



MINUTES

of

COUNCIL MEETING

held in the

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

and via electronic means through live streaming at
<https://www.youtube.com/channel/UCZxKI13S3M8n8zxKI5LFT9w>

on

MONDAY 15 MAY 2023 AT 7PM

MINUTES
15 MAY 2023

The Presiding Member declared the meeting open at 07.00pm.

ACKNOWLEDGEMENT OF COUNTRY

Town of Walkerville would like to acknowledge the Kurna people as the traditional custodians of the land we are meeting on today, and respect their spiritual relationship with their country.

We recognise the many generations of stewardship the Kurna people have provided to this land, and respect that their cultural heritage and beliefs are as important today as they were for their ancestors.

1. ATTENDANCE RECORD

1.1 Present

Mayor Melissa Jones
Deputy Mayor Liz Trotter
Cr Jay Allanson
Cr Aman Kaur
Cr James Nenke – *arrival at 7.01pm*
Cr Steven Rypp
Cr Anthony Vanstone
Cr James Williams
Cr John Zeppel

Staff in Attendance

Acting Chief Executive Officer, Scott Reardon
Group Manager Assets & Infrastructure, James Kelly
Group Manager Corporate Services, Vikki Purtle
Group Manager Public Relations & Community Services, Sarah Spencer
Group Leader Customer & Library Services, Lisa Cuculowskyj

1.2 Apologies

Nil.

1.3 Not Present / Leave of Absence

1.3.1 Mayor Jones is on a leave of absence from 1 July 2023 to 21 July 2023, inclusive (**CNC286/22-23**).

1.3.2 Cr Allanson is on a leave of absence from 27 May 2023 to 3 June 2023, inclusive (**CNC287/22-23**).

1.3.3 Cr Allanson is on a leave of absence from 1 August 2023 to 30 November 2023, inclusive (**CNC185/22-23**).

1.3.4 Cr Kaur Leave of Absence Request

CNC290/22-23

Moved: Cr Zeppel

Seconded: Cr Trotter

That Council approve Cr Kaur's request for a leave of absence from 8 June 2023 to 15 June 2023, inclusive.

CARRIED UNANIMOUSLY

2. CONFIRMATION OF MINUTES

2.1 Ordinary Council Meeting held on 17 April 2023

CNC291/22-23

Moved: Cr Allanson

Seconded: Cr Zeppel

That the minutes of the Ordinary Council meeting held on 17 April 2023 be confirmed as a true and accurate record of the proceedings.

CARRIED UNANIMOUSLY

2.2 Special Council Meeting held on 8 May 2023

CNC292/22-23

Moved: Cr Vanstone

Seconded: Cr Rypp

That the minutes of the Special Council meeting held on 8 May 2023 be confirmed as a true and accurate record of the proceedings.

CARRIED UNANIMOUSLY

3. DECLARATIONS OF INTEREST

- 3.1 Mayor Jones declared a general interest in Item 14.3.1 *Request for Funding for the Mayor's Attendance at ALGA 2023*. Mayor Jones declared that she would remain in the room and participate in the discussion of the Item.

4. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

Nil.

5. PETITIONS

Nil.

6. MAYORS DIARY

6.1 Mayors Diary

CNC293/22-23

Moved: Cr Trotter

Seconded: Cr Rypp

That Council receives and notes the Mayoral Diary from 13 April 2023 to 10 May 2023.

CARRIED UNANIMOUSLY

7. REPORTS FROM ELECTED MEMBERS HAVING ATTENDED TRAINING, CONFERENCES, SEMINARS OR EXTERNAL MEETINGS

7.1 In her capacity as Deputy Mayor, Cr Trotter attended the Deputy Mayor's Forum held at the Local Government Association House on Friday 12 May 2023. Cr Trotter provided Council with an overview of the forum.

8. REPORTS FROM ELECTED MEMBERS HAVING ATTENDED SUBSIDIARY BOARD MEETINGS

Nil.

9. QUESTIONS FROM THE GALLERY

Nil.

10. QUESTIONS WITHOUT NOTICE

10.1 Cr Williams asked whether it would be beneficial for Administration to amend the Disclaimer on the cover page of the Ordinary Meeting Agenda (bottom of page 1) in order to direct interested persons to refer to the minutes of the meeting for all final decisions of Council.

The A/CEO responded agreeing and advised that the cover page will be amended by the June 2023 Ordinary Meeting of Council.

10.2 Cr Kaur asked for an update on her Motion Without Notice from 19 December 2022 (**CNC144/22-23**).

The Group Manager Assets & Infrastructure provided a response.

10.3 Cr Allanson asked whether it would be beneficial for Elected Members to be able to directly correspond back and forth with the Group Managers in order to stream line Elected Member communication and requests, provided that the A/CEO was cc'd in all correspondence.

The A/CEO advising that he was of the view that as Walkerville is such a small Council corresponding with Group Managers directly would create additional work for Administration and some matters may go unnoticed to the A/CEO. As such the established process whereby direct communication occurs to A/CEO in the first

instance is the preferred method and is the process to be retained unless approval is otherwise granted. This is to ensure that Elected Members do not directly or indirectly influence an employee in the performance of the duties.

Cr Trotter queried whether cc'ing the A/CEO in emails to Group Managers would be sufficient.

The A/CEO advised that the integrity provisions of the *Local Government Act 1999* are quite clear in that any Elected Member communication to Administration must be done so in accordance with the requirements of the CEO. The A/CEO reiterated that all correspondence are to be directed to the A/CEO in the first instance unless permission is granted for specific matters to go direct to Group Managers.

Her Worship the Mayor stated that some Councils do permit this at discretion of the A/CEO.

The A/CEO confirmed that some Councils do permit Elected Members to contact 'Executive Staff' directly, but these Councils are generally much larger than Walkerville and have far more resources, and the approval is granted at the discretion of the CEO. The A/CEO further reiterated that the currently established process is the preferred method of communication, and it is the process to be retained. The new CEO may have different approach.

- 10.4 Her Worship the Mayor discussed an email sent by the President of the Walkerville Sports Club wherein a concern was raised about a tree in the north-eastern corner of Walkerville oval which blocks a large portion of light from one of the lighting towers. The Club would be keen to see a few of the limbs being pruned.

Her Worship the Mayor then asked whether there are any impediments to this works being undertaken and when will this work be undertaken.

The A/CEO responded advising that he and the Group Manager Assets & Infrastructure would have to review the tree in questions to determine the necessary works. The A/CEO further advised that the works will come at a cost to Council particularly if they are significantly sized trees, and that only up to 30% of the canopy can be pruned as part of general maintenance for safety.

The Group Manager Assets & Infrastructure advised that he would arrange for an arborist to attend site to review the tree in order to determine whether the works can be done as part of maintenance or whether a development application will need to be lodged. If tree limbs are at the height of the lights, the main issue will be the logistics of getting a contractor that has the significant equipment required to undertake the works.

11. QUESTIONS ON NOTICE

Nil.

12. MOTIONS WITHOUT NOTICE

Nil.

13. MOTIONS ON NOTICE

Nil.

14. REPORTS REQUIRING DECISION OF COUNCIL

The Presiding Member put forth a motion to bring forward *Item 14.1.4 ERA Water Draft Budget 2023-24* to be the first item of business in order to allow for an in-depth discussion and debate on matter.

CNC294/22-23

Moved: Cr Trotter

Seconded: Cr Kaur

CARRIED UNANIMOUSLY

14.1.4 ERA Water Draft Budget 2023-24

The Presiding Member called to suspend standing orders of the meeting until 7.30pm.

Majority Supported

The Presiding Member called to extend the suspension of standing orders of the meeting until 7.40pm.

Majority Supported

CNC295/22-23

Moved: Cr Rypp

Seconded: Cr Williams

1. That Council receive and note the ERA Water Draft Budget 2023-24 report.
2. That Council adopt the ERA Water Draft Budget 2023-24 including an equity investment of \$200,000 and a Water Security Charge of \$33,000 for the 2023-24 financial year.
3. That due to recent concerns raised by the Town of Walkerville's Audit Committee, Council directs Administration to commence discussions with the Administrations of both the Cities of Burnside and Norwood, Payneham & St Peters with the view of jointly engaging an independent external consultant in the first quarter of the 2023-24 financial year to undertake a comprehensive review of ERA Water, the feasibility of its long-term financial sustainability, and any risks associated with both the continuation and/or cessation of the subsidiary.

CARRIED UNANIMOUSLY

14.1 Strategy

14.1.1 East Waste Draft Annual Plan and Budget 2023-24

CNC296/22-23

Moved: Cr Zeppel

Seconded: Cr Trotter

1. That Council receive and endorse the East Waste Draft Annual Plan & Budget 2023-24, appearing as Attachment B to this report.

2. That Administration write to East Waste advising of Council's decision.

CARRIED UNANIMOUSLY

- 14.1.2 Eastern Health Authority Draft Annual Business Plan and Budget 2023-24

CNC297/22-23

Moved: Cr Nenke

Seconded: Cr Allanson

1. That Council receive and endorse the Eastern Health Authority Draft Annual Business Plan and Budget 2023-24, appearing as Attachment B to this report.
2. That Administration write to Eastern Health Authority advising of Council's decision.
3. Council request that EHA provide further exception reporting as and when they occur.

CARRIED UNANIMOUSLY

The time being 7:50pm Cr Nenke departed the meeting and did not return.

- 14.1.3 Highbury Landfill Authority Draft Budget 2023-24

CNC298/22-23

Moved: Cr Trotter

Seconded: Cr Allanson

1. That Council receive and endorse the Highbury Landfill Authority Draft Budget 2023-24, appearing as Attachment A to this report.
2. That Administration write to Highbury Landfill Authority advising of Council's decision.
3. That Council seek further information pertaining to the movements in the provision.

CARRIED UNANIMOUSLY

14.2 Policy

- 14.2.1 Plaques Policy Review

CNC299/22-23

Moved: Cr Allanson

Seconded: Cr Trotter

1. That Council receives and notes the revised *Plaques Policy Review* report.

2. That Council approves the release of the revised Plaques Policy, appearing as Attachment B to this report, for public consultation for a period of 21 days.
3. That Council authorise Administration to make changes to the Plaques Policy of a minor technical or formatting nature as and where necessary, prior to release for consultation.

CARRIED UNANIMOUSLY

14.2.2 Rating Policy Review

CNC300/22-23

Moved: Cr Williams
Seconded: Cr Trotter

1. That Council receive and note the revised Rating Policy, appearing as Attachment B to this report, and endorse it for public consultation for a period of 21 days;
2. That Council authorises Administration to make any necessary minor amendments to the revised Rating Policy of a technical or formatting nature prior to releasing the policy for public consultation.

CARRIED UNANIMOUSLY

14.2.3 Public Consultation Policy Review

CNC301/22-23

Moved: Cr Zeppel
Seconded: Cr Vanstone

1. That Council authorise the release of the revised Public Consultation Policy, appearing as Attachment A to this report, for public consultation for a period of 21 days.
2. That Council authorise Administration to make any necessary changes to the revised Public Consultation Policy of a minor technical or formatting nature, prior to release for consultation.

CARRIED

14.3 Operational

14.3.1 Request for Funding for the Mayor's Attendance at ALGA 2023

CNC302/22-23

Moved: Cr Trotter
Seconded: Cr Kaur

That Council endorses the onsite attendance of Mayor Melissa Jones at the 2023 National General Assembly of Local Government held between 13-16 June 2023 to be held at the National Convention Centre in Canberra, and in doing so authorises the expenditure of funds for

registration, return economy air fares, accommodation and a per diem expense of \$100 per day.

CARRIED UNANIMOUSLY

14.3.2 Adoption of Proposed Amendment By-law 6

CNC303/22-23

Moved: Cr Zeppel

Seconded: Cr Trotter

- 1 That Council adopts the Amendment By-law No.6 appearing as Attachment A to this report.
- 2 That Administration be authorised to make any necessary changes to By-law No.6 of a minor editorial, technical and formatting nature prior to the Amendment By-law No. 6 being Gazetted.

CARRIED

14.3.3 Historic Collections Report

CNC304/22-23

Moved: Cr Vanstone

Seconded: Cr Trotter

1. That Council receive and note the *Historical Collection Report* and valuation appearing as Attachments A and B to this report.
2. That Council resolve to consider funding in future years for restoration of items within the historical collection as prioritised by Administration and in line with the 2020-2024 Collections Strategy.

CARRIED UNANIMOUSLY

14.4 Subsidiaries

Nil.

15. IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION

CNC305/22-23

Moved: Cr Zeppel

Seconded: Cr Rypp

That items 16.3.1, 16.3.2, 16.3.3, 16.3.5, 16.3.6, 16.3.7 and 16.4.1 be moved as per their recommendations.

CARRIED

16. REPORTS REQUIRING DISCUSSION AND / OR PRESENTED FOR INFORMATION

16.1 Strategy

Nil.

16.2 Policy

Nil.

16.3 Operational

16.3.1 Monthly Financial Report April 2023

CNC305/22-23

Moved: Cr Zeppel
Seconded: Cr Rypp

That Council receives and notes the *Monthly Financial Report 30 April 2023*

CARRIED

16.3.2 Monthly Works Report April 2023

CNC305/22-23

Moved: Cr Zeppel
Seconded: Cr Rypp

That Council receives and notes the *Monthly Works Report for April 2023*.

CARRIED

16.3.3 Decisions of Council Assessment Panel 08 May 2023

CNC305/22-23

Moved: Cr Zeppel
Seconded: Cr Rypp

That Council receive and note the *Decisions of Council Assessment Panel 08 May 2023* report.

CARRIED

16.3.4 East Waste Bin Materials Audit Report

CNC306/22-23

Moved: Cr Rypp
Seconded: Cr Allanson

That Council receives and notes *East Waste Bin Materials Audit Report* for 2022.

CARRIED UNANIMOUSLY

16.3.5 Robe Terrace Verge Maintenance April 2023

CNC305/22-23

Moved: Cr Zeppel
Seconded: Cr Rypp

That Council receives and notes the *Robe Terrace Verge Maintenance April 2023* report.

CARRIED

16.3.6 Audit Committee Meeting Minutes 27 April 2023

CNC305/22-23

Moved: Cr Zeppel
Seconded: Cr Rypp

That Council receives and notes the minutes of the Audit Committee meeting convened on 27 April 2023.

CARRIED

16.3.7 Minutes of the CEO Performance Review Committee Special Meeting 8 May 2023

CNC305/22-23

Moved: Cr Zeppel
Seconded: Cr Rypp

That Council receive and note the CEO Performance Review Committee Special Meeting Minutes from 8 May 2023.

CARRIED

16.4 Subsidiaries

16.4.1 Eastern Health Authority Board Minutes 3 May 2023

CNC305/22-23

Moved: Cr Zeppel
Seconded: Cr Rypp

That Council receives and notes the Eastern Health Authority Board Minutes for the meeting convened on 3 May 2023.

CARRIED

16.5 Outstanding Council Resolutions and Actions

CNC307/22-23

Moved: Cr Rypp

Seconded: Cr Kaur

That Council receives and notes the list of Council resolutions currently being processed as at 15 May 2023.

CARRIED UNANIMOUSLY

17 CORRESPONDENCE

Nil.

18 URGENT OTHER BUSINESS

Nil.

19 CONFIDENTIAL ITEMS

19.1 Appointment of Independent Member to the ERA Water Audit Commit

CNC308/22-23

Moved: Cr Trotter

Seconded: Cr Rypp

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Acting Chief Executive Officer Scott Reardon, Group Manager Assets & Infrastructure James Kelly, Group Manager Corporate Services Vikki Purtle, Group Manager Public Relations & Customer Service Sarah Spencer, and Group Leader Customer & Library Services Lisa Cuculowskyj be excluded from attendance at the meeting for Agenda Item 19.1 Appointment of Independent Member to the ERA Water Audit Committee.

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 a person (living or dead).

CARRIED UNANIMOUSLY

The time being 8.23pm the meeting moved into confidence.

CNC309/22-23

Moved: Cr Vanstone

Seconded: Cr Zeppel

That Council endorses the appointment of Ms Sandra Di Blasio as the City of Norwood Payneham & St Peter's Independent Member to the ERA Water Audit Committee.

CARRIED UNANIMOUSLY

CNC310/22-23

Moved: Cr Zeppel

Seconded: Cr Kaur

That having considered Agenda Item 19.1 Appointment of Independent Member to the ERA Water Audit Committee 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 and attachments relevant to this Agenda Item be retained in confidence for a period of five (5) years, 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 UNANIMOUSLY

The time being 8.24pm the meeting moved out of confidence.

20 CLOSURE

The Presiding Member declared the meeting closed at 8.25pm.