

District Council of Robe

Minutes of the Monthly General Meeting held on 14th March 2006 commencing at 5.45 pm.

**PRESENT** Mayor P Darr, Crs P Wilkin, M Denning-Wasson, F Boylan, J Mathews, M Denton, D Loxton and Manager Works G Sanford and Acting Chief Executive Officer David Beaton

**APOLOGY**

**CONFIRMATION OF MINUTES**

Cr Boylan moved **that:-**  
**Minutes of the Council Meeting held on 14 February 2006 be taken as read and confirmed.**

**Minutes of the Special Meeting held 16 February 2006 as amended be confirmed.**

**Minutes of the Confidential Meeting held 14 February 2006 be taken as read and confirmed.**

**Minutes of the Confidential Meeting held 16 February to be taken as read and confirmed. (303/2006)**

Seconded Cr Denton

Carried

**BUSINESS ARISING**

**MAYOR'S REPORT** The Mayor reported on the following meetings held

- 16/2/06 Financial sustainability - Naracoorte
- 16/2/06 Golf Club/Council Workshop
- 18/2/06 Special Meeting - Marina
- 20/2/06 Industrial Relations EBA Inside/Outside
- 27/2/06 Industrial Relations EBA Inside/Outside
- 12/3/06 Budget/Assets Tour - morning only

**REPORTS OF COMMITTEES**

**REPORTS OF SUBSIDIARY**

Cr Boylan moved **that**  
**1. Minutes of Meeting held 24 January 2006.**  
**2. Minutes of Meeting held 14 February 2006**

**Seconded Cr. Wilkin that the minutes be received and clarification be sought with the Chairman of the Board regarding hut. (304/2006)**

Carried

## REPORTS OF DELEGATES

## REPORTS OF ASSOCIATED BODIES

Cr Denning-Wasson moved **that the reports of the following Associated Bodies be received and noted -**

1. **Robe Tourism and Traders Minutes – 2 February 2006.**  
(305/2006)

Seconded Cr Denton

Carried

## OFFICERS' REPORTS

### CHIEF EXECUTIVE OFFICER

Enterprise Bargaining Agreement 7. Australian Workers Union

Cr. Denning-Wasson declared an interest as her husband is employed under the AWU agreement and left the meeting.

Cr Boylan moved **that the Mayor and Chief Executive Officer be authorised to sign the agreement at the end of the consultation period subject to minor changes.** (306/2006)

Seconded Cr Loxton

Carried

Cr. Denning-Wasson returned to the meeting.

Enterprise Bargaining Agreement 7. Australian Services Union

Cr Boylan moved **that the Mayor and Chief Executive Officer be authorised to sign the agreement at the end of the consultation period subject to minor changes.** (307/2006)

Seconded Cr Loxton

Carried

Impounding Livestock

Cr Boylan moved **that for the sake of the gallery and media present that this item be deferred to the conclusion of business not to be conducted in camera.** (308/2006)

Seconded Cr Mathews

Carried

Cr Denton moved **that the Acting Chief Executive Officers Report be received.** (309/2006)

Seconded Cr Boylan

Carried

**MANAGER,  
WORKS**

Works Department Comparison Budget

Cr Denton moved to **complete the Industrial Estate:-**

**That for the temporary accommodation of the Council application be made to the Local Government Finance Authority of South Australia pursuant to Section 26 of the Local Government Finance Authority Act 1983 as amended and Section 134 of the Local Government Act 1999 for loan funds by way of floating rate temporary loan funds of up to \$300,000 with the proceeds of such facility to be created to Account No. 105-167 757135840 in the name of the Council at Robe.**

**That the loan funds will constitute direct, general unconditional, unsecured and unsubordinated obligations of the Council ranking equally in all respects with all other present or future outstanding, unsecured unsubordinated indebtedness of the Council to any third party.**

**That the loan is not (either wholly or in part) for the purposes of a project requiring a Prudential Issues Report pursuant to Section 48 of the Local Government Act 1999.**

**That it is noted that the percentage of the Council's general rate revenue required to service all existing loans including self servicing loans is 18.81%.**

**The amount of the loan plus interest accrued, at the rate or rates to be negotiated with the Authority, is to be repaid to the bank account of the Local Government Finance Authority of South Australia in accordance with arrangements made with the Authority.** (310/2006)

Seconded Cr Boylan

Carried

Cr Wilkin moved **that the Works Budget Comparison be received and that it be reconsidered at the next meeting within the total Council position.** (311/2006)

Seconded Cr Boylan

Carried

Harbour Master Lake Butler

Cr Denton moved **that the Acting Chief Executive Officer and the Manager Works meet with the Chairman and Executive Officer of the Marina Corporation to discuss and resolve matters with regard to the position and responsibilities of the Harbour Master.** (312/2006)

Seconded Cr Boylan

Carried

Straddle Lift Finger Piers Audit

Cr Denton moved **that the Council commit to undertake the Straddle Lift Finger piers Audit by Tonkin Engineering.** (313/2006)

Seconded Cr Boylan

Carried

Road Reserve (Nature Strip) Tree Species Register, Robe Township

Cr Mathews moved **that the tree species along Victoria Street, from Elizabeth Street to Squire Drive be planted with E. leucoxylon megalcarpa (Blue Gum) and that the Road Reserve (Nature Strip) Tree Species Register, be amended.** (314/2006)

Seconded Cr Loxton

Carried

**PUBLIC FORUM**

Mayor Darr suspended standing orders to allow the public forum to occur at 7.00pm.

Items discussed in included:

Robe Marina Corporation

- Budget
- Planning Approvals
- Sinking Fund Operation
- Business Plan and potential to blow out
- Level of approved borrowings and expenditure to date
- Washdown area and breakwater funding from TransportSA has it all be correctly accounted for.
- Alleged conflict of Interest.

Council meeting debate on Marina underlease did not allow the use of regulation 19 of the Local Government (*Procedure at Meetings*) Regulations 2000.

**ADJOURNMENT**

Meeting adjourned at 7.15pm for a tea break.

Meeting reconvened at 7.40pm were standing orders had been lifted at the Works Managers Report.

Seafarers Crescent – Removal of Existing Vegetation

Cr Loxton moved **that the one dead tree be removed, located opposite 10 Seafarers Crescent.** (315/2006)

Seconded Cr Boylan

Carried

Pioneer Park

Cr Boylan moved **that a table and seats be placed in Pioneer Park under/near the Sheoak Trees.** (316/2006)

Seconded Cr Dening-Wasson

Carried

Road Naming

Cr Dening-Wasson moved that:-

1. **Road 101 located at Lot 50 Section 310, 101 Main Road; Plan D63002; CT5907/557 Development Application Number: 822/106/03 Hundred of Waterhouse be officially named Colin's Court**
2. **Road 102 located at Lot 50 Section 310, 101 Main Road; Plan D63002; CT5907/557 Development Application Number: 822/106/03 Hundred of Waterhouse be officially named Mary Ellen Court.** (317/2006)

Seconded Cr Mathews

Carried

Cr Wilkin moved **that the Manager, Works Report be accepted.** (318/2006)

Seconded Cr Boylan

Carried

Tenders

Cr Boylan moved **that for the sake of the gallery and media present that this item be deferred to the conclusion of business not to be conducted in camera.** (319/2006)

Seconded Cr Mathews

Carried

**DEVELOPMENT  
OFFICER'S  
REPORT**

Heritage Planning Amendment Report

That an amount of \$45,000 for a Heritage PAR be considered in the 2006-2007 budget.

Long Beach Toilets

Cr Denton moved **that the District Council of Robe call tenders for the demolishing of the existing toilet block and to construct the proposed toilet block in stages. That several options be considered for analysis. That \$40,000 be considered in the 2006-2007 budget.** (320/2006)

Seconded Cr Boylan Carried

Council House – Hateley Crescent

Cr Boylan moved **that the external repairs be referred to the 2006-2007 budget for consideration.** (321/2006)

Seconded Cr Loxton Carried

**OFFICERS' REPORTS**

Cr Boylan moved **that the:**

- **Robe Children's' Services**
- **Robe Library**
- **Robe Visitor Information Centre**
- **General Inspectors**

**reports be accepted.** (322/2006)

Seconded Cr Denton Carried

**BUDGET  
COMPARISON**

Cr Mathews moved **that the Budget Comparison and Bank Reconciliation Statements be accepted.** (323/2006)

Seconded Cr Boylan Carried

**CORRESPONDENCE**

Section A

1. Royal Flying Doctor Service – Request for Donation.
2. LGFA – Debenture Loan no. 82. for \$140,000.

Cr Denton moved:-

**That Council authorise the Mayor and Acting Chief Executive Officer to affix the common seal to the loan documents.** (324/2006)

Seconded Cr Mathews Carried

3. LGFA – Debenture Loan no.81. for \$250,000

Cr Denton moved:-

**That Council authorise the Mayor and Acting Chief Executive Officer to affix the common seal to the loan documents. (325/2006)**

Seconded Cr Loxton

Carried

4. Robe Tourism and Traders Association –Innovation Forum.

Cr Boylan moved:-

That Council donate the hire fee for the Institute.

Seconded Cr Denton

Amendment

Cr Dening-Wasson moved:-

**That Council donate the hall fee for the Institute but also seek a standard bond. (326/2006)**

Seconded Cr Mathews

The amendment was put and

Carried

The amendment then became the motion and was put and Carried

5. Department of Trade and Economic Development – Small Business Week.

That the correspondence be received.

6. Robe Tourism and Traders Association – Golden Trail Concept.

Cr Dening-Wasson moved:-

**That Council give in principle support for the project subjected to further resolution from Council before any financial commitment to the project is made. (327/2006)**

Seconded Cr Mathews

Carried

7. Alexandrina Council – RRIF Agreement for the “Biz Connect” Project.

Cr Denton moved:-

**That the Council authorise the affixing of the common seal to the agreement by the Mayor and Acting Chief Executive Officer. (328/2006)**

Seconded Cr Mathews

Carried

8. Local Government Association of South Australia – First Review and Update of South Australia’s Strategic Plan.

Cr Mathews moved:-

**That the Acting Chief Executive Officer and Crs Wilkin and Boylan attend the meeting on 10 April 2006 at a time and Venue to be advised. (329/2006)**

Seconded Cr Boylan

Carried

9. South East Local Government Association Inc – South East Bike and Walking Paths Network.

Cr Mathews moved:-

**That the Robe District Council supports the concept of developing a regional bicycle and walking paths program. (330/2006)**

Seconded Cr Dening-Wasson

Carried

10. Rotary Club of Unley Inc. – Police Officer of the Year Award.

That the correspondence be received.

11. Limestone Coast Tourism – Limestone Coast Travellers Survey.

That the correspondence be received.

12. Lake Fellmongery Water Ski Club – Robe Sporting Clubs Assistant Grant.

That the correspondence be received.

13. The Hon Rob Kerin MP – Upgrade of Princes Highway.

That the correspondence be received.

14. Stand like stone Foundation – Cash Voucher for Robe Primary School.



Cr Loxton moved:-

**That they be thanked and if appropriate that collections be made at the Library. (331/2006)**

Seconded Cr Wilkin

Carried

15. State Electoral Office South Australia – Local Government Periodic Elections.

Cr Denton moved:-

**That Council endorses Option 1 of the State Electoral Office and Australian Electoral Commission conducting the election in its entirety. (332/2006)**

Seconded Cr Mathews

Carried

16. Glenn and Linda Sanford – Council House.

Cr Loxton moved:-

**That the Council resolves to rent the house at 1 Hateley Crescent Robe and delegates pursuant to section 44 of the Local Government Act 1999 to the Chief Executive Officer the power to finalise lease arrangements, for a minimum term of six months. (333/2006)**

Seconded Cr Boylan

Carried

17. Robe Football Club- New Years Eve Event.

Cr Denton moved **that Council in principle support the function. (334/2006)**

Seconded Cr Boylan

Carried

18. Office of the Gene Technology Regulator – Notification of decision on the licence application.

That correspondence be received.

Cr Mathews moved that **correspondence items 1, 5, 11, 12, 13, and 18 be received. (335/2006)**

Seconded Cr Loxton

Carried

Section B

## 1. Libraries Board of SA – Annual Report

**OTHER  
BUSINESS****Marina**

Underlease a copy is required for Council.

Does Council need to or has Council lodged a development application with the EPA.

**LGA General Meeting**

Cr Denton moved **that Cr Boylan be appointed as Council's delegate to the General Meeting to be held on 31 March 2007 in the absence of the Mayor. (336/2006)**

Seconded Cr Wilkin

Carried

**Robe Marina  
Corporation**

Cr Mathews moved **that a list of expenditure be obtained from the Corporation (337/2006)**

Seconded Cr Loxton

Carried

**Camping**

Boatswain's Point residents do not want camping in their area.

**Confidential Item**

Livestock Wandering on Roads

Cr Wilkin moved **that:**

**(a) Under the provisions of Section 90 (2) of the Local Government Act 1999 and order be made that the public be excluded from attendance at the meeting in order to consider in confidence correspondence relating to Livestock Wandering on Public Roads**

**(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) (h) legal advice**

**(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. (338/2006)**

Seconded Cr Boylan

Carried

Moved Cr. Denton that Council make an order under Chapter 12, Part 2 of the Local Government Act 1999 with regard to the continuing problem of stock wandering on public roads namely Barnett Swamp Road, Baxter Hill Road and Dairy Range Road, Robe and abutting your property at Sections 70 and 71, Hundred of Ross Certificate of Title Volume 1341 Folio 1 and Sections 73, 74 and 77 Hundred of Ross Certificate of Title Volume 499 Folio 1:-

That the District Council of Robe, being of the opinion that the action referred to below is necessary in order to abate a hazard to health and safety and remove the hazards to road users associated with live animals repeatedly wandering on Barnett Swamp Road, Baxter Hill Road and Dairy Range Road, Robe and abutting your property at Sections 70 and 71, Hundred of Ross Certificate of Title Volume 1341 Folio 1 and Sections 73, 74 and 77 Hundred of Ross Certificate of Title Volume 499 Folio 1 the land owned jointly by Messrs. A.W.D., J.S.K., A & D.C. Hayes is now proceeding to take the following action against you.

**Action:**

1. Remove all stock from Barnett Swamp Road, Baxter Hill Road and Dairy Range Roads;
2. Repair or replace the boundary fences of your property abutting Barnett Swamp Road and Baxter Hill Road in order to render those fences stock proof;
3. De-Stock all appropriate pastures on your property until such time as all required fencing works have been effected.

**Reasons for Action:**

Council is of the opinion that you are failing to deal with your livestock repeatedly wandering on Barnett Swamp Road, Baxter Hill Road and Dairy Range Road, Robe which is a hazard and a danger to road users.

**Review of Order:**

You may apply for a review of the Order by making an Application to the District Court within 21 days after the service of this Order.

Operation of the Order continues pending the determination of an Application for review unless the District Court, or the Council, makes an interim Order suspending the operation of the Order.

**The District Court has the power, if satisfied that it is appropriate and just in the circumstances to do so, to vary or set aside the Order on an Application for review.**

**That in addition the Council delegates pursuant to section 44 of the Local Government Act 1999 its powers under the Impounding Act 1920 including the power to impose fines pursuant to section 46 of the Impounding Act 1920.**

**That in addition the Council delegates pursuant to section 44 of the Local Government Act 1999 its powers under the Local Government Act 1999 Chapter 12 of the Local Government Act 1999 (339/2006)**

Seconded Cr Boylan

Carried

**Confidential Item**

Waste Management

Cr Denning-Wasson moved that:

- (a) **Under the provisions of Section 90 (2) of the Local Government Act 1999 and order be made that the public be excluded from attendance at the meeting in order to consider in confidence correspondence relating to information relating to tenders for the supply of goods, the provision of services or the carrying out of works**
- (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) (k) relating to information relating to tenders for the supply of goods, the provision of services or the carrying out of works**
- (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. (340/2006)**

Seconded Cr Mathews

Carried

Moved Cr Boylan:-

- 1. That the purchase of a robotic arm collection vehicle (Garbage Truck) be referred to the Machinery Committee for consideration.**
- 2. That a detailed costing and service schedule for the introduction of a co-mingled recycling service for Robe**

**be provided to the community at the May 2006, public forum.**

- 3. That the Manager, Works submit a funding application to Zero Waste SA for the final round of the Kerbside Performance Incentives Program**
- 4. That Council investigate the introduction of a service charge to cover the costs of waste collection and co-mingled recyclable waste collection. (341/2006)**

Seconded Cr Denton

Carried

The Mayor declared the meeting closed at 9.20pm.

Confirmed 11 April 2006

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Mayor