

District Council of Robe

Minutes of the Monthly General Meeting held on 9th May 2006 commencing at 5.50pm.

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 the minutes of the Council Meeting held on 11th April 2006 be taken as read and confirmed.** (367/2006)

Seconded Cr Mathews Carried

Cr Boylan moved **that the minutes of the Special Meeting held 18th April 2006 be taken as read and confirmed.** (368/2006)

Seconded Cr Wilkin Carried

PUBLIC FORUM

Items addressed included:-

- Marina - Wallmans - letter
- Marina Corporation - Mooring fees
- Marina Corporation - Chairman
- Marina Corporation - \$3500 fees to Marina Corporation
- Marina Corporation - Subsidization
- Marina Corporation - Past Councils
- Making other arrangements. Boats to use straddle lift.
- Public Forum - Answers to questions

DELEGATIONS

1. Andrew Smith - Robe Tourism & Traders Association - 150 years commemoration of the first Chinese landing
2. Peter Riseley - option for Lake Butler

BUSINESS ARISING

MAYOR'S REPORT The Mayor reported on the National Sea Change Conference.

REPORTS OF COMMITTEES

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Cr Denton moved that:-

Minutes of the Machinery Committee Meeting held on the 6th April 2006

- **Minutes of the Child Care on Wheels Committee held on the 10th April 2006**
- **Minutes of the Skate & Recreation Park Advisory Committee held on the 10th April 2006**
- **Minutes of the Australian Red Cross held on the 6th February 2006**

be received. (369/2006)

Seconded Cr Boylan

Carried

REPORTS OF SUBSIDIARY

Cr Boylan moved **that Minutes of the Robe Marina Corporation held 28th March 2006 be received. (370/2006)**

Seconded Cr Denton

Carried

REPORTS OF DELEGATES

Institute

Cr Boylan moved **that Council write to Trevor Lehmann and Lyle Domaschenz thanking them for their efforts in the restoration of the Institute windows. (371/2006)**

Seconded Cr Denton

Carried

OFFICERS' REPORTS

ACTING CHIEF EXECUTIVE OFFICER

Robe Marina Corporation

Cr Boylan moved **that the Robe Marina Corporation be advised of the additional information that the Council requires for its responsibilities and accountabilities including:**

- **That minutes of the Board meetings be made available to the Council immediately they are available not delayed until after the next meeting when they are ratified.**
- **That the Board Executive Officer's Report is made available to the Council immediately after the board meeting.**
- **That the Board financial reports are made available immediately after the Board meeting.**
- **That the Board Chairman's Report is made available immediately after the board.**
- **That Council and the Board meet each two months to receive up dates on the financial and physical progress**

**of the project against their projections and budgets.
(372/2006)**

Seconded Cr Mathews Carried

Cr Denton moved that the Acting Chief Executive Officer's Report be received. (373/2006)

Seconded Cr Loxton Carried

**MANAGER,
WORKS**

Special Local Roads Grants

Cr Mathews moved

1] That the Manager, Works submission for the 2006/07 Special Local Roads funding for the Nora Creina Road be endorsed.

2] That \$62,500 is allocated in the 2006/07 financial year budget, providing that Council receives \$62,500 from the Special Local Roads Program. (374/2006)

Seconded Cr Denton Carried

Skate & Recreation Advisory Committee – Members Composition

Cr Boylan moved that the Manager, Works place an advert in the Robe Newsletter seeking three community members for the Skate & Recreation Park Advisory Committee. (375/2006)

Seconded Cr Mathews Carried

Tidy Towns

Cr Loxton moved that the Manager, Works liaise and work with the Robe KESAB committee to undertake the necessary works to ensure that Robe is in the best possible position, with the available resources before the Tidy Towns 2006 judging. (376/2006)

Seconded Cr Wilkin Carried

Cr Wilkin moved that the Manager, Works Report be accepted. (377/2006)

Seconded Cr Boylan Carried

LIBRARIANS REPORT

Cr Boylan moved **that the Robe Library Report be accepted.**
(378/2006)

Seconded Cr Denton

Carried

VISITOR INFORMATION CENTRE MANAGER

Cr Boylan moved **that the Robe Visitor Information Centre Report be accepted.** (379/2006)

Seconded Cr Loxton

Carried

FINANCIAL

Cr Boylan moved **that the Bank Reconciliation be accepted.**
(380/2006)

Seconded Cr Denton

Carried

NOTICES OF MOTION

Marina Corporation

Cr Boylan moved **that Council issues a directive to the Robe Marina Corporation that the ceiling cap of 3% on the annual maintenance fee be removed.**

Seconded Cr Mathews

A division was called for

<u>For</u>	<u>Against</u>
Wilkin	Dening-Wasson
Boylan	Mathews
Denton	
Loxton	
(381/2006)	

Motion was

Carried

Land Acquisition for Golf Course Extension

Cr Loxton moved that the Robe Golf Club is to be informed that Council will set a monetary contribution towards land acquisition that will be decided during budget deliberations.

Seconded Cr Dening-Wasson

The Mayor exercised his casting vote against the motion LOST

Land Acquisition for Golf Course Extension

Cr Loxton moved that in the event of a failed land acquisition the Robe Golf Club will reimburse council for all expenses incurred by Council for this project.

Seconded Cr Dening-Wasson

LOST

Amendment

Cr Mathews moved **that in the event of a failed land acquisition the Robe Golf Club will reimburse council for 50% of all expenses incurred by Council for this project. (382/2006)**

Seconded Cr Denton

The Amendment was put and was carried and became the motion

The motion was then put and

Carried

Cr Boylan asked that the minutes reflect that he voted against the motion.

Robe Marina Corporation

Cr Loxton moved that Council expects a minimum of 32 commercial berths will be leased by August 8th 2006 before work is started on the commercial section.

Seconded Cr Mathews

Amendment

Cr Dening-Wasson moved that Council expects a minimum of 32 commercial berths will be leased by 30th June 2006 before work is started on the commercial section.

Seconded Mathews

The Amendment was put and

LOST

The substantive motion was then put and the Mayor exercised his casting vote against the motion

LOST

Robe Marina Corporation

Cr Dening-Wasson moved **that That the RMC Board be directed that it has always been the intention of this council that the local commercial fishing fleet are to be the core tenants of any development in Lake Butler. A firm business approach is supported in working towards a suitable outcome as opposed to an aggressive forceful approach, Council are hoping for an amicable outcome fostering all interest groups working together and supporting a shared vision (383/2006)**

Seconded Cr Mathews

The Mayor exercised his casting vote for the motion

Motion was put and was Carried

Robe Marina Corporation

Cr Denning-Wasson moved that the
That the RMC Board be directed that should the local commercial
fishing fleet not be the majority interest in the development of
Marina Arm 1 that the project will lapse pending further council
decision and deliberations with the local community.

Seconded Cr Loxton

The Mayor exercised his casting vote against the motion LOST

CORRESPONDENCE

Section A

1. Mrs MD McLaren - names of landmarks Received
2. SJ Ridler - Marina Received
3. SA Government Gazette - Robe Marina Corporation Charter Received
4. Cr JW Jacobsen - LGA - State Government Stormwater Agreement Received
5. Community and Neighbourhood Houses and Centres Association Inc - Community and Neighbourhood Houses and Centres Received
6. National Australia Bank - NAB Volunteer Awards 2006 Received
7. The Golden Trail Committee - Robe to Bendigo Progress Report Received

Cr Boylan moved **that Correspondence items numbered 1 - 7 be received.** (384/2006)

Seconded Cr Mathews Carried

8. LGFA - Debenture Loan no 83

Cr Boylan moved that **the Acting CEO be delegated authority to vary the type and term of the loan to fit the business plan of the Robe Marina Corporation and/or Council requirements.** (385/2006)

Seconded Cr Denton Carried

9.1 Lions Club of Robe and District

9.2 Paul Hounslow Foods

9.3 Robe Football Club Inc

Cr Denton moved **that if the successful purchaser of the shed is a community organisation they be advised that Council is willing to offer a lease over the area of the shed if it remains insitu.** (386/2006)

Seconded Cr Boylan Carried

10. Sawley Lock O'Callaghan, Surveyors

Cr Boylan moved **that the Mayor and Acting CEO affix the common seal to the document.** (387/2006)

Seconded Cr Loxton Carried

11. Kyimba Kennels - termination of agreement for impounding dogs.

Cr Boylan moved that

1. **That Council purchase a shed/cage to be the public pound for the Robe District Council.**
2. **That the pound be located at the Council depot.**
3. **That Council declare its public pound to be located at portion of Allotment 200 in DP 45249 of Section 231 Hundred of Waterhouse and be notified in the Government Gazette.** (388/2006)

Seconded Cr Denton Carried

12. Robe Bowling Club - exemption of rates 2006/07.

Cr Denning-Wasson moved **that in accordance with previous years that the rates on the Robe Bowling Club be remitted in the 2006/07 financial year.** (389/2006)

Seconded Cr Boylan Carried

13. City of Mount Gambier - Audit Committees of Councils.

Cr Denton moved **that Council defer a decision regarding use of a regional audit committee until the costs and benefits can be established.** (390/2006)

Seconded Cr Boylan Carried

14. Robe Marina Corporation - Loan.

Cr Boylan moved **that that the Mayor and Acting Chief Executive Officer affix the common seal to the document as required by the Bendigo Bank.**

Seconded Denton

A division was called for

<u>For</u>	<u>Against</u>
Boylan	Mathews
Wilkin	Denning-Wasson
Denton	
Loxton	
(391/2006)	

Motion was Carried

15. National Trust SA - Robe Branch - waiver of Institute Hire fee

Cr Boylan moved **that the Council waive the hire fee, subject to proof of public liability insurance cover for the function.** (392/2006)

Seconded Cr Wilkin Carried

CONFIDENTIAL
ITEM

Cr Dening-Wasson 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 Robe Lions Club.**
- (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:-**
 - (3)(b) **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 the public interest; (393/2006)**

Seconded Cr Denton

Carried

Cr Mathews moved that **Council bid up to \$5000 at auction or prior and that the auctioneer be advised that the successful purchaser must remove the concrete slab unless prior arrangements are made with Council. That the Council delegates per Section 44 of the Local Government Act authority to the Mayor to act on Councils behalf. (394/2006)**

Seconded Cr Dening-Wasson

Carried

Cr Denton moved that **under Section 91(7) of the Local Government Act 1999 that the minutes be kept confidential until the sale of the shed is finalized. (395/2006)**

Seconded Cr Boylan

Carried

Cr Dening-Wasson 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 Kaynar Holdings.**
- (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:-**

- 3 (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which**
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- (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; (396/2006)**

Seconded Cr Denton

Carried

16. Kaynar Holdings - Purchase of land

Cr Denton moved **that the sale of this reserve is premature as it is classified as community land and requires public consultation prior to excluding it from community land and selling the block. The block or blocks would have to be valued prior to accepting any offer. (397/2006)**

Seconded Cr Mathews

Carried

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 Ombudsman.**
- (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:-**
 - 3(j) (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an official (not being an employee of the council, or a person engaged by the council); and**
 - (ii) would, on balance, be contrary to the public interest; (398/2006)**

Seconded Cr Mathews

Carried

17. Ombudsman - Rate Rebate - Mr CM Savage

Cr Mathews moved **that under Section 91(7) of the Local Government Act 1999 that the minutes be kept confidential for 3 months.** (400/2006)

Seconded Cr Wilkin

Carried

Section B

1. SA Housing Trust - Annual Report
2. Department of Health - Food Act Annual Report

**OTHER
BUSINESS**

Cr Boylan moved **that the Robe Marina Corporation set aside 3 commercial berths for the Council to have the option of social allocation for 3 months.**

Seconded Cr Denton

A division was called for

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

The Mayor exercised his casting vote against the motion
LOST

The Mayor declared the meeting closed at 9.50pm.

Confirmed 13th June 2006

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Mayor