



**Minutes of the General Council Meeting
held on Tuesday, 15 October 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 (from 6.36pm)

Councillor Luke Naismith

Councillor Jason Veliskou

Councillor Jayne Hoffmann

Councillor Matt Taylor

Councillor Renuka Lama

Councillor Jana Mates

Councillor Amar Singh (from 6.48pm)

Councillor Ian Crossland

In Attendance

Chief Executive Officer - Tony Harrison

General Manager City Services – Angela Allison

General Manager Corporate Services – Tony Lines

General Manager City Development – Ben Keen

Manager Office of the CEO – Kate McKenzie

Chief Financial Officer – Ray Barnwell

Governance Officer – Amey Johnson

1 Open Meeting

The Mayor 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.

Nil interests were disclosed.

5 Confirmation of Minutes

5.1 Confirmation of Minutes of the General Council Meeting held on 24 September 2024

Report Reference SGC241015R5.1

Moved Councillor Taylor

Seconded Councillor Masika

That the minutes of the General Council Meeting held on 24 September 2024 be taken as read and confirmed.

Carried Unanimously

Order of Agenda

The Mayor sought and was granted leave of the meeting to vary the order of the Agenda to consider the item *Cover Report – Confidential Marion Tennis Club Potential Relocation Options* after Other Business.

7 Deputations - Nil

8 Petitions - Nil

9 Committee Recommendations - Nil

10 Confidential Items - Nil

11 Corporate Reports for Decision

6.36pm Councillor Telfer entered the meeting

11.1 Reducing Food Waste to Landfill

Report Reference SGC241015R11.1

Moved Councillor Crossland

Seconded Councillor Prior

That Council:

1. Notes that due to the uncertain legislative environment and unpredictable financial impacts to council, it is not currently feasible to deliver a weekly organics waste collection service.
2. Defers consideration of a weekly FOGO service until after the review of the Environment Protection (Waste to Resources) Policy 2010 (EPP) under the Environment Protection Act 1993.
3. Advocates for changes in State Government legislation that improve environmental outcomes through diversion of food waste out of landfill, including advocating to remove the requirement for a weekly kerbside landfill (red bin) collection.
4. Continues to maintain food waste diversion by reallocating the council budget in 2024/2025 (\$106,280) and GISA grant funding (\$106,280) to be distributed over the next three years, with a focus on:
 - a. Promoting the existing kitchen caddy program and compost bin rebates.

- b. Promoting the reuse of compostable shopping bags over council supplied bags.
 - c. Monitoring trends in food waste in council's kerbside collections.
5. Notes that a further report will be presented to the Infrastructure and Environment Committee in September 2025 with an update on the State's Policy review and the progress of Council's food waste education program.

Carried Unanimously

6.48pm Councillor Singh entered the meeting
 6.50pm Councillor Telfer left the meeting
 6.59pm Councillor Telfer re-entered the meeting

11.2 Plympton Park 40km/h Speed Limit Consultation

Report Reference SGC241015R11.2

Moved Councillor Veliskou

Seconded Councillor Singh

That Council:

1. Notes the Plympton Park 40km/h Speed Limit Consultation Summary Report (Attachment 1).
2. Will not proceed with the reduction of the Plympton Park speed limit to 40km/h.
3. Supports staff notifying the community about the outcome of Council's decision following community consultation.
4. In response to community feedback, undertakes a Local Area Traffic Management (LATM) study bounded by Bray Street, Marion Road, Cross Road, Wattle Terrace and Park Terrace, Plympton Park. The LATM study will include incorporating feedback from the Speed Limit Consultation Report and Herbert Street Traffic Consultation Report, collection and analysis of data (traffic counts and crash statistics), identify problems / opportunities and potential solutions through a series of workshops with the community, undertake consultation on draft schemes and treatments, and the development of an implementation plan (timing and cost).

Carried Unanimously

11.3 Herbert Street Traffic Consultation

Report Reference SGC241015R11.3

Moved Councillor Veliskou

Seconded Councillor Singh

That Council:

1. Notes the Herbert Street / Cross Road, Plympton Park – Traffic Consultation Summary Report (Attachment 1).
2. Defers resolution of the proposal to limit traffic movements at the junction of Herbert Street and Cross Road to be left in and left out only (until conclusion of the LATM).
3. Supports staff notifying the community about the outcome of Council's decision following community consultation.
4. Undertakes a Local Area Traffic Management (LATM) study bounded by Bray Street, Marion Road, Cross Road, Wattle Terrace and Park Terrace, Plympton Park. The LATM study will include incorporating feedback from the Speed Limit Consultation Report and Herbert Street Traffic Consultation Report, collection and analysis of data (traffic counts

and crash statistics), identify problems / opportunities and potential solutions through a series of workshops with the community, undertake consultation on draft schemes and treatments, and the development of an implementation plan (timing and cost).

Carried Unanimously

11.4 Community Satisfaction Survey

Report Reference SGC241015R11.4

Moved Councillor Masika

Seconded Councillor Mates

That Council:

1. Endorses the proposed CATI/online methodology for the 2024 Community Satisfaction Survey.
2. Endorses the 2024 Community Satisfaction Survey measuring community satisfaction against the commitments and deliverables of the strategic plan and existing services and facilities.

Carried Unanimously

11.5 Marion Sports Precinct – Parking, Access and Movement Study

Report Reference SGC241015R11.5

Moved Councillor Prior

Seconded Councillor Crossland

That Council:

1. Notes the preliminary findings of the Marion Sports Precinct Parking, Access and Movement Study

Carried Unanimously

Moved Councillor Prior

Seconded Councillor Telfer

That the following items be moved en bloc:

- 11.6 Appointment of Date, Time and place of Council Meetings for 2025
- 12.1 Questions Taken on Notice Register
- 12.2 SRWRA Board Meeting 19 August 2024 – Constituent Council Information Report
- 12.3 Councillor Hoffmann and Councillor Taylor – Communication Report on AICD course
- 12.4 Councillor Hoffmann - Communication Report on ALGA
- 12.5 Councillor Luscombe - Communication Report on ALGA
- 12.6 Q4 Corporate Risk Report
- 12.7 Finance Report – August 2024
- 12.8 Monthly Work Health and Safety Report

Carried Unanimously

11.6 Appointment of Date, Time and Place of Council Meetings for 2025**Report Reference** SGC241015R11.6**Moved Councillor Prior****Seconded Councillor Telfer**

That Council:

1. Adopts the following meeting cycle to facilitate open, responsive and accountable government as well as the timely conduct of Council's business:
 - General Council Meetings to be held on the fourth Tuesday of the month in January, February, March, April, May, June, July, August, September, October and November.
 - General Council Meetings to be held on the second Tuesday of the month in March, May and December.
2. Adopts the Infrastructure and Environment Committee meets on the second Tuesday of the month in February, April, June, July, September, October and November and the first Tuesday of the month in August.
3. Adopts the schedule of meeting dates for 2025 as provided at Appendix 1 to the report.
4. Notes the proposed dates for Council Member Forums (information sessions) provided in Attachment 1 to the report.
5. Notes the tentative dates for the Finance, Risk and Audit Committee, Review and Selection Committee and Community and Youth Grants Committee, subject to adoption at the respective Committees.
6. Publishes the Schedule of Meetings for 2025 on the City of Marion Website

Carried Unanimously**12 Corporate Reports for Information/Noting****12.1 Questions Taken on Notice Register****Report Reference** SGC241015R12.1**Moved Councillor Prior****Seconded Councillor Telfer**

That Council:

1. Notes the report 'Questions Taken on Notice Register'.

Carried Unanimously

12.2 SRWRA Board Meeting 19 August 2024 - Constituent Council Information Report**Report Reference** SGC241015R12.2**Moved Councillor Prior****Seconded Councillor Telfer**

That Council:

1. Notes the Constituent Council Information Report from SRWRA Board Meeting, 19th August 2024.

Carried Unanimously**12.3 Councillor Hoffmann and Councillor Taylor - Communication Report on AICD course****Report Reference** SGC241015R12.3**Moved Councillor Prior****Seconded Councillor Telfer**

That Council:

1. Receives and notes the report 'Councillor Hoffmann and Councillor Taylor - Communication Report on AICD course'

Carried Unanimously**12.4 Councillor Hoffmann - Communication Report on ALGA****Report Reference** SGC241015R12.4**Moved Councillor Prior****Seconded Councillor Telfer**

That Council:

1. Receives and notes the report 'Councillor Hoffmann - Communication Report on Australian Local Government Association Conference'

Carried Unanimously**12.5 Councillor Luscombe - Communication Report on ALGA****Report Reference** SGC241015R12.5**Moved Councillor Prior****Seconded Councillor Telfer**

That Council:

1. Receives and notes the report 'Councillor Luscombe - Communication Report on Australian Local Government Association Conference'

Carried Unanimously

12.6 Q4 Corporate Risk Report**Report Reference** SGC241015R12.6**Moved Councillor Prior****Seconded Councillor Telfer**

That the Council:

1. Notes the Corporate Risk Report.

Carried Unanimously**12.7 Finance Report - August 2024****Report Reference** SGC241015R12.7**Moved Councillor Prior****Seconded Councillor Telfer**

That Council:

1. Notes the report.

Carried Unanimously**12.8 Monthly Work Health and Safety Report****Report Reference** SGC24101512.8**Moved Councillor Prior****Seconded Councillor Telfer**

That Council:

1. Note this report.

Carried Unanimously**13 Workshop / Presentation Items - Nil****14 Motions With Notice – Nil****15 Questions With Notice****15.1 Community Solar Savings Scheme****Report Reference** GC240924Q15.1**Council Member** Mayor Kris Hanna**QUESTIONS**

1. If there had been an open tender for the provider of solar panels and batteries, engaged by Council for the Community Solar Savings Scheme, would Council's procurement policy have given any particular weighting to companies which are based in the City of Marion (e.g. Tesla, which is based in Tonsley and employs many local workers)?

2. Has Council received evidence (other than hearsay) that the prices offered by Shinehub to City of Mitcham customers have been less than could otherwise be obtained for equivalent installations?
3. What was requested in the tender put out by the local government procurement and awarded to Agile Energy?
4. If Agile Energy is writing to potential customers in the City of Marion, other than Marion Council itself, stating that “Agile Energy has been selected as a preferred supplier for the LGA Procurement RFT 24047- Solar Panel, Batteries and Power Purchase Agreements in South Australia” would that be potentially misleading?

SUPPORTING INFORMATION

Nil

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|-------------------------------|---|
| Response Received From | Cross Council Manager Strategic Procurement Services – Jamie Dunncliff and Manager Engineering, Assets and Environment – Mathew Allen |
| Corporate Manager | Cross Council Manager Strategic Procurement Services – Jamie Dunncliff and Manager Engineering, Assets and Environment – Mathew Allen |
| General Manager | General Manager City Services – Angela Allison General Manager Corporate Services – Tony Lines |

STAFF COMMENTS

1. **If there had been an open tender for the provider of solar panels and batteries, engaged by Council for the Community Solar Savings Scheme, would Council’s procurement policy have given any particular weighting to companies which are based in the City of Marion (e.g. Tesla, which is based in Tonsley and employs many local workers)?**

A principle outlined in Council’s Procurement and Contract Management Policy allows preference to the engagement of local contractors (i.e. those operating within the City of Marion Council area) even if their costs are more than 5% when all other commercial factors are considered equal. The definition of ‘local’ may vary, depending on the identified geographic market for the specific procurement activity.

If an open tender for the provider of solar panels and batteries was to have been undertaken by the City of Marion for the Community Solar Savings Scheme, we would include a “Local Supplier” evaluation criterion with a 10% weighting as standard.

2. **Has Council received evidence (other than hearsay) that the prices offered by Shinehub to City of Mitcham customers have been less than could otherwise be obtained for equivalent installations?**

Staff met with the City of Mitcham to discuss and gain insight into the processes they followed in their market approach. During these meetings, the procurement process was confirmed including the legal review and their compliance with the Local Government Act and associated legislative requirements (including price offerings).

It has been confirmed with City of Mitcham staff that pricing was included in the evaluation criteria to assess the submissions for their scheme. As with all tenders, there are multiple evaluation criteria to assess for tenders of this nature. Additionally, for a program of this size, availability and quality were also taken into consideration.

The Deed Agreement was reviewed to ensure it contained fair and equitable terms for council. Finally, the accession process was fully aligned with and complied with Council's Procurement Policy and Procedures.

3. What was requested in the tender put out by the local government procurement and awarded to Agile Energy?

LGA Procurement released a tender to appoint a panel for the installation of Solar Panels, Batteries and Power Purchase Agreements (PPA). This panel has been put in place to support Councils across South Australia to easily access this panel for future sustainable energy requirements. This panel has been created for Council-commissioned work only, not for businesses or residents within council areas.

4. If Agile Energy is writing to potential customers in the City of Marion, other than Marion Council itself, stating that "Agile Energy has been selected as a preferred supplier for the LGA Procurement RFT 24047- Solar Panel, Batteries and Power Purchase Agreements in South Australia" would that be potentially misleading?

The LGAP process involves the supply of solar panels, batteries, and Power Purchase Agreements (PPAs) for local governments and associated entities. Agile Energy, along with 12 other providers, has been selected as a preferred supplier following the Request for Tender. However, without a clear understanding of the tender's scope, there may have been some confusion, leading Agile Energy to contact potential customers outside the intended parameters.

LGAP has contacted Agile Energy, who have confirmed that staff made an error by contacting businesses. Agile Energy confirmed that they are in the process of contacting these businesses to apologise and advise of this error.

16 Motions Without Notice - Nil

17 Questions Without Notice - Nil

18 Other Business - Nil

6 Adjourned Items

6.1 Cover Report - Confidential Marion Tennis Club Potential Relocation Options

Report Reference SGC241015R6.1

Moved Councillor Veliskou

Seconded Councillor Hoffmann

1. Pursuant to Section 90(2) and (3) (b)(i) and (ii) of the *Local Government Act 1999*, the Council orders that the public be excluded from attendance at that part of this meeting relating to Agenda Item GC241015F6.1 Marion Tennis Club Potential Relocation Options, except the following persons: Chief Executive Officer, Manager Office of CEO, General Manager City Development,

General Manager City Services, Chief Financial Officer, General Manager Corporate Services, Manager City Property, Unit Manager Property Strategy and Delivery, Unit Manager Governance and Council Support and Governance Officer, to enable the Council to consider the Item in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to the Item:- information the disclosure of which could reasonably be expected to on balance, be contrary to the public interest because it could confer a commercial advantage on a person that Council is conducting or proposed to conduct business with.

2. Notes the disclosure of this information would, on balance, be contrary to the public interest as it could negatively impact the outcomes for Council of a future tender process for the project and could infer a financial advantage to another entity when the project is opened to tender.
3. Determines, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed.

Carried

7.23pm the meeting went into confidence

Moved Councillor Mates

Seconded Councillor Crossland

That formal meeting procedures be suspended to discuss the item.

Carried

7.26pm formal meeting procedures suspended

8.15pm formal meeting procedures resumed

Moved Councillor Veliskou

Seconded Councillor Naismith

That this item be adjourned to the Special General Council Meeting to be held on 19 November 2024 to allow for additional information.

Carried

8.47pm the meeting came out of confidence

19 Meeting Closure

The meeting was declared closed at 8.47pm.

CONFIRMED THIS 22 DAY OF OCTOBER 2024

CHAIRPERSON