

Clare & Gilbert Valleys Council

Minutes

Meeting of Council held Monday 20 November 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 L Drummond
Councillor J Kells
Councillor H Perry
Councillor D Schwarz
Councillor T Siv

Staff in Attendance:

Acting Chief Executive Officer, Mr J Coombe OAM
Manager Governance & Community, Mrs L Kunoth
Manager Works & Infrastructure, Mr C Miller
Manager Development & Environment, Mr A Christiansen
Manager Finance & Administration, Mrs C McAvaney
Finance Consultant, Mrs M Bennetts
Minute Taker, Ms S Zuromski

Apologies:

Councillor N Golding

440 -17

Moved: Cr Drummond

Seconded: Cr Perry

CARRIED

1. Declaration of Conflict of Interest:
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- | | |
|-------------|--|
| Cr Schwarz | Item 10.3a - Community Asset Grants – declared a perceived conflict of interest due to being a member of community organisations which applied for grant funding and will remain in the chamber for the duration of this item. |
| Cr Perry | Item 10.3 – Community Asset Grants – declared a perceived conflict of interest due to being an Executive of two community organisations which applied for grant funding and will remain in the chamber for the duration of this item. |
| Cr Perry | Item 10.5a – Development Applications approved under delegation – declared a perceived conflict of interest due to personally having a house extension approved in the list and will remain in the chamber for the duration of this item. |
| Cr Kells | Item 15a –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 leave the Chamber for the duration of this item. |
| Cr Drummond | Item 15a – Police Paddock – William Street Stormwater Update - declared a perceived conflict of interest due to an immediate family member being involved in the matter and will leave the chamber for the duration of this item. |

2. Confirmation of Minutes:

441 -17

Moved: Cr Perry

Seconded: Cr Siv

That the Minutes of the Ordinary Council Meeting held on 16 October 2017 be confirmed.

CARRIED

3. Questions On Notice:

Nil

4. Questions Without Notice:

Nil

5. Notices of Motion:

Nil

6. Petitions:

Nil

7. Deputations:

Nil

8. Public Question Time:

442 -17

Moved: Cr Burfitt

Seconded: Cr Schwarz

That the meeting be postponed for the conduct of Public Question Time.

CARRIED

443 -17

Moved: Cr Calvert

Seconded: Cr Bruhn

CARRIED

9. Mayoral Report:

a. Mayoral Report for the period from 28 October 2017 to 16 November 2017

444 -17

Moved: Cr Calvert

Seconded: Cr Perry

That the Mayoral report for the period 28 October 2017 to 16 November 2017 be accepted.

CARRIED

10. Reports:

10.1. Acting Chief Executive Officer

a. Acting Chief Executive Officer Information Report

445 -17

Moved: Cr Schwarz

Seconded: Cr Bruhn

That the report for information be noted.

CARRIED

b. Legatus (CLGR) - Charter Amendments

446 -17

Moved: Cr Calvert

Seconded: Cr Drummond

That Council approves the amendments to the Legatus Group Charter (previously CLGR) as adopted by the Board on 8 September 2017.

CARRIED

c. Bank Signatories

447 -17

Moved: Cr Perry

Seconded: Cr Siv

That, pursuant to Section 44 of the Local Government Act, 1999, authority to

- 1. operate all Clare & Gilbert Valleys Council accounts at the ANZ Bank or any other authority**
- 2. sign confirmation reports for direct debit lodgements for creditors**
- 3. sign confirmation reports for direct debit lodgements for payroll**

be delegated to any two of the following officers to act concurrently:

**Chief Executive Officer - Dr Helen Macdonald
Manager Finance and Administration – Carol McAvaney
Manager Governance and Community – Leanne Kunoth
Manager Works and Infrastructure – Chris Miller
Manager Development and Environment – Andrew Christiansen**

and that this delegation be reflected in the Register of Delegations.

CARRIED

d. **Certification of Financial Statements and Annual Report 2016/17 including Audited Financial Statements 2016/17**

448 -17

Moved: Cr Schwarz

Seconded: Cr Calvert

1. That the Mayor and Acting Chief Executive Officer be authorised to sign the Certification of Financial Statements for the year ended 30 June 2017.
2. That the Clare & Gilbert Valleys Council Annual Report for 2016/17 including the audited Financial Statements 2016/17 be adopted.

CARRIED

Cr Burfitt called for a division.

Those in the affirmative for the motion

Cr Schwarz

Cr Siv

Cr Calvert

Cr Drummond

Cr Bruhn

Those in the negative for the motion

Cr Burfitt

Cr Kells

Cr Perry

The vote being 5 in the affirmative and 3 in the negative, Mayor Aughey OAM declared the motion carried.

10.2. Finance & Administration

a. Finance Information Report

449 -17

Moved: Cr Schwarz

Seconded: Cr Perry

That the report be noted.

CARRIED

10.3. Governance & Community

a. Governance & Community Information Report

450 -17

Moved: Cr Bruhn

Seconded: Cr Siv

That the report for information be noted.

CARRIED

b. Library and Information Services Information Report

451 -17

Moved: Cr Bruhn

Seconded: Cr Calvert

That the report for information be noted.

CARRIED

c. YMCA Monthly Reporting September 2017

452 -17

Moved: Cr Drummond

Seconded: Cr Perry

That Council accept and note the September 2017 Monthly Performance Report.

CARRIED

d. Clare Valley Model Engineers – permission to proceed

453 -17

Moved: Cr Siv

Seconded: Cr Bruhn

That Council grants permission to proceed to the Clare Valley Model Engineers for the redevelopment of the ablution block in Melrose Park in the style of the old railway station.

CARRIED UNANIMOUSLY

e. Youth Development Services – Contract Extension

454 -17

Moved: Cr Calvert

Seconded: Cr Drummond

That Council approve the extension of the existing contract with Employment Directions Inc for the provision of Youth Development Services within the Clare & Gilbert Valleys Council for a period of 12 months, from 1 January 2018.

CARRIED UNANIMOUSLY

f. NBN Lease at 15 Bruce Road, Riverton

455 -17

Moved: Cr Kells

Seconded: Cr Burfitt

That Council approve Mayor Aughey OAM and Acting Chief Executive Officer Mr John Coombe OAM to sign and seal the lease documentation to National Broadband Network for the establishment of a telecommunication facility on Council property situated at 15 Bruce Road, Riverton.

CARRIED UNANIMOUSLY

-17

Moved: Cr Calvert
Seconded: Cr Schwarz

That Council approve the payment of the yearly rent of \$8,500 to the Riverton Community Management Committee, for the purpose of upgrading a Council asset.

LOST

Cr Calvert called for a division

Those in the affirmative for the motion

Cr Calvert
Cr Schwarz

Those in the negative for the motion

Cr Burfitt
Cr Kells
Cr Perry
Cr Siv
Cr Drummond
Cr Bruhn

The vote being 2 in the affirmative and 6 in the negative, Mayor Aughey OAM declared the motion lost.

g. Local Government Association SA – Review of LGA Membership Subscription Formula

456 -17

Moved: Cr Kells
Seconded: Cr Schwarz

That Council note the letter received from the Local Government Association of SA, approve payment of the 2017/2018 Membership Subscription and continue to liaise with Legatus Group regarding the increase in membership subscriptions.

CARRIED UNANIMOUSLY

h. Community Asset Grants

457 -17

Moved: Cr Bruhn
Seconded: Cr Calvert

1. That Council provides Community Asset Grant Scheme funding to the following twenty (21) groups to pursue their preferred projects according to the schedule below:

Organisation	Project	Requested Amount
Clare Valley Model Engineers Inc	Directional signage	\$2,708
Lions Club of Clare District Inc	Upgrade to public speaker system in Clare shopping precinct	\$2,993
Clare Sports Facility Management Committee Inc	Resurfacing Courts	\$3,000

Manoora Community Committee Inc	Shelter Shed concrete pad	\$2,500
RSMU Football Club Inc	Air-conditioner replacement	\$3,000
Saddleworth District Community Association Inc- Saddleworth Institute Committee	Saddleworth Institute Air conditioning x 2	\$3,000
Saddleworth Bowling Club Inc	Glass washer for bar	\$2,741
Clare Town Hall - Section 41	Remote control blinds for main hall	\$3,000
Zonta Club of Clare & Districts Inc	Picnic shelter shade, seat and Women's Honour Roll plaque renewal	\$2,974
Auburn Traders Association Inc	Auburn Mosaic Tourist Walk	\$3,000
Manoora Centenary Park Inc	Surround fencing for mulitpurpose courts - Stage 1	\$3,000
Mintaro Progress Association Inc	Airconditioning in meeting room	\$3,000
Auburn Community Management Committee Inc - Auburn Institute Committee	Purchase 2 vaccuum cleaners and storage cupboard	\$2,046
Clare Valley Dressage Club Inc	Portable dressage arenas x 2	\$3,000
Clare Region History Group Inc	Framing of World War 1 Photobords	\$2,400
SA CWA Inc Auburn Branch	Replacement of buckled ceiling panels and carpet	\$3,000
Auburn Community Management Committee Inc - Auburn Cemetery	Tree planting at cemetery to complete the avenue of trees	\$1,620
Tarlee Hall and Community Services	Niche wall	\$3,000
RSL Auburn, Clare & Districts Sub Branch	Ai-rconditioning Auburn RSL Hall	\$2,890
Mintaro Progress Association Inc - St Peter's	St Peter's Quiet Garden	\$3,000
Clare Valley Flying Group Inc	Aerodrome maintenance equipment	\$3,000
Total		\$58,872

CARRIED UNANIMOUSLY

i. Marrabel District Community Association

458 -17

Moved: Cr Bruhn
Seconded: Cr Calvert

1. That Council approves funding of \$12,272 for the Marrabel Playground Shade, subject to the receipt of grant funds.
2. That the funding be approved for the next budget review.

CARRIED on the casting vote of the Mayor

j. Community Visit to Bizen City

459 -17

Moved: Cr Burfitt
Seconded: Cr Calvert

That Council note Dr John Koch's resignation and request administration to provide a thank you letter to Dr John Koch and Mrs Larelle Fenner expressing Council's appreciation for the many dedicated years of service to the Bizen City twinning relationship.

CARRIED

k. **Riverton Recreation Ground Committee – Permission to proceed and request for loan**

460 -17

Moved: Cr Perry

Seconded: Cr Bruhn

1. That Council grants permission to proceed to the Riverton Recreation Ground Committee to establish a new cabin at the Riverton Caravan Park in partnership with the Riverton Community Management Committee.
2. That Council approves the Riverton Recreation Park Committee request to undertake a loan from Council for an amount up to \$25,000.
3. That the funding sought for the loan and from the Riverton Recreation Ground Committee reserves be provided for in the next budget review.

CARRIED

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. **Waste Transfer Station Usage**

461 -17

Moved: Cr Schwarz

Seconded: Cr Bruhn

That the report for information be noted.

CARRIED

462 -17

Moved: Cr Burfitt

Seconded: Cr Bruhn

That Council Administration be requested to provide a report on the usage and a review of opening hours for the Clare Waste Transfer Station in particular Saturdays.

CARRIED UNANIMOUSLY

b. **Request for Road Closures and Purchases**

463 -17

Moved: Cr Schwarz

Seconded: Cr Kells

1. That the council authorise the Mayor and Acting Chief Executive Officer to sign and affix the common seal on the relevant documents to enact the Road Process Order for the closure of the public road adjacent to allotment 60 in D88173.
(S&K Sanders - RefC16003)

2. That the council authorise the Mayor and Acting Chief Executive Officer to sign and affix the common seal on the relevant documents to enact the Road Process Order for the closure of the public road adjacent to section 701, Hundred of Alma.
(R & K Smyth - RefC16061)

CARRIED

c. Moorhouse Lane, Riverton

464 -17

Moved: Cr Perry

Seconded: Cr Bruhn

That Council Administration provide a report on the appropriate way forward to deal with the issues in Moorhouse Lane, Riverton with associated costings and report back to Council.

CARRIED

d. National Heavy Vehicle Regulator Permits (NHVR)

465 -17

Moved: Cr Burfitt

Seconded: Cr Bruhn

Council Administration to complete 30m A-Double Route Assessments on Council's current Commodity Freight Network linking back to the Barrier and Horrocks (South of Giles Corner) Highways. Council administration to follow the LGA risk assessment template to approve or deny any permit requests by Heavy Vehicle Operations.

CARRIED UNANIMOUSLY

e. Pioneer Avenue, Farrell Flat Road Planning Study

466 -17

Moved: Cr Perry

Seconded: Cr Calvert

That Council supports the DPTI nomination for the Main North Road/Pioneer Avenue intersection to include Channelised Right Turn Lane (CHR) type treatment for northbound traffic to turn right into pioneer Avenue under 2018/19 DPTI's Annual Program and authorise council Administration to undertake consultation with local businesses and community if the project is funded.

CARRIED UNANIMOUSLY

f. Flood Tender Works Update

467 -17

Moved: Cr Burfitt

Seconded: Cr Kells

That the report for information be noted.

CARRIED

10.5 Development & Environment Information Report

a. Development & Environment Information Report

- 1. Planning, Development and Health Statistics**
- 2. Compliance Issues**
- 3. Council's Development Assessment Panel Minutes**

468 -17

Moved: Cr Schwarz

Seconded: Cr Siv

That the report for information be noted.

CARRIED

b. Harrip Land Division – waiving of CWMS Policy

469 -17

Moved: Cr Bruhn

Seconded: Cr Schwarz

That Council waives the Community Wastewater Management Scheme policy for the proposed land division at Lots 5 and 6 Bruce Road, Riverton.

CARRIED

c. Indicative Planning, Development and Infrastructure Act Implementation timelines

470 -17

Moved: Cr Burfitt

Seconded: Cr Perry

That Council notes the information within this report.

CARRIED

d. Proposed Land Management Agreement Approval Process

471 -17

Moved: Cr Burfitt

Seconded: Cr Schwarz

Approves the process detailed within this report.

CARRIED UNANIMOUSLY

e. Proposed Land Management Agreement extinguishment – Greenwood Holdings (SA) Pty Ltd

472 -17

Moved: Cr Perry

Seconded: Cr Burfitt

1. That in respect of Land Management Agreement 46 (433/25/00) Council agree to extinguish the Land Management Agreement in its entirety between Clare & Gilbert Valleys Council and Greenwood Holdings (SA) Pty Ltd in; and

2. That Greenwood Holdings (SA) Pty Ltd be advised that all costs associated with the extinguishment of such an agreement are to be borne by the landowner.

CARRIED UNANIMOUSLY

11. Council Committee Minutes:

- a. CGVC Dry Zone Working Party Meeting (27/9/17)
- b. Riverton Recreation Ground Committee (26/9/17)
- c. CGVC Audit Committee Meeting (13/11/17)

473 -17

Moved: Cr Schwarz
Seconded: Cr Calvert

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

CARRIED

12. Community Committee Reports:

- a. Saddleworth Peak Body (3/10/17)
- b. Manoora Community Committee (16/10/17)
- c. Clare Community Development Committee (20/10/17)
- d. Stanley Flat Soldiers Memorial Hall (26/10/17)

474 -17

Moved: Cr Bruhn
Seconded: Cr Drummond

That the Community Committee minutes be noted.

CARRIED

13. Correspondence for Information:

Nil

14. Urgent Business:

Nil

15. Business in Confidence:

a) Police Paddock – William Street Stormwater Update

475 -17

Moved: Cr Burfitt
Seconded: Cr Bruhn

Section 90 (2) of the Local Government Act

Business considered under Section 90 (3)(d) of the Local Government Act

1. That under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public, with the exception of the Acting Chief Executive Officer, Manager Finance & Administration, Finance Consultant, Manager Governance & Community, Manager Development & Environment, Manager Works and Infrastructure and the Minute Taker be excluded from

attendance at the meeting in order to consider the matter of Police Paddock – William Street Stormwater Update in confidence.

2. That the Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the information at the meeting, on the grounds that the matter must be considered in confidence due to matters that 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, pursuant to Section 90(3)(d) of the Local Government Act 1999.

3. That accordingly, on this basis, 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 discussion confidential.

CARRIED

Meeting was conducted in confidence from 8.49 pm to 8.55 pm.

476 -17

Moved: Cr Calvert
Seconded: Cr Schwarz

b) Implementation of Riverton Stormwater Management Plan

Section 90 (2) of the Local Government Act

Business considered under Section 90 (3)(d) of the Local Government Act

1. That under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public, with the exception of the Acting Chief Executive Officer, Manager Finance & Administration, Finance Consultant, Manager Governance & Community, Manager Development & Environment, Manager Works and Infrastructure and the Minute Taker be excluded from attendance at the meeting in order to consider the matter of Implementation of Riverton Stormwater Management Plan in confidence.

2. That the Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the information at the meeting, on the grounds that the matter must be considered in confidence due to matters that 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, pursuant to Section 90(3)(d) of the Local Government Act 1999.

3. That accordingly, on this basis, 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 discussion confidential.

CARRIED

Meeting was conducted in confidence from 8.56 pm to 9.19 pm.

Meeting Closed at 9.20 pm.

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

MAYOR: