

MINUTESOFTHEGC190625-GENERALCOUNCILMEETING-25June2019

Tuesday, 25 June 2019 at 06:30 PM

Council Administration Centre, 245 Sturt Road, Sturt



PRESENT :**Elected Members**

Mayor - Kris Hanna, Councillor - Ian Crossland, Councillor - Jason Veliskou (from 6.35pm), Councillor - Bruce Hull (from 6.49pm), Councillor - Nathan Prior, Councillor - Raelene Telfer, Councillor - Luke Hutchinson, Councillor - Tim Pfeiffer, Councillor - Kendra Clancy, Councillor - Maggie Duncan, Councillor - Matthew Shilling, Councillor - Joseph Masika

DATE :

Tuesday, 25 June, 2019

In Attendance

Chief Executive Officer - Adrian Skull
General Manager City Services - Tony Lines
General Manager City Development - Abby Dickson
Acting General Manager Corporate Services - Ray Barnwell
Manager Corporate Governance – Kate McKenzie
Acting Quality Governance Coordinator – Victoria Moritz

OPEN MEETING

The Mayor opened the meeting at 06:31 PM

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.

ELECTED MEMBER'S DECLARATION OF INTEREST (if any)

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

The following interests were disclosed:

- The Mayor declared a potential conflict of interest in the item *Code of Conduct GC190625F01*

CONFIRMATION OF MINUTES

Confirmation of the minutes for the General Council Meeting held on 11 June 2019

Report Reference: GC190625R01

Moved Councillor - Raelene Telfer

Seconded Councillor - Tim Pfeiffer

That:

1. The minutes of the General Council Meeting held on 11 June 2019 be taken as read and confirmed.

Carried Unanimously

COMMUNICATIONS

Moved Councillor - Luke Hutchinson

Seconded Councillor - Matthew Shilling

That the following Communication Reports be moved en bloc

- Mayoral Communication Report (GC190625R02)
- Deputy Mayoral Communication Report (GC190625R03)
- CEO and Executive Communication Report (GC190625R04)
- Elected Member Communication Report

Carried

Mayoral Communication Report

Name of Elected Member: Mayor - Kris Hanna

Report Reference GC190625R02

Date	Event	Comments
21/5/19	Tour of Tonsley	Attended
23/5/19	Council Volunteer Celebration	Attended
23/5/19	MarionLIFE and Australian Refugee Association collaboration launch	Attended
23/5/19	Edwardstown Precinct Forum	Attended; gave speech
25/5/19	Glandore Neighbourhood Centre History Event	Attended
25/5/19	Oaklands Estate Reserve Opening Celebration	Hosted; gave speech
25/5/19	Park Holme Mosque Ramadan Event	Attended
30/5/19	Meeting with Cove FC Committee	Attended
1/6/19	Marion Swimming Club Celebration Night	Attended; presented award
2/6/19	Morphettville Park Football Club Afternoon Tea	Attended; gave speech
5/6/19	Afternoon tea to celebrate a graffiti volunteer's 20 years of service	Hosted
5/6/19	Plaque unveiling with Marion Lions at Morphett Road Revegetation Site	Attended; gave speech and unveiled plaque
12/6/19	Meeting with some Onkaparinga Councillors	Attended
12/6/19	Queen's Birthday Reception and Dinner at Government House	Attended
13/6/19	Launch of cookbook by Nu	Attended
15/6/19	Edwardstown Football Club Quiz Night	Attended
17/6/19	Coastal Walkway Inspection	Attended
19/6/19	Marion Historical Society- The History of West Terrace Cemetery	Attended

Moved Councillor - Luke Hutchinson

Seconded Councillor - Matthew Shilling

That:

1. The Mayoral Communication Report be received.

Carried

Deputy Mayor Communication Report

Date of Council Meeting: 25 June 2019

Name of Elected Member: Councillor - Tim Pfeiffer

Report Reference: GC190625R03

Date	Event	Comments
25/5/19	Opening of Oaklands Playground	Attended
3/6/19	Edwardstown Club Board Meeting	Attended
4/6/19	Meeting with Castle Plaza Centre Manager	Attended
4/6/19	Meeting with Unit Manager Economic Development	Attended
6/6/19	Meeting with Mayor Thompson in relation to GAROC representation of Southern Councils/	Attended
15/6/19	Edwardstown Football Club Quiz Night	Attended

Moved Councillor - Luke Hutchinson

Seconded Councillor - Matthew Shilling

That:

1. The Deputy Mayors Communication Report be received.

Carried

CEO and Executive Communications Report

Date of Council Meeting 25 June 2019

Report Reference GC190625R04

Date	Activity	Attended By
29 May 2019	Meeting Adrian Skull, Tony Lines, Geoff Smith (Housing Renewal Australia), Chris Vounasis (Future Urban Group) and Matt Clemow (Social Policy Solutions) re Oaklands Park	Adrian Skull Tony Lines
29 May 2019	LG Challenge Debrief	Abby Dickson

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30 May 2019	Council Solutions Working Group	Adrian Skull
30 May 2019	Meeting Resourcing Utilities Management with Cities of Charles Sturt, Marion and Port Adelaide Enfield	Tony Lines
30 May 2019	State Planning Commission Briefing on Implementation of the Planning and Design Code, Transition of Heritage and Character and Development Plan Amendments	Tony Lines
31 May 2019	Council Solutions Board Meeting	Adrian Skull
31 May 2019	City of Charles Sturt - E-Planning Collaboration	Abby Dickson
3 June 2019	SRWRA Board Meeting	Ray Barnwell
3 June 2019	Meeting Enwave and Renewable Intelligence on Tonsley Water	Tony Lines
5 June 2019	Plaque Unveiling Marion Lions Club at Morphet Road Reserve Re-vegetation Site	Tony Lines
5 June 2019	Oaklands Crossing Site Tour	Adrian Skull Abby Dickson Tony Lines
6 June 2019	Tonsley Steering Group	Adrian Skull
7 June 2019	Western Adelaide Consultative Group	Adrian Skull
11 June 2019	Oaklands Wetland Governance Committee Meeting	Tony Lines
11 June 2019	Youth Engagement and Consultation - YACSA	Tony Lines
12 June 2019	SAEDB Board Meeting	Adrian Skull Abby Dickson
12 June 2019	Meeting Collaboration Governance Framework Review with Cities of Charles Sturt, Marion and Port Adelaide Enfield	Tony Lines
13 June 2019	Cross Council Collaboration Service Review	Ray Barnwell
13 June 2019	LG Professionals SA General Managers Networking	Abby Dickson
13 June 2019	Meeting St Martin de Porres School	Tony Lines

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14 June 2019	Meeting Adrian Skull, Kylie Taylor and Anthea Shem (Office for Recreation, Sport and Racing)	Adrian Skull
17 June 2019	Innovators Couch Session	Abby Dickson Tony Lines
17 June 2019	Smart South Working Group	Abby Dickson
17 June 2019	Glenthorne National Park meeting with Director of Engagement DEW	Abby Dickson
19 June 2019	South Australian Cricket Association (SACA) & South Australian National Football League (SANFL) re Cove Sports	Abby Dickson
20 June 2019	Deloitte Financial Reporting Update	Ray Barnwell
20 June 2019	Meeting City of Marion and Australian Gas Infrastructure Group	Adrian Skull Tony Lines
20 June 2019	Meeting Tonsley Project Control Group	Tony Lines
24 June 2019	Local Government Reference Group	Adrian Skull
25 June 2019	Meeting Adrian Skull and Paul Thorne (SRWRA)	Adrian Skull

Moved Councillor - Luke Hutchinson

Seconded Councillor - Matthew Shilling

That:

1. The CEO and Executive Communication Report be received.

Carried

Council Member Communications**Council Member:** Councillor Raelene Telfer

Date	Event	Comment
8 June 2019	Community art at Oaklands Crossing	Display and BBQ
11 June 2019	Warriparinga Ward Briefing	Attended
12 June 2019	Seaview High Governing	Council liaison
12 June 2019	MPSCC Committee Meeting	Council liaison
13 June 2019	Darlington DPTI Tonsley station	Key issues
17 June 2019	Community Forum	Participant
20 June 2019	Darlington DPTI Tonsley station	Setting priorities

Moved Councillor - Luke Hutchinson**Seconded Councillor - Matthew Shilling**

That:

1. The Council Member Communications Report be received.

Carried**ELECTED MEMBER VERBAL COMMUNICATIONS**

In accordance with the *Code of Practice - Procedures at Council Meetings 2017/18* an Elected Member has the right to speak for up to two minutes in the second meeting of Council every second month from February (with the exception of caretaker period).

Various Elected Members provided a verbal update.

ADJOURNED ITEMS

6.35pm Councillor Veliskou entered the meeting

Adjourned Item - Australian Refugee Action Network - Call for Support
Report Reference: GC190625R05

Moved Councillor - Ian Crossland**Seconded Councillor - Jason Veliskou**

That Council:

1. Notes the receipt of the correspondence from the Australian Refugee Action Network.
2. Advises the Australia Refugee Action Network that it has noted its request.

Carried Unanimously

DEPUTATIONS - Nil**PETITIONS – Nil****COMMITTEE RECOMMENDATIONS****Moved Councillor - Luke Hutchinson****Seconded Councillor - Ian Crossland**

That the following Committee Recommendations be moved en bloc:

- Confirmation of Minutes of the Infrastructure and Strategy Committee Meeting - 4 June 2019 (GC190625R06)
- Confirmation of Minutes of the Urban Planning Committee Meeting - 4 June 2019 (GC190625R07)

Carried Unanimously**Confirmation of Minutes of the Infrastructure and Strategy Committee Meeting - 4 June 2019**
Report Reference: GC190625R06**Moved Councillor - Luke Hutchinson****Seconded Councillor - Ian Crossland**

That Council:

1. Receives and notes the minutes of the Infrastructure and Strategy Committee meeting of 4 June 2019 (Appendix 1).
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Infrastructure and Strategy Committee.

Carried Unanimously

Confirmation of the Minutes of the Urban Planning Committee meeting held on Tuesday 4 June 2019
Report Reference: GC190625R07

Moved Councillor - Luke Hutchinson

Seconded Councillor - Ian Crossland

That Council:

1. Receives and notes the minutes of the Urban Planning Committee meeting of 4 June 2019 (Appendix 1).
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Urban Planning Committee.

Carried Unanimously

ORDER OF AGENDA ITEMS

The Mayor sought and was granted leave of the meeting to vary the order of Agenda Items and move the Confidential Item - *Code of Conduct GC100625F01* to the end of the agenda.

CORPORATE REPORTS FOR DECISION

Moved Councillor - Jason Veliskou

Seconded Councillor - Tim Pfeiffer

That the following items be moved en bloc:

- 4 Year Business Plan 2019-2023 (GC190625R08)
- Annual Business Plan 2019-2020 and Long Term Financial Plan (GC190625R09)
- Valuation - Adoption for 2019-20 Financial Year (GC190625R10)
- Rates Declaration 2019-20 (GC190625R11)
- Rate Rebate 2019-20 (GC190625R12)

Carried

4 Year Business Plan 2019-2023**Report Reference:** GC190625R08**Moved Councillor - Jason Veliskou****Seconded Councillor - Tim Pfeiffer**

That Council:

1. Adopts the Draft 4-Year Business Plan 2019 - 2023 that includes any Elected Member feedback received during the meeting.
2. Notes the final Business Plan will be published and communicated through a variety of forums including the City of Marion website and social media.

Carried**Valuation - Adoption for 2019-20 Financial Year****Report Reference:** GC190625R10**Moved Councillor - Jason Veliskou****Seconded Councillor - Tim Pfeiffer**

That:

1. Pursuant to Section 167(2)(a) of the Local Government Act 1999 Council adopts the capital valuations as supplied by the Office of the Valuer-General, (at Supplementary Week 52 dated 24 June 2019), as the Valuations that are to apply to land within its area for rating purposes for the 2019-20 financial year.
2. Council notes that, at the time of adoption, the Valuation totalled \$22,034,467,420 (including \$20,973,754,491 Rateable and \$1,060,712,929 Exempt).

Carried**Annual Business Plan 2019-20 and Long Term Financial Plan****Report Reference:** GC190625R09**Moved Councillor - Jason Veliskou****Seconded Councillor - Tim Pfeiffer**

That the following be adopted by council in the following order:

1. Financial Policies (Attachment 3)
 - a) Rating Policy
 - b) Treasury Management Policy
 - c) Fees and Charges Policy
 - d) Reserve Funds Policy

- e) Asset Accounting Policy
- f) Budget Policy

2. Pursuant to Section 123(6) of the Local Government Act 1999 and regulation 6 of the Local Government (Financial Management) Regulations 2011, the Annual Business Plan 2019-20 (Attachment 1)
3. Pursuant to Section 123(7) of the Local Government Act 1999, and regulation 7 of the Local Government (Financial Management) Regulations 2011, the Annual Budget 2019-20 (Attachment 1)
4. Pursuant to Section 122(1a) of the Local Government Act 1999, and regulation 5 of the Local Government (Financial Management) Regulations 2011, the Long Term Financial Plan 2019-2029 (Attachment 2)

Carried

Rates Declaration 2019-20

Report Reference: GC190625R11

Moved Councillor - Jason Veliskou

Seconded Councillor - Tim Pfeiffer

1. That pursuant to Section 153(1)(b) and 156(1)(a) of the Local Government Act, 1999 the Council declares differential general rates according to land use based on Capital Value within the area for the 2019-20 financial year as follows:
 - 1.1 0.335766 cents in the dollar on rateable land of Categories 1 - Residential, 7 Primary Production, 9 – Other.
 - 1.2 0.621167 cents in the dollar on rateable land of Categories 2 – Commercial Shop, 3 – Commercial Office, 4 - Commercial Other.
 - 1.3 0.570803 cents in the dollar on rateable land of Categories 5 - Industry Light and 6 - Industry Other.
 - 1.4 0.671532 cents in the dollar on rateable land of Category 8 - Vacant Land
2. That pursuant to Section 158 (1)(a) of the Local Government Act 1999, fixes a minimum amount payable by way of General Rates in respect of rateable land within the area for the 2019-20 financial year of \$1,059.00.
3. That pursuant to Section 153(3) of the Local Government Act 1999 the Council has determined not to fix a maximum increase under this Section in the general rate to be charged on a principal place of residence of a principal ratepayer upon the basis that relief is otherwise provided under the 'Discretionary Rebate – Residential Land Use (Rate Capping)' provision of its Rating Policy.

4. That, as required by the Natural Resources Management Act 2004, and pursuant to Section 95 of that Act and Section 154 (1) of the Local Government Act, the Council declares a Separate Rate of 0.009661 cents in the dollar on all rateable land in the area covered by the Adelaide and Mount Lofty Ranges Natural Resources Management Board within this Council's area for the 2019-20 financial year.
5. That pursuant to Section 181 (1) of the Local Government Act rates are payable in four equal or approximately equal instalments, and Council resolves that pursuant to section 181(2) of the Act the due dates for those instalments shall be:
 - 2 September 2019
 - 2 December 2019
 - 2 March 2020
 - 1 June 2020
6. That pursuant to Section 44 of the Local Government Act 1999 the Council delegates to the Chief Executive Officer the power at Section 181(4)(b) to alter the due date for payment of any rate or instalment payment of a ratepayer where circumstances warrant such action, and to make any arrangement for payment of an account (either including or excluding the imposition of fines thereon) over an extended period.

Carried

Rate Rebate 2019-20

Report Reference GC190625R12

Moved Councillor - Jason Veliskou

Seconded Councillor - Tim Pfeiffer

That:

1. The Schedule of Rate Rebates (refer Appendix 1) be noted.
2. Council resolves that a discretionary rate rebate of 25% be granted under Section 166(1)(j) of the Local Government Act, 1999 to Foodbank SA on the properties it occupies for the 2019-20 financial year.
3. Council resolves that a discretionary rebate of 25% be granted under Section 166(1)(d) of the Local Government Act, 1999 to Suneden School on the property it occupies and uses for educational purposes for the 2019-20 financial year.
4. Council resolves that a discretionary rate rebate of 100% be granted under Section 166(1)(j) of the Local Government Act, 1999 to Scouts SA on the properties it occupies for the 2019-20 financial year.

5. Council resolves that a discretionary rate rebate of 50% be granted under Section 166(1)(j) of the Local Government Act, 1999 to the Abbeyfield Society (Marion) on the property it occupies at 5 Lawrence Ave, Edwardstown for the 2019-20 financial year.
6. Council resolves that a discretionary rate rebate of 50% be granted under Section 166(1)(j) of the Local Government Act, 1999 to the Plympton Glenelg RSL Sub Branch on the property it occupies at 464 Marion Rd, Plympton Park for the 2019-20 financial year.
7. Council resolves that a discretionary rate rebate of 75% be granted under Section 166(1)(j) of the Local Government Act, 1999 to Operation Flinders on the property it occupies at 3/938 and 4/938 South Road, Edwardstown for the 2019-20 financial year.
8. Council resolves that a discretionary rate rebate of 25% be granted under Section 166(1)(j) of the Local Government Act, 1999 to South Adelaide Squash Centre on the property it occupies a2A Midera Avenue, Edwardstown for the 2019-20 financial year.

Carried

Council Subsidiaries – Draft 2019/20 Business Plan and Budget Review

Report Reference: GC190625R13

Moved Councillor - Ian Crossland

Seconded Councillor - Raelene Telfer

That Council:

1. Advise the Southern Region Waste Resource Authority (SRWRA) that it supports the Draft 2019/20 Business Plan and Budget (attached as Appendix 1).

Carried Unanimously

Boral Linwood Quarry

Report Reference: GC190625R14

Moved Councillor - Ian Crossland

Seconded Councillor - Matthew Shilling

That Council:

1. Endorses the City of Marion Council response to the Extractive Mineral Lease proposal by Boral Resources for Linwood Quarry, subject to any changes proposed at this meeting

Carried Unanimously

Hallett Cove Sea Pool Feasibility Study**Report Reference:** GC190625R15**Moved Councillor - Ian Crossland****Seconded Councillor - Matthew Shilling**

That Council:

1. Notes that the "*Feasibility Study for Hallett Cove Ocean Pool, South Australia*" by University of New South Wales, Water Research Laboratory (Attachment 1) and further analysis of the feasibility of a sea pool contained in this report.
2. Writes to the Minister for Environment and Water and Minister for Transport, Infrastructure and Local Government and presents the "*Feasibility Study for Hallett Cove Ocean Pool, South Australia*" by University of New South Wales, Water Research Laboratory (Attachment 1) and a summary of the analysis of the feasibility of a sea pool contained in this report.

Carried**Establishment of a World War II Honour Board****Report Reference:** GC190625R16

6.49pm Councillor Hull entered the meeting

Moved Councillor - Maggie Duncan**Seconded Councillor - Raelene Telfer**

That Council:

1. Notes the report.
2. Allows further time for Administration to explore further ways to honour World War 2 veterans and reports back to Council on 27 August 2019.

Carried Unanimously**Partial Road Closure Cobham Avenue Morphettville****Report Reference:** GC190625R17**Moved Councillor - Jason Veliskou****Seconded Councillor - Kendra Clancy**

That Council:

1. Notes the representations received in response to the community consultation in response to the community consultation required under the Roads (Opening and Closing) Act 1991.

2. Resolves to make a Road Process Order in accordance with the Roads (Opening and Closing) Act 1991 to close portion of Cobham Avenue Morphettville and merge with Allotment 702 in D120809 more particularly delineated and lettered "A" on the Preliminary Plan PP19/0010

Carried Unanimously

Nominations sought for the Australia Day Council of SA Board of Management

Report Reference: GC190625R18

Moved Councillor - Tim Pfeiffer

Seconded Councillor - Nathan Prior

That:

1. Council notes the report Nominations Sought for the Australia Day Council of South Australia;
2. Council nominates Councillors Masika and Hull as candidates for the election of the Australia Day Council Board of Management;
3. Administration forwards the above nominations to the Australia Day Council of South Australia by close of business on Tuesday 16 July 2019.

Carried Unanimously

Service Review Program - History and FY2019/20 plan

Report Reference: GC190625R19

Moved Councillor - Raelene Telfer

Seconded Councillor - Luke Hutchinson

That Council:

1. Notes the implementation of recommendations from the Service Review Program FY2018/19, as provided in appendix 1.
2. Endorses the proposed Service Review Program, FY2019/20 as provided in appendix 2.

Carried Unanimously

Oaklands Community Connections Consultation (proposed Diagonal Way Road Closure and Dwyer Road Reserve)**Report Reference:** GC190625R20**Moved Councillor - Nathan Prior****Seconded Councillor - Ian Crossland**

That council:

1. Notes the community consultation feedback received on the concept design for the proposed Diagonal Way road closure and Dwyer Road Reserve.
2. Notes correspondence from the Commissioner of Highways, confirming Diagonal Way is issued Section 26(2) of the Highways Act 1926, currently under care and control of Council and no approval is required to commence the road closure process.
3. Authorises the commencement of the Roads (Opening and Closing) Act 1991 process to close the section of Diagonal Way Oaklands Park between the northern boundary of 10 Diagonal Way and the southern boundary of the intersection of Crozier Terrace and Dwyer Road Oaklands Park in accordance with the Roads (Opening and Closing) Act 1991 which requires:
 - Preparation of a preliminary plan
 - Preparation of a statement of affected parties and
 - Undertaking of public consultation
4. Resolves that the road closed pursuant to the Roads (Opening and Closing) Act 1991 is to be merged with Lot 94 in Filed Plan 147328 (comprised in Certificate of Title Volume 5854 Folio 339) for Dwyer Road Reserve.
5. Notes a further report will be tabled to consider the outcome of the community consultation for the road closure and to seek authorisation to submit the documentation with the Surveyor General to formally close the road.
6. Resolves to temporarily close Diagonal Way (Section 32 Road Traffic Act 1961) for vehicle traffic as illustrated in attachment 5, until Council resolve the permanent proposal pursuant to Roads (Opening and Closing) Act 1991.

Carried

Division called by Councillor - Bruce Hull

Voters	Against	For
Councillor - Bruce Hull	X	
Councillor - Ian Crossland		X
Councillor - Jason Veliskou		X
Councillor - Joseph Masika		X
Councillor - Kendra Clancy		X
Councillor - Luke Hutchinson		X
Councillor - Maggie Duncan		X
Councillor - Nathan Prior		X
Councillor - Raelene Telfer		X
Councillor - Tim Pfeiffer		X
Councillor – Matthew Shilling	X	

Carried

Public Interest Disclosure Act 2018

Report Reference: GC190625R21

Moved Councillor - Tim Pfeiffer

Seconded Councillor - Raelene Telfer

That Council:

1. adopts the "Public Interest Disclosure Policy" attached as appendix 2 subject to any suggested amendments.
2. notes the "Public Interest Disclosure Procedure" attached as appendix 3
3. notes that the Public Interest Disclosure Policy will replace the Whistle Blowers Policy adopted on 27 March 2018 upon the commencement of the Public Interest Disclosure Act 2018 (ie on 1 July 2019).

Carried Unanimously

CORPORATE REPORTS FOR INFORMATION/NOTING**Moved Councillor - Raelene Telfer****Seconded Councillor - Luke Hutchinson**

That the following items be moved en bloc:

- Finance Report - May 2019 (GC190625R22)
- Taken on Notice Register (GC190625R23)
- Work Health & Safety - Monthly Performance Report - May 2019 (GC190625R24)

Carried Unanimously**Finance Report - May 2019****Report Reference: GC190625R22****Moved Councillor - Raelene Telfer****Seconded Councillor - Luke Hutchinson**

That Council:

1. Receives the report "Finance Report – May 2019"

Carried Unanimously**Questions Taken on Notice Register****Report Reference: GC190625R23****Moved Councillor - Raelene Telfer****Seconded Councillor - Luke Hutchinson**

That Council:

1. Notes the report "Questions Taken on Notice Register"

Carried Unanimously

Work Health & Safety - Monthly Performance Report - May 2019**Report Reference:** GC190625R24**Moved Councillor - Raelene Telfer****Seconded Councillor - Luke Hutchinson**

That Council:

1. Notes the report and statistical data contained therein.

Carried Unanimously**WORKSHOP / PRESENTATION ITEMS - Nil****MOTIONS WITH NOTICE****Messines Avenue WW1 Memorial of Honour****Report Reference:** GC190625M01**Moved Councillor - Raelene Telfer****Seconded Councillor - Tim Pfeiffer**

1. That a report come back to the General Council meeting of October 22nd detailing:
 - 1.1 The appropriate care for the local heritage World War 1 Messines Avenue Memorial of Honour of holm oak trees planted by the Local Council in 1917.
 - 1.2 A management plan for replanting, in the next ten years, a new World War 1 Memorial of Honour of holm oak seedlings, with appropriate streetscaping, historical interpretive signage, and car parking bays.
 - 1.3 The resources required to achieve the retention of this World War 1 Messines Avenue Memorial of Honour.

Carried Unanimously

QUESTIONS WITH NOTICE**Regulations on Building and Development approvals**

Elected Member: Councillor Bruce Hull

Report Reference: GC190625Q01

Question:

1. With regards to building approvals, does Council consider an appropriate colour scheme for buildings? If not, why not?
2. Is black (as pictured in Struan Ave & Bowker St Warradale.(Appendix 1)) an appropriate building colour given the adverse aesthetics and climate change considerations?
3. Can a Council determine building colour as part of development & building approval?

Response Received From:

Warwick Deller-Coombs

Staff Comments:

- 1. With regards to building approvals, does Council consider an appropriate colour scheme for buildings? If not, why not?*

Response to Question 1:

Yes. Colour schemes are assessed along with other applicable Objectives and Provisions within the Council Development Plan at the Planning Assessment stage (by Council Planning officers).

The Development Plan seeks for buildings to be of a high design standard and appearance and generally reflect the Desired Character of the respective Policy Area. Buildings should, where possible, have regard to their size and design in context within the locality, utilise a range of colours and materials, promote sympathetic roof form and pitch and provide high quality design façade.

The use of cladding, brickwork, glazing is considered to be in keeping with contemporary building methods and designs.

- 2. Is black (as pictured in Struan Ave & Bowker St Warradale.) an appropriate building colour given the adverse aesthetics and climate change considerations?*

Response to Question 2:

Yes. In relation to the design and aesthetics, black cladding is considered an appropriate colour/material in this design as it sufficiently contrasts with the red brick of the ground floor and meets the desired outcomes of the Policy Area.

The Desired Character of the Policy Area (where the proposal is occurring) seeks development that promotes cohesive streetscapes whilst allowing for a variety in housing forms and styles.

Council's Development Plan enables very limited consideration to climate change, only seeking to ensure development designs provide for efficient solar access to buildings and open space. The energy efficiency of the building is considered during the Building Rules Assessment stage and assessed against the National Construction Code of Australia (NCC). The building needs to satisfy particular standards to meet the NCC requirements to be 6-star efficient (i.e. insulation, cladding type etc). The NCC is a national document and is not specific to a local Council area.

3. Can a Council determine building colour as part of development & building approval?

Response to Question 3

Yes, in limited circumstances. Only in particular areas of Council can an assessment take into consideration the use and incorporation of particular colours and materials, such as the Hills Policy Area which seeks for buildings located in highly visible locations, colours and materials that are sympathetic to the existing topography (i.e. natural colours).

Generally, if the built form is considered to be of an appropriate design standard, appearance and incorporates contemporary colours and materials (i.e. colours typically found within metropolitan area) building colour is not something Council has determination of.

LEAVE OF THE MEETING

Councillor Hull sought and was granted leave of the meeting to include in Appendix 1 of the minutes, the second photo to this item *Regulations on Building and Development Approvals* which was submitted with the Question on Notice however mistakenly missed from the Agenda.

CONFIDENTIAL ITEMS**Code of Conduct****Report Reference:** GC190625F01**Moved Councillor – Matthew Shilling****Seconded Councillor – Jason Veliskou**

That:

1. 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, Kate McKenzie, Manager Corporate Governance and Victoria Moritz, Acting Quality Governance Coordinator, 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 requirements for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration other matter confidential on the ground that the report contains information relating to personal affairs.

Carried

7.09pm the meeting went into confidence

Moved Councillor – Ian Crossland**Seconded Councillor – Nathan Prior**

1. That formal meeting procedures be suspended to discuss the item.

Carried

The Mayor declared a conflict of interest in the item and vacated the Chair.

7.14pm The Mayor left the meeting and did not return

7.14pm In the absence of the Mayor, Deputy Mayor Pfeiffer took the Chair

Councillor Hull declared a conflict of interest in the item and left the meeting.

7.21pm Councillor Hull left the meeting and did not return.

7.24pm formal meeting procedures suspended

7.34pm formal meeting procedures resumed

Moved Councillor – Ian Crossland**Seconded Councillor – Matthew Shilling**

1. 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 2019.

Carried

7.45pm the meeting came out of confidence

MOTIONS WITHOUT NOTICE - Nil**QUESTIONS WITHOUT NOTICE - Nil****OTHER BUSINESS – Nil****MEETING CLOSURE**

Council shall conclude on or before 9.30pm unless there is a specific motion adopted at the meeting to continue beyond that time.

MEETING CLOSURE - Meeting Declared Closed at 7.46 PM

CONFIRMED THIS 23 DAY OF JULY 2019

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CHAIRPERSON

Appendix 1

