

**Minutes of the General Council Meeting
held on Tuesday, 27 February 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
Councillor Jason Veliskou (from 6.33pm)
Councillor Sarah Luscombe

Councillor Jayne Hoffmann
Councillor Matt Taylor
Councillor Renuka Lama (from 6.35pm)
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
Governance Office - Amey Johnson

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 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 item *Hamilton College Land Transfer*.

- Councillor Hoffmann declared a material conflict of interest in item *Hamilton College Land Transfer*.

5 Confirmation of Minutes

5.1 Confirmation of Minutes of the General Council Meeting held on 23 January 2024

Report Reference GC240227R5.1

Moved Councillor Crossland

Seconded Councillor Hoffmann

That the minutes of the General Council Meeting held on 23 January 2024 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 Masika

Seconded Councillor Telfer

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 GC240227R6.2

Name of Council Member Mayor - Kris Hanna

Date	Event	Comments
17 January 2024	Oaklands Green Event	Attended
19 January 2024	Meeting with Mayor of Mitcham	Attended
22 January 2024	GAROC Meeting	Attended
25 January 2024	Marion Dementia Friendly Alliance of S.A. Inc	Attended, presented cheque
25 January 2024	Citizenship Ceremony and Australia Day Awards	Conferred Citizenship and presented awards
6 February 2024	SAJC Chairman and CEO Meet & Greet	Attended

14 February 2024	LGA Constitution Workshop - Integrity Governance, SAROC, GAROC & Board	Zoom - Attended
15 February 2024	Tokyo Keizai University student visit	Gave speech
15 February 2024	Mayor Meet and Greet with GAP Year staff	Attended
17 February 2024	2500 Year Commemoration of the Battle of Thermopylae	Attended
19 February 2024	Celebration of Marion Water Business Extension to Flinders University	Attended
20 February 2024	Community Leadership Program Reunion Event - 20 February 2024	Attended
In addition, the Mayor has met with residents, MPs and with the CEO and Council staff regarding various issues		

Moved Councillor Masika

Seconded Councillor Telfer

That the Mayoral Communication report be received and noted.

Carried Unanimously

6.3 CEO and Executive Communication Report

Report Reference GC240227R6.3

Date	Activity	Attended By
22 January 2024	DIT Opening Celebration Selgar Avenue Link Road	Tony Lines
22 January 2024	Internal Audit and Validation Meeting CoM and KPMG	Tony Lines
23 January 2024	SAALC 23/24 Q1 Governance Meeting ORSR, YMCA and CoM	Tony Lines
24 January 2024	Weekly Onsite Meeting Blubuilt, North Projects, Aspects Studios, Innovis, CMW Geosciences SA, and CoM re Coastal Walkway Bridges	Tony Lines
30 January 2024	Meeting City of Marion and Junction Australia re Ash Avenue	Tony Harrison Tony Lines
30 January 2024	Meeting Mayor Kris Hanna and Minister Amanda Rishworth re general catch up	Tony Harrison
31 January 2024	Meeting SA Power Networks and City of Marion regarding planting of trees under powerlines	Ben Keen
31 January 2024	Meeting SABC and CoM re New Marion Basketball Stadium	Tony Lines

7 February 2024	Meeting City of Mitcham regarding a Graduate Program	Ben Keen
7 February 2024	Meeting City of Mitcham regarding Sturt River Stormwater Management	Ben Keen
7 February 2024	Weekly Onsite Meeting Blubuilt, North Projects, Aspects Studios, Innovis, CMW Geosciences SA, and CoM re Coastal Walkway Bridges	Tony Lines
7 February 2024	Internal Audit and Validation Meeting CoM and KPMG	Tony Lines
9 February 2024	Meeting RLB, Studio Nine LBWCO and CoM re Marino Hall	Tony Lines
14 February 2024	Meeting KC Consulting and CoM re SCI	Tony Lines
16 February 2024	Meeting Villawood Properties re Morphettville Racecourse	Tony Lines
20 February 2024	Tonsley PCG Bi-Monthly Meeting with CoM, PEET and Renewal SA	Tony Lines
23 February 2024	Meeting LG Professionals SA General Managers Network	Ben Keen
23 February 2024	Meeting Graduate Program with City of Mitcham	Ben Keen

Moved Councillor Masika
Seconded Councillor Telfer

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

Carried Unanimously

7 Adjourned Items
7.1 Adjourned Item - Outcome of EOI - Fitzjames Building, Glandore

Report Reference GC240227R7.1

6.33pm Councillor Veliskou entered the meeting

6.35pm Councillor Lama entered the meeting

Moved Councillor Hoffmann
Seconded Councillor Masika

That Council:

Option 3 – Grants a Lease to Huntingtons Australia over FitzJames Building and offer Scouts SA a Lease over 1 Cumbria Court

1. Grants a 5-year lease to Huntingtons Australia at a rent of 7% of the market rent of \$56,800.00 ex GST and outgoings (\$3,976.00 ex GST and outgoings)
2. And

- a. Offers Scouts SA the opportunity, open until the end of March 2024, to lease 1 Cumbria Court, Mitchell Park for a term of 5-years at a rent of 7% of the market rent of \$32,100 (\$2,247.00 ex GST) plus outgoings
 - b. Advise Scouts SA that they would be responsible for obtaining any required statutory approvals for any change of use required and would be responsible for all costs for any capital upgrades required to the building as a result of the change of use and their intended use.
 - c. Writes to the Minister for Education to seek their consent to a change of permitted use for the leased portion of 1 Cumbria Court, and also to a sub-lease of this portion to Scouts SA.
 - d. Requires a further report to be presented to Council should Scouts wish to proceed with a lease of the building, and following the conclusion of any community engagement process in relation to the term of the lease, to consider whether to rescind the resolution of 27 June 2023 to demolish the building.
 - e. Includes a special condition in any lease with Scouts SA that requires them to maintain the outside and inside of the building in a clean and tidy manner, and requests that staff ensure compliance to that.
3. Notes that the demolition of the building at 1 Cumbria Court, Mitchell Park in accordance with Council's resolution of 27 June 2023 (GC230627) will be put on hold pending negotiations and discussions with Scouts SA and the outcomes of any community engagement process.
 4. Notes that should Scouts SA decline the potential proposal to lease 1 Cumbria Court Mitchell Park, then the demolition of the building will progress in accordance with the existing Resolution of Council.

Carried

8 Deputations – Nil

9 Petitions

9.1 Petition - Duncan Avenue, Park Holme

Report Reference GC240227P9.1

Moved Councillor Veliskou

Seconded Councillor Crossland

That Council:

1. Notes the petition from Mr Joseph Buselli.
2. Notes a traffic investigation will be undertaken throughout the month of March 2024 with a subsequent report outlining the investigation findings and actions will be brought to the Mullawirra Ward Briefing in April 2024.
3. Advises the head petitioner/s of the resolutions of Council.

Carried Unanimously

10 Committee Recommendations

Moved Councillor Prior

Seconded Councillor Hoffmann

That the following Committee Recommendations be moved en bloc:

- Confirmation of Minutes of the Review and Selection Committee Meeting held on 6 February 2024
- Confirmation of Minutes of the Infrastructure and Environment Committee Meeting held on 13 February 2024

Carried Unanimously

10.1 Confirmation of Minutes of the Review and Selection Committee Meeting held on 6 February 2024

Report Reference GC240227R10.1

Moved Councillor Prior

Seconded Councillor Hoffmann

That Council:

1. Receives and notes the minutes of the Review and Selection Committee meeting held on 6 February 2024.
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 Infrastructure and Environment Committee Meeting held on 13 February 2024

Report Reference GC240227R10.2

Moved Councillor Prior

Seconded Councillor Hoffmann

That Council:

1. Receives and notes the minutes of the Infrastructure and Environment Committee meeting held on 13 February 2024.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Infrastructure and Environment Committee.

Carried Unanimously

11 Confidential Items

Moved Councillor Telfer

Seconded Councillor Prior

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

- Cover Report - Marion Basketball Stadium Options
- Cover Report - Unsolicited Proposal - Purchase of Council Property - Edwardstown
- Cover Report - Flinders Greenway

Carried Unanimously

11.1 Cover Report - Marion Basketball Stadium Options

Report Reference GC240227F11.1

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 Office of the CEO, Manager City Activation, Manager City Property, Project Design Adviser, Unit Manager Governance and Council Support, Media and Engagement Advisor, Unit Manager Property Strategy and Delivery, Manager People and Culture, Property Officer and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Marion Basketball Stadium 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 the financial affairs of council.

Carried Unanimously

6.57pm the meeting went into confidence

Moved Councillor Crossland

Seconded Councillor Prior

That formal meeting procedures be suspended to discuss the item.

Carried Unanimously

6.57pm formal meeting procedures suspended

8.50pm formal meeting procedures resumed

Moved Councillor Masika

Seconded Councillor Taylor

In accordance with Section 91(7) and (9) of the *Local Government Act 1999*, orders that this report, 'Marion Basketball Stadium Options, GC240227F11.1', the attachments 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 upon the basis that the information relates to the financial affairs of council. The disclosure of this information would, on balance, be contrary to the public interest because options are still to be discussed and decisions may vary. This order shall operate until it is revoked or a further order is made and will be reviewed every 12 months.

Carried

9.03pm the meeting came out of confidence

11.2 Cover Report - Unsolicited Proposal - Purchase of Council Property - Edwardstown

Report Reference GC2740227F11.2

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 Office of the CEO, Manager City Activation, Manager City Property, Project Design Adviser, Unit Manager Governance and Council Support, Media and Engagement Advisor, Unit Manager Property Strategy and Delivery, Manager People and Culture, Property Officer and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Purchase of Council Property - Edwardstown, 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 the commercial information of a confidential nature of which could reasonably be expected to prejudice the commercial position of the person who supplied the information.

Carried Unanimously

9.03pm the meeting went into confidence

9.03pm Councillor Prior left the meeting

9.03pm Councillor Naismith left the meeting

9.03pm Councillor Lama left the meeting

9.03pm Councillor Mates left the meeting

Moved Councillor Crossland

Seconded Councillor Veliskou

In accordance with Section 91(7) and (9) of the Local Government Act 1999 orders that this report, Unsolicited Proposal – Purchase of Council Property, Edwardstown any attachments 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 upon the basis that the information relates to the commercial information of a confidential nature of which could reasonably be expected to prejudice the commercial position of the person who supplied the information.

Carried Unanimously

9.05pm the meeting came out of confidence

11.3 Cover Report - Flinders Greenway

Report Reference GC270227F11.3

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 Office of the CEO, Manager City Activation, Manager City Property, Project Design Adviser, Unit Manager Governance and Council Support, Media and Engagement Advisor, Unit Manager Property Strategy and Delivery, Manager People and Culture, Property Officer and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Flinders Greenway, 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 contracts with 3rd parties.

Carried Unanimously

9.05pm the meeting went into confidence

9.05pm Councillor Lama re-entered the meeting

9.06pm Councillor Mates re-entered the meeting

9.06pm Councillor Taylor left the meeting

9.07pm Councillor Prior re-entered the meeting

9.08pm Councillor Singh left the meeting

9.08pm Councillor Taylor re-entered the meeting

9.10pm Councillor Singh re-entered the meeting

Moved Councillor Telfer

Seconded Councillor Lama

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, 'Flinders Greenway, Report Reference: GC240227R11.3 any attachments 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 upon the basis that the information relates to matters that may impact commercial contracts with 3rd parties. The disclosure of this information would, on balance, be contrary to the public interest because the report identifies project funds prior to going to tender.

Carried Unanimously

9.11pm the meeting came out of confidence

12 Corporate Reports for Decision

12.1 Resilient South Regional Climate Action Plan

Report Reference GC240227R12.1

Moved Councillor Luscombe

Seconded Councillor Crossland

That Council:

1. Endorses the Resilient South Regional Climate Action Plan (Attachment 2).

Carried Unanimously

12.2 Cove Sports Netball and Lower Oval**Report Reference** GC240227R12.2

9.12pm Councillor Telfer left the meeting

9.12pm Councillor Naismith re-entered the meeting

9.14pm Councillor Telfer re-entered the meeting

Moved Councillor Mates**Seconded Councillor Naismith**

That Council:

1. Notes Council staff will be engaging a contractor to complete immediate repairs to minor cracks on courts 1 - 4 prior to end March 2024 at an approximate cost of \$7,500; and that the two Cove Netball Clubs will be reimbursing Council for the cost to complete repairs to courts 1 - 4 as per their licence agreement responsibilities for Club courts with exclusive access.
2. Endorses an allocation within the 2025/26 minor capital works program for the re-surfacing of courts 1 - 4, subject to the findings of the Geotech report.
3. Endorses an allocation within the 2025/26 minor capital works program for the rebuilding of courts 5 - 6, subject to the findings of the Geotech report.
4. Notes that the unused Latent Conditions Contingency budget of \$879,054 for Cove Netball and Lower Oval will be released from the project and returned to council funds and be available for future project prioritisation.

Carried Unanimously**12.3 Youth Collective Committee Annual Report February 2024****Report Reference** GC240227R12.3**Moved Councillor Masika****Seconded Councillor Crossland**

That Council:

- 1 Notes the City of Marion Youth Collective Committee Annual Report February 2024, included as Attachment 1.
- 2 Endorses ongoing staff support for the Youth Collective Committee
- 3 Requests an annual report of the Youth Collective Committee to be presented to Council in March each year.

Carried Unanimously**12.5 AusCycling Proposal - Future Events at SWBMX Facility****Report Reference** GC240227R12.5

9.27pm Councillor Veliskou left the meeting

9.29pm Councillor Veliskou re-entered the meeting

Moved Councillor Crossland**Seconded Councillor Naismith**

That Council:

1. Approves a financial contribution of \$15,000 towards the AusCycling National Series event in 2024 at the SWBMX Facility, and authorises the CEO or Authorised Officer to enter into a funding agreement with AusCycling.
2. Requests a report comes back to Council at the conclusion of the event reporting on the outcome of the event.

Carried

Moved Councillor Veliskou**Seconded Councillor Masika**

That the meeting be extended until the conclusion of the following items and that they be considered in the following order:

- Cooina Neighbourhood Centre Acoustic Treatment
- State-wide Hazards Bushfire Overlay Code Amendment
- Footpaths Resolution Amendment
- Corporate Reports for Information/Noting
 - Community Engagement Report - Strategic Management Plan - Toward 2040... Together
 - Finance Report - January 2024
 - Monthly Work Health and Safety Report
 - Council and CEO KPI Report Quarter Two 2023-24

Carried

9.31pm meeting extended

Moved Councillor Telfer**Seconded Councillor Lama**

That the following items be moved en bloc:

- Cooina Neighbourhood Centre Acoustic Treatment
- State-wide Hazards Bushfire Overlay Code Amendment
- Footpaths Resolution Amendment
- Corporate Reports for Information/Noting
 - Community Engagement Report - Strategic Management Plan Review - Toward 2040... Together
 - Finance Report - January 2024
 - Monthly Work Health and Safety Report
 - Council and CEO KPI Report Quarter Two 2023-24

Carried Unanimously

12.6 Cooina Neighbourhood Centre Acoustic Treatment

Report Reference GC240227R12.6

Moved Councillor Telfer**Seconded Councillor Lama**

That Council:

1. Supports the installation of an acoustic treatment for the Cooinda Building up to \$20,000 be included in the 2024/25 minor capital works program.

Carried Unanimously**12.7 State-wide Hazards Bushfire Overlay Code Amendment****Report Reference** GC240227R12.7**Moved Councillor Telfer****Seconded Councillor Lama**

That Council:

1. Notes the Draft State-wide Bushfire Hazards Overlay Code Amendment.
2. Provides comments to the State Planning Commission as outlined within the Draft Submission contained within Attachment 1.

Carried Unanimously**12.11 Footpaths Resolution Amendment****Report Reference** GC240227R12.11**Moved Councillor Telfer****Seconded Councillor Lama**

That Council:

1. Allow for the Footpaths report to be prepared for the Infrastructure and Environment Committee meeting instead of the previously endorsed March Forum.

Carried Unanimously**13 Corporate Reports for Information/Noting****13.1 Community Engagement Report - Strategic Management Plan Review - Toward 2040...Together****Report Reference** GC240227R13.1**Moved Councillor Telfer****Seconded Councillor Lama**

That Council:

1. Notes the 'Toward 2040...Together' Community Engagement Report.
2. Notes the feedback will be considered and discussed further at the April 2024 Council Member Forum.
3. Endorses the report in Attachment 1, along with a condensed version, to be shared on council's Making Marion community engagement platform and the council website.

Carried Unanimously

13.2 Finance Report - January 2024**Report Reference** GC240227R13.2**Moved Councillor Telfer****Seconded Councillor Lama**

That Council:

1. Receives the report "Finance Report – January 2024"

Carried Unanimously**13.3 Monthly Work Health and Safety Report****Report Reference** GC240227R13.3**Moved Councillor Telfer****Seconded Councillor Lama**

That Council:

1. Note this report

Carried Unanimously**13.4 Council and CEO KPI Report Quarter Two 2023-24****Report Reference** GC240227R13.4**Moved Councillor Telfer****Seconded Councillor Lama**

That Council:

1. Notes this information and information contained within the attachments for Quarter two 2023-24.

Carried Unanimously

14 Workshop / Presentation Items - Nil

15 Motions With Notice - Nil

16 Questions With Notice - Nil

17 Motions Without Notice - Nil

18 Questions Without Notice - Nil

19 Other Business - Nil

20 Meeting Closure

The meeting was declared closed at 9.36pm.

The following items were not considered at the meeting:

- Reconciliation Action Plan 2024-2025
- Tree Asset Management Plan
- Hamilton College Land Transfer
- Council Member Allowance and Benefits Policy - Amendments

CONFIRMED THIS 12 DAY OF MARCH 2024

CHAIRPERSON