

21 AUGUST  
2014

# COUNCIL MINUTES

Council Chambers



Bob Hoogland  
Acting General Manager,  
Break O'Day Council  
21 August 2014

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**08/14.1.0 ATTENDANCE**

**08/14.1.1 Present**

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

**08/14.1.2 Apologies**

Mayor Sarah Schmerl

**08/14.1.3 Leave of Absence**

Nil

**08/14.1.4 Staff in Attendance**

Acting General Manager, Bob Hoogland  
Executive Assistant, Angela Matthews  
Manager Community Services, Chris Hughes (*Item 1.0 – 15.2*)  
Manager Works & Infrastructure, Stephen Yam (*Item 7.1 – 13.1*)  
Building Services Coordinator, Jake Ihnen (*Item 12.2 / 13.5 – 15.2 / 15.4 – 16.1*)  
Planning Officer, James Stewart (*Item 15.4 – 16.1*)

## **08/14.2.0 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.*

### **08/14.2.1 Installation of a Skate Park in Binalong Bay – Mrs A Cubitt obo Youth at Binalong Bay**

As there is nowhere to ride skateboards and scooters, we have been riding along pathways and streets, much annoyance of some residents. It is also quite dangerous.

A skatepark would enable our youth to ride in a safe environment.

The park area located on the corner of Felmingham and Treloggen Streets appears not to be utilised and would be an ideal location for this request.

Would you please consider this appeal in the interest of our youth?

#### **Reply**

Investigations will be undertaken by Council's Youth Worker and a report will be provided to Council in due course for consideration.

### **08/14.2.2 TasWater - Mr J Albury, St Helens**

Would Council think it would be an advantage to come to a meeting at Council and explain what is going on in the area?

#### **Reply**

Council agreed that obtaining regular updates from TasWater, including face-to-face briefings, would be valuable and Management is following up with TasWater to implement this.

### **08/14.2.3 Planning and Building Approvals – Mr B Mooney, Scamander**

In reference to a question asked by Mr Dudley at the July meeting why Council no longer listed property addresses in the meeting agendas for planning and building approvals, Council responded by saying this was no longer included as the privacy act prevents the listing of private addresses.

I am requesting Council correct their statement that the privacy act prevents the listing of addresses for planning/development/building applications and recommence listing addresses for such approvals.



## Reply

This matter is currently being investigated by Officers and a full response will be provided in due course.

### 08/14.3.0 CONFIRMATION OF MINUTES

#### 08/14.3.1 Confirmation of Minutes – Council Meeting 21 July 2014

##### DISCUSSION:

No discussion took place on this item.

##### COUNCIL DECISION:

08/14.3.1.219 Moved: Clr R Johns / Seconded: Clr G McGuinness

That the minutes of the Council Meeting held on the 21 July 2014 be confirmed.

**CARRIED UNANIMOUSLY**

### 08/14.4.0 COUNCIL WORKSHOPS HELD SINCE 21 JULY 2014 COUNCIL MEETING

There was a Council Workshop held on the 28 July 2014 to discuss further tender processes and a Council Workshop held on the 4 August 2014 and the following items were listed for discussion:

- Lease – St Helens Marine Rescue
- Review – Public Interest Disclosure Policy
- Review – Public Health Warnings (Sewage Spill) Policy
- Review – Debt Collection Policy
- Asset Disposal Policy
- Landfill Investigations
- Flag Pole – Memorial Park RSL
- Planning Items
- Seat Sponsorship
- Shack Site Project – Ansons Bay Foreshore, Ansons Bay
- Risk Assessment – Scamander River Cruises
- Proposed Visitor Information Centre Shop Front
- By Law – Reserves, Parks & Gardens
- Review – Elected Members Allowances and Support Policy
- Review – Elected Member Seeking Involvement in Operational Employment Matters Protocol
- Review – Training and Development for the Mayor and Councillors Policy
- Review – Councillors Code of Conduct Policy

- Review – Vehicle Policy
- Low-Cost Insurance Cover for Small/Informal Groups
- Naming of Park beside St Marys Library
- Tasmanian Association of Community Houses Inc (TACH)
- Council Support for Growing and Using Medicinal Cannabis

## 08/14.5.0 DECLARATION OF PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE

*Section 48 or 55 of the Local Government Act 1993 requires that a Councillor or Officer who has an interest in any matter to be discussed at a Council Meeting that will be attended by the Councillor or Officer must disclose the nature of the interest in a written notice given to the General Manager before the meeting; or at the meeting before the matter is discussed.*

*A Councillor or Officer who makes a disclosure under Section 48 or 55 must not preside at the part of the meeting relating to the matter; or participate in; or be present during any discussion or decision making procedure relating to the matter, unless allowed by the Council.*

Clr Hannah Rubenach advised that she is a member of TransBOD, however she is not an office bearer, agenda item number 08/14.13.7 – Waiver of Fees – Transition Break O’Day (TransBOD Group).

## 08/14.6.0 PETITIONS

Nil

## 08/14.7.0 NOTICES OF MOTION

### 08/14.7.1 Notice of Motion – Pledge of \$15,000 – Community Bank – Clr R Johns

#### DISCUSSION:

- Clr McGuinness stated that a “pledge” does not have to be officially followed through and would like to change the wording to “grant”.
- Clr Johns stated that he does not agree that Council should commit to grant the funds straight away to protect the ratepayers as well as this could be seen as discriminatory to other businesses who have not received the same support.
- Clr McGiveron stated that he fully supports the proposal for the Bendigo Bank, however Council should not be propping up the proposal or financially support a business case or feasibility assessment.
- Clr Tucker agreed with Clr McGiveron and added that he fully supports the bank as it is evident that benefits from this bank are already felt in other areas where they have a presence.
- Clr LeFevre stated that by putting money into the bank would help the people in the area and they give the community money once established in the area.

- Clr Johns stated that competition is a good thing and they give back to the community, there is no risk in pledging \$15,000.

## **COUNCIL DECISION:**

**08/14.7.1.220**

Moved: Clr R Johns / Seconded: Clr M Osborne

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

That Council pledge the amount of \$15,000 to the establishment of a Community Bank in both St Helens and St Marys.

**An amendment was moved:**

**08/14.7.1.221**

Moved: Clr G McGuinness / 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 Council grant the amount of \$15,000 to the establishment of a Community Bank in both St Helens and St Marys.

**Lapsed due to lack of seconder**

**The original motion was put:**

<b>FOR</b>	Clr J LeFevre, Clr M Osborne, Clr R Johns, Clr G McGuinness, Clr H Rubenach
<b>AGAINST</b>	Clr J McGiveron, Clr M Tucker
<b>CARRIED</b>	

**08/14.7.2**

**Notice of Motion – Protection of Local History – Clr R Johns**

## **DISCUSSION:**

- Clr Johns stated that a register would become part of Break O’Day heritage and something for the community as well as newcomers. There are lots of icons all around Break O’Day that unless protected, could be lost.
- Clr McGiveron advised that the St Marys Water Tower is heritage listed.
- Clr LeFevre stated that some items of significance may have to be purchased to be protected, this could become a cost to Council. A register does not stop items from being sold off.
- Clr McGuinness used the examples of the Joss House and the Anchor Wheel which have been removed from the area.

## COUNCIL DECISION:

08/14.7.2.222

Moved: Clr R Johns / Seconded: Clr M Osborne

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

That Council compiles a registry of local historic items and objects issues a statement of significance. This list would protect the importance of these relics to the local community.

**CARRIED UNANIMOUSLY**

08/14.7.3

## Notice of Motion – Tender and Procurement Policy Amendment – Clr M Tucker

## DISCUSSION:

- Clr Tucker stated that we currently have contractors fitting our work in around their other work. The policy needs to be amended to tighten up on timelines. A tender should be one with a preferred commencement and completion date in mind.

## COUNCIL DECISION:

08/14.7.3.223

Moved: Clr M Tucker / Seconded: Clr R Johns

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 Tender and Procurement Policy be amended stating that, “All Tenders should have built into the Tender Document a preferred start date set by Council, this should be based on as needs basis depending on the urgency of the intended works, as well as a completion date. This should be only subject to Force Majeure.”

After the completion date it must state in the Tender Document that penalties apply, these penalties should be of the same standard of penalties that apply to any commercial works completion date that is not met.

**CARRIED UNANIMOUSLY**

**08/14.7.4 Notice of Motion – Tender and Procurement Policy  
Amendment – Clr Mick Tucker**

**DISCUSSION:**

- Clr Tucker stated that we should be keeping the wealth of the economy within our Municipality and supporting local contractors and local employees.
- Clr Johns stated that if the money goes out of our community we will never get it back.

**COUNCIL DECISION:**

**08/14.7.4.224** Moved: Clr M Tucker / Seconded: Clr R Johns

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 Tender and Procurement Policy be amended stating that, “all commercial operators within the Break O’Day municipality should have up to a 7.5% premium loading on price applied to the loading when Tenders are evaluated.

**CARRIED UNANIMOUSLY**

**08/14.7.5 Notice of Motion – Support for Medicinal Cannabis – Clr H  
Rubenach**

**DISCUSSION:**

- Clr Johns stated that anything that can assist with anyone’s pain relief should be investigated.
- Clr McGuinness agreed with Clr Johns as long as it is for legitimate medicinal purposes.
- Clr LeFevre stated that we would need to see how the State and Federal Governments propose to police its use, do not agree with its use being available for open slather.

## COUNCIL DECISION:

**08/14.7.5.225**

Moved: Clr R Johns / 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 makes a statement of support for further investigation, research, trials and ultimately, the legalisation of medicinal cannabis to be grown, processed and prescribed in Tasmania; and that we call on the State and Federal Governments to have compassionate consideration for the legalisation of medicinal cannabis.

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

**08/14.7.6**

**Notice of Motion – St Marys Op Shop Painting – Clr M Osborne**

## DISCUSSION:

- Clr McGuinness stated that this would improve the amenity of the St Marys Streetscape.
- Clr Johns stated that we should seek permission from the land owner. The Acting General Manager advised that this would be sought and provided as part of the report to Council.

## COUNCIL DECISION:

**08/14.7.6.226**

Moved: Clr M Osborne / Seconded: Clr G McGuinness

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

That Council supply the amount of \$318.97 including GST for the St Marys Op Shop committee to paint the op shop to enhance the street scape.

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

## 08/14.8.0 COUNCILLORS QUESTIONS ON NOTICE

Nil

## 08/14.9.0 COUNCILLORS QUESTIONS WITHOUT NOTICE

*Regulation 29 of the Local Government (Meeting Procedures) Regulations 2005 specifies that in putting a Question Without Notice a Councillor must not offer an argument or opinion, draw any inference or make any imputations except so far as may be necessary to explain the question.*

*The Chairperson must not permit any debate of a Question without Notice or its answer.*

### 08/14.9.1 Presentation by Fair Work Australia – Cllr M Tucker

Would Council work with the Chamber of Commerce in regards to arranging a venue and arrange a date for representatives from Fair Work Australia to do a presentation to any interested people and talk to people one on one, providing advice as to what they do and what they are all about?

#### Reply

The Acting General Manager advised that Officer's will investigate this matter further.

### 08/14.9.2 TasWater – Cllr J LeFevre

Could Council request representatives from TasWater to attend a meeting with Council?

#### Reply

Council agreed that obtaining regular updates from TasWater, including face-to-face briefings, would be valuable and Management is following up with TasWater to implement this.

## 08/14.10.0 MAYOR'S & COUNCILLORS COMMUNICATIONS

### 08/14.10.1 Mayor's Communications for Period Ending 21 August 2014

23.07.14	<b>St Helens</b>	- Citizenship Ceremony
28.07.14	<b>St Helens</b>	- Council Workshop
04.08.14	<b>St Helens</b>	- Council Workshop
06.08.14	<b>St Helens</b>	- Northern Tasmania Development (NTD) Executive Committee Meeting
18.08.14	<b>St Helens</b>	- Vietnam Veterans Day Service
19.08.14	<b>St Helens</b>	- Citizenship Ceremony

*This is for Councillors to provide a report for any Committees they are Council Representatives on and will be given at the Council Meeting.*

St Helens and Districts Chamber of Commerce and Tourism – Mayor Sarah Schmerl/Clr Margaret Osborne

- Meeting on Tuesday 19 August 2014.
- Manager Works & Infrastructure addressed the Chamber regarding the Stormwater Upgrade in the Main Street.
- Eric Hutchinson was guest speaker.
- Release of the Feasibility Report for the HMAS Tobruk project. Financial feasibility very strong and no environmental issues.

NRM Special Committee – Deputy Mayor Hannah Rubenach

- No meeting to date.

Business Enterprise Centre (BEC) – Mayor Sarah Schmerl

- Report to the Chamber of Commerce.
- Statistics above targets.
- Special project officer for information sessions for employers.

Star FM – Clr Reon Johns

- Good financial position.

Barway Committee – Clr John McGiveron

- MAST investigating a new channel arrangement for Pelican Point.
- Still very shallow.

Regional Tourism Organisation (RTO) – Clr Margaret Osborne

- Update not available at this time.

Titley Shack Reference Group and the Binalong Bay Foreshore Master Plan – Community Reference Group – Clr Glenn McGuinness

- Received a report from Council's Building Department. Very comprehensive.
- Will be requesting funds from Council to make the building safe and habitable in the first instance.
- The group would like access to the building but are unable due to asbestos being in the building.
- Very positive, all want to see it preserved and a report will be presented to Council.



## 08/14.10.3 Mayor's and Councillor's Items

### Outstanding Reports:

Motion Number	Meeting Date	Council Decision	Comments
07/14.15.4.215	21 July 2014	That the Mayor write to all Coalition Federal Members of Parliament and Senators requesting that the Government reverse its decision to freeze the indexation of Local Government Financial Assistance Grants (FAGs).	Letters sent 30 July 2014.

## 08/14.11.0 BUSINESS AND CORPORATE SERVICES

### 08/14.11.1 Corporate Services – Strategic Plan Activity Report

#### COUNCIL DECISION:

Received.

### 08/14.11.2 Monthly Financial Report

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

- No discussion took place on this item.
- The Manager Corporate Services advised there was nothing further to add as it was only early in the new financial year.

#### COUNCIL DECISION:

**08/14.11.2.227** Moved: Clr R Johns / Seconded: Clr J McGiveron

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

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

**CARRIED UNANIMOUSLY**

### 08/14.11.3 Corporate Services Department Report

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

- The Manager Corporate Services advised that there is a Rates Auction this Saturday at St Marys for properties with unpaid rates.

#### COUNCIL DECISION:

**08/14.11.3.228** Moved: Clr R Johns / Seconded: Clr M Osborne

That the report be received.

**CARRIED UNANIMOUSLY**

### 08/14.11.4 Visitor Information Centre Report

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

- Clr Tucker stated that at the Chamber of Commerce meeting the Tobruk Business Case was discussed and there was discussions in relation to the VIC and possibly relocating to another venue in conjunction with this project. Advice was provided that the East Coast Regional Tourism Organisation are currently reviewing services of VIC's and the matter will be investigated further following the review.
- The Manager Corporate Services advised that a combined approach has been identified as a possible future need.
- Clr McGuinness stated that the statistics show that the visitor numbers are up, however the revenue is down.

#### COUNCIL DECISION:

**08/14.11.4.229** Moved: Clr R Johns / Seconded: Clr M Tucker

That the report be received.

**CARRIED UNANIMOUSLY**

### 08/14.11.5 Risk Management Report

FILE REFERENCE	002\025\001\
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#### DISCUSSION:

No discussion took place on this item.

**COUNCIL DECISION:**

08/14.11.5.230

Moved: Clr R Johns / Seconded: Clr G McGuinness

That the report be received.

**CARRIED UNANIMOUSLY**

**08/14.11.6 Request for Rate Remission – Esk Main Road, St Marys**

FILE REFERENCE	1720421
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**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

08/14.11.6.231

Moved: Clr R Johns / Seconded: Clr J McGiveron

That in accordance with the provisions of s.129 of the *Local Government Act 1993*, Council **approve a remission totalling \$80.00** being the waste management collection charge, levied on the property known as Esk Main Road, St Marys, identified as PID 1720421.

**CARRIED UNANIMOUSLY**

**08/14.11.7 Lease of Council Facilities – St Helens Marine Rescue**

FILE REFERENCE	040\097\001\
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**DISCUSSION:**

This matter was discussed at the August Council Workshop, no further discussion took place.

**COUNCIL DECISION:**

08/14.11.7.232

Moved: Clr R Johns / Seconded: Clr J McGiveron

That Council enter into a long term lease offering independence of operation and maintenance but subject to Council inspection and review.

**CARRIED UNANIMOUSLY**

## 08/14.11.8 Review – Public Interest Disclosure Policy

FILE REFERENCE	002\024\005\
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### DISCUSSION:

This matter was discussed at the August Council Workshop, no further discussion took place.

### COUNCIL DECISION:

**08/14.11.8.233** Moved: Clr R Johns / Seconded: Clr M Osborne

That the Public Interest Disclosure Policy, as amended, be adopted.

**CARRIED UNANIMOUSLY**

## 08/14.11.9 Review – Public Health Warnings (Sewage Spill) Policy

FILE REFERENCE	002\024\006\
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### DISCUSSION:

This matter was discussed at the August Council Workshop, no further discussion took place.

### COUNCIL DECISION:

**08/14.11.9.234** Moved: Clr R Johns / Seconded: Clr M Tucker

That the Public Health Warnings (Sewage Spill) Policy, as amended, be adopted.

**CARRIED UNANIMOUSLY**

## 08/14.11.10 Review - Debt Collection Policy

FILE REFERENCE	002\024\005\
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### DISCUSSION:

- This matter was discussed at the August Council Workshop.
- The Manager Corporate Services advised that the request for the wording be changed for the 2<sup>nd</sup> advice was not undertaken, Council Officer's investigated other options and what Council currently use seems to be fairly standard.

**COUNCIL DECISION:**

**08/14.11.10.235**                    Moved: Clr R Johns / Seconded: Clr M Osborne

That the Debt Collection Policy, as amended, be adopted.

**CARRIED UNANIMOUSLY**

**08/14.11.11**                    **Review - Waste Management Policy**

FILE REFERENCE	002\024\006\
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**DISCUSSION:**

This matter was discussed at the August Council Workshop, no further discussion took place.

**COUNCIL DECISION:**

**08/14.11.11.236**                    Moved: Clr R Johns / Seconded: Clr G McGuinness

That the Waste Management Policy, as amended, be adopted.

**CARRIED UNANIMOUSLY**

**08/14.12.0**                    **WORKS AND INFRASTRUCTURE**

**08/14.12.1**                    **Works and Infrastructure – Strategic Plan Activity Report**

**COUNCIL DECISION:**

Received.

**08/14.12.2**                    **Works and Infrastructure Report**

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

- The Manager Works and Infrastructure advised that he has met with Peter Troode regarding the St Marys Streetscape and the matter will be relisted for the next workshop for further discussion.
- The Manager Works and Infrastructure advised that the landslip rectification works at Beauty Bay have been completed and there is some landscaping works required to complete the area. Clr LeFevre asked whether the walkway which was created by the contractor is going to remain there? The Manager Works and Infrastructure advised that it would, however a boom gate will be placed across the area to

prevent vehicles from driving down. Clr McGiveron asked whether the three (3) blue gums which have been planted in the area are the right trees for where they are planted, the Manager Works and Infrastructure stated that he would investigate what has been planted and where and what is appropriate for the area.

- The Manager Works and Infrastructure advised that officers have been trialling high pressure cleaning on Burns Bay and Stieglitz boat ramps.
- Clr McGuinness asked whether the Manager Works and Infrastructure had been in further contact with the property owners regarding the Leona Road bridge. The Manager Works and Infrastructure advised that he has no further contact with them to date, however he is still investigating options for an alternative access through private property.

#### **COUNCIL DECISION:**

**08/14.12.2.237**

Moved: Clr R Johns / Seconded: Clr M Osborne

That the report be received by Council.

**CARRIED UNANIMOUSLY**

*Adjourned for morning tea at 11.03am  
Meeting resumed at 11.15am*

#### **08/14.12.3      Animal Control Report**

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

- The Acting General Manager advised that the issue with removing excess ducks at St Marys is currently in progress.

#### **COUNCIL DECISION:**

**08/14.12.3.238**

Moved: Clr R Johns / Seconded: Clr G McGuinness

That the report be received by Council.

**CARRIED UNANIMOUSLY**

#### **08/14.12.4      Asset Disposal Policy**

FILE REFERENCE	002\024\003\
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#### **DISCUSSION:**

This matter was discussed at the August Council Workshop, no further discussion took place.

## COUNCIL DECISION:

08/14.12.4.239

Moved: Clr R Johns / Seconded: Clr M Osborne

That Council adopt Asset Management Policy Number AM-15 Asset Disposal, Draft Version 2 (4 August 2014), as the approved policy.

**CARRIED UNANIMOUSLY**

## 08/14.12.5 Landfill Investigations

FILE REFERENCE	033\045\001\
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## DISCUSSION:

This matter was discussed at the August Council Workshop, no further discussion took place.

## COUNCIL DECISION:

08/14.12.5.240

Moved: Clr G McGuinness / Seconded: Clr J McGiveron

That Council endorse the following actions:

Investigate potential landfills sites at Halfway Hill Quarry and a disused quarry opposite lease 8M/2001 on Ansons Bay Road, including:

- Discussion with the Environment Protection Authority on the use of these potential sites as future landfills;
- Carry out groundwater depth tests;
- Conduct a feasibility study including cost-benefit analysis into the establishment and operation of a Level 2 putrescible landfill at both potential sites.

Increase recycling and diversion techniques to reduce the amount of waste being sent to Copping, including

- Carry out a waste assessment on the materials being disposed of at the Scamander Waste Transfer Station. This assessment will provide an estimation of the types and volumes of materials being disposed of the Copping.
- Report on the findings of the waste assessment and look at opportunities for recycling and diversion, including cost benefit analysis.
- Plan, prepare, budget, manage and deliver a waste minimisation campaign for both local communities and local schools.

**CARRIED UNANIMOUSLY**

## 08/14.13.0 COMMUNITY DEVELOPMENT

### 08/14.13.1 Community Services – Strategic Plan Activity Report

#### COUNCIL DECISION:

Received.

### 08/14.13.2 Community Services Report

FILE REFERENCE	N/A
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#### DISCUSSION:

- The Manager Community Services advised that the advertisement for the design, construction and installation of the walkway at Weldborough for the Trail of the Tin Dragon was in the Examiner on Saturday 16 August. To date 21 enquiries have been received.

#### COUNCIL DECISION:

**08/14.13.2.241** Moved: Clr J LeFevre / Seconded: Clr J McGiveron

That the report be received.

**CARRIED UNANIMOUSLY**

### 08/14.13.3 Fee Waiver – St Helens Sports Complex

FILE REFERENCE	004\008\014\
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#### DISCUSSION:

- Clr Osborne asked if groups using the St Helens Sports Complex can be made aware that during netball season there are usually a number of people coming and going. The Manager Community Services advised that these conversations currently take place.

#### COUNCIL DECISION:

**08/14.13.3.242** Moved: Clr R Johns / Seconded: Clr M Osborne

That Council support the Community Keep Fit program being run by the St Helens Neighbourhood House by providing a fee waiver for the financial year July, 2014 to June 2015 (subject to building works) for the St Helens Sports Complex at a cost of \$2,080.

**CARRIED UNANIMOUSLY**



**08/14.13.4 In Principle Support – Planning for Sustainable Tourism on Tasmania’s East Coast**

FILE REFERENCE	002\017\014\
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**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

**08/14.13.4.243** Moved: Clr R Johns / Seconded: Clr M Osborne

That Council in principle adopt “Report 1 – Sustainable Tourism Options Report” which forms part of the Planning for Sustainable Tourism on Tasmania’s East Coast project currently being undertaken in conjunction with our neighbouring Councils, Dorset and Glamorgan Spring Bay.

**CARRIED UNANIMOUSLY**

**08/14.13.5 Request for Sponsorship - Tasmanian Association of Community Houses Inc (TACH) 2014 Conference**

FILE REFERENCE	018\019\001\
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**DISCUSSION:**

- General discussion took place around corporate sponsorship and the number of visitors that the area benefits from during events such as conferences. Conferences are terrific opportunities for promotion of the Municipality.

**COUNCIL DECISION:**

**08/14.13.5.244** Moved: Clr R Johns / Seconded: Clr M Tucker

That Council supports the Tasmanian Association of Community Houses Inc (TACH) conference which is being held in St Helens in September, 2014 by providing a \$2,000 donation to assist with the running of this event.

**CARRIED UNANIMOUSLY**

## 08/14.13.6 Refugee Welcome Zone

FILE REFERENCE	011\030\001\
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### DISCUSSION:

- Clr Johns requested that this item be workshopped further as there is a bit of angst within communities.
- The Manager Community Services advised that there are no expectations on Councils in moving this forward.

### COUNCIL DECISION:

**08/14.13.6.245**                      Moved: Clr M Osborne / Seconded: Clr

That Council sign up as a refugee friendly community by becoming a “Refugee Welcome Zone”.

**Motion lapsed due to lack of seconder**

**Item will be moved to a Council Workshop for further discussion.**

## 08/14.13.7 Waiver of Fees – Transition Break O’Day (TransBOD Group)

FILE REFERENCE	004\005\
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### DISCUSSION:

No discussion took place on this item.

### COUNCIL DECISION:

**08/14.13.7.246**                      Moved: Clr R Johns / Seconded: Clr M Osborne

1. That Council support Transition Break O’Day (TransBOD Group) by waiving hire fees for all Council owned facilities utilised by the group commencing 1 July, 2014 to 30 June, 2015;
2. That bookings are made and confirmed three month in advance so that prospective users of Council owned facilities are aware of these bookings and potential bookings can work around the TransBOD Group; and
3. That TransBOD pay the administration fee of \$25.00 and that Council hold a bond for the financial year.

**CARRIED UNANIMOUSLY**

**08/14.13.8 Request for Financial Assistance – “From Lounge Room to the Community”**

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

- Clr Tucker stated that Fingal stands out as a place that people from Mangana and Mathinna and everywhere else can go to, the project will benefit the community in being centric and for Council to support projects throughout the Municipality.

**COUNCIL DECISION:**

**08/14.13.8.247** Moved: Clr M Tucker / Seconded: Clr R Johns

That Council support this request from the Fingal Valley Neighbourhood House and provide financial assistance in the sum of \$2,592.00 to assist them in running the project “From Lounge Room to the Community”.

**CARRIED UNANIMOUSLY**

**08/14.13.9 RV Friendly Destination - Pyengana**

FILE REFERENCE	011\029\001\
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**DISCUSSION:**

- Clr LeFevre asked whether there were any other places in the Municipality that could fit into this?
- Clr Tucker asked whether we could have an RV Municipality and then within that we have our little centres.

**COUNCIL DECISION:**

**08/14.13.9.248** Moved: Clr M Osborne / Seconded: Clr R Johns

That Council authorise the Acting General Manager to sign a Letter of Understanding with the Campervan and Motorhome Club of Australia Limited (CMCA) to acknowledge a mutual understanding for the Pyengana Recreation Ground to be part of the RV Friendly Destination Scheme.

**CARRIED UNANIMOUSLY**

## 08/14.14.0 DEVELOPMENT SERVICES

### 08/14.14.1 Development Services – Strategic Plan Activity Report

#### COUNCIL DECISION:

Received.

### 08/14.14.2 Development Services Report

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

- The Building Services Coordinator advised that the stakeholder consultation for the Indoor Ball Courts will be commencing next week with the user groups.
- Cllr McGiveron asked how things were progressing with the St Marys Sport Centre. The Building Services Coordinator advised that the tender documents are currently being prepared and then the grant will be applied for.
- Cllr LeFevre asked why officers were changing the locking system on Council facilities. The Building Services Coordinator advised that this is happening progressively so eventually all Council facilities will be on one (1) master key locking system.

#### COUNCIL DECISION:

08/14.14.2.249 Moved: Cllr J LeFevre / Seconded: Cllr J McGiveron

That the report be received.

**CARRIED UNANIMOUSLY**

### 08/14.14.3 Planning Approvals Issued

#### COUNCIL DECISION:

Received.

### 08/14.14.4 Building Services Approvals

#### COUNCIL DECISION:

Received.

## 08/14.14.5      **Seat Sponsorship**

FILE REFERENCE	004\011\009\
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### **DISCUSSION:**

This matter was discussed at the August Council Workshop, no further discussion took place.

### **COUNCIL DECISION:**

**08/14.14.5.250**                      Moved: Clr R Johns / Seconded: Clr M Osborne

That Council:

1. Seek expressions of interest from the community for seating sponsorship;
2. That the amount for seat sponsorship required by the interested party is \$500 for a bench seat and \$1,000 for a picnic table; and
3. That the donations are for Council Municipal Standard only.

**CARRIED UNANIMOUSLY**

## 08/14.14.6      **Shack Site Project – Ansons Bay Foreshore, Ansons Bay**

FILE REFERENCE	031\004\002\
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### **DISCUSSION:**

This matter was discussed at the August Council Workshop, no further discussion took place.

### **COUNCIL DECISION:**

**08/14.14.6.251**                      Moved: Clr M Osborne / Seconded: Clr R Johns

That Council decline the proposal to provide a donation to all properties required to be removed as part of the provisions of the Shack Site Assessment Project in 2002 for regulatory fees that applies to obtaining the required Planning Permit & Demolition Permit for the work.

**CARRIED UNANIMOUSLY**

## 08/14.15.0 GOVERNANCE

### 08/14.15.1 General Manager's – Strategic Plan Activity Report

#### COUNCIL DECISION:

Received.

### 08/14.15.2 General Manager's Report

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

- Cllr Tucker asked where were things at with the Bob Noakes report for the sealing of Ansons Bay Road to Musselroe, and will the meeting with the General Manager and Mayor of Dorset take place before the elections? The Acting General Manager advised that Officers are arranging a telephone link up with Bob Noakes to finalise the two (2) outstanding reports.
- Cllr Tucker asked that when the report is finalised is it possible for Bob Noakes to come down and go through them with Council face to face. Deputy Mayor Rubenach advised that it may be beneficial to see the report first and then arrange a visit with Bob Noakes.

#### COUNCIL DECISION:

**08/14.15.2.252** Moved: Cllr M Tucker / Seconded: Cllr R Johns

That the General Manager's report be received.

**CARRIED UNANIMOUSLY**

### 08/14.15.3 Review – Elected Members Allowances and Support Policy

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

This matter was discussed at the August Council Workshop, no further discussion took place.

#### COUNCIL DECISION:

**08/14.15.3.253** Moved: Cllr G McGuinness / Seconded: Cllr M Tucker

That LG01 – Elected Members Allowances and Support Policy be adopted as amended.

**CARRIED UNANIMOUSLY**

## 08/14.15.4 Review – Elected Members Seeking Involvement in Operational Employment Matters Protocol

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

This matter was discussed at the August Council Workshop, no further discussion took place.

### COUNCIL DECISION:

**08/14.15.4.254** Moved: Clr R Johns / Seconded: Clr M Osborne

That LG04 – Elected Members Seeking Involvement in Operational Employment Matters Protocol be adopted as amended.

**CARRIED UNANIMOUSLY**

## 08/14.15.5 Review – Training and Development for the Mayor and Councillors Policy

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

This matter was discussed at the August Council Workshop, no further discussion took place.

### COUNCIL DECISION:

**08/14.15.5.255** Moved: Clr R Johns / Seconded: Clr J McGiveron

That LG02 – Training and Development for the Mayor and Councillors Policy be adopted as amended.

**CARRIED UNANIMOUSLY**

## 08/14.15.6 Review – Councillors Code of Conduct Policy

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

This matter was discussed at the August Council Workshop, no further discussion took place.

## COUNCIL DECISION:

**08/14.15.6.256**                      Moved: Clr R Johns / Seconded: Clr J McGiveron

That LG03 – Councillors Code of Conduct Policy be adopted as amended.

**CARRIED UNANIMOUSLY**

## **08/14.15.7**                      **Review – Vehicle Policy**

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

This matter was discussed at the August Council Workshop, no further discussion took place.

## COUNCIL DECISION:

**08/14.15.7.257**                      Moved: Clr R Johns / Seconded: Clr M Osborne

That AM12 – Vehicle Policy be adopted as amended.

**CARRIED UNANIMOUSLY**

## **08/14.16.0**                      **PLANNING AUTHORITY**

*Pursuant to Section 25 of the Local Government (Meeting Procedures) Regulations 2005 the Mayor informed the Council that it was now acting as a Planning Authority under the Land Use Planning and Approvals Act 1993.*

## **08/14.16.1**                      **DA089-14 – Dwelling and Garage – 20 Sunbeam Crescent, Beaumaris**

FILE REFERENCE	DA 089-14
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## DISCUSSION:

No discussion took place on this item.



## COUNCIL DECISION:

08/14.16.1.258

Moved: Clr J LeFevre / 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 & Garage** on land situated at **20 Sunbeam Crescent, Beaumaris** described in Certificate of Title 137279/2 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 089-14 received by Council 3 June 2014, together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.

**CARRIED UNANIMOUSLY**

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

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

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

**CARRIED UNANIMOUSLY**

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

# IN CONFIDENCE

**08/14.17.0**

**CLOSED COUNCIL**

**08/14.17.1**

**Outstanding Actions List for Closed Council**

**08/14.17.2**

**Budget Amendment for Staff Salary Increase - Closed Council Item Pursuant To Section 15(2)A 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: Cllr R Johns / Seconded: Cllr J McGiveron: That Council move out of Closed Council.

**CARRIED UNANIMOUSLY**

Deputy Mayor Rubenach thanked everyone for their attendance and declared the meeting closed at 12.06.

.....  
**MAYOR**

.....  
**DATE**