

COUNCIL MINUTES

Monday 16 May 2016

Council Chambers



John Brown
General Manager
Break O'Day Council
16 May 2016

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05/16.1.0 ATTENDANCE

05/16.1.1 Present

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

05/16.1.2 Apologies

Nil

05/16.1.3 Leave of Absence

Request for Leave of Absence for Clr H Rubenach-Quinn for the month of June 2016.

Moved: Clr G McGuinness Seconded: Clr J Drummond

CARRIED

05/16.1.4 Staff in Attendance

General Manager, John Brown
Executive Assistant, Angela Matthews
Manager Community Services, Chris Hughes (*Item 1.0 – 15.1*)
Manager Works and Infrastructure, Stephen Yam (*Item 1.0 – 17.2*)
Manager Corporate Services, Bob Hoogland (*Item 1.0 – 13.1*)
Building Services Coordinator, Jake Ihnen (*Item 1.0 – 16.5 / 16.7 – 17.3*)
Planning Officer, Chris Triebe (*Item 8.3 – 8.4*)
Technical Officer, Cathy Bailey (*Item 8.3 – 8.4 / 16.7 – 17.3*)
NRM Facilitator, Polly Buchhorn (*Item 14.3 – 16.1*)
Economic Development Officer, Tim Gowans (*Item 15.5 – 16.5*)
Planning Coordinator, Paula Kloosterman (*Item 16.4 – 16.7*)

05/16.2.0 PUBLIC QUESTION TIME

Nil (0) 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.

05/16.2.1 Maintenance of Nature Strip on Gardiners Creek Road – Mrs P O'Donnell, St Marys

Mrs O'Donnell recently wrote a letter to the Mayor, All Councillors and Staff at Break O'Day Council regarding maintenance of the nature strip outside her home, fronting Gardiners Creek Road. The letter was sent on the 5 April and a response was provided on the 8 April.

Mrs O'Donnell believes that Council is being unfair in not maintaining the nature strip along Gardiners Creek Road. When the grass is long it impedes her, and others, access to the Medical Centre and Hospital. Residents are fearful to walk along the nature strip, due to being unable to see any trip hazards, or snakes. There is no footpath along this stretch of Gardiners Creek Road.

1. Is Council going to maintain this nature strip so that residents on foot can access the hospital and medical centre without fear of trip hazards; and
2. What is Council protocol with regard to forwarding letters addressed to All Councillors? As it appears at least two (2) Councillors, who I had communication with, did not receive this communication?

Reply

1. In accordance with Council's Mowing Policy, Council does not maintain nature strips in front of all private, commercial and industrial properties. Council lacks adequate resources to effectively maintain these diverse areas, which taken together constitute a large and sparsely spread area of land. Council encourages and relies on the goodwill and established community expectation that property occupants will maintain nature strips in a reasonable condition. This situation is common in other Council areas. If there is genuine hardship based on medical evidence or financial constraints, residents may apply to the General Manager, and if approved, Council will mow twice during a twelve (12) month period.

In this case, the General Manager has assessed Mrs O'Donnell's request and has approved the mowing of her nature strip twice during a twelve (12) month period as per Council's Policy.

2. Correspondence addressed to the Mayor and Councillors is usually forwarded to them for their information and forwarded to the appropriate Officer for investigation and response as required.

05/16.3.0 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.

Councillors Hannah Rubenach-Quinn and John Tucker declared Conflict of Interests for agenda item number 05/16.8.2 – Notice of Motion – Support for Gonski Agreement – Clr J Drummond as they are candidates for the 2016 Federal Election.

05/16.4.0 CONFIRMATION OF MINUTES

05/16.4.1 Confirmation of Minutes – Council Meeting 18 April 2016

OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 18 April 2016 be confirmed.

DISCUSSION:

- Clr Drummond requested that the following discussion point be amended to read “partly” instead of “largely”:

“Clr Drummond advised that St Marys had deteriorated with the floods and she sees the role as largely liaising with Council, private land owners and the State Government regarding weed elimination, etc.”

COUNCIL DECISION:

05/16.4.1.106 Moved: Clr J McGiveron / Seconded: Clr K Wright

That the minutes of the Council Meeting held on the 18 April 2016 be confirmed with amendment from Clr J Drummond as outlined above.

CARRIED UNANIMOUSLY

05/16.5.0 COUNCIL WORKSHOPS HELD SINCE 18 April 2016 COUNCIL MEETING

There was a Workshop held on Monday 2 May 2016 and there was a presentation regarding the pilot stage of the Great Eastern Trail and the following items were listed for discussion.

- Budget Review – as at 31 March 2016
- Adoption of Financial Management Strategy
- Budget 2016-2017
- St Helens Cemetery Plot Fish Pond
- End of Life Domestic Refrigeration Degassing
- Scamander Waste Transfer Station Compactor Wall
- St Helens Recreational Grounds – Proposed Playground
- CMCA – Solo – Camping St Helens Sports Complex
- Impact of Pokie Machines – Request for Council to Consider Joining Community Coalition
- Cormorants on Georges Bay –Concern for Excessive Numbers
- Caravan By-Law and Caravans – Clr Rubenach-Quinn – Report from Outstanding Item 12 January 2015
- Break O’Day Council Becoming a Bee Friendly/Bee Aware Municipality
- Georges Bay Seagrass
- Feral Cat Management Program
- Temporary Signage Compliance
- Break O’Day Council Strategic Plan
- St Helens Airport Hangars
- Discussion on In House Tenders
- Update on the Progress of the Quarries
- Discussion on Casual Labour
- Waste Management Contract
- The Possible Triathlon Information Update
- Drinking Water Data
- Salmon Farming on East Coast

05/16.6.0 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.

05/16.6.1 Resumption of Extractive Industry – St Helens Point – DA 041-2016

DISCUSSION:

The General Manager advised that Council is still waiting on EPA to complete their component once this is provided Council has 14 days which will require a Special Council Meeting which has been scheduled to take place prior to the Council Workshop on the 6 June 2016.

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.

05/16.7.0 PETITIONS

Nil.

05/16.8.0 NOTICES OF MOTION

05/16.8.1 Notice of Motion – Promoting Outdoor Adventure Sport – Cllr K Wright

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 consider the promotion, and maintaining ease of access to outdoor adventure sport areas, ie rock-climbing, bush walking tracks, mountain biking and other activities around Fingal Valley and other part of Break O'Day.

SUBMISSION IN SUPPORT OF MOTION:

Tasmania has some of the best rock climbing in Australia, and Break O'Day (Fingal Valley) has some of the most significant climbs in Tasmania. As with the mountain bike track that have recently and are currently being constructed, this type of sport attracts similar and varied people. These people often have reasonable disposable income, and while many like to camp out, many others like to have nice facilities, and accommodation.

There are a couple of publications that have strong mention of climbs in the Break O Day region, and perhaps with promotion through ECRTO this could be given more focus.

Council would also need to communicate with Parks and Wildlife regarding continued maintenance of access to areas such as South Sister, as this is a popular area for visitors, and tourism.

Key strategies are:

- to attract more visitors
- to get them to stay “one more night”
- Raise profile and increase Tourism potential in Fingal Valley.

The moderate climate on the East Coast makes for opportunities for outdoor activity related tourism

Rock-climbing is already popular at Coles Bay and we may be able to attract more climbers to the Break O'Day area. There are already climbing guides available for South Sister at St Marys and Bare Rock at Fingal. There is also a guide for climbing at Stacks Bluff – outside the BOD but which could advantage accommodation and other businesses in BOD. Other areas could possibly develop.

Further to this fire trails and forestry roads could be mapped and signposted for mountain biking and walking. Existing walking tracks/routes could be made more user-friendly with some maintenance work and signposting, Flagstaff Hill and Mt Pearson.

The existing cycling and walking track along the bay from Homelea to the Lions Park could be extended through to Stieglitz. The need for hardening of the coastal toe around Possum Tom and Treloggens Track/Yellow Bluff will give us the opportunity to extend the track through Possum Tom to O'Connors beach and Stieglitz beach. Constructing a track along the reserve on O'Connors beach and Stieglitz beach should be reasonably straight forward to construct.

St Patricks Head, South Sister, St Pauls Dome (may require access through private property), Falls at the top of the pass etc. Some of these projects may be suitable for Green Army or work for the dole projects

DISCUSSION:

- Clr Rubenach-Quinn stated that we need to look at what is already there and what is needed, there are already background things in place.
- Clr McGiveron stated that we need to talk to Parks & Wildlife Services as there are so many areas that they do control.
- Clr J Tucker stated that he is worried where this may head with costs, eg easements, acquiring land, etc.
- Clr McGuinness stated that the motion is very non-specific and would like to see it tightened up a little bit with what is expected from Council. Certainly agree with the concept of the motion. Should be talking to the East Coast Regional Tourism Organisation (ECRTO) about getting on their website, etc.

- Clr Wrights stated that she agreed with Clr McGuinness regarding the ECRT0. With regard to access through private property we should just discuss with the owners to see if they are willing to participate if not other areas can be easily accessed.
- Clr Drummond stated that this is only for a report at this time, could there be discussions with Parks & Wildlife Services, etc and look at all avenues initially.

COUNCIL DECISION:

05/16.8.1.107

Moved: Clr K Wright / 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 consider the promotion, and maintaining ease of access to outdoor adventure sport areas, ie rock-climbing, bush walking tracks, mountain biking and other activities around Fingal Valley and other part of Break O'Day.

CARRIED UNANIMOUSLY

Clr's H Rubenach-Quinn & J Tucker left the room at 10.12am

05/16.8.2

Notice of Motion – Support for the Gonski Agreement – Clr 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 write to all Federal Candidates for the upcoming election and;

- state our support for the Gonski agreement as a Council;
- ask that if elected they provide bipartisan support for the full allocation of the additional Gonski funding, that will ensure the schools in our area have the right resources, targeted to reach the children who most need it.

SUBMISSION IN SUPPORT OF MOTION:

Tasmania is considered a high needs State with regard to education funding based on the needs of our school children.

Extract from: http://www.igiveagonski.com.au/whats_gonski

“Gonski funding is designed to ensure all children are educated in schools that have the right resources to meet their needs. This funding began in 2014, after the independent Gonski Review warned too many children were missing out due to a lack of resources. Under the Gonski plan, all

schools are funded according to the individual needs of their students and what is required to educate them to a high level.

Schools can use the additional resources to better meet the individual needs of students. Things they can do include:

- Reducing class sizes
- Employing additional specialist teachers in areas such as literacy and numeracy
- Providing greater assistance and support for students with disabilities or behavioral problems
- Building the skills and knowledge of teachers through increased training.

Five (5) state and territory governments in 2013 signed agreements with the Federal Government to follow the Gonski plan and improve the way schools are resourced. Those agreements specify the level of funding each government must contribute over six (6) years from 2014 to get to a point where all schools have the right level of resources.

The Government wants to stop Gonski funding after next year. That means children across Australia will be denied the resources and the opportunities they need to get a good education.

The financial impact of this decision will be huge because the majority of the funding is due to flow from the Federal Government to schools in the final two (2) years.”

Additional information provided by Lucie Ellis from St Marys District High School who is requesting the ongoing support of Council for the full implementation of the Gonski funding model:

“A needs based funding model is essential for our community and economy. St Marys and St Helens Schools will benefit from a combined \$3,518,067 over a six (6) year implementation of the funding model. The majority of this funding occurs in the final two (2) years of the model. It is essential that Gonski receive bipartisan support from our major political parties. I implore you to pledge your support once again for Gonski funding and help secure bipartisan support and the ongoing funding of schools according to their need.”

DISCUSSION:

No discussion of significance took place on this item.

COUNCIL DECISION:

05/16.8.2.108

Moved: Clr J Drummond / Seconded: Clr G McGuinness

That Council write to all State Federal Candidates for the upcoming election and;

- (i) state our support for the Gonski agreement as a Council;
- (ii) ask that if elected they provide bipartisan support for the full allocation of the additional Gonski funding, that will ensure the schools in our area have the right resources, targeted to reach the children who most need it.

CARRIED UNANIMOUSLY

Clr's H Rubenach-Quinn & J Tucker returned to the meeting at 10.16am

05/16.8.3 Notice of Motion – Development of Procedure for Handling Negative Publicity – Clr 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 develop a standard operating procedure for handling negative publicity that concerns Council, Council staff or Councillors.

SUBMISSION IN SUPPORT OF MOTION:

Council should be proactive in responding to any negative publicity about Council, Council staff or Councillors, when it is drawn to their attention. A standard operating procedure should be developed for handling negative publicity.

The procedure should identify who is going to be the liaison person with the media and the public, and if required, how that person will get guidance on what to say. If a negative story based on erroneous facts about Council, Council staff or Councillors appears in the local press, then that identified person will let the editor know, firmly but politely, what was wrong and what evidence is available.

Instead of letting comments fester and gather strength from a community of others, the Council appointed officer should step in and engage and address the inaccuracy of what is being publically stated.

DISCUSSION:

- Clr Drummond stated that we would not necessarily be providing a response or entering into debate but providing the facts.
- Clr Wright stated that when something is not correct there needs to be some kind of formal response.
- Clr McGuinness stated that he is not necessarily against the motion however sometimes it is better to say nothing.
- Clr LeFevre stated that he doesn't see the relevance of the motion, if Clr LeFevre sees something that is not correct he notifies the Mayor and General Manager immediately.
- Clr Rubenach-Quinn stated that we need something as we need to have some way to respond to rumours, etc, need some sort of procedure to handle this.
- Mayor Tucker stated that we need to be dealing with factual stuff that is in print, if we worry about people and rumours we could be festering an issue and make it bigger than necessary.
- Clr Drummond stated that if there is something that is factually incorrect we should correct the information.

- Clr McGiveron stated that he agrees with Clr LeFevre – once you set the ball rolling on a particular issue it can create a bigger issue.
- Clr McGuinness stated that we have employed a General Manager to oversight this sort of situation and it should be his call to whether a response is provided or not.
- The General Manager advised that the Communications Coordinator is working on a communication strategy at the moment and how this sort of situation is dealt with will be incorporated in this strategy – it is a judgement call but this will be reflected in the strategy.

COUNCIL DECISION:

05/16.8.3.109

Moved: Clr J Drummond / Seconded: Clr K Wright

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 develop a standard operating procedure for handling negative publicity that concerns Council, Council staff or Councillors.

FOR Clr H Rubenach-Quinn, Clr J Drummond, Clr K Wright

AGAINST Clr J McGiveron, Clr J Tucker, Clr M Osborne, Clr G McGuinness, Clr B LeFevre, Clr M Tucker

LOST

05/16.8.4

Notice of Motion – Retrospective Approval of Illegal Land Clearing – Clr 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 do not retrospectively approve illegal land clearing.

SUBMISSION IN SUPPORT OF MOTION:

See extracts below from the Forest Practices Authority most up to date information on land clearing controls in Tasmania. I believe as a Council we should be embracing the requirements for legal compliance and not retrospectively approving any illegal land clearing in the Break O’Day Municipality.

“It is important that the forest practices that you are planning to carry out comply with the legislation (*Forest Practices Act 1985 and Forest Practices Regulations 2007*); failure to do so can result in substantial penalties.”

“The land clearing controls apply to all land in Tasmania, both public and private. They apply to forest vegetation and threatened non-forest vegetation communities. Under the Permanent Native Forest Estate Policy, broad-scale clearing and conversion of native forest on private land is to be phased out by 1 July 2016, pending a review of the policy during 2016.”

Source - FPA Information on land clearing controls in Tasmania - Version 1.4 Feb 2016 (http://www.fpa.tas.gov.au/data/assets/pdf_file/0018/110286/Land_clearing_information_sheet_Feb_2016.pdf).

DISCUSSION:

- Clr Rubenach-Quinn stated that Council needs to have some policy position or document that backs up the legislation.
- Clr J Tucker stated that he is not really against the motion however there is no difference to illegal buildings in his opinion. Clr J Tucker stated that he does not think that Council should be involved in this, if there is a case it should be forwarded to the Forest Practices.
- Clr LeFevre asked the General Manager – where do we stand when we give an amnesty for illegal buildings? The General Manager advised that with illegal buildings, in some cases it is easier to rectify the situation but land clearing is more difficult, it would be best to have a report from Council Officers to see how things are dealt with and where we sit legally and get clarity around this to have discussions to fully understand the elements in place through LUPAA, Forest Practices Act, etc.
- Clr Rubenach-Quinn stated that there is a difference between retrospectively approving of buildings and land clearing, there is a gap between the Planning Authority and Forest Practices Act.
- Clr J Tucker stated that we need to be extremely careful where we are heading with this.

AN AMENDMENT WAS MOVED

- Clr McGuinness stated that there is a vast difference between huge illegal land clearing as opposed to a couple of trees being removed.
- Clr Drummond stated that it is about the gap of what the FPA says and what our Planning Scheme says – would like some clarity around this.

COUNCIL DECISION:

05/16.8.4.110

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 do not retrospectively approve illegal land clearing.

An amendment was moved:

05/16.8.4.111

Moved: Clr B LeFevre / Seconded: Clr G McGuinness

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 investigate the retrospective approval for illegal land clearing.

FOR Clr J McGiveron, Clr B LeFevre, Clr G McGuinness, Clr M Tucker
AGAINST Clr H Rubenach-Quinn, Clr J Drummond, Clr M Osborne, Clr K Wright, Clr J Tucker
LOST

The original motion was put:

FOR Clr H Rubenach-Quinn, Clr J Drummond, Clr M Osborne, Clr K Wright
AGAINST Clr J McGiveron, Clr B LeFevre, Clr G McGuinness, Clr M Tucker, Clr J Tucker
LOST

The General Manager advised that an item would be prepared and provided to a Council Workshop for information at this point in time.

MOTION:

That the stationary Engine at the Lions Park, when restored by Lions, be returned to where the new slab has been constructed next to the walking path along the water's edge.

SUBMISSION IN SUPPORT OF MOTION:

The Lions Club have discussed this at length and feel that:

1. This is the right place as you can see it when you come down the hill with the bay in the background and not hidden around the corner next to the toilets.
2. It will look even better when it is restored and people can walk on each side of it to take photos and to read the explanatory plaque.
3. If placed where indicated, people will be hampered in photographing it as the parked cars will be in the way.
4. The matter of a few metres to the sea is unlikely to cause any additional corrosion.

As the club is spending considerable time and money on this project and feel that the engine needs to be visible and not crammed in a corner with limited access.

COUNCIL DECISION:

Clr Osborne withdrew the motion.

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:

1. That Council investigate in filling Georges Bay around the front of Tidal Waters and reclaiming this land.
2. That Council investigate upgrading the esplanade, with the vision of making this road our main tourist and commercial area.

SUBMISSION IN SUPPORT OF MOTION:

With the works to be done to the barway and the sinking of the Tobruk, this area needs to be enlarged to create the necessary infrastructure for the tourism potential for the district.

These developments will add a lot to the Break O'Day area and will give us a great recreational area for our community and tourists to enjoy into the future.

There is scope with this development to provide a calm deep water recreational boat ramp, and another large car and boat trailer car park.

There is scope for a calm deep water mariner.

DISCUSSION:

- Clr LeFevre stated that he doesn't expect to see this happen in the next two (2) or three (3) years but over time as the population continues to grow – this is about the future.
- Clr Wright stated that some of these areas have habitat for bird life, this is not something that we just need to fill in, it is too important – need a report on the saltmarsh from NRM letting people know what the significance it.
- Clr Rubenach-Quinn stated that she agrees with Clr Wright, it is a valuable area as well as having concerns about sea level rise over the next 100 years and concerns with interfering in the systems.
- Clr Drummond stated that the NRM Facilitator has done a good report on the seagrass in this agenda, Clr Drummond stated that she would like to see one on this matter, need in depth information.
- Clr McGiveron agrees with Clr J Tucker and supports that it will take a number of years before anything will happen. Would have to go a long way out from the marina to get reasonable depth.
- Clr McGuinness stated that this goes back to a motion from three (3) years ago regarding a study into the bay, much of this area has changed dramatically in the last 30-40 years. It is less than one (1) metre deep towards Tidal Waters from the marina, Clr McGuinness still believes that we need to have this study done regarding what is happening in the bay and the rate the changes are happening. Should get a report on this issue as well as what is really happening.
- Clr Rubenach-Quinn stated that she has concerns with interfering on the area could also impact on the stormwater outflow.

COUNCIL DECISION:

05/16.8.6.112

Moved: Clr J Tucker / Seconded: Clr B LeFevre

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:

1. That Council investigate in filling Georges Bay around the front of Tidal Waters and reclaiming this land.
2. That Council investigate upgrading the esplanade, with the vision of making this road our main tourist and commercial area.

FOR Clr J McGiveron, Clr J Tucker, Clr M Osborne, Clr G McGuinness, Clr B LeFevre, Clr M Tucker

AGAINST Clr H Rubenach-Quinn, Clr J Drummond, Clr K Wright

CARRIED

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 support the community lobby for more open and timely water quality data transparency.

SUBMISSION IN SUPPORT OF MOTION:

Council has been requested to participate in the lobby to TasWater for more open and timely water quality data transparency. There have been community requests that all water testing results be published on the TasWater website in full and in a timely manner. At the 22 July 2015 LGAT State Conference, a motion was successfully passed, “that LGAT writes to the State Government requesting that they make available to the public the testing results for all Tasmanian town reticulated water systems.” There has been some work done at the LGAT level, but I believe that the time has come for Council, as a shareholder of TasWater to show a stronger interest in this matter and become involved in the lobby for better water quality data transparency.

DISCUSSION:

- Clr Drummond stated that she supports the motion as there is a lot of concern expressed by the public regarding the quality of the water and the best time data may help alleviate some people’s concerns.
- Clr McGiveron asked whether the cost of the water testing being borne by Council? The General Manager advised that Council do not cover this, it is all covered by TasWater.
- Mayor Tucker advised that this matter came up at the TasWater meeting held last Thursday (12 May 2016) and the number of samples taken per month was approximately 15,000 tests. TasWater advised that they have mechanisms in place to advise people if situations change and an issue is found, they undertake to contact the residents in numerous ways including text messages, robot calls to home phones, local media, radio, local Councils etc – if you are not getting a report it means that you have clean water otherwise you will be notified.
- Clr Drummond stated that she has concerns which come from things like the change in the taste of the water, so people want to know what has changed and what is in it.
- Clr Rubenach-Quinn stated that she doesn’t know to quite what extent the community want to see information but she does know that they want water data transparency, people want to gain confidence in the water quality.
- Mayor Tucker stated that TasWater are going to trial sign post data for a period of three (3) months on their website to see how this goes.
- Clr J Tucker stated that TasWater would have a phone number where people could ring is this correct? Mayor Tucker replied, yes. Clr J Tucker asked whether we could put the number in the newsletters so people can ring up with their concerns.

- Clr McGiveron stated that he would like to know how many people are unwell from the water. If this is happening it is of great concern.
- Clr Drummond stated that if we are going to put the contact number in the newsletter can we advertise the water tank rebate as well? The General Manager stated that the water tank rebate was for tanks of 5000 litres in closed residential areas, this motion was in 2007 and this has disappeared with no budget allocation since approximately 2009. If Council wish to go down this track we will need to set an appropriate budget allocation, this issue is more about availability of information and transparency, what is the level of information which should be provided?
- Clr Drummond asked whether there is any federal or state source that we could call on to assist with this rebate? The General Manager stated that without checking he would probably say no.
- Clr J Tucker stated that he agrees with the General Manager this is a TasWater issue and if there is a problem with the water it should be a TasWater matter, not Council offering a rebate.
- The General Manager stated that maybe Council could form a position on this matter regarding more open and timely water quality transparency and communicate this to TasWater.

COUNCIL DECISION:

05/16.8.7.113

Moved: Clr H Rubenach-Quinn / Seconded: Clr K Wright

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 express support for more open and timely water quality data transparency.

CARRIED UNANIMOUSLY

05/16.9.0

COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

05/16.10.0

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.

05/16.11.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

05/16.11.1 Mayor's Communications for Period Ending 16 May 2016

19.04.16	St Helens	– St Helens Garden Club – 50 th Anniversary
19.04.16	St Helens	– Meeting to discuss volunteer assistance for events holders
20.04.16	St Helens	– Barway Meeting
21.04.16	Launceston	– Local Government Association Tasmania (LGAT) – Mayors meeting
22.04.16	Launceston	– Local Government Association Tasmania (LGAT) – General meeting
24.04.16	St Helens	– St Helens Point Progress Association meeting
25.04.16	St Helens	– Anzac Day ceremonies
30.04.16	St Helens	– State League Netball match
02.05.16	St Helens	– Council Workshop
06.05.16	St Helens	– Meeting with Board of Star FM
09.05.16	Fingal	– Great Esk Tourism (GET) meeting
12.05.16	Launceston	– TasWater General Meeting
13.05.16	St Helens	– Welcome to Volunteers – Volunteers week
13.05.16	St Helens	– St Helens Bowls Club Annual dinner
14.05.16	Pyengana	– Presentation speech Pyengana football match
16.05.16	St Helens	– Council Meeting

05/16.11.2 Councillor's Reports for Period Ending 16 May 2016

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 Mick Tucker/Clr Barry LeFevre

- Ros and Jeff Wallace have moved to St Marys from interstate. They run an unusual business - camel farm, they also run tours for the mentally disabled and have done so for 35 years. They intend to run camel shows for the tourism market and are looking in to skin care from camel's milk.
- Chamber has joined the alliance of the Tasmanian Chamber.
- John Brown, General Manager spoke about the multi-purpose stadium, in particular technology and seating.
- In the BEC report Nic Crawford was extremely complimentary of the work Tim Gowans and Jayne Richardson are doing on behalf of Council.
- There was robust discussion regarding the meeting Chamber representatives had with ECRTO regarding the need for additional signage and signage that points to St Helens being the start of the Great Eastern Drive.
- Next meeting is Tuesday 17 May 2016.

NRM Special Committee – Clr Margaret Osborne/Clr Hannah Rubenach/Clr Janet Drummond

- The next General Meeting is in June and there was a sub-committee meeting on the 3 May looking at the Environmental Sustainability policy and NRM Facilitator will bring a report to the next Workshop.

Star FM – Clr Kylie Wright

- Garage Sale last weekend.

Barway Committee – Clr John McGiveron

- The channel has moved back to the South.
- A little bit of disappointment with MAST approximately six (6) weeks ago they made a commitment to move the Amaropa which has not been followed through.
- Until the EPA and MAST deal with the representations we have to wait until this comes back to Council.

Regional Tourism Organisation (RTO) – Clr Glenn McGuinness

- Next meeting to be held on 19 May 2016 which will be dealing with changes to the Constitution.

Titely Shack & Binalong Bay Reference Group – Clr Glenn McGuinness

- There has not been a meeting and not likely to be one until the car park alterations have taken place.

Mental Health Action Group – Clr B LeFevre

- No meeting scheduled for this month.

Adjourned for morning tea at 11.04am

Meeting resumed at 11.15am

05/16.11.3 Mayor’s and Councillor’s Items

Outstanding Reports:

Motion Number	Meeting Date	Council Decision	Comments
Nil			

05/16.12.0 BUSINESS AND CORPORATE SERVICES

05/16.12.1 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:

Manager Corporate Services advised that there was nothing further to add.

COUNCIL DECISION:

05/16.12.1.114 Moved: Clr G McGuinness / Seconded: Clr B LeFevre

That the report be received.

CARRIED UNANIMOUSLY

05/16.12.2 Monthly Financial Report

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

That the following reports for the month ending 30 April 2016 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:

Manager Corporate Services advised that there was nothing further to add.

COUNCIL DECISION:**05/16.12.2.115**Moved: Clr B LeFevre / Seconded: Clr G McGuinness

That the following reports for the month ending 30 April 2016 be received:

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

CARRIED UNANIMOUSLY**05/16.12.3****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:

No discussion took place on this item.

COUNCIL DECISION:**05/16.12.3.116**Moved: Clr K Wright / Seconded: Clr J McGiveron

That the report be received.

CARRIED UNANIMOUSLY

FILE REFERENCE	018\007\001\
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OFFICER'S RECOMMENDATION:

That Council receive the Budget Estimates 2015-2016 Review as at 31 March 2016 and the following variances be applied to the original 2015-2016 budget as set by Council Minute:

Amend Capital Expenditure (brackets denote an adverse variance)	\$
CD048 Walk Behind Scrubber	(15,500)
CD070 UPS	(5,541)
TOTAL	(21,041)

Amend Profit and Loss Items (brackets denote an adverse variance)	\$
1664 Section 137 Property Sales	46,000
1776 Miscellaneous Reimbursements	10,000
1791 Roads to Recovery	378,137
1906 Water & Property Rates Payable	(24,000)
TOTAL	\$410,137
TOTAL BUDGET ADJUSTMENT	\$389,096

INTRODUCTION:

The 2015-2016 budget has been reviewed by senior managers, recognising additional Capital expenditure items, identifying compensating actions and other operational adjustments.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:**05/16.12.4.117**Moved: Clr K Wright / Seconded: Clr J Tucker

That Council receive the Budget Estimates 2015-2016 Review as at 31 March 2016 and the following variances be applied to the original 2015-2016 budget as set by Council Minute:

Amend Capital Expenditure (brackets denote an adverse variance)	\$
CD048 Walk Behind Scrubber	(15,500)
CD070 UPS	(5,541)
TOTAL	(21,041)

Amend Profit and Loss Items (brackets denote an adverse variance)	\$
1664 Section 137 Property Sales	46,000
1776 Miscellaneous Reimbursements	10,000
1791 Roads to Recovery	378,137
1906 Water & Property Rates Payable	(24,000)
TOTAL	\$410,137
TOTAL BUDGET ADJUSTMENT	\$389,096

CARRIED UNANIMOUSLY**05/16.12.5 Adoption of Financial Management Strategy**

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

That Council adopt the Financial Management Strategy 2015-2023.

INTRODUCTION:

As part of the legislation that required Long Term Financial Plans and Asset Management Plans, Council is also required to adopt an overarching Financial Management Strategy.

DISCUSSION:

- Clr Rubenach-Quinn stated that as she said in the workshop she has concerns with point 3 on page 3 in regards to unlocking state land for commercial activities.
- Clr Drummond stated that she agrees with Clr Rubenach-Quinn and would like to know what the state owned land refers to.
- The General Manager stated that there are a number areas here and at the workshop, there were concerns regarding state reserves as opposed to other state owned land that are not high value land, we could amend the strategy to include "excluding state reserves and national parks".

- Clr McGiveron stated that it is a pretty broad area statement.
- Clr Drummond stated that as it is a broad statement this is her concern.

COUNCIL DECISION:

05/16.12.5.118

Moved: Clr J Tucker / Seconded: Clr K Wright

That Council adopt the Financial Management Strategy 2015-2023 which includes an amendment on point 3 on page 3 regarding the unlocking of state owned land to include the following “excluding state reserves and national parks”.

CARRIED UNANIMOUSLY

05/16.13.0 WORKS AND INFRASTRUCTURE

05/16.13.1 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:

- Clr J Tucker asked regarding re-sheeting of some sections of Tyne Road, where is the material coming from? The Manager Works and Infrastructure advised that he would confirm this and he also advised that we are not able to use Billy Taylor Pit as yet.
- Clr Drummond asked whether the plants for landscaping at Lions Park are these of local providence? The Manager Works and Infrastructure advised that they are not but discussions are being held with Todd Dudley from NE Bioregional Network and the Contractor regarding suitable species but will need to advise the outcome.
- Clr Drummond asked what is happening with the fridges at the waste transfer stations. The Manager Works and Infrastructure advised that he has spoken to the Contractor, they will be getting these lined up properly to be degassed, Clr Drummond also stated that there will need to be appropriate signage as well.
- Clr Drummond stated that in regard to the monthly historic bin trips, the bin trips are steadily climbing and she is concerned about the manner in which they are growing and hope that this will be taken into consideration with the waste minimisation investigations.

- Clr Rubenach-Quinn stated asked whether there have been any checks to ensure no accidental discharge of gas when the fridges have been moved at the St Marys Waste Transfer Station. The Manager Works and Infrastructure advised that they need to check every fridge and record as to whether it has been released or not and collected.
- Clr Drummond stated that the fridges should be on a hard stand with a fence around them.
- Clr Rubenach-Quinn asked whether there were any updates on the flood damage claims. The Executive Assistant advised that nothing has been received to date.
- Clr LeFevre stated that he is extremely disappointed that Cornwall Coal have not provided any information regarding the replacement of Cornwall Coal bridge.

COUNCIL DECISION:

05/16.13.1.119

Moved: Clr G McGuinness / Seconded: Clr J Drummond

That the report be received by Council.

CARRIED UNANIMOUSLY

05/16.13.2 Animal Control Report

FILE REFERENCE	003\008\002\
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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:

05/16.13.2.120

Moved: Clr J McGiveron / Seconded: Clr J Drummond

That the report be received by Council.

CARRIED UNANIMOUSLY

FILE REFERENCE	15/20914
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OFFICER'S RECOMMENDATION:

That Council approve the installation of a fish pond memorial for the cemetery plot for William George Yeates at the St Helens General Cemetery, subject to a signed Memorandum of Understanding between Council and the Yeates family for the on-going maintenance and repair of the fish pond memorial with the following key points:

- Maintenance and repairs to be funded by the Yeates family.
- Should there be no response to maintenance or repair requests after a 28 day period, Council will arrange for maintenance and repairs, and costs invoiced to the Yeates family.
- If the damage to the fish pond memorial causes a work health and safety issue, Council will arrange for immediate repairs and costs invoiced to the Yeates family.
- Should there be no maintenance or no response to maintenance and repair requests after a six (6) month period, Council reserves the right to remove the fish pond memorial, and costs invoiced to the Yeates family.
- Costs invoiced to include administration expenses.

INTRODUCTION:

After the passing of her husband (William George Yeates) in October 2014, Nancye Yeates requested approval for a fish pond to be constructed on her husband's burial plot at the St Helens Cemetery

The initial contact was made with Council's Corporate Services Manager who requested further information, and this was provided in a letter dated 28 October 2015 (see attachment).

As part of the information request process, council staff visited Mrs Yeates on 7 April 2016 to hear her case and to discuss safety issues.

Further to her letter and at the meeting, she has confirmed should there be any vandalism or any repair requirements, all maintenance of the fish pond will be carried out and funded by her family.

DISCUSSION:

No further discussion took place on this item.

COUNCIL DECISION:

05/16.13.3.121

Moved: Clr M Osborne / Seconded: Clr B LeFevre

That Council approve the installation of a fish pond memorial for the cemetery plot for William George Yeates at the St Helens General Cemetery, subject to a signed Memorandum of Understanding between Council and the Yeates family for the on-going maintenance and repair of the fish pond memorial with the following key points:

- Maintenance and repairs to be funded by the Yeates family.
- Should there be no response to maintenance or repair requests after a 28 day period, Council will arrange for maintenance and repairs, and costs invoiced to the Yeates family.
- If the damage to the fish pond memorial causes a work health and safety issue, Council will arrange for immediate repairs and costs invoiced to the Yeates family.
- Should there be no maintenance or no response to maintenance and repair requests after a six (6) month period, Council reserves the right to remove the fish pond memorial, and costs invoiced to the Yeates family.
- Costs invoiced to include administration expenses.

CARRIED UNANIMOUSLY

05/16.14.0 COMMUNITY DEVELOPMENT

05/16.14.1 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 Manager Community Services advised that the permit for the helicopter to do drops of the gravel at the Blue Tier has been arranged for this week but it is currently on hold due to forecast of strong winds. The helicopter pilot is monitoring the weather closely.

COUNCIL DECISION:

05/16.14.1.122

Moved: Clr K Wright / Seconded: Clr J McGiveron

That the report be received.

CARRIED UNANIMOUSLY

05/16.14.2

CMCA – Solo – Camping St Helens Sports Complex

FILE REFERENCE	004\008\032\
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OFFICER’S RECOMMENDATION:

1. That Council provide camping space for 250 solo campers in February, 2017 for eight (8) days at a cost of \$2,120 plus \$1,330 which is a refundable bond – Scenario 2.

And –

2. That Council provide camping free of charge for 50 solo campers for five (5) days prior to the commencement of the rally in February, 2017.

INTRODUCTION:

Council has received a request from CMCA to quote on the hosting of 250 solo campers for eight (8) days.

DISCUSSION:

No further discussion took place on this item.

COUNCIL DECISION:

05/16.14.2.123

Moved: Clr G McGuinness / Seconded: Clr J McGiveron

1. That Council provide camping space for 250 solo campers in February, 2017 for eight (8) days at a cost of \$2,120 plus \$1,330 which is a refundable bond – Scenario 2.

And –

2. That Council provide camping free of charge for 50 solo campers for five (5) days prior to the commencement of the rally in February, 2017.

CARRIED UNANIMOUSLY

FILE REFERENCE	011\026\002\
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OFFICER’S RECOMMENDATION:

That Council advises Brighton Council that they do not wish to join the Community Coalition in relation to Pokie Machines.

INTRODUCTION:

Council received a letter from Brighton Council seeking Council’s support.

DISCUSSION:

- Clr Drummond advised that there were a number of pamphlets on display at the St Marys Health Centre and believes that we do have a role to play with the health and wellbeing of our community.
- Clr Rubenach-Quinn stated that we owe it to our community to minimise the harm to our community and would be very supportive if we did join the community coalition.
- Mayor Tucker stated that he is concerned that we are looking at one (1) issue of gambling and not looking at all other forms of gambling. Taking away something that some people use as a social outing.
- Clr Drummond stated that if we are part of this coalition we can argue that maybe there should be a limit so people can still have the enjoyment and this could be policed, could be harm minimisation.
- Clr LeFevre stated that there are limits in the Launceston and Hobart Casino’s regarding limits on withdrawals at ATM’s on their premises.
- Clr Rubenach-Quinn stated that it doesn’t necessarily mean that if pokies are removed that people will not necessarily flow onto other forms of gambling.

COUNCIL DECISION:**05/16.14.3.124**Moved: Clr M Osborne / Seconded: Clr J Tucker

That Council advises Brighton Council that they do not wish to join the Community Coalition in relation to Pokie Machines.

FOR Clr J McGiveron, Clr J Tucker, Clr M Osborne, Clr G McGuinness, Clr B LeFevre, Clr M Tucker

AGAINST Clr H Rubenach-Quinn, Clr J Drummond, Clr K Wright

CARRIED

FILE REFERENCE	004\008\003\
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OFFICER’S RECOMMENDATION:

That Council provide assistance to the Cornwall community by undertaking the following works to enable the development of the pathway around the Cornwall Memorial Park:

1. Collect and deliver donated gravel to Cornwall;
2. Construct the pathway;
3. Spread and compact gravel on pathway.

INTRODUCTION:

Council officers and Jen Binns met with members of the Cornwall community to discuss how they saw the development of the Cornwall Recreation Ground.

DISCUSSION:

Councillors commented that this is a great combined Council, community and business project.

COUNCIL DECISION:

05/16.14.4.125

Moved: Cllr J McGiveron / Seconded: Cllr J Tucker

That Council provide assistance to the Cornwall community by undertaking the following works to enable the development of the pathway around the Cornwall Memorial Park:

1. Collect and deliver donated gravel to Cornwall;
2. Construct the pathway;
3. Spread and compact gravel on pathway.

CARRIED UNANIMOUSLY**05/16.15.0****DEVELOPMENT SERVICES****05/16.15.1****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:

- Mayor Tucker asked what is the timeframe on the construction of the Pyengana toilet block. The Building Services Coordinator stated that we are just waiting on the final signed grant deed and once this is received.
- Clr Rubenach-Quinn asked what is happening with the Green Army work on the Yellow Cliffs? The NRM Facilitator advised that part of the work scheduled was to do soil rehabilitation and erosion work, Council is managing this with Parks & Wildlife Services.
- Clr J Tucker made comments in relation to where is the weed management up to as there is Spanish Heath infestations on Ansons Bay Road and North Ansons Bay Road, what is going to happen? The NRM Facilitator advised that the North Ansons Bay Road infestation was mown very close to the ground so it is too short to spray this season but there are a few around bridge culverts, etc on Ansons Bay Road which will be dealt with. It is about understanding where it is and what condition it is and arrange spraying program.

COUNCIL DECISION:

05/16.15.1.126

Moved: Clr G McGuinness / Seconded: Clr K Wright

That the report be received.

CARRIED UNANIMOUSLY

05/16.15.2 **Planning Approvals Issued**

COUNCIL DECISION:

Received.

05/16.15.3 **Building Services Approvals**

COUNCIL DECISION:

Received.

FILE REFERENCE	017\012\006\
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OFFICER'S RECOMMENDATION:

Council adopt and implement the *Break O'Day Council Bee Friendly Municipality position statement* to help maintain the environmental and economic benefits of bees to the municipality and mitigate threats to bees and support private and commercial bee husbandry.

INTRODUCTION:

Break O'Day Council and its NRM Committee have developed strategies for the municipality to support bees and the important benefits they provide the community.

DISCUSSION:

No further discussion took place on this item.

COUNCIL DECISION:

05/16.15.4.127

Moved: Clr J Tucker / Seconded: Clr J McGiveron

Council adopt and implement the *Break O'Day Council Bee Friendly Municipality position statement* to help maintain the environmental and economic benefits of bees to the municipality and mitigate threats to bees and support private and commercial bee husbandry.

CARRIED UNANIMOUSLY

FILE REFERENCE	017\016\005\
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OFFICER'S RECOMMENDATION:

Council recognises the natural place of seagrass communities in Georges Bay and their ecological role and benefit to the community, and shall give their value due consideration when addressing management of community, economic and public amenity and infrastructure values and issues around the Bay.

INTRODUCTION:

Seagrass is a natural and normal marine community in Georges Bay. During 2015 a number of views and concerns were raised in the community regarding seagrass in the Bay, generally that there was too much seagrass.

Council undertakes clearing of seagrass flotsam from a few beaches on Georges Bay for community amenity reasons and subject to a permit from the Tasmanian Parks and Wildlife Service.

DISCUSSION:

- The NRM Facilitator stated that the recommendation is simply a statement eg Council already remove seagrass of certain beaches, hence we show that Council has a balanced view.
- Clr LeFevre stated that we do need some expert advice in regard to the state of the bay to try and get specific answers about things.
- Mayor Tucker stated that the bay is a moving target, there will continue to be changes. Council has already been proactive but not sure how we can assist with natural changes.
- The NRM Facilitator stated that there is a Georges Bay Program that has been trying to quantify what is/has been happening in the bay as this is constantly changing.
- Clr Drummond stated that this report states a position of Council and recognises that Council is balanced with their views, we could work collaboratively with UTas to look at the bay and this states the position as we stand.
- Clr LeFevre stated that we should get outside money to do a report, no one really knows what is happening and we should get some definite answers from expert people.
- Mayor Tucker stated that this is happening in St Marys as well, the floors of the rivers are coming up.
- The NRM Facilitator stated that we have done an innovative monitoring program trying to understand the changes and monitoring of stormwater flows directly into the bay (this has never been done), this is where we should probably start to have a look.
- Clr McGuinness advised that seven (7) to eight (8) years ago there was a post graduate study regarding sea grass in the bay.

COUNCIL DECISION:

05/16.15.5.128

Moved: Clr M Osborne / Seconded: Clr K Wright

Council recognises the natural place of seagrass communities in Georges Bay and their ecological role and benefit to the community, and shall give their value due consideration when addressing management of community, economic and public amenity and infrastructure values and issues around the Bay.

CARRIED UNANIMOUSLY

05/16.16.0 GOVERNANCE

05/16.16.1 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:

- Clr Rubenach-Quinn asked the General Manager what was the primary health services meeting with Dorset Council about – are there any effects for our area? The General Manager advised that there are no effects for our area at this stage, service delivery in Dorset is done through a local community organisation and the meeting was to give us an understanding of what is happening particularly with the upcoming tender for services. The Manager Community Services will be preparing a report to come to Council.

COUNCIL DECISION:

05/16.16.1.129 Moved: Clr B LeFevre / Seconded: Clr K Wright

That the General Manager's report be received.

CARRIED UNANIMOUSLY

05/16.16.2 Change of Meeting Date – June 2016

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

That Council agree to change the date of the June Council Meeting to Monday 27 June 2016 commencing at 10.00am.

INTRODUCTION:

Due to the Australian Local Government Association (ALGA) General Assembly being held in Canberra from the 19 – 22 June 2016, Council is asked to consider that the June Council Meeting date be postponed to Monday 27 June 2016.

DISCUSSION:

No discussion of significance took place on this item.

COUNCIL DECISION:**05/16.16.2.130**Moved: Clr J Tucker / Seconded: Clr J McGiveron

That Council agree to change the date of the June Council Meeting to Monday 27 June 2016 commencing at 10.00am.

CARRIED UNANIMOUSLY**05/16.16.3****Review – Councillors Code of Conduct Policy**

FILE REFERENCE	002\024\007\
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OFFICER'S RECOMMENDATION:

That LG03 – Councillors Code of Conduct Policy be adopted as amended and reviewed in line with any legislation changes.

INTRODUCTION:

The model code has been developed by the Local Government Division (LGD) of the Department of Premier and Cabinet in consultation with LGAT, the Integrity Commission and the current Members of the LGAT Standards Panel.

DISCUSSION:

No discussion of significance took place on this item.

COUNCIL DECISION:**05/16.16.3.131**Moved: Clr G McGuinness / Seconded: Clr B LeFevre

That LG03 – Councillors Code of Conduct Policy be adopted as amended and reviewed in line with any legislation changes.

CARRIED UNANIMOUSLY

FILE REFERENCE	004\001\001\
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OFFICER'S RECOMMENDATION:

That Council approve construction of one (1) hangar with power and water access at St Helens Airport.

INTRODUCTION:

The March advertisement in the Sport Pilot magazine calling for expressions of interest has attracted a number of pilots with two (2) definite and three (3) possible lessees.

DISCUSSION:

- Clr Rubenach-Quinn had a query regarding depreciation on costs and the warranty is only for 10 years? The Economic Development Officer stated that the expected life is approximately 20 years.
- Clr Wright stated that the amount we are charging people for these hangars is minimal, should we be trying to cover our costs? If there are limited places for them to leave their aircraft maybe we are a premium. The Economic Development Officer stated that he views this as an investment opportunity.
- Clr Rubenach-Quinn stated that she agrees with Clr Wright, we should be charging more we haven't factored in insurance costs, management costs, etc.
- Clr Drummond stated she had the same concerns. We are talking about user pays for all of our other community facilities.
- Clr McGiveron stated that he agrees that this is very cheap - \$1600 per year.
- Clr J Tucker stated that he supports the motion, there is nothing stopping us increasing the cost in future years.
- Clr Wright stated that it may bring a few extra people but not substantial numbers.
- Clr Wright stated that we are not waiving fees for not-for-profit community groups for the use of Council facilities, Clrs Rubenach-Quinn and Drummond agree – they are paying fairly high fees.
- Clr Drummond stated that this is not for people in our community, small planes which brings in limited people.
- The General Manager advised that this is for people who currently have a place here and possibly leaving their plane in other areas due to lack of facilities available in St Helens.
- The Economic Development Officer stated that some of these planes do carry more than one (1) passenger, we aren't just looking after the little planes it has spin offs and creates activity at the airport.

COUNCIL DECISION:

05/16.16.4.132

Moved: Clr M Osborne / Seconded: Clr J Tucker

That Council approve construction of one (1) hangar with power and water access at St Helens Airport.

FOR Clr J McGiveron, Clr J Tucker, Clr M Osborne, Clr G McGuinness, Clr B LeFevre, Clr M Tucker
AGAINST Clr J Drummond, Clr H Rubenach-Quinn, Clr K Wright
CARRIED

05/16.16.5

Review of the Local Government Act

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

No recommendation

INTRODUCTION:

The State Government has commenced a targeted review of the Local Government Act with the release of a discussion paper for consultation. The Local Government Association of Tasmania (LGAT) will be preparing a sectoral response to the review and have provided advice in regards to their intended consultation process for the review of the Local Government Act – Phase 1 – The Consultation Paper.

DISCUSSION:

Various discussion took place regarding this item and believe that a workshop be arranged to discuss and formulate responses.

05/16.16.6

Break O'Day Strategic Plan

FILE REFERENCE	002\017\008\
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OFFICER'S RECOMMENDATION:

1. That Council not proceed with developing a new Strategic Plan at this stage pending further clarity in relation to the outcomes of the Local Government Reform process due to the potential for significant boundary adjustment to occur.
2. That Council review the situation in six months as the situation should be clear at that point in time.

3. That Local Government Division be advised of Council's position on the matter seeking their acknowledgment of this position.
4. That Council undertake a mini review of the current Strategic Plan to examine Strategies and activities.

INTRODUCTION:

Council's Strategic Plan is due for renewal but as a result of Council discussions relating to Local Government Reform has been placed on hold temporarily until greater certainty is established.

DISCUSSION:

No further discussion took place on this item.

COUNCIL DECISION:

05/16.16.6.133

Moved: Clr J McGiveron / Seconded: Clr B LeFevre

1. That Council not proceed with developing a new Strategic Plan at this stage pending further clarity in relation to the outcomes of the Local Government Reform process due to the potential for significant boundary adjustment to occur.
2. That Council review the situation in six months as the situation should be clear at that point in time.
3. That Local Government Division be advised of Council's position on the matter seeking their acknowledgment of this position.
4. That Council undertake a mini review of the current Strategic Plan to examine Strategies and activities.

CARRIED UNANIMOUSLY

05/16.16.7 TasWater – Funding Distribution

FILE REFERENCE	034\014\013\
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OFFICER'S RECOMMENDATION:

That Council agree to a moratorium on increases in distributions for a further seven (7) years in the event that TasWater secures State and/or Federal Government Funding of no less than \$400m over a ten (10) year period.

INTRODUCTION:

At the TasWater General Meeting held on Thursday 12 May 2016 a report was provided requesting members agree to a moratorium on increases in distributions for a further seven (7)

years in the event that TasWater secures commitments from the State and Federal Governments to make grants available totalling no less than \$400m over a ten (10) year period until 2024/2025.

DISCUSSION:

- Clr Rubenach-Quinn stated that she doesn't like the idea of doing this unless we received guarantees that every dollar that we a foregoing comes back into our Municipality Infrastructure – not sure if we can demand this?
- The General Manager stated that this could happen as there are problems in St Helens, Mathinna, Cornwall and other areas in the Municipality, there will be swings and roundabouts. I think that we will get it back as \$2.2M has already been spent in Fingal, there is no way Council could have funded this.
- Clr J Tucker stated that he agreed with Clr Rubenach-Quinn but if the General Manager thinks we will get value for money.
- Clr McGuinness stated that he was concerned that we wouldn't get our money back because he wasn't aware of what was happening at Fingal – done deal, we have to support.
- Clr LeFevre stated that this is a no brainer – if we don't they will just put the cost of water up to the average ratepayer.

COUNCIL DECISION:

05/16.16.7.134

Moved: Clr J Tucker / Seconded: Clr J McGiveron

That Council agree to a moratorium on increases in distributions for a further seven (7) years in the event that TasWater secures State and/or Federal Government Funding of no less than \$400m over a ten (10) year period.

CARRIED UNANIMOUSLY

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

Moved: Clr B LeFevre / Seconded: Clr M Osborne That Council move into Closed Council.

CARRIED UNANIMOUSLY

IN CONFIDENCE

05/16.17.0 **CLOSED COUNCIL**

05/16.17.1 **Outstanding Actions List for Closed Council**

05/16.17.2 **Tender for Upper Esk Road Bridge Replacements - Closed Council Item Pursuant To Section 15(2)D Of The Local Government (Meeting Procedures) Regulations 2015**

05/16.17.3 **Legal Proceedings – 163 St Helens Point Road, Stieglitz - Closed Council Item Pursuant To Section 15(2)I Of The Local Government (Meeting Procedures) Regulations 2015**

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

Moved: Clr B LeFevre / Seconded: Clr G McGuinness That Council move out of Closed Council.

CARRIED UNANIMOUSLY

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 1.02pm.

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MAYOR

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DATE