

**Minutes of the General Council Meeting
held on Tuesday, 13 June 2023 at 6.30 pm
Council Chamber, Council Administration Centre
245 Sturt Road, Sturt**

PRESENT

Deputy Mayor Raelene Telfer (Chair)

Councillor Joseph Masika (6.32pm)

Councillor Luke Naismith

Councillor Jason Veliskou

Councillor Sarah Luscombe

Councillor Matt Taylor

Councillor Renuka Lama (6.32pm)

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

Chief Financial Officer - Ray Barnwell

Unit Manager Governance and Council Support - Victoria Moritz

Executive Officer to the Chief Executive Officer - Dana Bartlett

Governance Officer - Georgia Lygoe

1 Open Meeting

The Chair 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 Council 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:

- NIL

5 Confirmation of Minutes

5.1 Confirmation of Minutes of the General Council Meeting held on 23 May 2023**Report Reference** GC230523R5.1**Moved Councillor Crossland****Seconded Councillor Taylor**

That the minutes of the General Council Meeting held on 23 May 2023 be taken as read and confirmed.

Carried Unanimously**6 Adjourned Items - Nil****7 Deputations****7.1 Plympton Sports Club****Report Reference** GC230613D7.1

Mr Trevor Bruce gave a five-minute deputation regarding inclusion of the Plympton Oval Master Plan within the Draft Business Plan 2023-2027 and Draft Annual Business Plan and Budget 2023-2024.

8 Petitions - Nil**9 Committee Recommendations****9.1 Confirmation of Minutes of the Finance, Risk and Audit Committee Meeting held on 16 May 2023****Report Reference** GC230613R9.1**Moved Councillor Veliskou****Seconded Councillor Crossland**

That Council:

1. Receives and notes the minutes of the Finance, Risk and Audit Committee meeting held on 16 May 2023.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance, Risk and Audit Committee.

Carried Unanimously**10 Confidential Items**

10.1 Cover Report - Confirmation of Minutes of the Confidential Finance, Risk and Audit Committee Meeting held on 16 May 2023

Report Reference GC230613F10.1

Moved Councillor Lama**Seconded Councillor Singh**

That pursuant to Section 90(2) and (3)(e) 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, Chief Financial Officer, Unit Manager Governance and Council Support, Governance Officer and Executive Officer to the Chief Executive Officer, be excluded from the meeting as the Council receives and considers information relating to Confirmation of Minutes of the Confidential Finance, Risk and Audit Committee Meeting held on 16 May 2023, 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 CoM Cyber Security and the impact on contractual expectations.

Carried Unanimously

6.46pm the meeting went into confidence

Moved Councillor Veliskou**Seconded Councillor Singh**

That Council:

1. Receives and notes the confidential minutes of the Finance, Risk and Audit Committee meeting held on 16 May 2023.
2. Notes that separate reports will be brought back 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 arising from this report, Confirmation of Minutes of the Confidential Finance, Risk and Audit Committee Meeting held on 16 May 2023, having been considered in confidence under Section 90(2) and (3)(e) 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

6.49pm the meeting came out of confidence

10.2 Cover Report - Annual Review of the Open Space Plan

Report Reference

GC230613F10.2

Moved Councillor Crossland**Seconded Councillor Veliskou**

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 Corporate Services, General Manager City Services, Manager Office of the CEO, Chief Financial Officer, Manager City Activation, Open Space & Recreation Planner, Manager, City Property, Unit Manager Property and Facilities, Unit Manager Governance and Council Support, Governance Officer and Executive Officer to the Chief Executive Officer, be excluded from the meeting as the Council receives and considers information relating to Annual Review of the Open Space Plan, 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

6.49pm the meeting went into confidence

Moved Councillor Veliskou**Seconded Councillor Singh**

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the minutes relating to the reserve considered in confidence any reference to the reserve considered in confidence in the report, *Annual Review of the Open Space Plan*, 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 until the land acquisition process is complete. If not released prior, this confidentiality order will be reviewed at the General Council Meeting in December 2023.

Carried Unanimously

6.52pm the meeting came out of confidence

Moved Councillor Crossland**Seconded Councillor Luscombe**

That Council:

5. Endorses retiming of the Cove Oval playground upgrade from 2024/25 with timing to be determined in the open space plan midlife review 2024 with a commitment to 2029-30 in line with the precinct upgrade.
6. Endorses retiming of the Graham Watts Reserve public toilet to coincide with the broader precinct upgrade, with timing to be determined in the Open Space Plan mid-life review in 2024.

7. Endorses funding in 2023/24 of one third of the cost of a Changing Places toilet at Glenthorne National Park, up to a maximum of \$85,000.
8. Notes that the Open Space Policy will be reviewed as part of the Open Space Plan mid-life review in 2024, and that this Policy review will include wording describing the process to seek changes to the Open Space Plan.

Carried Unanimously

11 Corporate Reports for Decision

11.1 Hallett Cove Seaside Pool - Concept Design & Community Consultation

Report Reference GC230613R11.1

Moved Councillor Crossland

Seconded Councillor Luscombe

That formal meeting procedures be suspended to discuss the item

Carried Unanimously

Time formal meeting procedures suspended 7.01pm

Time formal meeting procedures resumed 7.23pm

Moved Councillor Veliskou

Seconded Councillor Singh

That the item Hallett Cove Seaside Pool - Concept Design & Community Consultation be adjourned until the meeting on 22 August 2023.

Lost

Moved Councillor Crossland

Seconded Councillor Luscombe

That Council:

1. Notes the report for the Hallett Cove Seaside Pool Concept Design (Attachment 2).
2. Notes that no funding is available to complete this project.
3. Endorses the Community Engagement Plan (Attachment 5) and supports community consultation on the concept design options:
 - a. 50 metre seaside pool including associated embankment protection
 - b. 25 metre seaside pool including associated embankment protection
 - c. Explores alternative erosion protection strategies that do not include the seaside pool
4. Notes that a report will be presented at the General Council Meeting on 12 September 2023 summarising feedback results from the community consultation on the concept design options and to determine next steps.

Carried

Division called by Councillor Crossland

Those For: Councillors Crossland, Luscombe, Singh, Veliskou, Mates, Naismith, Lama, Taylor, Masika

Those Against: Councillor Prior

Carried

11.2 Resilient South Sector Agreement, 2022 - 2027

Report Reference GC230613R11.2

Moved Councillor Veliskou**Seconded Councillor Masika**

That Council:

1. Endorses the *Climate Change Sector Agreement for the Southern Adelaide Region 2023-2027* (Attachment 1) for the Mayor to sign.
2. Notes that the Sector Agreement will come into effect upon the signing of the Mayors of the other partner councils and the Minister for Environment.

Carried Unanimously**11.3 Local Roads and Community Infrastructure funding Round 4**

Report Reference GC230613R11.3

Moved Councillor Crossland**Seconded Councillor Prior**

That Council:

1. Endorses Marion Golf Irrigation stage 2 works and Raglan Avenue to be submitted to the Federal Government for approval for allocation of the Local Roads and Community Infrastructure funding Phase 4 on a 50:50 partnership council/LRCI funding structure.

Carried Unanimously**11.4 CEO and Council KPI's**

Report Reference GC230613R11.4

Moved Councillor Crossland**Seconded Councillor Masika**

That Council:

Endorses the Council /CEO Key Performance Indicators for 2023/24 as outlined in table 1 of the report and include within the Annual Business Plan for 2023/24:

1. Financial Sustainability
2. Asset Renewal Funding Ratio
3. Total Employee Costs
4. Staff Engagement
5. Delivery of agreed projects identified in ABP (Annual Business Plan) and current year targets in 4- year Plan
6. Delivery of Councils Capital Works Program
7. Carbon Neutrality
8. Overall Satisfaction with Council Performance
9. Customer Experience

Carried Unanimously

11.5 Draft Annual Business Plan 2023-2024 and Long Term Financial Plan

Report Reference GC230613R11.5

Moved Councillor Veliskou

Seconded Councillor Taylor

That Council:

1. Endorses the Draft Annual Business Plan 2023-24 and Draft Long Term Financial Plan (Attachment 1) be prepared for final consideration at the 27 June 2023 General Council meeting with variations as approved by Council on the basis of :
 - Average Rate increase of 5.2%
 - Minimum Rate of \$1,148
 - Capping set at 10% with a \$20 minimum and \$200 maximum
 - Differential Rate by Land use:
 - Commercial 120%
 - Industrial 110%
 - Vacant Land 120%.
2. Endorses the changes now incorporated into the Draft ABP 2023-2024 and LTFP (Attachment 1), outlined in Table 1 of this report, with the final Draft 2023-24 ABP and LTFP to be presented for adoption at the 27 June 2023 General Council Meeting.
3. Endorses the Draft Fees and Charges Schedule for 2023-24 (Attachment 2) Subject to the following amendments:
 - Page 267 of the agenda, removal of page 4 of the Schedule (relating to *Cove Civic Centre - 2023/24*)
 - Page 270 of the agenda, Mitchell Park (MPSCC) hire fees 2023/24 to reflect those shown on page 280
4. Endorses the forecast Grants Program for 2023-24 (Attachment 3).

5. Notes the Public Consultation feedback provided at Attachment 4 and that any amendments to the Draft Annual Business Plan 2023-24 will be brought back as part of the final endorsed version on 27 June 2023.

Carried Unanimously

11.6 Community consultation feedback for Council's Draft Business Plan 2023-2027

Report Reference GC230613R11.6

Moved Councillor Veliskou

Seconded Councillor Masika

That Council:

1. Notes and considers the community feedback received on the Business Plan 2023-2027 within the community engagement period. Noting the feedback included on page 334 below:
 - Questions / concerns about the rate increase proposed.
 - Request to include an upgrade of the Plympton Sports and Community Club in the 23-24 budget and 4 Year Business Plan.
 - Varied responses about the projects within the 4YBP relating to sports infrastructure, some supporting some projects whilst some suggesting there was too much sport focus.
 - General comments around maintenance of the Council area, i.e. streets, roads, trees.
 - General concerns around traffic management, such as congestion and parking on streets.
 - Comments advocating for action on climate and trees.
2. Endorses the draft responses to community feedback on the Business Plan 2023-2027 (included in Attachment 1) to be released on Making Marion,
3. Requests the final Business Plan 2023-2027, be presented at the 27 June 2023 General Council Meeting
4. Noting that further work is being done to assess the needs of assets and priorities of the sporting infrastructure over the 23-24 financial year

Carried

11.7 Community Land Management Plans

Report Reference GC230613R11.7

Moved Councillor Crossland

Seconded Councillor Veliskou

That Council:

1. Notes the community consultation feedback received on the draft CLMPs (Attachment 1).
2. Resolves to adopt the following draft CLMPs in accordance with section 196 of the Local Government Act 1999 and upon adoption replace the existing CLMPs that the subject parcels of land are currently contained in:
 - a. Leased Facilities (Attachment 3)
 - b. Sporting Facilities (Attachment 4)

- c. Wetlands (Attachment 5)
 - d. Coastal and Nature Conservation (Attachment 6)
 - e. Reserves and Open Space (Attachment 7)
 - f. Operational and Other Community Land (Attachment 8)
3. Resolves to place a notice in the Advertiser Newspaper and the South Australian Government Gazette confirming Council's adoption of the draft CLMPs and the revocation of the CLMPs they are replacing.
 4. Notes that the existing Marion Arena CLMP will be updated to ensure the Kaurna Acknowledgement is consistent with the newly adopted CLMPs and that, because the amendment will have no significant impact on the interests of the community, this will be done as an administrative change under s.198(3) of the Act.

Carried Unanimously

11.8 Draft Parking Management Guidelines

Report Reference GC230613R11.8

8.00pm Councillor Masika left the meeting and did not return

8.00pm Councillor Mates left the meeting

8.03pm Councillor Mates re-entered the meeting

Moved Councillor Prior

Seconded Councillor Crossland

That Council:

1. Endorses the draft Parking Management Guidelines (Attachment 1) proceed to public consultation subject to the following amendment:
 - update to the ABS statistical data
2. Notes that a further report will be presented to Council with community consultation feedback.

Carried Unanimously

11.9 GAROC Strategic Plan

Report Reference GC230613R11.9

Moved Councillor Luscombe

Seconded Councillor Veliskou

That Council authorises the Mayor to respond to GAROC suggesting the rationalisation of the following:

1. Priority 3 – Liveability – community leadership – action 3 – Continue Advocacy in relation to urban Trees. City of Marion has the process well established internally and would not rely on LGA for this.
2. Priority 3 – Liveability – community leadership – action 9 - City of Marion is of the opinion that school-based immunisations is managed and addressed by State Government.

Carried**11.10 Council Subsidiary SRWRA - Draft Annual Business Plan and Budget 2023-24****Report Reference** GC230613R11.10**Moved Councillor Crossland****Seconded Councillor Prior**

That Council:

1. Advises the Southern Region Waste Resource Authority (SRWRA) that it supports the Draft 2023-24 Annual Business Plan and Budget (Attachment 1).

Carried**12 Corporate Reports for Information/Noting****12.1 SRWRA Board Meeting 15 May 2023 - Constituent Council Information Report****Report Reference** GC230613R12.1**Moved Councillor Prior****Seconded Councillor Taylor**

That Council:

1. Notes the Constituent Council Information Report from the SRWRA Board Meeting, 15 May 2023.

Carried Unanimously**Moved Councillor Prior****Seconded Councillor Naismith**

That the following items be moved en bloc:

- Quarterly Corporate Risk Report
- Strategic Risk Register Annual Review

Carried**12.2 Quarterly Corporate Risk Report****Report Reference** GC230613R12.2

Moved Councillor Prior

Seconded Councillor Naismith

That Council:

1. Notes the Corporate Risk Register Report (Attachment 1).

Carried

12.3 Strategic Risk Register Annual Review

Report Reference GC230613R12.3

Moved Councillor Prior

Seconded Councillor Naismith

That Council:

1. Notes the Strategic Risk Register.

Carried

13 Workshop / Presentation Items - Nil

14 Motions With Notice - Nil

15 Questions With Notice

15.1 Advertising on Bus Shelters

Report Reference GC230613Q15.1

Council Member Mayor Kris Hanna

QUESTION

“When the City of Marion next enters into an agreement for advertising at bus shelters, will junk food advertising be permitted?”

SUPPORTING INFORMATION

Nil

Response Received From

Coordinator Transport – Nathan Saxty

Corporate Manager

Manager Engineering, Assets and Environment - Mat Allen

General Manager

General Manager City Services – Ben Keen

STAFF COMMENTS

City of Marion currently has contractual arrangements in place with two (2) individual companies providing advertising on their bus shelters located within Council area. Details pertaining to these companies, including contract term dates are referenced below:

BAM Outdoor – contract in place until 30th June 2025

Ooh! Media – contract expires on 30th June 2023, contract renewal is currently being negotiated

It is worth noting, a contract variation was made with BAM Outdoor on 6th May 2020 when both parties agreed to a 5-year extension to 30 June 2025, with an additional clause added (6.2 (d) to the contract stating, “any advertising depicting junk food’ (as defined by Council) is not to be within 200m of a school”.

Previous contract extension discussions with Ooh! Media to consider additional clauses referring to ‘junk food’ have been unsuccessful. The Out-of-Home outdoor advertising sector (which they are a part of) self regulates against the Australian Association of National Advertisers (AANA) Code of Ethics with the sectors approach to food and non-alcoholic beverages. They stated the food and non-alcoholic beverage sector spend sufficiently in the Out-of-Home market and this category is considered a Class A category for Ooh! Media, therefore any ban or restriction on this advertising would have a financial impact on their business model and its ability to be competitive in the market.

With Ooh! Media contract currently up for renewal, Council can request Ooh! Media to consider a clause, to be in line with BAM Outdoor to ensure no junk food is advertised within 200m of a school.

16 Motions Without Notice

17 Questions Without Notice

18 Other Business

19 Meeting Closure

The meeting was declared closed at 8:18pm.

CONFIRMED THIS 27 DAY OF JUNE 2023

CHAIRPERSON