

COUNCIL MINUTES

Monday 16 July 2018

Council Chambers



John Brown
General Manager
Break O'Day Council
16 July 2018

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ACKNOWLEDGEMENT OF COUNTRY

We would like to acknowledge the Tasmanian Aboriginals as the traditional custodians of the land on which we meet today, and pay respect to the elders past and present.

07/18.1.0 ATTENDANCE

07/18.1.1 Present

Mayor Mick Tucker
Councillor Janet Drummond
Councillor Barry LeFevre
Councillor Glenn McGuinness
Councillor Margaret Osborne OAM
Councillor Hannah Rubenach-Quinn
Councillor John Tucker
Councillor Kylie Wright

07/18.1.2 Apologies

Deputy Mayor John McGiveron

07/18.1.3 Leave of Absence

Nil.

07/18.1.4 Staff in Attendance

General Manager, John Brown
Executive Assistant, Angela Matthews
Manager Corporate Services, Bob Hoogland (*Item 1.0 – 17.3*)
Manager Infrastructure & Development Services, David Jolly (*Item 1.0 – 17.4*)
Community Services Project Officer, Erica Lowry (*Item 1.0 – 16.5*)
Building Services Coordinator, Jake Ihnen (*Item 1.0 – 11.2 / 15.1 – 16.5*)
Planning Officer, Chris Triebe (*Item 1.0 – 7.0*)

Four (4) people in the gallery.

In accordance with Section 31(1) of the Local Government (Meeting Procedures) Regulations 2005 the following questions were submitted in writing prior to the Council Meeting.

07/18.2.1

Use of Roundup - Mr C Lohrey, Goshen

Regarding the class action in the USA that's occurring for roundup causing cancer. Does Council use Roundup and do they plan to stop using it in the near future?

Reply

1. Council uses Roundup that contains glyphosate. Council uses this chemical as a broad-spectrum herbicide in road reservations, parks and reserves in accordance with label instructions.
2. The Australian Government – Australian Pesticides and Veterinary Medicines Authority (APVMA) is the national agvet chemical regulator. APVMA has completed its assessment of the International Agency for Research on Cancer (IARC) in relation to glyphosate in a group of chemicals that is “probably carcinogenic to humans”. **The APVMA has concluded that the use of glyphosate in Australia does not pose a cancer risk to humans.** Refer to www.apvma.gov.au/node/13891 for additional information. Based on the advice of the regulator, Council does not plan to stop using the chemical in the near future.

07/18.3.0

DECLARATION OF PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE

Section 48 or 55 of the Local Government Act 1993 requires that a Councillor or Officer who has an interest in any matter to be discussed at a Council Meeting that will be attended by the Councillor or Officer must disclose the nature of the interest in a written notice given to the General Manager before the meeting; or at the meeting before the matter is discussed.

A Councillor or Officer who makes a disclosure under Section 48 or 55 must not preside at the part of the meeting relating to the matter; or participate in; or be present during any discussion or decision making procedure relating to the matter, unless allowed by the Council.

Clr G McGuinness declared a Non-Pecuniary (Conflict of Interest) in agenda item 07/18.12.5 – Vehicle for Break O’Day Business Enterprise Centre (BEC) as his wife is the Chair of the BEC.

Clr B LeFevre declared a Non-Pecuniary (Conflict of Interest) in agenda item 07/18.12.5 – Vehicle for Break O’Day Business Enterprise Centre (BEC) as he is a Board Member.

Clr K Wright declared a Non-Pecuniary (Conflict of Interest) in agenda item 07/18.12.7 – Review of Operation of St Helens Tip Shop as she is a Committee Member of the Hospital Auxiliary however she advised that she would not leave the room but she will not participate in the discussion or vote on the item.

Clr M Osborne declared a Non-Pecuniary (Conflict of Interest) in agenda item 07/18.12.7 – Review of Operation of St Helens Tip Shop as she is the President of the Hospital Auxiliary however she advised that she would not leave the room but she will not participate in the discussion or vote on the item.

07/18.4.0 CONFIRMATION OF MINUTES

07/18.4.1 Confirmation of Minutes – Council Meeting 25 June 2018

OFFICER’S RECOMMENDATION:

That the minutes of the Council Meeting held on the 25 June 2018 be confirmed.

DISCUSSION:

- Clr Rubenach-Quinn requested an amendment be made to the discussion in the minutes in regards to the Seymour Action Group item. Clr Rubenach-Quinn stated that she did not say or imply we “have an obligation”. Mayor Tucker stated that he believed that she did use the word “Obligation” and didn’t agree that the minutes should be amended. Clr B LeFevre stated that he agreed with Mayor Tucker that the word obligation was used because he could recall that at the time he was quite surprised that Clr Rubenach-Quinn had used such a strong word. Clr Wright did not recall this being used.
- Clr Osborne stated that she believed that the minutes reflected the discussion at the meeting.
- Clr Rubenach-Quinn stated that she would accept the minutes from the last meeting so long as her comments are noted in these minutes.
- Mayor Tucker stated that as long as the minutes are reflective of the discussion that took place and people are aware that they are not Hansard.

COUNCIL DECISION:

07/18.4.1.149 Moved: Clr B LeFevre / Seconded: Clr M Osborne

That the minutes of the Council Meeting held on the 25 June 2018 be confirmed.

CARRIED UNANIMOUSLY

07/18.5.0 COUNCIL WORKSHOPS HELD SINCE 25 JUNE 2018 COUNCIL MEETING

There was a Workshop held on Monday 2 July 2018 – the following items were listed for discussion.

- Presentation – Parks & Wildlife Services
- Presentation – East Coast Tourism
- 2018-2019 Annual Plan
- 2018-19 Federal Election
- Policy – LG28 Work Health & Safety
- Review of the Operation of St Helens Tip Shop
- Vehicle for the Break O’Day Business Enterprise Centre (BEC)
- Fingal Streetscape Project – Preliminary Streetscape Concept
- Waste Management System - Kerbside Recyclables Collection
- Binalong Bay – Local Township Plan
- Mathinna – Local Township Plan
- Policy Review – EP10 “On-Street Dining”
- Proposed Mural – Portland Hall
- Local Government Association of Tasmania (LGAT) - Review – Fire Services Act 1979
- Select Committee on the Short Stay Accommodation Industry in Tasmania
- Replacement of Plaque Stolen from the Skate Park

07/18.6.0 PLANNING AUTHORITY

Pursuant to Section 25 of the Local Government (Meeting Procedures) Regulations 2015 the Mayor informed the Council that it was now acting as a Planning Authority under the Land Use Planning and Approvals Act 1993.

07/18.6.1 DA 098-2018 – Construction of a New Dwelling - 6 Reason Way, Binalong Bay

FILE REFERENCE	DA 098-2018
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OFFICER’S RECOMMENDATION:

After due consideration of the representations received pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O’Day Council Interim Planning Scheme 2013* that the application for **Dwelling** on land situated at **6 Reason Way, Binalong Bay** described in Certificate of Title CT 169424/1 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 098-2018 received by Council 13 April 2018, together with all submitted documentation received and forming part of the development application, except as varied by conditions of this Planning Permit.

2. All runoff from the proposed building must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. Soakage drains must be of sufficient size to absorb stormwater runoff and not create any new point sources of discharge into the defined watercourse.
3. The areas shown to be set aside for vehicle access and car parking must be:
 - a. Completed prior to the use of the development commencing;
 - b. Designed and laid out in accordance with provisions of E6.0 of the *Break O'Day Interim Planning Scheme 2013*;
 - c. Provided with space for access turning and manoeuvring of vehicles on-site to enable them to enter and leave the site in a forward direction;
 - d. Constructed with a pervious dust free surface and drained in a manner that will not cause either a dust or stormwater nuisance to occupants of adjoining properties.
4. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
5. Native vegetation must not be removed outside that necessitated by the proposed development.
6. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.
7. Any damage that may occur to any Council infrastructure during the construction of the proposed dwelling must be reinstated to the satisfaction of Council and at the cost of the developer.

ADVICE:

- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.
- Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.

- Activities associated with construction works are not to be performed outside the permissible time frames listed:

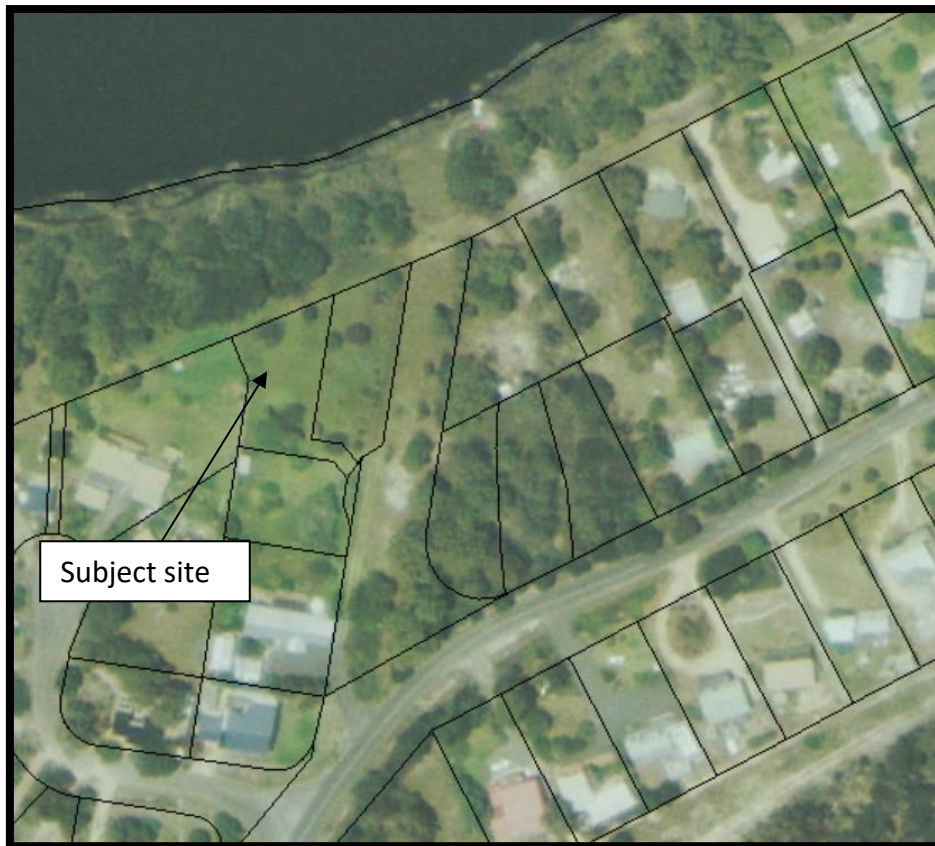
Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

INTRODUCTION:

Application is made for the construction of a new dwelling on an existing property at 6 Reason Way, Binalong Bay. Residential use of the proposed dwelling in the Low Density Residential Zone of Binalong Bay is a permitted use without qualifications, under Table 12.2 of the *Break O'Day Interim Planning Scheme 2013*.





Subject site (looking west)



Subject site (looking northwest)



Subject site (looking north)



View looking toward subject site from Reason Way



Existing crossover

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

07/18.6.1.150 Moved: Clr M Osborne / Seconded: Clr G McGuinness

After due consideration of the representations received pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Council Interim Planning Scheme 2013* that the application for **Dwelling** on land situated at **6 Reason Way, Binalong Bay** described in Certificate of Title CT 169424/1 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 098-2018 received by Council 13 April 2018, together with all submitted documentation received and forming part of the development application, except as varied by conditions of this Planning Permit.
2. All runoff from the proposed building must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. Soakage drains must be of sufficient size to absorb stormwater runoff and not create any new point sources of discharge into the defined watercourse.

3. The areas shown to be set aside for vehicle access and car parking must be:
 - a. Completed prior to the use of the development commencing;
 - b. Designed and laid out in accordance with provisions of E6.0 of the *Break O'Day Interim Planning Scheme 2013*;
 - c. Provided with space for access turning and manoeuvring of vehicles on-site to enable them to enter and leave the site in a forward direction;
 - d. Constructed with a pervious dust free surface and drained in a manner that will not cause either a dust or stormwater nuisance to occupants of adjoining properties.
4. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
5. Native vegetation must not be removed outside that necessitated by the proposed development.
6. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.
7. Any damage that may occur to any Council infrastructure during the construction of the proposed dwelling must be reinstated to the satisfaction of Council and at the cost of the developer.

ADVICE:

- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.
- Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- Activities associated with construction works are not to be performed outside the permissible time frames listed:

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

CARRIED UNANIMOUSLY

The Mayor advised the Council that it had now concluded its meeting as a Planning Authority under Section 25 of the Local Government (Meeting Procedures) Regulations.

07/18.7.0 PETITIONS

Nil.

07/18.8.0 NOTICES OF MOTION

07/18.8.1 Notice of Motion – Naming of Road off Aulichs Road, St Marys – Cllr J Drummond

MOTION:

A report is sought providing advice in accordance with the requirements of *Section 65 of the Local Government Act 1993* for the information of Council at a future meeting and consider any advice as required from relevant State Agencies:

That Council work with the Nomenclature Board of Tasmania to provide a name to a currently unnamed road whose junction is with Aulichs Road, St Marys TAS 7215 (off Irish Town Road, St Marys TAS 7215).

SUBMISSION IN SUPPORT OF MOTION:

I have received requests from residents who are building in the currently unnamed road off Aulichs Road, St Marys TAS 7215, that Council assist with the provision of a name to the road on which they are building.

There are currently approximately 5-6 properties on this road, and the petitioner has concerns about emergency service vehicles finding the properties along this road, particularly during any bush fire event.

DISCUSSION:

- Cllr Rubenach-Quinn stated that if we have roads that aren't named it is important to get these named, especially for emergency services' use.

COUNCIL DECISION:

07/18.8.1.151 Moved: Clr J Drummond / Seconded: Clr H Rubenach-Quinn

A report is sought providing advice in accordance with the requirements of *Section 65 of the Local Government Act 1993* for the information of Council at a future meeting and consider any advice as required from relevant State Agencies:

That Council work with the Nomenclature Board of Tasmania to provide a name to a currently unnamed road whose junction is with Aulichs Road, St Marys TAS 7215 (off Irish Town Road, St Marys TAS 7215).

CARRIED UNANIMOUSLY

07/18.9.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

07/18.10.0 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Regulation 29 of the Local Government (Meeting Procedures) Regulations 2005 specifies that in putting a Question Without Notice a Councillor must not offer an argument or opinion, draw any inference or make any imputations except so far as may be necessary to explain the question.

The Chairperson must not permit any debate of a Question without Notice or its answer.

Nil.

07/18.11.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

07/18.11.1 Mayor's Communications for Period Ending 16 July 2018

27.06.2018	St Helens	– Combined Probus Club of Scamander – Birthday Luncheon
29.06.2018	St Helens	– Meeting with representatives from Ochre Health
30.06.2018	St Helens	– RSL Annual Reunion lunch
02.07.2018	St Helens	– Council Workshop
12.07.2018	Bicheno	– East Coast Candidates Election Forum
04.06.2018	St Helens	– Council Workshop
13.07.2018	St Helens	– Christmas in July – Eating with Friends, Fingal Valley Neighbourhood House
13.07.2018	St Helens	– St Helens Lions Club Changeover
16.07.2018	St Helens	– Council Meeting

07/18.11.2 Councillor's Reports for Period Ending 16 July 2018

This is for Councillors to provide a report for any Committees they are Council Representatives on and will be given at the Council Meeting.

St Helens and Districts Chamber of Commerce and Tourism –Clr Barry LeFevre

- The next meeting is on the 17 July 2018.

NRM Special Committee – Clr Margaret Osborne

- There was a meeting held last Thursday.
- The Committee concentrated on the Strategic Plan with not as much time on the normal agenda.
- Next meeting is scheduled for approximately four (4) weeks' time.

Barway Committee – Clr John McGiveron

- In Clr McGiveron's absence the Mayor advised that there are no further developments at this stage.

Regional Tourism Organisation (RTO) – Clr Glenn McGuinness

- Nothing further to add.
- Clr McGuinness has distributed the advertisement for Board Members.

Titley Shack & Binalong Bay Reference Group – Clr Glenn McGuinness

- No meetings.

Mental Health Action Group – Clr Barry LeFevre

- No meetings.

Disability Access Committee – Clr Janet Drummond

- No meetings.

07/18.12.0 BUSINESS AND CORPORATE SERVICES

07/18.12.1 Corporate Services Department Report

FILE REFERENCE	018\018\001\
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OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various issues which have been dealt with in the Business and Corporate Service Department since the previous Council Meeting.

DISCUSSION:

- The Manager Corporate Services advised that there was a late distribution of insurance and vandalism information which has been circulated for Councillors information.
- Cllr J Tucker asked in relation to an outstanding report in regards to the ownership of wharf. The Manager Corporate Services advised that he had drafted a response stating that we believe it is not Council's issue and we have requested a meeting for a physical inspection on site.

COUNCIL DECISION:

07/18.12.1.152 Moved: Cllr B LeFevre / Seconded: Cllr J Tucker

That the report be received.

CARRIED UNANIMOUSLY

07/18.12.2 Monthly Financial Report

FILE REFERENCE	018\018\001\
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OFFICER'S RECOMMENDATION:

That the following reports for the month ending 30 June 2018 be received:

1. Trading Account Summary
2. Profit and Loss Statements
3. Financial Position
4. Cash Flow
5. Capital Expenditure

INTRODUCTION:

Presented to Council are the monthly financial statements.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:**07/18.12.2.153**Moved: Clr K Wright / Seconded: Clr M Osborne

That the following reports for the month ending 30 June 2018 be received:

1. Trading Account Summary
2. Profit and Loss Statements
3. Financial Position
4. Cash Flow
5. Capital Expenditure

CARRIED UNANIMOUSLY**07/18.12.3****Visitor Information Centre Report**

FILE REFERENCE	040\028\002\
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OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various issues which are being dealt with by the Visitor Information Centre.

DISCUSSION:

- Clr LeFevre asked whether any thought been given to extending opening hours around the 1 September for the ONS. The Manager Corporate Services advised that they have discussed and plans are being investigated for extra staff and extra hours during that time, we are particularly looking at staying open on the Sunday with more volunteers.

COUNCIL DECISION:**07/18.12.3.154**Moved: Clr B LeFevre / Seconded: Clr J Drummond

That the report be received.

CARRIED UNANIMOUSLY

07/18.12.4 Audit Panel – Receipt of Minutes

FILE REFERENCE	018\005\024\
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OFFICER'S RECOMMENDATION:

That Council receive the minutes of the Audit Panel 25 June 2018 and the Report of the Audit Panel Chairman, and Council approve the Audit Panel Workplan and accept the recommendation that the Audit Panel Working Group be convened to review the Audit Panel Charter.

INTRODUCTION:

Council's Audit Panel meets every three (3) months and the minutes of each meeting are required to be provided to Council.

DISCUSSION:

- The Manager Corporate Services stated that for our size, level of risk, etc we are tracking very well.
- The Manager Corporate Services advised that the two (2) year appointment of the Chair expires this year.
- Clr McGuinness asked Clr J Tucker (as a member of the Audit Panel) did he believe there are any outstanding issues with the Charter, and did he feel comfortable. Clr J Tucker stated that he feels pretty comfortable with how things are going.
- The Manager Corporate Services advised that he will bring a revised Charter back to Council once it has been reviewed.

COUNCIL DECISION:

07/18.12.4.155 Moved: Clr J Tucker / Seconded: Clr B LeFevre

That Council receive the minutes of the Audit Panel 25 June 2018 and the Report of the Audit Panel Chairman, and Council approve the Audit Panel Workplan and accept the recommendation that the Audit Panel Working Group be convened to review the Audit Panel Charter.

CARRIED UNANIMOUSLY

Clrs B LeFevre and G McGuinness left the meeting at 10.23am

07/18.12.5 Vehicle for Break O'Day Business Enterprise Centre (BEC)

FILE REFERENCE	040\082\005\
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OFFICER'S RECOMMENDATION:

That Council pay to BEC the proceeds of the insurance payout on the writing off of the vehicle on loan to BEC.

INTRODUCTION:

The vehicle on loan to BEC has been written off. Management has been discussing with BEC options for future vehicle assistance.

DISCUSSION:

- The Manager Corporate Services advised that this is a way of assisting the BEC without any financial impact on Council.

COUNCIL DECISION:

07/18.12.5.156 Moved: Clr J Tucker / Seconded: Clr M Osborne

That Council pay to BEC the proceeds of the insurance payout on the writing off of the vehicle on loan to BEC.

CARRIED UNANIMOUSLY

Clrs B LeFevre and G McGuinness returned to the meeting at 10.24am

07/18.12.6 Policy – LG28 Work Health & Safety

FILE REFERENCE	002\024\001\
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OFFICER'S RECOMMENDATION:

That Policy LG28 – Work Health & Safety, as amended, be adopted.

INTRODUCTION:

Council has a schedule for regular review of Policies. This Policy is now due for review according to that Schedule, being three (3) years since the last review.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

07/18.12.6.157 Moved: Clr J Drummond / Seconded: Clr M Osborne

That Policy LG28 – Work Health & Safety, as amended, be adopted.

CARRIED UNANIMOUSLY

FILE REFERENCE	18/8167
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OFFICER'S RECOMMENDATION:

That Council authorise management to negotiate a further Memorandum of Understanding with St Helens Hospital Auxiliary for a three (3) years with an optional three (3) year extension.

INTRODUCTION:

St Helens Hospital Auxiliary has approached Council with a proposal to operate the St Helens Tip Shop with volunteers, increasing recycling and generating additional funds for the support of St Helens Hospital subsequent to an approved trial.

DISCUSSION:

- The Manager Corporate Services stated that the arrangement has achieved everything we had hoped for Council and the community.

COUNCIL DECISION:**07/18.12.7.158**Moved: Clr J Drummond / Seconded: Clr Rubenach-Quinn

That Council authorise management to negotiate a further Memorandum of Understanding with St Helens Hospital Auxiliary for a three (3) years with an optional three (3) year extension.

CARRIED UNANIMOUSLY**07/18.13.0 WORKS AND INFRASTRUCTURE****07/18.13.1 Works and Infrastructure Report**

FILE REFERENCE	014\002\001\
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OFFICER'S RECOMMENDATION:

That the report be received by Council.

INTRODUCTION:

This is a monthly summary update of the works undertaken through the Works and Infrastructure Department for the previous month and a summary of the works proposed for the coming month, and information on other items relating to Council's infrastructure assets and capital works programs.

DISCUSSION:

- The Manager Infrastructure and Development Services provided advice in relation to the Fingal footpath/bridge. He advised that we are waiting on Telstra to remove the old lines and asbestos pit before any further works can be done. A service request with Telstra has been raised.
- Clr McGuinness stated that the sign at the top of Roses Tier Road is illegible due to vandalism and needs to be replaced.
- Clr LeFevre stated that he would like to pass onto the works gang that mowed the foreshore area and cleaned up, it was an outstanding job.

COUNCIL DECISION:

07/18.13.1.159 Moved: Clr G McGuinness / Seconded: Clr J Tucker

That the report be received by Council.

CARRIED UNANIMOUSLY

07/18.13.2 **Animal Control Report**

FILE REFERENCE	003\003\018\
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OFFICER'S RECOMMENDATION:

That the report be received by Council.

INTRODUCTION:

This is a monthly update for animal control undertaken since the last meeting of Council.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

07/18.13.2.160 Moved: Clr J Drummond / Seconded: Clr K Wright

That the report be received by Council.

CARRIED UNANIMOUSLY

07/18.13.3 Policy – AM16 Kerb Profile

FILE REFERENCE	002\024\001\
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OFFICER'S RECOMMENDATION:

That Policy AM16 Kerb Profile Policy, as amended, be adopted.

INTRODUCTION:

Council has a schedule for regular review of Policies with this Policy now due for revision.

DISCUSSION:

- The Manager Infrastructure and Development Services advised that he had no additional comments.

COUNCIL DECISION:

07/18.13.3.161 Moved: Clr G McGuinness / Seconded: Clr K Wright

That Policy AM16 Kerb Profile Policy, as amended, be adopted.

CARRIED UNANIMOUSLY

07/18.13.4 Policy – EP04 Waste Management Policy

FILE REFERENCE	002\024\001\
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OFFICER'S RECOMMENDATION:

That Policy EP04 Waste Management Policy, as amended, be adopted.

INTRODUCTION:

Council has a schedule for regular review of Policies and this Policy is now due for revision.

DISCUSSION:

- The Manager Infrastructure and Development Services advised that he had no additional comments.

COUNCIL DECISION:

07/18.13.4.162 Moved: Clr K Wright / Seconded: Clr B LeFevre

That Policy EP04 Waste Management Policy, as amended, be adopted.

CARRIED UNANIMOUSLY

07/18.13.5 Policy – EP07 Weed Management Policy

FILE REFERENCE	002\024\001\
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OFFICER’S RECOMMENDATION:

That Policy EP07 Weed Management Policy, as amended, be adopted.

INTRODUCTION:

Council has a schedule for regular review of Policies with this Policy now due for revision.

This Policy is currently titled ‘EP07 Vegetation and Vegetation Control Policy’ however general vegetation management is covered in AM14 Mowing Policy hence the recommendation to change the policy name and focus to cover weed management.

DISCUSSION:

- The Manager Infrastructure and Development Services advised that he had no additional comments.
- Clr Drummond stated that she is pleased that we have the “do not spray” register in the policy, this is a real positive.
- The Manager Infrastructure and Development Services advised that he is currently waiting on quotes for a steam machine for weed management.

COUNCIL DECISION:

07/18.13.5.163 Moved: Clr J Drummond / Seconded: Clr J Tucker

That Policy EP07 Weed Management Policy, as amended, be adopted.

CARRIED UNANIMOUSLY

07/18.14.0 COMMUNITY DEVELOPMENT

07/18.14.1 Community Services Report

FILE REFERENCE	011\034\006\
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OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various issues which are being dealt with by the Community Services Department.

DISCUSSION:

- The Community Services Project Officer advised that there have been two (2) meetings with the Youth Advisory Group and they are putting together a road safety promotional video for the ONS.
- Cllr LeFevre asked in relation to the request for a report for Welcome to St Helens signs to be in multiple languages, the item is complete according to the comments. Mayor Tucker advised that it was decided that if it was in one (1) or two (2) languages it would then need to be provided in further languages, it went to ECRTD and Tourism Tasmania for advice. The General Manager advised that it is on Tourism Tasmania's radar as well, we are mindful as to what is going on. Cllr LeFevre would like to see us being proactive and lead the way. Cllr Drummond requested that Cllr LeFevre provide clarification, would you like just Chinese or all languages? Cllr LeFevre stated that we should choose the main two (2) or three (3), we can't just leave as it is. Cllr McGuinness stated that there are a lot of Koreans, Singaporeans, etc not just Chinese. Cllr McGuinness stated that the actual amount of Chinese visitors was less than 10% of our tourism intake. Cllr McGuinness advised that we rely on Tourism Tasmania for this information.

COUNCIL DECISION:

07/18.14.1.164 Moved: Cllr M Osborne / Seconded: Cllr B LeFevre

That the report be received.

CARRIED UNANIMOUSLY

07/18.14.2 Binalong Bay – Local Township Plan 2018-2020

FILE REFERENCE	041\003\001\
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OFFICER'S RECOMMENDATION:

That Council adopt and implement the Binalong Bay Local Township Plan 2018-2020.

INTRODUCTION:

The purpose of a township plan is to provide a framework to work on priorities and address issues, opportunities and projects identified by the local community through the strategic planning process and also identified through the development of the Binalong Bay Foreshore Master Plan.

DISCUSSION:

- Clr Rubenach-Quinn asked whether these will be made publicly available. The General Manager advised that yes, they will be made publicly available.
- Clr LeFevre stated there were four (4) people that bought up that the main car park needs to be made a drive through, is there any scope to look at this in the short term. The General Manager advised that we will be looking at this, we will need to look at the area and all traffic movements, the design, etc need to be done and this may require approvals from other agencies.

COUNCIL DECISION:

07/18.14.2.165 Moved: Clr G McGuinness / Seconded: Clr H Rubenach-Quinn

That Council adopt and implement the Binalong Bay Local Township Plan 2018-2020.

CARRIED UNANIMOUSLY

07/18.14.3 Mathinna – Local Township Plan 2018-2020

FILE REFERENCE	041\013\002\
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OFFICER'S RECOMMENDATION:

That Council adopt and implement the Mathinna Local Township Plan 2018-2020.

INTRODUCTION:

The purpose of a township plan is to provide a framework to work on priorities and address issues, opportunities and projects identified by the local community through the strategic planning process.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

07/18.14.3.166

Moved: Clr B LeFevre / Seconded: Clr K Wright

That Council adopt and implement the Mathinna Local Township Plan 2018-2020.

CARRIED UNANIMOUSLY

07/18.14.4 Request for Council Partnership – triple j One Night Stand

FILE REFERENCE	005\040\001\
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OFFICER'S RECOMMENDATION:

That Council confirm support for the One Night Stand event at St Helens with a financial contribution of up to \$50,000 and waive the hire fees of any Council owned facilities that may be used for the event.

INTRODUCTION:

St Helens has been announced as the venue for triple j's One Night Stand concert following a nomination by a member of the Break O'Day community. The concert is for all ages and will be televised on ABC and broadcast on triple j. It provides youth with access to a drug, alcohol and entry free music concert.

DISCUSSION:

- Clr Rubenach-Quinn raised a proposed amendment to the Officer's Recommendation which was to include investigations for a Youth Worker for Council.
- Clrs Drummond and Rubenach-Quinn stated that following the barn dance the youth were very engaged and felt embraced by and within the community.
- Clr LeFevre stated that he agreed with Clr Rubenach-Quinn's proposed amendment.
- Clr Wright stated that she is in full support of Clr Rubenach-Quinn's proposal and that acting as soon as possible is very important.
- Clr J Tucker asked whether Council could contact rural youth regarding the operation of Agfest, they could possibly give advice and then lead into the 2nd part of the motion with working with the youth. The General Manager advised that we will take this on board.
- Both mover and seconder were happy to include Clr Rubenach-Quinn's addition to the recommendation.
- Clr Drummond stated that she believes there is a role within Council for a Youth Worker to engage with the community.
- Clr Rubenach-Quinn stated that she acknowledges the pressure that staff are currently under with this event but if we can start the process and let the youth know that we are taking steps to keep them going.

COUNCIL DECISION:

07/18.14.4.167

Moved: Cllr M Osborne / Seconded: Cllr G McGuinness

That Council confirm support for the One Night Stand event at St Helens with a financial contribution of up to \$50,000 and waive the hire fees of any Council owned facilities that may be used for the event.

and

Council immediately commence investigations to pursue funding (either through State Government funding requests or through reallocation of our budget) to ensure programs and/or a youth worker are funded as soon as possible following the One Night Stand so as to leverage off the positive benefits that music festivals provide to young people, thus taking full (and possibly a once in a lifetime) advantage of the sense of connection, wellbeing, self-reflection and purpose that is shown to emerge in young people from these types of events.

CARRIED UNANIMOUSLY

*Adjourned for Citizenship Ceremony and morning tea at 10.58am
Meeting resumed at 11.16am*

07/18.15.0 DEVELOPMENT SERVICES

07/18.15.1 Development Services Report

FILE REFERENCE	031\013\003\
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OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various issues which have been dealt with by the Development Services Department since the previous Council meeting.

DISCUSSION:

- The Building Services Coordinator stated that he had nothing further to add
- Cllr Drummond asked, when are we looking at the St Marys Recreation Ground Plan. The Building Services Coordinator advised that it will hopefully be at the next workshop the plan is currently being reviewed/updated.

COUNCIL DECISION:

07/18.15.1.168 Moved: Clr M Osborne / Seconded: Clr J Drummond

That the report be received.

CARRIED UNANIMOUSLY

07/18.15.2 **Planning Approvals Issued**

Received.

07/18.15.3 **Building Services Approvals**

Received.

07/18.15.4 **Proposed Mural – Portland Hall**

FILE REFERENCE	004\005\006\
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OFFICER’S RECOMMENDATION:

That Council provide in-principle support to progress funding for the installation of a painted Mural to the South Facing Elevation/Wall of the Portland Hall.

INTRODUCTION:

The Break O Day Council have received correspondence from the St Helens-St Marys RSL Sub-Branch Inc seeking in-principle support to install a Mural to the Southern Wall of the Portland Hall, St Helens.

DISCUSSION:

The Building Services Coordinator advised that he has nothing further to add.

COUNCIL DECISION:

07/18.15.4.169 Moved: Clr G McGuinness / Seconded: Clr J Tucker

That Council provide in-principle support to progress funding for the installation of a painted Mural to the South Facing Elevation/Wall of the Portland Hall.

CARRIED UNANIMOUSLY

FILE REFERENCE	002\024\001\
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OFFICER’S RECOMMENDATION:

That Policy EP10 On-Street Dining, as amended is adopted.

INTRODUCTION:

Council has a schedule for regular review of policies with this policy now due for revision.

DISCUSSION:

- The Manager Infrastructure and Development Services advised he had nothing further to add.
- Cllr Rubenach-Quinn noted that there is no fee charged for an application for an outdoor dining permit? For the interest in fairness everything else has a fee charge. The Manager Corporate Services advised that Officer’s felt that this was a straight forward process with limited cost to Council therefore no fee has been attached.

COUNCIL DECISION:**07/18.15.5.170**Moved: Cllr J Drummond / Seconded: Cllr B LeFevre

That Policy EP10 On-Street Dining, as amended is adopted.

CARRIED UNANIMOUSLY**07/18.16.0****GOVERNANCE****07/18.16.1****General Manager’s Report**

FILE REFERENCE	002\012\001\
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OFFICER’S RECOMMENDATION:

That the General Manager’s report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various issues which are being dealt with by the General Manager and with other Council Officers where required.

DISCUSSION:

- The General Manager advised that last Thursday there was a LGAT Candidate Forum at Bicheno. There was a spread from Glamorgan Spring Bay, Break O'Day and Dorset with approximately 20 people attending. LGAT, Electoral Commission and Local Government Division all presented.
- LGAT General Meeting – motions have been circulated. Clr Wright asked in relation to Council elections, it has been raised that voting in regards to Mayor and Deputy Mayor should just be 1 vote. The General Manager advised that this could be brought up as something through the Local Government Act review. Clr Rubenach-Quinn stated that she thinks this is something that should be brought to a workshop for further discussion. The General Manager advised that the Local Government Act will be undergoing a major review which will be coming up in the future and there will be opportunities to raise matters for consideration.

COUNCIL DECISION:

07/18.16.1.171

Moved: Clr B LeFevre / Seconded: Clr G McGuinness

That the General Manager's report be received.

CARRIED UNANIMOUSLY

07/18.16.2 2018-2019 Federal Election

FILE REFERENCE	018\019\001\
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OFFICER'S RECOMMENDATION:

For discussion.

INTRODUCTION:

In the lead up to the Tasmanian State Election, Council gave consideration as to what it saw as being priorities it would lobby for. With a Federal Election rapidly approaching it is timely to review those priorities to see how they could be translated into the Federal context. The next federal election must be held between 4 August 2018 and 18 May 2019.

DISCUSSION:

- Clr McGuinness asked in relation to the Georges River Catchment field day a couple of weeks ago, were there any minutes from the meeting that took place or is there going to be a report? Clr Drummond advised that she will forward a presentation that was done before the field trip.
- The General Manager advised that there were other items identified that were more State Government priorities rather than Federal.
- Mayor Tucker stated that we should be pushing the State Government for flood mitigation projects.

COUNCIL DECISION:

07/18.16.2.172

Moved: Clr J Tucker / Seconded: Clr K Wright

That Council endorse the following priorities in no particular order:

1. St Helens Foreshore / Georges Bay Walkway
2. St Marys Flood Mitigation
3. Barway / Pelican Point
4. Lower Georges River Flood Mitigation
5. Old Tasmania Hotel, Fingal

CARRIED UNANIMOUSLY

07/18.16.3 Select Committee on the Short Stay Accommodation Industry in Tasmania

FILE REFERENCE	039\002\008\
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OFFICER'S RECOMMENDATION:

That Council provide a submission to the Select Committee in relation to the impact of short stay accommodation in the Break O'Day area.

INTRODUCTION:

On Tuesday 22 May the Legislative Council resolved that a Select Committee be appointed to inquire into and report upon the short stay accommodation industry in Tasmania. The Local Government Association of Tasmania (LGAT) have provided information to Local Government to ensure they have the opportunity to respond to the Select Committee.

DISCUSSION:

- Clr Wright advised that there is a website Inside Airbnb which provides figures of how many properties are within Break O'Day.
- Clr McGuinness stated that we should ask the real estate agents what the net change in rental properties has been over the last 12 months, this would provide facts for Council submissions.
- Clr J Tucker commented in regards to people having the right to rent their properties as they wish as well as the sales of Housing Tasmania properties, if they are selling and rebuilding elsewhere he does not have a problem.
- The Building Services Coordinator advised that there have been a couple in Alma Court but nothing more that can be recalled.
- Clr Wright stated that in other states they build houses amongst the general community. The houses here are not being rebuilt as quick as they are being sold off.
- Clr McGuinness stated that he agrees with Clr J Tucker in regards to anyone having the right to rent their property as they wish. However, we need to identify what is causing the problem of housing not being available.

- Mayor Tucker stated that some property owners have never rented their properties out however they may now be blocking time out for themselves and then advertise their property for Airbnb, therefore this is not taking a rental property out of the market.
- Clr Osborne stated that this is the first time in 38 years that she believes this has become a problem. We need to be aware that this is interfering with people staying in the area. Clr Osborne stated that she doesn't think that we as a Council can solve the problem but we need to be aware of it.
- Clr Drummond stated that we need to look at the facts in regards to availability, housing stock for Housing Tasmania, has it been depleted.
- Clr McGuinness stated that it has been successive Governments that have sold off Housing Tasmania homes for approximately 15 years.
- Clr Rubenach-Quinn stated that along with housing affordability there is the issue of regulation which has not been addressed eg bushfire zones, etc.
- Clr LeFevre stated that this is an emotive issue but personally he would like the facts to be able to make an informed decision.

COUNCIL DECISION:

07/18.16.3.173

Moved: Clr B LeFevre / Seconded: Clr K Wright

That Council provide a submission to the Select Committee in relation to the impact of short stay accommodation in the Break O'Day area.

CARRIED UNANIMOUSLY

07/18.16.4 Regional Telecommunications Review 2018

FILE REFERENCE	039\002\008\
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OFFICER'S RECOMMENDATION:

That Council make a submission to the review.

INTRODUCTION:

A Regional Telecommunications Independent Review Committee is established every three (3) years under the Telecommunications (Consumer Protection and Service Standards) Act 1999 to conduct a review into telecommunications services in regional, rural and remote parts of Australia. Council and the community have previously raised concerns in relation to a number of matters affecting the Break O'Day area.

DISCUSSION:

- Clr Osborne stated that we should do this as we need to talk about the towers so we have the opportunity to look at these before they are passed.

COUNCIL DECISION:**07/18.16.4.174**Moved: Clr M Osborne / Seconded: Clr J Drummond

That Council make a submission to the review.

CARRIED UNANIMOUSLY**07/18.16.5****2018-2019 Annual Plan**

FILE REFERENCE	002\036\002\
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OFFICER'S RECOMMENDATION:

That Council adopt the 2018-2019 Annual Plan.

INTRODUCTION:

Council's management team have prepared a draft 2018-2019 Annual Plan based on discussions which have occurred through Council workshops and the normal budget/planning process. The Annual Plan has been prepared to take into account the matters identified in Council's Strategic Plan and reflects continuity of existing projects and activities where this exists.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:**07/18.16.5.175**Moved: Clr G McGuinness / Seconded: Clr B LeFevre

That Council adopt the 2018-2019 Annual Plan.

CARRIED UNANIMOUSLY

Pursuant to Regulation 15(1) of the Local Government (Meeting Procedures) Regulations 2015 that Council move into Closed Council.

Moved: Clr J Drummond / Seconded: Clr K Wright: That Council move into Closed Council.

CARRIED UNANIMOUSLY

IN CONFIDENCE

07/18.17.0 CLOSED COUNCIL

07/18.17.1 Confirmation of Closed Council Minutes – Council Meeting 25 June 2018

07/18.17.2 Outstanding Actions List for Closed Council

07/18.17.3 Sale of properties for non-payment of Rates - Closed Council Item Pursuant To Section 15(2)F Of The Local Government (Meeting Procedures) Regulations 2015

07/18.17.4 Contract 030\001\107\ Parnella Stormwater Stage 2 – Catchment 4- Closed Council Item Pursuant To Section 15(2)D Of The Local Government (Meeting Procedures) Regulations 2015

07/18.17.4.CC Moved: Clr M Osborne / Seconded: Clr J Tucker

That Council make available in the public minutes that the awarding of Contract 030\001\107\ “Parnella Stormwater Stage 2- Catchment 4” is to Civilscape Contracting Tasmania Pty Ltd (Civilscape).

CARRIED UNANIMOUSLY

07/18.17.5 General Manager - Closed Council Item Pursuant To Section 15(2)A Of The Local Government (Meeting Procedures) Regulations 2015

Pursuant to Regulation 15(1) of the Local Government (Meeting Procedures) Regulations 2005 that Council move out of Closed Council.

Moved: Clr J Tucker / Seconded: Clr H Rubenach-Quinn: That Council move out of Closed Council.

CARRIED UNANIMOUSLY

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 12.15pm.

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MAYOR

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DATE