

District Council of Robe

MINUTES

Minutes of the Ordinary Council Meeting held 11 June 2013, commencing at 6.02 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 Riseley welcomed the Elected Members, Staff and Gallery.

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

STAFF IN ATTENDANCE

Chief Executive, Mr Roger Sweetman, Deputy Chief Executive, Mr Lyndon Prior, Works Operation Coordinator, Mr Trevor Hondow and Minute Taker, Ms Anne-Marie Peters.

APOLOGIES Nil

CONFLICT OF INTEREST
Nil

PUBLIC FORUM

Mr William Peden

Undergrounding of power on Esplanade.

Mr Robert Seymour

Undergrounding of power on Esplanade.

ADDRESS

Nil

ADJOURNED MATTERS

Nil

CONFIRMATION OF MINUTES

8.1 Ordinary Council Meeting Minutes 14 May 2013

Cr Alexander moved that **the minutes of the Ordinary Council meeting held on 14 May 2013 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (313/2013)

Seconded Cr Mathews

Carried

8.2 Confidential Council Meeting Minutes 14 May 2013

Cr Alexander moved that **the minutes of the Confidential Council meeting held on 14 May 2013 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (314/2013)

Seconded Cr Enright

Carried

8.3 Special Council Meeting Minutes 30 May 2013

Cr Nolan moved that **the minutes of the Special Council meeting held on 30 May 2013 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (315/2013)

Seconded Cr Dell'Antonio

Carried

BUSINESS ARISING FROM MINUTES

Nil

MAYOR'S REPORT

AGM of Robe Tourism Association

Congratulations to the newly elected members of the new tourism association. The new peak body can now move forward to represent the interests of all Robe businesses. It is essential that Robe progress and promotes all the elements important to maintain Robe's place as premium destination.

To be the major peak body the new association does require broad participation from all businesses. I encourage all businesses to become part of the organisation. There is strength in numbers and this is the opportunity and time to contribute to ensure the success of the new group.

This is an exciting time and the chance to support the new committee formulate new and exciting ways to foster stronger business and increased marketing opportunities.

Council looks forward to working with the new group. Councillor Lawrie Polomka has been appointed as the Council delegate to the association.

Congratulations to Lake View Motel and Robe VIC

While on the subject of tourism, congratulations are in order to the Lake View Motel for their award for Trip Advisor Certificate of excellence. This is two years in a row that they have now won a certificate of excellence. Well done Craig and Pam.

The Robe Visitor Information Centre has been recognised with the award for best VIC in the State. This is a great endorsement to the dedication to service by Wendy White, staff and the volunteer team at the Centre. Well done to you all.

International Student Volunteers

Robe has recently had the benefit of volunteers from North America. The group, who are staying in Robe assisting with a range of environmental tasks throughout the south east, spent a day working with members from the Robe Coast Care Group. Tasks undertaken were the continuing assault on the Polygala at McIntyre Reserve, removal of Aleppo pines on the coastal walking

trail and the planting out of native plants at Dawson Drive. Thank you to the group for their assistance and to Barry and Tania, the DEWNR support crew.

ELECTED MEMBER REPORTS

Cr Rino Dell'Antonio

- 30/5/13 Golf Club Workshop
- 30/5/13 Special Council Meeting
- 11/6/13 Council Meeting

Cr Jenny Mathews

- 14/5/13 Council Meeting
- 14/5/13 Nature Maps Course – Kingston
- 30/5/13 Elected Member Forum
- 30/5/13 Special Council Meeting

Cr Harvey Nolan

- 16/5/13 Meeting with Deputy CE – Marina Budget
- 20/5/13 Meeting with Deputy CE, Vanessa McDonald – Marina Budget
- 30/5/13 Elected Member Workshop
- 30/5/13 Special Council Meeting

Mayor Peter Riseley

- 15/5/13 Robe National Trust & Presentation
- 19/5/13 National Trust Opening – CSIRO Research Station
- 21/5/13 CDAP Meeting
- 28/5/13 Meeting with Chief Executive & Golf Club
- 30/5/13 Elected Member Forum
- 30/5/13 Special Council Meeting
- 02/6/13 FOLD Working Bee – Lake St Claire
- 03/6/13 Audit Committee Meeting
- 04/6/13 Farewell – Warwick at Library
- 04/6/13 Auction – Lipson Terrace
- 04/6/13 Coast Care Meeting
- 05/6/13 AGM Robe Tourism Association
- 06/6/13 Limestone Coast & Coorong Coastal Management Group
- 07/6/13 NRMCA – Strategic Planning Day Adelaide
- 10/6/13 Working Bee – International Student Volunteers

COUNCIL COMMITTEES

12.1 CDAP Committee Meeting Minutes 21 May 2013

Cr Enright moved that **the minutes of the CDAP Committee meeting held on 21 May 2013 be received.** (316/2013)

Seconded Cr Mathews

Carried

REPORTS OF ASSOCIATED BODIES

13.1 CCOWS Management Committee Minutes 8 May 2013

Cr Alexander moved that **the minutes of the CCOWS Management Committee meeting held on 8 May 2013 be received.** (317/2013)

Seconded Cr Nolan

Carried

OFFICER'S REPORTS – Chief Executive

14.1.1 Council Seal – Community Waste Water Services (CWMS) Easement

Cr Nolan moved that **the District Council of Robe having considered Report No 14.1.1 “Council Seal – Community Waste Water Service Easement” authorize the Mayor and Chief Executive to sign the easement documentation and attach the Council seal.** (318/2013)

Seconded Cr Enright

Carried

14.1.2 Chief Executive – Performance Review

Cr Alexander moved that **the District Council of Robe having considered Report No 14.1.2 “Chief Executive – Performance Review”:**

1. **Establish a Working Group comprising of all Elected Members, with Executive support provided by the Deputy Chief Executive, to undertake the annual review of the Chief Executive’s performance.**
2. **The Working Group report to Council at the conclusion of the review outlining the outcomes and any associated issues. (319/2013)**

Seconded Cr Polomka

Carried

14.1.3 Robe Marina – Community Energy Efficiency Program Grant Application

Cr Nolan moved that the District Council of Robe having considered Report No 14.1.3 “Robe Marina – Community Energy Efficiency Program Grant Application” advise the Department of Resources Energy and Tourism that Council wishes to accept the grant and to proceed with the project.

Lapsed due to no seconder

Lapsed

Cr Enright moved that **having considered Report No 14.1.3 “Robe Marina – Community Energy Efficiency Program Grant Application” the matter be deferred. (320/2013)**

Seconded Cr Alexander

Carried

14.1.4 Correspondence – Robe National Trust Branch

Cr Enright moved that **the District Council of Robe having considered Report No 14.1.4 “Correspondence – Robe National Trust Branch” correspond with the Robe Branch of the National Trust advising them that all development applications dealt with by the Council (by staff under delegated authority or the Robe Development Assessment Panel) are assessed against the provisions of the Development Act, Development Regulations and Development Plan. (321/2013)**

Seconded Cr Mathews

Carried

14.1.5 Robe Marina – Regional Development Australia Grant to Undertake Dredging of the Marina

Cr Nolan moved that the District Council of Robe having considered Report No 14.1.5 "Robe Marina – Regional Development Australia Grant to Undertake Dredging of the Marina" note that Council's application for Regional Development Australia Funding to undertake dredging of the Marina was unsuccessful. (322/2013)

Seconded Cr Dell'Antonio

Carried

14.1.6 Power Line Environment Committee (PLEC) – Underground Power Esplanade

Cr Nolan moved that the District Council of Robe having considered Report No 14.1.6 "Power Line Environment Committee (PLEC) – Underground Power Esplanade" do not proceed with an application to underground power along the Esplanade because the PLEC guidelines January 2013 state that PLEC do not support the undergrounding of power along residential streets.

Seconded Cr Enright

Cr Nolan and Cr Enright agreed to withdraw the motion.

Cr Nolan moved that **Council seek further clarification from PLEC on the current status of the work completed on the Esplanade in preparation for undergrounding of power, including costings for the project.** (323/2013)

Seconded Cr Enright

Carried

Cr Alexander left the meeting at 6.35pm

Cr Alexander entered the meeting at 6.36 pm

14.1.7 Risk Management Review – Local Government Association Mutual Liability Scheme (LGAMLS)

Cr Polomka moved **that the District Council of Robe having considered Report No 14.1.7 "Risk Management Review – Local Government Association Mutual Liability Scheme (LGAMLS)" note the report.** (324/2013)

Seconded Cr Dell'Antonio

Carried

14.1.8 Revocation of Community Land – Portion of Lipson Park

Cr Enright moved **that the District Council of Robe having considered Report No 14.1.8 "Revocation of Community Land – Portion of Lipson Park" authorize the Chief Executive to commence a revocation of community land process to allow portion of Lipson Park to be used for the construction of a slip lane at the intersection of Sturt Street and Hagan Street pursuant to Section 194 of the Local Government Act 1999.** (325/2013)

Seconded Cr Nolan

Carried

14.1.9 Robe Golf Club – Allotment 2 Davenport Street

Cr Nolan moved **that the District Council of Robe having considered Report No 14.1.9 "Robe Golf Club – Allotment 2 Davenport Street", remove the Golf Club Land east of Davenport Street , Deposited Plan 65527 certificate of title Volume 5929 Folio 163, from the current Robe Golf Course and Adjoining Land Development Plan Amendment; and**

- (a) **Undertake a separate Development Plan Amendment for the Robe Golf Club Land east of Davenport Street, Deposited Plan 65527 certificate of title Volume 5929 Folio 163,**
- (b) **Engage Access Planning to undertake the separate Development Plan Amendment for the Robe Golf Club Land east of Davenport Street, Deposited Plan 65527 certificate of title Volume 5929 Folio 163.** (326/2013)

Seconded Cr Mathews

Carried

Cr Dell'Antonio moved **that the District Council of Robe having considered Report No 14.1.9 "Robe Golf Club – Allotment 2 Davenport Street" correspond with the Robe Golf Club advising them of Council's decision and that in principle Council believe that the Development Plan Amendment for the Robe Golf Club Land east of Davenport Street, Deposited Plan 65527 certificate of title Volume 5929 Folio 163, should be Developer funded.**
(327/2013)

Seconded Cr Mathews

Carried

Cr Enright moved **that the District Council of Robe having considered Report No 14.1.9 "Robe Golf Club – Allotment 2 Davenport Street" instructs the Chief Executive to:**

- (a) **Determine the status of the Council land known as Casuarina Lodge,**
- (b) **Seek expressions of interest from Aged Care providers relating to the opportunity to develop Aged Care Facilities on portion of the Golf Club Land adjacent Casuarina Lodge.**

and report this information to Council at a future meeting for consideration. (328/2013)

Seconded Cr Nolan

Carried

14.1.10 Information Report May 2013

Cr Mathews **moved that the Information Report May 2013 be received.** (329/2013)

Seconded Cr Enright

Carried

Chief Executive left meeting at 7.08pm

Chief Executive entered meeting at 7.09pm

OFFICER'S REPORTS – Deputy Chief Executive

14.2.1 Application for Rebate of Rates

Cr Polomka moved **that the District Council of Robe having considered Report No. 14.2.1 “Application for Rebate of Rates” does not approve a rebate of general rates for 2012/13 pursuant to section 166 (c) of the *Local Government Act 1999* for the following properties:**

1. **Assessment A29 located at 36-38 Smillie Street Robe**
2. **Assessment A95 located at 18 Sturt Street, Robe (330/2013)**

Seconded Cr Enright

Carried

OFFICER'S REPORTS – Works Operation Coordinator

14.3.1 Works Report May 2013

Cr Polomka moved **that Council receive the Works Report May 2013. (331/2013)**

Seconded Cr Nolan

Carried

OFFICER'S REPORTS – Finance Officer

14.4.1 Finance Report May 2013

Cr Alexander moved **that the District Council of Robe receives the Finance Report May 2013. (332/2013)**

Seconded Cr Nolan

Carried

OFFICER'S REPORTS – Director of Childcare

14.5.1 CCOWS Report May 2013

Cr Alexander moved **that the District Council of Robe receives the CCOWS Report May 2013.** (333/2013)

Seconded Cr Mathews

Carried

CORRESPONDENCE

Cr Nolan moved **that correspondence items No.15.1 to 15.5 be received en mass.** (334/2013)

Seconded Cr Enright

Carried

NOTICES OF MOTION

Nil

QUESTIONS ON NOTICE

Nil

GENERAL BUSINESS

Nil

LATE ITEMS

Cr Nolan moved **that item:**

18.1 Regional Line Marking Contract

being a matter of urgency be admitted to the meeting for consideration. (335/2013)

Seconded Cr Enright

Carried

18.1 Regional Line Marking Contract

Cr Nolan moved that the District Council of Robe having considered Late Report 18.1 “Regional Line Marking Contract” award the pavement line marking contract to Workforce Road Services for the term of three years. (336/2013)

Seconded Cr Dell’Antonio

Carried

CONFIDENTIAL ITEMS

19.1 Robe Marina – Breach of Underlease Covenants

Cr Enright moved pursuant to Section 90 (2) and (3) of the Local Government Act 1999 (the Act), the Council orders the public to be excluded, with the exception of the Chief Executive, Deputy Chief Executive, Works Operation Co-Ordinator and Minute Secretary being present on the basis that it will receive, discuss and consider information relating to report number 19.1 titled “Robe Marina – Breach of Underlease Covenants” and that the Council is satisfied with the principal that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter by the need to keep the discussion, report and supporting documentation confidential on the following basis, Section 90(3)(h):

- **Legal Advice** (337/2013)

Seconded Cr Nolan

Carried

Cr Dell’Antonio moved that having considered the report 19.1 titled “Robe Marina – Breach of Underlease Covenants” in confidence under Section 90(2) and (3)(h) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of the Act orders that the Minutes of Confidential Meeting held on 11 June 2013 be retained in confidence for a period of 18 months or finalisation of negotiations, whichever is sooner. (339/2013)

Seconded Cr Nolan

Carried

Next Ordinary Meeting of Council to be held 6.00 pm Tuesday 9 July 2013.

Meeting closed at 8.14 pm.

Mayor Peter Riseley

_____ signed _____ date