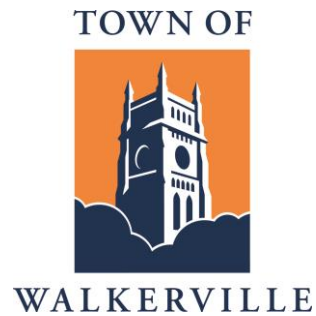




MINUTES
of
COUNCIL MEETING
held via

electronic means through live streaming at
<https://www.youtube.com/channel/UCZxKI13S3M8n8zxKI5LFT9w>

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 JUNE 2022 AT 7PM

MINUTES
20 JUNE 2022

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 Elizabeth Fricker
Cr Rob Ashby AM
Cr MaryLou Bishop
Cr Stephen Furlan (via Microsoft Teams) – *departed at 7:42pm*
Cr Jennifer Joshi
Cr James Nenke
Cr Conrad Wilkins
Cr James Williams

Staff in Attendance

Acting Chief Executive Officer, Scott Reardon
Group Manager Planning, Environment, Regulatory and Customer Service, Joshua Bowen
Group Manager Assets & Infrastructure, James Kelly
Manager Community Development and Engagement, Fiona Deckert (via Microsoft Teams)
Communications and Marketing Manager, Sarah Spencer
Acting Manager Corporate Services, Vikki Purtle
Council Secretariat, Danielle Edwards

1.2 Apologies

Cr Norm Coleman OAM

1.3 Not Present / Leave of Absence

1.3.1 Cr Jennifer Joshi will be on a leave of absence from 30 June 2022 to 18 July 2022, inclusive (CNC287/21-22).

1.3.2 Cr Stephen Furlan will be on a leave of absence from 1 July 2022 to 10 July 2022, inclusive (CNC312/21-22).

1.3.3 **CNC322/21-22**

Moved: Cr Bishop

Seconded: Cr Joshi

That Council approve Cr Wilkins' request for a leave of absence from 21 June 2022 to end of elected term, inclusive.

CARRIED

2. CONFIRMATION OF MINUTES

2.1 Ordinary Council meeting held on the 16 May 2022

CNC323/21-22

Moved: Cr Ashby

Seconded: Cr Joshi

That the minutes of the Ordinary Council meeting held on the 16 May 2022 be confirmed as a true and accurate record of the proceedings.

CARRIED

2.2 Special Council meeting held on the 9 June 2022

CNC324/21-22

Moved: Cr Nenke

Seconded: Cr Wilkins

That the minutes of the Special Council meeting held on the 9 June 2022 be confirmed as a true and accurate record of the proceedings.

CARRIED

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

Nil.

4. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

Nil.

5. MAYORS DIARY

5.1 Mayors Diary

CNC325/21-22

Moved: Cr Wilkins

Seconded: Cr Bishop

That Council receives and notes the Mayoral Diary from 12 May 2022 to 15 June 2022 including an amendment of Cr Furlan not being present at the Mayor and CEO Weekly Catch Up on 15 June 2022.

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 EHA Meeting 25 May 2022 - Cr Nenke provided a verbal update.

8. QUESTIONS FROM THE GALLERY

Nil.

9. QUESTIONS WITHOUT NOTICE

9.1 Cr Williams - Levi Oval/Vale Street Fencing

Preamble:

I have been contacted by a member of the public with concerns regarding the removal of the bollards that bordered Levi Oval along Vale Street. I've noticed there are new plantings there which look great but the concern from the resident and myself is about children chasing balls and approaching the roadway without any form of barrier being in place. This is also a traffic hazard for passing cars.

Question:

What intentions, if any, does Council have about putting in some sort of barrier to prevent the above from happening?

Administration Response:

The old permapipe bollard fencing was removed both due to poor and deteriorating condition, and to enhance the landscape. As far as its ability to physically stopping balls, it wouldn't have been very effective at that. If Council wish to consider installing fencing to stop balls and children from entering the roadway then Administration can investigate fencing options, obtain quotes and report back to Council for determination. Funding any fencing installation will come down to a Council decision as it has not been budgeted for or included in the capital projects for next year.

10. QUESTIONS ON NOTICE

Nil.

11. PETITIONS

Nil.

12. MOTIONS WITHOUT NOTICE

12.1 Cr Williams – Levi Oval/Vale Street Fencing

CNC326/21-22

Moved: Cr Williams

Seconded: Cr Wilkins

That Council explore replacing the fence/bollards that were removed from the Vale St border at Levi Oval with suitable fencing to avoid children or sporting equipment accessing Vale Street.

CARRIED

13. MOTIONS WITH NOTICE

Nil.

CNC327/21-22

Moved: Cr Wilkins

Seconded: Cr Joshi

That confidential item 19.1 entitled *CEO Performance Review Committee Minutes/Discussion* be brought forward as the next item of business.

CARRIED

19.1 CEO Performance Review Committee Minutes/Discussion

CNC328/21-22

Moved: Cr Bishop

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 the Council Secretariat, Danielle Edwards be excluded from attendance at the meeting for Agenda Item 19.1 CEO Performance Review Committee Minutes/Discussion.

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 the Chief Executive Officer of the Corporation of the Town of Walkerville.

CARRIED

The time being 7:13pm Acting Chief Executive Officer Scott Reardon, Group Manager Planning, Environment, Regulatory & Customer Service Joshua Bowen, Group Manager Assets & Infrastructure James Kelly, Manager Community Development and Engagement Fiona Deckert, Communications & Marketing Manager Sarah Spencer, Acting Manager Corporate Services Vikki Purtle departed the meeting.

The time being 7:13pm Councils HR Consultant Richard Altman entered the meeting.

The time being 7:13pm the meeting moved into confidence.

CNC329/21-22

Moved: Cr Williams

Seconded: Cr Wilkins

Recommendation (Confidential)

1. That Council receives and notes the CEO Performance Review – Verbal Update provided by Council's HR Consultant, Richard Altman.
2. That Council advise Council's HR Consultant, Richard Altman, to seek approval from CEO for the 2021-22 CEO Performance Review to not go ahead under the current circumstances.
3. That Council asks Council's HR Consultant, Richard Altman to investigate a method to give performance feedback via a pulse check to the Acting Chief Executive Officer.

CARRIED

The time being 7:42pm Cr Furlan departed the meeting.

CNC330/21-22

Moved: Cr Wilkins

Seconded: Cr Bishop

Recommendation (Confidential)

1. That Council receives and notes the CEO Salary Review – Verbal Update provided by Council's HR Consultant, Richard Altman.
2. That Council endorse that the CEO receive the minimum annual salary increase of the Adelaide March 2022 CPI, 4.7%, to be applied from 1 July 2022, pursuant to clause 9 of the CEO Employment Agreement.

CARRIED

Moved: Cr Nenke

Seconded: Cr Bishop

Recommendation (Public)

Pursuant to s.91(7)

That having considered Agenda Item 19.1 CEO Performance Review Committee Minutes/Discussion 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 7:46pm the meeting moved out of confidence.

The time being 7:46pm Councils HR Consultant Richard Altman departed the meeting.

The time being 7:46pm Acting Chief Executive Officer Scott Reardon, Group Manager Planning, Environment, Regulatory & Customer Service Joshua Bowen, Group Manager Assets & Infrastructure James Kelly, Manager Community Development and Engagement Fiona Deckert, Communications & Marketing Manager Sarah Spencer, Acting Manager Corporate Services Vikki Purtle re-entered the meeting.

14. REPORTS REQUIRING DECISION OF COUNCIL

14.1 Strategy

Nil.

14.2 Policy

14.2.1 Draft Caretaker Policy

CNC332/21-22

Moved: Cr Wilkins

Seconded: Cr Joshi

1. That Council receive and note the revised Caretaker Policy, appearing as Attachment A to this report, and endorses it for public consultation for a period of 21 days;
2. That Council authorises Administration to make any necessary minor amendments to the revised Caretaker Policy of a technical or formatting nature prior to releasing the policy for public consultation.

CARRIED

14.2.2 Code of Practice Amendments – End of Public Health Emergency Declaration

CNC333/21-22

Moved: Cr Bishop

Seconded: Cr Wilkins

1. That Council adopts the revised Code of Practice – Procedures at Meetings (Attachment B), Code of Practice – Access to Council Meetings, Committee Meetings and Council Documents (Attachment D) and revised Informal Gatherings Policy (Attachment F).
2. That Council authorises Administration to make any necessary minor technical or formatting amendments to the Code of Practice – Procedures at Meetings (Attachment B), Code of Practice – Access to Council Meetings, Committee Meetings and Council Documents (Attachment D) and revised Informal Gatherings Policy (Attachment F).
3. That Council ask administration to review options of adjusting meeting procedures to allow for continued electronic participation.
4. Should electronic participation not be able to proceed, that the matter is pursued through ERA Mayors and CEOs to GAROC, then to the LGA and Government to alter legislation to allow electronic participation.

CARRIED

14.3 Operational

14.3.1 Community Fund Applications Report

CNC334/21-22

Moved: Cr Bishop

Seconded: Cr Joshi

1. That Council allocates the following funds to the respective Community Fund applicants from the 2021/22 Community Fund budget:
 - a. Minma Kiringoda Gamage – \$250 as determined by Council
 - b. Liam Murphy - \$250 as determined by Council.
2. That Administration writes to the applicants for the Community Fund grant and advises them of the Council resolution.

CARRIED

14.3.2 Community Fund Application – Summerfield

CNC335/21-22

Moved: Cr Joshi

Seconded: Cr Bishop

1. That Council allocates the following funds to the Community Fund applicant from the 2020/2021 Community Fund budget:
 - a. Bridget Summerfield – \$250 as determined by Council
2. That Administration write to the applicant for the Community Fund grant and advises them of the Council's resolution and in so doing highlights that all plant purchases are to approved and be from an approved supplier as determined by the Group Manager Asset & Infrastructure and planted under the supervision of the Group Manager Asset & Infrastructure (or as delegated).

CARRIED

14.3.3 Parking Permit Fee Comparison Report

CNC336/21-22

Moved: Cr Wilkins

Seconded: Cr Ashby

1. That Council receive and note the Parking Permit Fee Comparison Report;
2. That Council retains the proposed Fees and Charges for Residential Parking Permits, appearing as Attachment A to this report, for the 2022-23 Financial Year;
3. That following the 2022 Local Government General Elections, the incoming Council further consider the Fees and Charges for Residential Parking Permits as part of a Township wide Parking and Transport Strategy.

CARRIED

14.3.4 Fees and Charges Register 2022-23

CNC337/21-22

Moved: Cr Bishop

Seconded: Cr Ashby

1. That Council adopt the Fees and Charges Register 2022-23, appearing as Attachment A to this report as effective from 1 July 2022.
2. That Council authorise Administration to update the 2022-23 Parking Permit Fees on the Fees and Charges Register 2022-23 based on the resolution from Item No 14.3.3 Parking Permit Fee Comparison Report including an amendment of removing 'photo' options at the Wesleyan Cemetery on page 180.

CARRIED

14.4 Subsidiaries

Nil.

15 IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION

CNC338/21-22

Moved: Cr Wilkins

Seconded: Cr Ashby

That items 16.3.3, 16.3.5, 16.3.6, 16.4.1, 16.4.2, 16.4.3 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 May 2022

CNC339/21-22

Moved: Cr Bishop

Seconded: Cr Joshi

That Council receives and notes the Works Report for May 2022.

CARRIED

16.3.2 Monthly Financial Report May 2022

CNC340/21-22

Moved: Cr Wilkins

Seconded: Cr Nenke

That Council receives and notes the Monthly Financial Report as at 31 May 2022.

CARRIED

16.3.3 Decisions of Council Assessment Panel 14 June 2022

CNC341/21-22

Moved: Cr Wilkins

Seconded: Cr Ashby

That Council receive and note the *Decisions of Council Assessment Panel 14 June 2022* report.

CARRIED

16.3.4 Update – 1 Walkerville Terrace, Gilberton Code Amendment

CNC342/21-22

Moved: Cr Ashby

Seconded: Cr Bishop

That Council notes the report "Update – 1 Walkerville Terrace, Gilberton Code Amendment"

CARRIED

16.3.5 Audit Committee Minutes 23 May 2022 and 2 June 2022

CNC343/21-22

Moved: Cr Wilkins

Seconded: Cr Ashby

That Council receives and notes the minutes of the Audit Committee meetings convened on 23 May 2022 and 2 June 2022.

CARRIED

16.3.6 Women of Walkerville Committee Minutes 31 May 2022

CNC344/21-22

Moved: Cr Wilkins

Seconded: Cr Ashby

That Council receives and notes the minutes of the Women of Walkerville Committee meeting held on 31 May 2022.

CARRIED

16.4 Subsidiaries

16.4.1 East Waste Board Minutes

CNC345/21-22

Moved: Cr Wilkins

Seconded: Cr Ashby

That Council receives and notes the East Waste Board Minutes for the meetings convened on 24 February 2022, 21 March 2022, 20 April 2022 and 5 May 2022.

CARRIED

16.4.2 ERA Water Board Minutes 10 May 2022 and 19 May 2022

CNC346/21-22

Moved: Cr Wilkins

Seconded: Cr Ashby

That Council receives and notes the ERA Water Board Minutes for the meetings convened on 10 May 2022 and 19 May 2022.

CARRIED

16.4.3 Eastern Health Authority Board Minutes 25 May 2022

CNC347/21-22

Moved: Cr Wilkins

Seconded: Cr Ashby

That Council receives and notes the EHA Board Minutes for the meeting convened on 25 May 2022.

CARRIED

16.5 Outstanding Council Resolutions & Actions

CNC348/21-22

Moved: Cr Wilkins

Seconded: Cr Ashby

That Council receives and notes the list of Council resolutions currently being processed as at 15 June 2022.

CARRIED

17 CORRESPONDENCE

CNC349/21-22

Moved: Cr Bishop

Seconded: Cr Wilkins

That the correspondence listed below be received and noted.

17.1 Correspondence to Mayor Fricker from ALGA

CARRIED

18 URGENT OTHER BUSINESS

Nil.

19 CONFIDENTIAL ITEMS

19.2 Strategic Property Review – Walkerville Pre-Kindergarten

CNC350/21-22

Moved: Cr Ashby

Seconded: Cr Wilkins

Recommendation (Public)

Pursuant to s90(3)(d)

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, Acting Chief Executive Officer Scott Reardon, Acting Manager Corporate Services Vikki Purtle, Group Manager Assets & Infrastructure James Kelly, Manager Community Development and Engagement Fiona Deckert, Communications & Marketing Manager Sarah Spencer and Council Secretariat Danielle Edwards, be excluded from attendance at the meeting for Agenda Item 19.2 Strategic Property Review – Walkerville Pre-Kindergarten.

The Council is satisfied that, pursuant to section 90(3)(b)&(d) of the Act, the information to be received, discussed or considered 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 prejudice the commercial position of a person whom Council is proposing to conduct business with and information that could confer a commercial advantage on a third party.

CARRIED

The time being 8:16pm the meeting moved into confidence.

CNC351/21-22

Moved: Cr Ashby

Seconded: Cr Williams

Recommendation (Confidential)

1. That Council enter into a new lease agreement with Angie and Corey Burford over the portion of land contained within Certificate of Title Volume 5255 Folio 827, more commonly known as the Walkerville Pre-Kindergarten located at 13 Alfred Street Walkerville, for a Term of two (2) years commencing 1 January 2023;
2. That a commencing annual rental amount of \$21,000 be applied and be subject to annual CPI increases thereafter for the duration of the Lease;
3. That the Mayor and Acting Chief Executive Officer be authorised to execute any/all relevant and ancillary documents that pertain to the proposed Lease Assignment between Walkerville Pre-Kindergarten Pty Ltd and Council including affixing of the common seal of Council.

CARRIED

Moved: Cr Joshi

Seconded: Cr Nenke

Recommendation (Public)

Pursuant to s.91(7)

That having considered Agenda Item 19.2 Strategic Property Review – Walkerville Pre-Kindergarten in confidence under section 90(2) and (3)(b)&(d) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the documents and minutes relevant to this Agenda Item be retained in confidence for 6 months or until the contract has been signed, 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 power to review and 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 8:18pm the meeting moved out of confidence.

20. CLOSURE

The Presiding Member declared the meeting closed at 8:19pm.