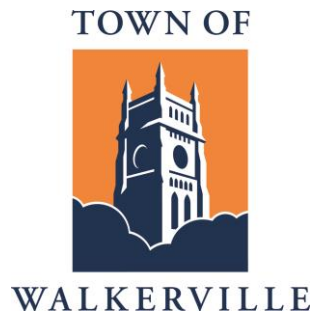




MINUTES

of

COUNCIL MEETING

pursuant to the provisions of Section 91 of the
Local Government Act 1999

held at

**WALKERVILLE COUNCIL CIVIC CENTRE
COUNCIL CHAMBERS
66 WALKERVILLE TERRACE GILBERTON**

on

MONDAY 18 MARCH 2024 AT 7.00PM

DISCLAIMER – Please note that the contents of this meeting have yet to be considered by Members and recommendations may be altered or changed by the Members in the process of making the formal decision. For all final determinations and decisions of the meeting, please refer to the relevant Minutes from each respective meeting.

MINUTES
18 MARCH 2024

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 John Zeppel
Cr Steven Rypp
Cr Anthony Vanstone
Cr James Williams
Cr Liz Trotter
Cr Aman Kaur

Staff in Attendance

Chief Executive Officer, Andrew MacDonald
Group Manager Assets & Infrastructure, James Kelly
Strategic Projects Coordinator, Ross Oates
Manager Planning & Community Safety, Michael Walmesley
Communications & Engagement Officer, Liz Alderslade
Team Leader People Governance & Risk, Jim Dickens
Governance Officer (EA), Emma Spencer
Governance Officer, Yazmin King

1.2 Apologies

Nil.

1.3 Not Present / Leave of Absence

Cr Allanson is on a leave of absence from from 22 January 2024 to 30 July 2024, inclusive, **(CNC140/23-24)**

Cr Nenke is on a leave of absence from from 5 February 2024 to 22 March 2024, inclusive, **(CNC013/02/24)**

2. CONFIRMATION OF MINUTES

2.1 Ordinary Council meeting held on 19 February 2024

CNC023/03/24

Moved: Cr Vanstone

Seconded: Cr Rypp

That the minutes of the Ordinary Council meeting held on 19 February 2024 be confirmed as a true and accurate record of the proceedings.

CARRIED

2.2 Special Council meeting held on 26 February 2024

CNC024/03/24

Moved: Cr Rypp

Seconded: Cr Trotter

That the minutes of the Special Council meeting held on 26 February 2024 be confirmed as a true and accurate record of the proceedings.

CARRIED

2.3 Walkerville Community Committee meeting held on 16 February 2024

CNC025/03/24

Moved: Cr Kaur

Seconded: Cr Trotter

That the minutes of the Walkerville Community Committee meeting held on 16 February 2024 be confirmed as a true and accurate record of the proceedings.

CARRIED

2.4 Major Projects Advisory Committee meeting held on 19 February 2024

CNC026/03/24

Moved: Deputy Mayor Zeppel

Seconded: Cr Kaur

That the minutes of the Major Projects Advisory Committee meeting held on 19 February 2024 be confirmed as a true and accurate record of the proceedings.

CARRIED

2.5 Audit and Risk Committee meeting held on 26 February 2024

CNC027/03/24

Moved: Cr Trotter

Seconded: Deputy Mayor Zeppel

That the minutes of the Audit and Risk Committee meeting held on 26 February 2024 be confirmed as a true and accurate record of the proceedings.

CARRIED

2.6 Highbury Landfill Authority meeting held on 1 February 2024

CNC028/03/24

Moved: Cr Williams

Seconded: Cr Rypp

That the minutes of the Highbury Landfill Authority meeting held on 1 February 2024 be received and noted.

CARRIED

2.7 Eastern Health Authority meeting held on 21 February 2024

CNC029/03/24

Moved: Cr Rypp

Seconded: Cr Trotter

That the minutes of the Eastern Health Authority meeting held on 21 February 2024 be received and noted.

CARRIED

2.8 CEO Performance Review Committee meeting held on 21 February 2024

CNC030/03/24

Moved: Cr Rypp

Seconded: Cr Kaur

That the minutes of the CEO Performance Review Committee meeting held on 21 February 2024 be confirmed as a true and accurate record of the proceedings.

CARRIED

3. DECLARATIONS OF INTEREST

- 3.1 Cr Trotter declared a general conflict of interest in agenda Item 14.3 - Walkerville Bowling & Community Club – Funding Request, due to her husband being on the committee. Cr Trotter advised that she will remain in the chamber, participate in the discussion and will vote in the decision.

4. DEPUTATIONS

Nil.

5. PETITIONS

Nil.

6. MAYORS DIARY

- 6.1 Mayors Diary Report – March 2024

CNC031/03/24

Moved: Cr Kaur

Seconded: Cr Trotter

That Council receives and notes the Mayoral Diary from 15 February to 14 March 2024.

CARRIED

7. COUNCIL MEMBER'S REPORTS

- 7.1 Nil.

8. COUNCIL MEMBER'S SUBSIDIARY REPORTS

- 8.1 Nil.

9. QUESTIONS FROM THE GALLERY

Nil.

10. QUESTIONS WITHOUT NOTICE

Nil.

11. QUESTIONS ON NOTICE

Nil.

12. MOTIONS WITHOUT NOTICE

Nil.

13. MOTIONS ON NOTICE

Nil.

14. DECISION REPORTS

14.1 Council Resolution Register

CNC032/03/24

Moved: Cr Trotter

Seconded: Cr Rypp

That Council receives and notes the Council Resolution Register dated 13 March 2024, 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

14.2 Blue Tree Project – Consultation Results

CNC033/03/24

Moved: Cr Kaur

Seconded: Cr Williams

That – subject to community consultation and a satisfactory arborist report – Council resolves to allow the Prospect Blair Athol Lions Club to use the allocated \$500 from the 2023/24 Community Fund budget to paint a tree in Hamilton Reserve as part of the 'Blue Tree Project'.

CARRIED

14.3 Walkerville Bowling & Community Club – Funding Request

CNC034/03/24

Moved: Cr Williams

Seconded: Cr Rypp

That Council approves a budget of \$26,000 to support the maintenance and upkeep of the two (2) Walkerville Bowling & Community Club bowling greens whilst the new facility is being constructed.

CARRIED

14.4 2024 National General Assembly – Notices of Motion

CNC035/03/24

Moved: Cr Vanstone

Seconded: Cr Kaur

That Council receives and note report update on the 2024 National General Assembly notices of motion.

CARRIED

14.5 Minimum and maximum remuneration for Local Government Chief Executive Officers

CNC036/03/24

Moved: Deputy Mayor Zeppel

Seconded: Cr Trotter

That Council endorses the draft consultation submission provided at Attachment 2 to this report.

CARRIED

14.6 2023/24 Second Quarter Budget Review

CNC037/03/24

Moved: Cr Rypp

Seconded: Cr Trotter

That Council adopts the 2023/24 Second Quarter Budget Review adjustments presented within this report, in accordance with Regulation 9 of the Local Government (Financial Management) Regulations 2011.

CARRIED

14.7 Procurement Policy Review

CNC038/03/24

Moved: Cr Kaur

Seconded: Cr Rypp

1. That Council adopts the revised Procurement Policy, as provided at Attachment B to this report.
2. That Council authorises Administration to make changes to the Procurement Policy of a minor technical or formatting nature.

CARRIED

14.8 Long Term Financial Plan 2024-33

CNC039/03/24

Moved: Cr Williams

Seconded: Cr Trotter

1. That Council adopts the draft Long Term Financial Plan 2024 to 2033 provided as Attachment A to this report.
2. That Council resolves to replace its Financial Guiding Principles document with Council's Long Term Financial Plan 2024 to 2033.

CARRIED

14.9 Council Assessment Panel – Appointment of Members

CNC040/03/24

Moved: Cr Trotter

Seconded: Cr Rypp

That Council re-appoints the current sitting independent members of the Council Assessment Panel for a period of two (2) years.

CARRIED

15. INFORMATION REPORTS

15.1 Monthly Works Report – February 2024

CNC041/03/24

Moved: Cr Vanstone

Seconded: Deputy Mayor Zeppel

That Council receives and notes the Monthly Works Report for February 2024.

CARRIED

15.2 Monthly Financial Report February 2024

CNC042/03/24

Moved: Cr Rypp

Seconded: Cr Trotter

That Council receives and notes the Monthly Financial Report as of 29 February 2024.

CARRIED

15.3 Decisions of Council Assessment Panel 12 March 2024

CNC043/03/24

Moved: Cr Rypp

Seconded: Cr Williams

That Council notes that the Council Assessment Panel did not meet on Tuesday, 12 March 2024, as no items were raised for consideration by Council Administration.

CARRIED

15.4 Community Services Quarterly Snapshot Report

CNC044/03/24

Moved: Cr Vanstone

Seconded: Cr Kaur

That Council receives and notes the Community Services Quarterly Snapshot Report for the quarter of December 2023 to February 2024.

CARRIED

16. CORRESPONDENCE

Nil.

17. URGENT OTHER BUSINESS

Nil.

18. CONFIDENTIAL ITEMS

18.1 Levi Adelaide Holiday Park Lease – Proposed Amendment

CNC045/03/24

Moved: Cr Rypp

Seconded: Cr Williams

Confidentiality Recommendation (Public)

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; Group Manager Assets & Infrastructure, James Kelly; Group Manager Finance, Muhammad Jawad; Group Manager Public Relations, Sarah Spencer, Strategic Projects Coordinator, Ross Oates, Manager Planning & Community Safety, Michael Walmesley, Communications & Engagement Officer, Liz Alderslade, Team Leader, People, Governance & Risk, Jim Dickens, Governance Officer, Yazmin King and Governance Officer (EA), Emma Spencer, be excluded from attendance at the meeting for Agenda Item 18.2. Levi Adelaide Holiday Park Lease – Proposed Amendment.

The Council is satisfied that pursuant to section 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 -

(i) 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

(ii) would, on balance, be contrary to the public interest.

The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

CARRIED

The time being 7.14pm the meeting moved into confidence.

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 Item 18.1 – Levi Adelaide Holiday Park Lease – Proposed Amendment

Formal meeting procedures suspended at 7.15pm.

Formal meeting procedures resumed at 7.28pm.

CNC046/03/24

Moved: Cr Vanstone

Seconded: Cr Rypp

Confidentiality Recommendation (Confidential)

1. That Council approves the removal of Clause 51 from the current lease agreement for the Levi Adelaide Holiday Park by means of a Deed of Variation.
2. That Council authorises the Mayor and CEO to sign and seal the Deed of Variation as attached to this report.

LOST

Moved: Cr Williams

Seconded: Cr Trotter

1. To defer the item 18.1 subject to administration discussing with Andrew Chapman options in relation to Clause 51.
2. That Administration bring a report back to Council at the next Ordinary Council Meeting.

CARRIED

CNC047/03/24

Moved: Cr Trotter

Seconded: Cr Rypp

Confidentiality Recommendation (Public)

Pursuant to section 91(7)

That having considered Agenda Item 18.2 Levi Adelaide Holiday Park Lease – Proposed Amendment in confidence under section 90(2) & 90(3)(d) of the Local Government Act 1999, 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 or until execution of a contract, 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

The time being 7.39pm the meeting moved out of confidence.

18.2 Walkerville Sports Club Design Committee – Community Members

CNC048/03/24

Moved: Cr Rypp

Seconded: Cr Vanstone

Confidentiality Recommendation (Public)

Pursuant to section 90(2) and 90(3)(a)

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, Group Manager Assets & Infrastructure James Kelly, Group Manager Finance Muhammad Jawad, Group Manager Public Relations Sarah Spencer, Strategic Projects Coordinator, Ross Oates, Manager Planning & Community Safety, Michael Walmesley, Communications & Engagement Officer, Liz Alderslade, Team Leader People, Governance & Risk Jim Dickens, Governance Officer Emma Spencer and Governance Officer Yazmin King be excluded from attendance at the meeting for Agenda Item 18.2 Walkerville Sports Club Design Committee – Community Members.

The Council is satisfied that pursuant to sections 90(3)(a) of the Act, the information to be received, discussed and considered in confidence as the information in relation to this agenda item includes information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

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

The time being 7.40pm the meeting moved into confidence.

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 Item 18.2 – Walkerville Sports Club Design Committee – Community Members.

Formal meeting procedures suspended at 7.41pm.

Formal meeting procedures resumed at 8.02pm.

CNC049/03/24

Moved: Cr Rypp

Seconded: Cr Trotter

Confidentiality Recommendation (Public)

That Council endorses the appointment of Mr Peter Fredrick Meyer and Mr Nicolas Daly to occupy the two 'Community Member' positions on the Walkerville Sports Club Design Committee.

CARRIED

CNC050/03/24

Moved: Cr Williams

Seconded: Deputy Mayor Zeppel

Confidentiality Recommendation (Public)

Pursuant to section 91(7)

That having considered Agenda Item 18.2 Walkerville Sports Club Design Committee – Community Members in confidence under section 90(2) & 90(3)(a) of the Act, the Council, pursuant to section 91(7) of that Act orders that the report and all attachments to this Agenda Item be retained in confidence for a period of 2 years, 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

The time being 8.03pm the meeting moved out of confidence.

19. CLOSURE

The Presiding Member declared the meeting closed at 8.04pm.