



**Minutes of the Special General Council Meeting
held on Tuesday, 19 November 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

Councillor Jayne Hoffmann

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 - Angela Allison
General Manager City Development - Ben Keen
Chief Financial Officer - Ray Barnwell
Manager Office of the CEO - Sarah Vinall
Unit Manager Governance and Council Support - Victoria Moritz

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

- Nil interests were disclosed

5 Confirmation of Minutes

5.1 Confirmation of Minutes of the General Council Meeting held on 22 October 2024

Report Reference SGC241119R5.1

Moved Councillor Hoffmann

Seconded Councillor Telfer

That the minutes of the General Council Meeting held on 22 October 2024 be taken as read and confirmed subject to the following amendment:

- Item 12.6 Appointment of Deputy Mayor (GC241022R12.6) include the following: *That nominations for Deputy mayor was received from Councillor Hoffmann and Councillor Veliskou. A Ballot was held in accordance with preferential voting methods. The vote was tied and Councillor Veliskou was the successful nominee by lot for the position.*

Carried Unanimously

The Mayor sought and was granted leave of the meeting to vary the order of the agenda and consider the items in the following order:

- 7.1 Confirmation of Minutes of the Review and Selection Committee Meeting held on 5 November 2024
- 6.1 Adjourned Item – Marion Tennis Club Potential Relocation Options
- 8.1 Marino Hall Financial Requirements
- 8.3 Appointment of Independent Member – Finance Risk and Audit Committee
- 8.2 Confirmation of minutes of the Confidential Review and Selection Committee meeting held on 5 November 2024

7 Committee Recommendations

7.1 Confirmation of Minutes of the Review and Selection Committee Meeting held on 5 November 2024

Report Reference SGC241119R7.1

Moved Councillor Hoffmann

Seconded Councillor Mates

That Council:

1. Receives and notes the minutes of the Review and Selection Committee meeting held on 5 November 2024.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.

Carried Unanimously

6.36pm Cr Lama entered the meeting

Moved Councillor Telfer**Seconded Councillor Prior**

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

- 6.1 Adjourned Item – Marion Tennis Club Potential Relocation Options
- 8.1 Marino Hall Financial Requirements
- 8.3 Appointment of Independent Member – Finance Risk and Audit Committee
- 8.2 Confirmation of minutes of the Confidential Review and Selection Committee meeting held on 5 November 2024

Carried Unanimously

6 Adjourned Items**6.1 Cover Report - Confidential Marion Tennis Club Potential Relocation Options**

Report Reference SGC241119R6.1

Moved Councillor Telfer**Seconded Councillor Prior**

That Council:

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 GC241119F6.1 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, General Manager Corporate Services, Chief Financial Officer, Manager People & Culture, Manager City Property, Unit Manager Property Strategy and Delivery, Unit Manager Property & Facilities, Registered Architect – Strategic Projects, 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 Unanimously

6.36pm the meeting went into confidence

Moved Councillor Telfer

Seconded Councillor Lama

Option 3: 262a Sturt Road (southern end of the former Croquet Club site)

1. Offers the Marion Tennis Club the opportunity to relocate to the former Croquet Club site at 262a Sturt Road: on the basis that Council will build four tennis courts on the southern side of the site with sports court lighting, fencing and the existing clubhouse at that site to be re-purposed for the Club to a standard at Council's discretion; and on the basis that council proceeds with a basketball stadium at the Norfolk road site.
2. Offers the Marion Tennis Club the opportunity to temporarily locate if required to an alternate site to be negotiated.
3. Approves a budget of \$ [REDACTED] to construct the new courts and to facilitate a minor refurbishment of the existing clubhouse.
4. Provide the Marion Tennis Club until 17 January 2025 to accept or reject the offer in writing.
5. Notes that the Chief Executive Officer will approve commencement of the project, and to negotiate lease terms with Marion Tennis Club under delegations should Marion Tennis Club agree to the proposal.

Carried

Moved Councillor Telfer

Seconded Councillor Lama

That Council:

1. Pursuant to section 91(7) of the Local Government Act 1999, orders that Financial references in the following document(s) and information relating to Agenda Item SGC241119 – Marion Tennis Club Potential Relocation Options shall be kept confidential, except when required to effect or comply with Council's resolution(s) regarding this matter, being document(s) relating to a matter dealt with by the Council on a confidential basis under sections 90(2) and 90(3)(b) of the Act, :
 - Report – SGC241119 – Marion Tennis Club Potential Relocation Options
 - Attachment 1 - SGC241015F6.1 – Marion Tennis Club Potential Relocation Options Report
 - Attachment 2 – Confidential Council Resolutions – Marion Tennis (to be retained in confidence in full)
 - Minutes

on the grounds that the document(s) relates to information the disclosure of which could reasonably be expected to provide an advantage to anyone that may seek to tender for one of the project options disclosed in the report that contains financial projections: and business affairs of clubs would otherwise be disclosed.
2. Section 90(2) and (3)(b) of the Act notes the disclosure of this information would, 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.
3. Determines this order shall operate for a period of 12 months and will be reviewed every 12 months if the confidentiality period is longer than 12 months in duration.

4. Pursuant to section 91(9)(c) of the Local Government Act 1999, delegates to the Chief Executive Officer the power to revoke this order in whole or part.

Carried Unanimously

7.20pm the meeting came out of confidence

8.1 Cover Report - Marino Hall Financial Requirements

Report Reference SGC241119F8.1

Moved Councillor Telfer

Seconded Councillor Prior

That Council:

1. Pursuant to Section 90(2) and (3)(b) 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 SGC241119F8.1 – Marino Hall Financial Requirements, except the following persons: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Chief Financial Officer, Manager People & Culture, Manager Office of the CEO, Manager City Activation, Project Design Advisor, Unit Manager Governance and Council Support, Governance Officer, and Media and Engagement Adviser, 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 the item:- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom Council is conducting business; and would prejudice the commercial position of the Council.
2. Notes the disclosure of this information would, on balance, be contrary to the public interest because confer a commercial advantage on a person with whom Council is conducting business; and would prejudice the commercial position of the Council.
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 by the need to keep consideration of the information or matter confidential.

Carried Unanimously

7.20pm the meeting went into confidence

Moved Councillor Crossland

Seconded Councillor Hoffmann

That Council:

1. Pursuant to section 91(7) of the Local Government Act 1999, orders that the following document(s) relating to Agenda Item SGC241119F8.1 – Marino Hall Financial Requirements shall be kept confidential, except when required to effect or comply with Council's resolution(s)

regarding this matter, being document(s) relating to a matter dealt with by the Council on a confidential basis under sections 90(2) and 90(3)(b) of the Act, :

- Report – SGC241119F8.1 – Marino Hall Financial Requirements
- Minutes

on the grounds that the document(s) relates to information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom Council is conducting business; and would prejudice the commercial position of the Council.

2. Notes the disclosure of this information would, 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.
3. Determines this order shall operate determines this order shall operate until it is revoked, or a further order is made and will be reviewed every 6 months.
4. Pursuant to section 91(9)(c) of the Local Government Act 1999, delegates to the Chief Executive Officer the power to revoke this order in whole or part.

Carried

7.30pm the meeting came out of confidence

8.3 Cover Report - Appointment of Independent Member - Finance, Risk and Audit Committee

Report Reference SGC241119F8.3

Moved Councillor Telfer

Seconded Councillor Prior

That Council:

1. Pursuant to Section 90(2) and (3)(a) 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 SGC241119F8.3 Appointment of Independent Member Finance, Risk and Audit Committee, except the following persons: Chief Executive Officer, General Manager City Services, General Manager Corporate Services, General Manager City Development, Manager People & Culture, Manager Office CEO, Chief Finance Officer and Unit Manager Governance & Council Support to enable the Committee 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 concerning the personal affairs of any person (living or dead), the disclosure of which would be unreasonable being information relating to the recommendation of appointment of an independent member to the Finance, Risk and Audit Committee containing sensitive information and details which are only know to those who have participated in the selection process.
2. Determines, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep consideration of the information or matter confidential

Carried Unanimously

7.30pm the meeting went into confidence

Seconded Councillor Crossland

Moved Councillor Hoffmann

That Council:

3. Pursuant to section 91(7) of the Local Government Act 1999, orders that the following document(s) relating to Agenda Item *SGC241119F8.3 Appointment of Independent Member Finance, Risk and Audit Committee* shall be kept confidential, except when required to effect or comply with Council's resolution(s) regarding this matter, being document(s) relating to a matter dealt with by the Council on a confidential basis under sections 90(2) and 90(3)(a) of the Act,
 - Report
 - Minuteson the grounds that the document(s) relates to information the disclosure of which could reasonably be expected to release personal information of the candidates for the Finance Risk and Audit Committee which is not yet public information.
4. Determines this order shall operate:
 - until the successful candidates have been notified of the appointments.and will be reviewed every 12 months.
5. Pursuant to section 91(9)(c) of the Local Government Act 1999, delegates to the Chief Executive Officer the power to revoke this order in whole or part.

Carried Unanimously

7.32pm the meeting came out of confidence

8.2 Cover Report - Confirmation of Minutes of the Confidential Review and Selection Committee Meeting held on 5 November 2024

Report Reference SGC241119F8.2

Moved Councillor Telfer**Seconded Councillor Prior**

That Council:

1. Pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council orders that the public and staff be excluded from attendance at that part of this meeting relating to Agenda Item *SGC241119F8.2 Confirmation of Minutes of the Confidential Review and Selection Committee Meeting held on 5 November 2024* 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 reveal sensitive information and details of City of Marion staff and applicants in a selection process.
2. Determines, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep consideration of the information or matter confidential.

Carried Unanimously

7.33pm all staff left the meeting

7.32pm the meeting went into confidence

Moved Councillor Hoffmann**Seconded Councillor Crossland**

That Council:

1. Receives and notes the confidential minutes of the Review and Selection Committee meeting held on 5 November 2024
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.
3. Pursuant to section 91(7) of the Local Government Act 1999, orders that the following document(s) relating to Agenda Item SGC241119F8.2 Confirmation of Minutes of the Confidential Review and Selection Committee Meeting held on 5 November 2024 shall be kept confidential, except when required to effect or comply with Council's resolution(s) regarding this matter, being document(s) relating to a matter dealt with by the Council on a confidential basis under sections 90(2) and 90(3)(a) of the Act, :
 - Attachment 1 – RSC241105 –Final Confidential Minuteson the grounds that the document(s) relates to information the disclosure of which could reasonably be expected to reveal sensitive information and details of City of Marion staff and applicants in a selection process.
4. Determines this order shall operate until it is revoked and will be reviewed every 12 months
5. Pursuant to section 91(9)(c) of the Local Government Act 1999, delegates to the Manager People & Culture the power to revoke this order in whole or part.

Carried Unanimously

8.08pm the meeting came out of confidence

9 Motions Without Notice

Nil

10 Questions Without Notice

Nil

11 Other Business

Nil

12 Meeting Closure

The meeting was declared closed at 8.08pm.

CONFIRMED THIS 26 DAY OF NOVEMBER 2024

CHAIRPERSON