

District Council of Robe

MINUTES

Minutes of the Ordinary Council Meeting held 14 October 2008, commencing at 5.00pm at the District Council of Robe Chambers, Smillie Street, Robe.

PRESENT Mayor Peden, Crs. D Loxton, P Riseley, J Mathews, N Wright, R. Petrovic, Chief Executive Officer, William Hender and Deputy Chief Executive Officer, Ronni Barnden, Minute Taker, Michelle Gibbs

APOLOGY Cr R Dell'Antonio

WELCOME Mayor welcomed the Gallery

CONFIRMATION OF MINUTES

4.1 Ordinary Council Meeting 9 September 2008

Cr Loxton moved **that the minutes of the Ordinary Council Meeting held on 9 September 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (64 /2009)

Seconded Cr Petrovic

Carried

4.2 Special Council Meeting 22 September 2008

Cr Mathews moved **that the minutes of the Ordinary Council Meeting held on 22 September 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (65 /2009)

Seconded Cr Riseley

Carried

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 marina as he owns land adjoining the marina

NOTICES OF MOTION

Following Notice of Motion submitted by Cr. Loxton –

That Council review or formulate a policy on footpath obstructions by residential gardens.

Comment:

There has been a lot of intrusion (vegetation, rocks, tree guards) onto footpaths over the years, which has led to an unsafe situation for pedestrians and drivers.

CEO Comment

Pursuant to Section 221 of the Local Government Act 1999 Council advises that the owner/lessee apply for permission to alter a public road and the following:-

- Alter the construction or arrangement of the road to facilitate access to/from property
- Erect or install a structure (including pipes, wires, cables, fixtures, fittings or other objects) in, on, across, under or over the road;
- Change or interfere with the construction, arrangement or materials of the road;
- Change, interfere with or remove a structure (including pipes, wires, cables, fixtures or other objects) associated with the road;
- Plant, interfere with or remove a tree or vegetation from the road

General conditions of authorisation are as follows:-

The Applicant further agrees:

1. *For the term of the Authorisation, to comply with all applicable industry standards, health or safety standards, current standards of Standards Australia or any applicable Code of Practice.*
2. *To ensure that all works carried out are undertaken to the highest standard and are carried out promptly and with all due care, skill and diligence.*

3. *To ensure that any alteration to the road does not interfere with or cause damage to or in any way affect the property of any other person.*
4. *To comply with any direction given by any authority, statutory authority or Council to remove, maintain or otherwise modify the alteration to the road subject to this Authorisation.*
5. *That all fixtures and equipment erected or installed in, on, across, under or over the road remain the property of the Applicant pursuant to Section 209 of the Local Government Act, 1999.*
6. *For the term of the Authorisation, to maintain all fixtures and equipment erected or installed, or vegetation planted, in good condition and to recognised standards.*
7. ***To indemnify the Council, its servants and/or agents against all actions, costs, claims and demands for injury, loss or damage arising out of or in relation to the alteration of the road, the granting of this Authorisation and the general and special conditions contained herein and such indemnity shall be in addition to any statutory immunity in favour of the Council.***
8. ***For the term of the Authorisation, to take out and keep current a public liability policy of insurance to an appropriate level of cover per claim in respect of the alteration to the road of any activity arising out of or from the granting of this Authorisation by the Council.***
9. *At the expiration or earlier termination of this Authorisation to remove, if so directed by the Council, any structure or object erected or installed on the road and to reinstate the road to the satisfaction of the Council.*
10. *This Authorisation does not confer on the Applicant any exclusive right, entitlement or interest in the road and does not derogate from the Council's powers arising under the Local Government Act, 1999.*

In making this application, I/we acknowledge that I/we have read, understand and agree to be bound by the Conditions of the Authorisation and declare that the particulars provided by me/us with regard to the Proposed Alteration are true and accurate.

Cr Riseley requested that the CEO write an article in the Community Newsletter highlighting the problem and making residents aware of the correct procedure. Compliance officer to review on a regular basis.

Cr Loxton withdrew motion

PUBLIC FORUM

ADDRESS

Brevet Sergeant, J Doig – Robe Police
Speed limits on entry into Road – tabled correspondence from DTEI.

Driveways off Millicent Road Robe on left hand side out of Robe, extend the 80 km/h limit out further – DTEI refused this request because it is at its maximum length of 3kms and can not be made any longer. A proposal was made for the 60 km/h zone to be extended out further, making the 60 km/h zone at T-junction, which can then push the 80 km/h zone out to the gate of the airport.

The injury rate due to people falling out of the back of utes has been significantly high – the Robe Road Safety Group has flagged this issue as a high priority.

Public education – sign to be erected at entrance to beach and National parks. A grant is being sought to produce these signs and with Council's approval, Council staff will install signs. Fridge magnets and sign to be printed on information bags to be handed out to visitors.

Brevet Sergeant Jason Doig and CEO to discuss the matter further in detail.

MAYOR'S REPORT

Bowling Club Extension

The Robe Bowling club extension is now complete and was opened on 4 October. It is a credit to everyone involved that it has been done so well and that the clubrooms now take advantage of the wonderful view

they have over the bay. I understand that they have many functions booked and with twilight bowling they hope to pay off the debt in the near future.

Motor Cross - Sandmasters

A couple of weeks ago Heath Boundy and the Motor sports club had their Motor Cross Day. I had never been before and I am amazed at the speed they go around the track. I'm even more amazed that they get up on the rare occasions they fall off. I was fortunate to see Noel Hayes, Todd Lehmann, Heath Boundy and Kim Bywaters racing and all doing exceptionally well. It is a great day and for anyone interested in motor sports it is a fantastic spectator sport so close to Robe.

Robe National Trust Auction

The Robe branch of the National Trust conducted an auction two weeks ago in perfect weather at the green shed and raised a large sum of money for local projects. Thanks to Ian Bruce, the Seatons and all other members of the local team. Thanks also to all people who donated the stock that was sold, the buyers and everyone involved. It takes a lot of organising to do an event like this and the town appreciates the effort and funds raised.

Recycling

Apparently people are still paying for white goods to be dumped in our tip when they can be dropped off at Trevor Lehmann's yard for free 24 hours a day, seven days a week. Trevor also accepts cardboard for free, dropped off at his yard and of course Heidi Gribble takes returnable containers, plastics, cardboard and glass.

Douglas Dawson Track

Council is investigating the possibility of naming the track that is a continuation of Robe St and runs into Little Dip National Park the "Douglas Dawson Track". Douglas and his family had a farm that adjoins the national park and he regularly towed bogged vehicles out from the beaches and did not charge for rescuing them. He tragically died in a diving accident in the Southern Ocean near Robe in 1993.

**BUSINESS
ARISING FROM
MINUTES**

**REPORTS OF
COMMITTEES**

11.1 Robe Institute Committee Minutes

Cr Loxton moved **that the minutes of the Robe Institute Committee meeting held 4 September 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (66/2009)

Seconded Cr Petrovic Carried

11.2 CCOWS Management Committee Meeting

Cr Riseley moved **that the minutes of the CCOWS Management Committee Meeting held 15 September 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (67/2009)

Seconded Cr Mathews Carried

11.3 Robe Marina Committee Meeting

Cr Riseley moved **that the minutes of the Robe Marina Committee meeting held 10 September 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (68/2009)

Seconded Cr Wright Carried

11.4 Council Development Assessment Panel Meeting

Cr Mathews moved **that the minutes of the Council Development Assessment Panel Meeting held 16 September 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (69/2009)

Seconded Cr Riseley

Carried

REPORTS OF MEMBERS

Cr Mathews reported on:-

- 11/09/2008 Site Inspection - Robe St/ Main Rd
- 16/09/2008 CDAP Meeting
- 19/09/2008 Meeting with Planning SA
- 22/09/2008 Recovery Centre Site Meeting
Council Meeting Special
- 24/09/2008 Independent living sites
- 30/09/2008 Friends of Institute AGM
- 2/10/2008 Meeting with James Hubbard
- 7/10/2008 FOLD Meeting

Cr Riseley reported on:-

- 10/09/2008 Robe Marina Committee Meeting
- 11/09/2008 Site Inspection - Robe St/ Main Rd
- 15/09/2008 CCOWS Management Meeting
- 16/09/2008 DAP Meeting
- 18/09/2008 Meeting with EWS & Marina Inspection
- 19/09/2008 Playground Inspection, Robe St
- 22/09/2008 Site Inspection, Transfer Station
Council Meeting Special
- 1/10/2008 Robe Marina Committee Meeting
- 4/10/2008 Assist National Trust Auction
- 7/10/2008 FOLD Meeting
- 13/10/2008 Assist Works Department
- 14/10/2008 Playground Workshop

Cr Petrovic reported on:-

- 14/09/2008 KESAB clean up
- 19/09/2008 Playground Inspection, Robe St
- 22/09/2008 Council Meeting Special
- 24/09/2008 Aged Care Meeting
- 7/10/2008 Road Safety Group Meeting
- 14/10/2008 Meeting with Martin Stanley RDDA

Cr Loxton reported on:-

- Road Safety Group Meeting

Cr Wright reported on:-

- 10/09/2008 Robe Marina Committee Meeting

- 18/09/2008 Meeting with EWS & Marina Inspection
- 22/09/2008 Zero Waste – Depot Inspection
Council Meeting Special
- 25/09/2008 Chris Brideson – Closure Plan
- 10/10/2008 John Devine – Strategic Plan

Mayor Peden reported on:-

- 09/09/2008 Council Meeting
- 11/09/2008 Site Inspection Robe St/ Main Rd
- 13/09/2008 Robe Revue at Institute
- 16/09/2008 RDDA Meeting
CDAP Meeting
- 17/09/2008 Ratepayers & Residents Meeting
- 19/09/2008 Playground Inspection, Robe St
- 22/09/2008 Council Meeting Special
- 24/09/2008 Boandik Lodge Meeting
- 25/09/2008 RDDA Meeting
- 3/10/2008 SELGA – Naracoorte
- 4/10/2008 National Trust Auction
Robe Bowling Club extension
- 14/10/2008 Playground workshop

OFFICERS' REPORTS

CHIEF EXECUTIVE OFFICER

15.1.1 Anglicare – SELGA Representative

Tabled

15.1.2 Garbage Bin Stickers

Cr Loxton moved that Council purchase appropriate stickers with diagrams to place on the 240 litre recycle and 140 litre general waste mobile garbage bins to clearly identify the material permitted to be placed in the bins. (70/2009)

Seconded Cr Wright

Carried

Mayor Peden declared conflict of interest at 5.45pm and left the room.

Deputy Mayor in chair

15.1.3 Lease – Stanke Ociana Seafoods

Cr Wright moved **that council advise Stanke Ociana Seafoods and Robe Engineering that Council is not willing to consider entering into lease agreement for a period of longer than 12 months until Council has adopted a plan for land based development of the Marina Precinct. (71/2009)**

Seconded Cr Riseley

Carried

Mayor Peden entered room at 5.48pm

15.1.4 Local Government Finance Authority Elections

Cr Wright moved **that Council support the election of Mr CR Collins and Mr J Sanderson to the positions of Representative Members of the Board of Trustees of the Local Government Finance Authority. (72/2009)**

Seconded Cr Loxton

Carried

15.1.5 Robe and District Development Association Inc. Representative

Cr Mathews moved **that the Mayor, William Peden, be appointed as a Council representative on the Robe and District Development Association Inc. and that Leonie Peel be appointed as the Robe Library and Visitor Information Centre Representative to the Robe and District Development Association Inc. (73/2009)**

Seconded Cr Petrovic

Carried

15.1.6 Robe Street Playground

Cr Loxton moved **that Council lodge an application for Open Space Funding from**

Planning SA to assist with the construction and installation of a playground on the Council reserve in Robe Street. (74/2009)

Seconded Cr Mathews

Carried

15.1.7 Robe Tourism Website

Cr Petrovic moved that Council agree to the request from Robe and District Development Association for a trial period of one year including the terms of reference according to the terms of conditions outlined in their letter to Council dated 18th September 2008 which are as follows:

1. Consulting with interested tradespeople, wineries, farmers and any other businesses in the town or district to ask them how we can assist them using our web site
2. Allowing all businesses in the town and district to be listed on the appropriate site directory (whether they are members of our organisation or not) and to charge a listing fee of \$50 per year for residents/ ratepayers and \$100 per year for others
3. That RDDA bill all businesses listed, and keep all proceeds for our organisation to assist funding Development
4. That DC Robe always keep the ownership of the domain name robe.com.au
5. That RDDA design a web site plan and present it to Council's CEO for approval prior to it being implemented
6. That no businesses be hosted on the site and that it be a directory which provides links to business web sites
7. That Council holds the right of veto over the site content
8. That Council can resume control of the site at any time on demand (although we believe this is unlikely)
9. That we will draft rules for inclusion on the site and get the CEO of Council to approve them before implementing them

- 10. Totally revamping the site to make it more interesting and informative**
- 11. That we will keep the site updated and fresh**
- 12. That we will integrate the site with other marketing for tourism and other businesses**
- 13. That the above proposals may be altered by mutual consent. (75/2009)**

Seconded Cr Wright

Carried

15.1.8 Norfolk Island Pine tree in front of VIC/Library

Cr Riseley moved that **Council delegate authority to CEO to take the necessary steps to remove the tree in front of the VIC/Library due to the significant risk to the public.**
(76/2009)

Seconded Cr Mathews

Carried

Mayor Peden declared conflict of interest and left the room at 6.14pm.

Deputy Mayor in the chair.

15.1.9 Concept Plan Robe Marina

Cr Wright moved that **Council engage a suitably qualified design planner to revisit the original concept plan for the land based marina precinct and upgrade the plan in consultation with the stakeholders and the broader community.** (77/2009)

Seconded Cr Riseley

Carried

Mayor Peden entered the meeting at 6.25pm and resumed chair.

15.1.10 Rate Rebates to Community and Sporting Organisations

Cr Mathews moved that Council grant a 100% rebate to the Robe Bowling Club, Robe Sport and Recreation Association and the Robe RSL Memorial Club Inc. (78/2009)

Seconded Cr Loxton

Carried

15.1.11 Council Common Seal – Land Division

Cr Loxton moved that the Common Seal of the District Council of Robe be affixed to the Certificate of Consent for the Deposit of a Plan of Division for the following Land Division:-

- 1. Schedlich – Woolundry Road**
- 2. Chappel – Stoney Rise Track (79/2009)**

Seconded Cr Petrovic

Carried

15.1.12 Review of Green Waste Disposal Arrangements

Cr Loxton moved that the Waste Management Committee undertake a review of Council's new green waste disposal arrangements and charges and report back to the next Council Meeting. (80/2009)

Seconded Cr Riseley

Carried

**DEPUTY CHIEF
EXECUTIVE OFFICER**

15.2.1 Customer Suggestion/Request Forms

Cr Wright moved that the report be noted. (81/2009)

Seconded Cr Petrovic

Carried

15.2.2 Draft Privacy Policy

Cr Riseley moved that **Council adopt the newly developed Privacy Policy.** (82/2009)

Seconded Cr Mathews Carried

15.2.3 District Council of Robe – Delegations Specific to Other Acts – Amendment to 1.7 – Accounts Payment to include Deputy Chief Executive Officer

Cr Mathews moved that **Council delegate cheque signing authority to the Deputy Chief Executive Officer and that such delegation shall be documented in the District Council of Robe – Delegations Specific to Other Acts Document.** (83/2009)

Seconded Cr Petrovic Carried

15.2.4 District Council of Robe Internal Control Procedure No. 10 – Purchasing of Stores, Goods & Services – amendment to Document

Cr Wright moved that **the Council approves the amendments to the abovementioned document and that Council grant a financial delegation to incur expenditure and to sign official Council purchase orders and works orders to the Deputy Chief Executive Officer (as set out on page 2 under “Authority to Sign Official Council Orders” and “Financial Delegations to Incur Expenditure”).** (84/2009)

Seconded Cr Riseley Carried

Cr Loxton moved that **the expenditure limit of \$5000 be amended to \$2000**

Motion lapsed due to no seconder.

15.2.5 Applications for Discretionary Rates Rebates as per Section 166(1) subsection (I) (ii) of the Local Government Act 1999 – 15% Rate cap

Cr Wright moved **that Council approve the discretionary rebates as per listing.** (85/2009)

Seconded Cr Mathews Carried

15.2.6 Draft Internal control procedure No 86 – Writing off Bad Debts

Cr Riseley moved **that Council adopt and approve the monetary limits contained within the new internal control procedure No. 86 – writing off bad debts and that Council adopt the Debt Collection Policy. Adoption of the aforementioned policy and procedure will see the District Council of Robe become compliant in another area of governance and procedure.** (86/2009)

Seconded Cr Petrovic Carried

**LATE AGENDA
ITEMS**

Cr Riseley moved to **receive three late agenda items.** (87/2009)

Seconded Cr Loxton Carried

15.7.1 Waste Management Strategy Report

Cr Wright moved **to receive and adopt the Waste Management Strategy Report.** (88/2009)

Seconded Cr Loxton Carried

15.7.2 Minimum Rate for Single Farming Enterprises

Cr Loxton moved **that the Council grant an exemption from the requirement to pay the Minimum Rate on the following assessments: A312, A283, A1830, A282, A1861, A1535.** (89/2009)

Seconded Cr Riseley Carried

15.7.3 Authorisation to Alter a Public Road

Cr Loxton moved **that Council grant approval to C Fairbairn-Calvert to reinstate the lean-to portion of Eltham House at 17 Sturt Street, Robe on Council footpath. (90/2009)**

Seconded Cr Wright

Carried

**REGULATORY
OFFICER**

15.3.1 Joining Marina Industries Association of Australia

Cr Wright moved **that the Council joins the Marina Industries Association of Australia in order to take advantage of the benefits available for a trial period of one year. (91/2009)**

Seconded Cr Petrovic

Carried

15.3.2 Purchase of a video camera

Cr Loxton moved **that the Council permits the Regulatory Officer to purchase a suitable Video Camera to assist with evidence collection up to the value of \$1000.00. (92/2009)**

Seconded Cr Mathews

Carried

15.3.3 Sub letting of Mooring B9

Cr Loxton moved:

- 1. That the council allow Jason and Sharon Pettit to sub-lease Berth B9 to Mr. Andy Sneath from 01 October 2008 to 31 May 2009 provided the Lessee uses the Berth for Commercial use.**
- 2. That the Council makes a policy on disallowing Recreational Vessel use on the Commercial Berths as detailed in 'item 7' of the Draft Commercial Contract and**

not grant Jason and Sharon Pettit approval to use Commercial Berth B9 for Recreational Vessel use.

- 3. That Jason and Sharon Pettit pay \$275.00 being set in the 'Deed of Consent' for Administration fee. (93/2009)**

Seconded Cr Petrovic

Carried

15.3.4 Marina Sub-let Mooring A9

Cr Wright moved:

- 1. That the Council allow Barry and Shelley Williams to sub-let Berth A9 to Mr. Mark McKinnon from 28th September 2008 to 15th February 2009 provided the Lessee uses the berth for Commercial use.**
- 2. That Barry and Shelley Williams pay \$275.00 being set in the 'Deed of Consent' for Administration fee. (94/2009)**

Seconded Cr Loxton

Carried

Cr Petrovic moved **that these matters relating to sub-letting of moorings be delegated to Council's Regulatory Officer. (95/2009)**

Seconded Cr Loxton

Carried

Mayor Peden left the room at 7.20pm due to a conflict of interest as he is the owner of rental accommodation in Robe.

Deputy Mayor in the chair.

15.3.5 Marina – Occupants to remain onboard

Cr Mathews moved:

- 1. That the Council allocates four berths on Karatta Pontoon for vessels to remain overnight with occupant remaining onboard provided the vessel has a holding tank for all wastewater with the**

ability to empty the holding tank when required.

- 2. To increase the fee for vessels to remain overnight with occupant onboard from \$36.30 per night to \$49.50 during the peak period of December and January only. (96/2009)**

Seconded Cr Wright

Carried

Mayor entered the room at 7.29pm and resumed chair.

15.3.6 Robe District Bushfire Prevention Plan

Cr Riseley moved **that Council consider plan defective until all property id codes are displayed in rural areas. Council should have an updated portfolio of owners and ID codes**
*** all owners should be informed of their ID codes and encouraged to display in prominent position at roadside entrance.**
*** Enforcements of these requirements should be considered and presented to SELGA.**
(97/2009)

Seconded Cr Wright

Carried

MANAGER CHILDREN'S SERVICES

15.4.1 Manager Children's Services Report

Cr Riseley moved **that Council notes the report.** (98/2009)

Seconded Cr Mathews

Carried

FINANCE REPORT 15.5.1

Report – V McDonald

Cr Loxton moved **that Council notes the report.**
(99/2009)

Seconded Cr Wright

Carried

**ROBE LIBRARY/VIC
REPORT**

15.6.1 Robe Library / VIC Report

Cr Mathews moved **that the report be noted.**
(100/2009)

Seconded Cr Loxton

Carried

CORRESPONDENCE

16.1 Grant of Easement – Goldsworthy

Cr Mathews moved **that Council grant approval
to easement on allotment 101 & 102 CT
5988/338 & 5988/339 for AC & PS
Goldsworthy.** (101/2009)

Seconded Cr Wright

Carried

OTHER BUSINESS

18.1 Stoney Rise Track

Cr Wright confirmed that the road is named
“Hermitage” Road has a road sign on it.

Cr Riseley moved **that the CEO be delegated
to ascertain if the correct name of the road is
“Stoney Rise” or “Hermitage” Road and if the
road is nameless the road naming procedure
shall be implemented.** (102/2009)

Seconded Cr Mathews

Carried

18.2 E - Waste

Cr Riseley moved **that the CEO contact E-
waste to determine if it is possible for them
to set up in Robe the same as they do in Mt
Gambier.** (103/2009)

Seconded Cr Wright

Carried

Motion without notice by Cr Loxton

Cr Loxton moved **that Council ask CEO for a report on the safety issue regarding cliff face near the Chinese monument. If a risk is determined then a temporary fence is to be erected and the costing of a permanent fence be advised. (104/2009)**

Seconded Cr Petrovic

Carried

Meeting closed at 7.35pm.

Confirmed 11 November 2008

Date _____ Mayor