

**MINUTES OF THE GENERAL COUNCIL MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 23 MAY 2017**



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward

Ian Crossland
Tim Gard

Mullawirra Ward

Jason Veliskou
Jerome Appleby (from 6:44 pm)

Southern Hills

Nick Westwood

Warracowie Ward

Bruce Hull (from 6:56 pm)
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
Mr Ray Barnwell
Ms Jaimie Thwaites
Ms Sherie Walczak

Chief Executive Officer
General Manager City Development
General Manager Operations
Acting General Manager Corporate Services
Acting Manager Corporate Governance
Acting Unit Manager Governance and Records

COMMENCEMENT

The meeting commenced at 6:30 pm.

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.

The following conflicts of interest were noted:

- Councillor Crossland – Council Subsidiaries Draft Budget and Business Plan Review (Report Reference: GC230517R10)
- Councillor Gard – Community Grants Round Two 2016/2017 – (Report Reference: GC230517R05)
- Councillor Telfer – Community Grants Round Two 2016/2017 – (Report Reference: GC230517R05)

CONFIRMATION OF MINUTES

Moved Councillor Hutchinson, Seconded Councillor Prior that the minutes of the General Council Meeting held on 9 May be taken as read and confirmed.

Carried Unanimously

COMMUNICATIONS

Report on Mayoral Activities for March, April and May 2017

Date	Event	Comment
24 March 2017	Marion Football Club – Fundraising Event	Attended
24 March 2017	The Hindu Society – An informal dinner	Attended
25 March 2017	Marion Celebrates Festival/Citizenship Ceremony	Conducted ceremony to welcome new Australians
25 March 2017	Quiz Night, South Adelaide Basketball Club	Attended
31 March 2017	Multicultural Youth South Australia – Morning Tea	Attended
31 March 2017	Hallett Cove Little Athletics AGM and presentations	Attended
2 April 2017	Multifaith Association AGM	Attended
9 April 2017	Christ the King School Fete	Attended
9 April 2017	Oakland Estate Residents Association BBQ	Attended
9 April 2017	Glenelg Rebels Softball Club Presentation Night	Presented award
10 April 2017	Inner Wheel Club of Holdfast Marion	Guest speaker
19 April 2017	Marion Historical Society AGM	Attended
20 April 2017	YMCA Rebranding of Marion Fitness & Leisure Centre	Guest speaker
20 April 2017	Edwardstown Football Club Event	Attended
24 April 2017	ANZAC Day eve Youth Vigil – Marion RSL	Guest speaker
25 April 2017	ANZAC Day Dawn Service at Hallett Cove	MC for service
25 April 2017	Marion RSL Breakfast	Guest speaker

27 April 2017	Coast FM Radio Segment	Interviewed
30 April 2017	Lunch to raise funds for Women's Shelter	Attended
3 May 2017	Marion City Band AGM	Attended
4 May 2017	Galleon Theatre Group, Opening Night	Attended
6 May 2017	Hindu Cultural Appreciation Event at Centennial Park Cemetery	Attended
6 May 2017	High Tea Afternoon – Raising funds for school chaplains	Attended
11 May 2017	Friends of Marino Conservation Park AGM	Attended
12 May 2017	Coral & Balmoral Commemoration Service at Vietnam Veterans Federation	Guest speaker
12 May 2017	1967 Reconciliation Exhibition Launch	Attended
13 May 2017	Cove Football Club Bingo Night	Attended, Called Bingo
15 May 2017	Glenelg Rebels Softball Club AGM	Attended
16 May 2017	Marion United Women's Fellowship	Guest speaker, gave out Marion information packs
18 May 2017	Charity Lunch Committee Meeting	Attended
<p>In addition, the Mayor has met with residents, MP's and also with the CEO and Council staff regarding various issues.</p>		

Moved Councillor Hutchinson, Seconded Councillor Prior that the Mayoral Report be received

Carried Unanimously

Report on Deputy Mayor Activities for March, April and May 2017

Date	Event	Comment
4 April 2017	Urban planning and Infrastructure and Strategy Meeting	Attended
5 April 2017	LKCC Steering Group and Smoking Ceremony	Attended
11 April 2017	Coastal and Southern Hills Ward Briefing	Attended
18 April 2017	Elected Member Forum	Attended
25 April 2017	Hallett Cove ANZAC Dawn Service at Hallett Cove foreshore	Attended, laid wreath on behalf of the CoM
1 May 2017	Special Urban Planning Meeting	Attended
2 May 2017	Review and Selection Committee	Attended as committee member
2 May 2017	Infrastructure and Strategy Meeting	Attended (part)
7 May 2017	Cove Tigers Netball Club AGM	Attended as Council Liaison
8 May 2017	Heron Way development	Met with staff to discuss the planned 2017/2018 works
10 May 2017	Meeting with Kurna Elder – Uncle Jeffrey re LKCC and Cultural Heritage	Attended with Cr Hull
16 May 2017	Elected Member Forum	Attended
18 May 2017	Meeting with Marino Residents Association member	Attended with Cr Gard

These Minutes are subject to confirmation at the General Council Meeting to be held on the 13 June 2017

In addition, the Deputy Mayor has met with residents, MP's and also with the CEO and Council staff regarding various issues.

Moved Councillor Hutchinson, Seconded Councillor Prior that the Deputy Mayor Report be received

Carried Unanimously

Report on CEO and Executive Activities for March, April and May 2017

Date	Activity	Attended by
28 March 2017	Solo - ACCC Waste Tender Feedback	Adrian Skull Vincent Mifsud
31 March 2017	Meeting with Council Solutions Directorate	Vincent Mifsud
03 April 2017	Minister for Health – Excellence in Public Health Awards	Abby Dickson
5 April 2017	BBQ Blitz at Oaklands Wetlands	Adrian Skull Tony Lines
6 April 2017	South Australian Economic Development Board (SAEDB) Meeting	Adrian Skull Abby Dickson
7 April 2017	Meeting with Council Solutions Procurement Review Project	Vincent Mifsud
07 April 2017	Hybrid World Launch at Tonsley with Premier of South Australia	Abby Dickson
7 April 2017	LG Professional Awards night	Adrian Skull Tony Lines
11 April 2017	Local Government - Share: Better Together Showcase	Abby Dickson
11 April 2017	Joint Waste Procurement Meeting with City of Charles Sturt	Adrian Skull
12 April 2017	South Australian Economic Development Board (SAEDB) planning meeting with City of Onkaparinga	Abby Dickson Adrian Skull
18 April 2017	Living Labs and Marion community space discussion with COTA SA and Renewal SA	Abby Dickson Adrian Skull
20 April 2017	YMCA Marion Leisure & Fitness Centre Re-Branding Launch	Abby Dickson
21 April 2017	Meeting with Council Solutions Directorate	Vincent Mifsud
21 April 2017	Bruce Jordan funeral	Adrian Skull
25 April 2017	Anzac Day Dawn Service - Hallett Cove	Adrian Skull
26 April 2017	Meeting with Council Solutions Procurement Review	Vincent Mifsud
28 April 2017	Aquatic Centre and Environs Meeting	Adrian Skull
1 May	Attended SRWRA quarterly Board Meeting	Vincent Mifsud
8 May 2017	Statewide Super Handover / Introductions	Adrian Skull

9 May 2017	Procurement Review - Oliver Barry, FSE consulting with Mark Dowd and Paul Sutton	Adrian Skull
10 May 2017	South Australian Economic Development Board (SAEDB) Meeting	Adrian Skull Abby Dickson
13 May – 14 May 2017	Operation Flinders Site Visit	Adrian Skull
16 May 2017	Council Solutions Board Meeting	Adrian Skull
17 May 2017	Minister for Industry Innovation and Science visit to Tonsley	Abby Dickson
17 May 2017	Preview of WW2 Film - Danielle Trewartha	Adrian Skull Tony Lines
18 May 2017	Tonsley Project Steering Committee Meeting	Adrian Skull Abby Dickson
19 May 2017	Local Government Roundtable, Flinders (2-4pm CEO's)	Adrian Skull
19 May 2017	IPWEA Conference	Tony Lines

Moved Councillor Hutchinson, Seconded Councillor Prior that the CEO and Executive Report be received

Carried Unanimously

Elected Member Report on Member Activities for March, April and May 2017

Councillor Raelene Telfer

Date	Event	Comment
28 March 2017	Warriparinga Ward Briefing	Briefing with Staff
29 March 2017	Jasmine Avenue Reserve Inspection	Arborists Olive Tree Management
30 March 2017	Darlington Upgrade	Liaison Advisory Committee
7 April 2017	Nature Art Gallery M	Mark Parnell Opening
1 May 2017	Urban Planning Committee	Public Hearing and Decision Making
2 May 2017	Infrastructure and Strategy Committee	Mayor and Ward Councillors re Plans
3 May 2017	Andrew Avenue Survey Decisions	Met Staff re parking restrictions
4 May 2017	Onkaparinga and Marion Council	BMX Facilities Briefing
6 May 2017	Oaklands Reserve Consultation	Rotunda and Nature Play Features
8 May 2017	Streetscape Report	Discussed Options with Staff
10 May 2017	Resident Meeting	Storm Water Options and Driveway Issues
10 May 2017	Seaview High Governing Council	Discussed Tennis and Multipurpose Courts
16 May 2017	Met Marion Life Leighton Boyd	As Council Liaison Toured
21 May 2017	Dover Obedience and Kennel Club	Trials and Lunch with Committee
23 May 2017	Warriparinga Ward Briefing	Briefing with Staff

Moved Councillor Hutchinson, Seconded Councillor Prior that the Elected Member Report be received

Carried Unanimously

ADJOURNED ITEMS

6:33 pm Inclusive Playground, Hendrie Street Reserve
Report Reference: GC230517R01

Moved Councillor Veliskou, Seconded Councillor Pfeiffer that Council:

1. Endorses Option 1 and proceeds with the implementation of the scope of works as described in Option 1 .
2. Delegates authority to the Chief Executive Officer to enter into a Funding Agreement with the Touched by Olivia Foundation (TBOF) for their current donated cash and in kind contributions to the current sum of \$110,442.45 or more depending on TBOF current discussions with potential sponsors.
3. Notes the current funding committed of \$680k comprising of; City of Marion \$310k, Department of Planning Transport and Infrastructure \$250k, Arts SA \$10k and Touched by Olivia Foundation \$110k.
4. Endorses the final design to be lodged for development approval and tender. Notes that the tender process will seek discounted market rates to enable as large as possible scope of works to be completed with available funds.
5. Endorses an allocation of \$34,081 p.a. for operating and maintenance and an allocation of \$25,717 p.a. for renewal/depreciation of, Option 1 works into Council's LTFP (as per appendix 4).
6. Notes a further report on the project's progress and funding opportunities will be presented to Council.

Carried Unanimously

DEPUTATIONS

6:39 pm Deputation – Proposed Removal of Playground at Resolute Crescent Reserve Hallett Cove

Ref No: GC230517D01

Ms Terri Mayr gave a five-minute deputation to Council relating to the proposed removal of the playground at Resolute Crescent Reserve Hallett Cove.

PETITIONS

Nil

COMMITTEE RECOMMENDATIONS

Nil

CONFIDENTIAL ITEMS

Nil

WORKSHOP / PRESENTATION ITEMS

Nil

6:44 pm Councillor Appleby entered the meeting

Corporate Reports for Decision

6:45 pm Resolute Crescent Reserve Playground Removal Reference No: GC230517R02

6:56 pm Councillor Hull entered the meeting

Moved Councillor Gard, Seconded Councillor Crossland that Council:

1. Notes the consultation feedback as provided in Appendix 4.
2. Endorses proceeding with the removal of the playground equipment at Resolute Crescent Reserve Hallett Cove due to its condition.
3. Endorses proceeding with the minor landscaping works and provision of seating/table at Resolute Crescent Reserve Hallett Cove.
4. Authorises administration to write to the head petitioner advising of Council's decision.

Moved Councillor Westwood, Seconded Councillor Kerry that Council:

1. Adjourn the item until the July General Council meeting

Lost

The Motion was **Carried**

Councillor Westwood called for a Division
The Mayor declared the vote set aside.

Those for: Councillors Pfeiffer, Kerry, Telfer, Hutchinson, Prior, Gard and Crossland
Those against: Councillors Hull, Westwood, Appleby, Veliskou

Carried

7:03 pm Playground Framework Progress Report
Report Reference: GC230517R03

Moved Councillor Telfer, Seconded Councillor Hutchinson 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 June 2017.

Carried Unanimously

7:04 pm Final Designs for 2017/18 Playground Upgrades
Report Reference: GC230517R04

Councillor Veliskou declared a material conflict of interest in relation to item GC230517R04 because he resides near the Clair Avenue Reserve and the upgrade could potentially increase the value of his property and he left the meeting.

7:05 pm Councillor Veliskou left the meeting.

Moved Councillor Pfeiffer, Seconded Councillor Crossland that Council:

1. Endorses final designs of the Breakout Creek Reserve, Sixth Avenue Reserve, Clare Avenue Reserve and Gully Road Reserve playgrounds.
2. Endorses commencement of development approvals, tender and construction (2017/2018) for Breakout Creek Reserve, Sixth Avenue Reserve, Clare Avenue Reserve and Gully Road Reserve playgrounds.
3. Notes Community Consultation findings reports and design responses for Breakout Creek Reserve, Sixth Avenue Reserve, Clare Avenue Reserve and Gully Road Reserve.
4. Endorses toilet location at Gully Road Reserve, Seacliff Park as indicated in Appendix 1 – Gully Road Reserve.
5. Notes the whole of life costs for each site with the addition of annual operating and maintenance costs for (Breakout Creek \$7,710.00, Gully Rd Reserve \$14,026.00, Clare Avenue Reserve \$7,374.00, Sixth Avenue Reserve \$11,172.00) and endorses these requirements be incorporated into the Long Term Financial Plan.

Carried Unanimously

7.09 pm Councillor Veliskou re-entered the meeting

7:09 pm Community Grants Round Two, 2016/2017
Report Reference: GC230517R05

Councillor Gard declared a perceived conflict of interest in relation to the item *Community Grants Round Two 2016/2017 – (Report Reference: GC230517R05)* because of his appointment on the Board of the Marino Community Hall at the time of their application for a Community Grant but has since resigned from the Board. Councillor Gard remained in the meeting for the discussion but did not participate in the discussion and left the meeting prior to the vote on this item.

Councillor Telfer declared a perceived conflict of interest in relation to the item *Community Grants Round Two 2016/2017 – (Report Reference: GC230517R05)* because of her appointment as an Elected Member Liaison Officer with Marion Life & Cosgrove Hall and their application for Community Grants. Councillor Telfer remained in the meeting for this item.

Moved Councillor Westwood, Seconded Councillor Crossland that Council:

1. Approves the Community Grant applications, totalling \$54,460 as recommended in Appendix 1.
2. Notes the grants will generate community projects to the value of \$145,763 (consisting of Council's \$54,460 contribution plus \$91,303 of community contribution).

7:18 pm Councillor Gard left the meeting.

Carried
Councillor Telfer voted in favour

7:20 pm Councillor Gard re-entered the meeting

7:20 pm City Limits
Report Reference: GC230517R06

Moved Councillor Telfer, Seconded Councillor Westwood that Council:

1. Adopt Option 1A for a 24- page, A4 sized City Limits distributed three times per year, at an annual estimated cost of \$80,100
2. Includes one column from the Mayor in each edition and a column from 6 Ward Councillors in each edition of City Limits.
3. Updates the City Limits Publications Policy (attached as *Appendix A*) in line with the new format of the magazine and the frequency of Elected Member columns
4. Introduce the new format City Limits from edition 55 scheduled for Distribution in August 2017.

7:34 pm Councillor Kerry left the meeting

7:36 pm Councillor Kerry re-entered the meeting

Amendment

Moved Councillor Hull, Seconded Councillor Prior to amend the motion that Council:

1. Adopt Option 1A for a 24- page, A4 sized City Limits distributed three times per year, at an annual estimated cost of \$80,100
2. Includes one column from the Mayor in each edition and a column from 6 Ward Councillors (one from each ward) in each edition of City Limits.
3. Updates the City Limits Publications Policy (attached as *Appendix A*) in line with the new format of the magazine and the frequency of Elected Member columns
4. Introduce the new format City Limits from edition 55 scheduled for Distribution in August 2017.

**The amendment was Carried
The Motion as amended was Carried**

7:38 pm Fraud and Corruption Management Framework

Report Reference: GC230517R07

Moved Councillor Hutchinson, Seconded Councillor Crossland that Council:

1. Endorse and adopt the Fraud and Corruption Management Framework

Carried Unanimously

7:43 pm Coordinator-General – Developments over \$3 million

Report Reference: GC230517R08

7:44 pm Councillor Veliskou left the meeting

7:46 pm Councillor Veliskou re-entered the meeting

Moved Councillor Hutchinson, Seconded Councillor Telfer that Council:

1. Instructs administration to refer all development applications that have been “called in” by the State Coordinator-General pursuant to Schedule 10(20) of the Development Regulations 2008 to General Council for comment.

8:00 pm Councillor Kerry left the meeting and did not return

Carried

In response to the opportunity given to Councillor Hutchinson to provide a personal explanation in relation to the statements made during the item, he claimed:

- he does not own a property on George Street Marion, and
- he has nothing to declare in closing the intersection of Dwyer Road to traffic flow for our residents who had been concerned for a number of years

8:05 pm Development Assessment Panel – Membership
Report Reference: GC230517R09

Moved Councillor Crossland, Seconded Councillor Prior that Council:

1. Defers consideration of appointments to the Development Assessment Panel until post 1 July 2017 at which time the composition of the Development Assessment Panel can be determined having regard to the provisions of the Planning, Development & Infrastructure Act 2017.

Carried Unanimously

8:07 pm Council Subsidiaries – Draft Budget and Business Plan Review
Report Reference: GC230517R10

Councillor Crossland declared an actual conflict of interest in relation to the item *Council Subsidiaries Draft Budget and Business Plan Review (Report Reference: GC230517R10)* because of his appointment as a Board Member of the Southern Regional Waste Resource Authority. Councillor Crossland left the meeting.

8:07 pm Councillors Crossland and Prior left the meeting

Moved Councillor Veliskou, Seconded Councillor Westwood that Council

1. Advise Council Solutions that it supports the draft 2017/18 Budget (attached as Appendix 1).
2. Advise Council Solutions that it provides in principle support to provide funding for the unified Communications Project (\$60k) and for the Waste Services Project (\$150k), noting that constituent council contributions will be on a proportionate basis (CoM total contribution = \$35k).
3. Advise the Southern Region Waste Resource Authority (SRWRA) that it supports the draft Business Plan and 2017/18 Budget (attached as Appendix 2).

8:10 pm Councillor Prior re-entered the meeting

Carried

8:18 Review of Delegations
Report Reference: GC230517R11

8:22 pm Councillor Gard left the meeting

8:22 pm Councillors Gard and Cr Crossland re-entered the meeting

Moved Councillor Telfer, Seconded Councillor Prior that having conducted its annual review of the Council's Delegations Register in accordance with Section 44(6) of the Local Government Act 1999, the Council:

1. Revocations
 - 1.1 Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following:
 - 1.1.1 Development Act 1993 and Development Regulations 2008
 - 1.1.2 Freedom of Information Act 1991
 - 1.1.3 Local Government Act 1934
 - 1.1.4 Local Government Act 1999

- 1.1.5 Real Property Act 1886
- 1.1.6 Road Traffic Act 1961, the Road Traffic (Miscellaneous) Regulations 1999 and the Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999
- 1.1.7 Supported Residential Facilities Act 1992
- 1.1.8 Water Industry Act 2012
- 1.2 Hereby revokes its previous delegations to its Development Assessment Panel under the Development Act 1993 and Development Regulations 2008.
- 2. Delegations made under Local Government Act 1999
 - 2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Appendices 1-6 (each of which is individually identified as indicated below) are hereby delegated this 23rd day of May 2017 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.
 - 2.1.1 Appendix 1: Electronic Conveyancing National Law (South Australia) Act 2013
 - 2.1.2 Appendix 2: Freedom of Information Act 1991
 - 2.1.3 Appendix 3: Local Government Act 1999
 - 2.1.4 Appendix 4: Real Property Act 1886
 - 2.1.5 Appendix 5: Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 1999 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999
 - 2.1.6 Appendix 6: Water Industry Act 2012
 - 2.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.
- 3. Delegations made under Development Act 1993
 - 3.1 In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation (Appendix 7) are hereby delegated this 23rd day of May 2017 to the person occupying the office of Chief Executive Officer subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
 - 3.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
 - 3.3 In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993 the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation (Appendix 7) and which are specified below are hereby delegated to the Council's Development Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
Ref DA/DAP – 119 (Sections a – f)
- 4. Delegations under Supported Residential Facilities Act 1992
 - 4.1 In exercise of the power contained in Section 9 of the Supported Residential Facilities Act 1992, the powers and functions under the Supported Residential Facilities Act 1992 contained in the proposed Instrument of Delegation (Appendix 8) are hereby delegated this 23rd day of May 2017 to the person occupying the office of Chief Executive Officer subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.

- 4.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.

Carried Unanimously

8:24 pm Councillor Pfeiffer left the meeting

8:25 pm 3rd Budget Review 2016/17
Report Reference: GC230517R12

Moved Councillor Telfer, Seconded Councillor Crossland that Council:

1. Adopt, as presented in Appendix 1, the revised budgeted statements including the Income Statement, Balance Sheet, Statement of Changes in Equity and Statement of Cash Flows.

8:27 pm Councillor Pfeiffer re-entered the meeting

Carried Unanimously

CORPORATE REPORTS FOR INFORMATION / NOTING

8:29 pm Trott Park Art Streets
Report Reference: GC230517R13

Moved Councillor Westwood, Seconded Councillor Gard that Council:

1. Notes the report.

Moved Councillor Crossland, Seconded Councillor Prior that formal meeting procedures be suspended to discuss the matter

Carried Unanimously

8:43 pm formal meeting procedures suspended

8:55 pm Mayor Hanna resumes standing orders

The vote on the Motion was **tied**

The Mayor made a casting vote and voted against the Motion

The Motion was **lost**

8:56 pm Corporate Performance Report (Organisational Key Performance Indicators 2016/17) – 3rd Quarter 2016-17 YTD
Report Reference: GC230517R14

Moved Councillor Hutchinson, Seconded Councillor Crossland that Council:

1. Note the Corporate Performance Report (Organisational Key Performance Indicators 2016/17) – 3rd Quarter 2016-17 YTD and Appendix 1.

Carried Unanimously

8:56 pm Finance Report – April 2017
Report Reference: GC230517R15

Moved Councillor Hutchinson, Seconded Councillor Crossland that Council:

1. Receives the report “Finance Report – April 2017”

Carried Unanimously

8:56 pm WHS Performance Report – April 2017
Report Reference: GC230517R16

Moved Councillor Hutchinson, Seconded Councillor Crossland that Council:

1. Notes the report and statistical data contained therein.

8:57 pm Cr Veliskou left the meeting

8:59 pm Cr Veliskou re-entered the meeting

Carried Unanimously

MATTERS RAISED BY MEMBERS

Questions with Notice

9:05 pm Cost Shifting
Report Reference: GC230517Q01
QUESTION

Council often suffers the brunt of Government cost shifting. The State Government has recently introduced the Local Nuisance and Litter Control Act 2016” which provides for new legislative responsibilities for Local Government (being introduced incrementally throughout 2017) many of which were/are traditionally the ambit of the Environment Protection Authority under the Environment Protection Act 1993. Please briefly advise:

- How has Council prepared for these new legislative requirements?
- What will be the anticipated additional cost to the City of Marion and how will these additional responsibilities be funded?
- What assistance is being provided by State Government during the transition phase?

COMMENTS - Councillor Ian Crossland

Nil

COMMENTS - Sharon Perin, Unit Manager Community Health and Safety

- *How has Council prepared for these new legislative requirements?*

When the Local Nuisance and Litter Control Act was a draft Bill, Council provided feedback to the South Australian Government regarding concerns that Council was being charged with new legislative responsibilities without additional funding or resources. Concerns were raised about cost shifting by State Government.

The littering provisions of the Act were enacted on 1 February 2017 and the nuisance provisions of the Act will be enacted on 1 July 2017. Relevant staff have received training regarding administering the new Act, which was provided free by the Environment Protection Authority (EPA).

Consultation has occurred with SAPOL's Sturt Local Service Area's Crime Prevention Sergeant, regarding what aspects of the Act will be dealt with by Council staff and what aspects of the Act will be dealt with by SAPOL.

- *What will be the anticipated additional cost to the City of Marion and how will these additional responsibilities be funded?*

The littering provisions of the Act can be administered within current resources.

Other parts of the Act can also be administered within existing resources, for example, unsightly properties and properties in an insanitary condition, as these types of matters are currently dealt with under existing legislation and within existing resources.

It is not possible to predict the number of complaints and the complexity of complaints that will be received under the new nuisance provisions of the Act, so it is not possible at this stage to predict if extra resources will be required and what additional cost there may be to the City of Marion to administer the Act.

- *What assistance is being provided by State Government during the transition phase?*

The EPA has provided free training to Councils about the new legislation. The EPA has developed some resources such as information and fact sheets and is in the process of developing further resources. These resources are available to staff via the Local Government Association (LGA). The LGA has a dedicated staff member to liaise with and support council staff regarding the administration of the Local Nuisance and Litter Control Act.

9:05 pm SA Housing

Report Reference: GC230517Q02

QUESTION:

The SA Housing Trust is continuing to transfer community housing (housing trust) to third party providers. Under current legislation, once transferred the third party providers can refuse to pay council rates.

- a) How many SAHT properties are there within the City of Marion?
- b) How many are no longer paying council rates and what is the impact on the annual budget and the Long Term Financial Plan.
- c) Once the City of Marion is unable to collect rates from all these properties remaining rate payers will be required to fund the shortfall. How much will this be in both the annual and long term financial impact to the City of Marion's budget.

COMMENTS: Councillor Ian Crossland

Nil

COMMENTS: Ray Barnwell, Manager Finance

Community Housing Association properties pay council rates but under current legislation are entitled to a mandatory 75% rebate of rates and therefore are only required to pay 25% of their rates.

- a) Currently there are 3,158 SA Housing Trust (SAHT) properties and 79 Aboriginal Housing (AH) properties within the City of Marion.
- b) Over the past seven years a total of 694 properties have been transferred from the SAHT to Community Housing Association providers. Of these 694 properties, 608 properties transferred in 2015/16 have not claimed the mandatory 75% rebate.

The remaining 86 properties have claimed rebates totalling \$85,616 this financial year. We are expecting a further 383 properties to be transferred from the SAHT to Junction Housing during 2017/18. This is expected to result in an additional annual rebate of approximately \$327,000 (date of transfer will determine the amount of rebate granted). As the date of transfer is expected around the end of September 2017, the estimated 75% mandatory rebate figure is \$245,400 for 2017/18.

- c) If all remaining SAHT and AH properties in Marion transferred to housing associations this would result in rebates of approximately \$2,575,082 for the current year, having to be redistributed across all other City of Marion ratepayers.

The table below provides the potential financial impact of the 75% Rebate on properties currently transferred and potential future transfers from SA Housing.

Financial Impact of 75% Rebate On SA Housing Transfers Over 10 Year LTFP											
	Number of Properties	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
SA Housing Properties transferred to Housing Associations currently claiming 75% rebate	86	\$85,616	\$87,756	\$89,950	\$92,199	\$94,504	\$96,867	\$99,288	\$101,771	\$104,315	\$106,923
SA Housing properties to be transferred during 17/18 and entitled to 75% rebate	383	\$0	\$245,400	\$335,175	\$343,554	\$352,143	\$360,947	\$369,970	\$379,220	\$388,700	\$398,418
Total Forecast 75% Rebate Over LTFP	469	\$85,616	\$333,156	\$425,125	\$435,753	\$446,647	\$457,813	\$469,259	\$480,990	\$493,015	\$505,340
Increase required by average ratepayer to fund the 75% Rebate from SA Housing transfers		\$2	\$8	\$10	\$10	\$11	\$11	\$11	\$11	\$12	\$12
Impact if SA Housing properties transferred in 2015/16 not currently claiming the rebate did claim 75% rebate	608	\$0	\$457,527	\$468,965	\$480,690	\$492,707	\$505,024	\$517,650	\$530,591	\$543,856	\$557,452
*Impact if all remaining SA Housing properties transferred and claimed 75% rebate	2,854	\$0	\$2,394,059	\$2,453,911	\$2,515,258	\$2,578,140	\$2,642,593	\$2,708,658	\$2,776,375	\$2,845,784	\$2,916,928
Potential 75% Rebates from transfers of SA Housing Properties	3,462	0	2,851,586	2,922,876	2,995,948	3,070,846	3,147,618	3,226,308	3,306,966	3,389,640	3,474,381
TOTAL	3,931	85,616	3,184,743	3,348,001	3,431,701	3,517,494	3,605,431	3,695,567	3,787,956	3,882,655	3,979,721
Increase required by average ratepayer to fund the 75% Rebate from all potential SA Housing transfers		\$2	\$75	\$79	\$81	\$83	\$85	\$87	\$90	\$92	\$94

Based on current 42,289 Rateable Assessments

*Note: the number of remaining properties is calculated on the following:
 3,158 SAHT + 79 AH = 3,237 properties less 383 transferred to Junction Housing = 2,854

Motions with Notice

**9:06 pm Roundhouse at the Oaklands Recreation Plaza
Report Reference: GC230517M01**

Moved Councillor Hull, Seconded Councillor Prior that Council:

1. Determines the structure to replace the Roundhouse at the Oaklands Recreation Plaza shall be a band rotunda in a European Heritage Style with Cupola.

Carried Unanimously

Questions without Notice

Nil

Motions without Notice

Nil

LATE ITEMS

Nil

MEETING CLOSURE - Meeting Declared Closed at 9.16pm

CONFIRMED THIS 23 MAY 2017

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CHAIRPERSON