

**MINUTES OF THE GENERAL COUNCIL MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 22 SEPTEMBER 2015**



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward

Ian Crossland
Tim Gard

Mullawirra Ward

Jerome Appleby
Jason Veliskou

Southern Hills

Nick Westwood

Warracowie Ward

Bruce Hull

Warriparinga Ward

Luke Hutchinson
Raelene Telfer

Woodlands Ward

Tim Pfeiffer

In Attendance

Mr Adrian Skull
Mr Vincent Mifsud
Ms Kathy Jarrett
Ms Abby Dickson
Ms Kate McKenzie
Ms Victoria Moritz

CEO
Director
Director
Acting Director
Manager Governance
Governance Officer

COMMENCEMENT

The meeting commenced at 7.00pm.

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.

MEMBERS DECLARATION OF INTEREST

The Chair asked if any Member wished to disclose an interest in relation to any item being considered at the meeting and the following declaration was made:

- Councillor Pfeiffer declared a conflict of interest in the item *Council Committee Terms of Reference* (recommendation 2 relating to the appointment of an expert member to the Finance and Audit Committee) GC220915R07.
- Councillor Gard declared a conflict of interest in the item *Seacliff Park Residential and Centre Development Plan Amendment (DPA) – Community Consultation* GC220915R01.

CONFIRMATION OF MINUTES

General Council meeting held on 8 September 2015

Moved Councillor Telfer, Seconded Councillor Westwood that the minutes of the General Council meeting held on 8 September 2015 be taken as read and confirmed.

Carried Unanimously

Chief Executive Committee meeting held on 8 September 2015

Moved Councillor Gard, Seconded Councillor Crossland that this item be adjourned until after the next Chief Executive Officer Committee meeting is held.

Carried Unanimously

ADJOURNED ITEMS

Nil

WORKSHOP / PRESENTATION ITEMS

Nil

COMMUNICATION - HIS WORSHIP THE MAYOR

Report on Mayoral Activities for August and September 2015

Date	Event	Comment
26 August 2015	Junction Stakeholder Group	Attended
26 August 2015	Meeting with Marion Bowling Club	Attended
26 August 2015	Meeting with Andrew Linke (Emmaus Christian College) re O'Halloran Hill Tafe Site	Attended
26 August 2015	Meeting with Marion Tennis Club	Attended
26 August 2015	ERBA Annual General Meeting	Attended
27 August 2015	Elected Member Farewell for Geoff Whitbread	Attended
28 August 2015	Meeting with Marion Croquet Club	Attended
28 August 2015	Kokubunji – Sister City Relationship Meeting	Attended
29 August 2015	Edwardstown Oval Site Inspection	Attended
29 August 2015	Exhibition Opening at Migration Museum	Attended
29 August 2015	Day on the Khaki Green Warradale Army Barracks Open Day	Attended and gave opening speech
2 September 2015	Meeting with Club Marion	Attended
3 September 2015	ERBA Breakfast - Budget & Q&A with Treasurer Koutsantonis	Attended
7 September 2015	Meeting with BDO re CEO Contract Report	Attended
9 September 2015	Metropolitan Mayors Luncheon	Attended
10 September 2015	Official Opening of City Services Building for Elected Members and Staff	Attended and gave opening speech
11 September 2015	Interview with Professor Andrew Beer re Mayoral Leadership Research Project	Attended
11 September 2015	Ascot Park School Gymnastics Assembly	Attended and gave speech
12 September 2015	Marion RSL Bowling Club - Opening of the 2015-2016 Pennant Season	Attended and participated in official procedures
16 September	Meeting with Daniel Mitroussidis and	Attended

2015	Neil Pahuja re Letter of Support for All Care Aged Care - Dover Gardens	
16 September 2015	The Welcome Workshop	Attended and Participated
16 September 2015	Edwardstown Lions Club Annual Dinner (including. Citizenship Ceremony)	Attended
16 September 2015	Marion Uniting Church Womens Evening Fellowship Group - 'Your Life as Mayor of the City of Marion'	Attended and gave speech
In addition the Mayor has met with residents and also with the CEO and Council staff regarding various issues.		

Moved Councillor Telfer, Seconded Councillor Hutchinson that the report by the Mayor be received.

Carried Unanimously

COMMUNICATION – DEPUTY MAYOR

Report on Deputy Mayoral Activities for August and September 2015

Date	Event	Comment
23 August 2015	Hindu Society of SA 30 th Anniversary	Attended
1 September 2015	Warriparinga Ward Briefing	Attended
8 September 2015	CEO Review Committee	Attended

Moved Councillor Telfer, Seconded Councillor Hutchinson that the report by the Deputy Mayor be received.

Carried Unanimously

COMMUNICATION – ELECTED MEMBERS

Councillor Raelene Telfer

Date	Event	Comment
27-08-15	Marion Historic Village Project Group	Liaison role regarding communication
30-08-15	Friends of Sturt Landcare	Weeding Kenton Ave Reserve
1-09-15	Warriparinga Ward Briefing	Local projects
4-09-15	Gallery M exhibition	Containment
7-09-15	History of Edwardstown researching	Jan Vincent met Dr Jo Ankor and I
8/09/15	CEO Review Committee	Interpretation of the CEO KPI's
10/09/15	Opening of City Services building	Toured and met staff after official opening
17/09/15	Mitchell Park Sports & Community Club	System foci
21/09/15	Cosgrove Hall	AGM

Moved Councillor Telfer, Seconded Councillor Hutchinson that the Elected Member Communication Reports be received.

Carried Unanimously

COMMUNICATION – CEO AND EXECUTIVE REPORTS

Report on CEO and Executive Activities for August and September 2015

Date	Activity	Attended by	Comments
28 August	South Australian Local Government Finance Management Group Annual General Meeting	Vincent Mifsud	
3 September	Heliostat	Kathy Jarrett	Arranged by Cr Prior, with other Elected Members and staff in attendance
4 September	Western Adelaide Consultative Group	Adrian Skull	
4 September	Meeting with Colin Stirling, Vice Chancellor Flinders University; Matt Pears, CEO City of Mitcham and David Banks, Flinders University	Adrian Skull	
9 September	Metropolitan Local Government Group meeting	Vincent Mifsud	

11 September	Meeting with Jim Hallion, State Coordinator General; Matthew Pears, CEO City of Mitcham; Luigi Rossi, General Manager Project Delivery DPTI	Adrian Skull	Meeting requested by Luigi Rossi
16 September	Council Solutions	Vincent Mifsud	
21 September	Southern Region Waste Resource Authority Annual General Meeting	Vincent Mifsud	
22 September	Council Solutions Board of Management Meeting	Adrian Skull Vincent Mifsud	

Moved Councillor Telfer, Seconded Councillor Hutchinson that the report by the CEO and Executive be received.

Carried Unanimously

YOUTH ADVISORY COMMITTEE (YAC) UPDATE

Nil

DEPUTATIONS

Nil

PETITIONS

Nil

COMMITTEE RECOMMENDATIONS

Nil

WORKSHOP / PRESENTATION ITEMS

Nil

CORPORATE REPORTS FOR DECISION

Councillor Gard declared a conflict of interest in the matter as he lives in close proximity to the area in discussion and left the meeting.

7.13pm Cr Gard left the meeting.

7.13pm **Seacliff Park Residential and Centre Development Plan Amendment (DPA) – Community Consultation**
Report Reference: GC220915R01

Moved Councillor Crossland, Seconded Councillor Hutchinson that council:

1. Note the Minister's approval for the Seacliff Park Residential and Centre DPA to be placed on public consultation and the amendments to be undertaken to the DPA prior to consultation taking place.

Carried Unanimously

7.14pm Councillor Gard re-entered the meeting

7.14pm **Edwardstown Oval - National Stronger Regions Fund**
Report Reference: GC220915R02

Moved Councillor Pfeiffer, Seconded Councillor Telfer that Council:

1. Endorse the Edwardstown Oval Architectural Brief (Appendix 2) for the development of a costed concept plan and authorise the calling of a select tender to engage architectural, civil engineering, services engineering, landscape architecture and cost management services.
2. Endorse the costed concept plan being developed on the basis of recommended building and various ground improvements to a financial target of \$7 - \$8 million.
3. Endorse the roles and responsibilities (Appendix 3) documented for the various parties associated with the project.
4. Approve funding of up to \$135,000 for the necessary additional staff resources and specialist consultants required to develop a concept plan and a comprehensive NSRF submission. That this funding will be sourced from the Asset Sustainability Reserve – Community Facilities Partnership Program.
5. Note that the Chief Executive Officer will review resourcing required to develop the concept plan and the lodgement of the NSRF application and will allocate resources, inclusive of new resources, as required.

Amendment:

Moved Councillor Hull, Seconded Councillor Veliskou

1. Endorse the Edwardstown Oval Architectural Brief (Appendix 2) for the development of a costed concept plan and authorise the calling of a select tender to engage architectural, civil engineering, services engineering, landscape architecture and cost management services.

2. Endorse the costed concept plan being developed on the basis of recommended building and various ground improvements to a financial target of \$7 - \$8 million.
3. Endorse the roles and responsibilities (Appendix 3) documented for the various parties associated with the project.
4. Approve funding of up to \$135,000 for the necessary additional staff resources and specialist consultants required to develop a concept plan and a comprehensive NSRF submission. That this funding will be sourced from the Asset Sustainability Reserve – Community Facilities Partnership Program.
5. Note that the Chief Executive Officer will review resourcing required to develop the concept plan and the lodgement of the NSRF application and will allocate resources, inclusive of new resources, as required.
6. That the council supports an urgent full review of the management structure at this site.

That the Amendment become the motion was **Carried**
The motion was **Carried**

7.45pm **Community Energy Opportunities**
 Report Reference: GC220915R03

Moved Councillor Hull, Seconded Councillor Veliskou that Council:

1. Holds a facilitated discussion at the 17 November 2015 Elected Members' Forum to:
 - Develop clear objectives and agreed outcomes for energy efficiency and community renewable energy initiatives in the City of Marion;
 - Identify priority energy efficiency and community renewable energy options for further investigation;
2. Allocates approximately \$5,000 from savings achieved by ceasing the purchase of GreenPower to both support the facilitated workshop and for follow up work;
3. Allocates approximately \$10,000 from savings achieved by ceasing the purchase of GreenPower to review and update previous audit reports and develop a program of works to improve the energy efficiency of key Council buildings.

Councillor Appleby called a point of order on the basis that recommendations 2 and 3 are in direct opposition to a previous resolution of Council.

The Mayor ruled in favour of the point of order.

The motion was then varied to amend recommendations 2 and 3 of the motion to address the point of order raised as follows:

That Council (as varied):

1. Holds a facilitated discussion at the 17 November 2015 Elected Members' Forum to:

- Develop clear objectives and agreed outcomes for energy efficiency and community renewable energy initiatives in the City of Marion;
 - Identify priority energy efficiency and community renewable energy options for further investigation;
2. Allocates approximately \$5,000 from identified savings resulting from the 2014/15 financial year to both support the facilitated workshop and for follow up work;
 3. Allocates approximately \$10,000 from identified savings resulting from the 2014/15 financial year to review and update previous audit reports and develop a program of works to improve the energy efficiency of key Council buildings.

The varied motion was carried

8.00pm Wi-Fi Access in Council Owned Community Buildings
Reference No: GC220915R04

Moved Councillor Veliskou, Seconded Councillor Westwood that Council:

1. Note this report.
2. Revisit the issue by 31 July 2016 reassessing any subsequent progress and opportunities that may arise.

Carried

8.07pm Chief Executive Review Committee Amendment
Reference No: GC220915R05

Moved Councillor Pfeiffer, Seconded Councillor Crossland that the motion resolved on 25 November 2014 (GC251114R04) excluding point 4 be amended to:

That Council:

1. Establishes the Chief Executive Review Committee until 30 January 2016 to conduct the annual Chief Executive Officer performance and remuneration reviews in accordance with the Terms of Reference as set out in Appendix 1 to this report and the Chief Executive Officer's Employment Agreement.
2. Appoints the Mayor, Councillor Hutchinson and Councillor Telfer to this Committee until it ceases on 30 January 2016.
3. The Terms of Reference of the CEO Review Committee be reviewed, commencing in July 2015 to be concluded before November 2015.

Carried Unanimously

Strategic Directions Committee Amendment
Ref No: GC220915R06

Moved Councillor Veliskou, Seconded Councillor Telfer that part 1 of the motion resolved on 25 November 2014 (GC251114R05) be amended to:

1. Establishes the City of Marion Strategic Directions Committee **until the end of November 2015.**

Carried Unanimously

8.10pm **Council Committees Terms of Reference**
- Finance and Audit
- Strategic Issues
- People and Culture
- Urban Planning
- Infrastructure
Report Reference: GC220915R07

Councillor Hutchinson sought and was granted leave of the meeting to address recommendation 2 of the report first.

Councillor Pfeiffer declared a conflict of interest in recommendation 2 of the matter due to his employment.

8.11pm Councillor Pfeiffer left the meeting.

Moved Councillor Hutchinson, Seconded Councillor Westwood that Council:

2. Appoint Mr Lew Owens as expert member to the Finance and Audit Committee until November 2018.

Carried Unanimously

8.12pm Councillor Pfeiffer re-entered the meeting.

Moved Councillor Hutchinson, Seconded Councillor Crossland that formal meeting procedures be suspended to allow for informal discussion on the item.

Carried Unanimously

8.12pm meeting suspended.

8.25pm Councillor Appleby left the meeting.

8.27pm Councillor Appleby re-entered the meeting.

8.53pm formal meeting procedures resumed.

Moved Councillor Hutchinson, Seconded Councillor Crossland that Council:

1. Adopts the Terms of Reference for the Finance and Audit Committee as provided in Appendix 1 and amended based on the discussion and feedback provided.
3. Adopts the Terms of Reference for the People and Culture Committee as provided in Appendix 2 and amended based on the discussion and feedback provided.
4. Adopts the Terms of Reference for the Strategy Committee as provided in Appendix 3 and amended based on the discussion and feedback provided.
5. Adopts the Terms of Reference for the Infrastructure Committee as provided in Appendix 4 and amended based on the discussion and feedback provided.
6. Adopts the Terms of Reference for the Urban Planning Committee as provided in Appendix 5 and amended based on the discussion and feedback provided.
7. Each of the Terms of Reference for the Committees is placed on the Council website prior to their commencement in January 2016.
8. Sets the sitting fees for the Committees as follows:
 - a) Expert member at \$1000 per meeting
 - b) Finance and Audit Committee Chairperson \$1200 per meeting
9. Adopts the meeting schedule for the Committees as set out in Appendix 6 to this report.
10. Endorses the composition of a Selection Advisory Panel as the Elected Members appointed to the People & Culture Committee (as selected on October 13, 2015) to source and evaluate potential candidates for appointment as Expert Members to each Committee (with the exception of the Finance and Audit Committee) for recommendation to Council.
11. Requests a further report be presented to the General Council meeting on 13 October 2015, to appoint the elected member representatives and presiding members to each of the Committees.

Carried

8.58pm **Code of Practice, Procedures at Meetings 2015**
Report Reference: GC220915R08

Moved Councillor Hutchinson, Seconded Councillor Telfer that Council:

1. Adopts the amended 'Code of Practice – Procedures at Council Meetings 2015' provided at Appendix 1 to this report, subject to the inclusion of identified changes.

Amendment

Moved Councillor Veliskou, Seconded Councillor Gard that:

1. Council adopts the amended 'Code of Practice – Procedures at Council Meetings 2015' provided at Appendix 1 to this report, subject to the inclusion of identified changes.

2. The verbal communication reports by Elected Member on the fourth Tuesday of the month are reinstated.

That the Amendment become the motion was **Lost**

Councillor Veliskou called for a Division.

Councillor Appleby called a point of order on the basis that a division cannot be called on an amended motion.

The Mayor ruled in favour of the point of order.

The original motion was put and a two thirds majority was not achieved.

The motion was **Lost**

The Mayor sought and was granted leave of the meeting to bring forward the item *Cove Civic Centre GC220915F01*.

CONFIDENTIAL ITEMS

9.06pm Cove Civic Centre
Report Reference: GC220915F01

Moved Councillor Westwood, Seconded Councillor Crossland that:

1. pursuant to Section 90(2) and (3)(b) and (d) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Geoff Whitbread, Vincent Mifsud, Abby Dickson, Kathy Jarrett, Kate McKenzie, Victoria Moritz, John Valentine and Deborah Horton be excluded from the meeting as the Council receives and considers information relating to the Cove Civic Centre, 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 a matter that could confer a commercial advantage to a third party and prejudice the commercial position of Council.

Carried Unanimously

9.06pm the meeting went into confidence

Moved Councillor Crossland, Seconded Councillor Gard that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, Cove Civic Centre and the minutes arising from this report having been considered in confidence under Section 90(3)(b)(i)(ii) of the Act shall, 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 2015

Carried Unanimously

9.46 pm the meeting came out of confidence

CORPORATE REPORTS FOR INFORMATION / NOTING

9.48pm Finance Report – August 2015 Report Reference: GC220915R09

Moved Councillor Telfer, Seconded Councillor Hutchinson that Council:

1. Receive the report “Finance Report – August 2015”.

Carried Unanimously

MATTERS RAISED BY MEMBERS

Questions with Notice

Nil

Motions with Notice

9.51pm Tonsley Train Line Service Ref No: GC220915M01

Moved Councillor Hull, Seconded Councillor Hutchinson that:

1. Council writes to the Transport Minister Stephen Mulligan and Annabel Digance MP requesting:
 - a. The introduction of a weekend train service on the Tonsley Line at hourly intervals that Council believes that having no weekend train service on the Tonsley Line is not best practice in public transport and is a gross underutilisation of significant public funded infrastructure; and
 - b. The renaming of stations along the line.

Carried

8.56pm Advertising on Bus Shelters Ref No: GC220915M02

Moved Councillor Veliskou, Seconded Councillor Pfeiffer that Council:

1. Be provided a report on how Council can prevent junk food advertising on bus shelters in immediate proximity to Schools and Kindergartens in the Marion council area.

That this report identify:

- the owners of the bus shelters,
- the providers of the advertising,
- the types of advertising currently in place
- the shelters with City of Marion branding of any sort and
- options available to regulate advertising in the different bus shelter arrangements with the Marion Council area.

Moved Councillor Westwood, Seconded Councillor Gard that the meeting be extended for a period of 10 minutes to allow the remaining items to be dealt with.

Carried

10.00pm meeting extended

The motion was **Carried**

Councillor Appleby called for a division.

Those for: Councillors Pfeiffer, Telfer, Hutchinson, Hull, Westwood, Veliskou and Gard.

Those against: Councillors Appleby and Crossland.

Carried

Questions without Notice

Nil

Motions without Notice

Nil

Elected Member Verbal Communication Reports

Elected Members were provided an opportunity to briefly state any activities or communications they had recently participated in.

CLOSURE - Meeting Declared Closed at 10.08pm.

CONFIRMED THIS 13 OCTOBER 2015

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CHAIRPERSON