

District Council of Robe

**MINUTES**

Minutes of the Ordinary Council Meeting held 9 November 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** Mayor welcomed the Elected Members, Gallery & Media

**PRESENT** Mayor W Peden; Crs David Loxton, Jenny Mathews, Rolf Petrovic, Ned Wright, Peter Riseley; Rino Dell'Antonio; Chief Executive Officer, Mr Bill Hender and Minute Taker, Miss Kellie Jordan

**CONFLICT OF INTEREST**

Pursuant to Section 73 of the *Local Government Act 1999* the following conflict of interests was declared:-

- Mayor William Peden declared a conflict of interest on any items to do with the Marina going forward as his family owns land adjacent to the Marina
- Cr Ned Wright declared a conflict of interest on item 16.1.4 *Offer to Purchase Land* as he owns property in Denton Drive

**GALLERY** Fred Smith, Coastal Leader, wished Council well for whatever they do in the future. It is tremendous that there is a public forum session in every council meeting, it is a credit to council that they have given the public that opportunity.

Neville Grummett thanked the Councillors for their service, wished the Councillors standing again all the best.

## ADJOURNED MATTERS

### 20.2 Late Correspondence Item 20.2 S Thomson letter

Cr Wright moved that **the Late Correspondence Item 20.2 S Thomson letter be received.** (68/2011)

Seconded Cr Dell'Antonio

Carried

### 8.1 No Standing Zone – Hagen Street

Cr Mathews moved that **council do not agree to make a No Standing Zone in Hagen Street.** (69/2011)

Seconded Cr Petrovic

Carried

## CONFIRMATION OF MINUTES

### 9.1 Ordinary Council Meeting Minutes 12 October 2010

Cr Loxton moved that **the minutes of the Ordinary Council Meeting held on 12 October 2010 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (70/2011)

Seconded Cr Dell'Antonio

Carried

## MAYOR REPORT

### Council achievements over four years

#### Council avoided a forced amalgamation with another Council

Finances and governance were so bad that we were continually told we would be amalgamated with another Council unless things improved substantially. After almost four years we finally got the 'all clear' from the Minister last month that DC Robe is no longer on the danger list.

The most likely Council that we would have been given to was Wattle Range. Just ask anyone from Beachport about their rates to find out what our rates would have become under this scenario.

Plus, with any Council amalgamation the jobs and money finish up with whoever has the most votes. As Robe is the smallest Council in the South East, any amalgamation

would have resulted in losing jobs in Robe, and, lots of the money collected here would have been spent elsewhere. We would have lost control of our destiny.

Interestingly, DC Robe now gets calls from other Councils asking how we managed to turn things around.

#### Finances back on track

Councils' biggest cost is wages and they have been cut. In the old structure there was a CEO and three senior managers in the office. Now there is just a CEO. In the outdoor staff the employees have gone from 12 to 8. These changes are saving hundreds of thousands of dollars each year.

The debt is being paid down and surplus assets have also been sold to repay debt. Council's debt has gone from \$8M to \$6M in the past three years. This is a fantastic improvement.

#### Governance back on track

Council is now doing things the way they are meant to be done. The right records are now being kept, procedures followed and we are now complying with our legal obligations.

#### Transparency

Every month in Council's agenda there is a list of all payments made by Council in the previous month. This did not exist in the previous Council. All payments are now on the public record every month.

#### Saving money

Your council saved money at most opportunities starting with elected member allowances which weren't raised, even by CPI, in the four year term. The elected member allowances were low for the work involved so most are semi volunteers. One elected member donated his allowance back to council. Similarly, this council cut out alcoholic drinks for elected members and staff at ratepayer expense. No one went to Canberra for the three gatherings organised by the federal government to save ratepayer money. Ditto most other junkets. We only attended every second LGA meeting and only ever sent one rep to save money.

#### Marina now being managed by Council with a volunteer committee

The marina committee do their work voluntarily which is saving \$1.5M over ten years in board fees according to the former marina board's budgeted expenditure. Council thanks these volunteers for their time and dedication. The committee is completing the project in a financially responsible manner. Thank you to the marina committee.

#### Some projects in four years

Many of these projects are the result of Jenny Matthews and Peter Riseley persistence in seeking government funding.

**Robe St Playground**

State Government funded.

**Board Walk around Lake Butler**

Federal Government funded. To be finished soon.

**Royal circus upgrade**

State Government funded.

**Stage one of Linear path**

State government funded.

**Steps to beach at 2<sup>nd</sup> and third ramps**

State government funded.

**Footpath on Robe St**

State government funded.

**Council chambers painted + repaired**

Council funded. This also included changing the entrance direction and installing electric doors.

**Elizabeth St and Thompson Rd were sealed**

Council funded.

**Thanks to a unified Council**

These achievements could not have been achieved without a unified council. It has been a great team to work with. We haven't had any factions. There have been differences of opinion however every elected member has been united in getting Council back into order and looking after the best interest of the community.

**Individual councillors**

**David Loxton – Deputy Mayor**

David's major contributions included acting as Mayor on many occasions, heading up the road safety group and representing council at the Residents and Ratepayers' meetings. He reported feedback to council monthly. David's experience from the previous council was also useful.

**Jenny Mathews**

Jenny has worked tirelessly seeking grants for our community. She has put so much energy and time into many projects including the Robe St playground. Jenny also has meticulous record keeping from previous years that have been fantastic when records were not available at Council. Her experience on the previous Council was also valuable. Jenny served as a council volunteer on the Planning panel.

### **Peter Riseley**

Peter has spent large amounts of his time on various community projects with Lions, Coast Care which he started, and various council projects. He is passionate about Robe, the coast and the environment. His fishing knowledge has been most helpful and he is a key member of the marina committee. Peter also served as a council volunteer on the planning panel.

### **Rolf Petrovic**

Rolf is passionate about his causes and persistent. Owning a business he is able to see things as a person in business sees things. Rolf was instrumental in the Lions getting up and going again and continues his community work through Lions.

### **Rino Dell'Antonio**

Rino is a professional engineer who is a clear thinker and has common sense solutions for most things we encountered as a council. He is also a community person with the Junior football and the CFS. Rino was on the marina committee in Ned's absence.

### **Ned Wright**

Ned's business experience and experience on another larger council have been very valuable. While on Mt Barker Council, Ned was part of creating their linear path that has been fantastic for their community. He was able to easily convince us that a linear path in Robe will get more people out and walking, cycling, gophering, etc along our coast when we get our own. Ned often brought us up to speed on waste, recycling and planning. Ned was a volunteer member of the marina committee as well as an ambulance volunteer. Ned donated his Council allowance to Council.

### CEO

We are so fortunate to have Bill Hender as our CEO. He says he doesn't like being publicly complimented so I'll keep it brief.

The best decision this Council made in four years was to ask Bill to be our CEO. Bill has a common sense approach to most situations and gets great results for Robe and District. He works tirelessly, has great people skills, yet is able to make hard decisions when needed. He has been the single biggest factor in reunifying the community. He has also managed to reduce our debt by \$2M in three years. On behalf of the council and community we thank you.

### Staff

Thanks to all staff who keep council activities going.

### Team

It has been great to be a part of the team. I have enjoyed my one term in local government and it has been an interesting journey. I have met some excellent people and despite a few speed bumps it has been great working as part of the team.

## **SELGA**

### Off the rails

SELGA, the association of the seven councils in the South East, is a shadow of its former self. Well before this term, it had credibility in the community and achieved things for the community. This is no longer the case. What went wrong? In my opinion it has lost touch with the community. The office bearers, executive, and a majority of council reps, have forgotten that it is public money being squandered.

Having been your SELGA rep for four years I have found it interesting to see how SELGA really operates and how the people involved really operate.

### Is it worth staying a member?

The next council may want to consider whether DC Robe is getting value for money from this bureaucracy and its associated bodies. I believe the money could be better spent elsewhere.

### Respect for some involved

I have great respect for Ken Grundy, retiring Mayor of Naracoorte Lucindale for his honesty, integrity and for looking after the community interest. I also have respect for Don Pegler former Mayor of DC Grant, who moved up to State Parliament and his CEO Russell Peate. As you know, I also have great respect for Bill Hender. I suggested to the SELGA reps that they should look to Ken as a model to base themselves on. I also suggested their Executive Officer and other CEOs look to Bill Hender to model themselves on.

With SELGA I must also make mention of Cr Jim Maher from the City of Mt Gambier who I have found to be totally honest and a great support. He is a very intelligent and honest man who I respect enormously. He and his wife Vivian are also ratepayers in Robe and they take a keen interest in Robe matters.

## **LGA - SA**

### Another bureaucracy with little value

The LGA is an association that represents all Councils in the state. The executive is a bureaucracy that just keeps growing. I wonder when ratepayers of South Australia will find out how much they cost and how little value comes from them.

### LGA not there when we needed them

The LGA were not there when DC Robe really needed them.

We had an issue with a senior bureaucrat and the LGA senior officer clearly sided with the bureaucrat and did not help us at all.

Similarly, when we had an issue with an Acting Ombudsman, the same senior officer of the LGA was less than helpful.

#### LGA opposed compulsory transparency of council payments

DC Robe proposed a motion at the most recent LGA conference in Adelaide that would have asked the State government to make it compulsory for all councils in SA to disclose all Council payments each month in the following month's agenda. Robe and some other Councils do this and it shows where ratepayer money is going. The LGA hierarchy came to Robe and tried to talk DC Robe into withdrawing the motion while I was on holidays. When that didn't work the LGA CEO included a report opposing DC Robe's motion. Nothing in her report stood up to close scrutiny so DC Robe wrote a piece showing her arguments didn't hold water.

Surprisingly only 5 Councils in the state supported our motion: Robe, Naracoorte Lucindale, Whyalla, Campbelltown and Walkerville. Most of the others opposed it including some such as Mt Gambier who currently disclose payments. I suggest keeping an eye on Mt Gambier, Wattle Range etc to see whether they try and remove this transparency in their next term. We still haven't heard one legitimate reason for not making it compulsory, so I can't understand why so many people in local government don't want ratepayers seeing where their money is going.

#### Is it worth staying a member?

The next council may want to consider whether it is worth staying a member of the LGA. For the money it costs us, I doubt whether we get any value and the money could be saved or better spent elsewhere.

#### **RDA-LC**

(formerly Regional Development Board, prior to that South East Economic Development Board)

Owing to the ongoing defamation action by Grant King, against Council and me, I can't comment on them until the court proceedings have finished.

#### **Council Going Forward**

##### Council can now spend money on vital things

Council now has enough money to spend on vital items such as roads (especially rural roads), footpaths and the effluent lagoon extension.

We now have money that we can use to get grants where council has to make a contribution. In the past few years we have not been able to apply for many grants because the grants required council to make large contributions that we didn't have. It was a real catch 22. Bill Hender successfully negotiated for one grant to be rolled over until we had saved enough money to match it. Had he not done this we would have forfeited \$60,000 that was spent on Nora Creina Road.

Because Council's financial position is so much better, Council now has some resilience in case the economy turns down further.

#### Rates are likely to be the biggest issue in the future

My guess is that rates will be the single biggest issue for councils in the future and new ways must be found to get better value for ratepayer money and contain costs.

Also, Council must look for ways of getting more income from Council assets to keep rates down.

#### Jobs is the other major issue

Robe needs more full time well paid jobs. While not a direct Council responsibility, hopefully Council will be able to encourage some employers to move to Robe and employ people without having to spend any ratepayer money. Robe is a great place to live and work – we just need more jobs year round.

#### Health centre upgrade and aged care facilities

It would be great if these could be achieved in the near future.

#### New Council

By Saturday we will know who the new Council will be. This Council wishes them well.

#### **Special thanks to Angela**

A special thank you to Angela who has been supportive during my time on Council.

#### **Material for future councils**

To assist the next councils with background to many issues I have put a folder of documents together.

It is made up of material relating to:

1. Staff matters
2. Other pending legal matters

That should only be read by newly elected councillors at this stage.

#### **Thanks to the Community**

A special thanks to the community for such great support and patience with this Council during the past four years. It is always difficult making large changes and despite the speed bumps encountered, it was the support and patience of the community that made it all possible.

Thank you.

**Wm Peden**

**Cr Loxton moved that the documents relating to staff matters and other pending legal matters be received. (71/2011)**

Seconded Cr Mathews

Carried

**Cr Wright moved that an order be made under the provisions of Section 91 (7) of the Local Government Act 1999 that the documents relating to staff matters and other pending legal matters shall be kept confidential pursuant to Section 90 (3) on the grounds that:**

- a) Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);**
- 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 positions of the council; and**
  - ii) Would, on balance, be contrary to the public interest**
- h) Legal advice**

**for a period of 12 months, after which the order will be reviewed. (72/2011)**

Seconded Cr Dell'Antonio

Carried

## REPORTS OF MEMBERS

Cr Mathews reported on the following:-

- 14/10/2010 SE Coastal Management Meeting
- 19/10/2010 CDAP Meeting
- 27/10/2010 Pink Ribbon Breast Cancer Breakfast
- 2/11//2010 Royal Circus Meeting
- 9/11/2010 Council Meeting

Cr Loxton reported on the following:-

- 26/10/10 AGM HAC Kingston

Cr Petrovic reported on the following:-

- Blessing of the Fleet

Cr Riseley reported on the following:-

- 14/10/2010 Limestone Coast Regional Zero Waste
- 18/10/2010 CCOWS Management Meeting
- 19/10/2010 CDAP Meeting
- 26/10/2010 Lions Working Bee
- 27/10/2010 Pink Ribbon Breast Cancer Breakfast (Lions)
- 27/10/2010 Coastal burn – McIntyre Street
- 28/10/2010 Foreshore Inspection Linear Trail
- 28/10/2010 Evening Lighting Test – Royal Circus
- 29/10/2010 Lions Tent for SOAP
- 1/11/2010 Informal gathering with Fishermen – Liz Harfull book
- 2/11/2010 Royal Circus Meeting
- 2/11//2010 Marina Committee Meeting
- 4/11/2010 Bollards at wharf
- 9/11/2010 Council Meeting

Cr Dell'Antonio reported on the following:-

- 20/09/2010 Audit Committee Meeting
- 4/10/2010 Ratepayers Association Meeting
- 5/10/2010 Marina Committee Meeting
- 2/11/2010 Marina Committee Meeting
- 9/11/2010 Council Meeting

Mayor Peden reported on the following:-

- LGA Conference & AGM

## COMMITTEE REPORTS

### 12.1 CDAP Meeting Minutes 19 October 2010

**Cr Riseley moved to receive the minutes of the Council Development Assessment Panel meeting 19 October 2010. (73/2011)**

Seconded Cr Mathews

Carried

### 12.2 CCOWS Meeting Minutes 18 October 2010

**Cr Riseley moved to receive the minutes of the CCOWS Management Committee meeting 18 October 2010. (74/2011)**

Seconded Cr Loxton

Carried

### 12.3 Robe Institute Management Meeting Minutes 2 September 2010

**Cr Petrovic moved to receive the minutes of the Robe Institute Management Committee meeting 2 September 2010. (75/2011)**

Seconded Cr Mathews

Carried

### 12.4 Robe Marina Meeting Minutes 5 October 2010

**Cr Riseley moved to receive the minutes of the Robe Marina Committee meeting 5 October 2010. (76/2011)**

Seconded Cr Dell'Antonio

Carried

## OFFICERS' REPORTS

### Chief Executive Officer

#### 16.1.1 Financial Statements 2009/2010

Cr Wright moved **that the Audited Financial Statements pertaining to the operations of District Council of Robe for the financial year ending on 30 June 2010 be adopted as presented, pursuant to Section 11 of the Local Government (Financial Management) Regulations 1999. (77/2011)**

Seconded Cr Loxton

Carried

#### 16.1.2 Application for Discretionary Rebate

Cr Dell'Antonio moved **that Council approve the discretionary rebate of \$257.20 for the property A1976. (78/2011)**

Seconded Cr Mathews

Carried

#### 16.1.3 Long Term Financial Plan

Cr Wright moved **that council pursuant to Section 122 (1a)(a) of the Local Government Act 1999, adopt the Long Term Financial Plan as presented. (79/2011)**

Seconded Cr Loxton

Carried

#### 16.1.4 Offer to Purchase Land

*Cr Wright left the room at 5.45 pm.*

Cr Loxton moved **that council authorise the Chief Executive Officer to accept an offer of \$74 000 + GST for Lot 8 Denton Drive. (80/2011)**

Seconded Cr Riseley

Carried

*Cr Wright returned to the room at 5.49 pm.*

16.1.5 Rating Review

Cr Loxton moved **that councils system of rating remains as is for the 2011/2012 financial year and be reviewed on an annual basis.** (81/2011)

Seconded Cr Riseley Carried

16.1.6 Annual Report 2009/2010

Cr Loxton moved **that council adopt the District Council of Robe Annual Report 2009/2010.** (82/2011)

Seconded Cr Mathews Carried

**Works Supervisor**

16.2.1 Works Supervisor Report November 2010

Cr Dell'Antonio moved **that council receive the Works Supervisor Report November 2010 report.** (83/2011)

Seconded Cr Riseley Carried

**Director of Childcare**

16.3.1 CCOWS Report November 2010

Cr Riseley moved **that council receive the CCOWS Report November 2010 report.** (84/2011)

Seconded Cr Mathews Carried

**Finance Officer**

16.4.1 Finance Report October 2010

Cr Loxton moved **that council receive the Finance Report October 2010.** (85/2011)

Seconded Cr Wright Carried

## Correspondence

17.1 Appreciation Letter – Mr G Snook

Noted

17.2 Appreciation Letter – Mr J Andre

Noted

## Urgent Business

Cr Dell'Antonio moved **that council receive Late Agenda Item – Development Application 822/062/10. (86/2011)**

Seconded Cr Wright

Carried

Cr Wright moved that Late Agenda Item title Development Application 822/062/10 be deferred until the next ordinary council meeting.

Seconded Cr Petrovic

The motion was tied – Mayor casting vote

Lost

Cr Wright moved **that council advise the applicant, Mr Matt Austin, that it declines to enter into a Land Management Agreement for the purposes of a resolution in the matter of an appeal before the Environment Resources and development Court Appeal action 10-230. (87/2011)**

Seconded Cr Dell'Antonio

Carried

Meeting closed at 6.33 pm.

Minutes confirmed: \_\_\_\_\_

\_\_\_\_\_ Mayor

\_\_\_\_\_ Date