

23 APRIL
2014

COUNCIL MINUTES

Council Chambers



Des Jennings

General Manager, Break O'Day Council

23 April 2014

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04/14.1.0 ATTENDANCE

04/14.1.1 Present

Deputy Mayor Hannah Rubenach
Councillor Donna Coulson
Councillor Reon Johns
Councillor John LeFevre
Councillor John McGiveron
Councillor Margaret Osborne OAM
Councillor Mick Tucker

04/14.1.2 Apologies

Nil

04/14.1.3 Leave of Absence

Mayor Sarah Schmerl
Councillor Glenn McGuinness

04/14.1.4 Staff in Attendance

General Manager, Des Jennings
Executive Assistant, Angela Matthews
Risk Officer, Simone Ewald-Rist (*Item 7.3 – 11.6*)
Manager Corporate Services, Bob Hoogland (*Item 11.2 – 12.2*)
Planning Coordinator/Economic Development Officer, Anita Lewis (*Item 14.2 – 15.2*)
Building Services Coordinator, Jake Ihnen (*Item 14.2 – 15.2*)

04/14.2.0 PUBLIC QUESTION TIME

Two (2) people in the gallery.

In accordance with Section 31 (1) of the Local Government (Meeting Procedures) Regulations 2005 the following questions were submitted in writing prior to the Council Meeting.

04/14.2.1 Pothole in Jason Street, St Helens – Mr J Albury, St Helens

When is Council going to fix the pothole in Jason Street? If Council can't fix it can they get a contractor who can?

Reply

The General Manager advised that this site has been inspected and is listed for consideration in the 2014/2015 Budget. It is not just a pothole that requires filling it is a failure that requires a complete dig out and reseal of a substantial area.

04/14.3.0 CONFIRMATION OF MINUTES

04/14.3.1 Confirmation of Minutes – Council Meeting 17 March 2014

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

04/14.3.1.079 Moved: Clr R Johns / Seconded: Clr J McGiveron

That the minutes of the Council Meeting held on the 17 March 2014 be confirmed.

CARRIED UNANIMOUSLY

04/14.3.2 Confirmation of Minutes – Special Council Meeting 7 April 2014

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

04/14.3.2.080 Moved: Clr D Coulson / Seconded: Clr M Osborne

That the minutes of the Special Council Meeting held on the 7 April 2014 be confirmed.

CARRIED UNANIMOUSLY

04/14.4.0

COUNCIL WORKSHOPS HELD SINCE 17 MARCH 2014 COUNCIL MEETING

There was a Council Workshop held on Monday 7 April and the following items were listed for discussion as well as a presentation from the Healthy House and Acting Police Inspector Bob Baker:

- Request for Waste Fee Reduction
- Rate Recovery Action
- Review of Debt Collection Policy
- Review of Telephone Answering Procedure Policy
- Recreational Vehicle (RV) Policy
- Town Maintenance Levels of Service
- Memorial Gardens
- Beauty Bay Landslide Update
- Kerb and Guttering Future Operations
- Bridge Programs Update
- Alternative Tip Sites
- Capital Works Management
- Walkway from Weldborough
- Titley Shack – Binalong Bay
- Trafalgar Track Upgrade for Oceania 2015 – Orienteering Event
- Review of Council Awards Policy
- Review of Council Fee Remission of Building and Development Fees for Community Groups Policy
- Review of Community Facility Hire Policy
- Review of Community Grants/Assistance policy
- Review of Banner Pole Hire Policy
- Review of Community Engagement Policy
- Rural Resource Zone
- Ball Court Facility
- Review – Elected Members Allowances and Support Policy
- Proposed NBN Tower at Beaumaris

04/14.5.0

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 Tucker advised that he is on the planning committee for the Eddystone Point Lighthouse Celebration.

04/14.6.0 PETITIONS

Nil.

04/14.7.0 NOTICES OF MOTION

04/14.7.1 Notice of Motion – Collection of Unrestrained Dogs – Clr M Tucker

DISCUSSION:

- Clr Tucker stated that there have been instances where farmers have secured stray dogs and then been advised by Council that they are not trained to collect them until the Dog Control Officer is back in the office.
- The General Manager advised that staff are trained to collect dogs if they are restrained on private property.
- It was agreed that a full report would be provided to a Council workshop for further discussion and then presented to Council.

COUNCIL DECISION:

04/14.7.1.081 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 Council needs to train up two (2) of its employees to be able to collect unrestrained dogs.

CARRIED UNANIMOUSLY

04/14.7.2 Notice of Motion – Disposal Policy – Clr R Johns

DISCUSSION:

No further discussion took place on this item. All necessary information was provided in Clr Johns' "Submission in Support of the Motion".

COUNCIL DECISION:

04/14.7.2.082 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 draft a disposal policy for the sale of surplus items/goods/machinery and the like.

CARRIED UNANIMOUSLY

04/14.7.3 Notice of Motion – Donation to Pyengana Church – Clr M Tucker

DISCUSSION:

This item was discussed in the Council Workshop. Clr Tucker provided correspondence from the group and a full report will be forthcoming at a future Council Meeting.

COUNCIL DECISION:

04/14.7.3.083 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 Break O Day Council make a donation to be determined following the tabling of a full report towards the repairs of the Pyengana Church.

CARRIED UNANIMOUSLY

04/14.7.4 Notice of Motion – Eddystone Point Lighthouse 125 Year Celebration – Clr M Tucker

DISCUSSION:

- Clr Tucker stated that all that is requested at this time is Council's in kind support if required.

COUNCIL DECISION:

04/14.7.4.084 Moved: Clr M Tucker / Seconded: Clr J McGiveron

That Council provide in principle support for the provision of in-kind support for the Eddystone Point Lighthouse 125 Year Celebration on the 14 June 2014.

CARRIED UNANIMOUSLY

04/14.8.0 COUNCILLORS QUESTIONS ON NOTICE

04/14.8.1 Status of Council Quarries – Clr M Tucker

To the General Manager,

What is the status of our own Council Quarries re - access and management arrangements, are we able to use our own materials from our own Quarries or are we going to continue to buy in materials.

Reply

Council currently has sufficient gravel resources for routine maintenance and re-sheeting of its roads in the short-term. We have purchased minor amounts from local suppliers in St Helens for unsealed roads pothole patching. In the medium to long term, we are planning to excavate more from our quarries to ensure stockpiles for future maintenance work and re-sheet projects.

04/14.9.0 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.

04/14.9.1 Rubbish Bins – Clr M Tucker

To the General Manager

Can Council put rubbish bins in the car park of the old top pub site and at Beauty Bay car park? These areas are in urgent need of Council rubbish bins.

Reply

The General Manager advised that rubbish bins were relocated to these areas prior to Easter and usage is being monitored.

04/14.10.0 MAYOR'S & COUNCILLORS COMMUNICATIONS

04/14.10.1 Mayor's Communications for Period Ending 23 April 2014

Mayor Sarah Schmerl has been on leave from Monday 3 March 2014 and Deputy Mayor Hannah Rubenach was Acting Mayor.

19.03.14	Launceston	- Local Government Association of Tasmania (LGAT) Meeting
20.03.14	St Helens	- Gary McMurtrie – Healthy House
23.03.14	St Helens	- RSL Annual Reunion Lunch
27.03.14	St Helens	- Meeting St Helens Progress Association
07.04.14	St Helens	- Council Workshop - Special Council Meeting
08.04.14	Scamander	- NRM Committee Meeting
17.04.14	St Helens	- Opening of the Break O'Day Stitchers Exhibition
23.04.14	St Helens	- Council Meeting

04/14.10.2 Councillors Reports for Period Ending 23 April 2014

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

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

- Council representatives were not able to attend.

NRM Special Committee – Deputy Mayor Hannah Rubenach

- Meeting held Tuesday 8 April 2014 – discussed Feral Cat Management Program and the Weed Management Program
- Proposal for Green Army to be submitted soon for Federal Funding.

Business Enterprise Centre (BEC) – Mayor Sarah Schmerl

- No report at this time.

Star FM – Clr Reon Johns

- Next meeting 24 April 2014.

Barway Committee – Clr John McGiveron

- Current dredging contract has been terminated.
- Meeting arranged with MAST for Tuesday 6 May at 11.00am for MAST to provide update as to where things are up to and where to from here.

Regional Tourism Organisation (RTO) – Clr Margaret Osborne

- Meeting held on the 17 April 2014.
- New advertising campaign is ready to go to owners seeking participation.
- The CEO and President are visiting the area this week.
- The CEO advised the Board that the moving of the Free Wi-Fi in St Marys to the St Marys Hotel is underway.

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

- Final Master Plan has been received and will be presented to Council for adoption at the May Council Meeting.

04/14.10.3 Mayor's and Councillor's Items

Outstanding Reports:

Motion Number	Meeting Date	Council Decision	Comments
Nil			

04/14.11.0 BUSINESS AND CORPORATE SERVICES

04/14.11.1 Corporate Services – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

04/14.11.2 Monthly Financial Report

FILE REFERENCE	018\018\001\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

04/14.11.2.085 Moved: Clr J McGiveron / Seconded: Clr M Tucker

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

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

CARRIED UNANIMOUSLY

04/14.11.3 Corporate Services Department Report

FILE REFERENCE	018\018\001\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

04/14.11.3.086 Moved: Clr M Tucker / Seconded: Clr M Osborne

That the report be received.

CARRIED UNANIMOUSLY

04/14.11.4 Corporate Services Capital Works Breakdown Report

COUNCIL DECISION:

Received.

04/14.11.5 Visitor Information Centre Report

FILE REFERENCE	040\028\002\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

04/14.11.5.087 Moved: Clr D Coulson / Seconded: Clr J LeFevre

That the report be received.

CARRIED UNANIMOUSLY

04/14.11.6 Risk Management Report

FILE REFERENCE	002\025\001\
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DISCUSSION:

The Risk Officer advised there was no vandalism to report from the Easter period.

COUNCIL DECISION:

04/14.11.6.088 Moved: Clr R Johns / Seconded: Clr M Osborne

That the report be received.

CARRIED UNANIMOUSLY

04/14.11.7 Submission for Reduced Waste Disposal Fees – Pyengana Dairy Company

FILE REFERENCE	14/3486
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DISCUSSION:

This item has been previously discussed in detail at Councils Workshops.

COUNCIL DECISION:

04/14.11.7.089 Moved: Clr J LeFevre / Seconded: Clr R Johns

That the request for a staged payment of waste disposal fees be refused.

CARRIED UNANIMOUSLY

04/14.11.8 Review – Debt Collection Policy

FILE REFERENCE	002\024\005\
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DISCUSSION:

This item has been previously discussed at a Council Workshop.

COUNCIL DECISION:

04/14.11.8.090 Moved: Clr R Johns / Seconded: Clr J McGiveron

That Council adopt LG18 Debt Collection, as amended.

CARRIED UNANIMOUSLY

04/14.11.9 Review – Telephone Answering Procedure Policy

FILE REFERENCE	002\024\005\
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DISCUSSION:

This item has been previously discussed at a Council Workshop.

COUNCIL DECISION:

04/14.11.9.091 Moved: Clr R Johns / Seconded: Clr M Osborne

That Council adopt LG37 Telephone Answering Procedure, as amended.

CARRIED UNANIMOUSLY

04/14.11.10 Schedule of Fees and Charges 2014/2015

FILE REFERENCE	018\017\004\
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DISCUSSION:

- Discussion took place in relation to cemetery fees and prepaid funerals as well as green waste tip fees for commercial operators who may work on behalf of pensioners or low income earners. These items will be discussed further at a Council Workshop prior to those fees being considered for adoption.

COUNCIL DECISION:

04/14.11.10.092 Moved: Clr R Johns / Seconded: Clr J McGiveron

1. That the Schedule of Fees and Charges for 2014/2015 be adopted as per Section 205 of the *Local Government Act 1993* as proposed except for the Cemeteries and the Commercial Green Waste sections of the fees and charges which will be investigated further.
2. That a moratorium be put on self-disclosure of illegal structures for six (6) month period and once this period ceases the fees will be doubled as per the fees and charges adopted.

CARRIED UNANIMOUSLY

04/14.12.0 WORKS AND INFRASTRUCTURE

04/14.12.1 Works and Infrastructure – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

04/14.12.2 Works and Infrastructure Report

FILE REFERENCE	014\002\001\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

04/14.12.2.093 Moved: Clr R Johns / Seconded: Clr D Coulson

That the report be received by Council.

CARRIED UNANIMOUSLY

04/14.12.3 Works and Infrastructure Capital Works Breakdown Report

COUNCIL DECISION:

Received.

04/14.12.4 Animal Control Report

FILE REFERENCE	003\008\002\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

04/14.12.4.094 Moved: Clr R Johns / Seconded: Clr M Osborne

That the report be received by Council.

CARRIED UNANIMOUSLY

*Meeting adjourned at 11.00am for morning tea
Meeting resumed at 11.10am*

04/14.12.5 St Marys Pacing Club

FILE REFERENCE	027\030\003\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

04/14.12.5.095 Moved: Clr R Johns / Seconded: Clr J McGiveron

That Council receive the report.

CARRIED UNANIMOUSLY

04/14.13.0 COMMUNITY DEVELOPMENT

04/14.13.1 Community Services – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

04/14.13.2 Community Services Report

FILE REFERENCE	N/A
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DISCUSSION:

- Clr Coulson asked whether Carols by Candlelight this year was going to relocate back to Kings Park? The General Manager advised that he was not aware and would investigate and advise.
- Clr Osborne asked if anything was being arranged for Seniors Week this year? The General Manager advised that he would follow up with the Community Services Manager.

COUNCIL DECISION:

04/14.13.2.096 Moved: Clr R Johns / Seconded: Clr J McGiveron

That the report be received.

CARRIED UNANIMOUSLY

04/14.13.3 Community Services Capital Works Breakdown Report

COUNCIL DECISION:

Received.

04/14.13.4 Request for Fee Waiver – Banner Poles – Bay of Fires Art Prize

FILE REFERENCE	004\011\005\
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DISCUSSION:

- Clr Tucker stated that he would like to see fees waived for all community groups requesting use of the banner poles. The General Manager advised that this is the practice, however it requires a Council decision to enable it to be appropriately recognised and recorded as an in kind donation.

COUNCIL DECISION:

04/14.13.4.097 Moved: Clr R Johns / Seconded: Clr D Coulson

That Council support the Bay of Fires Art Prize event by waiving the banner pole hire fees for the month of June 2014 in the amount of \$4,000, for the hire of eight (8) banner poles @ \$500 each.

CARRIED UNANIMOUSLY

04/14.13.5 Seeking Funds to Complete Trail of The Tin Dragon Project at Weldborough

FILE REFERENCE	011\029\008\
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DISCUSSION:

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

COUNCIL DECISION:

04/14.13.5.098 Moved: Clr R Johns / Seconded: Clr J McGiveron

That Council support the Trail of Tin Dragon Project to be constructed at Weldborough and provide additional funding to cover the cost of the development of the car park and interpretative signage to a maximum of \$35,000.00 subject to results of the tender process.

CARRIED UNANIMOUSLY

04/14.13.6 Review – Break O’Day Council Awards Policy

FILE REFERENCE	002\024\004\
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DISCUSSION:

This item has been previously discussed at a Council Workshop.

COUNCIL DECISION:

04/14.13.6.099 Moved: Clr R Johns / Seconded: Clr M Osborne

That Council adopt CB02 Break O’Day Council Awards Policy, as amended and advertise in Councils newsletter the “Recognition of Significant Birthdays and Wedding Anniversaries”.

CARRIED UNANIMOUSLY

04/14.13.7 Review – Council Fee Remission of Building and Development Fees Policy

FILE REFERENCE	002\024\004\
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DISCUSSION:

This item has been previously discussed at a Council Workshop.

COUNCIL DECISION:

04/14.13.7.100 Moved: Clr R Johns / Seconded: Clr M Osborne

That Council adopt CB08 Council Fee Remission of Building and Development Fees for Community Groups Policy, as amended.

CARRIED UNANIMOUSLY

04/14.13.8 **Review – Community Facility Hire Policy**

FILE REFERENCE	002\024\004\
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DISCUSSION:

This item has been previously discussed at a Council Workshop.

COUNCIL DECISION:

04/14.13.8.101 Moved: Clr R Johns / Seconded: Clr J McGiveron

That Council adopt CB07 Community Facility Hire Policy, as amended.

CARRIED UNANIMOUSLY

04/14.13.9 **Review – Community Grants / Assistance Policy**

FILE REFERENCE	002\024\004\
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DISCUSSION:

This item has been previously discussed at a Council Workshop.

COUNCIL DECISION:

04/14.13.9.102 Moved: Clr R Johns / Seconded: Clr D Coulson

That Council adopt CB06 Community Grants/Assistance Policy, as amended.

CARRIED UNANIMOUSLY

04/14.13.10 Review – Banner Pole Hire Policy

FILE REFERENCE	002\024\004\
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DISCUSSION:

This item has been previously discussed at a Council Workshop.

COUNCIL DECISION:

04/14.13.10.103 Moved: Clr J LeFevre / Seconded: Clr R Johns

That Council adopt CB05 Banner Pole Hire, as amended.

CARRIED UNANIMOUSLY

04/14.13.11 Review – Community Engagement Policy

FILE REFERENCE	002\024\004\
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DISCUSSION:

This item has been previously discussed at a Council Workshop.

COUNCIL DECISION:

04/14.13.11.104 Moved: Clr R Johns / Seconded: Clr M Osborne

That Council adopt CB03 Community Engagement, as amended.

CARRIED UNANIMOUSLY

04/14.13.12 Titley Shack – Binalong Bay – Terms of Reference

FILE REFERENCE	031\004\052\
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DISCUSSION:

This item has been previously discussed at a Council Workshop.

COUNCIL DECISION:

04/14.13.12.105

Moved: Clr J LeFevre / Seconded: Clr J McGiveron

That Council:

1. Adopt the Terms of the Reference for the Titley Shack Reference Group which outline the purpose and structure of the group.
2. In conjunction with the Binalong Bay Ratepayers Association ask for expressions of interest in forming a committee of five (5) to form a Titley Shack Reference Group to maintain the "Titley" shack and to deliver a proposal to Council about its opening to the public as a small photographic museum commemorating the history of the area.
3. That Clr Glenn McGuinness be the Councillor representative on the Titley Shack Reference Group

CARRIED UNANIMOUSLY

04/14.14.0 DEVELOPMENT SERVICES

04/14.14.1 Development Services – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

04/14.14.2 Development Services Report

FILE REFERENCE	031\013\003\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

04/14.14.2.106

Moved: Clr R Johns / Seconded: Clr M Tucker

That the report be received.

CARRIED UNANIMOUSLY

INFORMATION

DA NO.	LOCATION		SECTION
227-2013	31 Coffey Drive, Binalong Bay	Dwelling & Carport	57
153-2012	23320 Tasman Highway, Scamander	Dwelling & Shed	56
252-2013	176 Tully Street, St Helens	2 Lot Subdivision	57
273-2013	St Columba Falls Road, Pyengana	3 Lot Boundary Adjustment	58
267-2013	22 Coffey Drive, Binalong Bay	Units x 3	57
184-2013	27749 Tasman Highway, Pyengana	Legalisation of Dwelling Additions	58
251-2013	76 Medeas Cove Esplanade, St Helens	Shed	57
266-2013	84 Main Street, St Marys	Patio	58
014-2014	27 Franks Street, Falmouth	Dwelling & Shed	57
025-2014	36 Treloggen Drive, Binalong Bay	Change of Use to Visitor Accommodation	58
011-2014	34 Treloggen Drive, Binalong Bay	Sunroom & Deck	57
042-2014	34 Quail Street, St Helens	Roof Infill	No permit Required
034-2014	16 Groom Street, St Helens	Verandah Additions	58

INFORMATION

No.	BA No.	Town	Development	Value
1	2012 / 00033	St Helens	New Dwelling	\$217,500.00
2	2014 / 00008	Ansons Bay	New BBQ Shelter & Deck to Dwelling	\$20,000.00
3	2013 / 00221	Scamander	Addition - Enclosed Patio	\$18,000.00
4	2013 / 00200	Ansons Bay	Addition - Dwelling (Bedroom, Living Room Extension, Utility room only)	\$41,000.00
5	2013 / 00256	Falmouth	Addition to Dwelling - Deck / Veranda and New Carport / Garage	\$26,000.00
6	2013 / 00265	Akaroa	New Carport	\$4,320.00
7	2014 / 00010	St Helens	Addition to Shed - Carport only	\$17,114.00
8	2013 / 00177	Scamander	Legalisation of Deck	\$7,200.00
9	2013 / 00012	Ansons Bay	Legalisation of Shed	\$50,000.00
10	2014 / 00021	Ansons Bay	New Shed x 2	\$80,000.00
11	2014 / 00024	Beauty Bay	New BBQ Shelter	\$15,000.00
12	2013 / 00239	Ansons Bay	New Dwelling	\$77,000.00
13	2014 / 00016	Binalong Bay	Solar Panels (10kw)	\$10,000.00

ESTIMATED VALUE OF BUILDING APPROVALS FINANCIAL YEAR TO DATE	2012/2013	2013/2014
	\$16,230,375	\$8,818,262.00
ESTIMATED VALUE OF BUILDING APPROVALS FOR THE MONTH		
MONTH	2013	2014
March	\$1,646,200	\$583,134.00
NUMBER BUILDING APPROVALS FOR FINANCIAL YEAR TO DATE		
MONTH	2012/2013	2013/2014
March	165	117

04/14.14.5 Development Services Capital Works Breakdown Report

COUNCIL DECISION:

Received.

04/14.14.6 Scamander Surf Life Saving Club

FILE REFERENCE	040\095\001\
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DISCUSSION:

- Clr Johns asked whether the toilet and shower facilities would be open for public use? The Building Services Coordinator advised that they would not as they were managed by the Club for the Club members.

COUNCIL DECISION:

04/14.14.6.107 Moved: Clr R Johns / Seconded: Clr D Coulson

1. That Council consent to the construction of the toilet and shower block at Scamander Surf Club.
2. That Council assign Councils Building Services Coordinator to undertake a project Management role (excluding finance management) to ensure the build is in accordance with Council requirements.

CARRIED UNANIMOUSLY

04/14.15.0 GENERAL MANAGER'S REPORT

04/14.15.1 General Manager's – Strategic Plan Activity Report

COUNCIL DECISION:

Received.

04/14.15.2 General Manager's Report

FILE REFERENCE	002\012\001\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

04/14.15.2.108 Moved: Clr R Johns / Seconded: Clr M Osborne

That the General Manager's report be received.

CARRIED UNANIMOUSLY

04/14.15.3 **Governance Capital Works Breakdown Report**

COUNCIL DECISION:

Received.

04/14.15.4 **Australian Local Government Association (ALGA) – 2014 National General Assembly of Local Government – Call for Motion**

FILE REFERENCE	039\001\001\
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DISCUSSION:

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

COUNCIL DECISION:

04/14.15.4.109 Moved: Clr J McGiveron / Seconded: Clr M Osborne

That Council support the following item submitted by the General Manager to the Australian Local Government Association (ALGA) - 2014 National General Assembly of Local Government for consideration.

Motion – Permanent Ban on Super Trawlers

That ALGA call on the Australian Government to legislate a PERMANENT ban on ALL super trawlers operating in Australian waters before November 2014.

National Objective

If the Australian Government allows super trawlers to fish within Australian Waters there will be detrimental effects Nationally.

The threat of factory fishing creating a 'domino effect', decimating fish stocks, jobs and local economies remains unless the Australian Government puts a permanent ban in place.

Summary of Key Arguments

In November 2012 the Federal Government made an amendment to the Environmental Protection and Biodiversity Conservation Act (EPBC Act) to ban super trawlers in the small

pelagic fishery for two (2) years whilst an expert panel reviewed the environmental impacts. This ban is due to expire in November 2014.

We believe that the more spheres of Government that take up this issue placing pressure on the Federal Government to legislate a permanent ban on all super trawlers in Australian Waters, the better likelihood there is of success.

If a Super Trawler was to be allowed to fish in Australian waters and they were to fish off the East Coast of Tasmania the local and regional economy of St Helens and Break O'Day as a whole would be irreversibly downsized. Losses in domestic and export fishery revenues and related employment will be significant. Alternative local/regional employment will not be available, and the majority of the profits from such an enterprise would all go overseas with no financial benefit to local, commercial or recreational fisheries.

CARRIED UNANIMOUSLY

04/14.15.5 Intention to Make New By-Law – Reserves, Parks and Gardens

FILE REFERENCE	008\001\010\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

04/14.15.5.110 Moved: Clr R Johns / Seconded: Clr M Osborne

In accordance with section 156 of the *Local Government Act 1993*, Council resolves to make a by-law for the regulation of reserves, parks and gardens.

CARRIED UNANIMOUSLY

04/14.15.6 Municipal Management Plan (MMP)

FILE REFERENCE	002\017\009\
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DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

04/14.15.6.111

Moved: Clr R Johns / Seconded: Clr M Osborne

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

1. Stormwater Management Plan; and
2. Transport Master Plan

CARRIED UNANIMOUSLY

04/14.15.7 HMAS Tobruk Feasibility Study Funding

FILE REFERENCE	14/3028
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DISCUSSION:

Councillors requested that Management continue to lobby the State Government for their contribution as Council will meet the upfront cost.

COUNCIL DECISION:

04/14.15.7.112

Moved: Clr R Johns / Seconded: Clr J McGiveron

1. That Council endorse the nomination of Councillor Mick Tucker to represent Council as a member of the HMAS Tobruk Sub-Committee.
2. That Council endorse the nomination of the General Manager or Nominee to represent Council as a member of the HMAS Tobruk Sub-Committee.
3. That Council fund the feasibility study for the HMAS Tobruk artificial reef/dive wreck project proposed for Skeleton Bay up to \$65,000 to assist with cash flow until the State Government funds its portion of the project that amounts to \$50,000.

CARRIED UNANIMOUSLY

04/14.16.0 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.

Nil

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 R Johns / Seconded: Clr M Osborne: That Council move into Closed Council.

CARRIED UNANIMOUSLY

IN CONFIDENCE

04/14.17.0 CLOSED COUNCIL

04/14.17.1 Outstanding Actions List for Closed Council

04/14.17.2 Sale of Property for Unpaid Rates - Closed Council Item Pursuant To Section 15(2)J Of The Local Government (Meeting Procedures) Regulations 2005

04/14.17.3 Trafalgar Track Update – Oceania 2015 Orienteering Event – Request for Assistance - Closed Council Item Pursuant To Section 15(2)F Of The Local Government (Meeting Procedures) Regulations 2005

04/14.17.4 Canhams Road Drainage - Closed Council Item Pursuant To Section 15(2)F Of The Local Government (Meeting Procedures) Regulations 2005

Clr Coulson left the meeting at 12.08pm

04/14.17.5 St Helens Sport and Recreation Ground Indoor Ball Court Grant Funding - Closed Council Item Pursuant To Section 15(2)F Of The Local Government (Meeting Procedures) Regulations 2005

Clr Coulson returned at 12.10pm

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

Moved: Clr J LeFevre / Seconded: Clr R Johns: That Council move out of Closed Council.

CARRIED UNANIMOUSLY

Acting Mayor Rubenach thanked everyone for their attendance and declared the meeting closed at 12.48pm.

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ACTING MAYOR

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DATE