

**MINUTES OF THE GENERAL COUNCIL MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 12 APRIL 2016**



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward

Ian Crossland
Tim Gard

Southern Hills

Janet Byram
Nick Westwood

Warriparinga Ward

Luke Hutchinson
Raelene Telfer

Mullawirra Ward

Jerome Appleby (from 6.32pm)
Jason Veliskou (from 6.32pm)

Warracowie Ward

Bruce Hull
Nathan Prior

Woodlands Ward

Nick Kerry
Tim Pfeiffer

In Attendance

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

CEO
General Manager Corporate Services
General Manager City Development
General Manager Operations
Manager Corporate Governance
Unit Manager Governance and Records
Governance Officer

COMMENCEMENT

The meeting commenced at 6.31pm.

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.

No declarations were made.

6.32pm Councillor Appleby entered the meeting.

6.32pm Councillor Veliskou entered the meeting.

CONFIRMATION OF MINUTES

6.32pm Moved Councillor Hull, Seconded Councillor Prior that the minutes of the General Council Meeting held on 22 March 2016 be taken as read and confirmed, with the following amendments:

- On page 9 of the Minutes, under item - Round House at Oaklands Wetlands (GC220316R09) replace the word '*Disposal*' with the words '*Seeking acquisition*' in the motion and the motion as varied.

Carried Unanimously

DEPUTATIONS

6.35pm Deputation – Streetscaping GC120416D01

Mr Rod Murray provided a 5 minute deputation to Council in relation to Council's approach to planning for Streetscapes across the City of Marion.

PETITIONS

Nil

COMMITTEE RECOMMENDATIONS

Nil

WORKSHOP / PRESENTATION ITEMS

Nil

ADJOURNED ITEMS

Nil

CORPORATE REPORTS FOR DECISION

6.44pm Local Government Association Membership Report Reference: GC120416R01

Mr Matt Pinnegar, Chief Executive Officer of the Local Government Association (LGA) provided an update regarding the progress of the LGA.

Moved Councillor Westwood, Seconded Councillor Hutchinson that Council:

1. Note the progress report from Mr Matt Pinnegar, Chief Executive Officer of the Local Government Association.
2. Confirm its membership with the Local Government Association.

Amendment:

Moved Councillor Hull, Seconded Councillor Kerry that Council:

1. Note the progress report from Mr Matt Pinnegar, Chief Executive Officer of the Local Government Association.
2. Confirm its membership with the Local Government Association.
3. Advise the LGA that Subscription Formula Option 3 is preferred by the City of Marion.

The amendment to become the motion was **Lost**
The original motion was **Carried**

Moved Councillor Telfer, Seconded Councillor Hutchinson that Council:

1. Advise the LGA that Subscription Formula Option 2 is preferred by the City of Marion based on:
 - a. Equitable processes of Council to consider smaller Councils in this state.
 - b. Encouragement of efficient use of subscriptions.
 - c. Being three population and revenue bands using three year average for operating revenue with no upper caps applied.

Carried

7.27pm Utilisation of Vacant Commercial Properties
Report Reference: GC120416R02

7.27pm Councillor Kerry left the meeting.

7.30pm Councillor Kerry re-entered the meeting.

Moved Councillor Veliskou, Seconded Councillor Hutchinson that Council:

1. Endorses Administration approaching the owner of the Mitchell Park activity centre to conduct a 12 month trial place-making project which seeks to revitalise the area.
2. Note a progress report will be brought back to Council in six months.
3. Ask Administration to identify a number of vacant commercial properties located on major roads in higher profile locations which have been subject to the risk of vandalism and/ or degradation and then:
 - a. Approach the relevant owners to ascertain their interest in providing potential short term leases to community based tenants to activate these properties.
 - b. Approach local community groups to seek interest in accessing these properties.
 - c. Facilitate contact between the owners and community groups.
4. Ask Administration to provide a progress report to Council in six months which summarises the results of this work and includes the issues that have been identified that are impacting on the vacancy rates experienced by these properties.

Carried Unanimously

7.33pm Resilient South Program
Report Reference: GC120416R03

Moved Councillor Telfer, Seconded Councillor Hull that Council:

1. Adopts the Southern Region Local Government Implementation Plan (2015-19) (Appendix 1);
2. Endorse the development of a City of Marion Climate Change Policy that will support the integration of climate change adaptation into all of Council's services and activities;
3. Seek input on the Draft Climate Change Policy from the Strategy Committee prior to bringing it to Council for consideration in June 2016.

7.36pm Councillor Veliskou left the meeting.

7.38pm Councillor Veliskou re-entered the meeting.

Carried

7.39pm Councillor Pfeiffer left the meeting.

7.40pm Councillor Kerry left the meeting.
7.41pm Councillor Hutchinson left the meeting.
7.42pm Councillor Pfeiffer, Kerry and Hutchinson re-entered the meeting.
7.46pm Councillor Crossland left the meeting.
7.50pm Councillor Crossland re-entered the meeting.

7.39pm Castle Plaza Activity Centre Development Plan Amendment (DPA) – Contamination Report
Report Reference: GC120416R04

Moved Councillor Gard, Seconded Councillor Hull that:

1. Administration seek legal advice regarding the liability consequences of contamination despite the findings contained in the EPA Auditor Report and report back to Council with the outcomes of this advice.

Carried

8.09pm Councillor Pfeiffer left the meeting.

8.09pm ANZAC Centenary Marion Veterans' Documentary Project
Report Reference: GC120416R05

8.10pm Councillor Prior left the meeting.
8.12pm Councillor Appleby left the meeting.
8.12pm Councillor Pfeiffer re-entered the meeting.
8.12pm Councillor Kerry left the meeting.
8.13pm Councillor Prior re-entered the meeting.
8.14pm Councillor Appleby re-entered the meeting.
8.15pm Councillor Kerry re-entered the meeting.

Moved Councillor Byram, Seconded Councillor Crossland that Council:

1. Defer the item until 24 May 2016 to provide time to apply for further ANZAC Centenary funding and to liaise with the current national projects for recording this history.

Carried Unanimously

8.20pm Defibrillators for the Community
Report Reference: GC120416R06

Moved Councillor Veliskou, Seconded Councillor Kerry that Council:

1. Defer the item to 24 May 2016 to enable further clarification on some points.

Carried

8.21pm Code of Practice - Access to Council Meetings and Documents
Report Reference: GC120416R07

Moved Councillor Hull, Seconded Councillor Westwood that Council:

1. Council endorses the proposed Code of Practice – Access to Meetings and Documents 2016 (Appendix 1), for the purposes of public consultation;
2. Public consultation commences on Thursday 21 April 2016 and concludes on Thursday, 12 May 2016, in accordance with Council's Community Consultation Policy and the legislative requirement of a minimum 21 days public consultation.
3. A report be presented to the General Council meeting to be held on 14 June 2016 that includes;
 - a. Details of any submissions received during the public consultation period regarding the Code of Practice - Access to Council Meetings and Documents 2016;
 - b. A final proposed Code of Practice for Council to consider and adopt.

Carried Unanimously

8.24pm Finance Report – February 2016
Report Reference: GC120416R08

Moved Councillor Crossland, Seconded Councillor Gard that Council:

1. Receive the report "Finance Report – February 2016".

Carried Unanimously

8.37pm Councillor Telfer left the meeting.

8.37pm Councillor Gard left the meeting.

8.37pm Petition – Barking Dog Clovelly Park
Report Reference: GC120416R09

8.39pm Councillor Telfer re-entered the meeting.

8.40pm Councillor Gard re-entered the meeting.

Moved Councillor Veliskou, Seconded Councillor Westwood that:

1. The matter be adjourned to the General Council Meeting on 26 April 2016.

Carried Unanimously

8.42pm Electric Vehicles
Report Reference: GC120416R10

8.47pm Councillor Veliskou left the meeting.

Moved Councillor Westwood, Seconded Councillor Gard that Council:

1. Notes the report.

Carried Unanimously

8.49pm Councillor Veliskou re-entered the meeting.

MATTERS RAISED BY MEMBERS

Questions with Notice

Tonsley Railway Station
Ref No: GC120416Q01

QUESTION:

In the drawings of the proposed Flinders Link extension of the Tonsley line and the State Government application to the Federal Government, there appears to be no proposal for an appropriate new Tonsley Railway Station. How will the proposed Flinders Link enhance connectivity, public transport and railway stations for City of Marion residents, particularly Mitchell Park, current Clovelly Park and future Tonsley residents?

COMMENTS: Rudy Tieman, Infrastructure Projects Manager

The question identifies considerations that have been raised and discussed with DPTI at earlier meetings with and presentations by DPTI. They are fully aware of Council's and other stakeholder interest and concerns about improving facilities and the level of train service on the Tonsley line as part of the transport improvement benefits and opportunities associated with the Darlington Upgrade Project. They have as yet not clarified if the extent of work proposed on the next stage of development of the Tonsley train line, which now includes the extension of the line to Flinders Medical Centre, will include the relocation and upgrading of the train stations.

The question above, raised by Council at this Council meeting will be referred to DPTI with a request for clarification and information about their plans for upgrading the train service and stations as part of the proposed extension of the line to FMC. Their reply will be reported to Council.

Welcome to' Signs
Ref No: GC120416Q02

QUESTION:

Can administration advise how many "welcome to" signs have been installed for the following suburbs?

- Marion
- Oaklands Park
- Dover Gardens
- Seacombe Gardens
- Warradale
- Glengowrie

COMMENTS: Mathew Allen, Manager Engineering and Field Services

The below table outlines the number of "welcome to" signs and also the number of suburb markers.

Suburb	Number of "welcome to" signs	Number of Suburb markers
Marion	0	1
Oaklands Park	0	1
Dover Gardens	1	1
Seacombe Gardens	0	1
Warradale	2	1
Glengowrie	1	2

Organisational Memberships
Ref No: GC120416Q03

QUESTION:

Can administration please provide a list of the organisational memberships of the City of Marion and the fees paid for the past 12 months?

COMMENTS: Ray Barnwell, Manager Finance

The list below contains organisational membership expenditure across the City of Marion for the past 12 months.

Organisational Memberships

Aged & Community Services Sa & Nt Inc	888
Australian Institute of Management (AIM)	318
Australian Institute of Traffic Planning & Management (AITPM)	603
Australian Library & Information Association (ALIA)	1,043
Arts Hub Australia Pty Ltd	180
Art Industry Council of South Australia	350
Australia China Business Council	400
Australia Day Council of SA	1,433

Australian Inst Food Science & Technology Inc	100
Australian Institute of Building Surveyors (AIBS)	2,091
Australian Institute Of Co Directors	1,153
Australian Institute of Landscape Architects	1,089
Australian Performing Arts Centre Assoc	1,145
Authorised Persons Association	320
Carers Assoc of SA Inc	64
The Chartered Institute of Purchasing and Supply Australasia (CIPSA)	325
Committee for Economic Development of Australia	2,066
Community Centres SA Inc	180
Council of the Ageing (COTA)	364
CPA Australia	645
Customers of SirsiDynix Australasia Inc	90
Economic Development Australia	1,276
Environmental Health Australia	444
International Council for Local Environmental Initiatives (ICLEI)	1,500
Institute of Chartered Accountants	1,068
Institute Of Public Works Engineering Australia SA (IPWEA)	3,410
Interpretation Australia	44
Junction Australia Ltd - Southern Housing Round Table	50
Local Government Association (LGA)	94,841
Local Government Information Technology SA Inc	500
Mercer (Australia) Pty Ltd	500
NSCA Foundation Ltd	455
Our Community	5,275
Out of the Square Inc	100
Parks & Leisure Australia	1,215
Planning Institute Of Australia (PIA)	1,073
Play Australia	453
Public Libraries SA	864
Recreation SA	270
Revenue Professionals SA	91
SA Local Government Finance Management Group (SALGFMG)	450
SA Sports Federation Inc	120
South Australian Community Transport Association	150
South Australian Presenters Assoc	400
Stormwater Industry Assoc	900
The Assoc for Payroll Specialists	795
Volunteering SA Inc	191
Waste Management Assoc of Australia	980
Total Organisational Memberships	132,261

Footpaths
Ref No:GC120416Q04

QUESTION:

The City of Marion has a policy to install at least one footpath in every street. This policy ensures equity across the city and provides a safe environment for residents, visitors and trades people.

When was the policy introduced?

How many streets are non-compliant, where are they and when will they be completed?

COMMENTS: Mathew Allen, Manager Engineering and Field Services

The Policy to install at least one footpath in every street was identified in the Road Infrastructure Asset Management Plan (2008) that was adopted at the General Council Meeting held on the 11 November 2008 (GC111108R07). This policy has now been superseded by Council's recently adopted Asset Management Policy (GC120814R04).

In accordance with its new policy Council subsequently adopted, on 19 January 2016 (GC190116R06), the December 2015 Asset Management Plan (AMP), incorporating the Transport Asset Management Plan, which does not allocate funding for the provision of new footpaths. The new AMP focuses on the renewal of existing assets in accordance with Council's Asset Management Policy adopted in August 2014.

The AMP has been prepared in accordance with the requirements of the *Local Government Act 1999* and Council's Asset Management Policy, which places priority on maintenance before renewal, and renewal of assets before acquisition of new or upgrade of existing assets where it is cost effective to do so. Any acquisitions (ie. new works) or upgrades need to be prioritised and approved by Council prior to their inclusion in future iterations of the AMP, having regard to whole of life costs.

As such new or upgrade works are not included in this AMP unless there is a specific Council resolution or legislative requirement to do so.

Currently 54 roads do not have footpaths, please refer to Appendix 1 attached for the list of roads that do not have a footpath.

Appendix 1

Road names without a footpath

AIRLIE MEWS, HALLETT COVE
ANNA COURT, HALLETT COVEw
BELMONT CLOSE, CLOVELLY PARK
BENDIGO CLOSE, TROTT PARK
BUFFALO COURT, HALLETT COVE
CARYA COURT, SHEIDOW PARK
CHRISTOPHER COURT, O'HALLORAN HILL
CLIFFTOP CRESCENT, HALLETT COVE
COPPER WAY, SHEIDOW PARK
CORSAIR COURT, HALLETT COVE
CURTIN COURT, TROTT PARK

DANA COURT, DARLINGTON
DEAKIN COURT, TROTT PARK
DUNTROON CLOSE, HALLETT COVE
EATON COURT, SHEIDOW PARK
EGRET COURT, HALLETT COVE
ESPLANADE, MARINO
FALCON COURT, HALLETT COVE
GORTON COURT, TROTT PARK
GRANTALA COURT, HALLETT COVE
HAMPTON COURT, DOVER GARDENS
HARKIN COURT, MITCHELL PARK
HOBBS COURT, SHEIDOW PARK
HOLT COURT, TROTT PARK
IBIS CRESCENT, HALLETT COVE
JADE COURT, SEAVIEW DOWNS
KAPPLER COURT, GLENGOWRIE
KEW COURT, SHEIDOW PARK
MAJORS RD, TROTT PARK
MANX COURT, HALLETT COVE
MIKASA COURT, TROTT PARK
MING COURT, TROTT PARK
NORMA COURT, HALLETT COVE
NORRIS COURT, SHEIDOW PARK
PANKINA GROVE, MARION
PARK VIEW TERRACE, MARINO
PAULA COURT, GLENGOWRIE
PAVANA COURT, HALLETT COVE
PHYLLIS COURT, TROTT PARK
PRESCOTT COURT, HALLETT COVE
RIVER PARADE, HALLETT COVE
RODEO COURT, HALLETT COVE
ROSA CLOSE, HALLETT COVE
RUTH COURT, MARINO
SHEIDOW PLACE, MARINO
SIGNAL COURT, SHEIDOW PARK
SPODE COURT, TROTT PARK
STERN CLOSE, SHEIDOW PARK
SYNNETT COURT, SEAVIEW DOWNS
THERMOPYLAE COURT, HALLETT COVE
TRACY STREET, SEALCUFF PARK
WAY PLACE, MARINO
WILKINS GROVE, GLENGOWRIE
WILKINS STREET, GLENGOWRIE

Motions with Notice

8.50pm Glyphosate Based Herbicide Report Reference: GC120416M01

Moved Councillor Hull, Seconded Councillor Byram that Council:

1. Receives a report by June 2016 advising of any known or suspected consequences of the use of the glyphosate based herbicide by Council. That this report include detailed advice relating to the World Health Organisation warning that glyphosate may be carcinogenic? Additionally, the report include advice relating to any harm that glyphosate may cause to invertebrates, frogs and other aquatic life in or near our waterways?

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

1. Receives a report by June 2016 advising of any known or suspected consequences of the use of the glyphosate based herbicide by Council. That this report include detailed advice relating to the World Health Organisation warning that glyphosate may be carcinogenic? Additionally, the report include advice relating to any harm that glyphosate may cause to invertebrates, frogs and other aquatic life in or near our waterways?
2. Additionally include what information is provided to residents when the Glyphosate based herbicide is used.

Carried

8.58pm Name of New Road Report Reference: GC120416M02

Moved Councillor Telfer, Seconded Councillor Gard that Council:

1. The name of the new road extension, beginning at Flinders Drive and South Rd in Bedford Park through Laffers Triangle and ending at Birch Crescent and Sturt Rd, Bedford Park, be named Flinders Drive.

Carried Unanimously

9.00pm Public Toilets Report Reference: GC120416M03

Moved Councillor Crossland, Seconded Councillor Hull that Council:

1. Council Complete an assessment of our existing public toilets which,
 - a) Identifies public toilets requiring an upgrade.
 - b) Identifies public toilets which may be surplus to current requirements and could be removed.

- c) Identifies areas where it would be appropriate to install new public toilets.
 - d) Includes an estimate of all costs.
2. A report be brought back to Council by June 2016 with a recommended program of works and funding options.

Carried Unanimously

9.04pm Tenancy Ratings within Tonsley Site
Report Reference: GC120416M04

Moved Councillor Hull, Seconded Councillor Crossland that:

1. The CEO writes to the Valuer General to request the Department to conduct a full review of the Tonsley site and create the required tenancies for rating purposes for any businesses/commercial operations situated within non-rateable government / educational premises such as TAFE, Flinders Uni etc. This review is to be conducted in time to capture all tenancies for the coming 2016/17 financial year and reviewed on an annual basis thereafter as the site develops.

Carried

9.09pm Driveway Policy – Responsibility for Repair
Report Reference: GC120416M05

Moved Councillor Westwood, Seconded Councillor Kerry that:

1. Regarding the maintenance of driveway access from private property to a road, i.e. the section of driveway on Council property between the property boundary and the roadway:
 - a) Council acknowledges that it is the responsibility of the property owner to repair and/or maintain the driveway invert and/or crossover in a safe and serviceable condition at all times.
 - b) Council adopts a policy position that a driveway invert and crossover on council land which requires repair as a result of Council's action or particularly attributable to Council (e.g. Council tree roots), then Council will be responsible for the repair.

9.18pm Councillor Gard left the meeting.

Councillor Westwood with the leave of the meeting withdrew the motion.

The motion was withdrawn

9.25pm Councillor Prior left the meeting.

9.25pm Councillor Westwood left the meeting.

9.26pm Councillors Gard, Prior and Westwood returned to the meeting.

9.26pm Legal Fees Policy for Elected Members
Report Reference: GC120416M06

Moved Councillor Kerry, Seconded Councillor Pfeiffer that Council:

1. A draft Policy be prepared for Council consideration, under section 78A of the Local Government Act 1999, that establishes a scheme by which a member of a council may directly obtain legal advice at the expense of the council to assist the member in performing or discharging official functions and duties.
2. That the draft Policy be based on the following provision:
 - Limit of \$2000 + GST per elected member per financial year.

Carried

Meeting Extension

Moved Councillor Crossland, Seconded Councillor Prior that the meeting be extended until the conclusion of the Agenda items.

Carried unanimously

9.29pm meeting extended.

9.30pm Consideration of Council funding for Netball Court Resurfacing
Report Reference: GC120416M07

Moved Councillor Crossland, Seconded Councillor Byram that Council:

1. Notes the \$20,000 raised by Cove Tigers Netball Club / Hallett Cove Netball Club.
2. Notes that an Expression of Interest will be submitted to the Federal Stronger Communities grant funding program for a contribution of \$17,000 towards the court resurfacing.
3. Endorses the allocation of up to \$78,000 from the Asset Sustainability Reserve – Community Facilities Partnership Program (CFPP) towards the Netball resurfacing works required at the Hallett Cove Sports and Community Club subject to the club securing additional funds from the Federal Stronger Communities grant funding program.
4. Provides Landlords consent to allow the club to resurface the netball courts at the Cove Sports & Community Club.

The vote was tied
The Mayor gave his casting vote and voted against the motion
Lost

Cr Crossland called for a Division:

Those for: Councillors Pfeiffer, Westwood, Byram, Veliskou, Gard and Crossland

Those against: Councillors Kerry, Telfer, Hutchinson, Prior, Hull and Appleby.

The vote was tied
The Mayor gave his casting vote and voted against the motion
Lost

Fibre To The Premises (FTTP) National Broadband Network
Ref No:GC120416M08

This motion was withdrawn.

Questions without Notice

Nil

Motions without Notice

Nil

9.50pm Councillor Byram left the meeting.

CLOSURE - Meeting Declared Closed at 9.50pm.

CONFIRMED THIS 26 APRIL 2016

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CHAIRPERSON