

District Council of Robe

MINUTES

Minutes of the Ordinary Council Meeting held 8 March 2011, commencing at 6.00 pm at the District Council of Robe Chambers, Smillie Street Robe.

ACKNOWLEDGEMENT

Acknowledgement of Traditional Owners

The District Council of Robe acknowledges and respects the traditional owners of the ancestral lands of the Robe district. We acknowledge elders past and present and we respect the deep feelings of attachment and relationship of Aboriginal peoples to this country.

WELCOME

Mayor welcomed the Elected Members, Staff and Gallery

PRESENT

Mayor Peter Riseley; Crs Lawrence Polomka, Rino Dell'Antonio, Jenny Mathews, Kristina Alexander and Harvey Nolan

STAFF IN ATTENDANCE

Chief Executive Officer, Mr Bill Hender and Minute Taker, Miss Kellie Jordan

APOLOGIES

Works Supervisor, Mr Trevor Hondow

CONFLICT OF INTEREST

Cr Harvey Nolan declared a Conflict of Interest on Confidential Item 21.1 Offer to Purchase a Portion of Christine Street, as he is an adjoining property owner.

Cr John Enright entered the meeting at 6.03 pm

ADDRESS

7.1 Mr Mark Braes (Chairman) and Mr Grant King (CEO) Regional Development Australia – Limestone Coast
Item deferred in the absence of presenters.

CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting Minutes 8 February 2011

Cr Nolan moved that **the minutes of the Ordinary Council Meeting held on 8 February 2011 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (166/2011)

Seconded Cr Dell'Antonio

Carried

BUSINESS ARISING FROM MINUTES

Nil

MAYOR'S REPORT

Grant Funding

Councillors receive repeated comment about certain works or projects. The Royal Circus project being one example, one recent comment said it was a waste of money and inappropriate. The money would be better spent on roads.

From time to time funding opportunities arise from both State and Commonwealth Government sources. The funding is identified, as being for specific categories or types of projects and the applicant must satisfy a list of project goals and objectives.

There are many types of funding such as Open space, Caring for Country, Heritage, Special Roads and Sport and Recreational to name a few. The Tennis Club was successful in achieving a grant to resurface the courts just recently.

Applicants submit projects for assessment and ranking and the winning bidders are notified of the outcome.

The Royal Circus project received funding from the State Government Open Space Funding Program. If Robe had not submitted and been successful this funding would have gone too another town and still have been allocated for an Open Space Program. The grant monies have almost entirely funded this project with some in-kind contribution by Council and donations from some community benefactors.

Many of the current funding opportunities are focused on community collaboration. To be successful requires input from a number of groups or bodies willing to work together. If your group

can assist in a collaborative project, please contact Cr Jenny Mathews or Mayor Peter Riseley.

Long Beach

Council received a letter from Mr. Paul Black outlining a proposal to charge for using Long Beach. As a result, Council moved to consult the broader community and seek their comments before making a decision.

RSL Official opening

On Friday the 25th of February the official opening of the RSL clubrooms took place.

The hall has undergone a dramatic revamp after the renovations. Congratulations to President Doug Peel and all the members on a job well done. Stephen Gibbons presented a historical recount of the early beginnings of the RSL clubrooms. Read the full story in the April Newsletter.

Cemetery Gates

If any person can assist with a photograph or details of design please contact Council 0887682003. This will assist volunteers keen to build replica gates.

Limestone Coast and Coorong Coastal Management Group

Funding approved under the State Natural Resources Management Program 2010-2011 – NRM Community Grants. The grant funding amounts to \$29 700 and will be used for 'Inspiring SE residents: coastal gardens workshops and demonstration garden.

ELECTED MEMBER REPORTS

Mayor Peter Riseley

- 10/02/2011 Inspect Cape Jaffa Limestone
- 10/02/2011 Royal Circus Project Meeting
- 13/02/2011 Friends of Parks Forum
- 15/02/2011 Royal Circus Meeting
- 15/02/2011 DAP Meeting
- 15/02/2011 Friends of Little Dip Meeting
- 16/02/2011 Public Meeting New Years Eve Strategy
- 17/02/2011 Special Roads Funding Workshop – Naracoorte
- 22/02/2011 Marine Parks LAG Meeting
- 23/02/2011 Community Engagement project
- 23/02/2011 Aged Care Committee
- 24/02/2011 Limestone Coast and Coorong Coastal Management Group Meeting
- 25/02/2011 RSL Official Opening

- 25/02/2011 RSL Community Bus Meeting
- 28/02/2011 Robe Marina Section 41 Committee
- 01/03/2011 Coast Care Group Meeting
- 03/03/2011 Council Workshop
- 03/03/2011 3rd Ramp with Works Supervisor
- 04/03/2011 Farewell – Vienna Barnes (Robe Public Library)

Cr Rino Dell'Antonio

- 16/02/2011 Public Meeting New Years Eve Strategy
- 23/02/2011 Community Engagement Project
- 24/02/2011 Robe CFS Group General Meeting
- 03/03/2011 Council Workshop

CFS Meeting 24/02/2011

Request for Council approval to start burn offs early (1/03/2011)
Bulk Water Carrier housed in Robe now.

Summer season for fires was reasonable – few fires.

Is there grant funding available for extending the airstrip?

What stage is the second entrance into Robe at?

Cr Jenny Mathews

- 10/02/2011 Royal Circus Project Meeting
- 15/02/2011 Meeting with Lisa Re: Lights, Royal Circus
- 15/03/2011 CDAP Meeting
- 16/03/2011 Public Meeting New Years Eve Strategy
- 23/03/2011 Aged Care Committee Meeting
- 23/03/2011 Community Engagement Project
- 24/03/2011 Limestone Coast and Coorong Coastal Management Group Meeting
- 25/03/2011 RSL Official Opening
- 02/03/2011 Robe Institute Management Committee Meeting
- 03/03/2011 Council Workshop
- 04/03/2011 Farewell – Vienna Barnes (Robe Public Library)
- 08/03/2011 Council Meeting

Cr Harvey Nolan

- 14/02/2011 Meeting with Council's Accountant – Marina Financials
- 16/02/2011 Public Meeting New Years Eve Strategy
- 17/02/2011 SELGA Road Funding Workshop – Naracoorte
- 28/02/2011 Section 41 Robe Marina Committee Meeting
- 03/03/2011 Council Workshop

Cr Kristina Alexander

- 15/02/2011 Robe Road Safety Group Meeting
- 16/02/2011 Public Meeting New Years Eve Strategy
- 23/02/2011 Aged Care Committee Meeting
- 01/03/2011 Meet with CEO – Road Safety Group
- 01/03/2011 Sports & Recreation Association Meeting
- 03/03/2011 Council Workshop

**SECTION 41
COMMITTEES**

- 14.1 Aged Care Committee Minutes 23 February 2011
Cr Alexander moved that **the minutes of the Aged Care Committee meeting 23 February 2011 be received.**
(167/2011)

Seconded Cr Mathews

Carried

- 14.2 Robe Marina Committee Minutes 28 February 2011
Cr Nolan moved that **the minutes of the Robe Marina Committee meeting 28 February 2011 be received.**
(168/2011)

Seconded Cr Dell'Antonio

Carried

Cr Nolan moved a **vote of thanks to Chief Executive Officer Bill Hender for his time and effort as Chairman of the Section 41 Robe Marina Committee. It was no small task to take over as CEO and take on the Marina at the request of the Judith Jones Report. Due to Bill's diligence and PR skills the controversial early days are over and with continued hard work and planning, we will be able to make the Marina a big asset for Robe.**
(169/2011)

Seconded Cr Enright

Carried

- 14.3 CDAP Committee Minutes 15 February 2011
Cr Mathews moved that **the minutes of the CDAP Committee meeting 15 February 2011 be received.**
(170/2011)

Seconded Cr Enright

Carried

- 14.4 CCOWS Committee Minutes 21 February 2011
Cr Dell'Antonio moved that **the minutes of the CCOWS Committee meeting 21 February 2011 be received.**
(171/2011)

Seconded Cr Mathews

Carried

OFFICER'S REPORTS

Chief Executive Officer

- 16.1.1 Constitutional Recognition of Local Government

Cr Polomka moved that **council declares its support for financial recognition of local government in the Australian Constitution so that the Federal Government has the power to fund local government directly and also for inclusion of local government in any Preamble to the Constitution if one is proposed, and calls on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition.**
(172/2011)

Seconded Cr Mathews

Carried

- 16.1.2 Sale of Lot 91 Robe Street

Cr Dell'Antonio moved that **council sell Lot 91 Robe Street for non-payment of rates pursuant to Section 184 of the Local Government Act 1999.** (173/2011)

Seconded Cr Alexander

Carried

ADDRESS

- 7.1 Mr Mark Braes (Chairman) and Mr Grant King (CEO) Regional Development Australia – Limestone Coast
Mayor Peter Riseley welcomed Mr Mark Braes and Mr Grant King at 6.35 pm.
Address given on the role of Regional Development Australia – Limestone Coast, including future grant funding opportunities.

OFFICER'S REPORTS
Chief Executive Officer cont.

16.1.3 Zen Home Energy Systems

Cr Nolan moved **that council agree to register as a program partner in the LGA Renewable Energy Pilot (Solar Councils) Program.** (174/2011)

Seconded Cr Enright

Carried

Works Supervisor

16.2.1 Works Report February 2011

Cr Mathews moved **that council receive the Works Report February 2011.** (175/2011)

Seconded Cr Dell'Antonio

Carried

Accountant

16.3.1 Finance Report February 2011

Cr Enright moved **that council receive and note the Finance Report February 2011.** (176/2011)

Seconded Cr Alexander

Carried

Director of Child Care

16.4.1 CCOWS Report January 2011

Cr Alexander moved **that council receive and note the CCOWS Report February 2011.** (177/2011)

Seconded Cr Nolan

Carried

General Inspector

16.5.1 Dog Registrations Fees 2011/2012

Cr Mathews moved **that council adopts the Dog Registration Fee Schedule as presented for 2011/2012.** (178/2011)

Seconded Cr Dell'Antonio

Carried

CORRESPONDENCE

17.1 Robe Netball Club

Cr Nolan moved **that Council receives correspondence item 17.1 Robe Netball Club.** (179/2011)

Seconded Cr Alexander

Carried

CONFIDENTIAL ITEMS

21.1 Offer to Purchase a Portion of Christine Street

Cr Dell'Antonio moved:

- i. **that under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public (not including Chief Executive Officer Bill Hender and Minute Taker Kellie Jordan) be excluded from attendance at the Meeting in order to consider in confidence Agenda Item titled 21.1 Offer to Purchase a Portion of Christine Street;**
- ii. **that under the provisions of Section 83(5) the council is satisfied that it is necessary that the public be excluded to enable the council to consider the matter on the following grounds:
*-90(3)(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and
-90(3)(b) 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.***
- iii. **that accordingly on this basis, the council considers it necessary and appropriate to act in a meeting closed to the public in order to receive, discuss and consider information and that the council is satisfied that the principle of the meeting should be conducted in a place open to the public has been outweighed.**(180/2011)

Seconded Cr Enright

Carried

Cr Mathews moved that an order be made under the provisions of Section 91(7) of the Local Government Act 1999 that the documents relating to Agenda Item 21.1 Offer to Purchase a Portion of Christine Street including the minutes of the council relating to 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 ground that: **(Section 90(3)(a)) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and (Section 90(3)(b)) 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 for a period of 18 months or finalisation of negotiations, whichever is sooner. (181/2011)**

Seconded Cr Dell'Antonio

Carried

21.2 Review of Confidential Minutes

Cr Mathews moved:

- i. that under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public (not including Chief Executive Officer Bill Hender and Minute Taker Kellie Jordan) be excluded from attendance at the Meeting in order to consider in confidence Agenda Item titled 21.2 Review of Confidential Minutes;
- ii. that under the provisions of Section 83(5) the council is satisfied that it is necessary that the public be excluded to enable the council to consider the matter on the following grounds:
-90(3)(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
-90(3)(b) 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;

-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;

-90(3)(h) legal advice; and

-90(3)(i) information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council; and

- iii. **that accordingly on this basis, the council considers it necessary and appropriate to act in a meeting closed to the public in order to receive, discuss and consider information and that the council is satisfied that the principle of the meeting should be conducted in a place open to the public has been outweighed.(182/2011)**

Seconded Cr Dell'Antonio

Carried

Cr Nolan moved that an order be made under the provisions of Section 91(7) of the Local Government Act 1999 that the documents relating to Agenda Item 21.2 Review of Confidential Minutes including the minutes of the council relating to 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 ground that: (Section 90(3)(a)) *information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); (Section 90(3)(b)) 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;*

(Section 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; (Section 90(3)(h)) legal advice; and (Section 90(3)(i) information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council for a period of 18 months, at which time the order will be reviewed. (183/2011)

Seconded Cr Dell'Antonio

Carried

Cr Enright left the meeting at 9.04 pm.

Cr Alexander left the meeting 9.10 pm.

Next Ordinary Meeting of council to be held Tuesday 12 April 2011.

Meeting closed 9.20 pm

_____ signed

_____ date