



**MINUTES OF THE GC190129 - GENERAL COUNCIL MEETING - 29 January
2019**

Tuesday, 29 January 2019 06:30 PM

Council Administration Centre, 245 Sturt Road, Sturt

PRESENT : Elected Members

Mayor - Kris Hanna, Councillor - Ian Crossland, Councillor - Tim Gard, Councillor - Jason Veliskou, Councillor - Nathan Prior, Councillor - Raelene Telfer, Councillor - Luke Hutchinson, Councillor - Tim Pfeiffer, Councillor - Kendra Clancy, Councillor - Maggie Duncan, Councillor - Matthew Shilling, Councillor - Joseph Masika

DATE :

Tuesday, 29 January, 2019 | Time 6:30 PM

VENUE :

Council Chamber

STAFF IN ATTENDANCE

Chief Executive Officer - Adrian Skull
General Manager City Development - Abby Dickson
General Manager Corporate Services - Vincent Mifsud
General Manager City Services - Tony Lines
Manager Governance – Kate McKenzie
Governance Officer – Victoria Moritz

MEETING OPENING

The Mayor opened the meeting at 29/01/2019 6:31 PM

KAURNA ACKNOWLEDGEMENT

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

DISCLOSURE

All persons in attendance are advised that the audio of this General Council meeting will be recorded and will be made available on the City of Marion website.

ELECTED MEMBER'S DECLARATION OF INTEREST (if any)

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

CONFIRMATION OF MINUTES**Moved Councillor - Raelene Telfer****Seconded Councillor - Joseph Masika**

That:

The following items be moved en bloc:

- Confirmation of the minutes for the General Council Meeting held on 11 December 2018
- Confirmation of the minutes for the Special General Council Meeting held on 22 January 2019

Carried Unanimously**Confirmation of the minutes for the Special General Council Meeting held on 22 January 2019****Report Reference:GC190129****Moved Councillor - Raelene Telfer****Seconded Councillor - Joseph Masika**

That:

1. The minutes of the Special General Council Meeting held on 22 January 2019 be taken as read and confirmed (Appendix 1 and 2)

Carried Unanimously**Confirmation of the minutes for the General Council Meeting held on 11 December 2018****Report Reference: GC190129****Moved Councillor - Raelene Telfer****Seconded Councillor - Joseph Masika**

That:

1. The minutes of the General Council Meeting held on 11 December 2018 be taken as read and confirmed.

Carried Unanimously

COMMUNICATIONS

Mayoral Communication Report

Name of Elected Member: Mayor - Kris Hanna

Report Reference: GC190129

Date	Event	Attended
7 December 2018	Graffiti Removal and Events Volunteer Programs Christmas Lunch Event	Attended
7 December 2018	Justice of the Peace Christmas Celebration	Attended
8 December 2018	Grand Opening Ceremony of Hindu Community Cultural Centre	Attended
10 December 2018	Mayor's Christmas Business Networking Function	Attended
11 December 2018	Marion Probus Club Christmas Luncheon	Attended
12 December 2018	Active Elders Association Christmas Break Up Lunch	Attended
12 December 2018	Marion City Band Awards and Official opening of Marion Band Shed	Attended
13 December 2018	Lord Mayor's 2018 Christmas Reception	Attended
14 December 2018	Glandore Community Centre Christmas Event	Attended
14 December 2018	Vietnam Veterans Federation SA Official Opening of new clubrooms	Attended and gave speech
15 December 2018	Lutheran Community Care and City of Marion -Strengthening Partnerships Event	Attended with Mayoress
17 December 2018	Mayor's Multicultural Forum at Marion Outdoor Pool	Attended
19 December 2018	Meeting with Mayor Erin Thompson	Attended
21 December 2018	Staff Christmas Party	Attended and gave speech
12 January 2019	Paisley Park Early Learning Centre Opening	Attended with Mayoress and participated in a cooking demonstration with Miguel Maestre
17 January 2019	Meeting with Mayor Clare Boan	Attended

17 January 2019	Marino Residents Association New Year social event	Attended
18 January 2019	YMCA Gym Glengowrie	Visited
19 January 2019	South Adelaide Malayalee Community Christmas and New Year Celebration	Attended with Mayoress
20 January 2019	Marion Church of Christ's Vision Sunday	Attended
20 January 2019	Warradale Park Tennis Club – Official Opening	Attended and gave speech
21 January 2019	SRWRA Tour – Mayors, Elected Members and CEO's from City of Marion, City of Holdfast Bay and City of Onkaparinga	Attended

Moved Councillor - Luke Hutchinson Seconded Councillor - Matthew Shilling

That:

1. The Mayoral Communication report be received.

Carried Unanimously

Deputy Mayor Communication Report

Name of Elected Member Councillor - Tim Pfeiffer

Report Reference: GC190129

Date	Event	Comments
12 December	Active Elders Christmas Lunch	
12 December	City of Marion Band Christmas celebration	Awards presentation and unveiling of the new shed
15 December	Dumbarton Ave Reserve Community Group Christmas Picnic	
15 December	Meeting with Cr Woodward (West Torrens) and Cr Palmer (Unley) in relation to future South Road developments	
15 December	Edwardstown community Christmas drinks	
19 December	Mayoral End of Year Christmas Celebration	

28 December	Proclamation Day at the Old Gum Tree (representing the City of Marion)	
18 January	Guided visit to the construction site at Edwardstown Oval with Cr Masika	
19 January	Elected Member Planning Day	
20 January	Tour Down Under (representing the City of Marion - Cr Crossland was my guest)	
21 January	SRWRA Tour	
22 January	Edwardstown & Melrose Park industrial forum	
22 January	Woodlands Ward Briefing	
24 January	Presented regular City of Marion Coast FM segment	
26 January	City of Marion Australia Day civic event	
26 January	'Australia Day in the City' (representing the City of Marion)	

Moved Councillor - Luke Hutchinson

Seconded Councillor - Matthew Shilling

That:

1. The Deputy Mayor's report be received.

Carried Unanimously

CEO and Executive Communications Report

Report Reference: GC190129

Date	Activity	Attended By
2 December 2018	Meeting Oakland's Crossing Works Update	Adrian Skull
3 December 2018	SRWRA Board Meeting	Vincent Mifsud
5 December 2018	IT Platform Reference Group	Vincent Mifsud
7 December 2018	China Sword Meeting	Vincent Mifsud
11 December 2018	Give the Gift of Reading - Presentation of books to The Smith Family	Tony Lines

12 December 2018	Oaklands Education Centre Visit with Flinders University	Tony Lines
13 December 2018	City of Marion 2019 LEAD Launch Presentation by John Schutz	Adrian Skull Tony Lines Abby Dickson
14 December 2018	Opening of Vietnam Vets	Tony Lines
14 December 2018	Chief Entrepreneur Visit with Flinders University	Abby Dickson
17 December 2018	SRWRA Planning Meeting	Vincent Mifsud
17 December 2018	Meeting with Madderns Patent & Trade Mark Attorneys	Tony Lines
17 December 2018	Meeting Adrian Skull, Justin Lynch (CEO Holdfast Bay)	Adrian Skull
18 December 2018	Meeting with DPTI and PEET re Tonsley Northern Connector	Tony Lines
18 December 2018	Cross Council Collaboration Meeting	Adrian Skull Vincent Mifsud
20 December 2018	Meeting Adrian Skull and Peter Tsokas CEO Unley Council	Adrian Skull
9 January 2019	IT Platform Reference Group Meeting	Vincent Mifsud
11 January 2019	Meeting Adrian Skull, Abby Dickson and John Flint Kaufland	Adrian Skull Abby Dickson
14 January 2019	Meeting Adrian Skull and Robert Pitt (Adelaide Cemeteries Authority)	Adrian Skull
14 January 2019	Meeting Adrian Skull and Mark Goldstone (CEO City of Adelaide)	Adrian Skull
14 January 2019	Cross Council Collaboration Meeting	Vincent Mifsud
17 January 2019	Meeting Adrian Skull, Kate McKenzie, Justin Jamieson and Eric Beere (KPMG)	Adrian Skull
18 January 2019	Meeting City of Marion, DEW and EPA re Marino Conservation Park - remediation of the old dump site	Adrian Skull
18 January 2019	SRWRA CEO Interviews	Vincent Mifsud
18 January 2019	Meeting Cross Council Initiatives CEOs City of Marion, City of Charles Sturt and City of Port Adelaide Enfield	Adrian Skull
21 January 2019	SRWRA Tour Mayors, Elected Members and CEO's from City of Marion, City of Holdfast Bay and City of Onkaparinga	Adrian Skull Abby Dickson Vincent Mifsud

22 January 2019	Meeting Adrian Skull, Tony Lines, Maria Palumbo (Junction Australia) and Geoff Smith (Housing Renewal Australia) re Oaklands Park	Adrian Skull Tony Lines
22 January 2019	SRWRA CEO Interviews	Vincent Mifsud
23 January 2019	Cross Council Collaboration Meeting	Vincent Mifsud
23 January 2019	Meeting City of Marion and News Corp	Adrian Skull Kris Hanna
23 January 2019	IT Platform Reference Group Meeting	Vincent Mifsud
24 January 2019	Meeting Adrian Skull, Rachel Read, Tim Sayer, Julianne Parkinson and Veera Mustonen (Global Centre for Modern Ageing)	Adrian Skull
25 January 2019	SRWRA CEO Interviews	Vincent Mifsud
26 January 2019	Australia Day Citizenship Ceremony MC	Tony Lines

Moved Councillor - Luke Hutchinson

Seconded Councillor - Matthew Shilling

That:

1. The CEO and Executive Communication report be received.

Carried Unanimously

ADJOURNED ITEMS

Nil

DEPUTATIONS

Cove BMX Club

Report Reference: GC190129D01

Mr Trevor Wigg gave a five minute deputation to Council on behalf of the Cove BMX Club.

PETITIONS

Nil

COMMITTEE RECOMMENDATIONS**Finance and Audit Committee Minutes
Report Reference GC190129R01****Moved Councillor - Jason Veliskou****Seconded Councillor - Raelene Telfer**

That Council:

1. Receives and notes the minutes of the Finance and Audit Committee Meeting of 12 December 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**CONFIDENTIAL ITEMS****Confirmation of the Finance and Audit Committee Confidential Minutes from the Meeting on 11 December 2018
Report Reference: GC190129F01****Moved Councillor - Kendra Clancy****Seconded Councillor - Tim Gard**

That:

1. Pursuant to Section 90(2) and (3)(b) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Vincent Mifsud, Abby Dickson, Tony Lines, Kate McKenzie, Victoria Moritz, Carla Zub and Greg Salmon be excluded from the meeting as the Council receives and considers information relating to the report Confirmation of the Finance and Audit Committee Confidential Minutes from 11 December 2018 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

6.41pm the meeting went into confidence

Moved Councillor – Raelene Telfer**Seconded Councillor – Maggie Duncan**

That Council:

1. Notes the report and information contained within Appendix 1.
2. In accordance with section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Confirmation of the Finance and Audit Committee confidential minutes from 11 December 2018 and any appendices to this report having been considered in confidence pursuant to Section 90 (2) and (3)(b) of the Act, except when required to effect or comply with Council's resolutions regarding this matter, be kept confidential and not available for public inspection, for a period of 12 months from the date of this matter, This confidential order will be reviewed at the General Council Meeting in December 2019.

Carried Unanimously

6.43pm the meeting came out of confidence

BMX Project - Outcome of Darlington Investigations
Report Reference: GC190129F02**Moved Councillor - Jason Veliskou****Seconded Councillor - Ian Crossland**

That:

1. Pursuant to Sections 90(2) 3(g) and 90(2)3(h) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Abby Dickson, Tony Lines, Vincent Mifsud, Kate McKenzie, Greg Salmon, Carla Zub, Craig Clarke and Victoria Moritz, be excluded from the meeting as the Council receives and considers information relating to the report BMX Project - Outcome of Darlington Investigations, 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 on the grounds that the report contains information the disclosure of which would breach a duty of confidence under the Aboriginal Heritage Act 1988 and the report contains legal advice and would on balance, be contrary to the public interest.

Carried Unanimously

6.44pm the meeting went into confidence

Moved Councillor – Ian Crossland**Seconded Councillor - Luke Hutchinson**

That Council:

1. Notes the investigations undertaken into Darlington site as a potential location for the Sam Willoughby International BMX Facility.
2. Notes the 2018 Ramindjeri and Kurna cultural heritage reports by EBS Heritage with unresolved concerns about the reports.

3. Will not undertake BMX development at the Darlington site out of respect to Kaurna wishes.
4. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, BMX Project – Outcomes of Darlington Site Investigations and associated appendices arising from this report having been considered in confidence under Sections 90(2)3(g) and 90(2)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 2019.

Carried Unanimously

7.12pm the meeting came out of confidence

BMX Project - Financial Summary of Costs
Report Reference: GC190129F03

Moved Councillor - Tim Pfeiffer

Seconded Councillor - Luke Hutchinson

That:

1. Pursuant to Sections 90(2) 3(b) (i) and (ii) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Abby Dickson, Tony Lines, Vincent Mifsud, Kate McKenzie, Greg Salmon, Carla Zub, Craig Clarke and Victoria Moritz, be excluded from the meeting as the Council receives and considers information relating to the report BMX Project - Financial Summary of Costs, 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 on the grounds that the report contains information the disclosure of which would could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and (ii) would, on balance, be contrary to the public interest.

Carried Unanimously

7.13pm the meeting went into confidence

Moved Councillor – Ian Crossland

Seconded Councillor – Maggie Duncan

That:

1. Formal meeting procedures be suspended to discuss the item.

Carried Unanimously

7.16pm formal meeting procedures suspended

7.31pm formal meeting procedures resumed

Moved Councillor – Ian Crossland**Seconded Councillor - Raelene Telfer**

That Council:

1. Notes the report.
2. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, BMX Project – Financial Summary of Costs and associated appendices arising from this report having been considered in confidence under Sections 90(2) 3(b) (i) and (ii) 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 2019.

Carried Unanimously

7.31pm the meeting came out of confidence

CORPORATE REPORTS FOR DECISION**BMX Project - Alternative Site Options for Delivery of the Sam Willoughby BMX Facility
Report Reference GC190129R02****Moved Councillor - Tim Gard****Seconded Councillor - Ian Crossland**

That Council:

1. Notes the report.
2. Authorises Administration to progress Option 1 to detailed design for the Sam Willoughby BMX Track and commit additional funding of \$1,000,000 from Council's Asset Sustainability Reserve during 2019-20 for the project's delivery, subject to State Government addressing the traffic management solution for Majors Road.
3. Confers with the State Government concerning their traffic management solution, including the potential northbound ramp access to the Southern Expressway, prior to proceeding with detailed design work for the BMX track.

Amendment:**Moved Councillor - Luke Hutchinson****Seconded Councillor - Matthew Shilling**

That Council:

1. Notes the report.
2. Authorises Administration to progress Option 1 to detailed design for the Sam Willoughby BMX Track and commit additional funding of \$1,000,000 from Council's Asset Sustainability Reserve during 2019-20 for the project's delivery, subject to the State Government addressing and funding the traffic management solution for Majors Road.

3. Confers with the State Government concerning their traffic management solution, including the potential northbound ramp access to the Southern Expressway, prior to proceeding with detailed design work for the BMX track.

the amendment to become the motion was **Carried**

Motion to Defer:

Moved Councillor - Jason Veliskou

Seconded Councillor - Nathan Prior

That:

1. The item BMX Project - Alternative Site Options for Delivery of the Sam Willoughby BMX Facility be deferred until after a joint briefing with the Elected Members of the City of Onkaparinga.

Lost

Motion as Amended:

Moved Councillor - Luke Hutchinson

Seconded Councillor - Matthew Shilling

That Council:

1. Notes the report.
2. Authorises Administration to progress Option 1 to detailed design for the Sam Willoughby BMX Track and commit additional funding of \$1,000,000 from Council's Asset Sustainability Reserve during 2019-20 for the project's delivery, subject to the State Government addressing and funding the traffic management solution for Majors Road.
3. Confers with the State Government concerning their traffic management solution, including the potential northbound ramp access to the Southern Expressway, prior to proceeding with detailed design work for the BMX track.

Carried

Division called by Councillor – Ian Crossland

Voters	For	Against
Councillor - Ian Crossland	X	
Councillor - Jason Veliskou		X
Councillor - Joseph Masika	X	
Councillor - Kendra Clancy		X
Councillor - Luke Hutchinson	X	
Councillor - Maggie Duncan	X	
Councillor - Matthew Shilling	X	
Councillor - Nathan Prior		X
Councillor - Raelene Telfer	X	
Councillor - Tim Pfeiffer		X
Councillor - Tim Gard	X	

Carried

Morphettville Park Oval Realignment - Outcome of Community Consultation**Report Reference GC190129R03****Moved Councillor - Jason Veliskou****Seconded Councillor - Kendra Clancy**

That Council:

1. Notes the community consultation feedback received on the two options for the Morphettville Park Oval Realignment and additional design investigations.
2. Approve Option One as the preferred option for the Oval Realignment as a basis for progressing to detailed design and documentation in preparation of a planning approval and delivery of the new oval layout.
3. Authorises the commencement of the Roads (Opening and Closing) Act 1991 process to close the section of road reserve (existing car park) on Cobham Avenue Morphettville between Kendall Terrace and McKellar Terrace 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. Resolves that the road closed pursuant to the Roads (Opening and Closing Act) 1991 is to be merged with Allotment 61 in Filed Plan 10392 (comprised in Certificate of Title Volume 5888 Folio 45) for the Morphettville Park Sports Club.
5. Pursuant to Section 37(b) of the Local Government Act 1999 authorises the Chief Executive Officer to enter into and sign all documentation necessary to commence the roads opening and closure processes and the merger of land with Allotment 61 in Filed Plan 10392.

Carried Unanimously**Sheidow Park Primary School - Traffic and Parking Improvements****Report Reference: GC190129R04****Moved Councillor - Matthew Shilling****Seconded Councillor - Maggie Duncan**

That Council:

1. Notes the report
2. Notes the State Government will contribute \$50,000 (GST exclusive) to fund the extension of the kiss and drop indented car park on Adams Road, Sheidow Park.
3. Endorses providing in kind support for the design and project management to extend the kiss and drop indented car park located on Adams Road, Sheidow Park.

4. Authorises Administration entering into a funding agreement with the Department of Planning, Transport and Infrastructure for the extension of the kiss and drop indented car parking bay on Adams Road, Sheidow Park.

Carried Unanimously

Cat By-Law

Report Reference: GC290119R05

Moved Councillor - Ian Crossland

Seconded Councillor - Jason Veliskou

That Council:

1. Endorse the proposed draft Cats (Confinement) Variation By-law No. 7 2019 as attached as Appendix 1 to this report for community consultation.
2. Endorse the draft Cats (Confinement) Variation By-law No. 7 2019, as attached to the report for the purposes of public and Dog and Cat Management Board consultation in accordance with Section 249 of the Local Government Act 1999 and Section 90 of the Dog and Cat Management Act 1995.
3. Endorse that Administration be authorised to provide a report to the Dog and Cat Management.
4. Board in accordance with Section 90(5) of the Dog and Cat Management Act 1995.
5. Authorise Administration to:
 - make copies of the draft By-law available for public inspection without charge at the principal office of the Council during ordinary office hours; and
 - publish notice informing the public of the availability of the draft By-law in The Advertiser no sooner than 21 days after referring the by-law to the Dog and Cat Management Board.

Carried

Oaklands Wetland Capital Upgrades

Report Reference: GC190129R06

Moved Councillor - Nathan Prior

Seconded Councillor - Tim Pfeiffer

That Council:

1. Notes the Report.
2. Endorses the release of funding, up to \$165,000 from the Asset Sustainability Reserve (balance in the Water Business Unit is \$450,000 as at 14 January 2019), to supply and install a second balancing tank and advanced filtering system, at Oaklands Wetland.

3. Endorses the transfer of the remaining funding quarantined for Oaklands Water Business, currently held in the Asset Sustainability Reserve (including future revenues generated from the sale of treated stormwater), into a separate accounting Water Reserve Fund that will aid in meeting any future Essential Services Commission of South Australia (ESCOSA) reporting requirements.
4. Endorses access to using funds held in the Water Reserve Fund, specifically quarantined for use in the Oaklands Water Business, requires approval at Executive level.

Carried Unanimously

2020 Tour Down Under - Expression of Interest
Report Reference: GC190129R07

Moved Councillor - Jason Veliskou

Seconded Councillor - Tim Pfeiffer

That Council:

1. Does not submit an expression of interest to hosting a stage of the 2020 Tour Down Under.

Carried

CEO Performance and Remuneration Review Timeline and Approach 2018-2019
Report Reference: GC190129R08

Moved Councillor - Joseph Masika

Seconded Councillor - Raelene Telfer

That Council:

1. Endorses the proposed approach and timeline for the CEO's performance and remuneration review as outlined in Appendix 1.

Carried Unanimously

Call for Nominations for Members of GAROC - Casual Vacancies
Report Reference: GC190129R09

Moved Councillor - Ian Crossland

Seconded Councillor - Nathan Prior

That Council:

1. Notes the report 'Call for Nominations for Members of Greater Adelaide Regional Organisation of Councils (GAROC) - Casual Vacancies'.

2. Nominates Councillor Tim Pfeiffer to the LGA for a position on the Greater Adelaide Regional Organisation of Councils (GAROC).
3. Notes that the above information will be forwarded to the LGA by 5.00pm Friday 22 February 2019.

Councillor Pfeiffer declared an actual conflict of interest in the item as he has been nominated and left the meeting.

8.35pm Councillor Pfeiffer left the meeting

Carried Unanimously

8.36pm Councillor Pfeiffer re-entered the meeting

CORPORATE REPORTS FOR INFORMATION/NOTING

Moved Councillor - Luke Hutchinson

Seconded Councillor - Raelene Telfer

That the following reports listed under Corporate Reports for Information / Noting be moved en bloc:

- RSL Car Park and Drainage
- Coastal Walkway - Progress Report
- Hallett Cove Sea Pool Feasibility Study
- Interim Capital Works Review
- Minutes and Recommendations from LGA Annual General Meeting
- Corporate and CEO KPI Report Quarter One 2018/19
- Work Health and Safety - Monthly Performance Report - November / December 2018
- Finance Report - December 2018
- Questions Taken on Notice Register

Carried Unanimously

RSL Car Park and Drainage Upgrades Report Reference: GC190129R10

Moved Councillor - Luke Hutchinson

Seconded Councillor - Raelene Telfer

That Council:

1. Notes the progress report and that a further report, outlining options and cost estimates to upgrade car parking and stormwater at the Marion Returned Service League will be presented to Council in March 2019.

Carried Unanimously

Coastal Walkway - Progress Report
Report Reference: GC190129R11**Moved Councillor - Luke Hutchinson****Seconded Councillor - Raelene Telfer**

That Council:

1. Notes the progress report and that a further report summarising specialists (Environmental and Cultural Heritage) assessment and the outcomes of community consultation will be presented to Council 26 March 2019.

Carried Unanimously**Hallett Cove Sea Pool Feasibility Study**
Report Reference GC190129R12**Moved Councillor - Luke Hutchinson****Seconded Councillor - Raelene Telfer**

That Council:

1. Notes this report as an update on the progress of the Hallett Cove sea pool feasibility study.
2. Receives a presentation and provides feedback on the final draft Hallett Cove sea pool feasibility study in March 2019.

Carried Unanimously**Interim Capital Works Review**
Report Reference: GC190129R13**Moved Councillor - Luke Hutchinson****Seconded Councillor - Raelene Telfer**

That Council:

1. Notes a final report will be presented to the Infrastructure and Strategy Committee and Council in February 2019.

Carried Unanimously

**Minutes and Recommendations from LGA Annual General Meeting
Report Reference GC190129R14****Moved Councillor - Luke Hutchinson****Seconded Councillor - Raelene Telfer**

That Council:

1. Notes this report and the minutes of the Local Government Association Annual General Meeting held on 26 October 2018.
2. Notes that a separate report will be brought to Council for consideration of any recommendations and / or actions from the Local Government Association Annual General Meeting.

Carried Unanimously**Corporate and CEO KPI Report Quarter One 2018/19
Report Reference: GC190129R15****Moved Councillor - Luke Hutchinson****Seconded Councillor - Raelene Telfer**

That Council:

1. Note this report

Carried Unanimously**Work Health & Safety - Monthly Performance Report - November/December 2018
Report Reference: GC190129R16****Moved Councillor - Luke Hutchinson****Seconded Councillor - Raelene Telfer**

That Council:

1. Notes the report and statistical data contained therein.

Carried Unanimously**Finance Report - December 2018
Report Reference: GC190129R17****Moved Councillor - Luke Hutchinson****Seconded Councillor - Raelene Telfer**

That Council:

1. Receives the report "Finance Report – December 2018"

Carried Unanimously

Questions Taken on Notice Register
Report Reference: GC190129R18**Moved Councillor - Luke Hutchinson****Seconded Councillor - Raelene Telfer**

That Council:

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

Carried Unanimously**WORKSHOP / PRESENTATION ITEMS****CONFIDENTIAL****Oaklands Park Urban Renewal Proposal**
Report Reference: GC190129F04**Moved Councillor - Luke Hutchinson****Seconded Councillor - Ian Crossland**

That:

1. Pursuant to Sections 90(2)3(d)(i)(ii) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Abby Dickson, Tony Lines, Vincent Mifsud, Kate McKenzie, Greg Salmon, Carla Zub, Craig Clarke Victoria Moritz, Geoff Smith, Matt Clemow be excluded from the meeting as the Council receives and considers information relating to the presentation Oaklands Park Urban Renewal Proposal, 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 on the grounds that the report contains commercial information and would on balance be contrary to the public interest.

Carried Unanimously

8.39pm the meeting went into confidence

Councillor Veliskou noted a perceived conflict of interest in the item Oaklands Park Urban Renewal Proposal due to a family member living in close proximity to the area and remained for the item.

Moved Councillor - Luke Hutchinson**Seconded Councillor – Nathan Prior**

That

1. Council notes the presentation provided by Housing Renewal Australia Pty Ltd.
2. A copy of the presentation be included in the minutes of the meeting 29 January 2019 once released and made publicly available by Housing Renewal Australia Pty Ltd.

3. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report and Presentation, Oaklands Park Urban Renewal Proposal and any associated appendices arising from this report having been considered in confidence under Sections 90(2) 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 until 5pm Friday 1 February 2019 or Until released and made publicly available by Housing Renewal Australia Pty Ltd.

8.40pm Councillor Duncan left the meeting

8.40pm Councillor Shilling left the meeting

8.42pm Councillor Duncan Re-entered the meeting

8.43pm Councillor Shilling re-entered the meeting

9.08pm Councillor Pfeiffer left the meeting

9.11pm Councillor Pfeiffer re-entered the meeting

Carried Unanimously

Councillor Veliskou voted in favour of the motion

9.30pm the meeting came out of confidence

MOTIONS WITH NOTICE

Meeting Extension

Moved Councillor - Tim Pfeiffer

Seconded Councillor - Ian Crossland

That:

1. The meeting be extended until the conclusion of all items listed on the agenda.

Carried Unanimously

9.28pm Meeting Extended

City of Marion Museum

Report Reference: GC190129M01

Moved Councillor - Raelene Telfer

Seconded Councillor - Nathan Prior

That:

1. Council staff prepare a report for Council with regards to the provision of a City of Marion Museum. That the report includes but not limited to:- scoping of all possible funding sources (such as grant funding), possible Museum location/s and management model.

Carried Unanimously

Commendation of Lifesavers
Report Reference: GC190129M02**Moved Councillor - Tim Pfeiffer Seconded Councillor - Joseph Masika**

That:

1. Council formally commends the actions of the City of Marion staff directly involved in the successful rescue of a child at the Marion Outdoor Pool on 4 January 2019.
2. The Mayor writes to each of the staff directly involved (on behalf of Council), to advise of the formal commendation and express gratitude for their actions.

Carried Unanimously**QUESTIONS WITH NOTICE****New and Replacement Bins**
Elected Member: Councillor Luke Hutchinson
Report Reference: GC190129Q01**Question:**

1. What is the City of Marion's expense over the last 3 years on both new and replacement bins; itemised by new vs replacement and the 3 bin types - red, yellow, green.
2. What is the average cost to council per household?

Supporting Information:

Nil

Response Received From: Unit Manager Contracts, Colin Heath**Staff Comments:**

New and replacement bins for any bin type under the current kerbside collection contract with Solo are provided at no cost to the City of Marion.

Numbers of new/replacement bins (of all bin types) provided by Solo for the last three financial years are:

	2015/16 Financial Year	2016/17 Financial Year	2017/18 Financial Year
New services	2,113	1,803	1,937
Replacement Bins - Damaged	4,438	4,336	4,321
Replacement Bins - Stolen	709	774	628

A detailed breakdown of new/replacement bins by bin type was not available at the time this response was finalised.

For 2017/18 the average direct cost to council per household for the provision of the 3 bin kerbside waste service (incorporating all collection and disposal costs and bin supply) was approximately \$142.

Cessation to development approvals that are not consistent with the City of Marion DPA

Elected Member: Councillor Bruce Hull

Report Reference: GC190129Q02

Question:

“Given that it has been nearly 4 long years since I attempted to move the below Notice of Motion (Appendix 1 to the minutes), only to be told it was ultra vires. Is there any way that Council can bring about a cessation to development approvals that are not consistent with the City of Marion DPA that is before Minister Knoll for approval?”

Supporting Information: Included as Appendix 1 (to the minutes)

Response Received From: Acting Manager Development and Regulatory Services - Stephen Zillante

Staff Comments:

Section 33 of the Development Act 1993 outlines the matters against which a development must be assessed. Subsection (1)(a) states that a development is an approved development if, and only if, a relevant authority has assessed the development against, and granted a consent in respect of the provisions of the appropriate Development Plan.

The Act requires that development applications be assessed against the Development Plan content which exists at the time an application is lodged. This means the delegate must only have regard to the Development Plan content that exists on the day of lodgement of the application and cannot consider

potential/future changes in the assessment of the application.

The Housing Diversity DPA is currently being reviewed by the Minister for Planning. On 20th December 2018 Council was advised by the Department of Planning Transport and Infrastructure that the DPA is progressing “through the ranks and is under active consideration.” It is however not yet known if, or when the DPA (and what elements) will be gazetted.

Typically, Development Plan content is not changed until the completion of a DevelopmentPlan Amendment process and the gazettal of final Ministerial approval for the DPA.

MOTIONS WITHOUT NOTICE

Nil

QUESTIONS WITHOUT NOTICE

Nil

OTHER BUSINESS

Nil

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 9.33pm

CONFIRMED THIS 12 FEBRUARY 2019

.....

CHAIRPERSON

From: Bruce Hull/CoM
To: Mark Searle/CoM@city of marion,
Cc: Kris Hanna/CoM@city of marion
Date: 17/02/2015 03:00 PM
Subject: Fwd to Kate & Jaimie / Notice of Motion

Dear Mark,

Find following a Notice of Motion for the next Council Meeting:-

"That given the fact that the Residential Density DPA was overlooked by Council for submission to the Minister. I move that an embargo comes into effect immediately for all development applications proposing 1 lot into 2 or greater in all areas of the city where the DPA would be applicable. That this embargo should only be revisited once the Minister for Planning has finally dealt with the Residential Density DPA".

Rational:-

As a consequence of the Council not to refer this DPA for Ministerial assessment and approval, the Minister will now NOT be dealing with this DPA in the next few years, I think it is imperative that immediate action be taken. In recent times I have had many representations from residents very concerned about the potential for a gross change to the character and charm of their streets due to overdeveloping (ie 1 lot into 3 or even 4) that often leads to overshadowing, loss of privacy and compromised traffic management, car parking and streetscaping. Unfortunately I have unwittingly mislead these residents to believe that the Residential Density DPA would be the mechanism to resolve their concerns. Immense irreversible damage will be done to many streets unless this embargo is issued, the embargo should only be revisited once the Minister for Planning has finally dealt with the Residential Density DPA.

Bruce Hull
Warracowie Ward Councillor | City of Marion

P 08 7420 6484 | M 0401 765 821
E bruce.hull@marion.sa.gov.au | W www.marion.sa.gov.au

139 Diagonal Road Warradale SA 5046