

**MINUTES OF THE GENERAL COUNCIL MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 11 APRIL 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 (6.32pm)

Warriparinga Ward

Raelene Telfer

Woodlands Ward

Nick Kerry (6.42pm)

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 6.30pm.

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.

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 Crossland noted a perceived conflict of interest in the item *GC110417F04 – Code of Conduct*
- Councillor Veliskou noted a perceived conflict of interest in the item *GC110417R03 - City of Marion Volunteer Program – Annual Report*

6.32pm Councillor Hull entered the meeting

COMMUNICATIONS

Nil

VERBAL COMMUNICATIONS FROM ELECTED MEMBERS

Various Elected Members gave a verbal communication report.

CONFIRMATION OF MINUTES

6.38pm Moved Councillor Gard, Seconded Councillor Byram that the minutes of the General Council Meeting held on 28 March 2017 be taken as read and confirmed.

Carried Unanimously

ADJOURNED ITEMS

Nil

DEPUTATIONS

Nil

PETITIONS

Nil

COMMITTEE RECOMMENDATIONS

6.40pm Confirmation of Minutes of the Urban Planning Committee meeting held on 4 April 2017 Report Reference: GC110417R01

6.42pm Councillor Kerry entered the meeting

Moved Councillor Telfer, Seconded Councillor Gard that Council:

1. Receives and notes the minutes of the Urban Planning Committee meeting held on 4 April 2017 (Appendix 1).
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Urban Planning Committee.

Carried Unanimously

CONFIDENTIAL ITEMS

6.45pm Signatures Café Report Reference: GC110417F01

Moved Councillor Kerry, Seconded Councillor Telfer that pursuant to Section 90(2) and (3)(d) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Chief Executive; Vincent Mifsud, General Manager Corporate Services; Abby Dickson, General Manager City Development; Jaimie Thwaites, Acting Manager Corporate Governance; Carol Hampton, Manager City Property, Tyson Brown, Unit Manager Cultural Services and Victoria Moritz, Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Signatures Cafe, 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 commercial operations of a confidential nature the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information .

Carried Unanimously

6.45pm the meeting went into confidence

Moved Councillor Crossland, Seconded Councillor Westwood that formal meeting procedures be suspended to discuss this item.

Carried Unanimously

6.47pm formal meeting procedures suspended

7.12pm Councillor Kerry left the meeting

7.14pm Councillor Kerry re-entered the meeting

7.23 pm formal meeting procedures resumed

Moved Councillor Veliskou, Seconded Councillor Byram that in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Signatures Café and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) 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

7.25pm the meeting came out of confidence

**7.25pm Internal Audit Contract
Report Reference: GC110417F02**

Moved Councillor Telfer, Seconded Councillor Kerry that pursuant to Section 90(2) and (3)(d) of the Local Government Act 1999 the Committee orders that all persons present, with the exception of the following persons Adrian Skull (Chief Executive Officer), Vincent Mifsud (General Manager Corporate Services), Tony Lines (General Manager Operations), Abby Dickson (General Manager City Development, Jaimie Thwaites (Acting Manager Corporate Governance), and Victoria Moritz (Governance Officer) be excluded from the meeting as the Committee receives and considers information relating to contract for the provision of Internal Audit Services 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 commercial information that could reasonably be expected to prejudice the commercial position of the person who supplied the information.

Carried Unanimously

7.25pm the meeting went into confidence

Moved Councillor Telfer, Seconded Councillor Crossland In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Committee orders that this report, having been considered in confidence under Section 90(2) and (3)(d) of the Act, except when required to effect or comply with the Committee'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

7.25pm the meeting came out of confidence

**7.26pm Code of Conduct - Mediation
Report Reference: GC110416F03**

Moved Councillor Crossland, Seconded Councillor Westwood that pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 the Council orders that all persons present, with the exception of the following [Adrian Skull, Chief Executive Officer; Jaimie Thwaites, Acting Manager Corporate Governance], be excluded from the meeting where the Council will receive and consider information pertaining to the item Code of Conduct – Mediation upon the basis it 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 on the grounds that the report contains information relating to personnel matters.

Carried Unanimously

7.27pm the meeting went into confidence

7.27pm Councillor Kerry left the meeting and did not return

Moved Councillor Westwood, Seconded Councillor Gard that in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, any attachment to this report and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection for the current term of the Council. This confidentiality order will be reviewed as required by the Act with the first such review to occur at the General Council Meeting in December 2017.

Carried

7.30pm the meeting came out of confidence

7.31pm Code of Conduct

Ref No: GC110417F04

7.31pm Councillor Westwood left the meeting

Moved Councillor Veliskou, Seconded Councillor Appleby that pursuant to Section 90(2) and (3)(a) and (h) of the Local Government Act 1999 the Council orders that all persons present, with the exception of the following [Adrian Skull, Chief Executive Officer; Jaimie Thwaites, Acting Manager Corporate Governance], be excluded from the meeting where the Council will receive and consider information pertaining to the item Code of Conduct upon the basis it 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 on the grounds that the report contains information relating to personnel matters and legal advice.

Carried Unanimously

7.33pm the meeting went into confidence

7.33pm Councillor Westwood re-entered the meeting

7.36pm Councillor Gard left the meeting

Moved Councillor Veliskou, Seconded Councillor Byram that formal meeting proceedings be suspended to discuss the item.

Carried Unanimously

7.37pm formal meeting proceedings suspended

8.33pm formal meeting proceedings resumed

Moved Councillor Telfer, Seconded Councillor Byram In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, any attachment to this report and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) and (h) of the Act be kept confidential and not available for public inspection for the current term of the Council. This confidentiality order will be reviewed as required by the Act with the first such review to occur at the General Council Meeting in December 2017.

Carried

8.39 the meeting came out of confidence

WORKSHOP / PRESENTATION ITEMS

Nil

CORPORATE REPORTS FOR DECISION

8.39pm Councillor Byram left the meeting

8.40pm Section 270 Review – Removal of Playground (Resolute Crescent, Hallett Cove) Report Reference: GC110417R02

Moved Councillor Hull, Seconded Councillor Westwood that Council Notes:

1. A final report entitled “*Section 270 Review – Removal of Playground (Resolute Crescent, Hallett Cove)*” will be presented to Council at the 9 May 2017 General Council meeting, that considers and reflects all feedback received from key stakeholders.

Carried Unanimously

8.41pm City of Marion Volunteer Program – Annual Report Report Reference: GC110417R03

Councillor Veliskou noted a perceived conflict of interest in the item *City of Marion Volunteer Program – Annual Report* as one of the volunteer programs relates to *ATO Tax Help*, which involves his employer, however as he is not directly associated, will remain for this item.

8.42pm Councillor Byram re-entered the meeting

Moved Councillor Hull, Seconded Councillor Westwood that this item be dererred to the General Council Meeting on 9 May 2017.

Carried Unanimously

8.45pm Warradale Park Tennis Club Facility Improvements Report Reference: GC110417R04

Moved Councillor Hull, Seconded Councillor Telfer that Council:

1. Grants landlord consent for the building works to be undertaken to the Warradale Park Tennis Club clubrooms as outlined in this report, subject to the club securing all funds to fully finance the works.
2. Notes landlord approval will be subject to a successful funding application and development approval.
3. Supports the Club submitting an application for \$175,000 to the Office for Recreation & Sports Community Recreation and Sport Facilities Program by the Warradale Park Tennis Club.
4. Endorses an allocation of up to \$125,000 being made from the Community Facilities Partnership Program Asset Sustainability Reserve subject to the Club obtaining remaining funds for the works through external funding sources and/or the contribution of Club funds.

5. Advises that the Warradale Park Tennis Club will be responsible for any project related cost overruns and will be responsible for all future maintenance and repairs to the clubrooms in line with the lease.
6. Endorses an allocation of \$20,200 per annum for operating and maintenance costs and an allocation of \$5,536 per annum for capital renewal / depreciation costs into Council 2017/18 annual budget and Long Term Financial Plan.

Carried Unanimously

8.48pm Glenthorne Farm – Rescission Motion
Report Reference: GC110417R05

Moved Councillor Byram, Seconded Councillor Westwood that Council:

Amends the resolution of 11 November 2016 that states Council:

1. Notes the report and endorses the community engagement strategy described in this report.
2. Endorses an allocation of \$26,400 to undertake the community engagement strategy described in this report, noting this funding will be sourced from savings in the 2016/17 budget.
3. Notes that material for the community engagement strategy will be commenced and the formal public campaign will start in early 2017.

to the following new resolution:

That:

1. Council continues to work closely with key partners to maximise community benefits at Glenthorne Farm.
2. A report be brought to Council in April 2018 reviewing the progress towards achieving the community's aspirations for Glenthorne Farm and recommending next steps.
3. The Mayor and CEO take advantage of any further opportunities to further lobby for the opening of Glenthorne Farm for community use.

Carried

8.53pm Council's Draft 10-Year Strategic Plan
Report Reference: GC110417R06

Moved Councillor Byram, Seconded Councillor Telfer that Council:

1. Adopts the draft 10-year Strategic Plan for community consultation
2. Notes the community consultation on the draft Strategic Plan will occur in combination with the consultation on the draft Annual Business Plan in May 2017.
3. Notes the draft suite of Community Indicators as a starting point for assessing progress of strategic goals

Carried Unanimously

8.55pm Asset Optimisation – Vacant Land
Report Reference: GC110417R07

Moved Councillor Hull, Seconded Councillor Byram that Council:

1. Acknowledges the outcome of the community consultation process undertaken for the potential disposal of:
 - Luke Court Reserve at Allotment 58 in Deposited Plan 10466, Certificate of Title Volume 5552 Folio 397
 - Louise Avenue Reserve at Allotment 31 in Deposited Plan 6514, Certificate of Title Volume 2284 Folio 135
2. Authorises the lodgement of the proposal with a report on all submissions made as part of the public consultation process and a request to approve the revocation of the Community Land classification over:
 - Luke Court Reserve at Allotment 58 in Deposited Plan 10466 being portion of the land in Certificate of Title Volume 5552 Folio 397
 - Louise Avenue Reserve at Allotment 31 in Deposited Plan 6514 being the whole of the land in Certificate of Title Volume 2284 Folio 135to the Minister for Planning in accordance with Section 194 of the Local Government Act 1999.
3. Notes a report will be presented to Council upon receipt of the determination from the Minister for Planning in relation to:
 - Luke Court Reserve at Allotment 58 in Deposited Plan 10466, Certificate of Title Volume 5552 Folio 397
 - Louise Avenue Reserve at Allotment 31 in Deposited Plan 6514, Certificate of Title Volume 2284 Folio 135
4. Resolves to allocate additional funds of up to \$4,000 required for property valuations through the 2016/17 third budget review process, noting that these additional costs will be offset should the sale of properties proceed.

Carried Unanimously

9.02pm 3rd Party Water Supply Options
Reference No: GC110417R08

Moved Councillor Telfer, Seconded Councillor Hull that Council:

1. Notes the Report.
2. Endorses staff to further explore the opportunities to supply 3rd parties with water as they arise.
3. Endorses the consolidation of water management into a dedicated business unit.
4. Approves that any revenue received from the sale of treated stormwater is set aside to further develop 3rd party supply opportunities.

Carried Unanimously

**9.09pm Reserve Street Reserve Dog Park Community Survey
Report Reference: GC110417R09**

Moved Councillor Byram, Seconded Councillor Westwood that Council:

1. Notes the consultation report (Appendix 1).
2. Endorses the placement of the toilet at Reserve Street Reserve Dog Park as proposed in Appendix 2.
3. Endorses the allocation of up to of \$28,000 for a shelter and seating within the 2017/18 draft budget.
4. Endorsed an increased allocation of \$2,800 per annum for increased operating, maintenance and renewal costs.
5. Notes that there are opportunities to be explored within the proposed new Animal Management Plan and further information will be provided at a future council meeting.

Carried Unanimously

**9.11pm Jervois Street Reserve Community Evaluation
Report Reference: GC110417R10**

Moved Councillor Byram, Seconded Councillor Veliskou that Council:

1. Notes the consultation report (Appendix 1).
2. Endorses the inclusion of \$35,000 for a double shelter, two picnic tables and bitumen base within the 2017/18 annual budget.
3. Endorses that \$3,000 of the required \$35,000 project budget be funded from the monetary prize received by SA Health from the '2017 Minister for Health – Excellence in Public Health Awards' and be attributed to the enhancements proposed at Jervois Street Reserve.
4. Endorses an increased allocation of \$5,766 per annum for increased operating, maintenance and renewal costs in the Council 2017/18 budget and Long Term Financial Plan.

Carried Unanimously

9.12pm LGA Membership subscription calculations
Report Reference: GC110417R11

Moved Councillor Byram, Seconded Councillor Crossland that formal meeting procedures be suspended to discuss this item.

Carried Unanimously

9.14pm formal meeting procedures suspended
9.24pm formal meeting procedures resumed

Moved Councillor Crossland , Seconded Councillor Byram that Council:

1. Notes the attached report “2017 Review of LGA Membership Subscription Formula – Summary for Consultation”.
2. Advises the LGA that Subscription Formula *Modified RTSA Population Bands Option 4* is preferred by the City of Marion, with a phasing in period of 3 years.

Meeting Extension

Moved Councillor Veliskou, Seconded Councillor Crossland that the meeting be extended for a period of 20 minutes to enable the remaining items to be considered.

Carried

9.27pm meeting extended

Carried

9.27pm Proposed change to voting method at Local Government elections
Report Reference: GC110417R12

Moved Councillor Appleby, Seconded Councillor Westwood that Council:

1. Notes the proposal to change the voting method at Local Government elections.
2. Advises the LGA that Council supports the status quo in regards to the voting method at Local Government elections.

Carried

**9.35pm Local Government candidates elected unopposed.
Report Reference: GC110417R13**

Moved Councillor Telfer , Seconded Councillor Veliskou that Council:

1. Notes the proposal to provide information to the community about candidates who have been elected unopposed.
2. Advises the LGA that their preferred option is 2 (as written) and 3 amended as follows:
 - (2) LGA to obtain profile data of candidates who have been elected unopposed from ECSA and publish it on the candidate website page along with all other candidates' profile data. This option needs a minor amendment to the Local Government (Elections) Act as candidate profiles for candidates elected unopposed are not currently published. This option has no cost implications to council.
 - (3) Councils to determine on an individual basis to ~~mail-out~~ **distribute** information provided by candidates who have been elected unopposed, which can already be done under the current legislation. This option complies with the responsibility under s21 of the Elections Act to display all valid nominations received in the principal office of the council. In previous elections, the City of Marion has ~~also~~ published the candidate information in City Limits which is mailed to residents. If no information is provided by the candidate, there is currently no requirement for ECSA to provide the candidate's profile information to Council.

Carried

CORPORATE REPORTS FOR INFORMATION / NOTING

9.40pm Moved Councillor Byram, Seconded Councillor Crossland that the following items be moved en bloc:

- Playground Framework Progress Report (Report Reference: GC110417R14)
- Update on potential to supply water into Tonsley (Report Reference No: GC110417R15)
- WHS Performance Report – March 2017 (Report Reference: GC110417R16)
- Utilisation of Vacant Commercial Properties (Report Reference: GC110417R17)

Carried Unanimously

**9.40pm Playground Framework Progress Report
Report Reference: GC110417R14**

Moved Councillor Byram, Seconded Councillor Crossland that Council:

1. Notes the final Playground Policy and Playground service levels will be presented to Council as part of the Playground Framework for consideration and adoption in May 2017.

Carried Unanimously

9.40pm Update on potential to supply water into Tonsley
Reference No: GC110417R15

Moved Councillor Byram, Seconded Councillor Crossland that Council:

1. Notes the Report.
2. Notes that any further developments will be reported to council.

Carried Unanimously

9.40pm WHS Performance Report – March 2017
Report Reference: GC110417R16

Moved Councillor Byram, Seconded Councillor Crossland that Council:

1. Notes the report and statistical data contained therein.

Carried Unanimously

9.40pm Utilisation of Vacant Commercial Properties
Report Reference: GC110417R17

Moved Councillor Byram, Seconded Councillor Crossland that Council:

1. Notes the final report.

Carried Unanimously

MATTERS RAISED BY MEMBERS

Questions with Notice

Nil

Motions with Notice

Nil

Questions without Notice

Nil

Motions without Notice

Nil

LATE ITEMS

Nil

MEETING CLOSURE - Meeting Declared Closed at 9.46pm

CONFIRMED THIS 9 MAY 2017

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CHAIRPERSON