



**MINUTES**

of

**SPECIAL COUNCIL MEETING**

held in the

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

on

**MONDAY 26 JUNE 2023 AT 6:00PM**

**MINUTES**  
**26 JUNE 2023**

*The Presiding Member declared the meeting open at 6:00pm.*

**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 James Nenke – *arrived at 6:01pm*  
Cr Steven Rypp – *arrived at 6:02pm*  
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

1.2 Apologies

Nil.

1.3 Not Present / Leave of Absence

- 1.3.1 Mayor Jones will be on a leave of absence from 1 July 2023 to 21 July 2023, inclusive (**CNC286/22-23**).
- 1.3.2 Cr Allanson will be on a leave of absence from 1 August 2023 to 30 July 2024, inclusive (**CNC316/22-23**).

## 2. DECLARATIONS OF INTEREST

- 2.1 Mayor Jones declared a general conflict of interest in Agenda Item 5.1 Attachment K as Mayor Jones made a submission to the previous Council regarding the Walkerville Oval redevelopment. Mayor Jones advised that she would remain in the Chamber and participate in the discussion and vote.
- 2.2 Cr Trotter declared a general conflict of interest in Agenda Item 5.1 as Cr Trotter's husband had recently been elected to the Board of the Bowling Club, and that their company Triple A Financial Services is a sponsor of the Bowling Club. Cr Trotter advised that she would remain in the Chamber and participate in the discussion and vote.

## 3 REPORTS REQUIRING DECISION OF COUNCIL

The Presiding Member put forth a motion to amend the order of proceedings so that Item 3.1 be dealt with first, then Item 5.1, then Items 4.1 and 5.2 consecutively.

### **CNC346/22-23**

**Moved:** Cr Williams  
**Seconded:** Cr Trotter

**CARRIED**

- 3.1 ERA Water – Reappointment of Independent Chairperson for Board

### **CNC347/22-23**

**Moved:** Cr Vanstone  
**Seconded:** Cr Nenke

1. That Council endorses the reappointment of Mr Jeff Tate as the Independent Chairperson for the ERA Water Board for a two-year period to commence from a date of the last decision and consistent resolution of all three Constituent Councils.
2. That Council endorses the sitting fee paid to the ERA Water Independent Chairperson, paid in arrears in equal monthly instalments, be increased from \$12,252 pa (excluding GST) to \$13,000 pa (excluding GST).

**CARRIED UNANIMOUSLY**

## 4 REPORTS FOR INFORMATION OF COUNCIL

### 4.1 Administrative and Legal Response to Motion on Notice CNC325/22-23

*The Presiding Member called to suspend standing orders of the meeting until 7:45pm.*

*Majority supported*  
**CARRIED**

#### **CNC351/22-23**

**Moved:** Cr Vanstone

**Seconded:** Cr Rypp

That Council receive and note the *Administrative and Legal Response to Motion on Notice CNC325/22-23* report.

**CARRIED**

## 5 CONFIDENTIAL REPORTS

### 5.1 Walkerville Oval Redevelopment Update & South Australia Finance Authority Communication

#### **CNC348/22-23**

**Moved:** Cr Rypp

**Seconded:** Cr Kaur

#### **Recommendation (Public)**

Pursuant to s90(3)(b)&(j)

Pursuant to section 90(2) of the Act the Council orders that all members of the public except, Acting Chief Executive Officer Scott Reardon, Group Manager Assets & Infrastructure James Kelly, Group Manager Public Relations & Community Services Sarah Spencer, and Group Manager Corporate Service Vikki Purtle, be excluded from attendance at the meeting for Agenda Item 5.1 Walkerville Oval Redevelopment Update & South Australia Finance Authority Communication report.

The Council is satisfied that, pursuant to section 90(3)(b)&(j) 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 prejudice the commercial position of the Council, and would divulge information provided on a confidential basis to a public authority, as the information seeks to negotiate further commercial terms and conditions of a funding agreement with the State Government.

**CARRIED UNANIMOUSLY**

*The time being 6:07pm the meeting moved into confidence.*

*The Presiding Member called to suspend standing orders of the meeting until 6:20pm.*

*Majority supported*  
**CARRIED**

*The Presiding Member called to extend the suspension of standing orders of the meeting until 6:45pm.*

*Majority supported*  
**CARRIED**

*The Presiding Member called to further extend the suspension of standing orders of the meeting until 7:00pm.*

*Majority supported*  
**CARRIED**

*The Presiding Member called to further extend the suspension of standing orders of the meeting until 7:15pm.*

*Majority supported*  
**CARRIED**

*The Presiding Member called to further extend the suspension of standing orders of the meeting until 7:30pm.*

*Majority supported*  
**CARRIED**

**CNC349/22-23**

**Moved:** Cr Nenke

**Seconded:** Cr Trotter

**Recommendation (Public)**

1. That Council receive and note the *Walkerville Oval Redevelopment Update & South Australia Finance Authority Communication* report.
2. That as a result of the recent estimated project costings of \$15.0m (up from the original project estimates of \$8.0m), Council determines to defer any further action in relation to **CNC95/22-23** of 17 October 2022 until such time that the newly appointed CEO Mr Andrew MacDonald undertakes a review of the Walkerville Oval redevelopment, which is to be brought back to Council no later than 30 November 2023.
3. That Council direct Administration to advise the Design Team that the Walkerville Oval redevelopment has been deferred until further notice.

4. That Mayor Melissa Jones write to the South Australian Finance Authority and the Member for Adelaide Lucy Hood MP advising:
  - a. of Council's decision to defer any further progress on the Walkerville Oval redevelopment project pending a review to return to Council by 30 November 2023;
  - b. that Council remains committed to proceeding with the Walkerville Oval redevelopment whether in its current design, or a revised design, or a refurbished design;
  - c. that Council requests an extension of time due to the appointment of the incoming CEO and Council's desire to undertake a full review of this major project;
  - d. that Council will provide further correspondence to the South Australian Finance Authority upon completion of the CEO's review, no later than 20 December 2023.

**CARRIED**

### **CNC350/22-23**

**Moved:** Cr Rypp

**Seconded:** Cr Kaur

### **Recommendation (Confidential)**

#### Pursuant to s.91(7)

That having considered Agenda Item 5.1 Walkerville Oval Redevelopment Update & South Australia Finance Authority Communication report in confidence under sections 90(2)&(3)(b)&(j) of the Act, the Council, pursuant to section 91(7) of that Act orders that the attachments relevant to this Agenda Item be retained in confidence for a period of 6 months or until the incoming CEOs review process has been undertaken and/or after discussions with the State Government, excepting that Council authorises the release of the Attachments to substantive party/parties to enable enactment of the resolution and that pursuant to Section 91(9)(c) of Act 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 Act and re-admit the public.

**CARRIED UNANIMOUSLY**

*The time being 7:34pm the meeting moved out of confidence.*

5.2 Administrative and Legal Response to Motion without Notice CNC325/22-23 – Legal Advice – Attachment A to Item 4.1

**CNC352/22-23**

**Moved:** Cr Vanstone  
**Seconded:** Cr Trotter

**Recommendation (Public)**

Pursuant to s90(3)(h)

Pursuant to section 90(2) of the *Local Government Act 1999* (the **Act**) Council orders that all members of the public except Acting Chief Executive Officer Scott Reardon, Group Manager Assets & Infrastructure James Kelly, Group Manager Public Relations & Community Services Sarah Spencer, and Group Manager Corporate Service Vikki Purtle be excluded from attendance at the meeting for Agenda Item 5.2 Administrative and Legal Response to Motion without Notice **CNC325/22-23** – Legal Advice – Attachment A to Item 4.1.

The Council is satisfied that, pursuant to section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is legal advice provided by Council's Lawyers in regard to Conflict of interest.

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 advice and is subject to professional privilege.

**CARRIED UNANIMOUSLY**

*The time being 7:47pm the meeting moved into confidence.*

**CNC353/22-23**

**Moved:** Cr Rypp  
**Seconded:** Cr Kaur

**Recommendation (Public)**

That Council receive and note the legal advice, appearing as Attachment A, in support of Agenda Item 4.1 *Administrative and Legal Response to Motion without Notice CNC325/22-23* report.

**CARRIED UNANIMOUSLY**

**CNC354/22-23**

**Moved:** Cr Allanson

**Seconded:** Cr Trotter

**Recommendation (Public)**

Pursuant to s.91(7)

That having considered Agenda Item 5.2 Administrative and Legal Response to Motion without Notice CNC325/22-23 – Legal Advice - Attachment A to Item 4.1 in confidence under section 90(2)&(3)(h) of the Act, the Council, pursuant to section 91(7) of that Act orders that the reports and attachment relevant to this Agenda Item be retained in confidence for a period of 12 months 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 Act 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 Act Council and re-admit the public.

**CARRIED UNANIMOUSLY**

*The time being 7:48pm the meeting moved out of confidence.*

**6 CLOSURE**

*The Presiding Member declared the meeting closed at 7:49pm.*