

Clare & Gilbert Valleys Council

Minutes

Meeting of Council held Monday 16 September 2019 in Council Chambers,
4 Gleeson Street, Clare commencing at 7.00pm.

Mayor Wayne Thomas declared the meeting open, read the Council Prayer and welcomed all in attendance.

Acknowledgement of Country

Mayor Wayne Thomas 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 Wayne Thomas
Councillor A Alder
Councillor M Bartholomaeus
Councillor L Bruhn
Councillor E Calvert
Councillor L Drummond
Councillor N Golding
Councillor C Hunter
Councillor B Koch

Staff in Attendance:

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

Apologies:

Councillor I Burfitt

Moved: Cr Calvert
Seconded: Cr Drummond

That the apologies be noted.

CARRIED 284 - 19

1. Declaration of Conflict of Interest:

Nil

2. Public Question Time:

Moved: Cr Bruhn
Seconded: Cr Alder

That the meeting be adjourned for the conduct of public question time.

CARRIED 285 - 19

7.06pm The Council meeting was adjourned for the conduct of public question time and at the end of the public question time the meeting resumed.

Moved: Cr Calvert
Seconded: Cr Bruhn

That the meeting be resumed.

CARRIED 286 - 19

7.16pm The meeting resumed with all members present.

3. Petitions & Deputations:

Beth Reade, Zone Emergency Management Committee
Michelle Verco, Mace Engineering, Clare Stormwater update

4. Confirmation of Minutes:

Moved: Cr Hunter
Seconded: Cr Bruhn

That the Minutes of the Ordinary Council Meeting held on 19 August 2019 be confirmed.

CARRIED 287 - 19

Moved: Cr Calvert
Seconded: Cr Drummond

That the Minutes of the Confidential Ordinary Council Meeting held on 19 August 2019 be confirmed.

CARRIED 288 - 19

5. Matters Laid on the Table from previous meetings:

Clare Town Hall

116/17

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

Stage 2 Tender Stormwater Drainage Construction – William Street/Neagles Rock Road, Clare

231-19

That the matter lie on the table pending further information from Council Administration in regard to securing appropriate easements in relation to these works.

6. Mayor & Chief Executive Officer Report:

7. Performance Reports:

7.1. Resolutions Register – Implementation Report

Moved: Cr Bruhn
Seconded: Cr Bartholomaeus

That the Resolutions Register – Implementation Report be noted as at 16 September as presented and that the completed items be deleted from the next report.

CARRIED 289 - 19

7.2. Major Projects Report

Moved: Cr Calvert
Seconded: Cr Drummond

That the report for information be noted.

CARRIED 290 - 19

7.3. Finance Information Report

Moved: Cr Bruhn
Seconded: Cr Alder

That the finance information report to 31 August be received and noted.

CARRIED 291 – 19

8. Section 41 & Council Committee Minutes:

8.1 Section 41 Committee Minutes:

Moved: Cr Bartholomaeus
Seconded: Cr Alder

That the Auburn Recreation Park Management Committee minutes be adopted.

CARRIED 292 - 19

9. Reports for Decision:

9.1. Auburn Recreation Park – Request for new amenities block

Moved: Cr Alder
Seconded: Cr Bruhn

That Council approves the Auburn Recreation Park Committee to develop a new amenities block at the Auburn Recreation Park subject to receiving the relevant regulatory approvals.

CARRIED UNANIMOUSLY 293 - 19

9.2. Consideration of wastewater disposal system on Council Land at Mintaro

Moved: Cr Golding
Seconded: Cr Alder

Council approves:

- 1. Mace Engineers to design a wastewater system on the Mintaro Institute land for the Magpie and Stump Hotel.**
- 2. Council Administration to commence public consultation for a change to the Mintaro Institute Community Land Management plan.**

CARRIED UNANIMOUSLY 294 - 19

9.3. Mintaro Bowling Club Inc

Moved: Cr Bruhn
Seconded: Cr Alder

That Council approves the request for funding from Mintaro Bowling Club for upgrading the lights with a 2.60% fixed interest rate loan for the principal amount of \$15,000 over a period of 5 years with the option of early repayment.

CARRIED UNANIMOUSLY 295 - 19

9.4. Mintaro Progress Association

Moved: Cr Bartholomaeus
Seconded: Cr Golding

That Council approves the request for funding from Mintaro Progress Association Inc to enable the acceleration of the Building Better Regions Project at the Mintaro Institute with an interest free loan for the principal amount of \$35,000 over a period of 1 year with the option for early repayment.

CARRIED UNANIMOUSLY 296 - 19

9.5. Lease of Clare Oval House

Moved: Cr Bartholomaeus
Seconded: Cr Alder

That Council offer to lease the Oval House building and the old Police Station to the Clare National Trust for a minimum of two years.

Mayor Thomas refused to accept the motion on the basis that the Mayor considered the guiding principles and directed that the motion should be dealt with by way of a motion on notice, listed on the Agenda at a future Council meeting.

9.6. Scholz Park Riverton – Permission to proceed with limited use toilet block

Moved: Cr Golding
Seconded: Cr Bruhn

That Council grants permission to the Scholz Park Museum Committee to submit a Development Application for the installation of an exclusive use toilet at Scholz Park in Riverton.

CARRIED UNANIMOUSLY 297 - 19

9.7. Request for Road Closures and Purchases

Moved: Cr Bruhn
Seconded: Cr Bartholomaeus

That Council intends to declare the following roads in Auburn to be public Roads, pursuant to Section 210 (2) (b) of the Local Government Act 1999, to enable the closure process of Raglan Street, Auburn to proceed.

Declaration of Public Roads- Notice of Intention

- All roads delineated on GP 520/1856 plan of "Auburn", more particularly described as North Street, St Vincent Street, Wakefield Street (now known as Henry Street), South Street and King William Street.
- All roads delineated on DP 24 plan of "North Auburn", more particularly described as Bleechmore Street and Meller Street.
- All roads delineated on GP 458/1855 plan of "East Auburn", more particularly described as Mill Lane, Raglan Street, Globe Street and the remaining portion of Field Street (now known as Mill Lane).

CARRIED UNANIMOUSLY 298 -19

Moved: Cr Calvert
Seconded: Cr Hunter

That following and subject to public notification, authorise the Mayor and Chief Executive Officer to sign the declaration for the above roads to be Public Roads.

CARRIED UNANIMOUSLY 299 - 19

9.8. Council Policies Governance

Moved: Cr Calvert
Seconded: Cr Bruhn

That Council adopt the reviewed and updated Public Consultation Policy

CARRIED UNANIMOUSLY 300 - 19

Moved: Cr Calvert
Seconded: Cr Drummond

That Council adopt the reviewed and updated CGVC Meeting Procedure 2019.

CARRIED 301 - 19

Moved: Cr Calvert
Seconded: Cr Koch

That the current Australia Day award and celebration arrangements remain the same for January 2020 and that any proposed changes be brought to a workshop.

CARRIED UNANIMOUSLY 302 - 19

9.9. Council Policies Finance

Moved: Cr Calvert
Seconded: Cr Bruhn

That Council adopt the reviewed Treasury Management Policy

Cr Bartholomaeus MOVED an amendment
Seconded: Cr Golding

That the Treasury Management Policy be amended (Page 2, paragraph 2, bullet point 2) to remove the word "not" and insert "allow for accounting of funds for a particular future purpose but not necessarily"

LOST

The original motion was put.

CARRIED 303 -19

Moved: Cr Calvert
Seconded: Cr Alder

That Council adopt the reviewed Internal Financial Controls Policy.

CARRIED UNANIMOUSLY 304 - 19

9.10. Local Government Representative: Lower North Health Advisory Council Inc and Balaklava Riverton Health Advisory Council Inc

Moved: Cr Drummond
Seconded: Cr Bruhn

That Council call for nominations from interested Councillors to be the local government representative for the Lower North Health Advisory Council Inc.

CARRIED UNANIMOUSLY 305 - 19

Cr Drummond nominated **Cr Alder**

Moved: Cr Drummond
Seconded: Cr Bruhn

That Cr Alder be nominated to be the local government representative for the Lower North Health Advisory Council Inc.

CARRIED UNANIMOUSLY 306 - 19

Moved: Cr Calvert
Seconded: Cr Bartholomaeus

That Council call for nominations from interested Councillors to be the local government representative for the Balaklava Riverton Health Advisory Council Inc.

CARRIED UNANIMOUSLY 307-19

Cr Calvert nominated **Cr Alder**

Moved: Cr Calvert
Seconded: Cr Bartholomaeus

That Cr Alder be nominated to be the local government representative for the Balaklava Riverton Health Advisory Council Inc.

CARRIED UNANIMOUSLY 308 -19

9.11. Legatus Group – Annual Report 2018-2019 and AGM Minutes

Moved: Cr Calvert
Seconded: Cr Alder

That Council endorse the Legatus Group Annual Report 2018/2019 as tabled and note that it will be included in Council's 2018/2019 Annual Report

CARRIED UNANIMOUSLY 309 - 19

9.12. Council Meeting Dates, Times, Places

Moved: Cr Calvert
Seconded: Cr Bruhn

That Council resolve that the Ordinary meetings of Council for the Clare & Gilbert Valleys Council not be changed.

CARRIED 310 - 19

9.13. Clare Oval Redevelopment

Moved: Cr Golding
Seconded: Cr Calvert

That Council:

1. Notes that the 2019/20 Annual Business Plan was updated to include:
 - 1.1. a statement that Council will be providing up to \$1.96M assistance to Clare Oval Redevelopment Committee for the Clare Oval Redevelopment Project Stage One; and
 - 1.2. a statement that Council anticipates allocating \$250,000 to the Clare Oval Redevelopment Committee.
2. Provides \$100,000 of the \$250,000 allocation referred to in paragraph 1.2 of this resolution immediately ie before the next budget review for Stage 1 to full design, with the acknowledgement that a Business Plan has been provided.

CARRIED UNANIMOUSLY 311 - 19

Mayor Thomas brought Item 11 forward to this point in the meeting.

11 Matters Raised by Council Members:

11.1 Questions with Notice

Nil

11.2 Motions on Notice

Moved: Cr Koch
Seconded: Cr Calvert

That the following resolution from 17 June 2019 Council Meeting:

That Council commit \$1.96M from the reserve fund from the original lease of Christison Park to support Stage 1 of the Clare Oval Redevelopment and defer

commitments to support further upgrades to this and other sport precincts until Council has completed its Open Space Strategy 2020.

Be revoked

CARRIED on the casting vote of the Mayor 312 - 19

Cr Bartholomaeus called for a division.
Mayor Thomas set aside the Motion and called for the Vote.

Those in the affirmative for the motion

Cr Koch
Cr Alder
Cr Hunter
Cr Calvert
Mayor Thomas (casting vote)

Those in the negative for the motion

Cr Drummond
Cr Golding
Cr Bartholomaeus
Cr Bruhn

The vote being five in the Affirmative and four in the Negative, Mayor Thomas declared the motion CARRIED.

Moved: Cr Koch
Seconded: Cr Calvert

That Council provide an in principle commitment of financial support for the Clare Valley Sport and Recreation precinct project Stage 1, as presented to the CGVC meeting 17 June 2019 by the Clare Oval Redevelopment Committee of 20% of the project costs (or components thereof) to a maximum of \$1.96 million."

Cr Bruhn MOVED an amendment
Seconded: Cr Hunter

That Council provide an in principle commitment of financial support for the Clare Valley Sport and Recreation precinct project Stage 1, as presented to the CGVC meeting 17 June 2019 by the Clare Oval Redevelopment Committee of 40% of the project costs (or components thereof) to a maximum of \$1.96 million."

The amendment is **CARRIED**

The amendment now becomes the motion.

The motion is put.

CARRIED 313 - 19

Cr Koch called for a division
Mayor Thomas set aside the Motion and called for the Vote.

Those in the affirmative for the motion

Cr Drummond
Cr Golding
Cr Bartholomaeus
Cr Hunter
Cr Bruhn

Those in the negative for the motion

Cr Koch
Cr Alder
Cr Calvert

The vote being five in the Affirmative and three in the Negative, Mayor Thomas declared the motion CARRIED.

11.3 Questions without Notice

Nil

11.4 Motions without Notice

Nil

10 Officers' Reports for information:

- 10.1 Corporate Services Information Report
- 10.2 Library Services Information Report
- 10.3 Communications Report
- 10.4 Works & Infrastructure Information Report
- 10.5 Development & Community Information Report
- 10.6 Peak Body Minutes
- 10.7 Planning and Design Code – Implementation

12 Business in Confidence:

12.1 Bituminous Surfacing of Roads Tender

Moved: Cr Bruhn
Seconded: Cr Hunter

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except Chief Executive Officer, Helen Macdonald, Director Corporate Services, Leanne Kunoth, Director Works & Infrastructure, Ken Dolan, Director Development & Community, Andrew Christiansen, Finance Consultant Michele Bennetts and Minute Taker, Sara Zuromski be excluded from attendance at the meeting for Agenda item "Bituminous Surfacing of Roads Tender"

Council is satisfied that, pursuant to Section 90(3) (b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item could reasonably be expected to prejudice the commercial position of Council; and is contrary to the public interest.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances to prevent the disclosure of information that would prejudice the commercial position of Council; and is contrary to the public interest.

CARRIED 314 - 19

Moved: Cr Calvert
Seconded: Cr Drummond

Having considered Agenda Item 12.1 "Bituminous Surfacing of Roads Tender" in confidence under Section 90(2) and 90 (3) (b) of the Local Government Act 1999, the Council pursuant to Section 91(7) of that Act orders that the reports, minutes and discussions relevant to this Agenda Item be retained in confidence for a period of 1 year or until a contract has been signed.

CARRIED 315 - 19

12.2 Supply of Tandem Axle Truck Tender

Moved: Cr Alder
Seconded: Cr Bruhn

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except Chief Executive Officer, Helen Macdonald, Director Corporate Services, Leanne Kunoth, Director Works & Infrastructure, Ken Dolan, Director Development & Community, Andrew Christiansen, Finance Consultant, Michele Bennetts and Minute Taker, Sara Zuromski be excluded from attendance at the meeting for Agenda item "Supply of Tandem Axle Truck"

Council is satisfied that, pursuant to Section 90(3) (b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item could reasonably be expected to prejudice the commercial position of Council; and is contrary to the public interest.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances to prevent the disclosure of information that would prejudice the commercial position of Council; and is contrary to the public interest.

CARRIED 316 - 19

Moved: Cr Golding
Seconded: Cr Drummond

Having considered Agenda Item 12.2 "Supply of Tandem Axle Truck" in confidence under Section 90(2) and 90 (3) (b) of the Local Government Act 1999, the Council pursuant to Section 91(7) of that Act orders that the reports, minutes and discussions relevant to this Agenda Item be retained in confidence until a contract has been signed.

CARRIED 317 - 19

Meeting conducted in confidence from 10.14 pm to 10.15 pm.

10.16 pm Meeting closed

Confirmed/...../.....

Mayor