



MINUTES

of

COUNCIL MEETING

held in the

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

on

MONDAY 21 AUGUST 2017 AT 7.00PM

KIKI MAGRO
CHIEF EXECUTIVE OFFICER

MINUTES
21 August 2017

The Mayor declared the meeting open at 7.00pm

1. ATTENDANCE RECORD

1.1 Present

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

Chief Executive Officer, K Magro
General Manager, H Barclay
Protocol, Compliance & Governance Officer, Deb Bria
Manager Assets & Infrastructure, J Bowen
Manager Customer Experience, L Allery
Manager Finance, G Lewis
Manager Marketing & Communications, S DeNicola

1.2 Apologies

Nil

1.3 Not Present / Leave of Absence

Councillor Webster – Leave of Absence approved 15 May 2017

MOVED: Councillor Shetliffe

SECONDED: Councillor Fricker

CNC37/17-18

That Mayor Grigg be granted leave of absence from 6 September 2017 until 22 October 2017.

CARRIED

2. CONFIRMATION OF MINUTES

MOVED: Councillor Whiting

SECONDED: Councillor Bishop

CNC38/17-18

That the minutes of the Council meeting held on the 17 July 2017 be confirmed as a true and accurate record of the proceedings.

CARRIED

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

Councillor Shetliffe declared perceived interest in item 12.3.4 17th International Cities Town Centres and Communities Conference & 6th National Mainstreet Australia Conference. Councillor Shetliffe informed members he will remain in the meeting, however will not enter into discussion whilst the matter was being considered.

The Chief Executive Officer declared an interest pursuant to Section 120 of the *Local Government Act 1999* in item 16.1.3 CEO 2016/2017 Performance Review, as it relates to her performance review.

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

4.1 Mayors Report

MOVED: Councillor Williams
SECONDED: Councillor Bishop

CNC39/17-18

That Council receives and notes the Mayoral Diary from 17 July 2017 to 16 August 2017.

CARRIED

5. QUESTIONS WITHOUT NOTICE

Nil

6. QUESTIONS FROM THE GALLERY

Nil.

7. QUESTIONS ON NOTICE

Nil

8. PETITIONS

Nil

9. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

Consultant R Altman was in attendance to speak to item 16.1.3 CEO 2016/2017 Performance Review

10. MOTIONS WITHOUT NOTICE

MOVED: Councillor Bishop
SECONDED: Councillor Fricker

CNC40/17-18

That Administration write to Adelaide City Councils per the public notice in the Advertiser, advising that whilst Council does not disapprove of a commercial helicopter pad, Council

objects to the proposed position in Park 27 as it relates to noise and any other unforeseen issues that impact on Medindie and Gilberton residents.

CARRIED

11. MOTIONS WITH NOTICE

11.1 Bill Cossey AM Memorial – Councillor Shetliffe

MOVED: Councillor Shetliffe

SECONDED: Councillor Bishop

CNC41/17-18

That Council name the tennis court at the southern end of Gilbert Street, Gilberton, after Bill Cossey AM and that, in consultation with the Cossey family, place a memorial plaque at the court recognising that Mr Cossey, a past President of Tennis SA, Board member of Tennis Australia and Walkerville resident played regularly on this court with a group of friends. That Tennis SA be invited to co-sponsor the plaque.

CARRIED

12. REPORTS REQUIRING DECISION OF COUNCIL

12.1 Strategy

12.1.1 Eastern Region Alliance (ERA) Governance Framework Review

MOVED: Councillor Shetliffe

SECONDED: Councillor Fricker

CNC42/17-18

That Council:

- receives the report and findings of the ERA Governance Framework Review as tabled to the ERA Mayors & CEOs on 22 March 2017 and appearing as Attachment C;
- adopts the reports conclusion that the current ERA governance framework provides the flexible platform for regional collaborations;
- agree that ERA maintain its current membership;
- adopts the revised 'Memorandum of Understanding of the Eastern Region Alliance', which sets out the governance framework and membership for the informal alliance appearing as Attachment A also noting removing reference to ERA Water and Local Nuisance and Litter Control Act from the schedule: and
- adopts the updated 'ERA Strategic Plan' appearing as Attachment B.

CARRIED

12.2 Policy

Nil

12.3 Operational

12.3.1 2017 2018 CAPEX Projects Status Report August 2017

MOVED: Councillor Fricker
SECONDED: Councillor Shetliffe

CNC43/17-18

1. That Council receive and note 2017/18 CAPEX Projects Status Report, August 2017; and;
2. Endorse an adjustment to the 2016/17 Carried Forward CAPEX Program of -\$4,000.00 (noting an adjustment from \$282,000.00 to \$278,000.00), being an approved amount of \$270,000 for the Gilberton Swing Bridge Refurbishment and an approved amount of \$8,000 for Vale House works.

CARRIED

12.3.2 Fees and Charges for 2017-18

MOVED: Councillor Shetliffe
SECONDED: Councillor Bishop

CNC44/17-18

That Council adopt the 2017/2018 Fees and Charges shown in Attachment A.

CARRIED

12.3.3 Draft Town of Walkerville Traffic Plan (A Movement Management Plan) for Public Consultation

Councillor Shetliffe remained in the room whilst the matter was being considered and voted for the motion

MOVED: Councillor Shetliffe
SECONDED: Councillor Whiting

CNC45/17-18

That the Draft Town of Walkerville Traffic Plan (A Movement Management Plan) be endorsed in principle (as contained in Attachment A) with the removal of bracketed point 4 on item 5.3.1 (page 171 of the report) and be released for public consultation in 2017 with a final report to be presented to Council (through the SPDPC) for its consideration, prior to final adoption.

CARRIED

12.3.4 17th International Cities Town Centres and Communities Conference & 6th National Mainstreet Australia Conference

MOVED: Councillor Graham-King
SECONDED: Councillor Williams

CNC46/17-18

That Council endorses Councillor Shetliffe's attendance at the 17th International Cities Town Centres and Communities Conference and 6th National Mainstreet Australia Conference and agrees to cover 50% of the registration fee equating to \$577.50 and that Councillor Shetliffe covers all other expenses associated with attendance at the conference inclusive of travel, accommodation, tours and incidentals.

CARRIED

- 12.3.5 Charlotte Balfour Watercolour – The Mayor informed Members that as the family no longer wanted the Watercolour the item is **WITHDRAWN**

13. IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION

MOVED: Councillor Whiting
SECONDED: Councillor Busato

CNC47/17-18

That items..14.3.1, 14.3.2, 14.3.5, 14.3.8, 14.3.9, 14.3.10, 14.3.13, 14.3.14, 14.3.15 be moved as per their recommendations.

CARRIED

14. REPORTS PRESENTED FOR INFORMATION

14.1 Strategy

Nil

14.2 Policy

Nil

14.3 Operational

- 14.3.1 Monthly Financial Report

MOVED: Councillor Whiting
SECONDED: Councillor Busato

CNC48/17-18

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

CARRIED

- 14.3.2 Interim Report on Audit Findings

MOVED: Councillor
SECONDED: Councillor

CNC49/17-18

That Council receives and notes the Interim Report on Audit Findings from the Council's Auditors, Bentleys (SA) Pty Ltd.

CARRIED

14.3.3 Lansdowne Terrace Stormwater and Road Project Update (August 2017)

MOVED: Councillor Shetliffe

SECONDED: Councillor Fricker

CNC50/17-18

That Council receives and notes the information report *entitled Landsdowne Terrace Stormwater and Road Project Up-Date (August 2017)*, including results from the Phase 1 public consultation undertaken in July 2017, results and proposed next steps.

CARRIED

14.3.4 Women of Walkerville (WOW) Official Launch

MOVED: Councillor Graham-King

SECONDED: Councillor Busato

CNC51/17-18

That Council receive and note the report on the official launch of the Women of Walkerville (WOW) Foundation.

CARRIED

14.3.5 2017 SALA Exhibition 'Visibility'

MOVED: Councillor Whiting

SECONDED: Councillor Busato

CNC52/17-18

That the 2017 SALA Exhibition 'Visibility' report be received and noted.

CARRIED

14.3.6 Works Report

MOVED: Councillor Shetliffe

SECONDED: Councillor Bishop

CNC53/17-18

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

CARRIED

14.3.7 Customer Experience Service Report

MOVED: Councillor Shetliffe
SECONDED: Councillor Busato

CNC54/17-18

That Council receives and notes the Customer Experience Service Report for July 2017.

CARRIED

14.3.8 Audit Committee Annual Report to Council for 2016/17

MOVED: Councillor Whiting
SECONDED: Councillor Busato

CNC55/17-18

That Council receives and notes the Audit Committees Annual Report.

CARRIED

14.3.9 ERA Water Superintendent's Construction Progress Report

MOVED: Councillor Whiting
SECONDED: Councillor Busato

CNC56/17-18

That the Superintendent's Construction Progress Report appearing as Attachment A is received and noted.

CARRIED

14.3.10 Strategic Planning & Development Policy Committee Minutes

MOVED: Councillor Whiting
SECONDED: Councillor Busto

CNC57/17-18

That Council receive and note the minutes of the Strategic Planning & Development Policy Committee meeting held on 21 July 2017.

CARRIED

14.3.11 Audit Committee Minutes

MOVED: Councillor Shetliffe
SECONDED: Councillor Fricker

CNC58/17-18

That Council receives and notes the Audit Committee minutes for the meeting convened on 10 July 2017.

CARRIED

14.3.12 ERA Water Board Minutes

MOVED: Councillor Busato

SECONDED: Councillor Whiting

CNC59/17-18

That Council receives and notes the ERA Water Board Minutes for the meeting convened on 14 July 2017.

CARRIED

14.3.13 Murray Darling Association Minutes

MOVED: Councillor Whiting

SECONDED: Councillor Busato

CNC60/17-18

That Council receives and notes the Murray Darling Association Region 7 (Greater Adelaide) minutes convened on 29 June 2017 and the Board Minutes convened on 6 July 2017.

CARRIED

14.3.14 East Waste Management Authority Tonnage Rates

MOVED: Councillor Whiting

SECONDED: Councillor Busato

CNC61/17-18

That the report provided by the Eastern Waste Management Authority (trading as East Waste), showing the monthly tonnages collected for the period July 2017 – June 2018 and the monthly recycling statistics for May & June 2017 be received and noted.

CARRIED

14.3.15 Outstanding Council Resolutions / Action Report

MOVED: Councillor Whiting

SECONDED: Councillor Busato

CNC62/17-18

That Council receives and notes the list of Council resolutions currently being processed as at 21 August 2017.

CARRIED

14.3.16 Correspondence

MOVED: Councillor Bishop

SECONDED: Councillor Busato

CNC63/17-18

That Correspondence marked as attachment A - D be noted.

CARRIED

15. URGENT OTHER BUSINESS

Nil

16. CONFIDENTIAL ITEM

16.1.1 Leases & Licences Status Report

MOVED: Councillor Whiting

SECONDED: Councillor Shetliffe

CNC64/17-18

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, the General Manager, Heather Barclay, and the Protocol, Compliance & Governance Officer, Deb Bria 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 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

CNC65/17-18

That the Lease and Licence Status Report, 21 August 2017, be received and noted.

CARRIED

MOVED: Councillor Whiting

SECONDED: Councillor Shetliffe

CNC66/17-18

Pursuant to s.91(7)

That having considered the Agenda Item, Lease and Licence Status Report, 21 August 2017 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 entitled Lease and Licence Status Report, 21 August 2017 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.

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

16.1.2 ERA Water Financials

MOVED: Councillor Busato

SECONDED: Councillor Graham-King

CNC67/17-18

That pursuant to Section 90(2) of the Local Government Act 1999 Council order that the public be excluded, with the exception of the Chief Executive Officer, Kiki Magro, the General Manager Heather Barclay and the Protocol Compliance and Governance, Officer Deb Bria from being present at the meeting on the basis that the matter contained in this report entitled ERA Water Financial Report) is information of a confidential nature (not being a trade secret) as specified in subsections 90(3)(d) of the Act and the disclosure of which could reasonably be expected to:

- prejudice the commercial position of the person who supplied the information;
or
- confer a commercial advantage on a third party

CARRIED

MOVED: Councillor Whiting

SECONDED: Councillor Bishop

CNC68/17-18

That the ERA Water Financial Report as at 30 June be received and noted.

CARRIED

MOVED: Councillor Busato

SECONDED: Councillor Shetliffe

CNC69/17-18

That the Council, having considered the said information or matter in confidence under Part 3 of Chapter 6 of the Local Government Act 1999, orders, pursuant to Section 91(7) of the Local Government Act 1999, that the ERA Water Financial Report and any other documentation relative to the report be retained in confidence excluding minutes for 12 months or until such time as the project is finalised.

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

16.1.3 CEO Performance Review 2017 / 2018

MOVED: Councillor Williams

SECONDED: Councillor Graham-King

CNC70/17-18

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 Protocol, Compliance & Governance Officer, Deb Bria and Council's Consultant, Richard Altman be excluded from attendance at the meeting for Agenda Item 16.1.3 CEO Performance Review 1 July 2016 - 30 June 2017.

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 16.1.3 is information the disclosure of 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 as the matter relates to details of the Chief Executive Officer's performance.

CARRIED

MOVED: Councillor Fricker

SECONDED: Councillor Busato

Pursuant to s.91(7)

That having considered Agenda Item 16.1.3 CEO Performance Review 1 July 2016 – 30 June 2017 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 minutes be retained in confidence until the Performance Review process has been completed and that the report marked as Attachment A be retained in confidence for a period of 3 years.

and

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

CARRIED

CLOSURE

The meeting closed at 9.00pm