

**MINUTES OF THE GC200922 - GENERAL COUNCIL MEETING**

**Tuesday, 22 September 2020 at 06:30 PM**

**Council Administration Centre, 245 Sturt Road, Sturt**



## **PRESENT**

### **Elected Members**

Mayor – Kris Hanna

Councillor – Ian Crossland

Councillor – Maggie Duncan

Councillor – Matthew Shilling

Councillor – Luke Hutchinson (Electronically)

Councillor – Raelene Telfer

Councillor – Bruce Hull

Councillor – Nathan Prior

Councillor - Kendra Clancy

Councillor – Jason Veliskou (Electronically)

Councillor – Joseph Masika

Councillor – Sasha Mason

### **In Attendance:**

General Manager City Development - Ilia Houridis

General Manager Corporate Services – Sorana Dinmore

Unit Manager Governance and Council Support – Jaimie Thwaites

Governance Officer – Victoria Moritz

## **OPEN MEETING**

The Mayor opened the meeting at 06:30 PM

## **KAURNA ACKNOWLEDGEMENT**

We acknowledge the Kurna 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:

- Councillor Shilling declared an actual conflict of interest in the Foreshadowed Motion without Notice *Council involvement in ERD Court Appeal - Petrol Station at 373 Diagonal Road, Sturt (Development Application No: 100/2020/0568)* Report Reference: GC200922M01
- Councillor Telfer declared a perceived conflict of interest in the Foreshadowed Motion without Notice *Council involvement in ERD Court Appeal - Petrol Station at 373 Diagonal Road, Sturt (Development Application No: 100/2020/0568)* Report Reference: GC200922M01
- Councillor Telfer declared an actual conflict of interest in the item *Westminster Reserve* Report Reference: GC200922F03.

## **CONFIRMATION OF MINUTES**

**Confirmation of the minutes for the General Council Meeting held on 25 August 2020**

**Report Reference:** GC200922R01

**Moved Councillor – Raelene Telfer, Seconded Councillor – Maggie Duncan**

That the minutes of the General Council Meeting held on 25 August 2020 be taken as read and confirmed.

**Carried Unanimously**

## COMMUNICATIONS

### Mayoral Communication Report

Name of Elected Member: Mayor - Kris Hanna

Report Reference: GC200922R02

Date	Event	Comments
26 August 2020	Online meeting with LGA and cross-bench Legislative Councillors	
27 August 2020	CoastFM Interview	
30 August 2020	Marion RSL Annual General Meeting	
30 August 2020	Marion City Lions Inaugural Lunch	Toasted the club, made a donation
2 September 2020	CAP meeting regarding proposed Service Station at Diagonal Road	
5 September 2020	Woodend Path Name Unveiling and Planting Event	Gave speech
5 September 2020	Glengowrie Uniting Netball Club Presentations	
10 September 2020	Marion Sports and Community Club Committee Meeting	
12 September 2020	Hamilton Reserve Official Opening	Unveiled plaque
12 September 2020	Marion RSL Bowling Club Opening and Trophy Day	Gave speech, first bowl of the season
13 September 2020	Cove Tigers Netball Club Presentations	
15 September 2020	Launch of Women's Suffragists Tiled Photo Board Project	
16 September 2020	City of Marion Gap Year Program Presentation at Hamilton Secondary College	

### Moved Councillor – Joseph Masika, Seconded Councillor – Maggie Duncan

That:

1. The Mayoral Communication Report be received.

**Carried Unanimously**

## Deputy Mayor Communication Report

**Date of Council Meeting:** 22 September 2020

**Name of Elected Member:** Councillor - Matthew Shilling

**Report Reference:** GC200922R03

Date	Event	Comments
2 September 2020	CAP Meeting	Part of meeting as Deputy Council Member
3 September 2020	Planting along Woodend Way path	Represented the Mayor and planted a tree with David Speirs MP, spoke to the group.
8 September 2020	Cove Cobras FC Committee Meeting	Attended as Council Liaison
21 September 2020	Meeting with Amanda Rishworth MP to discuss local issues	Cr Duncan also attended

## Moved Councillor – Joseph Masika, Seconded Councillor – Maggie Duncan

That:

1. The Deputy Mayor Communications Report be received.

**Carried Unanimously**

## CEO and Executive Communications Report

**Date of Council Meeting:** 22 September 2020

**Report Reference:** GC200922R04

Date	Activity	Attended By
26 August 2020	Meeting   Donna Fenton (Dell) - CoM IT	Sorana Dinmore
27 August 2020	Meeting   Friends of Sturt River Landcare Group	Tony Lines
27 August 2020	Committee Meeting   Southern Recycling Centre Joint Venture	Sorana Dinmore
28 August 2020	Online Seminar   Her Tech Path - Getting	Sorana Dinmore

	ahead in the tech sector	
1 September 2020	Meeting   KPMG re Internal Audit Stores Management	Tony Lines
1 September 2020	Meeting   Adrian Skull and Wendy Campana	Adrian Skull
2 September 2020	Meeting   Adrian Skull and Shanti Ditter	Adrian Skull
2 September 2020	Meeting   Adrian Skull and David Speirs MP	Adrian Skull
2 September 2020	Meeting   Adrian Skull and Susan Neuhaus	Adrian Skull
3 September 2020	Meeting   Adrian Skull, Mark Withers (PaE) and Paul Sutton (CCS)	Adrian Skull
3 September 2020	Event   Minister Speirs and Woodend Primary School - tree planting at Woodend Way, Sheidow Park	Tony Lines
3 September 2020	Meeting   Peter Harmer (Harmer Consulting), Warwick Deller-Coombs, Stephen Zillante & Ilia Houridis re PDI Impacts	Ilia Houridis
4 September 2020	Cross Council Meeting   PAE, CCS - ICT Program	Sorana Dinmore
4 September 2020	Meeting   Western Adelaide Consultative Group (WACG)	Adrian Skull
5 September 2020	Community Event   Mayor Hanna and Minister Speirs - tree planting and naming of Woodend Way, Sheidow Park	Tony Lines
7 September 2020	Meeting   Housing Renewal Australia re Oaklands Green	Tony Lines
8 September 2020	Meeting   Corey Turner (SCI) and Jeffrey Newchurch re LKCC Management	Tony Lines
9 September 2020	Meeting   Cities of Port Adelaide Enfield, Charles Sturt and Marion with Erika Comrie re Cross Council Civil Service	Tony Lines

	Review	
9 September 2020	Meeting   Alex KerrGrant (CAMMS) - Project management software	Sorana Dinmore
11 September 2020	Presented   LGA Council CEO Forum	Adrian Skull
12 September 2020	Hamilton Reserve official opening	Adrian Skull
14 September 2020	Meeting   Adrian Skull and Dianne Vaneck	Adrian Skull
15 September 2020	Greening Edwardstown tour with Minister Speirs	Adrian Skull
15 September 2020	Meeting   Adrian Skull, Tony Lines, James Holyman and Mayor Alison Nunan (District Council of Robe)	Adrian Skull Tony Lines
16 September 2020	Meeting   Dustin Feneley (FieldForce4) - Productivity software presentation	Sorana Dinmore
16 September 2020	Meeting   Christopher White (Director, Corporate, City of Onk) - Introduction and collab opportunities	Sorana Dinmore
16 September 2020	Network Forum   LG Professionals SA - Innovating the Future	Sorana Dinmore
16 September 2020	Meeting   Philipp Dautel (Renewal SA) & Iliia Houridis re Tonsley	Iliia Houridis
17 September 2020	Meeting   Wade Reynolds (GM Corporate Services, Mitcham) - introduction and collab opportunities	Sorana Dinmore
17 September 2020	Meeting   KPMG - Internal Audit, COVID response and business continuity	Sorana Dinmore
18 September 2020	Meeting   Cross Council Initiatives – CEO Update with City of Marion, City of Charles Sturt and City of Port Adelaide Enfield	Adrian Skull
21 September 2020	AGM & Board Meeting   SRWRA	Sorana Dinmore

21 September 2020	Meeting   Kylie Taylor, Anthea Shem & David Nash (Office of Recreation Sport & Racing), Ilia Houridis, Greg Salmon & Brett Grimm re Marion Regional Centre and Warracowie Way	Ilia Houridis
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**Moved Councillor – Joseph Masika, Seconded Councillor – Maggie Duncan**

That:

1. The CEO and Executive Communications Report be received.

**Carried Unanimously**

**Council Member Communications Report**

**Date of Council Meeting:** 22 September 2020

**Council Member:** Raelene Telfer

<b>Date</b>	<b>Event</b>	<b>Comment</b>
29 August 2020	Cosgrove Hall AGM	Chaired elections
8 September 2020	Warriparinga Ward	Briefing with staff via zoom
9 September 2020	Mitchell Park S C Centre	Met Land and Property staff re Management model
15 September 2020	Women's Suffragist photo tile board	Official Launch
17 September 2020	Reconciliation Action Plan	Working Group Meeting
17 September 2020	Mitchell Park Writer's Project	Staff discussions re contacting community

**ADJOURNED ITEMS - Nil**



## PETITIONS

### **Petition - Reserve Upgrade - Ludgate Avenue and Phyllis Court Trott Park**

**Report Reference:** GC200922P01

### **Moved Councillor Duncan, Seconded Councillor Shilling**

That Council:

1. Notes the petition and comments provided by Administration.
2. The head petitioner be advised that Council has noted the petition.

**Carried Unanimously**

## DEPUTATIONS - Nil

## COMMITTEE RECOMMENDATIONS

**Moved Councillor – Matthew Shilling, Seconded Councillor - Ian Crossland** that the following items listed under Committee Recommendations be moved en bloc:

- *Confirmation of the minutes for the Urban Planning Committee Meeting held on 1 September 2020* Report Reference: GC200922R05
- *Confirmation of the Minutes for the Special Review and Selection Committee Meeting held on 15 September 2020* Report Reference: GC200922R06

**Carried Unanimously**

### **Confirmation of the minutes for the Urban Planning Committee Meeting held on 1 September 2020**

**Report Reference:** GC200922R05

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

That Council:

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

**Carried Unanimously**

**Confirmation of the Minutes for the Special Review and Selection Committee Meeting held on 15 September 2020**

**Report Reference:** GC200922R06

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

That Council:

1. Receives and notes the minutes of the Review and Selection Committee meeting held on 15 September 2020.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.

**Carried Unanimously**

**ORDER OF AGENDA ITEMS**

The Mayor sought and was granted leave of the meeting to vary the order of the agenda and move the confidential items to be considered at the end of the agenda.

**CORPORATE REPORTS FOR DECISION**

**Grant For Food Waste Recycling Program**

**Report Reference:** GC200922R07

**Moved Councillor – Kendra Clancy, Seconded Councillor – Bruce Hull**

That Council:

1. Notes that the Kitchen Caddy business case, which outlines an additional Council expenditure of \$192,500 in 2020/21 will repay itself by 2022/23, and thereafter result in waste disposal savings of approximately \$200,000 per annum.
2. Endorses an area-wide roll-out to 40,500 households of ventilated kitchen caddy and compostable liners by 30 June 2021 with the aim of reducing food waste sent to landfill (subject to a successful grant application).
3. Applies for \$382,725 in the next round of the Green Industries SA Kerbside Performance Plus Food Organics Incentive Program 2020/21 to support the area-wide food waste recycling program.
4. Endorses an allocation of an additional \$192,500 for the implementation of a Council-wide distribution of kitchen caddies, to be funded in 2020/21 from identified cash savings following the completion of the 2019/20 audited financial statements.

5. Undertakes a review of the performance of the food waste recycling system within 12 months of service commencement to meet the requirements of the funding agreement.
6. Endorses the allocation of budget in 2021/22 onwards for the ongoing purchase of compostable bags to maintain household participation rates, noting the savings on landfill disposal costs (detailed in Attachment 2).

**Carried Unanimously**

### **Expansion of Sports in Reserves**

**Report Reference:** GC200922R08

### **Moved Councillor – Ian Crossland, Seconded Councillor – Kendra Clancy**

That Council:

1. Endorses additional funding of \$15,000 to be funded from savings in the first budget review in 2020/21, and \$15,000 as part of the Annual Business Plan and Budget in 2021/22 to support the expansion of Sports in Reserves pilot program.
2. Endorses Administration to implement the Sports in Reserves program for a 12-month period from January to December 2021.
3. Receives a report about the Sports in Reserves program in January 2022.

**Carried Unanimously**

6.40pm Councillor Veliskou left the meeting

### **Neighbourhood Centres - Extended hours**

**Report Reference:** GC200922R09

6.42pm Councillor Veliskou re-entered the meeting

### **Moved Councillor - Ian Crossland, Seconded Councillor - Kendra Clancy**

That the item *Neighbourhood Centres - Extended hours* be deferred until the General Council Meeting on 10 December 2020.

**Carried**

**Councillor Hull called a Division:**

**Those for** Councillors Hutchinson, Masika, Mason, Clancy, Prior, Telfer and Crossland

**Those against:** Councillors Hull, Shilling, Veliskou and Duncan

**Carried**

**Draft City of Marion Art, Culture and Heritage Asset Management Plan for Community Consultation**

**Report Reference:** GC200922R10

**Moved Councillor Telfer, Seconded Councillor Mason**

That Council:

1. Endorses stakeholder and community engagement for the draft City of Marion Artworks, Culture and Heritage Asset Management Plan.

**Carried Unanimously**

**Draft Disability Action and Inclusion Plan 2020-2024**

**Report Reference:** GC200922R11

**Moved Councillor Clancy, Seconded Councillor Masika**

That Council:

1. Endorses the Draft Disability Access and Inclusion Plan 2020-2024 for public consultation (Appendix 1)
2. Notes the DAIP Making Marion Project Report - Stage 1 (Appendix 2)

**Carried Unanimously**

**Travers Street Reserve - Revocation of Community Land Classification**

**Report Reference:** GC200922R12

**Moved Councillor Telfer, Seconded Councillor Hutchinson**

That Council:

1. Acknowledges the Ministerial approval to revoke the community land classification dated 31 August 2020 for Travers Street Reserve, 37-41 Travers Street Sturt being the whole of the land in Certificate of Title Volume 6158 Folio 572.
2. Revokes the community land classification in respect of Travers Street Reserve to enable the creation of one residential allotment of 679 square metres (the Land), noting that upon creation of the Land, the balance of the reserve will automatically be reinstated as a reserve and as community land.
3. Notes that the Registrar General is to be notified of the revocation of the classification of community land in accordance with Section 195 of the Local Government Act 1999.

4. Authorises the disposal of the Land in accordance with Council's Disposal of Land and Assets Policy.
5. Authorises the revenue from the sale net of all associated land division and disposal costs of the Land be transferred to the Open Space Reserve Fund for the development of open space facilities as approved by Council.
6. Pursuant to Section 37(b) of the Local Government Act 1999 authorises the Chief Executive Officer to negotiate, enter into and sign all contracts and documentation necessary to effect the sale and settlement of the Land.

**Carried**

### **Councillor Hull called a Division**

**Those For:** Councillors Hutchinson, Masika, Clancy, Prior, Telfer, Shilling, Duncan, Crossland and Veliskou

**Those Against:** Councillors Mason and Hull

**Carried**

### **Dog By-Law - Fee Review**

**Report Reference:** GC200922R13

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

That Council:

1. Refund 240 residents the fee for an 'Application to keep more than prescribed number of dogs (or cats)' starting from 1 July 2018 to 22 September 2020 (total of \$8,521).
2. Remove the \$36.00 fee for the 'Application to keep more than prescribed number of dogs (or cats)' from Council's 2020/2021 Fees and Charges Schedule.
3. Write to affected dog and cat owners (in a form approved by the Mayor and Chief Executive).
4. Note that the Dog By-law No. 4 of 2014 (and all current By-laws) expire on 1 January 2022 and are scheduled for a legislated review, and the review will include investigating options for amending the By-law where needed.

### **Amendment**

### **Moved Councillor Crossland Seconded Councillor Prior**

That Council:

1. Refund 48 residents the \$36 fee for an 'Application to keep more than prescribed number of

dogs (or cats) in the 2020/2021 Financial Year (total of \$1,740) starting from 1 July 2020

2. Remove the \$36.00 fee for the 'Application to keep more than prescribed number of dogs (or cats)' from Council's 2020/2021 Fees and Charges Schedule.
3. Write to affected dog and cat owners (in a form approved by the Mayor and Chief Executive).
4. Note that the Dog By-law No. 4 of 2014 (and all current By-laws) expire on 1 January 2022 and are scheduled for a legislated review, and the review will include investigating options for amending the By-law where needed.

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

### **Planning Reform Action from Urban Planning Committee**

**Report Reference:** GC200922R14

#### **Moved Councillor Prior, Seconded Councillor Telfer**

That Council:

1. Write to the Minister for Planning and Local Government detailing the City of Marion's support for a collaborative approach to finalising the Planning and Design Code taking into account Council's practical suggestions for improvement.
2. Undertake a short-term media campaign seeking to influence the State Government to accept Council's position in relation to residential development in the Council area.
3. Allocates up to \$25,000 for communications and postage costs, sourced from 2019/20 carry overs or savings identified in this year's first budget review.

**Carried**

#### **Councillor Veliskou called a Division:**

**Those For:** Councillors Veliskou, Masika, Mason, Clancy, Prior, Hull, Telfer, Duncan and Crossland

**Those Against:** Councillors Hutchinson and Shilling

**Carried**

**Shopping Trolley Variation By-law**

**Report Reference:** GC200922R15

**Moved Councillor – Jason Veliskou**

That formal meeting procedures be suspended to discuss the item.

**The motion Lapsed for want of a seconder**

**Moved Councillor – Jason Veliskou, Seconded Councillor – Joseph Masika**

That Council:

1. Endorses the revised commencement of the operative provisions of the Shopping Trolley Amenity By-law (paragraphs 4-8) to 1 March 2021 and further endorses an educational period of the By-law from 1 March 2021 to 30 June 2021 whereby preference is given to the use of cautions as opposed to expiation or prosecution.
2. Endorses the draft Shopping Trolley Amenity (Commencement) Variation By-law 2020 for public consultation under Section 249(1) of the Local Government Act 1999 (Attachment 3) as amended by recommendation 1 to include the date of 1 March 2020 to paragraphs 2.2 and 5.3.
3. Instructs the Chief Executive Officer to undertake the consultation requirements of Section 249(1) of the Local Government Act 1999 and present a further report to Council following the completion of that process.
4. Notes the Chief Executive Officer will respond to the Legislative Review Committee on the information requested.

**AMENDMENT**

**Moved Councillor – Bruce Hull, Seconded Councillor – Ian Crossland**

That Council:

1. Endorses the revised commencement of the operative provisions of the Shopping Trolley Amenity By-law (paragraphs 4-8) to 1 February 2021.
2. Endorses the draft Shopping Trolley Amenity (Commencement) Variation By-law 2020 for public consultation under Section 249(1) of the Local Government Act 1999 (Attachment 3).
3. Instructs the Chief Executive Officer to undertake the consultation requirements of Section 249(1) of the Local Government Act 1999 and present a further report to Council following the completion of that process.
4. Notes the Chief Executive Officer will respond to the Legislative Review Committee on the information requested.

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

## **PROCEDURAL MOTION**

**Moved Councillor – Raelene Telfer, Seconded Councillor Jason Veliskou** that the following six items be moved en bloc:

- City of Marion Public Health Planning – Progress Report 1 July 2018 – 30 June 2020
- Streetscape Update
- Potential Publicly Initiated Council Boundary Change Proposal at Hallett Cove / Lonsdale
- Work Health & Safety – Monthly Performance Report – August 2020
- Finance Report – August 2020
- Questions Taken on Notice Register

**Carried Unanimously**

### **City of Marion Public Health Planning - Progress Report 1 July 2018 - 30 June 2020**

**Report Reference:** GC200922R16

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

That Council:

1. Endorses the 1 July 2018- 30 June 2020 City of Marion Progress Report on Public Health Planning for submission to the Chief Public Health Officer (Appendix 1) with the following amendment:
  - Highlighting the infant mortality rate in specific suburbs within the City of Marion

**Carried Unanimously**

## **CORPORATE REPORTS FOR INFORMATION/NOTING**

### **Streetscape Update**

**Report Reference:** GC200922R17

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

That Council:

1. Notes the report.

**Carried Unanimously**



**Potential publicly initiated council boundary change proposal at Hallett Cove/ Lonsdale**  
**Report Reference: GC200922R18**

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

1. That Council note the report.

**Carried Unanimously**

**Work Health & Safety - Monthly Performance Report - August 2020**  
**Report Reference: GC200922R19**

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

That Council:

1. Notes the report and statistical data contained therein.

**Carried Unanimously**

**Finance Report - August 2020**  
**Report Reference: GC200922R20**

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

That Council:

1. Receives the report “Finance Report – August 2020”

**Carried Unanimously**

**Questions Taken on Notice Register**  
**Report Reference: GC200922R21**

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

That Council:

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

**Carried Unanimously**

**WORKSHOP / PRESENTATION ITEMS - Nil**

**MOTIONS WITH NOTICE - Nil**

**QUESTIONS WITH NOTICE**

**LGA Membership**

**Elected Member:** Councillor Matthew Shilling

**Report Reference:** GC200922Q01

**Question:**

1. How much was the 2019/20 LGA Membership?
2. How much is our 2020/21 LGA Membership?
3. When is our membership due?
4. How much did we receive in return last year?
5. Can we ask for a reduced membership amount this year due to the current climate?

**Supporting Information:**

Nil

**Response Received From:**

Unit Manager Governance and Council Support - Jaimie Thwaites

**Staff Comments:**

1. The 2019/20 membership subscription was \$79,482 (excluding GST)
2. The 2020/21 membership subscription is \$80,128 (excluding GST)
3. The membership subscription payment is due on 18 September 2020.
4. The LGA provided a document outlining the Value of Membership with the invoice for the 2020/21 membership subscription. This is included as Attachment 1.

Some of the achievements and services provided to members in 2019/20 include:

- Successfully recovered more than \$13 million in paybacks to councils and State Government from SA Power Networks for 2010-15 public lighting tariffs, with the City of Marion receiving a refund of \$541,721.
- Secured and administered grants to councils worth \$14 million.
- Providing leadership, coordination and resources to assist councils respond to COVID-19,

including sector briefings with the Premier, Minister and senior Police and Health officials, and over 40 operational briefings attended by more than 3,000 council staff.

- Emergency management planning support to all 68 councils through the Council Ready program, with more than 650 people involved in over 80 workshops.
- Provided training to 1,412 council staff and elected members.
- Issued 522 circulars and latest news items, providing information on state government policies, standardised templates, pressing issues and updates to councils.
- Logged over 7,000 issue reports from members of the public through the My Local Services App including graffiti, wandering pets and parking issues.
- Saved councils more than \$14 million through LGA Procurement's new electricity contract.

5. The invoice for 2020/21 is less than a 1 percent increase from the previous year. Prior to this the membership fee had decreased over several years as noted in the table below:

Year	Membership fee (ex GST)	Reduction / Increase (approx.)
2016/17	\$94,382	
2017/18	\$90,017	- 4.6%
2018/19	\$84,888	- 5.6%
2019/20	\$79,482	- 6%
2020/21	\$80,128	+ 0.8%

The LGA has continued to provide multiple services and cost savings to the sector throughout the Covid-19 situation. The increase for 2020/21 is minimal and considered reasonable even in the current climate.

## MOTIONS WITHOUT NOTICE

### **Council involvement in ERD Court Appeal - Petrol Station at 373 Diagonal Road, Sturt (Development Application No: 100/2020/0568)**

Councillor Shilling declared an actual conflict of interest in the item as he is a Member on the Council Assessment Panel and was part of the decision making process and left the meeting.

7.41pm Councillor Shilling left the meeting.

Councillor Telfer declared a perceived conflict of interest in the item as she is a Member for the Council Assessment Panel, however, did not attend the hearing of this matter and will remain for the item.

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

1. That Council vigorously defend any Appeal against the CAP refusal of the integrated service station development proposed for the corner of Diagonal Road and Miller Street, Sturt, DA 100/2020/568 in the Environment Resources and Development Court; and
2. That no compromise development approval of DA 100/2020/568 be granted under delegation to staff without approval by the City of Marion in a General Council Meeting.

**Regulation 29**

The Chair invoked Regulation 29 of the Local Government (Procedures at Meetings) Regulations 2000, on the basis that Councillor Hull was interrupting the meeting and requested that Councillor Hull provide a personal explanation to the meeting.

Councillor Hull provided a personal explanation to the meeting regarding the claim he was interrupting the meeting and commented:

- He was agreeing with staff
- It was quite acceptable in a modern democratic process to agree with something that has been said.

7:56pm Councillor Hull left the meeting.

**Moved Councillor – Luke Hutchinson, Seconded Councillor – Kendra Clancy**

That Councillor Hull be suspended for the remainder of the meeting for his behaviour and that Councillor Hull be requested to refrain from interrupting the meeting for any future meetings of Council.

**Carried**

7.58pm Councillor Hull re-entered the meeting

7.59pm Councillor Hull left the meeting and did not return

**Council involvement in ERD Court Appeal - Petrol Station at 373 Diagonal Road, Sturt (Development Application No: 100/2020/0568)**

**The motion was Carried  
Councillor Telfer voted in Favour**

**QUESTIONS WITHOUT NOTICE**

Nil

**OTHER BUSINESS**

**Leave of Absence - Councillor Gard**

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

That Councillor Gard be granted a leave of absence from 16 September 2020 – 31 October 2020

**Carried**

## CONFIDENTIAL ITEMS

8:09pm Councillor Shilling re-entered the meeting

**Moved Councillor – Sasha Mason, Seconded Councillor – Nathan Prior** that all of the Confidential Motions to move into confidence be considered next on the agenda.

**Carried Unanimously**

### **Cover Report - Revitalisation of the Edwardstown Employment Precinct - Creative Coworking Space**

**Report Reference:** GC200922F01

**Moved Councillor – Sasha Mason, Seconded Councillor – Nathan Prior**

That 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, Iliia Houridis, Sorana Dinmore, Richard Watson, Warwick Deller-Combs, Donna Griffiths, Greg Salmon , Jaimie Thwaites and Victoria Moritz, be excluded from the meeting as the Council receives and considers commercial information relating to the Revitalisation of the Edwardstown Employment Precinct, 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**

8.10pm Councillor Prior left the meeting

8.11pm the meeting went into confidence

8.13pm Councillor Prior re-entered the meeting

**Moved Councillor – Sasha Mason, Seconded Councillor – Ian Crossland**

That Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report *Revitalisation of the Edwardstown Employment Precinct - Creative Coworking Space*, any appendices to the report and minutes arising from this report, having been considered in confidence under Section 90(2) 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.

**Carried Unanimously**

8.22pm the meeting came out of confidence

**Cover Report - Mitchell Park Redevelopment - Pre-tender estimate**

**Report Reference:** GC200922F02

**Moved Councillor – Sasha Mason, Seconded Councillor – Nathan Prior**

That pursuant to Section 90(2), 90(3)(b) (i) and (ii) and (3)(k) 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, Greg Salmon, Birgit Stroehrer, Richard Watson, Jaimie Thwaites and Victoria Moritz, be excluded from the meeting as the Council receives and considers information relating to the Mitchell Park Redevelopment - Pre-tender Estimate, 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 the pre-tender estimate for the carrying out of works and disclosure of the information could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council.

**Carried Unanimously**

8.23pm the meeting went into confidence

**Moved Councillor – Luke Hutchinson, Seconded Councillor - Sasha Mason**

In accordance with Section 91(7) and (9) of the local Government Act 1999 the Council orders that this report, Mitchell Park Sports and Community Centre – Pretender estimate and approval to call for construction tenders including the minutes arising from this report having been considered in confidence under section 90(3)(b) (i) and (ii) and 90(3)(k) 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**

8.30pm the meeting came out of confidence

**Cover Report - Westminster Reserve**

**Report Reference:** GC200922F03

**Moved Councillor – Sasha Mason, Seconded Councillor – Nathan Prior**

That pursuant to Section 90(2) 3(b) (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, Thuyen Vi-Alternetti, Geoff Norris, Richard Watson, Jaimie Thwaites and Victoria Moritz, be excluded from the meeting as the Council receives and considers information relating to the report Westminster Reserve, 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 relating to matters pertaining to commercial operations of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the Council.

**Carried Unanimously**

8.30pm the meeting went into confidence

Councillor Telfer declared an actual conflict of interest in the item *Westminster Reserve* as she resides in close proximity to the reserve and left the meeting.

8.31pm Councillor Telfer left the meeting

**Moved Councillor – Nathan Prior, Seconded Councillor - Joseph Masika** this item be deferred to the end of the meeting

**Carried Unanimously**

**Cover Report - Edwardstown Soldiers Memorial Recreation Ground Management Request for Proposals**

**Report Reference:** GC200922F04

**Moved Councillor – Sasha Mason, Seconded Councillor – Nathan Prior**

That 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, Iliia Houridis, Sorana Dinmore, Richard Watson, Thuyen Vi-Alternetti, Mark Hubbard, Jaimie Thwaites and Victoria Moritz, be excluded from the meeting as the Council receives and considers information relating to Edwardstown Soldiers Memorial Recreation Ground Management Request for Proposals, 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**

8.47pm the meeting went into confidence

8.47pm Councillor Telfer re-entered the meeting

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

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report *Edwardstown Soldiers Memorial Recreation Ground Management Request for Proposals* and minutes arising from this report, having been considered in confidence under Section 90(2) 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.

**Carried Unanimously**

8.58pm the meeting came out of confidence

**Cover Report - Confirmation of Confidential Minutes of the Special Review and Selection Committee meeting held on 15 September 2020**

**Report Reference:** GC200922F05

**Moved Councillor – Sasha Mason, Seconded Councillor – Nathan Prior**

That 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, Sorana Dinmore, Tony Lines, Richard Watson, Jaimie Thwaites and Victoria Moritz, be excluded from the meeting as Council receives and considers information relating to the Confidential Minutes of the Special Review and Selection Committee Meetings held on 15 September 2020 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 the personal affairs of any persons.

**Carried Unanimously**

8.58pm the meeting went into confidence

**Moved Councillor - Kendra Clancy, 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, *Confirmation of Confidential Minutes of the Special Review and Selection Committee Meeting held on 15 September 2020*, any appendices and minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a), 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**

9.00pm the meeting came out of confidence

**Westminster Reserve**

**Report Reference:** GC200922F03

9.00pm Councillor Telfer left the meeting and did not return.

9.00pm item resumed

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

That Council;

(Option 1 – Sale of Reserve)

1. Declares that the Reserve *described as Allotment 107 in File Plan 11413 in Certificate Title Volume 3776/21* is surplus to requirements and approves administration to commence with the revocation of the Reserve in accordance with Section 194 of the Local Government Act.
2. Accepts Westminster School's proposal to purchase the Reserve for a value of **[redacted]**



subject to a public consultation process and the revocation of community land classification of the Reserve, Westminster to pay for all associated costs with the revocation, sale and transfer of land.

3. A further report be presented to Council following the consultation period to consider any submissions received and to decide whether to proceed with the sale.

**Carried**

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

4. In accordance with Section 90(2) 3(b) (i) and (ii) of the Local Government Act 1999, orders that this report, the attachments and the financial figure in the minutes arising from this report, having been considered in confidence under Section 90(2) 3(b) (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.

**Carried**

9.20pm the meeting came out of confidence

**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 09:20 PM**

**CONFIRMED THIS 13TH DAY OF OCTOBER 2020**

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**CHAIRPERSON**