



**Minutes of the General Council Meeting
held on Tuesday, 8 March 2022 at 6.30 pm
Via Electronic Webinar**

The meeting was held via webinar and all attendees were present via electronic means

PRESENT

His Worship the Mayor Kris Hanna	
Councillor Ian Crossland	Councillor Tim Gard
Councillor Maggie Duncan (from 6.33pm)	Councillor Matthew Shilling
Councillor Raelene Telfer	Councillor Luke Hutchinson
Councillor Bruce Hull	Councillor Nathan Prior
Councillor Kendra Clancy (from 6.33pm)	Councillor Jason Veliskou
Councillor Sasha Mason	Councillor Joseph Masika

In Attendance

Chief Executive Officer - Tony Harrison
Acting General Manager City Services - Mathew Allen
General Manager Corporate Services - Sorana Dinmore
Acting General Manager City Development - Tony Lines
Manager Office of the CEO - Kate McKenzie
Executive Officer to the Chief Executive Officer - Dana Bartlett
Unit Manager Governance and Council Support - Victoria Moritz

1 Open Meeting

The Mayor opened the meeting at 6.30pm

2 Kaurua Acknowledgement

We acknowledge the Kaurua people, the traditional custodians of this land and pay our respects to their elders past and present.

3 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.

4 Elected Member Declaration of Interest (if any)

The Chair asked if any member wished to disclose an interest in relation to any item being considered at the meeting

The following interests were disclosed:

- Councillor Shilling declared a material conflict of interest in the item Verge Incentive Fund GC220308R11.1

5 Confirmation of Minutes

5.1 Confirmation of Minutes of the General Council Meeting held on 22 February 2022

Report Reference GC220308R5.1

Moved Councillor Masika

Seconded Councillor Shilling

That the minutes of the General Council Meeting held on 22 February 2022 be taken as read and confirmed.

Carried

6 Communications – Nil

7 Adjourned Items - Nil

8 Deputations - Nil

9 Petitions - Nil

10 Committee Recommendations

10.1 Confirmation of the Minutes of the Finance, Risk and Audit Committee Meeting held on 22 February 2022

Report Reference GC220308R10.1

6.33pm Councillors Clancy and Duncan joined the meeting

Moved Councillor Shilling

Seconded Councillor Hutchinson

That Council:

1. Receives and notes the minutes of the Finance, Risk and Audit Committee meeting held on 22 February 2022.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance, Risk and Audit Committee.

6.39pm Councillor Hutchinson left the meeting

Carried Unanimously

11 Corporate Reports for Decision

11.1 Verge Incentive Fund

Report Reference GC220308R11.1

Councillor Shilling declared a material conflict of interest in the item due to participating in the verge incentive fund and left the meeting.

6.41pm Councillor Shilling left the meeting

6.42pm Councillor Hutchinson re-entered the meeting

Moved Councillor Crossland

Seconded Councillor Gard

That Council:

1. Endorses provision of a Verge Incentive Fund trial for a period of 12 months from July 2022 – June 2023, with an associated budget of \$75,600 to be included in the 2022-2023 Annual Business Plan.
2. Endorses the scope of the Verge Incentive Fund trial whereby the resident undertakes all work including excavation, preparation and planting. Council will reimburse 50% of the costs (based on receipted invoices), capped at \$500 per property.
3. Endorses the Verge Development Guideline amendments, as outlined in Attachment 2.
4. Notes a report will be presented to Council in May 2023, reviewing the program to date and providing any recommendations with respect to its continuation.

Carried Unanimously

11.2 Caretaker Policy

Report Reference GC220308R11.2

6.46pm Councillor Shilling re-entered the meeting

Moved Councillor Hull

Seconded Councillor Crossland

That Council:

1. Adopts the revised Caretaker Policy, included as Attachment 1 to the report subject to the following addition:
 - For the duration of the caretake period, the code of conduct will apply to each and every council member.

7.07pm Councillor Shilling left the meeting

7.08pm Councillor Shilling re-entered the meeting

7.10pm Councillor Prior left the meeting

Councillor Hull called for a Division

Those for: Councillors Hull, Duncan, Crossland, Gard

Those against: Councillors Clancy, Masika, Telfer, Hutchinson, Veliskou, Mason, Shilling

Lost

Moved Councillor Shilling

Seconded Councillor Veliskou

That Council:

1. Adopts the revised Caretaker Policy, included as Attachment 1 to the report

Carried Unanimously

11.3 Council Member Allowances - Remuneration Tribunal Submission

Report Reference GC220308R11.3

7.13pm Councillor Prior returned

Moved Councillor Crossland

Seconded Councillor Gard

That Council:

1. Endorse the City of Marion Submission to the Remuneration Tribunal provided at Appendix 1 to the Report and that this be forwarded to the Tribunal.

7.18pm Councillor Veliskou left the meeting

Councillor Hull called for a Division

Those for: Councillors Gard, Masika, Crossland, Telfer, Duncan, Hutchinson, Mason

Those against: Councillors Hull, Clancy, Prior

Carried

Procedural Motion**Moved Councillor Telfer****Seconded Councillor Masika**

That the following reports be moved en bloc:

Corporate Reports for Information/Noting

- Questions taken on notice register

Confidential Items (Cover Reports to move into confidence)

- Confirmation of the Confidential Minutes of the Finance, Risk and Audit Committee held on 22 February 2022
- Confirmation of the Confidential Minutes of the Asset and Sustainability Committee Meeting held on 1 February 2022
- Confirmation of the Confidential Minutes of the Review and Selection Committee meeting held on 1 February 2022
- Coastal Walkway Update
- BMX Pump Track Procurement
- External Audit Tender

Carried Unanimously**12 Corporate Reports for Information/Noting****12.1 Questions Taken on Notice Register****Report Reference** GC220308R12.1

7.21pm Councillor Veliskou re-entered the meeting

Moved Councillor Telfer**Seconded Councillor Masika**

That Council:

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

Carried Unanimously**13 Workshop / Presentation Items - Nil****14 Motions With Notice - Nil****15 Questions With Notice - Nil**

16 Motions Without Notice**17 Questions Without Notice****18 Confidential Items****18.3 Cover Report - Confirmation of the Confidential Minutes of the Review and Selection Committee meeting held on 1 February 2022**

Report Reference GC220308F18.3

Moved Councillor Telfer**Seconded Councillor Masika**

That pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Services, General Manager City Development, General Manager Corporate Services, Manager People and Culture, Manager Office of the CEO, Unit Governance and Council Support, Executive Officer of the CEO be excluded from the meeting as the Council receives and considers information relating to confirmation of the confidential minutes of the Review and Selection Committee meeting held on 1 February 2022, 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 personal affairs of City of Marion employees and Independent Committee Members.

Carried Unanimously

7.22pm the meeting went into confidence.

Moved Councillor Duncan**Seconded Councillor Shilling**

That Council:

1. Receives and notes the confidential minutes of the Review and Selection Committee meeting held on 1 February 2022.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.
3. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the attachments to the report, *Confirmation of the confidential minutes of the Review and Selection Committee Meeting held on 1 February 2022* having been considered in confidence under Section 90(2) and (3)(a) 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 2022.

Carried Unanimously

7.48pm the meeting came out of confidence.

18.1 Cover Report - Confirmation of the Confidential Minutes of the Finance, Risk and Audit Committee Meeting held on 22 February 2022

Report Reference

GC220308F18.1

Moved Councillor Telfer**Seconded Councillor Masika**

That pursuant to Section 90(2) and (3)(b)(i)(ii) and (3)(a) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Services, General Manager City Development, General Manager Corporate Services, Manager Office of the CEO, Chief Finance Officer, Unit Manager Governance and Council Support, Executive Officer to the CEO, be excluded from the meeting as the Council receives and considers information relating to the confidential minutes of the Finance, Risk and Audit Committee meeting held on 22 February 2022, 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:

- Civile Service Review – containing confidential information relating to personnel matters
- External Audit Tender – containing confidential information relating to commercial affairs
- Cybersecurity Quarterly update – containing information relating to the current status of the CoM Cyber Security and the impact on contractual expectations.

Carried Unanimously

7.48pm the meeting went into confidence.

Moved Councillor Duncan**Seconded Councillor Veliskou**

That Council:

1. Receives and notes the confidential minutes of the Finance, Risk and Audit Committee meeting held on 22 February 2022.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance, Risk and Audit Committee.
3. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendices to this report, *Confirmation of the Confidential Minutes of the Finance, Risk and Audit Committee Meeting held on 22 February 2022*, having been considered in confidence under Section 90(2) and (3)(b)(i)(ii) and (3)(a) 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 2022.

Carried

7.54pm the meeting came out of confidence.

18.2 Cover Report - Confirmation of the Confidential Minutes of the Asset and Sustainability Committee meeting held on 1 February 2022

Report Reference GC220308F18.2

Moved Councillor Telfer**Seconded Councillor Masika**

That pursuant to Section 90(2) and (3)(d)(i) and (ii) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Chief Financial Officer, Manager City Activation, Manager Office of the Chief Executive, Communications Advisor, Unit Manager Governance and Council Support and Executive Officer to the CEO, be excluded from the meeting as the Council receives and considers information relating to Edwardstown Urban Renewal Project Update, 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 confidential commercial information.

Carried Unanimously

7.54pm the meeting went into confidence.

Moved Councillor Crossland**Seconded Councillor Shilling**

That Council:

1. Receives and notes the confidential minutes of the Asset and Sustainability Committee meeting held on 1 February 2022
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Asset and Sustainability Committee.
3. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that any attachments to the report, *Confirmation of the Confidential Minutes of the Asset and Sustainability Committee* having been considered in confidence under Section 90(2) and (3)(d) (i) (ii) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2022

Carried Unanimously

7.54pm the meeting came out of confidence.

18.4 Cover Report - Coastal Walkway Update

Report Reference

GC220308R18.4

Moved Councillor Telfer**Seconded Councillor Masika**

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: Chief Executive Officer, General Manager City Development, General Manager Corporate Services, General Manager Corporate Services, Manager of the Office of the CEO, Chief Financial Officer, Manager City Activation, Coastal Walkway Coordinator, Unit Manager Governance and Council Support, Executive Officer to the CEO, be excluded from the meeting as the Council receives and considers information relating to the Coastal Walkway Update, 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 yet to be finalised tender outcomes and commercial expenditure.

Carried Unanimously

7.54pm the meeting went into confidence.

Moved Councillor Veliskou**Seconded Councillor Crossland**

That Council:

1. Notes design development of the suspension bridges for Segment 5 (Grey Road Gully) and Segment 6 (Kurnabinna Gully)
2. Notes a further report will be received at General Council 22 March 2022 to consider the final construction plans, final fixed price and construction program.

Carried Unanimously**Moved Councillor Veliskou****Seconded Councillor Crossland**

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the financial figures and names of tendering parties within attachment 1 to the report, *Coastal Walkway Update*, having been considered in confidence under Section 90(2) and (3)(k) 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 until a construction contract has been executed. At this time the information will be released in its entirety. If not released prior, this confidentiality order will be reviewed at the General Council Meeting in December 2022.

Carried Unanimously

8.05pm the meeting came out of confidence.

18.5 Cover Report - BMX Pump Track Procurement

Report Reference GC220308F18.6

Moved Councillor Telfer**Seconded Councillor Masika**

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: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Manager of the Office of the CEO, Chief Financial Officer, Manager City Activation, Senior Advisor City Activation, Executive Officer to the General Manager City Development, Unit Manager Governance and Council Support, Executive Officer to the CEO, be excluded from the meeting as the Council receives and considers information relating to the BMX Pump Track Procurement, 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 current procurement process.

Carried Unanimously

8.05pm the meeting went into confidence.

Procedural motion**Moved Councillor Duncan****Seconded Councillor Shilling**

1. That the item be deferred to the General Council meeting to be held on 12 April 2022 to allow for further clarification to be sought from staff.

Carried Unanimously

8.08pm the meeting came out of confidence.

18.6 Cover Report - External Audit Tender

Report Reference GC220308F18.6

Moved Councillor Telfer**Seconded Councillor Masika**

That pursuant to Section 90(2) and (3)(b) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Chief Financial Officer, Manager Office of the Chief Executive and Senior Procurement Specialist,, be excluded from the meeting as the Council receives and considers information relating to External Audit 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 commercial information.

Carried Unanimously

8.08pm the meeting went into confidence.

Moved Councillor Telfer

Seconded Councillor Hutchinson

That Council:

1. Approves the appointment of Galpins as the City of Marion's service provider in the delivery of External Audit Services for a term of 3 years commencing with the audit for the financial year to 30 June 2022, with an option to extend for a further period of up to 2 years.
2. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that Appendix 1 to this report, having been considered in confidence under Section 90(2) and (3)(d) 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 2022.

Carried Unanimously

8.09pm the meeting came out of confidence.

19 Other Business

20 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.

The meeting was declared closed at 8.09pm.

CONFIRMED THIS 22 DAY OF MARCH 2022

CHAIRPERSON