

District Council of Robe

**MINUTES**

Minutes of the Ordinary Council Meeting held 11 December 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, Harvey Nolan and Lawrence Polomka.

**STAFF IN ATTENDANCE**

Chief Executive, Mr Roger Sweetman, Deputy Chief Executive, Mr Lyndon Prior and Minute Taker, Ms Anne-Marie Peters.

**APOLOGIES** Nil

**CONFLICT OF INTEREST**

Nil

**PUBLIC FORUM**

Nil

**ADDRESS**

Nil

## ADJOURNED MATTERS

Nil

## CONFIRMATION OF MINUTES

### 8.1 Ordinary Council Meeting Minutes 13 November 2012

Cr Alexander moved that **the minutes of the Ordinary Council meeting held on 13 November 2012 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (126/2013)

Seconded Cr Nolan

Carried

## BUSINESS ARISING FROM MINUTES

Nil

## MAYOR'S REPORT

### Marine Flares

There has been a recent report of sightings of marine flares. The potential for serious consequences should be evident after the fire in close proximity to town last New Year. Any person with information that can assist with finding the person(s) inappropriately using these devices, please contact Police or Robe District Council.

### Roadside Trimming

Council staff and contractors have recently carried out trimming of roadside vegetation. This has greatly improved sight lines particularly on corners adding greatly to road safety.

### New Year's Eve

Dry zone provisions will again be in place for New Year's Eve for the entire Robe township, commencing 12 noon Monday 31 December 2012 until 12 noon Tuesday 1 January 2013. The intent is that the application of the dry zone will assist the police and Council to provide a safe environment over this period.

## ELECTED MEMBER REPORTS

### Cr Rino Dell'Antonio

- 13/11/12 Council Meeting
- 27/11/12 Council Workshop
- 28/11/12 CFS Group General Meeting

### Cr Jenny Mathews

- 20/11/12 CDAP Meeting
- 20/11/12 Tourism Meeting
- 27/11/12 Council Workshop
- 04/12/12 Skate Park Meeting
- 11/12/12 Council Meeting

### Cr Harvey Nolan

- 13/11/12 Council Meeting
- 20/11/12 Robe Marina Committee Meeting Meeting
- 22/11/12 Meeting with Jamie Aitken & Kingston Leader re Boat & Fishing Festival Promotion
- 23/11/12 Boat & Fishing Festival Meeting
- 27/11/12 Council Workshop
- 30/11/12 RDA Dinner – Penola
- 03/12/12 Meeting with Vanessa McDonald – Marina Financials
- 05/12/12 Meeting with Michael Wilkin – Positioning of Boat Show Exhibitors

### Mayor Peter Riseley

- 16/11/12 Environmental Bodies Forum – Adelaide
- 19/11/12 Australia Day Committee Meeting
- 20/11/12 CDAP meeting
- 20/11/12 Robe Marina Committee Meeting
- 20/11/12 Robe Tourism Association Steering Group Meeting
- 22/11/12 Women in Business
- 23/11/12 Meeting with Kiri Birchall re Christmas Parade
- 25/11/12 Friends of Little Dip Working Bee
- 26/11/12 Meeting with CEO and Staff
- 27/11/12 Council Workshop
- 29/11/12 Expert Panel – Naracoorte
- 30/11/12 Radio Interview – Marine Parks
- 06/12/12 Advantage SA/SELGA Dinner/Meeting
- 07/12/12 SELGA Meeting
- 08/12/12 Meeting with Robe Golf Club and Chief Executive
- 10/12/12 Marine Parks Council
- 10/12/12 Radio Interview – Super Trawler
- 11/12/12/ Council Meeting

Cr Mathews moved to bring Item 14.3.2 titled “**Marina Financial Modelling Project Update**” forward. (127/2013)

Seconded Cr Nolan

Carried

14.3.2 Marina Financial Modelling Project Update

Cr Dell’Antonio moved that the District Council of Robe having considered Report No 14.3.2 “**Marina Financial Modelling Project Update**” receives the report, with amendments as follows:

**Deleting sentence “*The Dr Geoff Wells report is now obsolete given the assumptions made in it are no longer relevant*”**

**and adding sentence:**

**“*The assumptions that form the basis of the report need to be reviewed*”.** (128/2013)

Seconded Cr Nolan

Carried

Cr Alexander left the meeting at 6.27pm

Cr Alexander entered the meeting at 6.29pm

Cr Nolan moved that **Vanessa McDonald draft a financial model for the Marina excluding grant funding and taking into account the current financial position.** (129/2013)

Seconded Cr Polomka

Carried

## SECTION 41 COMMITTEES

12.1 CDAP Minutes 21 August 2012

Cr Mathews moved that **the minutes of the CDAP meeting held on 21 August 2012 be received.** (130/2013)

Seconded Cr Enright

Carried

12.2 Robe Marina Committee Minutes 20 November 2012

Cr Nolan moved that **the minutes of the Robe Marina Committee meeting held on 20 November 2012 be received.** (131/2013)

Seconded Cr Dell'Antonio

Carried

12.3 Audit Committee Minutes 26 November 2012

Cr Alexander moved that:

1. **The minutes of the Audit Committee meeting held on 26 November 2012 be received.**
2. **Council adopts the revised Long Term Financial Plan 2012-2022 as appearing at the conclusion of this meeting's minutes.**
3. **Council notes the contents of the independent review of Council's Long Term Financial Plan 2012-2022.**  
(132/2013)

Seconded Cr Polomka

Carried

## REPORTS OF ASSOCIATED BODIES

13.1 CCOWS Management Committee Minutes 19 November 2012

Cr Alexander moved that **the minutes of the CCOWS Management Committee meeting held on 19 November 2012 be received.** (133/2013)

Seconded Cr Mathews

Carried

## OFFICER'S REPORTS – Chief Executive

### 14.1.1 Road Closure Australia Day 2013

Cr Enright moved that pursuant to the powers conferred on the Minister for Transport in Section 33 of the Road Traffic Act 1961 and delegated to Council's by the Minister on 12 March 2001, the District Council of Robe hereby advises that the event known as the "Australia Day Ceremony 2013" be an event to which Section 33 of the Road Traffic Act 1961 applies and; makes this order, temporarily closing the following streets in the Robe Township:

The following roads will be closed to traffic between 6.30 am and 11.00 am Saturday 26 January 2013:

- Victoria Street, between Smillie/ Victoria Street intersection and Bagot Street/ Mundy Terrace

Makes an order exempting persons participating in the event from the following Australian Road Rules:

- 230: Crossing a road [general]
- 238: Pedestrians traveling along a road [except in or on a wheeled recreational device or toy]
- 268: How persons must travel in a vehicle do not exceed the speed of 25 km/hr on the portions of the road described above during the period specified above. (134/2013)

Seconded Cr Polomka

Carried

### 14.1.2 Robe Tourism Association – Council Support

Cr Alexander moved that the District Council of Robe having considered Report No 14.1.2 "Robe Tourism Association – Council Support":

- (a) Provide a start up grant of \$500 to the Robe Tourism Association to enable the Association to open a bank account and become incorporated.
- (b) Cr Polomka will be the Council representative on the Association should the Association seek a Council representative. (135/2013)

Seconded Cr Nolan

Carried

14.1.3 Alteration to Policy – Contracts/Tenders/Purchasing Policy

Cr Enright moved that **the District Council of Robe having considered report No. 14.1.3 “Alteration to Policy – Contracts/Tenders/Purchasing Policy” amend Clause 8 Staff Expenditure Authorisation of the policy to allow Mr P Fishlock, Team Leader Works, to sign works orders to a value of \$5,000 within approved budgets. (136/2013)**

Seconded Cr Nolan

Carried

14.1.4 Council Involvement in Emergency Response Operations in Support of Country Fire Service

Cr Dell’Antonio moved that **the District Council of Robe having considered report No. 14.1.4 “Council Involvement in Emergency Response Operations in Support of Country Fire Service”, adopt the Involvement in Emergency Response Operations in Support of Country Fire Service as it appears at the conclusion of this report. (137/2013)**

Seconded Cr Enright

Carried

14.1.5 Regional Development Australia Limestone Coast – Funding Arrangements

Cr Mathews moved that **the District Council of Robe having considered report No. 14.1.5 “Regional Development Australia Limestone Coast – Funding Arrangements” authorise Mayor Riseley to commence discussions with SELGA and RDALC regarding the future funding arrangements of RDALC and provide update reports for Council. (138/2013)**

Seconded Cr Enright

Carried

14.1.6 Information Report November 2012

Cr Enright moved that **report No. 14.1.6 “Information Report November 2012” be received. (139/2013)**

Seconded Cr Alexander

Carried

## **OFFICER'S REPORTS – Works Operation Coordinator**

### 14.2.1 Works Report November 2012

Cr Dell'Antonio moved **that report No. 14.2.1 “Works Report November 2012” be received.** (140/2013)

Seconded Cr Polomka

Carried

## **OFFICER'S REPORTS – Finance Officer**

### 14.3.1 Finance Report November 2012

Cr Nolan moved **that the District Council of Robe having considered Report No 14.3.1 “Finance Report November 2012” receives the report.** (141/2013)

Seconded Cr Polomka

Carried

## **OFFICER'S REPORTS – General Inspector**

### 14.4.1 Permit Zone

Cr Nolan moved **that Council approves that the Western side of Lake Road be included in the Permit Zone of the Boat Ramp and the placement of Permit Zone signage to the Western side of Lake Road opposite the boat ramp area.** (142/2013)

Seconded Cr Dell'Antonio

Carried

Cr Alexander left the meeting at 7.00pm

## **CORRESPONDENCE**

Cr Enright moved **that correspondence items No.15.1 to 15.7 be received en mass.** (143/2013)

Seconded Cr Nolan

Carried



Cr Alexander entered the meeting at 7.03pm.

## NOTICES OF MOTION

Nil

## QUESTIONS ON NOTICE

Nil

## GENERAL BUSINESS

## LATE ITEMS

Cr Alexander moved **that item(s)**

**18.1 CCOWS Report November 2012**

**18.2 Lease of Premises Lake Butler Marina Robe  
(Stanke Ociana Seafood) (CONFIDENTIAL  
REPORT)**

**18.3 Alteration to Bank Signatories**

**being a matter of urgency be admitted to the meeting for  
consideration. (144/2013)**

Seconded Cr Enright

Carried

Cr Alexander moved **that the CCOWS Report November  
2012 be received. (145/2013)**

Seconded Cr Mathews

Carried

Cr Nolan moved **that the District Council of Robe appoint  
Mr Lyndon Prior as as a bank signatory for all of  
Council's bank accounts and financial transactions,  
replacing Mr Dean Gollan who's appointment is  
cancelled. (146/2013)**

Seconded Cr Dell'Antonio

Carried

**CONFIDENTIAL ITEMS**

19.1 Australia Day Award Nominations 2013

Cr Enright 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 Roger Sweetman, Deputy Chief Executive Lyndon Prior and Minute Taker Anne-Marie Peters) be excluded from attendance at the Meeting in order to consider in confidence Agenda Item titled 19.1 Australia Day Award Nominations 2013;**
- 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).***
- 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. (147/2013)**

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 Australia Day Award Nominations 2013, 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),*  
for a period of 18 months. (148/2013)

Seconded Cr Nolan

Carried

Cr Nolan moved **that Dennis and Nesla Boundy be the recipients of the 2013 Citizen of the Year Australia Day Award.** (149/2013)

Seconded Cr Dell'Antonio Carried

Cr Nolan moved **that John Hinge be the recipient of the 2013 Recognition of Service Award.** (150/2013)

Seconded Cr Dell'Antonio Carried

Cr Dell'Antonio moved **that Teghan McMartin be the recipient of the 2013 Young Citizen of the Year Australia Day Award.** (151/2013)

Seconded Cr Mathews Carried

Cr Mathews moved **that the Friends of the Library Annual Book Sale be the recipient of the Community Event of the Year 2013 Australia Day Award.** (152/2013)

Seconded Cr Polomka Carried

#### 19.2 Strategic Planning & Policy Development Committee

Cr Polomka moved **that the District Council of Robe Council Meeting be adjourned for up to 30 minutes for the purpose of a meeting of the Strategic Planning & Policy Development Committee.** (153/2013)

Seconded Cr Mathews Carried

Ordinary Council Meeting resumed at 8.15pm

19.3 Lease of Premises Lake Butler Marina Robe (Stanke Ociana Seafood)

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 Roger Sweetman, Deputy Chief Executive Lyndon Prior and Minute Taker Anne-Marie Peters) be excluded from attendance at the Meeting in order to consider in confidence Agenda Item titled 19.3 Lease of Premises Lake Butler Marina Robe (Stanke Ociana Seafood);**
- 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.(154/2013)**

Seconded Cr Enright

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 19.3 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. (155/2013)***

Seconded Cr Dell'Antonio

Carried

**Cr Enright moved that having considered the report 19.3 titled "Lease of Premises Lake Butler Marina Robe (Stanke Ociana Seafood" 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 11 December 2012 be retained in confidence for a period of 18 months or finalisation of negotiations, whichever is sooner. (157/2013)**

Seconded Cr Dell'Antonio

Carried

Next Ordinary Meeting of Council to be held 6.00 pm Tuesday 8 January 2013.

Meeting closed at 8.26 pm.

\_\_\_\_\_ signed  
Mayor Peter Riseley

\_\_\_\_\_ date