



MINUTES

of

COUNCIL MEETING

held in the

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

on

MONDAY 19 AUGUST AT 7:00PM

MINUTES
19 August 2019

The Meeting was declared open at 7.00 pm.

1. ATTENDANCE RECORD

1.1 Present

Mayor Elizabeth Fricker
Cr Rob Ashby AM
Cr N Coleman OAM
Cr J Joshi
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
Council Secretariat, V Davidson

1.2 Apologies
Cr J Nenke
Cr S Furlan

1.3 Not Present / Leave of Absence

2. CONFIRMATION OF MINUTES

Moved: Cr Ashby
Seconded: wil

CNC31/19-20

That the minutes of the Council meeting held on the 15 July 2019 be confirmed as a true and accurate record of the proceedings

CARRIED

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

CEO, Kiki Magro declared an interest under s120 of the *Local Government Act 1999* in Item 19.3 as the Item relates to her 2018/2019 Performance Review and advised that she will leave the room while the item is being considered.

4. MAYORS DIARY

4.1 Mayors Diary

Moved: Cr Wilkins

Seconded:Cr Coleman

CNC32/19-20

That Council receives and notes the Mayoral Diary from 12 July 2019 to 14 August 2019.

CARRIED

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

Nil.

6. REPORTS FROM ELECTED MEMBERS HAVING ATTENDED SUBSIDIARY BOARD MEETINGS

Cr Bishop attended AAL Consultative Committee Meeting on Friday 16 August 2019 and provided a verbal report.

7. QUESTIONS FROM THE GALLERY

Nil

8. QUESTIONS WITHOUT NOTICE

Nil.

9. QUESTIONS ON NOTICE

Nil.

10. PETITIONS

Nil.

11. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

Nil.

12. MOTIONS WITHOUT NOTICE

Nil.

13. MOTIONS WITH NOTICE

Nil.

14. REPORTS REQUIRING DECISION OF COUNCIL

14.1 Strategy

14.1.1 Walkerville Oval Precinct Masterplan

Moved: Cr Bishop
Seconded: Cr Joshi

CNC33/19-20

That Council adopts:

1. The guiding principles (appearing as Attachment B to this report), with the following inclusions
 - Environmental Sustainability
 - Facilities and recreation areas will be developed in a socially just and ecologically sustained manner.
 - Facilitate sustainable development to ensure a proper balance between economic, social, environmental and cultural considerations.
 - Design and construction of facilities and recreation areas will include smart energy and sustainability-based environmental assessment decisions that will protect the environment, foster social well-being and deliver effective ecological choices.

And

- Remove the last line of the section titled Open Space, which reads: *'there will be no development on the Memorial Gardens site.'*
2. The communications process and proposed timeline appearing as Attachments C and D to this report, for the Walkerville Oval Precinct Masterplan.

CARRIED

14.1.2 Medindie Traffic & Parking Plan Recommendations Report

Moved: Cr Bishop**Seconded:**Cr Joshi**CNC34/19-20**

That Council:

1. Reviews the draft *Medindie Transport and Parking Plan (MTPP) Issue#: A-Dr 26/08/2019* appearing as Attachment A to this report.
2. Endorses the amendments and initiatives put forward by the Strategic Planning & Development Policy Committee in response to the draft *Medindie Transport and Parking Plan (MTPP) Issue#: A-Dr 26/08/2019*, as follows:

Prioritise costing on the following treatments as depicted in Item 5.2 – Attachment B – Table 7.1: High priority initiatives to address issues with transport and parking in Medindie.

- SW3
- NW6
- AG3
- RT4
- WS3
- WS4
- SW1
- DT5
- DT3
- RT3 as well as:
 - Robe Terrace / Park Terrace, Medindie
 - Victoria Avenue / Nottage Terrace, Medindie
 - Dutton Terrace / Northcote Terrace, Medindie
 - Eastern end of Briar Avenue, Medindie parking to be reviewed
- Seeking costings for the inclusion of a park located at the northern end of Willyama, Medindie.

3. Instructs Administration to review and report on the success of the recommendations 12 months post implementation.

CARRIED

Motion – Parking Controls (general)

Moved: Cr Ashby

Seconded: Cr Joshi

CNC35/19-20

That Administration investigate the cost of undertaking a town wide review of parking controls and report back to Council at a future meeting.

CARRIED

14.2 Policy

14.2.1 Draft Public Interest Disclosure Policy

Moved: Cr Williams

Seconded: Cr Wilkins

CNC36/19-20

That Council:

1. adopt the draft Public Interest Disclosure Policy appearing at Attachment A to the report.
2. authorise Administration to make minor amendments of a formatting or technical nature to the Public Interest Disclosure Policy.

CARRIED

14.2.2 Draft Cemetery and Memorials Policy

Moved: Cr Williams

Seconded: Cr Bishop

CNC37/19-20

That Council having reviewed the final draft Cemetery and Memorials Policy appearing as Attachment D to this report, authorises Administration to release said Policy for public consultation once the following amendments have been made:

- The term 'human remains' be replaced with the term 'cremated remains'.
- The heading of clause 10 be amended to read 'Community Memorial Sites in Public Open Space'.

CARRIED

14.2.3 Draft Heritage Plaques Fund Policy

Moved: Cr Bishop

Seconded: wilki

CNC38/19-20

1. That Council receive and note the draft Heritage Plaques Fund Policy appearing as Attachment A to this report.
2. That Council releases the draft Heritage Plaques Fund Policy appearing as Attachment A to this report, for public consultation once the following amendments have been made:
 - The word 'donor' be replaced with the phrase 'building owner and/or custodian of the building'.
3. That Council receive and consider a further report from Administration outlining responses received from the public consultation process.

CARRIED

14.2.4 Draft Interpretative Signage Policy

Moved: Cr Williams

Seconded: Cr Bishop

CNC39/19-20

1. That Council reviews the draft Policy Interpretative Signage appearing as Attachment A to this report.
2. That Council release the (Draft) Interpretative Signage Policy for public consultation with a final report to be presented to Council (through SPDPC) for its consideration.

CARRIED

14.3 Operational

14.3.1 Proposed Additional Fees and Charges

Moved: Cr Bishop
Seconded: Cr Joshi

CNC40/19-20

1. That Council adopt the updated fees and charges appearing as Attachment A to this report for:
 - Wesleyan Cemetery
 - Heritage Plaques
 - Advertising front page of About Town.
2. That the adopted fees and charges be included in Council's Schedule of Fees and Charges.
3. That Council requests the Wesleyan Cemetery Advisory Committee to develop prototypes for types of appropriate plaques to be placed in the Wesleyan Cemetery and that a report be presented to Council for consideration.

CARRIED

14.3.2 Waste Advisory Group – Community Nominations

Moved: Cr Wilkins
Seconded: Cr Coleman

1. That Council appoints Ms Helena Stone and Ms Karen Murphy to the Waste Advisory Group as community representatives; and
2. That Council adopts the revised Terms of Reference, appearing as Attachment B to this report to reflect that the membership of the Group has been reduced from three members to two members of the community.

Amendment

Moved: Cr Williams
Seconded: Cr Bishop

CNC41/19-20

- 1 That Council appoints Ms Helena Stone and Ms Karen Murphy to the Waste Advisory Group as community representatives;
2. That Council having only received two nominations from the community seek one additional member to participate on the Waste Advisory Committee and agrees to extend the call for expressions of interest to 5pm on Friday 6 September 2019; and

3. That Council proceeds with establishing the Waste Advisory Group, to come into effect from 1 September 2019 and continue until 1 November 2022, noting that in the interim, it will have a community representative casual vacancy.

The Amendment on being put was **CARRIED** and became the **MOTION** which on being put was **CARRIED**

14.3.3 Third Party Community Groups

Moved: Cr Ashby

Seconded: Cr Bishop

CNC42/19-20

1. That Council approves the waiving of user fees and / or charges for venue hire for the Walkerville Rotary Club to hold Pleasant Sunday Afternoon concerts.
2. That Council authorises Administration to enter into a Memorandum of Understanding's (MOU) with the Walkerville Rotary Club that exercises the right to take up the waiver for a period up to but not exceeding 30 June 2020.

CARRIED

14.3.4 Community Fund Application

Moved: Cr Williams

Seconded: Cr Wilkins

CNC43/19-20

1. That Council allocates the following funds to the Community Fund applicants from the 2019/20 Community Fund budget:
 - a. Walkerville Rotary Club – \$1,200
 - b. Edie Benger – \$150
2. That Council agree to waive the hire fees of \$208 for use of the Town Hall and after hours security for the Adelaide Male Voice Choir in order for them to perform a Gilbert & Sullivan event on Friday 28 February 2020.
3. That Administration writes to the applicants for the Community Fund grant and advises them of the Council resolution.
4. That the successful applicants are invited to attend the Ordinary Meeting of Council to be held on 16 September 2019 to formally receive the funds from Her Worship Mayor Fricker at the beginning of the Council Meeting

CARRIED

14.3.5 LGRS Cyber Risk Assessment

Moved: Cr Joshi
Seconded: Cr Bishop

CNC44/19-20

That Council receives and notes the LGRS Cyber Risk Assessment as detailed in Attachment A along with the recommendations and actions undertaken to date as detailed in Attachment B

CARRIED

14.4.1 Eastern Health Authority Response Report

Moved: Cr Williams
Seconded: Cr Joshi

CNC45/19-20

That Council

1. receives and notes the response to Council's correspondence of 24 May 2019 provided by the Eastern Health Authority (appearing as Attachment B to this report).
2. requests the following additional information from the Eastern Health Authority:
 - an explanation as to why the figures in the Long Term Financial Plan do not appear to have been updated; some refer to 13/14 and some to 2017.
 - an undertaking to examine the treatments in the risk register as a number of residual risk are unchanged post treatments.
3. provides the following feedback on the draft Request for Quote (RFQ) for the Eastern Health Authority service review (appearing as Attachment D):

That the Eastern Health Authority ensure that:

- *the review of the governance arrangements for the subsidiary take account of the Local Government Act 1999.*
- *the tender review panel include independent members who have a relevant skill set for assessment*

And

That Administration write to the Eastern Health Authority advising of Council's decision.

CARRIED

15 IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION

Moved: Cr Wilkins
Seconded: Cr Joshi

CNC46/19-20

That items 16.3.1, 16.3.2, 16.3.4, 16.3.5, 16.3.6, 16.3.7, 16.3.8, 16.3.9, and 16.4.1 be moved as per their recommendations.

CARRIED

16 REPORTS PRESENTED FOR INFORMATION

16.1 Strategy

Nil.

16.2 Policy

Nil.

16.3 Operational

16.3.1 Monthly Financial Report

Moved: Cr Wilkins
Seconded: Cr Joshi

CNC47/19-20

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

CARRIED

16.3.2 Works Report for July 2019

Moved: Cr Wilkins
Seconded: Cr Joshi

CNC48/19-20

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

CARRIED

16.3.3 2019/2020 CAPEX Projects Status Report as at 31 July 2019

Moved: Cr Joshi
Seconded: Cr Bishop

CNC49/19-20

That Council receive and note the 2019/20 CAPEX Projects Status Report as at 31 July 2019 and further note that Administration will replace the monthly CAPEX Projects Status Report with a more detailed capital expenditure report on a quarterly basis for the 2019/2020 Financial Year, until the third quarter at which time the reports will be presented monthly.

CARRIED

16.3.4 Women of Walkerville Committee Minutes

Moved: Cr Wilkins
Seconded: Cr Joshi

CNC50/19-20

That Council receives and notes the minutes of the Women of Walkerville Committee meeting held on 30 July 2019.

CARRIED

16.3.5 Strategic Planning and Development Policy Committee Minutes

Moved: Cr Wilkins
Seconded: Cr Joshi

CNC51/19-20

That Council receives and notes the Strategic Planning and Development Policy Committee minutes for the meeting convened on 8 August 2019.

CARRIED

16.3.6 Audit Committee Meeting Minutes

Moved: Cr Wilkins
Seconded: Cr Joshi

CNC52/19-20

That Council receives and notes the Audit Committee minutes for the meeting convened on 6 August 2019.

CARRIED

16.3.7 CEO Performance Review Committee Minutes

Moved: Cr Wilkins
Seconded: Cr Joshi

CNC53/19-20

That Council receives and notes the CEO Performance Review Committee minutes for the meeting convened on 29 July 2019.

CARRIED

16.3.8 Audit Committee Annual Report

Moved: Cr Wilkins
Seconded: Cr Joshi

CNC54/19-20

That Council receives and notes the Audit Committee's Annual Report and acknowledges that this will appear in the 2018/19 Annual Report.

CARRIED

16.3.9 Wesleyan Cemetery Advisory Committee - 2018/19 Annual Report

Moved: Cr Wilkins
Seconded: Cr Joshi

CNC55/19-20

That Council receives and notes the Wesleyan Cemetery Advisory Committee's Annual Report and acknowledges that this will appear in the 2018/19 Annual Report.

CARRIED16.4 Subsidiaries

16.4.1 Eastern Health Authority Board of Management Minutes

Moved: Cr Wilkins
Seconded: Cr Joshi

CNC56/19-20

That Council receive and note the revised minutes of the Eastern Health Authority Board of Management meeting held on 26 June 2019 appearing as Attachment A to this report

CARRIED

16.5 Outstanding Council Resolutions

16.5.1 Outstanding Council Resolutions

Moved: Cr Ashby
Seconded: Cr Joshi

CNC57/19-20

That Council receive and note the list of Council resolutions currently being processed as at 15 August 2019.

CARRIED

17 CORRESPONDENCE

Moved: Cr Joshi
Seconded: Cr Bishop

CNC58/19-20

That the correspondence as listed below be received and noted.

17.1 Correspondence to Mayor Fricker from Ms Mary McCormack

17.2 Correspondence to Mayor Fricker from Mr John Rolls

17.3 Correspondence to Mayor Fricker from Mayor Karen Redman – Chairperson GAROC

17.4 Correspondence to Mayor Fricker from Martin Haese CEO Business SA

17.5 Correspondence to Mayor Fricker from Vickie Chapman MP

17.6 Correspondence to Mayor Fricker from Mayor Robert Bria

17.7 Correspondence to Mayor Fricker from Rodney Harrex CEO SA Tourism Commission

17.8 Correspondence to Mayor Fricker from from the Hon Stephan Knoll MP

CARRIED

18 URGENT OTHER BUSINESS

Nil.

19 CONFIDENTIAL ITEMS

19.1 Walkerville Sports Club Incorporated Loan Repayment Schedule, Lease and Licence Agreement

Recommendation (Public)

CNC59/19-20

Moved: Cr Williams

Seconded: Cr Wilkins

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 Corporate Services Katy Bone, and Council Secretariat Vanessa Davidson, be excluded from attendance at the meeting for Agenda Item Walkerville Sports Club Loan Repayment Schedule, Lease and Licence Agreements.

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.

CARRIED

The time being 8.40pm the meeting moved into confidence.

Recommendation (Confidential)**Moved:** Cr Bishop**Seconded:**Cr Wilkins**CNC60/19-20**

1. That Council grants the Walkerville Sports Club Incorporated with an extension to the existing loan term by five (5) years;
2. That Council endorses the proposed annual mandatory loan repayment schedule of \$11,061.74 (payable in four equal quarterly instalments of \$2,765.43);
3. That Council supports (in Principle) the Walkerville Sports Club's proposal to make additional voluntary loan repayments, thus reducing the principal of the existing loan – the amounts payable being:
 - a) Year 1 - \$2,000 (plus GST);
 - b) Year 2 - \$1,500 (plus GST);
 - c) Year 3 - \$1,000 (plus GST);
 - d) Year 4 - \$500 (plus GST);
 - e) Year 5 - \$0 (plus GST).
4. That Council enters into a new Lease Agreement with Walkerville Sports Club Incorporated over a portion of land contained in Certificate of Title Volume 5785 Folio 445 authorising the Club's use and occupancy of Walkerville Oval Sports Club Building for a term of five (5) years commencing 1 November 2019 and expiring 31 October 2024;
5. That the commencing annual rent be \$2,500 plus GST and subject to annual CPI increases;
6. That the Mayor and Chief Executive Officer be authorised to execute any/all relevant and ancillary documents that pertain to the proposed Lease Agreement between the Walkerville Sports Club Incorporated and Council including affixing of the common seal of Council;
7. That Council enters into a new non-exclusive Licence Agreement with Walkerville Sports Club Incorporated over a portion of land contained in Certificate of Title Volume 5785 Folio 445 authorising the Club's use of Walkerville Oval and Surrounds for a term of five (5) years, commencing 1 November 2019 expiring 31 October 2024;
8. That the applicable annual Licence Fee be as follows:
 - a) Year 1 - \$500 (plus GST);
 - b) Year 2 - \$1,000 (plus GST);
 - c) Year 3 - \$1,500 (plus GST);
 - d) Year 4 - \$2,000 (plus GST);

e) Year 5 - \$2,500 (plus GST);

9. That the Mayor and Chief Executive Officer be authorised to execute any/all relevant and ancillary documents that pertain to the proposed Licence Agreement between the Walkerville Sports Club Incorporated and Council including affixing of the common seal of Council.

CARRIED

Recommendation (Public)

Moved: Cr Wilkins

Seconded: Cr Joshi

CNC61/19-20

Pursuant to s.91(7)

That having considered Agenda Item 'Walkerville Sports Club Loan Repayment Schedule, Lease and Licence Agreements' 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 9.03pm the meeting moved out of confidence.

19.2 Donnelly (Watson Car Park) Discretionary Rebate Request

Recommendation (Public)

Moved: Cr Coleman

Seconded: Cr Joshi

CNC62/19-20

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 Corporate Services Katy Bone and Council Secretariat Vanessa Davidson, be excluded from attendance at the meeting for Agenda Item 'Donnelly (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 9.04pm the meeting moved into confidence.

Recommendation (Confidential)

Moved: Cr Bishop

Seconded: Cr Coleman

CNC63/19-20

That the Council accepts Ms Louise Donnelly's request for a discretionary rebate for the financial year ending 30 June 2020 for the amount of \$1,193.00.

CARRIED

Recommendation (Public)

Moved: Cr Bishop

Seconded: Cr Joshi

CNC64/19-20

Pursuant to s.91(7)

That having considered Agenda Item 'Donnelly (Watson Car Park) 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 9.06pm the meeting moved out of confidence.

19.3 CEO 2018/ 2019 Performance Review Report

Recommendation (Public)

Moved: Cr Bishop
Seconded:Cr Ashby

CNC65/19-20Pursuant 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 Council Secretariat, Vanessa Davidson and Mr Richard Altman (Consultant) be excluded from attendance at the meeting for Agenda Item 19.4 CEO 2018 / 2019 Performance Review Report.

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 is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being Kiki Magro, Chief Executive Officer, Corporation of the Town of Walkerville.

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 the matter relates to details of the Chief Executive Officer's performance and remuneration.

CARRIED

The time being 9.07pm the meeting moved into confidence.

Recommendation (Confidential)

Moved: Cr Ashby
Seconded:Cr Joshi

CNC66/19-20

1. That the CEO 2018 / 2019 Performance Review Report and recommendations contained in the report (Attachment A) be received and noted by the Council.
2. That Council endorse the recommendation from the CEO Performance Review Committee that the remuneration of the CEO be increased by 2.5 %, with the increase to be effective from 1 July 2019.

CARRIED

Recommendation (Public)**Moved:** Cr Joshi**Seconded:**Cr Bishop**CNC67/19-20**Pursuant to s.91(7)

1. That having considered Agenda Item 19.4 CEO 2018 / 2019 Performance Review Report 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, attachment and minutes relevant to this Agenda Item 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.
2. 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

3. 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*The time being 9.35pm the meeting moved out of confidence.***20. CLOSURE***The meeting was declared closed at 9.35pm*