

**MINUTES OF THE GENERAL COUNCIL MEETING  
HELD AT ADMINISTRATION CENTRE  
245 STURT ROAD, STURT  
ON TUESDAY 25 AUGUST 2015**



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**PRESENT**

His Worship the Mayor Kris Hanna

**Councillors**

**Coastal Ward**

Ian Crossland  
Tim Gard

**Mullawirra Ward**

Jerome Appleby  
Jason Veliskou

**Southern Hills**

Janet Byram  
Nick Westwood

**Warracowie Ward**

Bruce Hull  
Nathan Prior

**Warriparinga Ward**

Raelene Telfer

**Woodlands Ward**

Nick Kerry  
Tim Pfeiffer

**In Attendance**

Mr Geoff Whitbread  
Mr Vincent Mifsud  
Ms Kathy Jarrett  
Ms Abby Dickson  
Ms Kate McKenzie  
Ms Jaimie Thwaites

Acting CEO  
Director  
Director  
Acting Director  
Manager Governance  
Unit Manager Council Support

**COMMENCEMENT**

The meeting commenced at 7.01pm.

**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.

## 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:

Nil

## CONFIRMATION OF MINUTES

**Moved Councillor Telfer, Seconded Councillor Veliskou** that the minutes of the General Council meeting held on 11 August 2015 be taken as read and confirmed.

**Carried Unanimously**

## ADJOURNED ITEMS

### Police Clearances

Report Reference: GC250815R01

**Moved Councillor Byram, Seconded Councillor Crossland** that:

1. a. that current councillors are to undergo police clearance checks.  
b. these are to be done by 30 November 2015
2. All people nominating for elected member positions in the City of Marion are to provide a current police clearance with their nomination paperwork - to commence with the election in 2018.
3. That all staff of the City of Marion are to undergo police clearance checks.

**Councillor Appleby** called a point of order that the motion was ultra vires and debate should not proceed.

The Mayor ruled on the point of order agreeing that the motion was beyond the power of Council and therefore could not proceed.

## WORKSHOP / PRESENTATION ITEMS

Nil

## COMMUNICATION - HIS WORSHIP THE MAYOR

### Report on Mayoral Activities for July and August 2015

Date	Event	Comment
23/07/15	Meeting with Urban Planning Consultant	Attended

24/07/15	Christmas in July – Marion RSL and Bowling Club	Attended
25/07/15	Three Citizenship Ceremonies	Attended
26/07/15	Community Planting Day at Oaklands Wetland and Reserve	Attended
26/07/15	'Winter Warmer' Soups and Stews – Community Event	Attended
28/07/15	Meeting with Representatives from Sturt Police Station	Attended
30/07/15	Meeting with Katrine Hildyard MP – re opening the O'Halloran Hill Drive Inn	Attended
30/07/15	Matchworks Celebration	Attended
31/07/15	Meeting with David Sedgwick re Marion Sports Club	Attended
01/08/15	Cove Civic Centre Celebration Day	Opened and Attended
03/08/15	Opening of the SALA Festival (Multicultural Communities of SA)	Attended
04/08/15	Meeting with the Minister for Transport	Attended
05/08/15	Marion Primary School – Celebration of History & Multi-culturalism	Attended
05/08/15	Meeting with John Warner re Marion Women's Bowls Club Rooms	Attended
08/08/15	Sponsors Day – Marion Football Club	Attended
08/08/15	Nexus Multicultural Arts Centre Quiz Night	Attended
10/08/15	Hallett Cove Estate Community Association AGM	Attended
12/08/15	Coastal and Southern Hills Ward Briefing	Attended
16/08/15	Hallett Cove Lutheran Church - Worship Service Celebrating 30 years	Attended
16/08/15	Annie Doolan's AGM	Opened and Attended
19/08/15	Warradale Meals on Wheels AGM	Attended
In addition the Mayor has met with residents and also with the CEO and Council staff regarding various issues.		

**Moved Councillor Byram, Seconded Councillor Pfeiffer** that the report by the Mayor be received.

**Carried**

## **COMMUNICATION – DEPUTY MAYOR**

### **Report on Deputy Mayoral Activities for July and August 2015**

<b>Date</b>	<b>Event</b>	<b>Comment</b>
27 June 15	Marion Swimming Club Awards Night	Attended
5 August 15	Meeting with Local Government Minister Geoff Brock	Attended
13 August 15	Hamilton Secondary College Council Meeting	Attended

**Moved Councillor Byram, Seconded Councillor Pfeiffer** that the report by the Deputy Mayor be received.

**Carried**

## **COMMUNICATION – ELECTED MEMBERS**

**Councillor Ian Crossland**  
**File No. 9.33.3.30**

Nil

**Councillor Tim Gard**  
**File No. 9.33.3.31**

Nil

**Councillor Jerome Appleby**  
**File No. 9.33.3.20**

Nil

**Councillor Jason Veliskou**  
**File No. 9.33.3.17**

Nil

**Councillor Janet Byram**  
**File No. 9.33.3.34**

Nil

**Councillor Nick Westwood**  
**File No. 9.33.3.35**  
Nil

**Councillor Bruce Hull**

**File No. 9.33.3.27**

Nil

**Councillor Nathan Prior  
File No. 9.33.3.29**

Nil

**Councillor Luke Hutchinson  
File No. 9.33.3.24**

Nil

**Councillor Raelene Telfer  
File No. 9.33.3.33**

Date	Event	Comment
1 August 2015	Cove Civic Centre Opening	A great community event
4 August 2015	Warriparinga Ward briefing	Attended
10 August 2015	Fluid Sports Committee	Update on four facilities progress
17 August 2015	Cosgrove Hall	Liaison
18 August 2015	Audit Committee	Attended

**Councillor Nick Kerry  
File No. 9.33.3.32**

Nil

**Councillor Tim Pfeiffer  
File No. 9.33.3.22**

Nil

**Moved Councillor Byram, Seconded Councillor Pfeiffer** that the Elected Member Communication Reports be received.

**Carried**

**COMMUNICATION – CEO AND EXECUTIVE REPORTS**

**Report on CEO and Executive Activities for July and August 2015**

Date	Activity	Attended by	Comments
27 July 15	SAC Precinct Meeting – SA Aquatic and Leisure Centre	Abby Dickson	
29 July 15	Meeting with Richard McLachlan; Project Director – Tonsley Project Steering Committee	Geoff Whitbread	

	and Mark Lata; Development Manager (Tonsley) Renewal SA		
03 August 15	Meeting with Stuart Moseley; DPTI	Geoff Whitbread	
5 August 15	Meeting with Matt Pears, CEO City of Mitcham and David Banks, Flinders University	Geoff Whitbread	
7 August 15	Tonsley Project Steering Committee Meeting	Geoff Whitbread	
11 August 15	Meeting with Cove Civic Centre Consultants	Geoff Whitbread	
12 August 15	Meeting with Department of Planning, Transport and Infrastructure regarding Darlington Upgrade	Geoff Whitbread	
12 August 15	Council Solutions Board Meeting	Geoff Whitbread	
19 August 15	Metropolitan Local Government Chief Executive Officers meeting	Geoff Whitbread	
20 August 15	Cove Enterprise Hub Launch	Geoff Whitbread	

**Moved Councillor Byram, Seconded Councillor Pfeiffer** that the report by the CEO and Executive be received.

**Carried**

#### **YOUTH ADVISORY COMMITTEE (YAC) UPDATE**

Nil

#### **DEPUTATIONS**

**Deputation – BMX Cycle Track**  
**Ref No: GC250815D01**

Mr David Squirrell gave a 5 minute deputation to Council on the issues they have been seeking to resolve on behalf of a delegation of the residents adjoining the BMX cycle track.

#### **PETITIONS**

Nil

#### **COMMITTEE RECOMMENDATIONS**

**Strategic Directions Committee Confirmation of Minutes of Meeting held on 4 August 2015  
and Special Strategic Directions Committee Meeting held on 11 August 2015**  
**Report Reference: GC250815R02**

**Moved Councillor Veliskou, Seconded Councillor Pfeiffer** that Council:

1. Receive and note the minutes of the Strategic Directions Committee meeting of 4 August 2015 (Appendix 1 to report reference GC250815R02).
2. Receive and note the minutes of the Special Strategic Directions Committee meeting of 11 August 2015 (Appendix 2 to report reference GC250815R02).

**Carried**

## **CORPORATE REPORTS FOR DECISION**

### **Learning Festival**

**Report Reference: GC250815R03**

**Moved Councillor Telfer, Seconded Councillor Westwood that:**

1. Council review the Learning Festival as part of the Council's service review process.
2. A report be brought to Council for consideration once a service review of the Learning Festival has been undertaken.
3. The allocated budget of \$32,150 in the 2015/16 budget be offered up as savings at the first budget review.

7.27pm Councillor Kerry left the meeting

**Carried Unanimously**

### **Local Nuisance and Litter Control Bill 2015**

**Report Reference: GC250815R04**

**Moved Councillor Appleby, Seconded Councillor Crossland that Council:**

1. Endorse the submission to the Local Government Association, Minister for Environment, Minister for Local Government and the Environment Protection Authority, subject to the inclusion of any identified amendments.

**Carried Unanimously**

7.30pm Councillor Kerry re-entered the meeting

### **Crown Development – Removal and Major Pruning of Regulated and Significant (Regulated) Trees**

**Report Reference: GC250815R05**

**Moved Councillor Telfer, Seconded Councillor Westwood that Council:**

1. Endorses the submission as contained in Appendix II with the following amendments:
  - Includes Tree 399B with Tree 397, 398, 399A, 399C, 437C, 437E and 437F as a tree that Council acknowledges may need to be removed as it is likely to be within the access pathways to the Darlington Expressway. However, every effort be made for its retention where possible given its contribution to entrance, place making, amenity, shade, bird habitat, and carbon removal.
  - Reference to tree 559B be changed to 561B.

**Carried**

## **CORPORATE REPORTS FOR INFORMATION / NOTING**

### **Finance Report – July 2015 Report Reference: GC250815R06**

7.51pm Councillor Kerry left the meeting

**Moved Councillor Crossland, Seconded Councillor Byram** that Council:

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

**Carried Unanimously**

## **MATTERS RAISED BY MEMBERS**

### **Questions with Notice**

**Smart Cities  
Ref No: GC250815Q01**

**QUESTION: Councillor Prior**

**Does the City of Marion have any involvement in the Smart Cities initiative? If so what is our involvement and who is the manager responsible?**

**COMMENTS: Councillor Prior**

For reference:

<http://capcity.adelaide.sa.gov.au/cities/>

**COMMENTS: Neil McNish, Economic Development Manager  
Fiona Harvey, Manager Strategy**

The term Smart Cities is used in a variety of ways across many parts of the world. Most broadly, the Smart Cities concept is an approach to designing cities and devising solutions to urban challenges that affect people’s everyday lives. It covers elements such as managing environmental pollution, urban congestion, city safety, infrastructure development, social capital and digital technologies and emergency readiness. It also includes processes to increase citizen engagement, integrate thinking and action and support innovation. This approach seeks to make cities more liveable, resilient and better able to respond to challenges (UK Department for Business, Information and Skills - Smart Cities Background Paper 2013).

A recent study conducted by the Department of Management and Production Engineering at Politecnico di Torino, a public engineering university in Turin Italy<sup>1</sup>, identified that seventy cities which engaged in ‘smart cities’ work are focused across a broad range of smart initiatives. Many cities are pursuing ‘hard’ infrastructure initiatives in the fields of transportation and mobility, natural resources and energy, whilst a smaller number are focused on ‘soft’ fields like government transparency. Initiatives being pursued include:

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<sup>1</sup> Current trends in Smart City initiatives: Some stylised fact. ‘Cities’ Journal 2014. Volume 38 pages 25-36



- Green and Renewable energies
- People mobility – Innovative and sustainable ways to provide transport of people in cities
- Smart Grids
- Pollution control
- Info-mobility - to improve traffic and transport experiences
- Public spaces management
- Building services
- Waste management
- City logistics – Improving logistics flows in cities by effectively integrating business needs with traffic conditions and geographical and environmental issues

There are several Smart Cities organisations, particularly in the US and Europe, with many focused on the use of new technology. In Australia, the Australian Smart Communities Association (ASCA) has been established, formerly the Broadband Today Alliance. This started as a coalition of local government, RDA and Regional Organisations of Councils built on the premise of sharing information and advocating for the resources to assist the localised transition to a digital economy and this remains the main focus of ASCA. Current South Australian members are the City of Prospect and the Eastern Region Alliance and for an organisation of our size the annual membership fee would be \$874.50. We have considered membership in the past but have concluded, following discussions with other councils who are active in the economic development area, that membership would not add any great value. We do however continue to receive regular updates on ASCA's activities.

In summary, the City of Marion is currently not formally involved in any Smart Cities initiatives. However, the City of Marion Community Plan and a range of initiatives that are being developed and progressed align closely with the broader concept of the smart cities approach. In particular, the vision and objectives driving the Tonsley development and the broader connection with the Darlington upgrade and Flinders University/Medical Centre precinct are particularly aligned with the idea of a 'smart city'. The City of Marion's involvement in this nationally significant urban redevelopment project offers a great opportunity to implement smart city thinking in an integrated way. The discussions progressing at the Strategic Directions Committee on the Total Development Plan also align closely with the smart cities approach.

Given the integrated nature of the smart cities concept, there would be a range of managers involved in pursuing smart cities initiatives including managers of economic development, strategy, urban planning, environmental sustainability, infrastructure and strategic projects.

7.53pm Councillor Kerry re-entered the meeting

## **CONFIDENTIAL ITEMS**

### **Marion Leisure and Fitness Centre Reference No: GC250815F03**

**Moved Councillor Veliskou, Seconded Councillor Crossland** that pursuant to Section 90 (2) and (3)(d) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Geoff Whitbread, Kathy Jarrett, Abby Dickson, Kate McKenzie, Jaimie Thwaites, Craig Clarke be excluded from the meeting as the Council receives and considers information relating to the Marion Leisure Fitness Centre Lease to CASA Leisure Pty Ltd, 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 commercial information of a commercial nature (not being a trade

secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of a person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest.

**Carried**

**7.58pm the meeting went into confidence**

**Moved Councillor Pfeiffer, Seconded Councillor Prior** that formal meeting procedures be suspended to enable discussion on the confidentiality of the item.

**Carried Unanimously**

**8.00pm Formal meeting procedures suspended**

**Moved Councillor Prior, Seconded Councillor Hull** that formal meeting procedures be resumed.

**Carried Unanimously**

**8.10pm Formal meeting procedures resumed**

**Moved Councillor Crossland, Seconded Councillor Veliskou** that:

1. The report be received and the contents noted.
2. Endorse the actions of the Acting CEO outlined in the report namely to:
  - 2.1 Execute a Deed of Settlement with CASA Pty Ltd;
  - 2.2 Implement a review of the future directions of MLFC, and
  - 2.3 Implement a review of the Land and Property work area in the Administration.

**Carried Unanimously**

**Moved Councillor Telfer, Seconded Councillor Prior** that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) be released to the public except that all valuation information and all of Section 2 'Management Agreement with the YMCA' be redacted 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.

8.17pm Councillor Veliskou left the meeting

**Carried Unanimously**

**8.18pm the meeting came out of confidence**

**Glandore Laneways Project**  
**Reference No: GC250815F01**

**Moved Councillor Pfeiffer, Seconded Councillor Kerry** that pursuant to Section 90 (2) and (3)(b)(d) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Geoff Whitbread, Kathy Jarrett, Vincent Mifsud , Abby Dickson, Jaimie Thwaites, Kate McKenzie and Ted Byrt, Byrt Advisory be excluded from the meeting as the Council receives and considers information relating to the Glandore Laneways, 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 commercial information of a commercial nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of a person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest.

8.20pm Councillor Veliskou re-entered the meeting

**Carried**

**8.21pm the meeting went into confidence**

8.22pm Mayor Hanna left the meeting

**In the absence of the Mayor, Councillor Pfeiffer took the Chair**

8.27pm Mayor Hanna re-entered the meeting and resumed the Chair

**Moved Councillor Pfeiffer, Seconded Councillor Kerry** that:

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) and (d) 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**

**9.28pm the meeting came out of confidence**

9.33pm Councillor Pfeiffer left the meeting

9.34pm Councillor Prior left the meeting

**Council Briefing - Nursery Operations**  
**Reference No: GC250815F06**

**Moved Councillor Westwood, Seconded Councillor Kerry** that pursuant to Section 90 (2) and (3)(h) and (i) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Geoff Whitbread, Kathy Jarrett, Vincent Mifsud, Abby Dickson, Kate McKenzie and Jaimie Thwaites be excluded from the meeting as the Council receives and considers information which legal advice has been obtained and which is the subject of litigation involving Council.

**Carried**

**9.36pm the meeting went into confidence**

9.36pm Councillors Pfeiffer and Prior re-entered the meeting

9.37pm Councillor Byram left the meeting

9.38pm Councillor Byram re-entered the meeting

9.42pm Councillor Pfeiffer left the meeting

9.46pm Councillor Pfeiffer re-entered the meeting

**Moved Councillor Byram, Seconded Councillor Crossland** that:

1. Council, in accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the report, 'Council Briefing - Nursery Operations' (Report Reference GC250815F06), and the Minutes arising from this report having been considered in confidence be kept confidential under Sections 90(2) and (3)(h) and (i) of the Act and not be available for public inspection for a period of 12 months from the date of this meeting or until such time as the Union dispute is resolved. This confidentiality order will be reviewed at the General Council Meeting in December 2015.

**Carried**

**9.58pm the meeting came out of confidence**

### **Meeting Extension**

**Moved Councillor Veliskou, Seconded Councillor Crossland** that the meeting be extended until the conclusion of the confidential items or until 10.30pm whichever is later.

**Carried**

**10.00pm Meeting Extended**

**Cove Civic Centre**

**Reference No: GC250815F02**

**Moved Councillor Veliskou, Seconded Councillor Prior** that 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: Geoff Whitbread, Vincent Mifsud, Abby Dickson, Kathy Jarrett, Kate McKenzie, Jaimie Thwaites and John Valentine 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**

**10.00pm the meeting went into confidence**

**Moved Councillor Crossland, Seconded Councillor Appleby** that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, appendix and minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) and (d) 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**

**10.03pm the meeting came out of confidence**

**Confidential Report – Internal Audit and Service Review Tender**  
**Report Reference: GC250815F04**

**Moved Councillor Prior, Seconded Councillor Pfeiffer** that pursuant to Section 90(2) and (3)(k) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Geoff Whitbread, Kathy Jarrett, Vincent Mifsud, Abby Dickson, Kate McKenzie and Jaimie Thwaites, be excluded from the meeting as the Council receives and considers information relating to Internal Audit and Service Reviews 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 relates to provision of services to the City of Marion.

**Carried Unanimously**

**10.03pm the meeting went into confidence**

**Moved Councillor Pfeiffer, Seconded Councillor Telfer** that Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Committee orders that this report, the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(k) 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 December 2015 Council meeting.

**Carried Unanimously**

**10.12pm the meeting came out of confidence**

**Investigation**  
**Report Reference: GC250815F05**

**Moved Councillor Veliskou, Seconded Councillor Byram** that pursuant to Section 90 (2) and (3)(g) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Geoff Whitbread, Kathy Jarrett and Abby Dickson be excluded from the meeting as the Council receives and considers information that it has a duty to keep confidential.

**Carried Unanimously**

**Moved Councillor Appleby, Seconded Councillor Byram** that:

1. Council in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Investigation' (Report Reference GC250815F05), its appendices and the Minutes arising from this report having been considered in confidence be kept confidential under Sections 90(2) and (3)(g) of the Act and not be available for public inspection for a period of 12 months from the date of this meeting or until such time as Council's duty of confidence is no longer in force. This confidentiality order will be reviewed at the General Council Meeting in December 2015.

**Carried Unanimously**

**10.23pm the meeting came out of confidence**

**Motions with Notice**

**Certified Marketing Practitioner**  
**Ref No: GC250815M01**

This item was not considered.

**Cove BMX Club Fence**  
**Ref No: GC250815M02**

**Moved Councillor Byram, Seconded Councillor Crossland** that Council:

1. Provide the Cove BMX Club with \$9,000 for the purpose of building the fence between the club and the residents.

The meeting was closed prior to a vote being taken.

**CLOSURE** - Meeting Declared Closed at 10.30pm.

**CONFIRMED THIS 8 SEPTEMBER 2015**

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**CHAIRPERSON**