

MINUTES

Council meeting 21 February 2023

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| VENUE: | Council Chamber Civic Centre, Ramsay Place, Noarlunga Centre |
| MEETING COMMENCED: | 6.30pm |
| PRESENT: | Mayor Were (Chair) Cr Bell Cr Eaton Cr Fisher Cr Jew Cr Platten Cr Pritchard Cr Rilett Cr Stafford Cr Themeliotis Cr Wilkes Cr Yeomans |
| APOLOGIES: | Nil |
| 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 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 wellbeing of those we serve.

1. Opening of meeting

Mayor Were officially declared the meeting open at 6.30pm.

All members read the pledge.

2. Confirmation of minutes

MOVED Cr Fisher.

That the minutes of the proceedings of the:

- *Adjourned Council meeting of 17 January 2023*
 - *Adjourned Council meeting of 17 January 2023 held on 30 January 2023*
- be received and confirmed as an accurate record of those proceedings.*

Seconded by Cr Bell.

CARRIED

3. Adjourned business

Nil.

4. Leave of absence

Nil.

5. Mayor's communication

5.1 MAYOR'S REPORT

Welcome Message

Over the past month, our focus has been to strengthen and support our democratic systems.

1. Disruptions and safety

As a chamber our work was interrupted by unruly behaviour causing our January meeting to be held over two dates. There was considerable media about the incident. To understand this situation as a once off would not be accurate. There have been a series of serious and inappropriate disruptions to our democratic process during the local government elections, the counting of votes and our January meeting. These disruptions have included threatening and intimidating behaviour, online attacks, verbal abuse of public authorities including police and security staff acting for Council and numerous false and misleading information circulating about processes and points of view.

The City of Onkaparinga and myself as Mayor have been vilified by other councillors from another Council and individuals in the press and in social media.

A healthy, robust discussion is always welcome in the contest of ideas, that is politics, however I will continue to have a low tolerance of abuse and a zero tolerance of behaviour that puts community, staff and elected members at risk. Safety first will always be my priority.

A copy of the public statement I made on behalf of the Council can be found on our [website](#).

2. Citizenship

It was a privilege and honour to welcome 80 new citizens from 25 countries to the City at our first citizenship ceremony for 2023 and end the day with spectacular fireworks with so many of our residents, community groups, local businesses and community leaders. Our hosts at South Adelaide continue to be wonderful local partners for events. Our special guest speaker was Australia Day Ambassador Vicky Welgraven AM. She shared her story as a proud Adnyamathanha woman and encouraged all the new citizens to "vote with their heart" in the upcoming national referendum.

3. Meeting Electoral Commission requirements

We have a casual vacancy in the Knox ward due to operation of the *Local Government Act 1999*. More information will be provided and the consequences of committee and representation replacements will be advised at the Council meeting. A copy of media remarks can be found [here](#).

4. Community Plan highlights

Below is a table matching some of the activities and outcomes of the past month against our current Community Plan.

Community Plan 2030

people: connected, engaged, active, healthy

place: green, inviting, accessible, liveable

prosperity: economically strong, environmentally thriving

performance: accountable, efficient, inclusive, sustainable

| Key Result Area | Activity and Outcomes |
|--|--|
| Active, healthy, connected and engaged communities | <p>The Mayor's Summer Reading Challenge builds community, support families and builds literacy in our school aged children. This year:</p> <ul style="list-style-type: none">• 217 people registered• 882 books read• 82 completing the challenge.• 93 First nations books read• 87 Climate change books read• 48 children visited all 6 libraries• 85 people visited 3 libraries <p>Thank you to all the staff and volunteers, parents and friends who enabled so much participation. We are aiming for an even bigger turn out next summer. I have commenced my tour of libraries at Woodcroft, with reading and singing with the children during Toddler Time.</p> <p>Meeting with members of First Nations Peoples Advisory Group to develop deeper understanding of what's working well as preparation for review process commencing later in the year.</p> <p>Fleurieu Film Festival had a spectacular eventing under a full moon at McLaren Vale. The top 15 films entered were presented. The place of creative industries in our local economy is on the rise and I am keen to see how the City might have a role in this with film set destinations, job and training opportunities.</p> <p>Highly responsive to correspondence from Members of Parliament seeking requests for information on behalf of their constituents that are City related eg trees, verges, litter, environmental management, storm damage and infrastructure. I have responded to over fifty letters from local Members of Parliament since being elected as Mayor.</p> |
| Green, inviting, liveability | <p>Briefing on community engagement activities related to Sustainability Onkaparinga.</p> <p>Councillors having a briefing from Southern Regional Waste Resource Authority (SRWRA) Chair Mark Booth and our short and long term plans around recycling and the circular economy.</p> |
| Economic benefits, thriving natural environment | <p>Council declaring a Climate Emergency and setting aspirations for 2040 to reach our corporate carbon targets. Learn more about what is already underway here.</p> <p>Engaging and participating with Major Events including Tour Down Under, Australia Day, Beachside Food and Wine Festival and other Encore activations.</p> <p>Being briefed about Thalassa Park Trust, governance, investment and funding relationships.</p> <p>Submission to Senate Inquiry into the extent and nature of poverty in Australia.</p> |
| Trust in delivery and returns for rates | <p>Confidential briefing on Strategic Water Assets Review status.</p> <p>Commencement of the recruitment of Chief Executive Officer.</p> <p>Meetings with individual elected members to identify opportunities and synergies and aspirations in relation to strategy and budget alignment.</p> <p>Speaking in public domain to support democratic practices and City of Onkaparinga's integrity and reputation.</p> <p>Meeting with residents to hear from them directly on issues of concern about use of buildings and asset management.</p> <p>Providing content to INNOVATE™ Adelaide on role of Mayor as a community leader to build trust in communities.</p> |

Elected Member Representation

Thank you to Deputy Mayor Mick Fisher for representing me at:

- Reynella Gift Athletics Carnival
- Happy Valley Australia Day Breakfast
- Moana Surf Life Saving Australia Day event
- TiCSA Tourism Summit 2030 and Beyond
- Meet with Basketball SA
- Meet with Onkaparinga Clubs Forum executive
- Port Noarlunga Football Club Annual Season Launch and Open Day

Thank you to Cr Marisa Bell for representing me at:

- Willunga Australia Day Breakfast
- Fleurieu Folk Festival Annual General Meeting

Thank you to Cr Geoff Eaton for representing me at:

- Australia Day at Noor Mosque with the Ahmadiyya Muslim Community
- Multicultural Community Adelaide Hills (MCCA) Christmas and New Year event
- Main & Cherry Cellar Door Official Opening

Thank you to Cr Gretel Wilkes for representing me at:

- Port Noarlunga Surf Life Saving 90th Anniversary Gala Dinner
- SANFL Women's League Season Launch

This month the following invitations received an apology:

- Calvary Lutheran Church Service of Installation for new Pastor Andre Meyer
- Official Opening of Yankalilla Library
- Resilient South Council Member Forum
- Official Opening of Noarlunga Command Fire Station
- Activating the Fleurieu food system

Mayor's calendar 14 January to 17 February

| January | |
|---------|--|
| 15 | Santos Tour Down Under presentation of trophy for Ziptrak® Women's Stage 1 Finish |
| 16 | Met with resident and Attorney General, the Hon Kyam Maher MLC |
| 17 | Council Meeting |
| 18 | Radio Interview – ABC Radio |
| 18 | Met with resident regarding Willunga Post Office relocation |
| 18 | Met with representative from Dementia Australia and Onkaparinga Dementia Support Group |
| 18 | Media Interview – Channels 2, 9 and 10 |
| 19 | Met with representative from Southern Domestic Violence Action Group |
| 19 | Elected Member Session |
| 20 | Met with a member of First Nation Peoples Advisory Group |
| 20 | Presented certificates for the Mayor's Summer Reading Challenge |
| 20 | Australia Day Awards at Government House |
| 21 | Santos Tour Down Under presentation of trophy for THINK! Road Safety Men's Stage 4 |
| 22 | Guest Speaker at Friends of Port Willunga Annual General Meeting |

| | |
|-----------------|---|
| 22 | Fleurieu Folk Festival Annual General Meeting |
| 24 | Elected Member Session |
| 26 | Australia Day Breakfast at Noarlunga |
| 26 | Australia Day Citizenship and Awards Ceremony |
| 26 | Australia Day Bush Fair |
| 27 | Met with the Hon Amanda Rishworth MP, Minister for Social Services and members of the Southern Domestic Violence Action Group |
| 27 | Met with Mayor Moira Jenkins, City of Victor Harbor |
| 30 | Resumption of Council Meeting |
| 31 | Radio Interview – ABC Radio |
| February | |
| 1 | Met with resident regarding Thalassa Park |
| 1 | Met with Mayor Amanda Wilson, City of Holdfast and Mayor Dr Heather Holmes-Ross, City of Mitcham |
| 2 | Met with residents and members of Morphett Vale Lions Club regarding former kindergarten on Highway Drive, Morphett Vale |
| 2 | Elected Member Session |
| 3 | Radio Interview – Tribe FM |
| 3 | Media Interview – Fleurieu Sun |
| 4 | CEO Recruitment workshop |
| 4 | Opened Fleurieu Film Festival |
| 6 | Radio Interview – Radio Adelaide |
| 6 | Radio Interview - 5MU |
| 7 | CEO Performance Management Committee meeting |
| 7 | Elected Member Session |
| 8 | Judith's Legacy Breakfast fundraiser |
| 8 | Met with Tarac |
| 9 | Met with resident regarding volunteering |
| 9 | Met with National Trust Willunga Branch members regarding Waverley Homestead |
| 10 | Cardijn College Dux of School Assembly |
| 10 | McLaren Vale Bell Ringing Ceremony |
| 10 | Met with Chris Picton MP, Member for Karna and residents |
| 11 | Attended Beachside Food and Wine Festival |
| 13 | Met with Dr Tim Mahlberg, Director SA Ecosystems, Stone & Chalk Adelaide Startup Hub |
| 13 | Radio Interview – ABC Adelaide |
| 14 | Elected Member session |
| 15 | Met with residents regarding cultural conciliation |
| 16 | Met with residents regarding trees on Penfold Way, McLaren Vale |
| 16 | Elected Member training |
| 17 | LGA Principal Member Forum compulsory training |

Deputy Mayor's calendar 14 January to 17 February

| January | |
|----------|--|
| 17 | Council Meeting |
| 19 | Visit Hub Gymnastics |
| 19 | Elected Member session |
| 20 | Reynella Gift Athletics Carnival |
| 24 | Elected Member Session |
| 26 | Happy Valley Australia Day Breakfast |
| 26 | Australia Day Citizenship and Awards Ceremony |
| 26 | Australia Day at Moana Surf Life Saving Club |
| 30 | Resumption of Council Meeting |
| February | |
| 1 | TiCSA Tourism Summit 2030 and Beyond |
| 2 | Elected Member Session |
| 4 | CEO Recruitment workshop |
| 7 | Elected Member session |
| 8 | Judith's Legacy Breakfast |
| 14 | Met with Basketball SA |
| 14 | Elected Member session |
| 16 | AICD Uluru Statement virtual session |
| 16 | Met with Onkaparinga Clubs Forum executive |
| 16 | Elected Member training |
| 17 | Port Noarlunga Football Club Annual Season Launch and Open Day |

Correspondence

| | | |
|-------|---|---|
| Att 1 | Senate Standing Committees on Community Affairs | Submission to Inquiry into the extent and nature of poverty in Australia |
| Att 2 | Hon Geoff Brock MP, Minister for Local Government | Feedback relating to 2022 Local Government Elections and 17 January 2023 Council Meeting disruption |
| Att 3 | Mayor Gillian Aldridge, City of Salisbury | Extending apologies on behalf of City of Salisbury regarding views expressed in the media by Cr Severina Burner |

Thank you.



Moira Were AM

Mayor

MOVED Cr Bell.

- *That Council note the 21 February 2023 Mayor's report.*
- *That Council note that Cr Bell was an apology for the Fleurieu Folk Festival Annual General Meeting.*

Seconded by Cr Wilkes.

CARRIED

6. Presentations

6.1 FIRST NATIONS PEOPLE ADVISORY GROUP

A presentation was provided by First Nations members of the group, Karl Telfer and Alema Pilot.

7. Deputations

7.1 DEPUTATION – KRISTAL BAIN, PUDDLE JUMPERS RE ACCOMMODATION

Kristal Bain gave a deputation and answered questions from elected members in relation to accommodation for Puddle Jumpers.

7.2 DEPUTATION – MATT FARRELL, SELICKS WOODLANDS AND WETLANDS ACTION NETWORK (SWWAN) RE URBAN CANOPY COVER

Matt Farrell gave a deputation in relation to urban canopy cover.

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

8.1 CHIEF EXECUTIVE OFFICER PERFORMANCE MANAGEMENT COMMITTEE MEETING MINUTES OF 7 FEBRUARY 2023

MOVED Cr Jew.

That Council note the public minutes of the Chief Executive Officer Performance Management Committee meeting held on 7 February 2023 as attached to the agenda report.

Seconded by Cr Platten.

CARRIED

9. Reports of officers

9.1 FIRST NATIONS PEOPLE ADVISORY GROUP ELECTED MEMBER NOMINATIONS

Mayor Were declared a general conflict of interest as a nominee. Mayor Were stated she would receive no benefit or detriment, direct or indirect, personal or pecuniary from considering the matter and chose to remain in the meeting.

MOVED Cr Themeliotis.

That Council:

1. *Notes the progress and outcomes achieved by the First Nations People Advisory Group since its establishment in April 2021, as summarised at attachment 1 to the agenda report.*
2. *Appoints the following elected members:*
 - *Mayor Were*
 - *Deputy Mayor Fisher*
 - *Cr Wilkes*

as members of the First Nations People Advisory Group for a two year term, to end February 2025, per the group's current Terms of Reference at attachment 2 to the agenda report.

3. *Approves extending to end October 2023 the current terms of Mr Karl Telfer (chairperson), Ms Susan Roberts and Ms Alema Pilot as First Nations members of the First Nations People Advisory Group to enable collaborative review of the First Nations People Advisory Group Terms of Reference.*
4. *Notes that, following a workshopping process with the group members, a further report is planned for August 2023 seeking Council approval of a revised First Nations People Advisory Group Terms of Reference document.*

Seconded by Cr Eaton.

CARRIED

9.2 PUDDLE JUMPERS INCORPORATED ACCOMMODATION

MOVED Cr Fisher.

That Council notes:

1. *The decision of the previous Council made on 16 August 2022 to provide fee free or low fee suitable accommodation for Puddle Jumpers Incorporated.*
2. *Information contained within the agenda report detailing the range of accommodation options investigated as potential fee free or low fee sites for Puddle Jumpers Incorporated to operate from.*
3. *Information contained within this report highlighting the need for more detailed investigation into strategic and coordinated responses to the issue of food security in City of Onkaparinga.*

That Council approves:

4. *Detailed investigations being undertaken with State Government and identified stakeholders to inform a council wide coordinated approach to identify locations of highest need for food security initiatives.*
5. *Continued work to be undertaken with Puddle Jumpers Incorporated to find options for short term delivery of 'Drive By' emergency food services pending the recommendations of the broader food security investigations.*

Seconded by Cr Themeliotis.

Cr Jew MOVED an AMENDMENT.

That Council notes:

1. *The decision of the previous Council made on 16 August 2022 to provide fee free or low fee suitable accommodation for Puddle Jumpers Incorporated.*
2. *Information contained within the agenda report detailing the range of accommodation options investigated as potential fee free or low fee sites for Puddle Jumpers Incorporated to operate from.*
3. *Information contained within this report highlighting the need for more detailed investigation into strategic and coordinated responses to the issue of food security in City of Onkaparinga.*

That Council approves:

- 4. Detailed investigations being undertaken with State Government and identified stakeholders to inform a council wide coordinated approach to identify locations of highest need for food security initiatives.*
- 5. Continued work to be undertaken with Puddle Jumpers Incorporated to find options for short term delivery of 'Drive By' emergency food services pending the recommendations of the broader food security investigations.*
- 6. That Council advocate and collaborate with other organisations and link Puddle Jumpers into that process.*

Seconded by Cr Rilett.

The AMENDMENT was PUT and CARRIED.

The MOTION, thus AMENDED, was PUT and CARRIED.

9.3 EM2021-06 COMPLAINT REGARDING THE CONDUCT OF FORMER COUNCILLOR ALAYNA DE GRAAF – FINAL INVESTIGATION AND ADDENDUM REPORT

MOVED Cr Themeliotis.

- 1. Council notes that as per clause 2.24 of the Minister's previous Code of Conduct for Council Members (the Code), and clause 4.20.1 of Council's previous Procedure for Investigating Complaints under the Code of Conduct for Council Members 2019 (the Procedure), a public report must be provided to Council if a breach is determined following a Code of Conduct for Council Members investigation.*
- 2. That, as provided for in clause 4.20.2 of Council's former Procedure for Investigating Complaints under the Code of Conduct for Council Members, Council accepts the Independent Investigator's recommendations that:*

Former Councillor de Graaf likely did not:

- discharge her duties conscientiously (as required by clause 2.1 of the former Code)*
- act in a way that generates community trust and confidence in the Council (clause 2.2 of the former Code)*
- deal with information received in their capacity as Council members in a responsible manner (clause 2.7 of the former Code).*

Therefore, Council resolves that the conduct of former Councillor de Graaf technically constituted a breach of clauses 2.1, 2.2 and 2.7 of the former Code of Conduct for Council Members, though these breaches are on the lower end of seriousness.

- 3. Council notes, that the Investigator recommended that Council requests a written and verbal apology from former Councillor de Graaf in respect of her not disclosing the January 2021 Letter in a timely manner and that as Ms de Graaf is no longer a member of Council, that an apology letter not be requested.*

Seconded by Cr Fisher.

CARRIED

9.4 EM2022-05 OMBUDSMAN'S FINAL REPORT (2021/07260) REGARDING THE CONDUCT OF FORMER COUNCILLOR ALAYNA DE GRAAF

Cr Themeliotis declared a general conflict of interest as the report contains emails from her. Cr Themeliotis stated she would receive no benefit or detriment, direct or indirect, personal or pecuniary from considering the matter and chose to remain in the meeting and debate and vote on the matter.

MOVED Cr Themeliotis.

That Council consider and note:

1. *The following findings of the South Australian Ombudsman in relation to the conduct of former Cr Alayna de Graaf, the Ombudsman found that, (former) Cr de Graaf:*
 - *breached section 63(2) of the Local Government Act 1999 and clause 3.3 of Part 3 of the Code of Conduct for Council Members and on that basis, Cr de Graaf acted in error for the purposes of the Ombudsman Act 1972, by:*
 - *sharing information discussed at the Elected Members Information Session held in confidence on 2 November 2021*
 - *forwarding the email and noise data sent to Cr de Graaf by Cr O'Brien on 25 November 2021*
 - *forwarding an email addressed to all elected members with the subject line 'Confidential briefing /Q & A session Tuesday 9 November at 5:30pm' which disclosed the topic to be discussed at a confidential briefing*
 - *forwarding emails from an email chain involving all elected members but primarily Crs de Graaf, McMahon and Peat on 6 November 2021*
 - *forwarding an email from Cr Themeliotis to elected members on 6 November 2021*
 - *disclosing information about a previous councillor or employee who was engaged in a wrongful dismissal claim.*
 - *sharing information about a council matter involving a council officer and a ratepayer.*
2. *The Ombudsman was of the view that the breaches cumulatively amounted to a pattern of conduct which is both intentional and serious, and therefore amounts to Misconduct in Public Administration.*
3. *The Ombudsman foreshadowed recommending under section 25(2) of the Ombudsman Act 1972 and section 263B(1) of the Local Government Act 1999 that the Council lodge a complaint with the South Australian Civil and Administrative Tribunal seeking an order that Cr de Graaf be suspended from membership of the Council and any committees of the Council for such period as the Tribunal deems appropriate.*

The Ombudsman acknowledged the gravity of making such a recommendation and advised that he did not do so lightly, however in all of the circumstances considered that recommendation to be most appropriate having regard to:

 - *the number of breaches of the Code of Conduct for Council Members*
 - *the intentional and serious nature of the breaches amounting to misconduct*
 - *the false submissions provided to his Office in the course of the investigation*
 - *Cr de Graaf's apparent inability or unwillingness to understand the confidentiality obligations imposed by the Code of Conduct for Council Members, noting that she has undergone training on this topic.*
4. *The Ombudsman noted that since issuing his revised provisional report, the council has undergone an election which resulted in Alayna de Graaf not being re-elected as a council member, and no longer considered it appropriate or necessary to make the*

recommendation that the Council seek an order of suspension from membership of the council in relation to Ms Alayna de Graaf.

Seconded by Cr Eaton.

CARRIED

9.5 EM2022-07 OMBUDSMAN'S FINAL INVESTIGATION REPORT (2022/02287) REGARDING THE CONDUCT OF FORMER COUNCILLOR ALAYNA DE GRAAF

MOVED Cr Themeliotis.

That Council consider and note:

1. *The following findings of the South Australian Ombudsman in relation to the conduct of former Councillor Alayna de Graaf, the Ombudsman found that, former Councillor de Graaf:*
 - *had a material conflict of interest in item 11.1 and was therefore required to leave the meeting during the discussion of item 11.1, although the Ombudsman acknowledged that this conclusion is finely balanced*
 - *failed to deal with her material conflict of interest by remaining in the meeting and discuss item 11.1*
 - *at the very least, had an actual and perceived conflict of interest in item 11.1*
 - *noting that a perceived conflict was declared and the obligations for declaring an actual and perceived conflict of interest are identical, appropriately declared that conflict*
 - *however, failed to deal with her actual and perceived conflict of interest in a transparent and accountable way.*
2. *Former Councillor de Graaf breached sections 74(1) and 75A(1) of the Local Government Act 1999 and clause 3.13 of Part 3 of the Code of Conduct for Council Members and on that basis, former Councillor de Graaf acted in error for the purposes of the Ombudsman Act.*
3. *The Ombudsman foreshadowed in his provisional report recommending under section 25(2) of the Ombudsman Act and section 263B(1) of the Local Government Act that Council reprimand former Councillor de Graaf and require her to issue an unqualified apology at a public meeting of the Council.*
4. *The Ombudsman noted that since issuing his provisional report, the Council has undergone an election which resulted in Alayna de Graaf not being re-elected as a Council member, and no longer considered it appropriate or necessary to make the recommendation that the Council reprimand or request Alayna de Graaf to issue an unqualified apology at a public meeting.*

Seconded by Cr Fisher.

CARRIED

9.6 COUNCIL MEMBER CASUAL VACANCY

MOVED Cr Themeliotis.

That Council notes, as per Section 54(6) of the Local Government Act 1999, the Chief Executive Officer is formally notifying the Council of the vacancy in the office of Knox ward, for Councillor Heidi Greaves.

Seconded by Cr Fisher.

Cr Fisher left his seat in the Chamber at 7.34pm.

CARRIED

9.7 ANNUAL BUSINESS PLAN AND BUDGET 2023-24 COMMUNITY ENGAGEMENT PLAN

Cr Fisher resumed his seat in the Chamber at 7.35pm.

MOVED Cr Eaton.

That Council approves the draft Annual Business Plan and Budget 2023–24 Communication and Engagement Plan as per attachment 1 to the agenda report, with the key messages updated to include how growth is used in calculating rates

Seconded by Cr Bell.

CARRIED

9.8 PROPOSAL TO COMMENCE THE REVOCATION OF COMMUNITY LAND CLASSIFICATION FOR PORTION OF RESERVE FOR DISPOSAL TO ADJACENT LANDOWNER, ALDINGA BEACH

MOVED Cr Themeliotis.

That for the portion of Council owned land described as Allotment (Reserve) 640 in Deposited Plan 35735 comprised in Certificate of Title Volume 5107 Folio 988 and bordered in red on Attachment 1 to the agenda report, Council:

- 1. Declares that the portion of subject Council owned community land is surplus to requirements and potentially suitable for disposal to the adjoining owners of the land bordered in blue on Attachment 1 to the agenda report.*
- 2. Approves the commencement of the revocation process to revoke the community land classification, including undertaking public consultation in accordance with the provisions of subsection 194(2) of the Local Government Act 1999.*
- 3. Approves the net proceeds from the sale of the subject land (if ultimately approved by Council) as a contribution towards the annual \$3 million-dollar budgeted revenue to be raised from the sale of surplus assets as per the Long-Term Financial Plan and the 2022-23 budget to fund prioritised projects as planned.*
- 4. Requests a further report be presented to Council following the outcome of the public consultation phase of the revocation process to enable Council to determine if the revocation and disposal should proceed.*

Seconded by Cr Bell.

CARRIED

9.9 UPDATE REPORT FOR REVOCATION OF COMMUNITY LAND CLASSIFICATION FOR RESERVE ADJACENT 2 MATARO AVENUE MCLAREN VALE

MOVED Cr Themeliotis.

That for the council owned land described as Allotment (Reserve) 27 in Deposited Plan 34194 comprised in Certificate of Title Volume 6220 Folio 710 and bordered in red on Attachment 1 to the agenda report, Council:

- 1. Receives the Community Engagement Feedback Report (see Attachment 2 to the agenda report) from the public consultation phase of the community land revocation process.*
- 2. Resolves, having considered submissions received during the public consultation phase, to proceed with the process to revoke the land from its community land classification.*

3. *Approves that a request be forwarded to the Minister for Local Government seeking their approval to the revocation of the subject land from its community land classification to enable sale to the adjacent landowner.*
4. *Requests that a final update report be presented to Council once the Minister's decision regarding the proposed revocation has been received, to enable finalisation of the revocation process.*

Seconded by Cr Pritchard.

CARRIED

9.10 SUBMISSION TO THE ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE'S INQUIRY INTO THE URBAN FOREST

MOVED Cr Bell.

That Council:

1. *Notes the Parliamentary Inquiry into the Urban Forest has been initiated by Parliament South Australia's Environment, Resources and Development Committee.*
2. *Notes the Parliamentary Inquiry into the Urban Forest by the Environment, Resources and Development Committee does not and cannot change the legislative and/or regulatory framework for tree protection.*
3. *Approves the draft submission on the Parliamentary Inquiry into the Urban Forest as contained in attachment 1 to the agenda report.*

Seconded by Cr Fisher.

CARRIED

9.11 SUPPLEMENTARY ELECTION – METRO SOUTH GROUPING REPRESENTATIVES TO THE GREATER ADELAIDE REGIONAL ORGANISATION OF COUNCILS (GAROC)

Mayor Were declared a general conflict of interest as a nominee. Mayor Were stated she would receive no benefit or detriment, direct or indirect, personal or pecuniary from considering the matter and chose to remain in the meeting.

MOVED Cr Eaton.

That the Local Government Association (LGA) be advised that Council's vote be given to Mayor Moira Were of the City of Onkaparinga for the position of a member to the Local Government Association's South Regional Grouping of the Greater Adelaide Regional Organisation of Councils for a term ending at the conclusion of the 2024 Local Government Association's Annual General Meeting.

Seconded by Cr Bell.

CARRIED

9.12 QUARTERLY FINANCIAL UPDATE INCLUDING BUDGET REVIEW 2

MOVED Cr Pritchard.

1. *That Council note the financial update for the period to 31 December 2022 provided in the agenda report and Attachment 1 to the agenda report.*
2. *That Council note the re-timing of some capital works projects which has resulted in the removal of some capital budgets as part of Budget Review 2 to present a more accurate representation of the year-end forecast, further noting that these budgets will be*

reinstated as part of Budget Review 4 at year end in order to seek approval for carry forwards into 2023-24.

3. *That Council adopt the updated year end forecast as the new approved budget for 2022-23, which incorporates Budget Review 2 outcomes as discussed in the agenda report and presented at Attachments 1 and 2 to the agenda report.*

Seconded by Cr Wilkes.

CARRIED

9.13 RESOURCE PRIORITISATION DOCUMENTS 2023-24

MOVED Cr Eaton.

That Council approve the draft Resource Prioritisation documents as presented in Attachment 1 to the agenda report.

Seconded by Cr Pritchard.

CARRIED

9.14 COUNCIL AND COMMITTEE REPORTING SCHEDULE

MOVED Cr Eaton.

- That Council note the agenda report and Reporting Schedule (attachment 1 to the agenda report).*
- That the report for the Coromandel Valley Institute building be included.*

Seconded by Cr Platten.

CARRIED

10. Questions on notice

10.1 QUESTION ON NOTICE – CR THEMELIOTIS – COSTS ASSOCIATED WITH THE COUNCIL MEETING HELD 17 JANUARY 2023

Could you please provide the chamber with the costs associated with the council meeting held Tuesday 17th January Council meeting?

Approximate costs for the Council meeting of 17 January 2023 (adjourned) are:

| | |
|------------|--------------|
| • Security | \$340 |
| • Catering | \$765 |
| • Cleaning | <u>\$250</u> |
| | \$1,355 |

The approximate following staff numbers were in attendance from 5pm until 7.30pm:

Acting Chief Executive Officer

Five (5) Directors

Seven (7) Managers

Six (6) Staff Officers

Whilst the meeting was officially adjourned at 6.40pm staff and elected members were required to wait in a secure area until 7.30pm when it was determined that the building could be exited in a secure environment.

10.2 QUESTIONS ON NOTICE – CR THEMELIOTIS – STORM DAMAGE COSTS

1. *Could you please provide the chamber with the clean-up costs to the council from the recent storms?*

The operational clean-up costs from the storm event on 12 November 2022 has cost \$316,000 and capital costs are \$105,000.

2. *Will there be any ongoing costs?*

Most locations with vegetation debris have now been collected. Some branch debris on reserves are being collected as part of our reserve summer clean-up program to enable this work to be completed as part of an existing program for efficiency. This program is scheduled to be completed by the end of March 2023. As a result of the storm event there is a backlog of existing work that had to be rescheduled or delayed which is now being undertaken. Additional costs estimated for staff, contractors and equipment is \$60,000.

3. *Has the council implemented anything learnt from the recent storms to assist with future storm events?*

This event was the first major storm since we have commenced use the new OneCouncil system. Several improvement opportunities have been noted which we are currently reviewing through workshops as part of a Customer Request Management review. These include how requests are triaged and tracked when coming through the newly available channels of lodgement and how priority rating scores are applied. We have also had follow up with our after-hours call out provider, aiming to further refine the information provided to residents.

Through the Local Government Association there is a resource request pool called the Local Government Function Support Group where Councils can request assistance from other Councils to share resources. This will be utilised for future events should resources or clean-up timings require.

We have an operational plan for tree emergency responses which identifies how we respond during storm events. It has a hierarchy of resources and actions to be undertaken. This was last reviewed in 2020 and is triggered for review after events. We are now reviewing this document with a focus on the recovery stage after an event, particularly for longer term clean ups, to focus on improvements and efficiencies. Improvement opportunities include communication and updates on the recovery works to elected members and residents, the allocation of extra resources and seasonal variations when prioritising clean-up works e.g. fire danger season, winter rainfall, etc.

10.3 QUESTIONS ON NOTICE – CR THEMELIOTIS – STORM/BUSH FIRE EVENTS

1. *Over the last 10 years how many storm, flood, and bushfire events has the council had?*

Please find attached a table (Attachment 1) outlining events over the last 10 years. We have categorised an event as an occurrence that impacts our normal operations and resources for more than a week. Most years we have 2 to 3 smaller occurrences of weather or fire which are quickly responded to that does not impact normal operations or resources.

2. *What years did these occur?*

Please refer to table for dates.

Significant fires and storms in the City of Onkaparinga
2014 - Present

Attachment 1

3. *What clean-up costs did Council incur for each event?*

Costs have not been captured for all historical events, please find known costs for events within the table.

***Note: there are dozens of smaller fires in the City of Onkaparinga every year which are contained within one day by MFS or CFS Brigades.**

| Date | Incident type | Location | Impact | Expenditure |
|------------------|---------------|--|---|--|
| 12 November 2022 | Storm Event | Storm concentrated on Onkaparinga, Mitcham and Marion Council areas. | <p>Woodcroft Library sustained roof damage and internal flooding. Other Council buildings sustained flooding as well as structural and roof damage from fallen limbs.</p> <p>Large numbers of trees down across the council area with roads temporarily closed. Ongoing clean ups identified to take several months. We received over 1,000 tree related requests and 90 requests for minor flooding and blocked drains, diverting resources away from planned works and requests.</p> <p>Minor flooding specifically near the mouth of Pedler Creek in Moana.</p> <p>Due to large amount of water in short space of time we experienced many washouts across the city and due to hazards, these were prioritised taking away time from routine sweeping cycle. Contract sweeper was brought in to assist keeping round times within Service Level Agreement for an 8-week period.</p> <p>An increase in waste disposal tonnages predominantly around loss of food from power outages, of approx. 100 tonnes extra waste disposed of in November.</p> | Operational \$316,000 Capital \$105,000 |

| Date | Incident type | Location | Impact | Expenditure |
|------------------------------|--------------------------|--|---|--|
| 25 July 2021 | Storm Event | North suburbs of our Council are mostly Coromandel valley, Flagstaff Hill, Aberfoyle Park, Happy valley | Strong winds resulting in large numbers of trees and branch falling mostly in the northern suburbs of our Council area. Received over 100 calls received for response. | Full costs not collated estimated around \$25,000 |
| 24-26 January 2021 | Cherry Gardens bushfire | Starting in Cherry Gardens, and affecting Dorset Vale, Scott Creek and other areas in Adelaide Hills Council and the Mount Barker District Council | 2,700 hectares of land was burnt, mainly in neighbouring council areas. Council roads were closed for several days due to tree debris and burnt signs, etc. Council graders and front-end loaders were used to clear roads alongside arboriculture crews. Community Development support was provided to residents for several months following the fire. | Operational \$15,000 for extra tree works. |
| 01 January 2021 | Tangari Park bushfire | Tangari Regional Park, Happy Valley. Adjacent Education and Armata Roads. | Several hectares of fire burnt through dense bushland and was quickly extinguished by the CFS. | No additional operational costs |
| 14 December 2020 | Grass fire | Christies Creek, Lonsdale | Grass fire burnt a small area of Christies Creek reserve in Lonsdale and was extinguished within a few hours. | No additional operational costs |
| December 2019 – January 2020 | Kangaroo Island bushfire | Kangaroo Island | Council sent arborists and arboriculture crews to assist with tree safety inspections, clearing roads and felling burnt trees. | \$67,000 support |
| 21 and 22 November 2018 | Storm Event | City wide impact, higher responses in Morphett Vale, Christies Beach, Port Noarlunga, Hackham, Aldinga and McLaren Flat. | Most calls related to trees, from fallen branches to tree failures predominately along the coast and in the southern section of the City. Local flooding issues reported with blocked drainage pits on sealed roads (side entry pits). Jetty was closed during the event, significant damage caused to the diver steps. Coastal access points impacted from erosion/damage which result in closers and repairs. | \$150,000 operations Jetty diver stairs clean-up/removal \$8,276. Replacement fund via DIT |

| Date | Incident type | Location | Impact | Expenditure |
|-------------------|---------------|--|--|--|
| 6 July 2018 | Storm Event | Strong winds and rain lashed the coastline with major impact at Aldinga | The nearly 40-year-old Aldinga Bay Surf Life Saving Club building was lifted from its fixings and broke away from the building, removing 70 per cent of the roof. Rain flooded the building, and roof sheets were blown into the carpark. Minor foreshore damage to infrastructure. | \$1.6 million capital to replace the SLSC. |
| 14 September 2016 | Storm Event | Old Noarlunga and lower Onkaparinga River flooding. Tree damage City wide. | Coinciding with the State-wide storms and blackout, the Onkaparinga River downstream of the Mount Bold Reservoir flooded due to heavy rain and uncontrolled water releases from the reservoir. Approx. 40 homes in Old Noarlunga had water damage. We received 956 customer requests enquiries city wide. We provided several pallets of sandbags to Willunga South, Moana and Old Noarlunga. Ongoing clean up works related to boardwalks, bridges, tennis courts and reserves, fallen trees and branches, flooded areas and roads. Large areas of fallen vegetation which took 10 weeks to clear. | \$296,500 operational \$80,000 capital |
| 10 May 2014 | Storm Event | Tree damage and fallen branches were widespread throughout the city. Coastal areas were more impacted with infrastructure damage. 90 km along with a significant high tide event | Multiple tree branches down over roads, footpaths and private property. Coastal infrastructure damage relating to ramps, coastal retaining, foreshore access as well as the Port Noarlunga Jetty with damage to steps and minor board lifting. Road closures due to water over Commercial and River Road at Port Noarlunga as a result of the high tide event. Over 200 calls for assistance. | Cost not collated at the time. |
| 5 February 2014 | Storm Event | Tree damage was widespread throughout the city with the suburbs of Morphett Vale, Reynella and Willunga impacted the most. Wind gusts up to 110 km. | Large numbers of trees and branches down over roads, footpaths and private property. Some fences damaged. Trees impacted power lines and power supply lines to houses. 1010 street trees and 525 reserve trees responses. 12 plus weeks to complete clean up. | \$100,000 |

10.4 QUESTIONS ON NOTICE – CR STAFFORD – MEETING RECORDINGS

Background

Currently, recordings of a Council meeting are available for viewing on the council's website and on Youtube for a period of up to 24 months. Some other councils within South Australia do not have such a restriction on the lifetime Council meetings are up. For example, the City of Adelaide has meetings on it's Youtube channel dated back to 2015.

1. *At what point did Onkaparinga council begin recording meetings?*

The first meeting recorded was the Council meeting of 19 January 2021 following the below motion being carried at the Council meeting of 16 June 2020 which stated that meetings commence being recorded once the installation of the video equipment and testing was completed. This resolution stated recordings be kept for a period of three months:

1. *That Council approve the inclusion of the following detail in its Code of Practice – Proceedings of Meetings:*
 - a. *That Ordinary Council, Special Council, Strategic Directions Committee, Audit Risk Value and Efficiency Committee meetings, be recorded, noting that all meetings will be held in the Council Chamber.*
 - b. *That the meetings be audio and video recorded.*
 - c. *That the meetings be recorded and uploaded to Council's website after the completion of the meeting and available for a period of three months.*
 - d. *That where Council or a Committee resolves to close the meeting to the public, the recording will be ceased.*
 - e. *That public advice regarding the recording of the meetings will be provided via the notice of meeting, notices at the entry to the Council Chambers, written advice to those requesting a deputation, and verbally by the Presiding Member at the commencement of each meeting.*
 - f. *Council's recording publication is subject to the usual copyright protections under the Copyright Act 1968, that is, no part of these publications may be reproduced without the written permission of the Council.*
2. *That Council notes and acknowledges that the administration will be consulting with staff and putting in place the appropriate management controls and administrative policies required to support staff during the transition and introduction to recording of meetings*
3. *That recordings will commence at the conclusion of the installation of the video cameras and testing.*
4. *That the Code of Practice – Proceedings of Meetings be amended to remove the provision to have the Directors Group (staff) seated at the horseshoe in the Council Chamber.*

2. *At what point was the policy of removing council meeting recordings after a period of up to 24 months adopted?*

At the Council meeting of 20 April 2021 the below motion was carried, which increased the recordings of future meetings to be kept on the website from three months to 24 months:

- *That public instant access to video recordings on Council's website of the approved Council and Committee meetings be increased from 3 months to 24 months.*
- *That a publicly accessible YouTube channel be created and the recorded videos also be available at that site, as well as the Council website for the 24 month period.*
- *That the public instant access extension to 24 months, and the creation of the public YouTube channel, begins at the next meeting to be recorded.*
- *That when recorded videos eventually fall outside the 24 month period, the publicly accessible links to the videos are removed from Council's website and the YouTube channel, however they are to be retained indefinitely in the event they are requested to be viewed by the public.*
- *That the previously recorded meetings be retained for public instant access for 3 months, as per the previous arrangement, as advised to persons performing deputations and presentations. They are also to be included on the newly created public YouTube channel.*
- *That a request for access to view recorded videos outside the public instant access timeframe be via a more simplified application process than a Freedom of Information (FOI) request that's currently required.*
- *That the simplified application process include definition of significant administrative time that may result in a fee being charged.*

3. *What was the given rational behind the policy of removing council meeting recordings after a period of up to 24 months?*

As per the resolution of Council in 2. above, no rationale was given for allocating the timeframe of 24 months.

4. *Are these meetings completely deleted or are they archived internally?*

As per the resolution of Council in 2. above, they are archived but still accessible on YouTube.

5. *If they are archived, are these archives accessible to the general public upon request?*

Yes.

10.5 QUESTIONS ON NOTICE – CR WILKES – BEACH ROAD TOILETS

1. *What council owned public toilets service Beach Road patrons, not including Esplanade toilets.*

Not including the toilets on the Esplanade, Beach Road is serviced by 1 main street public toilet block located on Fowey Street. The facility provides male and female toilets and a separate unisex accessible toilet.

2. *How many toilets would a new cafe or restaurant being built in the City of Onkaparinga with capacity for 100 people need to have?*

The requirement of services (such as toilets) for cafes and other commercial activities is determined through the Building Code of Australia (when part of a development

application), and other legislative compliances subject to the individual business intended use, such as Consumer and Business Services for liquor licensing.

For up to 100 people, the Building Code of Australia requires 1 male, 1 female and 1 unisex disabled toilet.

3. What are the council's toilet service levels for Beach Road and how are they met, including how is this comparative to cafes and public events?

City of Onkaparinga (CoO) has 70 public facilities across our city. We manage CoO public amenity requirements using the Open Space Strategic Management Plan (OSSMP). The plan defines the open space hierarchy and identifies and categorises service levels to match the key function of each park across the network.

Historically there are public toilets in locations outside the OSSMP that were constructed prior to Council's amalgamation and the adoption of the OSSMP

Beach road does not have open space that match the categories that call for public toilets.

As per the report to Council 19 July 2022, Christies Beach is considered well serviced with public toilets, with three facilities located within the suburb (Fowley Street, Brixton Street (Rotary Park), the Esplanade). It is Council's position, and it is commonly accepted that organisers of any large event across the city are responsible for providing toilet facilities for their associated event. As the reserve is only utilised for the community market on a fortnightly basis and has no other outdoor events or activities that would attract the community to use this open space, it did not justify the construction of a public toilet.

Public Events can be one off or regular occurrences, it is the event organiser who has the responsibility to manage work health and safety risks, including the provision of adequate toilet facilities. These facilities would be required to be maintained by the event organiser for the duration of the event.

As above, the requirement of services (such as toilets) for cafes and other commercial activities is determined through the Building Code of Australia (when part of a development application), and other legislative compliances subject to the individual business intended use, such as Consumer and Business Services for liquor licensing.

4. How would Council staff describe the current condition of the Fowley Street public toilets?

A circular shaped public convenience constructed of clay brick and featuring standard facilities. In 1995 an access toilet was added to meet then current compliance. From an asset management perspective, the facility is serviceable in good condition, noting the aesthetics of public toilets can change quickly with vandalism and misuse. Minor works through its life have been undertaken such as new pans, cisterns, hand basins etc

5. How much would it cost to upgrade the Fowley Street public toilets on Beach Road, including removing and replacing the asbestos?

To cost any upgrade works on the existing facility would require a form of planning and scope to allow the market to cost.

The level of amenity upgrade or additional services would also need to be determined to accurately provide an estimate of the overall cost of any works.

A conservative current capital replacement (like for like) cost for these toilets would be approximately \$160,000. This number is based on a valuation undertaken in 2019, plus CPI increases and construction cost escalation. It does not include asbestos removal,

service upgrades or other factors which would need to be identified, works scoped and accurately estimated as part of project pre-planning.

6. *Has the parcel of land where the suggested toilets site is nominated been considered by council for future works or in the council's asset renewal plan?*

This parcel is not identified in the OSSMP and could therefore be considered as surplus land.

No capital works are currently identified for this land parcel.

The future of this land parcel is yet to be reviewed and is annually licensed for use to: The Original Open Market Incorporated. Access is between the hours of 7am to 2pm with trading not to commence before 8am on the first and third Sunday of each month only from 1 July 2021 (Commencement date) to and including 30 June 2022 (Expiry date)

7. *Has council ever received complaints from residents regarding the lack of toilets in Onkaparinga?*

We do receive requests for a variety of works and infrastructure upgrades and enhancements, including for maintenance on existing toilets are requests for new facilities We respond to these requests using the criteria set through the OSSMP.

8. *Has council consulted with businesses at the eastern end of Beach Road, Christies Beach about whether they would be supportive of accepting the State Government offer of funding to build toilets? If so, who was consulted and what was the feedback?*

No, there was no consultation undertaken on the project as it was unsolicited and at the Council Meeting 19 July 2022 it was resolved:

"Do not approve accepting funding to deliver a new toilet facility at the Original Open Market site in Christies Beach due to the site being used infrequently, ongoing cost to maintain and future asset renewal requirements.

10.6 QUESTIONS ON NOTICE – CR JEW – ALDINGA WASHPOOL

Background

The Aldinga Washpool is a significant cultural and ecological space. Last year the Aldinga Washpool was included in the Conservation Park Title of the Aldinga Scrub. As it currently stands Button Road currently runs down the middle of the wetlands, this road has low levels of traffic however impacts the environmental and cultural opportunities this unique section of our coast provides.

1. *Have any assessments taken place or considerations been given to remove Button Road at the Aldinga Washpool?*

The Aldinga Washpool is now part of the state government's newly proclaimed national park called 'The Aldinga Conservation Park.'

Council's position on the future of the Aldinga Washpool is outlined in a role statement document, adopted on 4 May 2021. The role statement includes the following in relation to Button Road – "We will partner with the South Australian Government to plan for visitor facilities on site and infrastructure that connects the Washpool to its surrounds within site including:... opportunities to improve access via modifications to Button Road's current form and/or alignment."

The Department of Environment and Water is in the early stages of developing a park management plan, which will include community engagement on how the park will be managed moving forward. We are advocating for the issue of Button Road to be explored as part of this process

With respect to the questions below, our responses are general in nature, given the early stages of planning processes. We will provide updates to Council at appropriate points in the process and will continue to advocate and negotiate for optimal outcomes given the cultural, social and environmental importance and sensitivities of the park. This includes appropriate community engagement.

2. What would the costs be associated with the removal of this road?

The Roads (Opening & Closing) Act 1991 (Act) is the legislative mechanism to close a portion of road. For road closures, a public report is prepared for Council's consideration on the appropriateness of the closure. As Council has the power to close the road, the chamber would need to support the closure in order for it to move forward. This would include community consultation.

Costings associated with the potential removal of Button Road have not been undertaken.

3. What funding avenues could Council pursue to support this to occur?

As with all significant projects, council will explore external funding sources through advocacy efforts with State and Federal Governments. Otherwise, funding will need to be considered through the normal budget process.

4. What community engagement has occurred in relation to the removal of Button Road? If any, what were the outcomes?

No formal consultation has been undertaken regarding the closure of Button Road. Our understand is that the local community has mixed views about the closure.

10.7 QUESTIONS ON NOTICE – CR JEW – SELICKS BEACH LAND DEVELOPMENT

Background

The South Australian Government has recently announced the release of land for approximately 1700 houses in Sellicks Beach

- *Was the potential release of land that has now been announced for housing in Sellicks Beach considered in the development of the strategy council created for Sellicks Beach?*

Council prepared the Sellicks Beach Structure Plan (SBSP) in 2020 with extensive engagement with the Sellicks community.

The land contained in our SBSP is the same land as identified for 'release' by the state government. The current zoning of the land does not enable urban development and will need to go through a Code Amendment (the rezoning process) before it can be made available for housing.

The Structure Plan seeks to:

- Inform the layout for potential growth within the Sellicks Beach Structure Plan area
- Collate and provide direction around infrastructure constraints and unlocking mechanisms to enable potential infill development and transition for parts of the area from non-urban land to urban land

- Provide direction around transport and movement needs, shopping and community infrastructure requirements for growth
- Set out high level guidelines to inform future built form outcomes.

Please note the land identified for 'release' is all under private ownership; the state government does not own or control any areas within the subject area.

The full suite of documents that comprise the Sellicks Beach Structure Plan can be found at <https://yoursay.onkaparinga.sa.gov.au/sellicks-beach-structure-plan>

- *What does Council foresee as the concerns and opportunities related to this development in regard to infrastructure and services?*

The main consideration is the provision of a coordinated sewer solution for any new development as well as ideally capturing the unsewered area of Sellicks Beach, whilst we also need to consider our current CWMS operations.

We anticipate there may also be a need for a number of stormwater and road upgrades (e.g. Sellicks Beach Road)

In terms of local services, through the Structure Plan we identified the need for a local activity centre (e.g. IGA, with a few speciality shops – chemist, hairdressers, etc.). An area of approximately 2 hectares has been earmarked on the north-eastern corner of Justs Road and Sellicks Beach Road.

- *Will service levels for Sellicks Beach increase with a higher population? Has this been considered in the Long-Term Financial Plan?*

We consider the impacts of growth within the Long Term Financial Plan based on forecasts, and factor in increased rate revenue from new properties, as well as some additional costs to provide services to these. We also need to ensure we are capturing step change as well (for example, when we will need to purchase a new waste truck and additional drivers because we cannot absorb the additional properties within our current infrastructure), which has not fully been factored into the LTFP but are being reviewed.

The growth estimates are reviewed when we update the LTFP.

- *How does the South Australian Government involve us in infrastructure development decisions and costings?*

Infrastructure investigations, costings and funding options are undertaken through the Code Amendment. This will involve discussions and negotiations with infrastructure service providers. Council will generally be involved in these discussions, but our level of involvement depends on whether we lead the Code Amendment, or if it is led by the state government or a private proponent.

When development is proposed post rezoning the developer, at their cost, is required to deliver all infrastructure within their land.

- *What will the percentage of affordable and public housing be?*

We anticipate that the 'Affordable Housing Overlay' of the Planning and Design Code will be applied through a future Code Amendment process. The Affordable Housing Overlay requires development comprising 20 or more dwellings / or residential allotments to include a minimum of 15 percent affordable housing.

Noting that the subject area is not owned or controlled by state government, there is no mandate for provision of public housing.

- *What considerations have been made in relation to the infrastructure requirements for Sellicks Beach, including wastewater?*

We examined utilities infrastructure requirements through the SBSP, where it was identified augmentation and upgrades will be required to service additional dwellings. Please see the link above for the full studies in relation to infrastructure.

- *How does council ensure stormwater from developments does not affect water quality and natural flows*

Prior to any land development, through planning processes (structure planning, Code Amendments and development assessment including land division) stormwater management plans will be undertaken by qualified stormwater engineers to investigate matters such as water volumes, flow paths and capacity.

In relation to Sellicks Beach, the SBSP identified four watercourses that traverse the area and due to topography, stormwaters will flow downstream to the coast. Analysis identified that existing stormwater management infrastructure and receiving areas do not have capacity for new flows. On this basis, following various scenario testing, three new detention/retention basins have been recommended to safely accommodate future predicted stormwater flows. The basins will be linked to watercourses and current pipe network. We will also be seeking Water Sensitive Urban Design techniques to be implemented, together with measures to protect the downstream wetlands and the coastal environment from inundation and poor water quality.

- *What other land is known to be earmarked by the South Australian Government for potential sale or release across the City of Onkaparinga?*

The Onkaparinga Local Area Plan (OLAP), prepared in 2020 by Council and the State Planning Commission, sets out our future growth areas, being Aldinga. Hackham and Sellicks Beach.

Aldinga is held by Renewal SA and we understand they are likely to partner with a private proponent to develop the site; approximately 1000 dwellings are anticipated.

At Hackham approximately 2/3 of the land is held under private ownership with Renewal SA holding approximately 1/3. We understand that at least 2000 dwellings plus a local activity centre are proposed across the affected area. This land has recently been rezoned to accommodate this.

Sellicks Beach is all under private ownership and therefore state government and council are not involved in the sale or releases, but rather provide the direction for the timing of rezoning and infrastructure provision. The state government announced 1700 dwellings are to be built. An area for a local activity centre has been identified in the SBSP. The area set out for the 1700 dwellings is not zoned for housing and will need to go through a Code Amendment to rezone the land.

10.8 QUESTIONS ON NOTICE – CR STAFFORD – LIVE STREAMING OF COUNCIL MEETINGS

Background

I understand that late in the last Council term the Administration were asked to investigate live streaming of Council meetings.

1. *When will a report be provided to Council on livestreaming Council meetings and will options and costings be included in the report.*

A report will be brought to Council in March, the report will include costings.

2. *Will the report include pros and cons of livestreaming Council meetings in comparison to the current practice of providing the audio and visual recordings on the website after the meeting.*

The report will include the known/possible pros and cons of livestreaming.

3. *Will the report also include possible deadlines on the supply and installation of any necessary equipment upgrades to implement livestreaming.*

Yes, the report will include a timeline.

4. *How many cities across South Australia currently livestream their council meetings?*

Unfortunately, we are not able to provide a definitive answer to this question. However, we have reached out to the Local Government IT group and will provide details of known Councils to at least provide some insight.

5. *How long has live streaming meetings been discussed within council?*

A motion was formally moved on 26 August 2022.

6. *Will the report include any expected costs of live stream equipment installation, increased costs to running the meeting and costs related to maintaining the live stream equipment?*

Yes.

11. Motions on notice

11.1 NOTICE OF MOTION – CR THEMELIOTIS – MAIN ROAD BLACKWOOD/COROMANDEL VALLEY SAFETY IMPROVEMENTS

MOVED Cr Themeliotis.

1. *That the Mayor write to the State Minister for the Department of Transport and Infrastructure (DIT) to outline the serious safety concerns of Coromandel Valley residents and the urgent need to have a safe pedestrian crossing constructed on Main Road, Coromandel Valley.*
2. *That the Mayor send a courtesy copy of the letter to the Member for Waite Catherine Hutchesson MP.*

Seconded by Cr Eaton.

CARRIED

11.2 NOTICE OF MOTION – CR THEMELIOTIS – ESSENTIAL SERVICES COMMISSION OF SA (ESCOSA) SCHEME

MOVED Cr Themeliotis.

That the Mayor write on behalf of Council/Elected Members to the Minister for Local Government or the LGA, outlining our frustration with the expected cost to ratepayers for ESCOSA to provide advice about rates and spending to Council.

Seconded by Cr Fisher.

CARRIED

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

Seconded by Cr Wilkes.

CARRIED

Mayor Were reconvened the meeting in the Chamber at 8.41pm with all members present that were present before the break.

11.3 NOTICE OF MOTION – CR WILKES – LIGHTS AT CHRISTIES BEACH SPORTS AND SOCIAL CLUB

MOVED Cr Wilkes.

1. *If the Christies Beach Sports and Social Club (CBSSC) funding bid is successful, council considers the lighting upgrade as a high priority project management job.*
2. *Council work with CBSSC to establish their preferred lighting requirements and outcomes in a cost-effective manner for the club, considering the club is expected to contribute a substantial financial portion.*
3. *That council provide a report to the chamber after the impending funding announcement from the Office for Recreation, Sport and Racing. The report will outline the funding secured for the oval lights at CBSSC and include expected lux levels, project outcomes, accurate/expected timeframe of building works and updated cost structure of the project.*
4. *Where possible, council staff continue to support the CBSSC to secure external funding, ensuring their competition grade lighting is delivered on time and on budget.*

Seconded by Cr Fisher.

CARRIED

11.4 NOTICE OF MOTION – CR WILKES – AUSTRALIA DAY EVENTS

MOVED Cr Wilkes.

1. *That council provides a report in May 2023 that includes the outcomes of the Major Events survey, in particular the Australia Day Bush Fair held on Australia Day. The report will include the feedback and all questions and comments raised by community members during consultation.*
2. *That the council undertake community consultation that gauges community views on holding the following events on Australia Day:*
 - *The Australia Day Bush Fair, including the 'Fireworks' display.*
 - *Breakfasts at 3 or 4 locations namely: Happy Valley, Noarlunga and Willunga*
 - *Citizenship Ceremony*
 - *Presentation of Australia day Awards*
3. *That council staff provide a report in July 2023 outlining:*
 - *the outcomes from the community consultation on the Australia Day Bush Fair, Breakfast, Citizenship and Australia Day Awards being held on Australia day*
 - *the background, attendance levels and details of all the events held on Australia Day.*
 - *the pros and cons of holding a citizenship ceremony within three days either side of Australia Day, as is now provided for within the Citizenship Ceremonies Code.*
4. *Council consults with our First Nations Peoples Advisory Group, and Aboriginal led community groups (eg Takkurendi, Nunkawarrin Yunti, Neporendi) to understand local First Nations sentiments surrounding Australia Day and how to best honour and respect those.*

Seconded by Cr Bell.

CARRIED

11.5 NOTICE OF MOTION – CR JEW – SWIM ONLY SECTION FOR ALDINGA BEACH

MOVED Cr Jew.

Request the Mayor writes to the relevant Minister requesting consideration for a swim only section of beach allocated to include council data and other organisations' data such as surf lifesaving clubs on this matter included in the letter. A suggestion of location is the body of water between and around the Aldinga Aquatic Reserve and the foreshore. Also Asking the Minister if the Harbours Act will be reviewed within the next 12 months.

Seconded by Cr Bell.

CARRIED

12. Petitions

12.1 PETITION – REQUEST FOR FOOTPATH REPLACEMENT SANDOW CRESCENT RESERVE, COROMANDEL VALLEY

MOVED Cr Eaton.

That Council:

- 1. Receives the petition in Attachment 1 to the agenda report.*
- 2. Notes that placement of more rubble material to widen the existing shoulder will occur as an interim measure to be funded through existing operational budgets (until a permeable paved path is installed).*
- 3. Notes that a footpath has been planned for this section of road and is currently allocated for delivery in the 2025-26 fiscal year, given the current annual budget allocation for new footpaths.*
- 4. Notes that the head petitioner be notified of Council's decision.*

Seconded by Cr Themeliotis.

CARRIED

12.2 PETITION – PROVISION OF OFF-LEASH DOG PARK WILLUNGA

MOVED Cr Bell.

That Council

- 1. Receives the petition in Attachment 1 to the agenda report.*
- 2. Notes that the Open Space Strategic Management Plan 2018-2023 (OSSMP) is due for review in 2023, which will consider off leash dog parks within the City of Onkaparinga.*
- 3. Notes that the current service defined in the OSSMP dictates that three dog parks should be provided.*
- 4. Notes that there are approximately 450 reserves and almost 10 kilometres of foreshore available for the off-leash exercise of dogs (under effective control) across the city*
- 5. Notes that the head petitioner will be notified of Council's decision.*

Seconded by Cr Pritchard.

CARRIED

13. Urgent business

Nil.

14. Confidential items

14.1 CHIEF EXECUTIVE OFFICER PERFORMANCE MANAGEMENT COMMITTEE MEETING CONFIDENTIAL MINUTES OF 7 FEBRUARY 2023

Julia Grant, Acting Chief Executive Officer, left the meeting at 9.29pm.

1. *Exclusion of the public*

MOVED Cr Bell.

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;*
- 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 Wilkes.

CARRIED

2. *Confidential resolution*

3. *Period of confidentiality and delegations*

MOVED Cr Platten.

- a. *That the matter of Chief Executive Officer Performance Management Committee meeting confidential minutes of 7 February 2023 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 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 and CEO Performance Management Committee relating to the subject matter be kept confidential, with the following exceptions:*
 - *that this information may be released to the Director Corporate and the Manager People and Culture*
 - *communication of the appointment outcome only to the successful consultant*
 - *communication with the unsuccessful consultants*
 - *that upon finalisation of the consultant appointment, the name and value of the engagement of the successful consultant can be released publicly*
 - *that the elected body be updated on the process to be undertaken.*

- b. *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.*
- c. *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 Themeliotis.

CARRIED

Mayor Were reopened the meeting to the public at 9.32pm.

15. Closure

Mayor Were officially declared the meeting closed at 9.32pm.

Certified CorrectChair
/ /2023