

**Minutes of the General Council Meeting
held on Tuesday, 14 February 2023 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 Ian Crossland

Leave of Absence

Councillor Amar Singh

In Attendance

Chief Executive Officer - Tony Harrison

General Manager Corporate Services - Angela Allison

Acting General Manager City Development – Thuyen Vi-Alternetti

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 Kurna Acknowledgement

We acknowledge the Kurna 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:

- The Mayor declared a general conflict of interest in the item *Election Process for GAROC Representative*
- Councillor Luscombe declared a material conflict of interest in the item *Mitchell Park Neighbourhood Centre - 1 Cumbria Court - EOI*

5 Confirmation of Minutes

5.1 Confirmation of Minutes of the General Council Meeting held on 24 January 2023
Report Reference GC230214R5.1**Moved Councillor Telfer****Seconded Councillor Prior**

That the minutes of the General Council Meeting held on 24 January 2023 be taken as read and confirmed.

Carried Unanimously**ORDER OF AGENDA**

The Mayor sought and was granted leave of the meeting to vary the order the Agenda and consider the Cover Report for the Confidential Item and the Confidential Item in relation to the Boatshed Cafe at the end of the meeting.

6 Adjourned Items - Nil**7 Deputations****7.1 Deputation - Puddle Jumpers Inc - Mitchell Park Neighbourhood Centre EOI**
Report Reference GC230228D7.1

Ms Hanna Black gave a five-minute deputation regarding the use of the old Mitchell Park Neighbourhood Centre site.

7.2 Deputation - Bowden Brompton Community School - Mitchell Park Neighbourhood Centre EOI
Report Reference GC2302147.2

Mr David Collins gave a five-minute deputation regarding the use of the old Mitchell Park Neighbourhood Centre site.

7.3 Deputation - SAMBO Federation of Australia - Mitchell Park Neighbourhood Centre EOI
Report Reference GC230214D7.3

Ms Marina Filipova gave a five-minute deputation regarding the use of the old Mitchell Park Neighbourhood Centre site.

8 Petitions

8.1 Petition - Coastal Walkways Bridges, Fryer Reserve
Report Reference GC230214P8.1**Moved Councillor Crossland****Seconded Councillor Masika**

That Council:

1. Notes the petition from Mr Phil Kemp and Mr Richard Zados
2. Notes that on completion of the Coastal Walkway bridges the contractor will restore the portion of the reserve being utilised for the compound to the original state (this may include, topdressing and re-seeding of the compound area). Council has fully funded an upgrade of Fryer Street Reserve which includes a new public toilet, drinks fountain, picnic bench, shade structure, pathway to the coastal walkway and minor landscaping.
3. Advises the head petitioner of the outcome of the Petition.

Carried Unanimously**9 Committee Recommendations - Nil****11 Corporate Reports for Decision****11.1 Mitchell Park Neighbourhood Centre - 1 Cumbria Court - EOI**
Report Reference GC230214R11.1

Councillor Luscombe declared a material conflict of interest in the item due to her current employment with the Department of Education and will leave the meeting for the item.

7.16pm Councillor Luscombe left the meeting.

Moved Councillor Masika**Seconded Councillor Naismith**

That Council:

1. Notes that four submissions were received as a result of the Expression of Interest (EOI) process for 1 Cumbria Court, Mitchell Park, and that one of these (Gowrie SA) has subsequently formally withdrawn their EOI.
2. Proceeds with Option 2 (Lease to one of the EOI Applicants) including:
 - i. Does not proceed with the revocation of community land classification and retains the Leased Land and building at 1 Cumbria Court, Mitchell Park.
 - ii. Writes to the Minister for Education to seek consent to sub-let and change the permitted use of the Leased Land.
 - iii. Subject to the consent of the Minister for Education and any applicable statutory requirements, commences negotiations with Bowden Brompton Community School to enter into a 5 year lease agreement at a rent in accordance with Council's Leasing and Licensing of Council Owned Facilities Policy (\$2,149.00 per annum plus outgoings).
 - iv. Allocates up to \$150,000 through Council's quarterly budget review process to upgrade the building for the incoming lessee (works to include, compliant ramp, Disability Discrimination Act (DDA) compliant entrance and toilets, kitchen, fixing of roof leaks).

Carried

7.25pm Councillor Luscombe re-entered the meeting

11.2 Edwardstown Football Club Licence Variation

Report Reference GC230214R11.2

The Mayor declared a general conflict of interest in the item as he is a patron for the South Road Cricket Club and will remain in the meeting for the item.

Moved Councillor Masika

Seconded Councillor Crossland

That Council:

1. Notes that Council staff have provided a month-by-month license extension to the Edwardstown Football Club for the use of the two upstairs function rooms at the Edwardstown Soldiers Memorial Recreation Ground since 15 October 2022.
2. Endorses negotiation of a variation to the existing Edwardstown Football Club 5-year license agreement to provide access to the upstairs function rooms at the Edwardstown Soldiers Memorial Recreation Ground for 12-months a year at designated times that do not clash with midweek daytime user groups.

Carried Unanimously

11.3 Response to Parliamentary Inquiry into the Urban Forest

Report Reference GCYYMMDDR11.3

Moved Councillor Crossland

Seconded Councillor Veliskou

That formal meeting procedures be suspended to discuss the item

7.31pm formal meeting procedures suspended

7.41pm formal meeting procedures resumed

Moved Councillor Veliskou

Seconded Councillor Luscombe

That Council:

1. Endorses the City of Marion's submission to the "Inquiry into the Urban Forest" by the Environment, Resources and Development Committee of the South Australian Parliament (Attachment 2)

Carried

Councillor Crossland called a Division:

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

Those against: Councillors Crossland, Mates, Telfer and Prior

Carried

11.4 Gap Year and Traineeship program funding

Report Reference GC230214R11.4

Moved Councillor Masika

Seconded Councillor Mates

That Council:

1. Approves the continuation of funding for the Gap Year and Inclusive Traineeship programs within the City of Marion for a further three years at a cost of \$240,000 per year (subject to Enterprise Agreement increases).

Amendment:

Moved Councillor Telfer

Seconded Councillor Prior

That Council:

1. Approves the continuation of funding for Inclusive Traineeship programs within the City of Marion for a further three years at a cost of \$144,000 per year (subject to Enterprise Agreement increases).

The amendment to become the motion was **Lost**

The original motion was **Carried Unanimously**

11.5 Election Process for GAROC Representative Report Reference GC230214R11.5

The Mayor declared a general conflict of interest in the item as he one of the candidates being considered for appointment to the vacant position on GAROC and will leave the meeting for the item.

The Mayor vacated the Chair

8.03pm The Mayor left the meeting

The Deputy Mayor took the chair and presided over the meeting

Moved Councillor Prior

Seconded Councillor Veliskou

That Council:

1. Votes for the appointment of: Mayor Hanna to the vacant position on the South Regional Grouping of Members of GAROC for a term commencing at the conclusion of the vote counting and ending at the conclusion of the 2024 LGA Annual General Meeting.
2. Completes the Ballot Paper and voting envelopes in accordance with the instructions pursuant to the GAROC Terms of Reference and Returns to the LGA by 5.00pm Wednesday 1 March 2023.

Carried Unanimously

8.04pm The Mayor re-entered the meeting and resumed the Chair

11.6 ALGA 2023 National General Assembly of Local Government - Call for Notices of Motions Report Reference GC230214R11.6

Councillor Hoffmann declared a material conflict of interest in the item as she has been nominated to attend the interstate ALGA conference.

8.08pm Councillor Hoffman left the meeting

Moved Councillor Taylor

Seconded Councillor Masika

That Council:

1. Notes the report 'ALGA 2023 National General Assembly of Local Government - call for Notices of Motions'
2. Nominates Councillor Hoffmann as the City of Marion voting delegate to attend the Australian Local Government National General Assembly 2023.

Carried Unanimously

8.08pm Councillor Hoffmann re-entered the meeting

12 Corporate Reports for Information/Noting

Moved Councillor Prior

Seconded Councillor Telfer

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

- Work Health and Safety Report
- Finance Report - December 2022

Carried Unanimously

12.1 Work Health and Safety Report Report Reference GC230214R12.1

Moved Councillor Prior

Seconded Councillor Telfer

That Council:

1. Note this report

Carried Unanimously

12.2 Finance Report - December 2022 Report Reference GC230214R12.2

Moved Councillor Prior

Seconded Councillor Telfer

That Council:

1. Receives the report "Finance Report – December 2022"

Carried Unanimously

10 Confidential Items

10.1 Cover Report - Boatshed Cafe Report Reference GC230214F10.1

Moved Councillor Prior

Seconded Councillor Crossland

That pursuant to Section 90(2) and (3)(b) (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, Chief Finance Officer, Manager City Property, Unit Manager Property and Facilities, Unit Manager Property, Strategy and Delivery, Team Leader Property, Capital Project Officer, be excluded from the meeting as the Council receives and considers information relating to the Boatshed Cafe, 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 including financial figures provided by a third party.

Carried Unanimously

8.09the meeting went into confidence

Moved Councillor Crossland

Seconded Councillor Prior

In accordance with Section 91(7) and (9) of the *Local Government Act 1999*, orders that the report, attachments 1 to 3, and minutes arising from this report 'Boatshed Cafe ' having been considered in confidence under Section 90(2) and (3)(b)(i) and (ii) of the Act be kept confidential and not available for public inspection upon the basis that the information contains commercial information including financial figures. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. This confidentiality order will be reviewed at the General Council Meeting in December 2023.

Carried Unanimously

13 Workshop / Presentation Items - Nil

14 Motions With Notice - Nil

15 Questions With Notice - Nil

16 Motions Without Notice - Nil

17 Questions Without Notice - Nil

18 Other Business - Nil

19 Meeting Closure

The meeting was declared closed at 8.40pm

CONFIRMED THIS 28 DAY OF FEBRUARY 2023

CHAIRPERSON