

**Minutes of the General Council Meeting
held on Tuesday, 23 January 2024 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 (from 6.46pm)

Councillor Jason Veliskou (from 6.36pm)

Councillor Sarah Luscombe

Councillor Jayne Hoffmann

Councillor Matt Taylor

Councillor Renuka Lama (from 6.36pm)

Councillor Jana Mates

Councillor Amar Singh

Councillor Ian Crossland

In Attendance

Chief Executive Officer - Tony Harrison

General Manager City Services - Ben Keen

Acting General Manager Corporate Services - Marcel Althoff

General Manager City Development - Tony Lines

Manager Office of the CEO - Kate McKenzie

Unit Manager Governance and Council Support - Victoria Moritz

Governance Officer - Amey Johnson

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 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 Crossland declared a general conflict of interest in item *Telecommunications Tower Proposal - Shamrock Reserve*

5 Confirmation of Minutes

5.1 Confirmation of Minutes of the General Council Meeting held on 12 December 2023

Report Reference GC240123R5.1

Moved Councillor Prior

Seconded Councillor Telfer

That the minutes of the General Council Meeting held on 12 December 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).

Verbal Communications were not presented this month.

Moved Councillor Prior

Seconded Councillor Mates

That the following Communication Reports be moved en bloc:

- Mayoral Communication Report
- CEO and Executive Communication Report

Carried Unanimously

6.2 Mayoral Communication Report

Report Reference GC240123R6.2

Name of Council Member Mayor - Kris Hanna

Date	Event	Comments
22 November 2023	Seaview High School Year 12 Graduation Ceremony	Presented award
24 November 2023	Car Race	Attended
24 November 2023	Community Art Exhibition at Gallery M	Opened exhibition and gave speech
24 November 2023	South Road Cricket Club Quiz Night	Asked questions
27 November 2023	City of Marion End of Year Business Celebration	Attended

29 November 2023	Reception for Recitals Australia and a performance by the 2023 Fellowship participants	Attended
2 December 2023	Morning tea for new citizens	Attended
4 December 2023	Radio Italiana 531 interview	Interview
4 December 2023	Community Leadership Program Graduation event	Attended and gave speech
5 December 2023	Met CEO and President of LGA (SA)	General discussion
9 December 2023	Zoom meeting with Kokubunji Prefecture Mayor, officers and students	
11 December 2023	Probus Club of Marion - Christmas Luncheon	Attended
11 December 2023	Positive Ageing and Inclusion Volunteer Christmas thank you event	Attended
13 December 2023	Active Elders Christmas Lunch	Attended and told joke
14 December 2023	Tonsley Connection Event at Tonsley	
22 December 2023	City of Marion Staff End of Year Event	Attended and gave speech
In addition, the Mayor has met with residents, MPs and with the CEO and Council staff regarding various issues.		

Moved Councillor Prior

Seconded Councillor Mates

That the Mayoral Communication report be received and noted.

Carried Unanimously

6.3 CEO and Executive Communication Report

Report Reference GC240123R6.3

Date	Activity	Attended By
27 November 2023	Site Meeting Hallett Cove Foreshore Embankment with Cr Crossland and Cr Luscombe	Tony Lines
28 November 2023	Weekly Onsite Meeting Intermain and City of Marion re Admin Building Upgrade	Tony Lines
29 November 2023	Weekly Onsite Meeting Blubuilt, North Projects, Aspects Studios, Innovis, CMW Geosciences SA, and CoM re Coastal Walkway Bridges	Tony Lines

29 November 2023	Weekly Meeting with SADB re Oaklands Network Extension	Ben Keen
30 November 2023	Cross Council Executive Meeting	Angela Allison Tony Harrison
1 December 2023	Meeting CoM, Renewal SA, MAB Park Pty Ltd and Wilson Parking re multi deck car park	Tony Lines
1 December 2023	Teams Meeting CoM, SFMC and AccessDM re Nungamoora Coastal Walkway	Tony Lines
4 December 2023	Resilient Water Futures briefing – SA Water	Ben Keen
5 December 2023	Weekly Onsite Meeting Intermain and CoM re Admin Building Upgrade	Tony Lines
5 December 2023	Meeting Maria Palumbo, CEO Junction Australia re updates on Junction Australia projects	Tony Harrison
5 December 2023	Meeting Mayor Hanna, Clinton Jury (CEO LGA) and Mayor Johnson (LGA President) re meet and greet	Tony Harrison
5 December 2023	Meeting with Villawood Properties to discuss Biodiversity	Ben Keen
6 December 2023	Weekly Onsite Meeting Blubuilt, North Projects, Aspects Studios, Innovis, CMW Geosciences SA, and CoM re Coastal Walkway Bridges	Tony Lines
6 December 2023	Meeting Marcus Gehrig (CEO RSPCA) re general catch up	Tony Harrison
6 December 2023	Teams Meeting KMPG and CoM re Community Safety Internal Audit	Tony Lines
7 December 2023	AICD Event – Corporate Crime	Angela Allison
8 December 2023	LG Professionals SA General Managers and Directors Working Group Meeting	Ben Keen
12 December 2023	Weekly Onsite Meeting Intermain and CoM re Admin Building Upgrade	Tony Lines
13 December 2023	Cove Sports Site Meeting CoM, Blubuilt, Meinhardt Group, CPR Engineers, Outspace Studios, Studio Nine and DCWC	Tony Lines
13 December 2023	Weekly Onsite Meeting Blubuilt, North Projects, Aspects Studios, Innovis, CMW Geosciences SA,	Tony Lines

	and CoM re Coastal Walkway Bridges	
13 December 2023	Meeting Aspects Studios, Innovis, CMW Geosciences SA, and CoM re Nungamoora Design	Tony Lines
15 December 2023	Meeting with City of Mitcham to discuss Graduate Program	Ben Keen
18 December 2023	Meeting City of Marion and LGFA	Tony Harrison
18 December 2023	Resilient Asset Management Project (RAMP) Executive Sponsor Meeting	Ben Keen
19 December 2023	Weekly Onsite Meeting Intermain and CoM re Admin Building Upgrade	Tony Lines
20 December 2023	Nungamoora Site Visit Aspects Studios, Innovis, CMW Geosciences SA, and CoM	Tony Lines
10 January 2024	Meeting Oaklands Green PCG Monthly meeting with City of Marion and Oaklands Green	Tony Lines
15 January 2024	Teams Meeting CoM and Abbeyfield Australia Re Abbeyfield House	Tony Lines
16 January 2024	Meeting Villawood Properties, Future Urban and CoM re Morphetville Racecourse	Tony Lines
17 January 2024	Oaklands Green Sod Turning Event	Tony Lines
23 January 2023	Meeting with City of Mitcham re Sturt River Stormwater Management	Ben Keen

Moved Councillor Prior

Seconded Councillor Mates

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

Carried Unanimously

7 Adjourned Items - Nil

8 Deputations

8.1 Norfolk Road Basketball Stadium - SABC

Report Reference GC240123D8.1

6.36pm Councillor Lama entered the meeting

6.36pm Councillor Veliskou entered the meeting

Ms June McKenzie provided a five-minute deputation regarding the redevelopment of the Norfolk Road Basketball Stadium.

8.2 Telecommunications Tower - Shamrock Road Reserve, Hallett Cove**Report Reference** GC240123D8.2

6.40pm Councillor Veliskou left the meeting

6.42pm Councillor Veliskou re-entered the meeting

Mr Christopher Campbell and Mr Darren Horne provided a five-minute deputation regarding the proposed telecommunications tower in Shamrock Road Reserve, Hallett Cove.

6.44pm Councillor Mates left the meeting

6.45pm Councillor Mates re-entered the meeting

6.46pm Councillor Naismith entered the meeting

8.3 Telecommunications Tower - Cove Road, Hallett Cove**Report Reference** GC2401238.3

Mr Graham Chrisp provided a five-minute deputation regarding the proposed telecommunications tower at lot 3 The Cove Road, Hallett Cove.

6.54pm Councillor Singh left the meeting

6.56pm Councillor Singh re-entered the meeting

Telecommunications Tower – Shamrock Road Reserve, Hallett Cove (Request Denied)

Ms Olga Chernishev requested to make a deputation to Council regarding the proposed telecommunications tower in Shamrock Road Reserve, Hallett Cove.

The request was denied on the basis that there are already two people sharing a deputation in relation to this topic. The grounds for the speaker being denied speaking to the deputation is reported to Council in accordance with the *Local Government (Procedures at Meetings 2013, Section 11 (5))*.

Telecommunications Tower – Lot 3 The Cove Road, Hallett Cove (Request Denied)

Mr Glenn Capstaff requested to make a deputation to Council regarding the proposed telecommunications tower at Lot 3 The Cove Road, Hallett Cove.

The request was denied on the basis that there is already one person making deputation in relation to this topic. The grounds for the speaker being denied speaking to the deputation is reported to Council in accordance with the *Local Government (Procedures at Meetings 2013, Section 11 (5))*.

9 Petitions

Moved Councillor Luscombe

Seconded Councillor Crossland

That the following petitions be moved en bloc:

- Telecommunications Tower - Lot 3 The Cove Road, Hallett Cove, SA 5158
- Telecommunications Tower - Shamrock Road Reserve, Hallett Cove
- Telecommunications Tower - Shamrock Road Reserve, Hallett Cove - Petition 2

Carried Unanimously

9.1 Telecommunications Tower - Lot 3 The Cove Road, Hallett Cove, SA 5158

Report Reference GC240123P9.1

Moved Councillor Luscombe

Seconded Councillor Crossland

That Council:

1. Notes the petition from Mr Graham Chrisp.
2. Provides the head petitioner with a copy of the Originating Officer Comments.

Carried Unanimously

9.2 Telecommunications Tower - Shamrock Road Reserve, Hallett Cove

Report Reference GC240123P9.2

Moved Councillor Luscombe

Seconded Councillor Crossland

That Council:

1. Notes the petition from Mr Christopher Campbell.
2. Advises the head petitioner of the resolutions of Council.

Carried Unanimously

9.3 Telecommunications Tower - Shamrock Road Reserve, Hallett Cove - Petition 2

Report Reference GC240123P9.3

Moved Councillor Luscombe**Seconded Councillor Crossland**

That Council:

1. Notes the petition from Ms Olga Chernishev.
2. Advises the head petitioner of the resolutions of Council.

Carried Unanimously

Order of Agenda Items

The Mayor sought and was granted leave of the meeting to consider the following items next on the agenda:

- Telecommunications Tower Proposal - Shamrock Reserve
- Motion With Notice - Phone Tower Shamrock Reserve

Councillor Crossland declared a general conflict of interest in the item due to the proximity of his residential location to the proposed tower and the lack of mobile phone coverage in this area. Councillor Crossland will remain in the meeting for the item.

11.1 Telecommunications Tower Proposal - Shamrock Reserve

Report Reference GC240123R11.1

Moved Councillor Crossland**Seconded Councillor Luscombe**

That Council:

1. Declines the proposal from Indara Digital Infrastructure to lease land for the purpose of constructing a telecommunication tower at Shamrock Road Reserve, Hallett Cove and informs Indara Digital Infrastructure of its decision.
2. Notes that the proposed location for the tower is Council (community) land and that a formal request to lease the land has not previously come before Council for a decision.
3. Will reject any request to lease any part of Shamrock Reserve Hallett Cove for the construction of a phone tower.

Carried Unanimously

Councillor Crossland voted in favour

14 Motions With Notice**14.1 Phone Tower Shamrock Reserve**

Report Reference GC240123M14.1

This motion was dealt with in item *11.1 Telecommunications Tower Proposal - Shamrock Reserve*.

10 Committee Recommendations

Moved Councillor Telfer

Seconded Councillor Hoffmann

That the following Committee Recommendations be moved en bloc:

- Confirmation of Minutes of the Review and Selection Committee Meeting held on 5 December 2023
- Confirmation of Minutes of the Finance, Risk and Audit Committee Meeting held on 12 December 2023

Carried Unanimously

10.1 Confirmation of Minutes of the Review and Selection Committee Meeting held on 5 December 2023

Report Reference GC240123R10.1

Moved Councillor Telfer

Seconded Councillor Hoffmann

That Council:

1. Receives and notes the minutes of the Review and Selection Committee meeting held on 5 December 2023.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.

Carried Unanimously

10.2 Confirmation of Minutes of the Finance, Risk and Audit Committee Meeting held on 12 December 2023

Report Reference GC240123R10.2

Moved Councillor Telfer

Seconded Councillor Hoffmann

That Council:

1. Receives and notes the minutes of the Finance, Risk and Audit Committee meeting held on 12 December 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

11 Corporate Reports for Decision

11.2 Finance, Risk and Audit Committee - Terms of Reference**Report Reference** GC240123R11.2**Moved Councillor Hoffmann****Seconded Councillor Masika**

That Council:

1. Adopts the draft Terms of Reference of the Finance, Risk and Audit Committee provided in Attachment 1 subject to the following:
 - Clarify wording in regards to quorum
 - Amend references to the number of council members
2. Appoint Councillor Naismith as the second Council Member to the Finance, Risk and Audit Committee for a term commencing 24 January – 30 November 2024.

Carried Unanimously**11.3 Local Government Participation and Elections Review - City of Marion Submission****Report Reference** GC240123R11.3

7.29pm Councillor Lama left the meeting

Moved Councillor Veliskou**Seconded Councillor Hoffmann**

That formal meeting procedures be suspended to discuss the item.

Carried

7.31pm formal meeting procedures suspended

7.31pm Councillor Lama re-entered the meeting

7.55pm formal meeting procedures resumed

7.55pm Councillor Telfer left the meeting

Moved Councillor Mates**Seconded Councillor Hoffmann**

That Council:

1. Endorse the draft submission in response to the Local Government Participation and Elections Review provided in Attachment 1 and submit to the Minister for Local Government subject to the following amendments:
 - The removal of the reference to a 'prescriptive community consultation charter' and the removal of the reference to 'specific requirements' and 'measurables' in section 1.1
 - The removal of 'organising letter box material' and the amendment of the wording 'facilitating public meetings' to read 'facilitate staff-initiated public meetings related to

council business' in section 1.3

- To include in section 1.2 'The City Marion currently audio records council meetings and makes this recording available to the public.' and 'Live streaming creates a risk for council if there is defamation and breach of confidentiality. Live streaming also has the potential to create a platform for individuals who wish to be disruptive or engage in political stunts.'

Carried Unanimously

7.57pm Councillor Telfer re-entered the meeting

Councillor Luscombe declared a material conflict of interest in the item as she is being nominated as the City of Marion voting delegate and to attend the Australian Local Government National General Assembly 2024 and will leave the meeting for the item.

Councillor Hoffmann declared a material conflict of interest in the item as she is being nominated to attend the Australian Local Government National General Assembly 2024 and will leave the meeting for the item.

7.59pm Councillor Luscombe left the meeting

7.59pm Councillor Hoffmann left the meeting

11.4 ALGA 2024 National General Assembly of Local Government - Call for Notices of Motions

Report Reference GC240123R11.4

Moved Councillor Veliskou

Seconded Councillor Prior

That Council:

1. Notes the report 'ALGA 2024 National General Assembly of Local Government - call for Notices of Motions'
2. Nominates Councillor Luscombe as the City of Marion voting delegate and Councillor Hoffman and Councillor Luscombe to attend the Australian Local Government National General Assembly 2024.

Carried Unanimously

8.01pm Councillor Luscombe re-entered the meeting

8.01pm Councillor Hoffmann re-entered the meeting

11.5 Insurance Market testing

Report Reference GC240123R11.5

Moved Councillor Veliskou

Seconded Councillor Masika

That Council:

1. Does not proceed with market testing of the insurance portfolio, noting that the insurance cover and benefits provided by the Local Government Scheme cannot be replicated in the commercial market.
2. That Council requests the LGA to undertake a review of the improvements to the Schemes since 2018 and provide an update on their effectiveness and any recommendations for future improvements.

Carried Unanimously

11.6 LGA Ordinary General Meeting 2024 - Call for Items of Business

Report Reference GC240123R11.6

Moved Councillor Telfer

Seconded Councillor Prior

That:

1. The nominated Council Voting Delegate for the 2024 Local Government Association Ordinary General Meeting is The Mayor and the Proxy Delegate for this meeting is Councillor Luscombe.
2. Notes the report *LGA Ordinary General Meeting 2024 – call for items of business* and that no items of business were received from Council Members for submission to the LGA.

Carried Unanimously

11.7 Marion Water Steering Group Terms of Reference

Report Reference GC240123R11.7

8.07pm Councillor Singh left the meeting

8.08pm Councillor Singh re-entered the meeting

Moved Councillor Prior

Seconded Councillor Crossland

That Council:

1. Authorises the Marion Water Steering Group Terms of Reference will be within the delegation of the Executive Leadership Team, subject to council being notified of any amendments.

Carried Unanimously

12 Corporate Reports for Information/Noting

8.16pm Councillor Prior left the meeting

Moved Councillor Telfer

Seconded Councillor Lama

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

- Monthly Work Health and Safety Report

- Quarterly Corporate Risk Report Q1 2023 - 2024
- Finance Report - December 2023

Carried Unanimously

8.18pm Councillor Prior re-entered the meeting

12.1 Monthly Work Health and Safety Report

Report Reference GC240123R12.1

Moved Councillor Telfer

Seconded Councillor Lama

That Council:

1. Note this report.

Carried Unanimously

12.2 Quarterly Corporate Risk report Q1 2023-2024

Report Reference GC240123R12.2

Moved Councillor Telfer

Seconded Councillor Lama

That Council:

1. Notes the Corporate Risk report at Attachment 1

Carried Unanimously

12.3 Finance Report - December 2023

Report Reference GC230822R12.3

Moved Councillor Telfer

Seconded Councillor Lama

That Council:

1. Receives the report "Finance Report – December 2023"

Carried Unanimously

13 Workshop / Presentation Items - Nil

15 Questions With Notice - Nil

16 Motions Without Notice - Nil

17 Questions Without Notice - Nil

18 Confidential Items

18.1 Cover Report - Marion Council Assessment Panel Member Review

Report Reference

GC240123F18.1

Moved Councillor Telfer**Seconded Councillor Luscombe**

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, Manager Development and Regulatory, Manager Office of the CEO, Unit Manager Governance and Council Support, Media and Engagement Advisor and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to *Council Assessment Panel Member 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 personal affairs of the candidates.

Carried Unanimously

8.19pm the meeting went into confidence.

8.19pm Councillor Crossland left the meeting and did not return

Moved Councillor Hoffmann**Seconded Councillor Taylor**

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 orders that this report, 'Marion Council Assessment Panel Member Review, Report Reference: GC240123F11.1' any attachments and the minutes arising from this report, 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 upon the basis that the information relates to personal affairs of the candidates, until December 2024 or until all candidates have been notified of their appointment (whichever occurs first).
2. Pursuant to section 91(9)(c) of the Local Government Act 1999, delegates the power to revoke the confidentiality order to the Chief Executive Officer.

Carried Unanimously

8.20pm the meeting came out of confidence.

19 Other Business - Nil**20 Meeting Closure**

Council shall conclude on or before 9.30pm unless there is a specific motion adopted at the meeting to continue beyond that time.

The meeting was declared closed at 8.20pm.

CONFIRMED THIS 27 DAY OF FEBRUARY 2024

CHAIRPERSON