

**MINUTES OF THE SPECIAL GENERAL COUNCIL MEETING  
HELD AT THE ADMINISTRATION CENTRE  
COUNCIL CHAMBER  
245 STURT ROAD, STURT  
ON TUESDAY 1 AUGUST 2016**

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**PRESENT**

His Worship the Mayor Kris Hanna

**Councillors**

**Coastal Ward**

Ian Crossland  
Tim Gard

**Mullawirra Ward**

Jerome Appleby  
Jason Veliskou

**Southern Hills**

Janet Byram  
Nick Westwood

**Warracowie Ward**

Nathan Prior  
Bruce Hull

**Warriparinga Ward**

Raelene Telfer

**Woodlands Ward**

Nick Kerry  
Tim Pfeiffer

**In Attendance**

Mr Adrian Skull  
Mr Vincent Mifsud  
Ms Abby Dickson  
Mr Tony Lines  
Ms Kate McKenzie  
Ms Jaimie Thwaites

Chief Executive Officer  
General Manager Corporate Services  
General Manager City Development  
General Manager Operations  
Manager Corporate Governance  
Unit Manager Governance & Records

**OPEN MEETING**

The meeting commenced at 6.30pm.

**KAURNA ACKNOWLEDGEMENT**

We would like to begin by acknowledging 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 Special General Council meeting will be recorded and will be made available on the City of Marion website.

## **ELECTED MEMBER'S DECLARATION OF INTEREST**

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

No declarations were made

## **CONFIDENTIAL ITEM**

### **6.33pm Local Government Association Membership Report Reference: SGC010816F01**

**Moved Councillor Crossland, Seconded Councillor Prior** that:

1. Pursuant to Section 90(2) and (3)(d) and (h) 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; Tony Lines, General Manager Operations; Vincent Mifsud, General Manager Corporate Services; Abby Dickson, General Manager City Development; Kate McKenzie, Manager Corporate Governance; Jaimie Thwaites, Unit Manager Governance and Records, Craig Clarke, Unit Manager Communications, be excluded from the meeting as the Council receives and considers information relating to Local Government Association Membership, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to commercial information of a confidential nature and legal advice.

**Carried**

**6.34pm the meeting went into confidence.**

**Moved Councillor Westwood, Seconded Councillor Veliskou** that formal meeting proceedings be suspended to enable discussion on the item.

**Carried**

**6.36pm formal meeting procedures suspended**

7.17pm Councillor Crossland left the meeting  
7.18pm Councillor Crossland re-entered the meeting  
7.20pm Councillor Prior left the meeting  
7.21pm Councillor Byram left the meeting  
7.23pm Councillor Prior re-entered the meeting  
7.23pm Councillor Byram re-entered the meeting

**Moved Councillor Westwood, Seconded Councillor Gard** that formal meeting proceedings be resumed.

**Carried unanimously**

**7.28pm formal meeting procedures resumed**

**Moved Councillor Westwood, Seconded Councillor Byram** that Council:

1. Notes the report and the information contained therein.

2. Pursuant to Regulation 21 of the *Local Government (Procedures at Meeting) Regulations*, revokes the decision from the 28 June 2016 General Council Meeting stating: *“The City of Marion withdraws from membership with the Local Government Association (LGA) for the 2016/17 period. A report be presented to Council in March 2017 as to any progress of negotiating a more acceptable membership fee.”*
3. Notes the City of Marion (via the Chief Executive Officer) gave formal notice to the Local Government Association on 29 June 2016 to resign its membership, but that the Local Government Association has disputed that the notice was effective to cause the City of Marion to resign from the Local Government Association.
4. Wishes to revoke its resignation and remain an ordinary member of the Local Government Association for the period of 2016/17.
5. Authorises the Mayor to write to the Local Government Association advising that Council:
  - a. has revoked its previous decision of 28 June 2016 and wishes to revoke its resignation and remain a member of the Local Government Association.
  - b. is seeking assurance that the Local Government Association will accept that the City of Marion remains a member of the Local Government Association and that an application for membership pursuant to cl 12 of the Constitution of the Local Government Association is not required.
  - c. wishes to work with the Local Government Association to seek better outcomes for the City of Marion residents and expects to be notified of changes to the subscription formula based on Council population by March 2017.
  - d. is disappointed with the level of membership fee being charged to the City of Marion.
6. Requests a further report be presented to Council in March 2017 to determine its Local Government Association Membership for 2017/18 and beyond.
7. Authorises the Mayor to write to the Minister of Local Government requesting a review of the role and purpose of the Local Government Association.
8. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*Local Government Association Membership GC260716F02*) to this report, having been considered in confidence under s 90(2) and (3)(g) and (h) of the Act, be kept confidential and not made 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 2016.

**Amendment:**

**Moved Councillor Crossland, Seconded Councillor Gard** that Council:

1. Notes the report and the information contained therein.
2. Pursuant to Regulation 21 of the *Local Government (Procedures at Meeting) Regulations*, revokes the decision from the 28 June 2016 General Council Meeting stating: *“The City of Marion withdraws from membership with the Local Government Association (LGA) for the 2016/17 period. A report be presented to Council in March 2017 as to any progress of negotiating a more acceptable membership fee.”*

3. Notes the City of Marion (via the Chief Executive Officer) gave formal notice to the Local Government Association on 29 June 2016 to resign its membership, but that the Local Government Association has disputed that the notice was effective to cause the City of Marion to resign from the Local Government Association.
4. Wishes to revoke its resignation and remain an ordinary member of the Local Government Association for the period of 2016/17.
5. Authorises the Mayor to write to the Local Government Association advising that Council:
  - a. has revoked its previous decision of 28 June 2016 and wishes to revoke its resignation and remain a member of the Local Government Association.
  - b. is seeking assurance that the Local Government Association will accept that the City of Marion remains a member of the Local Government Association and that an application for membership pursuant to cl 12 of the Constitution of the Local Government Association is not required.
  - c. wishes to work with the Local Government Association to seek better outcomes for the City of Marion residents and expects to be notified of changes to the subscription formula based on Council population by March 2017.
  - d. is disappointed with the LGA's implied threat of legal action.
6. Authorises the Mayor to write to the Minister of Local Government requesting a review of the role and purpose of the Local Government Association.
7. Authorises the CEO to advise that the City of Marion will be ceasing its membership for the year commencing 1 July 2017.
8. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*Local Government Association Membership* GC260716F02) to this report, having been considered in confidence under s 90(2) and (3)(g) and (h) of the Act, be kept confidential and not made 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 2016.

### Point of Order

Councillor Pfeiffer called a point of order that the amendment was a direct opposite to the original motion. The Chair ruled that the amendment would be accepted with the removal of point 7 - '*Authorises the CEO to advise that the City of Marion will be ceasing its membership for the year commencing 1 July 2017*'.

The mover sought and was granted leave of the meeting to withdraw the amendment.

**Amendment withdrawn**

Debate resumed on the original motion.

The motion was **Carried**

### Councillor Hull called for a division:

**Those for:** Councillors Pfeiffer, Kerry, Telfer, Westwood, Byram and Veliskou

**Those against:** Councillors Prior, Hull, Appleby, Gard and Crossland

**Carried**

**8.13pm the meeting came out of confidence.**

**CLOSURE** - Meeting Declared Closed at 8.13pm

**CONFIRMED THIS 9 AUGUST 2016**

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**CHAIRPERSON**  
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