

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



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward

Ian Crossland

Mullawirra Ward

Jerome Appleby
Jason Veliskou

Southern Hills

Janet Byram
Nick Westwood (6.45pm)

Warracowie Ward

Bruce Hull
Nathan Prior

Warriparinga Ward

Luke Hutchinson
Raelene Telfer

Woodlands Ward

Tim Pfeiffer
Nick Kerry

In Attendance

Mr Adrian Skull
Mr Vincent Mifsud
Ms Abby Dickson
Mr Tony Lines
Ms Kate McKenzie
Ms Yvette Zaric

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

COMMENCEMENT

The meeting commenced at 6.30pm.

KAURNA ACKNOWLEDGEMENT

We acknowledge the Kaurna 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.

The following declarations were made:

- **Councillor Pfeiffer declared a perceived conflict of interest** in the item ‘George Street and Dwyer Road – Consultant’s Report’ (GC090816R02) as a relationship through his employment is engaged on of the key proponents of the project.
- **Councillor Hutchinson declared a perceived conflict of interest** in the item ‘Glandore Laneways – Roads Opening and Closing’ (GC090816R03) as he has an interest in property referred to in the report.

CONFIRMATION OF MINUTES

6.33pm Moved Councillor Veliskou, Seconded Councillor Telfer that the minutes of the General Council Meeting held on 26 July 2016 and the Special Council Meeting held on 1 August 2016 be moved enbloc and taken as read and confirmed.

Carried

COMMUNICATIONS

The Mayor sought leave of the meeting and the meeting agreed to formally acknowledge the passing of Clem Senior former Councillor and Alderman of the City of Marion. The Mayor provided the following overview of Clem Senior’s life to be recorded in the minutes.

“Clem Senior was born in 1920. He signed up in 1940 and served in an antitank unit in Greece, Northern Africa and Italy with the British Eighth Army. He married Barbara to whom he was married for 69 years. They came out to Australia in the late 1950s. In 1969 Clem was Elected to the City of Marion and he was a Member of Council for almost 35 continuous years. Clem was involved in many local projects, he was involved in setting up the production line for Chrysler when they moved to Tonsley. He worked on the contruction of the South Western Suburbs Drainage Scheme. He contributed to building a church hall on Diagonal Road which became the St Margaret of Scotland Church of England Mission. In January 2008 he was presented with an Order of Australia Medal for Service to the Community through Local Government and his involvement in ex-service and youth organisations.”

6.35pm In honour of Clem Senior’s contribution to the local community the Mayor acknowledged that the City of Marion flag was flown at half mast today and led the Council Chamber in maintaining a minutes silence.

DEPUTATIONS

Nil

PETITIONS

6.38pm Petition – Park Holme Community Hall Report Reference: GC090816P01

Moved Councillor Veliskou, Seconded Councillor Hull that Council:

1. Note the petition.
2. That Administration advise the head petitioner that Council has noted the petition and will consider this in conjunction with the future directions of the Park Holme Community Hall at the General Council meeting on 23 August 2016.

Carried

COMMITTEE RECOMMENDATIONS

6.43pm Confirmation of the Minutes for the Urban Planning Committee Meeting held on 2 August 2016 Report Reference: GC090816R01

Moved Councillor Prior, Seconded Councillor Crossland that Council:

1. Receive and note the minutes of the Urban Planning Committee meeting of 2 August 2016 (Appendix 1).
2. Note that separate reports will be brought to Council for consideration of any recommendations from the Urban Planning Committee.

Carried Unanimously

WORKSHOP / PRESENTATION ITEMS

Nil

ADJOURNED ITEMS

Nil

CORPORATE REPORTS FOR DECISION

6.44pm George Street and Dwyer Road – Consultant's Report Report Reference:GC090816R02

6.44pm Councillor Pfeiffer left the meeting.

6.45pm Councillor Westwood entered the meeting.

Moved Councillor Hutchinson, Seconded Councillor Crossland that Council:

1. Notes the report.
2. Trials a temporary 3 month road closure of Dwyer Road at Boyle Street in accordance with the provisions in the Road Traffic Act 1961 (10.2.2014) Division 3 - Road closing provisions.
3. Notification of the proposed temporary road closure be undertaken pursuant to the Road Traffic Act 1961 and accordingly be distributed to the residents in the immediate vicinity, defined as a radius of no more 200 metres from the road closure.
4. Receives a report prior to implementation on any subsequent submissions in relation to the proposed temporary closure in accordance with the road closure provisions.
5. A further report be prepared that evaluates the effectiveness of the temporary road closure and provides a recommendation going forward after the trial. The evaluation will include:
 - Feedback from residents in the immediate vicinity as defined above;
 - The use of road counters which will be deployed and rotated to capture changes in traffic movements;
 - A number plate survey, as previously employed, to determine the change in non-resident use.
 - A recommendation to maintain or remove the closure.

Lost

Councillor Hutchinson called for a division:

Those for: Councillors Hutchinson, Prior, Veliskou and Crossland.

Those against: Councillors Kerry, Telfer, Hull, Westwood, Byram and Appleby.

Lost

7.01pm Moved Councillor Hull, Seconded Councillor Telfer that Council:

1. Notes the report.
2. Endorses the design, cost estimate and further report to Council on the installation of a raised intersection treatment at the junction of Crew Street and Diagonal Way.

3. Following the installation of the above treatment, receives a report on George Street, Dwyer Road and other roads within the local network to ascertain if there has been any effect on traffic conditions.

The vote was tied
The Mayor had a casting vote and voted against the motion
Lost

Councillor Hull called for a division:

Those for: Councillors Kerry, Telfer, Hull and Westwood.

Those against: Councillors Hutchinson, Prior, Byram, Veliskou, Appleby and Crossland.

The motion was defeated on the division
Lost

7.40pm Moved Councillor Hutchinson, Seconded Councillor Hull that Council:

1. Notes the report.
2. Administration to investigate and cost all three traffic control treatments by 13 December 2016.

Amendment to Motion

Moved Cr Crossland, Seconded that Council:

1. Notes the report.
2. Wait until the outcome of Oaklands Crossing.

Point of Order

A Point of Order was raised by Councillor Hutchinson that the amendment was a direct opposite to the motion. The Presiding Member ruled in favour that the amendment was out of order.

Debate resumed on the original motion.

The original motion was **Carried**

7.51pm Councillor Hutchinson and Prior left the meeting.

7.51pm Council Pfeiffer re-entered the meeting.

7.52pm Glandore Laneways – Roads Opening and Closing
Report Reference:GC090816R03

Moved Councillor Pfeiffer, Seconded Councillor Kerry that Council:

1. Notes the representations received in response to the community consultation required under the Roads (Opening and Closing) Act 1991 and authorise the following action to be taken to resolve the objection:
 - Grant of an easement to SA Water over the portion of the laneway adjacent 14 Nottingham Crescent Glandore.
2. Approves to make a Road Process Order and an Agreement for Exchange in accordance with the *Roads (Opening & Closing) Act 1991* to open and to close portions of the Glandore Laneways in the following manner:

To close:

- the section of north-south lane off Nottingham Crescent Glandore and to merge the closed road with the adjacent land comprised in Certificate of Title Volume 6177 Folio 951 (formerly Volume 5434 Folio 204) and known as 14 Nottingham Crescent Glandore subject to an easement for sewerage purposes to SA Water and;
 - the section of north-south lane off Maude Street and to merge the closed road with the adjacent land comprised in Certificate of Title Volume 6177 Folio 969 (formerly Volume 5272 Folio 361) and known as 19 Maude Street Glandore; and
 - to open portions of the land comprised in Certificates of Title Volume 6177 Folio 944 (formerly Volume 5205 Folio 56), Volume 5363 Folio 493, Volume 5219 Folio 284, Volume 6177 Folio 969 (formerly Volume 5272 Folio 361), Volume 6177 Folio 951 (formerly Volume 5434 Folio 204) and Volume 6115 Folio 26 as public roads.
3. Pursuant to Section 37(b) of the Local Government Act 1999 authorises the Chief Executive Officer to enter into and sign all documentation necessary to complete the roads opening and closure processes and transfers of land to the owners of the properties at 14 Nottingham Crescent Glandore and 19 Maude Street Glandore.

7.59pm Councillor Prior re-entered the meeting.

Carried

MATTERS RAISED BY MEMBERS

Questions with Notice

8.00pm Legal Costs
Report Reference:GC090816Q01

QUESTION:

Can Administration detail the total cost of legal advice for the matter of considering withdrawal from the Local Government Association?

COMMENTS: Kate McKenzie, Manager Corporate Governance

To date the running total cost of legal advice for the matter of considering withdrawal from the Local Government Association is \$12,934.83 and is broken down as follows:

- The invoice for Dr Churches was \$3,150.00
- The invoice for Mr McDonald was \$7,350.00
- The invoice for Ms Smith (facilitate and consider the opinions) is \$2,434.83
- The invoice for Mellor Olsson (contractual advice) is yet to be received.

All figures are GST exclusive.

It is anticipated that the total costs will be approximately \$15,000.

Motions with Notice

**8.00pm Enclosed Lawn Bowling Facility
Report Reference:GC090816M01**

Moved Councillor Hull, Seconded Councillor Westwood:

1. That the City of Marion survey the lawn bowling clubs within our boundaries, along with the peak body, to ascertain the possible need and justification for the development of at least one enclosed lawn bowling facility.

8.03pm Councillor Crossland left the meeting.

8.03pm Councillors Hutchinson and Crossland re-entered the meeting.

8.04pm Councillor Appleby left the meeting.

8.06pm Councillor Appleby re-entered the meeting.

Lost

Councillor Westwood called for a division:

Those for: Councillors Kerry, Hutchinson, Prior, Hull and Westwood

Those against: Councillors Crossland, Appleby, Veliskou, Byram, Telfer, and Pfeiffer.

Lost

**8.12pm Elected Member Positions and Committee Structures
Report Reference: GC090816M02**

Moved Councillor Kerry, Seconded Councillor Westwood:

1. That Committee positions and Deputy Mayor position be decided at our November Council meetings and that we endorse our current committee structure.

Amendment

Moved Councillor Appleby, Seconded Councillor Crossland:

1. That Committee positions and Deputy Mayor position be decided at our October Council meeting and that we endorse our current committee structure.

The amendment was **Lost**

Debate resumed on the original motion.

The original motion was **Carried**

8.21pm Smaller Waste and Recycling Bins Report Reference GC090816M03

Moved Councillor Veliskou, Seconded Councillor Westwood that Council:

1. Seek to negotiate the current or new contract to allow for smaller waste and recycling bins available at residents request.

Councillor Veliskou with the consent of Councillor Westwood sought and was granted leave of the meeting to vary the motion as follows.

Variation

1. Seek to negotiate the current or new contract to allow for smaller green waste and recycling bins available at residents request.

Carried Unanimously

8.30pm Leave - Councillor Gard

Moved Councillor Pfeiffer , Seconded Councillor Kerry that Council:

1. Grant leave for Councillor Gard until September 2016.

Carried Unanimously

CONFIDENTIAL ITEMS

Nil

CLOSURE - Meeting Declared Closed at 8.31pm.

CONFIRMED THIS 23 AUGUST 2016

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CHAIRPERSON