

19
JANUARY
2015

COUNCIL MINUTES

Council Chambers



John Brown
General Manager,
Break O'Day Council
19 January 2015

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01/15.1.0 ATTENDANCE

01/15.1.1 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

01/15.1.2 Apologies

Nil

01/15.1.3 Leave of Absence

Nil

01/15.1.4 Staff in Attendance

General Manager, John Brown
Executive Assistant, Angela Matthews
Manager Community Services, Chris Hughes (*Item 1.0 – 14.5*)
Manager Corporate Services, Bob Hoogland (*Item 9.0 – 13.1*)
Planning Coordinator, Paula Kloosterman (*Item 13.3 – 15.1*)
Planning Officer, Chris Triebe (*Item 13.3 – 12.1 / 15.7 – 16.2*)
Manager Works and Infrastructure, Stephen Yam (*Item 14.5 – 17.3*)
Planning Officer, James Stewart (*Item 16.1 – 16.2*)

01/15.2.0 PUBLIC QUESTION TIME

Four (4) 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.

01/15.2.1 TasWater Briefing – Mr J Albury, St Helens

Are representatives from TasWater coming to meet with Council?

Reply

Yes, representatives will be attending the next Council Workshop to provide a briefing and for discussions with Council.

01/15.2.2 Announcement from Council – Mr B Mooney, Scamander

Is Council going to make a public announcement that a Councillor has resigned?

Reply

There will be an announcement this week.

01/15.3.0 CONFIRMATION OF MINUTES

01/15.3.1 Confirmation of Minutes – Council Meeting 15 December 2014

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

01/15.3.1.001 Moved: Clr G McGuinness / Seconded: Clr J McGiveron

That the minutes of the Council Meeting held on the 15 December 2014 be confirmed.

CARRIED UNANIMOUSLY

There was a Council Workshop held on the 12 January 2015 where a presentation was made to Council by a representative of the Steering Committee for the Bendigo Bank, the following items were also listed for discussion:

- Policy Review – Customer Service Charter
- Policy Review – Rates and Charges Policy
- Policy Review – Risk Management Policy
- 2015/2016 Budget and Annual Plan Program
- Audit Panel – Appointment of Council Representation
- Notice of Motion – November Council Meeting – Cllr M Osborne – Roses Tier Road
- Leona Road Bridge Update
- Landfill Investigations
- Lions Park New Playground
- Registry of Local Historic Items
- Gallery Parnella
- Waiving of Fees for Council Infrastructure
- Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander People
- Regional Planning Committee: Endorsement of the Revised Regional Land Use Strategy (RLUS) and Regional Land Use Strategy – Greater Launceston Plan ‘Gap Analysis’
- 2015-2016 Community Budget Consultation
- Legislative Council Inquiry into the Tasmanian Electoral Commission
- Legislative Council Inquiry into Built Heritage Tourism in Tasmania
- Break O’Day Council Strategic Plan
- Removal of the Tasmanian Economic Regulator Board
- South Sister
- Delivering Safe and Sustainable Clinical Services Green Paper
- Local Government Association of Tasmania (LGAT) – National Plan to Reduce Violence Against Women and their Children
- Rates
- Mowing Policy
- Shop Local Campaign
- Caravan By-Law and Caravans
- The Tasmanian Opportunity – Transition Asylum Seekers to Tasmania
- Tassie Sapphire Coast Chatterbox Trail
- Communication to the Public
- Junk Items In and Around Houses
- St Marys Main Street
- Old Police House at St Marys

01/15.5.0 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.

Nil

01/15.6.0 PETITIONS

Nil

The Mayor broke normal proceedings to make presentation to Council Officers, Chris Hughes for appointment of Emergency Management Coordinator and Angela Matthews for appointment of Deputy Emergency Management Coordinator.

01/15.7.0 NOTICES OF MOTION

01/15.7.1 Notice of Motion – Lawry Heights Footpath – Clr M Osborne

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

01/15.7.1.002 Moved: Clr M Osborne / Seconded: Clr H Rubenach

That a footpath be considered in the 2015-2016 Budget for Lawry Heights.

CARRIED UNANIMOUSLY

01/15.7.2 Notice of Motion – Request for Playground – St Helens Sports Complex – Clr M Osborne

DISCUSSION:

- Clr McGiveron asked whether the playground that is to be removed from the Lions Park would be suitable for the Recreation Ground. The General Manager advised that this could certainly be investigated and comment will be provided as part of the report back to Council.

COUNCIL DECISION:

01/15.7.2.003

Moved: Clr M Osborne / Seconded: Clr J Tucker

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 a playground be put in the budget for the St Helens Sports Complex.

CARRIED UNANIMOUSLY

01/15.7.3

Notice of Motion – Building of New Change Rooms – St Helens Sports Complex – Clr M Osborne

DISCUSSION:

- Clr McGuinness stated that he supports the concept however we need to be mindful that there are projects in the budget that have been for a number of years and we need to ensure that these are not passed over.

COUNCIL DECISION:

01/15.7.3.004

Moved: Clr M Osborne / Seconded: Clr J Tucker

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 the building of the new change rooms at the St Helens Sports Complex be included in the 2015-2016 budget.

CARRIED UNANIMOUSLY

01/15.7.4 Notice of Motion – Roses Tier Road – Clr M Osborne

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

01/15.7.4.005 Moved: Clr M Osborne / Seconded: Clr

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 we put some money in the budget to start sealing Roses Tier Road or Tyne Road, whichever one is required by the people.

MOTION LAPSED DUE TO LACK OF SECONDER

01/15.7.5 Notice of Motion – St Helens Streetscape Works – Clr B LeFevre

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

01/15.7.5.006 Moved: Clr B LeFevre / Seconded: Clr J Tucker

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 prioritise, in the St Helens Streetscape, the section between Australia Post and the Newsagency and the Newsagency to the ANZ Bank.

This work be undertaken early in the next financial year in order to be completed in preparation for the next tourism season.

CARRIED UNANIMOUSLY

Mayor Tucker abstained from voting on the above motion.

01/15.8.0 COUNCILLOR'S QUESTIONS ON NOTICE

01/15.8.1 Speed Limit Gray Road/Elephant Pass Road, St Marys – Cllr J Drummond

Would it be possible to approach the appropriate body to enquire about reducing the speed limit on Gray Road, St Marys where it changes from Elephant Pass Road, St Marys.

The 70km speed limit continues past the Waste Management Centre and into the town boundary. The noise from trucks using air brakes and the speed at which vehicles are travelling is of concern to residents living on the stretch of Gray Road prior to the St Marys Sports Club, a reduction in the speed limit would allay these concerns.

Reply

Council staff will make an application for the speed limit reduction to the Department of State Growth.

01/15.8.2 Footpath on Story Street, St Marys – Cllr J Drummond

Would it be possible to include a footpath, on the section of Story Street, St Marys, between the police station and River Willow Artspace, and as illustrated in attached photographs, in the works program as a matter of urgency? There are access issues for those with limited mobility using mobility scooters and walking sticks.

Story Street is the second most important commercial street in St Marys and this section of "pavement" connects the Police Station to the rest of town. It is also a section of pavement used frequently by campers walking into town from the recreation ground.



Reply

This section of footpath construction has been approved as part of the current year's capital works program. It is planned for the works to be incorporated as part of the streetscape upgrade project for St Marys.

01/15.8.3 Status of Bridge Repair – Scamander Road/Ryans Road – Clr J Drummond

What is the status of the bridge repair at Scamander Road/Ryans Road, bridge number 1128 – access is needed to remove logs?

Reply

The bridge is load limited and we are considering putting it into the 2015/2016 Bridge Replacement Program.

01/15.9.0 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.

01/15.9.1 Grading of Fire Road – Clr J Tucker

When is the Fire Road going to be graded?

Reply

With the closure and replacement of the Sloop and Big Lagoon bridges shortly, Fire Road is expected to be graded in April 2015 to provide a suitable bypass route.

The road will be inspected and minor grading undertaken should this be necessary, while the roads crew is currently resheeting Ansons Bay Road.

01/15.9.2 Transition from AAV to CV for Rating – Clr J Tucker

In regard to transition from AAV to CV valuation for rates (page 115 Valuation and Local Government Rating Review).

Primary Production land should be valued on its productive value and not its development potential (the latter disadvantages primary industry producers and incentives housing development instead of protecting prime agricultural land).

Has a decision been made on this issue?

Reply

The State Government has indicated its desire for Local Government to move towards using CV and is encouraging this. Break O'Day Council has not made a decision to make such a change and the State Government has not made this mandatory.

01/15.9.3 Removal of Native Vegetation – Clr J Drummond

Regarding the removal of native vegetation near the Pony/Equestrian ground at the St Helens Sports Complex:

1. Is there to be any further clearance?
2. Is rehabilitation of the native vegetation going to occur in the cleared areas?

Reply

As the removal of dangerous trees has been completed, there will be no further clearance. The cleared area will be rehabilitated with environmental advice.

01/15.10.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

01/15.10.1 Mayor's Communications for Period Ending 19 January 2015

23.12.14	Launceston	– Meeting with Police Commander Brett Smith and Inspector
10.01.15	St Helens	– Orienteering World Cup Presentation at Trafalgar Track
11.01.15	St Helens	– Oceania Orienteering Presentation
12.01.15	St Helens	– Council Workshop
13.01.15	St Helens	– HMAS Tobruk Steering Committee Meeting
19.01.15	St Helens	– Council Meeting

01/15.10.2 Councillor's Reports for Period Ending 19 January 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 Margaret Osborne

- There has been no meeting to date for 2015.

NRM Special Committee – Clr Hannah Rubenach/Clr Janet Drummond

- There has been no meeting to date for 2015.

Star FM – Vacant

Barway Committee – Clr John McGiveron

- Not much change in situation.
- General Manager and Mayor have been liaising with Government representatives.
- MAST working on the Environmental Management Report.

Regional Tourism Organisation (RTO) – Clr Margaret Osborne

- The Chairman and CEO are meeting with all groups on the East Coast to keep people informed.

Titley Shack & Binalong Bay Reference Group – Clr Glenn McGuinness

- Expanded committee to include the Binalong Bay Reference Group.
- Added a representative from the Binalong Bay Ratepayers Association.
- There has been no meeting to date for 2015.
- In the future will start working on the recommendations for the Binalong Bay Foreshore.

01/15.10.3 Mayor's and Councillor's Items

Outstanding Reports:

Motion Number	Meeting Date	Council Decision	Comments

01/15.11.0 BUSINESS AND CORPORATE SERVICES

01/15.11.1 Corporate Services – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

01/15.11.2 Monthly Financial Report

FILE REFERENCE	018\018\001\
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DISCUSSION:

- The Manager Corporate Services advised that the December Budget Review will be presented at the February Council Workshop.

COUNCIL DECISION:

01/15.11.2.007 Moved: Clr M Osborne / Seconded: Clr J Tucker

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

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

CARRIED UNANIMOUSLY

01/15.11.3 **Corporate Services Department Report**

FILE REFERENCE	018\018\001\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

01/15.11.3.008 Moved: Clr G McGuinness / Seconded: Clr J Drummond

That the report be received.

CARRIED UNANIMOUSLY

01/15.11.4 **Visitor Information Centre Report**

FILE REFERENCE	040\028\002\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

01/15.11.4.009 Moved: Clr M Osborne / Seconded: Clr J McGiveron

That the report be received.

CARRIED UNANIMOUSLY

01/15.11.5 Risk Management Report

FILE REFERENCE	002\025\001\
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OFFICER'S RECOMMENDATION:

No recommendation provided as the Officer was on leave for this period.

01/15.11.6 Review – Policy - LG41 – Customer Service Charter

FILE REFERENCE	002\024\007\
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DISCUSSION:

This item was discussed at the January Council Workshop and no further discussion took place.

COUNCIL DECISION:

01/15.11.6.010 Moved: Clr M Osborne / Seconded: Clr J McGiveron

That Council adopt the revised Customer Service Charter and the web site be amended accordingly.

CARRIED UNANIMOUSLY

01/15.11.7 Review – LG40 - Rates and Charges Policy

FILE REFERENCE	002\024\005\
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DISCUSSION:

This item was discussed at the January Council Workshop and no further discussion took place.

COUNCIL DECISION:

01/15.11.7.011 Moved: Clr H Rubenach / Seconded: Clr J Drummond

That Council adopt the Policy LG40 – Rates and Charges Policy be amended as recommended.

CARRIED UNANIMOUSLY

01/15.11.8 Review – LG32 – Risk Management Policy

FILE REFERENCE	002\024\007\
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DISCUSSION:

This item was discussed at the January Council Workshop and no further discussion took place.

COUNCIL DECISION:

01/15.11.8.012 Moved: Clr J McGiveron / Seconded: Clr M Osborne

That Council adopt Policy LG32 – Risk Management Policy as amended.

CARRIED UNANIMOUSLY

01/15.11.9 Audit Panel – Appointment of Council Representation

FILE REFERENCE	018\005\006\
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DISCUSSION:

This item was discussed at the January Council Workshop and no further discussion took place.

COUNCIL DECISION:

01/15.11.9.013 Moved: Clr M Osborne / Seconded: Clr J Drummond

That Council appoint Clr J McGiveron and Clr J Tucker as Council representative members of the Audit Panel and Clr H Rubenach as alternative Council representative member.

CARRIED UNANIMOUSLY

01/15.12.0 WORKS AND INFRASTRUCTURE

01/15.12.1 Works and Infrastructure – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

01/15.12.2 Works and Infrastructure Report

FILE REFERENCE	014\002\001\
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DISCUSSION:

- The Manager Works and Infrastructure advised that he is meeting with a representative from Cornwall Coal this week.
- Clr J Tucker stated that we seem to be doing a lot of potholing. This seems inefficient instead of grading. The Manager Works and Infrastructure stated that we only have one (1) grader, there is a smaller one at the depot which is used on minor roads.
- Clr McGiveron asked whether we have two (2) grader operators? The Manager Works and Infrastructure advised that we only have one (1).
- Clr M Tucker asked whether we are still planning on grading North Ansons Bay Road in January. The Manager Works and Infrastructure advised that yes we are however it has been pushed out a little with the urgent need to grade Upper Scamander Road.
- Clr LeFevre asked whether there was going to be something done to look at having more than one (1) grader operator?

COUNCIL DECISION:

01/15.12.2.014 Moved: Clr G McGuinness / Seconded: Clr H Rubenach

That the report be received by Council.

CARRIED UNANIMOUSLY

01/15.12.3 Animal Control Report

FILE REFERENCE	003\008\002\
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DISCUSSION:

- Clr Rubenach asked whether Councillors were able to get a copy of the email relating to the Ansons Bay Road dog barking issue just so we are aware of what is happening.
- Clr McGuinness asked whether the abandoned vehicle in St Marys had been attended to? The Manager Works and Infrastructure advised that it should have been.

COUNCIL DECISION:

01/15.12.3.015 Moved: Clr J McGiveron / Seconded: Clr B LeFevre

That the report be received by Council.

CARRIED UNANIMOUSLY

01/15.12.4 Review of Leona Road Bridge

FILE REFERENCE	032\001\011\
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DISCUSSION:

This item was discussed at the January Council Workshop and no further discussion took place.

COUNCIL DECISION:

01/15.12.4.016 Moved: Clr G McGuinness / Seconded: Clr J Drummond

1. That Council resolutions 10/13.15.2.272 and 02/14.12.6.034 be upheld and that the Leona Road Bridge be demolished.
2. That the Aberfoyle property owners be informed of Council's decision.

CARRIED UNANIMOUSLY

01/15.13.0 COMMUNITY DEVELOPMENT

01/15.13.1 Community Services – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

01/15.13.2 Community Services Report

FILE REFERENCE	N/A
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

01/15.13.2.017 Moved: Clr H Rubenach / Seconded: Clr B LeFevre

That the report be received.

CARRIED UNANIMOUSLY

01/15.13.3 Waiving of Fees for Council Infrastructure – St Helens District High School

FILE REFERENCE	004\005\
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DISCUSSION:

This item was discussed at the January Council Workshop and no further discussion took place.

COUNCIL DECISION:

01/15.13.3.018 Moved: Clr H Rubenach / Seconded: Clr B LeFevre

That Council not approve a fee waiver for the St Helens District High School for the use of Council owned facilities and infrastructure.

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

01/15.14.0 DEVELOPMENT SERVICES

01/15.14.1 Development Services – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

01/15.14.2 Development Services Report

FILE REFERENCE	031\013\003\
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DISCUSSION:

- Clr Rubenach asked whether there were any dates set as yet for the Feral Cat Management Program. The General Manager advised that there are no dates set as yet and there will be further discussion to take place at a Management Meeting on this matter.
- Clr Rubenach asked whether the fire abatement notices issued so far were about normal? The General Manager advised that this would be followed up and information would be forwarded to Councillors.

COUNCIL DECISION:

01/15.14.2.019 Moved: Clr B LeFevre / Seconded: Clr M Osborne

That the report be received.

CARRIED UNANIMOUSLY

01/15.14.3 **Planning Approvals Issued**

COUNCIL DECISION:

Received.

01/15.14.4 **Building Services Approvals**

COUNCIL DECISION:

Received.

01/15.14.5 **Provision of Names of Roads on Long Point, Seymour**

FILE REFERENCE	032\005\005\
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DISCUSSION:

- Clr McGuinness stated that the people who are living there would have been using these addresses for years. Is there a need to change, it would seem appropriate to keep them if possible.
- The Planning Officer advised that there are very few houses on some of these streets.
- Clr Drummond stated, would change cause more confusion, especially for emergency services? The Planning Officer advised that it could do, however if approved all maps, GPS information, etc are all immediately updated.
- Clr Rubenach asked whether there was any intention to consult with the locals regarding names? The Planning Officer replied that this is what we are seeking the direction from Council on.
- Clr Rubenach asked that being that some of these names are common, not just in this Municipality, can the nomenclature board not approve? The Planning Officer advised this could happen.
- Clr Osborne stated that we need to consult with the locals and make them official.
- Clr Rubenach stated that it would be good if we could minimise the double up of names.
- Clr M Tucker stated that he agrees with Clr McGuinness as some of these may have historical importance to the locals.

COUNCIL DECISION:

01/15.14.5.020 Moved: Clr M Osborne / Seconded: Clr H Rubenach

Council investigate potential names for the roads on Long Point, Seymour, currently and unofficially recognised as Dry Street, Fleming Street, Forster Street, Frazer Street, Montagu Street, Pedder Street and The Esplanade. The names should be relevant to the Indigenous and / or European cultural heritage associated of the region.

CARRIED UNANIMOUSLY

01/15.14.6 **Provision of Road Name - Royles Lane, St Marys**

FILE REFERENCE	032\005\005\
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DISCUSSION:

- Clr Rubenach stated that it is a good idea to sort out.

COUNCIL DECISION:

01/15.14.6.021 Moved: Clr G McGuinness / Seconded: Clr J McGiveron

1. Council approve the change of street name for the road currently named “Royles Lane” running north-north-east off Gray Road, approximately 1463 metres south-east of the Storey Street intersection with Main Street, St Marys, to “Royles Road”.
2. Council investigate a new name for the road reserve currently named “Royles Road”, approximately 2166 metres south-east of the Storey Road intersection with Main Road. The chosen name should be relevant and appropriate to either the indigenous and / or European cultural heritage associated with the region and locality and be in accordance with *AS/NZS 4819:2011 Clause 4.7 Road Names – Details*.

CARRIED UNANIMOUSLY

*Adjourned for morning tea at 10.55am
Meeting resumed at 11.07am*

01/15.15.0 **GOVERNANCE**

01/15.15.1 **General Manager’s – Strategic Plan Activity Report**

COUNCIL DECISION:

Received.

01/15.15.2 General Manager's Report

FILE REFERENCE	002\012\001\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

01/15.15.2.022 Moved: Clr M Osborne / Seconded: Clr H Rubenach

That the General Manager's report be received.

CARRIED UNANIMOUSLY

01/15.15.3 Change of Date for December 2015 Council Meeting

FILE REFERENCE	014\001\022\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

01/15.15.3.023 Moved: Clr M Osborne / Seconded: Clr J McGiveron

That the Council Meeting scheduled to be held on Monday 21 December 2015 be changed to Monday 14 December 2015.

CARRIED UNANIMOUSLY

01/15.15.4 Parnella Heights Landslide Mitigation Project

FILE REFERENCE	018\019\001\
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DISCUSSION:

- The General Manager advised that there has been a steering committee set up which includes community representatives.
- There are information sessions being held on Saturday 31 January 2015.
- Clr McGuinness stated that apparently the original pathway failed due to the size of the materials used, will there be another report to investigate this? The General Manager advised that MRT and other agencies involved are investigating alternative materials for future construction. The General Manager noted that the drainage issues from the landslip area needed to be addressed to reduce the impact of this on the pathway.

COUNCIL DECISION:

01/15.15.4.024 Moved: Clr M Osborne / Seconded: Clr J McGiveron

That Council note the requirement for future stormwater capital works and consider the priorities for works in future Council budgets.

CARRIED UNANIMOUSLY

01/15.15.5 **Local Government Association of Tasmania (LGAT) – Representation - National Plan to Reduce Violence Against Women and their Children Consultative Group**

FILE REFERENCE	039\002\008\
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DISCUSSION:

This item was discussed at the January Council Workshop and no further discussion took place.

COUNCIL DECISION:

01/15.15.5.025 Moved: Clr M Osborne / Seconded: Clr J Tucker

That Council nominate Clr Janet Drummond to represent the Local Government Association of Tasmania (LGAT) on the National Plan to Reduce Violence Against Women and their Children Consultative Group.

CARRIED UNANIMOUSLY

01/15.15.6 **Endorsement of the Revised Regional Land Use Strategy (RLUS) and RLUS Greater Launceston Plan ‘Gap Analysis’**

FILE REFERENCE	039\011\003\
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DISCUSSION:

This item was discussed at the January Council Workshop and no further discussion took place.

COUNCIL DECISION:

01/15.15.6.026 Moved: Clr M Osborne / Seconded: Clr G McGuinness

That Council endorse the final draft *Northern Tasmania Regional Land Use Strategy* of October 2014, and the *NTRLUS Review: GLP Gap Analysis Advice*, dated 7 October 2014.

CARRIED UNANIMOUSLY

01/15.15.7 Bendigo Bank Feasibility Study

FILE REFERENCE	018\006\003\
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DISCUSSION:

- The General Manager outlined the request from the St Helens/St Marys Community Bank Steering Committee noting that the options available to the Committee to fund the Community Survey were quite limited as the Committee themselves were volunteers. The General Manager explained that a successfully established Community Bank would return very substantial funds to the community in the future reducing the pressure on Council for funding..
- Clt McGuinness noted that the request was to take the form of a loan and not a grant to the Committee.

COUNCIL DECISION:

01/15.15.7.027 Moved: Clr M Osborne / Seconded: Clr H Rubenach

That Council agree to assist with the cost of the Community Survey for the St Helens/St Marys Community Bank up to a maximum of \$30,000 through the provision of a 'loan' to the Steering Committee.

That a 'Memorandum of Understanding' be entered into with the St Helens/St Marys Community Bank Steering Committee regarding repayment of the 'loan' from future profits.

CARRIED UNANIMOUSLY

01/15.16.0 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.

01/15.16.1 DA003-2014 – Dwelling and Shed – 114 Gardens Road, Binalong Bay

FILE REFERENCE	DA 003-14
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DISCUSSION:

- The Planning Officer advised that the Bushfire Code was triggered which indicated minimal clearing is required.

COUNCIL DECISION:

01/15.16.1.028

Moved: Clr M Osborne / Seconded: Clr G McGuinness

After due consideration of the representation 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 **Dwelling and shed** on land situated at **114 Gardens Road, Binalong Bay** described in Certificate of Title 124464/2 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 003-14 received by Council 20 January 2014, together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.
2. No works are to commence until building approval has been issued.
3. In accordance with E9.6.2 A1 Water Quality Code, all stormwater runoff from the proposed buildings must be detained by on-site water storage systems and disposed of by means that will not detrimentally affect aquatic habitats and water quality of the artificial wetland.
4. The vehicle crossover from the carriageway to the property boundary must be constructed and maintained in general accordance with standard drawing number TSD-R04-v1, and must be completed to the satisfaction of Councils works and Infrastructure Manager. Construction of the crossover must be financed by the applicant. A Council works permit must first be obtained before any construction can commence.
5. Site distances must be improved by trimming of vegetation along Gardens Road. Trimming is required to the south of the proposed access and should generally be carried out in accordance with the 'Sight distance report' provided by RJK Consulting, marked as PAYNE13/14. Trimming of vegetation outside of CT 124464/2 will require permission of property owners, or a permit to undertake works within Council's road reserve.
6. A Soil and Water Management Plan protecting the hydrological and biological role of wetlands must be submitted before a building permit can be issued. It should be prepared with reference to guidelines for *Soil & Water Management on Building and Construction Sites* available from the EPA (and Council's website at www.bodc.tas.gov.au/development/planning/soil-water-management). All worked areas not covered by structures must be promptly and progressively stabilized (e.g. re-vegetated) so that they will not erode and/or act as a source of sediment transfer.
7. Native vegetation must only be cleared, managed and protected in accordance with the Soil and Water Management Plan, Bushfire Hazard Management Plan, and Flora Site Plan endorsed by the advising biodiversity conservation planner Paul Frater. This includes the clearing and management of vegetation for views, fire management, building works and the on-going use of the land in future, unless consented to by Council.

8. Prior to any development and building works, including preparation works, areas of threatened vegetation must be marked clearly on the ground where condition 7 requires them to be protected from clearing and disturbance. This vegetation must be managed in a particular way during the development and construction phase. The site markings should be done by an appropriate person and preferably by the advising biodiversity conservation planner.
9. Contractors and machinery operators must observe the marked areas during works to achieve the vegetation clearing and management of condition 8.
10. A permit to take will be required from the Policy and Conservation Assessment Branch (PCAB) of the Department of Primary Industries, Parks, Water and the Environment (DPIPWE) if it becomes necessary to move or take any threatened flora species from within the site.
11. 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.
12. In accordance with 14.4.2 A2 all new plantings must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.
13. In accordance with 14.4.2 A3 of the *Break O'Day Interim Planning Scheme*, no Environmental weeds must be used in landscaping.

CARRIED UNANIMOUSLY

01/15.16.2 DA186-2014 – New Dwelling x 2 – 40 Osprey Drive, Stieglitz

FILE REFERENCE	DA 186-2014
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DISCUSSION:

- Cllr Rubenach asked whether there were any controls put in place to ensure compliance with the Flora and Fauna Report. The Planning Officer advised that he will amend the condition reflect this.
- Cllr Rubenach asked whether “construction” includes land clearing? The Planning Officer advised, yes it does and condition 11 covers the compliance to survey.
- Cllr Rubenach advised that there is no condition regarding the passing bays for the driveway. The Planning Officer reviewed this query and advised that an additional condition was not required on the Planning Permit as it is in the Bushfire Assessment Report and this report forms part of the Planning Permit.

COUNCIL DECISION:

01/15.16.2.029

Moved: Clr M Osborne / Seconded: Clr J McGiveron

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for NEW DWELLING X 2 on land situated at 40 OSPREY DRIVE, STIEGLITZ described in Certificate of Title 104776/2 be APPROVED subject to the following conditions:

1. Development must accord with the Development Application DA 186-14 received by Council 20 October 2014, together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.
2. All works must be in accordance with the conditions of the Certificate of Consent by TasWater, **TWDA 2014/01140-BODC** as attached to this permit.
3. All stormwater runoff from the proposed buildings must be detained by on-site water storage systems and disposed of by means that will not result in soil erosion or other stormwater nuisance in accordance with 12.4.4.2 P1 of the *Break O'Day Interim Planning Scheme 2013*.
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. constructed with a pervious dust free surface and drained in a manner that will not cause either a dust or stormwater nuisance to occupants of adjoining properties.
5. The vehicle crossover from the carriageway to the property boundary must be upgraded 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.
6. 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.
7. Effluent disposal is subject to a Special Plumbing Permit to be issued by Council's Environmental Health Officer.
8. Standard *Phytophthora* hygiene measures must be implemented for the construction and maintenance of works in accordance with the Forest Practices Authority 'Flora Technical Note No. 8: Management of *Phytophthora cinnamomi* in production forests', November 2006.

9. Prior to any construction works occurring on CT 104776/2, a flora and fauna survey is to be undertaken by a suitably qualified person over all areas subject to development, to identify the presence and condition of any threatened and/or endangered flora species.
10. Native vegetation must not be removed outside that necessitated by the proposed development.
11. A permit 'to take' will be required from the Policy and Conservation Assessment Branch (PCAB) of the Department of Primary Industries, Parks, Water and Environment (DPIPWE) (may be downloaded from <http://www.dpipwe.tas.gov.au/inter.nsf/WebPages/LBUN-5NW27K?open>) if it becomes necessary to move or take any threatened flora species.
12. 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%20for%20Soil%20and%20Water%20Management.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.
13. All runoff from the proposed buildings must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. Soakage drains must be of sufficient size to absorb stormwater runoff and not create any new point sources of discharge into the defined watercourse.

CARRIED UNANIMOUSLY

01/15.16.2.030

Moved: Clr J Tucker / Seconded: Clr M Osborne

In accordance with Covenants No. 1 (a) and (c), the Mayor approve:

- The removal of the four (4) trees required for bushfire management; and
- The construction of the two (2) dwellings outside of the building envelope EFGH identified on the Folio Plan of CT 104776/2.

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 11.30am

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

CARRIED UNANIMOUSLY

IN CONFIDENCE

- 01/15.17.0** **CLOSED COUNCIL**
- 01/15.17.1** **Outstanding Actions List for Closed Council**

- 01/15.17.2** **Tender – St Helens Point Road / Tasman Highway Intersection - Closed Council Item Pursuant To Section 15(2)C Of The Local Government (Meeting Procedures) Regulations 2005**

- 01/15.17.3** **Tender – 2014/2015 Bridge Replacement Program – Package A - Closed Council Item Pursuant To Section 15(2)C Of The Local Government (Meeting Procedures) Regulations 2005**

- 01/15.17.4** **Tender – 2014/2015 Bridge Replacement Program – Package B - 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 M Osborne: That Council move out of Closed Council.

CARRIED UNANIMOUSLY

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 12.06pm.

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MAYOR

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DATE