



# **MINUTES**

of

# **COUNCIL MEETING**

held in the

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

on

**MONDAY 20 JANUARY AT 7:00PM**

**MINUTES**  
20 January 2020

*The Meeting was declared open at 7.00pm.*

**1. ATTENDANCE RECORD**

1.1 Present

Mayor Elizabeth Fricker  
Cr Rob Ashby AM  
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 Cristol  
Group Manager Corporate Services, K Bone  
Group Manager Customer Experience, D Garvey  
Group Manager Planning, Environment and Regulatory Services, A Caddy  
Business Analyst (Property and Contracts), S Reardon  
Manager Community Development and Engagement, F Deckert  
Council Secretariat, V Davidson

1.2 Apologies

1.3 Not Present / Leave of Absence

Nil.

**2. CONFIRMATION OF MINUTES**

**Moved:** Cr Wilkins  
**Seconded:** Cr Joshi

**CNC232/19-20**

That the minutes of the Council meeting held on the 16 December 2019 be confirmed as a true and accurate record of the proceedings.

**CARRIED**

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

Cr James Williams declared a perceived conflict of interest in Item 4 Deputations/ Representations/ Presentations and Item 14.1.1 Community Land Register as the items include the Smith Street / Fuller Street site to which he is a neighbour. Cr Williams advised that he will remain in the room, participate in the debate and vote on the matter.

#### 4. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

##### Request for Deputation INEA YMCA – Response from Mayor Fricker

I received a request for a deputation from INEA YMCA to attend the ordinary meeting of Council to be held on Monday 20 January 2020. After careful consideration and having consulting the Elected Members, I have determined not to accede to this request. The reasons for my decision are as follows:

- In 2016, Council resolved to undertake a masterplan of the site at 39 Smith Street and the former depot at 44 Fuller Street;
- In 2017, Council resolved to provide INEA YMCA a lease extension to 31 December 2020;
- INEA YMCA signed a lease on 13 August 2018 with a known termination date of 31 December 2020;
- 24 October 2019, INEA YMCA was reminded in writing that there were no rights for a lease renewal or extension;
- Council's intentions are to publicly seek expressions of interest, by open tender, for the lease of the site at 39 Smith Street;
- INEA YMCA will be afforded the opportunity to participate in that process;
- Council is currently reviewing the redevelopment of Walkerville Oval and all key stakeholders, including INEA YMCA have been invited and encouraged to participate in the proposed redevelopment.

INEA YMCA were duly notified accordingly by way of letter on 16 January 2020. A copy of that correspondence is attached at agenda item 17.7.

#### 5. MAYORS DIARY

##### 5.1 Mayors Diary

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

##### **CNC233/19-20**

The Council receives and notes the Mayoral Diary 12 December 2019 to 16 January 2020; noting that Deputy Mayor Cr MaryLou Bishop was not present at the meeting with the Mayor and CEO held on 16 January 2020.

**CARRIED**

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

Nil.

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

Nil.

## 8. QUESTIONS FROM THE GALLERY

### 8.1 Mr Peter Grob

**My question is about the future use of the proposed change to the Memorial Gardens and reserve. Is there a plan to add tennis courts on the reserve?**

Response provided by Mayor Fricker

Memorial Gardens will not be changed. Council is considering the naming of the Reserve in the corner. The unnamed reserve is also maintained to a different standard to that of the Memorial Garden.

I suspect that the reference to the tennis courts relates to the agenda item on the Urban Master Plan, which is a plan developed around 2010 and is a long term vision, which does not automatically mean that everything in it will eventuate. It is interesting to note that the reserve in question was originally tennis courts. I can assure the community that Council has no plans to add tennis courts to this reserve.

## 9. QUESTIONS WITHOUT NOTICE

### 9.1 Question Without Notice - Cr James Williams

***Does Council currently have any plans for the dead tree in the Walkerville Oval playground and/or new plantings to create shade within the playground?***

Administration Response

Administration is currently exploring shade options for the site. Staff met with a shade sail manufacturer and installer on Tuesday 14 January 2020 to investigate suitable options. Three zones have been identified; the swing set, the small slide on the mound and the main playground area with the assortment of play equipment.

We are currently waiting to receive indicative designs and costs for these options.

We hope to be able to retain the large dead Ash tree as a feature and we are examining how best to achieve this.

We currently have 3 “new” ash trees that are approximately 10-15 years old within the playground. They will take another 20 or so years to mature to the point where they can replace the shade of the dead Ash. They are well established and essentially provide the succession planting we require. As such, we have no immediate plans to plant any addition trees at this time.

## 10. QUESTIONS ON NOTICE

### 10.1 Question With Notice - Cr James Williams

***What can, or is, Walkerville Council doing to assist communities and Councils affected by the recent bushfires?***

#### Administration Response

We have offered the secondment of staff to Kangaroo Island (KI), as well as actively promoting:

- the KI Mayoral Bushfire Fund (BankSA BSB: 105 094; Account No: 035 680 540),
- the State Emergency Bushfire Fund (Commonwealth Bank of Australia BSB: 065 266; Account No: 100 201 60),
- volunteering by registering at [volunteeringsa-net.org.au](http://volunteeringsa-net.org.au) or via WeDo app,
- support for the wildlife rescue at [savem.org.au/about-savem/donate/](http://savem.org.au/about-savem/donate/);  
*and*
- encouraging the purchase of KI produce to help the KI economy.

All of these activities have been and will continue to be promoted in the weekly roundup, posted on Council's website every Friday afternoon.

## 11. PETITIONS

Nil.

## 12. MOTIONS WITHOUT NOTICE

### 12.1 Motion – Cr Williams – Urban Forest Strategy

**Moved: Cr Williams**

**Seconded: Cr Bishop**

**CNC235/19-20**

That Council consider the budget ramifications of meeting its targets for the Urban Forest Strategy in our 2020-2021 Annual Business Plan deliberations.

**CARRIED**

## 12.2 Community Satisfaction Survey – Cr Nenke

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

### **CNC234/19-20**

That Council

1. Request Administration to engage a market research company to continue with the annual community satisfaction survey that is targeted at the statistically relevant number of Council population and to further add additional questions relating to:
  - The importance of the services provided at the site currently occupied by the YMCA and the level of satisfaction with the services.
  - What type of future use the community would support with options provided that are approved under the current zoning of the land.
2. Fund the community survey by finding savings in the approved 2019/ 2020 budget or by deferring the Public Art Strategy from the 2019/ 2020 budget to the 2020/ 20121 budget.

**LOST**

## 13. MOTIONS WITH NOTICE

Nil.

## 14. REPORTS REQUIRING DECISION OF COUNCIL

### 14.1 Strategy

#### 14.1.1 Community Land Register

**Moved:** Cr Wilkins  
**Seconded:** Cr Nenke

### **CNC236/19-20**

That Council endorses the proposed part a. Community Land Register recommendation as deferred from the ordinary meeting of Council held on 18 November 2019, being the revocation of 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).

**CARRIED**

**Moved:** Cr Wilkins  
**Seconded:** Cr Coleman

### **CNC237/19-20**

That Council directs Administration to prepare a list of potential prominent Town of Walkerville residents (past and present), including those residents with military service, for consideration in naming the portion of Certificate of Title 5821/229 as outlined in Management Plan 1 (Cnr Church Terrace and Warwick Street).

**CARRIED**

14.1.2 DRAFT 2020 - 2024 *Living in the Town of Walkerville – strategic community plan*

**Moved:** Cr Wilkins

**Seconded:** Cr Furlan

**CNC238/19-20**

1. That Council resolves to release the DRAFT 2020 – 2024 *Living in the Town of Walkerville - strategic community plan*, appearing as Attachment A to this report for public consultation, subject to the following amendments:
  - That the word mobility be changed to 'movement'.
  - That the document have a stronger focus on environment which could possibly be incorporated into 'Open Space' key pillar or the 'Assets' key pillar.
  - That the vision statement relating to ecological sustainability become a desired outcome.
  - Reduce land fill waste to be included as a strategy in Economy key pillar.
2. That a further report be presented to Council, following the conclusion of the public consultation process outlining community feedback

**CARRIED**

*The time being 8.15 pm Cr Wilkins left the meeting.*

14.2 Policy

14.2.1 Revised Internal Review of Council Decisions Policy

**Moved:** Cr Furlan

**Seconded:** Cr Bishop

**CNC239/19-20**

1. That Council adopt the revised Internal Review of Council Decisions Policy appearing as Attachment B to this report.
2. That Council authorise Administration to make amendments of a formatting and or minor technical nature to the Internal Review of Council Decisions Policy.

**CARRIED**

## 14.2.2 Review of the Community Engagement and Consultation Policy

*The time being 8.18 pm Cr Wilkins returned to the meeting.*

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

**CNC240/19-20**

That Council resolve that the revised Public Engagement and Consultation Policy, appearing as Attachment B to this report, be released for public consultation for a period of 30 days in accordance with s50(6)(d) of the *Local Government Act 1999*.

**CARRIED**14.3 Operational

## 14.3.1 Vale House Capital Expenditure Carry Over

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

**CNC241/19-20**

1. That Council resolve to carry forward \$309,000 earmarked for Vale House capital restoration from the 2019/20 financial year to the 2020/21 Annual Business Plan & Budget.
2. That Council advises the current Park Manager to cease taking accommodation bookings for Vale House between the period of November 2020 and May 2021 (inclusive) in order for the necessary restorative capital works to be carried out during this time.

**CARRIED**

## 14.3.2 Community Fund Applications

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

**CNC242/19-20**

1. That Council allocates the following funds to the Community Fund applicant from the 2019/20 Community Fund budget:
  - a. Carys Jones – \$150
2. That Administration write to the applicant for the Community Fund grant and advises them of the Council resolution.



3. That the successful applicant is invited to attend the Ordinary Meeting of Council to be held on 17 February 2020, to formally receive the funds from Her Worship Mayor Fricker prior to the Council Meeting.

**CARRIED**

- 14.3.3 Call for Nominations Greater Adelaide Regional Organisation of Councils (GAROC) – casual vacancy

**Moved:** Cr Ashby

**Seconded:** Cr Furlan

**CNC243/19-20**

That Council, having considered the LGA's call for nominations to fill one casual vacancy to GAROC, hereby nominates Mayor Elizabeth Fricker and instructs the Chief Executive Officer to complete the Nomination form accordingly.

**CARRIED**

- 14.4 Subsidiaries

Nil.

## 15 IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION

**Moved:** Cr Bishop

**Seconded:** Cr Joshi

**CNC244/19-20**

That items 16.3.3, 16.4.1, 16.4.2 and 16.5.1 be moved as per their recommendations.

**CARRIED**

## 16 REPORTS PRESENTED FOR INFORMATION

- 16.1 Strategy

- 16.1.1 Urban Master Plan – 10 years on

**Moved:** Cr Williams

**Seconded:** Cr Ashby

**CNC245/19-20**

1. That Council receives and notes the report providing an update on progress made on the Urban Master Plan since 2010, when it was endorsed as the primary visionary and strategic plan for influencing future planning initiatives appropriate for the Town of Walkerville.
2. That the Urban Master Plan be presented to council at an informal gathering in order for the UMP to be reviewed and updated.

**CARRIED**16.2 Policy

Nil.

16.3 Operational

## 16.3.1 Quarterly Financial Report, incorporating capex / opex

**Moved:** Cr Wilkins  
**Seconded:** Cr Furlan

**CNC246/19-20**

That Council receives and notes the Quarterly Financial Report, incorporating capex / opex as at 31 December 2019

**CARRIED**

## 16.3.2 Customer Experience Quarterly Service Report

**Moved:** Cr Wilkins  
**Seconded:** Cr Williams

## CNC247/19-20

That Council receive and note the Customer Experience Quarterly Report for the period October to December 2019.

**CARRIED**

## 16.3.3 Works Report for December 2019

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

**CNC248/19-20**

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

**CARRIED**16.4 Subsidiaries

## 16.4.1 ERA Water Board Minutes

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

**CNC249/19-20**

That Council receives and notes the ERA Water Board Minutes for the meeting convened on 13 December 2019.

**CARRIED**

16.4.2 ERA Water Operations Report

**Moved:** Cr Bishop

**Seconded:** Cr Joshi

**CNC250/19-20**

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

**CARRIED**

16.5 Outstanding Council resolutions

**Moved:** Cr Bishop

**Seconded:** Cr Joshi

**CNC251/19-20**

That Council receive and note the list of Council resolutions currently being processed as at 16 January 2020.

**CARRIED**

**17 CORRESPONDENCE**

**Moved:** Cr Williams

**Seconded:** Cr Joshi

**CNC252/19-20**

That the correspondence as listed below be received and noted:

17.1 Correspondence to Mayor Fricker from the Hon Stephan Knoll MP.

17.2 Correspondence to Mayor Fricker from David Speirs MP

17.3 Correspondence to Mayor Fricker from Margaret Howard, Manager Living Neighbourhoods and Travel Behaviour

17.4 Correspondence to Mayor Fricker from Peter Malinauskas MP

17.5 Correspondence to Mayor Fricker from Mayor David O'Loughlin, Chair LGA Procurement

17.6 Correspondence to Mayor Fricker from Mr Colin Organ CEO INEA YMCA

17.7 Correspondence from Mayor Fricker to Mr Colin Organ CEO INEA YMCA

17.8 Correspondence to Mayor Fricker from Olivia Kelly

**CARRIED**

## **18 URGENT OTHER BUSINESS**

Nil

## **19 CONFIDENTIAL ITEMS**

19.1 Levi Caravan Park – Future Operations

**Moved:** Cr Bishop

**Seconded:** Cr Furlan

**CNC253/19-20**

### **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 Chief Executive Officer Kiki Cristol, 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 Levi Caravan Park – Future Operations.

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 may propose to conduct business and would therefore prejudice the commercial position of the Council.

*The time being 8.53pm the meeting was closed to the public.*

### **Recommendation (Confidential)**

**Moved:** Cr Furlan

**Seconded:** Cr Coleman

**CNC254/19-20**

That Standing Orders be suspended for ten minutes for the purpose of discussing the content of the report with the Administration.

**CARRIED**

**Moved:** Cr Bishop

**Seconded:** Cr Joshi

**CNC255/19-20**

That Standing Orders be suspended for a further ten minutes for the purpose of discussing the content of the report with the Administration.

**CARRIED**

*The time being 9.16 pm Cr Furlan left the meeting*

*The time being 9.18 pm Cr Furlan returned to the meeting*

*The time being 9.18 pm Standing Orders were resumed*

**Moved:** Cr Williams

**Seconded:** Cr Joshi

**CNC256/19-20**

1. That pursuant to the requirements of s 20J (1) (b) of the *Retail and Commercial Leases Act 2002*, Council officially advises the current Park Manager (Ryad Hill Pty Ltd) that at the end of the lease term, Council does not propose to offer a renewal or extension of the lease;
2. That Council engage an Independent Valuation Service to undertake a valuation assessment of all Manager owned assets located within the Park;
3. That in accordance with s 202 of the *Local Government Act 1999*, Council undertakes the necessary statutory consultation process in order to obtain the community's feedback about the proposed alienation of Certificate of Title Volume 5874 Folio 181 (Levi Caravan Park) for a lease term in excess of five (5) years and up to and including 42 years;
4. That following the successful conclusion of Recommendation 3, Administration undertakes an open Expressions of Interest Tender process seeking out relevant industry bodies whom may have an interest in entering into a long-term lease over Certificate of Title Volume 5874 Folio 181 (Levi Caravan Park) for the purposes of investing in, redeveloping and / or managing the Park;
5. That in accordance with s 70A of the *Residential Parks Act 2007* Council simultaneously:
  - a. serves a preliminary 'Notice of Intention to Redevelop' on all long-term guests currently residing in the Levi Caravan Park;
  - b. serves an advanced 'Notice of Termination' on all long-term guests that have resided in the Park for less than five (5) years, advising them that they are required to vacate the Park no later than 30 November 2020;
6. That following the completion of Recommendation 1 to 5 a subsequent report be returned to Council for consideration and determination.

**CARRIED**

**Recommendation (Public)****Moved:** Cr Williams**Seconded:** Cr Bishop**CNC257/19-20**Pursuant to s.91(7)

That having considered Agenda Item 19.1 Levi Caravan Park – Future Operations 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 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* and re-admit the public.

**CARRIED**

*The time being 9.19 pm the meeting was reopened to the public.*

19.2 Walkerville Developments Pty Ltd (Watson Car Parks) Discretionary Rebate Request

**Moved:** Cr Bishop**Seconded:** Cr Williams**CNC258/19-20****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 Cristol, 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 'Walkerville Developments Pty Ltd (Watson Car Park) Discretionary Rebate Request'.

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 would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

**CARRIED**

*The time being 9.19 pm the meeting was closed to the public.*

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

**CNC259/19-20**

**Recommendation (Confidential)**

That the Council accepts Walkerville Developments Pty Ltd request for a discretionary rebate for the financial year ending 30 June 2020 for an amount of \$11,930.00 over 11 car parks.

**CARRIED**

**Recommendation (Public)**

**Moved:** Cr Bishop  
**Seconded:** Cr Furlan

**CNC260/19-20**

That having considered Agenda Item 'Walkerville Developments Pty Ltd (Watson Car Parks) Discretionary Rebate Request' 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 until the matter is resolved, excepting that the Council authorises the release of the Council resolution to those parties identified in the substantive resolution relating to this Agenda Item 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* and re-admit the public.

**CARRIED**

*The time being 9.20 pm the meeting was reopened to the public.*

**20. CLOSURE**

*The meeting was declared closed at 9.20 pm.*