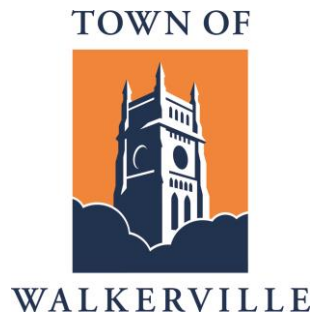




MINUTES

of

COUNCIL MEETING

pursuant to the provisions of Section 91 of the
Local Government Act 1999

held at

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

on

MONDAY 17 JUNE 2024 AT 7.00PM

MINUTES
17 June 2024

The Presiding Member declared the meeting open at 7.01pm.

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 John Zeppel
Cr James Nenke
Cr Steven Rypp
Cr Aman Kaur
Cr James Williams
Cr Liz Trotter

Staff in Attendance

Chief Executive Officer, Andrew MacDonald
Group Manager Finance, Muhammad Jawad
Group Manager Public Relations, Sarah Spencer
Group Manager Assets & Infrastructure, James Kelly
Manager Planning & Community Safety, Michael Walmesley
Strategic Projects Coordinator, Ross Oates
Team Leader People Governance & Risk, Jim Dickens
Governance Officer, Samantha Ioannidis
Governance Officer, Yazmin King

1.2 Apologies

Nil.

1.3 Not Present / Leave of Absence

Cr Vanstone is on a leave of absence from 2 June 2024 to 25 June 2024, inclusive, **(CNC060/04/24)**

Cr Allanson is on a leave of absence from 22 January 2024 to 30 July 2024, inclusive, **(CNC140/23-24)**

2. CONFIRMATION OF MINUTES

2.1 Ordinary Council meeting held on 20 May 2024

CNC111/06/24

Moved: Cr Trotter

Seconded: Cr Kaur

That the minutes of the **Ordinary Council** meeting held on 20 May 2024 be confirmed as a true and accurate record of the proceedings.

CARRIED

2.2 Special Council meeting held on 27 May 2024

CNC112/06/24

Moved: Cr Kaur

Seconded: Deputy Mayor Zeppel

That the minutes of the **Special Council** meeting held on 27 May 2024 be confirmed as a true and accurate record of the proceedings.

CARRIED

2.3 ERA Water Board meeting held on 28 March 2024

CNC113/06/24

Moved: Cr Rypp

Seconded: Cr Trotter

That the minutes of the **ERA Water Board** meeting held on 28 March 2024 be received and noted.

CARRIED

2.4 Eastern Health Authority meeting held on 1 May 2024

CNC114/06/24

Moved: Cr Rypp

Seconded: Cr Nenke

That the minutes of the **Eastern Health Authority** meeting held on 1 May 2024 be received and noted.

CARRIED

2.5 East Waste Board meeting held on 2 May 2024

CNC115/06/24

Moved: Cr Williams

Seconded: Cr Kaur

That the minutes of the **East Waste Board** meeting held on 2 May 2024 be received and noted.

CARRIED

2.6 ERA Water Board meeting held on 23 May 2024

CNC116/06/24

Moved: Cr Trotter

Seconded: Cr Williams

That the minutes of the **ERA Water Board** meeting held on 23 May 2024 be received and noted.

CARRIED

3. DECLARATIONS OF INTEREST

Cr Trotter declared a general conflict of interest in agenda item 18.1 Walkerville Bowling & Community Club – Contract Sign & Seal, due to her Husband being on the Walkerville Bowling Club Committee. Cr Trotter advised that she will remain in the chambers, participate in the discussion and will vote in the decision.

4. DEPUTATIONS

Nil.

5. PETITIONS

Nil.

6. MAYORS DIARY

6.1 Mayors Diary

CNC117/06/24

Moved: Cr Trotter

Seconded: Cr Kaur

That Council receives and notes the Mayoral Diary from 14 May 2024 to 10 June 2024.

CARRIED

7. COUNCIL MEMBER'S REPORTS

Nil.

8. COUNCIL MEMBER'S SUBSIDIARY REPORTS

Nil.

9. QUESTIONS FROM THE GALLERY

Nil.

10. QUESTIONS WITHOUT NOTICE

Nil.

11. QUESTIONS ON NOTICE

Nil.

12. MOTIONS WITHOUT NOTICE

Nil.

13. MOTIONS ON NOTICE

Nil.

14. DECISION REPORTS

14.1 Council Resolution Register

CNC118/06/24

Moved: Cr Rypp

Seconded: Cr Kaur

That Council receives and notes the Council Resolution Register dated 10 June 2024, as a true and correct record, and confirms that it is satisfied that decisions marked as 'complete' have been fully enacted to the satisfaction of Council.

CARRIED

14.2 Community Fund Application - Evelyn

CNC119/06/24

Moved: Cr Rypp

Seconded: Cr Kaur

1. That Council allocates \$500 to the respective Community Fund applicant, Evelyn, from the 2023/24 Community Fund budget.

CARRIED

14.3 Community Fund Application - Sophie

CNC120/06/24

Moved: Cr Kaur

Seconded: Deputy Mayor Zeppel

1. That Council allocates \$500 to the respective Community Fund applicant, Sophie, from the 2023/24 Community Fund budget.

CARRIED

14.4 Community Fund Application – OSHC

CNC121/06/24

Moved: Cr Williams

Seconded: Cr Kaur

That Council allocates \$1,000 to the Walkerville OSHC from the 2023/24 Community Fund budget.

CARRIED

14.5 Councillor Liz Trotter Leave of Absence Request

CNC122/06/24

Moved: Cr Kaur

Seconded: Deputy Mayor Zeppel

That Council approves Cr Trotter's request for leave of absence from 2 September 2024 to 4 October 2024, inclusive.

CARRIED

14.6 ERA Water Budget Review 3 - 2023/24

CNC123/06/24

Moved: Cr Rypp

Seconded: Cr Trotter

That Council approves the ERA Water Budget Review 3 report, as provided at Attachment B with this report.

CARRIED

14.7 Mayor Melissa Jones Leave of Absence Request

CNC124/06/24

Moved: Deputy Mayor Zeppel

Seconded: Cr Kaur

That Council approves Mayor Jones' request for leave of absence from 1 July 2024 to 8 July 2024, inclusive.

CARRIED

14.8 Audit and Risk Committee Activities Report – 20 May 2024

CNC125/06/24

Moved: Cr Trotter

Seconded: Deputy Mayor Zeppel

1. That Council receive and note the Audit and Risk Committee Terms of Reference Tracker as at 20 May 2024, and as provided at Attachment A to this report.
2. That Council receives and notes the minutes of the Audit and Risk Committee meeting held on 20 May 2024, and as provided as Attachment B to this report.

CARRIED

14.9 Town of Walkerville Council Assessment Panel Terms of Reference

CNC126/06/24

Moved: Cr Rypp

Seconded: Cr Kaur

That Council –

1. Adopt the revised Council Assessment Panel's Terms of Reference as found in Attachment D.
2. Authorise Administration to make changes to Attachment D, of a minor formatting or technical nature.

CARRIED

14.10 Policy Review – Order Making Policy and Lease and Licence for Community Land and Buildings Policy

CNC127/06/24

Moved: Cr Trotter

Seconded: Cr Kaur

That Council –

1. Endorse the revised Order Making Policy, as provided at Attachment B to this report, for community consultation in accordance with section 259(2) of the Local Government Act 1999.
2. Adopt the revised Lease and Licence for Community Land and Buildings Policy, as provided at Attachment D to this report.
3. Authorise Administration to make changes to the draft Order Making Policy and the Lease and Licence for Community Land and Buildings Policy of a minor technical or formatting nature.

CARRIED

14.11 Policy Review – Budget Management Policy and Elected Members Allowances and Benefits Policy

CNC128/06/24

Moved: Cr Williams

Seconded: Cr Kaur

That Council –

1. Adopt the revised Budget Management Policy, as provided at Attachment B to this report.

2. Adopt the revised Elected Members Allowances and Benefits Policy, as provided at Attachment C to this report.
3. Authorise Administration to make changes to the Budget Management Policy and Elected Members Allowances and Benefits Policy of a minor technical or formatting nature.

CARRIED

15. INFORMATION REPORTS

15.1 Monthly Financial Report May 2024

CNC129/06/24

Moved: Cr Trotter

Seconded: Cr Rypp

That Council receives and notes the Monthly Financial Report as of 31 May 2024.

CARRIED

15.2 Monthly Works Report – May 2024

CNC130/06/24

Moved: Cr Kaur

Seconded: Cr Williams

That Council note and receive the Monthly Works Report for May 2024.

CARRIED

15.3 Community Services Quarterly Snapshot Report

CNC131/06/24

Moved: Cr Rypp

Seconded: Cr Trotter

That Council receives and notes the Community Services Quarterly Snapshot Report for the quarter of March 2024 to May 2024.

CARRIED

16. CORRESPONDENCE

Nil.

17. URGENT OTHER BUSINESS

Nil

18. CONFIDENTIAL ITEMS

18.1 Walkerville Bowling & Community Club – Contract Sign & Seal

CNC132/06/24

Moved: Cr Rypp

Seconded: Cr Kaur

Confidentiality Recommendation (Public)

Pursuant to section 90(2) and 90(3)(k)

Pursuant to section 90(2) of the Local Government Act 1999 (the Act), the Council orders that all members of the public, except the Chief Executive Officer, Andrew MacDonald; Group Manager Assets & Infrastructure, James Kelly; Group Manager Finance, Muhammad Jawad; Group Manager Public Relations, Sarah Spencer; Strategic Projects Coordinator, Ross Oates; Manager Planning & Community Safety, Michael Walmesley; Team Leader, People, Governance & Risk, Jim Dickens; Governance Officer, Samantha Ioannidis; and Governance Officer, Yazmin King, be excluded from attendance at the meeting for Agenda Item 18.1 Walkerville Oval Bowling & Community Club – Contract Sign & Seal.

The Council is satisfied that pursuant to section 90(3)(k) of the Act, the information be received, discussed and considered in confidence as the information in relation to this agenda item contains tender details for the Walkerville Bowling & Community Club, being tenders for the provision of services and the carrying out of works.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.

CARRIED

The time being 7.17pm the meeting moved into confidence.

CNC133/06/24

Moved: Cr Williams

Seconded: Cr Trotter

Confidentiality Recommendation (Confidential)

1. That Council supports the continued development of the alternative concept design as provided as Attachment A, acknowledging the draft design will be progressed to a formalised concept design and subsequently put to Council for release for community consultation.
2. That Council authorises the Mayor and CEO to sign and seal the Walkerville Bowling & Community Club works agreement once finalised.

CARRIED

CNC134/06/24

Moved: Cr Rypp

Seconded: Cr Kaur

Confidentiality Recommendation (Public)

Pursuant to section 91(7)

That having considered Agenda Item 18.1 Walkerville Bowling & Community Club – Contract Sign & Seal in confidence under section 90(2) & 90(3)(k) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the report and all attachments to this Agenda Item be retained in confidence for a period of five years and the minutes for this Agenda Item be retained in confidence until execution of a contract, 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.

CARRIED

The time being 7.18pm the meeting moved out of confidence.

18.2 Buckingham Arms Development Appeal

CNC135/06/24

Moved: Cr Rypp

Seconded: Cr Williams

Confidentiality Recommendation (Public)

Pursuant to section 90(2) and 90(3)(h)

Pursuant to section 90(2) of the *Local Government Act 1999* (the **Act**), the Council orders that all members of the public, except the Chief Executive Officer, Andrew MacDonald; Group Manager Assets & Infrastructure, James Kelly; Group Manager Finance, Muhammad Jawad; Group Manager Public Relations, Sarah Spencer; Strategic Projects Coordinator, Ross Oates; Manager Planning & Community Safety, Michael Walmesley; Team Leader, People, Governance & Risk, Jim Dickens; Governance Officer, Samantha Ioannidis; and Governance Officer, Yazmin King, be excluded from attendance at the meeting for Agenda Item 18.2 Buckingham Arms Development Appeal.

The Council is satisfied that pursuant to section 90(3)(h) of the Act, the information be received, discussed and considered in confidence as the following information is related to legal advice, being advice from Councils Solicitors.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.

CARRIED

The time being 7.19pm the meeting moved into confidence.

The presiding member, with consent of two-thirds of members present suspended the meeting procedures pursuant to Regulation 20(1) of the Local Government (Procedures at Meetings) Regulations 2013 to allow informal discussion on Item 18.2 Buckingham Arms Development Appeal.

Formal meeting procedures were suspended at 7.19pm

Formal meeting procedures resumed at 7.25pm

CNC136/06/24

Moved: Cr Rypp

Seconded: Cr Zeppel

Confidentiality Recommendation (Confidential)

1. That Council resolve to make application to the ERD Court to be joined as a party to Citify's Pty Ltd.'s appeal against the decision of SCAP dated 7 March 2024 (ERD-24-000031).
2. That Council engage Norman Waterhouse Lawyers to prepare an application on Council's behalf to the ERD Court to be joined as a party to Citify Pty Ltd.'s appeal.

3. That the Chief Executive Officer be authorised to make an affidavit in support of Council's application, to execute all documentation relating to Council's application, and to provide instructions to Norman Waterhouse Lawyers on Council's behalf.
4. Should Citify Pty Ltd.'s appeal proceed to trial, a report will be presented back to Council for further consideration in their involvement.

CARRIED

CNC137/06/24

Moved: Cr Rypp

Seconded: Cr Zeppel

Confidentiality Recommendation (Public)

Pursuant to section 91(7)

That having considered Agenda Item 18.2 Buckingham Arms Development Appeal in confidence under section 90(2) & 90(3)(h) of the Local Government Act 1999 (the Act), the Council, pursuant to section 91(7) of the Act, orders that the report and attachments to this Agenda Item be retained in confidence for a period of five years, and that the minutes be retained in confidence until Council's application has been lodged with the ERD court, and that pursuant to section 91(9)(c) of the Act the Council delegate to the Chief Executive Officer the review and power to revoke this order.

CARRIED

The time being 7.25pm the meeting moved out of confidence.

19. CLOSURE

The Presiding Member declared the meeting closed at 7.26pm.