

District Council of Robe

MINUTES

Minutes of the Ordinary Council Meeting held 10 July 2012, commencing at 6.00 pm at the District Council of Robe Chambers, Smillie Street Robe.

ACKNOWLEDGEMENT

Acknowledgement of Traditional Owners

The District Council of Robe acknowledges and respects the traditional owners of the ancestral lands of the Robe district. We acknowledge elders past and present and we respect the deep feelings of attachment and relationship of Aboriginal peoples to this country.

WELCOME Mayor Riseley welcomed the Elected Members, Staff and Gallery.

PRESENT Mayor Peter Riseley; Crs Rino Dell'Antonio, Jenny Mathews, John Enright, Kristina Alexander and Harvey Nolan.

STAFF IN ATTENDANCE

Chief Executive Officer, Mr Roger Sweetman, Works Operation Coordinator, Mr Trevor Hondow, Minute Taker, Ms Anne-Marie Peters and Administration Officer, Ms Catherine Pegler.

APOLOGIES Cr Lawrie Polomka

CONFLICT OF INTEREST

Cr Jenny Mathews declared a conflict of interest with item 15.1 "Renaming of Robe Street Playground", as this item is of a personal nature.

PUBLIC FORUM

Ian Bruce, Claire Domaschenz, Brian Hartwig, Allan Gibbons, Rolf Petrovic and Lisa Faulkner

All spoke in support of letter from Claire Domaschenz, requesting the renaming of Robe Street Playground to "Jenny Mathews Playground".

All gave recognition of Cr Mathew's many years of exceptional service to the Robe District as a Councilor and a volunteer, and her efforts in obtaining grant funding for the Robe Street Playground.

Jill Davidson

Seeking clarification of dog laws in the latest Robe Community News.

Rolf Petrovic

Wind Farms – Seeking clarification of building approval of wind farms in the Robe District.

David Loxton

Oil exploration offshore from Robe – what compensation would be available if a disaster were to occur.

Could Council inform ratepayers of the possible affects to the Robe district with the implementation of carbon tax?

Seeking clarification of Council's Tree Policy, especially in respect to plantings of Norfolk Pines.

The Chief Executive Officer, Roger Sweetman, gave a commitment to provide answers to the questions raised.

ADJOURNED MATTERS

CONFIRMATION OF MINUTES

8.1 Ordinary Council Meeting Minutes 12 June 2012

Cr Alexander moved that **the minutes of the Ordinary Council meeting held on 12 June 2012 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (1/2013)

Seconded Cr Dell'Antonio

Carried

8.2 Special Meeting Minutes 25 June 2012

Cr Mathews moved that **the minutes of the Special Council meeting held on 25 June 2012 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (2/2013)

Seconded Cr Enright

Carried

BUSINESS ARISING FROM MINUTES

Nil

MAYOR'S REPORT

Chief Executive Officer

New CEO, Mr Roger Sweetman, has commenced his role with Council. The next edition of the Community Newsletter will feature a photograph and profile of Roger as a further introduction to the community.

The CEO, Works Co-ordinator and Mayor have recently undertaken a district wide inspection tour to familiarise the CEO with the Robe Council area.

Acting Manager, Community & Corporate Services Position

Dean Gollan, who has capably filled the Acting CEO position, will in the short term take on the role as Acting Manager, Community & Corporate Services. Thank you to Dean for his contribution in running Council during the CEO recruitment process

Red Cross Collection Service Update

The survey seeking interest from community members who may be potential blood donors resulted in 64 potential donors.

Max James from the Red Cross Blood Collection Services has suggested that Council consider approaching Kingston and Beachport residents to seek further interest so as to best utilise Red Cross Mobile Collection resources. As a result, Council will liaise with the neighbour Councils seeking support.

Television Reception

I have received reports of television blackouts and poor reception. To best resolve this problem, Council requires community response to reporting the problems directly at the time of blackout to the problem station. The TV stations will not respond to single complaints. They will however respond when there are multiple complaints in a short time frame, usually 24 hours. If you are experiencing problems, make the effort to ring the associated station, it requires joint community action.

ELECTED MEMBER REPORTS

Cr Rino Dell'Antonio

- 12/6/12 Council Meeting
- 25/6/12 Special Council Meeting
- 26/6/12 Robe Marina Committee Meeting

Cr Jenny Mathews

- 18/6/12 Budget Workshop
- 19/6/12 CDAP Meeting
- 21/6/12 Special Budget Meeting
- 28/6/12 Regional Trails Meeting Colac
- 10/7/12 Council Meeting

Mayor Peter Riseley

- 12/6/12 Council Meeting
- 18/6/12 Audit Committee Meeting
- 18/6/12 CDAP Meeting
- 19/6/12 ABC Radio Interview
- 20/6/12 Community Bank Sponsorship Meeting
- 21/6/12 Coastal Leader Interview
- 22/6/12 Sea Change Tele Conference
- 25/6/12 Special Council Meeting
- 26/6/12 Marine Parks Council Meeting Adelaide
- 27/6/12 Marine Parks Council Meeting Adelaide
- 28/6/12 SE Regional Trails Project Colac
- 29/6/12 Meeting with Bill Purton
- 02/7/12 Staff Meeting – Welcome CEO
- 05/7/12 Small Business Commissioner
- 06/7/12 Meeting with CEO & Cr Nolan re Breakwater
- 09/7/12 Staff Meeting
- 10/7/12 District Drive with CEO & Works Supervisor Coordinator

Cr Harvey Nolan

- 12/6/12 Budget & Council Meeting
- 18/6/12 Regional Development & Aust Limestone Coast
- 22/6/12 Adelaide Boat Show
- 25/6/12 Adoption of Business Plan
- 25/6/12 Meeting with Vanessa McDonald – Marina Finance
- 26/6/12 Robe Marina Committee Meeting
- 27/6/12 Michael Wilkin & Jenni Ling – Application for funding for Amateur Boat Ramp Upgrade
- 27/6/12 LGA Tele Conference4 – Adoption of Budget
- 06/7/12 Meeting with CEO & Mayor re Breakwater

SECTION 41 COMMITTEES

12.1 Audit Committee Minutes 18 June 2012

Cr Mathews moved that **the minutes of the Audit Committee meeting held on 18 June 2012 be received.**
(3/2013)

Seconded Cr Nolan Carried

12.2 Robe Marina Committee Minutes 26 June 2012

Cr Nolan moved that **the minutes of the Robe Marina Committee meeting held on 26 June 2012 be received.**
(4/2013)

Seconded Cr Dell'Antonio Carried

REPORTS OF ASSOCIATED BODIES

13.1 CCOWS Management Committee Minutes 5 June 2012

Cr Alexander moved that **the minutes of the CCOWS Management Committee meeting held on 5 June 2012 be received.** (5/2013)

Seconded Cr Enright Carried

OFFICER'S REPORTS – Chief Executive Officer

14.1.1 Information Items Report

Cr Nolan moved that **Council receive the Information Items Report.** (6/2013)

Seconded Cr Dell'Antonio Carried

14.1.2 Marina Committee Minutes 26 June 2012 – Motion on Notice

Cr Nolan moved that **Council accept item 14.1.2 titled “Marina Committee Minutes 26 June 2012 – Motion on Notice” as a late item for the Council Agenda.** (7/2013)

Seconded Cr Alexander Carried

Cr Nolan moved **that Robe District Council authorizes the transfer of Evans Cave Land, (63 Evans Cave Road, Lot 101, Hd Waterhouse), from the Marina account back to the Council account and make the necessary adjustments. (8/2013)**

Seconded Cr Enright

Carried

OFFICER'S REPORTS – Acting Manager, Community & Corporate Services

14.2.1 Alteration to Bank Signatories

Cr Enright moved **that Council's bank signatories be altered to add Roger Sweetman and delete Dean Gollan. (9/2013)**

Seconded Cr Mathews

Carried

14.2.2 Declaration of Land to Public road

Cr Nolan moved **that the walkway (Part CT 3031/22) adjacent Lots 92 and 93, Hundred of Waterhouse in Deposited Plan 7294, be declared a public road. (10/2013)**

Seconded Cr Mathews

Carried

OFFICER'S REPORTS – Works Operation Coordinator

14.3.1 Works Report June 2012

Cr Dell'Antonio moved **that Council receive the Works Operation Coordinator Report June 2012. (11/2013)**

Seconded Cr Enright

Carried

OFFICER'S REPORTS – Finance Officer

14.4.1 Finance Report June 2012

14.4.2 Payment Listing June 2012

Cr Alexander moved that **Council receive the Finance Report and Payment Listing June 2012 as presented.** (12/2013)

Seconded Cr Nolan

Carried

CORRESPONDENCE

Cr Mathews left the meeting at 6.32pm after declaring a conflict of interest with item 15.1

15.1 Robe Playground Renaming – Claire Domaschenz

Cr Enright moved that:

1. **The correspondence titled “Robe Playground Renaming” be received.** (13/2013)

Seconded Cr Dell'Antonio

Carried

Cr Dell'Antonio moved that:

2. **Council rename the Robe Street Playground to “Jenny Mathews Playground”.** (14/2013)

Seconded Cr Enright

Carried

Cr Mathews re-entered the meeting at 6.36pm.

NOTICES OF MOTION

Nil

QUESTIONS ON NOTICE

Nil

URGENT BUSINESS

Nil

CONFIDENTIAL ITEMS

19.1 Robe CWMS Irrigation Tender Evaluation

Cr Dell'Antonio moved:

- i. that under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public (not including Chief Executive Officer Roger Sweetman, Acting Manager, Corporate & Community Services Dean Gollan, Works Operation Co-ordinator Trevor Hondow, Minute Taker Anne-Marie Peters and Administration Officer Catherine Pegler) be excluded from attendance at the Meeting in order to consider in confidence Agenda Item titled 19.1 Robe CWMS Irrigation Tender Evaluation;
- ii. that under the provisions of Section 83(5) the council is satisfied that it is necessary that the public be excluded to enable the council to consider the matter on the following grounds:
 - 90(3)(d) *Commercial Information of a confidential nature (not being a trade secret) the disclosure of which (a) 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; and (b) would on balance be contrary to public interest.*
 - 90(3)(k) *Tenders for the supply of goods the provision of services or the carrying out of works;*
- iii. that accordingly on this basis, the council considers it necessary and appropriate to act in a meeting closed to the public in order to receive, discuss and consider information and that the council is satisfied that the principle of the meeting should be conducted in a place open to the public has been outweighed. (15/2013)

Seconded Cr Nolan

Carried

Cr Dell'Antonio moved that an order be made under the provisions of Section 91(7) of the Local Government Act 1999 that the documents relating to Agenda Item 19.1

Robe CWMS Irrigation Tender Evaluation, including the minutes of the council relating to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act, shall be kept confidential on the ground that: (Section 90(3)(d)) *Commercial information of a confidential nature (not being a trade secret) the disclosure of which – (i) 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; and (ii) Would, on balance, be contrary to public interest; and (Section 90(3)(k)) Tenders for the supply of goods, the provision of services or the carrying out of works for a period of 18 months or finalisation of negotiations, whichever is sooner.* (16/2013)

Seconded Cr Mathews

Carried

Discussion moved out of confidence

Cr Enright moved that the Robe CWMS Irrigation tender be awarded to ISCA at a cost of \$398,750 (excluding GST). (17/2013)

Seconded Cr Dell'Antonio

Carried

Cr Alexander moved:

- i. that under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public (not including Chief Executive Officer Roger Sweetman, Acting Manager, Corporate & Community Services Dean Gollan, Works Operation Co-ordinator Trevor Hondow, Minute Taker Anne-Marie Peters and Administration Officer Catherine Pegler)) be excluded from attendance at the Meeting in order to consider in confidence Agenda Item titled 19.2 Sale of Industrial Land;**
- ii. that under the provisions of Section 83(5) the council is satisfied that it is necessary that the**

- public be excluded to enable the council to consider the matter on the following grounds:
- 90(3)(a) *information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and*
 - 90(3)(b) *information the disclosure of which – (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and (ii) would, on balance, be contrary to the public interest.*
- iii. that accordingly on this basis, the council considers it necessary and appropriate to act in a meeting closed to the public in order to receive, discuss and consider information and that the council is satisfied that the principle of the meeting should be conducted in a place open to the public has been outweighed.(18/2013)

Seconded Cr Mathews

Carried

Cr Enright moved that an order be made under the provisions of Section 91(7) of the Local Government Act 1999 that the documents relating to Agenda Item 19.2 Sale of Industrial Land including the minutes of the council relating to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act, shall be kept confidential on the ground that: (Section 90(3)(a)) *information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and (Section 90(3)(b)) information the disclosure of which – (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and (ii) would, on balance, be contrary to the public interest for a period of 18 months or finalisation of negotiations, whichever is sooner. (19/2013)*

Seconded Cr Alexander

Carried

Cr Dell'Antonio moved that having considered the report 19.2 titled "Sale of Industrial Land" in confidence under Section 90(2) and (3)(a)(b) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of the Act orders that the Minutes of Confidential Meeting held on 10 July 2012 be retained in confidence for a period of 18 months or finalisation of negotiations, whichever is sooner. (20/2013) Cr Mathews

Next Ordinary Meeting of Council to be held 6.00 pm Tuesday 14 August 2012.

Meeting closed at 7.04 pm.

_____ signed
Mayor Peter Riseley

_____ date