

MINUTES OF THE GC190312 – GENERAL COUNCIL MEETING

Tuesday, 12 March 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 - Luke Hutchinson, Councillor - Tim Pfeiffer, Councillor - Kendra Clancy, Councillor - Maggie Duncan, Councillor - Matthew Shilling, Councillor - Joseph Masika

DATE:

Tuesday, 12 March, 2019

VENUE:

Council Chamber, Administration Centre, 245 Sturt Road, Sturt

IN ATTENDANCE

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

OPEN MEETING

The Mayor opened the meeting at 6.30 pm, Tuesday 12 March 2019

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.

The following declaration was declared:

- Councillor Pfeiffer declared an actual conflict of interest in the item *Election of GAROC Representatives GC190312R07.*)

CONFIRMATION OF MINUTES

Confirmation of the minutes for the General Council Meeting held on 26 February 2019

Report Reference: GC190312R01

Moved Councillor - Luke Hutchinson

Seconded Councillor - Maggie Duncan

That the minutes of the General Council Meeting held on 26 February 2019 be taken as read and confirmed.

Carried Unanimously

COMMUNICATIONS - Nil**ADJOURNED ITEMS - Nil****DEPUTATIONS**

A deputation request was received from Ms Laura Galdes on behalf of residents in relation to the item *Outcome of Business Case - 262 Sturt Road, Marion*. The request was denied on the grounds that there would be a more opportune time for such a deputation to be heard.

PETITIONS - Nil

COMMITTEE RECOMMENDATIONS**Moved Councillor - Raelene Telfer****Seconded Councillor - Maggie Duncan**

That the following items be moved en bloc:

- Confirmation of the Minutes of the Finance and Audit Committee Meeting held on 26 February 2019 (GC190312R02)
- Confirmation of the Minutes of the Review and Selection Committee Meeting held on 5 March 2019 (GC190312R03)

Carried Unanimously**Confirmation of the Minutes from the Finance and Audit Committee Meeting held on 26 February 2019.****Report Reference:** GC190312R02**Moved Councillor - Raelene Telfer****Seconded Councillor - Maggie Duncan**

That Council:

1. Receives and notes the minutes of the Finance and Audit Committee of 26 February 2019 (Appendix 1)
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance and Audit Committee.

Councillor Hull sought and was granted leave of the meeting to include in the minutes the comments regarding his concern of the accuracy of the Finance and Audit Committee minutes in relation to the Elected Members Report. It was noted that precise wording of significant resolutions should be used to ensure it is a literal reflection of the resolutions of Council.

Carried Unanimously

Confirmation of the Minutes of the Review and Selection Committee Meeting - 5 March 2019**Report Reference:** GC190312R03**Moved Councillor - Raelene Telfer****Seconded Councillor - Maggie Duncan**

That Council:

1. Receives and notes the minutes of the Review and Selection Committee meeting of 5 March 2019 (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**CONFIDENTIAL ITEMS****Confirmation of Confidential Minutes of the Finance & Audit Committee Meeting held on 26 February 2019.****Report Reference:** GC190312F01**Moved Councillor - Matthew Shilling****Seconded Councillor - Raelene Telfer**

That:

1. Pursuant to Section 90(2) and (3)(b)(i)(ii) and (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, Vincent Mifsud, Abby Dickson, Craig Clarke, Tony Lines, Kate McKenzie, Ray Barnwell, and Victoria Moritz be excluded from the meeting as the Council receives and considers information relating to the Waste Services Tender, 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 contains commercial information that would on balance, be contrary to the public interest.

Carried Unanimously

6.41 pm the meeting went into confidence

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

That Council:

1. Receives and notes the confidential minutes of the Finance and Audit Committee of 26 February 2019 (Appendix 1).
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance and Audit Committee.
3. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Confirmation of confidential minutes of the Finance and Audit Committee meeting held on 26 February 2019 and any appendices arising from this report 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 the 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

7.02pm the meeting came out of confidence

S48 Prudential Management Review - Waste Services**Report Reference:** GC190312F02**Moved Councillor - Tim Pfeiffer****Seconded Councillor - Nathan Prior**

1. That pursuant to Section 90(2) and (3)(b)(i)(ii) and (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, Vincent Mifsud, Abby Dickson, Tony Lines, Kate McKenzie, Craig Clarke, Ray Barnwell, and Victoria Moritz be excluded from the meeting as the Council receives and considers information relating to the Waste Services Tender, 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 contains commercial information that would on balance, be contrary to the public interest.

Carried Unanimously

7.02 pm the meeting went into confidence

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

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, S48 Prudential Management Review - Waste Services, any appendices and the minutes arising from this report 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 the 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

7.03pm the meeting came out of confidence

Outcome of Business Case - 262 Sturt Road, Marion
Report Reference: GC190312F03**Moved Councillor - Jason Veliskou****Seconded Councillor - Tim Pfeiffer**

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, Carla Zub, Craig Clarke and Victoria Moritz, be excluded from the meeting as the Council receives and considers information relating to the report *Outcome of Business Case - 262 Sturt Road, Marion*, 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

7.03pm the meeting went into confidence

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

That Council:

1. Notes this report and the submission from Cruachan Investments Pty Ltd (known as Ice Rinks Adelaide) attached as Appendix One to this report.
2. Considers the business case from Cruachan Investments Pty Ltd, noting the shortcomings of information provided by the Cruachan Investments Pty Ltd and resolves to cease the Expression of Interest process for the land at 262 Sturt Road, Marion.
3. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the minutes and the 'Executive Summary' of the council report (except for the last paragraph) *Outcome of the Business Case - 262 Sturt Road, Marion GC120319*, having been considered in confidence under Section 90(2) 3(b)(i) and (ii) of the Act, except when required to effect and comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection until 5pm on Thursday, 14 March 2019.
4. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendices and the report except for the Executive Summary of the report (except for the last paragraph, which is to remain confidential) to the item "*Outcome of the Business Case - 262 Sturt Road, Marion*" GC120319, remain confidential 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

7.32pm the meeting came out of confidence

Cover Report - Morphettsville Park Sports Club Redevelopment - Approval to call Tenders for construction**Report Reference:** GC190312F04**Moved Councillor - Jason Veliskou****Seconded Councillor - Kendra Clancy**

That:

1. Pursuant to Section 90(2) 3(d)(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, Craig Clarke, 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 *Morphettsville Park Sports Club Redevelopment - Approval to Call Tenders for Construction*, 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

7.33pm the meeting went into confidence

Moved Councillor - Jason Veliskou**Seconded Councillor - Kendra Clancy**

That Council:

1. Notes this report.
2. Endorses the developed design for the Morphettsville Park Sports Club Redevelopment attached as appendix 1 to this report.
3. Approves the undertaking of call for tender for a lead construction contractor to deliver the Morphettsville Park Sports Club redevelopment.
4. Approves the Chief Executive Officer to execute and award the lead construction contractor to deliver the project, should the preferred tender price be within the approved budget of \$3.473 million.
5. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report and appendices, Morphettsville Park Sports Club - Approval to Call Tenders for Construction, 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

7.33pm the meeting came out of confidence

CORPORATE REPORTS FOR DECISION**RSL Car Park and Drainage Upgrades****Report Reference:** GC190312R04**Moved Councillor - Raelene Telfer****Seconded Councillor - Ian Crossland**

That Council:

1. Notes this report
2. Notes the immediate works to be undertaken to be funded within the existing 2018/19 budget.
3. Endorses that this upgrade comes into the City Property Strategic Asset Management Plan
4. Continues to seek environmental solutions such as watering grass, water storage, detention tanks and pervious paving to mitigate against the cost of this car park and drainage upgrade.

Carried Unanimously**Tonsley Greenway - Celtic Avenue to Daws Road****Report Reference:** GC190312R05**Moved Councillor - Raelene Telfer****Seconded Councillor - Tim Pfeiffer**

That Council:

1. Notes the report.
2. Notes that the possible western alignment through the rear of the Hamilton Secondary College is not achievable, as the College is not supportive.
3. Authorises the Mayor to write to the Minister for Transport requesting the provision of a pedestrian rail crossing at the north end of the Tonsley precinct to enable the continuation of the Tonsley Greenway.
4. Notes a further report will be presented to Council should the Minister of Transport commit to providing a pedestrian rail crossing at the northern end of the Tonsley precinct.

PROCEDURAL MOTION**Moved Councillor - Bruce Hull****Seconded Councillor - Ian Crossland**

That:

1. This item *Tonsley Greenway - Celtic Avenue to Daws Road (GC190312R05)* be deferred until the General Council Meeting to be held on 23 April 2019.

Carried Unanimously**Call for Nominations for Members of the Metropolitan Local Government Strategic Roads Committee (MSRC)****Report Reference:** GC190312R06**Moved Councillor - Tim Pfeiffer****Seconded Councillor - Nathan Prior**

Councillor Hull declared an actual conflict of interest in the item *Call for Nominations of the Metropolitan Local Government Strategic Roads Committee (MSRC) (GC190312R06)* as he has nominated for a position on the Committee and left the meeting.

7.50pm Councillor Hull left the meeting

That Council:

1. Notes the report '*all for Nominations for the Metropolitan Local Government Strategic Roads Committee (MSRC).*'
2. Nominates Councillor Hull to the LGA for a position on the Metropolitan Local Government Strategic Roads Committee (MSRC).
3. Notes that the above nomination will be forwarded to the LGA by 5.00pm on Friday 22 March 2019.

Carried Unanimously

Election of GAROC Representatives**Report Reference:** GC190312R07

7.51pm Councillor Pfeiffer declared an actual conflict of interest in the item *Election of GAROC Representatives (GC190312R07)* as he is nominated as a candidate and left the meeting.

7.53pm Councillor Hutchinson left the meeting

7.54pm Councillor Hull re-entered the meeting.

ORDER OF AGENDA

The Mayor sought and was granted leave of the meeting to move to the next item on the agenda while the count of the ballot takes place for the Election of GAROC Representatives.

SRWRA Audit Committee Member - City of Marion Representative**Report Reference:** GC190312R08**Moved Councillor - Ian Crossland****Seconded Councillor - Joseph Masika**

That

1. Mr Greg Connor is appointed to the Southern Region Waste Resource Authority Audit Committee as the City of Marion Representative for the period from February 2019 to November 2019 (aligned to his appointment on the City of Marion Finance and Audit Committee).

Carried Unanimously

CORPORATE REPORTS FOR INFORMATION/NOTING

7.55pm Councillor Pfeiffer re-entered the meeting

Moved Councillor - Joseph Masika**Seconded Councillor - Kendra Clancy**

That the following two items be moved en bloc:

- Questions Taken on Notice Register (GC190312R09)
- Corporate and CEO KPI Report Quarter Two 2018/19 (GC190312R10)

Carried Unanimously

Questions Taken on Notice Register**Report Reference:** GC190312R09**Moved Councillor - Joseph Masika****Seconded Councillor - Kendra Clancy**

That Council:

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

Carried Unanimously**Corporate and CEO KPI Report Quarter Two 2018/19****Report Reference:** GC190312R10**Moved Councillor - Joseph Masika****Seconded Councillor - Kendra Clancy**

That Council;

1. Notes this report

Carried Unanimously**Election of GAROC Representatives****Report Reference:** GC190312R07

The item *Election of GAROC Representatives* resumed as the count for the election of GAROC Representatives was finalised.

8.08pm Councillor Pfeiffer left the meeting

Moved Councillor - Jason Veliskou**Seconded Councillor - Joseph Masika**

1. That Council votes for the appointment of;
 - Tim Pfeiffer (Deputy Mayor City of Marion)
 - Heather Holmes-Ross (Mayor, City of Mitcham)

to the Greater Adelaide Regional Organisation of Councils.

Carried Unanimously

Development Plan Amendment Status Update**Report Reference:** GC190312R11

8.09 pm Councillor Pfeiffer re-entered the meeting

Moved Councillor - Tim Gard**Seconded Councillor - Nathan Prior**

That Council:

1. Notes the status of Ministerial and Council Development Plan Amendments outlined in this report.

8.17pm Councillor Crossland left the meeting

8.19pm Councillor Crossland re-entered the meeting

8.19pm Councillor Duncan left the meeting

8.21 pm Councillor Duncan re-entered the meeting

8.47pm Councillor Shilling left the meeting

8.48pm Councillor Shilling re-entered the meeting

Carried Unanimously**WORKSHOP / PRESENTATION ITEMS - Nil****MOTIONS WITH NOTICE****Mitchell Park Sports and Community Redevelopment Awareness Campaign****Report Reference:** GC190312M01**Moved Councillor - Raelene Telfer****Seconded Councillor - Luke Hutchinson**

That Council;

1. Commits up to \$22,710 to promote an awareness campaign about the need to renew the Mitchell Park Sports and Community Centre.
2. Permits the use of communication resources to develop and implement the awareness campaign.

Carried

Youth Advisory Committee**Report Reference:** GC190312M02**Moved Councillor - Matthew Shilling****Seconded Councillor - Tim Gard**

That:

1. Administration investigate and report back on the feasibility of re-establishing the City of Marion Youth Advisory Committee, including history, potential models and costings.

Carried**Grants Register****Report Reference:** GC190312M03**Moved Councillor - Tim Pfeiffer****Seconded Councillor - Bruce Hull**

That Council;

1. Maintain a Grants Register, accessible by Elected Members of Council, showing in real time
 - available grants, relevant to Council projects, which have been noted by staff
 - grants for which staff have decided to prepare an application
 - when grants are actually applied for, including the scope of the grant and amount sought
 - the outcome of grant applications including any conditions e.g.; timeframes and any co-funding requirements"

Carried Unanimously**Boundary Realignment - Seacliff Park****Report Reference:** GC190312M04**Moved Councillor - Tim Gard****Seconded Councillor - Ian Crossland**

That:

1. The Mayor write to the Boundaries Commission, as soon as possible after the Development Plan Amendment (DPA) is finalised to rezone the land on Scholefield Road, Seacliff Park, to seek advice / guidance regarding the intent to alter the boundary between the City of Marion and the City of Holdfast Bay such that the boundary is the centre line of Scholefield Road and Newland Avenue (as attached in Appendix 1).

Carried Unanimously

Waste & Recycling - bin collection magnets**Report Reference:** GC190312M05**Moved Councillor - Tim Pfeiffer****Seconded Councillor - Jason Veliskou**

That Council receive a report in May 2019 on the cost of:

1. Distributing to each household before Christmas each year a DL size waste collection calendar (for the following year) backed by a fridge magnet.
2. Providing hard copies of the Waste and Recycling advice booklet to incoming ratepayers as part of a new residents' pack.

Carried**New Residents' Kit****Report Reference:** GC190312M06**Moved Councillor - Tim Pfeiffer****Seconded Councillor - Bruce Hull**

That Council:

1. Using existing funding, distribute an electronic copy of our Residents' Kit to incoming ratepayers or, if no email is available for a particular household, distribute a hard copy of our New Residents' Kit to the residential or business address of incoming ratepayers (one per address).

Carried Unanimously

Amendment to Streetscape Policy and Verge Guidelines**Report Reference:** GC190312M07**Moved Councillor - Luke Hutchinson****Seconded Councillor - Tim Pfeiffer**

That Council:

1. Amend the Streetscape Policy and Verge Guidelines to include the ability for property owners to apply to install artificial turf treatments to council verges and that the purchase, installation and maintenance being at the property owner's cost.
2. An appropriate application and acknowledgement form be developed to ensure that it is the responsibility of the property owner to maintain the treatment; to avoid trip hazards, and that where services are accessed by council or utility providers, council will not be liable for reinstatement, and it will be the property owner's responsibility to reinstate the treatment.

PROCEDURAL MOTION**Moved Councillor - Joseph Masika****Seconded Councillor - Jason Veliskou**

That:

1. This item *Amendment to Streetscape Policy and Verge Guidelines (GC190312M07)* be deferred until the General Council Meeting on 23 April 2019.

The vote was tied
The Mayor made a casting vote and voted in favour of the motion
Carried

QUESTIONS WITH NOTICE**External recruitment expenditure for last 2 years****Elected Member:** Councillor Luke Hutchinson**Report Reference:** GC190312Q01**Question:**

1. Can staff please advise council how much money has been spent on external recruitment over the last 2 years - including all non-overhead/internal costs.

Supporting Information:

Nil

Response Received From: Manager Human Resources - Steph Roberts

Attached in Appendix 1 (to the report) is an overview of the recruitment costs (plus other incidental costs in relation to advertising, screenings and pre-employment medicals) for the previous two full financial years plus year to date.

The increase in recruitment costs in the 2017/18 financial year was due to the recruitment of a significant number of roles resulting from the 2017 organisational restructure. A decision was made in the 2018/19 financial year to reduce the reliance on full service recruitment agencies, resulting in a reduction in the recruitment costs to Council.

With regards to non-overhead/internal costs relating to recruitment, these costs are not captured against each recruitment assignment, however there is an associated significant investment of staff and management time. There are a number of variables which make it difficult to cost internal aspects of the recruitment process, such as:

1. The level of work conducted by agencies compared to internal resource requirements (which differs with each recruitment assignment/external agency service agreement) and;
2. Differing pay levels of employees on recruitment panels

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 9.30 pm on Tuesday 12 March 2019

CONFIRMED THIS 12 FEBRUARY 2019

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CHAIRPERSON