

## **MINUTES**

of

# **COUNCIL MEETING**

held in the

# **COUNCIL CHAMBERS**

and via electronic means through live streaming at https://www.youtube.com/channel/UCZxKI13S3M8n8zxKI5LFT9w

on

**MONDAY 17 APRIL 2023 AT 7PM** 



## **MINUTES**

#### 17 APRIL 2023

The Presiding Member declared the meeting open at 7:00pm.

#### ACKNOWLEDGEMENT OF COUNTRY

Town of Walkerville would like to acknowledge the Kaurna 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 Kaurna 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 – arrived at 7:38pm
Cr James Nenke
Cr Steven Rypp
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 Project Manager, Ross Oates Council Secretariat, Danielle Edwards

## 1.2 Apologies

Nil.

## 1.3 Not Present / Leave of Absence

1.3.1 Cr Kaur is on a leave of absence from from 3 April 2023 to 27 April 2023, inclusive (CNC219/22-23).



#### 2. CONFIRMATION OF MINUTES

2.1 Ordinary Council meeting held on 20 March 2023

#### CNC257/22-23

Moved: Cr Zeppel Seconded: Cr Trotter

That the minutes of the Ordinary Council meeting held on 20 March 2023 be confirmed as a true and accurate record of the proceedings.

**CARRIED** 

2.2 Special Council meeting held on 3 April 2023

#### CNC258/22-23

Moved: Cr Zeppel Seconded: Cr Williams

That the minutes of the Ordinary Council meeting held on 3 April 2023 be confirmed as a true and accurate record of the proceedings.

**CARRIED** 

## 3. DECLARATIONS OF INTEREST

3.1 Cr Williams declared a General conflict of interest in agenda item 14.1.1 as he lives next door to the premesis. Cr Williams advised that he would remain in the chamber and participate in the discussion and vote.

## 4. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

Nil.

## 5. PETITIONS

Nil.

## 6. MAYORS DIARY

6.1 Mayors Diary

## CNC259/22-23

Moved: Cr Rypp

Seconded: Cr Vanstone

That Council receives and notes the Mayoral Diary from 16 March 2023 to 12 April 2023.



# 7. REPORTS FROM ELECTED MEMBERS HAVING ATTENDED TRAINING, CONFERENCES, SEMINARS OR EXTERNAL MEETINGS

7.1 Nil.

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

8.1 Cr Vanstone – ERA Water Meeting

#### 9. QUESTIONS FROM THE GALLERY

Nil.

## 10. QUESTIONS WITHOUT NOTICE

## 10.1 <u>The Mayor asked a question:</u>

"Can the A/CEO please provide Elected Members with an update on the Walkerville Oval Redevelopment?"

#### The A/CEO replied:

"Members, if you will recall the very last resolution of Council in late October of last year was to finalise detailed design and proceed to tender for the design that had been approved. Obviously we had a Christmas break and a couple of minor design amendments from Elected Members which delayed the process slightly, but we are currently in the final stages of the detailed design phase and almost ready to go to tender.

Administration had a meeting this afternoon with the President of the Bowling Club with regard to Room Data Sheets. Room Data Sheets provide further information about the ins and outs of the buildings and each room, i.e. which power points go were etc., information that informs the functional use of the premises. Administration have a meeting with the President of the Sports Club on Wednesday afternoon. At the meeting, we will run through the relevant Data Sheets, the President can take that information away to comment further and this will assist the detailed design phase further."

## Cr Williams asked a further question:

"I thought those Data Sheets were dealt with last year?"

## The A/CEO replied:

"Correct, in March last year.

Cr Williams, those Room Data Sheets were the preliminary ones, based on the initial design of the day. Those Data Sheets were provided incomplete by one of the Clubs however those Data Sheets informed the process at the time. These are the secondary Data Sheets that finalise every aspect of the design. It is standard practice to go through this process."



#### Cr Nenke asked a question:

"Noting the endorsed designs of October 2022, we've had a series of workshops and a discussion about narrowing the scope. Where's that at?"

## The A/CEO replied:

"The value management aspects that have been raised by Council have been incorporated into the detailed designs. There will be, and I've spoken with the Mayor about this, a subsequent workshop about the oval designs occurring in the very near future prior to going to tender. Cr Williams passed some comments in the meeting in October that he felt it would be beneficial for Members to see the detailed designs, and those will be the designs that will be presented to Council."

## Cr Nenke furthered his question:

"Keeping in mind the resolution we've got here for 39 Smith Street and our borrowing capacity, this is a huge decision I think. What happens here obviously carries over to the oval, so can you just give us an idea of what the building looks like now and what costs we've saved?"

## The A/CEO replied:

"Cr Nenke, we are not talking 'sheep stations'. There was some commentary about deleting the joining arbour, which has been deleted and saved approximately \$75,000. As a result of that, there is some capacity for changes in the floor and ceiling heights. Regarding savings, we are talking about a ball park figure of a few hundred thousand dollars. This is all for discussion at that forthcoming workshop."

#### Cr Nenke furthered his question:

"I appreciate that we have a resolution on the books which we have to follow, I suppose in my mind we would have had a workshop looking at the designs as a group in an attempt to narrow the scope to give you guidance on what to tender. Now you're ready to go to tender and we haven't even seen a design."

## The A/CEO replied:

"Cr Nenke, to clarify, we have already had those workshops, at the end of last year and the start of this year, specifically to go through the design changes. So the Council are aware of what the guidance and direction was to limit and narrow the scope. We're not ready to tender yet as we're in the final stages of detailed design. Designs will be presented at a future workshop.

At this present time, the resolution on the books is for Administration to proceed to detailed design and tender documentation, to get market costings for the oval project as a whole and as a staged project, and that's the process we're going through at the moment. So, unless, there's a subsequent motion that comes prior to the workshop and Council receiving all information, Administration is delivering upon the decision of Council."

#### Cr Nenke furthered his comments:

"Personally I won't be putting up a motion without knowing what the design is, and I was hoping for an opportunity as a group to reduce certain elements of it with the architects as well. We've talked about reducing the size of the outdoor viewing platform, reducing the heights of the change rooms, and squaring up those rounded features."



#### The A/CEO replied:

"Yes, those are some of the items that have previously been discussed. The architects will be present at the workshop to go through those things."

## The Mayor sought clarification:

"Do we have an estimated date for that workshop?"

## The A/CEO replied:

"I suspect it will probably be about two to three weeks before we will have a review ready."

## Cr Rypp asked:

"So at that workshop you'll be presenting those updated designs, having then considered the feedback from the stakeholders as well as Council?"

## The A/CEO replied:

"Exactly".

#### Cr Williams made a further comment:

"Just a comment regarding savings, as we all know, on a small budget, every \$100,000 is a 1% saving in the budget, when we're talking a \$75,000 for the arbour, and a further saving from, and correct me if I'm wrong but I'm pretty good with numbers, a \$17,000 increase / decrease for every hundred millimetres in the ceiling height, plus a reduction in the overhang etc, \$300,000 is considerable."

## The A/CEO replied:

"Yes, Cr Williams, it is, but not when we're talking about the current \$15 million price tag that's associated with the build itself".

## Cr Williams further commented:

"Well once again, until we go out to tender we don't know how accurate those costings are."

## The A/CEO replied:

"Yes, that is correct."

## Cr Nenke asked a further question:

"With regard to the community survey we went out to in July last year, regarding increasing our debt ceiling, whatever happened with the outcome of that? Because from my memory it wasn't just the residents but also the non-residents that were in favour of increasing our borrowing capacity?"

## The A/CEO replied:

"You are correct, I cannot remember the precise number but I think it was around 50/50. I'd have to look back to confirm what that was, but there was support. However what was not provided to ratepayers at the time were the details of any implications that may result



from raising the debt ceiling - as far as potential increase in rates and things like that.

If you recall from the workshop held with the Local Government Finance Authority earlier this year, our ability to increase the debt ceiling is somewhat limited. Part of the process of the Budget Review will be to review the Financial Guiding Principles, to look to match our borrowings or a percentile of to our income.

So in short, there was support, but there is no resolution on the books for Council to proceed with a change to the debt ceiling. And I think if Council were to go down that road, I would probably err on the side of caution and undertake a more detailed consultation with the ratepayers."

## Cr Nenke asked a further question:

"Well that's something I think we need to look at. 100%, because the body of work was done by the last Council and I'd like to work back to a point where we have a stronger position. The decision that is before us tonight is a valued community asset that we're trying to bring back to life. But we don't know how much life we're going to give it, because we don't know how much we can borrow, and we've also got the oval redevelopment, which has been hanging around for two years, and we're no closer to knowing where to go with that, so, as an Elected Member I've got no idea what direction to take tonight. I just want to get that on the table."

## The A/CEO replied:

"Cr Nenke, if I may be frank, I am of the same mind. We (Administration) have been trying to find a clear direction through this to recommend to Council; which is why there are a number of options presented to Council tonight. There are pros and cons for the community and pros and cons for both projects. But to deliver both... one's going to suffer at the hands of the other purely because of our borrowing capacity."

## Cr Nenke further commented:

"We also need to know, and I know we'll get to this soon as part of the agenda item, but we've got the Saints Gym discussions, we've got the netball discussion... there are all these moving pieces but there's nothing solidified, so as an Elected Member I've got no idea."

The Mayor interjected and ceased discussion on the matter, and suggested it recommence during agenda item 14.1.1.

## 11. QUESTIONS ON NOTICE

Nil.

## 12. MOTIONS WITHOUT NOTICE

Nil.

#### 13. MOTIONS ON NOTICE

Nil.



#### REPORTS REQUIRING DECISION OF COUNCIL

#### 14.1 Strategy

14.1.1 39 Smith Street Refurbishment - Design & Costing Options, and 42 & 44 Fuller Street - Master Plan Options

The presiding member called to suspend standing orders of the meeting until 7:47pm

The presiding member called to extend the suspension of standing orders until 8:00pm

The presiding member called to extend the suspension of standing orders until 8:10pm

#### CNC260/22-23

Moved: Cr Zeppel Seconded: Cr Trotter

1. That Council receive and note the 39 Smith Street Refurbishment - Design & Costing Options, and 42 & 44 Fuller Street - Master Plan Options report.

#### **AND**

2. That Council endorse proceeding with the **Budget Refurbishment** option, appearing as Attachments K and M to this report, and in doing so allocate \$1.50m in the 2023-24 budget toward the refurbishment.

#### **AND**

3. That Council direct Administration to proceed to inform the community of this decision through a process of public consultation for a period of 21 days.

#### **CARRIED UNANIMOUSLY**

## CNC261/22-23

Moved: Cr Trotter

Seconded: Cr Vanstone

That Council defer the consideration of the Masterplanning Options for the 42-44 Fuller St Site until such time Council have held a workshop on the varying options and guidance can be given to Administration.

#### CARRIED UNANIMOUSLY

#### CNC262/22-23

Moved: Cr Trotter

Seconded: Cr Vanstone

That Council seek to hold an Information Briefing Session on 4 May 2023 relating to the future operations of the 39 Smith St Site and drafting the proposed Expressions of Interest for interested parties and in doing so defer the previous Council Resolution CNC30/22-23 as determined in confidence on 19 July 2022.



## 14.2 Policy

## 14.2.1 Heritage Management Policy - Report

#### CNC263/22-23

**Moved:** Cr Allanson **Seconded:** Cr Vanstone

- 1. That Council adopts the Heritage Management Policy appearing as Attachment A to this report.
- 2. That Administration be authorised to make changes to the Heritage Management Policy of a minor technical and formatting nature.

## CARRIED UNANIMOUSLY

## 14.3 Operational

14.3.1 Proposed Amendment By-Law No. 6

#### CNC264/22-23

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

- 1. That Council receive an note the Proposed Amendment By-Law No. 6 report.
- 2. That Council, being satisfied that Proposed Amendment By-law No. 6 adequately addresses the feedback provided by the Legislative Review Committee in respect of the Council's Local Government Land By-law No.2 of 2022, Roads By-law No. 3 of 2022 and Dogs By-law No. 5 of 2022, endorses Proposed Amendment By-law No. 6, appearing as Attachment A to this report, and release it for public consultation in accordance with section 249 of the *Local Government Act 1999*.
- 3. That the Acting Chief Executive Officer be authorised to make any minor technical and formatting changes as may be required (if necessary) prior to releasing the Proposed Amendment By-law No. 6 to public consultation.
- 4. That following completion of the public consultation, a subsequent report be submitted to Council so that Proposed Amendment Bylaw No. 6 may be formally adopted in order for the validation and gazettal process to occur.



## 14.3.2 Hard Waste Collection Services Report

#### CNC265/22-23

Moved: Cr Rypp

Seconded: Cr Vanstone

That Council provide support to continue the current 'at call' hard waste collection model as currently provided by East Waste.

#### **CARRIED UNANIMOUSLY**

## 14.3.3 Ilford Street Traffic Data Report April 2023

#### CNC266/22-23

**Moved:** Cr Allanson **Seconded:** Cr Rypp

- That Council receive and note the Ilford Street Traffic Data Report April 2023.
- 2. That Council directs Administration to forward this data to SAPOL for monitoring and enforcement purposes.
- 3. That Council consider Ilford Street in the actions for Stage 2 of the Transport Strategy for 2023-24.

#### **CARRIED UNANIMOUSLY**

## 14.3.4 Community Services Quarterly Snapshot Report – January-March 2023

## CNC267/22-23

Moved: Cr Nenke Seconded: Cr Zeppel

- 1. That Council receives and notes the community services quarterly snapshot report for the period of January to March 2023.
- That Council request in future community services quarterly snapshot reports, a further breakdown of customer requests be provided.

#### **CARRIED UNANIMOUSLY**

## 14.3.5 Community Fund Application – High Spirits Harmony

The presiding member called to suspend standing orders of the meeting until 8:16pm

#### CNC268/22-23

Moved: Cr Williams Seconded: Cr Vanstone



- 1. That Council allocates the following funds to the respective Community Fund applicant from the 2022/23 Community Fund budget:
  - a. High Spirits Harmony \$250 as determined by Council
- 2. That Administration writes to the applicant for the Community Fund grant and advises them of the Council resolution.

**CARRIED** 

## 14.3.6 Community Fund Application - Caitlin

#### CNC269/22-23

Moved: Cr Rypp Seconded: Cr Trotter

- 1. That Council allocates the following funds to the respective Community Fund applicant from the 2022/23 Community Fund budget:
  - a. Caitlin \$250 as determined by Council
- 2. That Administration writes to the applicant for the Community Fund grant and advises them of the Council resolution.

**CARRIED UNANIMOUSLY** 

## 14.4 Subsidiaries

Nil.

## 15. IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION

## CNC270/22-23

Moved: Cr Rypp

Seconded: Cr Vanstone

That items 16.3.2, 16.4.1 and 16.4.2 be moved as per their recommendations.

**CARRIED UNANIMOUSLY** 

## 16. REPORTS REQUIRING DISCUSSION AND / OR PRESENTED FOR INFORMATION

#### 16.1 Strategy

Nil.



16.2 Policy

Nil.

## 16.3 Operational

16.3.1 Monthly Works Report March 2023

CNC271/22-23

Moved: Cr Nenke Seconded: Cr Rypp

That Council receives and notes the Works Report for March 2023.

**CARRIED** 

16.3.2 Decisions of Council Assessment Panel 11 April 2023

CNC272/22-23

Moved: Cr Rypp

Seconded: Cr Vanstone

That Council notes that the Council Assessment Panel did not meet on Tuesday, 11 April 2023 as no items were raised for consideration by Council Administration.

#### **CARRIED UNANIMOUSLY**

## 16.4 <u>Subsidiaries</u>

16.4.1 ERA Water Board Meeting Minutes 23 March 2023

CNC273/22-23

Moved: Cr Rypp

Seconded: Cr Vanstone

That Council receives and notes the ERA Water Minutes from the Board Meeting convened on 23 March 2023.

## **CARRIED UNANIMOUSLY**

16.4.2 Highbury Landfill Authority Board Minutes 30 March 2023

CNC274/22-23

Moved: Cr Rypp

Seconded: Cr Vanstone

That Council receives and notes the minutes of the Highbury Landfill Authority Board Meeting held on 30 March 2023.



## 16.5 <u>Outstanding Council Resolutions and Actions</u>

## CNC275/22-23

Moved: Cr Rypp

Seconded: Cr Vanstone

That Council receives and notes the list of Council resolutions currently being processed as at 13 April 2023.

#### **CARRIED UNANIMOUSLY**

#### 17 CORRESPONDENCE

#### CNC276/22-23

Moved: Cr Rypp Seconded: Cr Trotter

That the correspondence listed below be received and noted;

- 17.1 Letter to Mayor Jones from Hon Joe Szakacs MP
- 17.2 Letter to Mayor from State Planning Commission

**CARRIED UNANIMOUSLY** 

#### 18 URGENT OTHER BUSINESS

Nil.

## 19 CONFIDENTIAL ITEMS

19.1 CEO Performance Review Committee Special Meeting Minutes 28 March 2023

## CNC277/22-23

Moved: Cr Rypp

Seconded: Cr Allanson

## **Recommendation (Public)**

## Pursuant to section 90(3)(k)

Pursuant to section 90(2) of the Local Government Act 1999 (the Act), Council orders that all members of the public, except the Acting Chief Executive Officer Scott Reardon, Group Manager Asset & Infrastructure James Kelly, Group Manager Corporate Services Vikki Purtle, Group Manager Public Relations & Community Services Sarah Spencer, and Council Secretariat Danielle Edwards, be excluded from attendance at the meeting for Agenda Item 19.1 CEO Performance Review Committee Special Meeting Minutes 28 March 2023

The Council is satisfied that pursuant to sections 90(3)(k) of the Act, the information to be received, discussed and considered in relation to this Agenda Item is information relating to tenders for the provision of services.



The time being 8:23pm the meeting moved into confidence.

## **Recommendation (Confidential)**

CNC278/22-23

**Moved:** Cr Vanstone **Seconded:** Cr Zeppel

That Council receive and note the CEO Performance Review Committee Special

Meeting Minutes from 28 March 2023.

#### **CARRIED UNANIMOUSLY**

CNC279/22-23

Moved: Cr Rypp Seconded: Cr Trotter

## **Recommendation (Public)**

## Pursuant to section 91(7)

That having considered Agenda Item 19.1 in confidence under section 90(2), 90(3)(b) of the Act, the Council, pursuant to section 91(7) of that Act orders that the report and Attachment A relevant to this Agenda Item be retained in confidence for a period of 12 months or until the conclusion of the recruitment process, and that pursuant to section 91(9)(c) of the Act the Council delegates to the Acting 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 UANANIMOUSLY** 

The time being 8:24pm the meeting moved out of confidence.

19.2 2023 Volunteer Awards

CNC280/22-23

Moved: Cr Nenke Seconded: Cr Rypp

## **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 Acting Chief Executive Officer Scott Reardon, Group Manager Asset & Infrastructure James Kelly, Group Manager Corporate Services Vikki Purtle, Group Manager Public Relations & Community Services Sarah Spencer, and Council Secretariat Danielle Edwards, be



excluded from attendance at the meeting for Agenda Item 19.2 2023 Volunteer Awards.

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), because it provides personal information of members of the community.

#### **CARRIED UNANIMOUSLY**

The time being 8:24pm the meeting moved into confidence.

## CNC281/22-23

The presiding member called to suspend standing orders of the meeting until 8:40pm

Moved: Cr Trotter Seconded: Cr Rypp

## **Recommendation (Confidential)**

- 1. That Council, having considered the nominations received for the 2023 Volunteer Awards, selects the following recipients:
  - a. Volunteer of the Year: Peter Sowden (Walkerville Rotary)
  - b. Young Volunteer of the Year: No nominations received
  - c. Community Event of the Year: Walkerville Rotary: Pleasant Sunday Afternoon Concert
  - d. Mayor's Choice: Barry Butler

**CARRIED UNANIMOUSLY** 

#### CNC282/22-23

Moved: Cr Nenke Seconded: Cr Zeppel

## **Recommendation (Public)**

## Pursuant to s.91(7)

That having considered Agenda Item 19.2 2023 Volunteer Awards 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 attachments and minutes relevant to this Item be retained in confidence until the recipients have been notified and / or received their Awards 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.



The time being 8:40pm the meeting moved out of confidence.

## 19.3 Walkerville Community Committee

#### CNC283/22-23

Moved: Cr Rypp Seconded: Cr Zeppel

## **Recommendation (Public)**

## Pursuant to section 90(3)(b)

Pursuant to section 90(2) of the Local Government Act 1999 (the Act), Council orders that all members of the public, except the Acting Chief Executive Officer Scott Reardon, Group Manager Asset & Infrastructure James Kelly, Group Manager Corporate Services Vikki Purtle, Group Manager Public Relations & Community Services Sarah Spencer, and Council Secretariat Danielle Edwards, be excluded from attendance at the meeting for Agenda Item 19.3 Walkerville Community Committee Community Member EOI Appointment and Minutes 27 March 2023.

The Council is satisfied that pursuant to sections 90(3) of the Act, the information to be received, discussed and considered in relation to this Agenda Item is information relating to the personal affairs of living person.

**CARRIED UNANIMOUSLY** 

The time being 8:41pm the meeting moved into confidence.

#### CNC284/22-23

Moved: Cr Trotter Seconded: Cr Allanson

## **Recommendation (Confidential)**

- 1. That Council receive and note the 'Walkerville Community Committee Community Member EOI Appointment and Minutes 27 March 2023' report.
- That, in accordance with sections 5.1 and 5.4 of the WCC Terms of Reference, Council appoint the following Community Members to the Committee for a period of two (2) years, commencing at 9.01am 18 April 2023:
  - Jenna Dennison
  - Rupinder 'Rupa' Jandu
  - John Rolls

**CARRIED UNANIMOUSLY** 

#### CNC285/22-23

Moved: Cr Rypp Seconded: Cr Trotter

**Recommendation (Public)** 



## Pursuant to section 91(7)

That having considered Agenda Item 19.3 in confidence under section 90(2), 90(3)(b) of the Act, the Council, pursuant to section 91(7) of that Act orders that the report, Attachments A and E and minutes relevant to this Agenda Item be retained in confidence until such time that recipients have been notified, and that Attachments B, C and D be retained in confidence for a period of 5 years, and that pursuant to section 91(9)(c) of the Act the Council delegates to the Acting 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 8:42pm the meeting moved out of confidence.

## 20 CLOSURE

The Presiding Member declared the meeting closed at 8:42pm.

