

16 JUNE  
2014

# COUNCIL MINUTES

Council Chambers



Des Jennings  
General Manager,  
Break O'Day Council  
16 June 2014

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**06/14.1.0 ATTENDANCE**

**06/14.1.1 Present**

Mayor Sarah Schmerl  
Deputy Mayor Hannah Rubenach  
Councillor Reon Johns  
Councillor John LeFevre  
Councillor John McGiveron  
Councillor Glenn McGuinness  
Councillor Margaret Osborne OAM  
Councillor Mick Tucker

**06/14.1.2 Apologies**

Nil

**06/14.1.3 Leave of Absence**

Nil

**06/14.1.4 Staff in Attendance**

General Manager, Des Jennings  
Executive Assistant, Angela Matthews  
Manager Community Services, Chris Hughes (*Item 1.0 – 16.2*)  
Manager Corporate Services, Bob Hoogland (*Item 1.0 – 16.2*)  
Manager Works and Infrastructure, Stephen Yam (*Item 11.8 – 13.9 / 14.2 – 17.3*)  
Risk Officer, Simone Ewald-Rist (*Item 11.2 – 11.7*)  
Planning Officer, James Stewart (*Item 14.1 – 16.2*)

## 06/14.2.0 PUBLIC QUESTION TIME

Two (2) person 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.*

### 06/14.2.1 Scamander Childs Playground Shade Sail – Mr G Weedon, Beaumaris

1. How could this tarp be vandalised when it is average 4.2 metres up from the ground?
2. Repairing the tarp is not the answer as this has been tried four (4) times before.
3. Was this tarp engineered by the appropriate authorities and who where they because obviously this is where the problem lies?

#### Reply

1. It appears to have been vandalised by more than one item that was alight being thrown up onto the shade sail.
2. As identified previously, the best information available indicates that the approach being taken, repairing the sail and installing at the time of year where the risk of damage is reduced, is a suitable interim measure until a budget allocation can be made for replacement.
3. The shade sail was designed and manufactured by Sams Sails, Shades and Canvas in Launceston as a community project from funding provided by the 2006 Bushfire fund. Materials available in 2014 have substantially changed in terms of vandalism/storm resistance.

### 06/14.2.2 Beauty Bay Walkway – Mr J Albury, St Helens

Why is the Beauty Bay Walkway closed at both sides?

#### Reply

As reported to Council previously, this has been done for Public Safety.



## **06/14.3.0 CONFIRMATION OF MINUTES**

### **06/14.3.1 Confirmation of Minutes – Council Meeting 19 May 2014**

#### **DISCUSSION:**

No discussion took place on this item.

#### **COUNCIL DECISION:**

**06/14.3.1.149** Moved: Clr R Johns / Seconded: Clr M Osborne

That the minutes of the Council Meeting held on the 19 May 2014 be confirmed.

**CARRIED UNANIMOUSLY**

### **06/14.3.2 Confirmation of Minutes – Special Council Meeting 2 June 2014**

#### **DISCUSSION:**

No discussion took place on this item.

#### **COUNCIL DECISION:**

**06/14.3.2.150** Moved: Clr R Johns / Seconded: Clr J McGiveron

That the minutes of the Special Council Meeting held on the 2 June 2014 be confirmed.

**CARRIED UNANIMOUSLY**

## **06/14.4.0 COUNCIL WORKSHOPS HELD SINCE 19 MAY 2014 COUNCIL MEETING**

There was a Council Workshop held on Monday 2 June 2014 and the following items were listed for discussion:

- 2014/2015 Draft Budget
- Pyengana Church Donation
- Audit Panels
- Recording Telephone Calls – Council Offices
- Mobile Coverage Programme
- Disposal of Old/Excess Council Equipment/Plant
- Rural Slashing Standard
- Typical Stormwater Issues
- St Helens Point Progress Association – Maintenance of Track
- Planning Items

## 06/14.5.0 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 Reon Johns declared a conflict of interest for agenda item 06/14.13.12 – Request for Sponsorship – Wrapped in St Marys.

Clr Margaret Osborne declared a conflict of interest for agenda item 06/14.7.1 – Notice of Motion – Rates for Star FM Tower.

## 06/14.6.0 PETITIONS

Nil

## 06/14.7.0 NOTICES OF MOTION

### 06/14.7.1 Notice of Motion – Rates for Star FM Tower – Clr M Osborne

#### DISCUSSION:

- Clr Johns advised that there is a lease between Star FM and Forestry for this piece of land.
- Clr McGuinness stated that Star FM is a not for profit organisation purely providing a public service to the community.

#### COUNCIL DECISION:

##### 06/14.7.1.151 Moved: Clr G McGuinness / Seconded: Clr R Johns

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 do not charge rates to Star FM for the land that they lease from Forestry Tasmania a metre by a metre on which the transmission tower at South Sister sits.

**CARRIED UNANIMOUSLY**

*Deputy Mayor Hannah Rubenach took the Chair*

## **06/14.7.2 Notice of Motion – Donation Request – School Chaplaincy Program – Clr S Schmerl**

### **DISCUSSION:**

- Mayor Schmerl stated that this is a wonderful opportunity for the schools.
- Clr LeFevre stated that we can't bring religious instruction in to schools so it seems strange to seek a chaplain.
- Clr Osborne stated that it is not a minister it could be a youth worker, social worker, etc it is a person to be an advocate for the children. Someone who is interested in children and their welfare.

### **COUNCIL DECISION:**

**06/14.7.2.152** Moved: Clr S Schmerl / Seconded: Clr M Osborne

That Council support the school chaplaincy program planned for two (2) days per week for a one off donation of \$5000.00.

**FOR** Clr J McGiveron, Clr M Tucker, Clr M Osborne, Clr R Johns, Clr G McGuinness, Clr H Rubenach, Clr S Schmerl  
**AGAINST** Clr J LeFevre  
**CARRIED**

*Mayor Schmerl resumed the Chair*

## **06/14.8.0 COUNCILLORS QUESTIONS ON NOTICE**

Nil.

## **06/14.9.0 COUNCILLORS 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.*

## 06/14.9.1 Heating in Portland Hall – Clr R Johns

Why is the heating, in Portland Hall not available to be used during the markets?

### Reply

Council, in making the facility available for hire, does not generally interfere with decisions made by the hirer.

## 06/14.9.2 Blocking of Exits in Portland Hall – Clr R Johns

There are chairs blocking some doors at Portland Hall during the markets, is this against OH&S policy?

### Reply

The St Helens Stallholders Association advised that the chairs are used to prevent people from using the side entrance during the normal trading hours of the market as before the rail was put there it was seen as a risk as if a young person ran out- they could hurt themselves by falling down the ramp – the committee have advised that if the need arose to use that exist in an emergency, then the chairs can quite easily be pushed away.

Council requires and receives a risk assessment for each market.

## 06/14.10.0 MAYOR'S & COUNCILLORS COMMUNICATIONS

### 06/14.10.1 Mayor's Communications for Period Ending 16 June 2014

29.05.14	<b>St Helens</b>	- Meeting with Representatives from Regional Development Australia (Tasmania)
30.05.14	<b>Launceston</b>	- Local Government Committee Meeting
02.06.14	<b>St Helens</b>	- Special Council Meeting - Council Workshop
05.06.14	<b>St Helens</b>	- Citizenship Ceremony
07.06.14	<b>St Helens</b>	- Bay of Fires Art Prize – Opening
16.06.14	<b>St Helens</b>	- Council Meeting

### 06/14.10.2 Councillors Reports for Period Ending 16 June 2014

*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 – Mayor Sarah Schmerl/Clr Margaret Osborne

- Chamber is very active at the moment.

NRM Special Committee – Deputy Mayor Hannah Rubenach

- Next meeting to be held on the 17 June 2014.

Business Enterprise Centre (BEC) – Mayor Sarah Schmerl

- Lost the Administration Assistant. At this stage the position will not be replaced as is. Possibly look for someone more senior with more duties.
- Manager continues to do an excellent job.

Star FM – Clr Reon Johns

- AGM held and the all Board members are continuing.

Barway Committee – Clr John McGiveron

- Currently waiting on MAST to come back with further investigations for temporary works.

Regional Tourism Organisation (RTO) – Clr Margaret Osborne

- No meeting has taken place since the last Council Meeting.
- There will be the first meeting with the group set up to discuss Visitor Information Centres next week.
- Tourism Awards are tonight.

Binalong Bay Foreshore Master Plan – Community Reference Group – Clr Glenn McGuinness

- No further meeting has taken place.

### 06/14.10.3 Mayor's and Councillor's Items

#### Outstanding Reports:

Motion Number	Meeting Date	Council Decision	Comments
Nil			

### 06/14.11.0 BUSINESS AND CORPORATE SERVICES

#### 06/14.11.1 Corporate Services – Strategic Plan Activity Report

#### COUNCIL DECISION:

Received.

## 06/14.11.2 Monthly Financial Report

FILE REFERENCE	018\018\001\
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### DISCUSSION:

- Clr Tucker asked for further information in relation to computer software, licenses, fees, etc. The Manager Corporate Services advised he would investigate this and forward information to Councillors.

### COUNCIL DECISION:

**06/14.11.2.153** Moved: Clr M Osborne / Seconded: Clr J McGiveron

That the following reports for the month ending 31 May 2014 be received:

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

**CARRIED UNANIMOUSLY**

## 06/14.11.3 Corporate Services Department Report

FILE REFERENCE	018\018\001\
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### DISCUSSION:

- The Manager Corporate Services advised that the full loan for \$3.8M has not been drawn down. \$800,000 has been left.

### COUNCIL DECISION:

**06/14.11.3.154** Moved: Clr R Johns / Seconded: Clr G McGuinness

That the report be received.

**CARRIED UNANIMOUSLY**

## 06/14.11.4 Corporate Services Capital Works Breakdown Report

### COUNCIL DECISION:

Received.

## 06/14.11.5 Visitor Information Centre Report

FILE REFERENCE	040\028\002\
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### DISCUSSION:

- The Manager Corporate Services advised that there are very positive things happening at the History Room.
- The VIC staff are catching up on stocktake, etc while it is a bit quieter.

### COUNCIL DECISION:

**06/14.11.5.155**                      Moved: Clr R Johns / Seconded: Clr M Osborne

That the report be received.

**CARRIED UNANIMOUSLY**

## 06/14.11.6 Risk Management Report

FILE REFERENCE	002\025\001\
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### DISCUSSION:

- The Risk Officer advised that the St Helens Waste Transfer Station attendant's office was broken into over the weekend. This is the fourth time in six (6) months. Council's Facilities Management Officer is investigating options for replacement and repairs.
- The Manager Corporate Services advised that he and the Manager Works and Infrastructure met with MDG Contracting last week and this item was discussed.

### COUNCIL DECISION:

**06/14.11.6.156**                      Moved: Clr R Johns / Seconded: Clr G McGuinness

That the report be received.

**CARRIED UNANIMOUSLY**

## 06/14.11.7 Adoption of 2014/2015 Annual Plan and Budget Estimates

FILE REFERENCE	018\007\021\
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### DISCUSSION:

This item has been discussed at various Council Workshops. No further discussion took place.

### COUNCIL DECISION:

**06/14.11.7.157** Moved: Clr R Johns / Seconded: Clr H Rubenach

That Council adopt the 2014/2015 Budget Estimates document inclusive of:

1. Rates Resolution
2. Budget Income Statement
3. Budgeted Cash Flow Statement
4. Cash Flow Statement

and:

That Council endorse the Break O'Day Council Annual Plan 2014/2015

**CARRIED UNANIMOUSLY**

## 06/14.11.8 Adoption of 2014/2015 Rates Resolution

FILE REFERENCE	018\033\002\
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### DISCUSSION:

- This item has been discussed at various Council Workshops.
- Clr McGuinness asked how does Council decide the category that a property is rated under? The Manager Corporate Services advised that the Valuer General provides the Land Use Category for each property. There are avenues for a landholder to appeal this through the Valuer General's Office.

### COUNCIL DECISION:

**06/14.11.8.158** Moved: Clr R Johns / Seconded: Clr M Osborne

That in accordance with the provisions of the *Local Government Act 1993*, Council adopts the rates and charges for the period 1 July 2014 to 30 June 2015 in accordance with the resolutions which follow.



**1. General Rate:**

- 1.1** Pursuant to Section 90 of the *Local Government Act 1993*, Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the Municipal area of Break O'Day for the period commencing 1 July 2014 and ending 30 June 2015, namely a rate of 7.897 cents in the dollar on the assessed annual value (as adjusted) of the land.
- 1.2** Pursuant to Section 90(4) of the *Local Government Act 1993*, Council sets a minimum amount payable in respect of the general rate of \$488.00.
- 1.3** Pursuant to Section 107(1)(a) of the *Local Government Act 1993*, Council declares by absolute majority, that the general rate is varied as follows:
- (a)** For land which has the defined use, of commercial, in accordance with the list provided by the Valuer General, a varied general rate of 7.208 cents in the dollar of the assessed annual value (as adjusted) of the land
  - (b)** For land which has the defined use, of primary production excluding forestry, in accordance with the list provided by the Valuer General, a varied general rate of 7.897 cents in the dollar of the assessed annual value (as adjusted) of the land
  - (c)** For land which has the defined use, of primary production forestry, in accordance with the list provided by the Valuer General, a varied general rate of 15.7803 cents in the dollar of the assessed annual value (as adjusted) of the land

**2. Service Charges:**

Pursuant to Sections 93, 93A, 94, and 95 of the *Local Government Act 1993*, Council makes the following service rates and service charges on all rateable land within the municipal area of Break O'Day (including land which is otherwise exempt from rates pursuant to Section 87 but excluding Crown Land to which Council does not supply any of the following services) for the period commencing 1 July 2014 and ending on the 30 June 2015, namely:

**2.1 Waste Management:**

Service charges for different waste management services as follows;

- (a)** for the making available of waste management services to all land within the municipal area comprising waste disposal areas, waste transfer stations and related waste management facilities, \$155.00;
- (b)** for making available the service of a mobile garbage bin collection within each collection area, \$80.00; and
- (c)** for each mobile garbage bin supplied, in addition to the first, \$80.00 per bin.

Pursuant to Section 94(3) Council declares, by absolute majority, that the service charges for waste management are each varied within the municipal area according to each of the following factors;

- (d)** where land is within a collection area pursuant to sub-paragraph (b) but is vacant and is not used for any purpose, vary the collection service charge to nil;

- (e) where land to which sub-paragraphs (a) or (b) apply is used as a sporting or recreational facility and is a jetty, boat shed, boat ramp or slipway, vary the service charges to nil.

**2.2 Fire Protection (fire service contribution):**

Pursuant to Section 93A of the *Local Government Act 1993* Council makes the following service rates in respect of the fire service contributions it must collect under the Fire Service Act 1979 for the rateable parcels of land within the Municipal area as follows:

<i>District</i>	<i>Cents in the Dollar of AAV</i>
Volunteer brigade rating district	0.209331
General land	0.556928

Pursuant to Section 93(3) of the *Local Government Act 1993* Council sets a minimum amount payable in respect of this service rate of \$37.00.

**3. Separate Land:**

- 3.1 For the purposes of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the Valuation of Land Act 2001.

**4. Adjusted Values:**

- 4.1. For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Section 89 of the *Local Government Act 1993*.

**5. Instalment Payment:**

- 5.1 Pursuant to Section 124 of the *Local Government Act 1993*, Council:

- (a) Decides that all rates are payable by all rate payers by four (4) instalments which must be of approximately equal amounts.
- (b) Determines that the dates by which instalments are to be paid shall be as follows:
  - (i) The first instalment on or before 5 September 2014;
  - (ii) The second instalment on or before 7 November 2014;
  - (iii) The third instalment on or before 6 February 2015; and
  - (iv) The fourth instalment on or before 1 May 2015.
- (c) Where a ratepayer fails to pay any instalment within 21 days of the date on which the rates are due, the full amount owing becomes due and payable in accordance with Section 124 (5) of the *Local Government Act 1993*.

**6 Discount:**

Pursuant to Section 130 of the *Local Government Act 1993* Council offers to all of the ratepayers who are liable to pay rates and charges a discount of 3% of the rates and charges if they are paid by one payment on or before 5 September 2014.

**7. Penalty and Interest:**

- 7.1 Pursuant to Section 128 of the *Local Government Act 1993*, if any rate or instalment is not paid on or before the date it falls due then:

- (a) There is payable a penalty of 6% of the unpaid rate or instalment; and
- (b) There is payable a daily interest charge of 0.02745% (10.02% per annum) in respect of the unpaid rate or instalment for the period during which it is unpaid.

**8. Words and Expressions:**

Words and expressions used both in these resolutions and in the *Local Government Act 1993* or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those Acts.

**CARRIED UNANIMOUSLY**

**06/14.11.9 Request for Rate Remission – Surf Angling Club**

FILE REFERENCE	6807809
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**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

**06/14.11.9.159** Moved: Clr R Johns / Seconded: Clr G McGuinness

That in accordance with the provisions of s.129 of the *Local Government Act 1993* Council include the property known as “Surf Angling Club” located at 414 Gardens Road, The Gardens in the **“Rating Exemptions and Remissions Policy” under “Appendix A - Discretionary Remissions General Rate”**.

**CARRIED UNANIMOUSLY**

**06/14.11.10 Pyengana Church Restoration Project**

FILE REFERENCE	018\015\001\
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**DISCUSSION:**

This item was discussed at a Council Workshop. No further discussion took place.

**COUNCIL DECISION:**

**06/14.11.10.160** Moved: Clr R Johns / Seconded: Clr M Tucker

That Council donate \$3,000 to the Pyengana Church restoration project.

**CARRIED UNANIMOUSLY**

## 06/14.11.11 Audit Panel

FILE REFERENCE	018\005\006\
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### DISCUSSION:

This item was discussed at a Council Workshop. No further discussion took place.

### COUNCIL DECISION:

**06/14.11.11.161** Moved: Clr R Johns / Seconded: Clr M Tucker

That:

- Council adopt the Common Audit Panel Charter as proposed by the sub regional working group, in principle, with details to be completed on appointment of the Panel.
- Council offer in principle support for the shared independent chairperson for the Audit Panel, as proposed by the sub regional working group.

**CARRIED UNANIMOUSLY**

## 06/14.12.0 WORKS AND INFRASTRUCTURE

### 06/14.12.1 Works and Infrastructure – Strategic Plan Activity Report

### COUNCIL DECISION:

Received.

### 06/14.12.2 Works and Infrastructure Report

FILE REFERENCE	014\002\001\
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### DISCUSSION:

No discussion took place on this item.

### COUNCIL DECISION:

**06/14.12.2.162** Moved: Clr R Johns / Seconded: Clr J McGiveron

That the report be received by Council.

**CARRIED UNANIMOUSLY**

### 06/14.12.3 Works and Infrastructure Capital Works Breakdown Report

#### COUNCIL DECISION:

Received.

### 06/14.12.4 Animal Control Report

FILE REFERENCE	003\008\002\
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#### DISCUSSION:

No discussion took place on this item.

#### COUNCIL DECISION:

**06/14.12.4.163**                      Moved: Clr R Johns / Seconded: Clr M Osborne

That the report be received by Council.

**CARRIED UNANIMOUSLY**

### 06/14.12.5 Cleaning of Boat Ramps

FILE REFERENCE	004\007\003\
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#### DISCUSSION:

- Clr McGiveron stated that it is important that the ramps are inspected as well.
- Clr Tucker stated that Burns Bay is one of the most highly used ramps. It is paramount that it is cleaned regularly.

**COUNCIL DECISION:****06/14.12.5.164**Moved: Clr J McGiveron / Seconded: Clr R Johns

That the following cleaning schedule be used as a guide.

Boat Ramp	Current Schedule	Proposed Schedule		
	No. of Cleans	Hotter Months	Rest of year	No. of Cleans
Burns Bay (lane 1)	6	8	4	12
Burns Bay (lane 2)	6	8	4	12
Steiglitz (lane 1)	4	4	4	8
Steiglitz (lane 2 – new)	0	4	4	8
O'Connors Beach	4	4	2	6
St Helens Foreshore	3	2	2	4
The Gulch	2	2	2	4
Totals :	25			54

The number of cleaning jobs carried out will depend on the result of regular inspections. That is, if more frequent cleaning is required, this would be done. Likewise, we would not carry out any cleaning if it was not required.

**CARRIED UNANIMOUSLY****06/14.12.6 Mowing Policy**

FILE REFERENCE	002\024\003\
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**DISCUSSION:**

- Clr Tucker stated that we need to give it a go and go back and review and alter if required.
- Clr McGuinness said this will be good so that the community know what Council is doing.

**COUNCIL DECISION:****06/14.12.6.165**Moved: Clr R Johns / Seconded: Clr M Osborne

That Council adopt Asset Management Policy Number AM-14 Mowing, Draft Version 3 (2 June 2014), as the approved policy.

**CARRIED UNANIMOUSLY**

## 06/14.13.0 COMMUNITY DEVELOPMENT

### 06/14.13.1 Community Services – Strategic Plan Activity Report

#### COUNCIL DECISION:

Received.

### 06/14.13.2 Community Services Report

FILE REFERENCE	N/A
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#### DISCUSSION:

- The Manager Community Services advised that the new Youth/Administration Officer commenced today.
- The Manager Community Services advised that the first component of the Planning for Sustainable Tourism project is almost complete.

#### COUNCIL DECISION:

06/14.13.2.166 Moved: Clr R Johns / Seconded: Clr J McGiveron

That the report be received.

**CARRIED UNANIMOUSLY**

### 06/14.13.3 Community Services Capital Works Breakdown Report

#### COUNCIL DECISION:

Received.

### 06/14.13.4 Plaques to be placed on St Marys Cenotaph

FILE REFERENCE	004\011\009\
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#### DISCUSSION:

This item was discussed at a Council Workshop. No further discussion took place.

#### COUNCIL DECISION:

06/14.13.4.167 Moved: Clr R Johns / Seconded: Clr J McGiveron

That Council allow Ms Jan Sparkes to place a plaque on the St Marys Cenotaph honouring the service of women during war, subject to the wording being approved by the Department of Veterans Affairs or other relevant agency.

**CARRIED UNANIMOUSLY**

**06/14.13.5 Request for Financial Assistance – Fingal Valley Neighbourhood House – Youth Event**

FILE REFERENCE	011\028\002\
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**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

**06/14.13.5.168** Moved: Clr R Johns / Seconded: Clr J McGiveron

That Council support this request from the Fingal Valley Neighbourhood House and provide financial assistance in the sum of \$250.00 to assist them with a youth event which was held on Friday 13 June 2004.

**CARRIED UNANIMOUSLY**

**06/14.13.6 Request for Fee Waiver – Banner Poles – St Helens Chamber of Commerce and Tourism**

FILE REFERENCE	004\011\003\
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**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

**06/14.13.6.169** Moved: Clr R Johns / Seconded: Clr J McGiveron

1. That Council allow the St Helens Chamber of Commerce & Tourism to utilise the 8 banner poles whilst not in use by another organisation/business;
2. That Council support the St Helens Chamber of Commerce & Tourism by waiving the hire fees associated with the use of the 8 banner poles; and
3. That the erection of the banners be noted as a donation.

**CARRIED UNANIMOUSLY**



**06/14.13.7 Request for Fee Waiver – St Helens Neighbourhood House - Portland Hall, St Helens**

FILE REFERENCE	004\005\006\
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**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

**06/14.13.7.170** Moved: Clr R Johns / Seconded: Clr H Rubenach

That Council support this event being organised by the St Helens Neighbourhood House STHyLE Youth Group for a Junior Ball and waive the hall hire fee of \$65.00.

**CARRIED UNANIMOUSLY**

**06/14.13.8 Request to Take Over Lease on Jetty – Moulting Bay**

FILE REFERENCE	038\004\006\
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**DISCUSSION:**

- Clr Tucker stated that if we lose any of these facilities they are very hard to get back and they are important to the community.
- Clr McGuinness stated that the jetty may have some structural problems however he agrees with Clr Tucker.
- Clr McGiveron suggested the Officers approach MAST for assistance to fix up if Council is willing to take it over.

**COUNCIL DECISION:**

**06/14.13.8.171** Moved: Clr M Tucker / Seconded: Clr M Osborne

That Council organize a structural report to be undertaken and take over the lease of Jetty 2594 from the existing lessee and enter into a new lease arrangement with Crown Land Services for this jetty located at Moulting Bay.

**CARRIED UNANIMOUSLY**

*Adjourned for morning tea at 11.06am  
Clr Tucker left the meeting at 11.06am  
Meeting resumed at 11.18am*

**06/14.13.9 Titley Shack – Binalong Bay – Amend Terms of Reference and Appoint Committee Member to the Titley Shack Reference Group**

FILE REFERENCE	041\003\001\
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**DISCUSSION:**

- Clr McGuinness asked whether Garry Richardson had been asked to participate in the Reference Group? The General Manager advised that he believed he had, however he would follow up.

**COUNCIL DECISION:**

**06/14.13.9.172** Moved: Clr G McGuinness / Seconded: Clr J McGiveron

That Council:

1. amend the Terms of Reference to reflect a change in the membership of the Titley Shack Reference Group from three (3) local residents to four (4) local residents; and
2. appoint:  
Richard Le Fevre  
John Lester  
Ted Bugg  
John Lambert

to the Titley Shack Reference Group.

**CARRIED UNANIMOUSLY**

**06/14.13.10 Request to Use Lot 70 Sunhaven Drive, St Helens for Agistment of Horses**

FILE REFERENCE	003\005\001\
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**DISCUSSION:**

- The Community Services Manager advised that some wire fencing may need repairing; the horses are currently not there. If Council wished to enter into a lease arrangement the person would require public liability insurance.

**COUNCIL DECISION:**

This item has been deferred for further discussion at a Council Workshop.

**06/14.13.11 St Helens Marine Rescue – Seeking Authority from Council to Build and Extension and Assistance with Plans**

FILE REFERENCE	
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**DISCUSSION:**

- Clr Rubenach asked how much funding is being requested? The Manager Community Services advised that it was just for design work. The materials are being donated.
- Clr McGuinness asked whether there was expertise within Council to do the design work? The General Manager advised not for this, structural designs are required however Council will project manage the extension.

**COUNCIL DECISION:**

**06/14.13.11.173** Moved: Clr J McGiveron / Seconded: Clr R Johns

That Council supports the local volunteer St Helens Marine Rescue Unit by:

1. allowing St Helens Marine Rescue to build an extension to their original building to house a car and inflatable rescue boat; and
2. providing funding to assist St Helens Marine Rescue in having the design drawings undertaken for the proposed extension.

**CARRIED UNANIMOUSLY**

**06/14.13.12 Request for Sponsorship – Wrapped in St Marys**

FILE REFERENCE	018\019\001\
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**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

**06/14.13.12.174** Moved: Clr H Rubenach / Seconded: Clr M Osborne

That Council supports the Wrapped in St Marys event and provide financial assistance in the sum of \$2,000 to assist the committee in running the event again in July, 2014.

**CARRIED UNANIMOUSLY**

## 06/14.14.0 DEVELOPMENT SERVICES

### 06/14.14.1 Development Services – Strategic Plan Activity Report

#### COUNCIL DECISION:

Received.

### 06/14.14.2 Development Services Report

FILE REFERENCE	031\013\003\
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#### DISCUSSION:

No discussion took place on this item.

#### COUNCIL DECISION:

**06/14.14.2.175** Moved: Clr R Johns / Seconded: Clr G McGuinness

That the report be received.

**CARRIED UNANIMOUSLY**

### 06/14.14.3 Planning Approvals Issued

#### INFORMATION

DA NO.	LOCATION	DESCRIPTION	SECTION	Day to Approve Gross	Days to Approve Nett
224-2013	Scamander	Legalisation of Front Fence	57	29	29
035-2012	Scamander	Dwelling & Carport	56	1	1
244-2012	Binalong Bay	Change of Use to Visitor Accommodation	58	280	18
288-2012	Binalong Bay	3 Lot Subdivision	56	6	6
092-2013	Beaumaris	Legalisation of Patio	57	314	41
035-2014	Ansons Bay	2 x New Ancillary Bedrooms	57	71	40
052-2014	Scamander	Dwelling & Garage	57	51	38

## INFORMATION

No.	BA No.	Town	Development	Value
1	2013 / 00251	St Helens	Shed	\$23,000.00
2	2013 / 00259	Scamander	Deck (<1m from Ground Level)	\$4,384.00
3	2014 / 00061	St Helens	Awning	\$11,442.00
4	2013 / 00140	Scamander	Dwelling	\$286,000.00
5	2014 / 00045	St Helens	Carport	\$5,400.00
6	2013 / 00163	Scamander	Portico	\$30,000.00
7	2013 / 00075	Beaumaris	Garage with Facilities, Carport and Deck	\$42,900.00
8	2008 / 00153 - Stage 2	Scamander	Amenities Building - Stage 2	\$68,072.00
9	2014 / 00022	Beaumaris	Dwelling & Garage	\$207,500.00
10	2013 / 00164	Scamander	Dwelling	\$258,000.00
11	2011 / 00184	Falmouth	Deck & Verandah	\$16,800.00
12	2014 / 00038	St Helens	Storage Shed	\$92,000.00
13	2014 / 00080	St Helens	Garage	\$600.00
14	2010 / 00010	Akaroa	Stage 2 - Dwelling Additions	\$45,710.00
15	2011 / 00099	St Helens	Amendment - Deck, Walkway & Internal Alterations	\$10,000.00
16	2005 / 00057	Beaumaris	Minor Works - Solar Panels	\$4,000.00

ESTIMATED VALUE OF BUILDING APPROVALS FINANCIAL YEAR TO DATE		2012/2013	2013/2014	
		\$21,290,615	\$10,246,996	
ESTIMATED VALUE OF BUILDING APPROVALS FOR THE MONTH		MONTH	2013	2014
		May	\$997,730	\$1,060,098
NUMBER BUILDING APPROVALS FOR FINANCIAL YEAR TO DATE		MONTH	2012/2013	2013/2014
		May	191	127

**06/14.14.5          Development Services Capital Works Breakdown Report**

**COUNCIL DECISION:**

Received.

**06/14.15.0          GENERAL MANAGER’S REPORT**

**06/14.15.1          General Manager’s – Strategic Plan Activity Report**

**COUNCIL DECISION:**

Received.

**06/14.15.2          General Manager’s Report**

FILE REFERENCE	002\012\001\
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**DISCUSSION:**

- The General Manager provided a general update in relation to outstanding items.
- No further discussion took place.

**COUNCIL DECISION:**

**06/14.15.2.176          Moved: Clr R Johns / Seconded: Clr J McGiveron**

That the General Manager’s report be received.

**CARRIED UNANIMOUSLY**

**06/14.15.3          Governance Capital Works Breakdown Report**

**COUNCIL DECISION:**

Received.

## 06/14.15.4 Workshop Presentations

FILE REFERENCE	014\001\027\
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### DISCUSSION:

No discussion took place on this item.

### COUNCIL DECISION:

**06/14.15.4.177**                      Moved: Clr R Johns / Seconded: Clr M Osborne

That the Workshop Guidelines be amended to incorporate the requirement for organisations and individuals requesting to make a presentation to Council to submit a written summary of their presentation with their request.

**CARRIED UNANIMOUSLY**

## 06/14.15.5 Regional Infrastructure Project – Break O’Day Council and Dorset Council

FILE REFERENCE	032\005\003\
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### DISCUSSION:

- Clr LeFevre stated that he believed Graham Cameron when he was still working for Council prepared a report regarding costs and gravel v’s bitumen with ongoing maintenance costs included.

### COUNCIL DECISION:

**06/14.15.5.178**                      Moved: Clr J McGiveron / Seconded: Clr M Osborne

That the Mayor and General Manager seek a further meeting with the Dorset Council to explore the opportunity for the sealing of the Ansons Bay Road from Priory to Musselroe Road and to identify lengths of the road to be sealed in a prioritised order that would maximise the benefits of sealing of the road over an extended period if necessary.

**CARRIED UNANIMOUSLY**

## 06/14.15.6 Review – Personal Use of Social Media Policy

FILE REFERENCE	002\024\007\
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### DISCUSSION:

No discussion took place on this item.

### COUNCIL DECISION:

**06/14.15.6.179** Moved: Clr R Johns / Seconded: Clr M Osborne

That Council adopt the Personal Use of Social Media Policy, as amended.

**CARRIED UNANIMOUSLY**

## 06/14.16.0 PLANNING AUTHORITY

*Pursuant to Section 25 of the Local Government (Meeting Procedures) Regulations 2005 the Mayor informed the Council that it was now acting as a Planning Authority under the Land Use Planning and Approvals Act 1993.*

### 06/14.16.1 Urgent Amendment to the Break O’Day Interim Planning Scheme 2013 – Elizabeth Street, Mangana

FILE REFERENCE	PID: 6413703
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### DISCUSSION:

No discussion took place on this item.

### COUNCIL DECISION:

**06/14.16.1.180** Moved: Clr R Johns / Seconded: Clr G McGuinness

That Council set aside the provisions of '19.0 Open Space Zone', and adopt the provisions of '13.0 Rural Living Zone'.

**CARRIED UNANIMOUSLY**



**06/14.16.2 URGENT AMENDMENT TO THE BREAK O'DAY INTERIM PLANNING  
SCHEME 2013 – 17 GRANT STREET, FINGAL**

FILE REFERENCE	PID 6410916, C.T 228953/1
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**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

**06/14.16.2.181** Moved: Clr R Johns / Seconded: Clr M Osborne

That Council set aside the provisions of '18.0 Recreation Zone', and adopt the provisions of '10.0 General Residential Zone'.

**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.*

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

Moved: Clr R Johns / Seconded: Clr J McGiveron: That Council move into Closed Council.

**CARRIED UNANIMOUSLY**

# IN CONFIDENCE

**06/14.17.0**      **CLOSED COUNCIL**

**06/14.17.1**      **Outstanding Actions List for Closed Council**

**06/14.17.2**      **Pigs Keeping at Esk Main Road, St Marys - Closed Council Item Pursuant To Section 15(2)H Of The Local Government (Meeting Procedures) Regulations 2005**

**06/14.17.3**      **Tender – Priory Road Bridge Reconstruction - Closed Council Item Pursuant To Section 15(2)C Of The Local Government (Meeting Procedures) Regulations 2005**

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

Moved: Clr R Johns / Seconded: Clr M Osborne: That Council move out of Closed Council.

**CARRIED UNANIMOUSLY**

Mayor Schmerl thanked everyone for their attendance and declared the meeting closed at 11.57.

.....  
**MAYOR**

.....  
**DATE**