

MINUTES OF THE GC200512 - GENERAL COUNCIL MEETING - 12 May 2020
Tuesday, 12 May 2020 at 06:30 PM

Virtual Meeting Room - Zoom



PRESENT (via electronic attendance) :

Elected Members

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

DATE :

Tuesday, 12 May, 2020

I Time 6:30PM

In Attendance

Chief Executive Officer - Adrian Skull	General Manager City Development - Ilia Houridis
General Manager Corporate Services - Sorana Dinmore	General Manager City Services - Tony Lines
Manager Corporate Governance - Kate McKenzie	Governance Officer - Victoria Moritz

OPEN MEETING

The Mayor opened the meeting at 06:33 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 video of this General Council meeting will be live streamed on the City of Marion website. Following the meeting the recorded audio will be made available on the 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:

- Mayor Hanna declared a conflict of interest in the item *Confidential Rescission Motion - Disclosure Incident (GC200512M01)*
- Councillor Jason Veliskou declared a conflict of interest in the item *Confidential Rescission Motion - Disclosure Incident (GC200512M01)*
- Councillor Luke Hutchinson declared a conflict of interest in the item *Confidential Rescission Motion - Disclosure Incident (GC200512M01)*

CONFIRMATION OF MINUTES

Confirmation of the minutes for the Special General Council Meeting held on 27 April 2020 and General Council Meeting held on 28 April 2020

Report Reference: GC200512R01

Moved Councillor – Luke Hutchinson

Seconded Councillor – Nathan Prior

That the minutes of the Special General Council Meeting held on 27 April 2020 and General Council Meeting held on 28 April 2020 be taken as read and confirmed.

Carried Unanimously

ADJOURNED ITEMS - Nil

DEPUTATIONS

Marie Soliman - Hallett Cove Business Association

Report Reference: GC200512D01

Marie Soliman from the Hallett Cove Business Association gave a 5 minute deputation in support of the Future of Business Associations report.

Greg Garihly - Southern Business Connections

Report Reference: GC200512D02

Greg Garihly from the Southern Business Connections gave a 5 minute deputation regarding the proposal for Council to continue their support of Southern Business Connections.

The Mayor sought and was granted leave of the meeting to vary the order of the agenda and consider the following items next on the agenda:

- Public submissions on the Draft Annual Business Plan 2020-2021 (Report Reference: GC200512R04)
- Future of Business Associations (Report Reference: GC200512R06)
- Confirmation of the Minutes of the Review and Selection Committee Meeting held on 5 May 2020 (GC200512R02)
- Confirmation of the Minutes of the Urban Planning Committee Meeting held on 5 May 2020 (GC200512R03)
- Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held on 5 May 2020 (Report Reference: GC200512F01)

Public submissions on the Draft Annual Business Plan 2020-2021

Report Reference: GC200512R04

The Mayor invited any member of the public to comment on the Annual Business Plan and Budget and make a submission during the next 60 minutes period, commencing at 7.12pm and concluding at 8.12pm. The item will resume at the conclusion of this period.

Future of Business Associations

Report Reference: GC200512R06

Moved Councillor – Ian Crossland

Seconded Councillor – Matthew Shilling

It is recommended that Council:

1. Note the valuable contribution that the business associations have made over the past three years, including the number of volunteers and volunteer hours from business association boards over the past three years.
2. Endorse option 1 and;
 - 2.1 Enter into an agreement to contribute an amount of \$10,000 per year for three years with Southern Business Connections.
 - 2.2 Enter into an agreement to contribute an amount of \$5,000 per year for three years with Hallett Cove Business Association.

Carried unanimously

PETITIONS - Nil

COMMITTEE RECOMMENDATIONS

Moved Councillor – Matthew Shilling

Seconded Councillor – Raelene Telfer

That the following items be moved en bloc:

- Confirmation of the Minutes of the Review and Selection Committee Meeting held on 5 May 2020 (GC200512R02)
- Confirmation of the Minutes of the Urban Planning Committee Meeting held on 5 May 2020 (GC200512R03)
- Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held on 5 May 2020 (Report Reference: GC200512F01)

Carried Unanimously

Confirmation of the Minutes of the Review and Selection Committee Meeting held on 5 May 2020
Report Reference: GC200512R02

Moved Councillor – Matthew Shilling

Seconded Councillor – Raelene Telfer

That Council:

1. Receives and notes the Minutes of the Review and Selection Committee meeting held on 5 May 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 the Minutes of the Urban Planning Committee Meeting held on 5 May 2020
Report Reference GC200512R03

Moved Councillor – Matthew Shilling

Seconded Councillor – Raelene Telfer

That Council:

1. Receives and notes the Minutes of the Urban Planning Committee meeting held on 5 May 2020.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Urban Planning Committee.

Carried Unanimously

CONFIDENTIAL ITEMS

Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held on 5 May 2020

Report Reference: GC200512F01

Moved Councillor – Matthew Shilling

Seconded Councillor – Raelene Telfer

That Council

1. Receives and notes the Confidential Minutes of the Review and Selection Committee Meeting held on 5 May 2020.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.
3. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report having been considered in confidence under Section 90 (2) and (3)(a) 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.

Carried Unanimously

CORPORATE REPORTS FOR DECISION

Section 270 Review - Closure of Diagonal Way

Report Reference: GC200512R05

Moved Councillor – Joseph Masika

Seconded Councillor – Jason Veliskou

That Council:

1. Endorses the Section 270 Internal Review of Decision Report from Minter Ellison that indicates:
 - 1.1 Council had the power to close Diagonal Way
 - 1.2 Council sufficiently followed a consultation process under the Roads (Opening and Closing) Act 1991
2. Notes that the decision to close a portion of Diagonal Way remains in force.
3. Notes that the Complainant has been provided with a copy of the final report and will be advised of Council's decision as soon as practical.

Carried

Revitalisation of the Edwardstown Employment Precinct – Update to Action Plan
Report Reference: GC200512R07

Moved Councillor – Joseph Masika

Seconded Councillor – Sasha Mason

That Council:

1. Return the \$50,000 from the Community Grants budget back to the Community Grants budget (2020/21) for the purpose of community grants.
2. Allocate \$50,000 to Community Connections from funds identified in the third budget review to facilitate a contemporary community project within Raglan Avenue as part of the Revitalisation of the Edwardstown Employment Precinct Project.

The Mover with consent of the Seconder sought and was granted leave of the meeting to vary the motion as follows:

That Council (**as varied**):

1. Return the \$50,000 from the Community Grants budget back to the Community Grants budget (2020/21) for the purpose of community grants.

Carried Unanimously

Revitalisation of the Edwardstown Employment Precinct - Amendment of Decision
Report Reference: GC200512R08

Moved Councillor – Joseph Masika

Seconded Councillor – Luke Hutchinson

That Council:

1. Amend the resolution made on 11 June 2019:

That Council:

1. *Appoint the Deputy Mayor, Tim Pfeiffer, as the Chair of a Consultative Committee for North-South Road Corridor discussions.*

to the following:

That Council:

1. Appoint Councillor Sasha Mason as Chair of a Consultative Committee for North-South Road Corridor discussions.

Carried Unanimously

Grand Central Avenue / Shamrock Road - Proposed Half Road Closure

Report Reference: GC200512R09

Moved Councillor – Ian Crossland

Seconded Councillor – Tim Gard

That Council:

1. Notes the report.
2. Notes the outcome of the community consultation for the proposed half road closure.
3. Endorses the proposed half road closure at the intersection of Shamrock Road and Grand Central Avenue, Hallett Cove.

Carried Unanimously

Capella Nannigai Precinct Plan

Report Reference: GC200512R10

8.09pm Councillor Jason Veliskou left meeting

Moved Councillor – Ian Crossland

Seconded Councillor – Tim Gard

That Council:

1. Endorse the Nannigai Drive Reserve final concept plan for procurement and construction.
2. Endorse the allocation of an additional \$442,460 to the project for Stage 2 Capella Drive Reserve, to meet matching funding requirements of the DPTI open space grant program, subject to the application being successful.
3. Notes that a further report will be provided for Capella Drive Reserve (Stage 2) with findings of the community consultation and a final concept design.

Carried Unanimously

Public submissions on the Draft Annual Business Plan 2020-2021

Report Reference: GC200512R04

Item resumed at 8.12pm

Moved Councillor – Matthew Shilling

Seconded Councillor – Bruce Hull

That Council:

1. Notes feedback provided by any public representations on the Draft Annual Business Plan 2020-2021 and that a further report on the results of public consultation will be presented to Council at the meeting to be held on 9 June 2020.

Carried Unanimously

8.14pm Councillor Jason Veliskou re-entered the meeting

Oaklands Education Centre

Report Reference: GC200512R11

Moved Councillor – Bruce Hull

Seconded Councillor – Nathan Prior

That Council:

1. Notes the Report and supporting email from Flinders University.
2. Delegates authority to the CEO to extend the current Agreement with Flinders University for a further 12 months from January 2021 to December 2021.
3. Provides matching contribution of \$16,276 in the 2020/21 Annual Business Plan to support the provision of an Education Centre at Oaklands Wetlands.
4. Notes that a further report detailing the utilisation of the centre, actual cost of occupancy and next steps will be presented to Council in October 2021.

Carried Unanimously

Solar Car Parks

Report Reference: GC200512R12

PROCEDURAL MOTION

Moved Councillor – Ian Crossland

Seconded Councillor – Nathan Prior

That formal meeting procedures be suspended to discuss the item.

Carried Unanimously

8.21pm formal meeting procedures suspended

8.30pm Councillor Joseph Masika left the meeting

8.33pm Councillor Jason Veliskou left the meeting

8.36pm Councillor Jason Veliskou re-entered the meeting

8.37pm Councillor Joseph Masika re-entered the meeting

8.39pm formal meeting procedures resumed

Moved Councillor – Ian Crossland

Seconded Councillor – Tim Gard

That Council:

1. Notes the report.
2. Not progress further with any of the identified solar projects (Glandore Community Centre solar car park or Administration Building solar car park.)

Carried

Councillor Bruce Hull called a Division

Those for: Councillors Prior, Shilling, Telfer, Hutchinson, Crossland, Gard, Veliskou and Masika

Those against: Councillors: Hull, Clancy Mason and Duncan

Carried

Reconciliation Statement Policy - Public Consultation Summary

Report Reference: GC200512R13

Moved Councillor – Raelene Telfer

Seconded Councillor – Joseph Masika

That Council:

1. Notes the feedback received during public consultation (Appendix 2).
2. Endorses the Reconciliation Statement Policy as presented in Appendix 1.

Carried Unanimously

Open Space Plan Community Consultation

Report Reference: GC200512R14

Moved Councillor – Matthew Shilling

Seconded Councillor – Maggie Duncan

That Council:

1. Endorse the Draft Open Space Framework, which includes Open Space Methodology, Open Space Service Levels and the Open Space Plan, for community consultation.

Carried Unanimously

Draft Privacy Policy for Public Consultation

Report Reference: GC200512R15

Moved Councillor – Bruce Hull

Seconded Councillor – Joseph Masika

That Council:

1. Notes the draft Privacy Policy provided as Attachment 1 to this report.
2. Endorses the Privacy Policy for public consultation between 13 May and 2 June.
3. Receives a report back on community consultation findings and final endorsement on 9 June 2020.

Carried Unanimously

Elected Member Representatives for the Council Assessment Panel (CAP) 2020-21

Report Reference: GC200512R16

Councillor Raelene Telfer declared a conflict of interest in the item as she has been nominated as Member for the Council Assessment Panel and left the meeting.

Councillor Matthew Shilling declared a conflict of interest in the item as he has been nominated as Deputy Member for the Council Assessment Panel and left the meeting.

8.59pm Councillor Raelene Telfer left the meeting

8.59pm Councillor Matthew Shilling left the meeting

Moved Councillor – Kendra Clancy Seconded Councillor – Sasha Mason

That Council:

1. Appoints Councillor Raelene Telfer as Member of the Council Assessment Panel for a period of 1 July 2020 to 30 June 2021.
2. Appoints Councillor Matthew Shilling as Deputy Member of the Council Assessment Panel for a period of 1 July 2020 to 30 June 2021.

Carried Unanimously

9.00pm Councillor Matthew Shilling returned to the meeting

9.00pm Councillor Raelene Telfer returned to the meeting

COVID-19 - Council Members' Allowances and Benefits Policy

Report Reference: GC200512R17

Moved Councillor – Matthew Shilling Seconded Councillor – Nathan Prior

That Council:

1. Adopts the Council Members' Allowance and Benefits Policy as attached as Attachment 1 to this report.

Carried Unanimously

CORPORATE REPORTS FOR INFORMATION/NOTING

Moved Councillor – Matthew Shilling Seconded Councillor – Nathan Prior

That the following items be moved en bloc:

- Economic Development Update (Report Reference: GC200512R018)
- Corporate and CEO KPI Report Quarter Three 2019/20 (Report Reference: GC200512R19)
- Questions Taken on Notice Register (Report Reference: GC200512R20)

Carried Unanimously

Economic Development Update

Report Reference: GC200512R018

Moved Councillor – Matthew Shilling

Seconded Councillor – Nathan Prior

That:

1. Elected Members note the Economic Development function report and that this report will be brought to Council at six monthly intervals.

Carried Unanimously

Corporate and CEO KPI Report Quarter Three 2019/20

Report Reference: GC200512R19

Moved Councillor – Matthew Shilling

Seconded Councillor – Nathan Prior

That Council:

1. Notes the report and attachments.

Carried Unanimously

Questions Taken on Notice Register

Report Reference: GC200512R20

Moved Councillor – Matthew Shilling

Seconded Councillor – Nathan Prior

That Council:

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

Carried Unanimously

WORKSHOP / PRESENTATION ITEMS - Nil

MOTIONS WITH NOTICE

9.07pm Councillor Luke Hutchinson left the meeting and did not return

9.07pm Councillor Jason Veliskou left the meeting and did not return

9.07pm Mayor Kris Hanna left the meeting and did not return

In the absence of the Mayor, Deputy Mayor Matthew Shilling resumed the Chair

Confidential - Rescission Motion - Disclosure Incident

Report Reference: GC200512M01

Moved Councillor – Nathan Prior

Seconded Councillor – Joseph Masika

That pursuant to Section 90(2) and (3)(h) and (g) 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, Akos Szonyi, Kate McKenzie, Craig Clarke and Victoria Moritz, be excluded from the meeting as the Council receives and considers information relating to the Confidential - Rescission Motion - Disclosure Incident, 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 legal advice and a matter currently under a confidential order.

Carried

9.10pm the meeting went into confidence

MEETING EXTENSION

Moved Councillor - Ian Crossland

Seconded Councillor – Nathan Prior

That the meeting extended until the conclusion of the item

Carried Unanimously

9.28pm meeting extended.

9.36pm Councillor Joseph Masika left the meeting

9.38pm Councillor Joseph Masika re-entered the meeting

Moved Councillor – Tim Gard

Seconded Councillor – Joseph Masika

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999*, Council orders that this report, and the attachments to this report, having been considered in confidence under Section 90 (2) and (3)(g) and (h) 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. In accordance with Section 91(7) and (9) of the *Local Government Act 1999*, Council orders that the minutes to this report, having been considered in confidence under Section 90 (2) and (3)(g) and (h) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential until two weeks after Council has taken all reasonable steps to notify the relevant parties. This confidentiality order will be reviewed at the General Council Meeting in December 2020

Carried Unanimously

9.55pm the meeting came out of confidence

QUESTIONS WITH NOTICE - Nil

MOTIONS WITHOUT NOTICE

QUESTIONS WITHOUT NOTICE

OTHER BUSINESS

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 9.55 PM

CONFIRMED THIS 26th DAY OF May 2020

.....
CHAIRPERSON