



MINUTES

of

COUNCIL MEETING

held in the

**WALKERVILLE CIVIC CENTRE
COUNCIL CHAMBERS
66 WALKERVILLE TERRACE GILBERTON**

on

26 NOVEMBER 2018 AT 7:00PM

Released

MINUTES
26 NOVEMBER 2018

Mayor Elizabeth Fricker welcomed the newly elected members and stated she looked forward to working with the Council for the 2018-2022 term.

1. ATTENDANCE RECORD

1.1 Present

Mayor Elizabeth Fricker
Cr R Ashby
Cr M Bishop
Cr N Coleman
Cr S Furlan
Cr J Joshi
Cr J Nenke
Cr C Wilkins
Cr J Williams

Staff in attendance

Chief Executive Officer, K Magro
Council Secretariat, J Hanna
Group Manager Assets & Infrastructure, J Bowen
Group Manager Planning Environment & Regulatory Services, M Kwiatkowski
Group Manager Customer Experience, D Garvey
Group Manager Corporate Services, K Bone
Manager Community Development & Engagement, F Deckert
Manager Communications & Marketing, S DeNicola
Senior Planner, C Walker

1.2 Apologies

Nil.

1.3 Not Present / Leave of Absence

Moved: Cr Williams
Seconded: Cr Bishop

CNC167/18-19

That Councillor Robert Ashby be granted a Leave of Absence from 15 November 2018 until 24 November 2018

CARRIED

Moved: Cr Bishop
Seconded: Cr Williams

CNC168/18-19

That Councillor Jennifer Joshi be granted a Leave of Absence from 18 December 2018 until 11 January 2019.

CARRIED

2. CONFIRMATION OF MINUTES

Moved: Cr Bishop
Seconded: Cr Williams

CNC169/18-19

That the minutes of the Council meeting held on the 15th October 2018 be confirmed as a true and accurate record of the proceedings.

CARRIED

3. DECLARATIONS OF INTEREST (material, actual, perceived)

The CEO declared a section 120 interest in items 12.3.6 CEO Performance Review Committee as it relates to her and item 12.4.2 ERA Water Board Appointment as she is currently the ERA Water Board member and the recommendation is to reappoint her to the Board.

4. REPORTS FROM ELECTED MEMBERS HAVING ATTENDED TRAINING, CONFERENCES OR SEMINARS

4.1 Mayors Report

Moved: Cr Bishop
Seconded: Cr Williams

CNC170/18-19

That Council receives and notes the Mayoral Diary from 12 October 2018 to 22 November 2018.

CARRIED

5. QUESTIONS WITHOUT NOTICE

Cr Ashby inquired about when he can bring questions and queries to Council that were submitted to him during the election period.

The Mayor answered that any question without notice can be tabled during the meeting and that it was preferable that questions should be submitted as questions with notice wherever possible. Motions without notice and with notice can also be used to submitted requests for action.

The CEO responded that Questions and Motions on notice are required to be submitted in writing to the CEO five (5) clear days prior to the meeting. Councillors are able to contact the CEO for advice in relation to this.

6. QUESTIONS FROM THE GALLERY

Nil.

7. QUESTIONS ON NOTICE

Nil

8. PETITIONS

Nil.

9. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

Peter Golding

I would like to welcome the New Mayor and Elected Members, and on behalf of the Walkerville Miniature Christmas Pageant, thank the Walkerville Council Management and Staff for allowing the Miniature Christmas Pageant to be staged in the Town Hall over the past 17 years.

The support from Council that I receive as Manager, Designer and Creator is invaluable, and I hope that our partnership can continue for a few more years.

This year the Walkerville Miniature Christmas Pageant raised over \$1800 for Telethon South Australia which administers 18 different charitable organizations, many of which include children. Over 1300 members of the public visited the display this year, and although slightly down in numbers and Gold Coin takings than last year, I am very pleased with the result. And of course many of the visitors are from out of the Council area, and supported many of our local businesses. It is just a shame that many of our businesses in Walkerville do not support us.

I would just like to thank the Walkerville Council again and ask that you will all support the Miniature Christmas Pageant in the future.

Thank you.

Cr Williams on behalf of the Council thanked Peter for his efforts with the Miniature Christmas Pageant.

10. MOTIONS WITHOUT NOTICE

Nil.

11. MOTIONS WITH NOTICE

11.1 Christmas Fair Roster - Cr James Williams

Moved: Cr Williams

Seconded: Cr Bishop

CNC171/18-19

That a roster be created by administration for Elected Members to assist at the Council stall during the Walkerville Fair for the term of this council.

CARRIED

12. REPORTS REQUIRING DECISION OF COUNCIL

12.1 Strategy

Nil.

12.2 Policy

12.2.1 Informal Gatherings Policy

Moved: Cr Bishop
Seconded: Cr Wilkins

CNC172/18-19

That Council adopts the Informal Gatherings Policy marked as Attachment A to this report, with no amendments.

CARRIED

12.3 Operational

12.3.1 Time and Place of Ordinary Council Meetings

Moved: Cr Williams
Seconded: Cr Wilkins

CNC173/18-19

1. That the Ordinary meetings of Council are held in the Council Chamber at 66 Walkerville Terrace, Gilberton commencing at 7:00pm on the third Monday of each month;
2. That should the third Monday of the month be a public holiday, the meeting of the Council scheduled for that day, will be held on the Tuesday immediately following;
3. That Council adopt the Agenda Format as presented in Attachment A, which will come into effect from the next Ordinary meeting of Council to be held on 17 December 2018.

CARRIED

12.3.2 Council Meeting Procedures

Moved: Cr Williams
Seconded: Cr Furlan

CNC174/18-19

That Council resolves to conduct its meetings in accordance with the Local Government (Procedures at Meetings) Regulations 2013 for the duration of its term.

CARRIED

12.3.3 Appointment of Deputy Mayor

Moved: Cr Bishop
Seconded: Cr Wilkins

CNC175/18-19

That Council resolves to have the position of Deputy Mayor on a rotational basis and;

That the Council elects Cr Williams as Deputy Mayor from Tuesday 21 November 2018 until 9am Tuesday 19 November 2019 and that the Council annually reviews the role of Deputy Mayor.

CARRIED

12.3.4 Casual Vacancies

Moved: Cr Ashby
Seconded: Cr Bishop

CNC176/18-19

That Council adopts the Elections – Casual Vacancies (Supplementary Election) Policy attached to this report and appearing as Attachment A.

CARRIED

12.3.5 Audit Committee Membership

Moved: Cr Williams
Seconded: Cr Bishop

CNC177/18-19

That Councillor Wilkins & Councillor Furlan be appointed to the Audit Committee.

CARRIED

12.3.6 CEO Performance Review Committee Membership

Moved: Cr Bishop

Seconded: Cr Nenke

CNC178/18-19

That Councillor Furlan and Councillor Bishop be appointed to the Chief Executive Officers Performance Review Committee.

CARRIED

12.3.7 Strategic Policy & Development Policy Committee Membership

Moved: Cr Bishop

Seconded: Cr Furlan

CNC179/18-19

That Councillor Wilkins, Councillor Coleman, Councillor Williams & Councillor Bishop be appointed to the Strategic Planning & Development Policy Committee;

and

That Councillors Ashby and Councillor Furlan be appointed as proxy members to the Strategic Planning & Development Policy Committee.

CARRIED

12.3.8 Wesleyan Cemetery Advisory Committee Membership

Moved: Cr Williams

Seconded: Cr Wilkins

CNC180/18-19

That Council appoints Councillor Williams and Councillor Nenke to the Wesleyan Cemetery Advisory Committee for a period of one (1) year, effective from 27 November 2018 and expiring on 18 November 2019.

CARRIED

12.3.9 Council Assessment Panel Membership

Moved: Cr Bishop

Seconded: Cr Coleman

CNC181/18-19

1. That Council appoints Councillor Nenke as a Council Member to the Council Assessment Panel (CAP) until 25 November 2019.
2. That Council appoints Councillor Ashby as a proxy to the Council Assessment Panel.
3. That Council seek to extend the term of appointment of all four (4)

Independent Members of the Council Assessment Panel until 25 November 2019.

CARRIED

12.3.10 Women of Walkerville Terms of Reference

Moved: Cr Williams
Seconded: Cr Ashby

CNC182/18-19

1. That Council receive and note the Women of Walkerville Committee report;
2. That Council endorse the changes to the Women of Walkerville Committee Terms of Reference as presented in Attachment B to this report with amendment to include co-opted members to become full members of the committee with voting rights;
3. That Council acknowledge that the membership of the Women of Walkerville Committee will be the Mayor and the two female elected members of Council.

CARRIED

12.4 Subsidiaries

12.4.1 Eastern Health Authority Board Appointment

Moved: Cr Bishop
Seconded: Cr Ashby

CNC183/18-19

That Councillor Joshi & Group Manager Planning, Environment & Regulatory Services be appointed as Board members to the Eastern Health Authority for a period of 12 months.

And

That Councillor Coleman & Manager Community Development & Engagement be appointed as Deputy Board members to the Eastern Health Authority for a period of 12 months.

CARRIED

12.4.2 ERA Water Board Appointment

Moved: Cr Bishop
Seconded: Cr Williams

CNC184/18-19

1. That Council appoints Chief Executive Officer, Kiki Magro, pursuant to Clause 3.4 of the ERA Water Regional Subsidiary Charter 2015, as its representative to ERA Water Board for a one (1) year period, effective from 1 January 2019 and expiring on 1 January 2020;
2. That Council appoints Councillor Bishop as the Deputy Board Member, pursuant to Clause 3.5 of the ERA Water Regional Subsidiary Charter 2015, effective from 27 November 2018 and expiring on 1 January 2020.

CARRIED

12.4.3 East Waste Management Authority Appointment

Moved: Cr Williams
Seconded: Cr Wilkins

CNC185/18-19

That Council appoints Councillor Ashby as its Board representative to the Eastern Waste Management Authority and Councillor Coleman as its Deputy Board Member for a two (2) year term expiring on 17 November 2020.

CARRIED

12.4.4 Eastern Health Authority Budget Review 1

Moved: Cr Bishop
Seconded: Cr Furlan

CNC186/18-19

That Council endorses the Eastern Health Authority's September 2018 Budget Review Report as detailed in Attachment B to this report and amendments made to the Budgeted Financial Statements for the year ended 30 June 2018 as detailed in Attachment C to this report be approved.

CARRIED

13. IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION

Moved: Cr Williams
Seconded: Cr Bishop

CNC187/18-19

That items 14.3.6 and 14.4.1 be moved as per their recommendations.

CARRIED

14. REPORTS PRESENTED FOR INFORMATION

14.1 Strategy

Nil.

14.2 Policy

Nil.

14.3 Operational

14.3.1 Works Report

Moved: Cr Bishop
Seconded: Cr Williams

CNC188/18-19

That Council receives and notes the Works Report for October 2018.

CARRIED

14.3.2 2018/19 CAPEX Project Status Report

Moved: Cr Furlan
Seconded: Cr Wilkins

CNC189/18-19

That Council receive and note the 2018/19 CAPEX Projects Status Report, November 2018.

CARRIED

14.3.3 Monthly Financial Report

Moved: Cr Bishop
Seconded: Cr Furlan

CNC190/18-19

That Council receives and notes the Monthly Financial Report as at 31 October 2018.

CARRIED

14.3.4 Elected Members Training Development Plan & Key Dates

Moved: Cr Bishop
Seconded: Cr Williams

CNC191/18-19

That the Elected Members Training Development Plan & key dates report be received and noted.

CARRIED

14.3.5 Murray Darling Association Minutes

Moved: Cr Bishop
Seconded: Cr Williams

CNC192/18-19

That the Council receives and notes the Murray Darling Association Region 7 (Greater Adelaide) Minutes for the meeting held on 25 October 2018.

CARRIED

14.3.6 Audit Committee Annual Report to Council

Moved: Cr Williams
Seconded: Cr Bishop

CNC193/18-19

That Council receives and notes the Audit Committees Annual Report.

CARRIED

14.3.7 Outstanding Council Resolutions

Moved: Cr Bishop
Seconded: Cr Ashby

CNC194/18-19

That Council receives and notes the list of Council resolutions currently being processed as at 22 November 2018.

CARRIED

14.4 Subsidiaries

14.4.1 Eastern Health Authority Board Minute

Moved: Cr Williams
Seconded: Cr Bishop

CNC195/18-19

That Council receives and notes the Eastern Health Authority Board Minutes for the ordinary meeting on 24 October 2018.

CARRIED

15. URGENT OTHER BUSINESS

Cr Williams

Congratulated Mayor Fricker on her appointment to Mayor and congratulated the other Elected Members on their appointment to Council. Councillor Williams also congratulated the Administration on their work with the former Mayor Ray Grigg.

16. CONFIDENTIAL ITEM

16.1 Walkerville Citizen of the Year

Moved: Cr Williams

Seconded: Cr Wilkins

CNC196/18-19

Recommendation (Public)

Pursuant to s90(3)(a)

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Council's Chief Executive Officer Kiki Magro, Manager Community Development & Engagement Fiona Deckert, Group Manager Corporate Services, Katy Bone, Group Manager Assets and Infrastructure, Joshua Bowen & Council Secretariat Jayde Hanna be excluded from attendance at the meeting for the Agenda Item titled 'Walkerville Citizen of the Year Awards held on Australia Day'.

The Council is satisfied that, pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person/s (living or dead), being St Andrew's School, Walkerville Miniature Pageant and Emeritus Professor Colin Douglas Matthews A.O.

The Council is satisfied that the principle, that the meeting be conducted in a place open to the public has been outweighed in the circumstances because disclosure of details may prematurely be disclosed before the details have been discussed with the Award recipients, is so awarded.

CARRIED

Moved: Cr Bishop

Seconded: Cr Williams

CNC197/18-19

Recommendation (Confidential)

1. That Council receive and note the report.
2. That Council having considered the three (3) nominations received, against the criteria set by the Australia Day Council, award the:

- a) Walkerville Citizen of the Year to Emeritus Professor Colin Douglas Matthews A.O
 - b) Walkerville Community Event of the Year to St Andrew's School.
3. Council further instructs Administration to forward the successful candidates in each category to the Australia Day Council for consideration to the State Awards.
 4. That administration provide a report to Council within six (6) months amending the Terms of Reference to broaden the selection criteria for Nominees.

CARRIED

Moved: Cr Williams
Seconded: Cr Bishop

CNC198/18-19

Recommendation (Public)

Pursuant to s.91(7)

That having considered the Agenda Item 'Walkerville Citizen of the Year Awards held on Australia Day' in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachment and minutes relevant to this Agenda Item be retained in confidence until a public announcement has been made, excepting that Council authorises the release of the minutes to substantive party/parties to enable enactment of the resolution and that pursuant to Section 91(9)(c) of the *Local Government Act 1999* the Council delegates to the Chief Executive Officer the review and power to revoke this Order

and

That Council resolves to end its confidential deliberations pursuant to Section 90(2) of the *Local Government Act 1999* Council and re-admit the public.

CARRIED

16.2 Rebate Discretionary Request

Moved: Cr Bishop
Seconded: Cr Williams

CNC199/18-19

Recommendation (Public)

That pursuant to Section 90(2) of the *Local Government Act 1999* Council order that the public be excluded, with the exception of the Council's Chief Executive

Officer, Kiki Magro, Council Secretariat Jayde Hanna, Group Manager Assets and Infrastructure, Joshua Bowen and Group Manager Corporate Services, Katy Bone from being present at the meeting on the basis that the matter contained in this report is information of the nature specified in subsections 90(3) (a) of the Act being:

“Information the disclosure of which would involve the unreasonable disclosure if information concerning the personal affairs of any person (living or dead)”.

CARRIED

Moved: Cr Coleman
Seconded: Cr Williams

CNC200/18-19

Recommendation (Confidential)

That the Council accepts Louise Donnelly’s request for a discretionary rebate for the financial year ending 30 June 2019 for an amount of \$1,193.00.

CARRIED

Moved: Cr Wilkins
Seconded: Cr Williams

CNC201/18-19

Recommendation (Public)

That the Council, having considered the said information or matter in confidence under Part 3 of Chapter 6 of the Local Government Act 1999, orders, pursuant to Section 91(7) of the Local Government Act 1999, that the report, Attachment A and minutes relating to this Agenda Item be kept confidential until the matter is actioned, excepting that the Council authorises the release of the Council resolution to those parties identified in the substantive resolution relating to Agenda Item;

and

That Council resolves to end its confidential deliberations pursuant to Section 90(2) of the Local Government Act 1999 Council and re-admit the public

CARRIED

CLOSURE

The meeting was closed at 8:53pm.