



Minutes of the General Council Meeting
held on Tuesday, 27 June 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 (from 7.25pm)
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 Chair opened the meeting at 6.31pm.

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 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:

- Councillor Luscombe declared a material conflict of interest in the item *Cumbria Court Mitchell Park*

5 Confirmation of Minutes

5.1 Confirmation of Minutes of the General Council Meeting held on 13 June 2023 Report Reference GC230627R5.1

Moved Councillor Taylor

Seconded Councillor Prior

That the minutes of the General Council Meeting held on 13 June 2023 be taken as read and confirmed.

Carried Unanimously

6 Communications

6.1 Elected Member Verbal Communications

In accordance with the *Code of Practice - Procedures at Council Meeting 2017/18* an Elected Member has the right to speak for up to two minutes in the second meeting of Council every second month from February (with the exception of caretaker period).

In accordance with the Council Member Training and Development Policy, Councillor Hoffmann provided a verbal update on her attendance at the Australian Local Government Association Conference and will submit a written report to Council at the next General Council Meeting on 25 July 2023:

- The ALGA conference was held in Canberra from 13 – 16 June 2023.
- Some overall statistics include:
 - 537 Councils represented.
 - 1,100 Council Members and staff.
 - 11 panels
 - 7 guest speakers
 - 3 opening addresses
 - 145 motions
- There was a panel on the future of Local Government and a panel around building a stronger workforce which featured the Mayor the City of Mitcham, Mayor Heather Holmes-Ross as a guest speaker. Mayor Heather Holmes-Ross explained the initiatives she has taken to recruit, to retain and grow their workforce.
- On the Wednesday there were four panels and two key-note speakers, a conversation about the Voice, Australia's affordable housing crisis, cyclones, fire and floods and cyber security in local governments
- The hero of the event were the motions. There were 145 motions ranging from finance and funding, transport and infrastructure, skills and workforce, emergency management, housing and homelessness, climate change and energy, community wellbeing, circular economy, environment, and biodiversity. There were some very lively debates with everyone representing their particular interests.
- Gained a real sense of the factors that were important to local communities across Australia including floods, heat, fires, transport, isolation, rising costs
- There were also several Networking events
- Took the opportunity to thank the Mayor, Council Members, CEO and staff for the opportunity to attend.

Moved Councillor Prior

Seconded Councillor Masika

That the following Communications items be moved en bloc:

- Mayoral Communication Report
- CEO and Executive Communication Report

Carried Unanimously

6.2 Mayoral Communication Report

Report Reference GC230627R6.2
Name of Council Member Mayor - Kris Hanna

Date	Event	Comments
17.5.2023	Meeting with Chair of Club Marion Committee	
18.5.2023	National Volunteer Week Event at Cooina Hall	
21.5.2023	Dover Gardens Dog Obedience Club	Presentation of trophies
24.5.2023	Visit to four businesses in Edwardstown Precinct	
25.5.2023	Opening night of Galleon Theatre play	
21.06.2023	Lions Club of Marion Inc 2023 Handover	Toast
22.06.2023	Coast FM radio segment	Interview
In addition, the Mayor has met with residents, MPs and with the CEO and Council staff regarding various issues.		

Moved Councillor Prior

Seconded Councillor Masika

That the Mayoral Communication report be received and noted.

Carried Unanimously

6.3 CEO and Executive Communication Report

Report Reference GC230627R6.3

Date	Activity	Attended By
23 May 2023	Seacliff Retail Village Stakeholder Meeting	Tony Lines
24 May 2023	Meeting Nicole Larkin Designs and City of Marion re Seaside Pool	Tony Lines
26 May 2023	Cross Council CEO Meeting with City of Mitcham, City of Playford, City of Adelaide, City of Charles Sturt, City of Port Adelaide Enfield, City of Holdfast, City of Salisbury and Mount Barker Council re corporate storytelling	Tony Harrison
26 May 2023	Meeting Design IQ and City of Marion re Seacliff Boundary Realignment	Tony Lines

29 May 2023	Monthly Meeting Sarah Andrews MP (Member for Gibson)	Tony Harrison
29 May 2023	Meeting Nicole Larkin Designs and City of Marion re Seaside Pool	Tony Lines
30 May 2023	Workshop Oaklands Green and City of Marion re traffic management and parking	Tony Lines
30 May 2023	Site Visit SWBMX with SWBMX Club representative re progress	Tony Lines
1 June 2023	Meeting City of Marion and Patriitti re irrigation	Tony Harrison
1 June 2023	Meeting City of Marion and Partek Construction re Southern Soccer Facility	Tony Lines
5 June 2023	Meeting Donna Dunbar - GM Corp. Serv. CCS	Angela Allison
5 June 2023	Glenthorne Playground Visit	Tony Harrison Tony Lines
5 June 2023	Fortnightly Meeting City of Marion and Pelligra	Tony Harrison Tony Lines
6 June 2023	Meeting Grant Myers SAJC re development	Tony Harrison
7 June 2023	Meeting David Speirs MP (Member for Black)	Tony Harrison
7 June 2023	LG Professionals General Manager Working Group Meeting	Ben Keen
7 June 2023	Meeting Cross Council Asset Collaboration with Cities of Charles Sturt and Pt Adelaide Enfield	Ben Keen
7 June 2023	Meeting with Consumer and Business Services re Felmeri Homes	Tony Lines
8 June 2023	Meeting Greg Crerar – Aurion – GM Client Services	Angela Allison
14 June 2023	Meeting Greenway Architects and City of Marion re SWBMX Start Hill	Tony Lines
14 June 2023	Meeting Design IQ and City of Marion re Seacliff Boundary Realignment	Tony Lines
16 June 2023	Meeting Blubuilt, North Projects, Aspects Studios, Innovis, CMW Geosciences SA, and City of Marion re Coastal Walkway	Tony Lines
19 June 2023	Meeting Blubuilt, North Projects, Aspects Studios, Innovis, CMW Geosciences SA, and City of Marion re Coastal Walkway	Tony Lines
21 June 2023	Meeting Adrian Ralph (CCS) & Fiona Harvey (PAE) Cross Council Fleet Collaboration	Angela Allison

21 June 2023	Information session by Green Adelaide Benefits of Cool Fire (Kaurna kardla)	Ben Keen
22 June 2023	Meeting Roberto Bria City of Holdfast Bay CEO re Boundary realignment	Tony Harrison
22 June 2023	Meeting Grant Mayer (SAJC), Vaughn Lynch and Nick Bowden (Racing SA) re development	Tony Harrison
22 June 2023	Meeting Oaklands Green PCG monthly meeting with City of Marion and Oaklands Green	Tony Lines
23 June 2023	Information Session National Housing Finance Investment Corporation - Housing Australia Future Fund (HAFF) engagement with Local Government - SA	Angela Allison
26 June 2023	Meeting SRWRA Board	Angela Allison
27 June 2023	Meeting Cross Council Value for Money Collaborative Internal Audit - KPMG	Angela Allison

Moved Councillor Prior

Seconded Councillor Masika

That the CEO and Executive Communication report be received and noted.

Carried Unanimously

7 Adjourned Items

7.1 Adjourned Item - Fleet Transition Plan Report Reference GC230627R7.1

Moved Councillor Crossland

Seconded Councillor Masika

That Council:

1. Note the update relating to the EV transition of the light motor vehicle fleet
2. Note that the consultants report on the cost of the electricity upgrade is scheduled to be received by 30 June 2023.
3. A Final report to council will be provided in August on recommendations relating to the Fleet transition to EVs.

Carried Unanimously

8 Deputations - Nil

9 Petitions - Nil

10 Committee Recommendations

Moved Councillor Luscombe

Seconded Councillor Veliskou

That the following Committee Recommendations be moved en bloc:

- Confirmation of Minutes of the Infrastructure Committee Meeting held on 6 June 2023
- Confirmation of Minutes of the Environment Committee Meeting held on 6 June 2023

Carried Unanimously

10.1 Confirmation of Minutes of the Infrastructure Committee Meeting held on 6 June 2023
Report Reference GC23062710.1

Moved Councillor Luscombe

Seconded Councillor Veliskou

That Council:

1. Receives and notes the minutes of the Infrastructure Committee meeting held on 6 June 2023.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Infrastructure Committee.

Carried Unanimously

10.2 Confirmation of Minutes of the Environment Committee Meeting held on 6 June 2023
Report Reference GC230627R10.2

Moved Councillor Luscombe

Seconded Councillor Veliskou

That Council:

1. Receives and notes the minutes of the Environment Committee meeting held on 6 June 2023.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Environment Committee.

Carried Unanimously

11 Confidential Items - Nil

12 Corporate Reports for Decision

12.1 Council 4 Year Business Plan 2023-2027
Report Reference GC230627R12.1

Moved Councillor Telfer

Seconded Councillor Taylor

That Council:

1. Adopts the City of Marion Business Plan 2023-2027, noting the minor edits made to the document as detailed in the Council report and authorises staff to update the 4 year business plan with any updated resolutions for projects listed within the plan prior to finalising the document

Carried Unanimously

Moved Councillor Veliskou

Seconded Councillor Crossland

That the following items be moved en bloc:

- Annual Business Plan 2023-24 and Long Term Financial Plan
- Valuation - Adoption for 2023-24
- Rates Declaration 2023-24

Carried Unanimously

12.2 Annual Business Plan 2023-24 and Long Term Financial Plan

Report Reference GC220628R12.2

Moved Councillor Veliskou

Seconded Councillor Crossland

That the following be adopted by council in the following order:

1. Financial Policies (Attachment 3)
 - a) Rating Policy
 - b) Treasury Management Policy
 - c) Fees and Charges Policy
 - d) Reserve Funds Policy
 - e) Asset Accounting Policy
 - f) Budget Policy
2. Pursuant to Section 123(6) of the *Local Government Act 1999* and regulation 6 of the *Local Government (Financial Management) Regulations 2011*, the Annual Business Plan 2023-2024 (Attachment 1)
3. Pursuant to Section 123(7) of the *Local Government Act 1999*, and regulation 7 of the *Local Government (Financial Management) Regulations 2011*, the Annual Budget 2023-2024 (Attachment 1)
4. Pursuant to Section 122(1a) of the *Local Government Act 1999*, and regulation 5 of the *Local Government (Financial Management) Regulations 2011*, the Long Term Financial Plan 2023-2033 (Attachment 2).
5. That in accordance with the 2023-2024 Annual Business Plan and budgeted borrowings included in the 2023-2024 budget, Council is authorised to negotiate with lending authorities for additional loan borrowings of up to \$18m.
6. That the Mayor and the Chief Executive Officer be authorised to execute any relevant documentation in relation to the borrowings as required for and on behalf of Council and affix the Council's common seal thereto.

Carried Unanimously

12.3 Valuation - Adoption for 2023-24
Report Reference GC230627R12.3**Moved Councillor Veliskou****Seconded Councillor Crossland**

That Council:

1. Pursuant to Section 167(2)(a) of the *Local Government Act 1999* adopts the capital valuations as supplied by the Office of the Valuer-General, (at Supplementary Week 51 dated 26 June 2023), as the Valuations that are to apply to land within its area for rating purposes for the 2023-24 financial year.
2. Notes that, at the time of adoption, the Valuation totalled \$31,902,234,080 (including \$30,385,071,934 Rateable and \$1,517,162,146 Exempt).

Carried Unanimously**12.4 Rates Declaration 2023-24**
Report Reference GC230627R12.4**Moved Councillor Veliskou****Seconded Councillor Crossland**

1. That pursuant to Section 153(1)(b) and 156(1)(a) of the *Local Government Act 1999* the Council declares differential general rates according to land use based on Capital Value within the area for the 2023-24 financial year as follows:
 - 1.1 0.256957 cents in the dollar on rateable land of Categories 1 - Residential, 7 Primary Production, 9 - Other.
 - 1.2 0.565306 cents in the dollar on rateable land of Categories 2 - Commercial Shop, 3 - Commercial Office, 4 - Commercial Other.
 - 1.3 0.539610 cents in the dollar on rateable land of Categories 5 - Industry Light and 6 - Industry Other.
 - 1.4 0.565306 cents in the dollar on rateable land of Category 8 - Vacant Land
2. That pursuant to Section 158 (1)(a) of the *Local Government Act 1999*, fixes a minimum amount payable by way of General Rates in respect of rateable land within the area for the 2023-24 financial year of \$1,148.00.
3. That pursuant to Section 153(3) of the *Local Government Act 1999* the Council has determined not to fix a maximum increase under this Section in the general rate to be charged on a principal place of residence of a principal ratepayer upon the basis that relief is otherwise provided under the 'Discretionary Rebate - Residential Land Use (Residential Rate Rebate)' provision of its Rating Policy.
4. That, as required by the *Landscape South Australia Act 2019*, and pursuant to Section 69 of that Act and Section 154 (1) of the *Local Government Act 1999*, the Council declares a Separate Rate of 0.007701 cents in the dollar on all rateable land in the area covered by the Green Adelaide Board within this Council's area for the 2023-24 financial year.

5. That pursuant to Section 181 (1) of the *Local Government Act 1999*, rates are payable in four equal or approximately equal instalments, and Council resolves that pursuant to section 181(2) of the Act the due dates for those instalments shall be:
 - 1 September 2023
 - 1 December 2023
 - 1 March 2024
 - 3 June 2024
6. That pursuant to Section 44 of the *Local Government Act 1999* the Council delegates to the Chief Executive Officer the power at Section 181(4)(b) to alter the due date for payment of any rate or instalment payment of a ratepayer where circumstances warrant such action, and to make any arrangement for payment of an account (either including or excluding the imposition of fines thereon) over an extended period.

Carried Unanimously

12.5 Rate Rebates 2023-24

Report Reference

GC230627R12.5

Moved Councillor Telfer

Seconded Councillor Masika

That:

1. The Schedule of Rate Rebates (refer Appendix 1) be noted.
2. Council resolves that a discretionary rate rebate of 25% be granted under Section 166(1)(j) of the *Local Government Act 1999* to Foodbank SA on the properties it occupies for the 2023-24 financial year.
3. Council resolves that a discretionary rebate of 25% be granted under Section 166(1)(d) of the *Local Government Act 1999* to Suneden School on the property it occupies and uses for educational purposes for the 2023-24 financial year.
4. Council resolves that a discretionary rate rebate of 100% be granted under Section 166(1)(j) of the *Local Government Act 1999* to Scouts SA on the properties it occupies for the 2023-24 financial year with the exception of 34 Byron Ave Clovelly Park, used as a storage area. As notified by City of Marion staff during the past year to Scouts SA, given the presentation of this premises to Byron Avenue
5. Council resolves that a discretionary rate rebate of 50% be granted under Section 166(1)(j) of the *Local Government Act 1999* to the Abbeyfield Society (Marion) on the property it occupies at 5 Lawrence Ave, Edwardstown for the 2023-24 financial year.
6. Council resolves that a discretionary rate rebate of 50% be granted under Section 166(1)(j) of the *Local Government Act 1999* to the Plympton Glenelg RSL Sub Branch on the property it occupies at 464 Marion Rd, Plympton Park for the 2023-24 financial year.
7. Council resolves that a discretionary rate rebate of 75% be granted under Section 166(1)(j) of the *Local Government Act 1999* to Operation Flinders on the property it occupies at 3/938 and 4/938 South Road, Edwardstown for the 2023-24 financial year.
8. Council resolves that a discretionary rate rebate of 25% be granted under Section 166(1)(j) of the *Local Government Act 1999* to South Adelaide Squash Centre on the property it occupies at 2A Midera Avenue, Edwardstown for the 2023-24 financial year.

Carried Unanimously

12.6 Reconciliation Action Plan 2023-25
Report Reference GC23062712.6

Moved Councillor Mates

Seconded Councillor Veliskou

1. That the draft Reconciliation Action Plan 2023-25 be referred to a Forum for further discussion

Carried

12.7 1 Cumbria Court, Mitchell Park
Report Reference GC230627R12.7

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

6.52pm Councillor Luscombe left the meeting

Moved Councillor Telfer

Seconded Councillor Crossland

That Council:

1. Notes that the Department for Education and Brompton Bowden School have advised Council that they do not wish to proceed with the leasing of 1 Cumbria Court, Mitchell Park.
2. Permits the Department of Education and Mitchell Park Kindergarten to advise Council by 22 August 2023 General Council if they wish to proceed with the leasing of 1 Cumbria Court Mitchell Park.
3. If the Department of Education and Mitchell Park Kindergarten has not expressed intent to lease 1 Cumbria Court Mitchell Park by 22 August 2023 then Council will write to the Minister for Education requesting their consent for the Permitted Use in the Lease to be varied from 'Neighbourhood Centre Purposes' to 'Open Space' and their consent to demolish the building on the Leased Land
4. Notes that the previously allocated \$150,000 (GC20230214R11.1) for the building upgrade will no longer be required.
5. Allocates up to \$110,000 in the 2023/24 budget to demolish the building and return the site to open space.
6. Allocates an additional \$3,000 per annum (indexed) to the Open Space Operations budget in 2023/24 onwards for ongoing maintenance of the additional open space.
7. Notes there will be a favourable impact on the 2023/24 budget of \$34,000 and an unfavourable impact on the Long Term Financial Plan (2024/25 onwards) of \$3,000 (indexed) per annum
8. Notes the impact of these changes will be incorporated into the next budget review.

Carried Unanimously

12.8 Community Grants 2022/23 Round 2
Report Reference GC230627R12.8

7.01pm Councillor Luscombe re-entered the meeting

Moved Councillor Veliskou

Seconded Councillor Masika

That Council:

1. Endorses a total of \$48,167 for the Community Grants Program Round Two funding in 2022-2023 (as per the table below).

Organisation	Project title	Amount requested
Marion City Band Inc	Harmonising inclusion: Creating a neurodiverse-friendly Marion City Band Community	\$3,730
Oaklands Community Garden	Enhancing community enjoyment of Oaklands Community Garden	\$2,179
Marion Bowling Club Inc	All Abilities Bowls	\$3,137
Southern & Western Community Broadcasting Inc (Coast FM)	Replacement of CD players in broadcasting studios	\$4,361
Friends of Glenthorne National Park	Tools and small equipment	\$1,285
Friends of Sturt River Landcare Group Inc	Vouchers for volunteers	\$1,000
Adelaide Cricket Club	Junior Buffs - Girls - Cricket Academy	\$4,936
Foodbank of South Australia Incorporated	Food Hub Edwardstown, Keeping Warm this Winter Project	\$2,589
Royal Life Saving Society Aust South Australia Branch Inc	Becoming Swimmers in Australia	\$4,937
Hub Netball Club Incorporated	Growing netball participation at a new club in Seaview	\$4,623
The Probus Club of Hallett Cove Incorporated	Defibrillator Grant Application	\$1,430
Cove Football Club Incorporated	Indigenous Guernseys	\$3,000
South Coast Cycling	Sunsmart awning for volunteers/riders	\$10,000
Dover Gardens Kennel and Obedience Club Inc	Faeces Mitigation Program	\$960
TOTAL		\$48,167

Carried

Moved Councillor Masika

Seconded Councillor Veliskou

That:

2. Endorses the amendment to the Community Grant Guidelines to include the responsibility of the applicant to disclose any in-kind or financial contribution received from the City of Marion in the current financial year and/or ongoing.

Carried Unanimously

12.9 Youth Grants 2022/23 Round 2
Report Reference GC230627R12.9

Moved Councillor Luscombe

Seconded Councillor Crossland

That Council:

1. Endorses a total of \$49,900 to the highest ranked applicants for the Youth Grants Program Round Two funding in 2022-2023 as per the table below:

Organisation	Project title	Amount requested
Sonder Care Limited (trading as Sonder) (lead agency for headspace Marion)	Connecting to community through culture	\$10,000
YMCA of SA Youth and Family Services	Mighty mYnds	\$10,000
Whitelion Youth Agency	First jobs campaign	\$10,000
YMCA Youth and Family Services	Active Youth	\$10,000
OzHarvest Limited	NEST Program	\$9,900
	TOTAL	\$49,900

2. Endorses amendments to the Youth Grants Program (commencing 1 July 2023) to include:
 - a) Distributing the annual allocation of \$120,000 via two rounds per year of \$60,000, and;
 - b) Remove the multi-year grant option.

Carried Unanimously

12.10 Youth Achievement Grants
Report Reference GC230627R12.10

Moved Councillor Naismith

Seconded Councillor Luscombe

That Council:

1. Endorses the amendment to the Youth Achievement Grants Guidelines for applicants representing their state and country in an activity to receive a maximum of \$400 combined, inclusive of representing at both levels, effective from 1 July 2023

Amendment

Moved Councillor Prior

Seconded Councillor Masika

That Council:

1. Endorses the amendment to the Youth Achievement Grants Guidelines for applicants representing their state and country in an activity to receive a maximum of \$400 combined, inclusive of representing at both levels, effective from 1 July 2023
2. Endorse the pool of available funds be increased to \$40,000 ongoing effective from 1 July 2023

The amendment to become the motion was Carried
The motion as amended was Lost

7.25pm Councillor Lama entered the meeting

7.25pm Councillor Singh left the meeting

Moved Councillor Telfer

Seconded Councillor Crossland

That Council:

1. Endorses the amendment to the Youth Achievement Grants Guidelines for applicants representing their state and country in an activity to receive a maximum of \$400 combined, inclusive of representing at both levels, effective from 1 July 2023
2. Endorse the pool of available funds be increased to \$25,000 ongoing effective from 1 July 2023

Carried Unanimously

12.11 Community Event Fund

Report Reference GC230627R12.11

7.28pm Councillor Taylor left the meeting

7.30pm Councillor Taylor re-entered the meeting

Moved Councillor Luscombe

Seconded Veliskou

That Council:

1. Endorses Option 1 for the Community Event Fund - *Option 1*: CEF is offered over two rounds of \$8,000 each (\$16,000 per financial year), with a \$1,000 limit per application.
2. Endorses the Community Event Fund Guidelines to be amended relevant to the option selected.

Carried Unanimously

12.12 Edwardstown Community Battery

Report Reference GC230627R12.12

7.31pm Councillor Singh re-entered the meeting

Moved Councillor Masika

Seconded Councillor Hoffmann

That Council:

1. Notes the opportunity for a community battery to be located in Edwardstown at no cost to Council.
2. Supports granting a ground lease to the Department for Energy & Mining (DEM) for a term of 15 years at \$1 per annum (peppercorn rent) for the purpose of a community battery over a portion of 48 Dumbarton Avenue, Edwardstown, Certificate of Title - Volume 5869 Folio 35.
3. Endorses undertaking community engagement in accordance with the requirements of Section 202 of the Local Government Act 1999, Council's Public Consultation Policy, and the Community Engagement Plan (Attachment 1).
4. Notes that a report will be brought to a future General Council Meeting to consider the feedback received from the community engagement.

Carried Unanimously

12.13 Marion Cultural Centre Plaza Update and Community Land Revocation Report Reference GC230627R12.13

Moved Councillor Taylor

Seconded Councillor Prior

That Council:

1. Endorses the revised designs for Marion Cultural Centre Plaza as per Attachment 1.
2. Endorses the completion of tender documentation, tender and award of construction contract subject to tender sums being within the current budget allocation.
3. Notes the process of community land revocation and road opening.
4. Authorises Administration to commence the revocation process under Section 194 (2) of the Local Government Act and endorses the report contained in Attachment 2 titled 'Proposed revocation of community land classification Allotment 220 Warracowie Way Oaklands Park' for public consultation.
5. Authorises the Chief Executive Officer to make minor amendments to the 'Proposed revocation of community land classification Allotment 220 Warracowie Way Oaklands Park' Report for Consultation prior to community engagement.
6. Endorses the community engagement plan.
7. Receives a report of the outcome of the public consultation under Section 194(2)(b) of the *Local Government Act 1999*.
8. Notes that the balance of the land (approximately 395m²) will be merged with the adjoining Marion Cultural Centre Certificate of Title Volume 5880 Folio 722 upon creation of the road reserve.
9. Notes the whole of life cost estimates for the project.

Carried

12.14 Stobie Poles and Utility Box Program Report Reference GC230627R12.14

Moved Councillor Hoffmann**Seconded Councillor Mates**

That Council:

1. Notes the report.
2. Commits \$15,000 plus CPI escalation annually from 2023/2024 for an ongoing program for public art on utility boxes, stobie poles and other scale-appropriate Council assets.

Carried Unanimously**12.15 Flinders Greenway
Report Reference GC230627R12.15****Moved Councillor Veliskou****Seconded Councillor Mates**

That this item be adjourned until the General Council Meeting to be held on 25 July 2023 to allow for additional information to be received.

Carried Unanimously**13 Corporate Reports for Information/Noting****13.1 Mitchell Park Sports and Community Centre - Management Model Update
Report Reference GC230627R13.1****Moved Councillor Telfer****Seconded Councillor Lama**

That Council:

1. Notes this report.
2. Notes that a more detailed report will be presented to Council in October 2023 to consider the future management and operation of MPSCC beyond the current 2-year arrangement.

Carried Unanimously**Moved Councillor Veliskou****Seconded Councillor Prior**

That the following reports be moved en bloc:

- Finance Report - May 2023

- WHS Report

7.55pm Councillor Naismith left the meeting

7.57pm Councillor Naismith re-entered the meeting

Carried Unanimously

13.2 Finance Report - May 2023

Report Reference GC230314R13.2

Moved Councillor Veliskou

Seconded Councillor Prior

That Council:

1. Receives the report “Finance Report - May 2023”

Carried Unanimously

13.3 WHS Report

Report Reference GC23062713.3

Moved Councillor Veliskou

Seconded Councillor Prior

That Council:

1. Note this report.

Carried Unanimously

14 Workshop / Presentation Items - Nil

15 Questions With Notice

15.1 SWBMX/Cove BMX

Report Reference GC230627Q15.1

Council Member Mayor Kris Hanna

QUESTION

1. Upon completion of the Sam Willoughby International BMX facility, to which organisation precisely will a lease/license be granted?

2. What voting rights/level of control will the Cove BMX club have in relation to use of the SWIBMX facility?

3. What are the governance arrangements which would resolve any dispute between Cove BMX club and Happy Valley BMX club in relation to shared operation of the SWIBMX facility?

4. Has the State Government or anyone else expressed concern that two local BMX clubs will have control of this international facility at the exclusion of the other metropolitan BMX clubs?

SUPPORTING INFORMATION

Nil

Response Received From	Unit Manager Property Strategy and Delivery – Mark Hubbard
Corporate Manager	Manager City Property – Thuyen Vi-Alternetti
General Manager	General Manager City Development – Tony Lines

STAFF COMMENTS

1. Upon completion of the Sam Willoughby International BMX facility, to which organisation precisely will a lease/license be granted?
 - a. The sub-lease will be granted to 'SWBMX Facility Inc'

2. What voting rights/level of control will the Cove BMX club have in relation to use of the SWIBMX facility?
 - a. SWBMX Facility Inc has two Foundation Members, one being the Cove BMX Club and the other the Happy Valley BMX Club. Each Member has equal voting rights.
 - b. The members appoint a Board comprised of an Independent Chair, 3 delegates from each of the Foundation Members as Directors (elected) and up to 2 Appointed Directors.
 - c. The business and affairs of SWBMX Facility Inc are managed by the Board, which includes the operations of the SWBMX Facility.
 - d. SWBMX Facility Inc has established a plan of operation for the times of use that both Clubs will have access to the facility. The main revenue generating activities from the operation of the facility will go to SWBMX Facility for the entity to be able to pay for all outgoing costs to operate the facility, and to generate surpluses to reinvest back into the facility. An SWBMX Facility Inc and Club finance model was developed as part of the operational model developed in 2021 leading up to the original facility opening in January 2022.

3. What are the governance arrangements which would resolve any dispute between Cove BMX club and Happy Valley BMX club in relation to shared operation of the SWIBMX facility?
 - a. The SWBMX Facility Inc Constitution includes clauses relating to "Discipline and Dispute Resolution".
 - (a) *The board may make regulations governing the hearing and determination of disputes, protests or complaints by or against members or participants and any other matter involving the enforcement of this constitution or the regulations against members or participants.*
 - (b) *A regulation made under clause 5.18(a) may: (i) provide for one or more judiciary committees or tribunals to hear and resolve cases falling under clause;5.18(a) (ii) prescribe penalties for breaches of this Constitution or the Regulations; (iii) invest a judiciary committee or tribunal with power to impose penalties; (iv) and otherwise prescribe the procedures for dealing with cases falling under clause 5.18(a).*
 - (c) *Despite any regulation made under clause,5.18(a) the board may itself deal with any disciplinary matter referred to it or appoint a judiciary committee to do so.*
 - (d) *All proceedings relating to cases falling under clause 5.18(a) must be conducted according to the rules of natural justice.*
 - (e) *The dispute resolution procedure set out in this clause applies to disputes between a Member and: (i) another Member; or (ii) the Association.*
 - (f) *The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within fourteen (14) days after the dispute comes to the attention of all parties.*
 - (g) *If the parties are unable to resolve the dispute at the meeting or if a party fails to attend that meeting, then the parties must, within ten (10) days after the scheduled meeting, refer the dispute to the State Dispute Centre for resolution.*

(h) The committee may prescribe additional grievance procedures in regulations consistent with this clause 5.18.

(i) In this clause 'Member' includes any former member who was a member not more than six months before the dispute occurred.

4. Has the State Government or anyone else expressed concern that two local BMX clubs will have control of this international facility at the exclusion of the other metropolitan BMX clubs?
 - a. Staff are not aware of any concerns raised in regard to the structure established to oversee the operation of the SWBMX Facility.

16 Motions With Notice - Nil

17 Questions Without Notice - Nil

18 Motions Without Notice - Nil

19 Other Business - Nil

20 Meeting Closure

The meeting was declared closed at 8.06pm.

CONFIRMED THIS 25 DAY OF JULY 2023

CHAIRPERSON