

**MINUTES OF THE GENERAL COUNCIL MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 13 OCTOBER 2015**



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward

Ian Crossland
Tim Gard

Mullawirra Ward

Jerome Appleby
Jason Veliskou

Southern Hills

Nick Westwood

Warracowie Ward

Bruce Hull
Nathan Prior

Warriparinga Ward

Luke Hutchinson
Raelene Telfer

Woodlands Ward

Tim Pfeiffer

In Attendance

Mr Adrian Skull
Ms Kathy Jarrett
Ms Abby Dickson
Mr Vincent Mifsud
Ms Deborah Horton
Ms Jaimie Thwaites

Chief Executive Officer
Director
Acting Director
Director
Unit Manager Executive Support
Unit Manager Council Support

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:

- Councillor Appleby and Councillor Westwood declared a conflict of interest in the item 'Telecommunications Facilities, Morphett Vale' (GC131015R01) due to their respective positions on the Development Assessment Panel.

CONFIRMATION OF MINUTES

General Council meeting held on 22 September 2015

Moved Councillor Telfer, Seconded Councillor Prior that the minutes of the General Council meeting held on 22 September 2015 be taken as read and confirmed.

Carried Unanimously

ADJOURNED ITEMS

Nil

YOUTH ADVISORY COMMITTEE (YAC) UPDATE

Nil

7:02pm Councillor Appleby and Councillor Westwood left the meeting.

PRESENTATIONS

7.02 pm Presentation – Environment Protection Authority

Ref No: GC131015P01

Mr Keith Baldry, Operations Director – Mining, Radiation and Regulatory Support gave a presentation on the radiation and health impacts of installing a telecommunications tower at 142 Morphett Road or Kellett Reserve.

DEPUTATIONS

7:19pm Deputation – Ms Shelly Roach – Telecommunications Tower

Ref No: GC131015D01

Ms Shelly Roach gave a deputation to Council in relation to the telecommunications tower being considered at Kellett Reserve.

7:30pm Deputation – Ms Rosa Vaccaro – Telecommunications Tower

Ref No: GC131015D02

Ms Rosa Vaccaro, representing George and Fay Vaccaro gave a deputation to Council in relation to the telecommunications tower being considered at Kellett Reserve.

7:34pm Deputation – Mr Matt Luker – Telecommunications Tower

Ref No: Gc131015D03

Mr Luker gave a deputation to Council in relation the telecommunications tower being considered at Kellett Reserve.

PETITIONS

Nil

COMMITTEE RECOMMENDATIONS

Nil

CORPORATE REPORTS FOR DECISION

Moved Councillor Veliskou, Seconded Councillor Pfeiffer that the meeting be adjourned for 10 minutes.

Carried Unanimously

7:42pm meeting adjourned.

7:52pm meeting resumed.

7.52 pm Telecommunications Facilities, Morphetville

Reference No: GC131015R01

Moved Councillor Crossland, Seconded Councillor Gard that Council:

1. Support the development of a telecommunications facility at Kellett Reserve. That the new lease for Kellett reserve is adjusted accordingly from 1 July 2016 to accommodate this development . That the Morphetville Park Sports Club are invited to vary their current lease to accommodate the telecommunication facility.
2. That the funds from the commercial lease on Kellett Reserve are held in Trust by council for capital works for the Morphetville Parks Sports club's facility and the council delegate's authority to the CEO for the administration and allocation of these funds.
3. Council delegates authority to the CEO to negotiate and undertake any variations to the lease including any development plan variations that may be required to further mitigate the visual impact of the Telecommunications facility at Kellett Reserve.
4. That council notes case management support that is provided to the Morphetville Park Sports club will be focusing on various areas of support and if needed development including but limited to: strategic planning, prudent financial management, internal and external stakeholder management and governance best practice.
5. Having considered Agenda item Telecommunications Facilities Morphetville (GC131015R01) the Council, pursuant to Section 90(2) and (3)(h) of the Local Government Act 1999, the Council pursuant to 91(7) of that Act orders that Appendix 3 to this report 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 every twelve months in accordance with Council's Confidential Items review, commencing December 2015.

Carried

8:04pm Councillor Appleby and Councillor Westwood returned to the meeting.

8:04pm Local Government Association Membership Fees

Reference: GC131015R02

The Mayor sought leave and the meeting agreed that the key points raised by the Local Government Association CEO, Mr Pinnegar be recorded in the minutes. The following is a summary of the key points raised:

- Since recently joining the Local Government Association (LGA) as CEO, Mr Pinnegar has been reviewing of the organisation as a whole, looking at a structured business case for change and adopting a genuine approach to implement efficiencies and better service / advocacy for members.
- The LGA welcomes the City of Marion's approach and has responded by providing the Council with a refund for miscalculated subscription fees with interest.
- It is currently undertaking a review of subscriptions and looks to have a legitimate discussion with all members of the LGA regarding the services and benefits as members, at the same time, Mr Pinnegar did not want to pre-empt any outcomes regarding the current review of subscriptions nor the LGA Board's response in implementing various changes or budgetary implications. The timetable for the subscription review was immediate, with the view to the new formula being implemented for the 2016/17 year.
- Wished to reiterate the LGA's focus of 'value proposition' and advocacy across the sector highlighting the importance of various reforms such as procurement and regional approaches.
- Mr Pinnegar noted that he would be available to return to the City of Marion in April 2016 to assist Council in the reassessment of its LGA membership by providing an update on the outcomes of the governance and formula reviews undertaken.

Moved Councillor Veliskou, Seconded Councillor Crossland that Council:

1. Notes the correspondence received from the Local Government Association highlighting the governance/structure review and the formula review with any changes intended to apply from 2016/17 financial year.
2. Confirm its membership with the LGA for 2015/16 financial year and pay the current invoice.
3. Re-assess its position in April 2016 with the expectation that the LGA has completed the governance and formula reviews.

AMENDMENT

Moved Councillor Appleby, Seconded Councillor Gard that Council:

1. Notes the correspondence received from the Local Government Association highlighting the governance/structure review and the formula review with any changes intended to apply from 2016/17 financial year.
2. Confirm its membership with the LGA for 2015/16 financial year and pay the current invoice.
3. Re-assess its position in April 2016 with the expectation that the LGA has completed the governance and formula reviews.
4. Authorise the Mayor to have discussions with other councils about setting up an alternative association.

That the amendment became the motion was **Tied**

The Mayor with casting vote, voted in **Favour**
That the amendment became the motion was **Carried**

Councillor Hutchinson called for a Division.

Those for: Councillor's Telfer, Prior, Hull, Westwood, Veliskou, Applyby and Gard

Those against: Councillors Pfeiffer, Hutchinson and Crossland.

Carried

8: 57pm Cove Youth Service Operational Options – amendment to the motion

Reference: GC131015R03

8:57pm Councillor Veliskou left the meeting.

Moved Councillor Westwood, Seconded Councillor Crossland that the motion resolved on 23 June 2015 (GC230615R01) be amended to:

1. The Cove Youth Service will cease to operate from its current site in Hallett Cove as soon as practicably possible and staff of the new City of Marion Youth Service will relocate to a centrally located Council office space.
2. A series of workshops will be initiated by the end of October to consider a new direction and strategy for youth programs across our City. Elected Members and representatives from related organisations within our community will be encouraged to participate.
3. Recommendations will be made to council by 1 December 2015.

Carried Unanimously

9:02pm Councillor Pfeiffer left the meeting.

9:03pm Cr Veliskou reentered the meeting.

9:04pm Hallett Cove (ADC) Residential DPA

Reference: GC131015R04

The Mayor sought leave of the meeting and the meeting agreed that Mr Phillip Brunning, from Brunning & Associates Pty Ltd and Mr Drummond from Adelaide Development Company were made available to answer questions.

9:05pm Cr Pfeiffer returned to the meeting.

Moved Councillor Crossland, Seconded Councillor Prior that:

The matter be adjourned till discussions have taken place with the City of Onkaparinga regarding the development of the southern part of the identified area.

Carried Unanimously

9:19pm Existing Activity Centres Policy Review – Development Plan Amendment

Reference:GC131015R05

Moved Councillor Telfer , Seconded Councillor Hutchinson that Council:

1. Endorse the submission contained in Appendix 1 as Council's submission on the existing activity centres policy review Development Plan Amendment.

Carried Unanimously

The Mayor sought leave of the meeting and the meeting agreed that the agenda be varied in order for the item 'Poker Machines in Council owned Facilities' (GC251815M01) to be the next item on the agenda.

9:29pm Poker Machines in Council Owned Facilities

Ref No: GC250815M01

Moved Councillor Hull, Seconded (Nil) that Council:

1. Council call for a report to be presented to the February 2016 General Council Meeting to consider a policy position that all City of Marion Community Facilities are Poker Machine free.
2. This report include potential options and strategies for clubs that are currently operating with poker machines to assist in this transition.

9:32pm Councillor Crossland left the meeting.

Moved Councillor Telfer, Seconded Councillor Veliskou that the item be adjourned to permit deputations from Marion RSL and Marion's Sports & Community Club on 27 October 2015.

Carried

9:34pm Councillor Prior left the meeting.

The Mayor sought the leave of the meeting and the meeting agreed that the agenda be varied in order for the item 'Deputy Mayor, DAP Elected Member Representatives and Committee Elected Member Representatives for 2016' (GC131015R09) to be the next item on the agenda.

9:36pm Moved Councillor Westwood and Seconded Councillor Hull, that the item be adjourned to the next council meeting.

Lost

9:49pm Councillor Crossland and Councillor Prior re-entered the meeting.

EXTENTION OF TIME

Moved Councillor Veliskou, Seconded Councillor Pfeiffer to extend the meeting till 10:30pm.

Carried

9:51pm Deputy Mayor, DAP Elected Member representatives and Committee Elected Member representatives for 2016

Reference: GC131015R09

Moved Councillor Hutchinson, Seconded Councillor Telfer that Council:

1. Appoints Councillor Veliskou as the Deputy Mayor from 26 November 2015 until 25 November 2016;
2. Council appoints Councillor Hutchinson, Councillor Kerry, and Councillor Crossland to the Development Assessment Panel for a term commencing on 2 December 2015 and concluding on 1 December 2016.
3. Council appoints Councillor Gard and Councillor Telfer to the Finance and Audit Committee for a term commencing on 26 November 2015 and concluding on 25 November 2016.
4. Council appoints Councillor Hutchinson, Councillor Hull, and Councillor Telfer to the People and Culture Committee for a term commencing on 1 January 2016 and concluding on 31 December 2016.
5. Council appoints Councillor Telfer as the Presiding Member of the People and Culture Committee for a term 1 January 2016 to 31 December 2016.
6. Council appoints Councillor Veliskou, Councillor Westwood, and Councillor Gard to the Strategy Committee for a term commencing on 1 January 2016 and concluding on 31 December 2016.
7. Council appoints Councillor Veliskou as the Presiding Member of the Strategy Committee for a term 1 January 2016 to 31 December 2016.
8. Council appoints Councillor Kerry, Councillor Pfeiffer, and Councillor Byram to the Infrastructure Committee for a term commencing on 1 January 2016 and concluding on 31 December 2016.
9. Council appoints Councillor Bryam as the Presiding Member of the Infrastructure Committee for a term 1 January 2016 to 31 December 2016.
10. Council appoints Councillor Crossland, Councillor Prior, and Councillor Appleby to the Urban Planning Committee for a term commencing on 1 January 2016 and concluding on 31 December 2016.
11. Council appoints Councillor Prior as the Chair of the Urban Planning Committee for a term 1 January 2016 to 31 December 2016.
12. Notes the financial impact of up to \$7,125 for the 2015/16 financial year for the implementation of additional section 41 Committees and confirms this will be adjusted accordingly within the budget review process.

Carried

The Mayor sought leave of the meeting and the meeting agreed that the agenda be varied in order for the item 'Decriminalisation of Sex Work Bill 2015' (GC131015R06) to be the next item on the agenda.

10:07pm Decriminalisation of Sex Work Bill 2015

Reference: GC131015R06

Moved Councillor Hull, Seconded Councillor Crossland that Council:

1. Advises the Select Committee that it does not support the Bill in its current form and seeks that the Committee:
 - Consider the likely implications on the Planning System if sex work is decriminalised,
 - Consider the likely implications on the resourcing and role of local government if sex work is decriminalised,

- Include amendments to the Development Act 1993 (SA) and Development (Regulations) 2008 (changes to definition of a home activity to ensure that premises for the purposes of sex work are discouraged from locating in residential areas as part of the bill,
- Include amendments to the South Australian Planning Policy Library (SAPPL) specific policy for the assessment and location for sex work venues) as part of the bill,
- Consider reintroducing the proposed amendment to Part 6 of the Summary Offences Act 1953 (SA) outlined in the “Statutes Amendment (Sex Work Reform) Bill 2012, relating to it being an offence to use premises for the purpose of sex work within a ‘prescribed distance’ from ‘protected premises’ (i.e. 200 metres of schools, places of worship and the like).

Carried

10:15pm Submission on South Australia’s new Climate Change Strategy and Low Carbon Investment Plan for South Australia
Reference: GC131015R07

10:16pm Cr Pfeiffer left the meeting.

Moved Councillor Telfer, Seconded Councillor Gard that Council:

1. Endorse the City of Marion’s submission on the development of a new Climate Change Strategy for South Australia and the Low Carbon Investment Plan for South Australia (subject to the inclusion of any additional comments at the meeting).

Carried

10:19pm Cr Pfeiffer re-entered the meeting.

10:20pm Oaklands Crossing
Reference: GC131015R08

Moved Councillor Telfer , Seconded Councillor (Nil) that Council:

- 1 Undertakes Option 2 to campaign for a traffic solution to the Oaklands Crossing (for example grade separation) comprising:
 - Research – up to \$43,000
 - Briefing decision makers – up to \$5938
 - Resource to lead project be funded for one year – up to \$35,000
- 2 Seeks the support of Members of Parliament and candidates in the lead up to the Federal election about the need for a traffic solution.
- 3 Allocates up to \$83,938 from identified savings, resulting from the 2014/15 financial year to fund the running of a Council-led campaign to build a traffic solution at Oaklands Crossing.
- 4 Receives a report in July 2016 to update Elected Members on progress of the briefing campaign.

Moved Councillor Gard, Seconded Councillor Crossland to extend the meeting until the end of the item Oaklands Crossing.

Carried

Moved Councillor Prior, Seconded Councillor Crossland that this item be adjourned to the next Council meeting 27 October 2015.

Carried

**Code of Practice, Procedures at Meetings
CG131015R10**

This item was not considered

QUESTIONS ON NOTICE

**Provision of Major Disaster or Impact
GC131015Q01**

This item was not considered

**Encouragement of Aged Care Facility Investment
GC131015Q02**

This item was not considered

MOTIONS ON NOTICE

**Development Proposal
GC131015M01**

This item was not considered

**Electric Vehicles
GC131015M03**

This item was not considered

CLOSURE - Meeting Declared Closed at 10.32pm

CONFIRMED THIS 27 OCTOBER 2015

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CHAIRPERSON