Section 90(3)(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), in this instance being the employment of the Chief Executive Officer.

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 Webster.

CARRIED

MOVED Cr Swann.

3. *That the matter of the Update on the contract of employment, appointment of independent consultant and work plan, 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 the Update on the contract of employment, appointment of independent consultant and work plan report and the minutes of the Council relating to discussion of the subject matter be kept confidential until 30 April 2015.*

Seconded by Cr Gunn.

CARRIED

Mayor Rosenberg reopened the meeting to the public at 10:55pm.

5. Closure

Mayor Rosenberg officially declared the meeting closed at 10:55pm.

Certified CorrectChair

/ /2014