

**MINUTES OF THE GENERAL COUNCIL MEETING  
HELD AT ADMINISTRATION CENTRE  
245 STURT ROAD, STURT  
ON TUESDAY 14 MARCH 2017**



**PRESENT**

His Worship the Mayor Kris Hanna

**Councillors**

**Coastal Ward**

Ian Crossland  
Tim Gard

**Mullawirra Ward**

Jason Veliskou  
Jerome Appleby

**Southern Hills**

Janet Byram  
Nick Westwood

**Warracowie Ward**

Bruce Hull  
Nathan Prior

**Warriparinga Ward**

Luke Hutchinson  
Raelene Telfer

**Woodlands Ward**

Tim Pfeiffer  
Nick Kerry

**In Attendance**

Mr Adrian Skull  
Ms Abby Dickson  
Mr Tony Lines  
Ms Jaimie Thwaites  
Ms Victoria Moritz

Chief Executive Officer  
General Manager City Development  
General Manager Operations  
Acting Manager Corporate Governance  
Governance Officer

**COMMENCEMENT**

The meeting commenced at 6.31pm.

**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.

## ELECTED MEMBER'S DECLARATION OF INTEREST

The Chair asked if any Member wished to disclose an interest in relation to any item being considered at the meeting.

- Councillor Hutchinson declared a conflict of interest in the following items:
  - *Petition – Development Application No: 100/2016/1785 – Four dwellings – 8 Fourth Avenue, Ascot Park (GC140317P01)*
  - *Local Government Association Membership (GC140317F02)*
- Councillor Westwood declared a conflict of interest in the following item:
  - *Petition – Development Application No: 100/2016/1785 – Four dwellings – 8 Fourth Avenue, Ascot Park (GC140317P01)*
- Cr Veliskou noted a perceived conflict of interest in the following item:
  - *Organisational Service Reviews – Status Report March '17 (GC140317R09)* as one of the programs in the Library Service Review relates to *ATO Tax Help*, which involves his employer, however as he is not directly associated, will remain for this item.

## PERSONAL EXPLANATION

The Mayor sought and was granted leave of the meeting to make a personal explanation regarding a matter discussed at the General Council Meeting on 28 February 2017.

Mayor Hanna gave a personal explanation in relation to comments made at the 28 February 2017 General Council meeting *claiming*:

- Following the General Council Meeting on 28 February 2017 Councillor Gard expressed concerns regarding the comments I made during the item on streetscapes and the planting of trees.
- During the Council Meeting on 28 February:
  - o Councillor Gard asked Mr Lines (General Manager Operations) about a recent meeting he had held regarding issues of fairness and equity relating to the streetscape and tree planting programs and whether he could confirm in the minutes for this meeting what he would recommend.
  - o I intervened at this point as Chair of the meeting, stating that I was not sure that this was General Council business, however I invited Mr Lines to comment and noted that it is probably something that should happen outside the meeting.
  - o Mr Lines gave a summary of issues and finished his remarks with a reference to streetscapes as follows:  
*“as far as making a difference, we discussed that the streetscape program is essentially tied to the priority matrix which we have discussed and that the best way of prioritising your works in Marino is through the canopy tree program, and I take the Mayor's comments earlier about the prioritisation of those and the objectives which we can work out together with Councillors; and also David has the ability in his other planting and he does do 1000 or 1500 other plants, after the review of the Marino status to fill some gaps. The best thing I can do for you now is not to propose a resolution but to do that work and report back on that and how we are going.”*

- o I then issued a note of caution and made a general comment that “*there will be trouble if any Councillors are suggesting increase of allocation in their own streets*”
- I sincerely meant the caution as a general comment however I believe that, as Councillor Gard was the last Councillor to speak beforehand, he assumed I was referring to him.
- I was reinforcing that Councillors are here to inform staff of the areas which needed trees planted, not to promote benefit for their own personal circumstances.
- Since that meeting, Councillor Gard has made an objection to me in writing and also advised that he is advocating for trees within his street.

The Mayor invited Councillor Gard to make a personal explanation if he wished to do so.

Councillor Gard gave a personal explanation in relation to comments made at the 28 February 2017 General Council meeting *claiming*:

- I am satisfied with the Mayor’s comments given just now
- Highlighted that the matter of the words ‘own streets’, the lining of our own streets can be taken two ways, personally in our own street or in relation to our Wards
- I have been advocating heavily for fairness and equity and therefore increased planting in Marino over and beyond the matrix
- I have been advocating openly for fairness and equity across Council.
- 8 – 10 years ago I had dealings with the City of Marion regarding ‘my own street’ Angas Crescent in Marino which ended after 3 years with a letter from the then CEO (Mark Searle) stating they were going to go ahead with plantings of Banksias in Angas Crescent.
- Unfortunately the planting was a dramatic failure and there was an undertaking (last year) from a former Manager that the planting needed to be replaced
- I am trying to pursue making good promises that were made and failed 10 years ago.

## CONFIRMATION OF MINUTES

**Moved Councillor Veliskou, Seconded Councillor Crossland** that the minutes of the General Council Meeting held on 28 February 2017 be taken as read and confirmed.

**Carried Unanimously**

## ADJOURNED ITEMS

**6.43pm Elected Member Liaison Roles on External Bodies**  
**Reference No: GC140317R01**

**Moved Councillor Veliskou, Seconded Councillor Westwood** that formal meeting procedures be suspended to enable discussion on the item “Elected Member Liaison Roles on External Bodies”.

**Carried Unanimously**

6.44pm formal meeting procedures were suspended

7.04pm formal meeting procedures were resumed

**Moved Councillor Westwood , Seconded Councillor veliskou** that Council:

1. Endorses the nomination of the following Councillors to act as Council Liaison Officers to the current External bodies with a nominated Council Liaison Officer for the remainder of this Council term:
  - 1.1 Councillor Nick Kerry to the Active Elders Association Incorporated.
  - 1.2 Councillor Nick Kerry to the Clovelly Park Community Centre Committee.
  - 1.3 Councillor Raelene Telfer to the Cosgrove Hall Committee of Management.
  - 1.4 Councillor Tim Pfeiffer to Edwardstown Soldiers Memorial Recreation Ground Committee of Management.
  - 1.5 Councillor Ian Crossland to the Hallett Cove School Council Incorporated.
  - 1.6 Councillor Raelene Telfer to the Hamilton Secondary School Council Incorporated.
  - 1.7 Councillor Tim Pfeiffer and Nick Westwood to the Marion City Band for the remainder of this Council's term.
  - 1.8 Councillor Raelene Telfer to the Mitchell Park Sports Club Incorporated.
  - 1.9 Councillor Jason Veliskou to the Morphettville Park Sporting Club Incorporated.
  - 1.10 Councillor Jason Veliskou to the Park Holme Community Hall.
  - 1.11 Councillor Jerome Appleby to the Plympton Sporting and recreation Club Incorporated.
  - 1.12 Councillor Jason Veliskou and Councillor Bruce Hull to the Red House Group.
  - 1.13 Councillor Raelene Telfer to the Seaview High School Council.
  - 1.14 Councillor Janet Byram to the Suneden Special School.
  - 1.15 Councillor Ian Crossland and Councillor Westwood to The Cove Sports and Community Club Incorporated.
  - 1.16 Councillor Tim Gard to The Marino Hall Committee of Management.
  - 1.17 Councillor Tim Gard to the Marino Residents Association.
  - 1.18 Councillor Janet Byram to The Marion Historical Society Incorporated.
  - 1.19 Councillor Nick Westwood to the Council on the Ageing (SA) Incorporated.
  - 1.20 Councillor Raelene Telfer to the Marion Historic Village Project Group for the remainder of this Council's term.
  - 1.21 Councillor Janet Byram to the Marion Returned & Services League of Australia.
  - 1.22 Councillor Jason Veliskou to the Plympton Glenelg Returned & Services League of Australia.
  - 1.23 Councillor Raelene Telfer to the Council on the Management Committee of Annie Doolan's Cottage.
  - 1.24 Councillor Raelene Telfer to the Darlington upgrade Liaison Advisory Group

- 2 Nominates the following Elected Members to act as Council Liaison Officers to the outlined external bodies with a new request for a Council Liaison Officer for the remaining Council term:
  - 2.1 Councillor Ian Crossland to the Cove Tigers Netball Club.
  - 2.2 Councillor Janet Byram to the Oasis Family Church.
  - 2.3 Councillor Raelene Telfer to the Glengowrie Uniting Church.
  - 2.4 Councillor Jason Veliskou to the Glengowrie Uniting Church Netball Club.
  - 2.5 Councillor Jerome Appleby to Gymnastics SA.
  - 2.6 Councillor Jerome Appleby to the Saint Maria Goretti Social Group.
  - 2.7 Councillor Janet Byram and Councillor Nick Westwood to the Sheidow Park Primary School.
  - 2.8 Councillor Nick Westwood and Councillor Janet Byram to the St Martin de Porres School.
  - 2.9 Councillor Bruce Hull to Swimming SA.
  - 2.10 Councillor Bruce Hull to The Corner Uniting Church.
  - 2.11 Councillor Raelene Telfer to the St Elizabeth's Anglican Church.
  - 2.12 Councillor Janet Byram and Councillor Nick Westwood to the Seaview Downs Primary School.
  - 2.13 Councillor Raelene Telfer to the Dover Gardens Kennel & Obedience Club Inc.
  - 2.14 Councillor Janet Byram to the Holdfast Model Aero Club Inc.
  - 2.15 Councillor Ian Crossland & Councillor Bruce Hull to the LKCC Committee
  - 2.16 Councillor Raelene Telfer to the MarionLIFE Community Services
  - 2.17 Councillor Jason Veliskou to the Marion Marlins Masters Swimming Club
  - 2.18 Councillor Tim Pfeiffer to the Rotary Club of Edwardstown
  - 2.19 Councillor Nick Kerry to the Edwardstown/ Melrose Park Residents Action Group
  - 2.20 Councillor Tim Pfeiffer to the 1<sup>st</sup> Ascot Park Scout Group
  - 2.21 Councillor Jason Veliskou to the Hindu Society of SA Inc.
- 3 If additional requests are received after this meeting, Council authorises the Mayor to nominate, after consultation with Elected Members, Council Liaison Officers to external bodies.
- 4 Administration advises each of the external bodies of their nominated Council Liaison.

**Carried Unanimously**

## DEPUTATIONS

Nil

## PETITIONS

Councillors Hutchinson and Westwood declared a conflict of interest in the following item *Petition – Development Application No: 100/2016/1785 – Four dwellings – 8 Fourth Avenue, Ascot Park* as they are current members on the Development Assessment Panel and left the meeting.

7.04pm Councillor Hutchinson left the meeting

7.04pm Councillor Westwood left the meeting

**7.05pm Petition – Development Application No: 100/2016/1785 – Four dwellings – 8 Fourth Avenue, Ascot Park**  
**Reference No: GC140317P01**

7.06pm Councillor Kerry declared a conflict of interest in the item due to meeting with Mr Jack Pete (Developer) prior to this term of Council and left the meeting.

**Moved Councillor Crossland, Seconded Councillor Veliskou** that Council:

1. Notes the petition and comments provided by Administration.
2. That the head petitioner be advised that Council has noted the petition and that the application will be reported to the Development Assessment Panel for consideration and decision, and, all valid representors will be invited to present to the Panel at the relevant meeting.

**Carried Unanimously**

7.07pm Councillor Hutchinson re-entered the meeting

7.07pm Councillor Westwood re-entered the meeting

## COMMITTEE RECOMMENDATIONS

### 7.08pm Finance and Audit Committee - Confirmation of Minutes of Meeting held on 28 February 2017

Report Reference: GC140317R02

7.11pm Councillor Veliskou left the meeting

7.11pm Councillor Kerry re-entered the meeting

7.13pm Councillor Veliskou re-entered the meeting

**Moved Councillor Gard , Seconded Councillor Prior** that Council:

1. Receives and notes the minutes of the Finance and Audit Committee meeting of 28 February 2017 (Appendix 1).
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance and Audit Committee.

**Carried Unanimously**

## WORKSHOP / PRESENTATION ITEMS

Nil

## CONFIDENTIAL ITEMS

### 7.15 Finance and Audit Committee Confidential Minutes

Reference No: GC2140317F01

**Moved Councillor Veliskou, Seconded Councillor Pfeiffer** that pursuant to Section 90(2) and (3)(a), (b), (d) and (h) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull Chief Executive Officer; Vincent Mifsud, General Manager Corporate Services; Abby Dickson, General Manager City Development; Tony Lines General Manager Operations; Jaimie Thwaites, Acting Manager Corporate Governance; Victoria Moritz, Governance Officer, be excluded from the meeting as the Council receives and considers the confidential minutes of the Finance and Audit Committee, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to personal affairs, commercial information of a confidential nature and legal advice.

**Lost**

**Moved Councillor Hull , Seconded Councillor Veliskou** that Council:

1. Receives and notes the confidential minutes of the Finance and Audit Committee meeting of 28 February 2017 (Appendix 1)
2. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* orders that this report and Appendix 1 having been considered in confidence under Section 90(2) and (3)(a), (b), (d) and (h) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2017.

**Carried Unanimously**

Councillor Hutchinson declared a conflict of interest in the following item- *Local Government Association Membership (GC140317F02)* due to his nomination on the Local Government Grants Commission and left the meeting.

7.32pm Councillor Hutchinson left the meeting

**7.32pm Local Government Association Membership**  
**Reference No: GC140317F02**

**Moved Councillor Veliskou, Seconded Councillor Telfer** that pursuant to Section 90(2) and (3)(b) and (h) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Chief Executive Officer; Tony Lines, General Manager Operations; Vincent Mifsud, General Manager Corporate Services; Abby Dickson, General Manager City Development; Jaimie Thwaites, Acting Manager Corporate Governance, Victoria Moritz, Governance Officer, Craig Clarke, Unit Manager Communications, be excluded from the meeting as the Council receives and considers information relating to Local Government Association Membership, upon the basis that the Committee is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to commercial information the disclosure of which could prejudice the commercial position of Council and would on balance be contrary to the public interest and legal advice.

**Carried**

**7.34 the meeting went into confidence**

7.34pm Councillor Crossland left the meeting  
7.36pm Councillor Crossland re-entered the meeting  
8.20pm Councillor Appleby left the meeting  
8.21pm Councillor Kerry left the meeting  
8.22pm Councillor Appleby re-entered the meeting  
8.23pm Councillor Kerry re-entered the meeting

**Moved Councillor Telfer, Seconded Councillor Veliskou** that Council:

1. Retain its membership with the Local Government Association of South Australia for the financial year 2017/18.
2. Requests the LGA to proactively focus on the following list of performance improvement areas, in order to provide a greater level of service and value to its members:
  - 2.1 LGA Value Proposition – regular review of the value provided by the member organisation.
  - 2.2 Insurance (Mutual) Schemes – communicate how the Auditor General's concerns are being addressed and release the independent review into the Scheme's operation.



- 2.3. Industrial Relations:
  - a. Provide IR advice to members on issues common to all Councils to obviate the need to go to legal companies and save ratepayer money;
  - b. Work towards one ASU and one AWU cross-sector Enterprise Bargaining agreement.
- 2.4 Annual member subscription fees – should be based on (1) the number of ratepayers and (2) Council revenue in bands that are equitable.
- 2.5 Council of the Future – work with Councils to assist and advise on them working together across boundaries to realise efficiencies.
- 2.6 Benchmarking – provide benchmarking data to assist in Councils realising efficiencies (provide regular benchmark metrics).
- 2.7 Training – relevant training, seminars and conferences that are offered at member rates.
- 2.8 Unity CMS Platform – more advanced and regular updates/enhancements to deliver higher quality services to the community.
- 2.9 LGAP – higher level of collaboration and consultation with Councils in regards to procurement opportunities (LGAP contracts).
3. Tenders for the replacement of the Unity CMS platform with the City of Marion website outside the LGA portal.
4. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Local Government Association Membership, having been considered in confidence under Section 90(2) and (3)(b) and (h) of the Act, except when required to effect or comply with the Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2017.

**Carried**

The Mayor called for a division

**Those for:** Councillors Pfeiffer, Kerry, Telfer, Westwood, Byram, Veliskou, Gard and Crossland

**Those against:** Councillors Prior, Hull and Appleby

**Carried**

8.54pm the meeting came out of confidence

**8.54pm Local Government Association Insurance Schemes Review  
Reference No: GC140317F03**

8.54pm Councillor Prior left the meeting  
8.54pm Councillor Byram left the meeting  
8.54pm Councillor Veliskou left the meeting  
8.55pm Councillor Hutchinson re-entered the meeting  
8.55pm Councillor Kerry left the meeting  
8.56pm Councillor Prior re-entered the meeting  
8.56pm Councillor Veliskou re-entered  
8.57pm Councillor Byram re-entered the meeting  
8.57pm Councillor Hull left the meeting  
8.59pm Councillor Kerry re-entered the meeting  
9.08pm Councillor Pfeiffer left the meeting and did not return  
9.09pm Councillor Hull re-entered the meeting

**Moved Councillor Westwood, Seconded Councillor Kerry that:**

1. Council Authorise the Chief Executive Officer to test the market for insurance coverage and present the results to a General Council Meeting.
2. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Local Government Association Insurance Schemes in accordance with Section 90(2) and (3)(b) and (d) of the Act, except when required to effect or comply with the Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2017.

**Carried Unanimously**

9.24pm Councillor Gard left the meeting

**9.24pm External Audit Tender  
Reference No: GC140317F04**

**Moved Councillor Westwood, Seconded Councillor Telfer that:**

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, *External Audit Tender*, Appendix 1 to this report and the minutes, except when required to effect or comply with the Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council meeting in December 2017.

**Carried Unanimously**

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## **CORPORATE REPORTS FOR DECISION**

### **9.28pm Development Assessment Panel – Vacancy for Elected Member Representative Report Reference: GC140317R03**

**Moved Councillor westwood, Seconded Councillor telfer** that Council:

1. Appoints Councillor Byram to the Development Assessment Panel for a term commencing from the first meeting in April 2017 and concluding on 1 December 2017.

9.29pm Councillor Byram declared conflict of interest in the item as she was nominated for the position on the DAP and left the meeting.

**Carried Unanimously**

9.30pm Councillor Byram re-entered the meeting

### **9.30pm LGA Public Awareness Campaign Regarding Rate Capping Report Reference: GC140317R08**

**Moved Councillor Crossland** that Council:

1. Notes the Letter from the President of the LGA, Mayor Lorraine Rosenberg, attached as Appendix 1;
2. Writes to the LGA objecting to the anti rate capping campaign because:
  - (a) Councils ought to be able to manage financially within reasonable rate rise limits provided there are exemptions for extraordinary circumstances eg when a Council has experienced a natural disaster or a Council can justify capital expenditure for an exceptional project;
  - (b) Whether the campaign is notionally funded from LGA membership fees or investment income, it is ultimately funded by ratepayers who would not want their rates used this way; and
  - (c) Clearly only the Liberal Party have adopted a policy of introducing rate capping, so the proposed public campaign will be seen as a partisan, anti-Liberal campaign leading up to the 2018 election, and local government including the LGA should be seen as scrupulously non-partisan when it comes to State and Federal elections.

9.31pm the Mayor declared the meeting closed prior to the item being seconded.

**The following items were not considered:**

- Organisational Service Reviews – Status Report March '17 – City of Marion Library Service Review” (Appendix two)  
Reference No: GC140317F05
- Section 270 Review – Removal of Playground (Resolute Crescent, Hallett Cove)  
Report Reference: GC140317R04
- City of Marion Volunteer Program – Annual Report  
Report Reference: GC140317R05
- Update on potential to supply water into Tonsley  
Reference No: GC140317R06
- Fleurieu Peninsula Tourism proposal  
Report Reference: GC140317R07
- Organisational Service Reviews – Status Report March '17  
Report Reference: GC140317R09
- Lorenzin Site  
Ref No: GC140317M01
- Legal Expenses Policy  
Ref No: GC140317M02
- SA Aquatic Centre  
Reference No: GC140317Q01
- Staff Wages  
Reference No: GC140317Q02

**CLOSURE** - Meeting Declared Closed at 9.31pm

**CONFIRMED THIS 28 MARCH 2017**

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**CHAIRPERSON**