



**Minutes of the General Council Meeting
held on Tuesday, 12 March 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 Sarah Luscombe

Councillor Jayne Hoffmann
Councillor Matt Taylor
Councillor Renuka Lama
Councillor Jana Mates
Councillor Amar Singh (from 6.32pm)
Councillor Ian Crossland

In Attendance

Chief Executive Officer - Tony Harrison
General Manager City Services - Ben Keen
General Manager Corporate Services - Angela Allison
General Manager City Development - Tony Lines
Manager Office of the CEO - Kate McKenzie
Governance 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:

- The Mayor declared a material conflict of interest in the item *Council Member Allowance and Benefits Policy - Amendments*

- Councillor Telfer declared a material conflict of interest in the item *Tree Asset Management Plan*
- Councillor Luscombe declared a material conflict of interest in the following items
 - *Cove Community Garden*
 - *Hamilton College Land Transfer*
 - *Open Space Framework Midlife Review - Endorse for Community Consultation*

5 Confirmation of Minutes

5.1 Confirmation of Minutes of the General Council Meeting held on 27 February 2024

Report Reference GC240312R5.1

Moved Councillor Veliskou

Seconded Councillor Prior

That the minutes of the General Council Meeting held on 27 February 2024 be taken as read and confirmed.

Carried Unanimously

6 Adjourned Items - Nil

7 Deputations

6.32pm Councillor Singh entered the meeting

7.1 Cove Community Garden

Report Reference GC240312D7.1

Mr Salisnew and Ms Gill provided a five-minute deputation regarding the Cove Community Garden.

The Mayor sought and was granted leave of the meeting to vary the order of the agenda and to consider the item *Cove Community Garden* next in the meeting.

Councillor Luscombe declared a material conflict of interest in item *Cove Community Garden* as she is the Chair of the Cove Community Garden Working Group and will leave the meeting for the item.

6.42pm Councillor Luscombe left the meeting

11.5 Cove Community Garden

Report Reference GC240312R11.5

Moved Councillor Crossland**Seconded Councillor Masika**

That Council:

1. Provides in principle support for the proposed Cove Community Garden managed by Cove Community Garden Inc. on Perry Barr Farm, Hallett Cove.
2. Allocates additional budget of up to \$40,000 to the existing Community Garden Budget for the 2024-25 financial year to cover the cost of secure fencing to support the establishment of the Cove Community Garden.
3. Notes that Cove Community Garden Inc. will apply for relevant development approvals, form a written agreement with council for use of the land and source funding prior to commencing operation.

Carried Unanimously

6.54pm Councillor Luscombe re-entered the meeting

The Mayor sought and was granted leave of the meeting to vary the order of the agenda and to consider the item *Cover Report – SCI Living Kaurna Cultural Centre Management Agreement* next in the meeting.

10 Confidential Items**10.1 Cover Report - SCI Living Kaurna Cultural Centre Management Agreement**

Report Reference GC240312F10.1

Moved Councillor Mates**Seconded Councillor Hoffmann**

That pursuant to Section 90(2) and (3)(b and d) 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 Office of the CEO, Manager People and Culture, Manager City Property, Manager City Activation, Unit Manager Property and Facilities, Team Leader Property, 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 SCI Living Kaurna Cultural Centre Management Agreement, 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 information pertaining to the operations of SCI and their financial proposal for the renewed Management Agreement.

Carried Unanimously

6.55pm the meeting went into confidence

Moved Councillor Crossland**Seconded Councillor Naismith**

That formal meeting procedures be suspended to discuss the item.

Carried Unanimously

7.01pm formal meeting procedures suspended

7.37pm formal meeting procedures resumed

Moved Councillor Prior

Seconded Councillor Veliskou

In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report, 'SCI Living Kurna Cultural Centre Management Agreement: GC240312F10.1' the attachments and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(b and d) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection upon the basis that the information relates to commercial information pertaining to the operations of SCI and their financial proposal for the renewed Management Agreement. The disclosure of this information would, on balance, be contrary to the public interest because it could infer a financial advantage to another entity.

Carried Unanimously

7.47pm the meeting came out of confidence

8 Petitions - Nil

9 Committee Recommendations

9.1 Confirmation of Minutes of the Finance, Risk and Audit Committee Meeting held on 20 February 2024

Report Reference GC240312R9.1

Moved Councillor Telfer

Seconded Councillor Veliskou

That Council:

1. Receives and notes the minutes of the Finance, Risk and Audit Committee meeting held on 20 February 2024.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance, Risk and Audit Committee.

Carried Unanimously

11 Corporate Reports for Decision

8.03pm Councillor Lama left the meeting

8.03pm Councillor Prior left the meeting

11.1 Reconciliation Action Plan 2024-2025

Report Reference GC240312R11.1

Moved Councillor Crossland**Seconded Councillor Mates**

That formal meeting procedures be suspended to discuss the item.

Carried Unanimously

8.04pm formal meeting procedures were suspended

8.05pm Cr Lama re-entered the meeting

8.05pm Cr Singh left the meeting

8.05pm Cr Prior re-entered the meeting

8.08pm Cr Singh re-entered the meeting

8.49pm formal meeting procedures resumed

Moved Councillor Telfer**Seconded Councillor Masika**

That Council:

1. Note the community feedback on the draft Reconciliation Action Plan.
2. Endorse the City of Marion draft Reconciliation Action Plan from July 2024 to June 2026.

Amendment**Moved Councillor Luscombe****Seconded Councillor Veliskou**

That Council:

1. Note the community feedback on the draft Reconciliation Action Plan.
2. Endorse that the City of Marion draft Reconciliation Action Plan from July 2024 to June 2026 be submitted to Reconciliation Australia for review and endorsement.

**The amendment to become the motion was carried
the motion as amended was carried**

Moved Councillor Crossland**Seconded Councillor Prior**

That Council

3. Endorse the provision of funding of up to \$10,000 per year, in addition to funding for the reconciliation week event, for the life of the Reconciliation Action Plan, commencing in 2024/25 to support delivery.

Lost

8.49pm Councillor Luscombe left the meeting

Councillor Telfer declared a material conflict of interest in the item *Tree Asset Management Plan* as she has previously lodged an application to the City of Marion as a resident to receive financial assistance for the maintenance of a regulated tree under the Regulated Tree Maintenance Fund and will leave the meeting for the item.

8.50pm Councillor Telfer left the meeting

11.2 Tree Asset Management Plan

Report Reference GC240312R11.2

Moved Councillor Prior

Seconded Councillor Crossland

That Council:

1. Notes the outcomes from the community engagement process.
2. Adopts the Draft City of Marion Tree Asset Management Plan 2024-34 (Attachment 1).

Carried Unanimously

8.51pm Councillor Telfer re-entered the meeting

Councillor Hoffmann declared a material conflict of interest in the item *Hamilton College Land Transfer* as she is employed by the Department of Education and will leave the meeting for the item (declared at the meeting of 27 February 2024).

8.51pm Councillor Hoffmann left the meeting

8.52pm Councillor Singh left the meeting

11.3 Hamilton College Land Transfer

Report Reference GC240312R11.3

Moved Councillor Telfer

Seconded Councillor Lama

That Council:

1. Accepts the offer from the Department of Education for the transfer of the walkway designated as 'Allotment 5002 Walkway' between David Avenue and Sampson Road, Mitchell Park for nil consideration (\$0.00) on the basis that the Department for Education covers Council's costs incurred for the vesting of the land.
2. Notes that the proposed land division will create a new Walkway with classification as a Road under the Local Government Act 1999, and that upon the lodgement and approval in the Lands Titles Office, the plan is then deposited and the status as a Walkway will automatically come into effect.
3. Notes that following the vesting, Council will become responsible for the on-going management and maintenance of the land and associated infrastructure.

4. Authorises the Chief Executive Officer or their delegate to sign any documentation as required to complete the walkway vesting, and the Mayor and Chief Executive Officer to attest to the affixation of the Common Seal of the Corporation of the City of Marion to any documentation as may be required to affect the vesting of the walkway.

Carried Unanimously

8.57pm Councillor Hoffmann re-entered the meeting

8.58pm Councillor Singh re-entered the meeting

11.4 Revocation of Community Land Classification MCC Plaza

Report Reference GC240312R11.4

Moved Councillor Veliskou

Seconded Councillor Taylor

That Council:

1. Notes the decision made by the Minister for Planning and Local Government on 14 December 2023 to approve Council's proposal to revoke the classification as community land of the whole of land situated at Warracowie Way, Oaklands Park and contained in Certificate of Title Volume 5848 Folio 473.
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 Chief Executive Officer or Delegate to sign and the Mayor and Chief Executive Officer to attest to the affixation of the Common Seal of the Corporation of the City of Marion, as may be required, to any documentation required to finalise the revocation of community land classification and the land division to create a road reserve.
5. Notes that the balance of the land (approximately 395m²) not required for the road reserve will be merged with the adjoining Marion Cultural Centre title upon creation of the public road via a land division.

Carried

9.10pm Councillor Taylor left the meeting

11.6 Open Space Framework Midlife Review - Endorse for Community Consultation

Report Reference GC240312R11.6

Moved Councillor Crossland

Seconded Councillor Prior

That Council:

1. Endorses Model 1 of the Open Space Plan to absorb significant open space construction cost increases within existing LTFP budgets (CPI increase only) subject to the following amendments:
 1. Removal of the community garden place holder reference
 2. Removal of the drinking fountain from Alison Avenue, Marion
 3. Removal of the dog bowl from Quick Road, Mitchell Park
 4. Add the wording 'to align to additional works' to Club Marion neighbourhood playground
2. Increases the CEO delegated authority for strategic land acquisitions, using the approved procedure, from \$1,000,000 up to \$2,000,000.
3. Endorses the revised Open Space Framework, which includes Open Space Methodology, Open Space Service Levels and the Open Space Plan, for community consultation.

Carried Unanimously

The Mayor declared a material conflict of interest in point 2 of the resolution regarding Section 2.10 of the *Council Members Allowances and Benefits Policy* as this section relates to Mayoral Support, and will leave the meeting.

The Mayor vacated the Chair and Deputy Mayor Crossland took the Chair

9.11pm the Mayor left the meeting

9.12pm Councillor Luscombe re-entered the meeting

9.12pm Councillor Taylor re-entered the meeting

9.12pm Councillor Telfer left the meeting and did not return

11.7 Council Member Allowance and Benefits Policy - Amendments

Report Reference GC240312R11.7

Moved Councillor Veliskou

Seconded Councillor Masika

That Council:

1. Adopts the Council Members' Allowance and Benefits Policy as provided in Attachment 1 (excluding Section 2.10 – Mayoral Support).
2. Adopts Section 2.10 – Mayoral Support of the Council Members' Allowances and Benefits Policy as provided in Attachment 1.

Carried Unanimously

9.14pm the Mayor re-entered the meeting

Deputy Mayor Crossland vacated the Chair, and the Mayor resumed the Chair.

11.8 Risk Management Policy & Framework update**Report Reference** GC240312R11.8**Moved Councillor Mates****Seconded Councillor Veliskou**

That Council:

1. Endorses the Risk Management Policy and Framework.
2. Notes the opportunities management work underway that will be updated within the RMF and brought back to Council later in the year.

Carried Unanimously**11.9 2nd Budget Review 2023/2024****Report Reference** GC240312R11.9**Moved Councillor Prior****Seconded Councillor Singh**

That Council:

1. Adopt the revised budgeted statements including the Income Statement, Balance Sheet, Statement of Changes in Equity and Statement of Cash Flows

Carried Unanimously

9.18pm Councillor Singh left the meeting

9.20pm Councillor Singh re-entered the meeting

11.10 Boatshed Cafe Funding Resolution**Report Reference** GC240312R11.10**Moved Councillor Crossland****Seconded Councillor Luscombe**

That Council:

1. Approves an additional project budget allocation of \$45,000 to be funded through savings identified in budget review 2 towards the Boatshed Upgrade to enable the existing contractor to be engaged to lower the canopy to the ground floor annex.
2. Notes that the project program will be extended to mid-May 2024 to incorporate the additional works to lower the canopy.
3. Notes that the Boatshed Café tenants will be offered additional rent relief within the existing approved budget for the project.

Carried Unanimously

11.11 Treasury Operations - Cash Advance Facility Resolution Amendment

Report Reference GC240312R11.11

Moved Councillor Prior

Seconded Councillor Taylor

That Council amends the resolution from 12 December 2023 (GC231212R11.8) to read:

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 April 2034 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

12 Corporate Reports for Information/Noting

Moved Councillor Prior

Seconded Councillor Crossland

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

- Q2 Corporate Quarterly Risk Report
- Strategic Risk Register Annual Report

Carried Unanimously

12.1 Q2 Corporate Quarterly Risk report

Report Reference GC240312R12.1

Moved Councillor Prior

Seconded Councillor Crossland

That Council:

1. Notes the Q2 Corporate Risk report.

Carried Unanimously

12.2 Strategic Risk Register annual report

Report Reference GC240312R12.2

Moved Councillor Prior

Seconded Councillor Crossland

That Council:

1. Notes and validates the Strategic Risk Register annual report update

Carried Unanimously

13 Workshop / Presentation Items - Nil

14 Motions With Notice

14.1 National Reconciliation Week (NRW) event at Living Kaurna Cultural Centre (LKCC) 2024

Report Reference GC240312M14.1

Moved Councillor Crossland**Seconded Councillor Prior**

That Council:

1. Notes the details of the free National Reconciliation Week event proposed by Southern Cultural Immersion at the Living Kaurna Cultural Centre (LKCC) for May 2024.
2. Provides funding of \$14,450 (ex GST) to Southern Cultural Immersion (SCI) to deliver this event.
3. Notes Southern Cultural Immersion will be required to complete a City of Marion grant process, including a Council grant agreement and acquittal process, relating to the expenditure of these funds.
4. Notes any future Management Agreement between City of Marion and Southern Cultural Immersion should include all financial considerations.

Carried Unanimously**15 Questions With Notice - Nil****16 Motions Without Notice - Nil****17 Questions Without Notice - Nil****18 Other Business - Nil****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 9.24pm.

CONFIRMED THIS 26 DAY OF MARCH 2024

CHAIRPERSON
