

Clare & Gilbert Valleys Council

Minutes

Meeting of Council held Monday 15 May 2017 in the Council Chambers, 4 Gleeson Street, Clare commencing at 7.00pm.

Mayor Allan Aughey OAM declared the meeting open, read the Council Prayer and welcomed all in attendance.

Acknowledgement of Country

Mayor Allan Aughey OAM provided an Acknowledgement of Country through the following statement:

“We acknowledge and respect the traditional custodians whose ancestral lands we are meeting upon here today”.

Present:

Mayor A Aughey OAM
Councillor L Bruhn
Councillor I Burfitt
Councillor E Calvert
Councillor N Golding
Councillor J Kells
Councillor H Perry
Councillor T Siv (arrived at 7.30pm)

Staff in Attendance:

Acting Chief Executive Officer, Mr N Grainger
Manager Governance & Community, Mrs L Kunoth
Manager Finance & Administration, Mrs C McAvaney
Manager Works & Infrastructure, Mr C Miller
Minute Taker, Ms S Zuromski

Apology:

Councillor L Drummond
Councillor D Schwarz
Councillor T Siv (for lateness)

183 -17

Moved: Cr Calvert
Seconded: Cr Bruhn

That the apologies be accepted.

CARRIED

1. Declaration of Conflict of Interest:
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- | | |
|------------|--|
| Cr Golding | Item 10.3j – “The Domain” 202 Main North Road, Clare – EOI Real Estate Agents – declared an actual conflict of interest due to being an employed land sales agent and will depart the Chamber for the duration of this item. |
| Cr Kells | Item 10.4d –Police Paddock - William Street Stormwater update – declared a material conflict of interest due to an owner of an affected property paying a retainer for professional services provided by himself and will depart the Chamber for the duration of this item. |
| Cr Perry | Item 10.3g – Community Asset Grants Round 2 2016/17 – declared a perceived conflict of interest due to being a director of a company that is a corporate member of Friends of the Riesling Trail as well as being an independent member and will depart the Chamber for the duration of this item. |

2. Confirmation of Minutes:

184 -17

Moved: Cr Golding

Seconded: Cr Bruhn

That the Minutes of the Ordinary Council Meeting held on 10 April 2017 be confirmed.

CARRIED

185 -17

Moved: Cr Bruhn

Seconded: Cr Kells

That the Confidential Minutes of the Ordinary Council Meeting held on 10 April 2017 be confirmed.

CARRIED

186 -17

Moved: Cr Golding

Seconded: Cr Bruhn

That the Minutes of the Confidential Special Council Meeting held on 18 April 2017 be confirmed.

CARRIED

3. Questions On Notice:

Nil

4. Questions Without Notice:

Nil

5. Notices of Motion:

Nil

6. Petitions:

Nil

7. Deputations:

Kelly-Anne Saffin, Chief Executive Officer – Regional Development Australia Yorke & Mid North

8. Public Question Time:

Nil

9. Mayoral Report:

a. Mayoral Report for the period from 5 April 2017 to 25 April 2017

187 -17

Moved: Cr Calvert

Seconded: Cr Bruhn

That the Mayoral report for the period 5 April 2017 to 25 April 2017 be accepted.

CARRIED

10. Reports:

10.1. Chief Executive Officer

a. Acting Chief Executive Officer Information Report

188 -17

Moved: Cr Perry

Seconded: Cr Golding

That the report for information be noted.

CARRIED

b. Acting Chief Executive Officer – Action Report

189 -17

Moved: Cr Kells

Seconded: Cr Burfitt

That a meeting of the Clare Valley Sport and Recreation Working Party be convened to discuss the commitment required for the sporting bodies/user groups.

CARRIED

190 -17

Moved: Cr Calvert

Seconded: Cr Golding

That Council note the Acting Chief Executive Officer's Action Report as at May 2017 as presented and that completed items be deleted from the next report.

CARRIED

c. Business Improvement Report

191 -17

Moved: Cr Kells

Seconded: Cr Perry

That the Business Improvement Report for May 2017 be noted.

CARRIED

d. Central Local Government Region Charter

192 -17

Moved: Cr Calvert

Seconded: Cr Bruhn

That Council approves the amendments to the Central Local Government Region of South Australia Charter dated 18 November 2016.

CARRIED

10.2. Finance & Administration

a. Finance Information Report & Budget Review to 30 April 2017

193 -17

Moved: Cr Burfitt

Seconded: Cr Perry

That Council receives the financial statements and that Administration undertake further work on the 2016/17 budget to actuals based as at 30 April 2017 to ensure that all of the overruns have been balanced within the overall budget.

CARRIED

10.3. Governance & Community

a. Governance & Community Information Report

194 -17

Moved: Cr Bruhn

Seconded: Cr Burfitt

That the report for information be noted.

CARRIED

195 -17
Moved: Cr Kells
Seconded: Cr Perry

That a report be presented to the next meeting of Council regarding the Neagles Rock NRM Grant Application.

CARRIED

b. Library and Information Services Information Report

196 -17
Moved: Cr Perry
Seconded: Cr Bruhn

That the report for information be noted.

CARRIED

c. Recreation Facilities

197 -17
Moved: Cr Siv
Seconded: Cr Bruhn

That the report for information be noted.

CARRIED

d. Mr Mick Clare SA Masters Games

198 -17
Moved: Cr Burfitt
Seconded: Cr Calvert

That the report for information be noted.

CARRIED

e. Auburn Community Centre Committee Section 41 Committee Governance Review

199 -17
Moved: Cr Burfitt
Seconded: Cr Bruhn

That Council approves the revocation of the Auburn Community Centre Section 41 Committee.

CARRIED

f. **Chief Executive Officer – Recruitment, Acting CEO Appointment and Selection Panel establishment.**

-17

Moved: Cr Calvert
Seconded: Cr

1. That, noting his experience and expertise as a former Chief Executive Officer in Local Government, the Council appoints, pursuant to section 98(2) of the *Local Government Act 1999*, Mr John Coombe as Acting Chief Executive Officer of the Council commencing 22 May 2017.
2. That Council call for select tenders, to assist the Council in undertaking the recruitment process to appoint a new Chief Executive Officer from the following consultants:
 - a. McArthur
 - b. Hender
 - c. Axia People
3. That a report be brought back to Council at its (to be determined) meeting for the purpose of approving the engagement of the preferred consultant.

Pursuant to section 98(4) of the *Local Government Act 1999*, the Council establishes the Selection Panel and appoints all members of the Council to it, upon the attached Terms of Reference, to assess applications for the position of Chief Executive Officer and to make recommendations to the Council on an appointment to the position.

Motion lapsed for want of a seconder.

200 -17

Moved: Cr Burfitt
Seconded: Cr Perry

1. That, noting his experience and expertise as a former Chief Executive Officer in Local Government, the Council appoints, pursuant to section 98(2) of the *Local Government Act 1999*, Mr John Coombe as Acting Chief Executive Officer of the Council commencing 22 May 2017.
2. That Council call for select tenders, to assist the Council in undertaking the recruitment process to appoint a new Chief Executive Officer from the following consultants:
 - a. Axia People
 - b. Stillwell Management Consultants
 - c. Hender
3. That a report be brought back to Council at its next available meeting for the purpose of approving the engagement of the preferred consultant.

Pursuant to section 98(4) of the *Local Government Act 1999*, the Council establishes the Selection Panel and appoints all members of the Council to it, upon the attached Terms of Reference, to assess applications for the position of Chief Executive Officer and to make recommendations to the Council on an appointment to the position.

CARRIED

g. Community Asset Grants Round 2 2016/17

8.40pm Cr Perry declared a perceived conflict of interest due to being a director of a company that is a corporate member of Friends of the Riesling Trail as well as being an independent member and departed the Chamber for the duration of this item.

201 -17

Moved: Cr Burfitt

Seconded: Cr Siv

- 1. That Council provides Community Assets Grant Scheme funding for 2016-17 Round 2 allocation of \$9,000 to the following five (5) groups to pursue their preferred projects according to the schedule below:**

Organisation	Project	Amount
Riverton Returned Services Sub - Branch	Installation of a border around the community flag	\$190
Marrabel District Hall Inc	Marrabel Hall painting	\$2,500
K9 Connections	Air conditioning of clubrooms	\$2,500
The Riesling Trail Inc	Signage - History on Track	\$2,500
Manoora Hall Committee	Threshold access ramps to Supper room	\$1,310
	Total	\$9,000

CARRIED UNANIMOUSLY

8.42pm Cr Perry resumed her seat in the Chamber.

h. Proclaimed Shopping Districts

202 -17

Moved: Cr Kells

Seconded: Cr Bruhn

That Council acknowledges the Proclamation by His Excellency the Governor for the approval under Section 12 of the Shop Traders Act 1977 for the abolition of the following Proclaimed Shopping Districts:

**Upper Wakefield – Auburn, Leasingham, Undalya, Upper Wakefield and Watervale
Mintaro – Mintaro**

That Council conveys this approval to all local retailers and other interested parties in the Council.

CARRIED

i. **Saddleworth RSL Demolition and Community request for funding**

203 -17

Moved: Cr Calvert

Seconded: Cr Perry

1. That Council approves the donation of the funds received from the insurance discharge for the RSL building demolition, less excess and demolition costs, to the Saddleworth District Community Association for the establishment of a cabin at the Saddleworth Caravan Park.
2. That the amount of the donation is to be the balance from the Insurance Discharge.

CARRIED UNANIMOUSLY

j. **“The Domain” 202 Main North Road, Clare – EOI Real Estate Agents**

8.43pm Cr Golding declared an actual conflict of interest due to being an employed land sales agent and departed the Chamber for the duration of this item.

204 -17

Moved: Cr Burfitt

Seconded: Cr Bruhn

That Council authorise the commencement of the sale process for the property located at Allotment 364 in LTRO File Plan 190926, Certificate of Title Volume 5690 Folio 543, 202 Main North Road, Clare by calling for expressions of interest from all local real estate agents.

CARRIED UNANIMOUSLY

205 -17

Moved: Cr Burfitt

Seconded: Cr Siv

That Council obtain an independent valuation of the property prior to its disposal as per the Council’s Disposal of Land and Other Assets Policy.

CARRIED UNANIMOUSLY

8.47pm Cr Golding resumed his seat in the Chamber

k. Scholz Park Stage 2 Projects

206 -17

Moved: Cr Calvert

Seconded: Cr Bruhn

That Council sends a formal letter of acknowledgement to the Wooroora Freemasons Lodge for their allocation of \$20,000 for Scholz Park Stage 2 Projects.

That Council considers an allocation of \$12,000 in the 2017/18 Budget to enable all of the Scholz Park Stage 2 Projects to be completed.

CARRIED UNANIMOUSLY

I. Corporate Purchasing Card Policy

207 -17

Moved: Cr Burfitt

Seconded: Cr Golding

That the Corporate Purchasing Card Policy be adopted by Council with the following cardholders and limits:

- **Chief Executive Officer** maximum \$5,000 per month
- **Manager Finance & Administration** maximum \$1,500 per month
- **Manager Governance & Community** maximum \$1,500 per month
- **Manager Development & Environment** maximum \$1,500 per month
- **Manager Works & Infrastructure** maximum \$1,500 per month
- **The Library Manager** maximum \$1,500 per month

CARRIED

m. National Disaster Resilience Program – Sand and Bagging Shed

208 -17

Moved: Cr Burfitt

Seconded: Cr Calvert

- 1. That Council notes the funding success for one Sand and Bagging Shed (rather than the three requested) in the application to the National Disaster Resilience Program submitted in January 2017.**
- 2. That the successful Sand and Bagging Shed be installed at the Clare & Gilbert Valleys Benny's Hill site in Clare.**
- 3. That Council continues to pursue the funding of additional sand and bagging sheds for the central and southern locations within the Council district.**

CARRIED UNANIMOUSLY

10.4. Works and Infrastructure Information Report

- a. Works and Infrastructure Information Report**
- 1. Programmed Works & Works Request Reports**
 - 2. Customer Satisfaction Survey**
 - 3. Patrol Grading Activity Report**
 - 4. Flood Damage and Funding Update**

209 -17

Moved: Cr Calvert

Seconded: Cr Bruhn

That the report for information be noted.

CARRIED

8.56pm Cr Calvert departed her seat in the Chamber.

8.59pm Cr Calvert resumed her seat in the Chamber.

b. Dry Stone Wall, Main North Road, Clare

-17

Moved: Cr Burfitt

Seconded: Cr Perry

That Council supports the inclusion of the dry stone wall repairs in the 2017/18 Capital Works Budget.

That Council authorise tenders to be called for the works of the dry stone wall.

LOST

210 -17

Moved: Cr Kells

Seconded: Cr Bruhn

That Council considers an allocation of \$85,000 for inclusion of the dry stone wall repairs in the 2017/18 Capital Works Budget.

That Council authorise tenders to be called for the works of the dry stone wall.

CARRIED

c. Clare CWMS Report

211 -17

Moved: Cr Burfitt

Seconded: Cr Golding

That supports the inclusion of the Clare CWMS effluent pipe repairs in the 2017/18 draft Capital Works Budget.

CARRIED UNANIMOUSLY

d. Police Paddock – Williams St Stormwater update

9.45pm Cr Kells declared a material conflict of interest due to an owner of an affected property paying a retainer for professional services provided by himself and departed the Chamber for the duration of this item.

9.56pm Cr Calvert departed the meeting.

212 -17

Moved: Cr Burfitt

Seconded: Cr Perry

To reinforce the resolution made on 20 March 2017.

“That Council notes the update and Administration continue with the stormwater modelling and detailed costing of the amended concept design for further evaluation by Council.”

CARRIED

10.02pm Cr Kells resumed his seat in the Chamber.

10.5 Development & Environment Information Report

a. Development & Environment Information Report

1. Planning, Development and Health Statistics

2. Council’s Development Assessment Panel Meeting

3. Compliance Issues

213 -17

Moved: Cr Siv

Seconded: Cr Bruhn

That the report for information be noted.

CARRIED

b. Request for LMA 9311449 amendment – M A Harrip

214 -17

Moved: Cr Burfitt

Seconded: Cr Perry

That Council Administration seek legal advice on Council's ability to amend or delete the LMA as applicable to title 5873/402 and 5873/403 or to refer the applicant if necessary to Council's Development Assessment Panel.

CARRIED UNANIMOUSLY

c. Dog Registration Fees

215 -17

Moved: Cr Perry

Seconded: Cr Burfitt

That this report for information be noted.

That Council retain the current fee schedule for dog registrations during the 2017/2018 financial year with the following amendments to wording:

- **Fee Code A – change to Non-Standard Dog.**
- **Fee Code J – change to Standard Dog.**
- **Fee Code N – change to Trained Standard Dog.**
- **Fee Code C – change to Concession – Non-Standard Dog**
- **Fee Code P – change to Concession – Standard Dog**
- **Fee Code T – change to Concession – Trained standard Dog**

With an increase to the fees in line with CPI.

CARRIED

d. Clare Valley Christian Outreach Inc Burton Street Clare

216 -17

Moved: Cr Burfitt

Seconded: Cr Perry

- 1. That Council supports the request to construct a gate on the fence of the Gleeson Street carpark subject to this project being funded by the Clare Valley Christian Outreach Incorporated.**
- 2. Council authorise the Chief Executive Officer to facilitate this process subject to the necessary Development Approvals being obtained.**

CARRIED UNANIMOUSLY

e. **Last Resort Refuge Signage**

217 -17

Moved: Cr Perry

Seconded: Cr Bruhn

1. That the item “Last Resort Refuge signage” be brought back from the table.
2. That the project for the installation of Last Resort Refuge signs be endorsed and the proposed location of signs be approved.
3. That the installation of Last Resort Refuge signs on Council property by Department Planning Transport & Infrastructure Contractors to Department Planning Transport & Infrastructure standards and specifications be approved.
4. That Council is satisfied that the installation of Last Resort Refuge signs is exempt from development approval for those signs outside a State Heritage area, noting that Building Rules Consent and private certification documents shall be provided to Council once obtained.
5. Council accepts responsibility for the maintenance of signs placed on Council land/roads, noting that replacement signs will be provided by the Country Fire Service.

CARRIED UNANIMOUSLY

f. General Fire Permits

218 -17

Moved: Cr Burfitt

Seconded: Cr Perry

1. That Council implements a General Notice to serve as a permit to burn inside defined townships outside of the Fire Danger Season as set out in the Environment Protection (Air Quality) Policy 2016.
2. That the General Notice be published in local Newspapers at least once outside the Fire Danger Season.
3. That the General Notice remains in force until the Fire Danger Season commences as set out in the Fire and Emergency Services Act 2005.
4. That the General Notice include the following conditions:
 - a. Burning to occur between 9am and 5pm Monday to Saturday; and
 - b. Burning not to occur on Sunday unless covered by the Policy; and
 - c. Neighbours who are likely to be affected by smoke be notified prior to lighting the fire so evasive action can be taken; and
 - d. Sufficient amount of water kept at hand to extinguish the fire; and
 - e. The fire is to be supervised by an adult until completely extinguished; and
 - f. SA Police, SA Country Fire Service, or Council may request a land owner/occupier to extinguish a fire.
 - g. Only dry paper, dry cardboard, or dry timber or timber derivative may be burnt and an accelerant must not be used; and
 - h. All general conditions set out in Clause 6(3) C, D, E, F, G of the Policy.

CARRIED UNANIMOUSLY

g. Council's Development Assessment Panel – Public Officer

219 -17

Moved: Cr Burfitt

Seconded: Cr Bruhn

That Council:

1. Remove Roy Blight's name from the appointment of Public Officer of Council's Development Assessment Panel.
2. Give notice in the South Australian Government Gazette pursuant to section 56A (22) of the Development Act 1993, of the appointment of the Manager Governance and Community Services, Mrs Leanne Kunoth, of the Clare & Gilbert Valleys Council, as Public Officer of the Development Assessment Panel.

CARRIED UNANIMOUSLY

11. Council Committee Minutes:

- a. Auburn Recreation Park Committee (23/3/17)
- b. Clare Town Hall Committee (4/7/17)
- c. Strategic Planning & Development Policy Committee (12/4/17)

220 -17

Moved: Cr Bruhn

Seconded: Cr Siv

That the Council Committee minutes be adopted and the recommendation herein approved.

CARRIED

12. Community Committee Reports:

- a. Mintaro Progress Association (8/2/17)
- b. Saddleworth District Community Association (7/3/17)
- c. Manoora Community Committee (14/3/17)
- d. Stanley Flat Soldiers Memorial Hall (23/3/17)
- e. Riverton Community Management Committee Minutes (4/4/17)

221 -17

Moved: Cr Perry

Seconded: Cr Burfitt

That the Community Committee minutes be noted.

CARRIED

13. Correspondence for Information:

Nil

14. Urgent Business:

Nil

15. Business in Confidence:

Nil

Meeting Closed at 10.23 pm

CONFIRMED:/...../.....

MAYOR: