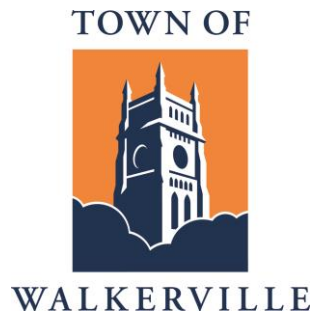




MINUTES
of
COUNCIL MEETING

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 20 MAY 2024 AT 7.00PM

MINUTES
20 MAY 2024

The Presiding Member declared the meeting open at 7.00pm.

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
Cr James Nenke
Cr Anthony Vanstone
Cr Liz Trotter
Cr Aman Kaur
Cr James Williams

Staff in Attendance

Chief Executive Officer, Andrew MacDonald
Group Manager Finance, Muhammad Jawad
Group Manager Assets & Infrastructure, James Kelly
Strategic Projects Coordinator, Ross Oates
Team Leader People Governance & Risk, Jim Dickens
Governance Officer, Yazmin King

1.2 Apologies

Deputy Mayor John Zeppel

Cr Steven Rypp

1.3 Not Present / Leave of Absence

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

2. CONFIRMATION OF MINUTES

2.1 Ordinary Council meeting held on 15 April 2024

CNC083/05/24

Moved: Cr Trotter

Seconded: Cr Kaur

That the minutes of the Ordinary Council meeting held on 15 April 2024 be confirmed as a true and accurate record of the proceedings.

CARRIED

2.2 Special Council meeting held on 22 April 2024

CNC084/05/24

Moved: Cr Vanstone

Seconded: Cr Kaur

That the minutes of the Special Council meeting held on 22 April 2024 be confirmed as a true and accurate record of the proceedings with the following amendmend:

1. Insert below Item 3.1 CNC080/04/24, at the top of page 4 - *'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 3.1 39 Smith Street Recreational Facility – RFT for 'New Build' Option.'*

CARRIED

2.3 Walkerville Community Committee meeting held on 12 April 2024

CNC085/05/24

Moved: Cr Kaur

Seconded: Cr Trotter

That the minutes of the Walkerville Community Committee meeting held on 12 April 2024 be confirmed as a true and accurate record of the proceedings.

CARRIED

2.4 CEO Performance Review Committee meeting held on 15 April 2024

CNC086/05/24

Moved: Cr Trotter

Seconded: Cr Kaur

That the minutes of the CEO Performance Review Committee meeting held on 15 April 2024 be confirmed as a true and accurate record of the proceedings.

CARRIED

2.5 Major Projects Advisory Committee meeting held on 15 April 2024

CNC087/05/24

Moved: Cr Trotter

Seconded: Cr Vanstone

That the minutes of the Major Projects Advisory Committee meeting held on 15 April 2024 be confirmed as a true and accurate record of the proceedings.

CARRIED

2.6 Major Projects Advisory Committee meeting held on 6 May 2024

CNC088/05/24

Moved: Cr Trotter

Seconded: Cr Kaur

That the minutes of the Major Projects Advisory Committee meeting held on 6 May 2024 be confirmed as a true and accurate record of the proceedings.

CARRIED

2.7 Audit and Risk Committee meeting held on 13 May 2024

CNC089/05/24

Moved: Cr Vanstone

Seconded: Cr Trotter

That the minutes of the Audit and Risk Committee meeting held on 13 May 2024 be confirmed as a true and accurate record of the proceedings.

CARRIED

3. DECLARATIONS OF INTEREST

Cr Trotter declared a general conflict of interest in agenda item 18.3 Walkerville Bowling & Community Club – Tender Selection, 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 Report – May 2024

CNC090/05/24

Moved: Cr Trotter

Seconded: Cr Williams

That Council receives and notes the Mayoral Diary from 11 April 2024 to 13 May 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

CNC090/05/24

Moved: Cr Williams

Seconded: Cr Kaur

That Council receives and notes the Council Resolution Register dated 10 May 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 2023/24 Third Quarter Budget Review

CNC091/05/24

Moved: Cr Vanstone

Seconded: Cr Trotter

That Council adopts the 2023/24 Third Quarter Budget Review adjustments presented within this report, in accordance with Regulation 9 of the *Local Government (Financial Management) Regulations 2011*.

CARRIED

14.3 Draft 2024/25 Annual Community Plan & Budget

CNC092/05/24

Moved: Cr Vanstone

Seconded: Cr Williams

That Council reviews the attached draft 2024/25 Annual Community Plan and Budget and release it for community consultation.

CARRIED

14.4 Audit and Risk Committee Terms of Reference Amendment

CNC093/05/24

Moved: Cr Trotter

Seconded: Cr Williams

1. That Council adopts the amended Terms of Reference as provided at Attachment B to this report.
2. That Council authorises Administration to make changes to the Audit and Risk Committee Terms of Reference of a minor technical or formatting nature.

CARRIED

14.5 Community Fund Application - Riahn

CNC094/05/24

Moved: Cr Trotter

Seconded: Cr Kaur

That Council allocates \$250 to the respective Community Fund applicant, Riahn, from the 2023/24 Community Fund budget.

CARRIED

14.6 Chief Executive Officer's 2024/25 Key Performance Indicators

CNC095/05/24

Moved: Cr Williams

Seconded: Cr Kaur

That Council endorses the Chief Executive Officer's Key Performance Indicators for the period 01 July 2024 to 30 June 2025, as provided at Attachment A to this report.

CARRIED

14.7 Eastern Health Authority – Charter Review

CNC096/05/24

Moved: Cr Vanstone

Seconded: Cr Nenke

That Council endorses the revised Eastern Health Authority Subsidiary Charter as provided at Attachment E to this report.

CARRIED

14.8 Consideration of adoption of Employee Behavioural Standards (s.120A *Local Government Act 1999*)

CNC097/05/24

Moved: Cr Kaur

Seconded: Cr Williams

1. That Council does not adopt employee behavioural standards.
2. That employee behavioural standards be developed by the organisation's People, Governance and Risk Team, in consultation with staff, and approved by the CEO as an internal HR Policy.

CARRIED

14.9 ERA Water Budget Review 2 – 2023/24

CNC098/05/24

Moved: Cr Vanstone

Seconded: Cr Kaur

That Council adopts the ERA Water February Budget Review 2 report, as provided at Attachment B with this report.

CARRIED

14.10 Proposal to discontinue – Hamilton Reserve Blue Tree Project

CNC099/05/24

Moved: Cr Williams

Seconded: Cr Kaur

Based on the analysis of the feedback and concerns expressed by the local community, it is recommended that the Town of Walkerville Council discontinues the 'Blue Tree Project.'

CARRIED

14.11 Sale of Walkerville Council Depot ATCO Huts

CNC100/05/24

Moved: Cr Williams

Seconded: Cr Trotter

That Council endorses the sale of the ATCO huts currently located within the Depot site at 42-44 Fuller Street.

CARRIED

15. INFORMATION REPORTS

15.1 Monthly Works Report – April 2024

CNC101/05/24

Moved: Cr Kaur

Seconded: Cr Vanstone

That Council receives and notes the Monthly Works Report for April 2024.

CARRIED

15.2 Monthly Financial Report April 2024

CNC102/05/24

Moved: Cr Kaur

Seconded: Cr Vanstone

That Council receives and notes the Monthly Financial Report as of 30 April 2024.

CARRIED

15.3 Decisions of Council Assessment Panel

CNC103/05/24

Moved: Cr Trotter

Seconded: Cr Vanstone

That Council notes that the Council Assessment Panel did not meet on Monday, 13 May 2024 as no items were raised for consideration by Council Administration.

CARRIED

16. CORRESPONDENCE

Nil.

17. URGENT OTHER BUSINESS

Nil.

18. CONFIDENTIAL ITEMS

18.1 Walkerville Lawn Tennis Club – New Lease Agreement

CNC103/05/24

Moved: Cr Trotter

Seconded: Cr Kaur

Confidentiality Recommendation (Public)

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

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; Team Leader, People, Governance & Risk, Jim Dickens and Governance Officer, Yazmin King be excluded from attendance at the meeting for Agenda Item 18.1 Walkerville Lawn Tennis Club – New Lease Agreement.

The Council is satisfied that pursuant to section 90(3)(d) of the Act, the information to be received, discussed and considered in confidence as the information in relation to this agenda item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a third party and which would, on balance, be contrary to the public interest.

The Council is satisfied, 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 7.25pm the meeting moved into confidence.

CNC104/05/24

Moved: Cr Williams

Seconded: Cr Trotter

Confidentiality Recommendation (Confidential)

1. That Council enters into a new lease with the Walkerville Lawn Tennis Club Inc. over the portion of land contained within Certificate of Title Volume 5261 Folio 460, more commonly known as the Walkerville Lawn Tennis Club located at Creswell Court, Gilberton, for a term of five (5) years commencing on 1 June 2024, and in accordance with the terms of the lease agreement provided in Attachment A.
2. That a commencing annual lease fee of \$1,000 (plus GST) be applied and be subject to annual CPI increases.
3. That Council authorises the Mayor and CEO to sign and seal the new lease agreement as provided in Attachment A.

CARRIED

CNC105/05/24

Moved: Cr Trotter

Seconded: Cr Vanstone

Confidentiality Recommendation (Public)

Pursuant to section 91(7)

That having considered Agenda Item 18.1 in confidence under section 90(2) & 90(3)(d) of the Act, 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 Act the Council delegates to the Chief Executive Officer the review and power to revoke this Order.

CARRIED

The time being 7.29pm the meeting moved out of confidence.

18.2 Entering a Power Purchasing Agreement (PPA) with the Eastern Region Alliance (ERA)

CNC106/05/24

Moved: Cr Trotter

Seconded: Cr Kaur

Confidentiality Recommendation (Public)

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

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; Team Leader, People, Governance & Risk, Jim Dickens and Governance Officer, Yazmin King, be excluded from attendance at the meeting for Agenda Item 18.2 Entering a Power Purchasing Agreement (PPA) with the Eastern Region Alliance (ERA).

The Council is satisfied that pursuant to section 90(3)(d) of the Act, the information to be received, discussed and considered in confidence as the information in relation to this agenda item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a third party and which would, on balance, be contrary to the public interest.

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 7.30pm the meeting moved into confidence.

CNC107/05/24

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

■ [REDACTED]
[REDACTED]

■ [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

■ [REDACTED]
[REDACTED]

[REDACTED]

CNC108/05/24

Moved: Cr Williams

Seconded: Cr Kaur

Confidentiality Recommendation (Public)

Pursuant to section 91(7)

That having considered Agenda Item 18.2 in confidence under section 90(2) & 90(3)(d) of the Act, the Council, pursuant to section 91(7) of that Act orders that the report, minutes and all attachments to this Agenda Item be retained in confidence for a period of five years, and that pursuant to section 91(9)(c) of the Act the Council delegates to the Chief Executive Officer the review and power to revoke this Order.

CARRIED

The time being 7.32pm the meeting moved out of confidence.

18.3 Walkerville Bowling & Community Club – Tender Selection

CNC108/05/24

Moved: Cr Trotter

Seconded: Cr Vanstone

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; Team Leader, People, Governance & Risk, Jim Dickens and Governance Officer, Yazmin King, be excluded from attendance at the meeting for Agenda Item 18.3 Walkerville Oval Bowling & Community Club – Tender Selection.

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 7.32pm 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 18.3 Walkerville Bowling & Community Club – Tender Selection

Formal meeting procedures were suspended at 7.36pm.

Formal meeting procedures resumed at 7.44pm.

CNC109/05/24

Moved: Cr Vanstone

Seconded: Cr Trotter

Confidentiality Recommendation (Confidential)

That Council awards the Walkerville Bowling & Community Club – Design & Construction project to Horizon Construction Services.

CARRIED

Moved: Cr Trotter

Seconded: Cr Nenke

Confidentiality Recommendation (Public)

Pursuant to section 91(7)

That having considered Agenda Item 18.3 Walkerville Bowling & Community Club – Tender Selection 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 7.45pm the meeting moved out of confidence.

19. CLOSURE

The Presiding Member declared the meeting closed at 7.45pm.