



# **MINUTES`**

of

## **COUNCIL MEETING**

held in the

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

on

**MONDAY 16 SEPTEMBER 2019 7:00PM**

**MINUTES**  
16 September 2019

*The Meeting was declared open at 7.00pm.*

**1. ATTENDANCE RECORD**

1.1 Present

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

Staff in Attendance

Chief Executive Officer, K Magro  
Group Manager Assets & Infrastructure, J Bowen  
Group Manager Corporate Services, K Bone  
Group Manager Customer Experience, D Garvey  
Group Manager Planning, Environment and Regulatory Services, A Caddy  
Manager Community Development and Engagement, F Deckert  
Manager Marketing and Communications, S DeNicola  
Business Analyst (Property and Contracts), S Reardon  
Council Secretariat, V Davidson

1.2 Apologies

Nil.

1.3 Not Present / Leave of Absence

**Moved:** Cr Joshi  
**Seconded:** Cr Coleman

**CNC68/19-20**

That Cr Conrad Wilkins be granted leave of absence from 11 October to 20 October 2019.

**CARRIED**

**2. CONFIRMATION OF MINUTES**

**Moved:** Cr Williams  
**Seconded:** Cr Joshi

**CNC69/19-20**

That the minutes of the Council meeting held on the 19 August 2019 be confirmed as a true and accurate record of the proceedings

**CARRIED**

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

- Cr Wilkins declared a perceived conflict of interest in Item 14.1.2 as one of the property owners is a personal friend . Cr Wilkins advised that he will remain in the room and participate in the debate and vote.
- Cr Williams declared a perceived conflict of interest in Item 14.1.1 and Item 19.1 as he lives adjacent to one of the sites and advised that he will remain in the room and participate in the debate and vote.
- Cr Joshi declared a perceived conflict of interest in Item 14.1.1 as she lives opposite one of the sites and advised that she will remain in the room and participate in the debate and vote.

### 4. MAYORS DIARY

#### 4.1 Mayors Diary

**Moved:** Cr Bishop  
**Seconded:** Cr Nenke

#### **CNC70/19-20**

That Council receives and notes the Mayoral Diary from 15 August 2019 to 12 September 2019.

**CARRIED**

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

Nil.

### 6. REPORTS FROM ELECTED MEMBERS HAVING ATTENDED SUBSIDIARY BOARD MEETINGS

Nil.

### 7. QUESTIONS FROM THE GALLERY

Mr Stephen Couche of Edwin Street Medindie

Question

**Would Elected Members engage with ratepayers in the vicinity of Mellor Court should the issue of crime not be improved in 12 months' time?**

Response provided by Mayor Fricker

Mayor Fricker advised that matters relating to Mellor Court are a state government responsibility. Administration meet regularly with SA Housing and SAPOL to discuss and monitor the situation.

Response provided by the CEO

Further to the Mayor's comments, Administration meet monthly with the relevant authorities and have done so for the last 12months. It is through these discussions that the need for improvement on the site has reached fruition and works are underway to improve conditions for the residents at Mellor Court.

I have met with a number of ratepayers who have raised their concerns with respect to alleged crime activity and have forwarded all concerns to SAPOL to action as appropriate.

We will continue to engage with the relevant authorities and monitor progress made.

Further to the request made by Mr Couche, I would be more than happy to facilitate a discussion with ratepayers, SAPOL and Housing SA in 12 months' time should the matters raised by Mr Couche have not improved.

**8. QUESTIONS WITHOUT NOTICE**

Nil.

**9. QUESTIONS ON NOTICE**

Nil.

**10. PETITIONS**

Nil.

**11. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS**

Adelaide Airport Master Plan Update presented by:

- Brenton Cox (Executive General Manager Finance & Corporate)
- Kym Meys (Executive General Manager Planning & Infrastructure)

**12. MOTIONS WITHOUT NOTICE**

**Moved:** Cr Williams

**Seconded:** Cr Wilkins

**CNC71/19-20**

Council requests Administration adjusts the public drinking fountain at Walkerville Oval.

**CARRIED**

### 13. MOTIONS WITH NOTICE

Nil.

### 14. REPORTS REQUIRING DECISION OF COUNCIL

#### 14.1 Strategy

##### 14.1.1 Community Land Register

**Moved:** Cr Bishop

**Seconded:** Cr Joshi

#### **CNC72/19-20**

1. That Council endorses the Draft Community Land Register and its associated management plans 'in principle', as contained in Attachment B, thus:
  - a. revoking the Community Land status from the portions of land straddling Certificates of Title 5796/887 (**Fuller Street Works Depot**),, 5728/637 (**Smith Street 1**) and 5838/95 (**Smith Street 2**);
  - b. revoking the Community Land status from the whole of the land contained within Certificate of Title 5427/277 (**Stephen Terrace Reserve**);
  - c. reclaiming the Community Land status for the whole of the land contained within Certificate of Title 6255/300 (**Howie Reserve**);
  - d. naming the portion of Certificate of Title 5821/229 as outlined in Management Plan 1 "William Tucker Reserve" (**Cnr Church Terrace and Warwick Street**);
2. That Council directs Administration to undertake a statutory process of Community Consultation and Engagement pursuant to sections 194 and 197 of the *Local Government Act 1999* and Council's current Community Engagement and Consultation Policy; and
3. That following the cessation of the Community Consultation a subsequent report be submitted to Council at the ordinary meeting of 21 October 2019, outlining the community's feedback regarding the draft Community Land Register and its associated management plans.

**CARRIED**

## 14.1.2 Developer Funded DPA Request for Council Consideration

**Moved:** Cr Williams**Seconded:** Cr Bishop**CNC76/19-20**

1. That Council review and note the attached Statement of Justification relating to a proposed and forthcoming Development Plan Amendment pertaining to 1 Walkerville Terrace, Gilberton.
2. That Council provide the Consultant, via Administration a list of known issues and/or feedback for their consideration, during the investigative stages of the Development Plan Amendment including:
  - A requirement for the inclusion of green open space, trees and landscaping including rooftop gardens and green walls.
  - That the heritage façade of the Buckingham Arms be retained
  - Provision of adequate car parking
  - Traffic movement and management at the site (including emergency vehicles)
  - Provision of a waste management plan
  - An environmental sustainability plan for the site and development
  - The development of design principles which will be provided to the developer
  - Development be capped at a maximum of five storeys
  - That overlooking issues be adequately addressed
  - Provision of adequate storage facilities
3. That Council recognises and supports the rare opportunity afforded by this process to facilitate sensitive infill development in the form of medium density housing supported by complementary non-residential uses, in line with the policy directions of The 30 Year Plan for Greater Adelaide while also responding to the expressed desire in the Council's Strategic Directions Report to support mixed-use, higher density and activation along arterial corridors.
4. That the Administration draft a Developer Funded DPA Policy for Council's consideration.

**CARRIED****Moved:** Cr Wilkins**Seconded:** Cr Ashby**CNC73/19-20**

That Standing Orders be suspended for fifteen minutes to discuss the contents of the report.

**CARRIED**

**Moved:** Cr Nenke  
**Seconded:** Cr Williams

**CNC74/19-20**

That Standing Orders be suspended for a further ten minutes in order to finalise the discussion.

**CARRIED**

**Moved:** Cr Bishop  
**Seconded:** Cr Joshi

**CNC75/19-20**

That Standing Orders be resumed.

**CARRIED**

14.2 Policy

14.2.1 Elected Members Allowances and Benefits Policy

**Moved:** Cr Furlan  
**Seconded:** Cr Ashby

**CNC77/19-20**

That:

1. Pursuant to section 78(2)(a) of the *Local Government Act 1999*, Council resolves that the provision of facilities, support and benefits contained in the Elected Member Allowances and Benefits Policy are necessary and/ or expedient to the performance or discharge of official functions and duties by Elected Members.
2. Council adopts the Elected Members Allowances and Benefits Policy appearing as Attachment A to this report.
3. Administration be authorised to make amendments of a formatting and or minor technical nature to the Elected Members Allowances and Benefits Policy.

**CARRIED**

### 14.3 Operational

#### 14.3.1 Proposed Delegations to the Chief Executive Officer

**Moved:** Cr Bishop

**Seconded:** Cr Wilkins

#### **CNC78/19-20**

- 1(a) In exercise of the power contained in section 44 of the *Local Government Act 1999* the powers and functions under the *State Records Act 1999* and specified in the proposed Instruments of Delegation contained in Attachment A, being attached to the report titled 'Proposed Delegations to the Chief Executive Officer' and dated 16 September 2019, are hereby delegated this 16<sup>th</sup> day of September 2019 to the person occupying the office of Chief Executive Officer and to any person acting in this position subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.
- 1(b) Such powers and functions may be further delegated by the Chief Executive Officer in accordance with sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.
- 2(a) In exercise of the powers contained in sections 20 and 34(23) of the *Development Act 1993*, the powers and functions under the *Development Act 1993* and the Development Regulations 2008 contained in the proposed Instrument of Delegation contained in Attachment B being attached to the Report titled 'Proposed Delegations to the Chief Executive Officer' and dated 16 September 2019 are hereby delegated this 16<sup>th</sup> day of September 2019 to the person occupying the office of Chief Executive Officer, or any person acting in that position, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
- 2(b) Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.

**CARRIED**



14.3.2 Council Assessment Panel (CAP) Membership – Extension of the term of membership and appointment of Council Member

**Moved:** Cr Ashby

**Seconded:** Cr Bishop

**CNC79/19-20**

1. That Council extend the term of appointment of all four (4) existing Independent Members of the Council Assessment Panel until the 1 July 2020, namely: Mr. Doug Wallace (Presiding Member), Mr. Bill Chandler, Mr. Phil Smith and Mr. Ross Bateup.
2. That Council appoints Cr Furlan as the Council Member to the Council Assessment Panel (CAP) for the remainder of the term of Council.
3. That Council defer the appointment of a Deputy Independent Member to the Council Assessment Panel for the purpose of filling in for the CAP Independent Member(s) who are unable to attend a CAP meeting or part of a CAP meeting, until after the 1 July 2020 when the formal accreditation requirements come into effect.

**CARRIED**

14.3.3 Appointment of Wesleyan Cemetery Advisory Committee

**Moved:** Cr Furlan

**Seconded:** Cr Williams

**CNC80/19-20**

1. That Council invites the existing Independent Members of the Wesleyan Cemetery Advisory Committee to be reappointed to the Committee for a subsequent 12 month period with the term ending 14 October 2020, those members being:
  - Jim Everett;
  - Karen Murphy;
  - Raye Whitehead;
  - John Jackson;
  - Heather Wright; and
  - David Griffiths.
2. That should any existing Independent Member of the Committee decline Council's invitation, Administration is to undertake an expressions of interest process to fill the appointment.
3. That Council appoint Councillor Williams and Councillor Nenke as Council's representatives on the Wesleyan Cemetery Advisory Committee for the remainder of the term of Council.

**CARRIED**

#### 14.3.4 Community Fund Applications

**Moved:** Cr Ashby  
**Seconded:** Cr Wilkins

##### **CNC81/19-20**

1. That Council allocates the following funds to the Community Fund applicants from the 2019/20 Community Fund budget:
  - a. Caitlin Hardin – \$150
  - b. Sasha Hardin – \$150
  - c. Kaitlyn Page – \$150
2. That Administration writes to the applicants for the Community Fund grant and advises them of the Council resolution.
3. That the successful applicants are invited to attend the Ordinary Meeting of Council to be held on 21 October 2019 to formally receive the funds from Her Worship Mayor Fricker prior to the Council Meeting.

**CARRIED**

#### 14.3.5 Waste Advisory Group – Community Nomination

**Moved:** Cr Coleman  
**Seconded:** Cr Joshi

##### **CNC82/19-20**

That Council appoints:

1. Mr John Rolls to the Waste Advisory Group as a community representative.
2. Councillor Rob Ashby to the Waste Advisory Group as a replacement member for Councillor Stephen Furlan for the term of Council.

**CARRIED**

#### 14.3.6 Walkerville Art Show Sponsorship Agreement Extension for the Rotary Club of Walkerville

**Moved:** Cr Bishop  
**Seconded:** Cr Joshi

##### **CNC83/19-20**

That Council approves an extension of the current Walkerville Art Show Sponsorship Agreement (appearing as Attachment A to this report) to the amount of \$3,000 with the Rotary Club of Walkerville for the event being held from 4 October to 12 October 2019.

**CARRIED**

#### 14.4 Subsidiaries.

Nil.

### 15 IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION

**Moved:** Cr Nenke  
**Seconded:** Cr Bishop

#### **CNC84/19-20**

That items 16.1.1, 16.3.1, 16.3.2, 16.3.3, 16.3.6, 16.3.8, 16.3.9, 16.4.2, 16.4.3, 16.5.1 be moved as per their recommendations.

**CARRIED**

### 16 REPORTS PRESENTED FOR INFORMATION

#### 16.1 Strategy

##### 16.1.1 Proposed methodology to review the Strategic Community Plan

**Moved:** Cr Nenke  
**Seconded:** Cr Bishop

#### **CNC85/19-20**

That Council receive and note Attachment A to this report, which outlines the proposed methodology to review the 2016-2020 Strategic Community Plan and in so doing acknowledges that the methodology is an organic document, which may be amended from time to time.

**CARRIED**

#### 16.2 Policy

Nil.

#### 16.3 Operational

##### 16.3.1 Monthly Financial Report

**Moved:** Cr Nenke  
**Seconded:** Cr Bishop

#### **CNC86/19-20**

That Council receives and notes the Monthly Financial Report as at 31 August 2019.

**CARRIED**

## 16.3.2 Works Report for August 2019

**Moved:** Cr Nenke  
**Seconded:** Cr Bishop

**CNC87/19-20**

That Council receives and notes the Works Report for August 2019.

**CARRIED**

## 16.3.3 2016-2020 Living in the Town of Walkerville – strategic community plan

**Moved:** Cr Nenke  
**Seconded:** Cr Bishop

**CNC88/19-20**

That Council receives and notes the progress made towards implementing the targets set out in the *2016-2020 Living in the Town of Walkerville – a strategic community plan*.

**CARRIED**

## 16.3.4 Waste Advisory Group Minutes

**Moved:** Cr Williams  
**Seconded:** Cr Joshi

**CNC95/19-20**

That Council receives and notes the minutes of the Waste Advisory Group meeting held on 5 September 2019.

**CARRIED**

## 16.3.5 SA Ombudsman Report 1 January 2019 – 30 June 2019

**Moved:** Cr Bishop  
**Seconded:** Cr Williams

**CNC96/19-20**

That Council receive and note the SA Ombudsman Report for the period 1 January 2019 to 30 June 2019

**CARRIED**

## 16.3.6 2019-20 Valuer-General Revaluation Initiative Project Report

**Moved:** Cr Nenke  
**Seconded:** Cr Bishop

**CNC89/19-20**

That Council receive and note the 2019-20 Valuer-General Revaluation Initiative project report.

**CARRIED**

## 16.3.7 Walkerville Bowling Club Green C

**Moved:** Cr Ashby  
**Seconded:** Cr Bishop

**CNC97/19-20**

That Council receives and notes the Walkerville Bowling Club Green C report

**CARRIED**

## 16.3.8 Planning Reform Transition Update

**Moved:** Cr Nenke  
**Seconded:** Cr Bishop

**CNC90/19-20**

That the Council receive and note the accelerated transition of the New Planning System reform program applicable to Phase Two and Phase Three Local Government Areas.

**CARRIED**

## 16.3.9 Gilberton Amateur Swimming Club Time Capsule

**Moved:** Cr Nenke  
**Seconded:** Cr Bishop

**CNC91/19-20**

Council receives and notes the Gilberton Amateur Swimming Club Time Capsule Report.

**CARRIED**

## 16.3.10 Contributory Item Review Project Update

**Moved:** Cr Williams  
**Seconded:** Cr Bishop

**CNC98/19-20**

That Council receive and note the Contributory Item Review Project Update and acknowledge the impact that the statutory deadline of November 2019 for the formal commencement of the required Council initiated Heritage Development Plan Amendment, will have on internal resourcing.

**CARRIED**

16.3.11 Women of Walkerville Committee Minutes

**Moved:** Cr Williams  
**Seconded:** Cr Joshi

**CNC99/19-20**

That Council receives and notes the minutes of the Women of Walkerville Committee meeting held on 10 September 2019. – need to fix

**CARRIED**

16.4 Subsidiaries

16.4.1 ERA Water Operations Progress Report

**Moved:** Cr Bishop  
**Seconded:** Cr Wilkins

**CNC100/19-20**

That Council receive and note the ERA Water Operations Progress Reports appearing as Attachment A to this report

**CARRIED**

16.4.2 ERA Water Board Minutes

**Moved:** Cr Nenke  
**Seconded:** Cr Bishop

**CNC92/19-20**

That Council receives and notes the ERA Water Board Minutes for the special meeting convened on 14 August 2019 and the ordinary meeting held on 30 August 2019.

**CARRIED**

16.4.3 Eastern Health Authority Audit Committee Minutes

**Moved:** Cr Nenke  
**Seconded:** Cr Bishop

**CNC93/19-20**

That Council receives and notes the Eastern Health Authority Audit Committee Minutes for the meeting convened on 28 August 2019.

**CARRIED**

### 16.5 Outstanding Council Resolutions

#### 16.5.1 Outstanding Council Resolutions

**Moved:** Cr Nenke  
**Seconded:** Cr Bishop

#### **CNC94/19-20**

That Council receive and note the list of Council resolutions currently being processed as at 12 September 2019.

**CARRIED**

## **17 CORRESPONDENCE**

**Moved:** Cr Joshi  
**Seconded:** Cr Coleman

#### **CNC101/19-20**

That the correspondence as listed below be received and noted:

- 17.1 Correspondence to Mayor Fricker from Colin Gaetjens
- 17.2 Correspondence to Mayor Fricker from the Hon Julian Stefani AM JP
- 17.3 Correspondence to Mayor Fricker from Michael Lennon,  
Chair, State Planning Commission
- 17.4 Correspondence to Mayor Fricker from the Hon Stephan Knoll MP
- 17.5 Correspondence to Mayor Fricker from Father Kym Spurling
- 17.6 Correspondence to Mayor Fricker from the Hon Stephan Knoll MP

**CARRIED**

## **18 URGENT OTHER BUSINESS**

Nil

## 19 CONFIDENTIAL ITEMS

### 19.1 Draft Request for Expression of Interest (REOI) – Master Planning of Strategic Sites

**Moved:** Cr Ashby

**Seconded:** Cr Coleman

#### CNC102/19-20

#### 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 the Chief Executive Officer Kiki Magro, Group Manager Asset & Infrastructure Josh Bowen, Group Manager Planning, Environment & Regulatory Services Andreea Caddy, Group Manager Corporate Services Katy Bone, Business Analyst (Property & Contracts) Scott Reardon and Council Secretariat, Vanessa Davidson, be excluded from attendance at the meeting for Agenda Item 19.1 Draft REOI – Master Planning of Strategic Sites.

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

**CARRIED**

*The time being 8.55pm the meeting moved into confidence.*

#### Recommendation (Public)

**Moved:** Cr Bishop

**Seconded:** Cr Ashby

#### CNC103/19-20

That Council receives and notes this report.

**CARRIED**

#### Recommendation (Public)

**Moved:** Cr Wilkins

**Seconded:** Cr Williams

#### CNC104/19-20

Pursuant to s.91(7)

That having considered Agenda Item *Request for Expression of Interest (REOI) – Master Planning of Strategic Sites* 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 and attachments relevant to this Agenda Item be retained in confidence for a period of 12 months or the matter has been finalised, 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* and re-admit the public.

**CARRIED**

*The time being 9.08pm the meeting moved out of confidence.*

## **20. CLOSURE**

*The meeting was declared closed at 9.08pm*