

District Council of Robe

MINUTES

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

PRESENT Mayor Peden, Crs. D Loxton, P Riseley, J Mathews, R Dell'Antonio, N Wright, R. Petrovic, Chief Executive Officer, William Hender and Deputy Chief Executive Officer and Minute Taker, Ronni Barnden

APOLOGY

WELCOME Mayor welcomed the Gallery

CONFIRMATION OF MINUTES

4.1 Ordinary Council Meeting 14 October 2008

Cr Mathews moved **that the minutes of the Ordinary Council Meeting held on 14 October 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (105/2009)

Seconded Cr Loxton

Carried

CONFLICT OF INTEREST

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

- Mayor Peden declared a conflict of interest on any items to do with marina as he owns land adjoining the marina

NOTICES OF MOTION

Following Notice of Motion submitted by Cr. Petrovic –

That Council rescind the approval of the Late Agenda item no. 15.7.1 “Authorisation to alter a Public Road”

Reason:

- Insufficient time to make a fully informed decision at last meeting on the 14th October 2008
- The area in question only had an open verandah initially, which was closed in, in about the early 1960's. This is similar to the verandahs in our main street being over the footpath and then being closed in to become a private extension to those properties.
- Are there any approvals and conditions of use in place?
- There are no footpaths on either side of the road, and it would appear to be easier and more economical to build one on this side of the road when it finally happens.
- Approval of the front wall of the original building being over the boundary can be given, due to its historical value and not impact greatly on the remaining footpath area.
- This footpath area may be required to lay underground services to this street in the future.
- Approval may be required from service providers like ETSA and others, as pointed out in Mr. Brian Hartwig's letter.
- The opportunity to correct a noncompliance like this comes rarely and care should be taken to get it right for all concerned parties.

The Mayor asked John Fenton if he wished to speak on this matter, though it was not normal Council practice to allow this to occur. Mr Fenton advised that he was awaiting the arrival of Mr John Hinge who would speak on his behalf. After some time, Mr Fenton addressed Council (at 6.47pm) as Mr Hinge had been delayed. Mr Fenton advised that he was speaking on behalf of his sister re “Eltham House”, 17 Sturt Street ROBE SA 5276. He stated that this building has both State and Local heritage significance and that he felt that there should be some “give and take” in matters such as this. Mr Fenton then went on to speak about the original

concept plan provided by Richard Woods, Heritage Adviser, in 2002. Councillors were given the opportunity to view these plans.

Cr Petrovic stated that Council supports heritage of Robe but that this was an opportunity for Council to be able to correct a mistake made a long time ago and this opportunity does not come along very often. He also stated that he had concerns that the electricity lines would be above the roof of the property. He then quoted regulations and distances from Department of transport, Energy and Infrastructure "Building Safely Near Powerlines" brochure.

Cr Wright stated that he was under some misapprehensions last meeting due to the late agenda item. He has now had the opportunity to inspect the property and he stated his agreeance and support for for Cr Petrovic's rescinding motion.

Cr Riseley stated that the lean-to was built in 1855, as was the house and that the survey occurred over an existing building and that he feels that no re-dress should be done as this mistake has existed since 1855. He then asked if Council may be able to sell the land in question to the Fenton's.

Cr Mathews stated her support for Cr Petrovic's rescinding motion.

Cr Loxton stated that he would support the rescinding motion as he had changed his mind since having the opportunity to study the proposal. He stated that he was not against the verandah.

Cr Petrovic moved **that late agenda item no. 15.7.3 "Authorisation to Alter a Public Road" Resolution Number 90/2009 be rescinded.**

Seconded Cr Wright (106/2009)

Carried

Cr Wright moved **to refuse the Section 221 application for development at "Eltham House" 17 Sturt Street, ROBE.**

Seconded Cr Dell' Antonio (107/2009)

Carried

**PUBLIC
FORUM**

Mayor advised that Marcia Denning-Wasson would be able to address council when the relevant agenda item came up, item 16.2 Road Safety Group – Robe- seeking funding for 2 hoop signs relating to information relating to safe road use.

ADDRESS

**MAYOR'S
REPORT**

1. LGA AGM in Adelaide

1.1 Independent Commission Against Corruption

The hottest item on the agenda was whether Council's in South Australia thought that SA needs an Independent commission Against Corruption. Robe and Naracoorte Lucindale voted in favour of asking the government for such a commission. Unfortunately the majority of SA Councils voted to recommend keeping the present system. Many people who voted to keep the current combination (Ombudsman and Police investigating allegations) claim that there isn't corruption in local government. One speaker from Adelaide City Council said that it is naïve to think that corruption stops at the border.

1.2 Planning Changes

New planning changes are to be introduced on 1 January 2009. there are many concerns, particularly from Councils with heritage areas. One speaker said Councils are the only barrier preventing a minority of developers from building atrocious and inappropriate buildings. He warned that the face of South Australia will be changes for the worse forever if these planning changes get through as drafted.

2. Breast Cancer Fundraiser Breakfast

Held on 29 October at the Institute it was well attended. Thanks to the sea quilters for organizing the event including, Sandra Ludwig, Sonia McMartin, Helen Bayliss, Mary Peters, Michelle Cook and Michelle Hunt.

Thanks this year to the school for participating. Also thanks to all local businesses for sponsorship. A great time was had by all and it raised money for a most worthwhile cause.

3. Robe Art Group 20 Years at Institute

On 31 October the robe Art Group celebrated 20 years at the West Room of the institute. There are 8 active members with Chris Davidson and Cathy Carter having been there more than 20 years. New members are very welcome. It was a great evening and a credit to the group.

4. Meetings Regarding Commonwealth Constitutional Recognition of Local Government

This month and next there are two meetings, being in Canberra and Melbourne, regarding constitutional recognition of local government. All Mayors in Australia have been invited to both. Whilst Bill and I think this is a worthwhile cause we can't see the value for ratepayers in having me attend these events. With accommodation and airfares it is expected to cost many thousands of dollars.

5. Speed Limit on Princes Highway

We have received a letter from the CEO of Department of Transport, Energy and Infrastructure, Mr Jim Hallion, saying that the speed limit on the highway between salt creek and Mt Gambier is to be kept at 110/kmh. There has been a proposal to lower it to 100/kmh. This result of maintaining 110kmh is largely due to the persistence of Mr Evan Flint, Chairman of Kingston DC, who has lobbied heavily.

6. Remembrance Day

This important service was held this morning and was conducted by the Robe RSL sub branch. Thanks to those servicemen who risked their lives so that we may live in freedom today. We thank them. For those who are no longer with us, we shall remember them.

7. Limestone Coast Regional Development Board (LCRDB) – Robe motions revisited.

Mt Gambier City Council expressed surprise that SELGA voted against DC Robe's motions for accountability and transparency. You may remember

that the only Councils voting for our motions were Robe and Naracoorte Lucindale and the motions were lost. Now Mt Gambier has strongly recommended that SELGA support substantially similar motions seeking to have LCRDB develop and adopt sound principles of transparency and good governance in its operations and the operations of its target teams.

8. Ranger Calls from Public

Our chief ranger has said he received a call from a distressed member of the public wanting him to respond to an incident involving a large seal. The complainant said their small dog went near the seal and was eaten in one go. The ranger was at a loss as to what he could do...

**BUSINESS
ARISING FROM
MINUTES**

**REPORTS OF
COMMITTEES**

11.1 Robe Marina Committee Minutes

Cr Riseley moved **that the minutes of the Robe Marina Committee meeting held 1 October 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (108/2009)

Seconded Cr Wright

Carried

11.2 Robe Marina Committee Meeting

Cr Riseley moved **that the minutes of the Robe Marina Committee meeting held 29 October 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (109/2009)

Seconded Cr Wright

Carried

11.3 Council Development Assessment Panel Meeting

Cr Mathews moved **that the minutes of the Council Development Assessment Panel Meeting held 21 October 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (110/2009)

Seconded Cr Riseley

Carried

REPORTS OF MEMBERS

Cr Mathews reported on:-

- 15/10/2008 Limestone Coast & Coorong Coastal Network Meeting
- 19/10/2008 Xmas Tree working Bee
- 21/10/2008 CDAP Meeting
- 22/10/2008 Meeting with Ron Sargent
- 26/10/2008 Xmas Tree working Bee
- 27/10/2008 Xmas Tree working Bee
- 28/10/2008 Working Bee
- 29/10/2008 Pink ribbon Breakfast
- 30/10/2008 Meeting with Mother's of Young Children
- 4/11/2008 Green Waste Workshop
- 6/11/2008 Meeting with Trevor Hondow re fencing playgrounds
- 10/11/2008 Ratepayers Meeting
- 11/11/2008 Remembrance Day Ceremony

Cr Riseley reported on:-

- 15/10/2008 Limestone Coast & Coorong Coastal Management Group re: recreational vehicles & the coast.
- 15/10/2008 Robe Marina Section 40 Committee
- 16-28/10/2008 KESAB – Worked at Christmas Tree
- 29/10/2008 Robe Marina Committee
- 29/10/2008 Pink Breakfast
- 30/10/2008 Australia Day Committee Meeting
- 30/10/2008 CCOWS Meeting with RSL Committee
- 31/10/2008 Lapwing Gallery exhibition 20 year celebration
- 3/11/2008 Field Trip Baudin Rocks re Satellite Tagging of Male Sea Lion

- 4/11/2008 Green Waste Management Workshop
- 5/11/2008 Bushfire Prevention committee Meeting
- 6/11/2008 RSL Working Bee

Cr Petrovic reported on:-

- 28/10/2008 Road Safety Group sub-committee meeting
- 29/10/2008 Breast Cancer Foundation Pink ribbon Breakfast
- 30/10/2008 Australia Day Committee meeting
- 4/11/2008 Special meeting on green waste
- 4/11/2008 Road Safety Group Robe Meeting
- 10/11/2008 Robe and District Rate Payers Assoc.

Cr Loxton reported on:-

- 04/11/2008 Road Safety Group Meeting
- October 08 Limestone Coast Regional Development Board
- 04/11/2008 Waste Management Workshop
- Rate Payers Meeting

Cr Wright reported on:-

- 17/10/2008 Meeting with Chris Slattery and Trevor Hondow at Robe Landfill
- 29/10/2008 Quilter's Pink Breakfast fundraiser
- 29/10/2008 Robe Marina committee Meeting
- 4/11/2008 Waste Management Committee Meeting
- 10/11/2008 Ratepayers Meeting
- 11/11/2008 Remembrance Day Service

Mayor Peden reported on:-

- 14/10/2008 Council Meeting
- 20/10/2008 Met Strategic Plan Consultant
- 21/10/2008 CDAP
- 22/10/2008 Meeting SATC in Adelaide
- 22/10/2008 Civic Reception Adelaide Town Hall
- 22/10/2008 Dinner with Norman Waterhouse Lawyers
- 23-24/10/2008 LGA AGM Adelaide
- 28/10/2008 5SE Interview
- 29/10/2008 Breast Cancer Breakfast at Institute
- 29/10/2008 Lunch for visiting VIC Staff at Robe Hotel
- 30/10/2008 Australia Day Meeting at Council
- 25/09/2008 RDDA Meeting
- 3/10/2008 SELGA – Naracoorte

- 4/10/2008 National Trust Auction
Robe Bowling Club extension
- 14/10/2008 Playground workshop

OFFICERS' REPORTS

CHIEF EXECUTIVE OFFICER

15.1.1 Mayoral Christmas Parade – Road Closure Requirements

Cr Loxton moved that the following roads be closed for the Mayoral Christmas Parade from 4.00 pm to 10.00 pm Sunday 14 December 2008:

Mundy Terrace from Bagot Street to Davenport Street

Bagot Street from Smillie Street to Mundy Terrace.
(111/2009)

Seconded Cr Riseley

Carried

15.1.2 Robe Village Fair – Road Closure Requirements

Cr Mathews moved that the following roads be closed for the Robe Village Fair :

Thursday 27 November 2008 from 9.00 am to 3.00 pm

- **Mundy Terrace: from War Memorial to Bagot Street.**

Friday 28 November 2008 from 8.00 am

- **Mundy Terrace: from Davenport Street to Bagot Street**
- **Smillie Street: from Davenport Street to Bagot Street**
- **Bagot Street: from Smillie Street to Mundy Terrace**

Saturday 29 November 2008 from 8.00 am

- **Victoria Street:from Union Street to Davenport Street**
- **Mundy Terrace:from Bagot Street to Morphett Street**

Closed for vehicle parking:

- **Mundy Terrace:from Bagot Street to Morphett Street**

The following road will be open to traffic Saturday 29 November 2008 from 4.00 pm:

- **Victoria Street:from Union Street to Davenport Street.**

The following road will be open to traffic Monday 1 December 2008 from 10.00 am:

- **Smillie Street**
- **Bagot Street**
- **Mundy Terrace:from Bagot Street to Morphett Street, War Memorial to Bagot Street.(112/2009)**

Seconded Cr Dell'Antonio

Carried

15.1.3 Lease of Council Car Park

Cr Loxton moved that council advise Gary DeBoo that his request to lease part of the car park on corner of Robe Street and Main Road for the purpose of displaying second hand motor vehicles for sale has not been granted. (113/2009)

Seconded Cr Mathews

Carried

15.1.4 Library/VIC Air-Conditioning

Cr Wright moved that the 2008/2009 Council Budget should be adjusted to allow for the purchase of new air conditioning for the robe Library/Visitor Information Centre. (114/2009)

Seconded Cr Dell'Antonio

Carried

15.1.5 EMAC Hut

Cr Riseley moved **that the request from the local artists group to hire the EMAC hut over the summer months for use as a gallery be granted.** (115/2009)

Seconded Cr Matthews

Carried

15.1.6 SELGA Annual Report

Cr Wright moved **that the Annual Report of the South East Local Government Association be received.** (116/2009)

Seconded Cr Loxton

Carried

15.1.7 Aerodrome Lease

Cr Dell'Antonio moved **that Council grant the request to relinquish the lease they have with Dean Fennell and Chris Hamilton and then call for expressions of interest from interested persons to secure a new lease for the aerodrome.** (117/2009)

Seconded Cr Petrovic

Carried

15.1.8 Fuel Tanks at Robe Marina

Mayor Peden declared conflict of interest at 6.34 pm and left the room.

Deputy Mayor Loxton in chair

Cr Mathews moved that Council request the Robe Marina Committee to attend a joint meeting with Council to discuss investigation of appropriate site for the installation of fuel tanks at the marina. (118/2009)

Seconded Cr Wright

Carried

Mayor Peden re-entered the meeting at 6.46 pm and resumed chair.

15.1.9 National rural and Remote Health Infrastructure Program

Cr Riseley moved that Council lodge an application for funding from the National Rural and Remote Health Infrastructure Program. (119/2009)

Seconded Cr Wright

Carried

15.1.10 Removal of Pine Trees in Dawson Drive

Cr Loxton moved that permit be granted for the removal of pine Aleppo pine trees from adjacent Council land in Dawson Drive. (120/2009)

Seconded Cr Riseley

Carried

15.1.11 Robe Gym Feasibility Study

Cr Loxton moved to defer this item.

No Secunder

Lapsed

Cr Wright moved that Council contribute \$1000.00 towards the cost of a feasibility study into the establishment of a community gym in Robe. (121/2009)

Seconded Cr Riseley

Carried

15.1.12 Green Waste Fees

Cr Loxton moved **that there be no charge for segregated green waste received at the Robe landfill site that does not require tub grinding.** (122/2009)

Seconded Cr Petrovic Carried

15.1.13 Landfill Opening Hours

Cr Wright moved **that the hours of operation for the Robe landfill depot be:**
Monday to Friday – 10.00 am to 11.00 am
Saturday – Closed
Sunday – 2.00 pm to 3.00 pm (123/2009)

Seconded Cr Mathews Carried

15.1.14 Boandik Lodge Proposal

Cr Mathews moved **that Council authorize the Chief Executive Officer to develop a proposal to submit to the Board of Boandik Lodge Incorporated for the development of independent living units in Robe. This proposal to be based on the development taking place on Council owned land adjacent to Casuarina Lodge.** (124/2009)

Seconded Cr Dell'Antonio Carried

**DEPUTY CHIEF
EXECUTIVE OFFICER**

15.2.1 Customer Suggestion/Request Forms

Cr Dell'Antonio moved **that the report be noted.** (125/2009)

Seconded Cr Mathews Carried

- 15.2.2 Invitation to Join National Timber Councils Taskforce
Cr Riseley moved **that Council decline the invitation.** (126/2009)

Seconded Cr Dell'Antonio Carried

- 15.2.3 Request to Erect "Walkway to Beach" signs at Longbeach

Cr Petrovic moved **that Chief Executive Officer investigate the costs of carrying out maintenance of the walkways at Longbeach to improve access as this will alleviate need for signage.** (127/2009)

Seconded Cr Riseley Carried

Comment

CEO to investigate costs and report back to next Council meeting.

- 15.2.4 Third Quarterly Report to the Minister on Implementation of Governance Review Recommendations

Cr Wright moved **that the report be noted.** (128/2009)

Seconded Cr Dell'Antonio Carried

**LATE AGENDA
ITEMS**

- 15.1.15 Cr Riseley moved to **receive the budget variation late agenda item.** (129/2009)

Seconded Cr Loxton Carried

Cr Wright moved **that the budget line transfer be permitted to allow the upgrade of computers to take place.** (130/2009)

Seconded Cr Dell'Antonio Carried

15.1.16 Cr Loxton moved **to accept the second late agenda item – The Gallerie Restaurant – Extension of Trading Area.** (131/2009)

Seconded Cr Dell'Antonio

Cr Loxton moved **that Council grant the request for the extension of trading area.** (132/2009)

Seconded Cr Wright

Carried

15.1.17 Cr Loxton moved **that Council accept the third late agenda item – Notice of Motion.** (133/2009)

Seconded Cr Wright

Carried

Cr Loxton then placed a motion that this item be considered confidentially.

No Seconder

Lapsed

Cr Loxton then called for a division.
Result 5:1 to consider item as per normal

For
Cr Loxton

Against
Cr Riesley
Cr Mathews
Cr Dell'Antonio
Cr Wright
Cr Petrovic

Cr Wright moved **that the CEO is to write to the LCACC board and ask the following questions listed in the Notice of Motion and that the CEO report back to Council when a reply has been received.** (134/2009)

Seconded Cr Mathews

Carried

Questions for CEO to ask the LCACC Board:

1. Are these food trail positions held by Mrs Ling and Mr Smith paid?
2. Are sitting fees paid and/or expenses reimbursed?
3. If so to questions 1+or 2, is there any conflict of interest in having board members as paid project officers?
4. Does the LCACC have any provisions for dealing with real or potential conflicts of interest?
5. What is the status of the Limestone Coast Food Group (eg is it an incorporated body?)
6. Under what conditions has the Federal funding been granted?
7. What reporting requirements have been put in place to ensure fully transparent accounting for the use of the LCACC sourced funding by the Limestone Coast Food Group?
8. In what way is the Limestone Coast Food Group achieving its apparent goal of “helping fishing communities manage the impacts of reduced fishing activity”?
9. Is Australian Kelp Products a private company?
10. Who are the owners of Australian Kelp Products?

**REGULATORY
OFFICER**

15.3.1 Marina – Reduction in Costs Outlined in ‘Deed of Consent’

Comment

Cr Wright requested that Council be informed of all sub-leases by way of Council report.

Cr Riseley moved **that the Marina ‘Deed of Consent fee be amended to \$100.00.** (135/2009)

Seconded Cr Petrovic

Carried

MANAGER CHILDREN'S SERVICES

15.4.1 Manager Children's Services Report

Cr Riseley moved **that Council notes the report.**
(136/2009)

Seconded Cr Dell'Antonio Carried

FINANCE REPORT

15.5.1 Report – V McDonald

Cr Wright moved **that Council notes the report.**
(137/2009)

Seconded Cr Petrovic Carried

WORKS SUPERVISOR

Monthly Works Supervisors Report

Cr Mathews moved **that Council notes the report.**
(138/2009)

Seconded Cr Loxton Carried

ENVIRONMENTAL HEALTH OFFICER

15.7.1 Environmental Health Officer – Annual Report

Cr Wright moved **that the report be noted.**
(139/2009)

Seconded Cr Loxton Carried

CORRESPONDENCE

16.1.1 Robe Bowling Club Re: Liquor Licence

Cr Petrovic moved **that Council defer this item until consultation with other venue licencees in the commercial zone and until proposed hours of operation have been clarified.** (140/2009)

Seconded Cr Dell'Antonio Carried

16.1.2 Road Safety Group – Robe – Seeking support for 2 hoop signs with information relating to safe road use

Cr Mathews moved that **Council provide support to the Robe Road Safety Group to site and erect signs as requested.** (141/2009)

Seconded Cr Riseley

Carried

OTHER BUSINESS

Meeting closed at 7.52pm.

Confirmed 9 December 2008

Date _____ Mayor