



MINUTES

of

COUNCIL MEETING

held in the

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

on

MONDAY 15 JANUARY 2018 AT 7PM

KIKI MAGRO
CHIEF EXECUTIVE OFFICER

MINUTES
15 JANUARY 2018

The Mayor opened the meeting at 7.00 pm.

1. ATTENDANCE RECORD

1.1 Present

Mayor R Grigg
Councillor E Fricker
Councillor M Bishop
Councillor G Busato
Councillor M Graham-King
Councillor D Shetliffe
Councillor G Webster
Councillor D Whiting
Councillor J Williams

Staff in attendance

Chief Executive Officer, K Magro
Acting Council Secretariat, J Biskup
Manager Assets & Infrastructure, J Bowen
Manager Community Development & Engagement, F Deckert
Manager Communications & Marketing, S DeNicola
Acting Senior Finance Officer, C Leggett
Acting Manager Customer Experience, R Kenny
Manager Planning & Environment, M Kwaitkowski
Property and Contracts Officer, Allison Down

1.2 Apologies

Nil

1.3 Leave of Absence

Moved : Councillor Whiting
Seconded : Councillor Fricker

CNC206/17-18

That Councillor Webster be granted leave of absence from 31 March 2018 to 1 May 2018.

CARRIED UNANIMOUSLY

Moved : Councillor Fricker
Seconded : Councillor Webster

CNC207/17-18

That Councillor Shetliffe be granted leave of absence from 29 January 2018 to 6 February 2018

CARRIED UNANIMOUSLY

2. CONFIRMATION OF MINUTES

MOVED: Councillor Shetliffe
SECONDED: Councillor Whiting

CNC208/17-18

That the minutes of the Council meeting held on the 18 December 2017 be confirmed as a true and accurate record of the proceedings.

CARRIED UNANIMOUSLY

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

Councillor Bishop declared a perceived conflict of interest for Agenda Item 16.1 as she nominated one of the candidates. Councillor Bishop advised that she would remain in the Chamber but not participate in the debate or vote.

Councillor Graham-King declared a perceived conflict of interest for Agenda Item 16.1 as she knows one of the candidates very well. Councillor Graham-King advised that she would remain in the Chamber but not participate in the debate or vote.

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

4.1 Mayors Report

MOVED: Councillor Busato
SECONDED: Councillor Webster

CNC209/17-18

That Council receives and notes the Mayor Diary from 14 December 2017 to 10 January 2018.

CARRIED UNANIMOUSLY

5. QUESTIONS WITHOUT NOTICE

5.1 Travel Expenses – Councillor Fricker

Does the Walkerville Council in its Annual Report disclose its travel expenses?

Administration Response – Chief Executive Officer

The Annual Report discloses all Elected Member professional development, which includes travelling expenses if undertaken for the reporting period. Further, Council's policy requires that all Elected Member requests for travel, conferences, training both intrastate and interstate be dealt with by way of Council resolution in a public meeting.

5.2 Linear Park Boardwalk – Councillor Shetliffe

Can administration provide an update on the closure of the linear park boardwalk?

Administration Response - Manager Asset & Infrastructure

SA Water have advised that the detailed design for both the drainage elements and soil embankment are being finalised. It is expected that the SA Water will go to tender in late February early March. We understand that there is no budget for this work and it is expected the SA Water will require Ministerial approval for funding prior to works commencing. It is also important to note that the boardwalk will be damaged in sections where the remediation works will take place. SA Water have made it very clear to Council that it will not compensate Council in relation to the damage sustained during these works. As such, Administration is preparing a budget bid for Council's consideration as part of 2018/2019 budget deliberations.

6. QUESTIONS FROM THE GALLERY

Nil

7. QUESTIONS ON NOTICE

Nil

8. PETITIONS

Nil

9. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

Nil

10. MOTIONS WITHOUT NOTICE

Nil

11. MOTIONS WITH NOTICE

Nil

12. REPORTS REQUIRING DECISION OF COUNCIL

12.3 Operational

12.3.1 Amendments to Parking Controls in Frederick Street, Gilberton

MOVED: Councillor Graham-King

SECONDED: Councillor Bishop

CNC 210 /17-18

1. That Council receives and notes the comments received from the community consultation on the proposed amendments to the parking controls on Frederick Street.
2. That Council resolves to leave the current parking controls (all day parking) in place.
3. That Council authorises Administration to inform residents by letter of its decision.

CARRIED

13. IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION

MOVED: Councillor Whiting

SECONDED: Councillor Fricker

CNC 211 /17-18

That items 14.1.2, 14.3.6 14.4.1, be moved as per their recommendations.

14. REPORTS PRESENTED FOR INFORMATION

14.1 Strategy

14.1.1 LGA Discussion Paper – Strengthening Local Government: Options for SA Councils

MOVED: Councillor Fricker
SECONDED: Councillor Webster

CNC 212 /17-18

That the Administration draft a response letter including the discussion held with the LGA President and CEO and comments outlined regarding the suggested power of the Audit Committee and distribute to Elected Members for their feedback prior to 23 January 2018.

CARRIED

14.1.2 Update on First Stage Liquor Licensing Reforms

MOVED: Councillor Whiting
SECONDED: Councillor Fricker

CNC211/17-18

That Council receive and note the update report on the first stage liquor licensing reforms.

CARRIED

14.3 Operational

14.3.1 2017/18 CAPEX Projects Status Report, January 2018

MOVED: Councillor Shetliffe
SECONDED: Councillor Graham-King

CNC213 /17-18

That Council receive and note the 2017/18 CAPEX Projects Status Report, January 2018.

CARRIED

14.3.2 Monthly Financial Report

MOVED: Councillor Shetliffe
SECONDED: Councillor Webster

CNC 214 /17-18

That Council receives and notes the Monthly Financial Report as at 31 December 2017.

CARRIED

14.3.3 Works Report for November 2017

MOVED: Councillor Bishop
SECONDED: Councillor Graham-King

CNC215 /17-18

That Council receives and notes the Works Report for December 2017.

CARRIED

14.3.4 Customer Experience Quarterly Service Report

MOVED: Councillor Shetliffe
SECONDED: Councillor Graham-King

CNC216 /17-18

That Council receives and notes the Customer Experience Quarterly Service Report for October 2017 to December 2017.

CARRIED

14.3.5 Friends of the Wesleyan Cemetery Committee Minutes

MOVED: Councillor Williams
SECONDED: Councillor Graham-King

CNC 217/17-18

That Council receives and notes the Friends of the Wesleyan Cemetery Committee Minutes for the meeting convened on 14 December 2017.

CARRIED

14.3.6 Outstanding Council Resolutions / Action Report

MOVED: Councillor Whiting
SECONDED: Councillor Fricker

CNC211/17-18.

That Council receives and notes the list of Council resolutions currently being processed as at 15 January 2018.

CARRIED

14.4.1 Eastern Health Authority Audit Committee Minutes

MOVED: Councillor Whiting
SECONDED: Councillor Fricker

CNC211/17-18

That Council receives and notes the minutes from the Eastern Health Authority Audit Committee Meeting convened on 13 December 2017.

CARRIED

14.5.2 Correspondence – Letter from the Hon John Rau MP

MOVED: Councillor Bishop
SECONDED: Councillor Busato

CNC219 /17-18

That Council receives and notes the letter from the Hon John Rau.

CARRIED

15. URGENT OTHER BUSINESS

Nil

16. CONFIDENTIAL ITEMS

16.1 2018 Citizen of the Year Award

MOVED: Councillor Busato
SECONDED: Councillor Fricker

CNC220 /17-18

At 8.07 pm Councillors Graham-King and Bishop moved away from their seats and sat in the public gallery. They did not participate in the discussion nor did they vote.

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, the Manager Community Development & Engagement, Fiona Deckert, the Manager Assets & Infrastructure, Joshua Bowen, the Manager Communications & Marketing, Sonia DeNicola, the Property and Contracts Officer, Allison Down & Acting Secretariat, Jo Biskup be excluded from attendance at the meeting for Agenda Item 16.1 2018 Citizen of the Year Award.

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 (living or dead), being the nominees.

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 recipient, if so awarded.

CARRIED

MOVED: Councillor Fricker
SECONDED: Councillor Whiting

CNC 221 /17-18

Recommendation (Confidential)

1. That Council receive and note the report.
2. Council having considered the two nominations received against the criteria set by the Australia Day Council, award Citizen of the Year 2018 to Melanie Champion deCrespigny.

CARRIED

MOVED: Councillor Fricker
SECONDED: Councillor Webster

CNC222/17-18

Recommendation (Public)

Pursuant to s.91(7)

That having considered Agenda Item 16.1 2018 Citizen of the Year Award 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, attachments and minutes relevant to this Agenda Item be retained in confidence until the name of the nominee is disclosed by His Worship the Mayor (or delegate) at the Citizenship Ceremony to be held on Australia Day 2018, excepting that Council authorises the release of the minutes to substantive party/parties to notify them of Council's 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

Councillors Graham-King and Bishop returned to their seats at 8.10 pm

16.1.2 Lansdowne Terrace Vale Park Stormwater & Road Project Tender Evaluation Report

MOVED: Councillor Whiting
SECONDED: Councillor Webster

CNC223/17-18

Recommendation (Public)

Pursuant to s90(3)(k)

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public except, Chief Executive Officer, Kiki Magro, the Manager Asset & Infrastructure Joshua Bowen, the Manager Communications & Marketing, Sonia DeNicola, the Property and Contracts Officer, Allison Down and the Acting Council Secretariat, Jo Biskup be excluded from attendance at the meeting for Agenda Item 16.2 Lansdowne Terrace Vale Park Stormwater & Road Upgrade Project Tender Evaluation Report.

The Council is satisfied that, pursuant to section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to this Agenda Item are tenders for the provision of services as they relate to the Lansdowne Terrace stormwater and road reseal project and that information contained in this Agenda Item contains commercially sensitive information in relation to the submissions by private companies.

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 the information to be disclosed and discussed has the potential to impact adversely on each of the tenderers as competitive commercial information will be disclosed.

CARRIED

MOVED: Councillor Shetliffe
SECONDED: Councillor Whiting

CNC224/17-18

Recommendation (Public)

1. That Council receives and notes the Lansdowne Terrace, Vale Park Stormwater and Road Upgrade Stages 1 & 2 Evaluation Report; *and*
2. That the Chief Executive Officer be authorised to negotiate and execute a contract for work with the preferred tenderer for the Lansdowne Terrace, Stormwater and Road Upgrade Project in entirety, subject to:

- a. the contract price is within the provisions of the Long Term Financial Plan (LTFFP) for the Lansdowne Terrace program of works (viz: \$2.5m); and
- b. the proposed contract includes a caveat that Stage 2 (the road component of the work and the stormwater works North of Vale Street) is subject to Council funding in 2018/19.

CARRIED

MOVED: Councillor Busato
SECONDED: Councillor Webster

CNC225/17-18

Recommendation (Public)

Pursuant to s.91(7)

That having considered the Lansdowne Terrace Vale Park Stormwater & Road Upgrade Project Tender Evaluation Report in confidence under section 90(2) and (3)(k) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of the Act orders that the report and attachments relative to this Agenda Item be retained in confidence until the contract has been signed by the parties, 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 power to review and revoke this Order.

and

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

CARRIED

16.3 Leases and Licences Status Report

MOVED: Councillor Busato
SECONDED: Councillor Fricker

CNC226/17-18

Recommendation (Public)

Pursuant to s90(3)(d)

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public except the Council's Chief Executive Officer, Kiki Magro, Property and Contracts Officer, Allison Down, the Manager Asset & Infrastructure Joshua Bowen, and Acting Council Secretariat, Jo Biskup be excluded from attendance at the meeting for the report on Lease and Licences Status Report.

The Council is satisfied that, pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information that is commercial information of a confidential nature the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information or that would confer a commercial advantage on a third party and that would, on balance, be contrary to the public interest.

CARRIED

MOVED: Councillor Whiting
SECONDED: Councillor Busato

CNC227/17-18

Recommendation (Public)

That the Lease and Licence Status Report, 15 January 2018 be received and noted.

CARRIED

MOVED: Councillor Shetliffe
SECONDED: Councillor Graham-king

CNC228/17-18

Recommendation (Public)

Pursuant to s.91(7)

That having considered the Agenda Item 16.1.3, Lease and Licence Status Report, 15 January 2018 in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report relevant to this Agenda Item be retained in confidence (excepting that Council authorises the release of the resolution / minutes) until the matters are resolved 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.

CARRIED

CLOSURE

The meeting closed at 8.25 pm.

Presiding Member Signature:.....

Date:.....

