



**Minutes of the General Council Meeting  
held on Tuesday, 23 August 2022 at 6.30 pm  
Council Chamber, Council Administration Centre  
245 Sturt Road, Sturt**



**PRESENT**

His Worship the Mayor Kris Hanna  
Councillor Ian Crossland  
Councillor Maggie Duncan  
Councillor Raelene Telfer  
Councillor Bruce Hull  
Councillor Kendra Clancy

Councillor Matthew Shilling  
Councillor Luke Hutchinson  
Councillor Nathan Prior  
Councillor Jason Veliskou (from 6.37pm)  
Councillor Joseph Masika

**In Attendance**

Chief Executive Officer - Tony Harrison  
General Manager City Development - Tony Lines  
Manager Office of the CEO - Kate McKenzie  
Unit Manager Governance and Council Support - Victoria Moritz  
Governance Officer - Karrie McCann

**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 Elected 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:

- Mayor Hanna declared a conflict of interest in the item *Code of Conduct*
- Councillor Hull declared a conflict of interest in the item *Code of Conduct*

**5 Confirmation of Minutes**

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## 5.1 Confirmation of Minutes of the General Council Meeting held on 9 August 2022

Report Reference GC220823R5.1

**Moved Councillor Telfer**

**Seconded Councillor Clancy**

That the minutes of the General Council Meeting held on 9 August 2022 be taken as read and confirmed.

**Carried Unanimously**

## 6 Communications

### 6.1 Elected Member Verbal Communications

Council Members were provided the opportunity to provide any verbal updates during this period.

**Moved Councillor Masika**

**Seconded Councillor Prior**

That the following Communication Reports be received en bloc:

- Mayoral Communication Report
- CEO and Executive Communication Report

**Carried Unanimously**

### 6.2 Mayoral Communication Report

Report Reference GC220823R6.2

Name of Council Member Mayor - Kris Hanna

Date	Event	Comments
25 July 2022	Community Leadership Program Launch	
27 July 2022	Meeting with Leighton Boyd MarionLife	
27 July 2022	Active Elders Christmas in July event	
28 July 2022	City of West Torrens - RecycleSmart Launch	
31 July 2022	Marion Friends of Sturt River Landcare Group   Tree Day	Planted seedlings
2 August 2022	Variety Activate Inclusion Sports Day	Welcome provided
3 August 2022	Meeting with Justin Dent State Manager Riding for the Disabled	
5 August 2022	Osmond Art Group Exhibition Opening	
7 August 2022	Marion RSL Bowling Club - 2022/23 Bowling Season Opening Day	1 <sup>st</sup> bowl of the season
7 August 2022	Hallett Cove Lions Biggest Morning Tea	Had two scones

10 August 2022	Friends of Glenthorne National Park AGM	Returning officer for election
12 August 2022	Hallett Cove Seaside Pool Community Consultation	
12 August 2022	75 Years of Pakistan Independence Day Ceremony	
13 August 2022	Capella Stage 2 Official Opening	Tested flying fox
14 August 2022	Community Meeting with Nadia Clancy MP + Minister for Infrastructure and Transport	
15 August 2022	Club Marion meeting	
16 August 2022	Meeting with Hindu Society of SA	
18 August 2022	Tour of Glenthorne Nature Playground	
19 August 2022	Plympton Glenelg RSL Vietnam Commemorative Concert - A Groovy Night in 'Nam	

**Moved Councillor Masika**

**Seconded Councillor Prior**

That the Mayoral Communication report be received and noted.

**Carried Unanimously**

#### 6.4 CEO and Executive Communication Report

Report Reference GC220823R6.4

Date	Activity	Attended By
26 July 2022	Meeting   Agilyx, re: general discussion	Sorana Dinmore
27 July 2022	Meeting   Oaklands Education Centre Governance Meeting with Flinders University	Ben Keen
27 July 2022	Meeting   Aaron Chia, re: general discussion	Sorana Dinmore
27 July 2022	Meeting   MuleSoft, re: general discussion	Sorana Dinmore
28 July 2022	Meeting   Pelligra Group Pty Ltd Property Development Assistant and Cirqa Associates re general discussion	Tony Lines
29 July 2022	Meeting   Local Government Association CEO - General discussion	Tony Harrison
29 July 2022	SMRF JV Advisory Committee	Sorana Dinmore
1 August 2022	Discussion   Asset Management Maturity Assessment with University of Newcastle, Institute for Regional Futures, Research & Innovation	Ben Keen

2 August 2022	Meeting   South Australian Jockey Club CEO re Morphettville development	Tony Harrison
3 August 2022	Meeting   Studio Nine Architects Principal Architect and Interior Designer re City of Marion Administration Refurbishment	Tony Lines
4 August 2022	Meeting   5049 Coastal Community Residents' Group meet and greet	Ben Keen
4 August 2022	LGA CEO Advisory Group meeting	Tony Harrison
4 August 2022	Meeting   CEO City of Holdfast, re: general discussion	Sorana Dinmore
4 August 2022	Meeting   Tonsley Project Control Group monthly meeting with City of Marion, Peet Limited and Renewal SA	Tony Lines
5 August	Meeting   Pelligra Group Pty Ltd Property Development Assistant re general discussion	Tony Lines
5 August 2022	Meeting   Adelaide Hills Council, re: general discussion	Sorana Dinmore
8 August 2022	Meeting   Jayne Stinson MP (Member for Badcoe) re Election Commitments and general discussion	Tony Harrison
9 August 2022	LGA CEO Planning Forum	Tony Harrison
9 August 2022	Meeting   Google representative, re: general discussion	Sorana Dinmore
10 August 2022	Meeting   Oaklands Green Project Control Group with City of Marion and the Project Lead, Oaklands Green, Housing Renewal Australia	Tony Lines
10 August 2022	Meeting   Project Director at Tuner & Townsend re general discussion	Tony Lines
10 August 2022	Meeting   General Manager YMCA Victoria / SA Aquatic & Leisure Centre re general discussion	Tony Lines
10 August 2022	Meeting   Zoom representative, re: general discussion	Sorana Dinmore
11 August 2022	Meeting   SynergyIQ, re: general discussion	Sorana Dinmore
12 August 2022	Meeting   City of Mitcham CEO, City of Holdfast Bay, CEO and City of Onkaparinga CEO re general discussion	Tony Harrison
15 August 2022	Meeting   Sarah Andrews MP (Member for Gibson) re Ice rink and general discussion	Tony Harrison
15 August 2022	Meeting   Consultant and Principal at Homes Dyer re general discussion	Tony Lines

15 August 2022	Meeting   Director Workforce & Technology - Northern Beaches Council NSW	Sorana Dinmore
16 August 2022	Site tour of the new Tonsley Hotel with La Loft Australia and Whitehall Property Development	Tony Harrison
16 August 2022	Meeting   Urban Designer at Design IQ re Seacliff Village	Tony Lines
16 August 2022	Meeting   Associates of Cirqa re Ice Arena Traffic Management	Tony Lines
17 August 2022	Meeting   SA Power Networks re planting of trees under powerlines	Ben Keen
18 August 2022	Site Tour of Glenthorne Nature Playground – The Mayor, Southern Hills Councillor (EM) and The Department for Environment and Water (DEW)	Tony Lines
19 August 2022	General Managers/Directors Network planning meeting – LG Professionals	Ben Keen

**Moved Councillor Masika**
**Seconded Councillor Prior**

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

**Carried Unanimously**

**6.5 CEO Council Member Report**

**Council Member:** Councillor Telfer

Date	Event	Comment
31 July 2022	Sturt Landcare	Planting day
1 August 2022	Mitchell Park Kindergarten	Discussions on 1 Cumbria Court
8 August 2022	Early onset memory loss group	Meeting re parameters for group
9 August 2022	Ward Briefing	Attended by zoom
13 August 2022	Tonsley-Cohen Court Regional	Playgrounds consultations
17 August 2022	MEYCI Kindergartens and Child Cares	Discussion by Zoom
23 August 2022	Sarah Andrews MP	Proposed Marion Ice Arena
23 August 2022	MPSCC Netball and Tennis	Court inspection and commencement

## 7 Adjourned Items - Nil

## 8 Deputations

### 8.1 Deputation - YMCA - Solar at Marion Leisure and Fitness Centre Report Reference GC220823D8.1

6.37pm Councillor Veliskou entered the meeting

Mr Haydn Bellamy gave a five minute deputation regarding Solar at Marion Leisure and Fitness Centre

### 8.2 Deputation - Marion Park Golf Club Development Report Reference GC220823D8.2

Mr Simon Young gave a five minute deputation regarding Marion Gold Park Development

### 8.3 Deputation - Cumbria Court Report Reference GC220823D8.3

Mr Leighton Boyd gave a five minute deputation regarding Cumbria Court

### 8.4 Deputation - Mitchell Park Neighbourhood Centre Report Reference GC220823D8.4

Ms Sarah Deane gave a five minute deputation regarding Mitchell Park Neighbourhood Centre

## Order of Agenda Items

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

- 16.2 YMCA Solar - Marion Leisure and Fitness Centre
- 16.1 Rescission Motion - 1 Cumbria Court and Puddle Jumpers lease

### 16.2 YMCA Solar – Marion Leisure and Fitness Centre Report Reference GC220823M16.2

#### Moved Councillor Veliskou

#### Seconded Councillor Clancy

1. That the matter left lying on the table at the General Council Meeting on 14 June 2022 regarding YMCA Solar – Marion Leisure and Fitness Centre (Report Reference: GC220614R11.5) be brought back to the General Council Meeting on 23 August 2022 for resolution.

That Council:

1. Endorses the roof strengthening work at the Marion Leisure and Fitness Centre to accommodate the extra load of the solar system and additional funding of up to \$20,000 from funding set aside in the Asset Sustainability Reserve for energy efficiency projects.
2. Notes that YMCA SA will contribute \$6,250 towards the roof strengthening work.

**Carried Unanimously**

**16.1 Rescission Motion - 1 Cumbria Court and Puddle Jumpers lease**  
**Report Reference GC220823M16.1**

**Moved Councillor Hull**

**Seconded Councillor Clancy**

1. That the attached adopted resolution GC220726R12.1 relating to 1 Cumbria Court Mitchell Park be rescinded:

That Council:

1. Declares that the land at 1 Cumbria Court Mitchell Park comprised in Certificate of Title Volume 5808 Folio 815 is surplus to requirements and subject to a successful community land revocation process is potentially suitable for disposal on the open market.
2. Endorses the revocation report titled 'Section 194 Report for Consultation – Proposal to revoke classification of Community Land - 1 Cumbria Court and Portion 30 Lanark Avenue Mitchell Park' contained in Attachment 1 subject to a period of community engagement in accordance with Section 194(2)(b) of the Local Government Act 1999 and Council's Public Consultation Policy.
3. Authorises the 'Chief Executive Officer' or his nominee, to make minor variations to the revocation report prior to the commencement of community engagement.
4. Endorses the Community Engagement Plan, (which may be subject to minor amendments) as contained in Attachment 2.
5. Confirms that should the revocation of community land classification and sale proceed, that net sale proceeds will be paid into the Open Space Reserve Fund for the development of Open Space for the benefit of the community, as approved by Council.
6. Requires a further report to be presented for consideration by Council following conclusion of the public consultation under Section 194(2)(a) of the Local Government Act 1999 for the potential revocation of community land classification of the whole of the land known as 1 Cumbria Court Mitchell Park, comprised in Certificate of Title Volume 5808 Folio 815 and portion of the land known as 30 Lanark Avenue Mitchell Park, comprised in Certificate of Title Volume 5214 Folio 25 to enable Council to determine if the revocation and disposal process should proceed.

**Moved Councillor Veliskou**



1. That the motion be deferred until the Special General Council meeting to be held on 30th August 2022.

Lapsed for want of a Seconder

**The Motion was Lost**

**Councillor Clancy called a Division**

**Those for:** Councillors Clancy and Hull

**Those against:** Councillors Masika, Veliskou, Prior, Telfer, Hutchinson, Shilling, Duncan and Crossland

**Lost**

## **9 Petitions - Nil**

## **10 Committee Recommendations**

**Moved Councillor Shilling**

**Seconded Councillor Prior**

That the followings Committee Recommendation Reports be moved en bloc:

- Confirmation of Minutes of the Review and Selection Committee Meeting held on 2 August 2022
- Confirmation of Minutes of the Asset and Sustainability Committee Meeting held on 2 August 2022

**Carried Unanimously**

### **10.1 Confirmation of Minutes of the Review and Selection Committee Meeting held on 2 August 2022**

**Report Reference** GC220823R10.1

**Moved Councillor Shilling**

**Seconded Councillor Prior**

That Council:

1. Receives and notes the minutes of the Review and Selection Committee meeting held on 2 August 2022.
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 Asset and Sustainability Committee Meeting held on 2 August 2022**

**Report Reference** GC220823R10.2

**Moved Councillor Shilling****Seconded Councillor Prior**

That Council:

1. Receives and notes the minutes of the Asset and Sustainability Committee meeting held on 2 August 2022.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Asset and Sustainability Committee.

**Carried Unanimously****11 Corporate Reports for Decision****11.1 Section 270 Internal Review - Spinnaker Circuit**  
**Report Reference** GC220823R11.1**Moved Councillor Shilling****Seconded Councillor Duncan**

That Council:

1. Notes the findings within the Kelledy Jones Lawyers Report for Spinnaker Circuit Reserve.
2. Notifies the complainant of the outcomes of the section 270 review.

**Carried Unanimously****11.2 Marion Arena Proposal to Grant Lease - Update**  
**Report Reference** GC220823R11.2**Moved Councillor Hutchinson****Seconded Councillor Telfer**

That Council:

1. Notes that the feedback received from the Marion Arena community consultation process was noted at the General Council meeting of 28 June 2022.
2. Notes the additional information received about the Marion Arena from the Consortium, including a site Master Plan, a letter of commitment from Pelligra, and agreement to undertake stakeholder engagement during the planning phase.
3. Notes the independent report on traffic management for the Marion Arena and the broader site.
4. Notes that all Marion Arena car parking requirements, as identified by the independent traffic consultant, including replacing the 39 car parks that are already on the site, will be achieved in a three level (ground plus two decks above) 270 car park.
5. Notes that several options exist for improving site access arrangements on Sturt Road and that the Consortium will need to negotiate an access outcome with the Department of Infrastructure and Transport (DIT) and Council as part of their planning approval.

6. Authorises Administration to negotiate and agree final terms and make further amendments to the draft lease agreement as reasonably required, for the lease between Council and the Consortium over 262A Sturt Road Marion currently described as Allotment 100 in Filed Plan 147234 comprised in Certificate of Title Volume 5794 Folio 420.
7. Authorises the Mayor and Chief Executive Officer to attest to the affixation of the Common Seal of the Corporation of the City of Marion to a ground lease agreement with the Consortium or their related entity nominee for a term of 42 (forty two) years for an indoor ice sports and rock climbing recreational facility to be constructed and operated.
8. Authorises Administration to serve the required notice to Marion Croquet Club to terminate their occupancy agreement of the site which is currently operating on a month-to-month basis with no written agreement in place.

**Carried****Councillor Hutchinson called a Division****Those for:** Councillors Masika, Veliskou, Clancy, Prior, Telfer, Hutchinson and Crossland**Those against:** Councillors Hull, Shilling and Duncan**Carried****12 Confidential Items****Moved Councillor Telfer****Seconded Councillor Duncan**

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

- *12.1 Confirmation of Minutes of the Confidential Review and Selection Committee Meeting held on 2 August 2022*
- *12.2 Confidential - Questions Taken on Notice Register*
- *12.3 Spinnaker Circuit Reserve East - Revocation of Community Land Classification*
- *12.4 Marion Golf Park*
- *12.5 City of Marion Property Asset Strategy (CoMPAS)*

**Carried**

8.01pm Councillor Clancy left the meeting

**12.1 Cover Report - Confirmation of Minutes of the Confidential Review and Selection Committee Meeting held on 2 August 2022**  
Report Reference GC220823F12.1**Moved Councillor Telfer****Seconded Councillor Duncan**

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 and Manager People and Culture, be excluded from the meeting as the Council receives and considers information relating to Confirmation of Minutes of the Confidential Review and Selection Committee Meeting held on 2 August 2022, 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.

**Carried**

8.01pm the meeting into confidence

**Moved Councillor Shilling****Seconded Councillor Duncan**

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, *Confirmation of Minutes of the Confidential Review and Selection Committee Meeting held on 2 August 2022*, any appendices 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 for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2022.

**Carried Unanimously**

8.05pm the meeting came out of confidence

**12.2 Cover Report - Confidential - Questions Taken on Notice Register**  
Report Reference GC220823F12.2**Moved Councillor Telfer****Seconded Councillor Duncan**

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, Manager of the Office of the CEO, Chief Financial Officer, Manager City Activation, Unit Manager Governance and Council Support and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Confidential Questions Taken on Notice Register, 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 commercial and financial information.

**Carried**

8.05pm the meeting went into confidence.

**Moved Councillor Crossland****Seconded Councillor Prior**

That Council:

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

**Carried Unanimously**

8.06pm the meeting came out of confidence.

**12.3 Cover Report - Spinnaker Circuit Reserve East – Revocation of Community Land Classification**

Report Reference GC220823F12.3

**Moved Councillor Telfer****Seconded Councillor Duncan**

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 Services, General Manager City Development, General Manager Corporate Services, Chief Financial Officer, Manager City Property, Manager Office of the Chief Executive, Chief Financial Officer, Unit Manager Land & Property, Senior Property Officer, Unit Manager Sport & Recreation, Unit Manager Media & Engagement, Unit Manager Governance and Council Support, be excluded from the meeting as the Council receives and considers item 12.3 Spinnaker Circuit Reserve East – Revocation of Community Land Classification 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 contract negotiations.

**Carried**

8.06pm the meeting went into confidence.

**Moved Councillor Duncan****Seconded Councillor Shilling**Part 1

That Council:

1. Notes the decision made by the Minister for Planning and Local Government on 18 February 2022 to approve Council's proposal to revoke the classification as community land of Allotment (Reserve) 88 in Deposited Plan 17901 contained in Certificate of Title Volume 5546 Folio 484.
2. Resolves to approve the revocation of the subject land from its community land classification pursuant to section 194(3)(b) of the *Local Government Act 1999* and to publish a Notice in the Government Gazette to this effect.
3. Notes the Registrar General will be notified of the revocation of the classification of community land in accordance with Section 195 of the Local Government Act 1999.
4. Authorises the Mayor and Chief Executive Officer to affix the Common Seal of the Corporation of the City of Marion and to sign, as may be required, any documentation required to finalise the revocation of community land classification of Allotment (Reserve) 88 in Deposited Plan 17901 contained in Certificate of Title Volume 5546 Folio 484 (Pieces A & B).

**Carried Unanimously****Moved Councillor Shilling****Seconded Councillor Duncan**Part 2

That in accordance with Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013, Council rescinds the following resolution from 27 July 2021 (GC210727R11.3):

*'That Council*

- 1. Confirms its intention is to sell the portion of the reserve indicated as 'Piece A' in Attachment 3 to St Martins De Porres School by negotiation, at or close to market value (based on assumed residential zoning value), subject to the outcome of the revocation process;*
- 2. Confirms its intention is to sell the portion of the reserve indicated as 'Piece B' in Attachment 3 on the open market in a manner to achieve maximum net financial return to Council, subject to the outcome of the revocation process';*

**Carried****Moved Councillor Duncan****Seconded Councillor Shilling**Part 3

That Council:

1. Notwithstanding the Disposal of Land and Assets Management Policy to obtain two independent valuations in the event of a direct sale, is satisfied with the one independent valuation by Council and one by the School which have been obtained to establish the market value of the property prior to disposal.
2. Having considered the criteria outlined in its Unsolicited Proposals Policy, authorises Administration to negotiate terms for the sale of the whole of the land being Allotment (Reserve) 88 in Deposited Plan 17901 contained in Certificate of Title Volume 5546 Folio 484 (Pieces A & B) to the Catholic Church Endowment Society (CCES) for a sum of \$1,695,000 which achieves market value for Council.
3. Authorises the Mayor and Chief Executive Officer to affix the Common Seal of the Corporation of the City of Marion and to sign, as may be required, any documentation to finalise the sale of the whole of the land at Allotment (Reserve) 88 in Deposited Plan 17901 contained in Certificate of Title Volume 5546 Folio 484 (Pieces A & B), to the Catholic Church Endowment Society (CCES) or nominee for a sum of \$1,695,000 which achieves market value for Council.

**Moved Councillor Shilling****Seconded Councillor Duncan**

That in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that attachment 12.3.3 (CBRE Valuation Report) and all financial information identified within this report, and the minutes (with the exception of the amount paid by the school) 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 until the review of this confidentiality order at the General Council Meeting in December 2022.

8.24pm Councillor Prior left the meeting

8.24pm Councillor Hutchinson left the meeting

**Carried Unanimously**

8.26pm the meeting came out of confidence

**12.4 Cover Report - Marion Golf Park**  
Report Reference GC220823F12.4

**Moved Councillor Telfer**

**Seconded Councillor Duncan**

That pursuant to Section 90(2) and (3)(d)(i) and (ii) 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 Corporate Services, General Manager City Services, Manager Corporate Governance, Manager City Property, Manager Finance, Unit Manager Sport and Recreational Community Facilities, Unit Manager Communications, Unit Manager Governance and Council Support, Community Facilities Planner and Governance Officer, Unit Manager Media & Engagement, Unit Manager Land & Property, Manager Development & Regulatory Services be excluded from the meeting as the Council receives and considers information relating to Marion Golf Park, 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 current redevelopment options and costs for the Marion Golf Park.

**Carried**

8.27pm the meeting went into confidence

8.27pm Councillor Prior re-entered the meeting

8.27pm Councillor Hutchinson re-entered the meeting

8.28pm Councillor Telfer left the meeting

**Moved Councillor Crossland**

**Seconded Councillor Duncan**

That Council in accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the report, Marion Park Golf Course, having been considered in confidence under Section 90(2) and (3)(d) (i) and (ii) 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 for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2022.

**Carried Unanimously**

8.30pm the meeting came out of confidence



**12.5 Cover Report - City of Marion Property Asset Strategy (CoMPAS)**

Report Reference GC220823F12.5

**Moved Councillor Telfer****Seconded Councillor Duncan**

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, Manager of the Office of the CEO, Chief Financial Officer, Manager City Property, Unit Manager Land & Property, Unit Manager Sport & Recreation Facilities, Senior Property Officer, Unit Manager Media & Engagement, Unit Manager Governance and Council Support, Executive Officer to the CEO, be excluded from the meeting as the Council receives and considers information relating to City of Marion Property Asset Strategy (CoMPAS), 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 commercial and financial information.

**Carried**

8.30pm the meeting went into confidence

8.30pm Councillor Duncan left the meeting

**Moved Councillor Shilling****Seconded Councillor Prior**

That Council in accordance with Section 91(7) and (9) of the *Local Government Act 1999* orders that this report, City of Marion Property Asset Strategy (CoMPAS), any appendices 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 until Council commences consultation on the CoMPAS. This confidentiality order will be reviewed at the General Council Meeting in December 2022.

**Carried Unanimously**

8.32pm the meeting came out of confidence

**12.6 Cover Report - Code of Conduct**

Report Reference GC220823F12.6

8.32pm Councillor Telfer re-entered the meeting

8.32pm Councillor Duncan re-entered the meeting

Cr Hull declared an actual conflict of interest in the item as the matter is in relation to himself.

Mayor Hanna declared a material conflict of interest in the item as both Councillor Hull and Mayor Hanna have declared they will be running as a Mayoral candidate in the 2022 Local Government Elections.

8.39pm the Mayor vacated the Chair and left the meeting

The Deputy Mayor, Councillor Hutchinson took the Chair



8.40pm The Chair offered Councillor Hull the opportunity to provide a personal explanation.

Councillor Hull made the following comments:

- The matter has now progressed for over twelve months
- It has been considered by two separate independent agencies
- These investigations have been at a considerable cost
- The matter has had an unfortunate impact on himself and the community

8.41pm Councillor Hull left the meeting

**Moved Councillor Veliskou**

**Seconded Councillor Masika**

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, Manager Office of the CEO, Unit Manager Governance and Council Support, Unit Manager Media and Engagement and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Code of Conduct, 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 conduct of Council Members.

**Vote was Tied**

The Chair made a casting vote and voted against

**Motion was Lost**

**Moved Councillor Crossland**

**Seconded Councillor Shilling**

That Council:

1. Notes the report from EMA Legal and Councillor Hull did not breach the Code of Conduct for Council Members.
2. Dismiss the complaint against Council Hull.
3. Amend the Code of Conduct register on Councils website regarding the previous finding relating to this matter.
4. Revoke the confidential order relating to report, minutes and attachments of the following item - GC220510F17.5 Code of Conduct.

**Vote was Tied**

Chair made a casting vote and voted in favour

**Motion was Carried**

**Councillor Crossland called a Division:**

**Those for:** Councillors Prior, Shilling, Duncan and Crossland

**Those against:** Councillors Masika, Veliskou, Clancy and Telfer

**Vote was Tied**

Chair made a casting vote and voted in favour

**Motion was Carried**

**13 Corporate Reports for Decision**

8.50pm Councillor Hull re-entered the meeting

8.51pm the Mayor re-entered the meeting and resumed the Chair

**Moved Councillor Veliskou**

**Seconded Councillor Crossland**

That the following items be moved en bloc:

- 13.1 Youth Development Grants 2022/23
- 13.2 Community Grants 2022/23 Round 1

**Carried Unanimously**

**13.1 Youth Development Grants 2022/23**  
**Report Reference GC220823R13.1**

**Moved Councillor Veliskou**

**Seconded Councillor Crossland**

That Council:

1. Endorses the following projects (totalling \$67,985) for the Youth Development Grants funding in 2022-2023:
  - MarionLIFE Community Services – MarionLIFE Youth Media Hub (\$10,000)
  - Whitelion Youth – Balanced Choice Program (\$5,000)
  - Sonder for Headspace – Headspace Marion Social Connectedness Project (\$10,000)
  - Gener8 Theatre – (un) REAL (\$10,000)
  - Junction Australia – Junction & Free Mind Youth Program Partnership (\$9,945)
  - Multiple Solutions – Accelerate Youth: Drivers Program (\$10,000)
  - Islamic Museum of Australia – Cultured Cooking (\$7,000)
  - Islamic Society of South Australia – Health is Wealth (\$6,040)
2. Endorses a second round of Youth Development Grants, for the remaining \$52,015, to be held early 2023 in conjunction with the next round of Community Grants.

**Carried Unanimously**

**13.2 Community Grants 2022/23 Round 1**  
**Report Reference GC220823R13.2**

**Moved Councillor Veliskou**

**Seconded Councillor Crossland**

That Council:

1. Endorses a total of \$48,991 to the following projects for the Community Grants Program Round One funding in 2022-2023: (remove / amend any as required)
  - Ascot Park Bowling Club Incorporated – Purchase a new Greens Mower (\$5,000)
  - Plympton Sporting and Recreation Club Inc – Upgrade / purchase equipment for matches (\$4,998)

- Treasure Boxes Inc – Volunteer Safety and Wellbeing Project (as the highest scoring application for more than \$5,000) (\$7,593)
- Sheidow Park Cricket Club Inc – Flicx Pitch (\$4,534)
- Marion Historic Village Display Group Incorporated – Security system upgrade (\$2,871)
- South Road Cricket Club Inc – Bowling Machine (\$3,995)
- The Queer Society Incorporated – LGBTQ+ inclusivity art projects and events (\$5,000)
- Cove Netball Club – Purchase kit bags for coaches (\$5,000)
- Good360 Australia – MarionLIFE Community Services and Good360 Media Hub Collaboration – addressing the digital divide (\$5,000)
- Warradale Community Children's Centre – Park Holme – Feature in Front Garden (\$5,000)
- Islamic Society of South Australia Inc – Made with love (delivery of home cooked frozen meals) ({resolution})

**Carried Unanimously**

### 13.3 Metropolitan Seaside Councils Committee Report Reference GC220823R13.3

**Moved Councillor Crossland**

**Seconded Councillor Duncan**

That Council:

1. Supports in principle the new governance model laid out in the *Adelaide Coastal Councils Network Delivery Plan 2022-23* (Attachment 1).
2. Endorses the City of Marion as a member of the Adelaide Coastal Councils Network by signing the Memorandum of Understanding (Attachment 3) by the Mayor, subject to any comments or variations proposed in the meeting.
3. Endorses additional funding of \$3,800 in 2022-2023 through Council's quarterly budget review process bringing Council's total contributions in 2022-2023 to \$5,000 to maintain ongoing financial support to the Adelaide Coastal Councils Network.
4. Endorses an ongoing allocation of \$10,000 (subject to CPI increases) from 2023-2024 onwards in place of the current ongoing budget of \$1,200 for membership with the Metropolitan Seaside Councils Committee.
5. Delegates the following representatives to the Adelaide Coastal Councils Network as described by the Terms of Reference (Attachment 2):
  - a. One Coastal Ward Councillor to act as Council's representative– to be endorsed following the local government elections each term – with the nominated representative able to provide any other Council member as a proxy.
  - b. Senior Environmental Planner as the officer to act as Council's representative.
6. Notes the correspondence from the South Australian Coastal Councils Alliance (SACCA) seeking membership of \$2,587.50 (Attachment 4) and writes back deferring any decision on membership with SACCA until after the formation of the ACCN.

**Carried Unanimously**

**13.4 Developer Contributions Towards Council Infrastructure**  
Report Reference GC220823R13.4**Moved Councillor Veliskou****Seconded Councillor Masika**

That Council:

1. Endorses the attached letter to the Local Government Association. (Attachment 1)

**Carried Unanimously****13.5 Marion Park Golf Course**  
Report Reference GC220823R13.5**Moved Councillor Crossland****Seconded Councillor Masika**

That Council:

1. Notes there is existing funding of \$387,689 already allocated towards the Marion Park Golf Course project that consists of \$230,000 in the Asset Sustainability Reserve and \$157,689 in Federal funding (\$200,000 less funds already spent on design development) in the Grants and Carry-Over Reserve.
2. Endorses a total budget of \$2,700,000 to build a new clubhouse and signage for the Marion Park Golf Course with the balance of the existing funding (\$387,689) to be expended in the 2022/23 financial year, and the remaining budget of \$2,312,311 be considered as part of the Annual Business Planning process for 2023/24.
3. Endorses \$300,000 being allocated in the 2024/25 capital works program to complete the car park works on the site.
4. Notes a future report will be brought to Council to consider the funding and timing for the upgrade of the green keeping facility.
5. Notes Administration will be undertaking community consultation on the project preliminary designs.
6. Endorses Administration to negotiate a further term of 24 months on the current management agreement with the existing provider at a cost of up to \$30,000 per year, being an additional \$5,000 to the existing LTFFP allocation of \$25,000 per year towards annual golf course management fees.

**Carried Unanimously**

**13.6 Local Government Finance Authority Annual General Meeting 2022**  
Report Reference GC220823R13.6**Moved Councillor Hutchinson****Seconded Councillor Clancy**

That:

1. The nominated Council Representative for the Local Government Finance Authority Annual General Meeting 2022 is Mayor Hanna.

**Carried Unanimously****14 Corporate Reports for Information/Noting****Moved Councillor Telfer****Seconded Councillor Hutchinson**

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

- 14.1 Corporate and CEO KPI Report Quarter Four 2021/22
- 14.2 Questions Taken on Notice Register
- 14.3 WHS Monthly Performance Report

**Carried Unanimously****14.1 Corporate and CEO KPI Report Quarter Four 2021/22**  
Report Reference GC220823R14.1**Moved Councillor Telfer****Seconded Councillor Hutchinson**

That Council:

1. Notes this information and information contained within the attachments for Quarter Four 2021/22.

**Carried Unanimously****14.2 Questions Taken on Notice Register**  
Report Reference GC220823R14.2**Moved Councillor Telfer****Seconded Councillor Hutchinson**

That Council:

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

**Carried Unanimously****14.3 WHS Monthly Performance Report**  
Report Reference GC220823R14.3**Moved Councillor Telfer****Seconded Councillor Hutchinson**

That Council:

1. Notes this report and the statistical data contained therein.

**Carried Unanimously**

**15 Workshop / Presentation Items - Nil****16 Motions With Notice****16.3 Annual Report - Tenant obligations**  
Report Reference GC220823M16.3**Moved Councillor Hutchinson****Seconded Councillor Shilling**

hat Council:

Receive a report at least once each year on the extent to which tenants in Council buildings are up to date with rent and meeting their other obligations under their leases.

**Carried Unanimously****17 Questions With Notice****17.1 Living Kurna Cultural Centre**  
Report Reference GC220823Q17.1  
Council Member Mayor Kris Hanna**QUESTION**

How did Council staff measure the success of the public event held at the Living Kurna Cultural Centre in June 2022, which Council funded to the extent of \$10,000, and what were the results (e.g. attendance numbers)?

**SUPPORTING INFORMATION**

Nil

**Response Received From**  
**Corporate Manager**  
**General Manager**Manager City Property – Thuyen Vi-Alternetti  
Manager City Property - Thuyen Vi-Alternetti  
General Manager City Development – Tony Lines**STAFF COMMENTS**

On 10 May 2022, Council endorsed the provision of \$10,932 (ex GST) towards the Reconciliation Week Event at Living Kurna Cultural Centre proposed for 1 June 2022 based on information provided by Southern Cultural Immersion (SCI) for this event (Report GC220510M13.1). There was a three week turnaround from funds approval to the event delivery date. The final amount paid to SCI was \$10,535 (ex GST) due to the final budget being determined during the application process, in which minor corrections to GST was made for particular goods and services. The final amount was agreed by SCI and Finance Department as being correct before being dispersed.

The formal process for the funds dispersal and acquittal involved SCI submitting an application through City of Marion's SmartyGrants platform and subsequent acquittal in line with the resolution. The funds were spent according to their application.

As the provision of funds was not within an approved City of Marion grant program or guideline/s, there was no other significant reporting measures (eg demographics, success determinants,

attendance numbers) required by SCI additional to the financial acquittal. Staff can confirm the following information was provided by SCI in relation to their event:

- Attendance was approx. between 500-600 (based on headcounts and cultural experience bookings, as provided by SCI)
- Hosted guided walk / tours of the site
- Cultural experiences including boomerang workshops, talks and weaving workshop
- Live Music and artist engagement
- Markets
- <https://www.facebook.com/LivingKaurnaCulturalCentre> - See June 3 post for pictures.

The event was subject to adverse weather (including low temperature and rain) and was hosted mid-week (mid-way through Reconciliation Week). It is considered that both of these elements impacted the optimal outcomes for the event. Positive feedback was received by SCI about the event.

## 17.2 Marion Council Cat Bylaws

Report Reference GC220823Q17.2  
Council Member Mayor Kris Hanna

### QUESTION

In light of the CEO's public statement regarding Marion Council Cat Bylaws on 10 August 2022,

"The City of Marion endorsed By-law No 6 Cats 2021 in August last year. However, the provisions relating to keeping cats confined inside between the hours of 8pm and 7am do not come into effect until 1 January 2023. This timeframe was established in order to allow sufficient communication with the community regarding the changes."

- please list all of the occasions, since approval by the Parliament, when Council informed the public about the Cat Bylaw coming into operation on 1 January 2023.

### SUPPORTING INFORMATION

Nil

**Response Received From**  
**Corporate Manager**  
**General Manager**

Unit Manager, Marketing and Communications – Leah Holmes  
Manager Customer Experience - Megan Bradman  
General Manager Corporate Services – Sorana Dinmore

### STAFF COMMENTS

#### Activities for period Dec 2021- June FY22

A full marketing 'campaign plan' was introduced in **DEC-JUNE FY22** can be found here:

 [Dev&Reg By-Laws plan Jan June.xlsx](#)

In December 2022 (27 December/ Jan 2022) the new By-Laws were introduced. At the time, the Marketing and Communications Unit met with the Development and Regulatory Services team to define the key components/elements of focus of the Communications and Awareness Plan.

The campaign (which ran from 27 Dec 2021 – March 2022) included:

- DL flyer in the rates notice inclusion – which went to 33,000 households
- A dedicated website landing page featuring the new by-laws and updates [By-laws | About Council | City of Marion](#)



- FAQs within the website: [https://www.marion.sa.gov.au/about-council/by-laws?fbclid=IwAR3fTq5S4\\_B\\_MQ5BfEkdb9kHtlmiEeYgiYKB6NdledDFZ\\_G7SDI6WUdN5VQ](https://www.marion.sa.gov.au/about-council/by-laws?fbclid=IwAR3fTq5S4_B_MQ5BfEkdb9kHtlmiEeYgiYKB6NdledDFZ_G7SDI6WUdN5VQ)
- Social media posts – Instagram and Facebook – open to full audience/following
- Website banner on the homepage
- ½ page inclusion in the February edition City Limits (40,000 households/businesses)

The post campaign report prepared by Marketing and Communications for Development and Regulatory Services for JAN-JUNE FY22 can be found here: [PDF Dev&Reg MarComms PCR Jan - Jun.pdf](#). This document outlines the activity/ and results in detail, including channels, timings, audience etc.

### Activities for Financial Year 2022-23:

- This year's campaign plan JUL-JUNE FY23 can be found here: [Excel Dev&Reg By-Laws plan July22 June23.xlsx](#)
- Activity will increase significantly from September – March 2023, with each month running as an education piece on each of the seven by-laws, including the Cat by-laws. This will include advising the community of the changes as well as promoting the existing rules.
- Sept/ Nov and Dec 2023 – the communications campaign will include direct emphasis on the effective changes to Cat curfew and roosters/peacocks by-laws as recently outlined in the <https://indaily.com.au/news/local/2022/08/12/cats-dumped-amid-council-laws-confusion/>

### 18 Motions Without Notice

Nil

### 19 Questions Without Notice

Nil

### 20 Confidential Items

#### 20.1 Cover Report - CEO Annual Performance and Remuneration Review

Report Reference	GC220823F20.1
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**Moved Councillor Hutchinson**

**Seconded Councillor Duncan**

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: Manager People and Culture, be excluded from the meeting as the Council receives and considers information relating to CEO Annual Performance and Remuneration 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 Chief Executive Officer.

**Carried Unanimously**

9.18pm the meeting went into confidence



**MEETING EXTENSION****Moved Councillor Crossland****Seconded Councillor Prior**

That the meeting be extended until the end of the item.

**Carried Unanimously**

9.29pm the meeting was extended

**Moved Councillor Hutchinson****Seconded Councillor Crossland**

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, CEO Annual Performance and Remuneration Review, any appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) 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 for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2022.

**Carried Unanimously**

10:35pm the meeting came out of confidence

**21 Other Business**

Nil

**22 Meeting Closure**

The meeting was declared closed at 10.35pm.

CONFIRMED THIS 13<sup>TH</sup> DAY OF SEPTEMBER 2022

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CHAIRPERSON