

MINUTES OF THE GC200526 - GENERAL COUNCIL MEETING

Tuesday, 26 May 2020 at 06:30 PM

Held in Virtual Meeting Room - Zoom



Present (via electronic means):

Elected Members

Mayor - Kris Hanna

Councillor - Ian Crossland

Councillor - Bruce Hull

Councillor - Luke Hutchinson

Councillor - Matthew Shilling

Councillor - Tim Gard

Councillor - Nathan Prior

Councillor - Kendra Clancy

Councillor - Joseph Masika

Councillor - Jason Veliskou

Councillor - Raelene Telfer

Councillor - Maggie Duncan

Councillor - Sasha Mason

In Attendance (via electronic means):

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

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 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 declaration was made:

- Councillor - Ian Crossland in relation to the item 'Petition - Removal of Lower Field River Pines' (Report Reference: GC200526P01)

CONFIRMATION OF MINUTES

Confirmation of the minutes for the General Council Meeting held on 12 May 2020

Report Reference: GC200526R01

Moved Councillor - Raelene Telfer, Seconded Councillor - Bruce Hull

That the minutes of the General Council Meeting held on 12 May 2020 be taken as read and confirmed.

Carried Unanimously

COMMUNICATIONS

Mayoral Communication Report

Name of Elected Member: Mayor - Kris Hanna

Report Reference: GC200526R02

Details

Date	Event	Comments
25/4/20	Laid ANZAC Day wreath at Marion RSL war memorial	
27/4/20	GAROC- Current & Proposed Activities Webinar	Attended via Zoom
29/4/20	Marion City Band AGM	Attended via Zoom
13/5/20	COVID-19 briefing with Premier Steven Marshall	Attended via Zoom

Moved Councillor - Matthew Shilling, Seconded Councillor - Joseph Masika

That:

1. The Mayoral Communication report be received and noted.

Carried Unanimously

CEO and Executive Communications Report

Date of Council Meeting: 26 May 2020

Report Reference: GC200526R03

Details:

Date	Activity	Attended By
29 April 2020	Cross Council Meeting Recreation & Sport across the City of Marion, City of Charles Sturt and City of Port Adelaide Enfield Via Zoom	Adrian Skull Iliia Houridis

Minutes of the General Council Meeting held on 26 May 2020

29 April 2020	Tonsley Precinct Integrated Projects Workshop	Iliia Houridis
29 April 2020	Meeting Representation Review with State Electoral Office via Zoom	Tony Lines
30 April 2020	LGA COVID-19 Briefing on Business Support and Economic Recovery via Zoom	Adrian Skull
1 May 2020	Meeting Adrian Skull and Corey Wingard MP	Adrian Skull
4 May 2020	SRWRA Board Meeting via Zoom	Adrian Skull Sorana Dinmore
6 May 2020	Tonsley / Alawoona Funding Presentation	Iliia Houridis
6 May 2020	KPMG Meeting Metrics that Matter Workshop via Zoom	Adrian Skull Iliia Houridis Sorana Dinmore Tony Lines
8 May 2020	LGFSG Operational Briefing via Zoom	Iliia Houridis Sorana Dinmore
11 May 2020	KPMG Meeting Business Requirement Gathering: City Development via MS Teams	Adrian Skull Iliia Houridis
7 May 2020	SAALC Governance Meeting via Teams	Adrian Skull Iliia Houridis
7 May 2020	LGA CEO Advisory Board Group Meeting via Zoom	Adrian Skull
8 May 2020	Webinar with the Minister for Recreation, Sport and Racing re Sporting Industry Announcements after National Cabinet Meeting held on 8 May 2020	Adrian Skull
11 May 2020	JLT Australia, Risk Monthly Meeting via Zoom	Tony Lines
13 May 2020	LGA COVID-19 briefing with Premier Steven Marshall via Zoom	Sorana Dinmore
13 May 2020	Local Government Virtual Roadshow Adelaide	Sorana Dinmore (Panel Member) Iliia Houridis
13 May 2020	Online Microsoft Nonprofit CXO Summit Innovation and technology to accelerate impact	Sorana Dinmore Iliia Houridis

Minutes of the General Council Meeting held on 26 May 2020

13 May 2020	Infrastructure Planning Meeting for Alawoona Avenue, Mitchell Park via Zoom City of Marion, PEET, Junction Australia and Greenhill Australia	Tony Lines
14 May 2020	KPMG Meeting Business Requirement Gathering: Finance and Procurement	Sorana Dinmore
14 May 2020	DPTI Briefing Marion Road and Majors Road Planning Studies via Zoom	Ilia Houridis Tony Lines
15 May 2020	Meeting Adrian Skull and David Speirs MP	Adrian Skull
15 May 2020	Web seminar: The future of privacy regulation and ethics	Sorana Dinmore
15 May 2020	Webinar with the Minister for Recreation, Sport and Racing	Ilia Houridis
20 May 2020	Meeting Adrian Skull, Scott Ashby, Kirk Richardson (City of Onkaparinga), Mark Booth and Chris Adams (Southern Regional Waste Resource Authority)	Adrian Skull
20 May 2020	Meeting Adrian Skull, Scott Ashby (City of Onkaparinga) and Nikki Govan (Southern Adelaide Economic Development Board)	Adrian Skull
20 May 2020	Cross Council Irrigation Project Governance Meeting via Zoom Cities of Marion, Charles Sturt and Pt Adelaide Enfield	Tony Lines
20 May 2020	Meeting with DPTI via Zoom North-South Corridor Program	Tony Lines
21 May 2020	KPMG COVID-19 Research Interview via MS Teams	Adrian Skull
21 May 2020	Meeting Simon Shepherd (Principal, Westminster School), Ilia Houridis & Thuyen Vi- Alternetti	Ilia Houridis
21 May 2020	Meeting via Zoom Zone Emergency Management Committee (ZEMC)	Tony Lines

22 May 2020	GAROC CEOs Workforce Planning Update Workshop via Zoom	Adrian Skull
22 May 2020	Cross Council ICT Program Board Meeting	Sorana Dinmore
22 May 2020	KPMG Meeting via Zoom Metrics that Matter Workshop 2	Tony Lines Adrian Skull Ilia Houridis Sorana Dinmore

Moved Councillor - Matthew Shilling, Seconded Councillor - Joseph Masika

That:

1. The CEO and Executive Communication report be received and noted.

Carried Unanimously

ADJOURNED ITEMS - Nil

DEPUTATIONS

Lower Field River Native Vegetation Management Plan Deputation

Report Reference: GC200526D01

Damian Landrigan - Resident, gave a 5 minute deputation regarding the Lower Field River Native Vegetation Management Plan.

PETITIONS

Petition - Removal of Lower Field River Pines

Report Reference: GC200526P01

Councillor - Ian Crossland declared a material conflict of interest in the item as he lives in close proximity to the location concerned. He advised that he would leave the meeting for the item.

6.54pm Councillor - Ian Crossland left the meeting

Moved Councillor - Tim Gard, Seconded Councillor - Raelene Telfer

That:

1. Council notes the petition.

2. The group of approximately 30 Aleppo Pine trees in the Cormorant Drive Reserve, Hallett Cove, be removed in stages over the period of the next three years whilst a revegetation program takes affect during that period.
3. The Petitioners be advised of the decision

Carried

7.07pm Councillor - Ian Crossland re-entered the meeting

Deputation - Drug ARM Warradale

Report Reference: GC200526D02

Deb Lee - CEO of Adelaide Public Health Network (APHN) gave a 5 minute deputation regarding the Drug ARM Warradale.

7.13pm Councillor - Sasha Mason left the meeting

7.15pm Councillor – Sasha Mason re-entered the meeting

VARY ORDER OF AGENDA

The Chair sought and was granted leave of the meeting to vary the order of the agenda and bring forward the following item:

- Drug ARM Warradale (Report Reference: GC200526M01)

Drug ARM Warradale

Report Reference: GC200526M01

7.28pm Councillor - Sasha Mason left the meeting

7.29pm Councillor - Sasha Mason re-entered the meeting

Moved Councillor – Bruce Hull, Seconded Councillor - Joseph Masika

That:

1. Council write to the Premier and to the Federal Member of Boothby to seek an explanation as to why Drug Arm in Warradale has been closed and advise where and how the many clients in need of such services within our city can now obtain the broad assistance and counselling that is needed, particularly for our young people.

Amendment:

Moved Councillor – Raelene Telfer, Seconded Councillor - Tim Gard

That:

1. Council write to the Premier and to the Federal Member of Boothby to seek advice as to where and how the many clients in need of such services within our city can now obtain the broad assistance and counselling that is needed, particularly for our young people.

The Mayor gave a casting vote and voted against the amendment becoming the motion
The amendment to become the motion was **Tied**
The amendment to become the motion was **Lost**

The original motion was **Lost**

COMMITTEE RECOMMENDATIONS - Nil

CORPORATE REPORTS FOR DECISION

3rd Budget Review 2019/20

Report Reference: GC200526R04

Moved Councillor - Tim Gard, Seconded Councillor - Raelene Telfer

That Council:

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

Carried Unanimously

Digital Transformation Program and Resources

Report Reference: GC200526R05

Moved Councillor - Matthew Shilling, Seconded Councillor - Maggie Duncan

That Council:

1. Endorses the increase of four (4) Full Time Equivalent (FTEs) and two (2) shared resources within the Information Technology Transformation team comprising of:
 - Two Business Analysts for two years (one Level 6 and one Level 7 at approximately \$235k over the two year period).
 - Two Project Managers for two years (both Level 6 at approximately \$224k over the two year period).
 - One Chief Data Officer for three years with costs shared within our cross-council partners CCS and PAE.
 - One Data Analyst for two years or seeking shared resourcing with our cross-council partners.
2. Notes these additional FTE are above the requirements within the Chief Executive

Officers Employee Key Performance Indicator (KPI), and will not be included as part of the KPI result.

3. Notes that no additional budget is required and the positions will be funded from within existing budget allocations.

Carried Unanimously

Grant Guidelines and Grants Policy

Report Reference: GC200526R06

Moved Councillor - Ian Crossland, Seconded Councillor - Matthew Shilling

That Council:

1. Notes this report.
2. Approves the Community Grants Guidelines as attached in Attachment 1.
3. Approves the Youth Development Grant Guidelines as attached in Attachment 2.
4. Approves the Grants Policy as attached in Attachment 3.

Carried

Community Satisfaction Survey

Report Reference: GC200526R07

Moved Councillor - Ian Crossland, Seconded Councillor - Raelene Telfer

1. That Council endorse the following program of Community Surveys to allow us to baseline and trend the voice of the community, incorporate feedback into business planning and to inform our Corporate KPI measure as follows:
 - Year 1 Community Satisfaction survey (2018/19) - completed
 - Year 2 Events and Facilities survey (2019/20) - cancelled
 - Year 3 Community Satisfaction survey (2020/21)
 - Year 4 Events and Facilities survey (2021/22)

Carried Unanimously

Partial Road Closure - The Cove Road, Hallett Cove

Report Reference: GC200526R08

Moved Councillor - Ian Crossland, Seconded Councillor - Tim Gard

That Council:

1. Authorises the commencement of the Roads (Opening and Closing) Act process to close approximately 110 square metres of The Cove Road Hallett Cove on the corner of 30 Pindee Street Hallett Cove which requires:
 - preparation of a preliminary plan
 - preparation of a statement of affected parties and
 - undertaking of public consultation
2. Notes that the closed road will be merged with the adjacent land at 30 Pindee Street Hallett Cove being Lot 10 in D81050 in Certificate of Title Volume 6048 Folio 960.
3. Notes that the valuations for determining the market value of the land were undertaken in 2017 and authorises the sale to proceed without obtaining new valuations, subject to successful completion of the road closure process.
4. Authorises the preparation and execution of a Preliminary Agreement with the current owners of 30 Pindee Street Hallett Cove committing the owners to purchase the land for \$5,000 plus costs and GST subject to:
 - the outcome and Council resolution as a result of the public consultation process; and
 - successful completion of the road closure process
5. Notes that a report will be brought to Council for consideration of the outcome of the consultation under the Roads (Opening and Closing) Act 1991.
6. Pursuant to Section 37(b) of the Local Government Act 1999 authorises the Chief Executive Officer to enter into and execute all documentation necessary to commence the road closure process.

Carried Unanimously

Glyphosate use within the City of Marion

Report Reference: GC200526R09

Moved Councillor - Matthew Shilling, Seconded Councillor - Nathan Prior

That Council:

1. Notes the report.
2. Notes that Glyphosate is a Schedule 5 (use with caution) poison on the Australian Government's Therapeutic Goods Administration schedule of medicines and poisons, and based on available information, not classified as hazardous according to Safe Work Australia.
3. Notes that the City of Marion uses a range of mitigation actions to manage risks associated with Glyphosate use, including monitoring weather conditions before and during use, implementing thorough WHS procedures, and ensuring contractors have all appropriate controls in place.
4. Endorses continuing Glyphosate use in the City of Marion, using appropriate safety policies and procedures, as an effective herbicide in Council's weed management programs.

Carried

Councillor – Bruce Hull called for a division

The Mayor declared the vote set aside

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

Those Against: Councillors Mason, Hull, Gard and Clancy

Carried

De Laine Avenue, Edwardstown - Driveway Link

Report Reference: GC200526R10

Moved Councillor Masika, Seconded Councillor Mason

That Council:

1. Notes the report.
2. Requests the CEO to submit a report to the 9 June 2020 General Council Meeting under regulation 21(1) of the Local Government (Procedures at Meetings) Regulations to rescind the decision of 26 November 2019 that states:

That:

1. *The Driveway Link in Delaine Avenue, Edwardstown be removed as per the request of residents.*
2. *The work to be undertaken (as soon as possible) within the 2020/21 financial year as part of the Capital Works Program.*
3. *That \$47,000 be allocated with the 2020/21 Annual Business Plan (Transport).*

and makes a recommendation that Council:

- i. Retains the Driveway Link in Delaine Avenue, Edwardstown.
- ii. Endorses the following Driveway Link improvements:
 - a. Remove existing trees within the Link as they are considered non-frangible.
 - b. Increase the length of the Driveway Link.
 - c. Replace the existing pavers through the Link with contrasting coloured bitumen.
 - d. Increase landscaping areas to further define the Link.
 - e. Install appropriate signage to delineate the Link.
- iii. Reduces the 2020/21 budget allocation for the De Laine Driveway Link from \$47,000 (cost of removal) to \$25,000 (cost of compliance improvements and replacement of pavers with coloured bitumen).

Carried

Councillor Crossland called for a division

The Mayor declared the vote set aside

Those for: Councillors Shilling, Hutchinson, Prior, Clancy, Duncan, Telfer, Gard, Masika and Mason

Those Against: Councillors Veliskou, Crossland and Hull

Carried

Community Safety Inspectors: Hours and Service Levels

Report Reference: GC200526R11

Moved Councillor Crossland, Seconded Councillor Prior that formal meeting procedures be suspended to enable discussion on the item.

Carried Unanimously

8.49pm formal meeting procedures were suspended

8.51pm Councillor - Joseph Masika left the meeting

8.52pm Councillor - Luke Hutchinson left the meeting

8.53pm Councillor – Luke Hutchinson re-entered the meeting

9.01pm Councillor – Joseph Masika re-entered the meeting

9.03pm Councillor - Raelene Telfer left the meeting

9.11pm Councillor – Tim Gard left the meeting

9.12pm Councillor - Tim Gard re-entered the meeting

9.11pm Councillor - Maggie Duncan left the meeting

9.13pm Councillor – Raelene Telfer re-entered the meeting

9.13pm Councillor – Maggie Duncan re-entered the meeting

9.13pm formal meeting procedures were resumed

Moved Councillor – Ian Crossland, Seconded Councillor - Tim Gard

That Council:

1. Notes the outcomes of the post implementation review and the improvements to the service levels.
2. Maintains the current out of hours contractor service levels and resources.
3. Reinstates the 0.5 FTE to the Community Safety Inspector team (annual cost of \$45,000 indexed annually) as a result of the additional 'Local Nuisance' complaints caused by a transition of jurisdiction from the State Government EPA to Local Government.
4. Requests a series of ongoing targeted activities by the Community Safety Inspector Team to reduce ongoing complaints by the community. (This would include but is not limited to - parking across footpaths, driving or parking on reserves, dog fouling)

5. Brings a further report to Council in November 2021 with a review of the outcomes of these changes and any further suggestions which will improve the effectiveness of the Community Safety Inspector Team.

Carried

Councillor Hull call a division

The Mayor declared the vote set aside

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

Those Against: Councillors Hull, Clancy, Mason and Veliskou

Carried

CORPORATE REPORTS FOR INFORMATION/NOTING

Community Event Fund Annual Report 2019/2020

Report Reference: GC200526R12

Moved Councillor - Joseph Masika, Seconded Councillor - Bruce Hull

That Council:

1. Notes the report.
2. Endorses an increase in the fund from \$12,000 per annum to \$15,000 per annum, with the maximum amount available per application increasing from \$1,000 to \$2,000 (and update guidelines accordingly).

Carried Unanimously

Moved Councillor - Nathan Prior, Seconded Councillor - Raelene Telfer that the following items be moved en bloc:

- Work Health & Safety - Monthly Performance Report - April 2020 (Report Reference: GC200526R13)
- Finance Report - April 2020 (Report Reference: GC200526R14)

9.22pm Councillor – Ian Crossland left the meeting

9.22pm Councillor - Sasha Mason left the meeting

9.26pm Councillor - Sasha Mason re-entered the meeting

9.27pm Councillor – Ian Crossland re-entered the meeting

Carried Unanimously

Work Health & Safety - Monthly Performance Report - April 2020

Report Reference: GC200526R13

Moved Councillor- Nathan Prior, Seconded Councillor - Raelene Telfer

That Council:

1. Notes the report and statistical data contained therein.

Carried Unanimously

Finance Report - April 2020

Report Reference: GC200526R14

Moved Councillor - Nathan Prior, Seconded Councillor - Raelene Telfer

That Council:

1. Receives the report "Finance Report – April 2020"

Carried Unanimously

MEETING EXTENSION

Moved Councillor - Matthew Shilling, Seconded Councillor - Nathan Prior that the meeting be extended until the conclusion of the remaining items on the agenda.

Carried Unanimously

9.28pm meeting extended

WORKSHOP / PRESENTATION ITEMS - Nil

MOTIONS WITH NOTICE

Confidential - Rescission Motion - Disclosure Incident

Report Reference GC200526M02

Moved Councillor – Matthew Shilling, Seconded Councillor – Jason Veliskou

1. 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 Jaimie Thwaites, 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

9.29pm the meeting went into confidence

10.30pm Councillor -Joseph Masika left the meeting

Moved Councillor - Jason Veliskou, Seconded Councillor - Raelene Telfer

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* (the Act), Council orders that this report, the attachments to this report and the minutes, 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.

Carried

10.30pm the meeting came out of confidence

QUESTIONS WITH NOTICE - Nil

MOTIONS WITHOUT NOTICE - Nil

QUESTIONS WITHOUT NOTICE - Nil

CONFIDENTIAL ITEMS

Disclosure Incident

Report Reference: GC200526F01

Moved Councillor – Jason Veliskou, Seconded Councillor – Maggie Duncan

That:

1. Pursuant to Section 90(2) and (3)(h) 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 Jaimie Thwaites, be excluded from the meeting as the Council receives and considers information relating to the item - *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.

Carried

10.32pm the meeting went into confidence

Moved Councillor - Jason Veliskou, Seconded Councillor – Maggie Duncan

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report and the minutes having been considered in confidence under Section 90 (2) and (3)(h) of the Act, except when required to effect or comply with Council's resolutions(s) regarding this matter be kept confidential and not available for public inspection, until two weeks after Council has taken all reasonable steps to notify the relevant parties. This confidential order will be reviewed at the General Council Meeting in December 2020.

Carried

10.34pm the meeting came out of confidence

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 10.34pm

CONFIRMED THIS 9TH DAY OF JUNE 2020

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CHAIRPERSON