

MINUTES OF THE GC210223 - GENERAL COUNCIL MEETING

Tuesday, 23 February 2021 at 06:30 PM

Council Administration Centre, 245 Sturt Road, Sturt



PRESENT

His Worship the Mayor Kris Hanna

Councillor Tim Gard

Councillor Maggie Duncan

Councillor Raelene Telfer

Councillor Bruce Hull

Councillor Jason Veliskou (from 6.32pm)

Councillor Sasha Mason

Councillor Matthew Shilling

Councillor Nathan Prior

Councillor Joseph Masika (from 6.32pm)

In Attendance

Chief Executive Officer – Adrian Skull

General Manager City Services – Tony Lines

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

Governance Administrator – Angela Porter

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.

The following interests were disclosed:

- Councillor Telfer declared a perceived conflict of interest in the item *Unsolicited Proposal – 262 Sturt Road Marion (GC210223F03)*

CONFIRMATION OF MINUTES

Confirmation of the minutes for the General Council Meeting held on 9 February 2021

Report Reference: GC210223R01

Moved Councillor – Maggie Duncan,

Seconded Councillor – Sasha Mason

That the minutes of the General Council Meeting held on 9 February 2021 be taken as read and confirmed.

Carried Unanimously

ELECTED MEMBER VERBAL COMMUNICATIONS

In accordance with the *Code of Practice - Procedures at Council Meeting 2017/18* an Elected Member has the right to speak for up to two minutes in the second meeting of Council every second month from February (with the exception of caretaker period).

- There were nil verbal communication updates provided.

COMMUNICATIONS

Moved Councillor – Raelene Telfer,

Seconded Councillor – Maggie Duncan

That the Communications Reports be moved en bloc.

Carried Unanimously

Mayoral Communication Report

Name of Elected Member Mayor - Kris Hanna

Report Reference GC210223R02

Date	Event	Comments
19/1/21	Meeting with Cove Football Club President	
19/1/21	Meeting with staff, Coastal Wardmembers and Marion Golf Club regarding possible upgrades	

Minutes of the General Council Meeting held on Tuesday 23 February 2021

20/1/21	St Elizabeth's Anglican Church Commissioning Service	Gave welcome speech
23/1/21	Informal chat with Marion Golf Club	
25/1/21	Meeting with Father William Deng from Anglican Parish of St Mary's	
26/1/21	South Coast Cycling Club Australia Day Track Carnival	Opened event
26/1/21	Australia Day Function at Hendrie Street Reserve	Event included citizenship ceremonies and presentation of City of Marion Australia Day Awards
28/1/21	Meeting with Mitchell Park Clubs	
30/1/21	Elected Member Planning Day	
30/1/21	South Road Cricket Club- Trivia Night	Asked questions
3/2/21	Treasure Boxes Changemakers VIP Event	
4/2/21	City of Marion Gap Year Program Induction	
5/2/21	Formal Friday-fundraiser for Beyond Blue	Attended with Mayoress
7/2/21	3x Citizenship Ceremonies	
8/2/21	Edwardstown Brand Concept Presentation and Discussion	
9/2/21	Meeting with Mayor of Onkaparinga	
11/2/21	Club Marion Committee meeting	
12/2/21	Meeting with Steve Nolis, State Manager at McArthur	

Minutes of the General Council Meeting held on Tuesday 23 February 2021

13/2/21	Celebrating Many Cultures, OneEarth- Exploring Rituals and Ceremonies at Weddings and Funerals event	Acted as MC
13/2/21	Transporting goods to warehouse for overseas donation	
15/2/21	Visits to 6 Edwardstown businesses which have each operated for over 25 years	
15/2/21	Greening Adelaide, Edwardstown tree planting celebration	
17/2/21	Meeting with Adelaide Cricket Club Committee	
17/2/21	Meeting with Mitchell Park Rugby League Committee	

Moved Councillor – Raelene Telfer,

Seconded Councillor – Maggie Duncan

That Council:

1. Receives and notes the Mayoral Communication Report.

Carried Unanimously

Deputy Mayor Communication Report

Date of Council Meeting: 23 February 2021

Name of Elected Member: Councillor - Nathan Prior

Report Reference: GC210223R03

Date	Event	Comments
26/01/2021	Australia Day Function at Hendrie Street Reserve	Event included citizenship ceremonies and presentation of City of Marion Australia Day Awards
30/01/2021	Elected Member Planning Day	

Moved Councillor – Raelene Telfer,

Seconded Councillor – Maggie Duncan

That Council:

1. Receives and notes the Deputy Mayor Communication Report.

Carried Unanimously

Elected Member Communication Report

Date of Council Meeting: 23 February 2021

Name of Elected Member: Councillor - Raelene Telfer

Date	Event	Comments
28/1/21	Mitchell Pk SCC	Committee discussion
29/1/21	ALGWA	President's dinner and networking
30/1/2021	EM Planning Day	Infrastructure planning
3/2/2021	Tarnham Rd Briefing	Mayor and staff summary
3/2/2021	Mitchell Pk SCC	Management model discussions
7/2/2021	Citizenship Ceremony	Two joyous events
9/2/2021	Warriparinga Ward	Briefing discussions
12/2/2021	Bangka Day	Memorial Service
16/2/2021	Tarnham Rd features	Site visit with staff
17/2/2021	Council Assessment	Panel decisions
18/2/2021	Reconciliation Action	Plan aims

CEO and Executive Communications Report

Date of Council Meeting

Report Reference: GC210223R04

Date	Activity	Attended By
27 January 2021	Meeting Cross Council Asset Management; Cities of Marion, Port Adelaide Enfield and CharlesSturt	Tony Lines
27 January 2021	LG Professionals GM/DirectorNetworking Working Group	Sorana Dinmore
29 January 2021	Meeting Adrian Skull, Brett Grimm and Infrastructure SA reISA Assurance review for NorthSouth Corridor upgrade project.	Adrian Skull
01 February 2021	Meeting Adrian Skull and AdrianFrancis (Adept Innovations)	Adrian Skull
01 February 2021	Meeting Adrian Skull , RobertLee and Jonathon Lee (Cel Australia)	Adrian Skull
01 February 2021	Meeting Southern Cultural Immersion and City of Marion reLiving Kaurna Cultural Centre	Tony Lines
01 February 2021	Meeting Adrian Skull andCarolyn Power MP	Adrian Skull
01 February 2021	Meeting Iliia Houridis, Tony Linesand Andrew Excell (DIT) re Flinders Greenway Connectivity - Pedestrian Activated Crossing	Iliia HouridisTony Lines
02 February 2021	Meeting Adrian Skull, Steph Roberts and Shelley Willsmore(Office of the Commissioner for Public Sector Employment)	Adrian Skull
02 February 2021	Meeting Cross Council Collab Sorana Dinmore and Donna Dunbar (City of Charles Sturt)	Sorana Dinmore

Minutes of the General Council Meeting held on Tuesday 23 February 2021

03 February 2021	Meeting Adrian Skull and Scott Ashby (CEO Onkaparinga)	Adrian Skull
05 February 2021	Meeting Adrian Skull and Minister Speirs	Adrian Skull
05 February 2021	Meeting Adrian Skull and Catherine Hughes (SA Health) reupdate of the roll-out of the COVID vaccination	Adrian Skull
05 February 2021	Cross-Council Collaborative ICT Board Meeting	Sorana Dinmore
07 February 2021	MC for three City of Marion Citizenship Ceremonies	Adrian Skull
08 February 2021	Meeting Sorana Dinmore & Tom Carlton (Bailey Abbott)	Sorana Dinmore
08 February 2021	Community Event Edwardstown Brand Presentation	Iliia Houridis
09 February 2021	Phone Call Adrian Skull and Grant Kelley (Vicinity Group)	Adrian Skull
09 February 2021	Meeting Adrian Skull and Professor John Spoehr (Flinders University)	Adrian Skull
10 February 2021	Meeting City of Marion & Office Recreation Sport & Racing re MCC Plaza and SAALC Masterplan	Iliia Houridis
10 February 2021	Meeting Cross Council Sorana Dinmore & Chris James (City of West Torrens)	Sorana Dinmore
12 February 2021	Event Reconciliation SA Apology Breakfast	Adrian Skull
12 February 2021	Meeting Flinders Tonsley/Factory of the Future tour	Adrian Skull
12 February 2021	Meeting Adrian Skull, Matthew Pears (CEO Mitcham), Scott Ashby (CEO Onkaparinga) and Roberto Bria (CEO Holdfast)	Adrian Skull

Minutes of the General Council Meeting held on Tuesday 23 February 2021

12 February 2021	Meeting City of Marion & Bardavcol re potential collaboration of works on Majors Road / Flagstaff Hill	Ilia Houridis
12 February 2021	SRC Committee Electronic Meeting (SRWRA)	Sorana Dinmore
15 February 2021	Community Celebration Edwardstown Green Infrastructure Project	Tony Lines Adrian Skull Ilia Houridis
15 February 2021	LGA CEO's COVID-19 Vaccine Industrial Relations Forum	Sorana Dinmore
15 February 2021	SRWRA Board Meeting	Sorana Dinmore
16 February 2021	Meeting Field River Linear Park Taskforce	Adrian Skull
16 February 2021	Meeting Adrian Skull and Judith Sellick	Adrian Skull
22 February 2021	Meeting Adrian Skull, Ilia Houridis, Sascha Frost (City of Marion), Shaun Skipper and Zoltan Heinrich (Vicinity)	Adrian Skull
22 February 2021	Meeting Adrian, Sorana and Judith Sellick	Adrian Skull Sorana Dinmore
23 February 2021	Public Sector Network Corporate & Shared Services Roadshow (Sorana is a speaker)	Sorana Dinmore
25 February 2021	Meeting Cross Council Sorana Dinmore & Abby Dickson (City of Port Adelaide Enfield)	Sorana Dinmore
25 February 2021	Information Session Local Transformation Amidst Global Uncertainty SA KPMG	Sorana Dinmore

Moved Councillor – Raelene Telfer,

Seconded Councillor – Maggie Duncan

That Council:

1. Receives and notes the CEO and Executive Communications Report.

Carried Unanimously

ADJOURNED ITEMS - Nil

DEPUTATIONS - Nil

PETITIONS - Nil

COMMITTEE RECOMMENDATIONS

Confirmation of the minutes for the Asset & Sustainability Committee Meeting held on 2 February 2021

Report Reference: GC210223R05

Moved Councillor – Matthew Shilling,

Seconded Councillor - Tim Gard

That Council:

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

6.38pm Councillor Mason left the meeting

Carried Unanimously

CONFIDENTIAL ITEMS

Moved Councillor – Matthew Shilling,

Seconded Councillor – Nathan Prior

That the Cover Reports for the Confidential Items be moved en bloc

Carried Unanimously

Cover Report - Capella Reserve Construction of Carpark, Youth Plaza & Skatepark
Report Reference: GC210223F01

Moved Councillor – Matthew Shilling,

Seconded Councillor – Nathan Prior

That pursuant to Section 90(2) and (3)(b)(i) and (ii) and (k) 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, Unit Manager Open Space & Recreation Planning, Open Space & Recreation Planner, Manager Finance, Unit Manager Communications, Unit Manager Governance and Council Support and Governance Administration Officer, be excluded from the meeting as the Council receives and considers information relating to Capella Reserve Construction of Stage 1: Carpark, Youth Plaza & Skatepark, 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 current tender process.

Carried Unanimously

Cover Report - Marion Golf Park Consultation & Marketing Plan
Report Reference: GC210223F02

Moved Councillor – Matthew Shilling,

Seconded Councillor – Nathan Prior

That 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: Chief Executive Officer, General Manager City Development, General Manager Corporate Services, General Manager City Services, Manager Corporate Governance, Manager City Property, Unit Manager Sport and Recreational Community Facilities, Unit Manager Land & Property, Unit Manager Communications, Unit Manager Governance and Council Support, be excluded from the meeting as the Council receives and considers information relating to Marion Golf Park Consultation & Marketing Plan, 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 including financial figures provided by a third party.

Carried Unanimously

Cover Report - Unsolicited Proposal

Report Reference: GC210223F03

Moved Councillor – Matthew Shilling,

Seconded Councillor – Nathan Prior

That pursuant to Section 90(2) 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: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Manager Corporate Governance, Manager City Activation, Unit Manager Communications, Manager Finance, Acting Unit Manager Governance and Council Support and Governance Administration Officer, be excluded from the meeting as the Council receives and considers information relating to the report *Unsolicited Proposal - 262 Sturt Road, Marion*, 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 a proposal from a third party.

Carried Unanimously

Capella Reserve Construction of Carpark, Youth Plaza & Skatepark

Report Reference: GC210223F01

6.40pm the meeting went into confidence

6.42pm Councillor Mason re-entered the meeting

Moved Councillor – Tim Gard,

Seconded Councillor Maggie Duncan

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

Carried Unanimously

6.46pm the meeting came out of confidence

Marion Golf Park Consultation & Marketing Plan

Report Reference: GC210223F02

6.47pm the meeting went into confidence

Moved Councillor - Tim Gard,

Seconded Councillor - Matthew Shilling

That Council:

1. Receives and notes this report and attachments.

Carried

Councillor Hull called a Division

Those for: Councillors Masika, Mason, Veliskou, Prior, Telfer, Shilling, Duncan and Gard **Those**

against: Councillor Hull

Carried

Moved Councillor - Tim Gard,

Seconded Councillor - Maggie Duncan

In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that attachment 2 (marketing plan) to this report having been considered in confidence under Section 90 (2) 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 2021.

Carried

7.06pm the meeting came out of confidence

Unsolicited Proposal

Report Reference: GC210223F03

7.12pm the meeting went into confidence

Councillor Telfer declared a perceived conflict of interest in the item *Unsolicited Proposal: 262 Sturt Road, Marion* as she is Deputy Member on the Council Assessment Panel, which may in the future, assess any proposal and will remain in the meeting.

Meeting Suspension

Moved Councillor – Bruce Hull,

Seconded Councillor - Nathan Prior

That formal meeting procedures be suspended to discuss the item.

Carried

7.13pm formal meeting procedures suspended

7.27pm formal meeting procedures resumed

Moved Councillor - Joseph Masika,

Seconded Councillor - Sasha Mason

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

Carried Unanimously

7.29pm the meeting came out of confidence

CORPORATE REPORTS FOR DECISION

Artificial Turf within the City of Marion

Report Reference: GC210223R06

Moved Councillor Jason Veliskou

That Council:

1. Considers the options relating to the management of artificial turf across the City and implements the following:
 - Disallow all artificial turf installed after 9 May 2019
 - Allow all turf installed with a permit
 - Allow all existing (prior to 9 May 2019) artificial turf for properties where there is no footpath or where the footpath is connected to the kerb.
 - Allow / disallow all turf installed before 9 May without a permit located between footpath and kerb.

Councillor Veliskou withdrew the Motion

Councillor Veliskou declared a conflict of interest in the item *Artificial Turf within the City of Marion (GC210223R06)* due to a relative of his residing in a unit that is part of a strata group to install artificial turf prior to 9 May 2019 and will leave the meeting.

7.45pm Councillor Veliskou left the meeting

Moved Councillor - Bruce Hull,

That Council:

1. Considers the options relating to the management of artificial turf across the City and implements Option 1 (Direct all artificial turf without a permit to be removed).
2. Notes that, depending on the management option resolved, additional resources including staff and budget may be required to implement the resolution.
3. Notes that going forward, any new artificial turf installations that are brought to the attention of staff will be assessed against Section 221 of the Local Government Act and the City of Marion Verge Development Guideline with property owners instructed to remove the turf if deemed at odds with these policies.
4. Notes that a community education and communication plan is being developed to continue to support residents and property owners to understand the issues associated with artificial turf.

The Motion Lapsed for want of a Seconder

Moved Councillor – Matthew Shilling,

Seconded Councillor - Raelene Telfer

That Council:

1. Considers the options relating to the management of artificial turf across the City and implements Option 2 (Direct removal of all turf installed after Verge Guidelines were put in place, and request removal of turf on properties where turf was installed before Verge Guideline in place).
2. Notes that, depending on the management option resolved, additional resources including staff and budget may be required to implement the resolution.
3. Notes that going forward, any new artificial turf installations that are brought to the attention of staff will be assessed against Section 221 of the Local Government Act and the City of Marion Verge Development Guideline with property owners instructed to remove the turf if deemed at odds with these policies.
4. Notes that a community education and communication plan is being developed to continue to support residents and property owners to understand the issues associated with artificial turf.

**The vote was Tied
The Mayor made a casting vote and voted against the motion
Lost**

Moved Councillor – Tim Gard

Seconded Councillor - Joseph Masika

That Council:

1. Considers the options relating to the management of artificial turf across the City and implements Option 3 (Management as per Option 2 and provide some financial assistance to support this).
2. Notes that, depending on the management option resolved, additional resources including staff and budget may be required to implement the resolution.
3. Notes that going forward, any new artificial turf installations that are brought to the attention of staff will be assessed against Section 221 of the Local Government Act and the City of Marion Verge Development Guideline with property owners instructed to remove the turf if deemed at odds with these policies.
4. Notes that a community education and communication plan is being developed to continue to support residents and property owners to understand the issues associated with artificial turf.

Lost

Tonsley Northern Vehicle Connection

Report Reference: GC210223R07

8.11pm Councillor Veliskou re-entered the meeting

8.11pm Councillor Shilling left the meeting

Moved Councillor Raelene Telfer,

Seconded Councillor - Joseph Masika

That Council:

1. Notes the process of community land revocation and road opening.
2. Notes a Northern Connector Concept Plan (p58) from PEET that the proposed widening just south of Cohen Reserve on the Eastern corner is greater than 20m width and will connect to the regional promenade park.
3. Authorises Administration to commence the revocation process including the preparation of a report under Section 194(2)(a) and undertake public consultation under Section 194(2)(b) of the Local Government Act 1999 for the whole of Cohen Court Reserve at Lot 43 in Deposited Plan 20268 being the whole of the land in Certificate of Title Volume 5546 Folio 336.
4. Notes that the Community Land Classification will automatically be reinstated over the balance of Cohen Court Reserve after creation of the road of approximately 800 square metres.

5. Requires Administration to bring a report to Council for consideration of the outcome of the public consultation under Section 194(2)(b) of the Local Government Act 1999 for the revocation of the community land classification for the whole of Cohen Court Reserve at Lot 43 in Deposited Plan 20268 being the whole of the land in Certificate of Title Volume 5546 Folio 336.

6. Notes the community engagement plan.

8.14pm Councillor Mason left the meeting

8.14pm Councillor Shilling re-entered the meeting

Carried Unanimously

LGA Submission – Electronic attendance at council meetings & informal gatherings

Report Reference: GC210223R08

Moved Councillor - Matthew Shilling,

Seconded Councillor - Maggie Duncan

That Council:

1. Adopts the submission to the Local Government Association provided in Attachment 2 to this report regarding Electronic attendance at council meetings and information gatherings

Carried Unanimously

8.18pm Councillor Mason re-entered the meeting

Procedural Motion

Moved Councillor - Matthew Shilling,

Seconded Councillor – Raelene Telfer

That the following two items be moved en bloc:

- 2nd Budget Review 2020/21
- Council Events and COVID-19

Carried Unanimously

2nd Budget Review 2020/21

Report Reference: GC210223R09

Moved Councillor - Matthew Shilling,

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

Council Events and COVID-19

Report Reference: GC210223R10

Moved Councillor - Matthew Shilling,

Seconded Councillor – Raelene Telfer

That Council:

1. Postpones Touch-a-Truck from April 2021 to a date to be determined in 2021/22 and allocates funding of \$10,000 as part of the 2021/22 annual business planning process.
2. Substitutes Marion Celebrates 2021/22 with a smaller scale indoor Multicultural Concert later in 2021, and allocates funding of \$15,000 as part of the 2021/22 annual business planning process.

Carried Unanimously

LGA Submission- Draft LGA strategic plan 2021-2025

Report Reference: GC210223R11

Moved Councillor - Tim Gard,

Seconded Councillor – Maggie Duncan

That Council:

1. Adopts the submission to the Local Government Association (LGA) provided in Attachment 3 regarding a response to the LGA draft Strategic Plan 2021-2025, subject to the following amendments:
 - An additional point be added under 'Assist' around Collaboration with Local Government and other levels of Government

Carried Unanimously

Moved Councillor - Matthew Shilling,

Seconded Councillor - Raelene Telfer

That the following items be move en bloc:

- Council delegations under the Planning, Development and Infrastructure Act 2016
- Role and Responsibilities of Assessment Manager under the Planning, Development and Infrastructure Act 2016
- Replacement of CoM Building and Swimming Pool Inspection Policy with new requirements under the PDI Act 2016
- Public Notification Fee and Signage on Land Requirements under the PDI Act 2016
- Revised Fees and Charges under the Planning, Development and Infrastructure Act 2016

Carried

Councillor Hull called a Division

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

Those against: Councillor Mason and Hull

Carried

Council delegations under the Planning, Development and Infrastructure Act 2016

Report Reference: GC210223R12

Moved Councillor - Matthew Shilling,

Seconded Councillor - Raelene Telfer

That Council:

1. Council notes the report, and notes that existing Development Delegations pursuant to the Development Act 1993 will remain in place until revoked by Council.
2. Council resolves to amend Instrument of Delegation A (Attachment 1) to provide or retain the following new PDI Act related delegations:
 - a) 11.1 (Council retain delegation)
 - b) 18.1 (delegated to CEO)
 - c) 76.1 (delegated to CEO)
 - d) 40.1 (delegated to CEO)
 - e) 48.1 (delegated to CEO)
3. In exercise of the power contained in Section 44 of the Local Government Act 1999, the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made there under contained in the proposed Instrument of Delegation annexed to the Report considered by Council at its meeting held 23 February 2021 and entitled:

"Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council, a Designated Authority and a Designated Entity"

...are hereby delegated this 23 of February 2021 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

4. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
5. In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made there under contained in the proposed Instrument of Delegation annexed to the Report considered by Council at its meeting held 23 February 2021 and entitled:

"Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Relevant Authority"

...are hereby delegated this 23 of February 2021 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

6. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

Carried

Councillor Hull called a Division

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

Those against: Councillor Mason and Hull

Carried

CORPORATE REPORTS FOR INFORMATION/NOTING

Role and Responsibilities of Assessment Manager under the Planning, Development and Infrastructure Act 2016

Report Reference: GC210223R13

Moved Councillor - Matthew Shilling,

Seconded Councillor - Raelene Telfer

That Council:

1. Notes the report.

Carried

Councillor Hull called a Division

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

Those against: Councillor Mason and Hull

Carried

Replacement of CoM Building and Swimming Pool Inspection Policy with new requirements under the PDI Act 2016

Report Reference: GC210223R14

Moved Councillor - Matthew Shilling,

Seconded Councillor - Raelene Telfer

That Council:

1. Notes the report 'Replacement of CoM Building and Swimming Pool Inspection Policy with new requirements under the PDI Act 2016'.
2. Notes Council's Building and Swimming Pool Policy will be rescinded as a result of being superseded and replaced with the new mandatory building inspection requirements under the PDI Act 2016, effective 19 March 2021.

Carried

Councillor Hull called a Division

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

Those against: Councillor Mason and Hull

Carried

Public Notification Fee and Signage on Land Requirements under the PDI Act 2016
Report Reference: GC210223R15

Moved Councillor - Matthew Shilling, Seconded Councillor - Raelene Telfer

That Council:

1. Notes this report.

Carried

Councillor Hull called a Division

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

Those against: Councillor Mason and Hull

Carried

Revised Fees and Charges under the Planning, Development and Infrastructure Act 2016
Report Reference: GC210223R16

Moved Councillor - Matthew Shilling, Seconded Councillor - Raelene Telfer

That Council:

1. Notes the report 'Revised Fees and Charges under the Planning, Development and Infrastructure Act 2016'.

Carried

Councillor Hull called a Division

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

Those against: Councillor Mason and Hull

Carried

Community Safety Team Proactive Activities Half Yearly Report
Report Reference: GC210223R17

Meeting Suspension

Moved Councillor – Jason Veliskou, Seconded Councillor Sasha Mason

That formal meeting procedures be suspended to discuss the item

Carried

8.42pm formal meeting procedures suspended

8.42pm Councillor Duncan left the meeting

8.45pm Councillor Duncan re-entered the meeting

8.46pm Councillor Shilling left the meeting

8.51pm Councillor Shilling re-entered the meeting

8.55pm formal meeting procedures resumed

Moved Councillor - Raelene Telfer,

Seconded Councillor - Jason Veliskou

That Council:

1. Notes the report 'Community Safety Team Proactive Activities and Education Plan 2020 Half Yearly Report: July - December 2020'.

Carried Unanimously

Procedural Motion

Moved Councillor - Matthew Shilling,

Seconded Councillor - Nathan Prior

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

- Work Health & Safety - Monthly Performance Report - January 2021
- Questions Taken on Notice Register
- Finance Report - January 2021

Carried Unanimously

Work Health & Safety - Monthly Performance Report - January 2021

Report Reference: GC210223R18

Moved Councillor - Matthew Shilling,

Seconded Councillor - Nathan Prior

That Council:

1. Notes the report and statistical data contained therein.

Carried Unanimously

Questions Taken on Notice Register
Report Reference: GC210223R19

Moved Councillor - Matthew Shilling,

Seconded Councillor - Nathan Prior

That Council:

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

Carried Unanimously

Finance Report - January 2021
Report Reference: GC210223R20

Moved Councillor - Matthew Shilling,

Seconded Councillor - Nathan Prior

That Council:

1. Receives the report "Finance Report – January 2021"

Carried Unanimously

WORKSHOP / PRESENTATION ITEMS - Nil

MOTIONS WITH NOTICE - Nil

QUESTIONS WITH NOTICE

Phone Tower Incident - Coles Supermarket, Park Holme
Elected Member: Councillor Bruce Hull

Report Reference: GC210223Q01

Question:

In the Interest of public safety, I request that Council be advised of all the subsequent reports (including SafeWork SA & MFS) relating to this incident and also advise Council if the structure will again be used as a phone tower or will this telco ruin be removed?

Supporting Information:

On the 2nd May 2020 the top section of a phone tower collapsed through the roof and impacted the floor of the Coles Supermarket, 319 Oaklands Road, Park Holme.

<https://amp.abc.net.au/article/12208642>

Response Received From:

Manager Development and Regulatory Services - Warwick Deller-Coombs

Staff Comments:

- The damaged roof mounted phone tower, which has been out of commission for some time at Park Holme Shopping Centre, will be removed.
- A development application has been lodged for its demolition and replacement with a new freestanding tower. In the meantime, appropriate repairs have been undertaken to the existing Coles roof structure.
- This application, which has only recently been lodged, is under active consideration by the Planning team with no formal assessment undertaken as yet.
- Council has not been provided with any reports from Safework SA, MFS or other agencies. They do not usually provide these and are not usually required to provide these to Council.
- Council staff were provided with an engineering report by the owner's insurer on the existing roof structure at the time, which was reviewed and considered appropriate. This report was requested to be kept confidential by the provider as it contains commercially sensitive information relating to their infrastructure.
- Council staff remain satisfied that the owners are responsibly managing the situation and that any risks to public safety regarding the demolition of the existing structure along with the proposed new structure are being adequately addressed.
- Furthermore Council reviewed phone tower structures it has on Council owned land, underlease and requested our providers undertake regular inspections of their assets. These include:
 - Telstra – Denham Avenue Morphettville (next to the Morphettville Park Sports and Community Club)
 - Telstra - Marion Golf Course Clubhouse Road Seacliff Park
 - Crown Castle (assigned by Vodafone) – Marion Golf Course Clubhouse Road Seacliff Park
- It should be noted that the tower at the Coles Park Holme Shopping Centre is an Optus piece of infrastructure. None of the towers on Council land are in built up areas, nor are they of the type at Park Holme.
- Inspections of the phone towers on Council land have been undertaken with no risks being identified. In addition Administration have stated the need for a review of the engineering of support poles whenever additional infrastructure is considered to be added to existing poles to ensure that the support infrastructure is able to maintain any additional loads and if not, that the support structures need to be reinforced or replaced.

Rates

Elected Member: Councillor Matthew Shilling

Report Reference: GC210223Q02

Question:

1. How many Residential rates were paid in full in 2019/20 and 2020/21?
2. Is this amount the same most years over the last 10 years?
3. Do any other metropolitan councils offer an incentive/discount if rates are paid in full?
4. Has a discount ever been offered for paid in full rates in the City of Marion?

Supporting Information:

Nil.

Response Received From:

Manager Finance - Ray Barnwell

Staff Comments:

How many Residential rates were paid in full in 2019/20 and 2020/21?

- 2019/20 - 11% of residential rates were paid in full by the first instalment due date.
- 2020/21 - 12% of residential rates were paid in full by the first instalment due date.

Is this amount the same most years over the last 10 years?

The average percent paid in full by the first instalment due date over the past 10 years is 11%.

Do any other metropolitan councils offer an incentive/discount if rates are paid in full?

There are no other metropolitan councils offering an incentive /discount for rates paid in full before the first instalment due date with the exception of Mitcham Council who offer a 1% discount. Mitcham Council are currently undertaking community consultation on replacing their discount option with a less costly option.

West Torrens Council also stopped offering a discount a number of years ago. It is understood the decision to stop offering a discount was based on the inequity of rewarding those that have the capacity to pay up front while penalising those that don't.

Has a discount ever been offered for paid in full rates in the City of Marion?

There are no records indicating that the City of Marion has ever offered a discount for rates paid in full.

Offering a discount to those ratepayers who have the capacity to pay in full will come at a cost. This cost will effectively be funded by those who unfortunately do not have the financial capacity to pay their rates in full up front and may be seen as inequitable, particularly to our most vulnerable ratepayers.

Lampshade Cafe Warradale Public Infrastructure

Elected Member: Mayor Kris Hanna

Report Reference: GC210223Q03

Question:

Why is there no obvious signage on the public infrastructure outside the Lampshade Cafe? Warradale, indicating that this has been set up by the City of Marion?

Supporting Information:

About a year ago, I asked this question of staff and was assured a sign would be affixed to the structure indicating it is City of Marion property.

Response Received From:

Manager City Activation - Greg Salmon

Staff Comments:

A 20cm x 10cm plaque was installed on the parklet in 2020 with the City of Marion logo and the following text "This improvement is a Marion Council initiative".

MOTIONS WITHOUT NOTICE

Nil

QUESTIONS WITHOUT NOTICE

Nil

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 8.59pm

CONFIRMED THIS 9TH DAY OF MARCH 2021

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CHAIRPERSON