

**MINUTES OF THE GENERAL COUNCIL MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 9 FEBRUARY 2016**



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward

Ian Crossland
Tim Gard

Mullawirra Ward

Jerome Appleby
Jason Veliskou

Southern Hills

Janet Byram
Nick Westwood

Warracowie Ward

Bruce Hull
Nathan Prior

Warriparinga Ward

Luke Hutchinson
Raelene Telfer

Woodlands Ward

Nick Kerry

In Attendance

Mr Adrian Skull
Mr Vincent Mifsud
Ms Abby Dickson
Mr Tony Lines
Ms Kate McKenzie
Ms Victoria Moritz

CEO
General Manager Corporate Services
General Manager City Development
General Manager Operations
Manager Governance
Governance Officer

COMMENCEMENT

The meeting commenced at 6.30pm.

KAURNA ACKNOWLEDGEMENT

We acknowledge the Kurna people, the traditional custodians of this land and pay our respects to their elders past and present.

DISCLOSURE

All persons in attendance are advised that the audio of this General Council meeting will be recorded and will be made available on the City of Marion website.

MEMBERS DECLARATION OF INTEREST

The Chair asked if any Member wished to disclose an interest in relation to any item being considered at the meeting. No interests were declared.

CONFIRMATION OF MINUTES

Moved Councillor Telfer, Seconded Councillor Veliskou that the minutes of the General Council meeting held on 19 January 2016 be taken as read and confirmed.

Carried Unanimously

YOUTH ADVISORY COMMITTEE (YAC) UPDATE

Nil

DEPUTATIONS

Nil

PETITIONS

Nil

COMMITTEE RECOMMENDATIONS

Nil

WORKSHOP / PRESENTATION ITEMS

Nil

ADJOURNED ITEMS

**6.32pm Recommendations of the 8 September and 8 December 2015 CEO Review
Committee Meeting Minutes
Report Reference: GC090216R01**

Moved Councillor Telfer, Seconded Councillor Hutchinson that:

1. Council receives and adopts the following recommendations of the Chief Executive Review Committee as detailed in the minutes dated 8 December 2015 (Appendix 1):

- 1.1 A report is to be prepared for the Council meeting on 19 January 2016, summarising and interpreting the results of the survey, and comparing Elected Member responses with the Chief Executive Officer's self assessment.
 - 1.2 Chief Executive Annual Performance reviews in the term of his contract are to be undertaken by the People and Culture Committee in November 2016 and 2017. The People and Culture Committee will also undertake an interim performance review of the CEO in May/June 2016, 2017 and 2018.
 - 1.3 The Chief Executive Officer provide Elected Members with a quarterly update at Elected Member Forums.
 - 1.4 The Chief Executive Performance Indicators are adopted subject to clarification of the legal requirements for disposal of Council land.
2. Note the revised Key Performance Indicators for the Chief Executive Officer as detailed in Appendix 2.

Carried Unanimously

6.33pm Legal Expenditure
Report Reference: GC090206R02

Moved Councillor Appleby, Seconded Councillor Crossland that Council:

1. That Council authorises the CEO to determine and implement the most practical and cost effective means of receiving legal advice for the City of Marion in the future, including considering the option and viability of employing a part-time lawyer.

Carried Unanimously

6.37pm Corporate Performance Report-
1st Quarter 2015/16: July to September 2015
Report Reference: GC090216R03

6.40pm Councillor Veliskou left the meeting.

Moved Councillor Gard, Seconded Councillor Byram that Council:

1. Note the Corporate Performance Report – First Quarter 2015/16: July to September 2015, as provided in Appendix 2.
2. Adopts the following changes to Council's plans:
 - Rename the 'Community Plan – towards 2040' to the 'Strategic Plan – towards 2040'
 - Rename the 'Annual Business Plan and Budget' to the 'Annual Business Plan'
 - Develop a 3 year (2016/17-2018/19) Business Plan that, once adopted by Council, will replace the 2010-2020 Strategic Plan.

Carried Unanimously

CORPORATE REPORTS FOR DECISION

Councillor Telfer sought and was granted leave of the meeting to give a personal explanation relating to the Report *George Street & Finniss Street Raised Pavement Treatment Consultation Outcomes GC090216R04* :

“I, Raelene June Telfer, of 29 Parsons St Marion as the ‘affected person’ under the Act 1999 and having considered the “Guidelines and Examples”, am satisfied that I do not have a conflict of interest in this matter. An ‘impartial, fair-minded person (...)’ would form the opinion that I have no reason to abstain from the debate or voting, as I lack any pecuniary or nonpecuniary benefit or detriment.

In the last week in February I intend to attend the training related to the new Act to be introduced in March 2016.

I have made a considered decision mindful of the following points:

- *Legal advice from a qualified legal governance person was obtained over a year ago when Marion/ Oaklands traffic management was first discussed. We were advised verbally that Councillor Prior and myself are part of a substantial class of surveyed persons of the Marion and Oaklands suburbs.*
- *Parsons Street is the fourth winding street away from Finniss/ George/ Dwyer/Crew receiving minimal local traffic both now and in future predictions.*
- *It is my representative duty, as a Ward Councillor, to work regularly at Ward briefings, workshops and in full Council, to find fair traffic solutions for the through -traffic of Marion and Oaklands Park.”*

6.43pm Councillor Veliskou re-entered the meeting

**6.44pm George Street & Finniss Street Raised Pavement Treatment Consultation Outcomes
Reference No: GC090216R04**

Moved Councillor Hull, Seconded Councillor Hutchinson that Council:

1. Notes the report.
2. Given the significant increase in cost for the development of the three raised pavement sections, Council go through a select tender process to seek possible new designs solutions (including details of all costs) from three Consulting Engineers. A report be brought back to council on the alternative solutions provided (including details of all costs).

Carried Unanimously

6.45pm Reconciliation Action Plan 2016 - 2019
Report Reference: GC090216R05

Moved Councillor Veliskou, Seconded Councillor Westwood that:

1. Council Holds a further Elected Member Forum to discuss the Reconciliation Action Plan 2016-2019
2. A report be brought back to Council no later than May 2016.

Carried Unanimously

6.48pm Community Grants Funding Programs
Report Reference: GC090216R06

Moved Councillor Veliskou, Seconded Councillor Telfer that Council:

1. Endorse option 3 as the preferred model of distribution for the Community Grants Program, where grants are administered via one round per annum, providing a total amount of \$100,000 worth of funding including two large grant amounts of up to \$10,000 per annum.
2. Approve an additional allocation of up to \$25,000 towards the community grants program to be referred the 2016-17 Annual Business Plan and Budgeting process.
3. Endorse Council Community Grants policy as attached as appendix to this report.

7.10pm Cr Veliskou left the meeting

7.11pm Cr Veliskou re-entered the meeting

Lost

Moved Councillor Byram, Seconded Councillor Gard that Council:

1. Endorse option 4 as the preferred model of distribution for the Community Grants Program, where grants are administered via two rounds (of up to \$50,000 each round) per annum. Providing a total amount of \$100,000 per annum worth of funding including one large amount of up to \$10,000 plus three of up to \$5,000 and 13 up to \$2,000 for each round.
2. Approve an additional allocation of up to \$25,000 towards the community grants program to be referred the 2016-17 Annual Business Plan and Budgeting process.
3. Endorse Council Community Grants policy as attached as appendix to this report.

The Mayor sought and was granted leave of the meeting to incorporate the following into the Community Grants Policy:

- The policy refer to the Community Grants Guidelines in terms of eligibility of applications

Carried

Moved Councillor Veliskou, Seconded Councillor Hull that Council:

4. Endorse option B as the preferred model of managing Donations and Sponsorship requests, where donations are administered by the Community Development Unit, providing a total amount of \$2,500 per annum with a maximum amount of up to \$100 per individual.
5. Endorse the Donations & Sponsorship Policy as attached as appendix 3 to this report.

Carried

7.37pm Section 270 Review – Reserve Street Reserve Dog Park
Report Reference: GC090216R07

Moved Councillor Crossland, Seconded Councillor Byram that:

1. Council provisionally accept the report on the basis that the recommendation supports the development of a dog park at Reserve Street Reserve , Trott Park.
2. Council commence construction of the dog park.
3. Councillors provide any identified issues, incorrect or misleading information within the section 270 report to the Chief Executive Officer within 7 days.
4. The Chief Executive Officer investigate the identified issues and report back to Council on the outcome.
5. The report writer is not asked to conduct any other reviews for the City of Marion

Carried

CORPORATE REPORTS FOR INFORMATION / NOTING

Nil

MATTERS RAISED BY MEMBERS

Questions with Notice

Southern Land for Major Sporting Hub Ref No: GC090216Q01

QUESTION: Councillor Hull

Is there a resolution of the previous Council to investigate the potential of the "Sheep Paddock" owned by the Sheidow Holdings, for the purpose of a major sporting hub in the South?
If so, what is the status/progress of that resolution?

COMMENTS: Sean O'Brien, Community Facilities Planner

In July 2013 (GC230713R06) council resolved that:

1. Council confirm its commitment to the provision of sport and recreation facilities in the south of the City of Marion
2. Council endorse alternate land options being investigated for the purpose of providing regional sporting facilities in the Southern area of the City
3. The issues associated with and the outcomes of the land investigation be presented to Council for consideration.

There has been no specific Council resolution regarding investigating the potential of the "Sheep Paddock".

However as part of the above resolution the following sites were considered for their potential to accommodate sporting facilities.

1. Nari Drive Reserve – Nari Drive Sheidow Park
2. O'Halloran Hill TAFE site – Majors Road O'Halloran Hill
3. Sheep Paddock – Cnr Lonsdale Road & Perry Barr Road Hallett Cove

Copies of the above investigations into other sites have been circulated separately to Elected Members.

Further to the resolution passed in July 2013 Council has passed a further resolution relating to sporting facilities in the South. At the 14 April 2015 General Council resolved the following (GC140415R02):

1. "Endorse investigations being undertaken with peak sporting bodies, relevant clubs, funding bodies and agencies to seek partnering opportunities for the development of plans and potential funding solutions for the following sports infrastructure:
 - Options for new soccer pitches and a BMX track in the South
 - Indoor multipurpose Stadium 4-8 Court (SA regional standard)
 - Edwardstown Oval Masterplan

- Mitchell Park Sports and Community Club building upgrade

2. Note that consultation plans will be brought to Council for consideration after initial investigations are undertaken with peak sporting bodies, relevant clubs and agencies.
3. That potential funding opportunities relevant to the above sports infrastructure be actively pursued as they arise.”

Since Council’s resolutions of 14 April 2015 the focus for the development of new sporting infrastructure in the south of Marion has been for new soccer pitches and an international standard BMX facility.

A draft business plan has been developed with the Football Federal South Australia (FFSA) and research has been undertaken into potential sites such as O’Halloran Hill TAFE and other sites to the south of Marion.

In relation to a BMX facility staff supported the Hallett Cove and Happy Valley BMX clubs to secure funding from the Office and Recreation and Sport for a feasibility study. The two BMX clubs and Council also contributed funds to the study. The feasibility study is due to be completed in March 2016 and will then be brought to Council. The feasibility study is considering a potential site on Majors Road.

Motions with Notice

7.41pm Visibility of Cyclists
Ref No: GC090216M01

Moved Councillor Hull, Seconded Councillor Gard that Council:

1. Writes to the The Hon. Stephen Mullighan, Minister for Transport and Infrastructure, advising that Council recommends that the State Legislation and Laws should prescribe that all cyclists on SA roads shall wear a Reflective High Visibility garment (Day/Night/) whilst riding any bike on our roads or footpaths and that penalties should apply for lack of compliance.
2. Forward the following Notice of Motion to the Local Government Association (LGA) for consideration at the next LGA General Meeting scheduled on Friday 15 April 2016: That the Ordinary General Meeting requests the LGA to investigate whether there is sufficient evidence across Local Government to amend State Legislation and Laws to prescribe that all cyclists on SA roads shall wear a Reflective High Visibility garment (Day/Night) whilst riding any bike on our roads or footpaths and that penalties should apply for lack of compliance.

7.57pm Councillor Hutchinson left the meeting

Lost

Councillor Hull called for a Division:

Those for: Councillors Hull, Westwood, Byram and Gard

Those against: Councillors Kerry, Telfer, Prior, Veliskou, Appleby and Crossland

Lost

8.04pm Councillor Hutchinson re-entered the meeting

Questions without Notice

Nil

Motions without Notice

Nil

CONFIDENTIAL ITEMS

Nil

LATE ITEMS

Nil

CLOSURE - Meeting Declared Closed at 8.07pm.

CONFIRMED THIS 23 FEBRUARY 2016

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CHAIRPERSON