

## Clare & Gilbert Valleys Council

### Minutes

Meeting of Council held Monday 24 July 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 T Siv

#### **Staff in Attendance:**

Acting Chief Executive Officer, Mr J Coombe OAM  
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 D Schwarz

#### **Absent:**

Councillor N Golding

275 -17

Moved: Cr Calvert  
Seconded: Cr Drummond

**That the apologies be accepted.**

**CARRIED**

<b>1. Declaration of Conflict of Interest:</b>
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Mayor Aughey OAM      Item 10.3(f) – Clare Golf Club – declared a perceived conflict of interest due to being part owner of Lot 101 (residence/property “Inchiquin”) which is partial neighbour to the golf course and will depart the Chamber for the duration of the item.

Cr Perry      Item 10.3 (f) – Clare Golf Club – declared a perceived conflict of interest due to being a director of a company that is a land owner of an adjoining property and will depart the Chamber for the duration of the item.

Item 10(5)a - Development & Environment Information Report – declared an actual conflict of interest due to her company seeking approval of a boundary realignment and will depart the Chamber for the duration of the item.

**2. Confirmation of Minutes:**

276 -17

Moved: Cr Bruhn

Seconded: Cr Drummond

**That the Minutes of the Ordinary Council Meeting held on 19 June 2017 be confirmed.**

**CARRIED**

277 -17

Moved: Cr Drummond

Seconded: Cr Perry

**That the Confidential Minutes of the Ordinary Council Meeting held on 19 June 2017 be confirmed.**

**CARRIED**

278 -17

Moved: Cr Perry

Seconded: Cr Bruhn

**That the Minutes of the Special Council Meeting held on 5 July 2017 be confirmed.**

**CARRIED**

**3. Questions On Notice:**

Nil

**4. Questions Without Notice:**

Nil

**5. Notices of Motion:**

Nil

**6. Petitions:**

Nil

**7. Deputations:**

Chris Brideson – Director – Water + Waste Innovations

**8. Public Question Time:**

**8.2 Public Question Time**  
Nil

**8.1 Public Hearing – verbal submissions**

279 -17

Moved: Cr Calvert

Seconded: Cr Bruhn

**That the Council meeting be adjourned for the conduct of the Public Hearing – Verbal submissions on Draft Annual Business Plan & Budget 2017/18 chaired by Mayor Allan Aughey OAM and at the conclusion of Public Hearing, resumption of Council meeting.**

**CARRIED**

7.53pm Conduct of Public Hearing chaired by Mayor Allan Aughey OAM and at the conclusion of Public Hearing, resumption of Council meeting.

280 -17

Moved: Cr Calvert

Seconded: Cr Bruhn

**That the Council meeting be resumed.**

**CARRIED**

8.08pm Council meeting resumed.

**9. Mayoral Report:**

**a. Mayoral Report for the period from 29 May 2017 to 17 July 2017**

281-17

Moved: Cr Calvert

Seconded: Cr Siv

**That the Mayoral report for the period 29 May 2017 to 17 July 2017 be accepted.**

**CARRIED**

<b>10. Reports:</b>
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**10.1. Acting Chief Executive Officer**

**a. Acting Chief Executive Officer Information Report**

282 -17

Moved: Cr Burfitt

Seconded: Cr Perry

**That the report for information be noted.**

**CARRIED**

**b. Bank Signatories**

283 -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:**

**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**

**10.2. Finance & Administration**

**a. Finance Information Report**

284 -17

Moved: Cr Bruhn

Seconded: Cr Drummond

**That the report be noted.**

**CARRIED**

**10.3. Governance & Community**

**a. Governance & Community Information Report**

285 -17

Moved: Cr Drummond

Seconded: Cr Calvert

**That the report for information be noted.**

**CARRIED**

**b. Library and Information Services Information Report**

286 -17

Moved: Cr Bruhn

Seconded: Cr Siv

**That the report for information be noted.**

**CARRIED**

**c. YAC – Outdoor Gym at Melrose Park – Authority to Proceed**

287 -17

Moved: Cr Perry

Seconded: Cr Drummond

**That Council grants the Youth Advisory Committee authority to proceed with the project to install outdoor gym equipment in Melrose Park, Clare.**

**CARRIED UNANIMOUSLY**

**d. Local Government Association of SA – Review of LGA membership Subscription Formula**

288 -17

Moved: Cr Burfitt

Seconded: Cr Perry

**To enable Council to consider this matter, Council Administration correspond with the LGA SA to ascertain what benefit it is likely to receive from the proposed increase in membership fees following the three year phase in period.**

**CARRIED UNANIMOUSLY**

**e. Saddleworth IGA Land for Sale**

-17

Moved: Cr Calvert  
Seconded: Cr Bruhn

That Council offer to purchase the Saddleworth IGA land to the value of \$30,000 with the funds to be considered from within the draft 2017/18 budget.

**LOST**

**Division Called by Cr Calvert**

Mayor Aughey OAM set aside the ruling that the motion was lost and called for a division.

**Those in the affirmative for the motion**

Cr Calvert  
Cr Drummond  
Cr Bruhn

**Those in the negative for the motion**

Cr Siv  
Cr Perry  
Cr Kells  
Cr Burfitt

The vote being 3 in the affirmative and 4 in the negative, Mayor Aughey OAM declared the motion lost.

289 -17

Moved: Cr Burfitt  
Seconded: Cr Kells

**That Council does not purchase the Saddleworth IGA land.**

**CARRIED**

**f. Clare Golf Club**

Mayor Aughey OAM declared a conflict of interest and in the absence of the Deputy Mayor called for nominations of Councillor's to preside over the meeting.

290 -17

Moved: Cr Burfitt

Seconded: Cr Siv

**That Cr Kells take the chair in Mayor Aughey OAM and Deputy Mayor Schwarz's absence.**

**CARRIED**

8.44pm Mayor Aughey OAM declared a perceived conflict of interest due to being part owner of Lot 101 (residence/property "Inchiquin") which is partial neighbour to the golf course and departed the Chamber for the duration of this item.

8.44pm Cr Perry declared a perceived conflict of interest due to being a director of a company that is a land owner of an adjoining property and departed the Chamber for the duration of the item.

Cr Kells presided at the meeting for the duration of Mayor Aughey's absence.

291 -17

Moved: Cr Drummond

Seconded: Cr Calvert

**That Council purchase the land currently occupied by the Clare Community Waste Water Treatment Plant, Clare, from the Clare Golf Club at the valuation of \$26,000 and to include costs of transfer and land division, with the funds being sourced from the reserve funds of the Clare Community Waste Water Management System.**

**CARRIED**

8.50pm Mayor Aughey OAM returned to the meeting and resumed his seat in the Chamber presiding at the meeting.

8.50pm Cr Perry resumed her seat in the chamber.

**g. Riverton Memorial Pool Management review**

292 -17

Moved: Cr Burfitt

Seconded: Cr Perry

**That Administration be requested to provide Council with a projected three to five year income and expenditure projection and explore with the Riverton community the potential of maintaining the facility under a community joint use agreement.**

**CARRIED UNANIMOUSLY**



**h. Council Policies**

293 -17

Moved: Cr Kells  
Seconded: Cr Bruhn

**That the Recycled Waste Water Policy be adopted by Council.**

**CARRIED**

294 -17

Moved: Cr Kells  
Seconded: Cr Burfitt

**That Council Administration provide a further report reviewing the risks associated with regards to the Official Purchase Orders Policy and further strategies to manage the risks.**

**CARRIED UNANIMOUSLY**

**i. Manoora Centenary Park**

295 -17

Moved: Cr Perry  
Seconded: Cr Calvert

**That Council grants the Manoora Centenary Park Committee Inc authority to proceed with the project to install a shipping container at the Manoora oval site, Weymouth Street, Manoora.**

**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. Simmos Bridge Update**

296 -17

Moved: Cr Bruhn  
Seconded: Cr Drummond

**That the report for information be noted.**

**CARRIED**

**b. Temporary Road Closures**

297 -17

Moved: Cr Perry

Seconded: Cr Bruhn

**That Council approves the road closures of:**

**Main North Road from the Northern Roundabout to the Southern Roundabout for the start of the 2017 Wine Wheels and Whiting Event on Saturday 9 September 2017 from 7.30am to 8.30am.**

**CARRIED UNANIMOUSLY**

**c. Speed Limits – White Hut Road, Square Mile Road and Stradbroke Road**

9.27pm Cr Calvert left her seat in the chamber.

298 -17

Moved: Cr Kells

Seconded: Cr Bruhn

1. **That Council supports the extension of the 50km/h speed zone on White Hut Road, and that Department Planning, Transport & Infrastructure is informed accordingly.**
2. **That Council supports the extension of the 50km/h speed zone on Square Mile Road, and that Department Planning, Transport & Infrastructure is informed accordingly.**
3. **That Council supports the introduction of an 80km/h speed zone for the sealed section of the Stradbroke Road, Stanley Flat, and that Department Planning, Transport & Infrastructure is informed accordingly.**

**CARRIED UNANIMOUSLY**

**d. Roads to Recovery funding 2017/18 project allocation**

9.29pm Cr Calvert resumed her seat in the chamber.

299 -17

Moved: Cr Burfitt

Seconded: Cr Drummond

**That Council approves the allocations for the Department of Infrastructure and Regional Development Roads to Recovery program for 2017/18 to the value of \$524,608 as contained within table 1 of this report.**

**CARRIED UNANIMOUSLY**

**e. Review of Waste Management Services**

300 -17

Moved: Cr Kells

Seconded: Cr Siv

**That Council endorse the attached questionnaire on waste management services to be sent with the 2017/18 rates notices in August 2017.**

**CARRIED**

## **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**
  - 4. **Planning, Development and Infrastructure Act 2016 – Community Engagement Charter Consultant**

9.41 pm Cr Perry declared an actual conflict of interest due to her company seeking approval of a boundary realignment and departed the Chamber for the duration of the item.

301 -17

Moved: Cr Kells

Seconded: Cr Siv

**That the report for information be noted.**

**CARRIED**

9.42pm Cr Perry resumed her seat in the chamber.

## **b. Council Development Assessment Panel Membership**

302 -17

Moved: Cr Burfitt

Seconded: Cr Kells

**That Council:**

1. Pursuant to subsection 83(1)(b) of the *Planning, Development and Infrastructure Act 2016*, appoints the following as Independent Members to the Council Assessment Panel for the period starting on the 1 October 2017 until 30 June 2018
  - a) Mr Stephen Hains as Presiding Member; and
  - b) Mr Paul Mickan, Mr Greg Pulford and Mr Ben Plowman to the three positions of Independent Members; and
2. Pursuant to subsection 83(1)(b) of the *Planning, Development and Infrastructure Act 2016*, appoints Councillor Perry as the Council Member to the Council Assessment Panel for the period starting on 1 October 2017 until 30 June 2018; and
3. That Council authorises the Acting Chief Executive Officer to advise the Minister for Planning of the Clare & Gilbert Valleys Council appointments to the Council Assessment Panel and to place the relevant notice of the newly formed Council Assessment Panel in the Government Gazette, the regional newspapers, and on Council website.

**CARRIED**

**11. Council Committee Minutes:**

- a. Riverton Recreation Ground Committee (23/5/17)
- b. Auburn Recreation Park Committee (5/6/17)
- c. Clare & Gilbert Valleys Council Audit Committee (19/6/17)
- d. Manoora Hall Committee (21/6/17)
- e. Clare & Gilbert Arts (26/6/17)

303 -17

Moved: Cr Drummond

Seconded: Cr Bruhn

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

**CARRIED**

**Community Committee Reports:**

- a. Auburn Community Development Committee (9/5/17)
- b. Manoora Community Committee (21/6/17 & 28/7/17)
- c. Tarlee Hall and Community Services (6/4/17 & 8/6/17)

304 -17

Moved: Cr Perry

Seconded: Cr Bruhn

**That the Community Committee minutes be noted.**

**CARRIED**

**12. Correspondence for Information:**

Nil

**13. Urgent Business:**

Nil

**14. Business in Confidence:**

a) Environment Protection Authority (EPA) breach Rhynie Transfer Station

305 -17

Moved: Cr Perry

Seconded: Cr Calvert

**Business considered under Section 90 (3) (h & i) 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, John Coombe OAM, Manager Works & Infrastructure, Chris Miller, Manager Finance & Administration, Carol McAvaney, Manager Governance & Community, Leanne Kunoth and Minute Taker, Sara Zuromski be excluded from attendance at the meeting in order to consider the matter of Environment Protection Authority (EPA) breach Rhynie Transfer Station.
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 the information relating to actual litigation that the Council believes on reasonable grounds will take place involving the Council and or if the information is legal advice, pursuant to Section 90(3)(h & i) 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**

**Division Called by Cr Burfitt**

Mayor Aughey OAM set aside the ruling that the motion was carried and called for a division.

**Those in the affirmative for the motion**

- Cr Perry
- Cr Siv
- Cr Calvert
- Cr Drummond
- Cr Bruhn

**Those in the negative for the motion**

- Cr Burfitt
- Cr Kells

The vote being 5 in the affirmative and 2 in the negative, Mayor Aughey OAM declared the motion carried.

**Meeting was conducted in confidence from 9.56 pm to 10.28 pm.**

**Meeting Closed at 10.30 pm.**

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

**MAYOR: .....**