

District Council of Robe

MINUTES

Minutes of the Ordinary Council Meeting held 10th July 2007, commencing at 5pm
District Council of Robe Chambers, Smillie Street, Robe.

PRESENT Mayor W. Peden, Crs. P. Riseley, J Mathews, N Wright, R. Petrovic, D. Loxton, Acting Chief Executive Officer; Michael Hurley, Director of Engineering Services; Glenn Sanford and Minute Secretary; Michelle Gibbs.

LEAVE OF ABSENCE Cr Dell'Antonio

CONFIRMATION OF MINUTES

Cr Wright moved **that the minutes of the Ordinary Council Meeting held on 12th June 2007 and the Special Council Meeting held on the 19th June 2007 be taken as read and confirmed as a true and accurate record of the proceedings of these meetings. (9/2008)**

Seconded Cr Petrovic

Carried

Confidential Meetings 12th June 2007

Cr Loxton moved **that the Confidential Minutes of the Council Meeting held on the 12th June 2007 be taken as read and confirmed as a true and accurate record of the proceedings of this meeting. (10/2008)**

Seconded Cr Riseley

Carried

Special Council Meeting 3rd July 2007

Cr Mathews moved **that the minutes of the Special Council Meeting held on 3rd July 2007 be taken as read and confirmed as a true and accurate record of the proceedings of this meeting. (11/2008)**

Seconded Cr Loxton

Carried

Confidential Meetings 3rd July 2007

Cr Riseley moved **that the Confidential Minutes of the Special Council Meeting held on the 3rd July 2007 be taken as read and confirmed as a true and accurate record of the proceedings of this meeting. (12/2008)**

Seconded Cr Loxton

Carried

NOTICE OF MOTION

Notice of Motion submitted by Cr Loxton:-

“That the Robe Council is prepared to be part of the theoretical and financial development of a regional engineered Landfill by SELGA.

Comment: Only other alternatives are amalgamation or to cart our waste to a northern landfill”.

Cr Loxton moved **that the Robe Council is prepared to be part of the theoretical and financial development of a regional engineered Landfill by SELGA.** (13/2008)

Seconded Cr Riseley

Carried

Public Forum

1. Laurain Bywaters – happy with the way Council has conducted itself since it came into office last November. When will item 11 of the Schedule in the lease document be enacted. Will Council guarantee that Ratepayers will not have to pay anything towards the marina debt?
2. Terry Bywaters – AGM Robe Ratepayers and Residents Association. Chairman T Bywaters, Deputy Chairperson C Domaschenz.

Business Arising from Minutes

Address

1. Jenny Wakefield, Regional Transport Co-Ordinator and Angela Davis, volunteer Australian Red Cross. Red Cross have had an agreement with the Council since 1998 for joint use of Council owned car for volunteers driving clients to doctors/ specialist appointments in South East region. Requested Council consider replacing vehicle as it has travelled over 100,000kms.
2. Gary Thomas
Robe waste management and responsibility.
3. Danny Halesy, Nolan Rumsby Planners. Presentation on behalf of Barry Bowyer re options for expansion of golf course incorporating residential allotments. Developer is requesting an indication from Council on whether or not to continue on with further investigations.

Mayor's Report

1. Government Assistance sought

Council has formally requested the State Government's assistance with our difficult financial situation. We will be working closely with the Government over the next few years to ensure we move forward and substantially improve Robe's financial and governance situation.

2. Budget

The draft budget is available and there will be community consultation including a public meeting on Thursday 19th of this month at 6pm. Essentially we have cut 5% from last year's budget as a start prior to the new CEO's appointment and all expenditure will come under the closest scrutiny this financial year.

3. CEO

Our new CEO, Malcolm Crout arrives next Monday. We are looking forward to his arrival. Mike Hurley has been excellent with his experience and guidance over the past month and we appreciate his leadership.

4. Sad Loss

As a community we will miss Brenda Watson and her smiling face. Our sympathy goes to Graham, Des, Brad and extended family.

Reports of Committees

Minutes of CDAP Meeting held on 5th June 2007

Cr Wright moved **that the minutes of the CDAP Meeting held on the 5th June 2007 be received.** (14/2008)

Seconded Cr Loxton

Carried

Minutes of CCOWS AGM and General Meeting held on 18th June 2007

Cr Riseley moved **that the Minutes of the CCOWS AGM and General Meeting held on the 18th June 2007 be received.** (15/2008)

Seconded Cr Wright

Carried

Minutes of Development Assessment Panel Meeting held on 19th
June 2007

Cr Loxton moved **that the minutes of the Development Assessment Panel Meeting held on the 19th June 2007 be received.** (16/2008)

Seconded Cr Petrovic

Carried

**Working Party
Committee**

Nil

**Reports of
Subsidiary**

Nil

**Reports of Associated
Bodies**

Cr Petrovic moved **that the Minutes of the Robe Tourism and Traders Association meeting of the 10th May 2007 be received.** (17/2008)

Seconded Cr Loxton

Carried

**Reports of
Members**

Cr Mathews reported on:-

26/6/07 – Kingston Hospital Board Meeting

3/7/07 – Special Council Meeting

6/7/07 – Waste Management Meeting

9/7/07 – Robe Ratepayers & Residents Association

Cr Riseley reported on:-

15/6/07 – Minister, J Rankine

18/6/07 – National Association of Mobile Services (NAMS) AGM
Teleconference

18/6/07 – CCOWS meeting

19/6/07 – DAP Meeting

6/7/07 – Waste Management Meeting

9/7/07 – Robe Ratepayers & Residents Association

Cr Wright reported on:-

15/6/07 – Minister J Rankine

19/6/07 – DAP & Special Council Meeting

26/6/07 – Meeting re fire trail

3/7/07 – Special Council Meeting

6/7/07 – Waste Management Meeting

Cr Petrovic reported on:-

14/6/07 – Robe Tourism & Traders Association
15/6/07 – Minister J Rankine
19/6/07 – DAP & Special Council Meeting
28/6/07 - SELGA & LDCRDB
3/7/07 – Special Council Meeting
6/7/07 – Waste Management Meeting
9/7/07 – Robe Ratepayers & Residents Association

Cr Loxton reported on:-

18/6/07 – LCRDB
19/6/07 – DAP & Special Council Meeting
28/6/07 – SELGA & LCRDB. SELGA Waste Management
6/7/07 – Robe Waste Management Working Group
9/7/07 – Robe Ratepayers & Residents Association

Mayor Peden reported on:-

14 & 15/6/07 – Meeting Minister and Executive Director, Office of
State & Local Government Relations
19/6/07 – Budget meeting
21/6/07 – Meeting Executive Director Office of State and Local
Government Relations
28/6/07 – Interview ABC radio, LDDDB meeting at Penola
30/6/07 – Meeting with author and publisher of a book on Robe
3/7/07 – Special Council Meeting
5/7/07 – Planning Meeting
6/7/07 – Waste Management Meeting
9/7/07 – Meeting with new CEO and Executive Director of State and
Local Government Relations
10/7/07 – Interview 5SE

Officer's Reports

Acting Chief Executive Officer

1. Appointment of Public Officer - District Council of Robe Development Assessment Panel

Cr Wright moved **that pursuant to Section 56A (22) of the Development Act 1993, Malcolm Crout be appointed to the position of Public Officer of the District Council of Robe Development Assessment Panel, such appointment to commence on Monday 16th July 2007. (18/2008)**

Seconded Cr Mathews

Carried

2. Signatories to District Council of Robe Bank Accounts

Cr Petrovic moved **that the following persons be authorised as Bank signatories for the District Council of Robe accounts at Bank SA and Bendigo Bank (including those for the Robe Marina Corporation): -**

**Malcolm Crout
Sharon Pettit
Glenn Sanford**

With any two (2) to sign. (19/2008)

Seconded Cr Petrovic

Carried

3. Fees and Charges - Robe Institute Hire

Cr Mathews moved **that the Fees and Charges for the Hire of the Robe Institute be as follows:-**

Robe Institute Hall	Alcohol Consumed	\$240 per night (Bond \$350.00)
	No alcohol	\$80.00 per night
	Less than 2 hours (local community & Small commercial) (Mon- Thurs)	\$20.00
	Less than 2 hours (Commercial users) (Mon – Thurs)	\$40.00

(20/2008)

Seconded Cr Wright

Carried

4. Policy Elected Member Allowances, Support and Facilities

Cr Mathews moved **that the Policy as set out in the Acting Chief Executive Officer's Report be adopted as Policy of the Council. (21/2008)**

Seconded Cr Loxton

Carried

5. Mr. J Stuart - Robe Fishing Charters

Cr Mathews moved **that:-**

- 1. That Council will consider a request from a Berth Leaseholder for Robe Fishing Charters to occupy a Berth**
- 2. That if no Berth is available for use from a Berth Leaseholder then Robe Fishing Charters will need to apply for a Berth and pay the appropriate fee if approved**
- 3. For all use of the Marina Area Robe Fishing Charters will hold adequate insurances to all risks and liabilities and a copy of the cover notes be given to the Harbour Master**
- 4. That during times when the boat ramp is busy Robe Fishing Charters boat or tractor should not be stored in the Trailer Park area**
- 5. That no signage for Robe Fishing Charters be allowed on Public areas such as roads, footpaths and reserves without Councils express approval. (22/2008)**

Seconded: Cr Riseley

Carried

6. Marina Berth Issues

Cr Wright moved **that Council not agree to any use of Berths A1 & A2 by fishermen operating out the Robe Marina permanently, and that any transfer of leases between fishermen needs to be applied for in writing to the Council and Council will not unreasonably hold back approval. That Minstrel be advised that all sub leases of a Berth will require approval of the Council or a person delegated by Council to give approval. (23/2008)**

Seconded Cr Loxton

Carried

Correspondence

1.1 SA Great – Regional Awards 2007

1.2 South East Natural Resources Management Board – National Resources Management Levy Enquiries

- 1.3 Local Government Association Workers Compensation Scheme – Workers Compensation Scheme Renewal 1 July 2007 – 30 June 2008.
- 1.4 Local Government Association of SA – Business continuity planning requirements – Pandemic Influenza.
- 1.5 South East Natural Resources Management Board – 2007 Roadside declared plants control program.
- 1.6 Ombudsman South Australia – Mr Biganovsky advising of his retirement.
- 1.7 South East Local Government Association – Draft Agreements between SELGA/SE Heritage Advisory Service for funding provided by DEN and the service agreement.

Cr Mathews moved **that SELGA be advised that the service agreement be time based with the amounts not a fixed fee.** (24/2008)

Seconded Cr Riseley

Carried

- 1.8 Local Government Corporate Services – 15th SA Local Government Roads and Works Conference – Yankalilla 30/31 August 2007.
- 1.9 Local Government Association of SA/Office for State/Local Government Relations – Independent Review of Local Government Relations.
- 1.10 Regional Communities Consultative Council – RCCC Community Forum 3 May 2007.
- 1.11 Australian Local Government Women's Association Inc – Review of the National Framework for Women in Local Government.
- 1.12 Environment Protection Authority – Solid Waste Contributions 2007/08.

- 1.13 Minister for State/Local Government Relations – Financial Assessment Report.
- 1.14 Dept of Trade and Economic Development – 2007/08 Regional Budget Statement.
- 1.15 Eastern Region Dept for Transport – Change of Regional Manager.
- 1.16 Executive Director Local Government Association of SA – Planning System Review.
- 1.17 SELGA Recreation and Sport Active Community Field Officer – September visit from Officer for Recreation and Sport - Disability Education.
- 1.18 Senator A Ferguson – Federal Black Spot Program.
- 1.19 J Enright – Request for a ramp to garden Unit 2, 13 Hateley Crescent
Cr Loxton moved **that the Director of Engineering Services to cost options for a portable ramp to be made in accordance with guidelines for aged care facilities. CEO and Mayor to authorise ramp when report is complete.** (25/2008)

Seconded Cr Riseley

Carried

- 1.20 Local Government Finance Authority – AGM Friday 19 October 2007

Cr Loxton moved **that the Mayor be appointed a Council representative to the Local Government Finance Authority AGM.** (26/2008)

Seconded Cr Wright

Carried

1.21 Minister for Road Safety – State Bicycle Fund Approved Project 2007/08

Cr Mathews moved **that this item be deferred for the new CEO to investigate further re Councils contribution for approved grant.** (27/2008)

Seconded Cr Wright

Carried

1.22 Local Government Association of SA – Waste Levy Strategy

Cr Loxton moved **that Council assist the LGA in this matter by a letter from the Mayor and seeking signatures on the petition.** (28/2008)

Seconded Cr Mathews

Carried

1.23 JD Fenton Hon. D Arch, Landscape Architecture – Interested in the landscaping and built environment of Robe.

Cr Riseley moved **that Mr Fenton be thanked for his thoughts and advise that they have been noted.** (29/2008)

Seconded Cr Mathews

Carried

1.24 Forestry SA – Dumping, chemical containers in Comaum Plantation

Cr Loxton moved **that Mr Sanford meet with Forestry SA to discuss the issues and report back to Council with his findings and recommendations.** (30/2008)

Seconded Cr Petrovic

Carried

1.25 D Flint – Fees for Boat Ramp Use

Cr Riseley moved **that Mr Flint be advised that his comments have been noted and that Council believes it has been responsible in setting the fees for the use of the Boat Ramp.** (31/2008)

Seconded Cr Wright

Carried

1.26 P Moseley – Rating of B & B's

Cr Mathews moved **that Council look into the Rating of properties and that the CEO investigate these matters and report back to Council with recommendations.**
(32/2008)

Seconded Cr Riseley

Carried

1.27 Caravan Parks Association – Roadside Camping – Policy Paper

Cr Loxton moved **that Mr G Sanford prepare a Draft Policy for Council on Roadside Camping and that this Draft Policy be presented to Council for consideration at the August Meeting.** (33/2008)

Seconded Cr Petrovic

Carried

1.28 L Domaschenz and A Dening – Requesting reduced Mooring Fee

Cr Loxton moved **that Council approve a reduction in mooring fees from \$780 + GST to \$400 + GST to L Domaschenz, A Dening, J Chessels and P Sangster.**
(34/2008)

Seconded Cr Mathews

Carried

Director of Engineering

Services Report

Matrix Highlighting Resolutions Works Department

Cr Riseley moved **that Council receive and note the matrix highlighting Council's resolutions in regards to the Works Departments duties.** (35/2008)

Seconded Cr Mathews

Carried

Power Line Environment Committee (PLEC) The Esplanade and Hagen Street

Mayor left the room at 6.20pm. due to a conflict of interest as he resides in the Esplanade.

Deputy Mayor in chair

Cr Mathews moved **that Council:-**

1. **Authorize the Director of Engineering Services to write to the property owners along the "Esplanade" commencing from Dawson drive first ETSA stobie pole to Big4 Holiday Park Entrance to ascertain their level of support for the under grounding of power lines and willingness to pay for all associated costs.**
2. **Authorize the Director of Engineering Services to write to the property owners along the "Esplanade" commencing from Laurel Terrace roundabout to first stobie pole Laurel Terrace and to East side of Big4 Holiday Park to Dennis Avenue to ascertain their level of support and willingness to pay for all associated costs.**
3. **Provide direction to the Director of Engineering Services in how Council proposes to charge for the incurred expenses to the property owners along the Esplanade.**
4. **Advise the property owners before the Power Line Environment Committee (PLEC) project commences that a contract will be created between the District Council of Robe and the property owners advising property owners of Council's terms and conditions and payment structure**
5. **Give consideration in regards to the production and administration of a contract between District Council of Robe and property owners for all incurred administration costs.**
6. **Authorize the Director of Engineering Services to advise Paul and Marnie Bishop that the Power Line Environment Committee (PLEC) viewed Elizabeth Street and have formally advised that Elizabeth Street does not meet PLEC's criteria to underground the power lines.**
7. **Note: A decision on how charges will be levied for proposed development is deferred. (36/2008)**

Seconded Cr Wright

Carried

Mayor re-entered room at 6.28pm.

Waste Management

Cr Wright moved **that Council receive and note the attached correspondence received from the Environment Protection Authority in reference to Landfill Licence Number 349 dated 25 June 2007. (37/2008)**

Seconded Cr Riseley

Carried

Emergency Access Track

Cr Wright moved **that Council place a funding application to the Australian Government for 100% of the total project cost for 2007/2008, giving rise to the exceptional circumstances waiver of the standard funding, to create a fire and emergencies access track following route 1, as indicated on the General Inspector's report of July 2006, this route being between the eastern end of Beacon Hill Road to the Nora Creina Road. (38/2008)**

Seconded Cr Riseley

Carried

Sandy Lane – Vehicle Load Limit

Cr Mathews moved **that Council declare that pursuant to Section 359(1) of the Local Government Act 1934, (as amended), that Sandy Lane is closed to the passage of all motor vehicle the total weight of which, with the load thereof. Exceeds ten (10) tonnes with the exception of general farming vehicles that deliver or collect produce of goods on that road and residents/tenants to adjacent properties and Council's construction and maintenance vehicles subject to them using the shortest practicable route to the delivery base(depot or jobsite or home) from an allowable road and that this be implemented and take effect from 12.00 noon Monday 3rd September 2007. (39/2008)**

Seconded Cr Wright

Carried

Authorization to Alter Public Road – Bower Street

Cr Wright moved **that Council:-**

- 1. grant approval for the excavation of part section of Bower Street to South East Excavations subject that works conform in accordance with Council's specification for excavation and reinstatement of road pavements and footways.**
- 2. That South East Excavations have an applicable and current public liability cover of no less than \$20 million cover. (40/2008)**

Seconded Cr Mathews

Carried

**Robe Library/VIC
Manager's
Report**

Cr Riseley moved **that Council investigate cost to change spotlights over to Fluorescent or LED lights and that the problem of excess water pooling in front of the entrance doors to the VIC/Library be programmed on the works maintenance list.** (41/2008)

Seconded Cr Loxton

Carried

Adjournment

Cr Loxton moved **that Council adjourn for a tea break at 7.10pm.** (42/2008)

Seconded Cr Mathews

Carried

Meeting commenced at 7.38pm.

**Financial
Reports**

Cr Loxton moved **that the Bank Reconciliation Statement as at 30th June 2007 be received.** (43/2008)

Seconded Cr Riseley

Carried

Financial Performance Report - Nil due to end of year reporting.

**Other
Business**

Cr Loxton moved **that the Director of Engineering Services liaise with the Robe Bowling Club regarding unstable rocks on wall along Mundy Terrace.** (44/2008)

Seconded Cr Riseley

Carried

Cr Mathews moved **that the Mayor and Acting CEO authorize and seal documents in relation to a Land Management Agreement for Sails No. 1 Pty Ltd.** (45/2008)

Seconded Cr Loxton

Carried

**Confidential
Items**

Cr Loxton moved **that pursuant to Section 83(5) of the Local Government Act 1999 that the matter contained in this report be considered in confidence under Chapter 6 Part 3 of the Local Government Act 1999. The information contained in this report is information in respect of which an order may be made if the Council so determines, to exclude the public from attendance at a meeting to the**

extent endorsed necessary for the Council to receive, discuss or consider the information in confidence pursuant to Section 90(2) and 90(3) (a) and b(i) (ii) of the Local Government Act 1999 on the basis that:

It is:

Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) and

information the disclosure of which 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 would, on balance, be contrary to the public interest. (46/2008)

Seconded Cr Petrovic

Carried

It was deemed that the following items discussed are not of a confidential nature.

J Hanlon, Executive Director, Office of State & Local Government Relations

Cr Riseley moved **that Council agrees to the following offer of assistance from the Office of State and Local Government Relations:-**

- 1. Operating, Financial and Asset Management Review**
The Office for State/Local Government Relations will undertake a full audit of the current operating financial budget and asset management position of the Council. It will outline a twelve-month plan that must be adopted by the Council and fully implemented by the Council's administration. This plan will be in line with all of the requirements from amendments introduced as a result of the Local Government (Financial Management and Rating) Amendment Act 2005.
- 2. Governance Audit**
The Council will engage a consultant who will complete a comprehensive audit of the Council's Governance requirements ensuring that all of the Council's administrative practices are in accordance with the Local Government Act.

The report will outline a twelve-month plan that will be adopted by the Council and fully implemented by the Council's administration.

3. Marina Project

The Council will appoint a project manager who will have responsibility for facilitating and implementing the recommendations that were presented to Council at its meeting on 27 May 2007.

This will include presenting options to the Council in relation to the future development of the Marina Project, it will also include briefing the relevant Government Departments and Ministers on the progress of the Marina Project.

It is expected that as part of the project management role, all parties will be included in developing suitable options for the future development of the Marina. The project manager will report directly to the Council on all matters associated with the Marina Project.

John Wright on behalf of Office of State/Local Government Relations Treasury Department to carry out the Operating, Financial and Asset Management Review. Michael Kelledy, to carry out Governance Audit and Judith Jones be appointed as Project Manager for the Marina. (47/2008)

Seconded Cr Loxton

Carried

Planning Tenders

Cr Mathews moved **that Access Planning be appointed as Councils Planning Consultants. (48/2008)**

Seconded Cr Riseley

Carried

Account – Robe Marina Corporation

Cr Loxton moved **that Council invoice Robe Marina Corporation for outstanding monies. (49/2008)**

Seconded Cr Wright

Carried

Roads (Opening and Closing) Act 1991 Old Naracoorte Road , adjacent Spots Hill Bridge, Reedy Creek, Hundred of Ross

Cr Loxton moved **that Council:**

- 1. Authorize the Director of Engineering Services to advise Mr Max Schleuniger acting on behalf of Royden Pty Ltd that the road process order is finalized in**

regard to Council's involvement as the process cannot be varied or altered pertaining to Old Naracoorte Road adjacent Spots Hill Bridge, Reedy Creek, Hundred of Ross and that all future correspondence and contact is to be made directly with the Surveyor General's Department.

2. **Authorize the Director of Engineering Services to advise Mr Max Schleuniger acting on behalf of Royden Pty Ltd if access is required at or near the Spots Hills Road Bridge, to gain access to property Section 141 Hundred of Ross to liaise and negotiate with Doug Ogilvie & Sons representatives. (50/2008)**

Seconded Cr Mathews

Carried

Audit Committee representative

Cr Loxton moved **that Neil Cranwell be appointed to the Audit Committee. (51/2008)**

Seconded Cr Mathews

Carried

Meeting closed at 9.05pm

Confirmed 14th August 2007

Date_____

_____Mayor