

Clare & Gilbert Valleys Council

Minutes

Meeting of Council held Monday 15 August 2022 held at 4 Gleeson Street, Clare commencing at 7.00pm.

Mayor Wayne Thomas declared the meeting open and welcomed all in attendance.

Acknowledgement of Country

Mayor Thomas provided an Acknowledgement of Country through the following statement:

"I would like to begin by acknowledging the Ngadjuri people, Traditional Custodians of the land on which we meet today, and pay my respects to their Elders past and present. I extend that respect to Aboriginal and Torres Strait Islander peoples here today."

Council Prayer

Mayor Thomas read the Council Prayer.

Present:

Mayor Wayne Thomas
Councillor M Bartholomaeus
Councillor L Bruhn
Councillor E Calvert
Councillor L Drummond
Councillor C Hunter (arrived 7.05pm)
Councillor B Koch
Councillor D Willson

Staff in Attendance:

Chief Executive Officer, Dr H Macdonald
Director Corporate Services, Mrs L Kunoth
Director Works & Infrastructure, Ms A Neubauer
Finance Manager, Mr G Graham
Planning Officer, Mr F Cormack
Minute Taker, Mrs S Zuromski

Apologies:

Councillor A Alder
Councillor I Burfitt

Moved: Cr Bartholomaeus
Seconded: Cr Willson

That the apologies be noted.

CARRIED 287 - 22

1. Declaration of Conflict of Interest:

Cr Calvert Item 9.11 Events Support Program – declared a perceived conflict of interest as she is on the committee of one of the grant recipient, and will be vacating the meeting.

2. Public Question Time:

Moved: Cr Drummond
Seconded: Cr Bruhn

That formal meeting procedures be suspended for public question time.

CARRIED 288 - 22

7.03pm Public question time began.

Moved: Cr Bruhn
Seconded: Cr Bartholomaeus

That formal meeting procedures resume.

CARRIED 289 - 22

3. Petitions & Deputations:

UPRS – Stanley Flat code amendment

4. Confirmation of Minutes:

Moved: Cr Bartholomaeus
Seconded: Cr Calvert

That the minutes of the Ordinary Council Meeting held on 18 July 2022 be confirmed.

CARRIED 290 - 22

Moved: Cr Bartholomaeus
Seconded: Cr Bruhn

That the minutes of the Confidential Council Meeting held on 18 July 2022 be confirmed.

CARRIED 291 - 22

Moved: Cr Calvert
Seconded: Cr Bartholomaeus

That the minutes of the Special Council Meeting held on 26 July 2022 be confirmed.

CARRIED 292 - 22

Moved: Cr Bartholomaeus
Seconded: Cr Bruhn

That the minutes of the Confidential Council Meeting held on 26 July 2022 be confirmed.

CARRIED 293 - 22

5. Matters Laid on the Table from previous meetings

Nil

6. Mayor & Chief Executive Officer Reports

Moved: Cr Bartholomaeus
Seconded: Cr Bruhn

That the CEO Information Report be noted.

CARRIED 294 - 22

7. Performance Reports

7.1. Resolutions Register – Implementation Report

Moved: Cr Calvert
Seconded: Cr Bartholomaeus

The Resolutions Register - Implementation Report be noted as at 15 August 2022 as presented and that the completed items be deleted from the next report.

CARRIED 295 - 22

7.2. Major Projects Report

Moved: Cr Calvert
Seconded: Cr Drummond

That the Major Projects report be noted.

CARRIED 296 - 22

7.3. Finance Information Report July 2022

Moved: Cr Bruhn
Seconded: Cr Bartholomaeus

That the Finance Report for July be received and noted.

CARRIED 297 - 22

8. Section 41 Committee Minutes

Moved: Cr Calvert
Seconded: Cr Drummond

That the Auburn Recreation Park Committee & Riverton Recreation Ground minutes be received and noted.

CARRIED 298 - 22

8.2 Audit Committee Minutes

Moved: Cr Hunter
Seconded: Cr Bartholomaeus

That Council having considered the Audit Committee's recommendations from 8 August 2022 minutes, notes the minutes and acknowledges that the Audit Committee recommended to Council:

That the Risk Management Policy, Risk Management Framework and Risk Register as presented be adopted by Council.

That the Draft Corruption, Misconduct and Maladministration Policy be approved with the following edits:

- **Add Audit Committee responsibility throughout document**

CARRIED 299 - 22

9. Reports for Decision:

9.1. Proposed White Hut Road, Stanley Flat code amendment rezone from rural to rural neighbourhood

Moved: Cr Bartholomaeus
Seconded: Cr Willson

That Council supports the proposed rezoning of land at White Hut Road, Stanley Flat.

CARRIED 300 - 22

9.2. Risk Management Review 2022

Moved: Cr Bartholomaeus
Seconded: Cr Calvert

As recommended by the Audit Committee at its meeting on 8 August, 2022, that the Council adopt the reviewed Risk Management Policy and Risk Management Framework and note the updates to the Risk Register.

CARRIED 301 - 22

9.3. Watervale Hotel Section 222 Permit

Moved: Cr Calvert
Seconded: Cr Koch

That Council approves a Section 222 permit to be issued for exclusive occupation of the area of the footpath used by the Watervale Hotel at the corner of Main North

Road and North Street, Watervale, for a period of 20 years, and conducts Public Consultation in accordance with the Local Government Act.

CARRIED 302 - 22

9.4. Library Strategic Plan

Moved: Cr Calvert
Seconded: Cr Bartholomaeus

That Council adopts the Clare & Gilbert Valleys Council Library Strategic Plan 2022-2027.

CARRIED 303 - 22

9.5. Revocation of Fire Prevention Committee

Moved: Cr Koch
Seconded: Cr Drummond

That the Section 41 Committee status be revoked for the Fire Prevention Committee effective immediately.

CARRIED 304 - 22

9.6. YMCA 2021-2022 Report

Moved: Cr Bruhn
Seconded: Cr Koch

That Council notes the YMCA 2021-2022 report for the Valleys Lifestyle Centre and the Riverton Swimming Pool.

CARRIED 305 - 22

9.7. Bank Signatories

Moved: Cr Bruhn
Seconded: Cr Hunter

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 lodgments for creditors**
- 3. Sign confirmation report for direct debit lodgments for payroll**

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

**Chief Executive Officer – Dr Helen Macdonald
Director Works Infrastructure – Ms Amy Neubauer
Director Corporate Services – Mrs Leanne Kunoith
Director Development and Community - Mr Andrew Christiansen
Manager Finance – Mr Gary Graham & Ms Theresa Nicolussi**

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

CARRIED 306 - 22

9.8. Council Policies

Moved: Cr Bartholomaeus
Seconded: Cr Calvert

That Council adopt the revised Art Collection Policy.

CARRIED 307 - 22

Moved: Cr Bruhn
Seconded: Cr Calvert

That, as recommended by the Audit Committee, Council adopt the revised Draft Corruption, Misconduct and Maladministration Policy.

CARRIED 308 - 22

9.9. Local Government Reform

Moved: Cr Bartholomaeus
Seconded: Cr Bruhn

That the Local Government Reform Report and Action list dated 30 June 2022, as provided, be noted.

CARRIED 309 - 22

9.10. Clare Caravan Park Bridges

Moved: Cr Bartholomaeus
Seconded: Cr Willson

That Council authorise Administration to replace the Clare Caravan Park Bridge works with the Cornwell Road Bridge, Hilltown, to be completed in the 2022/23 financial year.

Cr Koch moved an AMENDMENT

That Council defer the replacement of the caravan park bridges until next financial year.

Mayor Thomas declined to accept the amendment due to it being outside of the decision of this Council.

CARRIED 310 - 22

9.11. Event Support Program

8.41pm Cr Calvert declared a perceived conflict and left her seat in the chamber

Moved: Cr Bruhn
Seconded: Cr Drummond

That Council provides Event Support Program funding to the following six (6) applicants:

Applicant	Event	Funded amount
Clare Valleys Wine & Grape Association	Clare Valley Gourmet Week 2023	\$5,000
Clare Valley Racing Club	2023 Easter Saturday Race Meeting	\$5,000
Greg Cooley Wines	'Polo in the Vines', Clare Valley 2022	\$5,000
Neil Pike	Jazzing in Madonna	\$1,500
Gary Prior	Mintaro Car and Bike Show	\$2,000
SA Rural Women's Gathering Association	SA Rural Women's Gathering	\$1,500

CARRIED 311 - 22

8.43pm Cr Calvert resumed her seat in the chamber

10. Officers' Reports for Information

- 10.1. Corporate Services Information Report**
- 10.2. Library Services Information Report**
- 10.3. Communications Information Report**
- 10.4. Works & Infrastructure Information Report**
- 10.5. Development & Community Information Report**
- 10.6. Peak Body Minutes**

11. Matters Raised by Council Members

11.1. Questions on Notice

Nil

11.2. Motions on Notice

Nil

11.3. Questions without Notice

Nil

11.4. Motions without Notice

Moved: Cr Bartholomaeus
Seconded: Cr Willson

That Administration write to the Department of Transport and Infrastructure to determine what their plans are for the DIT site in Clare to ascertain whether the site may be better used by Council, or for residential development, or for community use.

CARRIED 312 - 22

12. Business in Confidence

12.1 Pavement Renewal Works Tender

Moved: Cr Bruhn
Seconded: Cr Drummond

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, Amy Neubauer, Manager Finance, Gary Graham and Minute Taker, Sara Zuromski be excluded from attendance at the meeting for Agenda item "Pavement Renewal Works 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 313 - 22

Moved: Cr Bruhn
Carried: Cr Calvert

Having considered Agenda Item 12.1 "Pavement Renewal Works 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 the contract has been signed.

CARRIED 315 - 22

Meeting conducted in confidence from 9.05 pm to 9.10 pm.

12.2 Supply of Tipper Truck Tender

Moved: Cr Calvert
Seconded: Cr Drummond

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, Amy Neubauer, Manager Finance, Gary Graham and Minute Secretary, Sara Zuromski be excluded from attendance at the meeting for Agenda item "Supply of Tipper Truck 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 316 - 22

Moved Cr Drummond
Seconded Cr Hunter

Having considered Agenda Item 12.2 "Supply Tipper Truck 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 318 - 22

Meeting conducted in confidence from 9.10pm to 9.11 pm.

12.3 Supply of Cleaning Services Tender

Moved: Cr Bruhn
Seconded: Cr Koch

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 Kunoith, Director Works & Infrastructure, Amy Neubauer, Manager Finance, Gary Graham and Minute Secretary, Sara Zuromski be excluded from attendance at the meeting for Agenda item "Supply of Cleaning Services 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 319 - 22

Moved Cr Bartholomaeus
Seconded Cr Bruhn

Having considered Agenda Item 12.3 "Supply of Cleaning Services 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 321 - 22

Meeting conducted in confidence from 9.12pm to 9.27pm.

9.28pm Meeting Closed

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

Mayor