

**MINUTES OF THE SPECIAL GENERAL COUNCIL MEETING
HELD AT THE ADMINISTRATION CENTRE
COUNCIL CHAMBER
245 STURT ROAD, STURT
ON MONDAY 27 NOVEMBER 2017**



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward

Tim Gard
Ian Crossland

Mullawirra Ward

Jason Veliskou
Jerome Appleby

Southern Hills

Janet Byram
Nick Westwood

Warracowie Ward

Nathan Prior
Bruce Hull

Warriparinga Ward

Raelene Telfer

Woodlands Ward

Nick Kerry
Tim Pfeiffer (from 8.40pm)

In Attendance

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

Chief Executive Officer
Manager Corporate Governance
General Manager, City Development
General Manager, City Services
General Manager, Corporate Services
Unit Manager Governance and 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 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.

The following Elected Members declared a conflict of interest in the item *Housing Diversity Development Plan Amendment – Resolution of Amendments, SGC271117R02*:

- Councillor Appleby
- Councillor Telfer
- Councillor Crossland
- Councillor Gard
- Councillor Kerry
- Councillor Westwood
- Councillor Veliskou

COMMITTEE RECOMMENDATIONS

6.42pm Confirmation of Minutes of the Special Urban Planning Committee meeting held on 20 November 2017

Report Reference: SGC271117R01

Moved Councillor Gard, Seconded Councillor Prior that Council:

1. Receives and notes the minutes of the Special Urban Planning Committee meeting held on 20 November 2017 (Appendix 1).
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Urban Planning Committee.

Carried Unanimously

CONFIDENTIAL ITEMS

6.43 Corporate and CEO KPI Report Quarter one 2017/18

Report Reference: SGC271117F01

Moved Councillor Veliskou, Seconded Councillor Telfer that:

1. 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 the following persons: Adrian Skull, Chief Executive Officer, Steph Roberts, Manager Human Resources, Vincent Mifsud, General Manager Corporate Services, Kate McKenzie, Manager Corporate Governance, be excluded from the meeting as the Council receives and considers information relating to the Chief Executive Officer (CEO) KPI Report Quarter 1 2017/18, 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 performance of the CEO.

Carried

6.47pm the meeting went into confidence

Moved Councillor Westwood, Seconded Councillor Appleby that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report: Corporate and CEO KPI Report Quarter one 2017/18 (including appendix) and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act, 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 2017.

Carried Unanimously

6.54pm the meeting came out of confidence

**6.54pm CEO KPI's 2017/18
Report Reference: SGC271117F02**

Moved Councillor Westwood, Seconded Councillor Byram that formal meeting procedures be suspended to enable discussion on the item.

Carried Unanimously

6.58pm Formal meeting procedures suspended

- 7.15pm Councillor Crossland left the meeting
- 7.18pm Councillor Crossland re-entered the meeting
- 7.30pm Councillor Prior left the meeting
- 7.32pm Councillor Prior re-entered the meeting

7.34pm Formal meeting procedures resumed

Moved Councillor Gard, Seconded Councillor Westwood that:

1. Notes that the CEO and Corporate Key Performance Indicators for the 2017/18 Financial Year are now aligned.
2. The Mayor liaises with the CEO in accordance with clause 9.11 of the CEO's Employment Contract and seeks formal agreement and acceptance of the additional measures.

Carried Unanimously

Moved Councillor Telfer, Seconded Councillor Hull that:

1. Adds an additional performance indicator to be monitored annually with the CEO and Corporate KPIs 2017/18. This additional performance indicator is:
 - a. Elected Member assessment of the Chief Executive's ability to encourage from Management:
 - o Understanding of the Elected Member and Community perspective
 - o Responsive communication with Elected Members
 - o Timely provision of informationThe assessment is to remain confidential between the Elected Members, the CEO and the HR Manager.

Amendment:

Moved Councillor Westwood that:

1. The CEO manage staff specifically in the areas of:
 - o Responsive communication with Elected Members
 - o Timely provision of informationIn response to reports of dissatisfaction by Elected Members

The motion was ruled ultra vires and was not accepted.

7.40pm Councillor Veliskou left the meeting

The original motion was **Carried Unanimously**

CORPORATE REPORTS FOR DECISION

7.42pm Councillor Veliskou re-entered the meeting

**7.42pm Housing Diversity Development Plan Amendment – Resolution of Amendments
Report Reference: SGC271117R02**

Councillor Appleby, based on legal advice received, declared a material conflict of interest in the item as his brother owns Property on Diagonal Road. Councillor Appleby will leave the Chamber when the relevant section of the Housing Diversity Development Plan Amendment is discussed (i.e. Central (North of Seacombe Road/ South of Oaklands/Daws Roads)).

Councillor Telfer, based on legal advice received, declared a material conflict of interest in the item as she owns a property in Marion. Councillor Telfer will leave the Chamber when the relevant section of the Housing Diversity Development Plan Amendment is discussed (i.e. Central (North of Seacombe Road/ South of Oaklands/Daws Roads)).

Councillor Crossland, based on legal advice received, declared a material conflict of interest in the item as he owns property in Hallett Cove. Councillor Crossland will leave the Chamber when the relevant section of the Housing Diversity Development Plan Amendment is discussed (i.e. South (South of Seacombe Road/Scholefield Road)).

Councillor Gard, based on legal advice received, declared a material conflict of interest in the item as he has an interest in property in Glengowrie, Marino and Hallett Cove. Councillor Gard will leave the Chamber when the relevant sections of the Housing Diversity Development Plan Amendment is discussed (i.e. South (South of Seacombe Road/Scholefield Road) and Central (North of Seacombe Road/ South of Oaklands/Daws Roads)).

Councillor Kerry, based on legal advice received, declared a material conflict of interest in the item as he owns property at Edwardstown. Councillor Kerry will leave the Chamber when the relevant section of the Housing Diversity Development Plan Amendment is discussed (i.e. North (North of Oaklands/Daws Roads)).

Councillor Westwood, based on legal advice received, declared a material conflict of interest in the item as he owns property in Sheidow Park. Councillor Westwood will leave the Chamber when the relevant section of the Housing Diversity Development Plan Amendment is discussed (i.e. South (South of Seacombe Road/Scholefield Road)).

Councillor Prior, based on legal advice received, declared a perceived conflict of interest in the

item as he owns property in Oaklands Park, however the proposed changes would not impact on his particular property. Councillor Prior will remain in the Chamber for the Housing Diversity Development Plan Amendment item.

Councillor Veliskou, based on legal advice received, declared a material conflict of interest in the item as he owns property in Sheidow Park. Councillor Veliskou will leave the Chamber when the relevant section of the Housing Diversity Development Plan Amendment is discussed (i.e. South (South of Seacombe Road/Scholefield Road)).

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

Carried Unanimously

7.48pm Formal meeting procedures suspended

7.48pm Councillors Kerry and Gard left the meeting

8.12pm Councillors Telfer, Appleby left the meeting

8.12pm Councillors Gard and Kerry re-entered

MEETING EXTENSION

Moved Councillor Veliskou, Seconded Councillor Prior that the meeting be extended until the conclusion of the item.

Carried Unanimously

8.27pm meeting extended

8.40pm Councillor Telfer and Appleby re-entered the meeting

8.40pm Councillors Gard, Crossland, Westwood, Veliskou left the meeting

8.40pm Councillor Pfeiffer entered the meeting

Councillor Pfeiffer, based on legal advice received, declared a material conflict of interest in the item as he owns property at Edwardstown. Councillor Pfeiffer will leave the Chamber when the relevant section of the Housing Diversity Development Plan Amendment is discussed (i.e. North (North of Oaklands/Daws Roads)).

9.07pm Councillors Veliskou, Crossland, Gard and Westwood re-entered the meeting

9.23pm Councillors Kerry, Telfer, Appleby, Prior and Gard left the meeting

9.32pm Councillors Prior, Appleby, Kerry, Telfer and Gard re-entered the meeting

9.33pm resumed standing orders

9.34pm Councillors Kerry, Gard and Pfeiffer left the meeting

Moved Councillor Veliskou, Seconded Councillor Prior that Council:

1. Endorses amendments to the Housing Diversity DPA, as below:

North (North of Oaklands/Daws Roads)	
Remove	Replace with/Amend
Suburban Activity Node Zone (South Plympton (entirety along tram line west of Winifred Avenue)) and (Edwardstown and Ascot Park (entirety along rail corridor north of Daws Road))	Replace with Regeneration Policy Area
Suburban Activity Node Zone (Glandore - east of Winifred Avenue)	Return to Medium Density Policy Area
Suburban Activity Node Zone (Plympton Park)	Return to Medium Density Policy Area
Residential Character Policy Area (South Plympton)	Return to Marion Plains Policy Area
Residential Character Policy Area (north Edwardstown)	Replace with Marion Plains Policy Area
Urban Corridor Zone	Sites greater than 2,000 square metres with local road access and minimum depth of 40 metres shall be deemed "Key sites" and they shall have generic incentive for increased building heights
Urban Corridor Zone	Include residential properties 90 and 92 William Street and 91 Thomas Street

Carried Unanimously

9.37pm Councillors Kerry, Gard and Pfeiffer re-entered the room

9.37pm Councillors Appleby and Telfer left the meeting

Mayor Hanna declared a perceived conflict of interest in the item as he owns property in Oaklands Estate. Mayor Hanna left the Chamber while the relevant section of the Housing Diversity Development Plan Amendment was discussed (i.e. Residential Character Zone (Marion)).

9.39pm the Mayor left the meeting

9.39pm the Deputy Mayor Crossland resumed the Chair

Moved Councillor Prior, Seconded Councillor Hull that Council:

2. Endorses amendments to the Housing Diversity DPA, as below:

Central (North of Seacombe Road/ South of Oaklands/Daws Roads)	
Remove	Replace with/Amend
Residential Character Policy Area (Marion)	No change to existing Development Plan

Neighbourhood Centre Zone (Park Holme)	Amend to identify shop-top living only on southern side of Chambers Street
Neighbourhood Centre Zone (Park Holme)	Reduce western extent of increased Zone to conclude on western side of church site (18-20 Chambers Street)
Neighbourhood Centre Zone (Marion/Mitchell Park)	As per DPA
Suburban Activity Node Zone 'Other Area' (Warradale – Railway Terrace and Addison Road)	Replace with Regeneration Policy Area
Suburban Activity Node Zone 'Core Area' (Warradale – Morphett Road and west)	Replace with 'Other Area' criteria
Suburban Activity Node Zone 'Transition Area' (Warradale – Morphett Road and west)	Replace entirety of 'Transition Area' with Marion Plains Policy Area
Suburban Activity Node Zone 'Core Area' (Seacombe Gardens - Sturt Road)	Replace with 'Other Area' criteria
Suburban Activity Node Zone 'Transition Area' (Seacombe Gardens - Between Kingston Ave and Alderman Ave)	Replace entirety of 'Transition Area' and return to Regeneration Policy Area
Suburban Activity Node Zone 'Core Area'/'Transition Area' (Seacombe Gardens - Salvation Army site)	Include 503 Morphett Road within SANZ ('Other Area')
Suburban Activity Node Zone 'Core Area' (Oaklands Park – all)	Replace with 'Other Area' criteria
Suburban Activity Node Zone 'Transition Area' (Oaklands Park – south of train line)	Replace entirety of 'Transition Area' with Marion Plains Policy Area
Suburban Activity Node Zone 'Core Area'/'Transition Area' (Oaklands Park – Anglican church)	Include 12A Dwyer Road within revised 'Other Area'
Suburban Activity Node Zone 'Transition Area' (Oaklands Park – north of train line)	Return to Medium Density Policy Area/Regeneration Policy Area as per current zoning
Suburban Activity Node Zone 'Other Area' (Sturt – Marion Road and west)	Remove entirety of Zone in this locality. Change to Marion Plains Policy Area
(new) Local Centre Zone	Create new Local Centre Zone on land at 2 Macklin Street and 932 and 934 Marion Road

Suburban Activity Node Zone 'Other Area' (Sturt and Marion – north and south side of Sturt Road)	As per DPA
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Carried Unanimously

9.44pm Mayor Hanna, Councillors Appleby and Telfer re-entered the meeting

9.44pm The Mayor resumed Chair

9.45pm Councillors Westwood, Veliskou and Crossland left the meeting

Moved Councillor Hull, Seconded Councillor Prior that Council.

3. Endorses amendments to the Housing Diversity DPA, as below:

South (South of Seacombe Road/Scholefield Road)	
Remove	Replace with/Amend
Southern Hills Policy Area Hallett Cove and Seacliff Park	As per DPA (to be renamed 'Foothills and Coastal Policy Area')
Southern Hills Policy Area Sheidow Park, Trott Park, O'Halloran Hill	Return to Southern Policy Area (no change to existing Development Plan)
Southern Hills Policy Area (Marino – west of train line)	As per DPA (to be renamed 'Foothills and Coastal Policy Area')
Southern Hills Policy Area (Marino – east of train line and south of Jervis Terrace)	Return to Hills Policy Area (the "Hills" Policy Area is to be renamed "Escarpment" Policy Area)
Southern Hills Policy Area (Marino – east of train line and north of Jervis Terrace)	As per DPA (to be renamed 'Foothills and Coastal Policy Area')
Southern Hills Policy Area (Seaview Downs – south of Irwin Street and Gawler Street)	Return to Hills Policy Area (the "Hills" Policy Area is to be renamed "Escarpment" Policy Area)
Southern Hills Policy Area (Seaview Downs – north of Irwin Street and Gawler Street)	As per DPA (to be renamed 'Foothills and Coastal Policy Area')
Southern Hills Policy Area (Seacombe Heights – south of Truscott Avenue and 33 Braeside Avenue, abutting eastern boundary of 1 Alpine Road, along centre of Alpine Road to rear of Lot 422 and 1 Camelot Crescent)	Return to Hills Policy Area (the "Hills" Policy Area is to be renamed "Escarpment" Policy Area)

Southern Hills Policy Area (Seacombe Heights – north of Truscott Avenue and 33 Braeside Avenue, abutting eastern boundary of 1 Alpine Road, along centre of Alpine Road to rear of Lot 422 and 1 Camelot Crescent)	As per DPA (to be renamed 'Foothills and Coastal Policy Area')
Southern Hills Policy Area Darlington – south of centre of Peregrine Court and abutting southern and eastern boundary of 23 Mostyn Road and abutting rear boundaries of 3- 25 Ridgecrest Avenue)	Return to Hills Policy Area (the "Hills" Policy Area is to be renamed "Escarpment" Policy Area)
Southern Hills Policy Area Darlington – north of centre of Peregrine Court and abutting southern and eastern boundary of 23 Mostyn Road and abutting rear boundaries of 3- 25 Ridgecrest Avenue)	As per DPA (to be renamed 'Foothills and Coastal Policy Area')

9.46pm Councillors Gard, Veliskou and Crossland re-entered the meeting

Moved Councillor Prior, Seconded Councillor Byram that:

1. Council notes the 288 community submissions and the 10 government agency submissions received during the consultation period for the Housing Diversity DPA. Council also notes that an informal gathering of Council (open to the public) was held Tuesday 21 November 2017 at which the consultation responses to the draft DPA were discussed, and administration was asked to prepare a further draft of the DPA in accordance with the consultation responses. Council also notes that the DPA will be submitted to the Minister for Planning with a summary of consultation and proposed amendments yet to be prepared.
2. Resolves not to undertake any further public consultation based on legal advice.
3. As soon as the final draft of the DPA is prepared, to the satisfaction of the CEO and the Mayor, it shall be submitted to the minister of planning for approval by December 2017.

Councillor Prior with the consent of Councillor Byram sought and was granted leave of the meeting to vary the motion as follows:

1. Council notes the 288 community submissions and the 10 government agency submissions received during the consultation period for the Housing Diversity DPA. Council also notes that an informal gathering of Council (open to the public) was held Tuesday 21 November 2017 at which the consultation responses to the draft DPA were discussed, and administration was asked to prepare a further draft of the DPA in accordance with the consultation responses. Council also notes that the DPA will be submitted to the Minister for Planning with a summary of consultation and proposed amendments yet to be prepared.
2. Resolves not to undertake any further public consultation based on legal advice.

3. As soon as the final draft of the DPA is prepared, to the satisfaction of the CEO and the Mayor, it shall be submitted to the minister of planning for approval by December 2017.
4. Council wishes to urge the Minister to consider the submissions in relation to the future utility and infrastructure needs if housing density is to increase in the City of Marion

9.50pm Councillor Westwood re-entered the meeting

Carried Unanimously

CLOSURE - Meeting Declared Closed at 10.02pm

CONFIRMED THIS 12 DECEMBER 2017

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CHAIRPERSON

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