

MINUTES OF THE GC210209 - GENERAL COUNCIL MEETING - 9 February 2021

Tuesday, 09 February 2021 at 06:30 PM

Council Administration Centre, 245 Sturt Road, Sturt



PRESENT

Elected Members

Mayor – Kris Hanna

Councillor – Tim Gard

Councillor – Ian Crossland

Councillor – Maggie Duncan

Councillor – Matthew Shilling

Councillor – Joseph Masika

Councillor – Raelene Telfer

Councillor – Bruce Hull

Councillor – Nathan Prior

Councillor – Kendra Clancy

Councillor – Jason Veliskou

Councillor – Sasha Mason

Councillor – Luke Hutchinson

In Attendance:

Chief Executive Officer – Adrian Skull

General Manager City Development - Iliia Houridis

General Manager Corporate Services – Sorana Dinmore

Manager Corporate Governance – Kate McKenzie

Acting Unit Manager Governance and Council Support – Victoria Moritz

OPEN MEETING

The Mayor opened the meeting at 06:30 PM

KAURNA ACKNOWLEDGEMENT

We acknowledge the Kaurna people, the traditional custodians of this land and pay our respects to their elders past and present.

DISCLOSURE

All persons in attendance are advised that the audio of this General Council meeting will be recorded and will be made available on the City of Marion website.

ELECTED MEMBER'S DECLARATION OF INTEREST (if any)

The Chair asked if any Member wished to disclose an interest in relation to any item being considered at the meeting.

- Nil interests were disclosed.

CONFIRMATION OF MINUTES

Confirmation of the minutes for the General Council Meeting held on 27 January 2021

Report Reference: GC210209R01

Moved Councillor – Joseph Masika

Seconded Councillor – Raelene Telfer

1. That the minutes of the General Council Meeting held on 27 January 2021 be taken as read and confirmed.

Carried Unanimously

ADJOURNED ITEMS - Nil

DEPUTATIONS

Deputation - Dover Estate Street Lighting

Report Reference: GC210209D01

Mr Maddern and Mr Strathearn gave a five minute deputation in relation to the item *Rescission Motion - Street Lighting - Hampton Court, Dover Gardens*.

ORDER OF AGENDA

The Mayor sought and was granted leave of the meeting to vary the order of the agenda and bring forward the item **Rescission Motion - Street Lighting - Hampton Court, Dover Gardens (Report Reference: GC210209M01)** to be considered next on the agenda.

MOTIONS WITH NOTICE

Rescission Motion - Street Lighting - Hampton Court, Dover Gardens
Report Reference: GC210209M01

Moved Councillor – Bruce Hull

Seconded Councillor – Nathan Prior

That:

1. The following resolution of GC210127P02 Street Lighting – Dover Gardens, be rescinded:

That Council:

1. *Notes the petition.*
2. *Endorses Option 1 to proceed with the removal of these 15 heritage post top fittings and replace with a new outreach fitting and LED Luminaire.*
3. *Notifies the head petitioner of Council's decision.*

and replaced with:

That:

1. Council notes the petition.
2. No further action be taken in regard to the removal of the heritage post top fittings.
3. Council researches the approval of a replacement SAPN approved LED Luminaire and fits as soon as approved by SAPN if within existing budget.
4. The head petitioner be notified of Council's decision.

Amendment

**Moved Councillor – Matthew Shilling,
Hutchinson**

Seconded Councillor – Luke

That:

1. The following resolution of GC210127P02 Street Lighting – Dover Gardens, be rescinded:

That Council:

1. *Notes the petition.*
2. *Endorses Option 1 to proceed with the removal of these 15 heritage post top fittings*

and replace with a new outreach filling and LED Luminaire.

3. Notifies the head petitioner of Council's decision.

And replaced with:

That:

1. Council notes the petition.
2. No further action be taken in regard to the removal of the heritage post top fittings across the City of Marion
3. Council researches the approval of a replacement SAPN approved LED Luminaire and fits as soon as approved by SAPN if within existing budget.
4. The head petitioner be notified of Council's decision.

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

Councillor Matthew Shilling called a Division

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

Those against: Councillors Hull, Duncan and Crossland

Carried

PETITIONS - Nil

COMMITTEE RECOMMENDATIONS

Confirmation of the minutes for the Review and Selection Committee Meeting held on 2 February 2021

Report Reference: GC210209R02

Moved Councillor – Tim Gard

Seconded Councillor – Maggie Duncan

That Council:

1. Receives and notes the minutes of the Review and Selection Committee meeting held on 9 February 2021.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.

Carried Unanimously

CORPORATE REPORTS FOR DECISION

Partial Road Closure - The Cove Road, Hallett Cove

Report Reference: GC210209R03

Moved Councillor – Ian Crossland

Seconded Councillor – Tim Gard

That Council:

1. Notes the representations received in response to the community consultation required under the Roads (Opening and Closing) Act 1991.
2. Resolves to make a Road Process Order in accordance with the Roads (Opening and Closing) Act 1991 to close portion of The Cove Road Hallett Cove more particularly delineated and lettered "A" in PP 20/0043 and adjoining Allotment 10 in D81050 known as 30 Pindee Street Hallett Cove in the following manner:
 - In accordance with the Council resolution of 26 May 2020 to vest the portion of The Cove Road adjacent 30 Pindee Street Hallett Cove, to the current owners of 30 Pindee Street Hallett Cove for \$5,000 plus costs and GST.
 - The closed road will be merged with Certificate of Title Volume 6048 Folio 960 being Allotment 10 in D81050.

Carried Unanimously

7.17pm Councillor Matthew Shilling left the meeting

7.17pm Councillor Kendra Clancy left the meeting

7.20pm Councillor Kendra Clancy re-entered the meeting

Final Carbon Neutral Plan

Report Reference: GC210209R04

7.21pm Councillor Luke Hutchinson left the meeting

7.22pm Councillor Luke Hutchinson re-entered the meeting

Moved Councillor – Raelene Telfer

Seconded Councillor – Joseph Masika

That Council:

1. Notes the report and public consultation findings (Attachments 2, 3, 4 and 5).
2. Endorses the Final Carbon Neutral Plan (Attachment 1).

7.22pm Councillor Shilling re-entered the meeting

Amendment

Moved Councillor – Bruce Hull,

Seconded Councillor - Tim Gard

That Council:

1. Notes the report and public consultation findings (Attachments 2, 3, 4 and 5).
2. Endorses the Final Carbon Neutral Plan (Attachment 1) with the following amendments:
 - Includes an additional 5.5 under Supporting Activities; to partner with and provide stewardship with the community by providing education and incentives.
3. Urges the Local Government Finance Authority (LGFA) to divest in fossil fuel investment and apply climate risk as a factor in decision making.

The amendment to become the motion was Carried

The amended motion was Carried

Policy Review - Climate Change Policy

Report Reference: GC210209R05

Moved Councillor – Jason Veliskou

Seconded Councillor – Matthew Shilling

That Council:

1. Notes the revised Climate Change Policy provided as Attachment 1 to this report.
2. Endorses the revised Climate Change Policy for public consultation during February 2021.
3. Notes that the final Climate Change Policy and summary of public consultation findings will be brought to Council for consideration and endorsement in April 2021.

Carried Unanimously

7.48pm Councillor Nathan Prior left the meeting

CORPORATE REPORTS FOR INFORMATION/NOTING

PROCEDURAL MOTION

Moved Councillor - Raelene Telfer,

Seconded Councillor - Luke Hutchinson

That the following two Corporate Reports for Information / Noting be moved en bloc:

- Questions Taken on Notice Register
- Corporate and CEO KPI Report Quarter Two 2020/21

7.51pm Councillor Nathan Prior re-entered the meeting

Carried Unanimously

Questions Taken on Notice Register

Report Reference: GC210209R06

Moved Councillor - Raelene Telfer,

Seconded Councillor - Luke Hutchinson

That Council:

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

Carried Unanimously

Corporate and CEO KPI Report Quarter Two 2020/21

Report Reference: GC210209R07

Moved Councillor - Raelene Telfer,

Seconded Councillor - Luke Hutchinson

That Council:

1. Notes this report and information contained within the attachments for Quarter Two.

Carried Unanimously

7.59pm Councillor Matthew Shilling left the meeting

8.00pm Councillor Matthew Shilling re-entered the meeting.

PROCEDURAL MOTION

Moved Councillor – Raelene Telfer,

Seconded Councillor Maggie Duncan

That the confidential cover reports for the items to be considered in confidence be moved en bloc.

Carried Unanimously

CONFIDENTIAL ITEMS

Cover Report - Confirmation of the confidential minutes for the Review and Selection Committee Meeting held on 2 February 2021

Report Reference: GC210209F01

Moved Councillor – Raelene Telfer,

Seconded Councillor Maggie Duncan

That pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, Manager People and Culture be excluded from the meeting as the Council receives and considers information relating to the Confirmation of the confidential minutes for the Review and Selection Committee Meeting held on 2 February 2021, 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 CEO Recruitment and the personal affairs of Council Assessment Panel Members.

Carried Unanimously

Cover Report - CEO Recruitment

Report Reference: GC210209F02

Moved Councillor – Raelene Telfer,

Seconded Councillor Maggie Duncan

That pursuant to Section 90(2) and (3)(a) of the Local Government Act,1999 the Committee orders that all persons present, with the exception of Chief Executive Officer, Manager People and Culture, be excluded from the meeting as the Committee receives and considers information relating to the recruitment of the Chief Executive Officer, upon the basis that the Committee 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 recruitment of the Chief Executive Officer.

Carried Unanimously

Cover Report - Confirmation of the confidential minutes for the Finance and Audit Committee Meeting held on 8 December 2020

Report Reference: GC210209F03

Moved Councillor – Raelene Telfer,

Seconded Councillor Maggie Duncan

That pursuant to Section 90(2) and (3)(a) and (d) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Services, General Manager Corporate Services, General Manager City Development, Manager Corporate Governance, Unit Manager Governance and Council Support and Governance Officer be excluded from the meeting as the Council receives and considers information relating to the Confirmation of the confidential minutes for the Finance and Audit Committee Meeting held on 8 December 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 personnel matters and commercial information of a confidential nature.

Carried Unanimously

Cover Report - Confidential - Questions Taken on Notice Register

Report Reference: GC210209F04

Moved Councillor – Raelene Telfer,

Seconded Councillor Maggie Duncan

That pursuant to Section 90(2) and (3)(f) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Manager Corporate Governance, Unit Manager Governance and Council Support and Governance Officer, be excluded from the meeting as the Committee receives and considers information relating to the Confidential - Questions Taken on Notice Register, 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 investigation of a criminal offence.

Carried Unanimously

Cover Report - Code of Conduct 1

Report Reference: GC210209F05

Moved Councillor – Raelene Telfer,

Seconded Councillor Maggie Duncan

That pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, Manager Corporate Governance and Unit Manager Governance and Council Support, be excluded from the meeting as the Council receives and considers information relating to Code of Conduct, 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 conduct of Elected Members.

Carried Unanimously

Cover Report - Code of Conduct 2

Report Reference: GC210209F06

Moved Councillor – Raelene Telfer,

Seconded Councillor Maggie Duncan

That pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, Manager Corporate Governance and Unit Manager Governance and Council Support, be excluded from the meeting as the Council receives and considers information relating to Code of Conduct, 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 conduct of Elected Members.

Carried Unanimously

Cover Report - BMX Pump Track – Majors Road

Report Reference: GC210209F07

Moved Councillor – Raelene Telfer,

Seconded Councillor Maggie Duncan

That pursuant to Section 90(2) and (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: Chief Executive Officer, General Manager City Development, General Manager Corporate Services, General Manager City Services, Manager Corporate Governance, Manager City Activation, Project Manager Strategic Projects, Unit Manager Communications, Unit Manager Governance and Council Support and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to the Pump Track Majors Road, 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 proposed project funding.

Carried Unanimously

ORDER OF AGENDA ITEMS

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

- Confirmation of the confidential minutes for the Review and Selection Committee Meeting held on 2 February 2021
- Confirmation of the confidential minutes for the Finance and Audit Committee Meeting held on 8 December 2020
- Confidential - Questions Taken on Notice Register
- BMX Pump Track – Majors Road
- CEO Recruitment
- Code of Conduct 1
- Code of Conduct 2

Confirmation of the confidential minutes for the Review and Selection Committee Meeting held on 2 February 2021

Report Reference: GC210209F01

8.00pm the meeting went into confidence

Moved Councillor – Matthew Shilling

Seconded Councillor – Luke Hutchinson

That Council:

1. Receives and notes the confidential minutes of the Review and Selection Committee meeting held on 2 February 2021.
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 2021.

Carried Unanimously

8.01pm the meeting came out of confidence

Confirmation of the confidential minutes for the Finance and Audit Committee Meeting held on 8 December 2020

8.01pm the meeting went into confidence

Moved Councillor – Duncan

Seconded Councillor – Crossland

That Council:

1. Receives and notes the confidential minutes of the Finance and Audit Committee meeting held on 8 December 2020.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance and Audit 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) and (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 2021.

Carried Unanimously

8.02pm the meeting came out of confidence

Confidential - Questions Taken on Notice Register
Report Reference: GC210209F04

8.03pm the meeting went into confidence

Moved Councillor – Matthew Shilling

Seconded Councillor – Sasha Mason

That Council:

1. Notes the report 'Confidential - Questions Taken on Notice Register'.
2. 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)(f) 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 2021.

8.10pm Councillor Luke Hutchinson left the meeting

8.13pm Councillor Luke Hutchinson re-entered the meeting

Carried Unanimously

8.14pm the meeting came out of confidence

BMX Pump Track – Majors Road

Report Reference: GC210209F07

8.15pm the meeting went into confidence

Moved Councillor – Matthew Shilling

Seconded Councillor – Maggie Duncan

In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report any attachments to this report the minutes arising from this report having been considered in confidence under Section 90 (2) and (3)(b)(i)(ii) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection until the tender is awarded. This confidentiality order will be reviewed at the General Council Meeting in December 2021.

8.28pm Councillor Sasha Mason left the meeting

8.31pm Councillor Sasha Mason re-entered the meeting

8.31pm Councillor Raelene Telfer left the meeting

8.35pm Councillor Maggie Duncan left the meeting

8.37pm Councillor Maggie Duncan re-entered the meeting

Carried Unanimously

8.38pm the meeting came out of confidence

CEO Recruitment

Report Reference: GC210209F02

8.40pm the meeting went into confidence

**Moved Councillor – Jason Veliskou
Hutchinson**

Seconded Councillor – Luke

In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report, any attachments to this report and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) and (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 2021.

8.43pm Councillor Telfer re-entered the meeting

Carried Unanimously

8.45pm the meeting came out of confidence

Code of Conduct 1

Report Reference: GC210209F05

8.47pm the meeting went into confidence

Moved Councillor – Jason Veliskou,

Seconded Councillor – Raelene Telfer

In accordance with Section 91(7) and (9) of the Local Government Act 1999, Council orders that this report, attachments to this report and minutes arising from 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 2021.

Carried Unanimously

9.22pm the meeting came out of confidence

Cover Report - Code of Conduct 2

Report Reference: GC210209F06

9.22pm the meeting went into confidence

Moved Councillor – Jason Veliskou,

Seconded Councillor – Ian Crossland

In accordance with Section 91(7) and (9) of the Local Government Act 1999, Council orders that this report, attachments to this report and minutes arising from 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 2021.

Carried

9.55pm the meeting came out of confidence

WORKSHOP / PRESENTATION ITEMS – Nil

QUESTIONS WITH NOTICE – Nil

MOTIONS WITHOUT NOTICE – Nil

QUESTIONS WITHOUT NOTICE – Nil

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 09:55 PM

CONFIRMED THIS 23RD DAY OF FEBRUARY 2021

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CHAIRPERSON