

**MINUTES OF THE GC190212 - GENERAL COUNCIL MEETING - 12 February  
2019**

**Tuesday, 12 February 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 - Bruce Hull, Councillor - Nathan Prior, Councillor - Raelene Telfer, Councillor - Tim Pfeiffer, Councillor - Kendra Clancy, Councillor - Maggie Duncan, Councillor - Matthew Shilling, Councillor - Joseph Masika

**DATE :** Tuesday 12 February, 2019, 6.30pm

**VENUE :**

Council Chamber, Administration Centre, 245 Strurt Road, Sturt

**Staff In Attendance**

General Manager City Development - Abby Dickson  
General Manager Corporate Services - Vincent Mifsud  
Manager Corporate Governance – Kate McKenzie  
Governance Officer – Victoria Moritz (minute taker)

**OPEN MEETING**

The Mayor opened the meeting at 12/02/2019 6:30:00 pm

**KAURNA ACKNOWLEDGEMENT**

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

**DISCLOSURE**

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

**ELECTED MEMBER'S DECLARATION OF INTEREST (if any)**

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

- No interests were disclosed

## **CONFIRMATION OF MINUTES**

### **Confirmation of the minutes for the General Council Meeting held on 29 January 2019**

**Report Reference:** GC190212

**Moved Councillor - Matthew Shilling**

**Seconded Councillor - Nathan Prior**

1. That the minutes of the General Council Meeting held on 29 January 2019 be taken as read and confirmed.

**Carried Unanimously**

## **COMMUNICATIONS**

Nil

## **ADJOURNED ITEMS**

Nil

## **DEPUTATIONS**

### **South Adelaide Basketball Club**

**Report Reference:** GC190212D01

Simon Romaniuk of the South Adelaide Basketball club gave a five minute deputation to Council.

6.40pm Councillor - Bruce Hull entered the meeting

### **Mitchell Park Sports & Community Club**

**Report Reference:** GC190212D03

Mr John Gumley, President of the Mitchell Park Sports & Community Club gave a five minute deputation to Council in relation to the Mitchell Park Sports and Community Club.

**Mitchell Park Football Club****Report Reference:** GC190212D02

Mr Adam Hay, President of the Mitchell Park Football Club gave a five minute deputation to Council in relation to the Mitchell Park Sports and Community Club.

7.06pm Councillor Shilling left the meeting

7.08pm Councillor Shilling re-entered the meeting

**Dover Gardens Kennel and Obedience Club****Report Reference:** GC190212D04

This Deputation request was withdrawn

**ORDER OF AGENDA ITEMS**

The Mayor sought and was granted leave of the meeting to consider the item *Mitchell Park Sports and Community Club - Community Needs Analysis* next on the agenda.

**Mitchell Park Sports and Community Club - Community Needs Analysis****Report Reference:** GC190212R06**Moved Councillor - Ian Crossland****Seconded Councillor - Matthew Shilling**

That this item be deferred until after the conclusion of the confidential item *Mitchell Park Sports and Community Club Redevelopment - Redevelopment Options GC190212F01*

**Carried**

**CONFIDENTIAL ITEMS****Mitchell Park Sports and Community Club Redevelopment - Redevelopment Options****Report Reference:** GC190212F01**Moved Councillor – Ian Crossland****Seconded Councillor – Tim Gard**

That:

1. Pursuant to Section 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, Birgit Stroeher, Craig Clarke, Liz Byrne and Victoria Moritz, be excluded from the meeting as the Council receives and considers information relating to the report *Mitchell Park Sports and Community Club Redevelopment – Scoping Options*, 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 Unanimously**

7.20pm the meeting went into confidence

**MEETING SUSPENSION****Moved Councillor - Ian Crossland****Seconded Councillor - Jason Veliskou**

That formal meeting procedures be suspended to discuss the item.

**Carried Unanimously**

7.23pm formal meeting procedures suspended

8.03pm formal meeting procedures resumed

**Moved Councillor - Raelene Telfer****Seconded Councillor - Tim Gard**

That Council:

1. Notes the Report
2. Commits up to \$10 million to undertake the redevelopment of Mitchell Park Sports and Community Club, and neighbourhood centre facilities.
3. Notes that the final redevelopment option is subject to Council considering and adopting a revised Section 48 Prudential Management Report.
4. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report and appendices, having been considered in confidence under Section 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****Moved Councillor - Raelene Telfer****Seconded Councillor - Maggie Duncan**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, minutes (in relation to points 5, 6 and 7) and appendices, having been considered in confidence under Section 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, otherwise 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**

8.22pm the meeting came out of confidence

**Mitchell Park Sports and Community Club - Community Needs Analysis****Report Reference: GC190212R06****Moved Councillor - Raelene Telfer****Seconded Councillor - Jason Veliskou**

That Council:

1. Notes the report, stating that the Mitchell Park location provides the greatest number of potential partners, economic and social benefits to basketballers, footballers, cricketers, dog trainers, fitness clients, neighbourhood hub participants, social group members and others.
2. The preferred facility development option is for an integrated, regional, indoor, multi-purpose sports and community centre.

3. Praises the fifty years of voluntary work done at Mitchell Park Sports and Community Centre, Dover Dog Club, the Mitchell Park Neighbourhood Hub, and South Adelaide Basketball Club and recognises Marion Council will make every endeavour to upgrade these facilities in the very near future.

## **AMENDMENT**

### **Moved Councillor - Ian Crossland**

That Council:

1. Note the report

## **POINT OF ORDER**

Councillor Veliskou called a point of order as the Amendment was of significant variance to the motion. The Mayor upheld the point of order and did not allow the Amendment.

The original Motion was **Carried**

### **Division called by Councillor - Ian Crossland**

<b>Voters</b>	<b>Against</b>	<b>For</b>
Councillor - Bruce Hull	X	
Councillor - Ian Crossland	X	
Councillor - Jason Veliskou		X
Councillor - Joseph Masika		X
Councillor - Kendra Clancy	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**

**PETITIONS**

Nil

**COMMITTEE RECOMMENDATIONS**

Nil

**CORPORATE REPORTS FOR DECISION****Local Government Association Ordinary General Meeting 2019****Report Reference:** GC190212R01**Moved Councillor - Nathan Prior****Seconded Councillor - Kendra Clancy**

That:

1. Council notes the report '*Local Government Association Ordinary General Meeting 2019*'.
2. The nominated Council Voting Delegate for this meeting is Mayor Hanna and that the Proxy Delegate for this meeting is Councillor Pfeiffer
3. On submitting items of business to the LGA, the Chief Executive Officer be authorised to amend the wording (without changing the meaning or purpose of the motion) if required.

**Carried Unanimously**

**Update to the Schedule of Delegations: Liquor Licensing Act 1997 and South Australian Public Health Act 2011, Regulations 2015 and Regulations 2013****Report Reference:** GC190212R02**Moved Councillor - Tim Pfeiffer****Seconded Councillor - Matthew Shilling**

That Council:

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**

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

- South Australian Public Health Act 2011, Regulations 2015 and Regulations 2013
- Liquor Licensing Act 1997



2. Delegations made under the South Australian Public Health Act 2011, Regulations 2015 and Regulations 2013:
  - 2.1. In exercise of the powers contained in Section 44 of the Local Government Act the following powers, functions and duties under the South Australian Health Act 2011, South Australian Public Health (Legionella) Regulations 2013 and the South Australian Public Health (Wastewater) Regulations 2013 contained in the proposed Instrument of Delegation contained in Appendix 2 are hereby delegated this 12th day of February 2019 to the person occupying the office of Chief Executive Officer of the Council subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.
  - 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 .
3. Delegations made under the Liquor Licensing Act 1997:
  - 3.1. In exercise of the powers contained in Section 44 of the Local Government Act the following powers, functions and duties under the Liquor Licensing Act 1997 contained in the proposed Instrument of Delegation contained in Appendix 3 are hereby delegated this 12th day of February 2019 to the person occupying the office of Chief Executive Officer of the Council subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.
  - 3.2. 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.

**Carried Unanimously**

**Notice of intent to undertake an 'Approach to market' for the maintenance and management of Council owned vineyards**

**Report Reference:** GC190129R03

**Moved Councillor - Bruce Hull**

**Seconded Councillor - Nathan Prior**

That Council:

1. Notes the report and Administration's intent to commence an open 'Approach to market' process to seek informal offers for a 5 (Five) year maintenance and management Agreement of Council owned vineyards.
2. Request Administration bring a report back in April 2019 informing Council of the outcomes of the Approach to Market to manage Council's vineyards.

**Carried Unanimously**

**Draft City Limits Publications Policy****Report Reference:** GC190212R04**Moved Councillor - Jason Veliskou****Seconded Councillor - Matthew Shilling**

That Council:

1. Adopts the *City Limits Publications Policy* with the following addition:

- Option 2: The number of pages is maintained at 24 and that all Elected Members have a column each edition.

**Carried****Equity, Access and Social Inclusion Policy****Report Reference:** GC190212R05**Moved Councillor - Joseph Masika****Seconded Councillor - Jason Veliskou**

That Council:

1. Endorses the draft Equity, Access and Social Inclusion Policy (Appendix 1) for public consultation.
2. Notes outcomes of public consultation will be provided in April 2019 for adoption of the Equity, Access and Social Inclusion Policy.

**Carried Unanimously****CORPORATE REPORTS FOR INFORMATION/NOTING****Questions Taken on Notice Register****Report Reference:** GC190212R07

8.56pm Councillor Pfeiffer left the meeting

**Moved Councillor - Raelene Telfer****Seconded Councillor - Nathan Prior**

That Council:

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

**Carried Unanimously**

## WORKSHOP / PRESENTATION ITEMS

Nil

## MOTIONS WITH NOTICE

### 2022 General Council Election - Meet the Candidate Forum

**Report Reference:** GC190212M01

8.58pm Councillor Pfeiffer re-entered the meeting

**Moved Councillor - Bruce Hull**

**Seconded Councillor - Kendra Clancy**

That:

1. Just prior to the next General Council Election, Council facilitates and funds a public Meet the Candidates Forum in a suitable all weather venue as part of a broader strategy to promote voter response and general election candidate awareness”

**Lost**

**Councillor Hull** called a division

Voters	Against	For
Councillor - Bruce Hull		X
Councillor - Ian Crossland	X	
Councillor - Jason Veliskou	X	
Councillor - Joseph Masika	X	
Councillor - Kendra Clancy		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	

**Lost**

**Requirement for Developers to install a builder's pole for electricity supply****Report Reference:** GC190212M02**Moved Councillor - Bruce Hull****Seconded Councillor - Jason Veliskou**

That:

1. Council write to the minister for planning and the Local Government Association for a change to the Development Act 1993 to require all developers to install a builder's pole for electricity supply at construction sites for domestic premises in order to obtain building approval. That all generators and compressors are prohibited in metropolitan areas and that only electric nail guns and electric mechanised tools are used on such building sites during the construction stage.
2. To gain support from the sector, administration submits the above resolution as a Motion with Notice to the Local Government Association for the 2019 Ordinary General Meeting

9.13pm Councillor – Ian Crossland left the meeting

**Lost****Newstart Allowance****Report Reference:** GC190212M03

9.16pm Councillor – Ian Crossland re-entered the meeting

**Moved Councillor - Bruce Hull**

That:

1. The City of Marion publically advocates for an increase to the Newstart Allowance through a letter to the relevant Government Ministers.
2. A report be provided to a subsequent Council meeting on how Council is currently assisting and supporting residents on low fixed incomes, with recommendations on how this can be built on in the future.
3. Conveys to the LGA the intention of point 1. To any future vote on this matter within the LGA.

**Lapsed** for want of a seconder

**MEETING EXTENSION****Moved Councillor - Jason Veliskou****Seconded Councillor - Matthew Shilling**

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

**Carried**

9.19pm meeting extended

**Quentin Kenihan Memorial****Report Reference:** GC190212M04**Moved Councillor - Bruce Hull**

That Council:

1. Note staff's report back to Council on suitable options to pay tribute to the late Mr Quentin Kenihan by way of a monument/plaque in recognition of his quest and contributions to establish an inclusive playground in Marion at the Hendrie Street site.
2. Note the three options presented for consideration for the monument/plaque in recognition of Mr Quentin Kenihan's quest and contributions to establish an inclusive playground in Marion at the Hendrie Street Reserve as set out on Attachments A, B and C.
3. Endorses Option 1 - Track Start and End Signage, with the memorial to be funded through operational budgets.

**Lapsed** for want of a seconder**Moved Councillor - Jason Veliskou****Seconded Councillor - Tim Gard**

That Council:

1. Offer to provide a memorial for the Late Quentin Kenihan (in consultation with his family) in recognition of his contribution as an ambassador for the Hendrie Street Inclusive Playground.
2. The memorial be in the form of a small bronze plaque on one of the seats in the Hendrie Street Inclusive Playground and the process be undertaken as per the memorial policy.

**Carried**

**Hendrie Street Reserve and Jervois Street Reserve - Community Consultation for designated fenced areas****Report Reference:** GC190212M05**Moved Councillor - Jason Veliskou****Seconded Councillor - Joseph Masika**

That Council:

1. Endorses Administration to undertake community consultation to designate the enclosed fenced playground areas of both Hendrie Street Reserve Inclusive Playground and Jervois Street Reserve as dog free areas.
2. Note, in accord with the Dogs By-law this will not preclude the presence of assistance dogs within the fenced areas.
4. Note that during the community consultation process it will be communicated that the balance of the open space area outside of the following shall remain as Dog-Off Leash areas:
  - the fenced junior playground at Jervois Street Reserve
  - the fenced playground at Hendrie Street Reserve
5. Note the outcomes of the community consultation will be presented to Council for consideration in April 2019.

**Carried Unanimously****Abandoned trolleys****Report Reference:** GC190212M06

9.49pm Councillor Gard left the meeting

**Moved Councillor - Jason Veliskou****Seconded Councillor - Bruce Hull**

That:

1. Administration report back to the by the May 2019 General Council on: how to penalise the owners of trolleys left abandoned in the street; and potential impacts.

9.51pm Councillor Gard re-entered the meeting

9.51pm Councillor Masika left the meeting

9.53pm Councillor Masika re-entered the meeting

**Carried Unanimously**

**Revitalisation forum concerning Edwardstown & Melrose Park****Report Reference:** GC190212M07**Moved Councillor - Tim Pfeiffer****Seconded Councillor - Joseph Masika**

That Council:

1. Request administration to coordinate a joint Forum with Mitcham Council and invite relevant State Government Ministers, business and community representatives and the Southern Adelaide Economic Development Board to explore opportunities to revitalise the area spanning Edwardstown and Melrose Park as key employment precinct.

**Carried Unanimously****QUESTIONS WITH NOTICE**

Nil

**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 12/02/2019 10.03 pm**CONFIRMED THIS 26 FEBRUARY 2019**

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**CHAIRPERSON**