

District Council of Robe

**MINUTES**

Minutes of the Ordinary Council Meeting held 14 September 2010, commencing at 5.00 pm 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** Deputy Mayor welcomed the Elected Members, Gallery & Media

**PRESENT** Deputy Mayor D Loxton; Crs J Mathews, R Petrovic, N Wright, R Dell'Antonio, and P Riseley; Chief Executive Officer, Mr Bill Hender; and; Minute Taker, Ms Kellie Jordan

**APOLOGIES** Mayor W Peden

**ADJOURNED  
MATTERS**

- 8.1 Request to Sell Food/ Drink at Robe Foreshore

Cr Wright moved that **Robe Seafood and Takeaway be advised that permission is granted for them to sell food and drinks on the Robe Foreshore from midnight until 2.00 am from 26 December 2010 to 8 January 2011, with the following conditions:-**

- 1. The Mobile Food Van must operate and be maintained in accordance with the Food Act 2001 and Food Safety Standards. A Food Safety Kit outlining the responsibilities will be issued to the Food Van operator to ensure compliance. An inspection of the Food Van will be required to be**

- undertaken by Council's Environmental Health Officer prior to the business operating.
2. The Food Van will be staffed by no fewer than two people at all times.
  3. Staff are required to have access to a mobile phone at all times.
  4. No glass containers to be sold or given away by the Food Van.
  5. The operators are to liaise with taxi and courtesy car operators and hotels to arrange transport to assist with dispersal of crowds.
  6. The operators are to ensure there is adequate lighting.
  7. The operators are to liaise with local hotels regarding security to ensure appropriate dispersal of crowds with particular attention to Smillie Street.
  8. No entertainment is to be provided at the venue, including portable music players.
  9. The Food Van is to be sited in such a way to ensure patrons access the van from the grassed area.
  10. The hours of operation be from midnight until 2.00 am from 26<sup>th</sup> December 2010 until 8<sup>th</sup> January 2011.
  11. Permission to operate the Mobile Food Van can be revoked by Council at any time. (19/2011)

Seconded Cr Riseley

Carried

## CONFIRMATION OF MINUTES

### 9.1 Ordinary Council Meeting Minutes 10 August 2010

Cr Dell'Antonio moved that **the minutes of the Ordinary Council Meeting held on 10 August 2010 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (20/2011)

Seconded Cr Petrovic

Carried

9.2 Special Council Meeting Minutes 23 August 2010

Cr Mathews moved that **the minutes of the Special Council Meeting held on 23 August 2010 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (21/2011)

Seconded Cr Dell'Antonio

Carried

**REPORTS OF MEMBERS**

Cr Mathews reported on the following:-

- 17/08/2010 CDAP Meeting
- 17/08/2010 Meeting Re: 1<sup>st</sup> ramp funding application
- 23/08/2010 Special Council Meeting
- 1/09/2010 Institute Meeting
- 2/09/2010 Robe Institute Management Committee Meeting
- 7/09/2010 Council Briefing Session
- 9/09/2010 LGA Visit
- 14/09/2010 Council Meeting

Cr Dell'Antonio reported on the following:-

- 23/08/2010 Special Council Meeting
- 31/08/2010 Marina Committee Meeting

Cr Loxton reported on the following:-

- 2/09/2010 Presentation by Agnetha Brocker
- 9/09/2010 LGA Visit

Cr Petrovic reported on the following:-

- 16/08/2010 Robe District Bushfire Prevention Committee Meeting followed by Robe CFS Group AGM
- 17/08/2010 Bendigo Bank Community Meeting – Retirement Village
- 18/08/2010 Workshop – Bowling Club and Kiosk
- 23/08/2010 Special Council Meeting
- 2/09/2010 Robe Institute Management Committee Meeting
- 2/09/2010 Presentation by Agnetha Brocker
- 9/09/2010 LGA Visit
- 14/09/2010 Council Meeting

## COMMITTEE REPORTS

12.1 Council Development Assessment Panel Meeting Minutes  
17 August 2010

Cr Riseley **moved to receive the minutes of the Council Development Assessment Panel Meeting held 17 August 2010.** (22/2011)

Seconded Cr Mathews

Carried

12.2 Robe Marina Committee Meeting 31 August 2010

Cr Riseley **moved to receive the minutes of the Robe Marina Committee Meeting held 31 August 2010.** (23/2011)

Seconded Cr Wright

Carried

12.2 CCOWS Management Meeting Minutes 23 August 2010

Cr Riseley **moved to receive the minutes of the CCOWS Management Meeting held 23 August 2010.** (24/2011)

Seconded Cr Mathews

Carried

## WORKING PARTY REPORTS

14.1 Road Safety Group Robe Committee Meeting Minutes 3  
August 2010

Cr Petrovic **moved to receive the minutes of the Road Safety Group Robe Committee Meeting Minutes 3 August 2010.** (25/2011)

Seconded Cr Dell'Antonio

Carried

## OFFICERS' REPORTS

**Chief Executive  
Officer**

16.1.1 Authorised Purchase Limits

Cr Dell'Antonio moved **that Council approve the recommended purchase limits for Council's General Inspector, Mr Michael Wilkin and Administration Officer – Planning, Mrs Michelle Gibbs. (26/2011)**

Seconded Cr Petrovic

Carried

16.1.2 Bank Signatories

Cr Mathews moved **that Council's bank signatories are made Mayor, William Peden; Chief Executive Officer, Mr William Hender; Council's Accountant, Ms Vanessa McDonald and Administration Officer – Planning, Mrs Michelle Gibbs, with any two to sign. (27/2011)**

Seconded Cr Petrovic

Carried

16.1.3 Council Dry Areas New Year Period 2010

Cr Mathews moved **that Council declare the recommended areas as dry areas (short term) possession. Consumption of alcohol be prohibited for the period 1.00 pm on 31 December 2010 to 9.00 am on 2 January 2011, with the exception of the Foreshore and Institute Reserve areas to be from 26 December 2010 to 8 January 2011. (28/2011)**

Seconded Cr Dell'Antonio

Carried

16.1.4 Motor Vehicle Policy

Cr Wright moved **that Council adopt the Motor Vehicle Policy, with amendments. (29/2011)**

Seconded Cr Petrovic

Carried

16.1.5 Office Closure Christmas/ New Year Period

Cr Dell'Antonio moved **that Council agree to close the Council office from 5.00 pm on Friday 24<sup>th</sup> December 2010 to Tuesday 4<sup>th</sup> January 2011.** (30/2011)

Seconded Cr Wright

Carried

16.1.6 Privacy Policy Amendments

Cr Mathews moved **that Council adopt the amended Privacy Policy.** (31/2011)

Seconded Cr Riseley

Carried

16.1.7 Rate Rebates to Community and Sporting Organisations

*Cr Riseley declared a conflict of Interest with Item 16.1.7 as he is a Member of the RSL Club. Cr Riseley left the room at 5.45 pm*

Cr Wright moved **that Council grant a 100% rate rebate to the Robe Bowling Club, the Robe Sports and Recreation Association and the Robe RSL Memorial Club Inc.** (32/2011)

Seconded Cr Dell'Antonio

Cr Petrovic moved an amendment that a 100% rate rebate be granted to the Robe Sports and Recreation Association and the Robe RSL Memorial Club Inc. and that a 50% rate rebate be granted to the Bowling Club.

No Secunder

Lapsed

Original motion was Put.

Carried

*Cr Riseley re-entered the room at 5.55 pm*

16.1.8 Request for Funding – Robe Netball Club

Cr Mathews moved **that Council provide a grant of \$5,000 to the Robe Netball Club to assist with the upgrading of the netball courts and lighting, based on the premise that the application for a grant from the Office of Sports and Recreation is successful.**  
(33/2011)

Seconded Cr Dell'Antonio Carried

16.1.9 Request to Erect Structure over Easement

*Report withdrawn*

Cr Petrovic moved **that Council delegate authority to the Chief Executive Officer to grant permission for the approval of construction of structures on easements with appropriate conditions to ensure access.**  
(34/2011)

Seconded Cr Mathews Carried

16.1.10 Review Section 41 Committee Terms of Reference

Cr Dell'Antonio moved **that Council adopts the amendments to the Terms of Reference for Council's Section 41 Committees.** (35/2011)

Seconded Cr Riseley Carried

16.1.11 Road Closure Billy Cart Championships

Cr Dell'Antonio moved **that Council agree to close Beacon Hill Road to general traffic on Sunday 3<sup>rd</sup> October 2010 from 6.00 am to 6.00 pm.** (36/2011)

Seconded Cr Wright Carried

**Planning  
Officer**

16.2.1 Better Development Plan

**Cr Wright moved that the draft Robe Council Better Development Plan (BPD) and General Development Plan Amendment dated September 2010 be adopted by Council as being in a form suitable to proceed to public and Agency consultation.**

**Further, Council confirms that:**

- 1. the consultation period commence Thursday 23 September 2010 and end at 5.00 pm Friday 26<sup>th</sup> November 2010. The public meeting (if one is required) is recommended to be held at 5.00 pm on Wednesday 15<sup>th</sup> December at the offices of the District Council of Robe at Royal Circus, Robe.**
- 2. the statutory public notice be placed in the Government Gazette, The Advertiser, South Eastern Times and the Coastal Leader.**
- 3. copies of the draft DPA be made available for inspection during normal office hours at the offices of the District Council of Robe and the Library and Visitor Information Centre located at Robe.**
- 4. the cost of purchasing a hard copy of the DPA (from the Council office at Robe) be set at \$150 for full colour or \$50 for black and white only or a CD-ROM for \$5 (NB: a copy can be downloaded free of cost from Council's website).**
- 5. The Chief Executive Officer be authorised to execute any minor grammatical and editorial amendments that may be required in finalising the draft DPA document, and to make any necessary arrangements to facilitate the DPA's consultation and the public meeting in terms of the statutory requirements. (37/2011)**

Seconded Cr Mathews

Carried



**Financial  
Officer**

16.3.1 Financial Report

Cr Wright moved **that Council notes the August 2010 Financial Report.** (38/2011)

Seconded Cr Petrovic

Carried

**Correspondence**

17.1 Hon G Gago – Quarterly Reporting

17.2 Mr P Black Suggestions

Cr Mathews moved **that Council receives Correspondence Items 17.1 and 17.2.** (39/2011)

Seconded Cr Wright

Carried

**Urgent Business**

Cr Riseley moved **that Council develop a policy on shipping containers and that the CEO work out some wording for the appropriate timetable for users of the devices for short term storage.** (40/2011)

Seconded Cr Dell'Antonio

Carried

*Cr Wright left the room at 6.29 pm.*

**Confidential Item**

21.1 Request to Purchase Portion of Land

Cr Dell'Antonio moved **that pursuant to Section 83(5) of the Local Government Act 1999 (the Act) the report attached to this Agenda as item 21.1 titled "Request to Purchase Portion of Land", is delivered to the Council members on the basis that the Council consider the report in confidence under Section 90(2) and 3(a)(b) 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)**  
**-Information the disclosure of which:-**  
**(i) 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**  
**(ii) Would, on balance, be contrary to public interest Pursuant to Section 90(3) of the Act. (41/2011)**

Seconded Cr Riseley

Carried

*Cr Wright re-entered the room at 6.30 pm*

**Cr Wright moved that pursuant to Section 90(2) and (3) (a)(b) of the Local Government Act 1999, the Council order the public to be excluded, with the exception of the Chief Executive Officer, Mr Bill Hender, and the Minute Taker, Ms Kellie Jordan 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 which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and Information the disclosure of which:-**  
**(i) 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**  
**(ii) Would, on balance, be contrary to public interest . (42/2011)**

Seconded Cr Dell'Antonio

Carried

**Cr Mathews moved that having considered the report titled “Request to Purchase Portion of Land” in confidence under Section 90(2) and (3)(a)(b) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of the Act orders that the reports and Minutes of the Confidential Meeting held 14 September 2010 be retained in confidence for 12 months. (43/2011)**

Seconded Cr Dell’Antonio

Carried

Meeting closed at 6. 54 pm

Minutes confirmed 12 October 2010

\_\_\_\_\_ Mayor

\_\_\_\_\_ Date