

**MINUTES OF THE GENERAL COUNCIL MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 13 FEBRUARY 2018**



PRESENT

Deputy Mayor Janet Byram

Councillors

Coastal Ward

Ian Crossland
Tim Gard

Mullawirra Ward

Jason Veliskou
Jerome Appleby

Southern Hills

Nick Westwood

Warracowie Ward

Bruce Hull
Nathan Prior

Warriparinga Ward

Raelene Telfer

Woodlands Ward

Tim Pfeiffer

In Attendance

Mr Adrian Skull
Ms Abby Dickson
Mr Tony Lines
Mr Vincent Mifsud
Ms Kate McKenzie
Ms Victoria Moritz

Chief Executive Officer
General Manager City Development
General Manager City Services
General Manager Corporate Services
Manager Corporate Governance
Governance Officer

COMMENCEMENT

The meeting commenced at 6.33pm

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.

ELECTED MEMBER'S DECLARATION OF INTEREST

The Chair asked if any Member wished to disclose an interest in relation to any item being considered at the meeting.

- Nil interests were declared

CONFIRMATION OF MINUTES

Moved Councillor Telfer, Seconded Councillor Crossland that the minutes of the General Council Meeting held on 30 January 2018 be taken as read and confirmed.

Carried Unanimously

COMMUNICATIONS

Nil

ADJOURNED ITEMS

Nil

DEPUTATIONS

Nil

PETITIONS

Nil

COMMITTEE RECOMMENDATIONS

6.38pm Confirmation of Minutes of the Review and Selection Committee Meeting held 30 January 2018.

Report Reference: GC130218R01

Moved Councillor Crossland, Seconded Councillor Appleby that Council:

1. Receives and notes the minutes of the Review and Selection Committee meeting of 30 January 2018 (Appendix 1).
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.

Carried Unanimously

CONFIDENTIAL ITEMS

6.39pm Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held 30 January 2018.

Report Reference: GC130218F01

Moved Councillor Appleby, Seconded Councillor Crossland that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Committee orders that this report, *Selection of candidates for interview/appointment for the Finance and Audit Committee* and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act, 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 2018.

Carried Unanimously

6.40pm Appointment of Expert Member – Finance & Audit Committee

Reference No: GC130218F02

Moved Councillor Gard, Seconded Councillor Crossland that Council:

1. Appoints Ms Natalie Johnston as the Expert Member of the Finance and Audit Committee to commence for a period of 13 February 2018 to 30 November 2020.

Carried Unanimously

CORPORATE REPORTS FOR DECISION

6.42pm Energy Efficiency and Solar Energy on Council-Owned Leased Facilities

Report Reference: GC130218R02

Moved Councillor Crossland, Seconded Councillor Telfer that Council:

1. Adopts a proposed approach to fund up to 50% of the purchase and installation costs of energy efficiency upgrades and solar panels for Council owned and leased facilities.
2. Supports the use of the Community Facilities Partnership Program to assess and fund applications for energy efficiency upgrades and solar panels for Council owned and leased facilities.
3. Adopts Methodology B - *Council coordination of submission process and sites installation* to implement the program

Carried

7.07pm Warradale Kindergarten - Landlord Approval
Report Reference: GC130218R03

Moved Councillor Hull, Seconded Councillor Prior that Council:

1. Grants Landlord consent for the internal building works at Warradale Kindergarten, 2 Wyndham Street Warradale, Certificate of Title Volume 0011 Folio 046.
2. Delegates to the Manager City Property approval to authorise any relevant documents necessary to facilitate the installation and management of the internal building works.
3. Advises that the Warradale Kindergarten will be responsible for any project related costs and will be responsible for all future maintenance and repairs of the internal building works.
4. Notes Landlord Approval will be subject to Development Approval and Building Rules Consent if required.

Carried Unanimously

7.08pm Marion Outdoor Pool Upgrade
Report Reference: GC130218R04

Moved Councillor Veliskou, Seconded Councillor Pfeiffer that Council:

1. Endorses Stage 1 to upgrade the kiosk, change rooms and storage for up to \$470,141 with an allocation of up to \$320,141 in 2017/18 from the Asset Sustainability Reserve to fund this project in addition to the \$150,000 grant from Fund My Neighbourhood.
2. Endorses an allocation of \$43,651 per annum for the ongoing operating, maintenance and renewal requirements for Stage 1 for inclusion into Council's Long Term Financial Plan.
3. Endorses an allocation of up to \$1,193,120 for Stage 2 for consideration in the 2018/19 Annual Business Planning process to be funded from the Asset Sustainability Reserve to upgrade the foyer, entrance, including a multifunction room and upgrade to staff accommodation.
4. Endorses an allocation of \$116,384 per annum for the ongoing operating, maintenance and renewal requirements for Stage 2 for inclusion into Council's Long Term Financial Plan subject to the project being endorsed by Council.
5. Endorses an allocation up to \$1,929,554 for Stage 3 for consideration in the 2018/19 Annual Business Planning process for inclusion into Council's Long Term Financial Plan in 2019/20 funded from the Asset Sustainability Reserve to install a splash pad, water play area and plant room, accessible pathways, picnic areas and shade for the waterslide.
6. Endorses an allocation of \$151,302 per annum for the ongoing operating, maintenance and renewal requirements for Stage 3 for inclusion in Council's Long Term Financial Plan subject to the project being endorsed by Council.

Carried

7.28pm LGA Ordinary General Meeting 2018
Report Reference: GC130218R05

Moved Councillor Telfer, Seconded Councillor Prior that:

1. Council notes the report “LGA Ordinary General Meeting 2018”
2. The nominated Council Voting Delegate for this meeting is The Mayor (or Acting Mayor) and that the Proxy Delegate for this meeting is Deputy Mayor.
3. Council submits the following Notices of Motion to the LGA by Friday 2 March 2018 for consideration at the 2018 LGA Ordinary General Meeting:
 - a. *That the Ordinary General Meeting requests the Local Government Association to investigate whether there is sufficient evidence across Local Government to advocate for the connection to telecommunication infrastructure being mandated in relevant legislation.*
4. On Submitting Notices of Motion to the LGA, the Chief Executive Officer be authorised to amend the wording (without changing the meaning or purpose of the motion) if required

Councillor Veliskou with the consent of Councillor Telfer and Councillor Prior sought and was granted leave of the meeting to vary the motion as follows:

That (as varied):

1. Council notes the report “LGA Ordinary General Meeting 2018”
2. The nominated Council Voting Delegate for this meeting is The Mayor (or Acting Mayor) and that the Proxy Delegate for this meeting is Deputy Mayor.
3. Council submits the following Notices of Motion to the LGA by Friday 2 March 2018 for consideration at the 2018 LGA Ordinary General Meeting:
 - a. *That the Ordinary General Meeting requests the Local Government Association to investigate whether there is sufficient evidence across Local Government to advocate for the connection to telecommunication infrastructure being mandated in relevant legislation.*
 - b. *That the Ordinary General Meeting requests the Local Government Association to investigate whether there is sufficient evidence across local government to investigate the impact and risk to councils of potential overseas recycling import restrictions.*
4. On Submitting Notices of Motion to the LGA, the Chief Executive Officer be authorised to amend the wording (without changing the meaning or purpose of the motion) if required

Carried Unanimously

7.36pm Participation in Building Upgrade Finance
Report Reference: GC130218R06

Moved Councillor Crossland, Seconded Councillor Westwood that Council:

1. Approves the City of Marion's participation in the Building Upgrade Finance mechanism, by offering to enter into Building Upgrade Agreements as defined by Schedule 1B of the *Local Government Act 1999* (Appendix 1).
2. Delegates authority to the Chief Executive Officer to:
 - Enter into, or to vary or terminate, a Building Upgrade Agreement;
 - Declare and levy a Building Upgrade Charge under a Building Upgrade Agreement as defined by the *Local Government Act 1999* (SA);
 - Set late payment and service fees as part of a Building Upgrade Charge in a Building Upgrade Agreement, as defined by the *Local Government Act 1999* (SA).
3. Endorses the Building Upgrade Finance Fees and Charges Schedule (Appendix 6).
4. Endorses the DRAFT City of Marion Building Upgrade Finance Policy (Appendix 5).

7.41pm Councillor Pfeiffer left the meeting

Carried

7.43pm Alternatives to Glyphosate in Playgrounds
Report Reference: GC130218R07

Moved Councillor Veliskou, Seconded Councillor Crossland that Council:

1. Continues to use glyphosate in accordance with the conditions and licences of the APVMA.
2. Produces a factsheet that explains why weed control is undertaken and the methods used.
3. Considers the allocation of \$25,000 for a saturated steam weeding machine to undertake weed control around playground equipment as part of the Annual Business Planning process for 2018/19, together with an annual budget of up to \$2,500 per annum for ongoing maintenance and training.

7.44pm Councillor Pfeiffer re-entered the meeting

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

That (as varied) Council:

1. Continues to use glyphosate in accordance with the conditions and licences of the APVMA.
2. Produces a factsheet that explains why weed control is undertaken and the methods used.

Carried

Councillor Hull called a Division

Those For: Councillors Pfeiffer, Telfer, Westwood, Veliskou, Appleby, Gard, Crossland and Byram

Those Against: Councillor Hull

Carried

Moved Councillor Veliskou, Seconded Councillor Crossland that:

3. Considers the allocation of \$25,000 for a saturated steam weeding machine to undertake weed control around playground equipment as part of the Annual Business Planning process for 2018/19, together with an annual budget of up to \$2,500 per annum for ongoing maintenance and training.

Carried

Councillor Prior called a Division

Those For: Councillors Pfeiffer, Hull, Veliskou, Gard, Crossland and Byram

Those Against: Councillors Telfer, Prior, Westwood and Appleby

Carried

CORPORATE REPORTS FOR INFORMATION / NOTING

ITEMS EN BLOC

Moved Councillor Pfeiffer, Seconded Councillor Westwood that the following items be moved en bloc:

- Corporate Risk Quarterly Report - October to December 2017 (Report Reference: GC130218R08)
- WHS Monthly Performance Report – December 2017 (Report Reference: GC130218R09)
- Finance Report – December 2017 (Report Reference: GC130218R10)

Carried Unanimously

7.58pm Corporate Risk Quarterly Report - October to December 2017

Report Reference: GC130218R08

Moved Councillor Pfeiffer, Seconded Councillor Westwood that Council:

1. Notes the progress reported against the mitigation of those high rated risks identified within the Corporate Risk Register.

Carried Unanimously

7.58pm WHS Monthly Performance Report – December 2017

Report Reference: GC130218R09

Moved Councillor Pfeiffer, Seconded Councillor Westwood that Council:

1. That Council notes the report and statistical data contained therein

Carried Unanimously

7.58pm Finance Report – December 2017
Report Reference: GC130218R10

Moved Councillor Pfeiffer, Seconded Councillor Westwood that Council:

1. Receives the report “Finance Report – December 2017”

Carried Unanimously

MATTERS RAISED BY MEMBERS

Motions with Notice

7.59pm Groundwater Contamination
Report Reference: GC130218M01

Moved Councillor Hull, Seconded Councillor Prior that Council:

1. Be provided with a detailed report and mapping depicting the extent, the nature of the contaminates, the predicted rate and direction of spread and the varying grades of severity of ground water contamination across the City of Marion

Carried Unanimously

8.01pm Light Square Project
Report Reference: GC130218M02

Moved Councillor Telfer, Seconded Councillor Prior that:

1. The flower landscaping project for Light Square, birthplace of Marion, in conjunction with volunteers from Marion Historic Village, be advanced forward to allow for design, irrigation and plantings (e.g. pink runner roses, purple statice and purple agapanthus) to occur in 2017/18.
2. The remaining landscape elements of the Light Square improvements (up to \$20,000 which may be inclusive of interpretive signs) remain in the 2018/19 draft budget.

8.05pm Councillor Appleby left the meeting

Carried Unanimously

8.07pm New Properties Application for Reticulation (AFR)
Report Reference: GC130218M03

Moved Councillor Veliskou, Seconded Councillor Gard that Council:

1. Writes to the relevant Minister and Shadow Minister seeking that connection to telecommunication infrastructure is mandated in the relevant legislation.

2. Submits the following Notices of Motion to the Local Government Association for consideration at the 2018 LGA Ordinary General Meeting: a. That the Ordinary General Meeting requests the Local Government Association to investigate whether there is sufficient evidence across Local Government to advocate for the connection to telecommunication infrastructure being mandated in relevant legislation.
3. Provides a notification to all developers (as deemed appropriate by planning team) in regards to their obligations for telecommunication connections. With information to the effect of:

**Standard Notes for Land Divisions
Telecommunications**

The applicants attention is drawn Part [20A of the Telecommunications Act 1997](#) which outlines the developer's obligations with respect to the provision and installation of telecommunications infrastructure. Further information can be found at www.communications.gov.au

8.08pm Councillor Appleby re-entered the meeting

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

That (as Varied) Council:

1. Writes to the relevant Minister and Shadow Minister seeking that connection to telecommunication infrastructure is mandated in the relevant legislation.
2. Submits the following Notices of Motion to the Local Government Association for consideration at the 2018 LGA Ordinary General Meeting: a. That the Ordinary General Meeting requests the Local Government Association to investigate whether there is sufficient evidence across Local Government to advocate for the connection to telecommunication infrastructure being mandated in relevant legislation.
3. Provides a notification to all developers (as deemed appropriate by planning team) in regards to their obligations for telecommunication connections. With information to the effect of:

**Standard Notes for Land Divisions
Telecommunications**

The applicants attention is drawn Part [20A of the Telecommunications Act 1997](#) which outlines the developer's obligations with respect to the provision and installation of telecommunications infrastructure. Further information can be found at www.communications.gov.au

4. Writes to the Telecommunications Ombudsman bringing this type of issue to their attention

Carried

8.16pm Allowance on leave of absence
Report Reference: GC130218M04

Moved Councillor Hull

1. That the Council desires to put the questions to Mayor Hanna asking him if he would take leave from Council without his ratepayer funded allowance while on leave campaigning in the seat of Gibson and that he does not use his Council supplied vehicle for any campaigning purposes during the said approved leave from Council

The motion lapsed for want of a Seconder

Questions with Notice

Parking In Local Streets Survey
Report Reference: GC130218Q01

QUESTION:

What is council doing to promote the parking in local streets survey (yoursay.gov.au) to residents and the wider community?

COMMENTS: Councillor Veliskou

Nil

COMMENTS: Craig Clarke, Unit Manager Communications

Planning Minister John Rau has this month written to 19 metropolitan councils about a State Government review of on-street parking in suburban areas as a result of infill development.

The review will be headed by former Onkaparinga Council chief executive Jeff Tate.

The following three activities will occur as part of the review:

- A Car Parking Summit with senior representatives from councils.
- An online community survey through Yoursay.sa.gov.au.
- A series of targeted conversations and activities with representatives from the planning, transport and development sectors.

The City of Marion will promote the online survey to the community through social media, the website and the What's Happening column. The promotion is reliant on information being available from the State Government.

Impact of Recycling Import Ban
Report Reference: GC130218Q02

QUESTION:

What, if any, impact is it anticipated that China's recycling import ban will have on the City of Marion?

COMMENTS: Councillor Appleby

Council tells ratepayers to 'minimise' recycling as Chinese ban bites

<http://www.theage.com.au/victoria/council-tells-ratepayers-to-minimise-recycling-as-chinese-ban-bites-20180130-p4yz3v.html> (included as Appendix 1 to the report)

COMMENTS: Colin Heath, Unit Manager Contracts

Under the City of Marion's current kerbside waste and recycling collection contract with Solo Resource Recovery ("Solo"), Solo is contractually responsible for the processing/disposal of all recyclable products collected from the kerbside 3 bin system, based on an agreed pricing mechanism (including rise and fall provisions).

Solo has entered into separate sub-contracting arrangements with a recycling processor to process/dispose of recyclable product. Council has no involvement in this sub-contracting arrangement.

Solo wears the risk of the sub-contractual relationship, and therefore any risks associated with the processing and disposal of any recyclable product collected from our Council.

Council has made contact with Solo following the article, and they have advised at this point in time they have had no communication from their sub-contractor regarding them receiving Solo's recyclable product.

Given the above, we expect there would subsequently be minimal impact on the City of Marion. In the event this materially changes we will advise Council accordingly.

Motions without Notice

Nil

Questions without Notice

Nil

MEETING CLOSURE - Meeting Declared Closed at 8.18pm

CONFIRMED THIS 27 FEBRUARY 2018

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CHAIRPERSON