

## District Council of Robe

Minutes of the Monthly General Meeting held on 14<sup>th</sup> February 2006 commencing at 5.46 pm.

**PRESENT** Mayor P Darr, Acting Chief Executive Officer; S Pettit, Crs P Wilkin, M Denning-Wasson, F Boylan, J Mathews, M Denton, D Loxton and Manager, Works; G Sanford and Minute Secretary; M Gibbs.

**APOLOGY** Chief Executive Officer; R Kay.

**CONFIRMATION OF MINUTES**

Cr Denning-Wasson moved **that the Minutes of the Council Meeting held on 10<sup>th</sup> January 2006 be taken as read and confirmed (249/2006)**

Seconded Cr Loxton

Carried

**BUSINESS ARISING**

**MAYOR'S REPORT**

The Mayor reported on the following:-

18.1.06	Australia Day Meeting
24.1.06	Marina Board Meeting
26.1.06	Australia Day Celebrations
3.2.06	SELGA - Mt Gambier
7.2.06	Boat Haven Committee

**REPORTS OF COMMITTEES**

Cr Wilkin moved **that the reports/minutes of the Lake Butler Boat Haven Advisory Committee held on the 7<sup>th</sup> February 2006 be received and that the recommendations and resolutions contained in the minutes be adopted (250/2006)**

Seconded Cr Denton

Carried

**REPORTS OF SUBSIDIARY**

**REPORTS OF DELEGATES**

Cr Wilkin reported on the following:-  
Limestone Coast Board Meeting

7.2.06 Lake Butler Committee Meeting

Cr Dening-Wasson reported on the following:-

- 26.1.06 Australia Day Celebrations
- 6.2.06 VIC Working Party Meeting

Cr Boylan reported on the following:-

- Canberra with Regional Development Board
- 26.1.06 Australia Day Celebrations
- 3.2.06 SELGA

Cr Mathews reported on the following:-

- 19.1.06 Ombudsman
- 26.1.06 Australia Day Celebrations
- 6.2.06 Robe Ratepayers & Residents Association
- 14.2.06 Robe Marina Corporation

Cr Denton reported on the following:-

- 7.2.06 Lake Butler Committee Meeting

Cr Loxton reported on the following:-

- 26.1.06 Australia Day Celebrations
- Fire Prevention Committee Meeting
- Robe Ratepayers & Residents Meeting

Cr Dening-Wasson moved **that Council write to DMH seeking clarification on whether or not Lake Fellmongery can be used by jet skiers.** (251/2006)

Seconded Cr Boylan Carried

Cr Loxton moved **that Council write to Carol Johnson, General Inspector re access road to Cullen Reserve and if it is safe during the bushfire danger season.** (252/2006)

Seconded Cr Dening-Wasson Carried

**REPORTS OF  
ASSOCIATED**

**BODIES**

Cr Boylan moved **that the report of SELGA - Waste Management Committee held on 11<sup>th</sup> November 2005 be received and noted.** (253/2006)

Seconded Cr Loxton Carried

**OFFICERS'  
REPORTS**

**CHIEF EXECUTIVE  
OFFICER**

Robe Marina Corporation

Cr Boylan moved **that the Board Members are appointed until 31<sup>st</sup> December 2006.** (254/2006)

Seconded Cr Denton Carried

Cr Boylan moved **that Clause 3.2.2 be deleted.** (255/2006)

Seconded Cr Loxton Carried

Cr Boylan moved **that:-**

**Clause 3.2.3 add the following -  
(g) or expertise which Council believe to be relevant to the project.** (256/2006)

Seconded Cr Wilkin Carried

Cr Loxton moved **that:-**

**Clause 3.2.5 be as follows:-  
At the expiration of the term of office a Board Member will be eligible for re-appointment.** (257/2006)

Seconded Cr Boylan Carried

Cr Loxton moved **that:-**

**Clause 3.2.9 be as follows:-  
If any casual vacancy occurs in the membership of the Board it will be filled in the same manner as the original appointment. The person appointed to the Board to fill a casual vacancy will be appointed for the balance of the term of the original appointment.** (258/2006)

Seconded Cr Wilkin Carried

Cr Boylan moved **that Clause 3.5.7 be as follows:-  
Notice of ordinary meetings of the Board must be given by the Executive Officer to each Board Member not less than 5 clear business days prior to the holding of the meeting and the agenda must be given not less than 2 clear business days prior to the holding of the meeting.** (259/2006)

Seconded Cr Denton

Carried

Cr Denton moved **that Clause 3.5.9 be as follows:-**  
**The Executive Officer the Chairperson, or any three Board Members (not including the Chairperson) may be delivering a written request to the Executive Officer of the Subsidiary require a special meeting of the Board to be held. On receipt of the request the Executive Officer shall send a notice of the special meeting to all Board Members and the Chief Executive officer of the Council at least 24 hours prior to the commencement of the special meeting. Such notice shall specify the date, time and place of the special meeting and be contain, or be accompanied by the agenda for the meeting.**  
(260/2006)

Seconded Cr Boylan

Carried

Cr Boylan moved **that Clause 5.3.1 be as follows:-**

**The Subsidiary shall, in conjunction with the Council, prepare a Business Plan every three years.** (261/2006)

Seconded Cr Denton

Carried

Cr Boylan moved **that Clause 5.3.2 be deleted.** (262/2006)

Seconded Cr Loxton

Carried

#### Head Lease and Underlease

Cr Boylan moved **that Council resolved, pursuant to Section 193(4) of the Local Government Act 1999, that the land comprised in Certificate of Title Volume 5864 Folio 79, being land which the Council will acquire and be given the care, control and management of by virtue of a proposed lease from the Minister for Transport, be excluded from the classification as community land.**

**The Council accepts and approves the lease between the Minister for Transport, as lessor, and the Council, as lessee, in relation to the land comprised in Certificate of Title Volume 5864 Folio 79, which lease was tabled at the 14 February 2006 meeting of Council, and the Council authorises the affixation of the Councils common seal on the said lease.** (263/2006)

Seconded Cr Wilkin

A division was requested

<u>For</u>	<u>Against</u>
Denton	Loxton
Boylan	Mathews
Wilkin	Dening-Wasson

The Mayor utilized his casting vote and voted for the motion

Motion was Carried

Cr Boylan moved **that Council accepts and approves the underlease between the Council, as underlessor and the Robe Marina Corporation as underlessee, in relation to the land comprised in Certificate of Title Volume 5864 Folio 79, which underlease was tabled at the 14<sup>th</sup> February 2006 meeting of Council and the Council authorises the affixation of the Council's common seal on the said underlease. (264/2006)**

Seconded Cr Denton

A division was requested

<u>For</u>	<u>Against</u>
Denton	Loxton
Boylan	Mathews
Wilkin	Dening-Wasson

The Mayor utilized his casting vote and voted for the motion

Motion was Carried

Rate Review - deferred to Notices on Motion

Public Forums

Cr Dening-Wasson moved that **the dates for Public Forums, separate from Budget forums, be held in May, August and November 2006. (265/2006)**

Seconded Cr Mathews Carried

Cr Denton moved **that the Acting Chief Executive Officer's Report be accepted. (266/2006)**

Seconded Cr Boylan Carried

**PUBLIC  
FORUM**

T Bywaters -

- request for RRRRA Agenda to be left at VIC.
- Request for copy of previous minutes
- Request for a copy of the Marina Board's Business Plan

L Bywaters -

- Robe Marina Corporation

L Falkner -

- Thank you to Manager, Works for prompt action in installing a "No Entry" sign

P Riseley -

- Thank you to B Trussell, Acting CEO, Manager; Works and Trevor Hondow when his boat was being lifted.
- Survey by CSIRO

**ADJOURNMENT** Meeting adjourned at 7.05pm**RESUMPTION** Meeting resumed at 7.20pm.**MANAGER,  
WORKS**Clean Up Australia Day - 5<sup>th</sup> March 2006

Cr Boylan moved **that the Robe Landfill on the 5<sup>th</sup> March 2006 from 2pm to 4pm be open to provide a free waste dumping service and that three Council trucks be available at the following times and locations for the free waste dumping service.**

Location	Start - Time	Finish - Time
<b>Cnr Apex &amp; Nunan Streets Robe</b>	<b>10.00am</b>	<b>1.00pm</b>
<b>Cnr Frome &amp; Morphett Streets; Robe</b>	<b>10.00am</b>	<b>1.00pm</b>
<b>Cnr Powell &amp; De Guichen Streets; Robe</b>	<b>1.00pm</b>	<b>4.00pm</b>
<b>Cnr Williams &amp; Bermingham Streets; Robe</b>	<b>1.00pm</b>	<b>4.00pm</b>
<b>Southern End of Reserve Road; Boatswains Point</b>	<b>10.00am</b>	<b>1.00pm</b>

(267/2006)

Seconded Cr Mathews

Carried

Lake Hawdon Road, "Bray Drain Bridge"

Cr Boylan moved **that the correspondence from the South Eastern Water Conservation and Drainage Board and DTEI be received and noted.** (268/2006)

Seconded Cr Wilkin

Carried

Public Road Reserve

Cr Boylan moved:-

1. **that Council amends the approved permit to use a public road for businesses purposes from Western Boundary Section 440 Hd of Waterhouse to Eastern Boundary Section Boundary Section 440 Hd of Waterhouse**
  2. **that Council provides Mr. Forrest Young a five year permit to utilize the public road reserves for cropping and grazing purposes comprising of:**
    - **Western Boundary of Section 442 Hd of Waterhouse**
    - **Eastern Boundary of Section 443 Hd of Waterhouse**
- (269/2006)

Seconded Cr Mathews

Carried

South East Regional Gravity Survey

Cr Boylan moved **that the correspondence from NEO Oil Pty Ltd dated 12 January 2006 be received and noted.** (270/2006)

Seconded Cr Loxton

Carried

Harbour Master Concerns - Lake Butler

Cr Boylan moved **that Council write to Marina Board seeking clarification of Harbour Masters responsibilities.** (271/2006)

Seconded Cr Dening-Wasson

Carried

Parking Audit

Cr Boylan moved **that the estimated cost (\$5,500) to undertake a parking audit for the township of Robe be discussed and considered during financial year 2006/07 budget deliberations.** (272/2006)

Seconded Cr Dening-Wasson

Carried

Parking - No Standing Signage

Cr Dening-Wasson moved **that** -

1. Pursuant to the provisions Part 12, Division 2 Rule 167 & 169 of the Australian Road Rules, Council declares that Smillie Street Robe (northern side) measuring 102.1 meters in length between points 0 metres and 102.1 metres from Victoria Street to Bagot Street be a “No Standing” zone at all times. (Parking Register Reference, Robe 1).
2. Pursuant to the provisions Part 12, Division 2 Rule 167 & 169 of the Australian Road Rules, Council declares that Davenport Street Robe (western side) measuring 68.1 metres in length between points 0 metres and 68.1 metres from Victoria Street to Frome Street be a “No Standing” zone at all times. (Parking Register Reference, Robe 2).
3. Pursuant to the provisions Part 12, Division 2 Rule 167 & 169 of the Australian Road Rules, Council declares that Davenport Street Robe (western side) measuring 64.9 metres in length between points 0 metres and 64.9 metres from Frome Street to Sturt Street be a “No Standing” zone at all times. (Parking Register Reference, Robe 3). (273/2006)

Seconded Cr Mathews

Carried

Council Assets Inspection for Elected Members

Cr Dening-Wasson moved **that** -

- Council conducts an Assets Inspection Day on Sunday 12 March 2006 to review ongoing projects, completed projects and future projects that may be considered for Council’s financial year 2006/07 budget deliberations
- Specific areas and projects that Councillors wish to view on the asset inspections day are to advise the Manager, Works one week before the inspection day. (274/2006)

Seconded Cr Loxton

Carried

Cr Denton moved **that the Manager; Works Report be accepted.** (275/2006)



	Seconded Cr Wilkin	<u>Carried</u>
<b>DEVELOPMENT OFFICER</b>	Deferred	
<b>MANAGER OF CHILDREN'S SERVICES</b>	Cr Boylan moved <b>that the Manager of Children's Services Report be accepted.</b> (276/2006)	
	Seconded Cr Wilkin	<u>Carried</u>
<b>GENERAL INSPECTOR</b>	Cr Boylan moved <b>that the District Council of Robe receive and note the report, adopt the Parks for exemption and that the Parks to operate at all times unless revoked.</b> (277/2006)	
	Seconded Cr Denton	<u>Carried</u>
<b>ROBE LIBRARY</b>	Cr Dening-Wasson moved <b>that the Librarians Report be accepted.</b> (278/2006)	
	Seconded Cr Loxton	<u>Carried</u>
<b>ROBE VISITOR INFORMATION CENTRE</b>	Cr Mathews moved <b>that the Manager; Visitor Information Centre's Report be accepted.</b> (279/2006)	
	Seconded Cr Boylan	<u>Carried</u>
<b>FINANCIAL</b>	Cr Denton moved <b>that the Budget Comparison be accepted.</b> (280/2006)	
	Seconded Cr Boylan	<u>Carried</u>
<b>NOTICE OF MOTION</b>	Notice of Motion submitted by Cr Mathews:-  <i>"That the Robe Council implements the necessary Public Consultation and Procedures to consider a Differential Rating System"</i>	
	Cr Mathews moved <b>that the District Council of Robe implements the necessary public consultation to obtain</b>	

**procedures from LGA to consider a differential rating system.**  
(281/2006)

Seconded Cr Dening-Wasson

Carried

Notices of Motion submitted by Cr Dening-Wasson:-

Notion of Motion: Number 1

*“That the draft Australia Day Awards Policy, with the following alterations and additions be accepted and put to the community for public comment”*

Cr Boylan moved that **“past recipients not be formally invited to the event” be deleted and that all other alterations be accepted.** (282/2006)

Seconded Cr Boylan

Carried

Notice of Motion: Number 2

*“That the Australia Day Awards nomination form be reviewed and revised to reflect the updated policy. That the Australia Day Policy is an attachment to the Australia Day Awards Nomination form.*

Cr Dening- Wasson moved that **the Australia Day Awards nomination form be reviewed and revised to reflect the updated policy. That the Australia Day Policy is an attachment to the Australia Day Awards Nomination form.**  
(283/2006)

Seconded Cr Boylan

Carried

Notice of Motion: Number 3

*“That the draft “Electronic Communications Facilities Policy” be adopted with the following alteration ...*

*5. Personal Use*

*Delete: “including by family members of Council staff”*

Cr Dening-Wasson moved that **5. Personal Use be amended to delete “including by family members of Council staff”.**  
(284/2006)

Seconded Cr Boylan

Carried

Notice of Motion: Number 4

*“That the draft “Records Management Policy” be adopted with the following alterations..*

*7.1 Diaries /Appointment Books/Calendars*

*Add “Council staff and elected members’ Council issue diaries, appointment books ....”*

Cr Denning-Wasson moved that **“Council staff and elected members’ Council issue diaries, appointment books” be added to 7.1 Diaries/Appointment Books/Calendars.**  
(285/2006)

Seconded Cr Boylan

Carried

## **QUESTIONS ON NOTICE**

The following Questions on Notice were submitted by Cr Denning-Wasson:-

1. What is the government funding formula relevant to our public library? Does the District Council of Robe have a funding criteria per head of population for our public library service?

Acting CEO to follow up with the Public Libraries Board and report back to March Council Meeting.

2. Can our Council Budget Comparison Report be broken down into departments/areas and can detailed budget comparisons for the Administrative Office, Works and Library/VIC be presented individually?

Future Budget Comparisons to be presented by department/area quarterly ie quarter ending 31 March to be presented at April’s Council Meeting.

## **CORRESPONDENCE Section A**

1. Robe Marina Corporation - response regarding Executive Officer contract .

Received

2. Local Government Association of SA – 2006 General Meeting – Council notices of motion.

Received

3. Local Government Association of SA – Commonwealth Review of Interstate distribution of identified road grants.  

Received
  
4. Local Government Association of SA – LGA Education & Training service program 2006.  

Received
  
5. Ombudsman – M Schleuniger.  

Received
  
6. Raine & Horne – Public Toilets  
Cr Mathews moved **that Council install signage with toilet symbol and distance to toilets in middle of Victoria Street on each side of the road, directing the public to the Foreshore toilets and Lannam Park toilets. (286/2006)**  

Seconded Cr Dening-Wasson Carried

Cr Wilkin moved **that Council write to Raine & Horne advising that there is adequate toilet facilities at the moment but that extra signage will be erected directing the public and notifying them of the distance to them. (287/2006)**  

Seconded Cr Dening-Wasson Carried
  
7. Limestone Coast Visitor Information Providers – Minutes Wednesday 14 December 2005.  

Received
  
8. SA Ambulance Service – Robe Branch.  

Cr Loxton moved **that the Mayor relate the concerns of the SA Ambulance Service - Robe Branch concerning the need for uniform and clear numbering on properties at Robe, in the next edition of the Robe Community Newsletter and that a flyer go out with the next rates instalment notice advising of the same. (288/2006)**  

Seconded Cr Boylan Carried
  
9. Local Government Association of SA – Development Act 1993 and regulations.  

Received

10. Robe Football Club – Thankyou. Received

11. Limestone Coast Regional Development Board – Services provided by LCRDB. Received

12. Government of SA – Tackling Climate Change. Received

13. R Went – Carport at Casuarina Lodge.  
  
**Cr Denton moved that Council investigate costings of 2 banks of 3 car parks for Casuarina Lodge tenants and that Mr Went be advised that costings will be sought for 2 banks of 3 car parks for the complex and that these costings will be added into the 2006/2007 Budget deliberations. (289/2006)**  
  
Seconded Cr Dening-Wasson Carried

14. Robe and District Ratepayers Association – Bus Shelter.  
  
**Cr Dening-Wasson moved that the costing of a bus shelter be added into the budget deliberations and that Council write to the Robe Ratepayers & Residents Association acknowledging the need for a bus shelter if situation remains as is and that it will be considered as a budget item. (290/2006)**  
  
Seconded Cr Boylan Carried

15. Hon Paul Holloway MLC – Amendment to development Act 1993. Received

16. Robe Marina Corporation – Borrowings.  
  
**Cr Boylan moved that Council seek clarification for Chairman of Board at Thursday nights Special Meeting. (291/2006)**  
  
Seconded Cr Wilkin Carried

17. Local Government Association – Draft provision of integrated Passenger Transport Services. Received

18. Annual Report – South Australian Community Housing Authority.

**OTHER  
BUSINESS**

**CONFIDENTIAL  
ITEM**

**Bush Inn**

Cr Denton moved that:

- (a) Under the provisions of Section 90 (2) of the Local Government Act 1999 and order be made that the public (not including staff) be excluded from attendance at the meeting in order to consider in confidence correspondence relating to Bush Inn.
- (b) The council is satisfied that it is necessary that the public is excluded to enable the Council to consider the matter at the meeting on the following grounds:
- 90 (3) (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.
- (c) That accordingly on this basis the principle that meetings of the Council should be constructed in a place open to the public has been outweighed by the need to keep the discussion confidential. (292/2006)

Seconded Cr Wilkin

Carried

Cr Denton moved that Council pay \$628.10 to the Department for Environment and Heritage for the surrender of the Bush Inn lease and authorise the DEH to proceed with the sale of Bush Inn. (293/2006)

Seconded Cr Wilkin

Carried

## Chief Executive Officer

Cr Denning-Wasson moved that:

- (a) Under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public, Acting CEO and Manager; Works be excluded from attendance at the meeting in order to consider in confidence correspondence relating to Chief Executive Officer.
- (b) the council is satisfied that it is necessary that the public is excluded to enable the Council to consider the matter at the meeting on the following grounds:
  - 90(3) (a) Information disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead). For a period until the matter is finalised.
- (c) that accordingly on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the discussion confidential.

## Seconded Cr Loxton

### Amendment

Cr Denton moved that:

- (a) Under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public, Acting CEO and Manager; Works be excluded from the decision but present during the discussion at the meeting in order to consider in confidence correspondence relating to Chief Executive Officer.
- (b) the council is satisfied that it is necessary that the public is excluded to enable the Council to consider the matter at the meeting on the following grounds:
  - 90(3) (a) Information disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead). For a period until the matter is finalised.
- (c) that accordingly on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the discussion confidential. (294/2006)

Amendment was put and was carried and became the motion.

The motion was put and

Carried

Acting CEO & Manager; Works left the room at 9.45pm.

Cr Denton moved **that the District Council of Robe appoint David Beaton, Siena Governance Consulting be contracted as Acting CEO until further advice on return to work from CEO, RJ Kay. (295/2006)**

Seconded Cr Dening-Wasson

Carried

Cr Denton moved **that the District Council of Robe accept the rental offer by Neil Ottoson First National Real Estate for the Acting CEO, D Beaton for 5 Bower Street, Robe. (296/2006)**

Seconded Cr Boylan

Carried

Cr Loxton moved **that an order be made under the provision of Section 91(7) of the Local Government Act 1999 that the documents relating to the Chief Executive Officer including the minutes of the Council relating to discussion of the subject matter of that documents having been dealt with on a confidential basis under Section 90 of the Act shall be kept confidential on the ground of 90(3) (a) Information disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) until David Beaton has been advised and accepted. (297/2006)**

Seconded Cr Dening-Wasson

Carried

Minute Taker left the room at 9.55pm.

Acting CEO, Manager; Works and Minute Taker entered the room at 10.08pm.

### **Council House**

Cr Dening-Wasson moved **that:**

- (a) Under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public and Manager; Works (not including Acting CEO & Minute Taker) be excluded from attendance at the meeting in order to consider in confidence correspondence relating to the Council House.**
- (b) the Council is satisfied that it is necessary that the public is excluded to enable the Council to consider the matter at the meeting on the following grounds:**



**90(3) (a) Information disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).**

**(c) that accordingly on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the discussion confidential. (298/2006)**

Seconded Cr Wilkin

Carried

Manager; Works left the room at 10.15pm

**Cr Boylan moved that the Council House at 1 Hateley Crescent, Robe be kept for senior management and be offered to the Manager; Works to be take up by 1<sup>st</sup> April, 2006 and for the Manager, Works to make a report on any repairs that need to be carried out on the house for the budget deliberations. (299/2006)**

Seconded Cr Dening-Wasson

Carried

Manager; Works entered the room at 10.17pm.

The Mayor declared the meeting closed at 10.35pm.

Confirmed 14 March 2006

.....  
Mayor