

District Council of Robe

MINUTES

Minutes of the Ordinary Council Meeting held 8 January 2013, commencing at 6.01 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 (arrived at 6.05pm), Harvey Nolan 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 Cr Kristina Alexander

CONFLICT OF INTEREST

Nil

PUBLIC FORUM

Rolf Petrovic

Expressed road safety concerns at intersection of Wildfield Road and Nora Creina Road.

Cr Enright entered the meeting at 6.05 pm.

ADDRESS

Nil

ADJOURNED MATTERS

Nil

CONFIRMATION OF MINUTES

8.1 Ordinary Council Meeting Minutes 11 December 2012

Cr Mathews moved that **the minutes of the Ordinary Council meeting held on 11 December 2012 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (158/2013)

Seconded Cr Dell'Antonio

Carried

8.2 Confidential Council Meeting Minutes 11 December 2012

Cr Nolan moved that **the minutes of the Confidential Council meeting held on 11 December 2012 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (159/2013)

Seconded Cr Polomka

Carried

BUSINESS ARISING FROM MINUTES

Nil

MAYOR'S REPORT

New Year's

The dry zones have again greatly assisted with the management of behaviour on New Year's Eve.

Overall the amount of rubbish and glass was less than other years particularly in the town and foreshore areas. Long beach was the exception with rubbish left in piles at party sites. This required considerable clean up from Council staff.

Police were very happy with the behaviour this year. Council and Police will undertake a debrief soon in preparation for next New Year.

EFTPOS Service Difficulties

Businesses have been having problems with connection to EFTPOS.

CE Roger Sweetman is seeking advice from service providers. This problem occurred at the peak visitor times last year.

2012 In Review

Last year CEO Bill Hender moved back to his hometown of Keith. During the interim phase while the recruitment process was conducted, Mr Dean Gollan assisted as Acting CEO.

By now many of you have met the new CE Mr Roger Sweetman. Roger is settling in well and looking forward to his role and responsibilities at Robe. I would like to acknowledge the great job the Administration team has made during the whole recruitment process, there has been additional workload and sharing of skill sets during the process thank you all for your dedication.

The Works crew have had a busy year, the following being a snap shot of some of the works

- Resheeting Fletchers Lane
- Walkway over Harold Street hill
- Construction of car park in front of Sky seafood and Robe Garage
- Reforming, rubbling, fencing at 3rd ramp car park and installation of rubber matting on beach access track
- Construction of car park at Netball club
- Widen cutting and lower hilltop at Faryefield Lane cutting to improve sight lines
- Install Rural Addressing signage district wide
- Construction of 4.8 kms Nora Creina Road
- STEDS pump upgrade at station 19
- Revegetation works around new STEDS pond
- Beacon hill emergency vehicle track
- Paving and fencing Bowling club

- New foot bridge at the Outlet
- Single coat reseals
- Fencing at the air field
- Fencing at Obelisk

Contractors have also assisted with

- * Repair work to complete the Breakwater
- * Pathways sealed from Lake Butler to Obelisk
- * STEDS lagoon and associated filtration plant
- * Irrigation to Golf Club and Football ground utilising water from the reuse scheme [treated effluent water]
- * Channel dredging

Council is committed to sound financial management while maintaining the district assets in a sustainable way.

Several of the bigger projects for 2013 include stage one of the Wright's Bay Road and construction of the new Transfer Station.

Finally, thank you to all staff and my fellow Councillors for their efforts in 2012.

Cr Polomka left the meeting at 6.14pm.

ELECTED MEMBER REPORTS

Cr Rino Dell'Antonio

- 11/12/12 Council Meeting
- 12/12/12 Robe Marina Committee Meeting

Cr Jenny Mathews

- 18/12/12 CDAP Meeting
- 26/12/12 Meeting with Colin Pitman re Lake Charra

Cr Harvey Nolan

- 11/12/12 Council Meeting
- 12/12/12 Robe Marina Committee Meeting
- 17/12/12/ RDA – Funding Application
- 18/12/12 Boat Show Meeting
- 03/01/13 Boat Show Meeting

Mayor Peter Riseley

- 11/12/12 Council Meeting
- 12/12/12 Robe Marina Committee Meeting

- 13/12/12 Steering Group Meeting – Biodiversity Funding Mt Gambier
- 15/12/12 Mayoral Christmas Parade
- 18/12/12 CDAP Meeting
- 28/12/12 Meeting with CE and Police re New Year's Eve
- 02/01/13 Tree Watering – STAG
- 08/01/13 Citizenship Ceremony

SECTION 41 COMMITTEES

12.1 Robe Marina Committee Minutes 12 December 2012

Cr Nolan moved that **the minutes of the Robe Marina Committee meeting held on 12 December 2012 be received.** (160/2013)

Seconded Cr Dell'Antonio

Carried

Cr Polomka entered meeting 6.15pm.

12.2 CDAP Minutes 20 November 2012

Cr Mathews moved that **the minutes of the CDAP Committee meeting held on 20 November 2012 be received.** (161/2013)

Seconded Cr Enright

Carried

12.3 CDAP Minutes 18 December 2012

Cr Enright moved that **the minutes of the CDAP Committee meeting held on 18 December 2012 be received.** (162/2013)

Seconded Cr Mathews

Carried

REPORTS OF ASSOCIATED BODIES

Nil

OFFICER'S REPORTS – Chief Executive

14.1.1 Alteration to Policy – Contracts/Tenders/Purchasing Policy

Cr Dell'Antonio moved that the District Council of Robe having considered Report No 14.1.1 "Alteration to Policy – Contracts/Tenders/Purchasing Policy" amend Clause 8 Staff Expenditure Authorisation of the policy to allow Mr L Prior, Deputy Chief Executive, to sign orders to a value of \$50,000 within approved budgets.

(163/2013)

Seconded Cr Enright

Carried

14.1.2 Regional Development Australia (RDA) Fund – Dredging Lake Butler Marina

Cr Nolan moved that the District Council of Robe having considered Report No 14.1.2 "Regional Development Australia (RDA Fund – Dredging Lake Butler Marina" instruct the Chief Executive, with the help of minimal outside expertise from Grant King and Access Planning, to:

- (a) Provide design work on the project detailing the construction method; and
- (b) Undertake an economic analysis of the project detailing the importance of the fishing, boating and tourism industry to Robe's economy and gain letters of support from beneficiaries and users of the Lake Butler Marina. (164/2013)

Seconded Cr Dell'Antonio

Carried

Cr Mathews called for a division

For

Cr Nolan

Cr Polomka

Cr Enright

Cr Dell'Antonio

Against

Cr Mathews

14.1.3 Adoption of Council's Development Assessment Panel
Operating Procedures

Cr Enright moved that **the District Council of Robe having considered report No. 14.1.3 "Adoption of Council's Development Assessment Panel Operating Procedures" adopt the Operating Procedures as appearing at the conclusion of this meeting's minutes. (165/2013)**

Seconded Cr Mathews

Carried

14.1.4 Power Line Environment Committee (PLEC) – Future
Projects for Undergrounding of Power Lines

Cr Dell'Antonio moved that **the District Council of Robe having considered report No. 14.1.4 "Power Line Environment Committee (PLEC) - Future projects for Undergrounding of Power Lines place a registration of interest for undergrounding the power lines along the Esplanade.**

District Council of Robe having considered Report No 14.1.4 "Power Line Environment Committee (PLEC) - Future Projects for Undergrounding of Power Lines instruct the Chief Executive to prepare for consideration by Council, at the time of setting its 2013-2014 Annual Business plan, a strategy for undergrounding power within the Robe township. (166/2013)

Seconded Cr Mathews

Carried

OFFICER'S REPORTS – Deputy Chief Executive

14.2.1 Sale of Property – Non Payment of Rates

Cr Polomka moved that **That the District Council of Robe having considered Report No 14.2.1 "Sale of Property – Non Payment of Rates" commences the process of selling the property described as Sec 103 Hundred of Waterhouse, Lipson Terrace, Robe for non payment of rates pursuant to section 184 of the *Local Government Act 1999.***

That Administration staff obtain quotes from local Agents and select a suitable Agent to undertake the sale process. (167/2013)

Seconded Cr Nolan

Carried

OFFICER'S REPORTS – Works Operation Coordinator

14.3.1 Works Report December 2012

Cr Polomka moved that Council receive the Works Report December 2012. (168/2013)

Seconded Cr Mathews

Carried

OFFICER'S REPORTS – Finance Officer

14.4.1 Finance Report December 2012

Cr Enright moved that the District Council of Robe receives the Finance Report December 2012. (169/2013)

Seconded Cr Polomka

Carried

OFFICER'S REPORTS – Director of Childcare

14.5.1 CCOWS Report December 2012

Cr Mathews moved that the District Council of Robe receives the CCOWS Report December 2012. (170/2013)

Seconded Cr Polomka

Carried

CORRESPONDENCE

Cr Nolan moved **that correspondence items No.15.1 to 15.4 be received en mass. (171/2013)**

Seconded Cr Polomka

Carried

NOTICES OF MOTION

Nil

QUESTIONS ON NOTICE

Nil

GENERAL BUSINESS

LATE ITEMS

Cr Enright moved **that item:**

18.1 Expression of Interest – Provision of Fun Fair within Robe

being a matter of urgency be admitted to the meeting for consideration. (172/2013)

Seconded Cr Mathews

Carried

Cr Enright moved **that the Chief Executive seek further information from the vendor wishing to establish a fun fair within Robe, and that the decision of the vendor's operating conditions be at the discretion of the Chief Executive, taking into consideration the conditions within the Draft Itinerant Trading Policy. (173/2013)**

Seconded Cr Polomka

Carried

Cr Nolan moved **that item:**

18.2 Special Council Meeting

being a matter of urgency be admitted to the meeting for consideration. (174/2013)

Seconded Cr Mathews

Carried

Cr Nolan moved **that a Special Council Meeting be held on Tuesday 15 January 2013 at 7.00pm at the conclusion of the Strategic Planning & Policy Development Committee Meeting, to consider:**

- (a) the recommendations of the Strategic Planning & Policy Development Committee; and**
- (b) the possible use of Crown Land. (175/2013)**

Seconded Cr Enright

Carried

CONFIDENTIAL ITEMS

19.1 Auction of Land Park Terrace Robe – Establishment of Reserve Price

Cr Polomka moved **that pursuant to Section 90 (3)(d) 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 “Auction of Land Park Terrace Robe – Establishment of Reserve Price” 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.
(176/2013)

Seconded Cr Dell'Antonio

Carried

Cr Dell'Antonio moved that having considered the report 19.1 titled "Auction of Land Park Terrace Robe – Establishment of Reserve Price" in confidence under Section 90(2) and (3)(d) 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 8 January 2013 be retained in confidence for a period of 18 months or finalisation of negotiations, whichever is sooner. (178/2013)

Seconded Cr Mathews

Carried

Cr Nolan left the meeting at 8.47pm

19.2 Robe Golf Club – Proposed Development of an 18 Hole Golf Course

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, Works Coordinator Mr Trevor Hondow and Minute Taker Anne-Marie Peters) be excluded from attendance at the Meeting in order to consider in confidence Agenda Item titled 19.2 Robe Golf Club – Proposed Development of an 18 Hole Golf Course;
- 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)(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.(179/2013)**

Seconded Cr Polomka

Carried

Cr Nolan entered the meeting at 7.49pm.

Cr Dell'Antonio moved that the District Council of Robe having considered Report No 19.2 "Robe Golf Club – Proposed Development of an 18 hole Golf Course" instruct the Chief Executive to:

- (a) Obtain a valuation of the land east of Davenport Street being Lot 2, Section 217, Deposited Plan D65527, CT 5929/163 Hundred of Waterhouse,**
- (b) Obtain an evaluation of the native vegetation contained within Lot 2, Section 217, Deposited Plan D65527, CT 5929/163 Hundred of Waterhouse, and**
- (c) Advise the Golf Club Committee that Council is seeking additional information and will be considering the proposal once this information has been obtained. (180/2013)**

Seconded Cr Mathews

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 19.2 "Robe Golf Club – Proposed Development of an 18 Hole Golf Course", 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. (181/2013)

Seconded Cr Nolan

Carried

19.3 Confidential Correspondence from SA Ombudsman

Cr Dell'Antonio moved that pursuant to Section 90 (3)(j) 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 correspondence report number 19.3 titled "Confidential Correspondence from SA Ombudsman" 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 correspondence confidential on the following basis: *Information the disclosure of which: (i) Would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council); and (ii) Would, on balance, be contrary to the public interest. (182/2013)*

Seconded Cr Nolan

Carried

Cr Dell'Antonio moved that the District Council of Robe receive confidential correspondence 19.3 "Confidential Correspondence from SA Ombudsman". (183/2013)

Seconded Cr Nolan

Carried

Next Ordinary Meeting of Council to be held 6.00 pm Tuesday 12 February 2013.

Meeting closed at 8.11 pm.

_____ signed
Mayor Peter Riseley

_____ date