

District Council of Robe

General Meeting

Minutes of the Monthly General Meeting held on 9 November 2004 commencing at 5.00pm.

PRESENT

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

CONFIRMATION OF MINUTES

Cr Boylan moved **that the minutes of the Council Meeting held on 12 October 2004 be taken as read and confirmed (116/2005).**

Seconded Cr Wilkin

Carried

MAYOR'S REPORT

The Mayor reported on the following:

- 15.10.04 SELGA Meeting
- 19.10.04 Robe Marina Corporation Selection Meeting – short listing of candidates
- 20.10.04 Robe Golf Club Meeting
- 26.10.04 Australia Day Meeting with Lions Club
- 27.10.04 Opening of Library Doors and launch of Chinese Book
- 28.10.04 Lake Butler Management Committee
- 5.11.04 Robe Marina Corporation – Selection Adelaide
- 8.11.04 Robe Marina Corporation – Selection Robe
- 8.11.04 Robe Golf Club/Council Joint Working Committee
- 9.11.04 Radio 5SE Interview
- 9.11.04 Sea Vu Caravan Park Meeting

REPORTS OF COMMITTEES

Cr Mathews moved **that the following Reports of Committees be received:**

1. **Occupational Health, Safety & Welfare Consultative Working Group – 28 September 2004 and 26 October 2004.**

2. Joint Council/Golf Club Working Committee – 20 October 2004.
3. Child Care on Wheels Committee – 26 October 2004.
4. Lake Butler Management Committee – 28 October 2004.
5. Skate & Recreation Park Advisory Committee – 28 October 2004 (117/2005).

Seconded Cr Boylan

Carried

REPORTS OF DELEGATES

Cr Loxton reported on:

- Meeting with Kingston District Council regarding Rubbish Depot.
- Plastic Bag Strategy

Cr Denton reported on:

- Lake Butler Management Committee
- Sea Vu Caravan Park Meeting

Cr Mathews reported on:

- VIC Open Day
- Skate Park Committee Meeting
- Cemetery Walk
- FOLD Meeting

Cr Boylan reported on:

- SELGA
- Limestone Coast Regional Development Board

Cr Denning-Wasson reported on:

- Limestone Coast Regional Development Board
- Out of School Hours Committee
- CCOWS Meeting
- VIC Open Day
- Kingston Community School Meeting

Cr Dening-Wasson moved **that Council write a letter to the Minister for Education supporting retaining two buses leaving Robe to the Kingston School for safety and comfort of students, copy to be forwarded to the Opposition Spokesman (118/2005).**

Seconded Cr Boylan

Carried

Cr Wilkin reported on:

- Robe Tourism & Traders Association
- 4WD Show Melbourne

REPORTS OF ASSOCIATED BODIES

Cr Denton moved **that the following Reports of Associated Bodies be received:**

1. **South East Coastal Management Group – 20 October 2004.**
2. **Robe Tourism & Traders Association – 7 October 2004 (119/2005).**

Seconded Cr Loxton

Carried

CHIEF EXECUTIVE OFFICER

Community Lands Management Plan

Cr Boylan moved **that the Community Lands Management Plan be deferred to the December Meeting for consideration (120/2005).**

Seconded Cr Denton

Carried

Budget

Cr Boylan moved **that the construction of Elizabeth Street be deferred to 2005/2006 and that tenders be called for the laying of stormwater pipe in Smillie Street Morphett Street (121/2005).**

Seconded Cr Wilkin

Carried

Cr Boylan moved **that the Chief Executive Officer's Report be received** (122/2005).

Seconded Cr Denton Carried

ADJOURNMENT

Cr Wilkin moved **at 5.30pm to adjourn the meeting for the duration of the Development Assessment Panel** (123/2005).

Seconded Cr Boylan Carried

RESUMPTION

The General Meeting resumed at 5.55pm.

**MANAGER
OF WORKS**

Naming of Roads

Cr Mathews moved **that the road located off the Southern Ports Highway along Sections 422 and 429 Hundred of Waterhouse be officially named Eliza Lane** (124/2005).

Seconded Cr Boylan Carried

Cr Boylan moved **that the road located off Robe Street in the Township of Robe along Part Section 231 Hundred of Waterhouse be officially named White Street** (125/2005).

Seconded Cr Denton Carried

Cr Dening-Wasson moved **that the road located off the Dairy Range Road along Sections 148 and 149 Hundred of Waterhouse be officially named Cormack Lane** (126/2005).

Seconded Cr Mathews Carried

Intersection Robe Street/Victoria Street and Squires Drive

Cr Denton moved **that the concept plans for the Robe Street/Victoria Street & Squires Drive intersection be placed on public consultation** (127/2005).

Seconded Cr Boylan Carried

Robe Village Fair

Cr Boylan moved that pursuant to the powers conferred on the Minister for Transport by Section 33 of the Road Traffic Act 1961 and delegated to Council's by the Minister on 12 March 2001, the District Council of Robe hereby advises:

That the event known as "Robe Village Fair" to be an event to which Section 33 of the Road Traffic Act applies and; Makes this order, temporarily closing the following streets in the Robe Township.

The following roads will be closed to traffic from 2.00pm Friday 26 November to 4.00pm Sunday 28 November 2004.

- Mundy Terrace / Victoria Street between Morphett Street and Davenport Street.
- Bagot Street between Mundy Terrace and Smillie Street.

The following roads will be closed to Traffic from 9.00am Saturday 27 November to 4.00pm Sunday 28 November 2004.

- Smillie Street between Bagot Street and Davenport Street.

The following roads will be closed to Traffic on Saturday 27 November 2004 from 9.00am to 4.00pm:

- Victoria Street between Smillie Street and Union Street.

Makes an order exempting persons participating in the event from the following Australian Road Rules:

- 230 Crossing a road (general)
- 238 Pedestrians travelling along a road (except in or on a wheeled recreational device or toy)
- 268 How persons must travel in a vehicle do not exceed the speed of 25km/hr on the portions of the road described above during the period specified above

298 Driving with a person in a trailer only when the participating vehicles do not exceed the speed of 25km/hr on the portion of the road described above and during the period above (128/2005).

Seconded Cr Wilkin

Carried

Cr Denton moved **that the Manager of Works Report be received (129/2005).**

Seconded Cr Wilkin

Carried

HEALTH

Cr Boylan moved **that as Council had no input into the changed STEDS connection point Thompson Road Council pays no compensation (130/2005).**

Seconded Cr Loxton

Carried

**LIBRARY / VISITOR
INFORMATION
CENTRE**

Cr Boylan moved **that the Library and Visitor Information Centre October 2004 Reports be received (131/2005).**

Seconded Cr Wilkin

Carried

Cr Dening-Wasson moved **that a Working Party consisting of Library Manager, 2 Robe Tourism & Traders representatives and 2 Elected Members be formed to investigate future options for the Visitor Information Centre (132/2005).**

Seconded Cr Mathews

Carried

**GENERAL
INSPECTOR / FIRE
PREVENTION
OFFICER**

Cr Denton moved **that Council authorise the following:**

Dog & Cat Management Act

District Council of Robe hereby appoints Carol Anne Johnson of 13 Park Terrace, Millicent as an Authorised Officer under the provisions of Section 27 of the Dog & Cat Management Act as from 9th November 2004 until revoked.

Local Government Act

District Council of Robe hereby appoints Carol Anne Johnson of 13 Park Terrace, Millicent as an Authorised Officer under the provisions of Section 260 of the Local Government Act as from 9th November 2004 until revoked.

Parking

District Council of Robe hereby appoints Carol Anne Johnson of 13 Park Terrace, Millicent as an Authorised Officer pursuant to Section 174c of the Road Traffic Act, to exempt any person or any persons of a specified class or any specified vehicle or any vehicles or a specified class from compliance within its area with any provision is of the Local Government (Parking) Regulations 1991.

Vehicle & Farm Implements

Pursuant to Section 236 of the Local Government Act, 1999, the power to remove any apparent abandoned vehicle or farm implement, from a public place and if no claim is made for the return of the vehicle or farm implement within 7 days of such removal, to proceed to sell or dispose of the vehicle or farm implement and to pay the proceeds into the general funds of the Council.

Pursuant to Section 234 of the Local Government Act, 1999 as a result of any accidents involving the vehicle or vehicles, to remove any litter, refuse or waste matter, goods, materials, earth, stone, gravel or other substances or parts of the vehicle or vehicles left on any part of any street, road or public place or on any land owned by, or under the care, control and management of the Council, the power to clear the area by removing it and recovering the cost of so doing from the driver of the vehicle, or the driver of any one of the vehicles.

Pursuant to Section 237 of the Local Government Act, 1999:

- a) The power if a vehicle of any kind is left on any part of any street, road or public place, or on any land or building owned by, or under the care, control and management of the Council for periods of not less than 24 hours, to cause the vehicle to be moved to such place as the officer;
- b) The duty to give the owner of the vehicle written notice the removal and the place to which the vehicle was removed, after any such removal and to serve such notice on the owner personally or where the owner is

of

unknown or cannot be found, by placing advertisements in two newspapers circulating generally in South Australia;

- c) Where the owner of the vehicle does not, within 14 days after the service of the notice of the placing of the advertisements, pay all expenses in connection with the removal, custody and maintenance of the vehicle, and of serving notice of advertising, take possession of the vehicle, the duty to sell the vehicle and apply the proceeds in accordance with the provisions of subsection (4) of that section.

Environment Protection Act, 1993

Pursuant to Section 4 of the Environment Protection (Burning) Policy, 1994 the power to give written consent for the burning of matter by a fire in the opinion of non-domestic premises for such periods and subject to such conditions as are necessary or desirable to control or minimise air pollution from the land or premises concerned.

Pursuant to Section 5(5) of the Environment Protection (Burning) Policy, 1994 the power to provide permission in writing or by notice published in a newspaper or other publication relating to burning off for the purpose of reducing the hazard of bushfires subject to –

- a) Such permission not exceeding two months; and
- b) The imposition of such conditions as the Chief Executive Officer thinks fit.

Dog & Cat Management Act, 1995

Pursuant to Sections 50 & 51 of the Dog & Cat Management Act, 1995 the power upon the Chief Executive Officer's own initiative or on application to:

- a) Make a destruction order where a dog is unduly dangerous and has attacked, harassed or chased a person or an animal or bird owned by or in the charge of a person in circumstances that would constitute an offence against the Act;
- b) Make a Control (Dangerous Dog) Order or a Control (Nuisance Dog) Order if satisfied that a dog is dangerous or a nuisance and has attacked, harassed or chased a person or an animal or bird owned by or in the charge of

a person in circumstances that would constitute an offence against the Act;

- c) Make a Control (Barking Dog) Order in relation to a dog if satisfied that the dog is a nuisance and has created noise by barking or otherwise in circumstances that would constitute an offence against this Act.

Pursuant to Section 52 of the Dog and Cat Management Act, 1995 the duty, before making an order under Section 51 of this Act, to take all reasonable steps to ascertain all persons who own or are responsible for the control of the dog and to give each of the persons so ascertained at least seven days written notice identifying the dog in relation to which it is proposed to make the order, setting out the terms of the proposed order and inviting the owner or other person to make submissions within seven days (or longer) with respect to the matter.

Pursuant to Section 53 of the Dog and Cat Management Act, 1995 the power to issue written directions from time to time to a person who owns or is responsible for the control of a dog subject to an order under Section 50 of this Act about how the order may be complied with (133/2005).

Seconded Cr Loxton

Carried

**DOG & CAT
MANAGEMENT
OFFICER**

Cr Boylan moved that the Dog and Cat Management Officer's Report be received (134/2005).

Seconded Cr Wilkin

Carried

FINANCE

Accounts Paid October 2004

Payments for the period ending as at 31 October 2004 totalling \$364565.06 be confirmed.

Reconciliation Statement

Reconciliation Statements as at 30 September 2004 and 31 October 2004 be confirmed.

Budget Comparison

Budget Comparison as at 31 October 2004 be confirmed.

Auditor's Report and Annual Financial Statements

Auditor's Reports and Annual Financial Statements for the year ending 30 June 2004 be confirmed.

Cr Denton moved **that the above financial reports be received** (135/2005).

Seconded Cr Boylan

Carried

- CORRESPONDENCE**
1. Local Government Finance Authority – Bonus Payment.

Received
 2. Waterhouse Range Vineyard – Cellar Door Sales Outlet.

Cr Boylan moved **that Council raises no objection** (136/2005).

Seconded Cr Mathews Carried
 3. SA Local Government Grants Commission – Grants.

Received
 4. Millicent Taxi – Taxi Service in Robe.

Cr Denton moved **that approval be granted for 2 years** (137/2005).

Seconded Cr Mathews Carried
 5. MA Bruce – Trees Victoria Street.

Received
 6. Minister for Environment and Conservation – Plantation Forestry in the Lower South East.

Received

7. Minister for Transport – Seatbelts.

Received

8. South East Regional Health Service – Fluoridation.

Cr Denning-Wasson moved **that Council support the Health Service in the preventative health service proposal (138/2005).**

Seconded Cr Boylan

Received

9. Local Government Association of SA – Representation of Country Councils on the LGA State Executive Committee.

Received

10. Local Government Association of SA – LGA Vice Presidents Elected.

Received

11. Local Government Association of SA - Draft State Government Stormwater Policy.

Cr Mathews moved **that the Manager of Works prepare Council's response (139/2005).**

Seconded Cr Denton

Carried

12. Annual Reports:

- Local Government Association of SA
- Kingston Soldiers Memorial Hospital Inc
- South East Area Consultative Committee
- Power Line Environment Committee
- South East Catchment Water Management Board

Tabled

13. National General Assembly of Local Government – Business Papers.

Tabled

OTHER BUSINESS Cr Dening-Wasson moved **that Council request that the boat be removed from the aerodrome (140/2005).**

Seconded Cr Boylan Carried

Cr Boylan moved **that Council write to the State Member of Parliament Member for McKillop seeking a regular meeting (141/2005).**

Seconded Cr Denton Carried

Cr Wilkin moved:

- (a) **that under the provisions of the Local Government Act 1999 an order be made under Section 90(2) that the public, except the CEO and Manager of Works be excluded from attendance at the meeting in order to consider in confidence employee support under Sub Section 90(3)(a);**
- (b) **that the Council is satisfied that it is necessary that the public be excluded to enable the Council to discuss the matter at the meeting on the following grounds – information disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (142/2005).**

Seconded Cr Denton Carried

Cr Boylan moved:

- (a) **that under the provisions of the Local Government Act 1999 an order be made under Section 90(2) that the public, except the CEO and Manager of Works be excluded from attendance at the meeting in order to consider in confidence under Sub Section 90(3)(a);**
- (b) **that the Council is satisfied that it is necessary that the public be excluded to enable the Council to discuss the matter at the meeting on the following grounds – information disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (144/2005).**

Seconded Cr Wilkin Carried

Cr Loxton moved that resolutions 145/2005 and 146/2005 relating to the Robe Marina Corporation remain confidential until the prospective Board Members are advised and accept the position. A press release to be made as soon as practical after acceptance (147/2005).

Seconded Cr Denton

Carried

The Mayor closed the meeting at 9.05pm.

Confirmed 13 December 2004

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Mayor