

District Council of Robe

MINUTES

Minutes of the Ordinary Council Meeting held 12 March 2013, 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, Harvey Nolan, Kristina Alexander and Lawrence Polomka.

STAFF IN ATTENDANCE

Chief Executive, Mr Roger Sweetman, Deputy Chief Executive, Mr Lyndon Prior, Works Operation Coordinator, Mr Trevor Hondow and Minute Taker, Ms Anne-Marie Peters.

APOLOGIES Nil

CONFLICT OF INTEREST
Nil

PUBLIC FORUM
Nil

ADDRESS

Mr Jamie Aitken addressed Council on the Robe Boat Show 2013.

Cr Nolan moved **that the District Council of Robe discuss Mr Aitken's proposal and the Robe Boat Show at the March Elected Member Forum. (189/2013)**

Seconded Cr Alexander

Carried

ADJOURNED MATTERS

7.1 South East Councils – Septic Tank Desludging

Cr Mathews moved **that pursuant to Section 90 (3)(b) and (k) of the Local Government Act 1999 (the Act), the Council orders the public to be excluded, with the exception of the Chief Executive, Deputy Chief Executive, Works Operation Co-Ordinator and Minute Secretary being present on the basis that it will receive, discuss and consider information relating to report number 19.1 titled "South East Councils – Septic Tank De-sludging" and that the Council is satisfied with the principal that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter by the need to keep the discussion, report and supporting documentation confidential on the following basis:**

- **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.**
- **Tenders for the supply of goods the provision of services or the carrying out of works. (190/2013)**

Seconded Cr Dell'Antonio

Carried

Cr Polomka 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 7.1 “South East Councils – Septic Tank De-sludging”, 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)(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.* (191/2013)

Seconded Cr Enright

Carried

Cr Dell’Antonio moved that the District Council of Robe having considered Report No 7.1 “South East Councils – Septic Tank De-sludging” does not accept any of the tender submissions received. (192/2013)

Seconded Cr Polomka

Carried

Cr Nolan moved that having considered the report 7.1 titled “South East Councils – Septic Tank De-sludging” in confidence under Section 90 (3)(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 12 March 2013 be retained in confidence for a period of 18 months or finalisation of negotiations, whichever is sooner. (194/2013)

Seconded Cr Dell’Antonio

Carried

Council resumed to ordinary Council Meeting at 7.10pm

CONFIRMATION OF MINUTES

8.1 Ordinary Council Meeting Minutes 12 February 2013

Cr Mathews moved that **the minutes of the Ordinary Council meeting held on 12 February 2013 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (195/2013)

Seconded Cr Alexander

Carried

BUSINESS ARISING FROM MINUTES

Nil

MAYOR'S REPORT

Clean Up Australia Day

28 participants of various ages contributed to this year's clean up. Long Beach from 2nd ramp to 3rd ramp was the target area with additional effort covering Boatswains Point to 3rd ramp.

Beverage containers were the most common items with diversity covering things like disposable nappies, timber, ropes, floats and bits of craypot necks, and plastic food packaging. There was very little plastic strapping, a good indication of the commercial fishermen's efforts to reduce litter in the marine environment.

Well done to all who participated and thanks to Cath Bell and the Coast Care Team for their organisation and also to the Robe Lions Club for their contribution with cooking and providing the lunch.

Robe Township Structure Plan Community Consultation

In last month's newsletter it was announced that Planning Chambers have been appointed to undertake this important role. It will include comprehensive consultation.

Our challenge as a community is to engage with family, friends, colleagues and club associates to encourage and inspire a broad and inclusive contribution to the process. This will not be a time for apathy.

Robe is growing at a significant and steady pace and with that growth comes change. How that change is implemented and managed will have profound implications for us all.

This plan will have impacts on traffic flow, parking, future retail expansion, future industrial zone, retirement living, health services and the heritage to name a few.

It is possible that Robe could be dealing with holiday crowds of 20,000 to 30,000 by that time.

What appears a short time and manageable at present would be logistically very different and require planning well in advance.

Now is the not the time to sit back and let others have the input, I urge everyone to think and talk to each other and most of all make a contribution, it could help to make a difference.

ELECTED MEMBER REPORTS

Cr Rino Dell'Antonio

- 21/2/2013 Robe Marina Committee Meeting
- 27/2/2013 CFS Annual General Meeting
- 28/2/2013 Elected Member Workshop

Cr Jenny Mathews

- 6/2/2013 SA Planning Visit
- 8/2/2013 Meeting with Liz Harful
- 12/2/2013 Workshop with Planning Chambers
- 12/2/2013 Council Meeting
- 19/2/2013 CDAP Meeting
- 20/2/2013 Meeting & Lunch with Senators Colbeck & Edwards
- 28/2/2013 Elected Member Workshop

Cr Harvey Nolan

- 21/2/2013 Robe Marina Committee Meeting
- 28/2/2013 Elected member Workshop
- 4/3/2013 Meeting with John Ewers & Auto Pratten Dredging Systems

Mayor Peter Riseley

- 12/2/2013 Council Meeting
- 18/2/2013 Staff Meeting
- 18/2/2013 Interview ABC Radio
- 19/2/2013 CDAP Meeting
- 20/2/2013 Marine Parks Council Meeting
- 20/2/2013 Chines Business Dinner

- 21/2/2013 Robe Marina Committee Meeting
- 22/2/2013 STAG Tree Watering
- 27/2/2013 Mining Forum – Adelaide
- 28/2/2013 Elected Member Forum
- 1/3/2013 STAG Tree Watering
- 3/3/2013 Clean Up Australia Day
- 3/3/2013 Trail Inspection
- 4/3/2013 Marina Project Meeting
- 5/3/2013 Coast Care Annual General Meeting
- 7/3/2013 STAG Tree Watering

SECTION 41 COMMITTEES

12.1 CDAP Committee Meeting Minutes 19 February 2013

Cr Mathews moved that **the minutes of the CDAP Committee meeting held on 19 February 2013 be received.** (196/2013)

Seconded Cr Enright

Carried

12.2 Robe Marina Committee Meeting Minutes 21 February 2013

Cr Nolan moved that **the minutes of the Robe Marina Committee meeting held on 21 February 2013 be received.** (197/2013)

Seconded Cr Dell'Antonio

Carried

REPORTS OF ASSOCIATED BODIES

13.1 CCOWS Management Committee Meeting Minutes 7 February 2013

Cr Alexander moved that **the minutes of the CCOWS Management Committee meeting held on 7 February 2013 be received.** (198/2013)

Seconded Cr Mathews

Carried

OFFICER'S REPORTS – Chief Executive

14.1.1 Grant Applications – Robe Township Structure Plan, Coastal Walking Track Project

Cr Dell'Antonio moved that the District Council of Robe having considered Report No 14.1.1 "Grant Applications – Robe Township Structure Plan, Coastal Walking Track Project" endorse the actions of the Chief Executive in lodging Open Space and Places for People Grants applications for the:

- Robe Township Structure Plan,
- Coastal walking Tracks project. (199/2013)

Seconded Cr Nolan

Carried

14.1.2 Council Representative Kingston Community School

Cr Enright moved that the District Council of Robe having considered Report No 14.1.2 "Council Representative Kingston Community School" nominates the Chief Executive, Roger Sweetman, as Council's representative upon the Kingston Community School Governing Council. (200/2013)

Seconded Cr Mathews

Carried

14.1.3 Nomination for the Limestone Coast Bushfire Management Committee

Cr Nolan moved that the District Council of Robe having considered Report No 14.1.3 "Nomination for the Limestone Coast Bushfire Management Committee" nominates:

- Mr Lyndon Prior, Deputy Chief Executive - Council's representative, and
- Mr Michael Wilkin, Authorized Officer – Council's Deputy representative

**to the Regional Bushfire Management Committee.
(201/2013)**

Seconded Cr Dell'Antonio Carried

14.1.4 Correspondence G Schubert – Pedestrian Crossing Victoria Street

Cr Dell'Antonio moved that the District Council of Robe having considered Report No 14.1.4 "Correspondence G Schubert - Pedestrian Crossing Victoria Street Robe" correspond with the Department of Planning ,Transport and Infrastructure (DPTI) requesting that the Department investigate the option of replacing the existing school crossing with pedestrian activated lights. (202/2013)

Seconded Cr Enright Carried

14.1.5 Proposed Sale of Land – Lake Charra Reserve

Cr Dell'Antonio moved that the District Council of Robe having considered Report No 14.1.5 "Proposed Sale of Land –Lake Charra Reserve" correspond with Mr Saunders stating that Council does not support the sale of the crown land adjacent his property. (203/2013)

Seconded Cr Nolan Carried

14.1.6 Correspondence S Gerlach – Walking Trails

Cr Mathews moved that the District Council of Robe having considered Report No 14.1.6 "Correspondence S Gerlach- Walking Trails" advise Mr Gerlach that Council will be reviewing its Bicycle Routes and Walking Footways master plan which will involve community consultation and inviting Mr Gerlach to comment when this occurs. (204/2013)

Seconded Cr Polomka Carried

14.1.7 Council Seal – Planning Chambers – Structure Plan Agreement

Cr Polomka moved **that the District Council of Robe having considered Report No 14.1.7 “Council Seal – Planning Chambers -Structure Plan Agreement” authorize the Mayor and Chief Executive to sign the agreement and attach the Council seal. (205/2013)**

Seconded Cr Alexander

Carried

14.1.8 Special Local Roads Grant Application – Second Access to Robe Township

Cr Enright moved **that the District Council of Robe having considered Report No 14.1.8 “Special Local Roads Grant Application – Second Access to Robe Township” instruct the Chief Executive to call tenders for the design of the proposed second access road to the Robe township to enable an application to be lodged for Special Local Roads funding in the 2013-2014 financial year. (206/2013)**

Seconded Cr Dell’Antonio

Carried

14.1.9 Emergency Vehicle Access – Beacon Hill Road

Cr Dell’Antonio moved **that the District Council of Robe having considered Report No 14.1.9 “Emergency Vehicle Access - Beacon Hill Road” restrict access to the recently constructed Emergency Vehicle Access track - Beacon Hill Road by erecting gates and signs in accordance with the South Australian Fire Breaks, Fire Access Tracks Signs Standard Guidelines advising that the access track is not trafficable by vehicles other than emergency services vehicles. (207/2013)**

Seconded Cr Mathews

Carried

14.1.10 Correspondence G Thomas – Street Numbering Robe Township

Cr Polomka moved **that the District Council of Robe having considered Report No 14.1.10 “Correspondence G Thomas - Street Numbering Robe Township” approve the local Emergency services personnel undertaking a street numbering project within the Robe Township and provide assistance by way of materials for the project.**
(208/2013)

Seconded Cr Mathews

Carried

OFFICER’S REPORTS – Deputy Chief Executive

14.2.1 National Veterans (Vehicle) Rally 2014

Cr Mathews moved **that the District Council of Robe having considered Report No.14.2.1 “National Veterans (Vehicle) Rally 2014” support in principle the staging of the event in Robe and direct administration staff to negotiate Council’s contribution with the event organisers.** (209/2013)

Seconded Cr Nolan

Carried

14.2.2 Robe Marina Committee Terms of Reference

Cr Nolan moved **that the District Council of Robe having considered the report 14.2.2 “Robe Marina Committee Terms of Reference” accepts the recommendation of the Robe Marina Committee and adopts the terms of reference [as shown in Attachment 1.] as the Terms of Reference for the Robe Marina Committee.** (210/2013)

Seconded Cr Enright

Carried

OFFICER'S REPORTS – Works Operation Coordinator

14.3.1 Works Report February 2013

Cr Alexander moved **that Council receive the Works Report February 2013.** (211/2013)

Seconded Cr Enright

Carried

OFFICER'S REPORTS – Finance Officer

14.4.1 Finance Report February 2013

Cr Polomka moved **that the District Council of Robe receives the Finance Report February 2013.** (212/2013)

Seconded Cr Nolan

Carried

OFFICER'S REPORTS – General Inspector

14.5.1 Dog Registration Fees

Cr Dell'Antonio moved **that the District Council of Robe having considered report 14.5.1 "Dog Registration Fees" defer this matter until next Council meeting of 9 April 2013.** (213/2013)

Seconded Cr Mathews

Carried

OFFICER'S REPORTS – Director of Childcare

14.6.1 CCOWS Report February 2013

Cr Alexander moved **that the District Council of Robe receives the CCOWS Report February 2013.** (214/2013)

Seconded Cr Mathews

Carried

OFFICER'S REPORTS – Administration Officer - Planning

14.7.1 Request to Erect Structure over Easement

Cr Mathews moved that **Council resolve that this matter be withdrawn from the agenda.**

Seconded Cr Nolan

Carried

CORRESPONDENCE

Cr Alexander moved **that correspondence items No.15.1 to 15.3 be received en mass.** (215/2013)

Seconded Cr Enright

Carried

NOTICES OF MOTION

16.1 Cr Harvey Nolan – Viewing Platform Front Beach

Cr Alexander moved **that due to Council's dissatisfaction with the design and colour of the Town Beach viewing platform, all work and such constructions be suspended until after inspection and discussion.** (216/2013)

Seconded Cr Nolan

Carried

QUESTIONS ON NOTICE

Nil

GENERAL BUSINESS

Nil

LATE ITEMS

Nil

CONFIDENTIAL ITEMS

19.1 Membership Council's Marina Committee Section 41 Local Government Act Committee

Cr Mathews moved that pursuant to Section 90 (3)(h) and (i) of the Local Government Act 1999 (the Act), the Council orders the public to be excluded, with the exception of the Chief Executive, Deputy Chief Executive, Works Operation Co-Ordinator and Minute Secretary being present on the basis that it will receive, discuss and consider information relating to report number 19.1 titled "Membership Council's Marina Committee Section 41 Local Government Act Committee" and that the Council is satisfied with the principal that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter by the need to keep the discussion, report and supporting documentation confidential on the following basis:

- Legal Advice
- Information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council. (217/2013)

Seconded Cr Polomka

Carried

Cr Polomka 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 "Membership Council's Marina Committee Section 41 Local Government Act Committee", 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)(h) and (i)), legal advice and information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involved the council or an employee of the council, be contrary to the public interest for a period of*

18 months, or finalisation of negotiations, whichever is sooner. (218/2013)

Seconded Cr Nolan

Carried

Council resumed to ordinary Council Meeting at 8.41pm.

Cr Nolan moved the District Council of Robe having considered Report No 19.1 “Membership Council’s Marina Committee - Section 41 Local Government Act Committee” receives the advice from the Local Government Mutual Liability Scheme, and advise Mr King that until such time as the court case King v Peden is settled he is unable to be involved in the Robe Marina Committee. (219/2013)

Seconded Cr Enright

Carried

19.2 Purchase of Land – Lord Syleham Street

Cr Dell’Antonio moved that pursuant to Section 90 (3)(b) of the Local Government Act 1999 (the Act), the Council orders the public to be excluded, with the exception of the Chief Executive, Deputy Chief Executive, Works Operation Co-Ordinator and Minute Secretary being present on the basis that it will receive, discuss and consider information relating to report number 19.2 titled “Purchase of Land – Lord Syleham Street” and that the Council is satisfied with the principal that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter by the need to keep the discussion, report and supporting documentation confidential on the following basis:

- **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.
(220/2013)

Seconded Cr Enright

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 19.2 "Purchase of Land – Lord Syleham Street", 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)(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 12 months, or finalisation of negotiations, whichever is sooner.* (221/2013)

Seconded Cr Mathews

Carried

19.2 Purchase of Land – Lord Syleham Street

Cr Mathews moved the District Council of Robe having considered Report No 19.2 "Purchase of Land – Lord Syleham Street" instructs the Chief Executive to make a formal offer to purchase Lot 71 certificate of title 5611/227, Lord Syleham Street owned by R.M. Hannah subject to right of way access through to Victoria Street. (222/2013)

Seconded Cr Polomka

Carried

Next Ordinary Meeting of Council to be held 6.00 pm Tuesday 9 April 2013.

Meeting closed at 8.57 pm.

_____ signed _____ date
Mayor Peter Riseley