

District Council of Robe

MINUTES

Minutes of the Ordinary Council Meeting held 9 April 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, 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

Nil

ADDRESS

Mr Gary Thomas presented to Council plans, costings, specifications and land use requirements on the possible construction of a community gymnasium and indoor pool.

Chief Executive left meeting at 6.14pm

Chief Executive entered meeting at 6.15pm

ADJOURNED MATTERS

7.1 Dog Registration Fees 2013-14

Cr Polomka moved that the District Council of Robe having considered Report No. 7.1 "Dog Registration Fees 2013-2014" increases the Normal Dog Registration for 2013-14 by \$5 from \$45 to \$50. And that all other dog registration fees and charges be levied as per the attached schedule. (223/2013)

Seconded Cr Nolan

Carried

CONFIRMATION OF MINUTES

8.1 Ordinary Council Meeting Minutes 12 March 2013

Cr Mathews moved that the minutes of the Ordinary Council meeting held on 12 March 2013 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting. (224/2013)

Seconded Cr Enright

Carried

8.2 Confidential Council Meeting Minutes 12 March 2013

Cr Nolan moved that the minutes of the Confidential Council meeting held on 12 March 2013 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting. (225/2013)

Seconded Cr Dell'Antonio

Carried

BUSINESS ARISING FROM MINUTES

Nil

MAYOR'S REPORT

High Praise for New Street Furniture

Council has received numerous positive comments about the new seats and tables that have been installed along the foreshore.

The installation comes after a long and exhaustive selection process. Works Operation Co-ordinator, Mr Trevor Hondow, has conducted a rigorous assessment before choosing the final design. The design criteria had to address the following:

- Long lasting and durable materials able to withstand the harsh marine environment
- Function and form comfortable for adults and children
- A design able to fit suitably into the heritage areas of the town without being at odds
- Low maintenance, sturdy and robust

This design will be utilised throughout the town as upgrades and replacements are undertaken.

I would like to acknowledge the dedication and commitment by Trevor in the assessment and to the outdoor staff for the assembly and installation of the new street furniture.

Anna Hooper 2013 SA Rural Woman of the Year

Cape Jaffa winemaker, Anna Hooper, has received the distinction of being appointed the 2013 South Australian Rural Woman of the Year.

Congratulations Anna, a well deserved accolade.

Foam Packaging Pellets

There has been concern raised over the litter problem caused by foam pellets used in packaging. The pellets have been sighted blowing up the main street dispersing from rubbish bins when the truck is carrying out the emptying process. Robe as a seaside town is subject to sea breezes that move these pellets around very quickly. They end up in waterways and on the beach and cause havoc with wildlife.

What can be done? When disposing of the pellets ensure they are contained in a tied off bag. Encourage suppliers to utilise other

alternatives; there are substitutes derived from plant-based materials that can break down in the environment without the problems.

If you are in a business that receives products packed with foam pellets, lobby your suppliers to change to the plant based alternatives.

ELECTED MEMBER REPORTS

Cr Rino Dell'Antonio

- 25/3/13 Planning Chambers Workshop
- 26/3/13 Elected Member Workshop
- 09/4/13 Council Meeting

Cr Jenny Mathews

- 03/3/13 Paul Birchall Car Trip re Bike Trails
- 05/3/13 Coastal Group Meeting
- 12/3/13 Council Meeting
- 14/3/13 Limestone Coast Management Meeting
- 15/3/13 Council Workshop
- 19/3/13 Robert & Anne Miles re Art Funding Project
- 19/3/13 CDAP Meeting
- 25/3/13 Planning Chambers Workshop
- 26/3/13 Elected Member Workshop

Cr Harvey Nolan

- 12/3/13 Council Meeting
- 18/3/13 Deputy CE – Boat Show Accounts
- 19/3/13 Robe Marina Committee Meeting
- 22/3/13 CE & Jamie Aitken – Robe Boat Show
- 26/3/13 Elected Member Forum
- 08/4/13 Deputy CE & Vanessa McDonald – Marina Accounts

Mayor Peter Riseley

- 13/3/13 ABC Interviews
- 14/3/13 Coast Care
- 19/3/13 Robert Miles & Cr Mathews Art Project
- 19/3/13 CDAP Meeting
- 19/3/13 Robe Marina Committee Meeting
- 20/3/13 McIntyre3 Reserve – Visit from Wilderness School Students – Presentation & Environmental Activities
- 25/3/13 Australian Coastal Councils Conference
- 26/3/13 Australian Coastal Councils Conference

- 27/3/13 Australian Coastal Councils Conference
- 05/4/13 SELGA Meeting
- 07/4/13 Coast Care Working Bee – McIntrye Reserve

COUNCIL COMMITTEES

12.1 CDAP Committee Meeting Minutes 19 March 2013

Cr Mathews moved that **the minutes of the CDAP Committee meeting held on 19 March 2013 be received.**
(226/2013)

Seconded Cr Enright

Carried

12.2 Robe Marina Committee Meeting Minutes 19 March 2013

Cr Nolan moved that **the minutes of the Robe Marina Committee meeting held on 19 March 2013 be received.**
(227/2013)

Seconded Dell'Antonio

Carried

REPORTS OF ASSOCIATED BODIES

Nil

OFFICER'S REPORTS – Chief Executive

14.1.1 Walkway Encroachment Part Lot 11 Victoria Street, Robe (Caledonian Hotel)

Cr Nolan moved that the District Council of Robe having considered Report No 14.1.1 "Walkway Encroachment Part Lot 11 Victoria Street, Robe (Caledonian Hotel)" Council closes the walkway.

No Seconder

Lapsed

Cr Mathews moved that the District Council of Robe having considered Report No 14.1.1 “Walkway Encroachment Part Lot 11 Victoria Street, Robe (Caledonian Hotel)” authorise the Chief Executive to approach the owners of the Caledonian Hotel (Synwood P/L) to resolve the land tenure issues associated with the walkway between the Hotel and the Robe Bowling Club. (228/2013)

Seconded Cr Dell’Antonio

Carried

14.1.2 Electoral Representation Review

Cr Dell’Antonio moved that That the District Council of Robe having considered Report No 14.1.2 “Electoral Representation Review”:

- (a) Acknowledge that one submission was received in relation to the Electoral Representation Review proposal placed before the community in January and February 2013 seeking comment.**
- (b) That Council allocates time within the Council meeting for Mr. RN Andre to address Council in support of his submission.**
- (c) that Council pursuant to Section 12(11) of the Local Government Act 1999, instruct Craig Rowe and Associates to prepare a final report on the Electoral Representation Review and submit that report to the Electoral Commission that reflects the only change being proposed as a result of the representation review is that Council have no wards. (229/2013)**

Seconded Cr Nolan

Carried

Cr Enright called for a division:

For

Cr Mathews
Cr Dell’Antonio
Cr Nolan

Against

Cr Polomka
Cr Enright

14.1.3 Proposed Road Closure Park Terrace

Cr Nolan moved that the District Council of Robe having considered Report No 14.1.3 “Proposed Road Closure Park Terrace” resolves to undertake a road closure and disposal of portion of Park Terrace Robe retaining a walk way through to the Esplanade.
(230/2013)

Seconded Cr Enright

Carried

14.1.4 Robe Boat Show 2014

Cr Dell’Antonio moved that the District Council of Robe having considered Report No 14.1.4 “Robe Boat Show 2014”:

- 1. Agrees to hold the Robe Boat Show at the Lake Butler Marina in January 2014, and**
- 2. Enters into a contract with Mr Jamie Aitken to manage the 2014 Robe Boat Show for a fee of \$25,000 exclusive of GST, acknowledging that Council is acting outside Council’s Contracts/Tenders and Purchasing Policy Clause 7.**
(231/2013)

Seconded Cr Nolan

Carried

14.1.5 Common Seal – Stanke Ociana Seafood – Lease of Factory Lake Butler Marina

Cr Enright moved that the District Council of Robe having considered Report No 14.1.5 “Council Seal – Council Seal – Stanke Ociana Seafood – Lease of Factory Lake Butler Marina” authorize the Mayor and Chief Executive to sign the lease and attach the Council seal. (232/2013)

Seconded Cr Polomka

Carried

14.1.6 Board Walk Viewing Platform Adjacent Robe Bowling Club

Cr Dell'Antonio moved that the District Council of Robe having considered Report No 14.1.6 "Board Walk Viewing Platform Adjacent Robe Bowling Club" instruct that the platform be removed and relocated within the boardwalk adjacent the Lake Butler Marina. (233/2013)

Seconded Cr Enright

Carried

14.1.7 Proposed Fun Fair Robe 2013-2014 Summer Season

Cr Dell'Antonio moved that the District Council of Robe having considered Report No 14.1.7 "Proposed Fun Fair Robe 2013-2014 Summer Season" undertake community consultation to ascertain the community's views regarding the operation of a fun fair in Robe in the upcoming summer holiday season. (234/2013)

Seconded Cr Nolan

Carried

14.1.8 Alteration to Speed Limit Nora Creina Road

Cr Mathews moved that the District Council of Robe having considered Report No 14.1.8 "Alteration to Speed Limit Nora Creina Road" request the Department of Planning Transport and Infrastructure undertake an investigation of the extension of the 80 kph speed zone on Nora Creina Road. (235/2013)

Seconded Cr Enright

Carried

14.1.9 Alteration of Road – 2 Union Street

Cr Enright moved that the District Council of Robe having considered Report No 14.1.9 "Alteration of Road – 2 Union Street Robe" correspond with the property owner requesting that they apply for a permit pursuant to Section 221 of the Local Government Act. (236/2013)

Seconded Cr Dell'Antonio

Carried

14.1.10 Information Report March 2013

Cr Mathews moved **that the District Council of Robe received Report No 14.1.10 “Information Report March 2013”.** (237/2013)

Seconded Cr Enright

Carried

OFFICER’S REPORTS – Deputy Chief Executive

14.2.1 Community Land Management Plan

Cr Mathews moved **that the District Council of Robe having considered Report No. 14.2.1 “Community Land Management Plan” adopts the final draft Community Land Management Plan as presented as its Community Land Management Plan.** (238/2013)

Seconded Cr Enright

Carried

14.2.2 Asset Management Strategy

Cr Nolan moved **that the District Council of Robe having considered Report No. 14.2.2 “Asset Management Strategy” adopts the final draft Asset Management Strategy as its Asset Management Strategy.** (239/2013)

Seconded Cr Dell’Antonio

Carried

14.2.3 Robe Marina – Headlease and Underlease Terms & Conditions

Cr Nolan moved **that Council having considered report No. 14.2.3 “Robe Marina – Headlease and Underlease Terms & Conditions” and the recommendation of the Robe Marina Committee, take no action in regard to current restrictions contained within the standard approved underlease document preventing recreational**

vessels being moored in a commercial berth, and that the commercial section of the Marina be retained for the exclusive use of commercial fishers (240/2013)

Seconded Cr Dell'Antonio Carried

OFFICER'S REPORTS – Works Operation Coordinator

14.3.1 Works Report March 2013

Cr Mathews moved **that Council receive the Works Report March 2013. (241/2013)**

Seconded Cr Enright Carried

OFFICER'S REPORTS – Finance Officer

14.4.1 Finance Report March 2013

Cr Polomka moved **that the District Council of Robe receives the Finance Report March 2013. (242/2013)**

Seconded Cr Nolan Carried

OFFICER'S REPORTS – Director of Childcare

14.6.1 CCOWS Report March 2013

Cr Enright moved **that the District Council of Robe receives the CCOWS Report March 2013. (243/2013)**

Seconded Cr Mathews Carried

CORRESPONDENCE

Cr Nolan moved **that correspondence items No.15.1 to 15.6 be received en mass. (244/2013)**

Seconded Cr Dell'Antonio Carried

NOTICES OF MOTION

Nil

QUESTIONS ON NOTICE

Nil

GENERAL BUSINESS

Nil

LATE ITEMS

Skate Park Upgrading

Cr Mathews moved **that the District Council of Robe apply for a Sport & Recreation Grant of \$100,000 for upgrading facilities at the Skate Park at Robe. Council contribution will be \$50,000 a year for 2 years. (245/2013)**

Seconded Cr Enright

Carried

Cr Enright moved **that the meeting be adjourned for dinner break. (246/2013)**

Seconded Cr Mathews

Carried

Cr Polomka left the meeting at 8.08 pm.

Council resumed ordinary meeting at 8.26 pm

CONFIDENTIAL ITEMS

19.1 Confidential Minutes Review

Cr Dell'Antonio moved 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 19.1 titled

“Confidential Minutes Review” 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:

- **(a) Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)**
- ***(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;***
- ***(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 the public interest;***
- ***(e) Matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;***
- ***(g) Matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;***
- ***(h) Legal advice;***
- ***(i) 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;***
- ***(k) tenders for the supply of goods the provision of services or the carrying out of works. (247/2013)***

Seconded Cr Mathews

Carried

19.1 Confidential Minutes Review

Cr Dell'Antonio moved **that the minutes/reports that have had their confidentiality orders lifted be published in the public Council Minutes.** (259/2013)

Seconded Cr Nolan

Carried

19.1.1 Financial Viability Review Report – Galpin, Engler, Bruins & Dempsey

Cr Dell'Antonio moved **that acknowledging the expiration of 5 years from the date the matter was originally considered and circumstances involving the operation of the Lake Butler Marina have altered significantly, the Confidential Minutes and all associated documents dated 19/12/2006 Resolution Number 238/2007 be released** (260/2013)

Seconded Cr Nolan

Carried

19.1.3 Independent Review of the Robe Marina Corporation

Cr Enright moved **that acknowledging the expiration of 5 years from the date the matter was originally considered, and with the author of the reports consent, the Confidential Minutes and all associated documents dated 24/04/2007 be released.** (261/2013)

Seconded Cr Nolan

Carried

19.1.4 Confidential Report – Judith Jones, Robe Marina

Cr Nolan moved **that acknowledging the expiration of five years from the date the matter was originally considered and the circumstances involving the operation of the Lake Butler Marina have altered significantly, the Confidential Minutes and all associated documents dated 12/06/2007 be released** (262/2013)

Seconded Cr Mathews

Carried

19.1.13 Tenders – General Waste, Co-mingled Recyclables and Garbage

Cr Mathews moved **that the Confidential Minutes and all associated documents dated 08/11/2011 Resolution Number 101/2012 be released.** (263/2013)

Seconded Cr Nolan

Carried

19.1.14 Australia Day Award Nominations 2012

Cr Mathews moved **that the Confidential Minutes and all associated documents dated 13/12/2011 Resolution Number 125/2012 be released.** (264/2013)

Seconded Cr Dell'Antonio

Carried

19.1.16 Organisational Review

Cr Dell'Antonio moved **that the Confidential Minutes and all associated documents dated 17/01/2012 Resolution Number 143/2012 and 144/2012 be released.** (265/2013)

Seconded Cr Mathews

Carried

19.1.17 CDAP Membership

Cr Enright moved **that the Confidential Minutes and all associated documents dated 13/03/2012 Resolution Number 192/2012 be released.** (266/2013)

Seconded Cr Dell'Antonio

Carried

19.1.18 Offer of Employment – Chief Executive Officer

Cr Mathews moved **that the Confidential Minutes and all associated documents dated 14/05/2012 Resolution Number 250/2012 be released.** (267/2013)

Seconded Cr Dell'Antonio

Carried

- 19.1.20 Sale of Industrial Land
Cr Enright moved **that the Confidential Minutes and all associated documents dated 10/07/2012 Resolution Numbers 19/2013 and 21/2013 be released.** (268/2013)
- Seconded Cr Mathews Carried
- 19.1.21 Selection of Agents – Auction of Property Closed Road – Portion of Park Terrace, Robe, Deposited Plan 88890
Cr Dell’Antonio moved **that that the Confidential Minutes and all associated documents dated 09/10/2012 Resolution Number 99/2013 be released.** (269/2013)
- Seconded Cr Nolan Carried
- 19.1.22 Australia Day Award Nominations 2013
Cr Mathews moved **that that the Confidential Minutes and all associated documents dated 11/12/2012 Resolution Number 148/2013 be released.** (270/2013)
- Seconded Cr Dell’Antonio Carried
- 19.1.23 Lease of Premises Lake Butler Marina Robe (Stanke Ociana Seafood)
Cr Dell’Antonio moved **that the Confidential Minutes and all associated documents dated 11/12/2012 Resolution Numbers 155/2013 and 156/2013 be released.** (271/2013)
- Seconded Cr Nolan Carried

Next Ordinary Meeting of Council to be held 6.00 pm Tuesday 14 May 2013.

Meeting closed at 8.49 pm.

_____ signed _____ date
Mayor Peter Riseley