

**MINUTES OF THE GENERAL COUNCIL MEETING  
HELD AT ADMINISTRATION CENTRE  
245 STURT ROAD, STURT  
ON TUESDAY 9 OCTOBER 2018**

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**PRESENT**

His Worship the Mayor Kris Hanna

**Councillors**

**Coastal Ward**

Ian Crossland  
Tim Gard

**Mullawirra Ward**

Jason Veliskou  
Jerome Appleby

**Southern Hills**

Janet Byram  
Nick Westwood

**Warracowie Ward**

Bruce Hull  
Nathan Prior

**Warriparinga Ward**

Luke Hutchinson (from 6.40pm)  
Raelene Telfer

**Woodlands Ward**

Tim Pfeiffer

**In Attendance**

Mr Adrian Skull  
Ms Abby Dickson  
Mr Tony Lines  
Mr Vincent Mifsud  
Ms Jaimie Thwaites  
Ms Victoria Moritz

Chief Executive Officer  
General Manager City Development  
General Manager City Services  
General Manager Corporate Services  
Unit Manager Governance and Records  
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. The following interests were disclosed:

- Cr Byram declared a perceived conflict of interest in the item: *Election of GAROC Representatives (Report Reference GC181009R13)*
- Councillor Prior declared an actual conflict of interest in the item: *Code of Conduct - Councillor Hull (Report Reference GC181009R05)*
- Councillor Hull declared an actual conflict of interest in the item: *Code of Conduct – Councillor Hull (Report Reference: GC181009R05)*

#### 5. CONFIRMATION OF MINUTES

**Moved Councillor Telfer, Seconded Councillor Byram** that the minutes of the General Council meeting held on 11 September 2018 be taken as read and confirmed.

**Carried Unanimously**

#### 6. COMMUNICATIONS

##### Report on Mayoral Activities for August, September and October 2018:

Date	Event	Comments
25 August 2018	Bangladesh Club Australia: Asian Multicultural Night 2018	Attended
26 August 2018	Marion RSL AGM	Attended, gave speech
27 August 2018	Mayor's Multicultural Forum	Hosted
29 August 2018	Hallett Cove Business Association Local Business Awards	Guest Speaker Presented awards
31 August 2018	Rate Capping Forum	Hosted
1 September 2018	Marion Tennis Club Open Day	Attended
1 September 2018	Marion Rams Footy Elimination Final	Attended
3 September 2018	Sheidow Park School - Moon Lantern Festival	Guest speaker
4 September 2018	Official Renaming Ceremony for Sixth Avenue Reserve / Joan Herraman Reserve	Guest speaker
5 September 2018	Metropolitan Mayors Luncheon	Attended
5 September 2018	Metropolitan Local Government Group Meeting	Attended
6 September 2018	Community Lunch Hosted by Junction	Attended
7 September 2018	Exhibition Openings: limited Edition / Plus One / Fleurs Du Printemps	Attended
8 September 2018	Citizenship Ceremony (two)	Conducted ceremony to welcome new Australians
8 September 2018	Cove Netball Club Presentations	Attended
8 September 2018	South Adelaide Basketball Presentation Night	Attended

8 September 2018	The Cove FC Senior Presentation Night	Attended
9 September 2018	Plympton RSL Quarterly Meeting	Attended
11 September 2018	Clovelly Park Primary School Mural Inspection	Attended
11 September 2018	70th Wedding Anniversary Visit to Shirley & Allen Hurst	Presented gift on behalf of the City of Marion
12 September 2018	Vietnam Veterans Federation of South Australia Site Inspection	Attended
16 September 2018	Marion RSL Bowling Club, Official Season Opening & Presentations	Bowled first bowl of the season to open season
17 September 2018	Marion Community Services Expo	Attended
18 September 2018	Meeting with Dara School Principal	Attended
19 September 2018	Marion Historical Society Meeting	Attended
20 September 2018	Gallery M / Red House Group AGM	Attended
22 September 2018	Morphettville Racecourse Lunch	Attended with CEO Mr Adrian Skull
22 September 2018	Morphettville Park Football & Sporting Club 2018 Presentation Dinner	Attended
23 September 2018	Marino Hall Committee: Pop Up Cafe	Attended
23 September 2018	Bandolody (Marion City Band)	Attended
1 October 2018	South Coast Cycling Farewell to Velodrome	Raced Councillor Tim Pfeiffer

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

**Moved Councillor Prior, Seconded Councillor Crossland** that the Mayoral Communication Report be received.

**Carried Unanimously**

## 7. ADJOURNED ITEMS

Nil

## 8. DEPUTATIONS

Nil

## 9. PETITIONS

Nil

## **10. COMMITTEE RECOMMENDATIONS**

6.40pm Councillor Hutchinson entered the meeting

### **6.40pm Finance and Audit Committee Meeting Minutes 2 October 2018 Report Reference GC181009R01**

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

1. Receives and notes the minutes of the Finance and Audit Committee meeting on 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**

### **6.40pm Infrastructure and Strategy Committee Meeting Minutes 2 October 2018 Report Reference GC181002R02**

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

1. Receives and notes the minutes of the Infrastructure and Strategy Committee meeting of 2 October 2018 (Appendix 1).

**Carried Unanimously**

## **11. CONFIDENTIAL ITEMS**

Nil

## **12. CORPORATE REPORTS FOR DECISION**

### **6.41pm Finance and Audit Committee Annual Report to Council 2017/18 Report Reference GC181009R03**

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

1. Notes the Finance and Audit Committee's Annual Report to Council for 2017/18 provided at Appendix 1.

**Carried Unanimously**

**6.55pm Annual Financial Statements for the year ended 30 June 2018**  
**Report Reference GC181009R04**

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

1. Adopts the audited Annual Financial Statements for the year ended 30 June 2018 (Attachment 3).
2. Authorises the Mayor and CEO to sign off on the audited Financial Statements and Management Representation Letters (Attachment 1).
3. Receive the Southern Region Waste Resource Authority (SRWRA) 2017/18 audited Annual Financial Statements (Attachment 4).
4. Receive the Council Solutions Regional Authority 2017/18 audited Annual Financial Statements (Attachment 5).

**Carried Unanimously**

**7.22pm Code of Conduct - Councillor Hull**  
**Report Reference GC181009R05**

Councillor Prior declared an actual conflict of interest in the item as he is a declared candidate for the Warracowie Ward in the upcoming Local Government Election in which Councillor Bruce Hull is also a declared candidate. Councillor Prior declared that he will leave the meeting for the item.

Councillor Hull declared an actual conflict of interest in the item as the matter relates to himself. Councillor Hull declared that he will leave the meeting for the item.

7.24pm Councillor Prior left the meeting

7.24pm Councillor Hull left the meeting

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

1. Notes the report in Appendix 1 regarding breaches of the Code of Conduct by Councillor Hull.
2. Confirms Councillor Hull has breached sections 2.2, 2.6, 2.7 and 2.8 of the Code of Conduct.
3. Confirms the following actions be applied in accordance with section 5 of the Elected Member Code of Conduct Procedure for Investigating Complaints:
  - Notes the mitigating circumstances presented by Councillor Hull
  - Councillor Hull writes a letter of apology to the individual to whom he released confidential information to, in relation to the manner in which he initially described the Council motion.

**Carried**

7.25pm Councillor Hull re-entered the meeting

7.25pm Councillor Prior re-entered the meeting

**7.25pm Code of Conduct - Councillor Kerry**  
**Report Reference GC181009R06**

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

1. Notes the report in Appendix 1 regarding breaches of the Code of Conduct by Councillor Kerry
2. Confirms Councillor Kerry has breached sections 2.11 and 2.14 of the Code of Conduct
3. Confirms the following actions be applied in accordance with section 5 of the Elected Member code of Conduct Procedure for investigating complaints:
  - Councillor Kerry be censured
  - Councillor Kerry write a letter of apology to the staff member involved in the matter
  - Councillor Kerry be advised that all communication from himself to staff be through either the Chief Executive Officer or Manager Corporate Governance until otherwise advised by the Chief Executive Officer.

**Carried**

**7.26pm City of Marion response to NRM Reform**  
**Report Reference GC181009R07**

**Moved Councillor Crossland, Seconded Councillor Hull** that formal meeting procedures be suspended to discuss this item.

7.33pm meeting suspended

7.35pm Councillor Hutchinson left the meeting

7.38pm Councillor Hutchinson re-entered the meeting

7.49pm meeting resumed

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

1. Endorses the submission contained in Attachment 3 on the proposed reforms to the natural resources management system subject to the inclusion of the following elements:
  - Climate Change
  - Education for the community as a whole (not just schools)
  - Page 230 in response to the land reform document, Biodiversity be added as a priority
  - Ensure the State Government will continue to maintain Glenthorne Farm as a State Government asset through the department of environment water and natural resources
  - Resilient South be mentioned as a reference group
  - Foreshadow the need to bring in accountability from third parties
  - Funding arrangements, noting the ratepayers contribution through the NRM Levy
  - Bad debt that comes from any ratepayer who does not pay their rates and therefore their NRM Levy Council still has to pay the full levy to the State Government
  - Strongly recommend that the State Government collect the NRM Levy via the Emergency Services Levy billing system and not Local Government

**Carried**

**7.51pm Outcome of review of Hire Charges of Council Operated Facilities  
Report Reference GC181009R08**

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

1. Notes the report.
2. Adopts Option 7 as the Fees and Charges for the hire of Council operated facilities, to be effective 1 January 2019.
3. From 1 January 2019 offers a 50% discount to businesses registered within the City of Marion to the Fees and Charges for the hire of Council operated facilities.
4. Notes that a review of the Fees and Charges at these facilities will take place in January 2020 for inclusion in the Annual Business Plan & Budget Process (ABP&BP) of 2020/2021.
5. Notes that Fees and Charges for all Council operated facilities will be reviewed and any alterations to the charges proposed on a 2 yearly basis commencing from 2020/2021.
6. Notes that Administration will:
  - a) review each site's Terms and Conditions of Hire for consistency, taking into account the individual requirements for all Council operated facilities;
  - b) develop a Facility Hire Policy;
  - c) develop a marketing plan to communicate the reduction of fees in council operated facilities;
  - d) undertake an assessment of the usage of council operated facilities and a report be brought back to council in 12 months including the proportion of users based in the City of Marion.

**Amendment:**

**Moved Councillor Crossland, Seconded Councillor Hutchinson** that Council

1. Notes the report.
2. Adopts Option 2, from 1 January 2019 offers a 50% discount to residents and businesses registered within the City of Marion to the Fees and Charges for the hire of Council operated facilities
3. Notes that a review of the Fees and Charges at these facilities will take place in January 2020 for inclusion in the Annual Business Plan & Budget Process (ABP&BP) of 2020/2021.
4. Notes that Fees and Charges for all Council operated facilities will be reviewed and any alterations to the charges proposed on a 2 yearly basis commencing from 2020/2021.
5. Notes that Administration will:
  - a) review each site's Terms and Conditions of Hire for consistency, taking into account the individual requirements for all Council operated facilities;
  - b) develop a Facility Hire Policy;

- c) develop a marketing plan to communicate the reduction of fees in council operated facilities
- d) undertake an assessment of the usage of council operated facilities and a report be brought back to council in 12 months including the proportion of users based in the City of Marion

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

### **Order of agenda items**

The Mayor sought and was granted leave of the meeting to consider the item *Draft Coastal Climate Change Adaptation Plan (Report Reference GC181009R09)* at the end of the meeting.

### **6.38pm City of Marion Christmas Trading Hours 2018 Report Reference GC181009R10**

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

1. Endorses the closure of the City of Marion's principal office, being the Administration building at 245 Sturt Road, Sturt on Friday 21 December 2018 at 12.30 pm.

**Carried Unanimously**

### **8.44pm Election for Representative Members of the LGFA Board of Trustees Report Reference GC181009R11**

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

Votes for the appointment of:

1. Mr Tony Lines (City of Marion)
2. Councillor Karen Hockley (Mitcham)

to the Local Government Finance Authority Representative Board.

**Carried Unanimously**

**8.50pm Election of LGA President  
Report Reference GC181009R12**

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

Votes for the appointment of:

1. Mayor Samuel Joel Telfer (District Council Tumby Bay)  
to the position of Local Government Association President.

**Carried Unanimously**

**Order of agenda items**

The Mayor sought and was granted leave of the meeting to consider the item *Election of GAROC Representatives (Report Reference GC181009R13)* at the conclusion of the count of the votes.

**8.53pm GAROC Terms of Reference  
Report Reference GC181009R14**

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

1. Endorse the Mayor (or the voting delegate), to present the following amendment to the GAROC Terms of Reference at the Local Government Association Annual General Meeting on Friday 26 October 2018:

"That the Annual General Meeting adopts the Ancillary Documents (listed below) to the new LGA Constitution.....

- c. Terms of Reference for the Greater Adelaide Regional Organisation of Councils (GAROC), with the inclusion of a North, East, South and West Regional grouping applied in the schedule: list of regional groupings of Members"

**Carried**

**8.59pm Commonwealth Games Bid  
Report Reference GC18100R15**

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

1. Supports the 2026 or 2030 Commonwealth Games in South Australia bid.
2. Endorses the letter to the Premier (Attachment 2) of support for the 2026 or 2030 Commonwealth Games in South Australia to be signed by the Chief Executive Officer.

**Carried**

9.06pm Councillor Pfeiffer left the meeting

**9.06pm Christchurch Adelaide Sister City Committee funding request  
Report Reference GC181009R16**

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

1. Approves the request to support \$1,000 to the Christchurch Adelaide Sister City Committee for the replacement artwork for the Adelaide Garden in Christchurch and authorises that a letter be sent by the Chief Executive Officer advising them of the decision.

9.08pm councillor Pfeiffer re-entered the meeting

**Lost**

**9.10pm Waste Management Project - Prudential Review  
Report Reference GC181009R17**

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

1. Endorses the engagement of a suitably qualified person for the preparation of a prudential report as required pursuant to Section 48 of the Local Government Act 1999 for the collaborative Waste Management Services tender being conducted by Council Solutions.
2. Notes the cost is expected to be in the order of \$5k - \$7k which will be funded from within existing approved budget.

**Carried Unanimously**

**9.11pm Vietnam Veterans Federation - Request to name the new building  
Report Reference GC101009R18**

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

1. Notes the report.
2. Approves the proposed name of the new building located at 31-39 Norfolk Road, Marion as "The Yerbury Centre".

**Carried Unanimously**

**13. CORPORATE REPORTS FOR INFORMATION/NOTING**

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

Finance Report - August 2018 (Report Reference GC181009R19)  
Corporate and CEO KPI Report Quarter Four 2017/18 (Report Reference GC181009R20)  
Investment Performance 2017-18 (Report Reference GC181009R21)  
Questions Taken on Notice Register (Reference GC181009R22)  
Work Health & Safety - Monthly Performance Report August 2018 (Report Reference GC181009R23)

**Carried Unanimously**

**9.13pm Finance Report - August 2018**  
**Report Reference GC181009R19**

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

1. Receives the report “Finance Report – August 2018”.

**Carried Unanimously**

**9.13pm Corporate and CEO KPI Report Quarter Four 2017/18**  
**Report Reference GC181009R20**

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

1. Notes this report; acknowledging that the final audited financial statements for KPI’s one, four, seven and eight will be provided to Council in a separate report to align with the end of financial year independently audited statements (expected October 2018).

**Carried Unanimously**

**9.13pm Investment Performance 2017-18**  
**Report Reference GC181009R21**

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

1. Notes the Investment Performance Report 2017/18.

**Carried Unanimously**

**9.13pm Questions Taken on Notice Register**  
**Report Reference GC181009R22**

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

1. Notes the report “Questions Taken on Notice Register”.

**Carried Unanimously**

**9.13pm Work Health & Safety - Monthly Performance Report August 2018**  
**Report Reference GC181009R23**

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

1. Notes the report and statistical data contained therein.

**Carried Unanimously**

**9.18pm Higher Density Dwelling Impacts on Adjacent Infrastructure and Local Parking Management**  
**Report Reference GC181009R24**

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

1. Notes the Report.

**Carried**

**Meeting Extension**

**Moved Councillor Veliskou, Seconded Councillor Prior** that the meeting be extended until the conclusion of the item: *Election of GAROC Representatives (Report Reference GC181009R13)*

**Carried**

9.30pm meeting extended

**Election of GAROC Representatives**  
**Report Reference GC181009R13**

Councillor Byram declared a perceived conflict of interest in the item as she is one of the nominees (Council appointed) to be considered as a candidate and will remain for the item.

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

Votes for the appointment of:

1. Deputy Mayor Janet Byram (City of Marion)
2. Councillor Christel Mex (City of Norwood, Payneham and St Peters)
3. Mayor David O'Loughlin (City of Prospect)
4. Councillor Rosaline Marie (Mikki) Bouchee (City of Holdfast Bay)
5. Mayor Karen Redman (Town of Gawler)
6. Deputy Mayor Jan-Claire Wisdom
7. Councillor Don Palmer (City of Unley)
8. Mayor Gillian Aldridge (City of Salisbury)

to the Greater Adelaide Regional Organisation of Councils.

**Carried**

Councillor Byram voted for the Motion

**The following items were not considered:**

- Iconic Event (Report Reference: GC101009R25)
- Public Access to Information (Report Reference GC181009M01)
- Council nursery (Report Reference GC181009Q01)
- Draft Coastal Climate Change Adaptation Plan (Report Reference GC181009R09)

#### **14. MEETING CLOSURE**

Council shall conclude on or before 9.30pm unless there is a specific motion adopted at the meeting to continue beyond that time.

**MEETING CLOSURE** - Meeting Declared Closed at 9.31pm

**CONFIRMED THIS 27 NOVEMBER 2018**

.....  
**CHAIRPERSON**