

**Minutes of the General Council Meeting
held on Tuesday, 13 December 2022 at 6.30 pm
Council Chamber, Council Administration Centre
245 Sturt Road, Sturt**

PRESENT

His Worship the Mayor Kris Hanna

Councillor Joseph Masika

Councillor Nathan Prior

Councillor Raelene Telfer

Councillor Luke Naismith

Councillor Jason Veliskou

Councillor Sarah Luscombe

Councillor Jayne Hoffmann

Councillor Matt Taylor

Councillor Renuka Lama

Councillor Jana Mates

Councillor Amar Singh

Councillor Ian Crossland

In Attendance

Chief Executive Officer - Tony Harrison

General Manager City Services - Ben Keen

General Manager Corporate Services - Angela Allison

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

The following interests were disclosed:

- Councillor Prior declared a material conflict of interest in the item *Southern Suburbs Residential Policy - Code Amendment*
- Councillor Veliskou declared a material conflict of interest in the item *Southern Suburbs Residential Policy - Code Amendment*
- Councillor Crossland declared a general conflict of interest in the item *Southern Suburbs Residential Policy - Code Amendment*
- Councillor Luscombe declared a general conflict of interest in the item *Southern Suburbs Residential Policy - Code Amendment*

- Councillor Mates declared a material conflict of interest in the item *Southern Suburbs Residential Policy - Code Amendment*
- Councillor Naismith declared a material conflict of interest in the item *Southern Suburbs Residential Policy - Code Amendment*

5 Confirmation of Minutes

5.1 Confirmation of Minutes of the General Council Meeting held on 29 November 2022 Report Reference GC221213R5.1

Moved Councillor Hoffmann

Seconded Councillor Masika

That the minutes of the General Council Meeting held on 29 November be taken as read and confirmed.

Carried Unanimously

6 Adjourned Items - Nil

7 Deputations

7.1 Deputation - Marion Cricket Club Report Reference GC221213D7.1

Mr David Loy gave a five minute deputation regarding their unsuccessful request for a letter of Consent to develop new facilities.

7.2 Deputation - Mitchell Street, Glengowrie Report Reference GC221212R7.2

Mr Kerry Saul gave a five minute deputation regarding the Motion with Notice in relation to the parking concerns at Mitchell Street, Glengowrie

The Mayor sought and was granted leave of the meeting to vary the order of agenda items and bring forward the Motion with Notice in relation to *Mitchell Street, Glengowrie* to be considered next on the agenda.

14.2 Mitchell Street, Glengowrie Report Reference GC221213M14.2

Moved Councillor Veliskou

Seconded Councillor Masika

That Council:

1. Authorise the Chief Executive Officer to delegate to appropriate staff to further investigate and implement parking solutions in Mitchell Street, Glengowrie within the existing budget allocation and if required allowing for up to \$25,000 extra contingency adjusted through the quarterly budget review process.

Carried

Councillor Crossland called a Division:

Those for: Councillors Luscombe, Sing, Veliskou, Naismith, Lama, Telfer, Taylor, Hoffmann and Masika

Those against: Councillors Crossland, Mates and Prior

Carried**8 Petitions - Nil****9 Committee Recommendations - Nil****10 Confidential Items****Moved Councillor Telfer****Seconded Councillor Prior**

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

- Coastal Walkway Gullied Report for Construction
- Cove Sports Stage 1 - Scope Options
- Potential Purchase 11, 13 & 15 Nunyah Avenue Park Holme

Carried Unanimously**10.1 Cover Report - Coastal Walkway Gullies Report for Construction**
Report Reference GC221213F10.1**Moved Councillor Telfer****Seconded Councillor Prior**

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 City Services, Manager of the Office of the Chief Executive, Chief Financial Officer, Manager City Activation, Project Manager Infrastructure, Unit Manager Governance and Council Support and Media and Engagement Advisor, be excluded from the meeting as the Council receives and considers information relating to Coastal Walkway Gullies Report for Construction, 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 expenditure.

Carried Unanimously

7.10pm the meeting went into confidence

Moved Councillor Crossland**Seconded Councillor Masika**

That Council:

1. Notes the Report for the Coastal Walkway Gullies (Segments 5 and 6).
 2. Endorses the final construction costs for Coastal Walkway Gullies Segment 5 (Grey Road Gully) and Segment 6 (Kurnabinna Gully).
 3. Allocates additional funding of [REDACTED] as part of the 2023/24 Annual Business Plan for Coastal Walkway Gullies Segment 5 (Grey Road Gully) and Segment 6 (Kurnabinna Gully), to be funded by way of loan.
 4. Resolves to write to the State Government and the Federal Government for additional funding for the Coastal Walkway Project.
- [REDACTED]

6. Resolves for officers to update the community information on the Making Marion site and provide notification to nearby residents adjacent to the works.

Carried Unanimously**Moved Councillor Crossland****Seconded Councillor Masika**

That:

In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that 1) all dollar amounts not previously disclosed and 2) all references to legal advice and legal matters contained in this report, minutes and attachments for the item *Coastal Walkway Gullies Report for Construction*, 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. This confidentiality order will be reviewed at the General Council Meeting in December 2023.

Carried Unanimously

10.2 Cover Report - Cove Sports Stage 1 - Scope Options

Report Reference GC221312F10.2

Moved Councillor Telfer**Seconded Councillor Prior**

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 City Activation, Project Design Advisor, Project Manager Construction, Manager Office of the Chief Executive, Chief Financial Officer, Unit Manager Governance and Council Support and Media and Engagement Advisor, be excluded from the meeting as the Council receives and considers item Cove Sports Stage 1 Scope Options 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 matters that may impact commercial contract negotiations.

Carried Unanimously

7.20pm the meeting went into confidence

Moved Councillor Prior

Seconded Councillor Crossland

That formal meeting procedures be suspended to discuss the item.

Carried Unanimously

7.21pm formal meeting procedures suspended

7.47pm Councillor Amar left the meeting

7.48pm formal meeting procedures resumed

Moved Councillor Telfer

Seconded Councillor Luscombe

That Council:

1. Proceed with Option 2b – As documented with game level lighting and irrigation controllers at a project cost of [REDACTED]

Carried Unanimously

Moved Councillor Veliskou

Seconded Councillor Masika

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that all financial information within this report, attachment and minutes relating to this item *Cove Sports Stage 1 – Scope Options*, 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 2023.

Carried Unanimously

7.58pm the meeting came out of confidence

10.3 Cover Report - Potential Purchase 11, 13 & 15 Nunyah Avenue Park Holme

Report Reference GC221213F10.3

Moved Councillor Telfer

Seconded Councillor Prior

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 City Property, Unit Manager Land and Property, Property Officer, Manager Office of the Chief Executive, Chief Financial Officer, Unit Manager Governance and Council Support and Media and Engagement Advisor be excluded from the meeting as the Council receives and considers item Potential Purchase 11, 13 & 15 Nunyah Avenue Park Holme 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 matters that may impact commercial contract negotiations.

Carried Unanimously

7.58pm the meeting went into confidence

Moved Councillor Crossland

Seconded Councillor Prior

That formal meeting procedures be suspended to discuss the item.

Carried Unanimously

7.59 formal meeting procedures suspended

7.59pm Councillor Amar re-entered the meeting

8.21pm formal meeting procedures resumed

Moved Councillor Veliskou

Seconded Councillor Hoffmann

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, Potential Purchase 11, 12 and 13 Nunyah Avenue Park Holme, 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 2023.

Carried Unanimously

8.24pm the meeting came out of confidence

8.25pm Councillor Naismith left the meeting

8.25pm Councillor Luscombe left the meeting

8.25pm Councillor Crossland left the meeting

11 Corporate Reports for Decision

11.1 Review of Confidential Items Overview - 2022

Report Reference GC221213R11.1

That Council:

1. Notes that Administration will develop and implement a set of Principles including Confidential Order categories and review dates for all future Confidential Items reviews.
2. Notes that Administration has undertaken an Annual Review of all items with a current confidentiality order.
3. Endorses the recommendations as detailed in Attachment 1.
4. Reviews all items with a remaining confidential order in December 2023.

Carried Unanimously

11.2 Shape your future campaign (community engagement for the development of the 4 Year Business Plan 2023-27)**Report Reference** GCYYMMDDR11.2**Moved Councillor Telfer****Seconded Councillor Veliskou**

That Council:

1. Notes the ‘Shape your Future’ Community Engagement Report
2. Endorses the report in Attachment 1 to be shared on council’s Making Marion community engagement platform, subject to any changes.
3. Notes the letters received by key stakeholders in Attachment 2.
4. Notes the individual community responses in Attachment 3.

Carried Unanimously

8.26pm Councillor Naismith re-entered the meeting

8.27pm Councillor Crossland re-entered the meeting

8.28pm Cr Luscombe re-entered the meeting

11.3 Southern Suburbs Residential Policy - Code Amendment**Report Reference** GC221213R11.3

Councillor Prior declared a material conflict of interest in the item as he owns property within the Southern Suburbs Residential Policy area which will have the potential to be subdivided as a result of the Code Amendment and will leave the meeting for the item

8.28pm Councillor Prior left the meeting

Councillor Veliskou declared a material conflict of interest in the item as he owns property within the Southern Suburbs Residential Policy area which will have the potential to be subdivided as a result of the Code Amendment and will leave the meeting for the item

8.33pm Councillor Veliskou left the meeting

Councillor Crossland declared a general conflict of interest in the item as he owns two properties within the Southern Suburbs Residential Policy area, however based on the information provided does not believe they will be affected and will remain for the item.

Councillor Luscombe declared a general conflict of interest in the item as she owns a property within the Southern Suburbs Residential Policy area, however based on the information provided does not believe it will be affected and will remain for the item.

Councillor Naismith declared a material conflict of interest in the item as he owns property within the Southern Suburbs Residential Policy area, of which the value may be affected as a result of the Code Amendment and will leave the meeting for the item.

8.35pm Councillor Naismith left the meeting

Councillor Mates declared a material conflict of interest in the item as she owns property within the Southern Suburbs Residential Policy area, of which the value may be affected as a result of the Code Amendment and will leave the meeting for the item.

8.35pm Councillor Mates left the meeting

Moved Councillor Telfer

Seconded Councillor Crossland

That the item *Southern Suburbs Residential Policy - Code Amendment* be referred to the first Planning and Development Committee meeting in 2023

Carried Unanimously
Cr Crossland voted in favour
Cr Luscombe voted in favour

8.37pm Councillor Prior re-entered the meeting
8.37pm Councillor Naismith re-entered the meeting
8.37pm Councillor Mates re-entered the meeting
8.37pm Councillor Veliskou re-entered the meeting

11.4 Appointment of Council representatives to SRWA

Report Reference GC221213R11.4

Moved Councillor Masika

Seconded Councillor Prior

That Council:

1. Appoints Ray Barnwell as Council's representative on the Board of the Southern Region Waste Authority.
2. Appoints Angela Allison as Council's representative on the Board of the Southern Region Waste Authority.
3. Appoints Councillor Crossland as Deputy for a term consistent with the provisions of the Southern Region Waste Authority Charter (currently four years).

Carried Unanimously

11.5 Council Member Liaison on External Bodies
Report Reference GC221213R11.5

Moved Councillor Taylor

Seconded Councillor Lama

That:

1. Council nominates the following Council Members to act as Council Liaison Officers to the outlined external bodies until the conclusion of the current term:
 1. Councillor Luscombe to the 5049 Coastal Community
 2. Councillor Masika to the Active Elders
 3. Councillor Masika to the Ascot Park Bowling Club
 4. Councillor Hoffmann to the Clovelly Park Community Centre / Cosgrove Hall Committee of Management
 5. Councillor Telfer to Club Marion
 6. Councillor Naismith and Councillor Mates (as proxy) to Cove Cobras Football Club
 7. Councillor Crossland to Cove Football Club
 8. Councillor Luscombe to Cove Netball Club
 9. Councillor Hoffmann to Emmaus Christian College
 10. Councillor Crossland to Good Shepherd Lutheran Church Hallett Cove
 11. Councillor Crossland to Hallett Cove Beach Tennis Club
 12. Councillor Luscombe to Hallett Cove Estate Community Association
 13. Councillor Lama to Hamilton Secondary School
 14. Councillor Luscombe to Hallett Cove R-12 School
 15. Councillor Luscombe to Hallett Cove Netball Club
 16. Councillor Singh to Hindu Temple
 17. Councillor Veliskou to Koorana Gymnastics Club
 18. Councillor Crossland to Marino Community Hall
 19. Councillor Telfer to Marion Bowling Club
 20. Councillor Hoffmann to Marion City Band
 21. Councillor Telfer to Marion Historic Village Museum
 22. Councillor Telfer to Mitchell Park Sports and Community Centre Committee
 23. Councillor Taylor to Oaklands Estate Kindergarten
 24. Councillor Mates to Oasis Family Church
 25. Councillor Veliskou to Plympton Glenelg RSL
 26. Councillor Hoffmann to Plympton Probus Club
 27. Councillor Veliskou to Red House Group Inc.
 28. Councillor Veliskou to Retire Australia - Glengowrie Estate Residents Group
 29. Councillor Masika to Rotary Club of Edwardstown
 30. Councillor Prior to Salvation Army Marion
 31. Councillor Mates to Seaview Downs Kindergarten
 32. Councillor Telfer to Seaview High School
 33. Councillor Mates to Sheidow Park Primary School
 34. Councillor Hoffmann to South Adelaide Squash & Racquetball Club
 35. Councillor Lama to Sunrise Christian School
 36. Councillor Taylor to Swimming SA
 37. Councillor Mates to Trott Park Community Garden
 38. Councillor Luscombe to Youth Collective Committee

The following external bodies are in addition to the current groups and the appointment will be subject to the external body accepting the offer of a Council Liaison:

42. Councillor Hoffmann to Glandore Recreation Board of Management subject to this external body accepting the offer of a Council Liaison
 43. Councillor Hoffmann to Edwardstown Sports club subject to this external body accepting the offer of a Council Liaison
 44. Councillor Naismith to Hallett Cove BMX subject to this external body accepting the offer of a Council Liaison
 45. Councillor Veliskou to Morphettville Park Sports Club subject to this external body accepting the offer of a Council Liaison
 46. Councillor Taylor to Oaklands Estate Residents Association subject to this external body accepting the offer of a Council Liaison
 47. Councillor Singh to Plympton Park Sporting Club subject to this external body accepting the offer of a Council Liaison
2. If additional requests are received after this meeting, Council authorises the Mayor to nominate, after consultation with Council Members, Council Liaison Officers to external bodies.
 3. Administration will advise of each of the external bodies of their nominated Council Liaison.

Carried Unanimously

11.6 1st Budget Review 2022-2023

Report Reference GC221213R11.6

Moved Councillor Veliskou

Seconded Councillor Masika

That Council:

1. Adopt the revised budgeted statements including the Income Statement, Balance Sheet, Statement of Changes in Equity and Statement of Cash Flows.

Carried Unanimously

11.7 Finance, Risk and Audit Committee - Council Member Appointment

Report Reference GC221213R11.7

Moved Councillor Telfer

Seconded Councillor Masika

That Council:

1. Appoints Councillor Hoffmann to the Finance, Risk and Audit Committee for a term commencing 13 December 2022 – 30 November 2023.

Carried Unanimously

11.8 Section 270 Internal Review of Decision - Coastal Walkway
Report Reference GC221213R11.8**Moved Councillor Crossland****Seconded Councillor Masika**

That Council:

1. Appoints an independent investigator to undertake the Review of Decision regarding the coastal walkway as outlined within the report (GC221213R11.8)

Carried Unanimously**12 Corporate Reports for Information/Noting****12.1 Questions Taken on Notice Register**
Report Reference GC221213R12.1**Moved Councillor Prior****Seconded Councillor Taylor**

That the following reports for information / noting be moved en bloc:

- Questions Taken on Notice Register
- By-law Review Update

Carried Unanimously**Moved Councillor Prior****Seconded Councillor Taylor**

That Council:

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

Carried Unanimously**12.2 By-law Review Update**
Report Reference GC221213R12.2**Moved Councillor Prior****Seconded Councillor Taylor**

That Council:

1. Notes this report.
2. Notes that an update will be provided to Council in 2024 following at least one year operation of the Cat and Animal Management By-laws.

Carried Unanimously

13 Workshop / Presentation Items - Nil

14 Motions With Notice

14.1 Community Engagement Marion Cultural Centre Plaza Report Reference GC221213M14.1

Moved Councillor Crossland

Seconded Councillor Naismith

That Council:

1. Delays the decision made at the 29 November 2022 General Council Meeting (Marion Cultural Centre Plaza GC221129M15.1) to alter the current Warracowie Way design of 1 way vehicle movement to 2-way vehicle movement, until a full public consultation has been completed in accordance with the City of Marion Public Consultation Policy that includes the following:
 - i. the additional costs to redesign the plaza to accommodate two-way road for Warracowie Way
 - ii. highlight the objectives for the MCC Plaza
 - iii. consideration of relevant Westfield Marion development plans for closing vehicle access
 - iv. includes an option to leave the plaza as it is and reallocate the \$3.4 million (inclusive of \$2.1 million Federal Funding) to other projects.
 - v. supporting information on the pros and cons for Warracowie Way options
 - vi. Requests that participants in the consultation must provide the street and suburb they live in

Lost

Councillor Crossland called a Division

Those for: Councillors Crossland, Luscombe and Naismith

Those against: Councillors Singh, Veliskou, Mates, Lama, Telfer, Prior, Taylor, Hoffmann and Masika

Lost

15 Questions With Notice - Nil

16 Motions Without Notice

Leave of Absence – Councillor Masika Report Reference GC221213M16.1

Moved Councillor Masika

Seconded Councillor Crossland

That Councillor Masika be granted leave of absence for the General Council Meeting to be held on 24 January 2023.

Carried Unanimously

Leave of Absence – Councillor Singh
Report Reference GC221213M16.2

Moved Councillor Singh

Seconded Councillor Veliskou

That Councillor Singh be granted leave of absence for the General Council Meetings to be held on 24 January and 14 February 2023.

Carried Unanimously

17 Questions Without Notice - Nil

18 Other Business - Nil

19 Meeting Closure

The meeting was declared closed at 8.59pm

CONFIRMED THIS 24 DAY OF JANUARY 2023

CHAIRPERSON