
Moved Councillor Hutchinson, Seconded Councillor Verrall that Council recommend that an amendment be made to the City of Marion Rating Policy pertaining to the rebate for vacant land; by removing the condition that "*The Council is satisfied that the intention of the Principal Ratepayer is to reside in that dwelling upon completion*", for consideration by the community as part of the 2015/16 Annual Business Plan & Budget public consultation process.

Carried Unanimously

**Domain Plaza Project
Ref No: GC0909M04**

This item was deferred until the 23 September 2014 General Council Meeting.

Questions without Notice

Nil

Motions without Notice

Nil

CONFIDENTIAL ITEMS

**Code of Conduct Complaint
Ref No: GC09091F01**

Moved Councillor Connor, Seconded Councillor Allen that pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 the Council orders that all persons present, with the exception of the following Mark Searle, Chief Executive Officer; Heather Montgomerie, Director; Vincent Mifsud Director; Kathy Jarrett, Director; Kate McKenzie, Manager Governance and Jaimie Thwaites, Unit Manager Council Support be excluded from the meeting as the Council considers that the requirement for the meeting to be conducted in a place open to the public has been outweighed in circumstances where the Council will receive and consider information pertaining to Code of Conduct for Council Members issues.

Carried Unanimously

9.32pm the meeting went into confidence

Councillor Pfeiffer sought the leave of the meeting to make a personal explanation. The meeting agreed to Councillor Pfeiffer making a personal explanation in relation to the Code of Conduct Complaint outlined in the report

Councillor Pfeiffer made a personal explanation and referenced the newsletter attached to the Code of Conduct report (Appendix 1). In this context, Councillor Pfeiffer commented:

- He was made aware of the Code of Conduct complaint made against him on Friday, 5th September 2014 and subsequently it had been a very rough 4 days.
- The newsletter, which were the subject of the complaint, was paid for by himself.
- He picked them up from Abbott Printers in the City on 13 June 2014.
- Family and friends then helped to distribute the vast majority of them over the subsequent 2 - 3 weeks.

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- He honestly did not consider them to be electoral material.
 - He has communicated with his ward from time to time on various matters. This has been through the distribution newsletters on items such as Glandore Laneways and Jervois Street reserve.
 - The primary reason for the newsletter in question was to dispel rumours that he would be running for Mayor. He was continually being approached and questioned about this and he wanted to just put the rumours to bed once and for all.
 - The second was to ask for future priorities which has been a common practice for him in the past.
 - He consciously did not use his actual business cards, it was a photocopy of a business card that was imbedded within the body of the newsletter.
 - The code of conduct complaint does not say what Section of the Code the breach has occurred under
 - He hopes that his reputation will precede him and he would never intentionally breach a policy or a Code.
 - He has always lived his life within boundaries and if anything is overly cautious when it comes to things like 'Conflicts of Interest'
 - This complaint definitely serves as a warning and he will be extra careful from now on.

Councillor Pfeiffer declared a conflict of interest in matter on the basis that the report related to a Code of Conduct complaint made about his behaviour and left the meeting.

9.40pm Councillor Pfeiffer left the meeting

Meeting Extension

Moved Councillor Habib, Seconded Councillor Campbell that the meeting be extended for a period of 10 minutes.

Carried

9.59pm the meeting was extended

Moved Councillor Habib , Seconded Councillor Verrall that Council:

1. Notes the personal explanation provided by Councillor Pfeiffer describing how the newsletter came about, the timing of the newsletter and that he had no intent to breach the provisions of the Council Member Code of Conduct.
2. Notes the actions of Councillor Pfeiffer gives rise to a breach of the Council Member Code of Conduct.
3. Further notes that this action was not deliberate nor was it with the intent to use Council resources.
4. Authorises the Mayor discuss with Councillor Pfeiffer the matters of concern with his newsletter including the use of the Council logo for election purposes.
5. In resolving as above, considers this matter is concluded and requires no further action to be taken in response to the complaint.
6. In publishing the report and the minutes from this item, notes that the complainant will have access to the outcomes of this matter, and is therefore advised accordingly.

Carried

Councillor Hutchinson called for a division

Those For: Councillors Bouwens, Hull, Habib, Verrall, Allen, Appleby and Connor

Those Against: Councillors Campbell, Hutchinson and Veliskou

Carried

10.07pm the meeting came out of confidence

CLOSURE - Meeting Declared Closed at 10.07pm.

CONFIRMED THIS 23 SEPTEMBER 2014

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CHAIRPERSON