

TOWN OF



WALKERVILLE

MINUTES
of
COUNCIL MEETING

held via

electronic means through live streaming at

<https://www.youtube.com/channel/UCZxKI13S3M8n8zxK15LFT9w>

as afforded for through the Electronic Participation in Council Meetings Notice 2020, SA Government Gazette, 31 March 2020 and resolved by Council.

on

MONDAY 17 MAY 2021 AT 7.04PM

MINUTES 17 May 2021

The Meeting was declared open at 7.04pm.

1. ATTENDANCE RECORD

1.1 Present

Mayor Elizabeth Fricker
Cr Rob Ashby AM
Cr MaryLou Bishop
Cr Norm Coleman OAM
Cr Stephen Furlan
Cr Jennifer Joshi
Cr James Nenke
Cr James Williams

Staff in Attendance

Chief Executive Officer, Kiki Cristol
Group Manager Assets & Infrastructure, Ben Clark
Group Manager Corporate Services, Monique Palmer
Group Manager Customer Experience, Danielle Garvey (virtual attendance)
Group Manager Planning, Environment & Regulatory Services, Andreea Caddy
Manager Community Development & Engagement, Fiona Deckert
Manager Property, Contracts & Strategic Projects, Scott Reardon
Communications & Marketing Manager, Sarah Spencer
Acting Council Secretariat, Rae Pluck

1.2 Apologies

Cr Conrad Wilkins

1.3 Not Present / Leave of Absence

Nil.

2. CONFIRMATION OF MINUTES

2.1 Council meeting held on 19 April 2021

CNC358/20-21

Moved: Cr Joshi

Seconded: Cr Ashby

That the minutes of the Ordinary Council meeting held on the 19 April 2021 be confirmed as a true and accurate record of the proceedings.

CARRIED

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

- 3.1 Cr Coleman declared a perceived interest in agenda item 14.1.1 'Preliminary Suburban Boundary Realignment and Renaming Proposal – Additional Information Report' as he lives in the area of concern and advised that he would remain in the Chamber during the discussion of the item, participate in the debate and vote on the agenda item.
- 3.2 Cr Williams declared a perceived interest in agenda item 14.1.1 'Preliminary Suburban Boundary Realignment and Renaming Proposal – Additional Information Report' as he has a financial interest in property in the area of concern and advised that he would remain in the Chamber during the discussion of the item, participate in the debate and vote on the agenda item.
- 3.3 Chief Executive Officer, Kiki Cristol, declared an interest in Confidential agenda item 19.4 Town of Walkerville CEO "Pulse" Performance Review Report April 2021, pursuant to Section 120 of the *Local Government Act 1999* and advised that all members of the public, except the Acting Council Secretariat Rae Pluck, are excluded from attendance and would leave the Chamber during the discussion of the item.

4. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

Nil.

5. MAYORS DIARY

- 5.1 Mayors Diary

CNC359/20-21

Moved: Cr Bishop

Seconded: Cr Joshi

That Council receives and notes the Mayoral Diary from 16 April to 13 May 2021.

CARRIED

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

Nil.

7. REPORTS FROM ELECTED MEMBERS HAVING ATTENDED SUBSIDIARY BOARD MEETINGS

- 7.1 East Waste Board Meeting 25 February 2021 - Cr Ashby

8. QUESTIONS FROM THE GALLERY

8.1 Question from Mr. Brad Tindall (received via email on 13 May 2021)

Preamble

Recent Development Plan Consent lodgment to the Walkerville Council for the tree removal on Council owned land due to property redevelopment.

Council subsequent approval of the removal of the tree, however costs provided by the council demonstrate an increase of over 400% when compared to other works completed in the past 2 years.

Council have advised the increase in costs is due to changes in their methodology to determine the fees associated with the removal of a street tree.

The following extract from public records illustrates the increase in costing provided by Walkerville Council for tree removals,

14 STEWART AVENUE VALE PARK SA: Removal of street tree acceptable subject to a removal and replacement fee of \$3675

2 WALLACE STREET VALE PARK SA: \$3150 + GST - Tree removal replacement and establishment of a new street tree(s)

Development Register for

Period 2019: https://www.walkerville.sa.gov.au/data/assets/pdf_file/0044/369989/2019-DA-Register-october-version.pdf

11A LANSDOWNE TERRACE VALE PARK SA: Offset Street Tree Removal \$935

35A DEVONSHIRE STREET WALKERVILLE SA: Offset Street Tree Removal \$650

51A ASCOT AVENUE VALE PARK SA: Offset Street Tree Removal \$450

32D BRUNSWICK STREET WALKERVILLE SA: Offset Street Tree Removal \$650

35 DEVONSHIRE STREET WALKERVILLE SA: Offset Street Tree Removal \$440

Development Register for

Period 2017: https://www.walkerville.sa.gov.au/data/assets/pdf_file/0029/399530/2017-DA-Register-.pdf

Due to the exorbitant cost provided by Walkerville Council for my own circumstances, I had organised a quotation from a local Tree Removalist specialist for the removal of the street tree. Their cost being \$66.00 inclusive of GST for the removal of such tree.

Walkerville Council fee as part of their "Tree Valuation and Replacement Cost Analysis Methodology Table" - \$3,675 + gst.

These increased in costs are certainly not in line with community expectations, market value or other local councils pricing in the Adelaide.

Question: How can the Walkerville Council justify this increase in costs to residents in their local council?

Administration Response

The Town of Walkerville has recently undertaken a review of the value and costs associated with the removal and re-establishment of trees within the Township. There are two main components that make up the 'value' that apply to trees; the value of the tree itself and the cost to re-establish the new tree(s) over the first three years post planting.

The 'value of trees' is based upon the City of Melbourne's tree valuation method. This method looks at a number of components, including a basic value of the tree, the particular species, the current aesthetics, its location and current condition. Each of these components is given a score and then used in a formula to calculate the final value on the actual tree. The formula is:

$$\text{Value (V)} = \text{Basic Value (\$)} \times \text{Species (S)} \times \text{Aesthetics (A)} \times \text{Locality (L)} \times \text{Condition (C)}$$

Costs associated with the re-establishment of the tree(s) has a number of components, which include the inspection of the tree, the tree and stump removal, new tree costs, locating of underground services, labour associated with the planting, materials including water wells, stakes etc. The cost also includes the maintenance costs over the first three years, after planting. For example, watering, pruning, fertilising and soil conditioning.

These costs do not include any additional costs that may be incurred due to vandalism, pest and disease control, tree protection from development and additional pruning or watering.

9. QUESTIONS WITHOUT NOTICE

Nil.

10. QUESTIONS WITH NOTICE

Nil.

11. PETITIONS

Nil.

12. MOTIONS WITHOUT NOTICE

Nil.

13. MOTIONS WITH NOTICE

Nil.

14. REPORTS REQUIRING DECISION OF COUNCIL

14.1 Strategy

14.1.1 Preliminary Suburban Boundary Realignment and Renaming Proposal – Additional Information

CNC360/20-21

Moved: Cr Bishop

Seconded: Cr Furlan

1. That Council receive and note the Preliminary Suburban Boundary Realignment and Renaming Proposal report having been deferred by Council at their Ordinary Meeting of 19 April 2021;
2. That Council receive and note the additional information provided as part of this report;
3. That in accordance with resolution **CNC225/21-22** Council directs Administration to proceed to community consultation in order to obtain the community's feedback on all four (4) suggested options, prior to Council determining whether to further explore and pursue one of the following four (4) suburban boundary realignment/renaming proposals:
 - A. That the triangle section of the suburb of Vale Park as bounded by Lansdowne Tce, North East Rd, Ascot Avenue and the River Torrens be ceded from the suburb of Vale Park and annexed into the suburb of Walkerville;

OR

 - B. That the triangle section of the suburb of Vale Park as bounded by Lansdowne Tce, North East Rd, Ascot Avenue and the River Torrens be ceded from the suburb of Vale Park and annexed into the suburb of Walkerville, then the remaining section of the suburb of Vale Park as bounded by Ascot Avenue, North East Road, Fife Street and the River Torrens be renamed North Walkerville;

OR

 - C. That the entire suburb of Vale Park as bounded by Lansdowne Tce, North East Rd, Fife Street and the River Torrens be renamed North Walkerville;

OR

 - D. That no change to the current suburban boundaries and place names be pursued.

CARRIED

AMENDMENT**Moved:** Cr Nenke**Seconded:** Cr Ashby

1. That Council receive and note the Preliminary Suburban Boundary Realignment and Renaming Proposal report having been deferred by Council at their Ordinary Meeting of 19 April 2021;
2. That Council receive and note the additional information provided as part of this report;
3. That in accordance with resolution **CNC225/21-22** Council directs Administration to proceed to community consultation in order to obtain the community's feedback on all four (4) suggested options, prior to Council determining whether to further explore and pursue one of the following four (4) suburban boundary realignment/renaming proposals:
 - A. That the triangle section of the suburb of Vale Park as bounded by Lansdowne Tce, North East Rd, Ascot Avenue and the River Torrens be ceded from the suburb of Vale Park and annexed into the suburb of Walkerville;

OR

- B. That the triangle section of the suburb of Vale Park as bounded by Lansdowne Tce, North East Rd, Ascot Avenue and the River Torrens be ceded from the suburb of Vale Park and annexed into the suburb of Walkerville, then the remaining section of the suburb of Vale Park as bounded by Ascot Avenue, North East Road, Fife Street and the River Torrens be renamed North Walkerville;

OR

- C. That the entire suburb of Vale Park as bounded by Lansdowne Tce, North East Rd, Fife Street and the River Torrens be renamed North Walkerville;

OR

- D. That no change to the current suburban boundaries and place names be pursued;

OR

- E. That the triangle section of the suburb of Vale Park as bounded by Lansdowne Tce, North East Rd, Ascot Avenue and the River Torrens be ceded from the suburb of Vale Park and renamed to North Walkerville, then the remaining section of the suburb of Vale

Park as bounded by Ascot Avenue, North East Road, Fife Street and the River Torrens be retained as Vale Park.

The Amendment having been put **was LOST**, the substantive **MOTION**, which on being put was **CARRIED**.

14.1.2 Walkerville Oval Redevelopment Committee – Amendment to Terms of Reference & appointment of Specialist External Member

CNC361/20-21

Moved: Cr Williams

Seconded: Cr Ashby

1. That Council endorse the Walkerville Oval Redevelopment Committee's recommendation to appoint Mr. Paul Di Iulio as one of the [optional] Specialist External Members to the Committee, recognising that the sitting fee as prescribed under the Terms of Reference will be waived.
2. That Council adopt the amended Terms of Reference, appearing as Attachment B to this report and in so doing confers full delegations to the Committee to make Specialist External Member appointments, as and when required by the Committee.

CARRIED

14.2 Policy

14.2.1 Review of Rating Policy

CNC362/20-21

Moved: Cr Bishop

Seconded: Cr Furlan

1. That Council adopts the revised Rating Policy appearing as Attachment A to this report.
2. That Administration be authorised to make minor amendments of a formatting or technical nature to the Rating Policy.

CARRIED

14.3 Operational

14.3.1 Public Notification and Hard Lodgment Fees Under the PDI Act

CNC363/20-21

Moved: Cr Bishop

Seconded: Cr Williams

That Council resolves to amend the fees and charges as conferred by the powers under Regulation 47(4)(d) of the PDI (General) Regulation 2017, to reflect that the reasonable cost for each notice, including an appropriate

administration fee, to be erected on the land (corner sites are required to have two signs, one for each road frontage) will be borne by the applicant.

CARRIED

14.3.2 Animal Management Fees and Charges Schedule

CNC364/20-21

Moved: Cr Bishop

Seconded: Cr Joshi

That Council receive, note and adopt the proposed 2021/22 Animal Management Fees and Charges Schedule, as appearing as Attachment A to this report, to take effect from 1 July 2021.

CARRIED

14.3.3 Budget Review 3 (BR3) 2020 / 2021

CNC365/20-21

Moved: Cr Bishop

Seconded: Cr Furlan

That Council adopts Budget Review 3 for the 2020/ 21 financial year and the variances contained within it, as its amended and current budget for the period ending 30 June 2021.

CARRIED

14.3.4 2021/22 Draft Annual Business Plan and Budget

CNC366/20-21

Moved: Cr Williams

Seconded: Cr Bishop

1. That Council authorises the release of the Draft 2021/22 Annual Business Plan and Budget appearing as Attachment A (Option 1) for public comment as part of the statutory consultation process, prescribed under the *Local Government Act 1999*.
2. That Council note that the public consultation process will commence on Monday 24 May 2021 and end on Friday 2 July 2021.
3. That Council authorises Administration to make minor typographical or other amendments to the Draft 2021/22 Annual Business Plan and Budget prior to release for public consultation.

CARRIED

14.3.5 Artificial Turf Removal - Policy Procedure

CNC367/20-21

Moved: Cr Williams
Seconded: Cr Ashby

That Council adopts the Artificial Turf Removal - Policy Procedure (Attachment A) for managing the removal of artificial turf installed prior to 1 March 2021 on Council owned land / verges with the following amendment;

Insert "Council contribution up to the value of \$40 per square metre" as set in table 4.2 of the Policy Procedure.

CARRIED

14.3.6 Cluny Avenue 3 Hour Parking and Resident Permit Parking Proposal

CNC368/20-21

Moved: Cr Williams
Seconded: Cr Joshi

That Council received and notes the information contained in the Cluny Avenue, Walkerville 3 Hour Parking report and instructs Administration to implement a 3 Hour Parking Zone for the entirety of Cluny Avenue, which would operate from 8am to 5pm Monday to Friday, with Resident Permit Holders being exempt.

CARRIED

14.4 Subsidiaries

14.4.1 East Waste Draft Budget and Annual Business Plan 2021/22

CNC369/20-21

Moved: Cr Ashby
Seconded: Cr Furlan

That Council approves the 2021/22 East Waste Draft Budget and Annual Business Plan and requests that Administration write to East Waste advising of Council's decision.

CARRIED

14.4.2 Eastern Health Authority Draft Budget and Annual Business Plan 2021/22

CNC370/20-21

Moved: Cr Furlan
Seconded: Cr Nenke

That Council endorses the 2021/22 Eastern Health Authority Draft Budget and Annual Business Plan shown in Attached A & B and request that Administration write to Easter Health Authority advising of Council's decision.

CARRIED

14.4.3 ERA Water Draft Budget 2021/2022

CNC371/20-21**Moved:** Cr Williams**Seconded:** Cr Bishop

That Council endorses the 2021/ 22 ERA Water Draft Budget and requests that Administration write to ERA Water advising of Council's decision and in so doing highlight the Audit Committee's concerns as they relate to:

- the non-contracted income through third party sale of water ;
- the future viability of the business;
- the possibility of further capital contributions from the constituent Councils.

CARRIED

14.4.4 Highbury Landfill Authority Draft Budget 2021/2022

CNC372/20-21**Moved:** Cr Furlan**Seconded:** Cr Williams

1. That Council endorse the 2021/22 Highbury Landfill Authority Draft Budget and Annual Business Plan.
2. That Administration write to Highbury Landfill Authority advising of Council's decision.

CARRIED

14.4.5 EHA Charter Review – preliminary feedback sought

CNC373/20-21**Moved:** Cr Williams**Seconded:** Cr Nenke

That Council authorises Administration to write to EHA providing feedback as presented in Attachment A, in response to EHA's request for preliminary feedback on the proposed amendments to the EHA Charter.

CARRIED**15 IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION****CNC374/20-21****Moved:** Cr Coleman**Seconded:** Cr Joshi

That items 16.3.1, 16.3.4, 16.3.5, 16.3.6, 16.4.1, 16.4.2, 16.4.3 and 16.5 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 Decisions of Council Assessment Panel – Monday, 10 May 2021.

CNC375/20-21

Moved: Cr Coleman

Seconded: Cr Joshi

That Council receive and notes the decisions made by the Council Assessment Panel on Monday 10 May 2021.

CARRIED

16.3.2 Works Report for April 2021

CNC376/20-21

Moved: Cr Furlan

Seconded: Cr Ashby

That Council receives and notes the Works Report for April 2021.

CARRIED

16.3.3 Monthly Financial Report April 2021

CNC377/20-21

Moved: Cr Furlan

Seconded: Cr Joshi

That Council receives and notes the Monthly Financial Report as at 30 April 2021.

CARRIED

16.3.4 Audit Committee Minutes 6 May 2021

CNC378/20-21

Moved: Cr Coleman
Seconded: Cr Joshi

That Council receives and notes the minutes of the Audit Committee meeting convened on 6 May 2021.

CARRIED

16.3.5 Minutes of the CEO Performance Review Committee

CNC379/20-21

Moved: Cr Coleman
Seconded: Cr Joshi

That Council receives and notes the minutes of the meetings of the CEO Performance Review Committee convened on 18 March 2021 and 15 April 2021.

CARRIED

16.3.6 Minutes of the Women of Walkerville Committee Minutes

CNC380/20-21

Moved: Cr Coleman
Seconded: Cr Joshi

That Council receives and notes the minutes of the Women of Walkerville Committee meetings held on 16 April and 29 April 2021.

CARRIED

16.4 Subsidiaries

16.4.1 Eastern Health Authority (EHA) Board Minutes 29 April 2021

CNC381/20-21

Moved: Cr Coleman
Seconded: Cr Joshi

That Council receives and notes the EHA Board Minutes for the meeting convened on 29 April 2021.

CARRIED

16.4.2 East Waste Board Minutes 25 February 2021

CNC382/20-21

Moved: Cr Coleman
Seconded: Cr Joshi

That Council receives and notes the East Waste Board Minutes for the meeting convened on 25 February 2021.

CARRIED

16.4.3 ERA Water Board Minutes 3 May 2021

CNC383/20-21**Moved:** Cr Coleman**Seconded:** Cr Joshi

That Council receives and notes the ERA Water Board Minutes for the meeting convened on 3 May 2021.

CARRIED16.5 Outstanding Council resolutions**CNC384/20-21****Moved:** Cr Coleman**Seconded:** Cr Joshi

That Council receives and notes the list of Council resolutions currently being processed as at 13 May 2021.

CARRIED**17 CORRESPONDENCE****CNC385/20-21****Moved:** Cr Bishop**Seconded:** Cr Ashby

That the correspondence as listed below be received and noted.

17.1 Correspondence to Mayor Fricker from the Hon Vickie Chapman MP

17.2 Correspondence to Mayor Fricker from the Local Government Association

CARRIED**18 URGENT OTHER BUSINESS**

Nil.

19 CONFIDENTIAL ITEMS

19.1 Review of Services Provided by EHA to Town of Walkerville

Pursuant to Section 83(5) of the *Local Government Act 1999*, the Chief Executive Officer indicates that the matter contained in this report may, if the Council so determines, be considered in confidence pursuant to Section 90(2) of the *Local Government Act 1999* on the basis that the information contained

in the attached report is information of the nature specified in subsections 90(3)(b) of the Act being;

conducting business; proposing to conduct business; and would prejudice the commercial position of the Council.

CNC386/20-21

Moved: Cr Ashby

Seconded: Cr Furlan

Recommendation (Public)

Pursuant to s90(3)(b)

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 Cristol, Group Manager Asset & Infrastructure Ben Clark, Group Manager Planning, Environment & Regulatory Services Andreea Caddy, Group Manager Corporate Services Monique Palmer, Manager Community Development & Engagement Fiona Deckert, Manager Property, Contracts & Strategic Projects Scott Reardon, Communications & Marketing Manager Sarah Spencer, Acting Council Secretariat Rae Pluck and Michael Richardson BRM Advisory be excluded from attendance at the meeting for Agenda Item 19.1 Review of Services provided by EHA to Town of Walkerville.

The Council is satisfied that, pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is: conducting business; proposing to conduct business; would prejudice the commercial position of the Council

In addition, Council has considered that the information would on balance be contrary to the public interest because the disclosure of Council's commercial position may severely prejudice Council's ability to negotiate a cost effective proposal for the benefit of the Council and the community in this matter.

CARRIED

The time being 8.36pm the meeting moved into confidence.

CNC387/20-21

Moved: Cr Ashby

Seconded: Cr Joshi

Recommendation (Confidential)

1. That Council receives and notes the content of the Review of Services provided by EHA to Town of Walkerville report as prepared by BRM Advisory and appearing as Attachment A.
2. The Council resolves to withdraw as a Constituent Council from the Eastern Health Authority (EHA), in accordance with clause 9.2 of the EHA Charter.

3. The Council further resolves that the Chief Executive Officer takes such actions as are necessary to implement the withdrawal from the EHA constituency, including but not limited to, obtaining Ministerial approval, providing written notice to the Chief Executive Officer of the EHA and the other Constituent Councils and obtaining any advice required to implement this resolution.
4. That Council having considered the BRM Advisory CONFIDENTIAL: Provision of future Environmental Health Services to Town of Walkerville report along with Administrations report, resolves to withdraw as a Constituent Council from the Eastern Health Authority (EHA), in accordance with clause 9.2 of the EHA Charter and further resolves to deliver environmental health services in-house.

CARRIED

CNC388/20-21

Moved: Cr Ashby

Seconded: Cr Furlan

Recommendation (Public)

Pursuant to s.91 (7)

That having considered Agenda Item 19.1 Review of Services Provided by EHA to Town of Walkerville in confidence under section 90(2) and (3)(b) 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 matter has been finalised, excepting that the 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 the Council resolves to end its confidential deliberations pursuant to Section 90(2) of the *Local Government Act 1999* and re-admit the public.

CARRIED

The time being 9.29pm the meeting moved out of confidence.

19.2 Extension of Waste Disposal Contract

Pursuant to Section 83(5) of the *Local Government Act 1999*, the Chief Executive Officer indicates that the matter contained in this report may, if the Council so determines, be considered in confidence pursuant to Section 90(2) of the *Local Government Act 1999* on the basis that the information contained in the attached report is information of the nature specified in subsections 90(3)(k) of the Act being tenders for the the provision of services and the carrying out of works as it applies to Councils waste disposal contract.

CNC389/20-21

Moved: Cr Furlan
Seconded: Cr Bishop

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 Cristol, Group Manager Assets & Infrastructure, Ben Clark, Group Manager Corporate Services Monique Palmer, Group Manager Planning, Environment & Regulatory Services Andreea Caddy, Manager Community Development & Engagement Fiona Deckert, Manager Property, Contracts & Strategic Projects Scott Reardon, Communications & Marketing Manager Sarah Spencer and Acting Council Secretariat Rae Pluck be excluded from attendance at the meeting for Agenda Item 19.2 Extension of Waste Disposal Contract.

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 and the carrying out of works as it applies to Councils waste disposal contract.

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 is commercial in confidence.

CARRIED

The time being 9.30pm the meeting moved into confidence.

CNC390/20-21

Moved: Cr Furlan
Seconded: Cr Joshi

Recommendation (Confidential)

1. That Council agrees to exercise its right of renewal to extend the existing contract for the receipt and disposal of Council's kerbside collected residual waste with IWS (Integrated Waste Services), subject to and in accordance with the following contract variations:
 - the contract term is an initial term 10 years commencing 1 July 2021 with a 10 year right of renewal at the Council's absolute discretion after the expiry of the initial term and the waste disposal rate (Gate Fee) being \$35/tonne (excluding Solid Waste Levy) commencing 1 July 2021, subject to an annual 3% or CPI (whichever is the greater) increase;
 - the contract being expanded to include the disposal of Council's Green Organics at a rate of \$33/tonne commencing 1 July 2021 subject to an annual 3% or CPI (whichever is the greater) increase;
 - a clause being inserted in the contract so that if future

technology/innovations significantly reduce the costs of waste disposal, Council will not be disadvantaged by entering into this contract and that IWS is required to adjust its pricing to ensure that the Council is not financially disadvantaged through having entered into the 10-year contract.

2. That Council delegates to the Chief Executive Officer the authority to finalise and sign the contract on behalf of Council.

CARRIED

CNC391/20-21

Moved: Cr Ashby

Seconded: Cr Joshi

Recommendation (Public)

Pursuant to s.91(7)

That having considered Agenda Item 19.2 Extension of Waste Disposal Contract 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, attachments and minutes relative to this Agenda Item be retained in confidence until the contract has been signed and 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

The time being 9.31pm the meeting moved out of confidence.

19.3 2021 Volunteer Awards and Mayor's Choice Award

Pursuant to Section 83(5) of the *Local Government Act 1999*, the Chief Executive Officer indicates that the matter contained in this report may, if the Council so determines, be considered in confidence pursuant to Section 90(2) of the *Local Government Act 1999* on the basis that the information contained in the attached 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 of information concerning the personal affairs of any person (living or dead)

CNC392/20-21

Moved: Cr Ashby

Seconded: Cr Joshi

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 Chief Executive Officer Kiki Cristol, Group Manager Corporate Services Monique Palmer, Group Manager Planning, Environment & Regulatory Services Andreea Caddy, Manager Community Development & Engagement Fiona Deckert, Manager Property, Contracts & Strategic Projects Scott Reardon, Communications & Marketing Manager Sarah Spencer and Acting Council Secretariat Rae Pluck be excluded from attendance at the meeting for Agenda Item 19.3 2021 Volunteer Awards and Mayor's Choice 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 because it provides personal information of members of the community.

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 relates to the personal affairs of members of the community.

CARRIED

The time being 9.32pm the meeting moved into confidence.

CNC393/20-21

Moved: Cr Bishop

Seconded: Cr Joshi

Recommendation (Confidential)

That Council having considered the nominations received for the 2021 Awards, selects the following recipients:

- a. *Volunteer of the year Award: Patricia Stewart*
- b. *Young Volunteer of the Year: Amber Trappel*
- c. *Community event of the year: Walkerville Rotary Art Show*
- d. *Mayor's Choice: Deb Duckmanton*

CARRIED

CNC394/20-21

Moved: Cr Ashby

Seconded: Cr Nenke

Recommendation (Public)

Pursuant to s.91(7)

That having considered Agenda Item 19.3 2021 Volunteer Awards and Mayor's Choice 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 attachments and minutes relevant to this Item be retained in confidence until the recipients have been notified and / or received their Awards 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

The time being 9.33pm the meeting moved out of confidence.

19.4 Town of Walkerville CEO "Pulse" Performance Review Report April 2021

Pursuant to Section 83(5) of the *Local Government Act 1999*, the Chief Executive Officer indicates that the matter contained in this report may, if the Council so determines, be considered in confidence pursuant to Section 90(2) of the *Local Government Act 1999* on the basis that the information contained in the attached 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 of information concerning the personal affairs of any person (living or dead)

CNC395/20-21

Moved: Cr Joshi

Seconded: Cr Furlan

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 the Acting Council Secretariat Rae Pluck be excluded from attendance at the meeting for Agenda Item 19.4 Town of Walkerville CEO "Pulse" Performance Review Report April 2021.

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 which would involve the unreasonable disclosure of information concerning the personal affairs of the Chief Executive Officer, in that details of her performance review will be discussed, which are sensitive and are details only known to those who have participated in the review process.

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 matter relates to details of the Chief Executive Officer's performance and remuneration.

CARRIED

The time being 9.34pm the meeting moved into confidence.

CNC396/20-21

Moved: Cr Williams

Seconded: Cr Joshi

Recommendation (Public)

That the Town of Walkerville Chief Executive Officer (CEO) "Pulse" Performance Review Report April 2021, prepared by Mr Altman the HR Consultant, be received and noted.

CARRIED

CNC397/20-21

Moved: Cr Joshi

Seconded: Cr Williams

Recommendation (Public)

Pursuant to s.91(7)

That having considered Agenda Item 19.4 Town of Walkerville CEO "Pulse" Performance Review Report April 2021 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 attachment relevant to this Agenda Item be retained in confidence for a period of 24 months excepting that Council authorises the release of the minutes 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

The time being 9.42pm the meeting moved out of confidence.

20. CLOSURE

The Presiding Member declared the meeting closed at 9.43pm.