

**MINUTES OF THE GENERAL COUNCIL MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 14 APRIL 2015**



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

Bruce Hull
Nathan Prior

Warriparinga Ward

Luke Hutchinson
Raelene Telfer

Woodlands Ward

Tim Pfeiffer

In Attendance

Ms Kathy Jarrett
Mr Vincent Mifsud
Ms Kate McKenzie
Ms Victoria Moritz

Director
Director
Manager Governance
Governance Officer

COMMENCEMENT

The meeting commenced at 7.01pm.

KAURNA ACKNOWLEDGEMENT

We would like to begin by acknowledging 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.

- Councillor Telfer declared a conflict of interest in the item “Marion Leisure and Fitness Center *Report Reference: GC24031515F01*”

CONFIRMATION OF MINUTES

Moved Hutchinson, Seconded Telfer that the minutes of the General Council meeting held on 24 March 2015 be taken as read and confirmed.

Carried Unanimously

DEPUTATIONS

Nil

PETITIONS

Nil

ADJOURNED ITEMS

**Marion Leisure and Fitness Centre
Lease to CASA Pty Ltd
GC240315F01**

Moved Councillor Pfeiffer, Seconded Councillor Westwood that this item be adjourned until after the Motions with Notice.

Carried Unanimously

COMMITTEE RECOMMENDATIONS

Nil

WORKSHOP / PRESENTATION ITEM

Nil

CORPORATE REPORTS FOR DECISION

Sports Infrastructure

Report Reference: GC140415R02

Moved Councillor Pfeiffer, Seconded Councillor Byram that Council:

1. Endorse investigations being undertaken with peak sporting bodies, relevant clubs, funding bodies and agencies to seek partnering opportunities for the development of plans and potential funding solutions for the following sports infrastructure:
 - Options for new soccer pitches and a BMX track in the South
 - Indoor multipurpose Stadium 4-8 Court (SA regional standard)
 - Edwardstown Oval Masterplan
 - Mitchell Pakr Sports and Community Club building upgrade
2. Note that consultation plans will be brought to Council for consideration after initial investigations are undertaken with peak sporting bodies, relevant clubs and agencies.
3. That potential funding opportunities relevant to the above sports infrastructure be actively pursued as they arise.

Amendment:

Moved Councillor Veliskou, Seconded Councillor Gard that Council:

1. Endorse investigations being undertaken with peak sporting bodies, relevant clubs, funding bodies and agencies to seek partnering opportunities for the development of plans and potential funding solutions for the following sports infrastructure:
 - Options for new soccer pitches and a BMX track in the South
 - Indoor multipurpose Stadium 4-8 Court (SA regional standard)
 - Edwardstown Oval Masterplan
 - Mitchell Pakr Sports and Community Club building upgrade
 - Options to upgrade the Marion Outdoor Pool
 - Options for improvements to Morphetville and Plympton Sports club
 - Option to improve the supply of netball infrastructure
2. Note that consultation plans will be brought to Council for consideration after initial investigations are undertaken with peak sporting bodies, relevant clubs and agencies.
3. That potential funding opportunities relevant to the above sports infrastructure be actively pursued as they arise.

**That the Amendment become the Motion was Lost
The original Motion was Put and was Carried**

Councillor Appleby called for a division:

Those for: Councillors Pfeiffer, Telfer, Hutchinson, Prior, Westwood, Byram, Veliskou and Crossland

Those against: Councillors Hull, Appleby and Gard

Carried

BMX Club

Report Reference: GC140415M02

Moved Councillor Byram, Seconded Councillor Crossland that Council support the Hallett Cove BMX club to lodge a funding application (by 20 April 2015) with the Office of Recreation and Sport for funding for the concept design of a BMX facility at Majors Road with necessary supporting infrastructure, management model and maintenance and depreciation costs.

Carried

State Government Economic Reforms: Activity Centre and Shopping Review Development Plan Amendments

Report Reference: GC140415R01

Moved Councillor Hutchinson, Seconded Councillor Telfer that Council:

1. Indicates in principle support for the proposed Economic Reforms: Activity Centre and Shopping Review Development Plan Amendments.
2. Write's to Minister Rau indicating its willingness to work with the State Government in investigating, preparing and implementing the strategic goals of the state in relation to the economic and development reforms of activity centres and activity centre uses particularly within the City of Marion.

Carried Unanimously

Progressing unfunded/unprioritised items

Report Reference: GC140415R03

Moved Councillor Veliskou, Seconded Councillor that Council:

1. Notes the changes to the unfunded/unprioritised list with the revised list presented in Appendix 2.
2. Subject to the determination of the priority of sport infrastructure as presented in GC140415R02, adopts option 1 to progress (as per the recommendation in GC140415R02) the four sports infrastructure shortlisted priorities and option A to progress the Marion Outdoor Pool masterplanning
3. Considers the revised unfunded/unprioritised items list as shown in Appendix 2 at a briefing session on

Moved Councillor Crossland, Seconded Councillor Hutchinson that this this item be adjourned until the General Council Meeting on 28 April 2015

Carried

Councillor Appleby called for a Divison:

Those for: Councillors Pfeiffer, Telfer, Hutchinson, Prior, Hull, Westwood, Byram, Gard and Crossland

Those against: Councillors Veliskou and Appleby

Carried

Update to the schedule of delegations - Development Regulations 2008 (SA)
Report Reference: GC140415R04

Moved Councillor Hull Seconded Councillor Crossland that this item be adjourned until the General Council Meeting on 28 April 2015.

Carried

Councillor Velisou called for a Division:

Those for: Councillors Prior, Hull, Westwood, Byram, Gard and Crossland

Those against: Councillors Pfeiffer, Telfer, Hutchinson, Veliskou and Appleby

Carried

Graffiti Removal

Report Reference: GC140415R05

Moved Councillor Gard, Seconded Councillor Crossland that Council:

1. Receives and notes this report.
2. Notes that additional marketing and media communication will be delivered where possible within existing approved budgets to provide further education and to raise awareness in the community of the graffiti management services and programs provided by the City of Marion.

Carried Unanimously

Sister City Relationship – Kokubunji

Report Reference: GC140415R06

Moved Councillor Byram, Seconded Councillor Telfer that Council:

1. Pursue a relationship that explores opportunities for schools/other educational organisations to participate
2. Reactivate the Sister Cities Friendship Group who are to bring back to Council recommendations for the future Sister City interactions

Carried

Councillor Appleby called for a Division:

Those for: Councillors Pfeiffer, Telfer, Prior, Westwood, Byram, Veliskou and Gard

Those against: Councillors Hutchinson, Hull, Appleby and Crossland

Carried

2015 LGA Ordinary General Meeting Agenda
Report Reference: GC140415R07

Moved Councillor Telfer, Seconded Councillor Crossland that:

1. Council notes the report “2015 LGA Ordinary General Meeting Agenda”
2. The City of Marion Delegate for the meetings of the Local Government Association vote as they see fit on the motions presented at the 2015 LGA Ordinary General Meeting.

8.54pm Councillor Prior left the meeting

8.58pm Councillor Prior re-entered the meeting.

Carried

CORPORATE REPORTS FOR INFORMATION NOTING

Nil

MATTERS RAISED BY MEMBERS

QUESTIONS WITH NOTICE

Australian Local Government Association and Local Government Association
Report Reference: GC140415Q01

QUESTION:

1. Does Council pay any amount to the Australian Local Government Association (ALGA) per year?
2. Is the president of the Local Government Association (LGA) remunerated?

COMMENTS: Kate McKenzie, Manager Governance

Question 1

The City of Marion does not pay an annual membership fee to the ALGA. In the 2014/15 financial year, two Councillors and Chief Executive Officer attended the National General Assembly held by ALGA in Canberra. Attendance at the National General Assembly is optional and the registration costs were \$1129 per person.

Question 2

The LGA President is paid an annual allowance to cover reimbursements expenses associated with the role. This allowance is set via guiding principles equates to be not less than the average of the allowances for all Council Principal Members (excluding Adelaide City), and shall be increased in line with CPI adjustments for Council Principal Members (if any) which may be made by the Local Government Remuneration Tribunal from time to time. The current allowance paid to the LGA president is \$45,912.

It is the view of the LGA that the Local Government Remuneration Tribunal should determine the allowance payable to all Members of the LGA Board. In the absence of a legal mandate for this to occur, the LGA Board will continue to determine the allowances for the time being.

Performance Management Report Reference: GC140415Q02

QUESTION:

1. Over the past 2 years how many staff have been formally performance managed in the organisation?
2. How many from each employment classification (i.e. MOA8, CMG, Director, MOA5 etc)?
3. Are informal performance management approaches, conversations, or correspondence recorded by the Human Resources / Organisational Development team? If so how many were managed informally?
4. What support mechanisms are in place to manage or change performance outcomes in the organisation?

COMMENTS: Kathy Jarrett, Director

In providing the following data, it is noted that the Local Government Act 1999 sets out that matters relating to staff performance are the purvey of the Chief Executive Officer.

Question 1:

18 staff have been formally performance managed over the last two years.

Question 2:

The respective classifications are as follows:

Municipal Employee level 5	5
Municipal Employee level 6	1
Municipal Officers Award level 3	1
Municipal Officers Award level 5	4
Municipal Officers Award level 6	3
Municipal Officers Award level 7	3
Municipal Officers Award level 8	1

Question 3:

Informal performance management approaches, conversations or correspondence are not recorded by the Organisational Development Unit. Accordingly there is no data pertaining to this question.

Question 4

The following support mechanisms are in place to manage or change performance outcomes in the organisation:

- Council has a Performance Partnering system in place that supports People Managers and Staff to have a performance conversation on a quarterly and annual basis. Key performance indicators are developed through the Annual Business Planning process, which are cascaded through to Corporate Managers, which in turn informs the performance conversations.
- Coaching, mediation and training may be offered to support an individual staff member, identified on a case by case basis.
- The Employee Wellbeing Program is a program Council has in place to support staff with work related and personal issues. This program is offered to all staff who are being performance managed.

Leadership Development and coaching from the Organisational Development Unit is provided to all of our people managers as needed.

MOTIONS WITH NOTICE

Portfolio Presentations

Report Reference: GC140415M01

Moved Councillor Hutchinson, Seconded Councillor Veliskou that:

1. Elected Members receive succinct presentations from each of the CMG managers on the following thematic areas: portfolio functions, staffing complement, current workload, current priorities and future need.
2. Four (4) additional Elected Member Forums be held Monday evenings as follows:
 - 27 April 2015
 - 11 May 2015
 - 18 May 2015
 - 25 May 2015To ensure appropriate time is given for each CMG manager to present and receive questions.
3. A maximum of 15 minutes be allocated to each presentation, with 30 minutes question time for each presentation.
4. Presentation slides and relevant materials be provided to Elected Members for consideration five (5) days prior to the presentation.

Carried

Tree Pruning

Report Reference: GC140415M03

Moved Councillor Hutchinson, Seconded Councillor Hull that:

1. Council's tree pruning and maintenance programs only remove a maximum of one third of a trees foliage in any given annual cycle, except in the case of emergency or public safety.
2. With the above defined as:
 - Emergency: refers to damage from weather event or death
 - Public Safety: refers to where it would be reasonable to expect a member of the public could be injured as a result of the location of branches or the tree itself.

Carried

“Green” Power

Report Reference: GC140415M04

Moved Councillor Appleby, Seconded Councillor Hutchinson that the City of Marion cease purchasing “green” power for street lighting from 1 January 2017.

Amendment

Moved Councillor Hull Seconded Councillor Prior that the City of Marion cease purchasing “green” power for street lighting from 1 January 2017 with the savings reinvested into infrastructure that will create renewable energy.

**That the Amendment become the Motion was Carried
The Amended Motion was Carried**

Acknowledgement of the Kurna People

Report Reference: GC140415M05

Moved Councillor Westwood, Seconded Councillor Pfeiffer that Council amend the standard wording used in the official acknowledgement of the Kurna people, in formal Council meetings and any other gatherings under the auspices of the City of Marion, so that the wording will now be:

"We acknowledge the Kurna people, the traditional custodians of this land and pay our respects to their elders past and present.", with the words "We would like to" or similar being omitted.

Carried

CONFIDENTIAL ITEMS

Councillor Telfer declared a conflict of interest in the matter as she holds an expired membership for CASA and she left the meeting

9.36pm Councillor Telfer left the meeting

**Marion Leisure and Fitness Centre
Lease to CASA Pty Ltd
GC240315F01**

Moved Councillor Hutchinson, Seconded Councillor Prior that 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: Geoff Whitbread, Kathy Jarrett, Abby Dickson, Mark Gibson, Heather Michell, David Barrett, Ray Barnwell, Colin Heath, Kate McKenzie and Craig Clarke be excluded from the meeting as the Council receives and considers information relating to the Marion Leisure Fitness Centre Lease to CASA Leisure Pty Ltd, 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 commercial nature the disclosure of which (i) could reasonably confer a commercial advantage on a third party or prejudice the position of the Council; could relate to potential litigation between Council and a third party; and could impact on a proposed tender for the supply of goods or services and, (ii) would, on balance, be contrary to the public interest.

Carried

9.37pm the meeting went into confidence

9.38pm Councillor Byram left the meeting

9.40pm Councillor Byram re-entered the meeting

Moved Councillor Gard, Seconded Councillor Crossland that Council in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Marion Leisure and Fitness Centre, Lease to CASA Leisure Pty Ltd' (Report Reference GC240315F01), its appendices and the Minutes arising from this report having been considered in confidence be kept confidential under Sections 90(2), (3)(b), (3)(i) and (3)(k) 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 the tender process regarding the provision of future services and works in respect of the Centre is complete. This confidentiality order will be reviewed at the General Council Meeting in December 2015.

9.46pm Councillor Pfeiffer left the meeting

9.49pm Councillor Pfeiffer re-entered the meeting

Carried

9.59pm the meeting came out of confidence

QUESTIONS WITHOUT NOTICE

Various questions were asked and taken on notice

MOTIONS WITHOUT NOTICE

Nil

Code of Conduct Complaint Report Reference: GC140415F01

This item was not considered.

LATE ITEMS

Nil

CLOSURE - Meeting Declared Closed at 10.00pm.

CONFIRMED THIS 28 April 2015

.....

CHAIRPERSON