

18 May  
2015

# COUNCIL MINUTES

Council Chambers



John Brown  
General Manager,  
Break O'Day Council  
18 May 2015

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## CONTENTS

CONTENTS.....	3
05/15.1.0 ATTENDANCE.....	5
05/15.1.1 Present.....	5
05/15.1.2 Apologies.....	5
05/15.1.3 Leave of Absence.....	5
05/15.1.4 Staff in Attendance.....	5
05/15.2.0 PUBLIC QUESTION TIME.....	6
05/15.3.0 CONFIRMATION OF MINUTES.....	6
05/15.3.1 Confirmation of Minutes – Council Meeting 20 April 2015.....	6
05/15.4.0 COUNCIL WORKSHOPS HELD SINCE 20 APRIL 2015 COUNCIL MEETING.....	6
05/15.5.0 DECLARATION OF PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE.....	7
05/15.6.0 PETITIONS.....	7
05/15.7.0 NOTICES OF MOTION.....	7
05/15.7.1 Notice of Motion – Plant Advisory Committee – Clr J Tucker.....	7
05/15.7.2 Notice of Motion – Government Owned Land Use Committee – Clr J Tucker.....	8
05/15.8.0 COUNCILLOR’S QUESTIONS ON NOTICE.....	9
05/15.8.1 Fingal RSL – Clr G McGuinness.....	9
05/15.8.2 Fingal War Memorial – Clr G McGuinness.....	9
05/15.8.3 Welcome to St Marys Signs – Clr J Drummond.....	9
05/15.8.4 Great Eastern Drive Signage – Clr J Drummond.....	9
05/15.8.5 St Marys Arts, Culture and Heritage Centre – Clr J Drummond.....	10
05/15.8.6 Delivery of Sharps Containers – Clr J Tucker.....	10
05/15.9.0 COUNCILLOR’S QUESTIONS WITHOUT NOTICE.....	11
05/15.9.1 Great Eastern Drive – Clr H Rubenach.....	11
05/15.9.2 Calicivirus in St Marys – Clr H Rubenach.....	11
05/15.9.3 Helicopter Movements at Gray – Clr H Rubenach.....	12
05/15.10.0 MAYOR’S & COUNCILLOR’S COMMUNICATIONS.....	12
05/15.10.1 Mayor’s Communications for Period Ending 18 May.....	12
05/15.10.2 Councillor’s Reports for Period Ending 18 May 2015.....	12
05/15.10.3 Mayor’s and Councillor’s Items.....	13
05/15.11.0 BUSINESS AND CORPORATE SERVICES.....	13
05/15.11.1 Corporate Services – Strategic Plan Activity Report.....	13
05/15.11.2 Monthly Financial Report.....	13
05/15.11.3 Corporate Services Department Report.....	14
05/15.11.4 Visitor Information Centre Report.....	14
05/15.11.5 Budget Review – as at 31 March 2015.....	15
05/15.11.6 Review – Uniform Policy.....	16

05/15.11.7 Review – Grievance Policy .....	16
05/15.11.8 Review – Induction Policy .....	17
05/15.11.9 Review – Work Health and Safety Policy .....	17
05/15.11.10 Review – CCTV and Remote Camera Operation and Management Policy	17
05/15.11.11 Review – Personal Protective Equipment (PPE) Policy.....	18
05/15.11.12 Review – Mobile Phone Policy.....	18
05/15.12.0 WORKS AND INFRASTRUCTURE .....	19
05/15.12.1 Works and Infrastructure – Strategic Plan Activity Report.....	19
05/15.12.2 Works and Infrastructure Report.....	19
05/15.12.3 Animal Control Report .....	20
05/15.12.4 Draft Kerb Policy.....	20
05/15.13.0 COMMUNITY DEVELOPMENT.....	21
05/15.13.1 Community Services – Strategic Plan Activity Report.....	21
05/15.13.2 Community Services Report.....	21
05/15.13.3 Request for Financial Assistance – East Coast Masters Annual Golf Tournament – Scamander Golf Club .....	21
05/15.13.4 Waiving of Fees for Council Infrastructure .....	22
05/15.13.5 St Helens Memorial Park – Honour Roll WWII – 1939-1945 .....	24
05/15.13.6 Community Funding Program 2014-2015 – Round 2.....	24
05/15.13.7 Request for Financial Assistance – TransBod – Bushfire Survival Planning Workshop.....	25
05/15.14.0 DEVELOPMENT SERVICES .....	25
05/15.14.1 Development Services – Strategic Plan Activity Report .....	25
05/15.14.2 Development Services Report .....	25
05/15.14.3 Planning Approvals Issued .....	26
05/15.14.4 Building Services Approvals .....	26
05/15.14.5 Controlling Spanish Heath with Agricultural Lime and Other Alternatives .....	26
05/15.15.0 GOVERNANCE .....	27
05/15.15.1 General Manager’s – Strategic Plan Activity Report .....	27
05/15.15.2 General Manager’s Report.....	27
05/15.15.3 Northern Tasmania Development (NTD) – Regional Futures Plan.....	28
05/15.15.4 Financial Assistance Grants to Local Government.....	28
05/15.16.0 PLANNING AUTHORITY .....	29
05/15.16.1 DA039-15 – St Helens Point Road and Tasman Highway Intersection Upgrade including Car Parking and Associated Works .....	29
05/15.17.0 CLOSED COUNCIL .....	34
05/15.17.1 Outstanding Actions List for Closed Council.....	34
05/15.17.2 Human Resource Update.....	34

## **05/15.1.0 ATTENDANCE**

### **05/15.1.1 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 Kylie Wright

### **05/15.1.2 Apologies**

Nil

### **05/15.1.3 Leave of Absence**

Nil

### **05/15.1.4 Staff in Attendance**

General Manager, John Brown  
Executive Assistant, Angela Matthews  
Manager Community Services, Chris Hughes (*Item 1.0 – 14.1*)  
Building Services Coordinator, Jake Ihnen (*Item 4.0 – 11.7 / 13.4 – 15.1*)  
Manager Works and Infrastructure, Stephen Yam (*Item 7.1 – 13.3*)  
Manager Corporate Services, Bob Hoogland (*Item 10.3 – 12.2*)  
NRM Facilitator, Polly Buchhorn (*Item 13.7 – 15.1*)  
Planning Coordinator, Paula Kloosterman (*Item 15.2 – 16.1*)

## 05/15.2.0 PUBLIC QUESTION TIME

Two (2) 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.*

Nil.

## 05/15.3.0 CONFIRMATION OF MINUTES

### 05/15.3.1 Confirmation of Minutes – Council Meeting 20 April 2015

#### DISCUSSION:

No discussion of significance took place on this item.

#### COUNCIL DECISION:

**05/15.3.1.117** Moved: Clr G McGuinness / Seconded: Clr J Tucker

That the minutes of the Council Meeting held on the 20 April 2015 be confirmed.

**CARRIED UNANIMOUSLY**

## 05/15.4.0 COUNCIL WORKSHOPS HELD SINCE 20 APRIL 2015 COUNCIL MEETING

There was a Council Workshop held on the 4 May 2015 where discussions were held with Chris Colley from Parks and Wildlife Services, the following items were also listed for discussion:

- Report of the Auditor-General 2013-2014
- 2015/2016 Draft Budget
- Budget Review as at 31 March 2015
- Review of Council's Treatment of Properties with Tenancies
- Review of Entry Prices – St Helens History Room
- Review – Uniform Policy
- Review – Grievance Policy
- Review – Induction Policy
- Review – Work Health and Safety Policy
- Review – Workers Rehabilitation Policy
- Review – CCTV and Remote Camera Operation and Management Policy
- Review – Personal Protective Equipment Policy
- Review – Mobile Phone Policy

- Waiving of Fees for Council Infrastructure
- Community Grants
- St Helens Memorial Park – Honour Roll WWII – 1939-1945
- Low Density Residential Requirements in the Planning Scheme
- Break O’Day Multi-Purpose Stadium – Stage 2 Scope Discussion
- Briefing Paper – Work for the Dole – Local Government Association of Tasmania (LGAT)
- Northern Tasmania Development (NTD) – Regional Futures Plan
- 2015-2016 Annual Plan

## 05/15.5.0 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’s Drummond and Rubenach advised that they are both community representatives on the planning committee for item 05/15.13.7 – Request for Financial Assistance – TransBod – Bushfire Survival Planning Workshop. They are not executive members of this organisation just providing assistance with arrangements.

## 05/15.6.0 PETITIONS

Nil.

## 05/15.7.0 NOTICES OF MOTION

### 05/15.7.1 Notice of Motion – Plant Advisory Committee – Clr J Tucker

#### DISCUSSION:

- Clr J Tucker stated that he has put this motion forwarded so Councillors can obtain more information to be able to make the right decisions.
- Clr McGiveron stated that there used to be a number of committees. Not sure how this should be formed, possibly a discussion/advisory committee, fairly broad.
- Clr Rubenach asked what systems currently exist, regarding Asset Management systems, etc?
- Clr Osborne stated that now there is a designated Asset Management Officer what input does this person have.

- Clr McGuinness stated that he understands where Clr J Tucker is coming from but maybe this could be circumvented by a monthly report or something to keep Councillors up to date.
- Clr Drummond stated that she is just after information of systems already in place that the information could be drawn from.
- The General Manager advised that staff have been working on a plant replacement program. A draft of this will be provided to July Workshop.

#### **COUNCIL DECISION:**

**05/15.7.1.118**                      Moved: Clr J Tucker / Seconded: Clr J McGiveron

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 form a Plant Advisory Working Group.

**CARRIED UNANIMOUSLY**

**05/15.7.2**                      **Notice of Motion – Government Owned Land Use Committee – Clr J Tucker**

#### **DISCUSSION:**

- Clr J Tucker stated that he has raised this after concerns following Chris Colley's presentation at the May Council Workshop.
- Clr McGuinness stated that he supports what Clr J Tucker has stated as there is a lot of infrastructure that Council has no control over within the Municipality.
- Clr Rubenach stated that she would like to see local conservation groups involved as well.
- Clr Drummond stated that she supports the motion but would like to see the group membership wider as there are also tourism assets.
- Clr McGiveron stated that the discussion on the membership should be done when the report is provided.
- Clr Rubenach noted that Crown Land Services is also missing.

#### **COUNCIL DECISION:**

**05/15.7.2.119**                      Moved: Clr J Tucker / 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 form a Government Owned Land Use Working Group.

**CARRIED UNANIMOUSLY**



## **05/15.8.0 COUNCILLOR'S QUESTIONS ON NOTICE**

### **05/15.8.1 Fingal RSL – Clr G McGuinness**

Apparently the Fingal RSL and a visiting hairdresser share the same room at the Community Centre. This is apparently causing friction and she is wondering if something could be done about it?

#### **Reply**

Council has recently signed a new Lease Agreement with the Fingal Valley Neighbourhood House in which as part of the lease agreement, it is noted that the Fingal RSL Club will have sole use of a room located at the rear of the Fingal Valley Neighbourhood House.

### **05/15.8.2 Fingal War Memorial – Clr G McGuinness**

The newly installed seats at the Fingal War Memorial have no backs and for elderly citizens this could be a severe problem. It is claimed that the ones at St Marys have backs was this outcome agreed to by the local RSL branch?

#### **Reply**

The newly installed seats were designed in accordance with the existing street furniture replacement program. Council were able to fund the project at a lower cost as the seats without backs were in stock. The seating furniture at St Marys has not yet been replaced in accordance with the newly adopted street furniture design. It was verbally agreed onsite with the committee that the bench seats without backs were not ideal but given the cost difference were sufficient for purpose.

### **05/15.8.3 Welcome to St Marys Signs – Clr J Drummond**

Can Council include "Welcome to St Marys" signs in the future budget and the works program. These signs to be erected on the three entry points into town.

#### **Reply**

An amount of funding is going to be available through the Great Eastern Drive project to assist with the cost of entry signs for a number of towns. Work is currently occurring on the design to ensure consistent branding across the whole route. There are a number of other entry signs for towns which are in need of upgrading and a program will be developed following the Great Eastern Drive project.

### **05/15.8.4 Great Eastern Drive Signage – Clr J Drummond**

In regard to the Great Eastern Drive (GED), will Council lobby for signage of a detour, showing the loop road to St Marys at the bottom of the St Marys and Elephant Passes. As the GED is considered to potentially be a 'game changer' for tourism on the East Coast of Tasmania, it would be positive to use this opportunity to embrace the inland areas of the

municipality. The gateway to the Fingal Valley is St Marys, and the geography of the area lends itself to this signage.

Signage could list the services which are available, including the free camping areas, this would encourage tourists to explore the inland and stay longer in the municipality as a whole. A suggestion from the community includes the wording "Worth the Detour". There is a growing arts and cafe business community in St Marys which would benefit from the expected increase in tourism plus the development of the railway precinct in Fingal.

### **Reply**

The Great Eastern Drive project is nearing finalisation of the planning phase, during this phase the route through St Marys is being identified as an alternative route with signage in accordance with the project plan. Signage is only one component of the project which will also include a wide range of mediums and platforms to encourage visitors to the area. Presentations to industry and the Council will be occurring in the future to generate further support.

### **05/15.8.5 St Marys Arts, Culture and Heritage Centre – Clr J Drummond**

Can an update be provided on the progress of the St Marys Arts, Culture & Heritage Centre. Motion Number 10/13.8.4.283, 21 October 2013. Have we progressed towards the goal to "Complete a conceptual plan for a museum building for the St Marys Arts, Culture & Heritage site in consultation with the community"?

### **Reply**

Jo Woodberry was engaged to complete a Conceptual Plan for the area. A meeting was held with Jo Woodberry and we are still waiting to receive the draft Conceptual Plan. We have been in contact with Jo on several occasions chasing same.

### **05/15.8.6 Delivery of Sharps Containers – Clr J Tucker**

I have been asked by a concerned health worker, where can she deliver her sharps for rubbish collection?

### **Reply**

Until very recently the St Helens District Hospital provided free approved sharps containers and a free disposal service to diabetics. Because of cost cutting within the State health system, hospital management have ceased providing the free containers and will cease providing the free disposal service as of 30 June 2015.

Requests have been made to Council to take over providing free approved sharps containers and a free disposal service for diabetics. Initial estimates of the cost to ratepayers will be in the order of \$5,000 per annum per site plus the staff time required to manage the supply and receipt of the disposal containers. A similar issue may arise at St Marys where a service also exists.

## 05/15.9.0 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.*

### 05/15.9.1 Great Eastern Drive – Clr H Rubenach

Following on from Clr Drummond's question on page 13 of the Council Agenda, regarding the Great Eastern Drive, would Pyengana and Weldborough also be promoted as detours?

#### Reply

The Great Eastern Drive currently finishes at St Helens and will do so for the foreseeable future which means no detour will need to be promoted. Signage currently exists advising tourists that this is the direction to follow to reach north-east Tasmania.

### 05/15.9.2 Calicivirus in St Marys – Clr H Rubenach

Is Council aware of whether there is a requirement for public notification prior to the release of the calicivirus? Some St Marys residents, whilst happy the rabbit population is being decreased would have preferred to have known beforehand.

#### Reply

There is no requirement for public notification of releases of rabbit calicivirus (also known as rabbit haemorrhagic disease virus - RHD).

A release program across the state by Biosecurity Tasmania began in late March and is scheduled to continue to the end of May; a release was conducted at St Marys on 16 April.

Sensitive to public concerns, particularly people keeping rabbits, Biosecurity Tasmania this year provided information to the community, with weekly updates. Information is published on the programs DPIPWE website and has been published in print media.

The virus originally established in Tasmania without any regulated program for its release by government being established or implemented - which might have included requirements for public notification. The release program only expects to provide a well-timed 'booster' to the naturalised and widespread RHD, where the virus and other controls have not kept rabbit populations under control.

This information regarding release of RHD was obtained by contacting Biosecurity Tasmania and from their website for the RHD release program:

<http://dpiipwe.tas.gov.au/invasive-species/invasive-animals/invasive-mammals/european-rabbits/release-of-rabbit-calicivirus-disease#Currentoperations%3Cbr%3E>

### 05/15.9.3 Helicopter Movements at Gray – Clr H Rubenach

A helicopter was flying very low over properties following boundary lines at Gray on Saturday. Residents have asked whether Council can investigate its purpose?

#### Reply

The helicopter was carrying out power line inspections for TasNetworks.

### 05/15.10.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

#### 05/15.10.1 Mayor's Communications for Period Ending 18 May

22.04.15	<b>Scamander</b>	- Meeting with the Scamander Probus Club
23.04.15	<b>St Helens</b>	- Meeting with David Reed, Chair and Ruth Dowty, CEO of the East Coast Regional Tourism Organisation (ECRTO)
30.04.15	<b>Hobart</b>	- Local Government Association of Tasmania (LGAT) General Meeting regarding Local Government Reform
04.05.15	<b>St Helens</b>	- Council Workshop
07.05.15	<b>Bicheno</b>	- Tourism 21 Meeting - Great Eastern Drive Working Group Meeting
08.05.15	<b>St Helens</b>	- St Helens Bowls Club Annual Dinner and Presentation
15.05.15	<b>Hobart</b>	- Investiture at Government House
18.05.15	<b>St Helens</b>	- Council Meeting

#### 05/15.10.2 Councillor's Reports for Period Ending 18 May 2015

*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

- Next meeting is on Tuesday 19 May 2015.
- President Heidi Howe resigned and Peter Paulsen has been accepted as President in the interim.

NRM Special Committee – Clr Hannah Rubenach/Clr Janet Drummond

- No meeting has taken place.

Star FM – Clr Kylie Wright

- Next meeting is next Tuesday.

Barway Committee – Clr John McGiveron

- MAST are still lobbying for funding and are keen to proceed as soon as funding available.

Regional Tourism Organisation (RTO) – Cllr Margaret Osborne

- Starting on the Winter campaign.
- Working on the Great Eastern Drive.
- Working on the Visitor Information Services Network.

Titley Shack & Binalong Bay Reference Group – Cllr Glenn McGuinness

- David Duggan has launched his new vessel for the Bay of Fires Ecotours.
- There has not been another meeting until David Duggan receives his plans for the Titley Shack.

Cllr Drummond advised that she had put in a nomination for the National Domestic Violence Taskforce and she has just been made aware it was unsuccessful.

### 05/15.10.3 Mayor's and Councillor's Items

#### COUNCIL DECISION:

Received.

### 05/15.11.0 BUSINESS AND CORPORATE SERVICES

#### 05/15.11.1 Corporate Services – Strategic Plan Activity Report

#### COUNCIL DECISION:

Received.

#### 05/15.11.2 Monthly Financial Report

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

- The Manager Corporate Services advised that this month's reports have been prepared with the revised budget even though it has not yet been formally adopted as it gives a more accurate picture.
- Cllr McGuinness asked whether the indoor stadium funding from the Federal Government was paid in instalments? The Manager Corporate Services advised that yes, it is.

## COUNCIL DECISION:

05/15.11.2.120

Moved: Clr M Osborne / Seconded: Clr B LeFevre

That the following reports for the month ending 30 April 2015 be received:

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

**CARRIED UNANIMOUSLY**

## 05/15.11.3 Corporate Services Department Report

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

- The Manager Corporate Services advised that since the publishing of the agenda there have been two (2) further cases of vandalism reported. One (1) was graffiti at the Scamander Skate Park and the Gazebo at Wombat Walk at St Marys which has now been repaired.
- Clr Rubenach asked how frequent does vandalism at the Fingal shower block happen? It is disappointing that this is being closed. The Manager Corporate Services advised that he is not aware of much, however will get the Risk Officer to investigate. Clr McGiveron said it is closed from 6.00pm – 7.00am which is when people want to use it.

## COUNCIL DECISION:

05/15.11.3.121

Moved: Clr J Drummond / Seconded: Clr K Wright

That the report be received.

**CARRIED UNANIMOUSLY**

## 05/15.11.4 Visitor Information Centre Report

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

- The Manager Corporate Services advised that “Companion Cards” are included free of charge to the History Room.

**COUNCIL DECISION:**

**05/15.11.4.122**                      Moved: Clr J Tucker / Seconded: Clr J McGiveron

That the report be received.

**CARRIED UNANIMOUSLY**

**05/15.11.5**                      **Budget Review – as at 31 March 2015**

FILE REFERENCE	018\007\001\
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**DISCUSSION:**

Nothing further to add to this report.

**COUNCIL DECISION:**

**05/15.11.5.123**                      Moved: Clr M Osborne / Seconded: Clr G McGuinness

That Council receive the Budget Estimates 2014-2015 Review as at 31 March 2015 and the following variances be applied to the original 2014/2015 budget as set by Council Minute and revised as at 30 September and 31 December 2014:

<b>Amend Capital Expenditure</b>	<b>\$</b>
CC070 Digital Hubs IT & Camera	15,000
CC730 Old Tasmanian Hotel Fingal	45,000
CC545 Dig Out Upper Esk Road	41,500
CC540 Dig Out Dawson Street	14,000
CC535 Dig Out Upper Esk Road	21,500
CC555 Georges Bay/Parnella Landslide Rectification	250,000
CC830 Lions Park (transfer to dig outs)	(77,000)
CC844 Fingal Depot Remove Fuel Tanks	21,500
CC745 St Helens Multi-Purpose Centre	309,300
<b>TOTAL</b>	<b>640,800</b>

<b>Amend Profit and Loss Items (brackets denote an adverse variance )</b>	<b>\$</b>
1657 Public Open Space	3,800
1671 Interest Income	(25,000)
1763 Heavy Vehicle Contributions	(13,600)
1766 Cemetery Revenue	10,000
1778 GST Free Reimbursements	10,000
1781 Loss on Sale of Assets	(35,000)
1794 Other Misc Grants	9,300
1794 Business Events & training grant	50,000
1791 Roads to Recovery	(14,000)
1793 Georges Bay/Parnella Landslide Rectification	250,000
1793 Georges Bay/Parnella Landslide Rectification	104,600

1811 Salaries & Wages	220,000
1812 On Costs	110,000
1895 Licencing Costs	(15,000)
1897 Materials	(90,000)
1971 Contractors	40,000
1971 Contractors St Helens Point Road Intersection Upgrade	10,000
1972 Cleaning Contractors	(25,000)
1973 Waste Management Contractors	(160,000)
1996 Professional Fees – Grant Funded	(10,000)
1998 Other professional Fees	(10,000)
2404 Grants & Community Support Given	90,000
<b>TOTAL</b>	<b>\$510,100</b>
<b>TOTAL BUDGET ADJUSTMENT</b>	<b>(\$130,700)</b>

**CARRIED UNANIMOUSLY**

### 05/15.11.6 Review – Uniform Policy

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

Policies were provided to Councillors for discussion at the Council Workshop. Nothing further to add.

#### COUNCIL DECISION:

**05/15.11.6.124** Moved: Clr M Osborne / Seconded: Clr J McGiveron

That Council delete Policy LG38 – Uniform and replace with Procedure LG38 – Uniform.

**CARRIED UNANIMOUSLY**

### 05/15.11.7 Review – Grievance Policy

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

Policies were provided to Councillors for discussion at the Council Workshop. Nothing further to add.

#### COUNCIL DECISION:

**05/15.11.7.125** Moved: Clr H Rubenach / Seconded: Clr J Drummond

That Council adopt Policy LG25 – Grievance as amended.

**CARRIED UNANIMOUSLY**



## 05/15.11.8 Review – Induction Policy

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

Policies were provided to Councillors for discussion at the Council Workshop. Nothing further to add.

### COUNCIL DECISION:

**05/15.11.8.126** Moved: Clr H Rubenach / Seconded: Clr J Drummond

That Council delete Policy LG26 – Induction and replace with Procedure LG26 – Induction.

**CARRIED UNANIMOUSLY**

## 05/15.11.9 Review – Work Health and Safety Policy

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

Policies were provided to Councillors for discussion at the Council Workshop. Nothing further to add.

### COUNCIL DECISION:

**05/15.11.9.127** Moved: Clr J Tucker / Seconded: Clr H Rubenach

That Council adopt Policy LG28 – Work Health and Safety as amended.

**CARRIED UNANIMOUSLY**

## 05/15.11.10 Review – CCTV and Remote Camera Operation and Management Policy

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

Policies were provided to Councillors for discussion at the Council Workshop. Nothing further to add.

**COUNCIL DECISION:**

**05/15.11.10.128**                    Moved: Clr H Rubenach / Seconded: Clr M Osborne

That Council adopt Policy LG42 – CCTV and Remote Camera Operation and Management as amended.

**CARRIED UNANIMOUSLY**

**05/15.11.11**                    **Review – Personal Protective Equipment (PPE) Policy**

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

Policies were provided to Councillors for discussion at the Council Workshop. Nothing further to add.

**COUNCIL DECISION:**

**05/15.11.11.129**                    Moved: Clr J Tucker / Seconded: Clr J McGiveron

That Council delete Policy LG43 – Personal Protective Equipment and replace with Procedure LG43 – Personal Protective Equipment.

**CARRIED UNANIMOUSLY**

**05/15.11.12**                    **Review – Mobile Phone Policy**

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

Policies were provided to Councillors for discussion at the Council Workshop. Nothing further to add.

**COUNCIL DECISION:**

**05/15.11.12.130**                    Moved: Clr K Wright / Seconded: Clr G McGuinness

That Council delete Policy LG45 – Mobile Phone and replace with Procedure LG45 – Mobile Phone.

**CARRIED UNANIMOUSLY**

## 05/15.12.0 WORKS AND INFRASTRUCTURE

### 05/15.12.1 Works and Infrastructure – Strategic Plan Activity Report

#### COUNCIL DECISION:

Received.

### 05/15.12.2 Works and Infrastructure Report

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

- Spoke to Cornwall Coal regarding the Cornwall Bridge. The reason for the delay is that they have not been able to have it listed for the Board for the last couple of months. It will be listed for the Boards consideration in June.
- A six (6) month permit from Crown Land Services has been received to maintain Terrys Hill Road.
- Skippy graffiti removal has been done, however the two (2) yellow sections need to be removed. Clr Rubenach stated that it still looks very untidy.
- Department of State Growth have no objections to installation of interpretation signage at the top of St Marys Pass. The Manager Works and Infrastructure requested Council's assistance as to what should be placed on this signage. Clr Rubenach advised that she will contact a man in St Marys who knows the history for information to go on the interpretation signage.
- Clr McGiveron asked if the heavy vehicle signage on the St Marys Pass is not going to be fixed could we request that it be removed. The Manager Works and Infrastructure advised that he would follow this up with the Department of State Growth.
- Clr Drummond asked regarding signage for St Marys Hall Car Park. The Manager Works and Infrastructure advised that signs have been ordered and will be installed as soon as they arrive.
- Clr J Tucker asked do we know how much gravel is left in Halfway Hill Pit. What is there and how much do we need? The Manager Works and Infrastructure has these figures and will circulate.
- Clr J Tucker asked whether the weed spraying in Fingal was done by Council employees or a Contractor? The Manager Works and Infrastructure advised that it was Council employees.

#### COUNCIL DECISION:

**05/15.12.2.131** Moved: Clr K Wright / Seconded: Clr B LeFevre

That the report be received by Council.

**CARRIED UNANIMOUSLY**

### 05/15.12.3 Animal Control Report

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

No discussion of significance took place on this item.

#### COUNCIL DECISION:

**05/15.12.3.132**                      Moved: Clr M Osborne / Seconded: Clr J Drummond

That the report be received by Council.

**CARRIED UNANIMOUSLY**

### 05/15.12.4 Draft Kerb Policy

FILE REFERENCE	032\005\025\
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#### DISCUSSION:

- Clr Osborne stated that we need to have “V” channels as people in wheelchairs can’t get off the road outside the hospital as the kerb is too deep.
- Mayor Tucker stated that there are crossings on the corners which are wheelchair accessible.
- Clr Osborne stated that the majority of the main street is very accessible.
- Clr Drummond asked whether the Fingal and St Marys main streets were going to be “V” shaped kerb? The General Manager advised that it won’t be needed up there because of the fall that is already there and the parking design.
- The Manager Works and Infrastructure advised that Fingal will have road markings on both sides of the road as will St Marys.
- Clr J Tucker asked why did we move away from “V” channels and bollards up the main street.
- Clr McGuinness asked why are there four (4) options for kerbing, one (1) of them is what is outside Morty’s which we know doesn’t work.
- Clr J Tucker disagreed with Clr McGuinness and stated that it is good to have all the options provided.
- Clr McGiveron agreed with Clr J Tucker and stated look at aerodrome hill, should have been a different kerb installed, it is a disaster waiting to happen the way it is.

#### COUNCIL DECISION:

That this item be referred to the June Council Workshop.

## 05/15.13.0 COMMUNITY DEVELOPMENT

### 05/15.13.1 Community Services – Strategic Plan Activity Report

#### COUNCIL DECISION:

Received.

### 05/15.13.2 Community Services Report

FILE REFERENCE	011\
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#### DISCUSSION:

- The Manager Community Services stated that she would wait for information from the East Coast Regional Tourism Organisation (ECRTO) before progressing the signage item.

#### COUNCIL DECISION:

05/15.13.2.133 Moved: Clr M Osborne / Seconded: Clr J Tucker

That the report be received.

**CARRIED UNANIMOUSLY**

### 05/15.13.3 Request for Financial Assistance – East Coast Masters Annual Golf Tournament – Scamander Golf Club

FILE REFERENCE	018\019\055
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#### DISCUSSION:

- Clr Rubenach stated that she is in two (2) minds with this one. She supports the event but if businesses are being targeted why is Council asked to contribute.
- The Manager Community Services advised that the event has outgrown the demand and they are now running over two (2) courses.
- Clr McGuinness advised that businesses are already putting in several thousand dollars.

## COUNCIL DECISION:

05/15.13.3.134

Moved: Clr M Osborne / Seconded: Clr J McGiveron

That Council supports the East Coast Masters Annual Golf Tournament by providing financial assistance in the sum of \$1,500 for their two (2) day event which will be held from 31 October 2015 to 1 November 2015.

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

*Meeting adjourned for Citizenship Ceremonies and morning tea at 11.00am  
Meeting resumed at 11.25am*

## 05/15.13.4 Waiving of Fees for Council Infrastructure

FILE REFERENCE	004\
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## DISCUSSION:

- Clr McGuinness advised that they would like to have done more but hard to make all the changes at one time.
- Clr LeFevre stated that they attempt to tighten things up without going overboard with direction for the future.
- Clr Osborne asked aren't we just starting to sign off leases for five (5) years? Would we be better off signing leases for one (1) year and then review?
- Clr LeFevre stated that we would be giving notice of changes anyway.
- The Manager Community Services believes there may be something in the lease which will allow for changes during the lease period, however this will be checked with the Manager Corporate Services.

## COUNCIL DECISION:

05/15.13.4.135

Moved: Clr B LeFevre / Seconded: Clr K Wright

1. Pay as you go showers to be installed in the St Helens Sports Complex Building as soon as possible.
2. An investigation into the cost to Council re maintaining the Athletic track at the St Helens Sports Complex for the periods:
  - a. 2013 – 2014 \$17,041.42
  - b. 2014-2015 \$6,306.23 (as at 23 February, 2015)
3. Increase General Manager’s delegation for waiver of fees from \$ 350 to \$750.
4. That a review of the leased facilities is undertaken within the next financial year with a view to charges being applied.
5. Investigate the cost of pay as you go for lighting in Council owned facilities.
6. Remove from the Community Facility Hire Policy the following:

“Where a group:

  - (a) Seeks a subsidy greater than 50% or
  - (b) Is requesting full fee exemptions (Category D) or
  - (c) The request falls outside the options available within this policy;

the request will be submitted to the Manager Community Services to seek Council approval”.
7. That the following words are added to Category D....Examples of Hirers that may fall in this category are non-funded, unincorporated community groups, **fundraising after a disaster event** .....
8. A realistic review of all charges of Council facilities with an option for cleaning by our contractor @ \$50.00 or clean the hall themselves to an acceptable standard and cost built into hire fee.

Not for Profit Organisations	Full Day	Half Day (Max. 4 hours)	Per Hour
Hall Only – Day	\$60.00	\$40.00	20.00
Hall Only – Night	\$100.00	\$80.00	20.00
Hall Only – Day AND Night	\$150.00	\$50.00	N/a
Portland Hall Kitchen – Day AND Night	\$40.00	\$25.00	N/a
St Marys Hall Kitchen – Day AND Night	\$40.00	\$25.00	N/a
Memorial Services		Nil	Nil

**CARRIED UNANIMOUSLY**

## 05/15.13.5 St Helens Memorial Park – Honour Roll WWII – 1939-1945

FILE REFERENCE	004\008\024\
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### DISCUSSION:

No discussion took place on this item, it was previously discussed at a Council Workshop.

### COUNCIL DECISION:

**05/15.13.5.136** Moved: Clr M Osborne / Seconded: Clr J McGiveron

That Council allow the St Helens/St Marys RSL Branch to seek funding to commence the Honour Roll WWII project which is a brick column to be placed adjacent to the existing brick wall located at Memorial Park.

**CARRIED UNANIMOUSLY**

## 05/15.13.6 Community Funding Program 2014-2015 – Round 2

FILE REFERENCE	018\019\031\
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### DISCUSSION:

Numerous discussions have previously taken place in relation to the community grants. Nothing further was added.

### COUNCIL DECISION:

**05/15.13.6.137** Moved: Clr J McGiveron / Seconded: Clr M Osborne

That Council fund the following projects under Round 2 of the Community Funding Program 2015:

Project Idea	Name of Organisation	Amount Requested from Council
Replacement lawn mower	St Marys Sports Centre Inc	\$6,000
BBQ Facility – Stieglitz Foreshore	St Helens Point Progress Association Inc	\$14,000

**CARRIED UNANIMOUSLY**



**05/15.13.7 Request for Financial Assistance – TransBod – Bushfire Survival Planning Workshop**

FILE REFERENCE	018\019\055\
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**DISCUSSION:**

No discussion of significance took place on this item.

**COUNCIL DECISION:**

**05/15.13.7.138** Moved: Clr G McGuinness / Seconded: Clr J Tucker

That Council provides TransBod \$150.00 to assist with the cost of catering for the Bushfire Survival Planning Workshop which is being on Saturday 30 May, 2015 at the St Marys Hall.

**CARRIED UNANIMOUSLY**

**05/15.14.0 DEVELOPMENT SERVICES**

**05/15.14.1 Development Services – Strategic Plan Activity Report**

**COUNCIL DECISION:**

Received.

**05/15.14.2 Development Services Report**

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

No discussion of significance took place on this item.

**COUNCIL DECISION:**

**05/15.14.2.139** Moved: Clr M Osborne / Seconded: Clr K Wright

That the report be received.

**CARRIED UNANIMOUSLY**

### 05/15.14.3 Planning Approvals Issued

#### COUNCIL DECISION:

Received.

### 05/15.14.4 Building Services Approvals

#### COUNCIL DECISION:

Received.

### 05/15.14.5 Controlling Spanish Heath with Agricultural Lime and Other Alternatives

FILE REFERENCE	017\014\004\
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#### DISCUSSION:

- Clr J Tucker asked for other alternatives to be provided as part of the report. The NRM Facilitator advised that there are a number of other methods eg hand removal, slashing, herbicide treatments. It is better to use control programs that are integrated.
- Clr McGuinness asked whether the NRM Facilitator had seen lime used? The NRM Facilitator replied no.
- The NRM Facilitator advised that the Weeds Act controls declared weeds, it is declared in Break O'Day as a category B which is only containment, not eradication.
- Clr Osborne asked whether Council is dealing with Spanish heath on roadsides that Council controls? The General Manager advised, not specifically. There is a weed management plan adopted last year which needs to be considered as part of the budget.
- Clr Osborne stated that we need to make sure we are dealing with our roadsides to make sure it doesn't spread to private property.
- Clr J Tucker stated that he thought we were going to get a report with other alternatives with costing analysis, control measures, etc.
  - o Mayor Tucker stated that we need to have a budget allocation.
  - o Mayor Tucker asked the NRM Facilitator to come back with a report which includes further information.
  - o The NRM Facilitator advised that the advice is what is included in the weed management plan. Need to look at an integrated management plan as well as that there are other weeds which are of more concern within the Municipality.
- Mayor Tucker asked whether there is a timeframe under the Act if a notice is issued to a private property? The NRM Facilitator advised that there is not, it is up to DPIPW. Council do not have the capacity to run regulatory processes ourselves.
- Clr J Tucker stated that he has a problem with sending a notice to private property owners when we are not doing anything about our own land.
- Clr Drummond stated that the weed management plan needs to guide us into the future, need a designated weed officer to deal with this.

**COUNCIL DECISION:**

**05/15.14.5.140**

Moved: Clr J Drummond / Seconded: Clr J Tucker

That Council adopt the report and manage Spanish Heath in accordance with the Break O'Day Council Weed Plan 2014 using strategic and integrated control and the NRM Facilitator will prepare a further detailed report to be presented to Council.

**CARRIED UNANIMOUSLY**

**05/15.15.0 GOVERNANCE**

**05/15.15.1 General Manager's – Strategic Plan Activity Report**

**COUNCIL DECISION:**

Received.

**05/15.15.2 General Manager's Report**

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

- The General Manager advised that Council's Planning Consultant is preparing a report to Council for rezoning Annie Street site.
- Clr McGiveron asked what was discussed at the meeting with Minister Hidding? The General Manager advised that he raised issues in relation to Council trucks using engine brakes on Argonaut Road and highlighted the need to resolve the issues in relation to slipways in Georges Bay and how important this is to the area.

**COUNCIL DECISION:**

**05/15.15.2.141**

Moved: Clr J Tucker / Seconded: Clr M Osborne

That the General Manager's report be received.

**CARRIED UNANIMOUSLY**

### 05/15.15.3 Northern Tasmania Development (NTD) – Regional Futures Plan

FILE REFERENCE	039\011\003\
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#### DISCUSSION:

- The General Manager advised that Clr Wright has provided some comments to him relating to this plan, these comments will be incorporated into the report.

#### COUNCIL DECISION:

**05/15.15.3.142** Moved: Clr B LeFevre / Seconded: Clr J Drummond

That Council provide a response to the Regional Futures Directions Paper reflecting the concerns raised.

**CARRIED UNANIMOUSLY**

### 05/15.15.4 Financial Assistance Grants to Local Government

FILE REFERENCE	15/7192
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#### DISCUSSION:

No discussion of significance took place on this item.

#### COUNCIL DECISION:

**05/15.15.4.143** Moved: Clr M Osborne / Seconded: Clr J Tucker

That the Council:

1. Acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of Councils services and infrastructure;
2. Acknowledges that the Council will receive \$X.Y million in 2014-2015; and
3. Will ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in Council publications, including annual reports.

**CARRIED UNANIMOUSLY**

## 05/15.16.0 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.

### 05/15.16.1 DA039-15 – St Helens Point Road and Tasman Highway Intersection Upgrade including Car Parking and Associated Works

FILE REFERENCE	DA039-15
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#### DISCUSSION:

- The Planning Coordinator advised that the toilet block will be done under a separate Development Application process.
- The Planning Coordinator advised that she has had discussions with the representor and most of their concerns have been included as part of the conditions of the permit.
- Clr Rubenach asked how the vehicle movements per day into the car park were determined? The Planning Coordinator advised that this was done from the vehicle movements for the current car park.
- Clr Wright stated that this is used by Calows Coaches as a pick up and drop off area, have they been consulted? The General Manager advised that the Manager Works and Infrastructure has had discussions with Calows Coaches and they have no issues.
- Clr Wright asked whether Council was funding this project? The General Manager advised that the works are funded by a grant from the State Government for \$1 Million.
- Clr LeFevre asked whether there were any future plans to do anything with Boggy Creek? The area is managed by NE Bioregional Network and the group have some ideas for the future. The land is actually privately owned.

#### COUNCIL DECISION:

**05/15.16.1.144** Moved: Clr M Osborne / Seconded: Clr J McGiveron

After due consideration of the representations received pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Council Interim Planning Scheme 2013* that the application for **St Helen Point Road and Tasman Highway Intersection Upgrade, including car parking and associated works** on land situated at **Corner St Helens Point Road and Tasman Highway, St Helens (including adjacent Crown Land & CT43185/1)** described in Certificate of Title CT 43185/1 & adjacent Crown Land, be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 039-15 received by Council 24 February 2015, together with all submitted documentation received and forming part of the development application, except as varied by conditions of this Planning Permit.

2. All works must be in accordance with the conditions of the Certificate of Consent by Taswater, TWDA 2015/00306-BODC dated 11 May 2015.
3. Prior to commencement of works, a landscape plan, detailing landscaping to the western edge of the reserve area car park, shall be provided to the satisfaction of the planning authority. The plan shall specify that that seeds or rootstocks for plantings are derived from provenance taken within the boundaries of the site or local area.

## **CAR PARKING & ACCESS**

4. The areas shown to be set aside for vehicle access and car parking must be:
  - a. completed before the use of the development;
  - b. designed and laid out in accordance with provisions of Table E6.0 of the Break O' Day Interim Planning Scheme 2013;
  - c. provided with space for access turning and manoeuvring of vehicles on-site to enable them to enter and leave the site in a forward direction;
  - d. Surfaced with a minimum 30mm Asphalt, with the exception of condition 5;
  - e. Line-marked or provided with other clear physical means to indicate each space to the satisfaction of the Council.
  - f. Drained to Council's stormwater drainage system.
5. The three (3) jetty car parking spaces shall be constructed to ensure that they are useable in all weather conditions, with either an impervious or compacted gravel surface.
6. Footpaths and trails must be a minimum of 1m wide for walking trails and 1.5m wide where required for wheelchair access.
7. Prior to the establishment of the use, signage or line marking shall be installed at the jetty car park (3 spaces) to prevent motorists from undertaking a 'u-turn' out of the car parking spaces.
8. Access to the Recreation Area car park (23 spaces) shall have a width of vehicular access no less than 5.5m.
9. The layout of car spaces and access ways must be designed in accordance with *Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking*.

## **CROSSOVERS**

10. The vehicle crossover from the carriageway to the property boundary must be constructed and maintained in general accordance with the vehicular crossing requirements of Council's Manager of Works and Infrastructure. The construction of a standard duty vehicular crossover will provide effective, safe and nuisance-free vehicle access in connection with the proposed development and must be financed by the applicant.
11. No works are to commence on the crossover until a permit to undertake works in the road reservation has been issued by Council's Manager of Works and Infrastructure for the crossover.

12. Prior to the commencement of any works within the State Road Reserve, the developer shall obtain a Works Permit from the Department of State Growth for any works to be undertaken within the State Road reservation, including any works necessary in relation to stormwater drainage from the proposal. Signage and line marking will also require Traffic Engineering Approval (TEA) from the Department of State Growth.

## **STORMWATER**

13. All stormwater runoff must be detained by on-site water storage systems or disposed of by means that will not result in soil erosion or other stormwater nuisance.
14. All ground surface runoff, where collected, shall be diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse.

## **SOIL AND WATER MANAGEMENT**

15. A Soil and Water Management Plan must be submitted to Council for approval prior to a Building Permit being issued, prepared in accordance with Guidelines for Soil and Water Management, published by Hobart City Council and available on Council's website ([http://www.bodc.tas.gov.au/webdata/resources/files/Guidelines\\_for\\_Soil\\_and\\_Water\\_Management.pdf](http://www.bodc.tas.gov.au/webdata/resources/files/Guidelines_for_Soil_and_Water_Management.pdf)). All works associated with the development must be conducted in accordance with the approved Soil and Water Management Plan. All worked areas not covered by structures must be promptly and progressively stabilised (eg revegetated) so that they will not erode and/or act as a source of sediment transfer.
16. The developer shall be responsible for the ongoing treatment of the site, including maintenance of plantings, weed management (including an ongoing weed management plan) and soil and water management.
17. All works must be conducted in accordance with Environmental Best Practice Guidelines for Undertaking Works in Waterways and Wetlands in Tasmania as outlined in the Department of Primary Industries, Parks, Water and Environment publication 'Waterways and Wetlands Works Manual 2003'.
18. New and existing point source discharges to wetlands or watercourses must implement appropriate methods of treatment or management to ensure point sources of discharge:
  - a) do not give rise to pollution as defined under the Environmental Management and Pollution Control Act 1994; and
  - b) are reduced to the maximum extent that is reasonable and practical having regard to:
    - i) best practice environmental management; and
    - ii) accepted modern technology; and
  - c) meet emission limit guidelines from the Board of Environmental Management and Pollution Control in accordance with the State Policy for Water Quality Management 1997.

19. Where topsoil from within the site is unable to be re-used, gravel sourced from a certified Phytophthora free quarry shall be used as a substitute for imported and potentially contaminated topsoil.

## **VEGETATION**

20. Native vegetation must not be removed outside that necessitated by the proposed development.
21. Where seeds or rootstock derived from provenance taken within the boundaries of the site is insufficient for the landscaping needs, seeds or rootstock may be used from other lots within the municipal area.
22. Use and development of the site shall be undertaken in accordance with the Ecological Assessment completed by Environmental Consulting Options Tasmania (ECOTas), dated: 22 February 2015.
23. Any disturbance of *Austrostipa blackii* (Crested Speargrass) shall be undertaken in accordance with the Permit to Disturb and associated conditions, issued by DPIPWE on the 26 February 2015 for the period of 28 February 2015 to the 2 October 2015 (permit no. DA15069). Should disturbance be required outside of the timeframes mentioned in the Permit to Disturb, the development shall seek further approval from DPIPWE.
24. The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal

## **SIGNAGE**

25. The proposed signs must be:
- professionally designed and legible;
  - structurally sound and not in any way hazardous;
  - located entirely within the boundaries of the site;
  - situated so as not to obstruct traffic; and
  - designed in colours and principles not currently incorporated into statutory or directional signs erected by public authorities.
26. Prior to the installation of the sign, a plan shall be submitted to the satisfaction of the Planning Authority, demonstrating that the sign is either double sided, or that the rear of the sign is not visible from a public space.

## **GENERAL CONDITIONS**

27. Any necessary exterior building lighting must be located under eaves and limited to that essential to allow the safe and secure movement of pedestrians at night. Lighting must not be used as a means of displaying the presence of buildings to be visible from outside the site.
28. All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within 2



metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.

## **ADVICE**

- Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered or suspected during works, cease works immediately and contact Aboriginal Heritage Tasmania for advice on how to proceed. An Unanticipated Discovery Plan should be provided should be on-hand and available to all contractors during ground disturbing works.
- All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.
- Activities associated with construction works are not to be performed outside the permissible time frames listed:
  - Mon-Friday 7 am to 6 pm
  - Saturday 9 am to 6 pm
  - Sunday and public holidays 10 am to 6 pm

## **CARRIED UNANIMOUSLY**

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

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

*Entered into Closed Council at 12.22pm*

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

## **CARRIED UNANIMOUSLY**

# IN CONFIDENCE

**05/15.17.0**      **CLOSED COUNCIL**

**05/15.17.1**      **Outstanding Actions List for Closed Council**

**05/15.17.2**      **Human Resource Update**

*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 J Tucker: That Council move out of Closed Council.

**CARRIED UNANIMOUSLY**

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 12.45pm.

.....  
**MAYOR**

.....  
**DATE**