Declaration of Office Ceremony for the recently Elected Council Members

Mr Michael Grech JP administered the declaration of office to his Worship the Mayor, Mr Kevin Knight.

Mr Michael Grech JP then administered the declaration of office of the 12 Councillors.

1. Opening Prayer and Welcome

The Mayor read the Opening Prayer and Acknowledgement of Country Statement.

2. Attendance Record:

2.1 Present

His Worship Mayor K Knight, Crs B Rankine, B Keane, J Lintvetl, L Jones, O Savvas, R Unger, D Wyld, L Petrie, P Field, R Coleman, S Keane and A Schlueter.

2.2 Apologies

Nil

2.3 Leave of Absence

Moved Cr B Keane, Seconded Cr Wyld

That Council grants leave of absence to Mayor Kevin Knight for the meetings dated 11 December 2018 and 22 January 2019.

Carried Unanimously (1)

2.4 Record of Officers in Attendance

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr J Moyle</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>Mrs C Neil</td>
<td>Director Community &amp; Cultural Development</td>
</tr>
<tr>
<td>Mr T Harfield</td>
<td>Director Assets &amp; Environment</td>
</tr>
<tr>
<td>Mr R McMahon</td>
<td>Director Organisational Services &amp; Excellence</td>
</tr>
<tr>
<td>Ms A Sargent</td>
<td>Manager Governance &amp; Policy</td>
</tr>
<tr>
<td>Ms K Strugnell</td>
<td>Governance Officer</td>
</tr>
<tr>
<td>Ms E Graves</td>
<td>Manager Customer &amp; Communications</td>
</tr>
<tr>
<td>Mr J Robbins</td>
<td>Manager Finance &amp; Rating Operations</td>
</tr>
<tr>
<td>Mr R Cook</td>
<td>Asset Engineer</td>
</tr>
<tr>
<td>Mr Q Booth</td>
<td>Engineering Work Placement</td>
</tr>
</tbody>
</table>
2.5 Record of Number of Persons in the Public Gallery
78 Attendees

2.6 Record of Media in Attendance
Messenger

3. Confirmation of Minutes to the Previous Meeting
Moved Cr S Keane, Seconded Cr Field
That the Minutes of the Council Meeting held on 23 October 2018 be confirmed as a true and accurate record of proceedings.
Carried Unanimously (2)

4. Mayor’s Report
Moved Cr B Keane, Seconded Cr Field
That the Mayor’s Report as circulated be received.
Carried Unanimously (3)

5. Public Forum - Nil

6. Deputations - Nil

7. Presentations
The Mayor deferred item 7.1 Quarter One budget review for Financial Year End 30 June 2019 for presentation at the time of Item 13.6 was to be considered.

8. Petitions
8.1 Petition regarding Street Tree Planting 2019, Dickerson Way, Redwood Park (D18/70296)
Council received the petition regarding Street Tree Planting 2019, Dickerson Way, Redwood Park.

9. Declaration of Conflicts of Interests - Nil

10. Adjourned Business - Nil
11. Motions Lying on the Table - Nil

12. Committee Reports
   
   Audit Committee - Nil

   Governance and Policy Committee - Nil

   CEO Performance and Remuneration Review Committee - Nil

   Strategic Planning and Development Policy Committee - Nil

   Traffic Management Safety Committee - Nil

13. Management Reports

   Office of the Chief Executive Officer

   13.1 Elected Member Support Policy (D18/35728)
   
   Moved Cr Jones, Seconded Cr Coleman

   1. That Council adopts the “Elected Member Support Policy” as outlined in Attachment 1 of the report entitled “Elected Member Support Policy” and dated 27 November 2018 subject to the following variations:
      a) That allowances be paid in arrears on or before the last working day of the month to improve administrative efficiencies in processing and managing variations throughout the term as part of Council's Continuous Improvement initiatives.

   2. That the provision of facilities and services within this policy is either legislated or at the discretion of the Council subject to complying with the following requirements:
      (a) that the provision of the facilities or services as described in the Elected Member Support Policy is necessary or expedient to the performance or discharge of official functions or duties of Elected Members;
      (b) facilities and services provided must be available to members on a uniform basis (other than facilities or services specifically provided for the benefit of the Mayor, being the principal member);
      (c) any property provided to a member remains the Council's property.

   Carried Unanimously (4)
13.2 Council Meeting Structure and Appointment of Deputy Mayor (D18/35561)

**Council Meeting Frequency, Location and Commencement Times**

Moved Cr Field, Seconded Cr Savvas

That Council resolves:

a) To hold two meetings each calendar month to occur on the second and fourth Tuesday of each month, with the exception that no meetings will be held between 15 December and 15 January each year.

b) That Council meetings will commence at 7.00pm

c) That Council meetings will be held at the Civic Centre, 571 Montague Road, Modbury, unless Council determines otherwise.

d) That the Chief Executive Officer, in consultation with the Mayor, is delegated the authority to amend the meeting schedule, in alignment with legislative requirements, to accommodate avoiding clashes with Anzac Day, the Easter and other holiday periods, if necessary, and in any other unforeseeable or unusual circumstances.

Carried Unanimously (5)

**Deputy Mayor**

Moved Cr Field, Seconded Cr Coleman

That Council, in accordance with Section 51(3) of the Local Government Act 1999, resolves to have a Deputy Mayor.

Carried Unanimously (6)

**Deputy Mayor – Terms of Appointment**

Moved Cr Field, Seconded Cr Schlueter

That Council, in accordance with Section 51(4) of the Local Government Act 1999, appoints a Councillor to the position of Deputy Mayor for a period of two years until midnight on 30 November 2020 and another Councillor to the position of Deputy Mayor from 12.01am 1 December 2020 until the end of the current Council term.

**Amendment**

An amendment to change the term of office for the Deputy Mayor to yearly was moved and seconded

Moved Cr B Keane, Seconded Cr S Keane

That Council, in accordance with Section 51(4) of the Local Government Act 1999, appoints four Councillors to the position of Deputy Mayor for one year terms.

The amendment was defeated
The meeting returned to the original motion.

Moved Cr Field, Seconded Cr Schlueter

That Council, in accordance with Section 51(4) of the Local Government Act 1999, appoints a Councillor to the position of Deputy Mayor for a period of two years until midnight on 30 November 2020 and another Councillor to the position of Deputy Mayor from 12.01am 1 December 2020 until the end of the current Council term.

Carried Unanimously (7)

Process for Appointing a Deputy Mayor

Moved Cr Field, Seconded Cr Petrie

That Council agrees that the following process be used to appoint Council Member(s) to the position of Deputy Mayor:

a. Council resolves that the method of choosing the Deputy Mayor for each period shall be by a secret ballot vote by all Council Members being invited to participate using a first preference only voting system unless there is only one nominee for that period and then the nominated Council Member shall be elected unopposed.

b. If at any stage during the process there is an equal number of votes, the election will be decided by the drawing of lots – e.g. placing the names of the candidates with the equal number of votes on identical individual slips of paper in a receptacle. The required number of candidates will be drawn, that is, in the case of two parties with equal votes for one position, one slip of paper will be drawn from a receptacle ensuring that no party present has a view of the name on the slip of paper, including the person drawing the name, until it is opened in the presence of the meeting. The name of the candidate drawn will be the successful candidate. This process will then be repeated for each additional Deputy Mayor appointment for the Council term ending November 2022.

c. Council appoints the Chief Executive Officer as the Returning Officer for the purpose of this election.

d. Upon the completion of the election, the Returning Officer be authorised to declare the successful candidate(s) elected to the position of Deputy Mayor for the respective periods.

e. Upon the declaration of the Returning Officer the candidate is appointed to the position of Deputy Mayor, subject to any further resolution of the Council.

Carried Unanimously (8)
Suspension of Formal Meeting Procedures at 7.32pm

Moved Cr Field, Seconded Cr Coleman

That normal meeting procedures be temporarily suspended to allow for the ballot for the position of Deputy Mayor.

Carried Unanimously (9)

Following the voting process the Mayor determined that the period of suspension be brought to an end and formal meeting procedures resumed at 7.46pm.

Declaration of vote for the positions of Deputy Mayor by the Returning Officer – Council's Chief Executive Officer

That Council, having appointed myself as the Returning Officer for the purpose of electing person(s) to act in the position of Deputy Mayor in accordance with Section 51(3) of the Local Government Act 1999, I now declare that Cr Damian Wyld has been elected to act in the office of Deputy Mayor of the City of Tea Tree Gully until midnight 30 November 2020 and Cr Lucas Jones has been elected to act in the position of Deputy Mayor from 12.01am 1 December 2020 until the conclusion of the next periodic local government elections scheduled for November 2022.

13.3 Establishment of Council's Committee Structure, Meeting Cycle and Terms of Reference (D18/35576)

Audit Committee – Establishment and Terms of Reference

Moved Cr Coleman, Seconded Cr Rankine

a. That Council, pursuant to section 41 of the Local Government Act 1999, establish the Audit Committee and adopt the Terms of Reference and Membership Structure as detailed in Attachment 1 of the report entitled “Establishment of Council's Committee Structure, Meeting Cycle, Terms of Reference and Membership” and dated 27 November 2018.

b. That Council resolves that the Audit Committee meets at the Civic Centre on the last Wednesday of every second month at 6.30pm on each occasion, commencing its meeting cycle in January 2019.

Carried Unanimously (10)
Audit Committee – Appointment of Presiding Member

Moved Cr Coleman, Seconded Cr Wyld

Immediately after the moving and seconding of the motion and pursuant to sections 73 & 74 of the Local Government Act 1999, Cr Field declared a material conflict of interest in relation to this matter on the basis that the role of Presiding Member would directly provide a financial benefit. Cr Field left the meeting and its close vicinity at 7.50pm while the matter was discussed and voted on.

That Cr Peter Field be appointed to the position of Presiding Member of Council’s Audit Committee until the end of the current term of Council in 2022 or Council resolves otherwise.

Carried Unanimously (11)

Cr Field was not present for the vote and re-entered the meeting at 7.51pm

Policy and Strategic Development Committee – Establishment and Terms of Reference

Moved Cr Wyld, Seconded Cr Field

a. That Council, pursuant to section 41 of the Local Government Act 1999, establishes a committee that considers Council policies and addresses matters in compliance with the requirement for a Strategic Planning and Development Policy Committee under the Development Act 1993 and that the Committee be named the Policy and Strategic Development Committee.

b. That Council adopts the Terms of Reference and Membership Structure as detailed in Attachment 2 of the report entitled “Establishment of Council’s Committee Structure, Meeting Cycle, Terms of Reference and Membership” and dated 27 November 2018.

i. Item 6.2 be amended to read: “The Committee will comprise six (6) Elected Members with one being the Presiding Member and appointed by the Council.”

ii. Item 6.3 be deleted and the subsequent numbers in Item 6 be renumbered accordingly.

iii. That the quorum for the Committee be three (3) members.

d. That Council resolves that the Policy and Strategic Development Committee meets at the Civic Centre on the third Wednesday of every second month starting at 6.30pm, commencing its meeting cycle in February 2019.

Carried Unanimously (12)
Policy and Strategic Development Committee – Appointment of Presiding Member

Moved Cr Field, Seconded Cr Savvas

Immediately after the moving and seconding of the motion and pursuant to sections 73 & 74 of the Local Government Act 1999, Cr Wyld declared a material conflict of interest in relation to this matter on the basis that the role of Presiding Member would directly provide a financial benefit. Cr Wyld left the meeting and its close vicinity at 8.00pm while the matter was discussed and voted on.

That Cr Damian Wyld be appointed to the position of Presiding Member of Council’s Policy and Strategic Development Committee until the end of the current term of Council in 2022 or Council resolves otherwise.

Carried Unanimously (13)

Cr Wyld was not present for the vote and re-entered the meeting at 8.01pm

CEO Performance and Remuneration Review Committee – Establishment and Terms of Reference

Moved Cr Jones, Seconded Cr Unger

a. That Council, pursuant to section 41 of the Local Government Act 1999, establish the CEO Performance and Remuneration Review Committee and adopts the Terms of Reference and Membership Structure as detailed in Attachment 4 of the report entitled “Establishment of Council's Committee Structure, Meeting Cycle, Terms of Reference and Membership” and dated 27 November 2018.

b. That Council resolves that the CEO Performance and Remuneration Review Committee meets at the Civic Centre as required and determined by the Presiding Member in conjunction with the Manager of Governance & Policy.

Carried Unanimously (14)

CEO Performance and Remuneration Review Committee – Appointment of Presiding Member

Moved Cr Jones, Seconded Cr Coleman

That Mayor Kevin Knight be appointed to the position of Presiding Member of Council’s CEO Performance and Remuneration Review Committee until the end of the current term of Council in 2022 or Council resolves otherwise.

Carried Unanimously (15)
Traffic Management Safety Committee – Establishment and Terms of Reference

Moved Cr Coleman, Seconded Cr Field

That Council, pursuant to section 41 of the Local Government Act 1999, establish a Traffic Management Safety Committee and adopt the Terms of Reference and Membership Structure as detailed in Attachment 5 of the report entitled “Establishment of Council's Committee Structure, Meeting Cycle, Terms of Reference and Membership” and dated 27 November 2018.

Carried (16)

Traffic Management Safety Committee – Appointment of Presiding Member

Moved Cr Wyld, Seconded Cr Jones

Immediately after the moving and seconding of the motion and pursuant to sections 73 & 74 of the Local Government Act 1999, Cr Coleman declared a material conflict of interest in relation to this matter on the basis that the role of Presiding Member would directly provide a financial benefit. Cr Coleman left the meeting and its close vicinity at 8.08pm while the matter was discussed and voted on.

That Cr Robin Coleman be appointed to the position of Presiding Member of Council’s Traffic Management Safety Committee until the end of the current term of Council in 2022 or Council resolves otherwise.

Carried Unanimously (17)

Cr Coleman was not present for the vote and re-entered the meeting at 8.08pm

Council Assessment Panel – Membership

Moved Cr Field, Seconded Cr B Keane

That Council resolves to maintain the current Council Assessment Panel membership of four (4) Independent Members and one (1) Elected Member. The Elected Member position will be in place for the Council term – ending at the Local Government General Elections in November 2022.

Carried Unanimously (18)
Council Assessment Panel (CAP) – Appointment of Elected Member to CAP

Moved Cr B Keane, Seconded Cr Unger

Immediately after the moving and seconding of the motion and pursuant to sections 73 & 74 of the Local Government Act 1999, Cr Wyld declared a material conflict of interest in relation to this matter on the basis that the role of Presiding Member would directly provide a financial benefit. Cr Wyld left the meeting and its close vicinity at 8.11pm while the matter was discussed and voted on.

That Cr Damian Wyld be appointed to the position of Elected Member of Council’s Council Assessment Panel until the end of the current term of Council in 2022 or Council resolves otherwise.

Carried Unanimously (19)

Cr Wyld was not present for the vote and re-entered the meeting at 8.12pm

13.4 Nomination to external bodies (D18/35711)

Advisory Committee for the Joint Use of the Golden Grove Recreation and Arts Centre.

Moved Cr S Keane, Seconded Cr Field

That Council nominates Cr Bernie Keane to the Advisory Committee for the Joint Use of the Golden Grove Recreation and Arts Centre.

Carried Unanimously (20)

Banksia Park International High School Committee

Moved Cr Jones, Seconded Cr Coleman

That Council nominates Cr Jessica Lintvelt to the Banksia Park International High School Committee.

Carried Unanimously (21)

Wynn Vale School Governing Council

Moved Cr Schlueter, Seconded Cr Field

That Council nominates Cr Sandy Keane to the Wynn Vale School Governing Council.

Carried Unanimously (22)
**Parfield Airport Consultative Committee**

Moved Cr Field, Seconded Cr Wyld

That Council nominates Cr Robin Coleman to the Parfield Airport Consultative Committee.

*Carried Unanimously (23)*

**Murray Darling Association Incorporated**

Moved Cr Jones, Seconded Cr Wyld

That Council nominates Crs Robin Coleman, Olivia Savvas and Jessica Lintvelt to the Murray Darling Association Incorporated

*Carried Unanimously (24)*

### 13.5 Review of Council’s Code of Practice for Council and Committee Meeting Procedures (D18/35801)

Moved Cr Jones, Seconded Cr Savvas

That Council amend the Code of Practice for Meeting Procedures as per Attachment 1 of the report entitled “Review of Council’s Code of Practice for Council and Committee Meeting Procedures” and dated 27 November 2018 subject to the inclusion of the following:

1. That the Chief Executive Officer is requested to add a variation to the Code which directs staff to audio record each Council meeting, to commence as soon as possible, to support the accurate recording of the Council Meeting minutes and that the recordings be managed in accordance with the State Records Act 1997.

2. That in regard to item 1 above the variation also makes provision that if any Council Member seeks access to a recording (or part thereof) then all Council Members will be advised of the request.

_During the discussion, Cr Wyld with the consent of the mover and seconder, sought leave of the meeting to vary the motion to include that the Code of Practice for Meeting Procedures be sent to the first Policy and Strategic Development Committee meeting for further discussion. Leave was granted._

Moved Cr Jones, Seconded Cr Savvas

That Council amend the Code of Practice for Meeting Procedures as per Attachment 1 of the report entitled “Review of Council’s Code of Practice for Council and Committee Meeting Procedures” and dated 27 November 2018 subject to the inclusion of the following:

1. That the Chief Executive Officer is requested to add a variation to the Code which directs staff to audio record each Council meeting to commence as soon as possible to support the accurate recording of the Council Meeting minutes and that the recordings be managed in accordance with the State Records Act 1997.
2. That in regard to item 1 above the variation also makes provision that if any Council Member seeks access to a recording (or part thereof) then all Council Members will be advised of the request.

3. That the Code of Practice for Meeting Procedures be sent to the first Policy and Strategic Development Committee in February 2019 for discussion to include a variation to allow the seconder of a motion to reserve the right to speak.

During the debate Cr Field left the meeting at 8.34pm, and re-entered at 8.35pm

Carried Unanimously (25)

Assets & Environment - Nil

Organisational Services & Excellence

13.6 Quarter One Budget Review for Financial Year End 30 June 2019 (D18/61212)

Mr Justin Robbins, Manager Finance & Rating Operations provided a presentation in relation to the Quarter One Budget Review for the financial Year End 30 June 2019

During the presentation Cr Jones left the meeting at 8.37pm and re-entered at 8.43pm

Moved Cr Field, Seconded Cr Coleman

1. That Council adopts the Quarter One Budget Review for the period 1 July 2018 to 30 June 2019, as detailed in Attachment 1 of the report entitled “Quarter One Budget Review for the Financial Year end 30 June 2019” and dated 27 November 2018 which reflects a $4.521m operating surplus for the year ending 30 June 2019.

2. That the Council authorises the Chief Executive Officer to execute any necessary variations to the State Local Government Infrastructure Partnership Scheme Project to incorporate the project scope amendments as detailed in the report entitled “Quarter One Budget Review for the Financial Year end 30 June 2019” and dated 27 November 2018.

Carried Unanimously (26)

Community & Cultural Development - Nil

14. Notice of Motions - Nil

15. Motions without Notice - Nil
16. **Questions on Notice** - Nil

17. **Questions without Notice** - Nil

18. **Council Delegates and Activities Report**

   Cr Coleman spoke in relation to the Parafield Airport Consultative Committee activities

19. **Information Reports** - the following Information reports were provided to the meeting:

   19.1 Motions Lying on the Table during the 2014-2018 Council Term (D18/61909)

   19.2 GAROC Regional Groupings for Metropolitan Area (D18/67157)

   19.3 Local Government Association (LGA) Annual General Meeting Outcomes - October 2018 (D18/67939)

   19.4 Modbury Precinct Activation Status Report (D18/69403)

   19.5 Quarter 1 Financial Year 2018-2019 Strategic Plan and Organisation Plan KPI Status Report (D18/69692)

   19.6 Economic Development Indicators and Activity Report - January - June 2018 (D18/70180)

   19.7 Donation to the City of Tea Tree Gully from the Kiwanis Club of Tea Tree Gully (D18/67059)

20. **Status Report on Council Resolutions**

   20.1 Status Report on Council Resolutions (D18/70631)

   Council received the Status Report on Council Resolutions.

21. **Other Business** - Nil

22. **Section 90(2) Local Government Act 1999 – Confidential Items** - Nil
23. Date of Next Ordinary Meeting

11 December 2018

The Mayor declared the meeting closed at 9.10pm.

Confirmed………………………………..
Acting Mayor 11 December 2018