

## District Council of Robe

### General Meeting

Minutes of the Monthly General Meeting held on 10 February 2004 commencing at 5.00pm.

**PRESENT** Mayor Peter Darr, Crs P Wilkin, M Dening-Wasson, F Boylan, J Mathews, M Denton, D Loxton, Chief Executive Officer and Manager of Works.

Mr G Leach Robe Lions addressed Council in relation to the Business Directory Notice Board.

#### **CONFIRMATION OF MINUTES**

Cr Boylan moved **the Minutes of the Council Meeting held on 13 January 2004 be taken as read and confirmed (194/2004).**

Seconded Cr Denton

Carried

#### **MAYOR'S REPORT**

The Mayor reported on:

- Child Care Manager
- Development Plan Review Workshop
- Prudential Report
- Australia Day Ceremony
- Lake Butler Boat Haven Meeting
- SELGA Meeting at Robe

#### **REPORTS OF COMMITTEE**

Cr Denton moved **that the Minutes of the Skate & Recreation Park Advisory Committee Meeting 27 January 2004 be received and that the Terms of Reference for the Advisory Committee be adopted (195/2004).**

Seconded Cr Boylan

Carried

#### **REPORTS OF DELEGATES**

Cr Wilkin reported on:

- Robe Tourism & Traders Association
- Limestone Coast Tourism

Cr Dening-Wasson reported on:

- Kingston Community School Council
- YAC Youth Week

Cr Boylan reported on:

- SELGA

Cr Mathews reported on:

- Blue Light Disco
- Community Builders
- Robe National Trust
- South East Regional Health Service & Kingston Hospital
- Friends of Little Dip
- Skate Park Meeting

Cr Mathews moved that Council allocate \$8000 per year for two years to the Skate Park in the Budget.

Seconded Cr Dening-Wasson LOST

#### ADJOURNMENT

Cr Denton moved **at 5.35pm to adjourn the Meeting for the duration of the Development Assessment Panel (196/2004).**

Seconded Cr Loxton Carried

#### RESUMPTION

The General Meeting resumed at 6.15pm.

#### DELEGATES REPORTS CONT.

Cr Denton reported on:

- YAC
- Lake Butler Boat Haven Meeting

#### REPORTS OF ASSOCIATED BODIES

Cr Boylan moved that the **Minutes of the following associated bodies be received:**

- (1) **Robe Tourism & Traders Association – 4 October 2003**
- (2) **South East Local Government Association – 5 December 2003 (197/2004).**

Seconded Cr Wilkin Carried

## OFFICERS' REPORTS

### CHIEF EXECUTIVE OFFICER

#### Bush Inn

Cr Wilkin moved that Council adopts the following principles for the Development of the Bush Inn:

- Council to clear poplars encroaching onto the building;
- Council to connect water and phone conduits to the building;
- Lease be 10 years with right of renewal for a further 10 years;
- Lessee to fund all repairs and renovations;
- A schedule of works including timetable for completion to be prepared and included as part of the lease conditions;
- Any toilets constructed by the developers to be for building use only not as a public toilet with no council contribution;
- Lessee to have the right to resell the lease for the balance of the term;
- Lessee right to sublease;
- Use must be compatible with the heritage aspects of the building;
- Lessee to undertake salt damp treatment of the building at the earliest opportunity.

The principles be forwarded to the three parties indicating their interest to ascertain if they are still interested in pursuing the matter (198/2004).

Seconded Cr Boylan

Carried

#### Rate Review

Cr Denton moved that the Rate Review Report be adopted and the consultation as prescribed by the Local Government Act 1999 be commenced (199/2004).

Seconded Cr Wilkin

Carried

Industrial Land Division

Cr Boylan moved that Council borrows \$800000 from the Local Government Finance Authority as a Convertible Cash Advance Debenture for a term of 10 years to fund the Industrial Land Development and that the Mayor and Chief Executive Officer be authorised to sign and seal the necessary documentation (200/2004).

Seconded Cr Denton Carried

Mayor Darr was absent 6.25pm to 6.30pm from the Meeting during consideration of resolutions relating to the District Council of Robe banking services due to conflict of interest.

Banking Services

Cr Boylan moved that an order be made under the provisions of Section 91(7) of the Local Government Act 1999 that that CEO's Banking Services Report and documents pertaining to shall be kept confidential on the grounds of 90(3)(k) for a period of 12 months (201/2004).

Seconded Cr Denton Carried

Cr Boylan moved that Council accept the tender submitted by BankSA to provide Banking Services to the District Council of Robe for the period 2004 to 2008 (202/2004).

Seconded Cr Dening-Wasson Carried

Cr Denton moved that the Chief Executive Officer's Report be received (203/2004).

Seconded Cr Wilkin Carried

**MANAGER OF  
WORKS**

Trees Nature Strip

Cr Boylan moved that:

- (1) Councillor Mathews be appointed to participate in the review process of the nature strip tree planting program.
- (2) When the review of the nature strip tree planting is completed that the document be presented to the

**community in accordance with Council's consultation policy, and then provided to Council for comment and adoption (204/2004).**

Seconded Cr Dening-Wasson

Carried

Backler Street – Stormwater Drainage

Cr Mathews moved:

- (1) **that at least 1 in 20 year standard of protection be gained for the Backler Street Stormwater Project;**
- (2) **that the CEO and the Manager of Works undertake discussions with the Robe Golf Club Committee members to seek further Council property to increase the stormwater retention basin size;**
- (3) **that consideration on the matter of placing a stormwater pump be considered by Council in the financial year 2004-2005 Budget deliberations (205/2004).**

Seconded Cr Boylan

Carried

Boatswain Point Road – KK & U Hamlyn

Cr Boylan moved **that consideration on the matter of bitumen sealing Boatswain Point Road be considered by Council in the financial year 2004-2005 Budget deliberations (206/2004).**

Seconded Cr Wilkin

Carried

Cr Denton moved **that the Manager of Works Report be received (207/204).**

Seconded Cr Loxton

Carried

**PUBLIC FORUM**

G Murphy addressed Council in respect to Robe SAAS Branch Committee.

J Ingham addressed Council in respect to SAFCOL site and Marina Development.

G Snook addressed Council in respect to the proposed Lions Business Directory Sign.

**ECONOMIC  
DEVELOPMENT  
OFFICER**

Cr Boylan moved **that the Economic Development Officer's Report be received (208/2004).**

Seconded Cr Denton Carried

**OCHS – ROBE  
CHILDRENS  
SERVICES**

Cr Wilkin moved **that the OCHS – Robe Childrens Serivces Report be received (209/2004).**

Seconded Cr Loxton Carried

**GENERAL  
INSPECTOR**

Application to operate "Mr Whippy" type van

Cr Denton moved that the consent not be granted.

Seconded Cr Wilkin LOST

Cr Boylan moved **that additional information be sought from the applicant including advising that if consent was given there would be exclusions and restrictions together with a fee (210/2004).**

Seconded Cr Dening-Wasson Carried

Cr Denton and Wilkin voted against motion.

**DEVELOPMENT  
OFFICER**

Institute

Cr Mathews moved **that the Development Officer's Institute Report be received and copy be forwarded to the Friends of the Institute Hall Committee (211/2004).**

Seconded Cr Boylan Carried

**LIBRARY REPORT**

Cr Dening-Wasson moved **that the Library Report be received (212/2004).**

Seconded Cr Boylan Carried

**VISITOR  
INFORMATION  
CENTRE REPORT**

Cr Denning-Wasson moved **that the Visitor Information Report be received** (213/2004).

Seconded Cr Wilkin

Carried

**FINANCE**

Accounts Paid

Payments for the period ending 31 January 2004 totalling \$319926.35 be confirmed.

Budget Comparison

Budget Comparison for the period ending 31 January 2004 be confirmed.

Cr Boylan moved **that the above financial reports be received** (214/2004).

Seconded Cr Wilkin

Carried

**QUESTION ON  
NOTICE**

Cr Mathews has submitted the following Question on Notice:

*"Red Cross Car*

*I have no idea how this is set up, who can use it, how it is booked, and wish to gather the relevant information for our consideration in the next Budget."*

Cr Mathews moved **that information be provided** (215/2004).

Seconded Cr Boylan

Carried

**CORRESPONDENCE**

1. Lions Club of Robe & District – Business Directory Notice Board.

Received

2. Robe Tourism & Traders Association – Information Bay & Phone Guide Signs.

Received

3. Lake Fellmongery Water Ski Club – Sporting Assistance Program.

Received

4. Friends of the Robe Institute – Inviting Council to appoint a member to the Committee.

Cr Loxton moved **that Cr Dening-Wasson be appointed as Council Representative with Cr Mathews as proxy (216/2004).**

Seconded Cr Boylan

Carried

5. Friends of Robe Institute – Repair and repainting Hall.

Cr Mathews moved that:

(1) **Council to formally approve the works as owner of the building;**

(2) **Development Application be prepared by Council which will include referral to Heritage SA as the building is a State Heritage Item.**

(3) **Consideration of the Application will then be undertaken by the Development Assessment Panel (217/2004).**

Seconded Cr Boylan

Carried

6. Robe Football Club – Rodeo.

Received

7. S Snook – Pathway.

Cr Dening-Wasson moved **that a decision be deferred with the Manager of Works to meet with Mrs Snook to discuss the project and seek additional information (218/2004).**

Seconded Cr Mathews

Carried

8. SE Primary Schools' Music Festival – sponsorships.

Deferred



9. Cancer Council of SA – Shading SA research Project.

Received

10. South East Natural Resource Consultative Committee – Plantation Forestry and the Impact on the Water Resources in the South East Region.

Received

11. Minister for Urban Development and Planning – reforms to the Planning System.

Received

12. Minister for Transport – extension of the Road to Recovery program.

Received

13. Premier of South Australia – Government initiatives.

Received

14. Local Government Association of SA – Council Member Appointment to External Boards.

Received

15. Local Government Association of SA – Extension of Roads to Recovery Program.

Received

16. Coastal Protection Branch – Grant to undertake dune protection at Boatswains Point.

Received

17. Annual Reports –

- Construction Industry Training Board
- SA Housing Trust

Tabled

18. Parliamentary Joint Committee on Corporations and Financial Services – Money Matters in the Bush.

Tabled

**OTHER BUSINESS**     Lake Butler Marina Redevelopment Prudential Report

Cr Wilkin moved that:

(a) that under the provisions of Section 90 (2) of the Local Government Act 1999 an order be made that the public (not including staff) be excluded from attendance at the Meeting in order to consider in confidence the *Marina Development Prudential Report for the District Council of Robe* prepared by Deloitte Touche Tohmatsu on 22 January 2004.

(b) that the Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the matter at the meeting on the following grounds:

90 (3) (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –  
(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 (219/2004).

Seconded Cr Boylan

Carried

Cr Denton moved that:

Council accept the Marina Redevelopment Prudential Report for the District Council of Robe prepared by Deloitte Touche Tohmatsu on 22 January 2004 as adequately addressing the proposed project's prudential issues as required under Section 48 of the Local Government Act 1999 as required when:

- A council engages in a project where the expected expenditure of the council over the ensuing five years is likely to be 20 per cent of the council's average annual operating expenses over the previous financial year
- The expected capital cost of the project over the ensuing five years exceeds \$4 million (220/2004).

Seconded Cr Dening-Wasson

Carried

Cr Wilkin moved that:

**Council accepted that the *Marina Redevelopment Prudential Report for the District Council of Robe* prepared by Deloitte Touche Tohmatsu on 22 January 2004 showed a positive Net Present Value of \$2096361 for the project and that the consultant had made verbal recommendations to Council on 22 January 2004, that projects with a strong and positive Net Present Value should proceed, subject to overcoming the Sales Risks, Design and Construction Risks and Operations, Maintenance and Management Risks as detailed in pages 30-32 inclusive of the Prudential Report (221/2004).**

Seconded Cr Boylan

Carried

Cr Wilkin moved that:

**Council resolve to proceed with the Lake Butler Marina Redevelopment Project on the basis of the strong and positive Net Present Value of \$2096361 in relation to the project, subject to overcoming the Sales Risks, Design, and Construction Risks and Operations, Maintenance and Management Risks as detailed in pages 30-32 inclusive of the Prudential Report including adequate preconstruction berth sales and receiving appropriate approvals (222/2004).**

Seconded Cr Boylan

Carried

Cr Denton moved that:

**Norman Waterhouse Lawyers be engaged to provide further advice on legal and management structures appropriate for carrying out the Lake Butler Marina Redevelopment (223/2004).**

Seconded Cr Boylan

Carried

Cr Wilkin moved that:

**An order be made under the provisions of Section 91 (7) of the Local Government Act 1999 that the documents relating to the Marina Redevelopment Prudential Report for the District Council of Robe as prepared by Deloitte Touche Tohmatsu, excluding the letter dated 22 January 2004 on pages 1-4 inclusive, but including the body of the report on pages 5-48 inclusive and minutes of the Council relating to the discussion of the subject matter of that document, having been dealt with**

on a confidential basis under Section 90 of the Act, shall be kept confidential on the grounds that it is:

90 (3) (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –

(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

for a period of twelve months (224/2004).

Seconded Cr Denton

Carried

Cr Denton moved **that**:

**Council approve the Press Release in relation to the *Marina Redevelopment Prudential Report for the District Council of Robe* for release on Wednesday 11 February 2004 (225/2004).**

Seconded Cr Boylan

Carried

The Mayor declared the Meeting closed at 9.10pm.

Confirmed 9 March 2004-02-12

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Mayor