



**MINUTES**

of

**COUNCIL MEETING**

held via

electronic means through live streaming at

<https://www.youtube.com/channel/UCZxKI13S3M8n8zxK15LFT9w>

as afforded for through the Electronic Participation in Council Meetings Notice 2020, SA Government Gazette, 31 March 2020 and resolved by Council.

on

**MONDAY 20 SEPTEMBER 2021 AT 7PM**

# MINUTES

20 SEPTEMBER 2021

*The Meeting was declared 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 Elizabeth Fricker  
Cr Rob Ashby AM  
Cr MaryLou Bishop  
Cr Norm Coleman OAM  
Cr Stephen Furlan  
Cr Jennifer Joshi  
Cr James Nenke  
Cr Conrad Wilkins  
Cr James Williams

### Staff in Attendance

Chief Executive Officer, Kiki Cristol  
Group Manager Assets & Infrastructure / Acting Group Manager PERS, Ben Clark  
Group Manager Corporate Services & Strategic Projects, Scott Reardon  
Group Manager Customer Experience, Danielle Garvey  
Manager Community Development and Engagement, Fiona Deckert  
Communications & Marketing Manager, Sarah Spencer  
Council Secretariat, Danielle Edwards

### 1.2 Apologies

Nil.

### 1.3 Not Present / Leave of Absence

#### **CNC59/21-22**

**Moved:** Cr Wilkins

**Seconded:** Cr Joshi

That Council approve Cr Ashby's request for Leave of Absence from 4 October 2021 to 26 October 2021, inclusive.

**CARRIED**

## 2. CONFIRMATION OF MINUTES

2.1 Ordinary Council meeting held on the 16 August 2021 and Special Council Meeting held on the 15 September 2021

### **CNC60/21-22**

**Moved:** Cr Bishop

**Seconded:** Cr Coleman

That the minutes of the Ordinary Council meeting held on the 16 August 2021 and the Special Council Meeting held on the 15 September 2021 be confirmed as a true and accurate record of the proceedings.

**CARRIED**

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

- Cr Williams declared a perceived interest in agenda item 16.3.9 'Suburban Boundary Realignment – preliminary consultation results (renaming Vale Park)' as he owns property in the area of concern and advised that he would remain in the Chamber during the discussion of the item, participate in the debate and vote on the agenda item.
- Cr Coleman declared a perceived interest in agenda item 16.3.9 'Suburban Boundary Realignment – preliminary consultation results (renaming Vale Park)' as he lives in the area of concern and advised that he would remain in the Chamber during the discussion of the item, participate in the debate and vote on the agenda item.
- Cr Wilkins declared a perceived interest in agenda item 16.3.9 'Suburban Boundary Realignment – preliminary consultation results (renaming Vale Park)' as he lives in the area of concern and advised that he would remain in the Chamber during the discussion of the item, participate in the debate and vote on the agenda item.
- Chief Executive Officer, Kiki Cristol, declared an interest in Confidential agenda item 19.2 'CEO 2020/21 Performance Review Report', pursuant to Section 120 of the *Local Government Act 1999* and advised that she will not be in attendance and would leave the Chamber during the discussion of the item.

## 4. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

Nil.

## 5. MAYORS DIARY

### 5.1 Mayors Diary

#### **CNC61/21-22**

**Moved:** Cr Wilkins

**Seconded:** Cr Bishop

That Council receives and notes the Mayoral Diary from 13 August 2021 to 16 September 2021.

**CARRIED**

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

Nil.

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

7.1 ERA Water Special Board Meeting 20 August 2021 – Cr Bishop provided a verbal update.

7.2 EHA Board Meeting 8 September 2021 – Cr Nenke and Cr Coleman attended. Cr Nenke provided a verbal update.

## 8. QUESTIONS FROM THE GALLERY

Nil.

## 9. QUESTIONS WITHOUT NOTICE

Nil.

## 10. QUESTIONS ON NOTICE

Nil.

## 11. PETITIONS

Nil.

## 12. MOTIONS WITHOUT NOTICE

Nil.

### 13. MOTIONS WITH NOTICE

#### 13.1 Review of Services Provided by EHA to Town of Walkerville – Cr James Nenke

**CNC62/21-22**

**Moved:** Cr Nenke

**Seconded:** Cr Coleman

With regard to the May 2021 Confidential item 19.1: Review of Services Provided by EHA to Town of Walkerville, Administration is requested to present further information in a report at the November 2021 meeting. The report is to detail the feasibility and costings of all options available to Council to best deliver the Environmental Health Service. The recommendation to this report is to include an option to take relevant action to rescind the existing resolution, along with alternative options presented based on the findings detailed within the report.

**CARRIED**

### 14. REPORTS REQUIRING DECISION OF COUNCIL

#### 14.1 Strategy

Nil.

#### 14.2 Policy

##### 14.2.1 Community Fund Program Policy Review

**CNC63/21-22**

**Moved:** Cr Williams

**Seconded:** Cr Wilkins

That Council defer item 14.2.1 Community Fund Program Policy Review.

**CARRIED**

#### 14.3 Operational

##### 14.3.1 Behavioural Management Framework - Consultation

**CNC64/21-22**

**Moved:** Cr Williams

**Seconded:** Cr Furlan

That Council, in response to the Local Government Associations (LGA) request for feedback on the new and proposed Behaviour Management Framework, instructs Administration to write to the LGA and the Office for Local Government that Council supports the LGA Option B, which will see the Behavioural Management Framework process commencing post-election (December 2022).

**CARRIED**

14.4 Subsidiaries

Nil.

**15 IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION**

**CNC65/21-22**

**Moved:** Cr Williams

**Seconded:** Cr Joshi

That items 16.3.5, 16.3.6, 16.3.7, 16.3.8, 16.4.1, and 16.5 be moved as per their recommendations.

**CARRIED**

**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 – August 2021

**CNC66/21-22**

**Moved:** Cr Furlan

**Seconded:** Cr Williams

That Council receives and notes the Works Report for August 2021.

**CARRIED**

16.3.2 Monthly Financial Report – August 2021

**CNC67/21-22**

**Moved:** Cr Furlan

**Seconded:** Cr Joshi

That Council receives and notes the Monthly Financial Report as at 31 August 2021.

**CARRIED**

16.3.3 Wesleyan Cemetery Advisory Committee – 2020/21 Annual Report

**CNC68/21-22**

**Moved:** Cr Williams  
**Seconded:** Cr Furlan

That Council receives and notes the Wesleyan Cemetery Advisory Committee's Annual Report for the financial year 2020-2021.

**CARRIED**

16.3.4 Wesleyan Cemetery Advisory Committee Minutes

**CNC69/21-22**

**Moved:** Cr Williams  
**Seconded:** Cr Bishop

That Council receives and notes the minutes of the Wesleyan Cemetery Advisory Committee from their meeting held 8 September 2021.

**CARRIED**

16.3.5 Walkerville Oval Redevelopment Committee Minutes

**CNC70/21-22**

**Moved:** Cr Williams  
**Seconded:** Cr Joshi

That Council receives and notes the minutes of the Walkerville Oval Redevelopment Committee from their meetings held 10 August 2021 and 26 July 2021.

**CARRIED**

16.3.6 Women of Walkerville Committee Minutes

**CNC71/21-22**

**Moved:** Cr Williams  
**Seconded:** Cr Joshi

That Council receives and notes the minutes of the Women of Walkerville Committee meeting held on 19 August 2021.

**CARRIED**

16.3.7 Decisions of Council Assessment Panel – Update

**CNC72/21-22**

**Moved:** Cr Williams

**Seconded:** Cr Joshi

That Council notes that the Council Assessment Panel did not meet on Monday 13 September 2021 as no items were raised for consideration by Council Administration and hence no decisions were made by the Council Assessment Panel.

**CARRIED**

16.3.8 Strategic Planning & Development Policy Committee Minutes

**CNC73/21-22**

**Moved:** Cr Williams

**Seconded:** Cr Joshi

That Council receives and notes the minutes of the Special Strategic Planning and Development Policy Committee meeting held on 31 August 2021.

**CARRIED**

16.3.9 Suburban Boundary Realignment – preliminary consultation results (renaming Vale Park)

**CNC74/21-22**

**Moved:** Cr Bishop

**Seconded:** Cr Ashby

That Council receives and notes the preliminary consultation results for the Suburban Boundary Realignment.

**CARRIED**

16.4 Subsidiaries

16.4.1 East Waste Board Minutes 22 July 2021

**CNC75/21-22**

**Moved:** Cr Williams

**Seconded:** Cr Joshi

That Council receives and notes the ERA Water Board Minutes for the special meeting convened on 20 August 2021.

**CARRIED**



- 16.4.2 Recycling Contract - Quarterly Service Rate (Rise & Fall) & Annual kerbside tonnages

**CNC76/21-22**

**Moved:** Cr Williams

**Seconded:** Cr Joshi

That Council receives and notes the changes in the gate rate for the current quarter for kerbside recyclable materials and the annual tonnages for the Town of Walkerville's waste services.

**CARRIED**

16.5 Outstanding Council Resolutions / Action Report

**CNC77/21-22**

**Moved:** Cr Williams

**Seconded:** Cr Joshi

That Council receives and notes the list of Council resolutions currently being processed as at 16 September 2021.

**CARRIED**

**17 CORRESPONDENCE**

**CNC78/21-22**

**Moved:** Cr Joshi

**Seconded:** Cr Williams

That the correspondence as listed below be received and noted.

- 17.1 Correspondence to Mayor Fricker from the Hon David Speirs MP
- 17.2 Correspondence to Mayor Fricker from the Hon John Darley MLC
- 17.3 Correspondence to the Hon Corey Wingard MP from Town of Walkerville and City of Prospect

**CARRIED**

**18 URGENT OTHER BUSINESS**

Nil.

## 19 CONFIDENTIAL ITEMS

### 19.1 Donnelly (Watson Car Park) Discretionary Rebate Application 2021/22

#### **CNC79/21-22**

**Moved:** Cr Ashby

**Seconded:** Cr Williams

#### **Recommendation (Public)**

##### 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 Cristol, Group Manager Corporate Services & Strategic Projects Scott Reardon, Group Manager Asset & Infrastructure Ben Clark, Group Manager Customer Experience Danielle Garvey, Manager Community Development & Engagement Fiona Deckert and Council Secretariat Danielle Edwards, be excluded from attendance at the meeting for Agenda Item 19.1 'Donnelly (Watson Car Park) Discretionary Rebate Application 2021/22'.

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 8:30pm the meeting moved into confidence.*

#### **CNC81/21-22**

**Moved:** Cr Nenke

**Seconded:** Cr Coleman

#### **Recommendation (Public)**

##### Pursuant to s.91(7)

That having considered Agenda Item 'Donnelly (Watson Car Park) Discretionary Rebate Application 2021/22' 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 8:33pm the meeting moved out of confidence.*

19.2 CEO 2020/21 Performance Review Report

**CNC82/21-22**

**Moved:** Cr Coleman

**Seconded:** Cr Wilkins

**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 Council's HR Consultant, Richard Altman and Council Secretariat, Danielle Edwards be excluded from attendance at the meeting for Agenda Item 19.2 CEO 2020/21 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 Cristol, 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 8:33pm the meeting moved into confidence.*

**CNC87/21-22**

**Moved:** Cr Joshi

**Seconded:** Cr Nenke

**Recommendation (Public)**

Pursuant to s.91(7)

That having considered Agenda Item 19.1 CEO 2020/21 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, attachments 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 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.

**CARRIED**

*The time being 9:29pm the meeting moved out of confidence.*

**20. CLOSURE**

*The Presiding Member declared the meeting closed at 9:29pm.*