

MINUTES OF THE GC190827 - GENERAL COUNCIL MEETING - 27 August 2019

Tuesday, 27 August 2019 at 06:30 PM

Council Administration Centre, 245 Sturt Road, Sturt



PRESENT :

Elected Members

Councillor - Ian Crossland, Councillor - Tim Gard, Councillor - Jason Veliskou, Councillor - Bruce Hull, Councillor - Nathan Prior, Councillor - Raelene Telfer, Councillor - Luke Hutchinson, Councillor - Tim Pfeiffer (Chair), Councillor - Kendra Clancy, Councillor - Maggie Duncan, Councillor - Matthew Shilling, Councillor - Joseph Masika

DATE :

Tuesday, 27 August, 2019 | Time 6:30 PM

VENUE :

Council Chamber

In Attendance

Chief Executive Officer - Adrian Skull	Acting General Manager City Development - Fiona Harvey
General Manager City Services - Tony Lines	Manager Corporate Governance - Kate McKenzie
Acting General Manager Corporate Services - Ray Barnwell	Governance Officer - Victoria Moritz

OPEN MEETING

In the absence of the Mayor, Deputy Mayor Pfeiffer opened the meeting at 06:30 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)

Nil interests were disclosed.

CONFIRMATION OF MINUTES

Confirmation of the minutes for the General Council Meeting held on 13 August 2019

Report Reference: GC190827R01

Moved Councillor - Joseph Masika

Seconded Councillor - Matthew Shilling

1. That the minutes of the General Council Meeting held on 13 August 2019 be taken as read and confirmed.

Carried Unanimously

COMMUNICATIONS

Moved Councillor - Luke Hutchinson

Seconded Councillor - Nathan Prior

That the following reports be moved en bloc:

- Mayoral Communication Report (GC190827R02)
- Deputy Mayoral Communication Report (GC190827R03)
- CEO and Executive Communication Report (GC190827R04)

Carried Unanimously

Mayoral Communication Report

Title Mayoral Communication Report

Name of Elected Member Mayor - Kris Hanna

Report Reference GC190827R02

Details

(to follow on next page)

Date	Event	Comments
28/7/19	Oliphant Avenue Community Orchard Fruit Tree Planting	Attended; gave speech
28/7/19	Oaklands Crossing Opening	Attended; gave speech
31/7/19	Unsung Heroes Awards	Hosted
31/7/19	Active Elders Association Christmas In July celebrations	Attended
31/7/19	Meeting with Chance Ndume from AIME Mentoring	Hosted
1/8/19	Kaurna Old People's Remains Repatriation Ceremony	Attended
4/8/19	Morphettville Park Football Club soil turning activity	Attended; gave speech; tossed coin; awarded cup
5/8/19	Hallett Cove East Residents Association AGM	Attended
5/8/19	#ARfTer5 Marion Staff art exhibition	Attended
6/8/19	Citizenship ceremonies (x2)	Hosted
7/8/19	'Building a Better Future in SA' event hosted by the Hon Carolyn Power MP	Attended
8/8/19	Mitchell Park Sports and Community Club design meeting with clubs	Hosted
10/8/19	Hazelmere Road Reserve Dog Park Opening	Attended; opened park
11/8/19	Irish Dancing State Championships	Attended; gave speech
14/8/19	First Avenue Reserve opening	Attended; opened reserve
14/8/19	Presentation to Productivity Commission of SA re: Local Government Reform	Attended
14/8/19	Meeting with Mayor Thompson of Onkaparinga Council	Attended
20/8/19	Hallett Cove Meals on Wheels Annual AGM	Attended

Moved Councillor - Luke Hutchinson

Seconded Councillor - Nathan Prior

That:

1. The Mayoral Communication Report be noted.

Carried Unanimously

Deputy Mayor Communication Report

Title	Deputy Mayor Communication Report
Date of Council Meeting	27 August 2019
Name of Elected Member	Councillor - Tim Pfeiffer
Report Reference	GC190827R03

Date	Event	Comments
25 June 2019	Woodlands Ward Briefing	
27 June 2019	Mayor's monthly Coast FM segment	
21 July 2019	SA Short Course Swimming Championships 2019	Guest dignitary and medal/trophy presenter
23 July 2019	Consultative Group North South Corridor - Inaugural Meeting	Chair
23 July 2019	Woodlands Ward Briefing	
25 July 2019	Mayor's monthly Coast FM segment	
28 July 2019	Oaklands Crossing Grade Separation Project Community Celebration	
27 July 2019	Edwardstown Football Club game	Attended
9 August 2019	Meeting with Scott Calvert, Chair of the Edwardstown Club	
9 August 2019	Opening of the Gallery M Open Contemporary Art Prize 2019	Guest Speaker
10 August 2019	South Road Cricket Club Life Members Day	Attended
10 August 2019	Edwardstown Football Club game	Attended
20 August 2019	Meeting with Maureen Lewis, Secretary of the Edwardstown Club	
24 August 2019	Opening of the BMX Bad Boy Series Championship at the Cove	Attended
27 August 2019	Woodlands Ward Briefing	
25 August 2019	Opening the season and the new training facility of the South Road Cricket Club	Attended

Moved Councillor - Luke Hutchinson

Seconded Councillor - Nathan Prior

That:

1. The Deputy Mayoral Communication Report be noted.

Carried Unanimously

CEO and Executive Communications Report

Title	CEO and Executive Communications Report
Date of Council Meeting	27 August 2019
Report Reference	GR190827R04

Date	Activity	Attended By
25 July 2019	IPAA "On the Couch with John Schutz" MC for the event	Adrian Skull
26 July 2019	Meeting with Graham Brown (Baptist Care SA)	Adrian Skull
28 July 2019	Oaklands Crossing - Community Celebration	Abby Dickson
29 July 2019	Cross Council Initiatives meeting with CEO's from Port Adelaide Enfield and Charles Sturt with Erika Comrie	Adrian Skull
30 July 2019	Executive Governance Meeting Irrigation Project with Cities of Port Adelaide Enfield and Charles Sturt	Tony Lines
31 July 2019	South Australian Productivity Commission Local Government Reference Group	Adrian Skull
1 August 2019	Meeting with Essential Services Commission of SA on Regulation of Small-scale Networks	Tony Lines
1 August 2019	Cross Council Quarterly Executive Meeting with City of Charles Sturt and City of Port Adelaide Enfield.	Abby Dickson Ray Barnwell Adrian Skull Tony Lines
6 August 2019	MC for Citizenship Ceremony at Edwardstown Soldiers Memorial	Adrian Skull
8 August 2019	Meeting with Justin Jamieson KPMG	Adrian Skull
8 August 2019	LGA CEO Advisory Group Meeting	Adrian Skull

8 August 2019	Council Solutions working group meeting	Adrian Skull
12-13 August 2019	Liveable Cities Conference	Tony Lines
13 August 2019	Meeting with Kylie Taylor and Anthea Shem (ORSR)	Adrian Skull
13 August 2019	Meeting with Prof. Venessa Lemm (Flinders University)	Adrian Skull
14 August 2019	Meeting Fleet Management/Procurement with Cities of Port Adelaide Enfield and Charles Sturt	Tony Lines
15 August 2019	Chair Zone Emergency Management Committee Meeting (ZEMC)	Tony Lines
15 August 2019	Meeting Tonsley Project Control Group	Tony Lines
15 August 2019	Meeting with SAGE Automation Tonsley	Adrian Skull
19 August 2019	Climate Risk and Governance Project debrief workshop with City of Onkaparinga	Tony Lines Fiona Harvey
20 August 2019	Meeting St Martin de Porres School on parking options	Tony Lines
22 August 2019	Meeting Seels Technology	Tony Lines
22 August 2019	Southern Recycling Centre Joint Venture Committee Meeting	Ray Barnwell

Moved Councillor - Luke Hutchinson

Seconded Councillor - Nathan Prior

That:

1. The CEO and Executive Communication Report be noted.

Carried Unanimously

Elected Member Communication Report

Title	Elected Member Communication Report
Date of Council Meeting	27 August 2019
Name of Elected Member	Councillor - Raelene Telfer
Report Reference	GC190827

Date	Event	Comments
24 July 2019	Seaview High Working Group	Traffic Hazard Management Group
25 July 2019	Andrea's Farewell	Passionate Presentation
28 July 2019	Oaklands Crossing	Opening of train underpass and allied landscaping
29 July 2019	Reconciliation Action Plan	Policy and Guidelines
31 July 2019	Unsung Hero Awards	Presentation
4 August 2019	Morphettville Park	Sod turning
6 August 2019	Citizenship Ceremony	Edwardstown venue
7 August 2019	Special Urban Planning	Seacliff DPA
8 August 2019	Mitchell Park Sports and Community	Clubs on rebuilding
10 August 2019	Hazelmere Rd Reserve	Dog Park opening
12 August 2019	Oaklands Mansion interpretation	Request for Oaklands Reserve
13 August 2019	Marion Historic Village	AGM Chaired
13 August 2019	Warriparinga Ward	Briefing
14 August 2019	Seaview High Governing Council	Traffic congestion discussions
14 August 2019	Mitchell Park Sports and Community	Committee Meeting
20 August 2019	Mitchell Park Early Impact	Collective planning playgroup and playground opening
26 August 2019	Marion RSL	Committee on memorials
26 August 2019	Warriparinga Development	Group Meeting

ELECTED MEMBER VERBAL COMMUNICATIONS

In accordance with the *Code of Practice - Procedures at Council Meetings 2017/18* an Elected Member has the right to speak for up to two minutes in the second meeting of Council every second month from February (with the exception of caretaker period).

DEPUTATIONS

Deputation Request from Mr Mehran Raisi, Australia Wide Recyclers Pty Ltd (Request Denied)

Report Reference: GC190827D02

Mr Mehran Raisi requested to make a deputation to Council on behalf of his organisation, Australia Wide Recyclers Pty Ltd, regarding placement of charity bins on Council land. The request was denied on the grounds that the matter was not a matter scheduled for Council and would be considered by Administration through an appropriate process.

ORDER OF AGENDA ITEMS

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

- Deputation from RSPCA regarding cat curfew (GC190827D01)
- Cat Curfew Community Consultation (GC190827R13)
- By-law Update and Legal Advice (confidential - GC190827F01)

Deputation from RSPCA regarding Cat Curfew

Report Reference: GC190827D01

Mr Paul Stephenson, CEO of the RSPCA gave a five minute deputation to Council giving the RSPCA's qualified endorsement of the cat curfew by-law.

Cat Curfew Community Consultation

Report Reference GC190827R13

Moved Councillor - Jason Veliskou

Seconded Councillor - Ian Crossland

That Council:

1. Receives and notes this report

Carried

CONFIDENTIAL ITEMS

Cover Report - Cat Curfew By-law Update

Report Reference GC190827F01

Moved Councillor - Jason Veliskou

Seconded Councillor - Raelene Telfer

1. That pursuant to Section 90(2) and (3)(h) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Ray Barnwell, Fiona Harvey, Tony Lines, Kate McKenzie, Victoria Moritz, Warwick Deller-Coombs, Luke

Manuel, Sharon Perin and Craig Clarke, be excluded from the meeting as the Council receives and considers information relating to the Cat Curfew By-Law Update and Legal Advice, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to legal advice.

Carried

Division called by Councillor - Bruce Hull

Voters	For	Against
Councillor - Bruce Hull		X
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 Gard	X	

Carried

7.13pm the meeting went into confidence

Moved Councillor - Ian Crossland

Seconded Councillor - Nathan Prior

1. That formal meeting procedures be suspended to discuss the item.

Carried Unanimously

7.16pm formal meeting procedures suspended

7.40pm formal meeting procedures resumed

Moved Councillor - Joseph Masika

Seconded Councillor - Tim Gard

That Council:

1. Receives and notes this report, including the attached legal advice (Appendix 1).
2. Endorses Administration write to the Dog and Cat Management Board (and the State

Government) for amendments to the Dog and Cat Management Act 2017 and associated Regulations to put beyond doubt the Council's power to make a by-law dealing with this subject matter.

3. Endorses Administration pursue the following option:

Option 1:

Delays making the By-law until formal correspondence is received from the Dog and Cat Management Board (DCMB) outlining its position and present an updated report back to Council after the correspondence has been received.

VARIATION

Councillor Masika with the consent of Councillor Gard sought and was granted leave of the meeting to vary the motion as follows:

That Council (as varied)

1. Receives and notes this report, including the attached legal advice (Appendix 1).
2. Endorses Administration write to the Dog and Cat Management Board (and the State Government) for amendments to the Dog and Cat Management Act 2017 and associated Regulations to put beyond doubt the Council's power to make a by-law dealing with this subject matter.
3. Endorses Administration pursue the following option:

Option 1:

Delays making the By-law until formal correspondence is received from the Dog and Cat Management Board (DCMB) outlining its position and present an updated report back to Council by November 2019 after the correspondence has been received.

Carried Unanimously

Moved Councillor - Jason Veliskou

Seconded Councillor - Matthew Shilling

That Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, *Cat Curfew By-Law Update and Legal Advice*, and any associated appendices arising from this report having been considered in confidence under Section 90(2) and (3)(h) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2019.

Carried Unanimously

7.52pm the meeting came out of confidence

ADJOURNED ITEMS - Nil

PETITIONS - Nil

COMMITTEE RECOMMENDATIONS - Nil

CORPORATE REPORTS FOR DECISION

Mobile Food Vendor Location Rules

Report Reference GC190827R05

7.53pm Councillor Telfer left the meeting

7.55pm Councillor Telfer re-entered the meeting

Moved Councillor - Ian Crossland

Seconded Councillor - Maggie Duncan

That Council:

1. Endorses the Mobile Food Vendor Location Rules
2. Resolves that the fees for Mobile Food Vending Permits are \$2,000 per annum, \$200 per month and \$50 per day for special and community events.
3. Authorises the Chief Executive Officer to make minor amendments to the Mobile Food Vendor Location Rules as required.

Carried Unanimously

Marion Golf Course

Report Reference GC190827R06

8.00pm Councillor Prior left the meeting

8.03pm Councillor Prior re-entered the meeting

Moved Councillor - Tim Gard

Seconded Councillor - Ian Crossland

That Council:

1. Notes this report

2. Notes that Nicole Flint MP committed \$200,000 towards the current club room building works during the most recent Federal Election.
3. Authorises the call for an Expression of Interest to the open market as a two stage process with a report to Council at the conclusion of Stage 1 with the preferred tender response(s) to seek endorsement to proceed with Stage Two - Full Business Case.

Carried

Travers Street Reserve - Revocation of Community Land Classification

Report Reference GC190827R07

Moved Councillor - Raelene Telfer

Seconded Councillor - Luke Hutchinson

That Council:

1. Notes that the land marked Lot 502 in D120077 was excluded from the community land classification by resolution made on 24 February 2015.
2. Authorises Administration to commence the revocation process including the preparation of a report under Section 194(2)(a) and undertake public consultation under Section 194(2)(b) of the Local Government Act 1999 for the whole of Travers Street Reserve being Lot 482 in D95697 being the whole of the land comprised in Certificate of Title Volume 6158 Folio 572.
3. Notes that the Community Land Classification will automatically be reinstated over the balance of Travers Street Reserve after creation of the residential allotment of approximately 680 square metres.
4. Authorises Administration to bring a report to Council for consideration of the outcome of the public consultation under Section 194(2)(b) of the Local Government Act 1999 for the revocation of the community land classification for the whole of Travers Street Reserve at Lot 482 in D95697 being the whole of the land comprised in Certificate of Title Volume 6158 Folio 572.

8.12pm Councillor Masika left the meeting

8.17pm Councillor Masika re-entered the meeting

Carried

Marion Sports and Community Club - Landlord Consent

Report Reference GC190827R08

Moved Councillor - Matthew Shilling

Seconded Councillor - Maggie Duncan

That Council:

1. Grants Landlord Consent to pave a section of the track in front of the main building at Marion Sports and Community Club, 262B Sturt Road, Marion Certificate of Title Volume 6063 Folio 665, Volume 5497 Folio 569 and Volume 6063 Folio 666 subject to:
 - All works being undertaken in a professional manner and to the satisfaction of the City of Marion
 - The City of Marion being indemnified against all claims, suites, losses etc. that may result from carrying out this work
2. Delegates to the General Manager City Development approval to authorise any relevant documents necessary to facilitate the construction and management of the works
3. Advises that the Marion Sports and Community Club Incorporated will be responsible for any related costs and will be responsible for all future maintenance and repairs
4. Notes that Landlord Consent will be subject to Development Approval and Building Rules

Carried Unanimously

Establishment of a World War II Honour Board - non-traditional & creative manner

Report Reference GC190827R09

PROCEDURAL MOTION

Moved Councillor - Raelene Telfer

Seconded Councillor - Ian Crossland

1. That formal meeting procedures be suspended to discuss the item.

Carried Unanimously

8.21pm formal meeting procedures suspended

8.21pm Councillor Shilling left the meeting

8.24pm Councillor Shilling re-entered the meeting

8.32pm formal meeting procedures resumed

Moved Councillor - Tim Gard

Seconded Councillor - Nathan Prior

1. That this item be deferred to enable discussion at an Elected Member Forum in November 2019

Carried

Hallett Cove R12 School - Parking Improvements

Report Reference

GC190827R10

8.34pm Councillor Veliskou left the meeting

Moved Councillor - Ian Crossland

Seconded Councillor - Tim Gard

That Council:

1. Notes the report.
2. Notes the State Government is contributing \$283,000 (excluding GST) to fund the extension to the Hallett Cove R-12 School car park located adjacent to Gledsdale Road.
3. Endorses providing in-kind support for the design and project management to extend the car park.
4. Authorises Administration entering into a funding agreement with the Department of Planning, Transport and Infrastructure for the extension of the car park adjacent to Gledsdale Road.

Carried Unanimously

CORPORATE REPORTS FOR INFORMATION/NOTING

8.36pm Councillor Veliskou re-entered the meeting

PROCEDURAL MOTION

Moved Councillor - Raelene Telfer

Seconded Councillor - Luke Hutchinson

That the following items be moved en bloc:

- Community Event Fund Annual Report 2018/19 (GC190827R11)
- Youth Engagement and Consultation Report Update (GC190827R12)
- Corporate Risk Report - Quarter Four 2018/19 including Annual Risk Profile (190827R14)

Carried Unanimously

Community Event Fund Annual Report 2018/19

Report Reference GC190827R11

Moved Councillor - Raelene Telfer

Seconded Councillor - Luke Hutchinson

That Council:

1. Notes the report.

Carried Unanimously

Youth Engagement and Consultation Report Update

Report Reference GC190827R12

Moved Councillor - Raelene Telfer

Seconded Councillor - Luke Hutchinson

That Council:

1. Notes the report.
2. Notes the report about the recent youth engagement activities will be presented to Council on 24 September 2019.

Corporate Risk Report - Quarter Four 2018/19 including Annual Risk Profile

Report Reference GC190827R14

Moved Councillor - Raelene Telfer

Seconded Councillor - Luke Hutchinson

That Council:

1. Notes the progress report including the reduction of risk, the mitigation strategies of high rated risks and how the Risk Profile compares against the sector.

Carried Unanimously

PROCEDURAL MOTION

Moved Councillor - Luke Hutchinson

Seconded Councillor - Matthew Shilling

That the following items be moved en bloc:

- Questions Taken on Notice Register (GC190827R15)
- Work Health and Safety - Monthly Performance Report - July 2019 (GC190827R16)
- Finance Report - July 2019 (GC190827R17)

Carried Unanimously

Questions Taken on Notice Register

Report Reference GC190827R15

Moved Councillor - Luke Hutchinson

Seconded Councillor - Matthew Shilling

That Council:

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

Carried Unanimously

Work Health & Safety - Monthly Performance Report - July 2019

Report Reference GC190827R16

Moved Councillor - Luke Hutchinson

Seconded Councillor - Matthew Shilling

That Council:

1. Notes the report and statistical data contained therein.

Carried Unanimously

Finance Report - July 2019

Report Reference GC190827R17

Moved Councillor - Luke Hutchinson

Seconded Councillor - Matthew Shilling

That Council:

1. Receives the report "Finance Report – July 2019"

Carried Unanimously

WORKSHOP / PRESENTATION ITEMS - Nil

MOTIONS WITH NOTICE

Request to DPTI for a briefing on options for the North-South Corridor

Report Reference: GC190827M01

8.41pm Councillor Duncan left the meeting and did not return.

Moved Councillor - Jason Veliskou

Seconded Councillor - Nathan Prior

That Council:

1. Endorse a letter from Council to the Minister for Planning Transport and Infrastructure requesting a briefing from DPTI to Elected Members on the options currently being considered by the South Australian Government for the north-south corridor.

Carried Unanimously

Field River Valley Research

Report Reference: GC190827M02

Moved Councillor - Ian Crossland

Seconded Councillor - Tim Gard

1. That Council:

- Recognises the importance of preserving Heritage listed buildings and maintaining the biodiversity within the City of Marion
- Writes to the Minister for Environment and Water and requests that the owners of the Field

River Valley (Sheidow Park) are reminded of their obligations under the Heritage Places Act 1993 and “Declared Plant Policy under the NRM Act” which applies to their land.

- Requests that the Minister considers appropriate action should the owners allow the ongoing degradation of the Worthing Mine or fail to remove declared weeds and olives from their land, as outlined in the aforementioned act and policy.

Carried Unanimously

QUESTIONS WITH NOTICE - Nil

MOTIONS WITHOUT NOTICE

Councillor Crossland - Request for Leave of Absence

Report Reference: GC190827M03

Moved Councillor - Ian Crossland

Seconded Councillor - Tim Gard

1. That Councillor Crossland be granted leave of absence from 28 August 2019 until 8 October 2019.

Carried Unanimously

Recognition and Appreciation of Service to Councillor Tim Pfeiffer

Report Reference: GC190827M04

Moved Councillor - Ian Crossland

Seconded Councillor - Raelene Telfer

That Council:

1. Recognise the outstanding service of Councillor Pfeiffer and thank him for his contribution to Council and the Community during his time on Council.

Carried Unanimously

QUESTIONS WITHOUT NOTICE

Questions were asked and either answered or taken on notice during this period.

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 8.51 PM

CONFIRMED THIS 24th DAY OF SEPTEMBER

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CHAIRPERSON