

20 July
2015

COUNCIL MINUTES

Council Chambers



John Brown
General Manager,
Break O'Day Council
20 July 2015

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07/15.1.0 ATTENDANCE

07/15.1.1 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

07/15.1.2 Apologies

Nil

07/15.1.3 Leave of Absence

Nil

07/15.1.4 Staff in Attendance

General Manager, John Brown
Executive Assistant, Angela Matthews
Manager Community Services, Chris Hughes (*Item 1.0 – 13.1*)
Manager Corporate Services, Bob Hoogland (*Item 10.2 – 12.2*)
Manager Works and Infrastructure, Stephen Yam (*Item 1.0 – 13.1*)
Risk Officer, Simone Ewald-Rist (*Item 11.2*)
Planning Coordinator, Paula Kloosterman (*Item 15.2 – 17.1*)
Planning Consultant, Rebecca Green (*Item 15.2 – 17.1*)

07/15.2.0 PUBLIC QUESTION TIME

Six (6) 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.

07/15.2.1 Lobby for a Cutter-Suction Dredge – Mr J Furlow, Beaumaris

Would Council consider, in conjunction with other Councils, lobby the State Government to purchase a cutter-suction dredge which can be used at a number of ports ie the Tamar, Smithton, Ulverstone, Bridport, St Helens, Orford and the Dunalley Canal?

Reply

Council will discuss the matter with Marine and Safety Tasmania to gain an understanding as to why the State has not pursued this option prior to considering lobbying activities

07/15.3.0 CONFIRMATION OF MINUTES

07/15.3.1 Confirmation of Minutes – Council Meeting 22 June 2015

DISCUSSION:

- Clr Rubenach advised that the following words needed to be included in her statement on page 35 of the June Council Minutes under item 06/15.15.4 – Distribution of Minutes and Agendas. Amendment should read “Clr Rubenach raised concerns for accessibility for people in the valley with computer literacy issues and access to computers”.

COUNCIL DECISION:

07/15.3.1.184 Moved: Clr H Rubenach / Seconded: Clr G McGuinness

That the minutes of the Council Meeting held on the 22 June 2015 be confirmed with amendment from Clr Rubenach.

CARRIED UNANIMOUSLY

There was a Workshop held on Monday 6 July 2015 where presentations were made by Mark Chladil, Fire Management Planning Officer, Tasmania Fire Services regarding Bushfire Mapping as well as discussions with Commander Brett Smith and Inspector Darren Hopkins from Tasmania Police and the following items were also listed for discussion:

- Review – Workers Rehabilitation Policy
- Sale of Properties for Non-Payment of Rates
- Review of Conservation Covenant Support Policy
- Adoption of Procedure – Fragrance Free Workplace
- Machinery Replacement Account
- Review of Council's Treatment of Properties with Tenancies
- Plant Replacement Program
- St Helens Memorial Park
- Tully Street, St Helens – Trees
- Transfer of Land – Royal George Road, Royal George
- Transfer of Land Under Crown Land Assessment and Classification (CLAC) Project – Scamander Sports Complex
- St Helens Foreshore Plan
- Break O'Day Regional Arts – Council Facilities – Hire Fees
- Cycling Australia – Tour of Tasmania
- Weed Management Plan and Weeds Officer
- Multi-Purpose Stadium – Business Plan and Fees & Charges
- Break O'Day Multi-Purpose Indoor Centre – Construction Sum Adjustments and Financials
- Request for Councils Support for Dual Naming – Mt William
- Local Government Association of Tasmania (LGAT) – State Fire Management Council
- Local Government Reform
- Northern Tasmania Development (NTD)
- Binalong Bay Boat Ramp Breakwater Proposal
- Sale of Gravel
- Director of Nursing Positions for St Marys and St Helens

07/15.5.0 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 Hannah Rubenach declared an interest for item 07/15.16.1 – DA074-2015 – New Dwelling – 223B Lower German Town Road, St Marys as the proponents are relatives.

Clr Janet Drummond declared an interest for item 07/15.16.1 – DA074-2015 – New Dwelling – 223B Lower German Town Road, St Marys as it is her neighbouring property and she had made a representation.

07/15.6.0 PETITIONS

Nil

07/15.7.0 NOTICES OF MOTION

07/15.7.1 Notice of Motion – Community Emailing Lists – Clr H Rubenach

DISCUSSION:

- Clr McGuinness stated that he has no problems with the motion for a report.

COUNCIL DECISION:

07/15.7.1.185 Moved: Clr H Rubenach / Seconded: Clr J Drummond

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 establish additional email lists with regard to consultative processes and information sharing. These lists can be based on both topic and/or geographic location. Interested parties who are eligible to subscribe can be individuals, community group representatives or businesses.

CARRIED UNANIMOUSLY

DISCUSSION:

- Clr Wright stated that it is a matter of equality – there are quite a few people in the community that are requesting that Council shows support.
- Clr Rubenach stated that we have a role to lobby for those in our community who are discriminated against.
- Mayor Tucker asked for clarification – are we being asked to show our support for a conscience vote occurring in Federal parliament and not a Council position of support?
- Clr McGiveron stated that this is not a Local Government issue.
- Clr LeFevre agreed with Clr McGiveron. Clr LeFevre stated he has not had one (1) ratepayer approach him and say this is an issue.
- Clr Osborne stated the same as Clr LeFevre. Clr Osborne stated that she would need some community consultation on this to be able to make a decision. Clr Osborne stated that she is not saying she does not support same sex couples, she doesn't see this as a Local Government issue.

COUNCIL DECISION:

07/15.7.2.186

Moved: Clr K Wright / Seconded: Clr H Rubenach

A report is sought providing advice in accordance with the requirements of Section 65 of the *Local Government Act 1993* for the information of Council at a future meeting and consider any advice as required from relevant State Agencies.

That Council write to all political parties with representation in the Federal Parliament encouraging them to prioritise debating changes to the Marriage Act and allow a conscience vote on marriage equality.

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

07/15.8.0

COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

07/15.9.0 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.

07/15.9.1 Public Consultation – Clr J Drummond

Does Council have a public consultation policy or guideline?

Reply

The General Manager advised that yes, Council has some policies in place and we are currently looking at a community engagement framework which will look at different levels of communication, consultation and engagement.

07/15.10.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

07/15.10.1 Mayor's Communications for Period Ending 20 July 2015

24.06.15	Fingal	- Fingal Valley Neighbourhood House - Christmas in June
01.07.15	St Helens	- Meeting with Representatives from Medea Park and General Manager
06.07.15	St Helens	- Council Workshop
07.07.15	Launceston	- Local Government Good Governance Workshop
08.07.15	St Helens	- St Helens Rotary Club Changeover Dinner
09.07.15	Bicheno	- Regional Innovation Action Session – Follow up meeting
18.07.15	St Helens	- Information Session – St Helens Health Precinct
20.07.15	St Helens	- Council Meeting

07/15.10.2 Councillor's Reports for Period Ending 20 July 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 Tuesday 21 July.

NRM Special Committee – Clr Hannah Rubenach/Clr Janet Drummond

- There has been a meeting however Clr Drummond was unwell and did not attend and Clr Rubenach did not attend due to work commitments.

Star FM – Clr Kylie Wright

- Looking to raise funds to upgrade equipment.
- Will be a sausage sizzle on Fridays outside the Supa IGA.

- Have had a garage sale earlier in the year and the trivia night both raised good profit.

Barway Committee – Clr John McGiveron

- MAST are progressing with this and will be able to attend to provide an update soon.
- Barway is good however Pelican Point is still causing issues.

Regional Tourism Organisation (RTO) – Clr Glenn McGuinness

- ECRTTO is looking into a new business model for VIC's.
- WiFi has been provided by the ECRTTO to the Devils Corner lookout.
- Tourism Awards was an outstanding success.
- Marketing – the website is performing extremely well.
- A secondary launch for the Great Eastern Drive will hopefully be able to take place in the future with the Premier.
- The ECRTTO has got into the brochure exchange on the Spirit of Tasmania.
- Visitor spend on the East Coast is currently \$130 Million.
- Previous Board members were thanked – and further thanks was given to Clr Osborne for her contribution by Council.
- Next meeting will be in St Marys or Fingal.

Titley Shack & Binalong Bay Reference Group – Clr Glenn McGuinness

- Discussion will take place in Closed Council.

07/15.10.3 Mayor's and Councillor's Items

COUNCIL DECISION:

Received.

07/15.11.0 BUSINESS AND CORPORATE SERVICES

07/15.11.1 Corporate Services – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

07/15.11.2 Monthly Financial Report

FILE REFERENCE	018\018\001\
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DISCUSSION:

- The Manager Corporate Services advised that the Federal Government has advanced Council two (2) quarterly payments of FAGS grants.
- The Manager Corporate Services advised that interest payments are down but also interest income is down.

- Clr Rubenach asked why the health food licences are only at 4%. The Manager Corporate Services advised that the invoices went out late and therefore payments had not all come in by the end of the financial year.

COUNCIL DECISION:

07/15.11.2.187

Moved: Clr J McGiveron / Seconded: Clr J Tucker

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

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

CARRIED UNANIMOUSLY

07/15.11.3 Corporate Services Department Report

FILE REFERENCE	018\018\001\
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DISCUSSION:

- The Manager Corporate Services advised that we have commenced recruitment for a full time permanent front counter receptionist.
- Clr Rubenach asked whether all community groups were invited to attend the Risk Management Workshop. The Manager Corporate Services advised that this was not an open invitation as there was not enough space, invitations were sent on a risk basis. The Manager Community Services advised that it was also advertised in the newsletter and not much feedback was received.
- Clr J Tucker asked when are Council going to look at commercial rates? The Manager Corporate Services advised that this will be brought to a Council Workshop in the near future. There is enough time to look at in detail as this will not be implemented until the next financial year.
- The Risk Officer advised that there had been two (2) reported vandalism cases at Scamander and Fingal.

COUNCIL DECISION:

07/15.11.3.188

Moved: Clr H Rubenach / Seconded: Clr J Drummond

That the report be received.

CARRIED UNANIMOUSLY

07/15.11.4 Visitor Information Centre Report

FILE REFERENCE	040\028\002\
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DISCUSSION:

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

COUNCIL DECISION:

07/15.11.4.189 Moved: Clr M Osborne / Seconded: Clr K Wright

That the report be received.

CARRIED UNANIMOUSLY

07/15.11.5 Review of Workers Rehabilitation Policy

FILE REFERENCE	002\024\001\
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DISCUSSION:

The Manager Corporate Services advised that there was nothing further to add as this had been discussed at a Council Workshop.

COUNCIL DECISION:

07/15.11.5.190 Moved: Clr M Osborne / Seconded: Clr J McGiveron

That Council adopt Policy LG39 – Workers Rehabilitation as amended.

CARRIED UNANIMOUSLY

07/15.11.6 Review of Councils Treatment of Properties with Tenancies

FILE REFERENCE	018\023\012\
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DISCUSSION:

- The Manager Corporate Services advised that there was nothing further to add as this had been discussed at a Council Workshop.
- It was agreed that there needs to be a consistent approach.

COUNCIL DECISION:

07/15.11.6.191

Moved: Clr J Tucker / Seconded: Clr H Rubenach

That: All properties classified with tenure details for tenancies incur a service charge for each separate tenancy, commencing immediately for any new/changed properties and from 2016/2017 for existing properties.

CARRIED UNANIMOUSLY

07/15.11.7

Request to Remit Rates – Malahide Golf Course

FILE REFERENCE	15/13207; PID 6413332
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DISCUSSION:

- The Manager Corporate Services advised that this would create a precedent if approved.
- Clr Osborne stated that she would like to discuss this further at a Council Workshop.
- Clr Rubenach asked whether any financial information was provided to back up their request for a remission? The Manager Corporate Services advised nothing further was received.
- Clr McGiveron stated that there needs to be more discussion on this.
- Clr Drummond stated that they are looking at trying to get casual users and are going to approach DIER to seek approval for signage on the road in Fingal.
- Clr McGuinness stated that they may have a case for a community grant – we need to consider the overall situation.

COUNCIL DECISION:

That this request be taken to a workshop for discussion.

07/15.12.0

WORKS AND INFRASTRUCTURE

07/15.12.1

Works and Infrastructure – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

FILE REFERENCE	014\002\001\
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DISCUSSION:

- The Manager Works and Infrastructure advised that there has still been no word from Cornwall Coal.
- The Manager Works and Infrastructure advised that contact has been made with Parks and Wildlife Services regarding the opening of lagoons and a meeting date is to be set with them to discuss this further.
- The Manager Works and Infrastructure advised that the Quarry Management Plan for Halfway Hill has been prepared and another form is now to be completed to seek further approval for lease extension to be approved.
- The Manager Works and Infrastructure advised that round 2 of Bridge Productivity Program funding closes on the 30 August. The question was asked whether we should apply for the Cornwall bridge in this round of funding, by doing this it will delay the schedule for its current replacement until early 2016.
 - o Clr McGuinness asked whether there was any way we could make stronger representation to Cornwall Coal.
- Clr J Tucker asked why were only the dry trees taken on Ansons Bay Road. The Manager Works and Infrastructure stated that he was unsure and he would check and provide a response.
- Clr J Tucker stated that he hopes the weed spraying is not going to get bogged down with administration. The Manager Works and Infrastructure stated that we have an annual budget and we look at weed spraying on a more proactive basis. The Works Department are currently working with the NRM Facilitator to prioritise.
- Mayor Tucker asked whether employees have been trained to do dog pick-ups as yet? This was on the outstanding items list and has now disappeared.
- Mayor Tucker asked whether the yellow paint on Skippy Corner on St Marys Pass had been removed? The Manager Works and Infrastructure advised that it still has not been removed. The Mayor stated that this matter has been going since 2014.
- Clr J Tucker asked whether another grader operator has been trained yet? The Manager Works and Infrastructure advised that this is being done internally.
- Clr McGiveron asked what is the completion date for the St Marys Main Street Upgrade? The Manager Works and Infrastructure advised he would prepare a response and circulate to Councillors.
- Clr Drummond asked what was the timing for the trees and seats to be installed? The General Manager advised that we have a landscape designer looking at the proposed plantings, there are two (2) options, we now just need to purchase and install.
 - o Clr Rubenach asked what trees have been recommended? Can Council be informed.
- The main street will be sealed with asphalt therefore we don't need to wait for warmer weather for this to be undertaken.

COUNCIL DECISION:

07/15.12.2.192

Moved: Clr M Osborne / Seconded: Clr J Drummond

That the report be received by Council.

CARRIED UNANIMOUSLY

07/15.12.3 Animal Control Report

FILE REFERENCE	003\008\002\
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DISCUSSION:

- Clr Rubenach stated that she is pleased that the cat trapping has commenced in St Marys.

COUNCIL DECISION:

07/15.12.3.193 Moved: Clr H Rubenach / Seconded: Clr J Tucker

That the report be received by Council.

CARRIED UNANIMOUSLY

07/15.12.4 Replacement of Failed Kerb & Gutter – Cecilia & Tully Streets, St Helens

FILE REFERENCE	6793523 & 1966261
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DISCUSSION:

- Clr Osborne stated that she would hate to see the tree outside Mrs Avery's removed at this stage.
- Clr J Tucker asked whether this work was going to be undertaken in house? The Manager Works and Infrastructure stated that he would have to check to see if we have the kerb profile for that. Clr J Tucker stated that if we don't perhaps we could get a price to hire or purchase.

COUNCIL DECISION:

07/15.12.4.194 Moved: Clr J Drummond / Seconded: Clr G McGuinness

That Council approve works for the permanent replacement option of failed kerb and gutter sections at 73 Cecilia Street and at the Kellrairie Units in Tully Street under the 2015/2016 Stormwater Budget, with tree replacements deferred and replanted as part of the proposed prioritised memorial tree replacement program.

CARRIED UNANIMOUSLY

*Meeting adjourned for morning tea at 11.03am
Meeting resumed at 11.16am*

07/15.13.0 COMMUNITY DEVELOPMENT

07/15.13.1 Community Services – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

07/15.13.2 Community Services Report

FILE REFERENCE	011\
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DISCUSSION:

Nothing further of significance was added to this report.

COUNCIL DECISION:

07/15.13.2.195 Moved: Clr J McGiveron / Seconded: Clr M Osborne

That the report be received.

CARRIED UNANIMOUSLY

07/15.13.3 Transfer of Land – Royal George Road, Royal George

FILE REFERENCE	018\029\004\
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DISCUSSION:

- Clr Rubenach asked whether we have approximate costs for this? The Manager Community Services advised that this is difficult to determine at this stage.

COUNCIL DECISION:

07/15.13.3.196 Moved: Clr M Osborne / Seconded: Clr J Drummond

That Council continue with the transfer of this land situate at Royal George Road, Royal George and cover the costs of the issuance of a new Title to the said property.

CARRIED UNANIMOUSLY

07/15.13.4 Transfer of Land Under CLAC – Scamander Sports Complex

FILE REFERENCE	7154782
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DISCUSSION:

- Clr Rubenach stated that we don't have much information regarding ongoing maintenance costs. The Manager Community Services advised that the current committee pay nearly \$3,000 as well as all of the maintenance. This could be put in an agreement with them.
- Clr McGuinness stated that it ultimately would be a Council asset but a similar situation to the St Helens Football Club.

COUNCIL DECISION:

07/15.13.4.197 Moved: Clr M Osborne / Seconded: Clr J McGiveron

That Council proceed with the transfer of the Scamander Sports Complex to Break O'Day Council as set out in the Deed dated 20 May, 2013.

CARRIED UNANIMOUSLY

07/15.13.5 Cycling Australia – Tour of Tasmania

FILE REFERENCE	15/12414
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DISCUSSION:

This item was discussed at a Council Workshop. No further discussion took place.

COUNCIL DECISION:

07/15.13.5.198 Moved: Clr M Osborne / Seconded: Clr J Tucker

That Council decline the offer to have Tour of Tasmania run an event within our Municipality.

CARRIED UNANIMOUSLY

07/15.14.0 DEVELOPMENT SERVICES

07/15.14.1 Development Services – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

07/15.14.2 Development Services Report

FILE REFERENCE	031\013\003\
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DISCUSSION:

- The General Manager advised that asbestos was found in the ceiling of the toilet block at the Lions Park. An appropriately licenced contractor has been engaged for the removal of the toilet block at an additional cost of \$5,000.
- Clr Osborne asked whether consideration had been given for the playground that was removed from the Lions Park to be placed at the Sports Complex? The General Manager advised he would raise this with the Building Services Coordinator.
- Clr Osborne asked whether there were any plans for the Fingal Valley Neighbourhood House to be painted. The General Manager advised not at this stage.
- A question was asked whether there was an outcome identified for the fish deaths in the Scamander River. The General Manager advised that the NRM Facilitator will provide a report and circulate in due course.

COUNCIL DECISION:

07/15.14.2.199 Moved: Clr M Osborne / Seconded: Clr H Rubenach

That the report be received.

CARRIED UNANIMOUSLY

07/15.14.3 Planning Approvals Issued

COUNCIL DECISION:

Received.

07/15.14.4 Building Services Approvals

COUNCIL DECISION:

Received.

07/15.15.0 GOVERNANCE

07/15.15.1 General Manager's – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

07/15.15.2 General Manager's Report

FILE REFERENCE	002\012\001\
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DISCUSSION:

- The General Manager advised that the information session for the proposed St Helens Health Precinct was well received and it gave the opportunity for affected people to ask questions.

COUNCIL DECISION:

07/15.15.2.200 Moved: Clr M Osborne / Seconded: Clr J McGiveron

That the General Manager's report be received.

CARRIED UNANIMOUSLY

07/15.15.3 NTD - Nomination for C8 Networking North

FILE REFERENCE	15/13220
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DISCUSSION:

No discussion of significance took place on this item.

COUNCIL DECISION:

07/15.15.3.201 Moved: Clr J Tucker/ Seconded: Clr J McGiveron & Moved: Clr J Drummond/ Seconded: Clr K Wright

That Council nominate Clr Glenn McGuinness and Clr Hannah Rubenach to be representatives on the C8 Networking Group.

CARRIED UNANIMOUSLY

07/15.15.4 Dual Naming – Mount William

FILE REFERENCE	011\029\002\
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DISCUSSION:

No discussion of significance took place on this item.

COUNCIL DECISION:

07/15.15.4.202

Moved: Clr M Osborne / Seconded: Clr H Rubenach

That Council support the dual naming of Mount William as wukalina/Mount William.

CARRIED UNANIMOUSLY

07/15.15.5

Local Government Reform – Community Engagement

FILE REFERENCE	014\003\002\
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DISCUSSION:

- The General Manager advised that we need to gain initial validation from the community on their views regarding the future of local government for the communities of Break O’Day.
- Clr LeFevre stated that the survey part is really important for the majority of residents.
- Clr McGuinness stated that the drop-in sessions are good for people who might not speak up at a public meeting.
- Clr Wright stated that we definitely need consultation – may even have an online forum to go with a public meeting.
- Clr Osborne stated that we need to consult as wide as possible.
- Clr’s Drummond and Rubenach stated that there needs to be broad options. There are a wide range of tools that can be used eg a dedicated phone line. There needs to be a structured communication policy or guideline in place.
- Clr J Tucker agreed with Clr LeFevre, he has concerns with public meetings as a lot of people won’t put their point of view up in public.
- Clr McGiveron stated that he agrees with a variety of consultation. A lot of people don’t understand where this is going.
- Mayor Tucker stated that maybe we could do a mail out with questions and answers later down the track.
- The General Manager noted that we don’t have detailed information on the various options available at the moment to present to the community. Th initial consultation process would enable communities to provide valuable thoughts and concerns for Council o take into account
- The General Manager stated that he is mindful of identifying suitable times/days to enable people to participate.

COUNCIL DECISION:

07/15.15.5.203

Moved: Clr B LeFevre / Seconded: Clr M Osborne

That Council commence the engagement process with the community by undertaking initial consultation activities seeking the thoughts from the Break O'Day community on questions relating to the future direction of local government in the Break O'Day area.

That the community engagement process be focussed on:

1. Drop-In Sessions in local communities
2. Survey forms through website and in selected locations within local communities.

and be supported by communicating with local community groups; newsletters; local community papers and Star FM community announcements.

CARRIED UNANIMOUSLY

07/15.15.6 Election of President - LGAT

FILE REFERENCE	039\002\008\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

07/15.15.6.204

Moved: Clr J McGiveron / Seconded: Clr M Osborne

That Council nominate Mayor Mick Tucker as a candidate for the President of the Local Government Association of Tasmania (LGAT).

CARRIED UNANIMOUSLY

07/15.15.7 Local Government Association of Tasmania (LGAT) – General Meeting 22 July 2015 - Motions

FILE REFERENCE	039\002\019\
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DISCUSSION:

This item was for discussion only.

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.

Clr's Rubenach and Drummond left the meeting at 12.16pm

07/15.16.0 PLANNING AUTHORITY

07/15.16.1 DA074-2015 – New Dwelling – 2223B Lower German Town Road, St Marys

FILE REFERENCE	DA 074-2015
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DISCUSSION:

- Clr McGuinness asked whether wastewater had been addressed? The Planning Consultant advised that it has and that it states that the site can adequately contain the wastewater.

COUNCIL DECISION:

07/15.16.1.205 Moved: Clr J McGiveron / Seconded: Clr M Osborne

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 **New Dwelling** on land situated at **2223b Lower German Town Road, St Marys** described in Certificate of Title CT 33144/1 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 074-2015 received by Council 16 April 2015, together with all submitted documentation received and forming part of the development application, except as varied by conditions of this Planning Permit.
2. Effluent disposal is subject to a Special Plumbing Permit to be issued by Council's *Environmental Health Officer*.
3. 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 prior to the use commencing. 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.
4. 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.
5. The areas shown to be set aside for vehicle access and car parking must be:

- a. Completed before the use of the development commences;
 - b. Designed and laid out in accordance with the 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 pervious dust free surface and drained in a manner that will not cause stormwater nuisance.
6. Native vegetation must not be removed outside that necessitated by the proposed development.
 7. 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.
 8. Use and development of the site shall be undertaken in accordance with the Planning Advice completed by Environmental Consulting Options Tasmania (ECOTas), dated: 15 June 2015.
 9. Any disturbance of *Tasmanipatus barretti* (giant velvet worm) shall be undertaken in accordance with the Permit to Take Threatened Species and associated conditions, issued by DPIPWE on 30 June 2015 for the period of 30/06/2015 to 30/06/2016 (permit no. DA 15141). Should disturbance be required outside of the timeframes mentioned in the Permit to Take, the development shall seek further approval from DPIPWE.
 10. 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.
 11. All stormwater runoff from the proposed building 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
 12. Any damage that may occur to any Council infrastructure during the construction of the proposed dwelling must be reinstated to the satisfaction of Council and at the cost of the developer.
 13. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the dwelling being occupied on the subject site.

ADVICE

- A copy of 'Bushfire-prepare to survive' should be obtained and used as a guide to preparing yourself and your property for bushfires.
- 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

Clr's Drummond and Rubenach returned at 12.22pm

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 12.23pm

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

CARRIED UNANIMOUSLY

IN CONFIDENCE

- 07/15.17.0** **CLOSED COUNCIL**
- 07/15.17.1** **Outstanding Actions List for Closed Council**

- 07/15.17.2** **General Manager Annual Leave - Closed Council Item Pursuant To Section 15(2)C Of The Local Government (Meeting Procedures) Regulations 2005**

- 07/15.17.3** **Sale of Properties for Non-Payment of Rates - Closed Council Item Pursuant To Section 15(2)F Of The Local Government (Meeting Procedures) Regulations 2005**

- 07/15.17.4** **St Helens Health Precinct - Closed Council Item Pursuant To Section 15(2)F 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 Drummond / Seconded: Clr B LeFevre: That Council move out of Closed Council.

CARRIED UNANIMOUSLY

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 12.37pm.

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MAYOR

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DATE