

District Council of Robe

MINUTES

Minutes of the Ordinary Council Meeting held 11 March 2008, commencing at 5.00pm at the District Council of Robe Chambers, Smillie Street, Robe.

**PRESENT** Mayor Peden, Crs. P. Riseley, J Mathews, R Dell'Antonio, N Wright, R. Petrovic, D Loxton, Chief Executive Officer, William Hender and Minute Taker; Michelle Gibbs.

**APOLOGY**

**CONFIRMATION OF MINUTES**

Ordinary Council Meeting 12 February 2008

Cr Dell'Antonio moved **that the minutes of the Ordinary Council Meeting held on 12th February 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (407/2008)

Seconded Cr Mathews

Carried

Confidential Council Meeting held 13th February 2008

Cr Riseley moved **that the minutes of the Confidential Council Meeting held on the 13th February 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (408/2008)

Seconded Cr Dell'Antonio

Carried

Confidential Council Meeting 4th March 2008

Cr Riseley moved **that the minutes of the Confidential Council Meeting held on 13th February 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (409/2008)

Seconded Cr Loxton

Carried

**CONFLICT OF INTEREST**

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

- Mayor Peden declared a conflict of interest on any items to do with marina as he owns land adjoining the marina
- Cr Riseley declared a conflict of interest on Item No. 15.1.6 Rate Rebate Robe RSL Sub-Branch as he is a member of the Robe RSL Sub-Branch

## **PUBLIC FORUM**

Terry Bywaters, President, Robe Ratepayers Association – when will there be a public forum as this is a mandatory requirement of the LG Act. Suggests that a report card be issued to the ratepayers pointing out milestones accomplished.

## **MAYOR'S REPORT**

Judith Jones report has been completed and will be received this Thursday at a Special Council Meeting. He will not be attending due to a potential conflict of interest.

A date for the public meeting is yet to be set but will be held in the near future to discuss issues like the Budget for 2008/09 and Strategic Management Plan.

## **REPORTS OF COMMITTEES**

### CDAP Meeting held on 15th January 2008

Cr Riseley moved **that the minutes of the CDAP meeting held on 15th January 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.**  
(410/2008)

Seconded Cr Mathews

Carried

### Special CDAP Meeting held on 1st February 2008

Cr Mathews moved **that the minutes of the CDAP Meeting held on 1st February 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.**  
(411/2008)

Seconded Cr Riseley

Carried

### CCOWS Meeting held on 18th February 2008

Cr Riseley moved **that the minutes of the CCOWS Meeting held on 18th February 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.**  
(412/2008)

Seconded Cr Loxton

Carried

**REPORTS OF  
ASSOCIATED  
BODIES**

Robe Tourism and Traders Association

Cr Petrovic moved **that the report from the Robe Tourism and Traders Association be noted and received.** (413/2008)

Seconded Cr Loxton

Carried

**REPORTS OF  
MEMBERS**

Cr Dell'Antonio reported on:-

- Special Meeting 13th February
- Library Management Committee Meeting 27th February

Cr Mathews reported on:-

- Special Council Meeting 13th February
- Limestone coast Regional Development Board Meeting 18th February
- CDAP Meeting 19th February
- Kingston Hospital Board Meeting – 26th February
- Meeting Andrew Smith & Andrew Pitt – 29th February
- Special Council Meeting – re Organisational review – 4th March
- Workshop Judith Jones re report, 5th March
- Ratepayers Meeting – 10th March
- Limestone Coast Area Consultative Committee dinner re projects possible for Robe
- Site inspection Lake Charra 11th March

Cr Riseley reported on:-

- Special Council Meeting 13th February
- Limestone Coast Regional Development Board Meeting 18th February
- CCOWS Meeting 18th February
- CDAP Meeting 19th February
- Meeting Andrew Smith & Andrew Pitt – 29th February
- Special Council Meeting – Re Organisational review – 4th March
- Workshop Judith Jones re report, 5th March
- Site inspection Lake Charra 11th March
- Limestone Coast Area Consultative Committee Dinner and Information evening

Cr Wright reported on:-

- Special Council Meeting 13th February
- Waste Management Working Group Meeting 19th February
- Library Committee meeting – 27th February
- Meeting with RTTA members, the Mayor, CEO and Elected Members regarding statements made during the January 2008 Ordinary Meeting of Council.

- Special Council Meeting, 4th March
- Marina Report workshop, 5th March
- Ratepayers Association Meeting, 10th March

Statement from Cr Wright:-

“In discussion on an item during the January 2008 Ordinary Meeting of Council I made remarks regarding fact that a member of the Robe Tourism and Traders Association received a “substantial amount of money” for work done as part of the organising of the 2006 Robe Village Fair.

The remarks I made, although technically correct, were blunt and subjective. Any negative inference drawn from these remarks that would reflect badly on the character of any member of the RTTA I now apologise for.

At the February 2008 Ordinary Meeting of Council a letter was received and tabled from Andrew Smith identifying himself as the person I referred to in the January meeting. In this letter Mr. Smith accuses me of being incorrect, of lying, of slander, and of purposely discrediting himself and the Robe Village Fair.

The content of this letter, while clearly excessive and in fact not true, is an indication of the strength of feeling of the author at the time of writing. Again, I apologise for instigating this reaction by not choosing my words more carefully during that January council meeting.

As a result of a council resolution a meeting was arranged between Crs. Riseley and Mathews, the CEO, Murray Pitt, Andrew Smith and myself on the 29<sup>th</sup> of February 2008. The issues relating to the January 2008 Ordinary Meeting of Council and Andrew Smith’s letter were discussed fully, as well as issues relating to the funding of the Robe Village Fair.

I apologised to Andrew Smith at this meeting for my January statements in the context of my earlier statements here tonight.

During a conversation between Andrew Smith and myself, later in the day of the 29<sup>th</sup> of February, we agreed to move forward and continue to work towards positive outcomes for our district and local community.”

Cr Petrovic reported on:-

- Special Council Meeting – 13th February
- Limestone Coast Regional Development Board meeting – 18th February
- Special Council Meeting – 4th March
- Workshop Judith Jones report 5th March
- Ratepayers Meeting – 10th March

- Limestone Coast Area Consultative Committee Dinner and Information evening

Cr Loxton reported on:-

- Limestone Coast Regional Development Board 18th February
- Workshop Judith Jones report 5th March
- Ratepayers Meeting 10th March

Mayor Peden reported on:-

- Special Council Meeting 13th February
- Meeting – LGA and Grants Commission- 18th February
- Meeting – LGA 19th February
- Meeting with Andrew Smith and Murray Pitt – 29th February
- Special Council Meeting – 4th March

## OFFICERS' REPORTS

### CHIEF EXECUTIVE OFFICER

#### Bank Signatories

Cr Loxton moved **that Council's bank signatories be the Mayor, William Peden; CEO; Bill Hender; Vanessa McDonald and Michelle Gibbs with any two to sign.** (414/2008)

Seconded Cr Petrovic

Carried

Cr Mathews moved **that Council's credit card be re-issued in the name of Bill Hender.** (415/2008)

Seconded Cr Dell'Antonio

Carried

#### Complaint – Development Approval

Cr Loxton moved **that the CEO, following consultation with the Mayor, further investigate the matter and respond to Mrs Goodman.** (416/2008)

Seconded Cr Petrovic

Carried

#### CWMS Re-use Project

Cr Wright moved **that Council engage Tonkin Engineers to undertake consultation and investigations with Council and other stakeholders and to develop a preferred option for the CWMS Re-use Project at a cost of \$11,500 (ex GST).** (417/2008)

Seconded Cr Dell'Antonio

Carried

Green Waste Chipping

Cr Wright moved that **Van Schaiks BIOGRO be awarded the contract to chip Council's green waste stockpile. (418/2008)**

Seconded Cr Mathews

Carried

Land Division – Wright's Bay Road

Cr Petrovic moved that **Council grant consent to the land division at the Wright's Bay Road/Southern Ports Highway and that the Seal of Council be affixed to the documents as required. (419/2008)**

Seconded Cr Wright

Carried

Cr Riseley declared a conflict of interest and left the room at 5.35pm.

Rate Rebate Robe RSL Sub-branch

Cr Loxton moved that **Council grant a rate rebate to the Robe Sub-branch of the RSL. (420/2008)**

Seconded Cr Petrovic

Carried

Cr Riseley entered the meeting at 5.36pm.

Mayor Peden declared a conflict of interest and left the room at 5.37pm.

Deputy Mayor, Cr Loxton in the chair.

Request for Lease from Scott's Agencies

Cr Wright moved that **Council defer consideration of this matter until the lease arrangements have been finalized with Barrett Distributors. (421/2008)**

Seconded Cr Riseley

Carried

Mayor Peden entered the room at 5.40pm.

Sale of Council Property

Cr Riseley moved **that the sale of Council property situated at 19 Harold Street, Robe be deferred pending further investigation.** (422/2008)

Seconded Cr Mathews

Carried

Telstra Rates

Cr Riseley moved **that Council enter into a 24 month contract with Telstra to provide telecommunication services as per the report in the agenda.** (423/2008)

Seconded Cr Loxton

Carried

Council Financial Reports – February 2008

Cr Petrovic moved **that Council receives and notes the reports.** (424/2008)

Seconded Cr Loxton

Carried

**DIRECTOR OF  
CHILDRENS  
SERVICES**

CCOWS Interim Report, 4 March 2008

Cr Loxton moved **that Council notes and receives the report.** (425/2008)

Seconded Cr Dell'Antonio

Carried

**OTHER  
BUSINESS**

Cr Riseley moved **that the CEO investigate prices of continuous fenders for the pontoons at the amateur boat ramp and report back to the April Council Meeting.** (426/2008)

Seconded Cr Wright

Carried

Cr Riseley moved **that a one metre wide strip of surplus pavers be used in the washdown area of the amateur boat ramp.** (427/008)

Seconded Cr Mathews

Carried

Cr Mathews thanked Jeff and Heather Gibbons and Tom and Pat Legoe for their voluntary efforts on Clean Up Australia Day and during the year in cleaning up the township.

**CONFIDENTIAL  
ITEM**

Legal Advice

Cr Riseley moved **that pursuant to Section 83(5) of the Local Government Act 1999, that the matter contained in the report titled "Legal Advice" is delivered to Council members on the basis that the Council consider the report in confidence under part 3 of the Act, specifically Section (90)(3)(b), on the basis that the reports contain 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.**

(428/2008)

Seconded Cr Mathews

Meeting closed at 6.16pm. for Confidential Meeting.

Confirmed 8th April 2008

Date \_\_\_\_\_ Mayor