



**Minutes of the General Council Meeting
held on Tuesday, 10 May 2022 at 6.30 pm
Electronic Webinar**

All those in attendance were present via electronic attendance.

PRESENT

His Worship the Mayor Kris Hanna

Councillor Ian Crossland

Councillor Maggie Duncan

Councillor Raelene Telfer (from 6.41pm)

Councillor Bruce Hull

Councillor Kendra Clancy

Councillor Sasha Mason

Councillor Matthew Shilling

Councillor Luke Hutchinson

Councillor Nathan Prior

Councillor Jason Veliskou

Councillor Joseph Masika

In Attendance

Chief Executive Officer - Tony Harrison

Acting General Manager City Services - Matthew Allen

General Manager Corporate Services - Sorana Dinmore

General Manager City Development - Tony Lines

Manager Office of the CEO - Kate McKenzie

Unit Manager Governance and Council Support - Victoria Moritz

1 Open Meeting

The Mayor opened the meeting at 6.30pm.

2 Kaurna Acknowledgement

We acknowledge the Kaurna 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

Nil Interests were disclosed

5 Confirmation of Minutes

5.1 Confirmation of Minutes of the General Council Meeting held on 12 April 2022

Report Reference GC220510R5.1

Moved Councillor Masika

Seconded Councillor Hutchinson

That the minutes of the General Council Meeting held on 12 April 2022 be taken as read and confirmed.

Carried Unanimously

6 Workshop / Presentation Items

6.1 Public submissions on the Draft Annual Business Plan 2022-2023

Report Reference GC220510R6.1

The Mayor opened the item and invited any member of the public to comment on the Annual Business Plan and Budget and make a submission during the next 60 minute period, commencing at 6.34pm.

The item will resume at the conclusion of this period.

7 Adjourned Items - Nil

8 Deputations - Nil

9 Petitions - Nil

10 Committee Recommendations

Moved Councillor Shilling

Seconded Councillor Duncan

That the following items be moved en bloc:

- Confirmation of the Minutes of the Asset and Sustainability Committee Meeting held on 26 April 2022
- Confirmation of Minutes of the Special Finance, Risk and Audit Committee Meeting held on 26 April 2022

Carried Unanimously

10.1 Confirmation of Minutes of the Asset and Sustainability Committee Meeting held on 5 April 2022

Report Reference GC220510R10.1

Moved Councillor Shilling

Seconded Councillor Duncan

That Council:

1. Receives and notes the minutes of the Asset and Sustainability Committee meeting held on 5 April 2022.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Asset and Sustainability Committee.

Carried Unanimously

10.2 Confirmation of Minutes of the Special Finance, Risk and Audit Committee Meeting held on 26 April 2022**Report Reference** GC220510R10.2**Moved Councillor Shilling****Seconded Councillor Duncan**

That Council:

1. Receives and notes the minutes of the Special Finance, Risk and Audit Committee meeting held on 26 April 2022.
2. Notes that separate reports will be brought to Council on 24th May 2022 for consideration of any recommendations from the Finance, Risk and Audit Committee regarding the Coastal Walkway Section 48 Prudential Report.

Carried Unanimously**11 Corporate Reports for Decision****11.1 Community Grants Round 2 2021-22****Report Reference** GC220510R11.1

6.41pm Councillor Telfer entered the meeting

Moved Councillor Shilling**Seconded Councillor Crossland**

That Council:

1. Endorses a total of \$49,882 to the following projects for the Community Grants Program Round Two funding in 2021-2022:
 - Marino Community Garden – Garden Bed Renewal (\$4,522).
 - Good Shepherd Lutheran Church Hallett Cove – Purchase of equipment for use by 'Men in the Shed' Community Group (\$4,534).
 - ROOSQUAD (Morphettville Park Sports & Community Club) – Fit for purpose football and cricket training equipment for people with a disability (\$5,000).
 - Trott Park Community Garden – Purchase equipment working towards a zero-carbon footprint (\$2,785).
 - Oaklands Community Garden – Improving infrastructure to increase community engagement (\$3,465).
 - Southern and Western Community Broadcasters Inc (COAST FM) – Community radio equipment upgrade (as the highest scoring application for more than \$5,000) (\$8,000).
 - Vocalize Choir – Sheet music for Vocalize Choir (\$2,000).
 - South Coast Cycling – Purchase of an e-bike (derny) (\$4,500).
 - Foodbank of South Australia – Foodbank emergency relief – Kindness in a Bag Program (\$5,000).
 - Lions Club of Marion City Inc – Purchase of equipment for community events (\$4,076).
 - Koorana Gymnastics Club Inc – Replacement / upgrade of gymnastic equipment (\$5,000).
 - Henley Sharks Water Polo Club – Come and Try Clinic at SA Aquatic Centre (\$0).
 - Marion Football Club Inc – GPS Trackers for football club (\$0).

- Vietnam Veterans' Foundation SA Branch Inc. The Yerbury Centre – Card making to support Australian troops and their families (\$1,000).

Carried Unanimously

10.2 Lions Club of Hallett Cove Shed Build Project

Report Reference GC220510R10.2

Moved Councillor Crossland

Seconded Councillor Hull

That Council:

1. Subject to all statutory approvals being obtained by The Lions Club of Hallett Cove & Districts Incorporated, endorses a financial contribution of \$24,000 towards the cost of a new shed to be constructed at the premises currently leased from Council at Perry Barr Farm, and that this contribution be funded from the 2022/2023 Capital Budget.
2. Notes that approval will be granted by Council in its capacity as land owner for the construction of the shed and associated works.
3. Notes that a new 5 x year lease will be granted to The Lions Club of Hallett Cove & Districts Incorporated which will include an additional area to accommodate the new shed.

Carried Unanimously

11.3 Regulated Tree Maintenance Fund - Trial Outcomes

Report Reference GC220510R11.3

Councillor Telfer declared a perceived conflict of interest as she could be a potential future beneficiary of the fund due to the location of a large tree on her property and will leave for the item.

6.46pm Councillor Telfer left the meeting

Moved Councillor Shilling

Seconded Councillor Masika

That Council:

1. Endorses the establishment of the Regulated Tree Maintenance Fund and allocates \$20,000 in 2022/23, and funds \$20,000 per annum ongoing thereafter.

Carried Unanimously

6.47pm Councillor Telfer re-entered the meeting

11.4 Seacliff Village Development Site - Proposed Suburb Name Change
Report Reference GC220510R11.4**Moved Councillor Crossland****Seconded Councillor Duncan**

That Council:

1. Advises the Surveyor General that Council does not support the proposed boundary realignment changes to the suburbs of Seacliff, Marino and Seacliff Park as Council has concerns with the choice of suburb name, the spatial location of boundaries, and confusion for emergency response services.
2. Requests that the Surveyor General consider:
 - a. making Scholefield Road the southern boundary for the suburb of Seacliff; and
 - b. including all of the land to the south of Scholefield Road and to the west of Ocean Boulevard (including the Seacliff Village site, Les Scott Reserve, a portion of the golf course currently within the suburb of Marino, the residential land within the vicinity of Clubhouse Road and all other land currently within Seacliff Park, as indicated in Attachment 7 of the Council report - Proposed Suburb Boundaries - CoM) within a new suburb named "Seacliff Heights".

Carried Unanimously**11.5 BMX Pump Track**
Report Reference GC220510R11.5**Moved Councillor Duncan****Seconded Councillor Crossland**

That Council:

1. Rescinds the following resolution of Council relating to SWBMX Scope of Pump Track made on 27 July 2021 (GC210727M14.2):

*"That Council approve the scope of the pump track to be:
A Union Cyclist International (UCI) pump track that will be sealed with bitumen with additional funding of \$64,000 to be provided from the Asset Sustainability Reserve."*

Carried Unanimously**Moved Councillor Duncan****Seconded Councillor Crossland**

That Council:

1. Resolves the pump track to be specified as bitumen sealed of approximately 200-210 linear metres, providing a standard that can host events as well as accommodate for recreational needs associated the Sam Willoughby BMX facility.
2. Resolves a total budget allocation of \$450,000 with provision of additional funding of \$314,000, \$250,000 of which to be allocated through Council's 2022/23 Budget process and \$64,000 to be provided from Council's Asset Sustainability Reserve.

3. Resolves operational maintenance budget allocation of \$13,500 per annum commencing 2023/24.

Carried Unanimously

12 Corporate Reports for Information/Noting

Moved Councillor Telfer

Seconded Councillor Mason

That the following Corporate Reports for Information / Noting be moved en bloc:

- Questions Taken on Notice Register
- Youth Collective Committee Annual Report 2021-22
- Minutes of the LGA Ordinary General Meeting held 8 April 2022

Carried Unanimously

12.1 Questions Taken on Notice Register

Report Reference GC220510R12.1

Moved Councillor Telfer

Seconded Councillor Mason

That Council:

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

Carried Unanimously

12.2 Youth Collective Committee Annual Report 2021-22

Report Reference GC220510R12.2

Moved Councillor Telfer

Seconded Councillor Mason

That Council:

1. Notes the City of Marion Youth Collective Committee Annual Report March 2022, included as Attachment 1.

Carried Unanimously

12.3 Minutes of the LGA Ordinary General Meeting held 8 April 2022

Report Reference GC220510R 12.3

Moved Councillor Telfer

Seconded Councillor Mason

That Council:

1. Note the minutes of the LGA OGM held 8 April 2022.

Carried Unanimously

13 Motions With Notice**13.1 LKCC Event
Report Reference**

GC220510M13.1

Moved Councillor Crossland**Seconded Councillor Clancy**

That Council:

1. Notes the details of Reconciliation Week event proposed by Southern Cultural Immersion at the Living Kaurna Cultural Centre on the 1st June 2022
2. Notes that attendance and the activities will be free
3. Provides funding of \$10,932 (ex GST) towards the Reconciliation Week event.
4. Notes that Southern Cultural Immersion will be required to complete a City of Marion grant process, including a Council grant agreement and acquittal process, relating to the expenditure of these funds.

Carried Unanimously**13.2 Climate Action Now
Report Reference**

GC220510M13.2

Moved Councillor Hull

That:

1. In line with the City of Marion Strategic Directions and Community Vision:- Valuing Nature, Council supports the initiative of Conservation Council SA by giving publicity to CLIMATE ACTION NOW signs:
 1. in City Limits.
 2. on social media posts.
 3. in the entry hall of the Administration Centre and all Community Centres.
 4. in our Libraries.
 5. during our events.
2. Council offers to Conservation SA that it will make their CLIMATE ACTION NOW materials available from Council's Libraries, Community Centres and Administration Centre.

Lapsed for want of a Seconder

Moved Councillor Veliskou**Seconded Councillor Telfer**

1. That council be provided a report that identifies how:

- Council is currently taking action on climate change;
- Residents can be informed of practical steps and provided information on how they can act locally on climate change;
- Options for the most effective approach in lobbying for increased climate action to be taken at other levels of Government;
- Local environmental groups can be appropriately supported by council in increasing awareness on climate related issues.

Carried

7.36pm Councillor Shilling left the meeting

Councillor Hull called a Division

Those for: Councillors Prior, Masika, Hutchinson, Hull, Veliskou, Telfer and Clancy

Those against: Councillors Crossland, Mason and Duncan

Carried

6.1 Public submissions on the Draft Annual Business Plan 2022-2023
Report Reference GC220510R6.1

7.38pm The item resumed at the conclusion of the one hour allocated period.

7.38pm Councillor Shilling re-entered the meeting

Moved Councillor Masika**Seconded Councillor Prior**

That Council:

1. Notes feedback provided by any public representation on the Draft Annual Business Plan 2022-2023 and that a further report on public consultation will be presented to Council at the meeting to be held on 14 June 2022.

Carried Unanimously

14 Questions With Notice**15 Motions Without Notice****Leave of Absence - Councillor Tim Gard****Moved Councillor Hutchinson****Seconded Councillor Clancy**

That Councillor Tim Gard be granted a leave of absence for the General Council Meetings on 10 May 2022 and 24 May 2022.

Carried Unanimously

16 Questions Without Notice**17 Confidential Items****Moved Councillor Telfer****Seconded Councillor Masika**

That the following confidential cover reports to move into confidence be moved en bloc:

- *Cover Report - Confirmation of confidential Minutes of the Asset and Sustainability Committee Meeting held on 5 April 2022*
- *Cover Report - Confirmation of confidential Minutes of the Finance, Risk and Audit Committee Meeting held on 26 April 2022*
- *Cover Report - Confidential Rescission Motion - Hard Waste Collections*
- *Cover Report - Confidential QoN - Civil Service Review*
- *Cover Report - Code of Conduct*
- *Cover Report - Unsolicited Proposal - 262 Sturt Road, Marion*

Carried Unanimously**17.1 Cover Report - Confirmation of confidential Minutes of the Asset and Sustainability Committee Meeting held on 5 April 2022**

Report Reference GC220510F17.1

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, Unit Manager Governance and Council Support, be excluded from the meeting as the Council receives and considers information relating to Confirmation of Confidential Minutes of the Asset and Sustainability Committee meeting held on 5 April 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 commercial information for infrastructure investment.

Carried Unanimously

7.41pm the meeting went into confidence.

Moved Councillor Hutchinson**Seconded Councillor Prior**

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Confirmation of Confidential Minutes of the Asset and Sustainability Committee meeting held on 5 April 2022 any appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) 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

7.51pm the meeting came out of confidence.

17.2 Cover Report - Confirmation of confidential Minutes of the Finance, Risk and Audit Committee Meeting held on 26 April 2022
Report Reference GC220510F17.2**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, Unit Manager Governance and Council Support, be excluded from the meeting as the Council receives and considers information relating to Confirmation of Confidential Minutes of the Special Finance, Risk and Audit Committee meeting held on 26 April 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 commercial information for infrastructure investment.

Carried Unanimously

7.51pm the meeting went into confidence

Moved Councillor Duncan**Seconded Councillor Crossland**

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Confirmation of confidential Minutes of the Special Finance, Risk and Audit Committee Meeting held on 26 April 2022, any appendices and the minutes arising from this report 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 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

8.13pm the meeting came out of confidence.

17.3 Cover Report - Confidential Rescission Motion - Hard Waste Collections
Report Reference GC220510M17.3**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 Development, General Manager Corporate Services, General Manager City Services, Manager Office of the CEO, Manager Operations, Unit Manager Operational Support, Unit Manager Governance and Council Support, be excluded from the meeting as the Council receives and considers information relating to Hard Waste Collection, 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.

Carried Unanimously

8.13pm the meeting went into confidence.

Moved Councillor Crossland

Seconded Councillor Prior

That Council:

1. Rescinds points 3 and 4 of the hard waste resolution moved on the 25th May 2021, namely that Council:
 3. *Adopts Option 2 as the preferred model to meet future Hard Waste Collection service demand.*
 4. *Based on Recommendation 3, commits the necessary funding in the Annual Business Plan and Long Term Financial Plan from 2022-23 to implement the adopted model.*
2. Continues to fund the existing staff and a truck to service around 7200 collections per financial year plus the current tip ticket budget.
3. That a further report is brought to the December 2022 General Council meeting to review the current service provision and make further recommendations regarding funding, tip tickets, second collections and the possibility of a fee for a second collection or second tip ticket.

Lost

Councillor Prior called a Division

Those for: Councillors Telfer, Prior, Crossland, Masika

Those against: Councillor Shilling, Hull, Duncan, Hutchinson, Veliskou, Clancy and Mason

Lost

Moved Councillor Crossland

Seconded Councillor Hull

That Council

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, *Rescission Motion - Hard Waste Collections*, 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

8.42pm the meeting came out of confidence.

17.4 Cover Report - Confidential QoN - Civil Service Review
Report Reference GC220510Q17.4

Moved Councillor Telfer

Seconded Councillor Masika

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: Chief Executive Officer, General Manager City Services, General Manager City Development, General Manager Corporate Services, Manager Operations, Manager Office of the Chief Executive, Chief Financial Officer, Unit Manager Governance and Council Support be excluded from the meeting as the Council receives and considers information relating to provision of consultant support for the ongoing Civil Service Review, 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 commercially sensitive pricing information.

Carried Unanimously

8.42pm the meeting went into confidence.

Moved Councillor Veliskou

Seconded Councillor Masika

That Council:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Civil Service Review, and the minutes arising from 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

8.51pm the meeting came out of confidence.

17.5 Cover Report - Code of Conduct Report Reference GC220510F17.5

Moved Councillor Telfer

Seconded Councillor Masika

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: Chief Executive Officer, General Manager City Development, General Manager Corporate Services, General Manager City Services, Manager Office of the CEO, Unit Manager Governance and Council Support, be excluded from the meeting as the Council receives and considers information relating to a Code of Conduct matter, 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 disclosure of the information would breach a duty of confidence under Section 29A the Ombudsman Act 1972.

Carried Unanimously

8.53pm the meeting went into confidence

Moved Councillor Crossland

Seconded Councillor Veliskou

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Code of Conduct, any appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(g) 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

9.04pm the meeting came out of confidence

17.6 Cover Report - Unsolicited Proposal - 262 Sturt Road, Marion

Report Reference GC220510F17.6

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, Manager Office of the Chief Executive, Manager City Activation, Chief Financial Officer, Communications Advisor, Unit Manager Governance and Council Support and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Unsolicited Proposal – 262 Sturt Road Marion, 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 proposal from a third party.

Carried Unanimously

9.05pm the meeting went into confidence.

Meeting Extension**Moved Councillor Crossland****Seconded Councillor Prior**

That the meeting be extended until the conclusion of the item *Unsolicited Proposal - 262 Sturt Road, Marion*

Carried

9.29pm the meeting was extended

Moved Councillor Telfer**Seconded Councillor Masika**

In accordance with Section 91(7) and (9) of the Local Government Act 1999, Council orders that the report, *Unsolicited Proposal – 262 Sturt Road, Marion*, and minutes arising from the report having been considered in confidence under Section 90(2) and (3)(d)(i) and (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 until agreement has been reached with Marion Arena regarding announcements and statements to the media. At this time, the report and minutes for this item will be released with the exception of the annual rent amount to be redacted and kept confidential until the execution of the lease or for a period of 12 months from the date of this meeting. If not released prior, this confidentiality order will be reviewed at the General Council Meeting in December 2022.

Carried Unanimously

9.41pm the meeting came out of confidence.

18 Other Business

Nil

19 Meeting Closure

The meeting was declared closed at 9.41pm.

CONFIRMED THIS 24 DAY OF MAY 2022

CHAIRPERSON
