

**MINUTES
OF THE COUNCIL MEETING OF THE CITY OF TEA TREE GULLY HELD ON
TUESDAY 26 MARCH 2024 AT 7.00PM IN THE COUNCIL CHAMBERS, 571
MONTAGUE ROAD, MODBURY**

1. Opening Prayer and Welcome

The Mayor read the Opening Prayer and Acknowledgement of Country Statement.

Cr Jones entered the meeting at 7.01pm.

2. Attendance Record:

2.1 Present

Her Worship Mayor M Ryan, Crs T Sinclair, B Keane, J Hawkvelt, L Jones, R Unger, I Zagladov, L Petrie, K Drozdoff, B Lawrenson, M Champion, S Keane and K Foreman.

2.2 Apologies

Nil

2.3 Leave of Absence

Nil

2.4 Record of Officers in Attendance (physical or electronic)

Ryan McMahon	Chief Executive Officer
Justin Robbins	General Manager Strategy & Finance
Felicity Birch	General Manager City Operations
Michael Pereira	General Manager Community Services
Kristyn Barnes	Governance Administration Officer
Gabby D'Aloia	Manager Technical & Engineering Services
Ingrid Wilkshire	Manager City Strategy
Jessica Lewig	Lead – Urban Planning
Victoria Masterman	Lead – Precincts & Placemaking
Tony Amato	Lead – Waste & Strategic Projects
Rick Gower	Manager Health & Recreation Services
Jeff Sharp	Facility Manager, Waterworld Aquatic Centre
Federico Palombella	Strategic Buildings Project Lead

2.5 Record of Number of Persons in the Public Gallery – Physical Attendance

6 Attendees

3. Confirmation of Minutes to the Previous Meeting

Moved Cr Champion, Seconded Cr Foreman

That the Minutes of the Council Meeting held on 12 March 2024 be confirmed as a true and accurate record of proceedings.

Carried Unanimously (411)

4. Public Forum

Terry Boswell spoke in relation to the management report titled ‘Illyarrie Reserve Indoor Training Facility Community Engagement Outcomes’.

5. Deputations

5.1 Deputation - Olivia Savvas MP (D24/18918)

Olivia Savvas MP provided a deputation in relation to the management report titled ‘Marsha Reserve SA Water Pump Station’.

The Mayor sought leave of the meeting to bring forward the management reports titled ‘Marsha Reserve SA Water Pump Station’ and ‘Illyarrie Reserve Training Facility’. Leave was granted.

6. Management Reports

Strategy & Finance

6.1 Marsha Reserve SA Water Pump Station (D24/15480)

Pursuant to sections 74 and 75B of the Local Government Act 1999 Cr Foreman declared a general conflict of interest in relation to the matter on the basis of her personal obligation to comply with the Assessment Panel Members Code of Conduct, which arises by virtue of her membership on the Council Assessment Panel established under the Planning, Development and Infrastructure Act 2016. Participation in this item of business would be at odds with her obligations under that Code. Cr Foreman dealt with this matter in an accountable and transparent way by leaving the meeting. Cr Foreman left the meeting at 7.15pm.

Moved Cr Jones, Seconded Cr Hawkvelt

That Council:

1. Notes that the *Marsha Reserve Community Working Group Concept Report* has been developed by SA Water and is supported by residents whose property abuts or surrounds the reserve and that SA Water is now proceeding to detailed design and will report back to the Community Working Group and Council in April to report on any required modifications or changes.
2. Supports the 'Option A Preferred Site' identified in the *Marsha Reserve Community Working Group Concept Report* (Attachment 1 of this report) as Council's preferred location for the pump station required at Marsha Reserve as part of the CWMS conversion.
3. Notes that if the pump station proceeds in the nominated preferred location that it will require the removal of three trees by SA Water including one regulated tree.
4. Requests that a report be returned to Council at the conclusion of works at Marsha Reserve by SA Water detailing all recommendations to Council from the Marsha Reserve Community Working Group for further consideration by Council.

Carried Unanimously (412)

Cr Foreman was not present for the vote.

Cr Foreman re-entered the meeting at 7.26pm.

6.2 Illyarrie Reserve Indoor Training Facility Community Engagement Outcomes (D24/19839)

Pursuant to sections 74 and 75B of the Local Government Act 1999 Cr Foreman declared a general conflict of interest in relation to the matter on the basis that her employer is involved in the funding of this project as part of their election commitments. Cr Foreman dealt with this matter in an accountable and transparent way by leaving the meeting. Cr Foreman left the meeting at 7.27pm.

Moved Cr Hawkvelt, Seconded Cr Jones

That Council:

1. Notes the findings of the community engagement undertaken on the proposed changes to the Illyarrie Reserve Recreation Park Community Land Management Plan, to incorporate an additional training facility contained in Attachment 1 of this report.

2. That further plans be developed that continues to address the entirety of the site, which would inform a full community engagement process for the whole reserve, including the following:
 - The proposed new location of an Indoor Training Facility
 - Indication of future works proposed by Staff to accommodate any future growth of the Golden Grove Central District Baseball Club at the site, including the club rooms and field areas
 - Assessment of on-site parking and options to improve parking capacity on or around the site, noting the potential loss of car parks involved in the new proposed location of the Indoor Training Facility
 - Proposed improvements to areas of Illyarrie Reserve, in particular the section of the reserve adjacent the playground and Surrey Downs Community Centre

Cr Unger requested leave of the meeting with the consent of the mover and seconder to vary the motion at dot point 2 to replace the words 'further plans' to 'an updated masterplan'. Leave was granted and the motion was varied.

Motion as varied

That Council:

1. Notes the findings of the community engagement undertaken on the proposed changes to the Illyarrie Reserve Recreation Park Community Land Management Plan, to incorporate an additional training facility contained in Attachment 1 of this report.
2. That an updated masterplan be developed that continues to address the entirety of the site, which would inform a full community engagement process for the whole reserve, including the following:
 - The proposed new location of an Indoor Training Facility
 - Indication of future works proposed by Staff to accommodate any future growth of the Golden Grove Central District Baseball Club at the site, including the club rooms and field areas
 - Assessment of on-site parking and options to improve parking capacity on or around the site, noting the potential loss of car parks involved in the new proposed location of the Indoor Training Facility
 - Proposed improvements to areas of Illyarrie Reserve, in particular the section of the reserve adjacent the playground and Surrey Downs Community Centre

Carried Unanimously (413)

Cr Foreman was not present for the vote.

Cr Foreman re-entered the meeting at 8.09pm.

7. Presentations - Nil

8. Petitions - Nil

9. Adjourned Business - Nil

10. Motions Lying on the Table - Nil

11. Committee Reports

Service Review Committee - Nil

Audit & Risk Committee

11.1 Recommendations from the Audit & Risk Committee Meeting held on 20 March 2024

Review of Terms of Reference for the Audit and Risk Committee (D24/14888)

Moved Cr Zagladov, Seconded Cr Unger

That Council adopts the reviewed Terms of Reference for the Audit and Risk Committee as provided in Attachment 1 of the report, noting that the Committee will now meet at least once a quarter on a third Tuesday of a month.

Carried Unanimously (414)

Tilley Recreation Park Phase 2 Redevelopment Section 48 Prudential Report (D24/18019)

Pursuant to sections 74 and 75B of the Local Government Act 1999 Cr Foreman declared a general conflict of interest in relation to the matter on the basis that her employer is involved in the funding of this project as part of their election commitments. Cr Foreman dealt with this matter in an accountable and transparent way by leaving the meeting. Cr Foreman left the meeting at 8.12pm.

Moved Cr Zagladov, Seconded Cr Unger

That Council resolves:

1. The Prudential Report for the Tilley Recreation Park Phase 2 Redevelopment prepared by BRM Advisory meets the criteria of Section 48 of the Local Government Act 1999.
2. To proceed with the Tilley Recreation Park Redevelopment project at a price consistent with the Prudential Report findings.

Carried Unanimously (415)

Cr Foreman was not present for the vote.

Cr Foreman re-entered the meeting at 8.19pm.

Governance & Policy Committee - Nil

CEO Performance Review Committee - Nil

12. Management Reports

Office of the Chief Executive Officer - Nil

City Operations

12.1 Traffic and Parking Review - Vista Playground and Reserve Upgrade (D24/19055)

Moved Cr Jones, Seconded Cr Hawkvelt

That Council:

1. Delay the installation of traffic control treatments detailed in Attachment 1 of the report, following further detailed design and consultation with affected residents., and for this work to be undertaken in the 2024-25 Financial Year utilising the operating budget line 'Traffic Management General'.
2. Requests the Chief Executive Officer write to the Department for Environment and Water (DEW) to request consideration to expanding the existing car park for visitors to Anstey Hill Recreation Park.

3. Council requests an information report to be presented to Council in March, 2025 detailing the total number of parking/traffic related complaints raised with Council relating to the following roads: Perserverance Road, Endurance Street, Janlyn Road and Allan Street, Vista.

During the seconding of the motion, the Mayor requested leave of the meeting with the consent of the mover to vary the motion at dot point 3 to replace the word 'in' to 'by no later than'. Leave was granted and the motion was varied.

Motion as varied

That Council:

1. Delay the installation of traffic control treatments detailed in Attachment 1 of the report, following further detailed design and consultation with affected residents, and for this work to be undertaken in the 2024-25 Financial Year utilising the operating budget line 'Traffic Management General'.
2. Requests the Chief Executive Officer write to the Department for Environment and Water (DEW) to request consideration to expanding the existing car park for visitors to Anstey Hill Recreation Park.
3. Council requests an information report to be presented to Council by no later than March, 2025 detailing the total number of parking/traffic related complaints raised with Council relating to the following roads: Perserverance Road, Endurance Street, Janlyn Road and Allan Street, Vista.

During the seconding of the motion, Cr Hawkvelt requested leave of the meeting with the consent of the mover to vary the motion at dot point 2 to include 'MPs that have Anstey Hill in their electorates'. Leave was not granted and the motion was not varied.

During the seconding of the motion, Cr Jones requested leave of the meeting to vary the motion at dot point 2 to include 'and the Members for Newland and Marialta'. Leave was granted and the motion was varied.

Motion as varied

That Council:

1. Delay the installation of traffic control treatments detailed in Attachment 1 of the report, following further detailed design and consultation with affected residents, and for this work to be undertaken in the 2024-25

Financial Year utilising the operating budget line 'Traffic Management General'.

2. Requests the Chief Executive Officer write to the Department for Environment and Water (DEW) and the Members for Newland and Marialta to request consideration to expanding the existing car park for visitors to Anstey Hill Recreation Park.
3. Council requests an information report to be presented to Council by no later than March, 2025 detailing the total number of parking/traffic related complaints raised with Council relating to the following roads:
Perserverance Road, Endurance Street, Janlyn Road and Allan Street, Vista.

Cr Jones requested leave of the meeting to vary the motion at dot point 1 to remove the words 'and for this work to be undertaken in the 2024-25 Financial Year utilising the operating budget line 'Traffic Management General'. Leave was granted and the motion was varied.

Motion as varied

That Council:

1. Delay the installation of traffic control treatments detailed in Attachment 1 of the report, following further detailed design and consultation with affected residents.
2. Requests the Chief Executive Officer write to the Department for Environment and Water (DEW) and the Members for Newland and Marialta to request consideration to expanding the existing car park for visitors to Anstey Hill Recreation Park.
3. Council requests an information report to be presented to Council by no later than March, 2025 detailing the total number of parking/traffic related complaints raised with Council relating to the following roads:
Perserverance Road, Endurance Street, Janlyn Road and Allan Street, Vista.

The Mayor requested leave of the meeting with the consent of the mover and seconder to vary the motion at dot point 1 to remove the words ', following further detailed design and consultation with affected residents'. Leave was granted and the motion was varied.

Motion as varied

That Council:

1. Delay the installation of traffic control treatments detailed in Attachment 1 of the report.
2. Requests the Chief Executive Officer write to the Department for Environment and Water (DEW) and the Members for Newland and Morialta to request consideration to expanding the existing car park for visitors to Anstey Hill Recreation Park.
3. Council requests an information report to be presented to Council by no later than March, 2025 detailing the total number of parking/traffic related complaints raised with Council relating to the following roads: Perserverance Road, Endurance Street, Janlyn Road and Allan Street, Vista.

Cr Unger requested leave of the meeting to vary the motion at dot point 2 to include the words 'and Schubert' after Morialta. Leave of the meeting to vary the motion was not granted.

Amendment

Moved Cr Unger, Seconded Cr Champion

That Council:

1. Delay the installation of traffic control treatments detailed in Attachment 1 of the report.
2. Requests the Chief Executive Officer write to the Department for Environment and Water (DEW) and the Members for Newland, Morialta and Schubert to request consideration to expanding the existing car park for visitors to Anstey Hill Recreation Park.
3. Council requests an information report to be presented to Council by no later than March, 2025 detailing the total number of parking/traffic related complaints raised with Council relating to the following roads: Perseverance Road, Endurance Street, Janlyn Road and Allan Street, Vista.

Carried (416)

Motion as amended

That Council:

1. Delay the installation of traffic control treatments detailed in Attachment 1 of the report.

2. Requests the Chief Executive Officer write to the Department for Environment and Water (DEW) and the Members for Newland, Morialta and Schubert to request consideration to expanding the existing car park for visitors to Anstey Hill Recreation Park.
3. Council requests an information report to be presented to Council by no later than March, 2025 detailing the total number of parking/traffic related complaints raised with Council relating to the following roads: Perseverance Road, Endurance Street, Janlyn Road and Allan Street, Vista.

Carried Unanimously (417)

Corporate Services - Nil

Strategy & Finance

12.2 Local Gift Cards (D24/11057)

During the moving of the motion, the Mayor sought leave of the meeting to allow Cr Lawrenson a further 1 minute extension of debating time. Leave was granted.

Moved Cr Lawrenson, Seconded Cr S Keane

1. That Council commences a pilot of the 'Why Leave Town' program in FYE2025 for 1 year, using digital and generic chip gift cards to be supplied by Council at no cost to the purchaser and subject to there being enough participation by local businesses.
2. That the CEO be delegated to automatically extend the program beyond the pilot period for a further 3 years, subject to the minimum numbers outlined in the report being obtained, with the initiative being funded from Council's Economic Development budget as part of the support for small business program.

Amendment

Moved Cr Sinclair, Seconded Cr Foreman

That Council commences a pilot of the 'Why Leave Town' program in FYE2025 for 1 year, using digital and generic chip gift cards to be supplied by Council at no cost to the purchaser and subject to there being enough participation by local businesses.

Lost

Original Motion

1. That Council commences a pilot of the 'Why Leave Town' program in FYE2025 for 1 year, using digital and generic chip gift cards to be supplied by Council at no cost to the purchaser and subject to there being enough participation by local businesses.
2. That the CEO be delegated to automatically extend the program beyond the pilot period for a further 3 years, subject to the minimum numbers outlined in the report being obtained, with the initiative being funded from Council's Economic Development budget as part of the support for small business program.

Carried Unanimously (418)

12.3 Bentley Reserve Skatepark Lighting Community Engagement (D24/19558)

Moved Cr Unger, Seconded Cr Zagladov

That Council:

1. Approves community engagement to be undertaken to consider an amendment to the Community Land Management Plan for Bentley Reserve for the addition of lighting to the skatepark. The engagement is to be undertaken in accordance with the Community Engagement Strategy in Attachment 2 of this report.
2. Notes a report on the outcomes of the community engagement will be presented at a future Council Meeting.

Carried Unanimously (419)

12.4 Golden Grove Recreation & Arts Centre and Hockey Precinct Masterplan (D24/19858)

Pursuant to sections 74 and 75B of the Local Government Act 1999 Cr Foreman declared a general conflict of interest in relation to the matter on the basis that her employer, the Member for Wright is also the Minister for Education. Cr Foreman indicated she would deal with this conflict of interest in a transparent and accountable way by remaining in the meeting and refrain from any debate that may influence in the meeting, and only voting in the best interest of the community.

During the debate:

- *Cr Zagladov left the meeting at 9.24pm and re-entered the meeting at 9.26pm*
- *Cr Jones left the meeting at 9.25pm and re-entered the meeting at 9.26pm*
- *Cr Champion left the meeting at 9.33pm and re-entered the meeting at 9.36pm.*

Moved Cr S Keane, Seconded Cr B Keane

That Council:

1. Endorse the Golden Grove Recreation & Arts Centre and Hockey Masterplan Design Report (Masterplan) as contained in Attachment 2 to this report.
2. Notes \$700k has been included in the draft 2024/25 Annual Business Plan and Budget to progress the delivery of Stage 1 works from the Masterplan to upgrade the car park and entry plaza to the Golden Grove Recreation & Arts Centre including achieving DDA compliant access.
3. Notes \$800k has been included in the draft 2024/25 Annual Business Plan and Budget to progress the delivery of the hockey practice/warm up area (Stage 2 in Masterplan).
4. Notes that the remaining stages of the Masterplan will be considered in future financial year budgets against other strategic priorities.

Adjournment of Meeting at 9.40pm

Moved Cr Jones, Seconded Cr Hawkvelt

That the meeting be adjourned for a short break.

Carried (420)

Recommendation for moving into camera

Moved Cr Unger, Seconded Cr Zagladov

1. That pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that the public (except staff on duty) be excluded from the meeting to enable discussion on Golden Grove Recreation & Arts Centre and Hockey Precinct Masterplan.
2. That the Council is satisfied that pursuant to section 90(3)(i) of the Local Government Act 1999, the information be received, discussed or considered in relation to this item is:

- information relating to actual litigation, or litigation that the Council believes on reasonable grounds will take place, involving the Council or an employee of the Council
 - on the basis that the public release of this information would have the potential to impact the litigation strategy of Council in achieving the best outcome for Council and the community.
3. In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in the public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances on the basis that early release of this information could compromise Council's litigation strategy in achieving the best outcome for Council and the community.

Carried Unanimously (421)

The following staff members on duty remained at the meeting for the following item:

Ryan McMahon, Felicity Birch, Justin Robbins, Michael Pereira, Kristyn Barnes, Jeff Sharp, Rick Gower, Ingrid Wilkshire, Tony Amato and Victoria Masterman.

Retention of Confidential Documents

Moved Cr Unger, Seconded Cr Champion

1. That having considered the agenda item titled 'Golden Grove Recreation & Arts Centre and Hockey Precinct Masterplan' and dated 13 February 2024 in confidence under section 90(2) & (3)(i) and Section 91(7) of the Local Government Act 1999:
 - information relating to actual litigation, or litigation that the Council believes on reasonable grounds will take place, involving the Council or an employee of the Council

the Council pursuant to section 91(7) of the Act orders that the discussion relating to the legal proceedings be retained in confidence until conclusion of any associated legal proceedings and/or any relevant orders arising.
2. That the Council gives the power pursuant to Section 91 of the Local Government Act 1999 to the Chief Executive Officer to revoke the order made

under Section 91(7) of the Local Government Act 1999 subject to the Chief Executive Officer consulting with the Mayor and reporting to the Elected Members of the revocation.

Carried (422)

Original Motion

During the closing of the debate, Cr Lawrenson raised a point of order on the basis that Cr S Keane debate was not in line with the guiding principles of the Local Government (Procedure at Meetings) Regulations 2013 as it was insulting and irrelevant. The Mayor upheld the point of order and Cr S Keane apologised to Cr Lawrenson and withdrew her comments.

Moved Cr S Keane, Seconded Cr B Keane

That Council:

1. Endorse the Golden Grove Recreation & Arts Centre and Hockey Masterplan Design Report (Masterplan) as contained in Attachment 2 to this report.
2. Notes \$700k has been included in the draft 2024/25 Annual Business Plan and Budget to progress the delivery of Stage 1 works from the Masterplan to upgrade the car park and entry plaza to the Golden Grove Recreation & Arts Centre including achieving DDA compliant access.
3. Notes \$800k has been included in the draft 2024/25 Annual Business Plan and Budget to progress the delivery of the hockey practice/warm up area (Stage 2 in Masterplan).
4. Notes that the remaining stages of the Masterplan will be considered in future financial year budgets against other strategic priorities.

Carried (423)

Community Services - Nil

12. Notice(s) of Motions - Nil

13. Motions without Notice - Nil

14. Questions on Notice - Nil

15. Questions without Notice - Nil

16. Mayor's Report, Council Delegates and Activities Report – Nil

17. Information Reports

The following Information reports were received at the meeting:

17.1 Home compost bin/worm farm rebate program (D24/17669)

17.2 Regional Landscape Levy Contribution 2024-25 (D24/17750)

17.3 Policies adopted by the Governance and Policy Committee under Delegation - 6 March 2024 (D24/19295)

17.4 Houghton Oval Project (D24/19880)

18. Status Report on Resolutions - Nil

19. Other Business

Cr Lawrenson wished Council staff, Elected Members and residents a happy Easter.

Cr Unger advised that there is a prescribed burn in the Cobbler Creek area.

Cr B Keane queried as to why the Elected Members no longer get notified about prescribed burns from Council staff.

20. Confidential Items - Nil

21. Date of Next Ordinary Meeting

9 April 2024

The Mayor declared the meeting closed at 10.17 pm.

Confirmed.....
Mayor 9 April 2024