

District Council of Robe

MINUTES

Minutes of the Ordinary Council Meeting held 12 January 2010, commencing at 5.10pm at the District Council of Robe Chambers, Smillie Street, Robe.

ACKNOWLEDGEMENT

1.1 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 welcomed the Elected Members, Gallery & Media

PRESENT

Mayor W Peden; Crs D Loxton, P Riseley, J Mathews, R Dell'Antonio, R Petrovic, N Wright, Deputy Chief Executive Officer, Ronni Barnden, and Minute Taker; Kellie Jordan
Chief Executive Officer, Bill Hender entered the meeting at 5.15 pm.

APOLOGY

**LEAVE OF
ABSENCE**

**CONFLICT OF
INTEREST**

Pursuant to Section 73 of the Local Government Act 1999 the following conflict of interest was declared:-

- Mayor Peden declared a conflict of interest on any items to do with the Marina as he owns land adjacent to the Marina

**PUBLIC
FORUM ADDRESS**

**CONFIRMATION
OF MINUTES**

8.1 Ordinary Council Minutes 8 December 2009

Cr Dell'Antonio **moved that the minutes of the Ordinary Council Meeting held on 8 December 2009 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (131/2010)

Seconded Cr Mathews

Carried

8.2 Confidential Council Minutes 8 December 2009

Cr Loxton **moved that the minutes of the Confidential Council Meeting held on 8 December 2009 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (132/2010)

Seconded Cr Dell'Antonio

Carried

**BUSINESS ARISING
FROM MINUTES** Nil

**MAYOR'S
REPORT**

Mayoral Christmas Parade & Carols & Christmas Tree

Excellent as usual. Thanks Nesla and her team plus Anthony Moore for his volunteer work on the electrical lights on the Christmas tree. They look great.

Busy time

The super rush from Christmas day for two weeks is now past and it has been great weather for the holiday makers. We hope the businesses have done well.

Proposed RDA update – draft resource agreement

The draft Resource Agreement was distributed to SELGA delegates late on Christmas Eve and was marked confidential for SELGA delegates only, so I am not in a position to disclose the contents however they are of serious concern. The funding of the RDA is of significant public concern and is taxpayer and ratepayer money so I fail to understand why the community is being refused the opportunity to comment. The fact that it is marked in

confidence suggests the people doing this are not showing the accountability and transparency the community expects. The claim that it needs to be kept confidential are dubious. I will respect the request for confidentiality even though I can see no grounds for it. I will keep you posted on further developments.

REPORTS OF MEMBERS

Cr Dell'Antonio reported on the following:-

- 16/12/2009 Workshop – Old Naracoorte Road

Cr Mathews reported on the following:-

- 15/12/2009 CDAP Meeting
- 16/12/2009 Playground Working Bee
- 16/12/2009 Workshop – Old Naracoorte Road
- 21/12/2009 Mayoral Christmas Party
- 5/01/2010 Special CDAP Meeting
- 12/01/2010 Site visit – Von Stankes
- 12/01/2010 Council Meeting

Cr Petrovic reported on the following:-

- 16/12/2009 Workshop – Old Naracoorte Road
- 20/12/2009 Mayoral Christmas Parade

Cr Riseley reported on the following:-

- 11/11/2009 Remembrance Day
- 17/11/2009 Teleconference – Planning review
- 18/11/2009 Workshop & Special Council Meeting
- 19/11/2009 Australia Day Meeting
- 25/11/2009 Bushfire Prevention Meeting
- 26/11/2009 Royal Circus Redevelopment Meeting
- 30/11/2009 All Hazards Risk Assessment Meeting
- 1/12/2009 Robe Marina Committee Meeting
- 2/12/2009 LCCMG – Beachport
- 16/12/2009 Playground Working Bee
- 16/12/2009 Workshop – Old Naracoorte Road
- 20/12/2009 Mayoral Christmas Parade
- 21/12/2009 Mayoral Christmas Party
- 22/12/2009 Robe Marina Committee Meeting
- 5/1/2010 Special CDAP Meeting

Mayor Peden reported on the following:-

- 8/12/2009 Council Meeting
- 10/12/2009 SELGA Teleconference – RDA's
- 14/12/2009 RDDA Meeting

- 17/12/2009 Robe Wind and Macquarie meeting
- 20/12/2009 Mayoral Christmas Parade
- 21/12/2009 Mulberry Safe Food Accreditation Presentation
- 21/12/2009 Mayoral Christmas Party
- 29/12/2009 Phone hook up with RDDA liquidator
- 12/01/2010 Council Meeting

REPORTS OF COMMITTEES

12.1 Robe Institute Management Committee Minutes 3 December 2009

Cr Petrovic moved **that the minutes of the Robe Institute Management Committee meeting held 3 December 2009 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (133/2010)

Seconded Cr Loxton Carried

12.2 CCOWS Management Committee Minutes 23 November 2009

Cr Riseley moved **that the minutes of the CCOWS Management Committee meeting held 23 November 2009 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (134/2010)

Seconded Cr Mathews Carried

12.3 Robe Marina Committee Minutes 1 December 2009

Cr Dell'Antonio moved **that the minutes of the Robe Marina Committee meeting held 1 December 2009 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (135/2010)

Seconded Cr Riseley Carried

12.4 Robe Marina Committee Minutes 22 December 2009

Cr Riseley moved **that with the amendment that Cr Ned Wright be recorded as being present at the meeting the minutes of the Robe Marina Committee Meeting**

held 22 December 2009 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting. (136/2010)

Seconded Cr Dell'Antonio Carried

12.5 DAP Minutes 15 December 2009

Cr Mathews moved **that the minutes of the DAP meeting held 15 December 2009 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting. (137/2010)**

Seconded Cr Riseley Carried

12.6 Special DAP Minutes 5 January 2010

Cr Riseley moved **that the minutes of the Special DAP meeting held 5 January 2010 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting. (138/2010)**

Seconded Cr Mathews Carried

**WORKING PARTY
COMMITTEE**

**REPORTS OF ASSOCIATED
BODIES**

**OFFICERS'
REPORTS**

**Chief Executive
Officer**

15.1.1 Bushfire Development Plan Amendment

Cr Dell'Antonio moved **that the Department of Planning and Local Government be advised that Council supports the *Bushfires (Miscellaneous Amendments)***

Development Plan Amendment by the Minister for Urban Development and Planning. (139/2010)

Seconded Cr Petrovic Carried

15.1.2 Application to vary liquor license – Caledonian Inn

Cr Wright moved **that the Australian Hotels Association be advised that Council has no objection to the application from the Caledonian Inn for approval to redefine the licensed area and to vary the conditions of the extended trading authorisation currently in force.** (140/2010)

Seconded Cr Petrovic Carried

15.1.3 Change of road name – Steve Woolston Road

Cr Mathews moved **that Council change the name of Long Beach Road to Steve Woolston Road.** (141/2010)

Seconded Cr Loxton Carried

15.1.4 Comparative Performance Measurement Project

Cr Dell'Antonio moved **that Council does not participate in the 2010 Comparative Performance Measurement Survey.** (142/2010)

Seconded Cr Mathews Carried

15.1.5 Request for speed humps – Adam Lindsay Gordon Drive

Cr Petrovic moved **that Mrs. Harris be advised that Council will consider the issue of speed humps or other alternatives on Adam Lindsay Gordon Drive as part of the 2010/2011 budget process.** (143/2010)

Seconded Cr Loxton Carried

15.1.6 Request to lease Road Reserve – A Goldsworthy

Cr Dell'Antonio moved **that Council agree to lease the unmade road reserve adjoining his property to Andrew Goldsworthy and that the Chief Executive Officer be**

authorised to negotiate terms and conditions of the lease and report back to Council for ratification.
(144/2010)

Seconded Cr Riseley

Carried

Cr Wright left the meeting at 5.30pm and returned at 5.32pm

15.1.7 Road Opening and Closing – Old Naracoorte Road

Cr Loxton moved **that Council agree to recommence the road opening and closing process in relation to the Old Naracoorte Road in line with the Preliminary Plan 09/00 prepared by Kevin Burgess and Associates.**
(145/2010)

Seconded Cr Riseley

Carried

15.1.8 Construction of new cabins – Sea-Vu Caravan Park

Cr Mathews moved **that Council grant permission for the construction of four new cabins at the Sea-Vu Caravan Park.** (146/2010)

Seconded Cr Petrovic

Carried

15.1.9 Time Zone Referendum

Cr Petrovic moved **that the report be noted.** (147/2010)

Seconded Cr Wright

Carried

15.1.10 Rural Road Numbering

Cr Dell'Antonio moved **that Council adopts the road names as listed, with amendments, and this list be sent for formal gazettal for the purpose of rural property addressing.** (148/2010)

Seconded Cr Wright

Carried

Cr Riseley moved **that Council adopts Tonkin Road as the name for the unnamed road off Sandy Lane.**
(149/2010)

Seconded Cr Mathews Carried

Cr Loxton moved **that:**
1. Ross Quarry Road become Cossacks Water Hole Road; and
2. Baxters Hill Road remain unchanged and will continue through to Old Naracoorte Road. (150/2010)

Seconded Cr Petrovic Carried

15.1.11 Request for assistance – Sanctuary Surfers

Cr Loxton moved **that Council refuses the request for financial assistance.** (151/2010)

Seconded Cr Mathews Carried

15.1.12 Robe and District Development Association insolvency

Cr Petrovic moved **that Council immediately resume control of the management of the Robe Tourism website and that the Chief Executive Officer be authorised to arrange for the updating and reprinting of the Robe map.** (152/2010)

Seconded Cr Mathews Carried

Cr Mathews moved **that Council hold a workshop on the Library/Visitor Information Centre to determine issues from the RDDA insolvency.** (153/2010)

Seconded Cr Riseley Carried

Deputy Chief Executive Officer

15.2.1 Adoption of Strategic Management Plan 2009-2013

Cr Wright moved **that Council adopts the draft Strategic Management Plan, as amended.** (154/2010)

Seconded Cr Riseley Carried

15.2.2 Customer Action Form

Cr Dell'Antonio moved **that the report be noted.**
(155/2010)

Seconded Cr Wright Carried

15.2.3 Local Government (Procedures at Meeting) Regulations

Cr Loxton moved that Council adopt the Code of Meeting Practice for meetings which makes the following discretionary changes to the Regulations as prescribed in the local Government (Procedures at meeting) Regulations 2000, Part 2 Division 1 (7):

1. Regulation 13 sub regulation (10) – Motions – be varied to allow members to speak more than once on an issue *without* leave of the meeting. The Mayor or Chairperson has the authority to decide on length of the overall debate, observing fairness to all members.

2. Regulation 16 – Addresses by members etc – be varied to give the Mayor or Chairperson the authority to allow a speaker to address the meeting or speak to a motion for a period of longer than 5 minutes but no longer than 7 minutes.

3. Regulation 21 – Short-term Suspension of Proceedings – be varied to allow a member to move an adjournment of proceedings for a period determined by the presiding member. (156/2010)

Seconded Cr Dell'Antonio

Motion defeated as $\frac{2}{3}$ majority not attained.

Finance Officer

15.3.1 Monthly Financial Report – December 2009

Cr Riseley moved **that Council notes the Finance Officer's report.** (157/2010)

Seconded Cr Wright Carried

**Director of Children's
Services**

15.4.1 CCOWS Report

Cr Riseley moved **that the Director of Children's Services report be noted.** (158/2010)

Seconded Cr Mathews

Carried

**Works Supervisors
Report**

15.5.1 Works Report

Cr Mathews moved **that the Works Supervisor's report be noted.** (159/2010)

Seconded Cr Riseley

Carried

**Tourism Officers
Report**

15.6.1 Library/ Visitor Information Centre Report

Cr Dell'Antonio moved **that the Tourism Officer's report be noted.** (160/2010)

Seconded Cr Petrovic

Carried

CORRESPONDENCE

16.1 Hon John Hill MP – 2012 SA regional Centre of Culture

Cr Wright moved **that the Chief Executive Officer follow up on the letter.** (161/2010)

Seconded Cr Dell'Antonio

Carried

**NOTICE OF
MOTION**

Cr Mathews moved **that Council rescind motion 48/2010 from the Ordinary Council meeting held 8 September 2009:**

Cr Loxton moved that Council adopt a meeting procedures code, as prescribed at R7 (3) Discretionary procedures.
(162/2010)

Seconded Cr Wright

Carried

**QUESTIONS
ON NOTICE**

**OTHER
BUSINESS**

Lake Fellmongery

Cr Riseley moved **that options be identified to cure or minimize the odour or source through testing by Council's Environmental Health officer at Lake Fellmongery.** (163/2010)

Seconded Cr Dell'Antonio

Carried

Crushed lime

Cr Riseley moved **that a testing procedure be performed in conjunction with Morgan and Howe for the suitability of their crushed lime as road material.** (164/2010)

Seconded Cr Petrovic

Carried

Cemetery Committee

Maintenance required at cemetery – can a committee be formed for the Cemetery.

Council's Strategic Management Plan identifies that a Heritage Committee will be formed, which will be able to handle these matters.

Compulsory house numbering

A strategy needs to be identified to make numbering of houses compulsory.

The Chief Executive Officer is investigating.

**LATE AGENDA
ITEM**

CONFIDENTIAL

ITEMS

- 20.1 Australia Day Nominations
20.2 Review of Confidential Minutes

Cr Riseley moved that pursuant to Section 83(5) of the Local Government Act 1999 (the Act) the reports attached to this agenda as items 20.1 titled "Australia Day Nominations" and 20.2 titled "Review of Confidential Minutes" are delivered to the Council members on the basis that the Council consider the report in confidence under Section 90(2) and 3(i) of the Local Government Act 1999, specifically on the basis that the report and accompanying documentation contain information that concerns:-

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

pursuant to Section 90(3) of the Act.. (165/2010)

Seconded Cr Wright

Carried

Cr Mathews moved that pursuant to Section 90(2) and 90(3) of the Local Government Act 1999, the Council order the public to be excluded, with the exception of the Chief Executive Officer, the Deputy Chief Executive Officer and the Minute Taker being present on the basis that 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 out weighed in relation to this matter by the need for the Council to keep the discussion and reports confidential on the basis that the report contains information the disclosure of would involve the unreasonable disclosure of information concerning the personal affairs of any person.

(166/2010)

Seconded Cr Petrovic

Carried

Cr Wright moved that the meeting come out of confidence.
(167/2010)

Seconded Cr Petrovic

Carried

Meeting closed at 6.53 pm

Minutes confirmed 9 February 2010

_____ Mayor

_____ Date