



MINUTES

of

COUNCIL MEETING

held in the

COUNCIL CHAMBERS

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

on

MONDAY 18 JULY 2022 AT 7PM

MINUTES
18 JULY 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.

IN MEMORY OF PETER GOLDING

Before we start the formalities tonight, it is with great sadness that I announce the passing of long-time community member Peter Golding last Tuesday morning.

Peter was one of the most selfless and passionate people I had the pleasure of knowing. He was renowned for being the creator of one of the biggest events on the Walkerville calendar – the Miniature Christmas Pageant.

For the past two decades, Peter and his army of dedicated volunteers designed, built and presented an incredible display of mini floats – bringing together thousands of people of all ages into the Township and raising funds for Telethon SA. He selflessly gave his time and energy to bring a smile to the faces of many people in our community, including myself and my own children, at such a wonderful time of the year.

His dedication to his community only became more prevalent as time went on. He was a regular at Council's annual volunteer events and received several awards for his contribution to the Township. We send our thoughts to his family at this time.

1. ATTENDANCE RECORD

1.1 Present

Mayor Elizabeth Fricker
Cr Rob Ashby AM
Cr MaryLou Bishop
Cr Norm Coleman OAM
Cr Stephen Furlan
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
Communications and Marketing Manager, Sarah Spencer
Acting Manager Corporate Services, Vikki Purtle
Council Secretariat, Danielle Edwards

1.2 Apologies

Cr James Nenke

1.3 Not Present / Leave of Absence

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

1.3.2 **CNC01/22-23**

Moved: Cr Wilkins
Seconded: Cr Ashby

That Council approve Cr Bishop's request for a leave of absence from 15 August 2022 to 15 August 2022, inclusive.

CARRIED

1.3.3 **CNC02/22-23**

Moved: Cr Wilkins
Seconded: Cr Ashby

That Council approve Cr Bishop's request for a leave of absence from 15 October 2022 to 27 October 2022, inclusive.

CARRIED

2. **CONFIRMATION OF MINUTES**

2.1 Ordinary Council meeting held on the 16 May 2022

CNC03/22-23

Moved: Cr Furlan
Seconded: Cr Coleman

That the minutes of the Ordinary Council meeting held on 20 June 2022 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 14.3.4 '39 Smith Street – Funding & Preliminary Masterplan' as he owns a neighbouring property 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 Furlan declared a declared a perceived interest in agenda item 14.3.4 '39 Smith Street – Funding & Preliminary Masterplan' as he has an interest in a neighbouring commercial property 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.

4. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

Nil.

5. MAYORS DIARY

5.1 Mayors Diary

CNC04/22-23

Moved: Cr Bishop

Seconded: Cr Wilkins

That Council receives and notes the Mayoral Diary from 16 June 2022 to 13 July 2022.

CARRIED

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

Nil.

7. REPORTS FROM ELECTED MEMBERS HAVING ATTENDED SUBSIDIARY BOARD MEETINGS

Nil.

8. QUESTIONS FROM THE GALLERY

Nil.

9. QUESTIONS WITHOUT NOTICE

Nil.

10. QUESTIONS ON NOTICE

Nil.

11. PETITIONS

Nil.

12. MOTIONS WITHOUT NOTICE

12.1 Cr Wilkins – 39 Smith Street

CNC05/22-23

Moved: Cr Wilkins

Seconded: Cr Ashby

That Council, in light of the funding announcement with respect to 39 Smith street, directs Administration to develop, and present back to council for review by the August 2022 ordinary Council meeting, a Project Management Plan for the 39 Smith street development.

The Project Management Plan shall include the following sections;

- Project Summary
- Project objectives, including a draft statement of requirements for the project to be agreed with key stakeholders and the Elected Members
- A draft summary management plan of how the facility will be operated once complete (a more detailed management plan to be developed by Jan 2023)
- A project development methodology (a road map of how the project will progress to execution)
- A summary procurement plan (a more detailed plan to be developed if required later. prior to tender)
- A summary cost and resources management plan (how the project will develop, track, and manage capital cost and resources provided by Council, including change management)
- A stakeholder and communications management plan, including documentation of the key stakeholders; and timing of community consultation, EM informal gatherings and/or workshop dates
- A project organisation chart, with role responsibilities and accountabilities of the project team documented
- A detailed schedule including key milestones and decision dates

CARRIED

13. MOTIONS WITH NOTICE

Nil.

14. REPORTS REQUIRING DECISION OF COUNCIL

14.1 Strategy

Nil.

14.2 Policy

14.2.1 Draft Caretaker Policy Consultation Finding

CNC06/22-23

Moved: Cr Furlan

Seconded: Cr Bishop

1. That Council receives and notes the Draft Caretaker Policy Consultation Finding Report.
2. That on the basis that this policy has received no substantive changes, Council endorse and adopt the Caretaker Policy, appearing as Attachment A to this report;
3. That Council authorises Administration to make any necessary minor technical or formatting amendments to the Caretaker Policy.

CARRIED

14.2.2 Draft Rating Policy Consultation Finding

CNC07/22-23

Moved: Cr Wilkins

Seconded: Cr Ashby

1. That Council receives and notes the Rating Policy Consultation Finding report.
2. That on the basis that this policy has received no substantive changes, Council endorse and adopt the Rating Policy, appearing as Attachment A to this report;
3. That Council authorises Administration to make any necessary minor technical or formatting amendments to the Rating Policy.

CARRIED

14.2.3 Draft Social Media Policy – for consultation

CNC08/22-23

Moved: Cr Wilkins

Seconded: Cr Ashby

1. That Council authorises the release of the Draft Social Media Policy, appearing as Attachment A, for public consultation for a period of 21 days.
2. That Council authorise Administration to make changes to the Social Media Policy of a minor technical or formatting nature, prior to release for consultation.

CARRIED

14.3 Operational

14.3.1 Review of Council By-Laws

CNC09/22-23

Moved: Cr Furlan

Seconded: Cr Bishop

1. That Council receive and note the Review of Council By-Laws report.
2. That the Acting Chief Executive Officer be authorised to refer Draft By-law 5 – Dogs, as appearing as Attachment E to this report, to the Dog and Cat Management Board for comment in accordance with Section 90(5)(a)(b) of the *Dog and Cat Management Act 1995*.
3. That the Council endorse the following proposed By-laws and release them for public consultation in accordance with Section 249 of the *Local Government Act 1999*, with the consultation commencing at least 21 days after the Dogs By-law has been referred to the Dog and Cat Management Board:
 - a. By-law No 1 – Permits and Penalties (Attachment A);
 - b. By-law No 2 – Local Government Land (Attachment B)
 - c. By-law No 3 – Roads (Attachment C);
 - d. By-law No 4 – Moveable Signs (Attachment D), and
 - e. By-law No 5 – Dogs (Attachment E).
4. That the Acting Chief Executive Officer be authorised to make any minor editorial and formatting changes as may be required to the proposed By-laws, appearing as attachments A-E to this report, in order to finalise the documents for the purposes of undertaking public consultation.
5. That following the conclusion of the consultation process, a subsequent report be presented to Council for adoption of the By-laws.

CARRIED

14.3.2 Behavioural Management Framework & Draft Policies – Council Feedback

CNC10/22-23

Moved: Cr Furlan

Seconded: Cr Williams

1. That Council receives and notes the proposed Draft Behavioural Standards, appearing as Attachment A to this report.
2. That Council receives and notes the proposed Draft Behavioural Management Policy, appearing as Attachment B to this report.
3. That Council receives and notes the proposed Draft Behavioural Support Policy, appearing as Attachment C to this report.
4. That Council receives and notes the Table of Hierarchy – Behavioural Management Framework, appearing as Attachment D to this report.
5. That Council endorses the feedback to the Local Government Association on the proposed Behavioural Management Policy and the proposed Behavioural Support Policy, appearing as Attachment E to this report.
6. That Council authorise administration to finalise and submit Council feedback to the LGA before the submission closing date being 6 August 2022.

CARRIED

14.3.3 Walkerville Oval Redevelopment – Floor Plan Design & Consultation

That Council

CNC11/22-23

Moved: Cr Wilkins

Seconded: Cr Coleman

1. That Council formally endorses;
 - the relocation of the public toilet amenities from the rear of the Warwick Street building to the oval side of the building, appearing as Attachment A to this report (page 161);
 - along with Option A presented as Attachment D (pp.165) to this report as the final design of the Warwick street building.
2. That Council proceed to a four (4) week community consultation on the Walkerville Oval Redevelopment, as it relates to the following attachments to the report being Attachment A; the ground floor plan of the Warwick street building (p. 161), Attachment B; the bowling club plan (p. 162) and Attachment D; the top floor plan of the Warwick street building (also referred to as Option A p. 165); to seek the community's feedback on:
 - 2.1 whether the community continues to support the allocation of funds beyond the currently endorsed \$9.5M, and
 - 2.2 whether the community would support a minor increase in the council debt limit from the current \$9.5M to approximately \$10.5M to ensure the completion of the project.
3. That following the completion of the community consultation, a subsequent report – including the consultation findings – be presented to Council.

CARRIED

14.3.4 39 Smith Street – Funding & Preliminary Masterplan

CNC12/22-23

Moved: Cr Wilkins

Seconded: Cr Ashby

1. That Council receive and note the 39 Smith Street – Funding & Preliminary Masterplan report.
2. That Council direct Administration to provide an update on the progress of refurbishment to the Member for Adelaide, Lucy Hood, then proceed to a preliminary community consultation to inform the community of the current plans and timeframes for the refurbishment and activation of 39 Smith Street (**Site**), as well as to seek the community's general feedback about possible future options for the activation of the old Fuller Street works depot site.
3. That following completion of recommendations 1 and 2, a further update report be presented to Council regarding the preliminary community feedback.

CARRIED

14.3.5 Third Party Community Groups

CNC13/22-23

Moved: Cr Williams

Seconded: Cr Furlan

1. That Council approves the waiving of user fees and/or charges for venue hire for the following local community organisations:
 - Walkerville Probus Club; and
 - Walkerville Rotary Club
2. That Council authorises Administration to enter into extensions of Memorandums of Understanding (MOU) with each group that exercise the right to take up the waiver for a period up to but not exceeding 30 June 2023.

CARRIED

14.3.5 Walkerville Art Show Sponsorship Agreement - Extension for the Rotary Club of Walkerville

CNC14/22-23

Moved: Cr Williams

Seconded: Cr Coleman

That Council supports an extension of the current Walkerville Art Show Sponsorship Agreement with the Rotary Club of Walkerville (appearing as Attachment A to this report) for the 2022 event to open on Saturday 8th and run until Saturday 15th October.

CARRIED

14.4 Subsidiaries

14.4.1 ERA Water Budget Review Three 2021-22

CNC15/22-23

Moved: Cr Ashby

Seconded: Cr Furlan

1. That Council approves the ERA Water Budget Review Three Report for the 2021-22 financial year as detailed in Attachment A to this report.
2. That Administration writes to ERA Water advising of Council's decision.

CARRIED

15 IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION

CNC16/22-23

Moved: Cr Williams

Seconded: Cr Wilkins

That items 16.3.2, 16.3.3, 16.4.1, 16.4.2 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 June 2022

CNC17/22-23

Moved: Cr Bishop

Seconded: Cr Furlan

1. That Council receives and notes the Works Report for June 2022.
2. That administration research the history of the Royal Oak at Crawford Reserve and include in the Monthly Works Report in August 2022

CARRIED

16.3.2 Decisions of Council Assessment Panel 11 July 2022

CNC18/22-23

Moved: Cr Williams

Seconded: Cr Wilkins

That Council notes that the Council Assessment Panel did not meet on Monday 11 July 2022 as no items were raised for consideration by Council Administration, hence no decisions were made by the Council Assessment Panel.

CARRIED

16.3.3 Audit Committee Minutes 7 July 2022

CNC19/22-23

Moved: Cr Williams

Seconded: Cr Wilkins

That Council receives and notes the minutes of the Audit Committee meetings convened on 7 July 2022.

CARRIED

16.3.4 5G technology and Councils responsibility

CNC20/22-23

Moved: Cr Ashby

Seconded: Cr Wilkins

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

CARRIED

16.4 Subsidiaries

16.4.1 ERA Water Special Board Meeting Minutes 23 June 2022

CNC21/22-23

Moved: Cr Williams

Seconded: Cr Wilkins

That Council receives and notes the ERA Water Minutes from the Special Board Meeting convened on 23 June 2022.

CARRIED

16.4.2 Eastern Health Authority Board Minutes 29 June 2022

CNC22/22-23

Moved: Cr Williams

Seconded: Cr Wilkins

That Council receives and notes the EHA Board Minutes for the meeting convened on 29 June 2022.

CARRIED

16.5 Outstanding Council Resolutions & Actions

CNC23/22-23

Moved: Cr Williams

Seconded: Cr Wilkins

That Council receives and notes the list of Council resolutions currently being processed as at 14 July 2022.

CARRIED

17 CORRESPONDENCE

Nil.

18 URGENT OTHER BUSINESS

Nil.

19 CONFIDENTIAL ITEMS

19.1 Draft Mandatory Training Standard – Council Feedback

CNC24/22-23

Moved: Cr Furlan

Seconded: Cr Wilkins

Recommendation (Public)

Pursuant to s90(3)(j)

Pursuant to section 90(2) of the Act Council orders that all members of the public except, the Acting Chief Executive Officer Scott Reardon, Group Manager Planning, Environment, Regulatory and Customer Services Joshua Bowen, Acting Manager Corporate Services Vikki Purtle, Group Manager Assets & Infrastructure James Kelly, Manager Community Development & Engagement Fiona Deckert, Communications & Marketing Manager Sarah Spencer and Council Secretariat Danielle Edwards, be excluded from attendance at the meeting for Agenda Item 19.1 Draft Mandatory Training Standard – Council Feedback.

The Council is satisfied that, pursuant to section 90(3)(j) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would divulge information provided on a confidential basis to a public authority then the Minister of the Crown.

CARRIED

The time being 8:05pm the meeting moved into confidence.

Moved: Cr Furlan

Seconded: Cr Williams

Recommendation (Confidential)

1. That Council endorses the following proposed feedback to the Local Government Association on the Mandatory Training Standard as follows:
 - **Shift to a ‘competency based’ approach to training** – Council supports this shift and endorses an approach that encourages on-going learning throughout the Council term;
 - **Focus on leadership training as a council rather than as individuals** - Council supports this approach, particularly as returning Councillors can be of significant assistance to newly elected Councillors;
 - **Separate additional training requirements for Mayor** - Council supports this additional module on the basis that the role of the Mayor has been expanded and involves a significant focus on leadership skills, as well as enhanced powers;
 - **Core module named ‘Legal’** – this module appears to rely more on imparting information about obligations, rather than being based on any core competencies. Council suggests that this module could include a greater emphasis on the ‘good decision-making’, including the administrative law underpinnings of good decision-making, including bringing an open mind free of bias, taking into account all relevant considerations, not taking into account any irrelevant considerations and weighing up what is in the best interest of the community at large;
 - **Induction Program/workshop** – Council supports the formal inclusion of an induction program in the Training Standard;
2. That Council direct Administration to write to the Local Government Association outlining Council’s feedback.

CARRIED

CNC26/22-23

Moved: Cr Wilkins

Seconded: Cr Furlan

Recommendation (Public)

Pursuant to s.91(7)

That having considered Agenda Item 19.1 Draft Mandatory Training Standard – Council Feedback in confidence under section 90(2) and (3)(j) 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 such time that the documentation is finalised and published by the Local Government Association.

That pursuant to Section 91(9)(c) of the *Local Government Act 1999* the Council delegates to the Chief Executive Officer the and 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 8:10pm the meeting moved out of confidence.

19.2 Strategic Property & Leasing Review - Walkerville Lawn Tennis Club

CNC27/22-23

Moved: Cr Ashby

Seconded: Cr Wilkins

Recommendation (Public)

Pursuant to s90(3)(d)

Pursuant to section 90(2) of the Act 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, Communications & Marketing Manager Sarah Spencer and Council Secretariat Danielle Edwards, be excluded from attendance at the meeting for Agenda Item 19.2 Strategic Property & Leasing Review – Walkerville Lawn Tennis Club.

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 8:11pm the meeting moved into confidence.

CNC27A/22-23

Moved: Cr Furlan

Seconded: Cr Wilkins

Recommendation (Confidential)

1. That Council rescind point 1 only of resolution **CNC478/16-17** which reads:

That Council:

1. *offer the Walkerville Lawn Tennis Club a five (5) year lease with a five (5) year renewal at the sole discretion of Council, on the property known as Walkerville Lawn Tennis Club, corner of Stephen Terrace and Creswell Court, Gilberton, on the terms of lease attached;*

and in lieu thereof replaces it with:

That Council:

1. *offer the Walkerville Lawn Tennis Club a five (5) year lease on the property known as Walkerville Lawn Tennis Club, corner of Stephen Terrace and Creswell Court, Gilberton, on the terms of lease;*
2. 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 1 October 2022;
3. That a commencing annual lease fee \$3,000 (plus GST) be applied and be subject to annual CPI increases;
4. That the Mayor and Acting Chief Executive Officer be authorised to finalise negotiations then execute any/all relevant and ancillary documents that pertain to the proposed Lease between Walkerville Lawn Tennis Club Inc. and Council including affixing of the common seal of Council.

CARRIED

CNC28/22-23

Moved: Cr Wilkins

Seconded: Cr Ashby

Recommendation (Public)

Pursuant to s.91(7)

That having considered Agenda Item 19.2 Strategic Property & Leasing Review – Walkerville Lawn Tennis Club in confidence under section 90(2) and (3)(b)&(d) of the Act, 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 Act Council and re-admit the public.

CARRIED

The time being 8:20pm the meeting moved out of confidence.

19.3 Strategic Property & Leasing Review – Saints Gymnastics Club

CNC29/22-23

Moved: Cr Wilkins

Seconded: Cr Furlan

Recommendation (Public)

Pursuant to s90(3)(d)

Pursuant to section 90(2) of the Act 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, Communications & Marketing Manager Sarah Spencer and Council Secretariat Danielle Edwards, be excluded from attendance at the meeting for Agenda Item 19.3 Strategic Property & Leasing Review – Saints Gymnastics Club.

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 8:20pm the meeting moved into confidence.

CNC30/22-23

Moved: Cr Wilkins

Seconded: Cr Bishop

Recommendation (Confidential)

1. That Council receives and notes the Strategic Property & Leasing Review – Saints Gymnastics Club report.
2. That Council directs Administration to continue with formal negotiations with the Saints Gymnastics Club Inc. regarding their possible tenancy at facility located 39 Smith Street Walkerville once the planned refurbishment has been completed.
3. That Council directs Administration to undertake interim necessary works to the basketball stadium and the adjacent amenities to allow for the Saints Gymnastics Club to occupy and utilise the facility from 30 November 2022, while the refurbishment works are concurrently undertaken to the Gymnastics area of the facility;
4. That Council direct Administration to provide an update on the progress of negotiations to the Member for Adelaide, Lucy Hood.
5. That once the aforementioned recommendations 1 and 3 have been completed, a subsequent report, including timeline, be submitted to provide Council with an update.

CARRIED

CNC31/22-23

Moved: Cr Ashby

Seconded: Cr Furlan

Recommendation (Public)

Pursuant to s.91(7)

That having considered Agenda Item 19.3 Strategic Property & Leasing Review – Saints Gymnastics Club in confidence under section 90(2) and (3)(b)&(d) of the Act, 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 12 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 Act Council and re-admit the public.

CARRIED

The time being 8:30pm the meeting moved out of confidence.

20. CLOSURE

The Presiding Member declared the meeting closed at 8:30pm.