

MINUTES OF THE GC200211 - GENERAL COUNCIL MEETING

Tuesday, 11 February 2020 at 06:30 PM

Council Administration Centre, 245 Sturt Road, Sturt



PRESENT:

Elected Members

Mayor - Kris Hanna, Councillor - Ian Crossland, Councillor - Tim Gard, Councillor - Jason Veliskou, Councillor - Bruce Hull, Councillor - Nathan Prior, Councillor - Raelene Telfer, Councillor - Kendra Clancy, Councillor - Maggie Duncan, Councillor - Matthew Shilling, Councillor - Joseph Masika, Councillor - Sasha Mason

DATE:

Tuesday, 11 February, 2020 | Time 6:30 PM

VENUE:

Council Chamber

In Attendance

Chief Executive Officer – Adrian Skull
General Manager City Services – Tony Lines
General Manager City Property – Ilia Houridis
General Manager Corporate Services – Sorana Dinmore
Manager Corporate Governance – Kate McKenzie
Unit Manager Governance and Council Support – Jaimie Thwaites

OPEN MEETING

The Mayor opened the meeting at 06:30 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 declared:

- Councillor - Tim Gard declared a conflict of interest in the item 'Seacliff Park Residential and Centre Development Plan Amendment - Final Draft DPA' (Report Reference: GC200211R07)
- Councillor - Kendra Clancy declared a perceived conflict of interest in the item 'Edwardstown Memorial Sport and Community Club' (Report Reference: GC200211F02)

CONFIRMATION OF MINUTES

Confirmation of the minutes for the General Council Meeting held on 28 January 2020

Report Reference: GC200128R01

Moved **Councillor - Ian Crossland** **Seconded** **Councillor - Raelene Telfer**

That

1. the minutes of the General Council Meeting held on 28 January 2020 be taken as read and confirmed with the amendment that the motion for the 'Confirmation of Confidential Minutes of the Finance and Audit Committee Meeting held 10 December 2019' (GC200128F01) to remain in confidence was moved by Councillor - Ian Crossland and Seconded by Councillor- Nathan Prior (Page 14 of the minutes).

Carried Unanimously

ADJOURNED ITEMS - Nil

DEPUTATIONS - Nil

PETITIONS - Nil

COMMITTEE RECOMMENDATIONS

Moved Councillor - Matthew Shilling Seconded Councillor - Nathan Prior

That the following Recommendations be moved en bloc:

- Confirmation of Minutes of the Review and Selection Committee Meeting held on 4 February 2020 (Report Reference: GC200211R02)
- Confirmation of Minutes of the Special Urban Planning Committee Meeting held on 4 February 2020 (Report Reference: GC200211R03)

Carried Unanimously

Confirmation of Minutes of the Review and Selection Committee Meeting held on 4 February 2020

Report Reference: GC200211R02

Moved Councillor - Matthew Shilling Seconded Councillor - Nathan Prior

That Council:

1. Receives and notes the minutes of the Review and Selection Committee meeting held on 4 February 2020.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.

Carried Unanimously

Confirmation of Minutes of the Special Urban Planning Committee Meeting held on 4 February 2020

Report Reference: GC200211R03

Moved Councillor - Matthew Shilling Seconded Councillor - Nathan Prior

That Council:

1. Receives and notes the minutes of the Special Urban Planning Committee meeting held on 4 February 2020.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Urban Planning Committee.

Carried Unanimously

VARY ORDER OF THE AGENDA

The Chair sought and was granted leave of the meeting to vary the order of the agenda as follows:

- Bring forward the item ' Seacliff Park Residential and Centre Development Plan Amendment - Final Draft DPA' (Report Reference: GC200211R07).

Seacliff Park Residential and Centre Development Plan Amendment - Final Draft DPA

Report Reference: GC200211R07

Councillor Gard declared a conflict of interest in the item as he resides in proximity to the area concerned. He advised he would leave the chamber for the item.

6.34pm Councillor Gard left the chamber

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

That Council:

1. Endorses the Draft Seacliff Park Residential and Centre Development Plan Amendment, subject to the Execution of the Seacliff Park Development Deed for Ministerial Approval.
2. Authorises the Mayor and the Chief Executive Officer, to execute the Seacliff Park Development Deed (upon its completion) for the provision of major stormwater infrastructure.

Carried Unanimously

CONFIDENTIAL ITEMS

Presentation from Adelaide Film Festival

Report Reference: GC200211F01

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

That:

1. Pursuant to Section 90(2) 3(d) (i) and (ii) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Tony Lines, Iliia

Houridis, Sorana Dinmore, Kate McKenzie, Ray Barnwell, Craig Clarke, Jaimie Thwaites and Mat Kesting (Adelaide Film Festival) be excluded from the meeting as the Council receives and considers information relating to the Adelaide Film Festival, 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 information, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would on balance be contrary to the public interest.

Carried

6.50 pm meeting went into confidence

Moved Councillor - Jason Veliskou Seconded Councillor - Kendra Clancy

That:

1. Council notes the presentation from the Adelaide Film Festival
2. Funding of \$35,000 for ADL Film Fest in the Burbs (Marion) be approved in the 2020-21 Annual Budget.
3. Council authorises the Chief Executive Officer to complete the sponsorship agreement between the City of Marion and the Adelaide Film Festival.

Carried

Moved Councillor - Jason Veliskou Seconded Councillor - Nathan Prior

That Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the report and the attachment, having been considered in confidence under Section 90 (2) and (3) (d) (i) and (ii) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection until publicly released by the Adelaide Film Festival or 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 2020.

Carried Unanimously

7.33pm meeting came out of confidence

Edwardstown Memorial Sports and Community Club

Report Reference: GC200211F02

Councillor - Kendra Clancy declared a perceived conflict of interest in the matter as her son plays for the Edwardstown football club. She advised she would remain in the chamber for the item.

Moved Councillor - Joseph Masika Seconded Councillor - Tim Gard

7.36pm Councillor Clancy left the meeting

That

1. Pursuant to Section 90(2) 3(b) (i) and (ii) and 3(d) (i) and (ii) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Tony Lines, Ilia Houridis, Sorana Dinmore, Kate McKenzie, Craig Clarke, James O'Hanlon and Jaimie Thwaites, be excluded from the meeting as the Council receives and considers information relating to Edwardstown Soldiers Memorial Community Club, 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 information, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would on balance be contrary to the public interest.

Carried Unanimously

7.39pm meeting went into confidence

7.39pm Councillor Clancy re-entered the meeting

8.13pm Councillor Shilling left the meeting

8.16pm Councillor Shilling re-entered the meeting

Moved Councillor - Joseph Masika Seconded Councillor - Sasha Mason

That Council:

1. Notes the Report.
2. Authorises staff to undertake investigations regarding alternate management models for the facility into the future.

3. Authorises staff to issue licenses to the 5 affiliated clubs of the ESMRG.
4. Note that a further report detailing amended changes to the ESMRG financial model for endorsement and implementation will be provided to General Council on 10 March 2020.
5. Seeks an independent financial audit to be undertaken to validate the findings of Council report.

Amendment:

Moved Councillor - Ian Crossland Seconded Councillor - Bruce Hull

That Council

1. Notes the Report.
2. Authorises staff to undertake investigations regarding a third party professional management group for major Council sport facilities.
3. Authorises staff to issue licenses to the 5 affiliated clubs of the ESMRG.
4. Note that a further report detailing amended changes to the ESMRG financial model for endorsement and implementation will be provided to General Council on 10 March 2020.
5. Seeks an independent financial audit to be undertaken to validate the findings of Council report.

The amendment to become the motion was **Carried Unanimously**

The motion as amended was

Carried Unanimously

8.31pm Councillor - Maggie Duncan left the meeting

Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling

That Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report and attachments, having been considered in confidence under Section 90 (2) and (3)(b) (i) and (ii) and (3)(d) (i) and (ii) of the Act, except when required to effect or comply with 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 2020.
2. Notwithstanding the confidentiality order of the Council, as resolved with this report, the Council authorises the Mayor and/or CEO to provide information and/or make statements in the public realm where they consider it necessary.

Carried Unanimously

8.33pm the meeting came out of confidence

Council Assessment Panel Membership Review

Report Reference: GC200211F03

Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling

That:

1. pursuant to Section 90(2) and 90(3)(a) of the Local Government Act 1999, Council orders that all persons present with the exception of the following persons: Adrian Skull, Iliia Houridis, Tony Lines, Sorana Dinmore, Craig Clarke, Kate McKenzie, Jaimie Thwaites, Warwick Deller-Coombs and Alex Wright, be excluded from the meeting as Council receives and considers information relating to Council Assessment Panel Membership Review upon the basis that 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 the personal affairs of any persons.

Carried Unanimously

8.33pm Councillor- Ian Crossland left the meeting

8.34pm the meeting went into confidence

8.34pm Councillor - Maggie Duncan re-entered the meeting

8.35pm Councillor - Ian Crossland re-entered the meeting

8.36pm Councillor - Nathan Prior left the meeting

Moved Councillor - Maggie Duncan Seconded Councillor - Raelene Telfer

That Council:

1. Reappoints the current Presiding Member, Mr Terry Mosel as the Presiding Member (as one of the Independent Council Assessment Panel Members) for a 2-year term commencing on 1 July 2020.
2. Requests that Administration commence the recruitment process for the Presiding Member position should the current Presiding Member decline the offer of being reappointed.
3. Request Administration commence the recruitment process for 2 Independent Council Assessment Panel Members for a 12-month period.
4. Request Administration commence the recruitment process for 1 Independent Council Assessment Panel Member for 2-year period.

5. Endorses the reappointment of the current Independent Council Assessment Panel Member, Mr Gavin Lloyd-Jones as Deputy Member for a 2-year period commencing on the 1 July 2020.
6. Requests that Administration advise the Review and Selection Committee to appoint an unsuccessful candidate to the Deputy Member position should the current Deputy Member decline the offer of being reappointed or if the current Deputy Member is successful in applying for a full position as Independent Member.

Carried Unanimously

8.38pm the meeting came out of confidence

8.38pm Councillor - Nathan Prior re-entered the meeting

CORPORATE REPORTS FOR DECISION

Oaklands Precinct - Dwyer Road Reserve and Diagonal Way Detail Design

Report Reference: GC200211R04

Moved **Councillor - Nathan Prior** **Seconded** **Councillor - Raelene Telfer**

That Council:

1. Notes the process of community engagement and program of works.
2. Notes the Diagonal Way road closure order has been submitted to the Surveyor General for decision as per council resolution GC1911022R14.
3. Notes detailed design drawings for Stage one (Dwyer Road Reserve) and Stage two (Diagonal Way to Crew Street).
4. Authorises tender and procurement for Stage one Dwyer Road Reserve (east of Diagonal Way) and Stage two Diagonal Way inclusive of road reserve west of Diagonal Way. Stage two works to be awarded subject to road closure gazette and finalisation of Section 270 (Local Government Act 1999) review.
5. Authorise commencement of stage two as per Oaklands Crossing Contributing works GC190326R13 be brought forward to enable award of contract prior to June 2020 subject to road closure gazette and finalisation of Section 270 (Local Government Act 1999) review. This will support smart cities funding acquittal time frames with the Federal Government.

Carried

8.52 pm Councillor Masika left the meeting

8.56pm Councillor Masika re-entered the meeting

Division called by Councillor - Bruce Hull

The vote was set aside to allow a vote for which individual Councillor decisions are recorded:

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

Carried

Call for Nominations for Member of GAROC - Casual Vacancy

Report Reference: GC200211R05

Moved Councillor - Ian Crossland Seconded Councillor - Matthew Shilling

That Council:

1. Notes the report '*Call for Nominations for Members of Greater Adelaide Regional Organisation of Councils (GAROC) - Casual Vacancies*'.
2. Nominates Mayor Hanna to the LGA for a position on the Greater Adelaide Regional Organisation of Councils (GAROC).
3. Notes that the above information will be forwarded to the LGA by 5.00pm Wednesday 26 February 2020.

Carried

Community Indicators for City of Marion's Strategic Plan 2019-2029

Report Reference: GC200211R06

Moved Councillor - Matthew Shilling Seconded Councillor - Raelene Telfer

That Council:

1. Adopts the suite of Community Indicators as a baseline for assessing progress of the Strategic Plan 2019-2029.

Carried

Joy Baluch Award Nomination

Report Reference: GC200211R08

Councillor - Raelene Telfer gave a personal explanation in relation to the item. She noted that:

- it never occurred to her that she would be put forward for the Joy Baluch Award, as there are many Mayors and Councillors across South Australia that are worthy
- her role modelling as a Councillor is about social cohesion, building social groups within in our society
- her diligence in all the planning and putting on land and infrastructure for licenses is the dream that when staff are in place these will come to fruition.
- her listening occurs by attending lots of events in the community and encouraging members to put their names forward for Awards.
- she believes it matters what is in front of your street and garden and it is all important to her.

Councillor - Raelene Telfer declared a perceived conflict of interest in the matter and the nomination related to her and she left the room.

9.06 pm Councillor - Raelene Telfer left the meeting

Moved Councillor - Jason Veliskou Seconded Councillor - Joseph Masika

That:

1. Council notes the report 'Joy Baluch Award Nomination'
2. Council nominates Councillor Raelene Telfer to the LGA for the Joy Baluch Award.

3. Administration forwards the above nominations to the Local Government Association by Friday 28 February 2020.

Carried Unanimously

9.07pm Councillor Telfer re-entered the meeting

Formal submission on the Draft Planning and Design Code

Report Reference: GC200211R09

Meeting Extension

Moved **Councillor – Nathan Prior** **Seconded** **Councillor – Jason Veliskou**

That

1. The meeting be extended until the conclusion of the item 'Formal Submission on the Draft Planning and Design Code' (Report Reference GC200211R09).

Carried Unanimously

9.27pm the meeting was extended

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

That Council:

1. Approves the submission regarding the Draft Planning and Design Code as attached to this report, to the State Planning Commission, with the following amendment:
 - On Page 403 - The reduction in on-site parking.... will inevitably result in additional pressures being placed on the local road network (add) *as these are the cause of constant complaints from residents to the Marion Council.*
2. Approves the inclusion of any submissions received by residents of the City of Marion as attachments to the Council's submission to the State Planning Commission.

Carried Unanimously

ITEMS NOT CONSIDERED

The following items were not considered at the meeting:

- Corporate and CEO KPI Report Quarter Two 2019/20 (Report Reference: GC200211R10)

- Rescission Motion - Spinnaker Circuit Reserve East (Report Reference: GC200211M01)

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 9.33pm

CONFIRMED THIS 25 DAY OF FEBRUARY 2020

.....

CHAIRPERSON