

**MINUTES OF THE GC200609 - GENERAL COUNCIL  
MEETING**

**Tuesday, 09 June 2020 at 6:30 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 6:32pm

**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.

Nil declarations were made.

**CONFIRMATION OF MINUTES**

**Confirmation of the minutes for the General Council Meeting held on 26 May 2020 Report**

**Reference:** GC200609R01

**Moved Councillor – Matthew Shilling, Seconded Councillor – Luke Hutchinson**

That

1. The minutes of the General Council Meeting held on 26 May 2020 be taken as read and confirmed.

**Carried Unanimously**

## **ADJOURNED ITEMS - Nil**

## **DEPUTATIONS**

### **Deputation Request - Abraham Palakat (Request Denied)**

**Report Reference:** GC200609D01

Council noted that Mr Abraham Palakat requested to make a deputation to Council in relation to the Development Application for the proposed Petrol Station at 373 Diagonal Road, Oaklands Park. The request was denied on the grounds Council is not the decision-making body in relation to the development application.

## **PETITIONS**

### **Petition - Petrol Station at 373 Diagonal Road, Sturt (Development Application No: 200/2020/0568)**

**Report Reference:** GC200609P01

**Councillor - Matthew Shilling** declared a perceived conflict of interest in the matter as he is the deputy member for the Council Assessment Panel. He declared that he would remain in the meeting for the item.

### **Moved Councillor – Raelene Telfer, Seconded Councillor – Bruce Hull**

That:

1. Council Notes the petition and comments provided by Administration.
2. The head petitioner be advised that Council has noted the petition and that the development application, pursuant to Council's Development Delegations Policy, will be delegated to the Council Assessment Panel (CAP) for consideration and decision, and, all valid representors will be invited to attend the Panel at the relevant meeting.
3. If any additional petitions are received relating to the matter (Development Application No: 200/2020/0568), then the relevant head petitioner will be advised that the application will be considered by the CAP and all valid representors will be invited to attend the relevant Panel meeting.

**Amendment:**

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

That:

1. Council Notes the petition and comments provided by Administration.
2. The head petitioner be advised that Council has noted the petition and that the development application, pursuant to Council's Development Delegations Policy, will be delegated to the Council Assessment Panel (CAP) for consideration and decision, and, all valid representors will be invited to attend the Panel at the relevant meeting.
3. If any additional petitions are received relating to the matter (Development Application No: 200/2020/0568), then the relevant head petitioner will be advised that the application will be considered by the CAP and all valid representors will be invited to attend the relevant Panel meeting.
4. Council communicate to the residents of Sturt and Seacombe Gardens the appropriate process for development applications (including category 2 and category 3 explanations for the Development Application No: 200/2020/0568).

The amendment to become the motion was **Carried**  
(Councillor – Matthew Shilling voted in favour)

The motion as amended was **Carried**  
(Councillor – Matthew Shilling voted in favour)

**COMMITTEE RECOMMENDATIONS**

**Confirmation of Minutes of the Finance and Audit Committee Meeting held on 19 May 2020**

**Report Reference:** GC200609R02

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

That Council:

1. Receives and notes the minutes of the Finance and Audit Committee meeting held on 19 May 2020.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance and Audit Committee.

**Carried Unanimously**

**Confirmation of Minutes of the Infrastructure & Strategy Committee Meeting held on 2 June 2020**

**Report Reference:** GC200609R03

**Moved Councillor – Matthew Shilling, Seconded Councillor – Sasha Mason**

That Council:

1. Receives and notes the minutes of the Infrastructure & Strategy Committee meeting held on 2 June 2020.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Infrastructure & Strategy Committee.

**Carried Unanimously**

**CORPORATE REPORTS FOR DECISION**

**Draft Annual Business Plan 2020/21 and Draft Long Term Financial Plan Report**

**Reference:** GC200609R04

**Moved Councillor – Jason Veliskou, Seconded Councillor – Raelene Telfer** that formal meeting proceedings be suspended to enable discussion on the item.

7.13pm formal meeting proceedings were suspended

7.21pm Councillor – Nathan Prior left the meeting

7.22pm Councillor – Nathan Prior re-entered the meeting

7.37pm formal meeting proceeding were resumed

**Moved Councillor – Bruce Hull, Seconded Councillor – Maggie Duncan**

That:

1. The Draft Annual Business Plan 2020-21 and Draft Long Term Financial Plan (Attachment 1) be prepared for final consideration at the 23 June 2020 General Council Meeting with variations as approved by Council on the basis of:
  - Average Rate increase of 0%
  - Minimum Rate of \$1,059
  - Capping set at 12% with a \$20 minimum and \$200 maximum
  - Differential Rate by land use:
    - Commercial 85%
    - Industrial 70%
    - Vacant Land 100%

2. The Draft Fees & Charges Schedule for 2020-21 (Attachment 2) be endorsed by Council, subject to the Fees & Charges policy being finalised in light of the final decisions to be made by Council as part of the ABP process.
3. The Grants Program for 2020-21 (Attachment 3) be endorsed by Council.
4. Council notes the feedback received from the Public consultation period held from 30 April to 20 May 2020. Any variations to the plan made by Council as a result of public consultation feedback will be referred to the 23 June 2020 General Council meeting for final adoption in the plan.
5. Council notes the inclusion of the corporate Key Performance Indicator (KPI) around Carbon Neutrality and other general amendments made to the plan as outlined in the report.

**AMENDMENT:**

**Moved Councillor – Raelene Telfer, Seconded Councillor – Jason Veliskou**

That:

1. The Draft Annual Business Plan 2020-21 and Draft Long Term Financial Plan (Attachment 1) be prepared for final consideration at the 23 June 2020 General Council Meeting with variations as approved by Council on the basis of:
  - Average Rate increase of 0% in quarter 1, 0% in quarter 2, 1.6% in quarter 3 and 1.6% in quarter 4
  - Minimum Rate of \$1,059
  - Capping set at 12% with a \$20 minimum and \$200 maximum
  - Differential Rate by land use:
    - Commercial 85%
    - Industrial 70%
    - Vacant Land 100%
2. The Draft Fees & Charges Schedule for 2020-21 (Attachment 2) be endorsed by Council, subject to the Fees & Charges policy being finalised in light of the final decisions to be made by Council as part of the ABP process.
3. The Grants Program for 2020-21 (Attachment 3) be endorsed by Council.
4. Council notes the feedback received from the Public consultation period held from 30 April to 20 May 2020. Any variations to the plan made by Council as a result of public consultation feedback will be referred to the 23 June 2020 General Council meeting for final adoption in the plan.
5. Council notes the inclusion of the corporate Key Performance Indicator (KPI) around Carbon Neutrality and other general amendments made to the plan as outlined in the report.

The amendment to become the motion was **Lost**  
The original motion was **Carried**

**Councillor - Matthew Shilling called for a division**

The Mayor declared the vote set aside

**Those For:** Councillors – Luke Hutchinson, Ian Crossland, Tim Gard, Matthew Shilling, Nathan Prior, Maggie Duncan, Raelene Telfer, Bruce Hull, Kendra Clancy, Sasha Mason, Jason Veliskou and Joseph Masika

**Those Against:** none

**Carried Unanimously**

**Final Privacy Policy**

**Report Reference:** GC200609R05

**Moved Councillor – Ian Crossland, Seconded Councillor – Tim Gard**

That Council:

1. Defers the item until the July 2020 General Council meeting to enable the procedure to be presented with the item.

**Carried Unanimously**

**Proposed Biennial Service Review Program 20/21 and 21/22 Report**

**Reference:** GC200609R06

**Moved Councillor – Maggie Duncan, Seconded Councillor – Matthew Shilling**

That Council:

1. Endorses the proposed Biennial Service Review Program and draft Service Review Program (FY2020/21) as provided in appendix 1.

**Carried Unanimously**

**Living Kurna Cultural Centre Management Model - Status Update**

**Report Reference:** GC200609R07

7.56pm Councillor – Sasha Mason left the meeting

8.01pm Councillor – Sasha Mason re-entered the meeting

8.01pm Councillor – Luke Hutchinson left the meeting

8.03pm Councillor – Luke Hutchinson re-entered the meeting

**Moved Councillor – Raelene Telfer, Seconded Councillor – Jason Veliskou**

That:

1. Council Notes the report.
2. A rescission motion be tabled at the 23 June 2020 General Council meeting to rescind the following resolution of 28 January 2020 (GC200128R07):

*If no proposal is received by the due date Council will automatically commence an EOI. KYAC will be also be able to submit an expression of interest whether or not they make a submission to Council before the due date.*

And makes a recommendation that:

1. Council extends the due date for Kaurna’s submission of a proposal for management of the LKCC by 3 months to 31 August 2020, as requested in KYAC’s letter of 29 May 2020.
2. Suspends further development of a Kaurna management model, including Warriparinga Development Group meetings, until such a proposal is received.
3. If no proposal is received by the due date Council will automatically commence an EOI. KYAC will be also be able to submit an expression of interest whether or not they make a submission to Council before the due date.
4. Notes that any successful EOI must include an ongoing partnership with the Kaurna people at the LKCC.

**Carried**

**Councillor - Ian Crossland called for a division**

The Mayor declared the vote set aside

**Those For:** Councillors – Luke Hutchinson, Ian Crossland, Tim Gard, Matthew Shilling, Nathan Prior, Maggie Duncan, Raelene Telfer, Kendra Clancy, Sasha Mason, Jason Veliskou and Joseph Masika

**Those Against:** Councillor – Bruce Hull

**Carried**

**Revitalisation of the Edwardstown Employment Precinct - Update and Next Steps Report**

**Reference:** GC200609R08

8.22pm Councillor – Matthew Shilling left the meeting

**Moved Councillor – Jason Veliskou, Seconded Councillor – Sasha Mason**

That Council:



1. Notes the achievements and recommendations of the 2019/20 Action Plan (Attachment 1).
2. Notes the Urban Design Framework and Economic Activation recommendations by independent consultants (Attachments 2 and 3).
3. Endorses the following actions and resources:
  - Resource a Level 6 Project Coordinator at 0.8 FTE for 4 months costing up to \$27,000 to maintain existing renewal program including business engagement, greening project, grant submissions.
4. Refers the item to a Woodlands Ward Briefing and the Urban Planning Committee for further discussion.

**Carried Unanimously**

8.31pm Councillor – Matthew Shilling re-entered the meeting

**Rescission Motion - De Laine Avenue, Edwardstown - Driveway Link Report**

**Reference:** GC200609R09

**Moved Councillor – Joseph Masika, Seconded Councillor – Sasha Mason**

That Council:

1. Rescinds the following decision from its meeting on 26 November 2019:
  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).*

That Council:

1. Retains the Driveway Link in De Laine Avenue, Edwardstown.
2. 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.

3. Reduces the 2020/21 budget allocation for the De Laine Avenue, Edwardstown Driveway Link from \$47,000 (cost of removal) to \$25,000 (cost of compliance improvements and replacement of pavers with coloured bitumen).

**Carried**

**Councillor - Bruce Hull called for a division**

The Mayor declared the vote set aside

**Those For:** Councillors - Tim Gard, Matthew Shilling, Nathan Prior, Maggie Duncan, Raelene Telfer, Kendra Clancy, Sasha Mason, Jason Veliskou and Joseph Masika

**Those Against:** Councillors – Bruce Hull, Luke Hutchinson and Ian Crossland

**Carried**

**CORPORATE REPORTS FOR INFORMATION/NOTING**

**Moved Councillor – Ian Crossland, Seconded Councillor – Maggie Duncan** that the following items be moved en bloc:

- Corporate Risk Quarterly Report (Report Reference: GC200609R10)
- Questions Taken on Notice Register (Report Reference: GC200609R12)

**Carried Unanimously**

**Corporate Risk Quarterly Report**

**Report Reference:** GC200609R10

**Moved Councillor – Ian Crossland, Seconded Councillor – Maggie Duncan**

That Council:

1. Notes the report including the mitigation strategies for high rated risks.

**Carried Unanimously**

**Questions Taken on Notice Register**

**Report Reference:** GC200609R12

**Moved Councillor – Ian Crossland, Seconded Councillor – Maggie Duncan**

That Council:

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

**Carried Unanimously**

## **Ceasing Southern Adelaide Economic Development Board**

**Report Reference:** GC200609R11

- 8.45pm Councillor – Maggie Duncan left the meeting
- 8.45pm Councillor – Ian Crossland left the meeting
- 8.46pm Councillor – Ian Crossland re-entered the meeting
- 8.46pm Councillor – Maggie Duncan re-entered the meeting

**Moved Councillor – Bruce Hull, Seconded Councillor – Nathan Prior**

That Council:

1. Notes the report 'Ceasing Southern Adelaide Economic Development Board'.

**Carried Unanimously**

## **WORKSHOP / PRESENTATION ITEMS - Nil**

## **MOTIONS WITH NOTICE - Nil**

## **QUESTIONS WITH NOTICE**

### **Hardship Policy Applications**

**Elected Member:** Councillor Jason Veliskou

**Report Reference:** GC200609Q01

### **Questions:**

1. How many residential ratepayers have applied for and received hardship extensions/deferrals under our hardship policy, and what percentage are they of the total number of residential ratepayers?
2. How many non-residential ratepayers have applied for and received hardship extensions/deferrals under our hardship policy, and what percentage are they of the total number of non-residential ratepayers?

### **Supporting Information:**

Nil.

### **Response Received From:**

Manager Finance - Ray Barnwell

**Staff Comments:**

**How many residential ratepayers have applied for and received hardship extensions/deferrals under our hardship policy, and what percentage are they of the total number of residential ratepayers?**

As at 4 June 2020 - 200 out of 41,298 residential ratepayers have applied for and been supported with rate extensions under our hardship policy.

This represents 0.48% of our total residential ratepayers.

**How many non-residential ratepayers have applied for and received hardship extensions/deferrals under our hardship policy, and what percentage are they of the total number of non-residential ratepayers?**

As at 4 June 2020 - 212 out of 2,656 non-residential ratepayers have applied for and been supported with rate extensions under our hardship policy.

This represents 7.98% of our total non-residential ratepayers.

It should be noted that of the 212 non-residential ratepayers noted above, 150 of these relate to two individual applicants who have multiple tenancies. These have been granted a 30 day extension and have agreed they will be in a position to pay in full by the end of this financial year.

**MOTIONS WITHOUT NOTICE - Nil**

**QUESTIONS WITHOUT NOTICE - Nil**

**CONFIDENTIAL ITEMS**

**Cats (Confinement) Variation By-law Legislative Review Committee**

**Report Reference:** GC200609F01

**Moved Councillor - Shilling, Seconded Councillor - Veliskou**

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, Ray Barnwell, Iliia Houridis, Tony Lines, Sorana Dinmore, Kate McKenzie, Jaimie Thwaites, Warwick Deller-Coombs, Luke Manuel, Sharon Perin and Craig Clarke, be excluded from the meeting as the Council receives and considers information relating to the *Cats (Confinement) Variation By-law Legislative Review Committee*, 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 Unanimously**

8.48pm meeting went into confidence

8.48pm Councillor – Luke Hutchinson left the meeting and did not return

8.55pm Councillor – Joseph Masika left the meeting

9.02pm Councillor – Joseph Masika re-entered the meeting

**Moved Councillor – Raelene Telfer, Seconded Councillor – Bruce Hull**

That Council:

1. Receives and notes this report, including the attached legal advice.
2. Endorses Administration to write to the Legislative Review Committee reaffirming Council's position that the By-law should be progressed in its current form.

**Carried**

**Councillor - Matthew Shilling called for a division**

The Mayor declared the vote set aside

**Those For:** Councillors – Raelene Telfer, Ian Crossland, Sasha Mason, Kendra Clancy, Nathan Prior, Bruce Hull, Joseph Masika, Jason Veliskou and Tim Gard

**Those Against:** Councillors – Matthew Shilling and Maggie Duncan

**Carried**

**Moved Councillor – Ian Crossland, Seconded Councillor – Raelene Telfer**

That Council:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, *Cats (Confinement) Variation By-law Legislative Review Committee*, and any associated appendices arising from this report 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 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**

9.12pm meeting came out of confidence

## City Wide Attraction - Glenthorne National Park

Report Reference: GC200609F02

**Moved Councillor – Ian Crossland, Seconded Councillor – Maggie Duncan**

That

1. Pursuant to Section 90(2) 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, Iliia Houridis, Tony Lines, Sorana Dinmore, Kate McKenzie, Jaimie Thwaites, Rebecca Deans, Greg Salmon, Renee Pitcher and Craig Clarke, be excluded from the meeting as the Council receives and considers information relating to the *City Wide Attraction - Glenthorne National Park*, 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 of a confidential nature and the disclosure of which would be contrary to the public interest.

**Carried**

9.24pm meeting went into confidence

### MEETING EXTENSION

**Moved Councillor – Matthew Shilling, Seconded Councillor - Nathan Prior** that the meeting be extended until the conclusion of the item '*City Wide Attraction - Glenthorne National Park*' (Report Reference: GC200609F02).

**Carried Unanimously**

9.30pm meeting extended

**Moved Councillor – Ian Crossland, Seconded Councillor – Maggie Duncan**

That Council:

1. Endorses a partnership with State Government to construct a City Wide Attraction playground at Glenthorne National Park.
2. Endorses investment via grant of \$2.0 million towards the construction of the City Wide Attraction, subject to a funding deed being approved by Council and the Minister for Environment and Water which sets out responsibilities for design, tender, build and maintenance.
3. Notes a commitment from the State Government towards the Nature Play Area (Glenthorne Hub) and immediate surrounding facilities.

**Carried Unanimously**

**Moved Councillor – Ian Crossland, Seconded Councillor – Maggie Duncan**

That Council:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, *City Wide Attraction - Glenthorne Park*, and any associated appendices arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential until permission is granted by the Minister for Environment and Water to release. 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**

9.41pm meeting came out of confidence

**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 9.41pm**

**CONFIRMED THIS 23RD DAY OF JULY 2020**

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**CHAIRPERSON**