MINUTES OF THE GENERAL COUNCIL MEETING HELD AT ADMINISTRATION CENTRE 245 STURT ROAD, STURT ON TUESDAY 24 NOVEMBER 2015



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward
Ian Crossland

Mullawirra Ward
Jerome Appleby
Iasan Voliskou

Jason Veliskou

Southern Hills Warracowie Ward

Bruce Hull Nathan Prior

Warriparinga Ward Woodlands Ward

Luke Hutchinson Nick Kerry Raelene Telfer Tim Pfeiffer

In Attendance

Nick Westwood

Mr Adrian Skull CEO

Ms Abby Dickson Acting Director

Ms Kate McKenzie Manager Governance
Ms Victoria Moritz Governance Officer

COMMENCEMENT

The meeting commenced at 7.00pm.

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.

MEMBERS DECLARATION OF INTEREST

The Chair asked if any Member wished to disclose an interest in relation to any item being considered at the meeting and the following declaration was made:

 Councillor Prior declared a conflict of interest in the item Former Hallett Cove Library & Youth Services Building Report Reference GC241115F01.

CONFIRMATION OF MINUTES

Special General Council meeting held on 9 November 2015

Moved Councillor Crossland, Seconded Councillor Pfeiffer that the minutes of the Special General Council meeting held on 9 November 2015 be taken as read and confirmed.

Carried Unanimously

General Council meeting held on 10 November 2015

Moved Councillor Prior, **Seconded Councillor Crossland** that the minutes of the General Council meeting held on 10 November 2015 be taken as read and confirmed.

Carried Unanimously

COMMUNICATION - HIS WORSHIP THE MAYOR

Report on Mayoral Activities for October and November 2015

Date	Event	Comment
23 October 15	ERBA – Hallett Cove Business Breakfast	Attended
25 October 15	Hallett Cove Baptist Church Community Breakfast	Attended
25 October 15	The Cove Family Fair Day	Attended and Opened the Event
25 October 15	Marion Football Club AGM	Attended
25 October 15	Meeting with Darryl Gray, Club Marion	Attended
26 October 15	Meeting with Employers Mutual SA	Attended
26 October 15	Victim Support Service AGM	Attended
26 October 15	Oaklands Estate Residents' Association AGM	Attended
26 October 15	Hallett Cove School Year 12 Graduation Evening	Attended
27 October 15	Meeting with Andrew Southcott re CCTV Cameras	Attended

3 November 15	Meeting with Richard McLachlan, Renewal SA and CEO, Adrian Skull	Attended
4 November 15	Ceremonial Council Meeting in recognition of the Inaugural Meeting of Adelaide City Council	Attended
4 November 15	Seaview High School Annual Art Exhibition	Attended
5 November 15	Discussions re Basketball / Indoor Stadium with Basketball SA	Attended
5 November 15	Sister City relationship with Kokubunji in Japan Meeting	Attended
6 November 15	Hope Church Meeting	Attended
6 November 15	Minister for Roads, Paul Fletcher, and Minister for Transport, Stephen Mulligan re Darlington Project	Attended
6 November 15	Farewell for Kathy Jarrett	Attended
8 November 15	Hallett Cove School Fair	Attended
8 November 15	Hindu Society of SA – Celebration of Dewali Funtation	Attended
9 November 15	Meeting with Ms Nat Cook MP	Attended
11 November 15	2015 EPA Board Forum	Attended
11 November 15	The Cove Football Club AGM	Attended
14 November 15	Warradale Meals on Wheels 25 th Anniversary and Awards Presentation Dinner	Attended
15 November 15	Park Holme / Plympton Park Arts Group	Attended and officially opened exhibition
17 November 15	National Seniors Aust - Brighton Branch meeting	Attended
17 November 15	Meeting with Mayor s Rosenberg, Spear and Patterson	Attended
18 November 15	Glandore Laneways Community 'drop in' session	Attended
18 November 15	2015 Seaview High School Year 12 Graduation and Presentation of Awards Ceremony	Attended
In addition the Mayor various issues.	has met with residents and also with the	e CEO and Council staff regarding

Moved Councillor Telfer, Seconded Councillor Pfeiffer that the report by the Mayor be received.

Carried Unanimously

COMMUNICATION – DEPUTY MAYOR

Date	Event	Comment
29 September 15	Meeting with Hope Church Committee	Attended
1 November 15	Marion Life Church 30 th Anniversary	Attended
3 November 15	SAJC Melbourne Cup Function	Attended
3 November 15	Warriparinga Ward Tour	Attended
5 November 15	Streetscaping Working Part Meeting	Attended
10 November 15	People & Culture Committee Meeting	Attended
11 November 15	Australian of the Year Awards	Attended
22 November 15	Marion Inclusive Place Space Opening	Attended
23 November 15	Mayors Multicultural Forum	Attended

Moved Councillor Telfer, Seconded Councillor Pfeiffer that the Deputy Mayoral Report be received.

Carried Unanimously

COMMUNICATION - ELECTED MEMBERS

Date	Event	Comment
4 November 15	Warriparinga Ward Briefing	Attended
22 November 15	Marion Outdoor Pool Family Open Day	Attended
23 November 15	Cosgrove Hall Management Meeting	Attended
23 November 15	Mayor's Multicultural Forum	Attended

Moved Councillor Telfer, Seconded Councillor Pfeiffer that the Elected Member Communication Reports be received.

Carried Unanimously

COMMUNICATION - CEO AND EXECUTIVE REPORTS

Report on CEO and Executive Activities for October and November 2015

Date	Activity	Attended by	Comments
23 September	Meeting with Auditor General Officers	Adrian Skull	
24 September	Meeting with LGA Leadership Team	Adrian Skull	

25 September	Meeting with Richard McLachlan, Renewal SA (Project Director Tonsley)	Adrian Skull
06 October	Introduction to Laurie Kozlovic , General Manager Veolia and Joe Borrelli, Chief Executive IWS Group	Adrian Skull
10 October	Attended opening of Oaklands Skate Park	Adrian Skull
12 October	Meeting with DPTI and City of Mitcham regarding the Darlington DPA	Adrian Skull
12 October	Meeting with Rick Cairney, Business SA	Adrian Skull
14 October	Meeting between City of Marion and City of Mitcham – Tonsley Precinct and Darlington Update	Adrian Skull
15 October	Meeting with Graham Brown, CEO Junction Australia	Adrian Skull
17 October	Citizenship Ceremony	Adrian Skull
26 October	Council Solutions Meeting	Vincent Mifsud
Adrian Skull, CE	EO on leave from 20 – 28 October 201	5
27 October	Attended joint Council meeting discussion with the City of Mitcham	Kathy Jarrett
27 October	Attended meeting with Mayor Hanna and Andrew Southcott MP	Abby Dickson
29 October	Participated in a Darlington Workshop	Adrian Skull
02 November	Southern Region Waste Resource Authority (SRWRA) Board Meeting	Vincent Mifsud
02 November	Attended meeting with Cove Sports	Abby Dickson
03 November	Meeting with Richard McLachlan, Renewal SA and Mayor Hanna	Adrian Skull
03 November	Meeting with AWU	Kathy Jarrett
03 November	Attended meeting with ASU re service reviews	Abby Dickson

04 November	Attended Local Government CEO Dinner	Adrian Skull	
05 November	Attended Renewal SA presentation - Renewing our Streets & Suburbs (ROSAS)	Adrian Skull	
05 November	Attended meeting with Basketball SA regarding Basketball / Indoor Stadium	Adrian Skull	
05 November	Opened the Community Centres SA Conference	Abby Dickson	
05 November	Attended the Official Opening of the Drew Court Community Room – Social Housing	Abby Dickson	
06 November	Attended DPTI meeting regarding the Darlington Upgrade - Project Update	Adrian Skull	
06 November	Attended Darlington discussions with Ministers Fletcher and Mullighan / Cities of Mitcham and Marion and Flinders University	Adrian Skull	
11 November	Attended Metropolitan Local Government Group (MLGG) meeting	Adrian Skull	
13 November	Lorenzin Site - Meeting with Proponents about progressing the Development Plan Amendment (DPA)	Adrian Skull	
13 November	Attended the Hallett Cove BioBlitz event	Adrian Skull	
16 November	Meeting with KPMG Internal Audit	Adrian Skull Vincent Mifsud	
16 November	Attended Council Solutions Board Planning Day	Adrian Skull Vincent Mifsud	
Abby Dickson, Acting General Manager City Development on leave 16 – 20 November			
19 November	Attended Trott Park Neighbourhhood Centre International Men's Day Lunch	Adrian Skull	
Marria II Aarria -!I	U T. K O	Dfaiffor that the report by the CEO	

Moved Councillor Telfer, Seconded Councillor Pfeiffer that the report by the CEO and Executive be received.

Carried Unanimously

YOUTH ADVISORY COMMITTEE (YAC) UPDATE

Nil

DEPUTATIONS

7.05pm Deputation: Mr Des Huston – Marion Leisure & Fitness Centre Review of Decision Ref No: GC241115D01

Mr Huston gave a five minute deputation to Council in relation to the Marion Leisure & Fitness Centre, Review of Decision.

PETITIONS

Nil

COMMITTEE RECOMMENDATIONS

Nil

WORKSHOP / PRESENTATION ITEMS

Nil

ADJOURNED ITEMS

- 7.16pm Councillor Veliskou left the meeting.
- 7.16pm Former Hallett Cove Library and Youth Services Building Reference No: GC241115F01

Moved Councillor Crossland, Seconded Councillor Telfer that this item be further adjourned and dealt with as the first item under Confidential Items.

Carried Unanimously

CORPORATE REPORTS FOR DECISION

7.17pm Cr Velsikou re-entered the meeting.

7.18pm Section 270 Review, Closure of Wet Areas at Marion Leisure and Fitness Report Reference: GC241115R01

7.34pm Councillor Crossland left the meeting7.36pm Councillor Crossland re-entered the meeting

Moved Councillor Appleby, Seconded Councillor Westwood that the item be adjourned until 8 December 2015 General Council Meeting to seek further advice on waiver agreements.

Carried Unanimously

7.38pm Advertising on Bus Shelters
Reference No: GC241115R02

Moved Councillor Veliskou, Seconded Councillor Westwood that:

- 1. Council note the report.
- 2. Advertising companies be advised of Council's intention to consider the inclusion of a restriction on junk food advertising on bus shelters within immediate proximity (200m) of schools and kindergartens, as part of the next re-negotiation of their existing contracts.
- 3. Council look at the opportunity to provide positive lifestyle choices advertising within bus shelters, such as walking and cycling initiatives and benefits.
- 4. Council thank the current bus shelter advertising companies for their response., In the continued spirit of cooperation, council write to the advertisers to ask them if they feel they could change the placement of advertisements to balance their contractual obligation with the desire of Council to minimise junk food advertising amongst schools.

Amendment

Moved Councillor Hull seconded Councillor Pfeiffer that:

- 1. Council note the report.
- 2. Advertising companies be advised of Council's intention to consider the inclusion of a restriction on junk food (as defined in the Collins Dictionary as: food that is low in nutritional value, often highly processed or ready-prepared, and eaten instead of or in addition to well-balanced meals) advertising on bus shelters within immediate proximity (200m) of schools and kindergartens, as part of the next re-negotiation of their existing contracts.
- 3. Council look at the opportunity to provide positive lifestyle choices advertising within bus shelters, such as walking and cycling initiatives and benefits.
- 4. Council thank the current bus shelter advertising companies for their response., In the continued spirit of cooperation, council write to the advertisers to ask them if they feel they

could change the placement of advertisements to balance their contractual obligation with the desire of Council to minimise junk food advertising amongst schools.

That the amendment become the motion was **Carried**The motion was **Carried**

Councillor Appleby called for a division:

Those for: Councillors Pfeiffer, Telfer, Hutchinson, Hull, Westwood, and Veliskou

Those Against: Councillors Kerry, Prior, Appleby and Crossland

Carried

7.51pm Marion Cultural Centre Plaza – Amenity Improvements Report Reference: GC241115R03

Moved Councillor Hull, Seconded Councillor Prior that Council:

- 1. Refers the allocation of up to \$40,000 for improving the amenity of the Marion Cultural Centre Plaza to the 2016/17 Annual Business Plan and Budget Process, for further consideration and prioritisation.
- Requests that a report be brought back to Council in April 2016 outlining the final design and whole of life costs to deliver the capital works required to improve the amenity of the Marion Cultural Centre Plaza.

Carried Unanimously

ORDER OF AGENDA ITEMS

The Mayor sought leave of the meeting and the meeting agreed to bring forward the item Edwardstown Rotary Club Donation to the Jervois Street Reserve – Report Reference: GC241115M01.

Motions with Notice

8.05pm Edwardstown Rotary Club donation to the Jervois Street Reserve Ref No: GC241115M01

Moved Councillor Pfeiffer, Seconded Councillor Kerry that the Council:

- 1. Acknowledge and formally thank the Edwardstown Rotary Club for their generous donation to Council of \$50,000 towards the development of the Jervois Street Reserve.
- 2. Use the donation for a specific element of the Jervois Street Reserve design and appropriately acknowledge the Edwardstown Rotary Club in a permanent manner on site (through a plaque or similar).

Carried Unanimously

8.14pm South Park Holme Tennis Club Outstanding Debt Report Reference: GC241115R04

Moved Councillor Veliskou, Seconded Councillor Crossland that Council:

- 1. Authorises the Chief Executive Officer to write off the amount of \$15,894.74 comprising amounts owed by the Park Holme Tennis Club for Building Insurance, Emergency Service Levy and repairs to lighting towers.
- 2. Notes the interim arrangements that have been put in place for the Morphettville Tennis Club to have access to the courts until 30 June 2016.
- 8.15pm Councillor Prior left the meeting
- 8.16pm Councillor Prior re-entered the meeting

Carried

8.27pm Community Energy Opportunities Report Reference: GC241115R05

Moved Councillor Prior, Seconded Councillor Veliskou that Council:

- 1. Allocate resources of up to \$4,000 from within existing budgets to further investigate the feasibility (cost, risk, benefit, etc.) of:
 - A solar farm at a site to be determined:
 - Installation of solar PV on Council buildings.

Carried

8.39pm Appointment of Public Officer to the DAP Report Reference: GC241115R06

Moved Councillor Westwood, Seconded Councillor Prior that:

1. Council appoints Ms Abby Dickson to the position of Public Officer pursuant to Section 56(22) of the Development Act, 1993.

Carried Unanimously

CORPORATE REPORTS FOR INFORMATION / NOTING

8.41pm Finance Report – October 2015 Report Reference: GC241115R07

8.41pm Councillor Appleby left the meeting

8.43pm Councillor Appleby re-entered the meeting

Moved Councillor Telfer, Seconded Councillor Veliskou that Council:

1. Receive the report "Finance Report – October 2015".

Carried Unanimously

MATTERS RAISED BY MEMBERS

Questions with Notice

Residential Bins Ref No: GC241115Q01

QUESTION:

What is the process for residents wishing to replace a damaged residential bin within the City of Marion?

What are the criteria under which a residential bin is considered damaged enough to replace?

How many bin replacements have taken place over the last 2 years and are there any trends that direct future replacement schedules?

What has the City of Marion being doing to date to maintain the condition of the residential bin stock?

What else could be done to increase resident knowledge of the processes and the circumstances under which residential bins are replaced?

COMMENTS: Colin Heath, Manager Contracts

The City of Marion's ("COM") kerbside waste collection contractor Solo Resource Recovery ("Solo") is responsible for the supply and repair/replacement of all damaged residential bins, at their cost, within 2 workings days of a request by residents.

Residents are asked to contact Solo on (08) 8295 5077 or email <u>adelaideops@solo.com.au</u> to request the repair of damaged bins. Solo will assess the damage, and replace the bin where the damage is deemed to make the bin 'unserviceable'.

Factors considered in this assessment include whether the damage:

- represents a physical risk to residents/public
- · enables vermin to access waste
- increases the risk of spilling material/liquids (location of splits impacts this for example)

Bins with major graffiti are also generally replaced (minor is not).

COM has in the order of 110,000-120,000 bins which were collected 3.2 million times during the 2014/15 financial year.

Solo has replaced

- 2,818 bins in 2013/14 and 2,259 in 2014/15
- an average of approx. 2,000 per annum over the past 5 financial years, or 1.7% of the estimated number of total bins.

Current strategies adopted to maintain the condition of the residential bin stock include:

- promoting bin replacement processes via:
 - the annual distribution of Bin Collection Calendar and Waste Recycling Guide's to all households
 - COM website

- COM's customer call centre scripts
- Waste Administration Officer and other staff being observant while moving through our council boundaries and identifying damaged bins and proactively requesting replacement bins on behalf of residents (including while undertaking regular bin audits)
- Partnering with Solo management to emphasize the importance of their driver's ability to proactively identify and replace damaged bins
- ad-hoc Elected Member promotion/focus to residents eg. articles in City Limits

Additional strategies that could potentially be considered include:

- using photographs on COM's website to better demonstrate circumstances under which residential bins are replaced
- promotional stories within City Limits and COM's social media channels

Questions without Notice

Nil

Motions without Notice

Nil

CONFIDENTIAL ITEMS

Councillor Prior declared a conflict of interest in the item *Former Hallett Cove Library and Youth Services Building Report Reference GC241115F01* due to a personal relationship.

8.44pm Councillor Prior left the meeting.

8.44pm Former Hallett Cove Library and Youth Services Building Reference No: GC241115F01

Moved Councillor Veliskou, Seconded Councillor Westwood that:

1. Pursuant to Section 90(2) and (3)(b) and (d) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Abby Dickson, Kate McKenzie, Victoria Moritz, John Valentine and Craig Clarke be excluded from the meeting as the Council receives and considers information relating to the disposal of the former Hallett Cove Library (and Youth Services) building, and the appointment of commercial agent, 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 matter that could confer a commercial advantage to a third party and is of a commercial nature.

Carried Unanimously

8.44pm the meeting went into confidence

Moved Councillor Crossland, Seconded Councillor Westwood that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 (SA) the Council orders that this report entitled 'Hallett Cove Library and Youth Services Building' and the minutes arising from this report having been considered in confidence under Section 90(2) and (3) (b), (d) and (g) of the Act shall, 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 2015.

Moved Councillor Crossland, Seconded Councillor Hutchinson that formal meeting procedures be suspended to allow further informal discussions on the item *Former Hallett Cove Library & Youth Services Building.*

Carried

8.51pm formal meeting procedures suspended.

Moved Councillor Crossland, Seconded Councillor Appleby that formal meeting procedures resume.

Carried Unanimously

9.07pm formal meeting procedures resumed.

The Motion was Carried Unanimously

- 9.13pm the meeting came out of confidence.
- 9.14pm Marion Leisure & Fitness Centre: Future Options Review Report Reference: GC241115F02

Moved Councillor Veliskou, Seconded Councillor Kerry that:

1. pursuant to Section 90 (3)(b) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Chief Executive Officer; Acting General Manager; Abby Dickson, Kate McKenzie, Manager Governance; David Barrett, Unit Manager Cultural Facilities; Victoria Moritz, Governance Officer; Craig Clarke, Unit Manager Communications, be excluded from the meeting as the Council receives and considers information relating to Marion Leisure & Fitness Centre 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 operations of a confidential nature the disclosure of which could reasonably be expected to prejudice the commercial position of Council

Carried Unanimously

- 9.14 pm the meeting went into confidence.
- 9.14 Councillor Prior re-entered the meeting.

Moved Councillor Veliskou, Seconded Councillor Prior that formal meeting procedures be suspended to allow for informal discussion on the item *Marion Leisure & Fitness Centre: Future Operations Review.*

Carried

- 9.30pm formal meeting procedures suspended
- 9.43pm formal meeting procedures resumed

Moved Councillor Hutchinson, Seconded Councillor that Council:

- 1. Receives the Marion Leisure Futures Directions report which is attached as appendix 1 to this report
- 2. Authorises the CEO to urgently request Proposals for tenancy or purchase of all or any combination of the 4 main components of the Marion Leisure and Fitness site at Oaklands Road Morphettville ie the current fitness centre and related areas, the stadium areas (3 courts), the areas currently used by Gymnastics SA, and the building used by Koorana Gymnastics Club. The Request for Proposal must disclose in detail the current extent of use of each component of the site (without directly disclosing the financial affairs of any party). Such Proposals are to be received by 29th February 2016 and must address:
 - a) Financial benefit to the City of Marion
 - b) Activities proposed on site, particularly in terms of meeting demonstrated community needs
 - c) Willingness to contribute capital funds to improve the site
 - d) Willingness to contribute to ongoing maintenance of the site
 - e) Financial soundness of the interested party
- Offer to extend the current arrangement with YMCA to 31st May 2016 if the YMCA undertakes to provide refunds to customers with membership contracts beyond 31st May 2016
- 4. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Marion Leisure & Fitness Centre: Future Options Review and appendix to this report having been considered in confidence under Section 90 (3)(b) of the Act shall, 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 2015.

Amendment

Moved Councillor Appleby, Seconded Councillor Veliskou that Council:

- 1. Receives the Marion Leisure Futures Directions report which is attached as appendix 1 to this report
- 2. Authorises the CEO to urgently request Proposals for tenancy of all or any combination of the 4 main components of the Marion Leisure and Fitness site at Oaklands Road Morphettville ie the current fitness centre and related areas, the stadium areas (3 courts), the areas currently used by Gymnastics SA, and the building used by Koorana Gymnastics Club. The Request for Proposal must disclose in detail the current extent of use of each component of the site (without directly disclosing the financial affairs of any party). Such Proposals are to be received by 29th February 2016 and must address:

- a) Financial benefit to the City of Marion
- b) Activities proposed on site, particularly in terms of meeting demonstrated community needs
- c) Willingness to contribute capital funds to improve the site
- d) Willingness to contribute to ongoing maintenance of the site
- e) Financial soundness of the interested party
- 3. Council offer to extend the current arrangement with YMCA to 31st May 2016 if the YMCA undertakes to provide refunds to customers with membership contracts beyond 31st May 2016
- 4. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Marion Leisure & Fitness Centre: Future Options Review and appendix to this report having been considered in confidence under Section 90 (3)(b) of the Act shall, 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 2015.

That the amendment become the motion was **Carried**The Motion was **Carried**

The Mayor sought and was granted leave of the meeting to note the refusal of a Deputation requested by Gym SA on the basis it was premature for an interested party to address Council while entering into a process where new arrangements for the Marion Leisure & Fitness site are being considered.

The Mayor noted that Gym SA responded to the refusal by emailing information to Elected Members prior to the meeting.

9.57pm Councillor Crossland left the meeting9.59pm Councillor Crossland re-entered the meeting

Elected Member Communications

Verbal updates were provided by Councillors Veliskou and Hull.

CLOSURE - Meeting Declared Closed at 10.00pm.

CONFIRMED THIS 8 December 2015

CHAIRPERSON