

**MINUTES OF THE GENERAL COUNCIL MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 11 SEPTEMBER 2018**



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward

Ian Crossland

Mullawirra Ward

Jason Veliskou
Jerome Appleby

Southern Hills

Janet Byram
Nick Westwood

Warracowie Ward

Bruce Hull
Nathan Prior

Warriparinga Ward

Luke Hutchinson
Raelene Telfer

Woodlands Ward

Nick Kerry
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
Acting Quality Governance Coordinator

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.

- Councillor Crossland declared a perceived conflict of interest in the item: *Coastal Walkway* (Report Reference GC180911R08).

5. CONFIRMATION OF MINUTES

Moved Councillor Telfer, Seconded Councillor Hutchinson that the minutes of the General Council meeting held on 28 August 2018 be taken as read and confirmed.

Carried Unanimously

6. COMMUNICATIONS

Nil

7. ADJOURNED ITEMS

6.32pm Celebrating Marion campaign
Report Reference GC110918R01

Adjourned Motion:

Moved Councillor Gard Seconded Councillor Pfeiffer that Council:

1. Adopts the Marion Celebrates Campaign Strategy (attached as Appendix A).
2. Endorses an allocation of \$19,700 to deliver the Marion Celebrates Campaign Strategy to be funded in 2018/19 from identified cash savings following the completion of the 2017/18 audited Annual Financial Statements process.

Amendment:

Moved Councillor Crossland, Seconded Councillor Veliskou that Council:

1. Adopts the Celebrating Marion campaign (attached as Appendix A).
2. Endorses the allocation of \$4,400 to deliver the Celebrating Marion Campaign to be funded through existing budgets.

The amendment to become the motion was **Carried**
The motion as amended was **Carried**

8. DEPUTATIONS

Nil

9. PETITIONS

Nil

10. COMMITTEE RECOMMENDATIONS

Moved Councillor Hutchinson, Seconded Councillor Prior that the following items be moved en bloc:

- Review and Selection Committee Minutes 28 August 2018 (Report Reference GC180911R02)
- Finance and Audit Committee Meeting Minutes 21 August 2018 (Report Reference GC180911R03)
- Infrastructure and Strategy Committee Minutes 4 September 2018 (Report Reference GC180911R04)

Carried Unanimously

6.38pm Review and Selection Committee Minutes 28 August 2018 Report Reference GC180911R02

Moved Councillor Hutchinson, Seconded Councillor Prior that Council:

1. Receives and notes the public minutes of the Review and Selection Committee Meeting held on 28 August 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

6.38pm Finance and Audit Committee Meeting Minutes 21 August 2018 Report Reference GC180911R03

Moved Councillor Hutchinson, Seconded Councillor Prior that Council:

1. Receives and notes the minutes of the Finance and Audit Committee meeting of 21 August 2018 (Appendix 1).
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance and Audit Committee.

Carried Unanimously

6.38pm Infrastructure and Strategy Committee Minutes 4 September 2018 Report Reference GC180911R04

Moved Councillor Hutchinson, Seconded Councillor Prior that Council:

1. Receives and notes the minutes of the Infrastructure and Strategy Committee meeting of 4 September 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

Order of Agenda Items

The Mayor sought and was granted leave of the meeting to vary the order of agenda items and consider the following items next in the meeting:

- Coastal Walkway (Report Reference GC180911R08)
- Outcome of Expression of Interest for Hotel at 287 Diagonal Road, Oaklands Park (Report Reference GC180911F02)

6.44pm Coastal Walkway Report Reference GC180911R08

Councillor Crossland declared a perceived conflict of interest in the item *Coastal Walkway* due to residing in close proximity to the area. Councillor Crossland remained for the item.

Moved Councillor Crossland, Seconded Councillor Byram that Council:

1. Endorses Administration undertaking consultation with the community on the Coastal Walkway between Heron Way Reserve to south of the Field River in November 2018, including consultation on potential path alignments in section 1 (Heron Way to Cormorant Drive) and Section 2 (Cormorant Drive to South of Field River) and brings a report back to Council in January 2019.
2. Endorses the engagement of qualified professionals to undertake an environmental assessment and cultural heritage survey to inform the potential alignment of the Coastal Walkway between Heron Way Reserve to south of the Field River, noting that the required funding will be achieved within existing resources.
3. Endorses the development of a Coast Park Plan encompassing the entire City of Marion coast line with priority given to the section of coast between Heron Way Reserve to south of the Field River.
4. Receives a report on the draft Coast Park Plan in mid-2019 for consideration, resourcing and community consultation.
5. Note the funding opportunities through Federal and State Government grants which may attract a 50/50 co-contribution from Council.

Moved Councillor Hull, Seconded Councillor Prior that this item be deferred until later in the meeting and dealt with after the item: *Iconic Event (GC180911R07)*.

Carried Unanimously

11. CONFIDENTIAL ITEMS

6.54pm Outcome of Expression of Interest for Hotel at 287 Diagonal Road, Oaklands Park Report Reference GC180911F02

Moved Councillor Telfer, Seconded Councillor Hutchinson that Council:

1. Pursuant to Section 90(2) and (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; Abby Dickson, General Manager City Development; Tony Lines, General Manager City Services; Vincent Mifsud, General Manager Corporate Services; Kate McKenzie, Manager Corporate Governance; Greg Salmon, Manager City Activation; Donna Griffiths, Unit Manager Economic Development; Rebecca Kersten, Acting Unit Manager Communications and Victoria Moritz, Acting Quality Governance Coordinator be excluded from the meeting as the Council receives and considers information relating to the report Outcome of Expression of Interest for Hotel at 287 Diagonal Road, Oaklands Park, 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 relating to matters pertaining to commercial operations of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council.

Carried

6.54pm the meeting went into confidence

7.18pm Councillor Kerry left the meeting

Moved Councillor Prior, Seconded Councillor Pfeiffer that formal meeting procedures be suspended to discuss the item.

Carried Unanimously

7.19pm formal meeting procedures suspended

7.20pm Councillor Kerry re-entered the meeting

8.00pm formal meeting procedures resumed

Moved Councillor Pfeiffer, Seconded Councillor Prior that Council:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report and appendices, Outcome of Expression of Interest for Hotel at 287 Diagonal Road, Oaklands Park (GC180911F0X), 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

Councillor Hull called a Division

The vote was set aside

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

Those against: Councillors Kerry, Hull and Veliskou

Carried

8.17pm the meeting came out of confidence

**8.18pm Proposed Class Action
Report Reference GC180911F01**

Moved Councillor Telfer, Seconded Councillor Hutchinson that Council:

1. Acknowledges the verbal presentation by Andrew Johnson from the Local Government Association, providing formal comments regarding:
 - i. the proposed class action being undertaken by Quinn Emanuel, and
 - ii. the update in regards to the actions that have been taken in response to the recommendations in the September 2015 Auditor-General report.
2. Authorises the CEO, based on the outcomes of the recent review and comprehensive insurance marketing testing conducted, to respond to Quinn Emanuel advising that the City of Marion does not wish to join the proposed class action against Jardine Lloyd Thompson.
3. Requests that the LGA provide a full copy of the Finitivity Batt Report.
4. Pursuant to Section 90(2) and (3)(d) of the *Local Government Act 1999*, 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; Kate McKenzie, Manager Corporate Governance, Sherie Walczak, Unit Manager Risk, Victoria Moritz, Acting Quality Governance Coordinator and Andrew Johnson, LGA Consultant be excluded from the meeting as Council receives and considers the letter received relating to an offer to register with a class action, upon the basis that 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 the disclosure of which could prejudice the commercial position of Council and would on balance be contrary to the public interest.

Carried

8.19pm the meeting went into confidence

8.38pm Councillor Kerry left the meeting

8.41pm Councillor Kerry re-entered the meeting

Moved Councillor Byram, Seconded Councillor Telfer that:

5. In accordance with Section 91(7) and (9) of the Local Government Act 1999, Council orders that this report and any attachment to this report having been considered in confidence under Section 90(2) and (3)(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

8.44pm the meeting came out of confidence

8.45pm Councillor Crossland left the meeting

**8.45pm Expression of Interest - Community Wireless Internet Service
Report Reference GC180911F03**

Moved Councillor Pfeiffer, Seconded Councillor Byram that Council:

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, Ray Barnwell, Manager Finance & Contracts, Victoria Moritz, Acting Quality Governance Coordinator; Fiona Harvey, Manager Innovation & Strategy, Tim Hoggan, Senior Contracts Officer, Phil Mattingly, Unit Manager ICT Service Delivery and Infrastructure and Rebecca Kersten, Acting Unit Manager Communications and Media be excluded from the meeting as the Council receives and considers information relating to the report *Expression of Interest - Community Wireless Internet Service* 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

8.45pm the meeting went into confidence

Moved Councillor Hull, Seconded Councillor Hutchinson that Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the minutes, Expression of Interest - Community Wireless Internet Services (GC180911F03), 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 13 September 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 - Community Wireless Internet Services (GC180911F03), 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.

8.47pm Councillor Crossland re-entered the meeting

Carried Unanimously

8.58pm the meeting came out of confidence

**8.58pm Coastal Walkway - Confidential Appendix
Report Reference GC180911F04**

Moved Councillor Crossland, Seconded Councillor Pfeiffer that Council:

1. Pursuant to Section 90(2) and (3)(h) 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; Kate McKenzie Manager Corporate Governance, Victoria Moritz, Acting Quality Governance Coordinator; Carol Hampton, Manager Land and Property; Victoria Masterman, Unit Manager Open Space and Renee Pitcher, Landscape and Open Space Planner, Rebecca Kersten, Acting Unit Manager Communications be excluded from the meeting as the Council receives and considers information relating to the Coastal Walkway, 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 legal advice and would on balance, be contrary to the public interest.

Carried

8.59pm the meeting went into confidence

Moved Councillor Crossland, Seconded Councillor Hutchinson that Council:

1. Note the information contained within Appendices 1-4.
2. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report and appendices, Confidential - Coastal Walkway, having been considered in confidence under Section 90(2) and (3)(h) 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

8.59pm the meeting came out of confidence

**9.00pm Review and Selection Committee Confidential Minutes from the meeting of
28 August 2018
Report Reference GC180911F05**

Moved Councillor Crossland, Seconded Councillor Appleby that Council:

1. Pursuant to Section 90(2) and (3)(a) 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 and Steph Roberts, Manager Human Resources, be excluded from the meeting as the Committee receives and considers information relating to the Chief Executive Officer (CEO) 2017/2018 Performance Review, 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 the performance of the CEO.

Carried

9.01pm the meeting went into confidence

Moved Councillor Hull, Seconded Councillor Crossland that:

1. Receives and notes the confidential minutes of Review & Selection Committee meeting held on 28 August 2018 (Appendix 1)
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee
3. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that Appendix 1 to this report, *Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held 22 August 2018* having been considered in confidence under Section 90(2) and (3)(a) of the Act, 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

9.03pm the meeting came out of confidence

**9.03pm CEO Annual Performance Review 2017/18
Report Reference GC180911F06**

Moved Councillor Crossland, Seconded Councillor Appleby that Council:

2. Pursuant to Section 90(2) and (3)(a) 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 and Steph Roberts, Manager Human Resources, be excluded from the meeting as the Committee receives and considers information relating to the Chief Executive Officer (CEO) 2017/2018 Performance Review, 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 the performance of the CEO.

Carried

9.04pm the meeting went into confidence

9.07pm Mr Skull left the meeting

9.08pm Ms Roberts left the meeting

Moved Councillor Crossland, Seconded Councillor Hutchinson that:

1. In accordance with 91(7) and (9) of the Local Government Act 1999 the Committees orders that this report, all appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act 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

9.16pm the meeting came out of confidence

9.16pm Mr Skull re-entered the meeting

9.16pm Ms Roberts re-entered the meeting

**9.16pm Code of Conduct - Preliminary Report - Matter 1
Report Reference GC180911F07**

Moved Councillor Hutchinson, Seconded Councillor Telfer that Council:

1. That Pursuant to section 90(2) and (3)(a) of the Local Government Act 1999 the Council orders that all person present, with the exception of the following, Adrian Skull, Chief Executive Officer, Kate McKenzie, Manager Corporate Governance, and Victoria Moritz, Acting Governance Quality Coordinator, be excluded from the meeting where the Council receive and consider information pertaining to the item Code of Conduct, upon the basis 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 relating to personnel matters.

Carried Unanimously

9.16pm the meeting went into confidence

Moved Councillor Crossland, Seconded Councillor Byram that the meeting be extended until 10.30pm

Carried

9.27pm meeting extended

9.50pm Councillor Hull left the meeting

9.50pm Councillor Prior left the meeting

Moved Councillor Crossland, Seconded Councillor Westwood that formal meeting procedures be suspended to discuss the item further.

Carried Unanimously

8.51pm formal meeting procedures suspended

10.15pm formal meeting procedures resumed

Moved Councillor Hutchinson, Seconded Councillor Crossland that the meeting be extended until the conclusion of time critical matters.

Carried

10.20pm meeting extended

10.42pm Councillor Pfeiffer left the meeting

10.45pm Councillor Pfeiffer re-entered the meeting

10.45pm Councillor Kerry left the meeting

Moved Councillor Crossland, Seconded Councillor Hutchinson that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, and any attachments to this report 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 confidential order will be reviewed at the General Council meeting in December 2018.

Carried Unanimously

10.45pm the meeting came out of confidence

10.46pm Councillor Kerry re-entered the meeting

10.46pm Councillor Prior re-entered the meeting

10.46pm Councillor Hull re-entered the meeting

10.46pm Code of Conduct - Matter 2
Report Reference GC180911F08

Moved Councillor Hutchinson, Seconded Councillor Crossland that Council:

1. Pursuant to section 90(2) and (3)(a) of the Local Government Act 1999 the Council orders that all person present, with the exception of the following, Adrian Skull, Chief Executive Officer, Kate McKenzie, Manager Corporate Governance, Victoria Moritz, Acting Governance Quality Coordinator, be excluded from the meeting where the Council receive and consider information pertaining to the item Code of Conduct, upon the basis 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 relating to personnel matters.

Carried

10.46 the meeting went into confidence

10.54pm Councillor Pfeiffer left the meeting

10.54pm Councillor Kerry left the meeting and did not return

10.57pm Councillor Telfer left the meeting

11.00pm Councillor Telfer re-entered the meeting

11.14pm Councillor Westwood left the meeting and did not return

11.20pm Mayor Hanna left the meeting and did not return

11.20pm In the absence of the Mayor, Deputy Mayor Byram resumed the chair

Moved Councillor Crossland, Seconded Councillor Telfer that Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, any attachment to this report 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

11.25pm the meeting came out of confidence

Moved Councillor Veliskou, Seconded Councillor Crossland that the meeting be adjourned until 11.30pm.

11.25pm meeting adjourned

11.29pm Meeting resumed

11.29pm Councillor Hutchinson left the meeting and did not return
11.29pm Councillor Pfeiffer re-entered the meeting

12. CORPORATE REPORTS FOR DECISION

11.31pm Marion Sports and Community Club Lease Report Reference GC180911R06

Moved Councillor Telfer, Seconded Councillor Pfeiffer that Council:

1. Notes the outcomes from the community consultation undertaken regarding Council entering into a 21 year lease with Marion Sports and Community Club Incorporated.
2. Authorises Administration to finalise and enter into a 21-year lease with the Marion Sports and Community Club Incorporated under the terms and conditions outlined in this report.
3. Notes the Market Review dates should be 2023, 2028, 2033, 2038 (not 2022, 2027, 2032, 2037)
4. Notes Marion Sports and Community Club will negotiate a sub-lease with Marion Bowls Club which is located within the leased area.
5. Notes Marion Sports and Community Club will enter into licences with sporting and community clubs that use the facilities.
6. Notes Council will enter into licence agreements with the remaining facilities that are not within the leased area.

Carried

Councillor Hull called a Division

The vote was set aside

Those for: Councillors Pfeiffer, Telfer, Prior, Veliskou, Appleby and Crossland

Those against: Councillor Hull

Carried

11.42pm Coastal Walkway Report Reference GC180911R08

Deferred Motion:

Moved Councillor Crossland, Seconded Councillor Byram that Council:

1. Endorses Administration undertaking consultation with the community on the Coastal Walkway between Heron Way Reserve to south of the Field River in November 2018, including consultation on potential path alignments in section 1 (Heron Way to Cormorant Drive) and Section 2 (Cormorant Drive to South of Field River) and brings a report back to Council in January 2019.
2. Endorses the engagement of qualified professionals to undertake an environmental assessment and cultural heritage survey to inform the potential alignment of the Coastal Walkway between Heron Way Reserve to south of the Field River, noting that the required funding will be achieved within existing resources.

3. Endorses the development of a Coast Park Plan encompassing the entire City of Marion coast line with priority given to the section of coast between Heron Way Reserve to south of the Field River.
4. Receives a report on the draft Coast Park Plan in mid-2019 for consideration, resourcing and community consultation.
5. Note the funding opportunities through Federal and State Government grants which may attract a 50/50 co-contribution from Council.

Carried

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

- Update to the Schedule of Delegations: Development Act 1993, Development Delegations Policy and Road Traffic Act 1961 (Report Reference GC180911R11)
- Independent Member - Finance and Audit Committee Meeting (Report Reference GC180911R12)
- City of Marion Public Health Planning - Progress Report 1 July 2016 - 30 June 2018 (Report Reference GC180911R19)

Carried

**11.46pm Update to the Schedule of Delegations: Development Act 1993, Development Delegations Policy and Road Traffic Act 1961
Report Reference GC180911R11**

Moved Councillor Pfeiffer, Seconded Councillor Prior that Council:

That having conducted a review of the Council's Delegations Register in accordance with Section 44(6) of the *Local Government Act 1999*, the Council:

1. Revocations

- 1.1. Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following:

1.1.1. *Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*

- 1.2. Hereby revokes its previous delegations to its Development Assessment Panel under the *Development Act 1993* and *Development Regulations 2008*.

2. Delegations made under *Development Act 1993*

- 2.1 In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993, the powers and functions under the *Development Act 1993* and the *Development Regulations 2008* contained in the proposed Instrument of Delegation contained in Appendix 1 are hereby delegated this 11th day of September 2018 to the person occupying the office of Chief Executive Officer subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993. (Noting that numbered sections 36.1 to 36.6 are not delegated)

- 2.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Development Act 1993*.
- 2.3 In exercise of the powers contained in Section 20 and 34(23) of the *Development Act 1993* the powers and functions under the *Development Act 1993* and the *Development Regulations 2008* contained in the proposed Instrument of Delegation contained in Appendix 1 and which are specified below are hereby delegated to the Council's Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Development Act 1993*.
3. Endorses the 'Development Delegations Policy' attached as Appendix 2 (subject to any identified amendments).
4. Delegations made under *Local Government Act 1999*.
- 4.1 In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the following Act and specified in the proposed Instruments of Delegation contained in Appendix 1 are hereby delegated this 11th day of September 2018 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.
- 4.1.1 *Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*(Appendix 3)
- 4.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

Carried

**11.46pm Independent Member - Finance and Audit Committee Meeting
Report Reference GC180911R12**

Moved Councillor Pfeiffer, Seconded Councillor Prior that Council:

1. Re-appoint Ms Emma Hinchey to the Finance and Audit Committee for a period of 3 years until 30 November 2021

Carried

13. CORPORATE REPORTS FOR INFORMATION/NOTING

11.46pm City of Marion Public Health Planning - Progress Report 1 July 2016 - 30 June 2018 Report Reference GC180911R19

Moved Councillor Pfeiffer, Seconded Councillor Prior that Council:

1. Endorses the 1 July 2016- 30 June 2018 City of Marion Progress Report on Public Health Planning for submission to the Chief Public Health Officer and forwarding to the Minister for Health (Appendix 1).
2. Include the report on the testing undertaken by the EPA of phone tower emissions at Oaklands Park and the report on groundwater testing.

Carried

The following items were not considered:

- Outcome of review of Hire charges of Council Operated Facilities (GC180911R05)
- Iconic Event (GC180911R07)
- Draft Coastal Climate Change Adaptation Plan (GC180911R09)
- Dogs on and off leash areas (GC180911R10)
- Policy Review (GC180911R13)
- Higher Density Dwelling Impacts on Adjacent Infrastructure and Local Parking Management (GC180911R14)
- Questions taken on Notice Register (GC180911R15)
- Corporate and CEO KPI Report Quarter Four 2017/18 (GC180911R16)
- Work Health and Safety – Monthly Performance Report August 2018 (GC180911R17)
- Draft Public Consultation Policy (GC180911R18)
- Public Access to Information (GC180911M01)
- Council Nursery (GC180911Q01)

14. MEETING CLOSURE

Meeting Declared Closed at 11.51pm

CONFIRMED THIS 9 OCTOBER 2018

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CHAIRPERSON