



**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 Bengert – \$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.

**CARRIED**

### 16.4 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**

**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

#### **CNC65/19-20**

#### 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 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*