

Clare & Gilbert Valleys Council

Minutes

Meeting of Council held Monday 30 January 2017 in the Council Chambers, 4 Gleeson Street, Clare commencing at 7.05pm.

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 L Drummond
Councillor N Golding
Councillor J Kells
Councillor H Perry
Councillor D Schwarz

Staff in Attendance:

Chief Executive Officer, Mr R Blight
Manager Governance & Community, Mrs L Kunoith
Manager Finance & Administration, Mrs C McAvaney
Manager Development & Environment, Mr N Grainger
Manager Works and Infrastructure, Mr C Miller
Minute Taker, Ms S Zuromski

Apology:

Councillor E Calvert
Councillor T Siv

1 -17

Moved: Cr Schwarz
Seconded: Cr Golding

That the apology be accepted.

CARRIED

1. Declaration of Conflict of Interest:

- | | |
|---------------------|---|
| Mayor Aughey
OAM | 10.4c – Blyth Road, Clare – declared a perceived conflict of interest due to being a land owner in the vicinity of the intersection and will vacate the meeting for the duration of this item. |
| Cr Kells | Item 10.4d – Neagles Rock Road/ Police Paddock Drainage Upgrades – declared a conflict of interest due to having a client that is within the affected catchment area and will vacate the meeting for the duration of this item. |
| Cr Schwarz | Item 10.3f – Riverton Community Management Committee Funding Request – Riverton Entrance Walls – declared a perceived conflict of interest due to being a member of the Riverton Community Management Committee and will remain in the meeting for the duration of this item. |

2. Confirmation of Minutes:

2 -17

Moved: Cr Schwarz
Seconded: Cr Bruhn

That the Minutes of the Ordinary Council Meeting held on 5 December 2016 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:

3 -17

Moved: Cr Burfitt
Seconded: Cr Perry

That the Council meeting be adjourned for the conduct of Public Question Time.

CARRIED

7.08 pm Conduct of Public Question Time chaired by Mayor Allan Aughey OAM and at the conclusion of Public Question Time, resumption of Council meeting.

4 -17

Moved: Cr Schwarz
Seconded: Cr Burfitt

That the Council meeting be resumed.

CARRIED

7.20 pm Council meeting resumed.

9. Mayoral Report:

a. **Mayoral Report for the period from 21 December 2016 to 30 January 2017**

5 -17

Moved: Cr Perry
Seconded: Cr Golding

That the Mayoral report for the period 21 December 2016 to 30 January 2017 be accepted.

CARRIED

10. Reports:

10.1. **Chief Executive Officer**

a. **Chief Executive Officer Information Report**

6 -17

Moved: Cr Golding
Seconded: Cr Bruhn

That the report for information be noted.

CARRIED

b. Chief Executive Officer – Action Report

7 -17

Moved: Cr Perry

Seconded: Cr Bruhn

That Council note the Chief Executive Officer's Action Report as at December 2016 as presented and that completed items be deleted from the next report.

CARRIED

c. Appointment of Acting Chief Executive Officer

8 -17

Moved: Cr Burfitt

Seconded: Cr Schwarz

That Mr John Coombe OAM be appointed to the position of Acting Chief Executive Officer for the Clare & Gilbert Valleys Council for the following periods:

3 July – 4 August 2017

And that appropriate contractual arrangements be established on the same basis as the previous engagement.

CARRIED UNANIMOUSLY

10.2. Finance & Administration

a. Finance Information Report

9 -17

Moved: Cr Perry

Seconded: Cr Drummond

That the report for information be noted.

CARRIED

10.3. Governance & Community

a. Governance & Community Information Report

- 1. Personnel**
- 2. Min North Community Passenger Network**
- 3. Cemeteries**
- 4. Local Government (Boundary Adjustment) Amendment Bill 2016**
- 5. "The Domain" Community Land Status**

10 -17

Moved: Cr Perry

Seconded: Cr Golding

That the report for information be noted.

CARRIED

b. Library Services Information Report

11 -17

Moved: Cr Kells

Seconded: Cr Drummond

That the report for information be noted.

CARRIED

c. Recreation Facilities Information Report

12 -17

Moved: Cr Perry

Seconded: Cr Schwarz

That the report for information be noted.

CARRIED

d. 2017 Mr Mick Clare SA Masters Games

13 -17

Moved: Cr Bruhn

Seconded: Cr Burfitt

That the report for information be noted.

CARRIED

e. Clare & Gilbert Valleys Council – Meeting Schedule

14 -17

Moved: Cr Schwarz

Seconded: Cr Perry

That the Council note the following meeting schedule:

Monday 6 February 2017 Special Meeting of Council, (called by Mayor Aughey OAM) subject “The Performance Review the Chief Executive Officer” 7pm.

Saturday 11 February 2017 District Inspection, meet at the rear of the Council Chambers, Clare 8am – 1pm, lunch will be provided.

Monday 13 February 2017 Council Workshop, Clare 7pm.

Monday 27 February 2017 Peak Body – Section 41 Forum, Waterloo District War Memorial Hall, Waterloo.

CARRIED

f. Riverton Community Management Committee Funding Request – Riverton Entrance Walls

7.35pm Cr Schwarz declared a perceived a conflict of interest in this item and remained in her seat in the chamber.

15 -17

Moved: Cr Burfitt

Seconded: Cr Drummond

That due to there being \$9,000 of unallocated funds from the Community Asset Grant Round that a further competitive round of grant funding be advertised.

CARRIED

Amendment

Moved: Cr Perry

Seconded: --

1. That due to there being \$9,000 of unallocated funds from the Community Asset Grant Round that a further competitive round of grant funding be advertised.
2. That the request from Riverton Community Management committee for \$2,500 be provided under “other donations upon request”.

Amendment was not allowed by Mayor Aughey OAM, the amendment being at serious variance to the original motion.

16 -17

Moved: Cr Perry
Seconded: Cr Schwarz

That the request from Riverton Community Management committee for \$2,500 for the "Welcome to Riverton" entrance walls be approved under the "other donations upon request" budget allocation.

CARRIED

g. 2018 Santos Tour Down Under

17 -17

Moved: Cr Kells
Seconded: Cr Schwarz

That Council lodge an expression of interest in hosting a starting stage of the 2018 Santos Tour Down Under at a cost of \$15,000.

CARRIED UNANIMOUSLY

h. National Veteran Vehicle Rally Clare 2017

18 -17

Moved: Cr Kells
Seconded: Cr Burfitt

That Council supports the National Veterans Car Rally to the value of \$4,000 in the 2017/18 budget to host a Council welcoming reception for 300 participants and that the funds be sourced from the "other donations upon request" budget line.

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**
 - 5. Min Man Road Update**

19 -17

Moved: Cr Perry
Seconded: Cr Schwarz

That the report for information be noted.

CARRIED

b. Hutt River Linear Park Project

20 -17

Moved: Cr Schwarz

Seconded: Cr Burfitt

1. The Hutt River Linear Park Project and report be noted.
2. That a workshop be held at a later date.

CARRIED UNANIMOUSLY

c. Blyth Road Clare

8.09pm Mayor Aughey OAM declared an interest in this matter and vacated his seat in the Chamber for the duration of this item.

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

21 -17

Moved: Cr Burfitt

Seconded: Cr Perry

That Council request administration to provide a detailed funding application including cost details for the successful completion of the Blyth Road proposed shared path on the basis of two options:

1. From the intersection of Blyth Road and Horrocks Highway to the Clare Valley Children's Centre, or
2. Continue those works to the intersection of Benbournie Road and Blyth Road.

CARRIED

8.28pm Mayor Aughey OAM returned to the meeting and resumed his seat in the Chamber presiding at the meeting.

d. Clare and Riverton Footpath Works

22 -17

Moved: Cr Kells

Seconded: Cr Schwarz

That the report for information be noted.

CARRIED

e. Neagles Rock Road / Police Paddock drainage upgrades

8.30pm Cr Kells declared a conflict of interest in this matter and vacated his seat in the chamber for the duration of the item.

23 -17

Moved: Cr Golding
Seconded: Cr Drummond

That the report for information be noted.

CARRIED

8.32pm Cr Kells returned to the meeting and 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**

24 -17

Moved: Cr Golding
Seconded: Cr Drummond

That the report for information be noted.

CARRIED

b. **8 Mill Street Clare**

25 -17

Moved: Cr Burfitt
Seconded: Cr Golding

That Council:

1. **Authorise Council Administration to proceed to obtain Development Approval for the change of use of the site to a public carpark.**
2. **Endorse the initial concept plan less the secondary access/egress point and authorise works.**
3. **Authorise a budget variation of \$10,500 to cover costs (Capital Improvements) and demolition of outbuildings.**

CARRIED UNANIMOUSLY

c. **Auburn Institute**

26 -17

Moved: Cr Schwarz
Seconded: Cr Bruhn

That the report for information be noted.

CARRIED

11. Council Committee Minutes:

- a. Riverton Recreation Ground Committee (22/11/16)

27 -17

Moved: Cr Bruhn

Seconded: Cr Drummond

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

CARRIED

12. Community Committee Reports:

- a. Tarlee Hall & Community Services (1/12/16)

28 -17

Moved: Cr Drummond

Seconded: Cr Golding

That the Community Committee minutes be noted.

CARRIED

13. Correspondence for Information:

Nil

14. Urgent Business:

Nil

15. Business in Confidence:

8.53pm Cr Perry vacated her seat in the chamber

- a) **Valleys Lifestyle Centre Outsourcing – Consideration of results of tender call for Management of Centre.**

29 -17

Moved: Cr Burfitt

Seconded: Cr Kells

Section 90(3) (d) 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 Chief Executive Officer, Works & Infrastructure Manager, Manager Finance & Administration, Manager Governance & Community, Manager Development & Environment and the Minute Taker be excluded from attendance at the meeting in order to consider the matter of Valleys Lifestyle Centre Outsourcing – Consideration of results of tender call for Management of Centre 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

8.55pm Cr Perry resumed her seat in the chamber

Meeting was conducted in confidence from 8.53 pm to 9.32 pm.

b) Implementation of Riverton Stormwater Management Plan

30 -17

Moved: Cr Perry

Seconded: Cr Kells

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 Chief Executive Officer, Works & Infrastructure Manager, Manager Finance & Administration, Manager Governance & Community, Manager Development & Environment and Minute Taker be excluded from attendance at the meeting in order to consider the matter of Implementation of Riverton Stormwater Management Plan – Acquisition of Council 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.**

Meeting was conducted in confidence from 9.33pm to 9.45pm.

c) 14 Belvidere Road, Saddleworth – Formerly Saddleworth RSL Building – Demolition

31 -17

Moved: Cr Perry

Seconded: Cr Bruhn

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 Chief Executive Officer, Works & Infrastructure Manager, Manager Finance & Administration, Manager Governance & Community, Manager Development & Environment and Minute Taker be excluded from attendance at the meeting in order to consider the matter of 14 Belvidere Road, Saddleworth – Formerly Saddleworth RSL Building - Demolition 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.**

Meeting was conducted in confidence from 9.46 pm to 9.50 pm.

Meeting Closed at 9.52 pm

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

MAYOR:

30 January 2017

Confidential Minutes

Meeting Commenced 8.54 pm

- a) Valleys Lifestyle Centre Outsourcing – Consideration of results of tender call for Management of Centre

32 -17

Moved: Cr Burfitt

Seconded: Cr Kells

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 Chief Executive Officer, the Manager Governance & Community, the Manager Works & Infrastructure, the Manager of Development & Environment, the Manager Finance & Administration and Minute Taker be excluded from attendance at the meeting in order to consider the matter of Valleys Lifestyle Centre Outsourcing – Consideration of results of tender call for Management of Centre.
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

8.55pm Cr Perry resumed her seat in the chamber

33 - 17

Moved: Cr Kells
Seconded: Cr Perry

1. That Council advise YMCA that they are the preferred tenderer.
2. That to enable Council to further consider the YMCA Tender for management of the Valleys Lifestyle Centre, Council Administration seek from YMCA further information regarding:
 - a. Financial plan budget
 - b. Operation of the facility
 - c. Expectations of capital upgrades and improvements that would be required initially to manage the facility.

CARRIED

PERIOD OF CONFIDENTIALITY

34 -17

Moved Cr Burfitt
Seconded Cr Perry

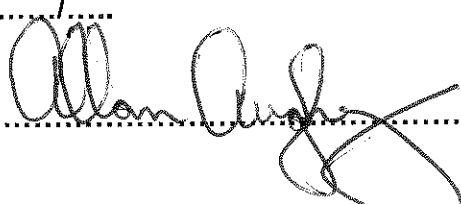
1. An order was made pursuant to the provision of Section 91(7) of the Local Government Act 1999 as amended, that the decision and reports and attachments of Council relating to the discussion of matters, having been dealt with on a confidential basis under Section 90(3)(d) of the Local Government Act 1999 need to be kept confidential until the provision of Management Services in relation to The Valleys Lifestyle Centre is signed or such other period as determined by Council.
2. That the meeting be reopened to the public.

CARRIED

Meeting reopened to the public at 9.32pm

CONFIRMED

MAYOR

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