

# MINUTES

## Council meeting 14 November 2023

VENUE:	Council Chamber Civic Centre, Ramsay Place, Noarlunga Centre
MEETING COMMENCED:	6.30pm
PRESENT:	Mayor Were (Chair) Cr Bell Cr Eaton Cr Fisher Cr Greaves Cr Jew Cr Platten Cr Pritchard Cr Rilett Cr Stafford Cr Themeliotis Cr Wilkes Cr Yeomans
APOLOGIES:	-
LEAVE OF ABSENCE:	-
ABSENT:	-

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### 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.

Members read the pledge.

## 2. Confirmation of minutes

*MOVED Cr Themeliotis.*

*That the minutes of the proceedings of the Council meeting held on 17 October 2023 be received and confirmed as an accurate record of those proceedings.*

*Seconded by Cr Eaton.*

**CARRIED**

## 3. Adjourned business

Nil.

## 4. Leave of absence

Nil.

## 5. Mayor's communication

### 5.1 MAYOR'S REPORT

#### **Welcome Message**

This month's report marks 12 months since the Local Government elections. I am going to use this as an opportunity for a very brief year in review and a look ahead.

The City's ambitions to be a place of sustainability, community and prosperity are well supported by elected members, executive leadership and engaged staff working in partnership to listen and deliver for people and place.

I am taking some annual leave before our December Council meeting and in my absence Councillor Michael Fisher, Deputy Mayor will be Acting Mayor. We are all thrilled to see him back in the chamber after some medical leave.

#### **Love where you live**

We are listening carefully and respectfully to the community, organisations, businesses, schools and groups. It has been very encouraging to have more than 3,500 surveys returned and 550 vision statements completed from all across the City. This information will form the foundations of our next steps in the development of our Community Plan. As reported in a report to Council in February 2023, together with the Long Term Financial Plan principles and the Strategic Asset Management Plan, these three threads form a powerful plait to strengthen our future and guide the chamber in its decision-making. We look forward to bringing the drafts to the community for the next stages of consultation in the new year.

#### **Mayoral annual output at a glance**

As Mayor, I am privileged to confer citizenship on those making Australia and indeed our City their home. I have been involved in seven ceremonies welcoming people from all over the world. It is a real honour to see the joy and relief for many who have made this decision.

I get invited to many events to celebrate, commemorate and champion our City and its people. In the past year there have been 232 invitations and together, myself and elected members, we accepted 129 of these, prioritising events in our city hosted by community, business and resident groups. I think it is important to share these opportunities and enable the community to get to know their local councillors. Also it simply is not possible to get to every single one, so I am very grateful to councillors who have been able to attend on my behalf.

In addition to external invitations, I have presided over Council meetings, attended committee meetings, elected member sessions and workshops. There have been 38 of these internal council events.

Bringing questions to the Council from the public, answering correspondence has seen me respond to 256 pieces of correspondence and bring 308 questions to council administration.

I have been keen to increase community participation in our decision-making and am pleased to report that for the development of this year's budget, we increased community inputs from 32 in 2022-23 to 326 in 2023-24. We are well ahead in participation in our 10-year plan at the time of writing this report days out from the closing of the engagement period with 546 survey respondents.

Thank you to everyone who takes time to talk to me and to the staff who are always willing and able to provide advice, information and assistance.

### **Impact and advocacy**

This year I have met with all our State and Federal Members of parliament, including our Attorney-General, Ministers and the Deputy Premier.

We have also met and/or advocated to the Electoral Commissioner, the Local Government Association of SA, Kaurna Yerta Aboriginal Corporation, Housing Infrastructure Planning and Development Unit and South Adelaide Local Health Network, the Department of Infrastructure and Transport and others.

We have advocated for reform in planning, local government elections, tree canopy, housing affordability, equity, water and waste management, land management. Our efforts have been reflected in a number of reports and Ministerial initiatives including most recently, Interim Urban Forest Report to Parliament and the Local Government Minister's Local Government Participation Review.

I have attended and represented our Council at the Local Government Association of SA, the Australian Local Government Association and the Asia Pacific Mayor's Forum and Cities Summit. This has included presenting at an LGA webinar on Safety in Councils and supporting as a panel member the LGA Young leaders program as part of an LGA Research and Development grant hosted by City of Onkaparinga. I was also a guest presenter to our Leadership program, the Changemakers Summit.

With the support of Council elected members and staff I have hosted:

- Youth Leaders Forum to support and build citizenship experience in our student leaders
- Housing and Homelessness forum
- I also initiated Mayor's recognition award for Reconciliation Week to highlight Aboriginal and non-Aboriginal individuals and organisations working together for justice, peace and equity.

Speaking on behalf of the council to the media is one of roles of Mayor and to date I have given more than 17 radio and television interviews, including to the ABC, 5AA, and Channels 7, 9 and 10. I've also provided more than 47 statements to the press, and countless others to council's Onkaparinga Now magazine for print and online. The topics covered have been

wide and varied from planning matters, civic participation, public safety, road safety, vandalism, community leadership, economic development and rates.

### **2023 Excellence in Public Health**

The City of Onkaparinga have been awarded the 2023 Excellence in Public Health Award for the Advance Care Directive Peer-led Workshop Project led by our Active Ageing team.

The project was a collaboration between City of Onkaparinga, Mitcham, Marion and Holdfast Bay councils and supported by a grant from the Office for Ageing Well and SA Health. An Advanced Care Directive empowers a person to make clear legal arrangements for their future health care, end of life, preferred living arrangements and other personal matters.

Congratulations to the team for their leadership being recognised by their peers and the State government.

### **Environmental Health Australia awards**

The City of Onkaparinga have won two awards at the Environmental Health Australia awards.

Congratulations to our Environmental Health Officer, Tricia Franks, who has won an award for Outstanding Individual Participation, and to the Community Health Team who won an Excellence in Community-focused Environmental Health Practice for their work to protect people from Japanese Encephalitis Virus.

### **Onkaparinga named as National Climate Awards finalist**

The City of Onkaparinga was named a finalist in the Cities Power Partnership fifth annual Climate Awards. We were recognised for the work we have done in the local government sector paving the way to a zero-carbon future.

Our Green Building initiative, which delivers energy efficiency improvements to the organisation's highest energy buildings, was one of three finalists for the Energy Efficient Achievement Award. All elected members had the opportunity to view this project on a recent bus tour.

This adds to the accolades our region has been receiving this year, including:

- World's Best Vineyards Awards (17th d'Arenberg)
- 3rd best nude beach in the world – Maslin Beach (MyDatingAdviser.com)
- Young Gun of Wine award (national – Larn Langfield from Orbis Wines)
- Halliday Wine Companion's Top 100 Wineries 2023 (2nd Yangarra Estate Vineyard)
- 2023 Tasting Australia Spirit Awards (Best Gin – Never Never Distilling Co.)

### **Local heroes remembered**

With profound sadness, Kangarilla Progress Association acknowledge the sudden passing of one of Kangarilla's finest - Mr Bernard (Bernie) Smart.

Bernard was admired and respected by all who knew him. A past President and a valued Life member - he led by example with his kind, welcoming personality and his amazing work ethic.

This past month we also heard of the passing of City of Holdfast Bay former and long-serving Mayor, Ken Rolland. Ken was well known to many in local government.

### **Elected Member Representation**

Thank you to Cr Gretel Wilkes for representing me at:

- Christies Beach Sailing Club Season Opening 23/24
- Elizabeth House turns 30
- Healthy Cities Onkaparinga AGM
- Fentons Conveyancing celebrating 50 years of business in Christies Beach

Thank you to Cr Geoff Eaton for representing me at:

- Happy Valley CFS Brigade Annual Dinner
- Happy Valley Bowling Club 40th Celebration
- Onkaparinga Community Northern Forum
- Bushfire Forum with Member for Waite and Federal Member for Boothby

Thank you to Cr Kevin Rilett for representing me at:

- All That Jazz performed by the Onkaparinga City Concert Band

Thank you to Cr Lauren Jew for representing me at:

- Seaside Walk for Suicide Prevention and Mental Health Wellbeing
- Every Generation Onkaparinga Awards
- Jack Ellis OAM Scholarship Presentation

Thank you to Cr Marion Themeliotis for representing me at:

- Serpentine Reserve Sport and Recreation Facility upgrades

Thank you to Cr Paul Yeomans for representing me at:

- SA Water Construction and Development Forum

Thank you to Cr Marisa Bell for representing me at:

- Radio Interview - TribeFM

Thank you to Cr Jordan Pritchard for representing me at:

- Willunga High School 2023 Graduation Ceremony

Thank you to Cr Dan Platten for representing me at:

- Port Noarlunga Blues Festival launch

This month the following invitations received an apology:

- 50 Year celebration for Kiwanis Club of Reynella
- Australian Institute of International Affairs South Australia (AIIA SA) Leadership Dialogue
- Australian Walking and Cycling Conference
- Christie Downs Welfare Info Session + Community Lunch
- Australia Day Council of SA Annual General Meeting
- CFS Foundation Luncheon Fundraiser
- 50th Anniversary McLaren Vale Bushing Lunch
- Pathways to Politics Speeches in Parliament
- Peace Symposium 100 Years Centenary Celebration
- 2024 Australian of the Year Awards Presentation Evening
- Lions Clubs Zone Meeting facilitated by McLaren Districts Lions Club
- Southern Montessori School Opening
- Palliative Care SA Compassionate Community Conversation morning tea

- Awards Gala Presentation Dinner for SA Community Achievement Awards
- South Adelaide Football Club meeting

#### Mayor's calendar 14 October to 10 November

October	
17	Council Meeting
19	Mayor's Garden Competition judging
19	Safety in Council Meetings online forum with the Local Government Association of SA
20	Mayor's Garden Competition judging
20	McLaren Vale Business Awards Gala presentation evening
21	Seaford Lions Quiz Night
22	2023 Webex Players Series South Australia PGA Tour
23	Mayor's Garden Competition judging
24	Onkaparinga View Club 10th Birthday
24	Elected Member session
25	LGA Conference and Annual General Meeting Networking Drinks
26	Local Government Finance Authority of South Australia AGM
26	LGA Annual General Meeting
26	Chief Executive Officer Performance Management Committee meeting
27	Met with resident
27	Open the Fleurieu Folk Festival
28	Official opening the new Noarlunga SES Unit
28-29	Fleurieu Folk Festival
30	Citizenship Ceremony
31	Storytime at Willunga Library
31	Met with Old Noarlunga Community and Residents Association
31	Elected Member session
November	
1	Met with Department of Transport and Infrastructure
1	Met with Paul Ramsay Foundation – impact investment
2	City Diplomacy Alumni COP28 Statement preparation
2	Visit Aldinga Bay Bowling Club
2	Met with Cr William Chan (City of Sydney), First Innovators, Social Traders
3	Met with Shelter SA
3	Opening the South Port Primary School and All Saints Catholic Primary School Crossings with the Member for Karna
4	Open Southern Rockhounds Gem Fair
4	Neporendi Aboriginal Forum Inc AGM
6	Mayor's Garden Competition Awards Presentation
8	Met with Mayor of City of Mitcham, Mayor of City of Burnside, Mayor of Town of Gawler and Mayor of City of Campbelltown

9	Port Noarlunga Primary School Reconciliation Action Plan Launch
9	Radio Interview - CoastFM
9	Met with Professor Lisa Hill D.Phil. (Oxon.) FASSA
9	Met with Director Governance, Local Government Association of SA
9	Ambassadors Meeting

### Correspondence

Att 2	To the National Housing and Homeless Plan Committee, Department of Social Services	Submission from City of Onkaparinga
Att 3	To the Independent Reviewer, Independent Review of the LSA Act	Submission from City of Onkaparinga

Thank you.



Moira Were AM  
**Mayor**

*MOVED Cr Jew.*

*That Council note the 14 November 2023 Mayor's report.*

*Seconded by Cr Eaton.*

*CARRIED*

Cr Bell sought and was granted leave of the Chamber to make a personal statement in acknowledgment of the late Bernard Smart of Kangarilla – refer attachment 1.

One minute's silence was held in honour of Mr Smart.

## 6. Presentations

### 6.1 PRESENTATION – 2023 EXCELLENCE IN PUBLIC HEALTH AWARD – ADVANCED CARE DIRECTIVE

Stuart Purves, Acting Director Community Services, presented the following award to Mayor Were:

- 2023 Excellence in Public Health Award for leading the Advance Care Directive Peer-led Workshop Project led by our Active Ageing team.

## 6.2 PRESENTATION – STATEWIDE ENVIRONMENTAL HEALTH AUSTRALIA (EHA) AWARDS

Renee Mitchell, Director Planning and Regulatory Services, presented the following awards to Mayor Were:

- Outstanding Individual Contribution to Environmental Health Profession - awarded to Environmental Health Officer Tricia Franks for her efforts to build collaboration, learning and consistent standards across the state.
- Excellence in Community Focused Environmental Health Practice in Regional or Metropolitan area - awarded to the Community Health team for its work to protect people from the Japanese Encephalitis Virus (JEV).

## 7. Deputations

### 7.1-7.2 DEPUTATION – SALLY SHAW AND LYNN CHAMBERLAIN – WATER ASSETS

Sally Shaw and Lynn Chamberlain gave a deputation and answered questions from elected members in relation to council's water assets.

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

### 8.1 SPECIAL AUDIT AND RISK COMMITTEE MEETING MINUTES OF 12 OCTOBER 2023

*MOVED Cr Pritchard.*

*That Council note the minutes of the Audit and Risk Committee meeting held on 12 October 2023 as attached to the agenda report.*

*Seconded by Cr Greaves.*

*CARRIED*

### 8.2 STRATEGIC DIRECTIONS COMMITTEE MEETING MINUTES OF 7 NOVEMBER 2023

*MOVED Cr Wilkes.*

*That Council note the minutes of the Strategic Directions Committee meeting held on 7 November 2023 as attached to the agenda report.*

*Seconded by Cr Eaton.*

*CARRIED*

## 9. Reports of officers

### 9.1 WATER ASSETS STRATEGIC REVIEW – COMMUNITY REFERENCE GROUP

Cr Pritchard declared a general conflict of interest as follows:

I declare a general conflict of interest as a CWMS customer. I intend to stay in the meeting to debate and vote on the matter. I reside and own a property which is connected to the CWMS and that connection gives rise to me having a private interest within the meaning of the Act.

Cr Pritchard's Conflict of Interest disclosure form indicated that he would receive no benefit or detriment, direct or indirect, personal or pecuniary from considering the matter.



Cr Yeomans declared a general conflict of interest as follows:

I would like to declare a conflict of interest. I own a house that is connected to the CWMS system of the council and am declaring a general conflict. I intend to stay in the meeting to debate and vote on the matter to represent my constituents.

Cr Yeomans's Conflict of Interest disclosure form indicated that he would receive no benefit or detriment, direct or indirect, personal or pecuniary from considering the matter.

Cr Greaves declared a general conflict of interest as follows:

I too am standing to declare a general conflict of interest as a property owner who is also connected to the CWMS. Although it's only a small proportion of households that are connected to the CWMS, decisions tonight will actually have an impact on the entire council area including its residents and ratepayers and for this reason I will be staying in the meeting and debating and voting.

Cr Greaves's Conflict of Interest disclosure form indicated that she would receive no benefit or detriment, direct or indirect, personal or pecuniary from considering the matter.

*MOVED Cr Jew.*

*That Council note:*

- 1. The outcomes of the Water Assets Strategic Review Community Reference Group, forming Attachment 1 to the agenda report.*
- 2. That a separate report on this agenda seeks a decision on next steps for the Water Assets Strategic Review.*

*Seconded by Cr Eaton.*

**CARRIED**

Crs Pritchard, Yeomans and Greaves all voted for the motion.

## **9.2 PRESENTATION OF THE DRAFT ANNUAL REPORT 2022–23**

*MOVED Cr Greaves.*

*That Council adopt the draft 2022–23 Annual Report for the City of Onkaparinga as provided in attachment 1 to the agenda report.*

*Seconded by Cr Eaton.*

**CARRIED**

## **9.3 SOUTHERN REGION WASTE RESOURCE AUTHORITY ANNUAL REPORT FOR 2022-23**

*MOVED Cr Pritchard.*

*That the Council note the 2022–23 annual report for the Southern Region Waste Resource Authority as it will be included in the 2022–23 City of Onkaparinga annual report.*

*Seconded by Cr Greaves.*

**CARRIED**

#### 9.4 DRAFT GENERAL PURPOSE FINANCIAL STATEMENTS FOR PERIOD ENDED 30 JUNE 2023

*MOVED Cr Eaton.*

- 1. That Council adopt the audited financial statements for the year ended 30 June 2023, as presented in Attachment 2 to the agenda report.*
- 2. That Council note the audited financial statements for the year ended 30 June 2023 will be included in the City of Onkaparinga Annual Report 2022-23.*

*Seconded by Cr Wilkes.*

Cr Fisher left his seat in the Chamber at 7.19pm.

CARRIED

#### 9.5 QUARTERLY FINANCE REPORT INCLUDING BUDGET REVIEW 1

*MOVED Cr Pritchard.*

- 1. That Council note the financial update for the period to 30 September 2023 provided in the agenda report and Attachment 1 to the agenda report, including the discussion on capital works projects that may need to be retimed into future years.*
- 2. That Council adopt the updated year end forecast as the new approved budget for 2023-24, which incorporates Budget Review 1 outcomes as discussed in the agenda report and presented at Attachments 1 and 2 to the agenda report.*

*Seconded by Cr Greaves.*

Cr Fisher resumed his seat in the Chamber at 7.22pm.

CARRIED

#### 9.6 PROPOSED ROAD CLOSURE – PADDYS ROW, ALDINGA

*MOVED Cr Platten.*

*That for the portion of the surveyed legal and open unmade public road bordered in red on Attachment 1 to the agenda report, Council:*

- 1. Declares that the subject portion of road is surplus to our road network requirements and suitable for closure and disposal.*
- 2. Approves the commencement of the road closing process, including public consultation, in accordance with the provisions of the Roads (Opening and Closing) Act 1991.*
- 3. Resolves that the subject road to be closed bordered in red on Attachment 1 to the agenda report will be excluded from the classification of community land at the time of closure.*
- 4. Approves the sale of the subject road to the adjoining landowners of CT Volume 5796 Folio 544, comprising Allotment 13 in Deposited Plan 54670 (known as Allotment 13 Colville Road, Aldinga Beach) and the adjoining landowners of CT Volume 5418 Folio 256, comprising Allotment 184 in Filed Plan 164007 (known as 475 Aldinga Road, Whites Valley) at no less than the market value of the land.*
- 5. Resolves that if any objections or applications for easements are received during the public consultation phase of the proposed road closure, a further report will be tabled for Council's consideration and determination of the matter.*
- 6. Authorises the Chief Executive Officer to sign any documentation necessary to finalise the road closing process, the sale and transfer of the subject road to the adjoining*

*landowners and the consolidation of the subject land with the adjoining landowner's land.*

7. *Approves the net proceeds from the sale of the subject land will contribute to Council's target from the sale of assets to be included in the 2023-24 endorsed budget and the Long-Term Financial Plan.*

*Seconded by Cr Bell.*

CARRIED

#### 9.7 UPDATE REPORT FOR THE PROPOSED REVOCATION OF COMMUNITY LAND CLASSIFICATION AT LOONGANA ROAD ALDINGA BEACH AND BUTTON ROAD, SELICKS BEACH

*MOVED Cr Greaves.*

*That for the Council owned land described as Allotment (Reserve) 116 in Deposited Plan 6326 comprised in Certificate of Title Volume 5708 Folio 649 and Allotment 11 in Filed Plan 10453 comprised in Certificate of Title Volume 5485 Folio 81 and bordered in red on Attachment 1 to the agenda report, Council:*

1. *Receives the Community Engagement Feedback Report (see Attachment 7 to the agenda report) from the public consultation phase of the community land revocation process.*
2. *Resolves, having considered the submissions received during the public consultation phase, to proceed with the process to revoke the subject land from its community land classification.*
3. *Approves that a request be forwarded to the Minister for Local Government seeking approval to the revocation of the subject land from its community land classification for transfer to the Minister for Climate, Environment and Water and addition to the Aldinga Conservation Park.*
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 Bell.*

CARRIED

#### 9.8 UPDATE REPORT FOR REVOCATION AND DISPOSAL ADJACENT 37 CAMERON ROAD, ALDINGA BEACH

*MOVED Cr Eaton.*

*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. *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 the submissions received during the public consultation phase, to proceed with the process to revoke the subject land from its community land classification.*

3. *Approves that a request be forwarded to the Minister for Local Government seeking approval to the revocation of the subject land from its community land classification to enable sale to the adjacent landowners.*
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 Platten.*

CARRIED

## 9.9 2023-24 ONKAPARINGA GRANTS PROGRAM RECOMMENDATIONS

*MOVED Cr Wilkes.*

*That Council approves the allocation of \$174,810 in cash and \$21,792 in-kind support for the 2023-24 Onkaparinga Grants program as detailed in Attachment 1 – 2024 Community Events grant funding recommendations, Attachment 2 – 2024 Community Land and Facility Improvements grant funding recommendations and Attachment 3 – 2024 Major Festivals and Events grant funding recommendations.*

*Seconded by Cr Eaton.*

CARRIED

## 9.10 MAJOR EVENTS REVIEW OUTCOMES

*MOVED Cr Platten.*

*That Council:*

1. *Notes the outcomes of the investigations into council's major events for 2024-25.*
2. *Approves the annual hosting of a women's Tour Down Under stage with an annual budget allocation of \$25,000 commencing in 2024-25, indexed annually in line with CPI, noting that if not needed in its entirety any remaining funds would be returned to savings.*
3. *Approves a \$13,000 increase in the budget for the Onkaparinga Christmas Pageant to \$40,000 in 2024-25, indexed annually in line with CPI to address increasing costs.*
4. *Approves all major events budgets are indexed annually in line with CPI to help address increasing costs.*
5. *Approves rotating the Trucks on Tour through multiple locations as additional suitable council venues can be found.*
6. *Notes community interest in a multicultural event and that community engagement outcomes will be used for future planning of major events.*

*Seconded by Cr Wilkes.*

*Cr Jew MOVED an AMENDMENT.*

*That Council:*

1. *Notes the outcomes of the investigations into council's major events for 2024-25.*
2. *Approves the annual hosting of a women's Tour Down Under stage with an annual budget allocation of \$25,000 commencing in 2024-25, indexed annually in line with CPI, noting that if not needed in its entirety any remaining funds would be returned to savings.*

3. Approves a \$13,000 increase in the budget for the Onkaparinga Christmas Pageant to \$40,000 in 2024-25, indexed annually in line with CPI to address increasing costs.
4. Approves all major events budgets are indexed annually in line with CPI to help address increasing costs.
5. Approves rotating the Trucks on Tour through multiple locations as additional suitable council venues can be found.
6. Notes community interest in a multicultural event and that community engagement outcomes will be used for future planning of major events.
7. That council undertake an engagement process to determine a new name for the Australia Day Bush Fair by 2025.

*Seconded by Cr Themeliotis.*

*The AMENDMENT was PUT and CARRIED.*

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

#### 9.11 SOUTHERN STARS NETBALL CLUB LOCATION OPTIONS

*MOVED Cr Wilkes.*

*That this item be deferred to the January 2024 Council meeting.*

*Seconded by Cr Jew.*

*Cr Greaves MOVED an AMENDMENT.*

*That this item be deferred to the March 2024 Council meeting.*

*Seconded by Cr Fisher.*

*The AMENDMENT was PUT and CARRIED.*

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

#### 9.12 CODE OF PRACTICE – ACCESS TO MEETINGS AND DOCUMENTS

*MOVED Cr Eaton.*

*That the Code of Practice – access to meetings and documents be adopted as provided in attachment 1 to the agenda report.*

*Seconded by Cr Bell.*

*CARRIED*

#### 9.13 COUNCIL AND COMMITTEE REPORTING SCHEDULE

*MOVED Cr Themeliotis.*

*That Council note the agenda report and Reporting Schedule (attachment 1 to the agenda report).*

*Seconded by Cr Bell.*

*CARRIED*

## 10. Questions on notice

### 10.1 QUESTIONS ON NOTICE – CR THEMELIOTIS – BEACH ROAD TOILETS

After speaking with Cr Eaton and the responses to Cr Wilkes (attached). I submit the following QONs for the November council meeting.

1. *Should council have rescinded its decision of 19 July 2022 with regards to the toilets of Beach road?*

Decisions of the previous Council do not require a rescission motion.

This Council only needs a rescission motion for decisions made since the November 22 Council elections.

2. *The total cost of the toilets, \$240k is more than the committed funding of \$160k. Why didnt this come back to the chamber?*
3. *The proposed shortfall is being taken from the much needed improvements to Beach Road. Who approved this decision? How was it communicated to our community? Why has the change in scope for the Beach Road improvements not come back to the chamber?*

On 18 April 2023, Council resolved to build a new public toilet facility on Beach Road on the condition the state government cover 100% of the total construction costs, including site services. The total cost of the new toilet facility is estimated at \$240,000, which exceeds the initial State funding commitment of \$160,000.

This projected budget shortfall was presented to Chris Picton MP and Katrine Hildyard MP at a meeting on 7 July 2023 who provided in principle agreement to fund this shortfall using a portion of the State Grant funding provided to Council for the Beach Road streetscape improvement project.

The local members also provided in principle agreement to provide an equivalent amount of funding for the public art component of the Beach Road streetscape improvement project through a separate state grant provided to Council for Community Artwork and Murals at Christies Beach and O'Sullivan Beach.

This will see the Beach Road Streetscape improvement project delivered as intended without a reduction in funding.

Council staff are working with the State Government to formalise these funding arrangements.

This funding arrangement will see the Beach Road toilet 100% funded by the State Government satisfying the Council resolution and not requiring further Council direction.

There is no change to the level of funding provided for the Beach Road Streetscape Improvement project prompting a formal report to Council for specific communication to the community.

4. *Why have we not had community engagement on the proposed toilets for Beach road?*

The 18 April 2023 Council resolution regarding the Beach Road toilets approved proceeding with the project and did not specify a requirement to undertake community engagement.

However, to keep the community informed of the project, Council staff intend to provide information about the project on our YourSay page to provide community updates as the project progresses.



## ***Attachment:***

### **10.11 QUESTIONS ON NOTICE – CR WILKES – BEACH ROAD TOILETS**

- 1. Can the council please outline the current funding arrangements for the Beach Road Toilet.*

On 18 April 2023 Council resolved to proceed with construction of a new Beach Road Toilet facility on condition that the state government fully funds all construction expenses, including site services.

In response to this decision Council staff prepared preliminary project scope and cost estimate information for the project.

Council staff and Ward Members then met with Ministers Picton and Hildyard to discuss the project, the estimated toilet facility cost \$240,000, and funding arrangements.

Through these discussions it was agreed that the State Government would 100% fund the new Beach Road toilet. \$160,000 of this funding will be provided through the original State Government funding commitment toward the Beach Road Toilet, with the remaining funding to be met through part of the Beach Road Streetscape Improvements grant previously provided to Council by the State Government.

Funding agreements to formalise these arrangements are in the process of being finalised with the State Government.

- 2. When is the expected start date for the toilet?*

Design of the toilet is expected to be completed by December 2023.

Tendering for construction will occur in early 2024 and we anticipate construction will be completed by mid-2024.

- 3. Can the Council please state whether the state government is fully funding the toilet.*

The state government is fully funding the new toilet facility in accordance with Council's 18 April 2023 resolution.

## 10.2 QUESTIONS ON NOTICE – CR THEMELIOTIS – COMMUNITY GROUPS SEEKING PERMANENT HOME

1. *Could you please list all the groups (not including sporting clubs) who are seeking a permanent home in our city?*

We currently have 11 organisations on our waiting list seeking accommodation options including:

#	Organisation Name	Usage Requirements
1	Lions Club Noarlunga Morphett Vale	Office space, meeting room, storage, kitchen and toilets to support meetings, fundraising events and store club resources. Required seven days a week for the sole use of the group.
2	Onkaparinga Concert Band	Rehearsal space large enough for 50 band members with access to power and amenities, and climate-controlled space the size of a shipping container for musical instruments storage, and storage for the band trailer.
3	Onkaparinga Pipe Band	Rehearsal space, minimum two breakout rooms. Hall/gymnasium required for marching rehearsal, and storage space with secure and easy access that is well ventilated and waterproof for musical instruments
4	On Leash dog training	Sole trader dog training business. Clubroom with a non-carpeted space, toilets and kitchen required for three days a week and can be a shared a facility.
5	Puddle Jumpers Inc	Building for establishment of a southern food hub for food and other essential services. The organisation has indicated they can share a facility.
6	Southern Community Project Group (Hackham Community Shed)	Re-location of a community woodwork and metalwork shed, currently established in Hackham West. Minimum size required is 320 square metres with a toilet, kitchen, office and wood storage for the sole use of the group.
7	Southern Community Toolbox Incorporated	Facility to store, loan out and maintain a collection of tools and other equipment to operate a repair café and tool library. Access required all week for the sole use of the group.
8	Southern N Scale Model Railway Club	Open hall, kitchen, toilets, parking and require exclusive use of a 20 square metre space to permanently set up a model train track.
9	Southern Vales Community Radio Inc (Triple Z)	Office space to set up and operate equipment to operate a radio station with toilet and kitchen. Space required every day for the sole use of the group.
10	Southern Volunteering	Office space with a minimum of 50 square metres to deliver volunteer resource centre services. Daily delivery of services for the sole use of the group.
11	Tjuringa Orienteers	Storage shed for a trailer and equipment and the organisation has indicated they can share a facility.



2. *When a group is seeking a permanent home in our city what steps should they take to start the process of council seeking options?*

A group may request the use of council facilities by completing a Council facilities (building/land) – request to use form [online request form](#). This is then provided to the Property Transactions team by email to [mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au)

The form collects relevant information about the applicant's facility requirements, times of use, as well as information about the group/organisation.

After an organisation is added to the 'List of groups looking for accommodation', their usage requirements are assessed against any current properties available considering their specific requirements.

If a suitable site is identified, an invitation for expressions of interest is extended to interested groups.

### 10.3 QUESTIONS ON NOTICE – CR THEMELIOTIS – COUNCIL FRONT SERVICE DESK

1. *How are phone call enquiries from residents to council front service desk handled, directed, resolved?*

The contact centre services inbound phone calls, webchat enquiries, emails and social media responses. We also have five front counter sites located at Aberfoyle Park, Aldinga, Noarlunga, Morphett Vale and Willunga for customers who prefer in-person transactions with council staff.

In 2022/2023 financial year we received 132,000 phone calls and 44,000 front counter enquiries from our community.

All enquiries are addressed with a focus on achieving first point of contact resolution. Our approach utilises our intranet which is regularly updated with information from all council divisions. When a customer makes contact, we are able to provide the required information, create a customer request or direct their enquiry to the relevant area of council if needed.

All enquiries are managed in accordance with our Customer Relations expectations and standards.

2. *When the call is to be redirected or a council staff will call a residents back. What information do we provide the resident with e.g. title and position of staffer calling the residents back, a timeframe, a return phone number, a reference number of the call?*

For redirections and call backs, the contact centre staff provide the customer with the staff member's job title and department and we offer [mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au) or 8384 0666 as contact points. Customers are informed that council staff will contact them back and we provide a reference number for their customer request, which can also be received as a notification through email or text.

3. *How are calls from residents escalated? What is the process?*

Complaints received through the contact centre are lodged as a service request on our customer request management system and allocated to the team responsible for the complaint to follow up. Customers can also lodge their complaint online through our [website](#).

Written complaints are received by the Information Governance team and are recorded in our records management system and forwarded for actioning to the appropriate department.

Our complaint management policies and procedures are available publicly on our [website](#) and provide an overview of the different types of complaints that can be received and how they are managed.

4. *Do we provide residents with direct emails or phone numbers to council staff?*

No direct emails and contact numbers are provided to customers, we offer [mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au) or 8384 0666 as contact points.

5. *Do we have a service standard in resolving matters from residents who call the front service desk?*

We have Key Performance Indicators for our Call Centre and for all enquiries, including our front service desks, we follow our Customer Relations call centre expectations and standards including our four main principles:

**Exploring customer needs** – using active listening and identifying the customers' requirements.

**Meeting the customers' needs** – offer the best solution for the customer and council.

**Keeping the customer informed** – relevant information is provided to the customer to summarise and confirm actions.

**Telephone courtesy and etiquette** - maintain a professional, personable and consistent manner throughout the call.

Our actions are measured by our service standards and our Key Performance Indicators.

Key Performance Indicators	Description	Target	Average Achieved in last 12 months
Service level	Calls answered within 30 seconds	Above 80%	77%
Call abandoned	Calls which have dropped out of the queue prior to the call being answered in times of extended queue waiting times.	Below 5%	6%
Customer experience rating	Collected through our after-call survey as well as through a QR code survey displayed on our front counters.	Above 90%	94%
Service quality score	Collected through call coaching against our customer relations call centre expectations and standards	Above 95%	95%
Calls transferred	The percentage of calls transferred to staff for resolution where the customer team cannot resolve a call.	Below 25%	16%

## 10.4 QUESTIONS ON NOTICE – CR THEMELIOTIS – FIRST NATIONS PEOPLE ADVISORY GROUP (FNPAG)

### 1. *When was the last face to face meeting of the FNPAG?*

The First Nations People Advisory Group (FNPAG) last met in face-to-face format on Wednesday 24 May 2023.

### 2. *How many FNPAG meetings have been cancelled? and why where they cancelled?*

The FNPAG Terms of Reference provide for meeting cancellation if there are no listed agenda items for the meeting or anticipated attendance will not make a quorum (minimum of three First Nations members and 1 elected member).

Four scheduled FNPAG meetings/workshops have been cancelled. Some meetings/workshops have been postponed (rescheduled) and some meetings have been repurposed as workshops. There have been a variety of reasons for cancellation / postponement including illness, work and family responsibilities.

Please see table below listing scheduled FNPAG meetings/workshops that have been cancelled/rescheduled/repurposed for various reasons, as detailed.

Activity	Scheduled date	Change	Reasons for the change
Second of two initial workshops (prior to commencement of the regular meetings)	30 June 2021	Rescheduled to 28 July 2021	More time required to prepare materials for this workshop, as a result of actions agreed at the first workshop (10 June 2021).
Regular meeting	26 October 2022	Cancelled	Quorum not anticipated.
Regular meeting	21 December 2022	Rescheduled to 6 December 2022 as a First Nations member session	21 December deemed too late in the calendar year. Soon after local government elections, before first meeting of the new Council.
Terms of Reference review workshop	12 April 2023	Rescheduled to 26 April 2023	Low attendance anticipated.
Regular meeting	26 April 2023	Repurposed as rescheduled workshop	Existing meeting date favoured for the required rescheduling of the intended 12 April workshop.
Terms of Reference review workshop	10 May 2023	Rescheduled to 24 May 2023	Following reschedule of the previous workshop to 26 April, more time was required to undertake the necessary work for the subsequent workshop.
Regular meeting	14 June 2023	Cancelled	Regular FNPAG agenda business difficult to pursue while Terms of Reference matters require attention.
Regular meeting	9 August 2023	Repurposed as workshop	Regular FNPAG agenda business difficult to pursue while Terms of Reference matters require attention.

Regular meeting	11 October 2023	Repurposed as workshop	Regular FNPAG agenda business difficult to pursue while Terms of Reference matters require attention.
		Rescheduled to 1 November 2023	Low attendance anticipated.
		Cancelled	Low attendance anticipated.
Regular meeting	13 December 2023	Cancelled	Meeting scheduled in error beyond end of extended membership terms.

*3. Whose decision is it to cancel meetings? Is this a decision of the chair?*

Most of the decisions to make the changes to scheduled meetings per the table above have been made in correspondence with the FNPAG Chairperson, usually on advice of council staff per effective meeting protocols, based on the group's Terms of Reference. Some of the changes have been decided by council staff to best manage calendars per circumstances at the time, to focus discussion on primary matters, and where correspondence with the chairperson has not been possible in the necessary timeframe.

*4. Is a quorum needed in order to hold a workshop?*

Workshops have emerged as a valuable format for engagement with the FNPAG in seeking advice from the group on particular projects/matters. They have not been treated in the same way as the regular meetings of the group where a quorum is required for the group's formal consideration of the agenda items, however a preference for strong attendance has been applied.

The need for clearer definition of workshops as a FNPAG activity type and the arrangements relating to them has been recognised through the FNPAG Terms of Reference review.

*5. Will the FNPAG meet before a Terms of reference is introduced to the chamber?*

The membership terms of three of the group's First Nations members were extended to end October 2023 via Council resolution on 21 February 2023, to allow for involvement in the Terms of Reference review. It has not been possible to complete the review process within this timeframe and these members' extended terms have now expired.

A report is anticipated for the 5 December 2023 Strategic Direction Committee meeting to provide an update on the Terms of Reference review. It is anticipated that this report will outline the proposed approach to, and the reasons for, reworking our Traditional Owner engagement model prior to introducing a revised Terms of Reference to the Council chamber that best supports the effective operation of the model.

It is intended that all previous members of the FNPAG will be invited to participate in discussions informing these considerations.

*6. Could I get an update on the process/engagement (workshops, briefings, phone conversations, emails, face to face etc) undertaken by council on the Terms of reference for the FNPAG?*

See answer to question 8 below.

*7. Who has the council had engagement with on the Terms of reference for the FNPAG?*

The following is a list of parties engaged in the development and review of the FNPAG Terms of Reference over time:

- Mr Karl Telfer as appointed FNPAG Chairperson (engagement 2020–current)
- Successive chairpersons of the Kurna Yerta Aboriginal Corporation:
  - Mr Jeffrey Newchurch (engagement 2020–21)
  - Mr Les Wanganeen (engagement 2022–2023)
  - Mr Tim Agius (engagement 2023–current).
- Other members of the FNPAG (engagement 2021–current)
- Dr Roger Thomas, Commissioner for Aboriginal Engagement (at the time) (engagement 2022)
- Mr David Rathman (workshop facilitation and engagement 2023)
- Mr Michael Field, Team Leader Aboriginal Partnerships, Green Adelaide (engagement 2022–current).

8. *Could I get a timeline of everything council has done in reviewing, engaging and drafting the new terms of reference of the FNPAG?*

The table below lists the key activities undertaken as part of the FNPAG Terms of Reference review project to date.

Activity	Date	Details
Governance training and Terms of Reference check-in	28 September 2022	Training in good governance facilitated by Norman Waterhouse Lawyers. Brief discussion on Terms of Reference.
Email to FNPAG members	30 September 2022	Seeking feedback on key Terms of Reference matters to inform the upcoming review. One response received (Council member).
Council report	21 February 2023	Presentation to Council by First Nations group members. Nomination of three elected members to the FNPAG. Extension of three First Nations member terms to end October 2023 to allow for involvement in the review process.
Research	March 2023	Learning about other councils' First Nations advisory groups and committees.
Council staff workshop	18 April 2023	Staff involved in directly supporting the FNPAG and those who have brought agenda items to the group's regular meetings.
Email to FNPAG members	19 April 2023	Review project overview and Terms of Reference document in preparation for workshop 26 April.
FNPAG workshop	26 April 2023	Discussions facilitated by Mr David Rathman (face-to-face).
Email to FNPAG members	12 May 2023	Summary of discussions at workshop 26 April.
Meeting with Mr Tim Agius	12 May 2023	Meeting with Mr Tim Agius, KYAC Chairperson to discuss a range of things regarding working with KYAC, including the FNPAG.

Letter to Mr Tim Agius, Chairperson KYAC	17 July 2023	Letter seeking further input from KYAC into FNPAG model, to follow on from initial engagement in establishing the group.
Email to FNPAG members	23 May 2023	(Resend of) Review project overview and Terms of Reference document in preparation for workshop 24 May.
FNPAG workshop	24 May 2023	Discussions facilitated by Mr David Rathman (face-to-face).
Collation of feedback received	July 2023	Development of summary document.
Email to FNPAG members	7 August 2023	Summary of feedback on Terms of reference received to date.
FNPAG workshop	9 August 2023	Discussions facilitated by council staff (online).
Email to Mr Tim Agius, Chairperson KYAC	21 August 2023	Email following up 17 July letter and seeking meeting to discuss ways of working with KYAC generally and in relation to the FNPAG.
Email to FNPAG members	23 August 2023	9 August workshop slides and (resend of) summary of feedback on Terms of Reference received to date.  Invitation for First Nations members to meet to further consider input into the review, per desire expressed at workshop.
Email to FNPAG members	25 August 2023	Acknowledgement of local Sorry Business and extension of timeframes for input into the review.
Governance review	August 2023	Review of Terms of Reference by Manager Governance.
Phone call with Mr Tim Agius, Chairperson KYAC	21 September 2023	Invitation to Mr Tim Agius, Chairperson KYAC to attend FNPAG Terms of Reference review workshop, which he accepted, however the workshop did not proceed.
Email to FNPAG members and Mr Tim Agius	25 October 2023	(Resend of) Summary of feedback on Terms of Reference received to date in preparation for workshop 1 November (which was later cancelled).

## 10.5 QUESTIONS ON NOTICE – CR THEMELIOTIS – WETLANDS

### 1. *Can I please confirm that council has no intention of selling of any wetlands?*

The sale of wetlands is not being considered as part of the Water Strategic Review. Under all scenarios the ownership and management of wetlands will remain with Council. At our Water Business Unit's wetland sites it is the pipe and pump infrastructure, and not the wetland itself, that is being considered for potential divestment. Public access to our wetlands will not be affected. This is reflected in the information on the [project's page](#) on Your Say Onkaparinga, including [FAQs](#) and [fact sheets](#).

### 2. *Can I confirm that all wetlands will remain a council asset?*

Refer question 1 above.

3. *Can I confirm that council has never considered the sale of its wetland?*

The approach described above was adopted in the 2022 Request for Proposals process undertaken for our water assets.

10.6 QUESTION ON NOTICE – CR RILETT – ACCESS TO FINES INFORMATION

*Can Council please explain their policy on access to fines information?*

Council can provide the total amount of fines and interest charged for a certain period across all of our ratepayers, however due to privacy we can't release details of individual ratepayer accounts. If a rate payer would like to access how much fees and interest has been applied a request for review must be made by the person or entity receiving the notice, or a person acting on their behalf with the consent of the recipient.

10.7 QUESTION ON NOTICE – CR RILETT – WEB PAGE RESOURCES

*Can Council please provide a Web Page, as a resource to Elected Members & other interested parties, with Links to current plans / Legislation / policies & other affecting Council operations?*

**Public website**

There is a large range of information resources available on our public website at [www.onkaparingacity.com](http://www.onkaparingacity.com)

Key resources can be found on the website including:

- [Annual Business Plan](#)
- [Annual reports](#)
- [Agendas and minutes for Council and committee meetings](#)
- [Council projects](#)
- [Codes of conduct \(for staff and elected members\)](#)
- [Codes of practice \(Proceedings of Council and Committees\) and \(Public access to Council meetings and documents\)](#)
- [Policies, procedures, strategies and plans](#)
- [Delegations](#)
- [Information on Review of internal decisions, Freedom of information and Public Interest Disclosure](#)
- [Maps](#) – including new and significant upgrades,
- [Development applications currently on Public Notification](#)
- [By Laws and regulations](#)
- [Community engagement – YourSay](#)
- [Transparency and Integrity Portal](#)
- [News and media](#)
- [Community information](#)

**Elected member website**

Elected Members also have access to the Elected Member website which was demonstrated to all elected members at their orientation night held on 24 November 2022 with instructions sent by email on 30 November 2022. The elected member Weekly News included articles advising of “hints and tips on the use of the Elected Member website and offers for one-on-one sessions in February and March 2023.

In addition, one-on-one meetings with members and governance staff were conducted during August and September this year which, among other matters, demonstrated the



website and offered any assistance required. A follow up email was also sent to members following the one-on-one meetings.

Information provided on the website includes confidential agendas and minutes, policies and procedures related to elected members, updates on current and emerging issues, the elected member's Weekly News and confidential contact information for senior staff and elected members.

Also available are useful links to key websites such as South Australian Acts and Regulations, Local Government Association of SA, Office of Local Government, Planning SA and more.

Please note, the Elected Member website is strictly for the use of elected members and relevant staff. It is not for public access.

## 10.8 QUESTIONS ON NOTICE – CR RILETT – PORT NOARLUNGA JETTY AND STEPS UPGRADE

As in Tender COO051913 & Contract Number CT000112 details below

### a. *What was the Total Cost of this upgrade?*

Tender COO051913 was awarded in November 2022. The total cost of this upgrade was \$182,060 and included replacement of deteriorated jetty deck timbers and reinforcement of one existing timber pile.

Through the contract, \$170,460 was spent and an additional \$11,600 was spent on the project outside of the contract to purchase materials and install signage.

### b. *What was the cost to The City of Onkaparinga including all peripheral costs?*

### Display Tender COO051913 ?



This page displays the details of a tender. See the detailed help in each section for specific information.

#### Port Noarlunga Jetty Upgrade

Issued By City of Onkaparinga

Request for Tender	
Tender State	Awarded
Tender Code	COO051913
Contract Number	CT000112
Category	Building and Facility Construction and Maintenance Services - (50%) Marine construction services - (50%)

#### Enquiries

 John Braun (Enquiries)  
 [john.braun@onkaparinga.sa.gov.au](mailto:john.braun@onkaparinga.sa.gov.au)

The total \$182,060 project budget was funded by The City of Onkaparinga through our Project and Capital Works program.

Peripheral costs associated with delivering the project include operational time to scoping the project, undertaking community engagement, completing pre-planning tasks and managing the contractor on site. These costs are estimated to be \$3,500.



## 10.9 QUESTIONS ON NOTICE – CR RILETT – O’SULLIVAN BEACH BOAT RAMP FACILITY

- a. *What was the Gross Sales Revenue received for launch fees during the Financial Year 2018 -2019 (July 1st 2018 – June 30th 2019)*

Income for the launch fees and seasonal passes during the 2018-19 financial year totalled \$104,661 (inc GST)

- b. *What was the Net Sales Revenue received by the City of Onkaparinga for that same period? (e.g. Gross Sales Revenue less Collection Costs by the Kiosk Operator.)*

Net revenue (30% of daily launch fees and 100% of seasonal passes was \$38,469 (inc GST)

- c. *What were the Detailed Costs of Maintenance/Operation (if any) to the City of Onkaparinga for that same period? (e.g. Not Capital Costs.)*

O’Sullivan Beach Boat Ramp and Kiosk	2018-19	Amount ex GST
Maintenance		\$ 7,808
Compliance		\$ 143
Public toilet cleaning		\$ 5,872
Boat ramp cleaning		\$ 1,044
Total		\$ 14,867

For information. Council received a report on the O’Sullivan Beach Boat Ramp and Kiosk at its meeting on 12 April 2022, item 9.3 and resolved:

That for portion of the road known as Marine Drive, O’Sullivan Beach comprising the boat ramp and kiosk, Council:

- 1. Acknowledges the proposed temporary closure of the boat ramp during the project works to be carried out by the Department for Infrastructure and Transport (DIT) from approximately May to September 2022.*
- 2. Approves an Expression of Interest (EOI) process be undertaken for the vacant kiosk to sound out the current market for anyone wanting to invest funds into our public asset for a period of five (5) years. Noting that as this land is a public road, its use is by permit under section 222 of the Local Government Act 1999 and the maximum permit is five (5) years for business purposes, although new permits can be applied consecutively, subject to any breach of the terms and conditions.*
- 3. Approves the collection of boat ramp fees via a cashless online service to be implemented upon reopening of the upgraded boat ramp in approximately September 2022, accepting that some of the financial savings accrued from eliminating the contractor services managing onsite cash handling of daily ticket sales will be directed into costs associated with the online service and resourcing the regulation and compliance with use of the online service by persons launching boats.*

Renovation of the boat ramp by DIT was delayed with completion expected early December 2023. A formal announcement on the reopening date from the Minister for Infrastructure and Transport is expected shortly.

Commencing 15 December 2023, the Harbour Café and Marine shop begin operating the Kiosk space.

A cashless online permit solution, ‘Paystay’ will be introduced when the ramp reopens, allowing patrons to conveniently purchase their permit to launch at the boat ramp online.

#### 10.10 QUESTIONS ON NOTICE – CR BELL - ACTIVATING VOLUNTEER FIRST AID RESPONDERS TO A CARDIAC EMERGENCY

*Is Council aware of the GoodSAM phone App alert system recently launched by SAAS and SA Health?*

*Cardiopulmonary Resuscitation (CPR) skills save lives.*

*People with first aid training, registered health practitioners, tertiary healthcare students and SA Ambulance staff can register as a GoodSAM responder.*

*The APP also provides the responder with AED mapping of the area.*

*Would council consider advertising the GoodSAM responder app on our website, in our libraries and community centres?*

[GoodSAM | SA Ambulance Service](#)

The South Australian Ambulance Service has partnered with GoodSAM to deliver this global program. Promotion of the GoodSAM Service and App through Council's website, social media pages and other relevant promotion avenues will be considered and a response provided to Elected Members via Weekly News.

#### 10.11 QUESTIONS ON NOTICE – CR BELL – AUTOMATED EXTERNAL DEFIBRILLATORS

*I understand that following a Work Health and Safety audit a few years ago, LGA funding allowed council to purchase several AED's ?*

Several years ago, staff identified the positive impacts of having access to Defibrillators to both workers and the community.

As a result, key locations were identified, and AEDs were installed. LGA funding was accessed for the purchase of the units along with cabinets for mounting.

*How many AED's do council currently have in their centres and where are they located?*

37 AED's have been installed at council owned locations across the city. AED locations are plotted on the council's AED mapping Tool, available internally on the council's intranet and externally on the council's website.

*Is council able to verify the accuracy of the AED Mapping tool in our city, published on Council website the 13th September?*

Yes. Staff maintain a master register of all council owned AEDs detailing serial numbers of the units, locations, and maintenance cycles. The register is updated when changes to AEDs occur.

In developing the register, a physical inspection was undertaken to confirm specific locations and accessibility which was then used to develop the AED mapping tool. To ensure the mapping remains accurate, our AEDs have remote connectivity allowing us to remotely test units are online and working. We also visually inspect and test AEDs during our 6-monthly workplace inspections.

*Does council review and update the AED map ? and is a report to council planned ?*

When the master AED register is updated, it triggers a review of the AED mapping tool which is then updated as required and published both internally and externally.

A report to council is not planned as this activity is considered operational maintenance of an existing WHS system requirement; however, the performance of our WHS management system is reported annually to the Audit and Risk Committee and the minutes of ARC meetings are submitted to Council.

*Is there a plan to further advertise the AED mapping in our city?*

The AED mapping tool has recently been developed and released on Council's website. There are no plans to advertise further.

*What are councils' obligations under the South Australian External Defibrillators (Public Access) Bill?*

The *Automated External Defibrillator (Public Access) Act 2022* (SA) (the Act) comes into force on 1 January 2025 for buildings owned by the Crown and 1 January 2026 for buildings owned by councils and other public agencies. Section 7 of the Act states:

*7 - The owner of—*

*(a) a designated building or facility; or*

*(b) a prescribed building,*

*must—*

*(c) in the case of a relevant designated building or facility or prescribed building—ensure that 1 Automated External Defibrillator is installed in the building or facility for every 1 200 m2 of floor area of the building or facility;*

*or*

*(d) in any other case—ensure that an Automated External Defibrillator is installed in the building or facility.*

This means that Council, as owners of designated buildings and facilities must ensure:

- One AED is installed in every prescribed building.
- For larger buildings, 1 AED is installed for every 1200m2 of floor area.
- AEDs are properly maintained and tested every 12 months.
- Signage is near the AED and outside and near to an entrance of the building or facility.

Over the next 24 months staff will undertake a review of all council owned buildings and facilities to identify additional AED requirements, to procure and install AED's where required. Additional LGA funding will be sought, however the requirements will result in a significant initial purchase and ongoing maintenance cost for the council. Council is well placed to meet these new obligations. Our AED Program is already in place with 37 AED's installed, including systems for recording and maintenance management in place within our city.

## 11. Motions on notice

### 11.1 NOTICE OF MOTION – CR RILETT – PORT NOARLUNGA ARTS CENTRE OPENING HOURS

*MOVED Cr Rilett.*

*That Council investigates gaps, opportunities, risks and impacts on existing service delivery at the Port Noarlunga Arts Centre for proposed Sunday operation 1–4pm during daylight saving and presents findings to the elected members.*

*Seconded by Cr Wilkes.*

*Cr Platten MOVED an AMENDMENT.*

*That Council investigates costs, gaps, opportunities, risks and impacts on existing service delivery at the Port Noarlunga Arts Centre for proposed Sunday operation 10am–4pm during daylight saving and presents findings to the elected members with a report back to Council by March 2024.*

*Seconded by Cr Fisher.*

*The AMENDMENT was PUT and CARRIED.*

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

### 11.2 NOTICE OF MOTION – CR BELL – TOBACCO AND E CIGARETTE/VAPING REGULATIONS AND IMPACT ON HEALTH

*MOVED Cr Bell.*

*That Council asks the Mayor to write to the Minister for Health and Wellbeing, the Honourable Chris Picton, Member for Kaurua, and ask how the City of Onkaparinga can further contribute to the education of the community and schools on the health impacts and dangers of smoking and vaping.*

*Seconded by Cr Themeliotis.*

**CARRIED**

## 12. Petitions

### 12.1 PETITION FOR RENEWAL OF SITE LICENCES UNDER RESIDENTIAL SITE AGREEMENT AT MOANA BEACH TOURIST PARK

*MOVED Cr Greaves.*

*That Council:*

- 1. Receives the petition at attachment 1 of the agenda report.*
- 2. Notes the current consultation process with Long Term Residents at Moana Beach Tourist Park in relation to their future site licences.*
- 3. Notes that a report will be presented to Council in early 2024 providing an update on the management of site licences.*
- 4. Notes the head petitioner will be notified of Council's decision.*

*Seconded by Cr Eaton.*

**CARRIED**

## 12.2 PETITION – REQUEST FOR LOWER SPEED LIMIT ON PINE ROAD, WOODCROFT

*MOVED Cr Eaton.*

*That Council :*

- 1. Receives the petition in attachment 1 to the agenda report*
- 2. Note the Department for Infrastructure and Transport have provided in principle agreement to lower the speed limit on Pine Road, between Reynell Road and Pimpala Road, from 80km/h to 70km/h.*
- 3. Council proceed with the lowering of the speed limit from 80km/h to 70 km/h on Pine Road, between Reynell Road and Pimpala Road, with notification to the local community in February 2024 of DIT's approval, followed by the installation of the appropriate signage*
- 4. Notify the head petitioner of Council's decision and Department for Infrastructure and Transport's determination.*

*Seconded by Cr Fisher.*

CARRIED

## 13. Urgent business

Nil.

## 14. Confidential items

### 14.1 WATER ASSETS STRATEGIC REVIEW

- 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.*

*The matter is to be considered in confidence as it includes information relating to the water assets Request for Proposal (RFP) process and contains information that, if disclosed, may impact on the probity of the process and the commercial positions of council and the participants.*

- 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 Platten.*

CARRIED

Cr Wilkes left her seat in the Chamber at 8.18pm.

Cr Stafford left his seat in the Chamber at 8.18pm.

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

Cr Stafford resumed his seat in the Chamber at 8.20pm.

Cr Pritchard declared a general conflict of interest as follows:

I own and reside at a property which is one of the (approx.) 4500 households connected to the community wastewater management systems and that connection gives rise to me having a private interest within the meaning of the Act.

The matter to be discussed at tonight's meeting requires Council to consider whether to retain the water assets or to continue a proposed divestment process and this is distinguishable to previous decisions of Council which have related only to the strategic asset review process (for example to undertake community consultation); and

Although only a small portion of households are connected to the CWMS, tonight's discussions and decision have both short and long-term impacts on the entire Council area, its residents, and its ratepayers.

Cr Pritchard's Conflict of Interest disclosure form indicated that he would receive no benefit or detriment, direct or indirect, personal or pecuniary from considering the matter.

Cr Pritchard chose to remain in the meeting and debate and vote on the matter.

Cr Greaves declared a general conflict of interest as follows:

I own a property which is one of the (approx.) 4500 households connected to the CWMS and that connection gives rise to me having a private interest within the meaning of the Act.

Although only a small portion of households are connected to the CWMS, our decision tonight will have impacts on the entire Council area, its residents and ratepayers.

It is for this reason I will be participating in the meeting and intend to vote on the matter.

Cr Greaves's Conflict of Interest disclosure form indicated that she would receive no benefit or detriment, direct or indirect, personal or pecuniary from considering the matter.

Cr Greaves chose to remain in the meeting and debate and vote on the matter.

Cr Yeomans declared a general conflict of interest as follows:

I own a property which is one of the (approx.) 4500 households connected to the community wastewater management systems and that connection gives rise to me having a private interest within the meaning of the Act and an impartial, fair-minded person might consider that this interest might result in me acting in a manner which is contrary to my public duties, which is to represent the entire community and act diligently.

The matter to be discussed at tonight's meeting requires Council to consider whether to retain the water assets or to continue a proposed divestment process and this is distinguishable to previous decisions of Council which have related only to the strategic asset review process (for example to undertake community consultation); and

Although only a small portion of households are connected to the CWMS, tonight's discussions and decision have both short and long-term impacts on the entire Council area, its residents, and its ratepayers.

Cr Yeomans's Conflict of Interest disclosure form indicated that he would receive no benefit or detriment, direct or indirect, personal or pecuniary from considering the matter.

Cr Yeomans chose to remain in the meeting and debate and vote on the matter.

Mayor Were declared a general conflict of interest as a resident of Sellicks however she is not connected to the community wastewater management systems. 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 and chair the matter.

## *2. Confidential resolution*

*MOVED Cr Themeliotis.*

*That Council:*

- Immediately stop the divestment process.*
- resolves to retain the Water Business Unit and Community Wastewater Management System.*
- Requests management fully explore opportunities to improve the operations and financial sustainability of the assets, including governance structures.*
- Notes some opportunities may require significant upfront investment which will be determined through a business case, with further reports presented to Council.*
- Notes a transition plan for full cost recovery will be presented for consideration as part of the 2024-25 budget process for the Community Wastewater Management System in line with Essential Services Commission of South Australia's adopted pricing principles.*
- Approves a review of water pricing for Water Business Unit's internal and external customers.*
- Prepares an advocacy plan to the State Government, Local State and Federal Members and SA Water to consider taking on the asset and that this advocacy plan be brought to a future Council meeting for Council consideration and input.*
- Notes an external communication will be prepared.*

*Seconded by Cr Eaton.*

*CARRIED*

Cr Eaton called a DIVISION and the decision was set aside.

*For:*

<i>Cr Fisher</i>	<i>Cr Stafford</i>	<i>Cr Wilkes</i>	<i>Cr Eaton</i>	<i>Cr Yeomans</i>
<i>Cr Rilett</i>	<i>Cr Platten</i>	<i>Cr Jew</i>	<i>Cr Bell</i>	<i>Cr Themeliotis</i>

*Against:*

<i>Cr Pritchard</i>	<i>Cr Greaves</i>			
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*CARRIED*

## *3. Period of confidentiality and delegations*

*MOVED Cr Themeliotis.*

- a. That the matter of the Water Assets Strategic Review 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 the agenda report, related attachments, discussion and minutes of the Council relating to the subject matter be kept confidential until:*
  - RFP respondents have been notified, with the exception of:*



- *the names of RFP participants and commercial aspects, which are to be kept confidential for a period of two years*
- *commercial aspects of the Trility Agreement*

*and applying also to the minutes and agendas for the following items at the which the matter has been previously considered:*

- *Council 20 March 2018, Item 15.2 Water Assets Commercial Valuation*
  - *Council 8 December 2020, Item 14.2 Water Assets Divestment project update - Registrations of Interest*
  - *Strategic Directions Committee 7 June 2022, Item No 12.1, Water assets strategic review request for proposal outcomes*
  - *Special Council 23 August 2022, Item 4.1 Water assets strategic review request for proposal and community engagement outcomes*
  - *Council 21 March 2023, Item 14.2, Water assets strategic review – project update*
  - *Audit and Risk Committee 14 September 2023, Item 12.1 Water assets strategic review.*
- 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 Jew.*

**CARRIED**

## **14.2 STRATEGIC DIRECTIONS COMMITTEE MEETING CONFIDENTIAL MINUTES OF 7 NOVEMBER 2023**

### **1. Exclusion of the public**

*MOVED Cr Fisher.*

*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 matter at the meeting on the following grounds:*

*Section 90(3)(i) information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council*

*and*

*Section 90(3)(h) legal advice.*

*As it relates to litigation and contains legal advice, it is recommended that the report be considered in confidence.*



- 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 Themeliotis.*

CARRIED

2. *Confidential resolution*

3. *Period of confidentiality and delegations*

*MOVED Cr Platten.*

- a. *That the matter of Strategic Directions Committee Meeting Confidential Minutes of 7 November 2023, having been considered by the Council in confidence under sections 90(2) and 90(3)(h) and (i) 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 reports, related attachments, discussion and minutes of the Strategic Directions Committee and the Council relating to the subject matter be kept confidential until the matter has been resolved.*
- 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 9.06pm.

## 15. Closure

Mayor Were officially declared the meeting closed at 9.06pm.

*Certified Correct .....Chair*

*/ /2023*

## Attachment 1

November 14<sup>th</sup> Council Meeting

Thank you,

Through the Mayor,

I seek leave of the meeting to move a motion of condolence.

To acknowledge, pay respects, honour and celebrate the life of a well known and loved Kangarilla local  
Bernard Authur Smart, who at aged 90years, sadly passed away peacefully at his home Sunday 22<sup>nd</sup> October.

Born at Clarendon Hospital in 1933, he otherwise lived all his life in Kangarilla, a true 'Kangarillian'.

His family have been grape growers in the region for three generations.  
With original family vineyards planted and tendered in both Kangarilla and Clarendon,  
As young men, Bernard and his brother would ride Clydesdale horses between the family properties in the late 1940's where they grew and cared for Grenache and Cabernet grapes, also apples, apricots, currents and sheep.

A man, small in stature, Bernard had a big heart, a true gentleman, humble and caring. A stalwart of the district.  
Easily recognisable driving his Ute in the district, always wearing his signature bucket hat and glasses (just visible over the dash) and knee-high gum boots.

His community service and volunteer activities in Kangarilla and the district included:  
Playing Cricket for 32years, Football for 14yrs,  
Recreation ground management committee for 33 years, (and participated in the ground maintenance in the days before council involvement),  
CFS volunteer for 29years,  
Friends of Kangarilla Cemetery for 15years,  
Kangarilla Primary School committee for 9 years  
Meals on wheels for 15years

Lead organiser of the Social Club committee for more than 45 years where he's been the driving force behind the very successful and regularly attended old style dances in the community hall, that is estimated to have raised around \$120,000 for the local sporting clubs.

Chair of the Kangarilla progress club for 35yrs, vice chair for 3 yrs. Despite resigning from the committee at aged 87, remained active and in fact attended the last AGM meeting that both Cr. Pritchard and I attended, where we celebrated his belated 90<sup>th</sup> birthday and he excitedly expressed how happy he was to see so many people attending.

In the last 5-6 years, the Kangarilla Progress club named a meeting room and a local volunteer award after him.

Bernard won the City of Onkaparinga 2012 Australia Day Citizen of the Year Award and was an individual award winner at the 2018 Every Generation Onkaparinga awards in recognition of his valuable contribution to his community.

In 1990 awarded the 'outstanding service to the community award' by the then City of Happy Valley council.

The wine industry in McLaren Vale is also mourning the loss of its most celebrated grape grower, known as the godfather of McLaren Vale Grenache, supplying fruit to Yangarra, S.C. Pannell, Thistledown and Willunga 100 Winery. The Thistledown Wine company, named a wine after Bernie-This Charming Man Grenache.

He and his family planted and tendered the top Grenache sites, including the now famous Yangarra High Sands vineyard in 1946 with wine now selling at \$500/bottle. It is fitting that a week before he died, the family spent the afternoon experiencing Grenache tasting at the new Yangarra visitors centre, where they drank the award-winning wine made from this vineyard, 'One magnificent final memory'.

I extend my condolences to his wife Mary, his sons, Wayne, Darren, and extended family. I know the family and the community are deeply saddened by his loss. He will be missed very much.

Thank you  
Marisa Bell