

# Clare & Gilbert Valleys Council

## Minutes

**Meeting of Council held Monday 15 April 2019 in the 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 I Burfitt  
Councillor E Calvert  
Councillor L Drummond  
Councillor N Golding  
Councillor B Koch

### **Staff in Attendance:**

Chief Executive Officer, Dr H Macdonald  
Manager Corporate Services, Mrs L Kunoth  
Manager Works & Infrastructure, Mr C Miller  
Manager Development & Community, Mr A Christiansen  
Financial Consultant, Ms M Bennetts  
Finance Manager, Ms T Nicolussi  
Minute Secretary, Mrs S Zuromski

### **Apologies:**

Councillor C Hunter

Moved: Cr Drummond  
Seconded: Cr Golding

**That the apologies be accepted.**

**CARRIED 77 - 19**

## **1. Declaration of Conflict of Interest:**

Mayor Thomas                      Item 9.10 – declared a material conflict of interest

## **2. Public Question Time:**

Moved:                      Cr Burfitt  
Seconded:                  Cr Bruhn

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

**CARRIED 78 - 19**

7.01pm                      The meeting was adjourned for the conduct of public question time.

Moved:                      Cr Burfitt  
Seconded:                  Cr Calvert

**That the council meeting be resumed.**

**CARRIED 79 - 19**

## **3. Petitions & Deputations:**

Simon Millcock, Legatus Chief Executive Officer

## **4. Confirmation of Minutes:**

Moved:                      Cr Alder  
Seconded:                  Cr Bruhn

**That the Minutes of the Ordinary Council Meeting held on 18 March 2019 be confirmed.**

**CARRIED 80 - 19**

Moved:                      Cr Golding  
Seconded:                  Cr Bruhn

**That the Minutes of the Confidential Council Meeting held on 18 March 2019 be confirmed.**

**CARRIED 81 - 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.

## **6. Mayor & Chief Executive Officer Report:**

## **7. Performance Reports:**

### **7.1. Resolutions Register – Implementation Report**

Moved: Cr Bruhn  
Seconded: Cr Calvert

**That the Resolutions Register – Implementation Report be noted as at 15 April as presented and that the completed items be deleted from the next report.**

**CARRIED 82 - 19**

### **7.2. Major Projects Report**

Moved: Cr Calvert  
Seconded: Cr Koch

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

**CARRIED 83 - 19**

### **7.3. Finance Information Report**

Moved: Cr Calvert  
Seconded: Cr Golding

**That the Quarterly Finance Information Report to 31 March 2019 be received and noted.**

**CARRIED 84 - 19**

## **8. Section 41 & Council Committee Minutes:**

### **8.1 Section 41 Committees**

Moved: Cr Bruhn  
Seconded: Cr Drummond

**That the Mid North Community Passenger Network minutes be adopted.**

**CARRIED 85 - 19**

## **9. Reports for Decision:**

### **9.1. Audit Committee Independent Member**

Moved: Cr Burfitt  
Seconded: Cr Bartholomaeus

**That Council administration provide Council with all applications relating to the membership of the Council's Audit Committee for Council to select.**

**CARRIED 86 - 19**

**9.2. Riverton Recreation Ground /Caravan Park – Permission to proceed and budget variation**

Moved: Cr Alder  
Seconded: Cr Calvert

**That the Riverton Recreation Ground is granted permission to proceed with the conversion of a current unoccupied site to “Cabin 4” with the inclusion of an ensuite bathroom, and approves the corresponding budget variation to enable the works to be completed in the current financial year.**

**CARRIED 87 - 19**

**9.3. Auburn Recreation Park / Caravan Park Budget variation request**

Moved: Cr Calvert  
Seconded: Cr Bartholomaeus

**That the Auburn Recreation Park Management Committee is granted support for a budget variation from \$6,000 to \$10,000 for the purposes of constructing a larger BBQ shelter adjoining the Camp Kitchen this financial year.**

**CARRIED 88 - 19**

**9.4. Manoorra Community Committee – Request for funding consideration – Manoorra Hall Billiard Room**

Moved: Cr Burfitt  
Seconded: Cr Calvert

**That the request for \$25,000 towards the refurbishment of the Manoorra Hall upstairs Billiard room and the fire safety requirements be deferred until the finalisation of Council's building valuation, condition audit and Asset Management Plan for Buildings.**

**CARRIED 89 - 19**

**Division called by Cr Calvert – Mayor Thomas set aside the motion and called for the vote**

**Those in the affirmative for the motion**

Cr Burfitt  
Cr Koch  
Cr Bruhn  
Cr Drummond  
Cr Alder  
Cr Bartholomaeus  
Cr Golding

**Those in the negative for the motion**

Cr Calvert

The vote being 7 in the affirmative and 1 in the negative, Mayor Thomas declared the motion carried.

**CARRIED 89 – 19**

#### **9.5. Rural Request for Road Closures and Purchases**

Moved: Cr Burfitt  
Seconded: Cr Alder

**That the Council approves the following road purchase request to follow the adopted July 2016 sale process with the preliminary search to be conducted by Mosel Surveyors (stage 1) with a purchase price to be attributed to these of a nominal value of \$100 per hectare (unit).**

**R Hancock purchasing the following three unformed roads –**

- 1. A portion of the unformed road off Long Road, Undalya**
- 2. A portion of the unformed road off Undalya Road, Undalya**
- 3. A portion of the unformed Section of Cemetery Road, Undalya**

**CARRIED 90 - 19**

#### **9.6. Drought Communities Extension Program – Status Update**

Moved: Cr Bruhn  
Seconded: Cr Drummond

**That Council approves the inclusion of the Clare Valley branded bins along the whole Main Street and a refurbishment of the Parents Room at the Clare Town Hall within the Drought Communities Extension Program Main Street Streetscape Project.**

**CARRIED 91 – 19**

#### **9.7. Local Government Reform**

Moved: Cr Alder  
Seconded: Cr Calvert

**That Council support the Local Government Associations reform proposals.**

**CARRIED 92 - 19**

#### **9.8. Clare & Gilbert Valleys Council Rebranding**

Moved: Cr Bartholomaeus  
Seconded: Cr Burfitt

**That Council approves the new Clare & Gilbert Valleys Council brand and brand guidelines and includes \$20,000 in the 2019/20 budget.**

**CARRIED 93 - 19**

## **9.9. Air Quality Permit Amendment**

Moved: Cr Burfitt  
Seconded: Cr Bruhn

**That Council approve the amendment to the general permit issued under the Environment Protection (Air Quality) Policy).**

**CARRIED 94 - 19**

## **9.10. Draft 2019/2020 Annual Business Plan & Budget**

Mayor Thomas sought approval of two thirds of Council Members to suspend “meeting proceedings” to facilitate a discussion on the Draft 2019/2020 Annual Business Plan and Budget.

8.30 pm Approval to suspend the meeting was granted.

8.31pm Mayor Thomas declared a material conflict of interest and departed his seat in the chamber.

Deputy Mayor Councillor Calvert chaired the meeting in the Mayor’s absence.

8.38pm Mayor Thomas resumed his seat in the chamber.

9.24pm Mayor Thomas determined that the formal proceedings of the meeting resume.

Moved: Cr Burfitt  
Seconded: Cr Golding

**That Council Administration rework the original draft budget in an attempt to achieve a nil operating deficit and at the end of 2020 available cash sit within the order of \$3m and that any rate increase be worked in order to attempt to achieve that outcome.**

**Cr Batholomaeus MOVED an amendment  
Seconded by: Cr Alder**

That Council Administration rework the original draft budget in an attempt to achieve a nil operating deficit and at the end of 2020 available cash sit within the order of \$3m and that any rate increase be worked in order to attempt to achieve that outcome. And that consideration be given to removing:

- the Arts Coordinator position and budget,
- the footbridge behind Seed,
- the boardwalk behind the Valleys Lifestyle Centre.

**The amendment was LOST**

**The original motion was CARRIED**

**CARRIED 95 - 19**

## **10. Officers’ Reports for information:**

- 10.1. Corporate Services Information Report**
- 10.2. Library Service & Art House**

- 10.3. Communications 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 with Notice

Nil

### 11.2. Motions on Notice

Nil

### 11.3. Questions without Notice

Nil

### 11.4. Motions without Notice

## 12. Business in Confidence:

### 12.1. Riverton Stormwater

Moved: Cr Burfitt  
Seconded: Cr Calvert

**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, Manager Works & Infrastructure, Chris Miller, Manager Corporate Services, Leanne Kunoth, Manager Development & Community, Andrew Christiansen, Finance Manager, Ms T Nicolussi, Finance Consultant, Michele Bennetts, and Minute Taker, Sara Zuromski be excluded from attendance at the meeting for Agenda item "Riverton Stormwater"**

**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 96 - 19**

Moved: Cr Burfitt  
Seconded: Cr Bruhn

**That Council authorise administration to increase the land area to be the whole of Lot 212 to be merged with PCE 107 & 109 as part of the easement compensation to Mr Turney for Riverton Stormwater works so a land division will not be required.**

**CARRIED 97 - 19**

**Meeting conducted in confidence from 9.48 pm to 9.51pm.**

## **12.2. Torrens Road, Riverton Stormwater Upgrade Tender**

Moved: Cr Burfitt  
Seconded: Cr Golding

**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, Manager Works & Infrastructure, Chris Miller, Manager Corporate Services, Leanne Kunoth, Manager Development & Community, Andrew Christiansen, Finance Manager, Ms T Nicolussi, Finance Consultant, Michele Bennetts, and Minute Taker, Sara Zuromski be excluded from attendance at the meeting for Agenda item “Torrens Road, Riverton Stormwater Upgrade 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 98 - 19**

Moved Cr Calvert  
Seconded Cr Bruhn

**Having considered Agenda Item 12.2 “Torrens Road, Riverton stormwater upgrade” 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 101 – 19**

**Meeting conducted in confidence from 9.52pm to 9.55 pm.**

**12.3. Confidential Staffing Matter**

Moved: Cr Burfitt  
Seconded: Cr Calvert

**Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except Helen Macdonald, Chief Executive Officer and Leanne Kunoth, Manager Corporate Services, be excluded from attendance at the meeting for Agenda item Confidential Staffing Matter.**

**That, pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of the Chief Executive Officer for the report Confidential Staffing Matter.**

**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 regarding the Confidential Staffing Matter.**

**CARRIED 102 - 19**

**Meeting conducted in confidence from 9.56pm to 10.02pm**

**13. Meeting closed:**

Meeting Closed at 10.03pm

**Confirmed: .../.../....**

**MAYOR: .....**