

17
NOVEMBER
2014

COUNCIL MINUTES

Council Chambers



John Brown
General Manager,
Break O'Day Council
17 November 2014

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11/14.1.0 ATTENDANCE

11/14.1.1 Present

Mayor Mick Tucker
Deputy Mayor John McGiveron
Councillor Janet Drummond
Councillor Barry LeFevre
Councillor Glenn McGuinness
Councillor Margaret Osborne OAM
Councillor Hannah Rubenach
Councillor John Tucker
Councillor Tim Warren

11/14.1.2 Apologies

Nil

11/14.1.3 Leave of Absence

Nil

11/14.1.4 Staff in Attendance

General Manager, John Brown
Executive Assistant, Angela Matthews
Manager Community Services, Chris Hughes (*Item 1.0 – 15.4*)
Manager Works & Infrastructure, Stephen Yam (*Item 1.0 – 17.0*)
Building Services Coordinator, Jake Ihnen (*Item 1.0 – 17.0*)
Risk Officer, Simone Ewald-Rist (*Item 7.3 – 11.6*)
Planning Officer, Chris Triebe (*Item 14.5 – 17.0*)

The declarations of office were made by Mayor, Deputy Mayor and all Councillors on Tuesday 4 November 2014.

11/14.2.0 PUBLIC QUESTION TIME

Eight (8) 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.

11/14.2.1 Access at the back of Wrinklers Drive, Scamander - Mr P Beattie, Scamander

At the top of Wrinklers Drive there is an access road. A dwelling has recently been constructed which is now blocking this access. Can the Manager Works and Infrastructure send an excavator up there to re-clear this access track?

Reply

This access road is on Crown Land. Council will write to Crown Land Services to notify them of the issue and the request from Mr Beattie, and provide copies to Tas Fire Services and SES for their information.

11/14.2.2 Trees in Jason Street, St Helens - Mr J Albury, St Helens

A limb fell out of a tree in Jason Street a fortnight ago and narrowly missed a person. There are three (3) other trees on the naturestrip which I consider dangerous. Could the removal of the dangerous trees or their limbs be investigated by Council?

Reply

Council will arrange for a qualified arborist to inspect the trees, and afterwhich provide a response to Mr Albury.

11/14.2.3 Rubbish Collection in Alma Court, St Helens - Mr K George, St Helens

Due to the kerbside collection being undertaken with a new truck and the truck is unable to turn in the cul-de-sac Council has requested residents to move rubbish bins down to a vacant block to enable them to be emptied by the kerbside collection truck. There are a number of elderly people in this street that are unable to drag their bins down to the vacant block. Could this situation be investigated and advise residents?

Reply

The contractor's new and larger waste collection truck has found it difficult to manoeuvre and pick up every bin within a cul-de-sac. Council will investigate options and have an on-site meeting with residents within a fortnight to work out and agree on locations for the rubbish bins to be placed.

11/14.3.0 CONFIRMATION OF MINUTES

11/14.3.1 Confirmation of Minutes – Council Meeting 20 October 2014

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

11/14.3.1.312 Moved: Clr J McGiveron / Seconded: Clr G McGuinness

That the minutes of the Council Meeting held on the 20 October 2014 be confirmed.

CARRIED UNANIMOUSLY

11/14.4.0 COUNCIL WORKSHOPS HELD SINCE 20 OCTOBER 2014 COUNCIL MEETING

There were no Council Workshops held since the October Council Meeting due to elections and declarations of new Mayor, Deputy Mayor and Councillors.

11/14.5.0 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.

Nil

11/14.6.0 PETITIONS

Nil

11/14.7.0 NOTICES OF MOTION

11/14.7.1 Notice of Motion – Kerb and Guttering in Break O’Day – Clr M Osborne

DISCUSSION:

- Clr Osborne stated that where the new piece of kerb has been done in Circassian Street is not user friendly for people with disabilities, walking frames, etc as they are unable to cross the road now unless doing so in the driveway which is dangerous. The shallow gutters are better.
- Clr McGiveron had concerns with the initial wording when referring to all of Break O’Day as some areas may require something different to others. Clr Osborne agreed and the wording of the motion was amended accordingly.
- Clr Rubenach totally supports disability friendly and consistency throughout the Municipality however different terrains may require different methods as well as Council needs to ensure that they are in accordance with the highest possibly Australian Standard that it can afford.
- Clr McGuinness stated that there is quite a bit of a lip on the kerb at the front of the Morty’s Complex and this can be quite dangerous, however is aware of that there would be significant cost involved to have this redone.
- Clr J Tucker stated that we should look for the same where possible with alternatives being an option.

COUNCIL DECISION:

11/14.7.1.313 Moved: Clr M Osborne / 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 kerb and guttering in the Main Streets of Break O’Day be the same.

CARRIED UNANIMOUSLY

11/14.7.2 Notice of Motion – Gillies Road, St Marys – Clr G McGuinness

DISCUSSION:

- Clr McGiveron stated that the road status needs to be verified before Council does too much.

COUNCIL DECISION:

11/14.7.2.314 Moved: Clr G McGuinness / Seconded: Clr M Osborne

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.

- A. That Council investigate the veracity of the claim that Gillies Road is a gazetted public road to the boundary of Lumerah Cottages.
- B. If this is found to be verified then Council adds all of Gillies Road to its maintenance schedule.
- C. That Council considers in its upcoming budget, upgrading the last few hundred metres of Gillies Road to the standard of the rest of the road.

CARRIED UNANIMOUSLY

11/14.7.3 **Notice of Motion – Roses Tier Road – Clr M Osborne**

DISCUSSION:

- Clr McGiveron stated that we need to find out who is entitled to use this road eg trucks, cars, etc.
- Clr Rubenach stated that locals in the area would like restrictions put on it for their own personal safety and cameras to monitor the use if the 10 tonne load limit is reinstated.
- Clr Rubenach stated that we should look at long term costs associated with maintenance versus sealing.
- Clr Osborne advised that she put the motion up to get the facts about the road and would like a comprehensive report.

COUNCIL DECISION:

11/14.7.3.315 Moved: Clr M Osborne / Seconded: Clr H Rubenach

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 reinstate the 10 tonne load limit on Roses Tier Road and could Council consider putting the sealing of Roses Tier Road on the works agenda for the future and that Officer's present a report to a Council Workshop prior to going to a Council Meeting for a decision.

CARRIED UNANIMOUSLY

11/14.8.0 COUNCILLOR'S QUESTIONS ON NOTICE

11/14.8.1 Gravel Usage and Costs – Clr J McGiveron

To the Works Manager:

1. How much gravel re sheeting is planned this year?
2. What quantity of gravel will be needed to meet requirements?
3. What is the estimated cost of gravel produced from BODC quarries against the cost of suitable gravel purchased from a local supplier?

Reply

1. 10kms.
2. Between 11,420 and 13,700 tonnes of gravel.
3. This information is unavailable from previous council owned quarry extractions. The cost of gravel ex-yard from local suppliers range from \$13 to \$16 (excluding GST) per tonne depending on gravel type and availability. Transport costs to sites are additional.

11/14.9.0 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.

11/14.9.1 German Town Road, St Marys – Clr H Rubenach

Has Council received permission yet from Forestry Tasmania to take over the maintenance of German Town Road, St Marys?

When will the grading be done on German Town Road, St Marys?

Reply

Council has received approval from Forestry Tasmania to grade German Town Road, and this is scheduled for mid-January 2015.

11/14.9.2 Gardiners Creek Road, St Marys – Clr T Warren

When will Gardiners Creek Road, St Marys be graded?

Reply

Council will be grading German Town Road in mid-January 2015, and will include this road afterwards.

11/14.10.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

11/14.10.1 Mayor's Communications for Period Ending 17 November 2014

23.10.14	St Helens	- Visit to Council by St Helens School Prep Class
30.10.14	St Helens	- Business Enterprise Centre (BEC) Annual General Meeting
31.10.14	St Helens	- Citizenship Ceremonies
04.11.14	St Helens	- Councillor Declarations
06.11.14	St Helens	- Community Chaplain Celebration
12.11.14	St Helens	- Meeting with the BEC and Federal Minister Billson
13.11.14	Launceston	- TasWater General Meeting
17.11.14	St Helens	- Council Meeting

11/14.10.2 Councillor's Reports for Period Ending 17 November 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 – Formerly Mayor Sarah Schmerl/Clr Margaret Osborne

- Nothing to report.

NRM Special Committee – Deputy Mayor Hannah Rubenach

- Meeting held last week.
- Committee Membership was discussed.
- Discussion held on the Velvet Worm award.
- Scott Schilig present to discuss the NRM Strategy and funding programs.
- NRM field trip - tour of Georges Bay Water Quality.

Business Enterprise Centre (BEC) – Formerly Mayor Sarah Schmerl

- Meeting arranged by BEC with Federal Member Bruce Billson.
- Supportive of the BEC and staff and what they are doing for the area.

Star FM – Formerly Clr Reon Johns

- Nothing to report.

Barway Committee – Clr John McGiveron

- Moving forward – meeting with Justin Foster from MAST.
- Plan is to move forward with a diversion wall at Pelican Point and an extension to the seawall.
- Well proven as to what is needed to be done.
- Delays – environmental approval which has commenced.
- Anita has been at Pelican Point in the last week undertaking some agitating dredging.

East Coast Regional Tourism Organisation (ECRTO) – Clr Margaret Osborne

- Board Meeting has been held.
- Working on the Great Eastern Drive – putting together a working plan for signage, etc.
- Working on Visitor Information Centre servicing.

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

- No meeting has taken place.
- Fair bit of activity taking place on the foreshore with the addition of new seating, viewing platform, Titley Shack, etc.
- Future looking great.

Titley Shack Reference Group – Clr Glenn McGuinness

- Have now had a full inspection inside the shack.
- Discussions with the Building Services Coordinator.
- Commencement of restoration works will commence later this month.
- Calling for expressions of interest for old furniture, photos of the shack sites, etc.

11/14.10.3 Mayor’s and Councillor’s Items

Outstanding Reports:

Motion Number	Meeting Date	Council Decision	Comments
Nil			

11/14.11.0 BUSINESS AND CORPORATE SERVICES

11/14.11.1 Corporate Services – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

11/14.11.2 Monthly Financial Report

FILE REFERENCE	018\018\001\
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DISCUSSION:

- Clr J Tucker asked various questions in relation to the financials re contractor costs, grants, heavy plant replacement, etc.
- Clr J Tucker requested a list of Council Assets particularly works machinery with costs for what is current and what Council had five (5) years ago as a comparison.
- Clr LeFevre asked whether the professional fees included costs for engineers.
- Clr Drummond asked what was the increase from last year for employee expenses, the General Manager advised that a percentage would be the award increase as well as some for the Digital Hub.

COUNCIL DECISION:

11/14.11.2.316 Moved: Clr B LeFevre / Seconded: Clr M Osborne

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

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

CARRIED UNANIMOUSLY

11/14.11.3 Corporate Services Department Report

FILE REFERENCE	018\018\001\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

11/14.11.3.317 Moved: Clr J McGiveron / Seconded: Clr M Osborne

That the report be received.

CARRIED UNANIMOUSLY

11/14.11.4 Visitor Information Centre Report

FILE REFERENCE	040\028\002\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

11/14.11.4.318 Moved: Clr G McGuinness / Seconded: Clr J Drummond

That the report be received.

CARRIED UNANIMOUSLY

11/14.11.5 Risk Management Report

FILE REFERENCE	002\025\001\
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DISCUSSION:

- The Risk Officer advised that there was vandalism/graffiti on the 7 November 2014 at the St Helens Skate Park – labour and materials to remove were to the value of approximately \$100. There is CCTV footage which will be viewed in due course.

COUNCIL DECISION:

11/14.11.5.319 Moved: Clr G McGuinness / Seconded: Clr J McGiveron

That the report be received.

CARRIED UNANIMOUSLY

11/14.11.6 New Policy – LG47 – Personal Information Protection

FILE REFERENCE	008\001\010\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

11/14.11.6.320 Moved: Clr J McGiveron / Seconded: Clr B LeFevre

That Council adopt Policy LG47 – Personal Information Protection be adopted.

CARRIED UNANIMOUSLY

11/14.12.0 WORKS AND INFRASTRUCTURE

11/14.12.1 Works and Infrastructure – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

11/14.12.2 Works and Infrastructure Report

FILE REFERENCE	014\002\001\
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DISCUSSION:

- Clr J Tucker stated that the Halfway Hill Pit still has quite a lot of gravel in it, why would Council be investigating putting a landfill site there. The Manager Works and Infrastructure advised that there was a feasibility study undertaken to look at various sites for new locations for waste transfer stations. The report will be discussed at an upcoming Council Workshop.
- Clr Rubenach asked whether recycling had been progressed as yet?
- Clr McGuinness asked whether a response had been received from the State Government regarding “Skippy’s Corner”? The Manager Works and Infrastructure advised nothing has been received to date.
- Clr Rubenach asked whether the shade sail at Scamander had been installed as yet? The Manager Works and Infrastructure advised that this has not yet been done.
- Clr Rubenach asked whether pollution control measures were being put in when the Wrinklers Lagoon Bridge replacement is undertaken. The Manager Works and Infrastructure advised that he didn’t know, however he would investigate.
- Clr M Tucker asked what was the current situation with the Leona Road bridge. The Manager Works and Infrastructure advised that a report would be coming to the Council workshop which looks at the abutments and the landslip issues on the road leading to the bridge.

COUNCIL DECISION:

11/14.12.2.321 Moved: Clr H Rubenach / Seconded: Clr T Warren

That the report be received by Council.

CARRIED UNANIMOUSLY

11/14.12.3 Animal Control Report

FILE REFERENCE	003\008\002\
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DISCUSSION:

- Clr Rubenach asked whether Council has any referral contact information to give out to homeless people. The General Manager stated that he did not know, however he would follow up.

COUNCIL DECISION:

11/14.12.3.322 Moved: Clr B LeFevre / Seconded: Clr H Rubenach

That the report be received by Council.

CARRIED UNANIMOUSLY

11/14.12.4 AM03 - Street Lighting Policy Amendment

FILE REFERENCE	002\024\006\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

11/14.12.4.323 Moved: Clr G McGuinness / Seconded: Clr M Osborne

That Council adopt Asset Management Policy Number AM-03 Street Lighting, Draft Version 2 (05 November 2014), as the approved policy.

CARRIED UNANIMOUSLY

11/14.12.5 Seaweed Removal Program

FILE REFERENCE	041\009\001\
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DISCUSSION:

- Clr Rubenach stated that she supports option (a), stating that she is sympathetic to walkers however \$7,000 for an extra 500m is costly.
- Clr J Tucker asked whether Council itself had put a tender in for these works? The Manager Works and Infrastructure advised that Council has not put in a tender as we do not have the right equipment and skills required. The outlay by Council to be able to do this would be quite substantial.

COUNCIL DECISION:

11/14.12.5.324 Moved: Clr H Rubenach / Seconded: Clr J Drummond

That Council maintains the existing seaweed removal arrangement on Stieglitz Beach of 500 metres.

FOR Clr J Drummond, Clr H Rubenach, Clr J Tucker, Clr T Warren
AGAINST Clr J McGiveron, Clr M Osborne, Clr B LeFevre, Clr G McGuinness, Clr M Tucker
LOST

11/14.12.5.325 Moved: Clr J McGiveron / Seconded: Clr M Osborne

That Council extends the seaweed removal on Stieglitz Beach by 500 metres, making a total of 1km.

FOR Clr J McGiveron, Clr M Osborne, Clr B LeFevre, Clr G McGuinness, Clr M Tucker
AGAINST Clr J Tucker, Clr T Warren, Clr H Rubenach, Clr J Drummond
CARRIED

*Meeting adjourned for morning tea at 10.57am
Meeting resumed at 11.09am*

11/14.12.6 **St Helens Emergency Mobile Generator**

FILE REFERENCE	040\052\001\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

11/14.12.6.326 Moved: Clr J Tucker / Seconded: Clr M Osborne

That the Officer's report be received.

CARRIED UNANIMOUSLY

11/14.12.7 Tasman Highway and St Helens Point Road Intersection – Upgrade Works – Commencement Date Options

FILE REFERENCE	030\001\073\
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DISCUSSION:

- Clr McGiveron stated that this should still make good timing for the weather for sealing.
- Clr McGuinness raised concerns with point 2 and closing the St Helens Point Road access of the parking area completely and requested that this be discussed further at a workshop. The Manager Works and Infrastructure advised that some cars are using this as a slip lane through to St Helens Point Road. The Manager Works and Infrastructure also stated that the grant was to include the investigation of safety issues which this is one.
- Clr M Tucker asked whether it would be feasible to have the new car park useable (even if it only has a gravel surface) before the intersection works are done?
- It was agreed that this would be discussed further at a Council Workshop.

COUNCIL DECISION:

11/14.12.7.327 Moved: Clr J McGiveron / Seconded: Clr H Rubenach

1. That Council approve the works commencement date for the Tasman Highway and St Helens Point Road Intersection Upgrade Project to be on or after Monday 9 February 2015.
2. That Council write to the Department of State Growth to seek an extension of time for the completion of the grant.

CARRIED UNANIMOUSLY

11/14.12.8 Stieglitz – Jetty Road Sewer Pump Station Upgrade

FILE REFERENCE	029\006\002\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

11/14.12.8.328 Moved: Clr T Warren / Seconded: Clr H Rubenach

That the Officer's report be received.

CARRIED UNANIMOUSLY

11/14.13.0 COMMUNITY DEVELOPMENT

11/14.13.1 Community Services – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

11/14.13.2 Community Services Report

FILE REFERENCE	N/A
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DISCUSSION:

- The Manager Community Services advised that the transfer of the jetty at Moulting Bay to Council has been completed.
- Clr J Tucker asked whether the history register is really Council business. The Manager Community Services advised that this is listed for further discussion at a Council Workshop.

COUNCIL DECISION:

11/14.13.2.329 Moved: Clr M Osborne / Seconded: Clr G McGuinness

That the report be received.

CARRIED UNANIMOUSLY

11/14.13.3 Municipal Management Plan (MMP) – In Principle Support for Components of Plans – Coastal Plan – Recreation & Open Space Strategy

FILE REFERENCE	002\017\009\
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DISCUSSION:

- Clr Rubenach asked that any reference to “Eddystone Point” also use the dual naming “Larapuna”. The Manager Community Services advised she would pass this to the consultants.
- Clr J Tucker advised that he has quite a few items in relation to the Coastal Policy ie farm land, etc and he will pass these to the Manager Community Services so they can be raised with the consultants.

COUNCIL DECISION:

11/14.13.3.330 Moved: Clr J Drummond / Seconded: Clr H Rubenach

That Council in principle adopt the following plans/studies/strategies which have been completed as part of the Municipal Management Plan (MMP) project:

1. Coastal Plan; and
2. Recreation & Open Space Strategy.

CARRIED UNANIMOUSLY

11/14.13.4 Cornwall Memorial Park – Undertake a Land Survey

FILE REFERENCE	040\090\001\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

11/14.13.4.331 Moved: Clr J Drummond / Seconded: Clr H Rubenach

That Council undertake a detail survey including Title boundaries of the Cornwall Memorial Park at a cost of \$2,800 including GST, to allow the completion of the conceptual plan which is currently being developed.

CARRIED UNANIMOUSLY

11/14.13.5 Relay for Life – Request for Assistance

FILE REFERENCE	004\008\014\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

11/14.13.5.332

Moved: Clr J McGiveron / Seconded: Clr M Osborne

That Council support the Relay for Life Event which is being held at the St Helens Football Ground on the weekend 21-22 February, 2015 by:

1. providing wheelie bins for the event;
2. waiving any fees in relation to the use of the toilets located at the St Helens Recreation Ground during the event including those located within the St Helens Recreation Building; and
3. arranging for the toilets to be cleaned at some time during the event and ensure that there is sufficient toilet paper provided.

CARRIED UNANIMOUSLY

11/14.13.6 Pedal Boats on the Bay – Lease Agreement

FILE REFERENCE	031\010\002\
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DISCUSSION:

- Clr Rubenach stated that she has concerns with a lease agreement for a business with no payment required. Other businesses have overheads, however would support this to assist with businesses starting up.
- Clr McGuinness asked how would this impinge on events eg regatta? The Manager Community Services advised that it would not, unless they were not working with the relevant organising committee and this is included in the agreement.
- Clr LeFevre asked what was the state of the caravan? The Manager Community Services advised that this was unknown and Crown have advised that they will not allow a caravan on the foreshore permanently, however he could park it in the car park during the day and it would need to be removed at the end of each day.

COUNCIL DECISION:

11/14.13.6.333 Moved: Clr M Osborne / Seconded: Clr T Warren

1. That Council enter into a lease agreement with Pedal Boats on the Bay with the following conditions subject to any planning requirements in regard to the placement of signage on the St Helens Foreshore:
 - 1.1 that an area of ten (10) metres on the St Helens Foreshore (including the beach area) be identified as the leased area to allow for the water craft to be displayed during the hours of trading;
 - 1.2 The annual lease payment will be \$1.00 if demanded;
 - 1.3 to allow a caravan to be placed on the grassed area of the foreshore – preferred site number 3 as identified on the attached plan for six (6) months of the year or whilst the business is trading; and
 - 1.4 to allow a removable sign to be placed on the St Helens Foreshore to advertise this business for six months of the year.

2. That if recommendation 1 is adopted that Crown Land Services are then advised of the recommendation and permission is sought in relation to a Lease Agreement being entered into between Council and Pedal Boats on the Bay for a period of five (5) years stating the above conditions.

CARRIED UNANIMOUSLY

11/14.14.0 DEVELOPMENT SERVICES

11/14.14.1 Development Services – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

11/14.14.2 Development Services Report

FILE REFERENCE	031\013\003\
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DISCUSSION:

No discussion on this item.

COUNCIL DECISION:

11/14.14.2.334 Moved: Clr T Warren / Seconded: Clr B LeFevre

That the report be received.

CARRIED UNANIMOUSLY

11/14.14.3 Planning Approvals Issued

COUNCIL DECISION:

Received.

11/14.14.4 Building Services Approvals

COUNCIL DECISION:

Received.

11/14.14.5 Proposed Amendment to St Helens Sports Complex Master Plan

FILE REFERENCE	004\008\014\
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DISCUSSION:

- Clr Rubenach asked whether the plantings would include trees and not just low vegetation? The Building Services Coordinator advised that it would and that Council are hoping to retain as much of what is there as possible.

COUNCIL DECISION:

11/14.14.5.335 Moved: Clr M Osborne / Seconded: Clr J Tucker

That Council endorse the change to the attached site and concept plans for the development of the St Helens Sports Complex Change room facility.

CARRIED UNANIMOUSLY

11/14.14.6 Appointment of Members to the Natural Resource Management (NRM) Special Committee

FILE REFERENCE	010\028\003\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

11/14.14.6.336 Moved: Clr M Osborne / Seconded: Clr G McGuinness

1. That Council appoint to the Break O'Day Council Natural Resource Management Special Committee Gloria Andrews, Lance Clifford, Todd Dudley, Howard Jones, Craig Lockwood, Peter Nichols, Lionel Poole, Tim Rhodes and Tony Scott, as representatives of the community, industry and public land sectors; and
2. That Council nominate two (2) Councillors, Clr H Rubenach and Clr J Drummond to the NRM Special Committee

CARRIED UNANIMOUSLY

11/14.15.0 GOVERNANCE

11/14.15.1 General Manager's – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

11/14.15.2 General Manager's Report

FILE REFERENCE	002\012\001\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

11/14.15.2.337 Moved: Clr T Warren / Seconded: Clr B LeFevre

That the General Manager's report be received.

CARRIED UNANIMOUSLY

11/14.15.3 Nomination of Councillors for Council Representatives on Committees and Boards

FILE REFERENCE	014\001\022\
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DISCUSSION:

- Clr Osborne advised that she is in her 2nd year of a three (3) year term on the East Coast Regional Tourism Organisation (ECRTO). Clr LeFevre advised his interest in the ECRTO for the future.
- Clr Osborne advised she is already a member of the Star FM Board however did not want to be Council's representative.

COUNCIL DECISION:

11/14.15.3.338 Moved: Clr J Tucker / Seconded: Clr T Warren

That Council nominate Councillor representatives to the following committees:

- Star FM Board – Clr Tim Warren
- East Coast Regional Tourism Organisation (ECRTO) – Clr Margaret Osborne
- Titley Shack Reference Group – Clr Glenn McGuinness
- Binalong Bay Foreshore Master Plan – Community Reference Group – Clr Glenn McGuinness
- St Helens & Districts Chamber of Commerce and Tourism – Mayor Mick Tucker and Clr Margaret Osborne
- Australia Day Committee – Clr Janet Drummond and Clr John McGiveron

CARRIED UNANIMOUSLY

11/14.15.4 Council Meeting and Council Workshops Dates and Times for 2015

FILE REFERENCE	014\001\022\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:**11/14.15.4.339**Moved: Clr J McGiveron / Seconded: Clr G McGuinness

That the following dates and times be approved for Council Meetings and Workshops to be held in 2015:

Council Meetings Commencing at 10.00am	Council Workshops Commencing at 9.30am
Monday 19 January	
Monday 16 February	Monday 2 February
Monday 16 March	Monday 2 March
Monday 20 April	Wednesday 8 April
Monday 18 May	Monday 4 May
Monday 15 June	Monday 1 June
Monday 20 July	Monday 6 July
Monday 17 August	Monday 3 August
Monday 21 September	Monday 7 September
Monday 19 October	Monday 5 October
Monday 16 November	Wednesday 4 November
Monday 21 December	Monday 7 December

CARRIED UNANIMOUSLY**11/14.15.5****Appointment of Councillors - Councillors Code of Conduct Panel**

FILE REFERENCE	002\024\007\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:**11/14.15.3.340**Moved: Clr G McGuinness / Seconded: Clr J Tucker

That Council appoint three (3) Councillors - Clr J Drummond, Clr J McGiveron and Clr H Rubenach as members of the Code of Conduct Panel in accordance with Section 28G of the *Local Government Act 1993*.

CARRIED UNANIMOUSLY

11/14.15.4 St Helens Barway

FILE REFERENCE	028\006\007\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

11/14.15.4.341 Moved: Clr J McGiveron / Seconded: Clr T Warren

That Council support 'in principle' the use of Council funds to assist with works to improve navigation of the St Helens Barway.

That Council staff provide a report to Council on potential funding solutions to finance the required improvement works following discussion with the State Government

That Marine and Safety Tasmania be invited to provide a briefing to Councillors at the next Council workshop.

CARRIED UNANIMOUSLY

11/14.16.0 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.

11/14.16.1 Dispensation – Argyle Street, Mangana – Three (3) Lot Boundary Adjustment

FILE REFERENCE	DA172-2014
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DISCUSSION:

- Clr McGuinness stated that this would be facilitating development within our Municipality for our community and should be supported.

COUNCIL DECISION:

11/14.16.1.342

Moved: Clr G McGuinness / Seconded: Clr B LeFevre

That in accordance with Section 30Q of the Land Use Planning and Approvals Act 1993, the proposed dispensation (DA172-2014) at Argyle Street, Mangana, allow a three (3) lot boundary adjustment to be considered under the provisions of the Rural Resource Zone, and be approved 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.

Entered into Closed Council at 12.05pm

Moved: Clr M Osborne / Seconded: Clr J McGiveron: That Council move into Closed Council.

CARRIED UNANIMOUSLY

IN CONFIDENCE

11/14.17.0 **CLOSED COUNCIL**

11/14.17.1 **Outstanding Actions List for Closed Council**

*Mayor Tucker left the meeting at 12.13pm
Mayor Tucker returned at 12.15pm*

11/14.17.2 **Sale of Properties for Unpaid Rates - Closed Council Item Pursuant To Section 15(2)J Of The Local Government (Meeting Procedures) Regulations 2005**

11/14.17.3 **East Coast Regional Tourism Organisation – Management of Visitor Information Centre - Closed Council Item Pursuant To Section 15(2)C Of The Local Government (Meeting Procedures) Regulations 2005**

11/14.17.4 **Periodic Construction Contracts - Closed Council Item Pursuant To Section 15(2)C Of The Local Government (Meeting Procedures) Regulations 2005**

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

Moved: Clr J McGiveron / 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 12.37pm

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MAYOR

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DATE