

**Minutes of the General Council Meeting
held on Tuesday, 12 December 2023 at 6.30 pm
Council Chamber, Council Administration Centre
245 Sturt Road, Sturt**

PRESENT

His Worship the Mayor Kris Hanna

Councillor Nathan Prior

Councillor Raelene Telfer

Councillor Luke Naismith (from 6.31pm)

Councillor Jason Veliskou

Councillor Sarah Luscombe

Councillor Jayne Hoffmann

Councillor Matt Taylor

Councillor Renuka Lama (from 6.32pm)

Councillor Jana Mates (from 6.32pm)

Councillor Amar Singh

Councillor Ian Crossland

In Attendance

Chief Executive Officer - Tony Harrison

General Manager City Services - Ben Keen

Acting General Manager Corporate Services - Jamie Dunnicliff

General Manager City Development - Tony Lines

Manager Office of the CEO - Kate McKenzie

Unit Manager Governance and Council Support - Victoria Moritz

Governance Officer - Amey Johnson

1 Open Meeting

The Mayor opened the meeting at 6.30pm.

2 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 *Nomination sought for Environmental Protection Authority Board*

- Councillor Prior declared a material conflict of interest in item *Nomination Sought for Environmental Protection Authority Board*

5 Confirmation of Minutes

5.1 Confirmation of Minutes of the General Council Meeting held on 28 November 2023

Report Reference GC231212R5.1

Moved Councillor Taylor

Seconded Councillor Telfer

That the minutes of the General Council Meeting held on 28 November 2023 be taken as read and confirmed.

Carried Unanimously

6 Adjourned Items

6.1 Adjourned Item - Tree Asset Management Plan

Report Reference GC231212R6.1

6.31pm Councillor Naismith entered the meeting

6.32pm Councillor Mates entered the meeting

6.32pm Councillor Lama entered the meeting

Moved Councillor Crossland

Seconded Councillor Telfer

That Council:

1. Note the updated wording which has been inserted into the Draft Tree Asset Management Plan, for “resident requests” to be included in the “demand group”.
2. Note the additional questions to be asked as part of the formal engagement.
3. Note the new timeline for engagement due to the Festive Season break.
4. Endorses the Draft City of Marion Tree Asset Management Plan 2024 – 2034 for stakeholder and community consultation.
5. Notes a further report will be presented to Council on 28 February 2024 outlining the outcomes of the stakeholder and community consultation.

Carried Unanimously

Order of Agenda Items

The Mayor sought and was granted leave of the meeting to vary the order of the agenda and consider the item *Outcome of EOI - Fitzjames Building, Glandore* next on the agenda.

11.3 Outcome of EOI - Fitzjames Building, Glandore

Report Reference GC231212R11.3

Moved Councillor Veliskou**Seconded Councillor Mates**

That this item be adjourned to the General Council meeting on 27 February 2024 to allow for additional information.

Carried**6.2 Cover Report - Adjourned Item - Confidential- Code of Conduct Report - Recommendation to release**

Report Reference GC231212F6.2

Moved Councillor Veliskou**Seconded Councillor Crossland**

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, Media and Engagement Advisor and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to the release of a Code of Conduct report, 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 a complaint concerning a previous member of Council.

Carried Unanimously

6.43pm the meeting went into confidence

Moved Councillor Veliskou**Seconded Councillor Telfer**

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, *Adjourned Items - Confidential - Code of Conduct Report - Recommendation to release* 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 2024.

Carried Unanimously

7.08pm the meeting came out of confidence

7 Deputations - Nil**8 Petitions - Nil****9 Committee Recommendations - Nil****10 Confidential Items****10.1 Cover Report - Confirmation of minutes of the Confidential Finance, Risk and Audit Committee Meeting held on 9 November 2023**

Report Reference GC231212F10.1

Moved Councillor Prior**Seconded Councillor Mates**

That pursuant to Section 90(2) and (3)(e) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, Chief Financial Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Manager Office of the Chief Executive, Unit Manager Governance and Council Support, Media and Engagement Advisor and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Confirmation of Minutes of the Confidential Finance, Risk and Audit Committee Meeting held on 9 November 2023, 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 affecting the security of the Council.

Carried Unanimously

7.09pm the meeting went into confidence

Moved Councillor Veliskou**Seconded Councillor Hoffmann**

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that any appendices arising from this report, Confirmation of Minutes of the Confidential Finance, Risk and Audit Committee Meeting held on 9 November 2023, having been considered in confidence under Section 90(2) and (3)(e) 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 2023.

Carried Unanimously

7.11pm the meeting came out of confidence

11 Corporate Reports for Decision

11.1 Review of Confidential Items Overview - 2023

Report Reference GC231212R11.1

Moved Councillor Veliskou

Seconded Councillor Telfer

That Council:

1. Notes it has reviewed and considered all items with a current confidentiality order;
2. Endorses the recommendations as detailed in Attachment 1;
3. Notes that item 637 in relation to the Code of Conduct item will be retained in confidence to be reviewed December 2024
4. Reviews all items with a remaining confidential order in December 2024.

Carried Unanimously

11.2 Future of Oaklands Education Centre

Report Reference GC231212R11.2

Moved Councillor Veliskou

Seconded Councillor Luscombe

That Council:

1. Endorses to continue the Collaboration Agreement between City of Marion and Flinders University for the provision of the Education Centre Facility at the Oaklands Wetland Reserve, for a further 3 years, up to December 2026.
2. Endorses Council's 50% contribution, towards the hire of the facility and operational costs, of \$19,232.58 per annum indexed, commencing in January 2024 for a period of 3 years.
3. Notes a further report detailing the utilisation of the Education Centre and options for consideration will be presented to Council in April 2026.

Carried Unanimously

11.4 Landowner Consent for Meals on Wheels Warradale**Report Reference** GC231212R11.4**Moved Councillor Taylor****Seconded Councillor Prior**

That Council:

1. Authorises that landowner consent is given for Meals on Wheels SA Inc. to refurbish the kitchen to be code compliant and upgrade the wet areas, including the bathroom (refurbishment) at Marion Community House, 175 Oaklands Road, Warradale.
2. Notes that Meals on Wheels SA Inc. is not seeking any funding from Council to undertake the refurbishment.

Carried Unanimously**11.5 Gully Road Reserve - Shared Use Path****Report Reference** GC231212R11.5**Moved Councillor Crossland****Seconded Councillor Luscombe**

That Council:

1. Notes the Minister for Infrastructure and Transport has allocated \$115,000 ex GST from the State Bicycle Fund towards construction of a shared path through the Gully Road Reserve between Tracy Street and Arthur Street, Seacliff Park.
2. Pursuant to Section 38 of the Local Government Act 1999, authorise the Mayor and Chief Executive Officer to sign and affix the common seal to the Deed to execute the Grant Deed for the State Bicycle Fund, and return to the Department for Infrastructure and Transport.

Carried Unanimously**11.6 Nomination sought for Environmental Protection Authority Board****Report Reference** GC231212R11.6

Councillor Luscombe declared a material conflict of interest in the item as she is being nominated for the position on the Environmental Protection Authority Board and will leave the meeting for the item.

Councillor Prior declared a material conflict of interest in the item as he is being nominated for the position on the Environmental Protection Authority Board and will leave the meeting for the item.

7.28pm Councillor Luscombe left the meeting

7.28pm Councillor Prior left the meeting

Moved Councillor Crossland**Seconded Councillor Mates**

That Council:

1. Notes the report 'Nomination sought for Environmental Protection Authority Board'.
2. Nominates Councillor Luscombe and Councillor Prior as Members to the Environmental Protection Authority Board.
3. Administration forwards the above nominations to the Local Government Association by close of business on Friday 22nd December.

Carried Unanimously

7.29pm Councillor Luscombe re-entered the meeting

7.29pm Councillor Prior re-entered the meeting

11.7 Biodiversity Plan 2024-2029

Report Reference GC231212R11.7

Moved Councillor Veliskou

That Council:

1. Endorses an ongoing funding option for the draft *Biodiversity Plan 2024-2029* (*Choose one option, currently funded at \$360,000 p/a*)
 - a. Option 2: Improvement to existing priority sites (additional \$290,000 p/a).
2. Endorses the draft *Biodiversity Plan 2024-2029* for stakeholder and community consultation.
3. Notes a further report will be presented to Council in March 2024 outlining the outcomes of the stakeholder and community consultation.

The motion lapsed for want of a seconder

Moved Councillor Crossland**Seconded Councillor Telfer**

That Council:

1. Endorses an ongoing funding option for the draft *Biodiversity Plan 2024-2029*
2. (*Choose one option, currently funded at \$360,000 p/a*)
 - a. Option 1: Significant improvement to existing priority and restoration sites (additional \$440,000 p/a).
3. Endorses the draft *Biodiversity Plan 2024-2029* for stakeholder and community consultation.

4. Notes a further report will be presented to Council in March 2024 outlining the outcomes of the stakeholder and community consultation.

Carried Unanimously

11.8 Treasury Operations - Cash Advance Facility

Report Reference GC231212R11.8

Moved Councillor Veliskou

Seconded Councillor Prior

That Council:

1. Execute Cash Advance Debenture documentation with the Local Government Finance Authority of South Australia, fixing the Repayment Date of the Debenture as 15th day of March 2039 with a \$10,000,000 limit.
2. Authorise the Mayor and the Chief Executive Officer to be authorised to affix the common seal to the document.

Carried Unanimously

11.9 Centre Zone Adjustment Code Amendment

Report Reference GC231212R11.9

Moved Councillor Prior

Seconded Councillor Mates

That Council:

1. Notes the Engagement Summary Report for the Centre Zone Adjustment Code Amendment contained in Attachment 1 of this report.
2. Endorses the Centre Zone Adjustment Code Amendment contained in Attachment 2 of this report for submission to the Minister for Planning for Approval.

Carried Unanimously

7.35pm Councillor Singh left the meeting

11.10 Finance, Risk and Audit Committee - Appointment of Council Member Proxy

Report Reference GC231212R11.10

Moved Councillor Telfer

Seconded Councillor Taylor

That Council:

1. Endorse the current Finance, Risk and Audit Committee Terms of Reference be amended to include the provision for a Council Member Proxy representative to be appointed to the Committee.
2. Appoint Councillor Hoffmann as the Council Member Proxy Representative to the Finance, Risk and Audit Committee for a term commencing 12 December 2023 and concluding 30 November 2024.

Carried Unanimously

12 Corporate Reports for Information/Noting

Moved Councillor Prior

Seconded Councillor Telfer

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

- Questions Taken on Notice Register
- Annual Investment Report 2022-23
- Health, Safety and Wellbeing Report
- Creative Coworking Space - Close Out

Carried Unanimously

12.1 Questions Taken on Notice Register

Report Reference GC231212R12.1

Moved Councillor Prior

Seconded Councillor Telfer

That Council:

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

Carried Unanimously

12.2 Annual Investment Report 2022-23

Report Reference GC231212R12.2

Moved Councillor Prior

Seconded Councillor Telfer

That Council:

1. Notes the Investment Performance Report for 2022-23.

Carried Unanimously

12.3 Health, Safety, and Wellbeing Report

Report Reference GC23121212.3

Moved Councillor Prior

Seconded Councillor Telfer

That Council:

1. Notes this report

Carried Unanimously

12.4 Creative Coworking Space - Close Out**Report Reference** GC231212R12.4**Moved Councillor Prior****Seconded Councillor Telfer**

That Council:

1. Notes the closure of the agreement regarding the Creative Industries Co-working Hub at Edwardstown.

Carried Unanimously**12.5 SRWRA Board Meeting 20 November 2023 - Constituent Council Information Report****Report Reference** GC231212R12.5**Moved Councillor Crossland****Seconded Councillor Taylor**

That Council:

1. Notes the Constituent Council Information Report from SRWRA Board Meeting,
2. 20 November 2023.

Carried Unanimously

7.38pm Councillor Singh re-entered the meeting

12.6 Flinders Greenway Update**Report Reference** GC231212R12.6**Moved Councillor Lama****Seconded Councillor Telfer**

That Council:

1. Notes a report on the Flinders Greenway project, including timeframes, budget, and grant opportunities will be provided at the 27 February 2024 General Council meeting.

Carried Unanimously**12.7 Council and CEO KPI Report Quarter One 2023/24****Report Reference** GC231212R12.7**Moved Councillor Hoffmann****Seconded Councillor Taylor**

That Council:

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

Carried Unanimously

12.8 Minutes of the LGA Ordinary General Meeting held 26 October 2023**Report Reference** GC220510R 12.8**Moved Councillor Lama****Seconded Councillor Taylor**

That Council:

1. Note the minutes of the LGA OGM held 8 April 2022.

Carried Unanimously**13 Workshop / Presentation Items - Nil****14 Motions With Notice****14.1 Footpaths****Report Reference** GC231212M14.1**Moved Councillor Crossland****Seconded Councillor Luscombe**

1. Reduces the new footpath budget to \$100,000 per year commencing 2024/2025 budget.
2. Prepares a report on the current footpath (and kerb ramp) renewal program with options for an alternative program which considers the necessity of either one or two footpaths noting that if a single footpath is required there are options for additional trees/verges/parking or stormwater solutions.
3. Notes that the report will be brought to a Council Forum in March 2024.

Carried Unanimously**14.2 Community Renewables Program****Report Reference** GC231212M14.2**Moved Councillor Luscombe****Seconded Councillor Veliskou**

To request a report by February 2024 to the Infrastructure and Environment Committee that investigates the following:

1. Collaborating with City of Mitcham to use their Community Renewables Framework, due diligence and tender results to implement a similar bulk buy and Virtual Power Plant (VPP) program with Shinehub but tailored to suit the City of Marion and its community.
2. Opportunities to partner with other Councils to enter into a 100% Renewable Energy Power Purchase Agreement (PPA) or similar for Council's current and future energy needs, including the

opportunity to integrate a VPP and community batteries.

3. Customer satisfaction levels and experience of those who have taken up the program.

4. The scope and findings of the EV charging trial that is currently underway between SAPN and City of Mitcham, and whether City of Marion can leverage the opportunities from the trial moving forward.

Carried Unanimously

15 Questions With Notice

16 Motions Without Notice

17 Questions Without Notice

18 Other Business

19 Meeting Closure

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

The meeting was declared closed at 7.56pm.

CONFIRMED THIS 23 DAY OF JANUARY 2024

CHAIRPERSON