

District Council of Robe

General Meeting

Minutes of the Monthly General Meeting held on 12 July 2005 commencing at 5.00pm.

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

APOLOGY Mayor P Darr.

CONFIRMATION OF MINUTES Cr Denton moved **that the minutes of the Council Meeting held on 14 June 2005 be taken as read and confirmed (1/2006).**

Seconded Cr Boylan Carried

REPORTS OF DELEGATES

Cr Loxton reported on:

- Meeting with Greenways Tennis Club

Cr Loxton moved **that the Chief Executive Officer and Manager of Works assess the area in respect to risk management of a public facility and report to Council (2/2006).**

Seconded Cr Boylan Carried

Cr Denton reported on:

- Meeting with commercial fishermen and Robe Marina Corporation

Cr Mathews reported on:

- Meeting with commercial fishermen and Robe Marina Corporation
- Friends of Little Dip Conservation Park
- Office of Recreation & Sport
- Ratepayers Meeting

Cr Boylan reported on:

- Road Congress in Tasmania
- South East Area Consultative Council

Cr Dening-Wasson reported on:

- Friends of the Institute
- Kingston Community Council
- Xmas Parade Committee Meeting
- CCOWS
- Ratepayers Meeting
- Meeting with commercial fishermen and Robe Marina Corporation

Cr Wilkin reported on:

- Ratepayers Meeting
- Meeting with commercial fishermen and Robe Marina Corporation

REPORTS OF ASSOCIATED BODIES

Cr Denton moved **that the following minutes/reports of associated bodies be received:**

1. **Robe District Fire Prevention Committee - 14 June 2005.**
2. **Lacepede Tatiara Robe Animal & Plant Control Board - 9 June 2005 (3/2006).**

Seconded Cr Boylan

Carried

OFFICERS' REPORTS

CHIEF EXECUTIVE OFFICER

Cr Loxton moved **that the Chief Executive Officer's Report be received (4/2006).**

Seconded Cr Denton

Carried

**MANAGER
OF WORKS**

Public Road Reserve, Adjacent to Section 447 & 448 Hundred of Waterhouse.

Cr Boylan moved:

- that Mr Forrest Young's request for Council to construct 200 metres of an unnamed public road reserve be discussed and considered during the financial year 2005/2006 budget deliberations
- that Council provides Mr Forrest Young a five year permit to utilize the public road for cropping adjacent to property Sections 447 & 448 Hundred of Waterhouse (5/2006).

Seconded Cr Loxton

Carried

Cr Boylan moved that the Manager of Works' Report be received (6/2006).

Seconded Cr Mathews

Carried

**ROBE LIBRARY &
VISITOR INFORMATION
CENTRE**

Cr Denton moved that the Robe Library and Visitor Information Centre Reports be received (7/2006).

Seconded Cr Mathews

Carried

ADJOURNMENT

Cr Denton moved at 5.30pm to adjourn the meeting for the duration of the Development Assessment Panel (8/2006).

Seconded Cr Mathews

Carried

RESUMPTION

The General Meeting resumed at 6.13pm.

FINANCE

Accounts Paid June 2005

Payments for June 2005 totalling \$300389.53 be confirmed.

Reconciliation Statement 30 June 2005

Reconciliation Statement as at 30 June 2005 be confirmed.

Cr Boylan moved **that the above financial statements be received** (9/2006).

Seconded Cr Denton

Carried

NOTICES OF MOTION The Notices of Motion submitted by Cr Dening-Wasson be deferred to after "Other Business" in the meeting.

QUESTION ON NOTICE

Question on Notice received from Cr Mathews:

- I believe correspondence was sent to Minister for Environment and to Richard Woods the Heritage Advisor seeking their opinion on the Robe Marina
- I believe they did not reply
- I would like to see the correspondence that was sent to substantiate it

Cr Boylan moved **that the letter be included in the minutes** (10/2006).

Seconded Cr Loxton

Carried

Letter forwarded to Minister 11 May 2004:

Hon John Hill
Minister for Environment, Heritage & Aboriginal Affairs
GPO Box 2269
ADELAIDE SA 5001

Dear Sir

Development No	822/52/04
Applicant:	District Council of Robe
Proposal:	Redevelop of Lake Butler marina incorporating jetties, moorings and associated infrastructure
Subject Land:	Lake Butler, Lipson Terrace, Robe (CT 5864/79)

Pursuant to Section 37 of the Development Act, 1993 the above application is referred to you for a report since it falls within a class of development prescribed under the Eighth Schedule of the Development Regulations, 1993 in that the development is proposed for redevelopment of the Lake Butler marina, which adjoins a number of State Heritage places, namely Karatta House, Former Customs House at Royal Circus and Our Lady Star of the Sea Chapel at 2 Hagen Street, Robe.

Please report to Council at the earliest opportunity.

It would also be appreciated that if you seek additional information from the applicant in accordance with Section 37(2) of the Act, the Council be notified of this action, the time specified in which this is to be complied with (and any subsequent extension thereon), and when a report is likely to be forwarded to Council.

Please contact the Council office on 87682003 if further advice on this application is required.

Yours faithfully

RJ Kay
Chief Executive Officer

Acknowledgement of receipt of letter was received from Department for Environment & Heritage 19 May 2004 as follows:

The Chief Executive Officer
District Council of Robe
PO Box 1
ROBE SA 5276

Attention: Julie Blackmore

Dear Sir/Madam

Application No:	822/52/04
Lodged:	23 April 2004
Received Heritage Branch	19 May 2004
Response Period:	8 Weeks

Thank you for referring that above Development Application to the Minister for Environment and Conservation.

Your request for a prompt response is noted, and every effort will be made to meet that date.

Yours sincerely

Mrs Gillian Strickland
Assistant Project Officer
HERITAGE BRANCH

No further correspondence was received.

CORRESPONDENCE

1. Robe Sports & Recreation Association - Bus Parking Area.

Received

2. Local Government Finance Authority - Annual General Meeting.

Cr Denton moved that Mayor Darr be appointed Council representative (11/2006).

Seconded Cr Boylan

Carried

3. Plain Central Services - Grant Allocations for 2005/2006 - Library.

Received

4. Federal Member for Barker - Victory in the Pacific Day.

Cr Boylan moved that the information be forwarded to the Robe RSL Branch (12/2006).

Seconded Cr Denton

Carried

5. Department for Transport, Energy & Infrastructure - Transport SA Changes.

Received

6. R Gerlach - Seeking consent to hold wedding reception on foreshore 3 December 2005.

Cr Boylan moved that consent be granted with a \$100 charge for power use (13/2006).

Seconded Cr Denton

Carried

7. Department for Administrative & Information Services -General Valuation 2005/2006.

Received

8. Kingston District Council - New Medical Centre Kingston.

Cr Denning-Wasson moved **that the delegates to the Joint Working Party of Kingston, Naracoorte, Lucindale and Robe Councils discuss the request at the next meeting and ascertain the implications of support (14/2006).**

Seconded Cr Mathews

Carried

9. Dean Newberry & Partners - Statutory Audit of South Australian Councils.

Received

10. SA Tourism Commission - SATC Cycle Tourism Strategy 2005/2009.

Received

11. Agrifood Awareness - Gene Technology.

Received

12. Stand Like Stone Foundation - Funding.

Received

13. LGA Mutual Liability Scheme - Members Brief.

Received

14. South East Local Government Association - TAV Productions - "Out of the Ordinary" Services.

Received

15. Local Government Risk Services - LGA Asset Mutual Fund.

Received

16. Australia Day Council - 2005/2006 Membership Renewal.

Received

17. Robe & District Ratepayers & Residents Association - Membership.

Cr Boylan moved that **Cr Loxton be Council's delegate to the Association (15/2006).**

Seconded Cr Denton Carried

Cr Dening-Wasson moved that **the Association be included on the distribution list for Agendas and Minutes (16/2006).**

Seconded Cr Boylan Carried

18. Robe & District Ratepayers & Residents Association - Ratepayers Lists.

Cr Dening-Wasson moved that **list be provided free of charge (17/2006).**

Seconded Cr Mathews Carried

19. Ombudsman - Rates R Savage Frome Street Robe.

Cr Denton moved that **Council accede to the Ombudsman's request and grant a rate rebate for 2003/2004 to R Savage Frome Street Robe for \$314.75 (18/2006).**

Seconded Cr Mathews Carried

20. Federal Minister for Local Government Territories & Roads - Bushfire Mitigation Programme.

Received

21. Federal Attorney-General - Working Together to Manage Emergencies.

Received

22. Local Government Association of SA - Strategic Infrastructure Plan for SA.

Cr Denton moved that **Cr Boylan attend the Infrastructure Conference (19/2006)**.

Seconded Cr Loxton

Carried

23. Local Government Association of SA - Transparency in Budget / Rates Presentations.

Received

24. Local Government Association of SA - Children & Young People Under the Care of the State.

Received

25. Local Government Association of SA - Commonwealth Responds to Hawker "Fair Share" Report.

Received

26. Local Government Association of SA - Meeting with President & Executive Director.

Received

27. Minister for Local Government - Local Government National Report 2003/2004.

Tabled

28. Minister for Environment & Conservation - Tackling Climate Changes South Australia's Greenhouse Strategy.

Tabled

29. Department of Transport & Regional Services - National Inquiry on Bushfire Mitigation and Management.

Tabled

PUBLIC FORUM

T Bywaters - Robe Ratepayers Association

L Bywaters - Charter Robe Marina Corporation

G Murphy - SA Ambulance Service
- Robe Lions Club
- St John Training in Robe

P Riseley - Robe Marina

OTHER BUSINESS

Cr Dening-Wasson moved that through the newsletter public be advised that for letters to be tabled at a Council Meeting they should be addressed to the Chief Executive Officer, Mayor and Councillors and be received by the Tuesday prior to the Monthly Council Meeting (20/2006).

Seconded Cr Loxton

Carried

Cr Mathews moved that the old curtains from the Institute be given to Shirley Snook (21/2006).

Seconded Cr Boylan

Carried

Resolved that the Public Forum be held on 2 August 2005

Issues: - Aged Care
- Footpaths

Robe Golf Course - Robe Marina Corporation

Cr Denton moved that:

- (a) 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 correspondence relating to the Golf Course extension and the Robe Marina Corporation
- (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:
90(3)(h) legal advice
- (c) that accordingly on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the discussion confidential (22/2006).

Seconded Cr Boylan

Carried

Cr Denton moved that an order be made under the provision of Section 91(7) of the Local Government Act 1999 that the documents relating to the Golf Course extension including the minutes of the Council relating to discussion of the subject matter of the documents having been dealt with on a confidential basis under Section 90 of the Act shall be kept confidential on the grounds of 90(3)(h) legal advice for a period until the matter is finalised.

Seconded Cr Boylan

LOST

Confidential Minutes 23/2006 and 24/2006 are contained in the Confidential Minute Book.

Cr Dening-Wasson moved **that the following Notices of Motion “lie on the table”:**

1. That a “Lake Butler Working Committee” be formed as soon as possible to consider:
 - the Maunsell Master Plan and Development Plan Concept in its entirety
 - to identify how to adequately meet the needs of commercial, recreational and community users of the lake and its surrounds

The committee to consist of fair representation of interested parties.

2. That the “Lake Butler Working Committee” consist of:
 - CEO
 - Mayor
 - 2 Council Delegates
 - 2 Recreational Fishers
 - 2 Community Members
 - 4 Commercial Fishers

3. That Council commit to retain the character and integrity of Lake Butler and its immediate surrounds whilst upgrading and developing the lake to:
 - Meet EPA requirements
 - Provide adequate, safe and up to date facilities for the commercial fishing fleet
 - Provide adequate, safe and up to date facilities for the recreational boat owners
 - Reasonably consider any visual, commercial, recreational and heritage impact
 - Ensure any development is fair and equitable to council, lake users, and the wider community, immediately and in the future.

4. That council resolution 122/2004 (14 Oct 2003)

“that in respect to the Lake Butler Marina Development Master Plan prepared by Maunsell Australia, Council resolves as follows:

1. *Approve the Master plan and proceed*
2. *Release the Master plan to the public*
3. *Prepare and submit a Development Application pursuant to the Development Act*
4. *Delegate to the Mayor and CEO the commissioning and commencement of the prudential Report pursuant to section 48 of the LGA”*

be rescinded.

5. That Council resolution 220/2004 (10 Feb 2004)

“That Council accept the Marina Redevelopment Prudential Report for the District council of Robe prepared by Deloitte Touché Tohmatsu on 22 Jan 04 as adequately addressing the proposed projects prudential issues as required under section 48 of the LGA 1999 as required when

**a council engages in a project when the expected expenditure of the council of the re ensuing 5 years is likely to be 20 percent of the council’s average annual operating expenses over the previous financial year.*

**the expected capital cost of the project over the ensuing 5 years exceeds \$4 million”*

be rescinded.

6. That Council resolution 222/2004 (10 Feb 2004)

“that Council resolve to proceed with the Lake Butler Marina Redevelopment Project on the basis of the strong and positive Net present Value of \$2,096,361 in relation to the project, subject to overcoming the Sales Risk, Design and Construction Risks and Operations, Maintenance and Management Risks as detailed on P 30-32 inclusive of the Prudential Report including adequate reconstruction berth sales and receiving appropriate approvals”

be rescinded.

7. That council resolution 318/2005 (21 April 2005)

“that council approve the Robe Marina Corporation Marketing and Business Plan, however before the Robe Marina Corporation commits itself to construction expenditure, the Robe Marina Corporation to convince the District council of Robe that the project is viable”

be rescinded (23/2006).

Seconded Cr Mathews

Carried Unanimously

The Acting Mayor declared the meeting closed at 9.50pm.

Confirmed 9 August 2005

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Mayor