

17
FEBRUARY
2014

COUNCIL MINUTES

Council Chambers



Des Jennings

General Manager, Break O'Day Council

17 February 2014

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02/14.1.0 ATTENDANCE

02/14.1.1 Present

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

02/14.1.2 Apologies

Mayor Sarah Schmerl

02/14.1.3 Leave of Absence

Nil

02/14.1.4 Staff in Attendance

General Manager, Des Jennings
Executive Assistant, Angela Matthews
Manager Community Services, Chris Hughes (*Item 1.0 – moved straight to item 13.1 – 13.6 as Officer had to leave the meeting*)
Manager Corporate Services, Bob Hoogland (*Item 10.2 – 12.1 & 17.2*)
Manager Works & Infrastructure, Stephen Yam (*Item 11.7 – 13.1*)
Planning Coordinator/Economic Development Officer, Anita Lewis (*Item 14.2 – 17.4*)

02/14.2.0 PUBLIC QUESTION TIME

One (1) 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.

02/14.2.1 Grants Lagoon, Binalong Bay – Mr I Sloan, Binalong Bay

Could Council consider shifting the existing bridge closer to the car park?

Reply

This area is managed by Parks & Wildlife Services. The request will be forwarded to appropriate Officers in this agency.

02/14.3.0 CONFIRMATION OF MINUTES

02/14.3.1 Confirmation of Minutes – Council Meeting 28 January 2014

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

02/14.3.1.021 Moved: Clr M Osborne / Seconded: Clr D Coulson

That the minutes of the Council Meeting held on the 28 January 2014 be confirmed.

CARRIED UNANIMOUSLY

02/14.4.0

COUNCIL WORKSHOPS HELD SINCE 28 JANUARY 2014 COUNCIL MEETING

There was a Council Workshops held on Monday 3 February and the following items were listed for discussion as well as a presentation from the Bay of Fires Arts Festival Committee:

- December 2013 Budget Review
- Budget and Annual Plan Process - 2014/2015
- Service Standards for Maintenance of Verges
- Council Maintained Memorial Gardens
- Free Green Waste Service at Scamander
- Foreshore Redevelopment Plan including Play Space Redevelopment
- Development Services Reporting Changes
- Timed Parking – St Helens
- Recreational Vehicle (RV) Policy
- Fingal Railway Station
- Local Government Association of Tasmania (LGAT) Annual General Meeting and General Meeting – Motions
- St Marys Railway Precinct – Request for Information re Community Group
- Draft Ministerial Orders
- By-Law – Consumption of Alcohol in Public Places
- Support for the Blue Tier
- Security of the Break O’Day Woodcraft Guild

02/14.5.0

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 an interest in agenda item no 02/14.13.4 – Break O’Day Woodcraft Guild and Men’s Shed – Purchase of Roller Door.

Clr Glenn McGuinness declared an interest in agenda item no 02/14.13.5 – Request for Increased Financial Sponsorship – Bay of Fires Art Prize.

02/14.6.0 PETITIONS

02/14.6.1 Verge Adjacent to Tasman Highway

FILE REFERENCE	032\005\018\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

02/14.6.1.022 Moved: Clr R Johns / Seconded: Clr J McGiveron

That Council receive the petition and request the Manager for Works and Infrastructure prepare approximate costings for listing for Council's consideration during the 2014/2015 Budget deliberations.

CARRIED UNANIMOUSLY

02/14.7.0 NOTICES OF MOTION

02/14.7.1 Notice of Motion – Recirculating Pipework from St Helens Sewerage Treatment Plant – Clr D Coulson

DISCUSSION:

- No discussion took place on this item as Clr Coulson's submission stated that various properties including sports complex could utilise this if it was completed.

COUNCIL DECISION:

02/14.7.1.023 Moved: Clr D Coulson / Seconded: Clr M Osborne

That Council commence conversations with TasWater regarding completing of the recirculating pipework from the St Helens Sewerage Treatment Plant to the St Helens Sports Complex and St Helens Golf Club.

CARRIED UNANIMOUSLY

DISCUSSION:

- Clr Tucker stated that Council needs to improve services to meet ratepayers expectations.
- The General Manager advises that there is already a motion on the books requiring this item to be workshopped and then a full report to be provided to Council.

COUNCIL DECISION:

Continue to workshop this item.

DISCUSSION:

- Clr Tucker stated that Council does not have a policy on this matter.
- The General Manager advised it would be useful to provide a full report outlining what Council's current practice is on this matter.
- Clr Johns stated that some blocks only get cleared once a year (when they get abated), if they are fined it may make some of these property owners to take the matter more seriously.
- Clr Osborne suggested that the 2nd week in October may be better to send letters out instead of November.
- Clr McGuinness stated that he strongly supports the thoughts behind the motion, however thinks it should be workshopped to ensure that any policy has teeth.
- The General Manager stated that it would be useful to go through this process and the issues associated with it and investigate any possible legal implications.
- Clr Tucker stated that it would also be good at the end of the above process to highlight good communication to the community and ratepayers.

COUNCIL DECISION:

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 make a policy on Fire Abatements and have time frames of sending out to land owners who have had an Abatement notice the previous year.

“That early Abatements/Reminders be sent at the end of the first week of November each year with a 21 day time frame to be completed allowing for seven (7) business day from the date letter is sent. A total of 28 days from the date sent.”

CARRIED UNANIMOUSLY

02/14.8.0 COUNCILLORS QUESTIONS ON NOTICE

Nil

02/14.9.0 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.

02/14.9.1 St Helens Sewerage Treatment Plant – Disposal of Slurry – Clr J LeFevre

Could Council find out where TasWater dump the slurry from the St Helens Sewerage Treatment Plant?

Reply

The slurry from the St Helens Sewerage Treatment Plant is placed in appropriate storage bins and collected in a purpose built disposal truck from Jones'.

02/14.9.2 Support for the Road Upgrade – Musselroe Bay to St Helens – Clr M Tucker

To the General Manager

Is the Break O'Day Council management going to support the road upgrade from Musselroe Bay to St Helens as a much needed infrastructure project? If not, why are we paying Bob Noakes to do a business case for the project, but in our last few media releases we never mention it?

Example the latest media release from the Mayor, and the wish list story in the Sunday Tasmanian yesterday.

Reply

The General Manager advised that this project is still on the list of priority strategic projects for Council and Bob Noakes has been engaged to prepare the Business Case.

02/14.10.0 MAYOR'S & COUNCILLORS COMMUNICATIONS

02/14.10.1 Mayor's Communications for Period Ending 17 February 2014

07.02.14	St Helens	- Northern Tasmania Development (NTD) Executive Committee Meeting – via telephone
10.02.14	Fingal	- Fingal District Progress Committee Meeting
17.02.14	St Helens	- Council Meeting

02/14.10.2 Councillors Reports for Period Ending 17 February 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

- No meeting has been held.

NRM Special Committee – Deputy Mayor Hannah Rubenach

- No meeting has been held.

Business Enterprise Centre (BEC) – Mayor Sarah Schmerl

- No report provided as Mayor Schmerl an apology.

Star FM – Clr Reon Johns

- Moving along as normal.

Barway Committee – Clr John McGiveron

- Moving forward on the Marine Infrastructure project.

Regional Tourism Organisation (RTO) – Clr Margaret Osborne

- Meeting to be held this Thursday in St Helens including a workshop and tour of the Bay of Fires.

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

- Draft Management Plan is available for public comment.
- Congratulations to Council on the installation of the Binalong Bay Viewing Platform.

02/14.10.3 Mayor's and Councillor's Items

COUNCIL DECISION:

Received.

02/14.11.0 BUSINESS AND CORPORATE SERVICES

02/14.11.1 Corporate Services – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

02/14.11.2 Monthly Financial Report

FILE REFERENCE	018\018\001\
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DISCUSSION:

No discussion of significance took place on this item.

COUNCIL DECISION:

02/14.11.2.025 Moved: Clr R Johns / Seconded: Clr M Osborne

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

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

CARRIED UNANIMOUSLY

02/14.11.3 Corporate Services Department Report

FILE REFERENCE	018\018\001\
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DISCUSSION:

No discussion of significance took place on this item.

COUNCIL DECISION:

02/14.11.3.026 Moved: Clr R Johns / Seconded: Clr J McGiveron

That the report be received.

CARRIED UNANIMOUSLY

02/14.11.4 Corporate Services Capital Works Breakdown Report

COUNCIL DECISION:

Received.

02/14.11.5 Visitor Information Centre Report

FILE REFERENCE	040\028\002\
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DISCUSSION:

No discussion of significance took place on this item.

COUNCIL DECISION:

02/14.11.5.027 Moved: Clr R Johns / Seconded: Clr J McGiveron

That the report be received.

CARRIED UNANIMOUSLY

02/14.11.6 Risk Management Report

FILE REFERENCE	002\025\001\
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DISCUSSION:

- Clr McGuinness asked what had happened to the handrail at Portland Hall? The Manager Corporate Services advised that this was broken accidentally and was not a result of vandalism.

COUNCIL DECISION:

02/14.11.6.028 Moved: Clr R Johns / Seconded: Clr M Osborne

That the report be received.

CARRIED UNANIMOUSLY

02/14.11.7 Transfer of Facility Leases – Community Groups

FILE REFERENCE	01/14.7.1.004
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DISCUSSION:

- Clr Johns raised some queries in regard to the eligibility and requirement for community groups to apply for Tas Community Fund grants for infrastructure additions to Council owned/managed infrastructure.
- The General Manager advised that this would be investigated with Tas Community Fund and the matter will be listed for discussion at the next Council Workshop.

COUNCIL DECISION:

List for workshop.

02/14.11.8 Budget Review – as at 30 December 2013

FILE REFERENCE	018\007\001\
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DISCUSSION:

No discussion took place on this item as it has been previously discussed at a Council Workshop.

COUNCIL DECISION:

02/14.11.8.029 Moved: Clr R Johns / Seconded: Clr J LeFevre

That Council receive the Budget Estimates 2013/2014 Review as at 31 December 2013 and the following variances be applied to the original 2013/2014 budget as set by Council Minute:

Amend Capital Expenditure	
	\$
Equestrian Club minor works	2,700
St Helens Netball Courts - Construction	179,800
Causeway Walkway replacement – Binalong Bay Road	30,000
Medeas Cove Esplanade (future Hospital land purchase)	155,000
TOTAL	367,500

Amend Profit and Loss Items (brackets denote an adverse variance)	
	\$
1674 TasWater Dividends Received	25,600
1675 TasWater Guarantee Fees Received	40,000
1795 Other Grants Capital	75,000
1896 Land and Building Rental or Leasing Costs	(2,400)
1902 Room Hire	(5,000)
1996 Professional Fees – Grant Funded	5,000
1997 Professional Fees – Strategic Projects	30,000
2101 Plant Hire Internal	(250,000)
2140 Plant Hire Recovered	250,000
Grants and Community Support Given	159,700
TOTAL	327,900

CARRIED UNANIMOUSLY

02/14.11.9 Draft Ministerial Orders

FILE REFERENCE	14/1269
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DISCUSSION:

- The Manager Corporate Services advised that Council already has in place and continually updates Long Term Financial Plans and Asset Management Plans.
- Clr Johns stated that as a Council we already have monthly reviews.
- Clr Tucker stated that maybe Council could provide assistance for audit panels to other Council's to share members and gain experience.
- Clr Osborne stated that Council has previously made a decision not to implement an audit panel as we already undertake regular reviews internally.

COUNCIL DECISION:

02/14.11.9.030 Moved: Clr M Osborne / Seconded: Clr J McGiveron

That Council does not support the initiation of audit panels.

CARRIED UNANIMOUSLY

02/14.12.0 WORKS AND INFRASTRUCTURE

02/14.12.1 Works and Infrastructure – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

02/14.12.2 Works and Infrastructure Report

FILE REFERENCE	014\002\001\
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DISCUSSION:

- The Manager Works and Infrastructure advised that the Bay of Fires Viewing Platform was completed last Friday.
- The pre-tender briefing has taken place for the Bridge Tenders.
- Clr Osborne stated that the disabled crossing near the Post Office has not yet been finished.
- Clr LeFevre asked when the Beauty Bay Landslip would be fixed? The Manager Works and Infrastructure advised that it has been inspected and the design is in the process of being finalised to go out to tender. It was requested that this item be listed in the Monthly Works Report for updates.
- Clr Tucker asked how was the survey going for a proposed new tip site? The General Manager advised this would be followed up with the consultant and an update would be provided.

COUNCIL DECISION:

02/14.12.2.031 Moved: Clr R Johns / Seconded: Clr G McGuinness

That the report be received by Council.

CARRIED UNANIMOUSLY

02/14.12.3 Works and Infrastructure Capital Works Breakdown Report

COUNCIL DECISION:

Received.

02/14.12.4 Animal Control Report

FILE REFERENCE	003\008\002\
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DISCUSSION:

No discussion of significance took place on this item.

COUNCIL DECISION:

02/14.12.4.032 Moved: Clr R Johns / Seconded: Clr D Coulson

That the report be received by Council.

CARRIED UNANIMOUSLY

02/14.12.5 Waste Management Policy Amendment - Free Green Waste Service at Scamander

FILE REFERENCE	002\024\006\
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DISCUSSION:

No further discussion took place on this item as it was discussed at the February Council Workshop.

COUNCIL DECISION:

02/14.12.5.033 Moved: Clr J LeFevre / Seconded: Clr D Coulson

That Council's amended Waste Management Policy, incorporating changes to Section 4.2, be adopted.

CARRIED UNANIMOUSLY

02/14.12.6 Review of Leona Bridge

FILE REFERENCE	032\001\011\
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DISCUSSION:

- Property owners affected need to be consulted throughout the process.
- The Manager Works and Infrastructure advised that the bridge must be demolished either way, Council cannot open the bridge, sell it or give it away in its current state (condemned).
- It was suggested that the bridge would not be demolished until discussions have been held with the affected property owners.
- Clr Tucker enquired as to the condition of the abutments and whether if they were ok the bridge could be demolished and leave the abutments for use in the replacement of a new structure? The Manager Works and Infrastructure advised that there was also erosion in the abutments therefore these would have to be removed also.

COUNCIL DECISION:

02/14.12.6.034 Moved: Clr R Johns / Seconded: Clr D Coulson

That the Council Officer's report be received, the bridge be demolished and that further discussion with the property owner be undertaken.

CARRIED UNANIMOUSLY

02/14.12.7 Tully Street, St Helens Footpath

FILE REFERENCE	032\005\018\
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DISCUSSION:

- Clr Osborne stated that there also needs to be an investigation for a safe crossing on Tully Street before the footpath ends on the northern side. The Manager Works and Infrastructure will investigate this and identify a suitable point and seek DIER approval.

COUNCIL DECISION:

02/14.12.7.035 Moved: Clr D Coulson / Seconded: Clr M Tucker

That Council approve the construction of a new 1.2m wide footpath from the end of the existing footpath at the intersection of Tasman Highway and Tully Street for a length of 170 metres northwards with associated stormwater improvements.

CARRIED UNANIMOUSLY

02/14.12.8 St Marys Emergency Mobile Generator

FILE REFERENCE	040\052\001\
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DISCUSSION:

- Clr McGuinness asked how tall would this be? The Manager Works and Infrastructure advised that it would be container size.
- It would only be physically in place in the time of an emergency, it would not be situated on the site all the time.

COUNCIL DECISION:

02/14.12.8.036 Moved: Clr M Tucker / Seconded: Clr J McGiveron

1. That Council consent to the works by Aurora Energy and creation of an easement to build a permanent site for the purpose of connecting containerised mobile generation and substation units at 7265 Esk Main Road, St Marys.
2. That Council authorises the General Manager to sign the required forms presented by Aurora Energy.

CARRIED UNANIMOUSLY

02/14.13.0 COMMUNITY DEVELOPMENT

02/14.13.1 Community Services – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

02/14.13.2 Community Services Report

FILE REFERENCE	N/A
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

02/14.13.2.037 Moved: Clr R Johns / Seconded: Clr M Tucker

That the report be received.

CARRIED UNANIMOUSLY

02/14.13.3 Community Services Capital Works Breakdown Report

COUNCIL DECISION:

Received.

Clr R Johns left the meeting at 10.05am

02/14.13.4 Break O'Day Woodcraft Guild and Men's Shed – Purchase of Roller Door

FILE REFERENCE	040\085\001\
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DISCUSSION:

No discussion took place on this item as it was previously discussed at the February Council Workshop.

COUNCIL DECISION:

02/14.13.4.038 Moved: Clr M Osborne / Seconded: Clr G McGuinness

That Council purchase the roller door which the committee of the Break O'Day Woodcraft Guild and Men's Shed have obtained a quote for totalling \$660.00 which includes supply and fit.

CARRIED UNANIMOUSLY

*Clr Johns returned to the meeting at 10.06am
Clr McGuinness left the meeting at 10.06am*

02/14.13.5 Request for Increased Financial Sponsorship – Bay of Fires Art Prize

FILE REFERENCE	018\019\001\
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DISCUSSION:

- Clr Osborne asked whether they had approached the ECRTTO as they have funding available for events.
- Clr Tucker advised that he was concerned that Council was putting a substantial amount of money into one (1) event or any single group, sacrificing other community groups funding opportunities.
- Clr Johns agreed with Clr Tucker although he stated that Council should give it this year but in future review all future contributions to the group.

COUNCIL DECISION:

02/14.13.5.039 Moved: Clr D Coulson / Seconded: Clr R Johns

That Council support the Bay of Fires Art Prize event by increasing Council's financial support by a further \$3,000 and this be a one off payment.

FOR Clr D Coulson, Clr R Johns

AGAINST Clr J McGiveron, Clr M Tucker, Clr J LeFevre, Clr M Osborne, Clr H Rubenach

LOST

Clr McGuinness returned to the meeting at 10.12am

02/14.13.6 Planning for Sustainable Tourism Development on Tasmania's East Coast

FILE REFERENCE	002\017\014\
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DISCUSSION:

No discussion took place on this item as it had been discussed at the February Council Workshop.

COUNCIL DECISION:

02/14.13.6.040 Moved: Clr R Johns / Seconded: Clr M Osborne

That Council establish a tender evaluation panel for the Planning for Sustainable Tourism Development on Tasmania's East Coast project outside of Council's "Code of Tendering and Procurement Policy" with members of the panel to include representatives from Dorset and Glamorgan Spring Bay Councils to assess the tenders and make a determination.

CARRIED UNANIMOUSLY

*Adjourned for lunch at 11.55am
Meeting resumed at 2.10pm*

02/14.14.0 DEVELOPMENT SERVICES

02/14.14.1 Development Services – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

02/14.14.2 Development Services Report

FILE REFERENCE	031\013\003\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

02/14.14.2.041 Moved: Clr R Johns / Seconded: Clr D Coulson

That the report be received.

CARRIED UNANIMOUSLY

INFORMATION

DA NO.	LOCATION	DEVELOPMENT	SECTION
243-2013	Binalong Bay	Change of Use - Dwelling to Visitor Accommodation	58
253-2013	Mathinna	Transportable Shed	58
168-2012	Ansons Bay	Legalisation of Verandah & New Deck	57
154-2013	St Helens	Legalisation of Front Fence, New Front Fence, Change of Use Residential to Visitor Accommodation	57
233-2013	Binalong Bay	Legalisation of Change of Use - Dwelling to Visitor Accommodation	58
103-2009	St Helens	Dwelling - Carport Built Larger	56
269-2013	Upper Esk	Shed x 2 & shipping container	No Permit Required
013-2010	Akaroa	Dwelling Extensions	56
306-2009	Binalong Bay	Dwelling, Garage & Studio	56
067-2013	St Helens	Legalisation of Shed	58
210-2013	St Helens	Legalisation of Change of Use - Dwelling to Holiday Accommodation	58
031-2013	St Helens	Netball Court	58
239-2013	Ansons Bay	Cabin	58
012-2013	Ansons Bay	Legalisation of Sheds	No Permit Required
268-2013	Scamander	Sheds x 2	57
010-2014	St Helens	Carport	58
008-2014	Ansons Bay	Shed & Dwelling Additions	58

INFORMATION

No.	BA No.	Town	Development	Value
1	2013 / 00242	St Helens	Internal Alterations / Refurbishment - Office	\$80,500.00
2	2013 / 00204	Fingal	New Building - Dwelling	\$267,000.00
3	2013 / 00192	St Helens	New Garage	\$11,200.00
4	2012 / 00248	Scamander	New Annex & Deck (Temporary Structure only)	\$7,700.00
5	2013 / 00187	Ansons Bay	New Storage Shed & Separate Amenities Building	\$41,000.00
6	2012 / 00182	St Helens	Legalisation of Deck	\$6,400.00
7	2009 / 00174	Scamander	New Dwelling	\$142,500.00
8	2013 / 00121	St Helens	Addition to Dwelling - Deck	\$10,360.00
9	2013 / 00238	St Helens	New Dwelling	\$358,000.00
10	2013 / 00236	Beaumaris	New Above Ground Pool	\$10,000.00
11	2014 / 00012	Upper Scamander	New Solar Panels (5KW) & Tilt Frame System	\$5,000.00

ESTIMATED VALUE OF BUILDING APPROVALS FINANCIAL YEAR TO DATE		2012/13	2013/14
		\$11,229,151.00	\$5,392,528.00
ESTIMATED VALUE OF BUILDING APPROVALS FOR THE MONTH		MONTH	2012
		January	\$678,700.00
			2013
			\$939,660.00
NUMBER BUILDING APPROVALS FOR FINANCIAL YEAR TO DATE		MONTH	2012/13
		December	117
			2013/14
			96

02/14.14.5 Development Services Capital Works Breakdown Report

COUNCIL DECISION:

Received.

02/14.15.0 GENERAL MANAGER'S REPORT

02/14.15.1 General Manager's – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

02/14.15.2 General Manager's Report

FILE REFERENCE	002\012\001\
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DISCUSSION:

- The General Manager advised that he is investigating appropriate contacts at UTas for the possibility of assistance with undertaking a report for the navigability of Georges Bay. A full report will be provided to Council once information comes to hand.
- The General Manager advised that there are concerns with the cost estimates going up for the replacement of the Priory Bridge. This works will be advertised for tender as soon as possible.

COUNCIL DECISION:

02/14.15.2.042 Moved: Clr G McGuinness / Seconded: Clr R Johns

That the General Manager's report be received.

CARRIED UNANIMOUSLY

02/14.15.3 Governance Capital Works Breakdown Report

COUNCIL DECISION:

Received.

FILE REFERENCE	004\008\013\
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DISCUSSION:

- Clr McGuinness advised he was concerned that the plan had been altered since last discussed by Council. The General Manager advised that the plan had not been altered apart from the addition of two (2) other proposed locations for the fishing gantry.
- Clr McGiveron raised concerns in relation to the turning circle areas for larger vehicles and trucks. The General Manager advised that this is only a conceptual plan and not designed to specification. Further technical information will be required to be sought from appropriately qualified people in relation to these matters when a scaled design is to be done.
- Clr Tucker stated that he wanted to wait until the tenders for bridges and stormwater have been finalised.
- Clr Coulson stated that Council does not want to be in a position when funding opportunities arise and we are not ready to be able to apply for funding. This has happened previously and that is why we are only seeking public comment at this time.

COUNCIL DECISION:**02/14.15.4.043**Moved: Clr J LeFevre / Seconded: Clr M Osborne

That Council commence public exhibition and community consultation of the St Helens Foreshore redevelopment plan title "St Helens Waterfront 01 January 2014".

That the motion be put:

FOR Clr J LeFevre, Clr D Coulson, Clr M Osborne, Clr G McGuinness, Clr H Rubenach
AGAINST Clr R Johns, Clr M Tucker, Clr J McGiveron
CARRIED

The motion is put:

FOR Clr J LeFevre, Clr D Coulson, Clr M Osborne, Clr G McGuinness, Clr H Rubenach
AGAINST Clr R Johns, Clr M Tucker, Clr J McGiveron
CARRIED

02/14.15.5 Break O'Day Council Code of Conduct for Councillors

FILE REFERENCE	014\001\025\
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COUNCIL DECISION:

Received.

02/14.16.0 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.

02/14.16.1 Dispensation – 13 Storey Street, St Marys

FILE REFERENCE	031\010\005\
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DISCUSSION:

No further discussion took place on this item as it has been discussed previously at a Council Workshop.

COUNCIL DECISION:

02/14.16.1.044 Moved: Clr R Johns / Seconded: Clr J McGiveron

That in accordance with Section 30Q(4)(c) of the Land Use Planning and Approvals Act 1993, the proposed dispensation (BRE D1/2013) at 13 Storey Street, St Marys to allow a residential use to occur on the site, be supported by the Break O'Day Council Planning Authority.

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 M Osborne: That Council move into Closed Council.

CARRIED UNANIMOUSLY

IN CONFIDENCE

02/14.17.0 CLOSED COUNCIL

02/14.17.1 Outstanding Actions List for Closed Council

02/14.17.2 Sale of Properties for Unpaid Rates - Closed Council Item Pursuant To Section 15(2)J Of The Local Government (Meeting Procedures) Regulations 2005

02/14.17.3 Visitor Information Services - Closed Council Item Pursuant To Section 15(2)G Of The Local Government (Meeting Procedures) Regulations 2005

Clr Coulson left the meeting at 2.57pm

02/14.17.4 St Marys Streetscape - Closed Council Item Pursuant To Section 15(2)C Of The Local Government (Meeting Procedures) Regulations 2005

Moved: Clr J McGiveron / Seconded: Clr M Osborne That the meeting continue after 3.00pm.

CARRIED UNANIMOUSLY

02/14.17.5 Break O'Day Council Code of Conduct for Councillors - Closed Council Item Pursuant To Section 15(2)A Of The Local Government (Meeting Procedures) Regulations 2005

Clr McGuinness left the meeting at 3.14pm

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 J LeFevre: That Council move out of Closed Council.

CARRIED UNANIMOUSLY

Deputy Mayor Rubenach thanked everyone for their attendance and declared the meeting closed at 3.21pm

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DEPUTY MAYOR

.....
DATE