

Clare & Gilbert Valleys Council

Minutes

Meeting of Council held Monday 15 October 2018 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, Allan Aughey
Councillor L Bruhn
Councillor I Burfitt
Councillor E Calvert
Councillor L Drummond
Councillor N Golding
Councillor J Kells
Councillor H Perry
Councillor D Schwarz
Councillor T Siv

Staff in Attendance:

Chief Executive Officer, Dr H Macdonald
Manager Corporate Services, Mrs L Kunoth
Manager Works & Infrastructure, Mr C Miller
Manager Development & Community, Mr A Christiansen
Financial Consultant, Ms M Bennetts
Minute Secretary, Mrs S Zuromski

Apologies:

Nil

1. Declaration of Conflict of Interest:

Cr Golding Item 9.2 – Saddleworth Old School Land Division -
Declared a Perceived interest due to my work as a real
estate agent and will depart the chamber for the duration
of the item.

2. Public Question Time:

Moved: Cr Calvert
Seconded: Cr Schwarz

That the Council meeting be adjourned for the purpose of public question time.

CARRIED 359 - 18

7.06pm Council meeting adjourned.

Moved: Cr Burfitt
Seconded: Cr Siv

That meeting be resumed.

CARRIED 360 - 18

3. Petitions & Deputations:

Deputation by Roger Kirchner, Regional Director Yorke & Northern Area, SA Health
and Donna Cowan, Director of Nursing & Midwifery at Clare Hospital

4. Confirmation of Minutes:

Moved: Cr Golding
Seconded: Cr Bruhn

**That the Minutes of the Ordinary Council Meeting held on 17 September 2018
be confirmed.**

CARRIED 361 -18

5. Matters Laid on the Table from previous minutes:

Clare Town Hall

116/17

That the matter lay on the table pending the asset management plans for Council's
buildings and infrastructure.

6. Mayor & Chief Executive Officer Report:

7. Performance Reports:

7.1 Resolutions Register – Implementation Report

Moved: Cr Bruhn
Seconded: Cr Drummond

That the Resolutions Register – Implementation Report be noted as at 15 October 2018 as presented and that the completed items be deleted from the next report.

CARRIED 362 - 18

7.2 Major Projects Report

Moved: Cr Calvert
Seconded: Cr Golding

That the report for information be noted as at 15 October 2018 as presented.

CARRIED 363 - 18

7.3 YMCA Monthly Reporting June 2018

Moved: Cr Schwarz
Seconded: Cr Siv

That the Council accept and note the August 2018 Monthly Performance Report.

CARRIED 364 - 18

8. Council Committee Minutes:

Nil

8.1. Section 41 Committee Minutes

Nil

9. Reports for Decision:

9.1. Capital Bridge Works 2018/19

Moved: Cr Bruhn
Seconded: Cr Drummond

That the report is noted and the 2018/19 capital works program be adjusted to remove the bridges in Blanche Street and White Hut Road, Clare; and the bridge on Copper Ore Road, Mintaro; and adjustments be made to the expenditure to each of the following bridges:

ID #	Bridge Name	+Budget
BG07	Lokans Bridge, Rhynie	\$350,000
No ID	Bridge on Copper Ore Rd, Mintaro	\$17,000
No ID	Bridge on Copper Ore Rd, Mintaro	\$17,000
BG05	River Gilbert Bridge on Bruce Rd, Riverton	\$50,000
BG09	Bridge over Hutt River on Harvey Highway, Hilltown	\$20,000
BG15	Bridge on the Camels Hump Rd, Hilltown	\$141,000
BG16	Smart Rd Bridge, Hilltown	\$141,000
BG02	Steelton Rd Bridge, Saddleworth	\$18,000
BG25	Steelton Rd Bridge, Saddleworth	\$18,000
BG21	Giles Corner Rd, Giles Corner	\$11,000
BG03	Bridge on Burra St, Mintaro	\$6,000-Full survey and design only for new in 2019/20
BG04	Mt George Rd, Watervale	\$6,000 -Full survey and design only for new in 2019/20
BG06	Woolshed Flat Bridge on Balaklava Rd, Rhynie	\$4,000 -Full survey and design only for new in 2019/20
BG14	Roach Rd Bridge, Stanley Flat	\$4,000 -Full survey and design only for new in 2019/20
TOTAL		\$803,000

CARRIED 365 - 18

9.2. Saddleworth Old School Land Division

7.41pm Cr Golding declared a perceived conflict of interest and departed his seat in the chamber.

Moved: Cr Burfitt
 Seconded: Cr Bruhn

1. That Council approves to sub-divide a small section of the Saddleworth Depot land adjacent to the Old Saddleworth School.
2. That Council meets the initial cost of the land division and that on satisfactory sale of the land by the Saddleworth & District Historical Society reimbursed to Council its reasonable costs.

CARRIED 366 - 18

Moved: Cr Burfitt
 Seconded: Cr Calvert

That subject to the satisfactory sub-division of the land, Council gift the sub-divided land to the Saddleworth & District Historical Society at no cost.

CARRIED 367 - 18

7.57pm Cr Golding resumed his seat in the chamber.

9.3. Transport Grant applications 2018/19

Moved: Cr Calvert
Seconded: Cr Schwarz

- 1. That Council approves Old North Road, Clare pavement/kerbing works and MR45, Marrabel reseal be undertaken this budget year; and**
- 2. The Waterloo Road, Waterloo Reseal and Copper Ore Road, Mintaro shoulder works be deferred to 2019-2020.**
- 3. The adjustments be made to the 2018/19 budget at the next budget review.**

CARRIED 368 - 18

9.4. Road Purchase Hughes Park Pty Ltd

Moved: Cr Bruhn
Seconded: Cr Schwarz

That Council approve the purchase of the additional unmade road to Hughes Park Pty Ltd and Greenwood Holdings Pty Ltd.

CARRIED 369 - 18

9.5. Riesling Trail Management Committee Inc – Crown Land Lease

Moved: Cr Burfitt
Seconded: Cr Bruhn

That Council:

- 1. Undertake Public Consultation in accordance with the Local Government Act for the lease of closed road CR5391/717 and Lot 91 CR 5390/863.**
- 2. Subject to satisfactory consultation approve the Riesling Trail Management Committee to lease closed road CR5391/717 and Lot 91 CR 5390/863 for a period of 42 years.**
- 3. Authorize the Mayor and Chief Executive Officer to sign and seal the lease documentation.**

CARRIED 370 - 18

9.6. Christmas arrangements

Moved: Cr Calvert
Seconded: Cr Bruhn

That the following Christmas/New Year arrangements be approved by Council:

Clare & Gilbert Valleys Council Offices:

The principal office at Clare will close from 5.00pm Friday 21 December 2018 and reopen 8.30am Wednesday 2 January 2019.

The Riverton branch office will close from 5.00pm Friday 21 December 2018 and reopen 8.30am Thursday 3 January, 2019

Clare & Gilbert Valleys Library Service:

The Clare Library will close from 1.00pm Saturday 22 December 2018 and reopen 10-00am Wednesday 2 January 2019

The Saddleworth Library and Community Centre will close from Noon Saturday 22 December 2018 and reopen 9.00am Wednesday 2 January 2019

Community Passenger Network

Community Passenger Network will close from 5.00pm Friday 21 December 2018 and reopen 8.30am Wednesday 2 January 2019.

Clare Waste Transfer Station

The Clare Waste Transfer Station opening hours will not change. Residents are reminded that the transfer station is closed on catastrophic Fire Ban days.

CARRIED 371 - 18

9.7. Delegations Review

Moved: Cr Calvert
Seconded: Cr Golding

That having conducted a review of the Council's Delegations Register in accordance with Section 44(6) of the Local Government Act 1999, the Council:

1. Revocations

1.1 Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following:

1.1.1 Development Act 1993 and Development Regulations 2008

1.1.2 Dog & Cat Management Act 1995

1.1.3 Expiation of Offences Act 1996

1.1.4 Food Act 2001

1.1.5 Local Government Act 1999

1.1.6 Road Traffic Act 1961 (SA) Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014

1.1.7 Safe Drinking Water 2011

2. Delegations made under Local Government Act 1999

2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Appendices 1- 8 (each of which is individually identified as indicated below) (distributed under separate cover) are hereby delegated this 15 October 2018 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.

2.1.1 Dog & Cat Management Act 1995 (Appendix 2)

2.1.2 Expiation of Offences Act 1996 (Appendix 3)

2.1.3 Local Government Act 1999 (Appendix 6)

2.1.4 Road Traffic Act 1961 (SA) Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014 (Appendix 7)

2.1.5 Safe Drinking Water 2011 (Appendix 8)

2.1.6 Fines Enforcement and Debt Recovery Act 2017 (Appendix 4)

2.2 Such powers and functions may be further delegated by the Chief Executive in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

3. Delegations made under Development Act 1993

3.1 In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation (annexed to the Report dated 15 October 2018 and entitled Delegations Review and marked Appendix 1) (distributed under separate cover) are hereby delegated this 15 day of October 2018 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions

contained in the proposed Instrument of Delegation under the Development Act 1993.

- 3.2 Such powers and functions may be further delegated by the Chief Executive Officer, as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.

4. Delegations made under Food Act 2001

- 4.1 In exercise of the powers contained in Section 91 of the Food Act 2001, the powers and functions under the Food Act 2001 contained in the proposed Instrument of Delegation (annexed to the Report dated 15 October 2018 and entitled Delegations Review and marked Appendix 5) (distributed under separate cover) are hereby delegated this 15 day of October 2018 to the person occupying the office of Chief Executive Officer ('the head of the enforcement agency' for the purposes of the Food Act 2001), subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.

- 4.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001

5. Delegations under Safe Drinking Water Act 2011 (of enforcement agency)

- 5.1 In exercise of the power contained in Section 43 of the Safe Drinking Water Act 2011 the powers and functions of the Council as a relevant authority under the Safe Drinking Water Act 2011 contained in the proposed Instrument of (annexed to the Report dated 15 October 2018 and entitled Delegations Review and marked Appendix 5) (distributed under separate cover) are hereby delegated this 15 day of October 2018 to the person occupying the office of Chief Executive Officer subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Safe Drinking Water Act 2011.

- 5.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Safe Drinking Water Act 2011.

CARRIED 372 -18

10. Officers' Reports for information:

- 10.1 Corporate Services Information Report**
- 10.2 Library Service & Art House**
- 10.3 Communications Report**
- 10.4 Works and Infrastructure Information Report**
- 10.5 Development & Community Information Report**
- 10.6 Peak Body Minutes**
- 10.7 Revaluation CWMS & Stormwater (Late Item)**

11. Matters Raised by Council Members:

- 11.1 Questions with Notice**

Nil

- 11.2 Motions on Notice**

Nil

- 11.3 Questions without Notice**

Nil

- 11.4 Motions without Notice**

Nil

12. Business in Confidence:

Nil

Meeting Closed at 8.17 pm.

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

MAYOR: