



MINUTES
of
COUNCIL MEETING
held in the
COUNCIL CHAMBERS
on
MONDAY 16 OCTOBER 2023 AT 7:00PM

MINUTES

16 OCTOBER 2023

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
Deputy Mayor Liz Trotter
Cr Aman Kaur
Cr James Nenke – arrived at 7:04pm
Cr Steven Rypp
Cr Anthony Vanstone
Cr James Williams
Cr John Zeppel

Staff in Attendance

Chief Executive Officer, Andrew MacDonald
Group Manager Public Relations & Community Services, Sarah Spencer
Group Manager Assets & Infrastructure, James Kelly
Group Manager Strategy, Governance & Compliance, Scott Reardon
Group Manager Corporate Services, Vikki Purtle
WHS/HR Coordinator, Jim Dickens
Council Secretariat & Governance Officer, Danielle Edwards

1.2 Apologies

Nil.

1.3 Not Present / Leave of Absence

1.3.1 Cr Allanson is on a leave of absence from from 1 August 2023 to 30 July 2024, inclusive (**CNC316/22-23**).

1.3.2 Cr Vanstone will be on a leave of absence from 19 October 2023 to 15 November 2023, inclusive (**CNC23/23-24**).

1.3.3 **CNC56/23-24**

Moved: Cr Trotter
Seconded: Cr Zeppel

That Council approve Cr Trotter's request for Leave of Absence from 23 October 2023 to 1 November 2023, inclusive.

CARRIED UNANIMOUSLY

2. CONFIRMATION OF MINUTES

2.1 Ordinary Council meeting held on 18 September 2023

CNC57/23-24

Moved: Cr Vanstone
Seconded: Cr Zeppel

That the minutes of the **Ordinary Council** meeting held on 18 September 2023 be confirmed as a true and accurate record of the proceedings.

CARRIED UNANIMOUSLY

2.2 Sustainability Committee meeting held on 4 October 2023

CNC58/23-24

Moved: Cr Williams
Seconded: Cr Kaur

That the minutes of the **Sustainability Committee** meeting held on 4 October 2023 be received and noted.

CARRIED UNANIMOUSLY

2.3 Audit and Risk Committee meeting held on 5 October 2023

CNC59/23-24

Moved: Cr Trotter
Seconded: Cr Zeppel

That the minutes of the **Audit and Risk Committee** meeting held on 5 October 2023 be received and noted.

CARRIED UNANIMOUSLY

2.4 Special CEO Performance Review Committee meeting held on 9 October 2023

CNC60/23-24

Moved: Cr Trotter
Seconded: Cr Kaur

That the minutes of the Special **CEO Performance Review Committee** meeting held on 9 October 2023 be received and noted.

CARRIED UNANIMOUSLY

The time being 7:04pm Cr Nenke entered the meeting.

2.5 ERA Water Board meeting held on 21 September 2023

CNC61/23-24

Moved: Cr Trotter

Seconded: Cr Vanstone

That the minutes and outcomes statement of the **ERA Water Board** meeting held on 21 September 2023 be received and noted.

CARRIED UNANIMOUSLY

2.6 East Waste Board meeting held on 21 September 2023

CNC62/23-24

Moved: Cr Zeppel

Seconded: Cr Williams

That the minutes of the **East Waste Board** meeting held on 21 September 2023 be received and noted.

CARRIED UNANIMOUSLY

3. DECLARATIONS OF INTEREST

Nil.

4. DEPUTATIONS

Nil.

5. PETITIONS

Nil.

6. MAYORS DIARY

6.1 Mayors Diary

CNC63/23-24

Moved: Cr Trotter

Seconded: Cr Zeppel

That Council receives and notes the Mayoral Diary from 14 September 2023 to 11 October 2023.

CARRIED UNANIMOUSLY

7. COUNCIL MEMBER'S REPORTS

Nil.

8. COUNCIL MEMBER'S SUBSIDIARY REPORTS

- 8.1 Cr Vanstone attended the ERA Water Board Meeting on 21 September 2023 and provided a verbal update.

9. QUESTIONS FROM THE GALLERY

Nil.

10. QUESTIONS WITHOUT NOTICE

Nil.

11. QUESTIONS ON NOTICE

Nil.

12. MOTIONS WITHOUT NOTICE

- 12.1 Cr Liz Trotter

Moved: Cr Trotter

Seconded:

To support current and future balanced quality development within The Town of Walkerville;

1. That Council supports balanced quality developments within the Council area, but with regard to the proposed Buckingham Arms redevelopment wishes to emphasise its position in relation to its earlier submission to SCAP as well as address the height of the proposed development.
2. That Council directs Administration to engage a planning consultant to assist in developing a submission on Council's behalf, regarding the following items as raised previously:
 - a. impact on heritage
 - b. waste concerns
 - c. traffic concerns
 - d. stormwater management concerns
 - e. reiterate position of 4-5 storey height development,

and for that consultant to represent Council regarding that submission at SCAP.

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 this item.

Formal meeting procedures suspended at 7:11pm.

Formal meeting procedures resumed at 7:21pm.

CNC64/23-24

Moved: Cr Trotter

Seconded: Cr Rypp

To support current and future balanced quality development within The Town of Walkerville;

1. That Council supports balanced quality developments within the Council area, but with regard to the proposed Buckingham Arms redevelopment wishes to emphasise its position in relation to its earlier submission to SCAP as well as address the height of the proposed development.
2. That Council directs Administration to engage a planning consultant to assist in developing a submission on Council's behalf, regarding the following items as raised previously:
 - a. impact on heritage
 - b. waste concerns
 - c. traffic concerns
 - d. stormwater management concerns
 - e. reiterate position of 4-5 storey height development,

and for that consultant to represent Council regarding that submission at SCAP.

CARRIED UNANIMOUSLY

13. MOTIONS ON NOTICE

Nil.

14. DECISION REPORTS

14.1 Strategy

14.1.1 Greater Adelaide Regional Plan

CNC65/23-24

Moved: Cr Williams

Seconded: Cr Kaur

1. That Council endorse the preliminary proposal, appearing as Attachment A to this report, for submission to the State Planning Commission no later than 5:00pm Monday 6 November 2023.
2. That Council authorise Administration to make any necessary changes to the preliminary proposal of a minor technical or formatting nature.
3. That Council reviews the Town of Walkerville Urban Master Plan and submitted the updated Plan to the State Planning Commission, before 31 March 2024.

CARRIED UNANIMOUSLY

- 14.1.2 Draft Asset Management Plans – Roads, Footpaths and Stormwater - for consultation

CNC66/23-24

Moved: Cr Nenke

Seconded: Cr Trotter

That Council authorises the release of Draft Asset Management Plans for roads, footpaths and stormwater – for public consultation.

CARRIED UNANIMOUSLY

14.2 Policy

- 14.2.1 Draft Behavioural Management Policy – for adoption

CNC67/23-24

Moved: Cr Zeppel

Seconded: Cr Trotter

1. That Council adopt the Draft Behavioural Management Policy, appearing as Attachment A to this report.
2. That Council authorise Administration to make any necessary changes to the draft Behavioural Management Policy of a minor technical or formatting nature.

CARRIED UNANIMOUSLY

- 14.2.2 Draft Casual Vacancies (Supplementary Elections) Policy – for adoption

CNC68/23-24

Moved: Cr Vanstone

Seconded: Cr Rypp

1. That Council adopt the reviewed Draft Casual Vacancies (Supplementary Elections) Policy, appearing as Attachment A to this report.
2. That Council authorise Administration to make any necessary changes to the Draft Casual Vacancies (Supplementary Elections) Policy of a minor technical or formatting nature.

CARRIED UNANIMOUSLY

14.3 Operational

14.3.1 Council Resolution Register

CNC69/23-24

Moved: Cr Williams

Seconded: Cr Kaur

That Council receives and notes the Council Resolution Register dated 12 October 2023, 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 UNANIMOUSLY

14.3.2 Sustainability Committee Terms of Reference Review and Presiding Member Appointment

CNC70/23-24

Moved: Cr Vanstone

Seconded: Cr Williams

1. That Council adopts the revised Town of Walkerville Sustainability Committee Terms of Reference, appearing as Attachment B to this report.
2. That Council appoint Cr Zeppel as Presiding Member of Council’s Sustainability Committee from Tuesday 17 October 2023 until Wednesday 19 February 2025 (the remainder of the membership term).

CARRIED UNANIMOUSLY

14.3.3 Audited Financial Statements 2022-23

CNC71/23-24

Moved: Cr Vanstone

Seconded: Cr Trotter

1. That the Audited Financial Statements for the financial year ending 30 June 2023, as presented in Attachment A of this report be adopted by Council for inclusion in the 2022-23 Annual Report.
2. That the Mayor and Chief Executive Officer be authorised to sign the Certification of Financial Statements accompanying the Financial Statements for the financial year ending 30 June 2023 as presented in Attachment B of this report.

CARRIED UNANIMOUSLY

14.3.4 Council's Representative for LGFA and LGA SA Meetings

CNC72/23-24

Moved: Cr Rypp
Seconded: Cr Kaur

That Council appoints Mayor Jones as its representative for the Local Government Finance Authority and Local Government Association of South Australia Annual General Meetings and General Meetings, for the term of Council.

CARRIED UNANIMOUSLY

14.3.5 40km/h Consultation with City of Port Adelaide Enfield

CNC73/23-24

Moved: Cr Rypp
Seconded: Cr Williams

That Council authorises the release of the 40km/h speed limit survey for Vale Park between Ascot Avenue, North East Road, Fife Street and River Torrens for public consultation for a period of 21 days.

CARRIED

14.4 Subsidiaries

14.4.1 Highbury Landfill Authority (HLA) Board Representation Appointment

CNC74/23-24

Moved: Cr Rypp
Seconded: Cr Trotter

That Council appoints the Group Manager Assets & Infrastructure, James Kelly as its Board representative to the Highbury Landfill Authority effective from Tuesday 17 October 2023 and concluding on 16 October 2026.

CARRIED UNANIMOUSLY

15. IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION (en bloc protocol)

The Presiding Member asked Council Members if they wish to withdraw an information report from the en bloc protocol for discussion or questions. Items not withdrawn indicate that all Council Members have taken the time to adequately satisfy themselves that the recommendation for each report is the appropriate course of action and therefore moved en bloc.

CNC75/23-24

Moved: Cr Kaur

Seconded: Cr Trotter

That items, 16.3.1, 16.3.2 and 16.3.3 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 September 2023

CNC75/23-24 (as per item 15)

Moved: Cr Kaur

Seconded: Cr Trotter

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

CARRIED UNANIMOUSLY

16.3.2 Decisions of Council Assessment Panel 09 October 2023

CNC75/23-24 (as per item 15)

Moved: Cr Kaur

Seconded: Cr Trotter

That Council notes that the Council Assessment Panel did not meet on Monday, 09 October 2023 as no items were raised for consideration by Council Administration.

CARRIED UNANIMOUSLY

16.3.3 Civic and Community Centre Christmas Closure 2023

CNC75/23-24 (as per item 15)

Moved: Cr Kaur

Seconded: Cr Trotter

That Council receives and notes that the Civic and Community Centre will be closed from 12pm Friday 22 December 2023 and reopened at 9am Tuesday 02 January 2024.

CARRIED UNANIMOUSLY

16.4 Subsidiaries

Nil.

17 CORRESPONDENCE

Nil.

18 URGENT OTHER BUSINESS

Nil.

19 CONFIDENTIAL ITEMS

19.1 Goode (Watson Car Park) Discretionary Rebate Application 2023/24

CNC76/23-24

Moved: Cr Rypp

Seconded: Cr Zeppel

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 Andrew MacDonald, Group Manager Assets & Infrastructure James Kelly, Group Manager Corporate Services Vikki Purtle, Group Manager Public Relations & Community Services Sarah Spencer, Group Manager Strategy, Governance & Compliance Scott Reardon, WHS/HR Coordinator Jim Dickens and Council Secretariat Danielle Edwards, be excluded from attendance at the meeting for Agenda Item 19.1 'Goode (Watson Car Park) Discretionary Rebate Application 2023/24'.

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 UNANIMOUSLY

The time being 7:41pm the meeting moved into confidence.

CNC77/23-24

Moved: Cr Rypp

Seconded: Cr Kaur

That Council approves Mr John Goodes' request for a discretionary rates rebate of \$1,382.00 for the 2023/24 financial year.

CARRIED UNANIMOUSLY

CNC78/23-24

Moved: Cr Vanstone

Seconded: Cr Rypp

That having considered Agenda Item 'Goode (Watson Car Park) Discretionary Rebate Application 2023/24' 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.

CARRIED UNANIMOUSLY

The time being 7:42pm the meeting moved out of confidence.

- 19.2 Jones (Watson Car Park) Discretionary Rebate Application 2023/24

CNC79/23-24

Moved: Cr Zeppel

Seconded: Cr Nenke

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 Andrew MacDonald, Group Manager Assets & Infrastructure James Kelly, Group Manager Corporate Services Vikki Purtle, Group Manager Public Relations & Community Services Sarah Spencer, Group Manager Strategy, Governance & Compliance Scott Reardon, WHS/HR Coordinator Jim Dickens and Council Secretariat Danielle Edwards, be excluded from attendance at the meeting for Agenda Item 19.2 'Jones (Watson Car Park) Discretionary Rebate Application 2023/24'.

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 UNANIMOUSLY

The time being 7:43pm the meeting moved into confidence.

CNC80/23-24

Moved: Cr Trotter

Seconded: Cr Zeppel

That Council accepts Mr Shane Jones' request for a discretionary rates rebate of \$1382.00 for the 2023/24 financial year.

CARRIED UNANIMOUSLY

CNC81/23-24

Moved: Cr Trotter

Seconded: Cr Kaur

That having considered Agenda Item 'Jones (Watson Car Park) Discretionary Rebate Application 2023/24' 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.

CARRIED UNANIMOUSLY

The time being 7:45pm the meeting moved out of confidence.

19.3 CEO Performance Review Committee Appointment of Consultant

CNC82/23-24

Moved: Cr Zeppel

Seconded: Cr Kaur

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, WHS/HR Coordinator Jim Dickens and Council Secretariat & Governance Officer Danielle Edwards be excluded from attendance at the meeting for Agenda Item 19.3 CEO Performance Review - Appointment of Consultant.

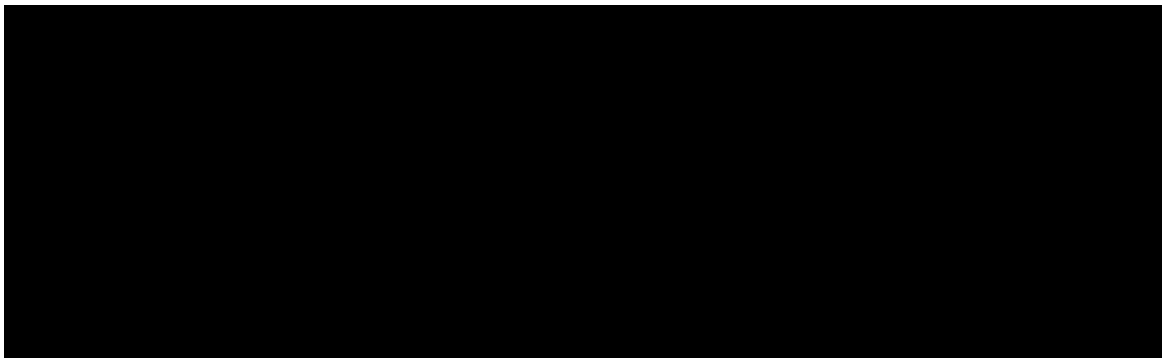
The Council is satisfied that pursuant to sections 90(3)(d) of the Act, the information to be received, discussed and considered in confidence as the information in relation to this agenda item includes information of a confidential nature (not being a trade secret) the disclosure of which -

- could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
- would, on balance, be contrary to the public interest.

Accordingly, on this basis, the Council is satisfied that the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

CARRIED UNANIMOUSLY

The time being 7:45pm the meeting moved into confidence.



CNC84/23-24

Moved: Cr Zeppel

Seconded: Cr Williams

Pursuant to section 91(7)

That having considered Agenda Item 19.3 CEO Performance Review - Appointment of Consultant 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 12 months, 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 UNANIMOUSLY

The time being 7:47pm the meeting moved out of confidence.

20 CLOSURE

The Presiding Member declared the meeting closed at 7:47pm.