

**MINUTES OF THE GENERAL COUNCIL MEETING  
HELD AT ADMINISTRATION CENTRE  
245 STURT ROAD, STURT  
ON TUESDAY 8 SEPTEMBER 2015**

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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

**Warracowie Ward**

Bruce Hull  
Nathan Prior

**Warriparinga Ward**

Luke Hutchinson  
Raelene Telfer

**Woodlands Ward**

Nick Kerry  
Tim Pfeiffer

**In Attendance**

Mr Adrian Skull  
Mr Vincent Mifsud  
Ms Kathy Jarrett  
Ms Abby Dickson  
Ms Kate McKenzie  
Ms Victoria Moritz

Chief Executive Officer  
Director  
Director  
Acting Director  
Manager Governance  
Governance Officer

**COMMENCEMENT**

The meeting commenced at 7.00pm.

**KAURNA ACKNOWLEDGEMENT**

*We acknowledge the Kurna 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:

No interests were declared

## **CONFIRMATION OF MINUTES**

**Moved Councillor Byram, Seconded Councillor Crossland** that the minutes of the General Council meeting held on 25 August 2015 be taken as read and confirmed.

**Carried Unanimously**

## **UNRESOLVED ITEMS**

7.00pm **Cove BMX Club Fence**  
**Report Reference: GC080915R01**

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

1. Provide the Cove BMX Club with \$9,000 for the purpose of building the fence between the club and the residents.

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

1. Grants landlords consent to the installation of a fence (175 metres) between the BMX track and the West boundary at Cove Sports and Community Club, Lonsdale Road, Hallett Cove, Certificate of Title Volume 3954, 4066, 553, 5924 Folio 84, 463, 944, 340.
2. Council delegate to the Team Leader Land and Property approval to authorise any works required to facilitate the installation of the fence.
3. Council require the Cove Sports and Community Club Inc to be responsible for maintenance, repairs and replacement of the fence.
4. Approve the allocation of up to \$9,000 towards the construction of the fence from the Asset Sustainability Reserve.

**Carried**

## **YOUTH ADVISORY COMMITTEE (YAC) UPDATE**

Nil

## DEPUTATIONS

The Mayor sought and was granted leave of the meeting to record in the minutes that the following deputations were received and declined:

- Deputation request received from Phillip Dawson and Arlen Aspel regarding the Rainbow Flag. This was declined as the matter is currently resolved. These residents were also advised that the Council had received hundreds of emails for and against, so Council was fully informed of the issues.
- Deputation request received from Edwardstown Cricket Club regarding Edwardstown Oval Redevelopment Opportunity (GC080915M08). This was declined based on the size of the Agenda.

7.05pm      **Deputation – Friends of Glenthorne**  
                 **Ref No: GC080915D01**

Mr Schumacher and Ms Smith gave a five minute deputation to Council on behalf of Friends Glenthorne regarding the future of the Glenthorne Heritage.

The Mayor sought and was granted leave of the meeting to bring forward the item *The Use of Glenthorne Farm* GC080915M07

7.20pm      **The Use of Glenthorne Farm**  
                 **Ref No: GC080915M07**

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

1. notes the deputation from the Friends of Glenthorne; and
2. shall liaise with key Glenthorne stakeholders including the University of Adelaide, the State Government, the local Natural Resources Management Board and the Friends of Glenthorne to promote uses of the land to achieve the best outcomes for the community.

**Carried Unanimously**

## PETITIONS

Nil

## **COMMITTEE RECOMMENDATIONS**

7.25pm **Audit Committee Confirmation of Minutes of Meeting held on 18 August 2015**  
**Report Reference: GC080915R02**

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

1. Receive and note the minutes of the Audit Committee meeting of 18 August 2015 June 2015 (Appendix 1).

**Carried Unanimously**

## **CORPORATE REPORTS FOR DECISION**

7.26pm **City of Marion Walking and Cycling Network Program**  
**Reference No: GC080915R03**

**Moved Councillor Telfer, Seconded Councillor Hull** that Council:

1. Endorse the draft City of Marion Walking and Cycling Network Program August 2015 included as Attachment 3 to this report of 8 September 2015 as a guide for developing the walking and cycling network.
2. Include an allocation of \$200,000 p.a in the Long Term Financial Plan (LTFP) commencing from 2016/17 to be held and quarantined in the Asset Sustainability Reserve for the development of projects that are part of the Walking and Cycling Network Program, subject to matching external grant funding being achieved.
3. Note that the Asset Management Plan and LTFP will need to be updated and increased accordingly over the 20 year program to incorporate the development of the proposed network, on a project by project basis as the program is implemented. Additional ongoing whole-of-life costs are estimated to be in the order of \$32,000 each year (Maintenance & Operating), compounding to \$640,000 p.a. if and when the proposed network program is completed. Additionally subsequent renewal costs are estimated to be in the order of \$657,000 p.a. upon completion.
4. Note that where grant funding opportunities arise and are successfully achieved the relevant capital works will need to be appropriately resourced, in order to enable the necessary planning, design, development, project management and construction to be carried out, and this will need to be appropriately reflected in the Annual Budget accordingly.
5. Note individual projects that are proposed for inclusion in the Network Program to be endorsed by Council before proceeding with development beyond the initial /concept stages of project preparation or submitting external funding applications.

**Carried**

7.32pm Councillor Hutchinson left the meeting

7.32pm     **Biophilic Laneways**  
              **Report Reference: GC080915R04**

**Moved Councillor Veliskou, Seconded Councillor Hull** that Council:

1. Remove the Biophilic Laneways initiative from the unfunded unprioritised strategic items list

**Carried Unanimously**

7.34pm Councillor Hutchinson re-entered the meeting

7.34pm     **Voting Method for Positions Selected by Council**  
              **Report Reference: GC080915R05**

**Moved Councillor Veliskou, Seconded Councillor Hutchinson** that Council:

1. Adopt the 'preferential voting' method when conducting ballots for positions selected by council.'

**Carried**

7.38pm     **Council Committee Structures**  
              **Report Reference: GC080915R06**

**Moved Councillor Veliskou, Seconded Councillor Telfer** that Council:

1. Endorses the following standing Section 41 Committee structure for implementation in full from January 2016:
  - Finance and Audit Committee (as required under Section Section 126 of the Local Government Act 1999). A re-naming of the current Audit Committee;
  - The Urban Planning Committee (as required under Section 101 of the Development Act 1993). Replacing the Council's Strategic Directions Committee;
  - Strategic Issues Committee (new);
  - People and Culture Committee (replacing the current CEO Review Committee);
  - Infrastructure Committee (new).
2. Requests Administration develop and/or review the Terms of Reference for each of the above Committees for consideration by Council at the 22 September 2015 meeting.
3. Requests that the following key principles be incorporated in the Terms of Reference for all Committees as relevant with the exception of the Finance & Audit Committee:
  - Membership to comprise 3 Elected Members and 1 Independent Member
  - Each Committee will meet bi-monthly, with meetings to be staggered such that 2 committee meetings will be held on the first Tuesday of the month, with the exception of January and December.
  - The Chairperson of each Committee to be an Elected Member

**Carried**

**CORPORATE REPORTS FOR INFORMATION NOTING**

Nil

**MATTERS RAISED BY MEMBERS**

**QUESTIONS WITH NOTICE**

NIL

**MOTIONS WITH NOTICE**

7.41pm **Certified Marketing Practitioner**  
**Ref No: GC250815M01**

**Moved Councillor Gard, Seconded Councillor Veliskou** that:

1. the incoming CEO take the necessary courses of action to survey the option for a certified marketing practitioner to be appointed within a reviewed organisational structure in the process of reassessing the management composition of the City of Marion.

7.52pm Councillor Prior left the meeting

7.54pm Councillor Prior re-entered the meeting

**Carried**

7.55pm **Personal Expense Reimbursement**  
**Ref No: GC250815M02**

**Moved Councillor Hutchinson, Seconded Councillor Telfer** that:

1. council write to Dr Felicity-Ann Lewis the former Mayor of the City of Marion drawing her attention to the recent advice pertaining to personal use of council resources; in particular the mayoral vehicle; and in doing so request that Dr Lewis consider whether she believes a reimbursement is due based on any personal use of the vehicle during her time as Mayor. The letter also include the relevant costs of the vehicle over the past 10 years for her consideration.

7.56pm Councillor Kerry left the meeting

**Carried Unanimously**

8.02pm **Ratepayers Roll**  
**Ref No: GC080915M03**

8.03pm Councillor Byram left the meeting

8.04pm Councillor Crossland left the meeting

**Moved Councillor Hutchinson, Seconded Councillor Veliskou** that Council:-

1. Changes and adds to the current signage next to the Assessment Record PC in the Council Administration Building Foyer providing:-
  - Notification of a 10 minute time limit;
  - Clarification that copies of assessment records (printed, photographed or otherwise) are only available upon payment of a fee (currently \$10.50 per copy);
  - Expectation that it is not to be used for commercial purposes.
2. Explore other technical solutions that may be available to achieve greater control in ensuring that data of this nature is utilised for its intended purpose as per the legislation.
3. Write to the Minister for Local Government requesting a state wide approach to protect the privacy of ratepayers from being used in commercial databases such as those that the Real Estate Industry are building, using and on selling.

8.05pm Councillor Byram re-entered the meeting

8.06pm Councillor Crossland re-entered the meeting

**Carried Unanimously**

8.10pm **Mayoral Support for Fundraising Event**  
**Ref No: GC080915M04**

Mayor Hanna acknowledged the risk of a perceived conflict of interest in the item as it relates to himself.

8.11pm Mayor Hanna left the meeting.

In the absence of the Mayor, Deputy Mayor Luke Hutchinson took the Chair and presided the meeting.

8.13pm Councillor Kerry re-entered the meeting

**Moved Councillor Hull, Seconded Councillor Gard** that council:

1. Provide administrative support to the annual quiz and auction night which will be held on an annual basis for the "Marion Achievers Travel Fund";
2. Gives the CEO permission to identify and make donations to the quiz and auction night in accordance with council policies.

**Moved Councillor Kerry, Seconded Councillor Crossland** that the motion be put

**Carried Unanimously**

The motion was put and was **Carried**

8.17pm Mayor Hanna re-entered the meeting and resumed the Chair

8.17pm **Wi-Fi Access in Council Owned Community Buildings**

**Ref No: GC080915M05**

**Moved Councillor Veliksou, Seconded Councillor Byram** that:

1. a report be provided to council outlining:
  - Access to wifi in current council owned community buildings
  - Any plans to increase access to community Wi-Fi further across council owned community buildings
  - Information about what would be the opportunities, costs, and considerations in providing community Wi-Fi access across all or most council owned buildings used for community purposes
  - Any plans for community Wi-Fi hubs within the city of Marion.
  - That this report predominantly focus on free access for the community, but may also look at possible low cost options in certain circumstances.

**Carried**

8.20pm **Defibrillators for the Community**

**Ref No: GC080915M06**

**Moved Councillor Veliskou, Seconded Councillor Byram** that:

1. council be provided with a report that identifies:
  - The access to defibrillator available to users of sporting and community venues within the city of Marion.
  - The need for such first aid devices within the city of Marion sporting and community venues
  - Avenues for grant funding available for purchases by sporting clubs and community groups
  - Costs and process for council to potentially facilitate a roll out of these first aid devices throughout the city in community and sporting venues; with a view to maximising partnership funding and cooperation with other agencies and government departments.
  -

**Carried**

8.23pm **Edwardstown Oval Redevelopment Funding Opportunity**

**Ref No: GC080915M08**

**Moved Councillor Pfeiffer, Seconded Councillor Kerry** that:

1. Council lodges a funding application to Round 3 of the the Federal Government's National Stronger Regions Fund in support of the Edwardstown Oval redevelopment.



**Amendment:**

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

Investigate and research the merits of a funding application to Round 3 of the Federal Government's National Stronger Regions Fund in support of the Edwardstown Oval redevelopment

That the amendment become the motion was **Lost**  
The original motion was put and was **Carried**

**Councillor Hutchinson** called for a Division

**Those for:** Councillors Pfeiffer, Kerry, Telfer, Hutchinson, Prior, Hull, Veliksou and Gard

**Those against:** Councillors Byram, Appleby and Crossland

**Carried**

**CONFIDENTIAL ITEMS**

8.49pm Councillor Gard left the meeting

8.50pm Councillor Gard re-entered the meeting

**LATE ITEMS**

8.50pm **South Road Darlington Upgrade**  
**Ref No: GC080915F04**

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

1. Pursuant to Section 90(2) and (3)(j) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Professor Colin Stirling, David Banks, Adrian Skull, Kathy Jarrett, Vincent Mifsud, Abby Dickson, Kate McKenzie, Victoria Moritz, Rudy Tieman, John Valentine and Craig Clarke, be excluded from the meeting as the Council receives and considers information relating to "South Road Darlington Upgrade" Presentation. This resolution is made 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 item relates to information the disclosure of which would divulge information provided on a confidential basis by a public authority and would, on balance, be contrary to the public interest.

**Carried**

8.51 pm the meeting went into confidence

9.06pm Councillor Kerry left the meeting

9.14pm Councillor Appleby left the meeting

9.15pm Councillor Kerry re-entered the meeting

9.16pm Councillor Appleby re-entered the meeting

**Moved Councillor Kerry, Seconded Councillor Pfeiffer** that Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the presentation provided by Professor Colin Stirling regarding the South Road Darling Upgrade and any associated documentation having been considered in confidence under Section 90(2) and (3)(j) 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 for the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2015.

**Carried Unanimously**

9.22pm the meeting came out of confidence

9.23pm **Investigation**  
**Ref No: GC080915F03**

**Moved Councillor Kerry, Seconded Councillor Pfeiffer** that:

1. Pursuant to Section 90 (2) and (3)(g) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Kaye Smith, Adrian Skull, Kathy Jarrett and Abby Dickson be excluded from the meeting as the Council receives and considers information that it has a duty to keep confidential

**Carried Unanimously**

9.20pm the meeting went into confidence

9.34pm Councillor Pfeiffer left the meeting

9.37pm Councillor Pfeiffer re-entered the meeting

**Moved Councillor Veliskou, Seconded Councillor Prior** that the meeting be extended until such time as required for all confidential items to be dealt with.

**Carried Unanimously**

**9.53pm meeting extended**

10.00pm Councillor Hutchinson left the meeting

10.03pm Councillor Hutchinson re-entered the meeting

10.15pm Ms Kathy Jarrett left the meeting due to a perceived conflict of interest and did not return

**Moved Councillor Hull, Seconded Councillor Kerry** that Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Investigation' (Report Reference GC080915F03), its appendices and the Minutes arising from this report having been considered in confidence be kept confidential under Sections 90(2) and (3)(g) of the Act and not be available for public inspection for a period of 12 months from the date of this meeting or until such time as Council's duty of confidence is no longer in force. This confidentiality order will be reviewed at the General Council Meeting in December 2015.

**Carried Unanimously**

10.32pm the meeting came out of confidence

10.32pm **Confidential Minutes**  
**Ref No: GC080915F02**

**Moved Councillor Veliskou, Seconded Councillor Pfeiffer** that:

1. Pursuant to Section 90(2) and (3)(k) & (b) of the Local Government Act 1999 the Council orders that all persons present, with the exception of the following [Adrian Skull, Chief Executive Officer; Vincent Mifsud Director; Kathy Jarrett, Director; Kate McKenzie, Manager Governance; Victoria Moritz, Governance Officer and Craig Clarke Unit Manager Communications, 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**

10:33pm the meeting went into confidence

**Moved Councillor Pfeiffer , Seconded Councillor Kerry** that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Confidential Minutes GC080915F02 and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(k) and (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.

**Carried Unanimously**

10:40 pm the meeting came out of confidence

10.40pm **Signatures Café**  
**Reference No: GC080915F01**

**Moved Councillor Veliskou, Seconded Councillor Hutchinson** that:

1. Pursuant to Section 90(2) and (3)(d) 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; Kathy Jarrett, Director; Vincent Mifsud, Director; Abby Dickson, Acting Director, Liz Byrne, Acting Manager Libraries and Cultural Development; 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 Signatures Café, 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 the person who supplied the information.

**Carried Unanimously**

10: 40 pm the meeting went into confidence

**Moved Councillor Veliskou, Seconded Councillor Hutchinson** that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Signatures Café and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) 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 Kerry** that the motion be Put.

**Carried Unanimously**

The Motion was put and was **Carried Unanimously**

10.58 pm the meeting came out of confidence

#### **QUESTIONS WITHOUT NOTICE**

Nil

#### **MOTIONS WITHOUT NOTICE**

Nil

**CLOSURE** - Meeting Declared Closed at 10.58pm.

**CONFIRMED THIS 25 AUGUST 2015**

.....  
**CHAIRPERSON**