

**MINUTES OF THE GENERAL COUNCIL MEETING  
HELD AT ADMINISTRATION CENTRE  
245 STURT ROAD, STURT  
ON TUESDAY 28 AUGUST 2018**

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**PRESENT**

His Worship the Mayor Kris Hanna

**Councillors**

**Coastal Ward**

Ian Crossland (from 7.09pm)

**Mullawirra Ward**

Jason Veliskou

Jerome Appleby (from 7.08pm)

**Southern Hills**

Janet Byram (from 7.08pm)

Nick Westwood

**Warracowie Ward**

Bruce Hull

Nathan Prior

**Warriparinga Ward**

Raelene Telfer

Luke Hutchinson

**Woodlands Ward**

Tim Pfeiffer

**In Attendance**

Mr Adrian Skull

Ms Abby Dickson

Mr Tony Lines

Mr Vincent Mifsud

Ms Kate McKenzie

Ms Jaimie Thwaites

Chief Executive Officer

General Manager City Development

General Manager City Services

General Manager Corporate Services

Manager Corporate Governance

Unit Manager Governance and Records (minute taker)

**1. COMMENCEMENT**

The meeting commenced at 6.30pm

**2. KAURNA ACKNOWLEDGEMENT**

*We acknowledge the Kurna people, the traditional custodians of this land and pay our respects to their elders past and present.*

**3. 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.

#### 4. 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 declarations were made.

#### 5. COMMUNICATIONS

##### Mayoral Communication Report Report Reference GC180828

Date	Event	Comments
20 July 2018	Australian Friends of Palestine Association AGM	Attended
21 July 2018	Sturt Pistol & Shooting Club AGM	Attended
22 July 2018	Bangladesh Community Function	Attended
24 July 2018	Appleby Reserve Opening	Attended, gave speech
25 July 2018	Active Elders Christmas in July Celebrations	Attended
25 July 2018	Hallett Cove Business Association Event	Attended
26 July 2018	Unsung Heroes Awards Presentation	Presented awards
28 July 2018	Fruit Tree Planting Morning at Parsons Grove Reserve	Planted fruit trees
29 July 2018	Rima's Luncheon Fundraiser	Attended
29 July 2018	Hamilton Reserve Community Consultation	Attended
30 July 2018	Oaklands Crossing Milestone Celebration	Attended
3 August 2018	Trott Park Neighbourhood Centre: Blokes' Brekky	Attended
3 August 2018	Galleon Theatre Group 50th Birthday Celebration	Attended, gave speech
5 August 2018	The Marion Art Group's Sala Exhibition	Attended, gave speech
9 August 2018	Foreign Affairs Magazine Interview	Interviewed
10 August 2018	Hendrie Street Inclusive Playground Opening	Opening playground with His Excellency the Governor Hieu Van Le
10 August 2018	Gallery M: Contemporary Prize Exhibition Opening	Opened exhibition
13 August 2018	Australia Day Council: Inspiring South Australian Women	Attended
14 August 2018	Marion Historic Village Museum AGM	Attended, opened new exhibit

14 August 2018	Hallett Cove Meals on Wheels BBQ & AGM	Attended, gave speech
15 August 2018	George Megalogenis Speech	Attended
18 August 2018	Rotary MOSH Comedy Night	Hosted table
23 August 2018	Coast FM Radio Segment	Interviewed on air
23 August 2018	Cheque Presentation by the Hon Corey Wingard MP to the Plympton Sports & Recreation Club	Attended

In addition, the Mayor has met with residents, MPs, Candidates and with the CEO and Council staff regarding various issues. In addition, the Mayor has met with residents, MPs, Candidates and with the CEO and Council staff regarding various issues.

**Moved Councillor Pfeiffer, Seconded Councillor Telfer** that the Mayoral Communication Report be received.

**Carried Unanimously**

#### **CEO and Executive Communications Report Report Reference GC180828**

<b>Date</b>	<b>Activity</b>	<b>Attended By</b>
26 July 2018	Oakland's Park Cancer Cluster Session with SA Health	Adrian Skull
26 July 2018	Meeting with Westminster School regarding proposed development application	Adrian Skull
26 July 2018	Unsung Heroes Awards presentation	Adrian Skull
27 July 2018	Meeting with Scentre Group regarding Hotel EoI	Abby Dickson
30 July 2018	Meeting with Mark Dowd City of Onkaparinga	Adrian Skull
31 July 2018	Fleet Optimisation Review	Vincent Mifsud
1 August 2018	SRWRA site tour	Tony Lines
1 August 2018	Meeting with Southern Adelaide Economic Development Board	Adrian Skull Abby Dickson
2 August 2018	Meeting with Adrian Skull, Janet Byram, Scott Marshall and Colleague (Total Beach Access)	Adrian Skull
2 August 2018	Meeting with Adrian Skull, Mark Dowd, Nikki Govan and Nick Leaver re NDIS Opportunity	Adrian Skull
2 August 2018	Meeting with Amanda Rishworth MP & SAEDB	Adrian Skull
2 August 2018	Meeting re Waste - China Sword	Adrian Skull Vincent Mifsud
3 August 2018	Meeting with Cities of Charles Sturt and Port Adelaide Enfield re cross council collaboration	Abby Dickson

3 August 2018	Blokes' Brekky with Mayor	Adrian Skull
3 August 2018	Meeting with Peter Blazincic re Marino Site	Adrian Skull
6 August 2018	Meeting with MarionLIFE meeting re site development/co-location	Adrian Skull
8 August 2018	Meeting re Oakland's Crossing timing, design and construction - works update	Adrian Skull
8 August 2018	Meeting Adrian Skull and John Schutz (DEW)	Adrian Skull
10 August 2018	Hendrie Street Inclusive Playground opening	Tony Lines Abby Dickson
13 August 2018	Meeting with Adrian Skull and Robert Pitt (Adelaide Cemeteries Authority)	Adrian Skull
14 August 2018	Meeting with Adrian Skull and Kathryn McEwen (Working With Resilience)	Adrian Skull
15 August 2018	Met with representative from Solo on recycling	Vincent Mifsud
15 August 2018	Operations and Assets Collaboration Group - City of Charles Sturt and City of Port Adelaide Enfield	Tony Lines
16 August 2018	Boral	Tony Lines
16 August 2018	Tonsley Project Steering Committee Meeting	Adrian Skull Abby Dickson
16 August 2018	Meeting with Adrian Skull, Mayor, Michael Carter and the Chairman of FFSA re Majors Road (Soccer)	Adrian Skull
17 August 2018	CEO and General Manager collaboration - City of Charles Sturt and City of Port Adelaide Enfield	Adrian Skull Tony Lines Vincent Mifsud Abby Dickson
21 August 2018	SAEDB Business Breakfast with Training and Skills Commission and Hon David Pisoni	Adrian Skull
22 August 2018	Meeting re Waste - China Sword	Adrian Skull Vincent Mifsud
23 August 2018	Managing our Landscapes – Conversations for Change re new Natural Resource Management Act Consultation session	Adrian Skull
23 August 2018	Meeting with Adrian Skull and Matt Pinnegar CEO LGA	Adrian Skull
23 August 2018	LGA State Planning Commission Briefing with Deputy Mayor	Adrian Skull
23 August 2018	Fleet Optimisation Review	Vincent Mifsud
27 August 2018	Meeting with Australian Competition & Consumer Commission (ACCC)	Vincent Mifsud
28 August 2018	Meeting with Adrian Skull and Terry Burgess re Tonsley Governance	Adrian Skull

**Moved Councillor Pfeiffer, Seconded Councillor Telfer** that the CEO and Executive Communication Report be received.

**Carried Unanimously**

**Deputy Mayor Communication Report  
 Report Reference GC180828**

Date	Event	Comments
24 July 2018	Appleby Reserve Opening	Attended
26 July 2018	Coast FM	Interviewed On-Air
26 July 2018	Tonsley Innovation District Walking Tours	Tour Guide
27 July 2018	Westminster School Information Session	Attended
29 July 2018	Spirit of Woman Luncheon	Attended
1 August 2018	Council Assessment Panel Meeting	Attended
3 August 2018	LGA Election Details Breakfast	Attended
4 August 2018	Marion RSL Quiz Night	Attended
10 August 2018	Hendrie Street Reserve TBOF Opening	Attended
10 August 2018	Gallery M	Attended
16 August 2018	Oaklands Station Rail Safety Breakfast	Served Breakfast
16 August 2018	Coastal and Southern Hills Ward briefing	Attended
23 August 2018	Tonsley Innovation District Walking Tours	Tour Guide
23 August 2018	State Planning Commission briefing	Attended

**Moved Councillor Pfeiffer, Seconded Councillor Telfer** that the Deputy Mayor Communication Report be received.

**Carried Unanimously**

**Report on Elected Member Activities for June and July 2018:  
 Councillor Raelene Telfer:**

Date	Activity	Comment
25 July	Annie Doolan's Cottage	Packing day
26 July	Migrant Women's group	Cooinda
26 July	Unsung Heroes	Awards to community
28 July	Westminster briefing	Plans for rebuilding
29 July	Sturt River Landcare group	Plantings
15 Aug	Marion Historical Society	Launched 'Colin Phelp's Story'
16 Aug	ALGWA SA	Meeting on social media
20 Aug	Cosgrove Hall	AGM

21 Aug	Impacting Children Mitchell Park	Strategic planning
21 Aug	Community Forum	Non government community groups
22 Aug	Warriparinga Ward Briefing	Club Marion exits discussed
22 Aug	Finance & Audit Committee	Member participation
27 Aug	Mayor's Multicultural Forum	Southern Connection networking

## CONFIRMATION OF MINUTES

**Moved Councillor Telfer, Seconded Councillor Pfeiffer** that the minutes of the General Council meeting held on 14 August 2018 be taken as read and confirmed with the following amendment:

- in the item 'Code of Conduct' (Report Reference: GC180814F04) Councillor Kerry only voted for the motion when the division was called.

**Carried Unanimously**

## ORDER OF AGENDA

The Chair sought and was granted leave of the meeting to vary the order of the agenda to move the item 'Youth Development Grants – Adjourned from 240718 (Report Reference GC180828R01) until after the confidential item and bring forward the following items:

- Morphetville Park Sports Club Redevelopment (Report Reference: GC180828D01)
- Morphetville Park Sports Club Redevelopment - Progress Update including options and Road Closure (Report Reference GC180828R07)
- Morphetville Park - Oval Realignment Options (Report Reference GC180828R15)

## 6. DEPUTATIONS

### **6.33pm Morphetville Park Sports Club Redevelopment Report Reference: GC180828D01**

Mr Justin Clark, on behalf of the Morphetville Park Sports Club and the Morphetville Football Club gave a deputation to Council relating to the item Morphetville Park Sports Club Redevelopment - Progress Update – GC180828R07.

### **6.40pm Morphetville Park Sports Club Redevelopment - Progress Update including options and Road Closure Report Reference GC180828R07**

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

1. Notes the community consultation feedback received on the developed design.
2. Resolves to allocate additional funds up to \$73,000 to cover the cost of the road closure and any required civil works, from the 2017/18 budget audited savings.

3. Authorises the commencement of the Roads (Opening and Closing) Act 1991 process to close the section of Quinn Street Morphettville between Regan Avenue and Denham Avenue in accordance with the Roads (Opening and Closing) Act 1991 which requires
  - Preparation of a preliminary plan
  - Preparation of a statement of affected parties and
  - Undertaking of public consultation
4. Notes a further report will be tabled with the new Council in December 2018 about the outcome of the community consultation for the road closure and to seek authorisation to submit the documentation with the Surveyor General to formally close the road.
5. Approves to proceed design documentation for Option 2 to deliver the expanded scope of works for the delivery of the Morphettville Sports Club redevelopment and the allocation of an additional funding of up to \$1,400,000 from Council's Asset Sustainability Reserve.
6. Approves progressing the preferred option to detailed design and documentation, including the preparation of tender documents to issue for call for tender.
7. Notes Administration will bring a report back to Council at the conclusion of the design and documentation, for approval to proceed to tender for construction contractors.

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

**That Council (as varied):**

1. Notes the community consultation feedback received on the developed design.
2. Resolves to allocate additional funds up to \$73,000 to cover the cost of the road closure and any required civil works, from the 2017/18 budget audited savings.
3. Authorises the commencement of the Roads (Opening and Closing) Act 1991 process to close the section of Quinn Street Morphettville between Regan Avenue and Denham Avenue in accordance with the Roads (Opening and Closing) Act 1991 which requires
  - Preparation of a preliminary plan
  - Preparation of a statement of affected parties and
  - Undertaking of public consultation
4. Notes a further report will be tabled with the new Council in December 2018 about the outcome of the community consultation for the road closure and to seek authorisation to submit the documentation with the Surveyor General to formally close the road.
5. Approves to proceed design documentation for Option 2 to deliver the expanded scope of works for the delivery of the Morphettville Sports Club redevelopment and the allocation of an additional funding of up to \$1,400,000 from Council's Asset Sustainability Reserve – Community Facilities Partnership Program.
6. Approves progressing the preferred option to detailed design and documentation, including the preparation of tender documents to issue for call for tender.

7. Notes Administration will bring a report back to Council at the conclusion of the design and documentation, for approval to proceed to tender for construction contractors.

6.45pm Councillor Hutchinson left the meeting

**Carried Unanimously**

**6.48pm Morphetville Park - Oval Realignment Options  
Report Reference GC180828R15**

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

1. Notes options for the expansion of the oval in addition to traffic management and pedestrian circulation improvements.
2. Administration to undertake further investigations and engage with the Club, SANFL and community to consider the oval realignment and impact on the surrounding roads. Noting that the oval realignment is a separate portion of works to the Morphetville Park Sports Club Upgrade.
3. Endorses the allocation of an additional \$300,000 from the Asset Sustainability Reserve Community Facilities Partnership Program for engineering services, partial road closures and delivery of the oval realignment.
4. Notes a further report will be presented to Council on the outcome of the consultation and recommended option to proceed to documentation and delivery.

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

**That Council (as varied):**

1. Notes options for the expansion of the oval in addition to traffic management and pedestrian circulation improvements.
2. Administration to undertake further investigations and engage with the Club, SANFL and community to consider the oval realignment and impact on the surrounding roads. Noting that the oval realignment is a separate portion of works to the Morphetville Park Sports Club Upgrade.
3. Endorses the allocation of an additional \$300,000 from the Asset Sustainability Reserve for engineering services, partial road closures and delivery of the oval realignment.
4. Notes a further report will be presented to Council on the outcome of the consultation and recommended option to proceed to documentation and delivery.

**Carried Unanimously**

**7. PETITIONS**

Nil



## **8. COMMITTEE RECOMMENDATIONS**

### **6.54pm Confirmation of the Minutes of the Infrastructure and Strategy Committee meeting held on 7 August 2018**

**Report Reference GC180828R02**

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

1. Receives and notes the minutes of the Infrastructure and Strategy Committee meeting of 7 August 2018 (Appendix 1).
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Infrastructure and Strategy Committee.

**Carried Unanimously**

## **9. CONFIDENTIAL ITEMS**

### **6.56pm Cover Report - Expression of Interest - 262 Sturt Road - Progress Report and Next Stage Report Reference GC180828F01**

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

1. Pursuant to Section 90(2) and (3)(b) and (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; Vincent Mifsud, General Manager Corporate Services, Abby Dickson, General Manager City Development; Tony Lines, General Manager City Services; Kate McKenzie, Manager Corporate Governance, Jaimie Thwaites, Unit Manager Governance and Records; James O'Hanlon, Unit Manager Sport and Recreation, Carla Zub, Project Manager Strategic Projects, Greg Salmon, Manager City Activation and Craig Clarke, Unit Manager Communication and Media be excluded from the meeting as the Council receives and considers information relating to the report *Expression of Interest - 262 Sturt Road - Progress Report and Next Stage* upon the basis that it 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 on the grounds that the report contains information of a commercial nature and would on balance, be contrary to the public interest.

**Carried Unanimously**

### **6.56pm the meeting went into confidence**

7.08pm Councillors Appleby and Byram entered the meeting

7.09pm Councillor Crossland entered the meeting

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

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the minutes, Expression of Interest - 262 Sturt Road - Project progress and next stage (GC180828F01), having been considered in confidence under Section 90(2) and (3)(b) and (d) 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 until 5.00pm on Thursday 30 August 2018

2. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report and appendices, Expression of Interest - 262 Sturt Road - Project progress and next stage GC180828F01), having been considered in confidence under Section 90(2) and (3)(b) and (d) 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**

**7.32pm the meeting came out of confidence**

## **ADJOURNED ITEMS**

### **7.32pm Youth Development Grants – Adjourned from 240718 Report Reference GC180828R01**

**Councillor Byram** declared a perceived conflict of interest in the item as one of the organisations applying for a grant as asked her to be their Patron. As she was asked in her capacity as an Elected Member Councillor Byram remained for the item.

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

1. Approves the Youth Development Grant applications, totalling \$120,000 as outlined in Appendix 1.

7.33pm Councillor Pfeiffer left the meeting

7.35pm Councillor Pfeiffer re-entered the meeting

7.42pm Councillor Prior left the meeting

7.43pm Councillor Prior re-entered the meeting

**Carried**  
**Councillor Byram voted for the motion**

## **10. CORPORATE REPORTS FOR DECISION**

### **7.46pm Cat Curfew Report Reference GC280818R03**

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

1. Notes the information provided in this report on the process involved in amending a by-law.
2. Endorses the current "By-law No. 6 Cats 2014" be reviewed separately from the next scheduled review of By-laws to include a cat curfew.
3. Requires Administration present a draft Cat By-law which includes a cat curfew to Council in January 2019 for endorsement to undertake community consultation.

**Carried**

**7.53pm Community Bus - purchase of additional vehicle**  
**Report Reference GC180828R04**

**Moved Councillor Crossland, Seconded Councillor Westwood** that:

1. The motion be deferred until February 2019 to enable more information to be provided regarding the costs of buses and how an additional bus could increase accessibility to Council's community facilities.

**Carried Unanimously**

**7.58pm Oaklands Crossing Agreement**  
**Report Reference GC280818R05**

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

1. Endorses Council's total contribution of up to \$5 million to the Oaklands Crossing Project as described within this report comprising of a contribution of \$1 million in 2018/19 and a further \$4 million over the years 2019/20 to 2021/22.
2. Authorises the Chief Executive Officer to negotiate minor amendments to the Agreement (attached as appendix 2) where necessary to enable the progress of the Project.
3. Authorises the Chief Executive Officer to enter into and sign the Agreement attached as appendix 2 to this report on behalf of Council.

**Carried**

**8.06pm Community Facilities Policy**  
**Report Reference GC280818R06**

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

1. Endorses the attached Community Facilities Policy as provided in Attachment 1.

**Carried**

**8.07pm Extension to Southern Region Waste Resource Authority Board**  
**Report Reference GC180828R09**

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

1. Extend the appointment of Mr Vincent Mifsud to the Board of the Southern Region Waste Resource Authority until 31 March 2019.

**Carried Unanimously**

**ORDER OF THE AGENDA**

The Chair sought and was granted leave of the meeting to vary order of the agenda to consider the following items last, if time permits:

- Policy Review - Tranche one (Report Reference GC180828R10)

- Policy Review - Tranche two (Report Reference GC180828R11)

## **11. CORPORATE REPORTS FOR INFORMATION/NOTING**

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

- Corporate Risk Report - Quarter Four 2017/18 including Annual Risk Profile (Report Reference FAC210818R12)
- Questions Taken on Notice Register (Report Reference GC180828)
- WHS Monthly Performance Report – July 2018 (Report Reference GC180626R13)
- Finance Report - July 2018 (Report Reference GC180828R14)

**Carried Unanimously**

### **8.10pm Corporate Risk Report - Quarter Four 2017/18 including Annual Risk Profile Report Reference FAC210818R12**

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

1. Notes the progress report including the reduction of risk, the mitigation strategies of high rated risks and how the Risk Profile compares against the sector.

**Carried Unanimously**

### **8.10pm Questions Taken on Notice Register Report Reference GC180828**

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

1. Notes the report "Questions Taken on Notice Register".

**Carried Unanimously**

### **8.10pm WHS Monthly Performance Report – July 2018 Report Reference GC180626R13**

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

1. Notes the report and statistical data contained therein.

**Carried Unanimously**

### **8.10pm Finance Report - July 2018 Report Reference GC180828R14**

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

1. Receives the report "Finance Report - July 2018"

**Carried Unanimously**

**8.23pm Railway Terrace Streetscape Project  
Report Reference GC180828R16**

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

1. Notes the Report.

**Carried Unanimously**

**12. WORKSHOP / PRESENTATION ITEMS**

Nil

**13. MATTERS RAISED BY MEMBERS**

**Motions With Notice**

**8.26pm Mitchell Park Sports and Community Centre Project  
Report Reference: GC180828M01**

**Moved Mayor Hanna, Seconded Councillor Pfeiffer** that:

1. Council endorses the Mayor and CEO to undertake best endeavours to seek external funding towards the redevelopment of the Mitchell Park Sports and Community Centre.
2. Council notes should negotiations with potential funding partners propose alternative development solutions that these will be brought back to Council for consideration.
3. This motion be reviewed by Council in January 2019.

8.32pm Councillor Hutchinson re-entered the meeting

**Carried Unanimously**

**8.38pm Preliminary options for Marino Hall and land at 2 Bakewell Crescent, Marino  
Report Reference: GC180828M02**

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

1. Endorses Administration undertaking preliminary investigations into options for the development of the Marino Hall and adjacent land located at 2 Bakewell Crescent, Marino which includes:
  - Current community use of Marino Hall
  - Engagement with the Marino Hall Committee
  - Analysis of facility condition and its ability to meet user needs
  - Car parking needs
  - Linkages with surrounding community facilities
2. Requests a report be brought back to Council in December 2018 with high level options for Council's consideration and endorsement of undertaking community consultation

**Carried Unanimously**

**8.42pm Notice of Motion - Local Government Association (LGA) Annual General Meeting  
Report Reference: GC180828M03**

**Moved Mayor Hanna, Seconded Councillor Pfeiffer** that:

1. Council submits the following Notice of Motion to the Local Government Association by Friday 14 September 2018 for consideration at the 2018 Local Government Association Annual General Meeting:
  - That the Annual General Meeting requests the LGA to lobby the ALGA to continue campaigning for the Commonwealth Government to confirm funding for Local Government to provide services to older people within our local communities post June 2020 when the Commonwealth Home Support Program funding ceases.

**Carried Unanimously**

**8.44pm Non-recyclable Plastics  
Report Reference: GC180828M04**

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

1. Bans the sale and/or public distribution of food and drinks served on or in, non-recyclable, single-use plastics at all Council events.
2. Notes Administration provides an adequate number of recycling bins for bottled water and other recyclable drink containers at all Council events.

**Carried**

**Councillor Appleby called for a division**

**The vote was set aside**

**Those For:** Councillors Pfeiffer, Telfer, Hutchinson, Prior, Hull, Westwood, Byram, Veliskou, Crossland  
**Those Against:** Councillor Appleby

**Carried**

**Questions With Notice**

**8.53pm Public Access to Contractual and Other Information  
Report Reference: GC180828Q01 - Confidential Report**

**Questions:**

1. What impediments are there to members of the public obtaining contractual and other information from Council without having to resort to the Freedom of Information process, which can be costly and time consuming?
2. Can Administration please draft a motion which would obviate, as far as possible, the need for members of the public to resort to the FOI process?

**Supporting Information:**

Nil.

**Response Received From:**

Jaimie Thwaites, Unit Manager Governance and Records

**Staff Comments:**

Question 1

It is not necessary to make a freedom of information (FOI) application for documents that are already publicly available such as annual reports, budget statements, public registers and so on.

The *Freedom of Information Act 1991* serves to promote openness and transparency in governance and accountability of government agencies, including councils. To achieve these objectives, it confers on members of the public a legally enforceable right to be given access to documents. The Act sets out the legislative requirements for how applications for access to information held by the Council are to be dealt with. Some documents may be exempt from public release under the provisions of the Act.

Where information is not publicly available, the FOI process assists staff to formally assess the document and identify reasons why a particular document may not be appropriate for release. Careful consideration regarding the release of some documents or access to information is required to ensure Council does not breach confidentiality or legislative provisions.

Examples of when an FOI application may be required include:

- the information is considered sensitive and disclosure will require careful balancing of public interest factors;
- releasing the information may constitute a breach of a legislative provision;
- releasing the information may constitute a breach of confidence;
- releasing the information may constitute a breach of legal or parliamentary privilege; and
- the document contains information about a third party that cannot be redacted easily and/or consultation with a third party is required.

Fees and charges payable for the purposes of the FOI Act are set out in Schedule 1 of the *Freedom of Information (Fees and Charges) Regulations 2003* (Regulations). Section 53 ensures that financially disadvantaged people are not prevented from exercising their rights under the FOI Act. The Regulations provide that agencies must waive or remit (including refund) fees and charges if the applicant can satisfy the agency that:

- he or she is a concession card holder, or
- payment of the fee or charge would cause them financial hardship.

In addition section 53(2a) allows an agency to waive, reduce or remit a fee or charge in circumstances other than those provided for in the Regulations. That is, an agency can reduce or waive a fee at its own discretion, on a case-by-case basis.

Question 2

Council may wish to consider a motion along the lines of:

*'That Council requests the Administration develops an Administrative Release of Information Policy to provide staff with direction in relation to the release or disclosure of information, either pro-actively or as*

*a response to a request, outside of a formal legislative process such as freedom of information (FOI) or other legislation.'*

**8.53pm External Funding Committee**  
**Report Reference: GC180828Q02**

**Questions:**

1. Has Administration formed a committee to consider sources of external funding eg State and Federal grants?
2. If so, when was the committee established, who are the members of the committee, and what external funding obtained for Council projects is directly attributable to the work of the committee?
3. If there is such a committee operating, how does it propose to communicate with Elected Members to coordinate funding efforts with the aspirations of the community?

**Supporting Information:**

Nil.

**Response Received From:**

Richard Watson Communications Adviser

**Staff Comments:**

1. Administration has formed the External Funding Attraction Program (EFAP).

The program is coordinated by a working group which aims to assist staff to identify and seek external funding, including grants available through the State and Federal governments.

2. The working group formed in October 2017.

The group has:

- developed processes for identifying and applying for external funding aligned to Council's strategic priorities
- synchronised the processes with the new Project Management System, which is currently being rolled out across the organisation
- developed a training program
- created an online 'grant tracker' to monitor the progress of funding submissions
- identified staff for training in seeking external funding

The first training session for staff was scheduled for 9 August and about 15 staff were due to attend. Additional sessions will be scheduled as required.

Staff will then work on pursuing external funding for Council's strategic priorities as outlined in the City of Marion Community Vision – Towards 2040, the Strategic Plan 2017 – 2027 and the Business Plan 2016 – 2019.

The working group identified and assisted with the successful submission for a \$200,000 grant towards the \$1 million upgrade of the Coastal Walking trail, to which Council is contributing \$800,000.



The grant was made available through the State Local Government Infrastructure Partnership in 2017.

The working group comprises:

**Project Sponsor**

Vincent Mifsud - General Manager Corporate Services

**Project Manager**

Craig Clarke - Unit Manager Communications

**Project Coordinator**

Richard Watson - Communications Adviser

**Committee Member**

Amy Liddicoat - Open Space and Recreation Planner

**Committee Member**

Greg Salmon - Manager City Activation

**Committee Member**

Heath Harding - Unit Manager – Finance Partnering & Rates

**Committee Member**

Sherie Walczak - Unit Manager Risk

**Committee Member**

Annamarie Mabarrack - Project Manager Leader

**Committee Member**

Karen Cocks - Manager Customer Experience

3. The program recognises that the Mayor will play a lead role in lobbying for major projects with support from Elected Members and information provided by the working group.

Staff will pursue funding opportunities for projects identified from Council's strategic priorities, as included in the City of Marion Community Vision – Towards 2040, the Strategic Plan 2017 – 2027 and the Business Plan 2016 – 2019.

So that any lobbying can be coordinated with funding applications, the working group will confirm with Elected Members via email the projects that will be pursued for funding.

**8.53pm Council nursery**  
**Report Reference: GC180828Q03**

**Question:**

In 2015 Council took the decision to close its Horticultural nursery.

1. What was the 2013/2014 budget for the nursery and what was the value of the plants the nursery was able to supply?
2. Was there a shortfall in the number of plants required by Council and if there was a shortfall what was the additional cost to Council to meet that demand?

3. Since closing the nursery what have been the financial and supply benefits of only using external providers?
4. Considering all the costs, including capital expenditure (new nursery, depreciation, maintenance) what are the annual budget benefits savings, if any, as well as an indication of savings over the long term financial plan?

**Supporting Information:**

Nil

**Response Received From:**

Manager Engineering and Field Services - Matthew Allen

**Staff Comments:**

A response to the Questions with Notice will be provided at the General Council meeting on 11 September 2018 to allow time to research and collate the information that has been requested.

**8.53pm USA court ruling regarding use of herbicides**

**Report Reference: GC180828QO4**

**Question:**

What is the impact of the recent court ruling in the USA in regards to council's use of herbicides?

**Response Received From:**

Coordinator Biodiversity, Jerry Smith

**Staff Comments:**

Recently a case was brought against the manufacturer of Roundup (glyphosate), Beyer-Monsanto in the USA by a grounds keeper who had contracted non hodgkin's lymphoma. The plaintiff stated that twice he had accidentally soaked himself in neat Roundup, and alleged that Monsanto had deliberately understated the potential health impacts and failed to appropriately warn users of the safety requirements of using this herbicide.

Specifically the case was against the product Roundup with the plaintiff alleging that it was not the active ingredient glyphosate that caused the non hodgkin's lymphoma but rather the specific synergicity between glyphosate and the filler products contained within Roundup. As the City of Marion does not use the specific product Roundup and does not manufacture herbicides it is unlikely this case has any implications for Council.

Importantly, the City of Marion only utilises herbicides approved for use by the Australian Pesticides and Veterinary Medicines Association (APVMA). Council uses herbicides according to all the conditions of the APVMA and has strict controls for application. Council uses contractors that are strictly licensed by SA Health for street spraying. For internal application we have stringent standard operating procedures.

The following should be noted in regard to the use of glyphosate:

- Glyphosate is a Class 2a probable carcinogen according to the World Health Organisation (WHO). It is ranked lower than alcohol, diesel exhaust emissions, outdoor air pollution and processed meats which are considered by WHO to be Class 1 known carcinogens.
- Toxicologists suggest that to see the same health effects noted in laboratory tested animals, a human would need to eat 11kg of glyphosate a day.
- The idea that glyphosate causes birth defects is based on a study where amphibian eggs were soaked in a glyphosate concentration 11,000 times greater than the label rates.
- The ban in Sri-Lanka (the only country to have banned glyphosate use) was due to a link to kidney diseases. Toxicologists have debunked this report and suggest this is far more likely to be linked with arsenic found in the phosphate fertiliser farmers use in this country.

In essence, the City of Marion uses glyphosate in accordance with APVMA approvals, manufacturer's safety data sheets and Council's internal standard operating procedures.

## **CORPORATE REPORTS**

### **8.54pm Policy Review - Tranche one Report Reference GC180828R10**

**Moved Councillor Westwood, Seconded Councillor Byram** that meeting procedures be suspended to enable discussion on the item.

**Carried Unanimously**

8.55pm formal meeting procedures suspended

9.12pm Councillor Pfeiffer left the meeting

9.14pm Councillor Pfeiffer re-entered the meeting

9.28pm formal meeting procedures resumed

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

1. Endorses the Roads and Public Place Names Policy (Attachment 1) with the following amendments:
  - Remove the first line of item 3.2.3 – 'Names of living persons will be avoided.'
  - References to the Department for Transport, Energy and Infrastructure be changed to Department of Planning, Transport and Infrastructure
  - Add under 3.2.1 that where a road is not continuous then the separate parts of the street shall have a separate name.
2. Reviews and thereby endorses the Streetscape Policy (Attachment 2) amending point 3.3 to read 'Landscaping will be environmentally sustainable incorporating the use of water sensitive urban design and the use of appropriate plantings....' Add an additional principle that 'Trees should be planted in accordance with the Tree Management Framework'.

**Carried Unanimously**

**The following item was not considered:**

- Policy Review - Tranche two (Report Reference GC280818R11).

**Questions without notice**

Nil

**Motions without notice**

Nil

**14. OTHER BUSINESS**

Nil

**15. MEETING CLOSURE**

Meeting Declared Closed at 9.30pm

**CONFIRMED THIS 28 AUGUST 2018**

.....  
**CHAIRPERSON**