

# COUNCIL MINUTES

## Monday 27 June 2016

Council Chambers



John Brown  
General Manager  
Break O'Day Council  
27 June 2016

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## CONTENTS

CONTENTS .....	3
06/16.1.0 ATTENDANCE .....	5
06/16.1.1 Present .....	5
06/16.1.2 Apologies.....	5
06/16.1.3 Leave of Absence .....	5
06/16.1.4 Staff in Attendance .....	5
06/16.2.0 PUBLIC QUESTION TIME.....	6
06/16.3.0 DECLARATION OF PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE.....	8
06/16.4.0 CONFIRMATION OF MINUTES.....	8
06/16.4.1 Confirmation of Minutes – Council Meeting 16 May 2016 .....	8
06/16.4.2 Confirmation of Minutes – Special Council Meeting 6 June 2016.....	8
06/16.5.0 COUNCIL WORKSHOPS HELD SINCE 16 MAY 2016 COUNCIL MEETING .....	9
06/16.6.0 PLANNING AUTHORITY .....	10
06/16.6.1 DA056-2016 – New Dwelling – 66-74 Main Road, Binalong Bay.....	10
06/16.6.2 DA080-2016 – Shed Additions & Front Fence – 12 Main Road, Binalong Bay .....	13
06/16.7.0 PETITIONS.....	16
06/16.8.0 NOTICES OF MOTION .....	17
06/16.8.1 Notice of Motion – Flying Fox at Reids Road Bridge - Clr M Tucker .....	17
06/16.9.0 COUNCILLOR’S QUESTIONS ON NOTICE .....	17
06/16.10.0 COUNCILLOR’S QUESTIONS WITHOUT NOTICE .....	18
06/16.11.0 MAYOR’S & COUNCILLOR’S COMMUNICATIONS.....	18
06/16.11.1 Mayor’s Communications for Period Ending 27 June 2016.....	18
06/16.11.2 Councillor’s Reports for Period Ending 27 June 2016.....	20
06/16.11.3 Mayor’s and Councillor’s Items.....	21
06/16.12.0 BUSINESS AND CORPORATE SERVICES.....	21
06/16.12.1 Corporate Services Department Report .....	21
06/16.12.2 Monthly Financial Report.....	22
06/16.12.3 Visitor Information Centre Report .....	22
06/16.12.4 Adoption of 2016-2017 Rates Resolution .....	23
06/16.12.5 Request for Exemption from Fire Levy & Waste Charge .....	29
06/16.12.6 Request for Removal of Waste Charge .....	29
06/16.12.7 Adoption of 2016-2017 Budget Estimates.....	30
06/16.13.0 WORKS AND INFRASTRUCTURE .....	31
06/16.13.1 Works and Infrastructure Report.....	31
06/16.13.2 Animal Control Report .....	32
06/16.14.0 COMMUNITY DEVELOPMENT .....	32

06/16.14.1	Community Services Report.....	32
06/16.14.2	Great Eastern Trail – Memorandum of Understanding.....	33
06/16.14.3	Request for Donation – Golf Day – Suicide Prevention Australia.....	34
05/16.14.4	Community Garden – Social Enterprise Project .....	34
05/16.14.5	Break O’Day Council Municipal Management Plan – Summary Document.....	35
06/16.15.0	DEVELOPMENT SERVICES.....	36
06/16.15.1	Development Services Report.....	36
06/16.15.2	Planning Approvals Issued .....	36
06/16.15.3	Building Services Approvals .....	36
06/16.15.4	Toilet Block Replacement Program.....	37
06/16.15.5	Revised ‘Pay As You Go’ Proposal.....	37
06/16.15.6	Tasmanian Cat Management Plan - Submission.....	38
06/16.16.0	GOVERNANCE.....	39
06/16.16.1	General Manager’s Report.....	39
06/16.16.2	Binalong Bay Breakwater .....	40
06/16.16.3	Review – Councillors Code of Conduct Policy.....	41
06/16.17.0	CLOSED COUNCIL .....	43
06/16.17.1	Outstanding Actions List for Closed Council .....	43
06/16.17.2	Tender for St Helens Waste Transfer Station Improvement Works - Closed Council Item Pursuant To Section 15(2)D Of The Local Government (Meeting Procedures) Regulations 2015.....	43
06/16.17.3	St Helens Memorial Park Wood Sculptures - Closed Council Item Pursuant To Section 15(2)C Of The Local Government (Meeting Procedures) Regulations 2015	43

**06/16.1.0 ATTENDANCE**

**06/16.1.1 Present**

Mayor Mick Tucker  
Deputy Mayor John McGiveron  
Councillor Margaret Osborne OAM  
Councillor Barry LeFevre  
Councillor John Tucker  
Councillor Kylie Wright  
Councillor Janet Drummond  
Councillor Glenn McGuinness

**06/16.1.2 Apologies**

Nil

**06/16.1.3 Leave of Absence**

Councillor Hannah Rubenach-Quinn

**06/16.1.4 Staff in Attendance**

General Manager, John Brown  
Records Officer, Carol Joyce  
Manager Community Services, Chris Hughes (*Item 1.0 – 14.5*)  
Works and Infrastructure Supervisor, Wayne Polden (*Item 1.0 – 13.2*)  
Manager Corporate Services, Bob Hoogland (*Item 1.0 – 12.7*)  
Building Services Coordinator, Jake Ihnen (*Item 1.0 – 16.1*)  
Planning Officer, Chris Triebe (*Item 1.0 – 6.2*)  
Planning Consultant, Rebecca Green (*Item 1.0 – 6.1*)

## 06/16.2.0 PUBLIC QUESTION TIME

(1) 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.*

### 06/16.2.1 Leak in Road in Jason Street, St Helens – Mr J Albury, St Helens

Mr Albury advised he has been reporting a leak in the road in Jason Street, St Helens for a number of years and nothing ever gets done. Over the weekend the water actually froze.

#### Reply

The leak in the road in Jason Street, St Helens is caused by a natural spring. Investigations have not provided any evidence of failed stormwater or water infrastructure in the area. There are several other spots nearby that also seep from time to time and it gets worse in times of high rainfall. In extended dry periods there is no evidence of water and it's assumed that the spring dries up at these times.

Repairs were listed for consideration in the 2014/15 capital works budget however funding was not approved due to other priorities and the potential cost involved with dealing with the spring, should that even be possible.

A pothole forms at this site sometimes and it is filled with coldmix as required.

The area will be monitored for ice.

### 06/16.2.2 Rate Increase for 2016/2017 – Mr J Albury, St Helens

Mr Albury advised he read in the Mercury newspaper that Break O'Day Council rates would be going up by 4%, 2% above inflation. Who and how did this information get into the newspaper.

#### Reply

The Agenda for the Council meeting on 27 June 2016 is made publicly available on Council's website in accordance with the Local Government Act and Council's procedures. This occurred on 20 June 2016 and the Mercury published the article on Saturday 25 June 2016.

### 06/16.2.3 Binalong Bay Rate Payers Association – June 2016 Meeting – Mrs G Paulsen, Binalong Bay

Having attended the publically advertised June meeting of the Binalong Bay Ratepayers Association (the Association) and as a ratepayer living in the area purported to be represented by this Association, I was disappointed when a request prior to the meeting for previous minutes and the constitution was rejected by the Office bearers. The meeting was abandoned due to a lack of a quorum.

Given my understanding that the Association is an incorporated body that is also charged with the maintenance, management and collection of fees for a public asset, that being the Binalong Bay Tennis Court, I found the behaviour of the Office bearers at the meeting concerning.

On further investigation in the local community it came to my attention that at the last Annual General Meeting, key positions on the Committee were apparently left vacant and one has to question if the Association is functioning in compliance with the Associations Incorporation Act 1964?

Moreover, the Association has seen fit to issue a formal letter to the Australian Government outlining their lack of support for the HMAS Tobruk project. Given the potential economic value this project has to the area and the region more broadly, what authority of the membership the executive represent was in place to issue such a letter?

To that end I ask the following questions of Council:

- 1) Is the Binalong Bay Tennis Court facility and the land upon which it is situated owned by Council or leased from the Crown by Council?
- 2) What (if any) legal agreement is in place for the management and collection of fees for the Tennis Court between Council and the Association?
- 3) Does Council undertake an annual maintenance inspection of the tennis courts?
- 4) Is the Association required to insure the facility? If so are the currency of these insurances checked annually by Council?
- 5) Given the Association collect fees for the use of the tennis courts has Council sighted any financial statements in the past 3 years that shows the amount of fees received and the deposit of those fees into the associations bank account?
- 6) Is Council aware of whether the Association is currently operating in compliance with their constitution and the requirements of the Associations Incorporation Act 1964?
- 7) Does the Association provide Council with copies of the minutes of their meetings?
- 8) Can Council find any record in the minutes of the Associations meetings that show a formal resolution to write to the Australian Government to express no support for the HMAS Tobruk project?

## Reply

- 1) Leased from the Crown by Council.
- 2) Whatever agreement was entered into pre-dates Council's record system.
- 3) Council undertakes regular (3 times per year) inspections.
- 4) The Association is affiliated with Tennis Tasmania, this affiliation includes public liability coverage.
- 5) No.
- 6) No.
- 7) No.
- 8) As per 7, Council does not receive minutes of the Association's meetings.

## 06/16.3.0 DECLARATION OF PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE

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

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

Nil.

## 06/16.4.0 CONFIRMATION OF MINUTES

### 06/16.4.1 Confirmation of Minutes – Council Meeting 16 May 2016

#### OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 16 May 2016 be confirmed.

#### DISCUSSION:

No discussion of significance took place on this item.

#### COUNCIL DECISION:

**06/16.4.1.137** Moved: Clr G McGuinness/ Seconded: Clr M Osborne

That the minutes of the Council Meeting held on the 16 May 2016 be confirmed.

**CARRIED UNANIMOUSLY**

### 06/16.4.2 Confirmation of Minutes – Special Council Meeting 6 June 2016

#### OFFICER'S RECOMMENDATION:

That the minutes of the Special Council Meeting held on the 6 June 2016 be confirmed.

#### DISCUSSION:

No discussion of significance took place on this item.

#### COUNCIL DECISION:

**06/16.4.2.138** Moved: Clr J McGiveron / Seconded: Clr K Wright

That the minutes of the Special Council Meeting held on the 6 June 2016 be confirmed.

**CARRIED UNANIMOUSLY**



## 06/16.5.0 COUNCIL WORKSHOPS HELD SINCE 16 MAY 2016 COUNCIL MEETING

There was a Workshop held on Monday 6 June 2016 and the following items were listed for discussion.

- Request for Removal of Waste Charge – 76 Main Street, St Marys
- Request for Exemption from Fire Levy and Waste Charge
- Quarry Management Update
- Waste Management Update
- Request for Council to Maintain Cameron Street in St Marys
- Request for Donation – Golf Day – Suicide Prevention Australia
- Community Garden – Social Enterprise Project
- Great Eastern Trail – Memorandum of Understanding
- Star FM Sponsorship – Council Involvement Contravenes Broadcast License – For Discussion
- Presentation - Blue Tier Update and Stage Two (2) Proposal
- Toilet Block Replacement Program
- Industrial Land Expansion Options
- Unsightly Articles Response
- Revised 'Pay As You Go' Proposal
- Tasmanian Cat Management Plan – Submission
- Feral Cat Management Program 2016/2017
- Developing Municipal Environmental Sustainability Policy
- LGAT Conference - 20-22 July 2016 for Discussion

## 06/16.6.0 PLANNING AUTHORITY

Pursuant to Section 25 of the Local Government (Meeting Procedures) Regulations 2015 the Mayor informed the Council that it was now acting as a Planning Authority under the Land Use Planning and Approvals Act 1993.

### 06/16.6.1 DA056-2016 – New Dwelling – 66-74 Main Road, Binalong Bay

FILE REFERENCE	DA 056-2016
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#### OFFICER'S RECOMMENDATION:

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 **New Dwelling** on land situated at **66-74 Main Road, Binalong Bay** described in Certificate of Title CT 149855/108 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 056-2016 received by Council 4 April 2016, together with all submitted documentation received and forming part of the development application, except as varied by conditions of this Planning Permit.
2. All runoff from the proposed building must be collected and contained within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. Overflow stormwater disposal from the strata lot must be in accordance with recommendations provided by Pitt & Sherry (report dated 15 January 2015).
3. The areas shown to be set aside for vehicle access and car parking (including visitor parking) must be:
  - a. Completed prior to the use of the development commencing;
  - b. Designed and laid out in accordance with provisions of E6.0 of the *Break O'Day Interim Planning Scheme 2013*;
  - c. Provided with space for access turning and manoeuvring of vehicles on-site to enable them to enter and leave the site in a forward direction;
  - d. Constructed with a pervious dust free surface and drained in a manner that will not cause either a dust or stormwater nuisance to occupants of adjoining properties;
  - e. Line-marked or identified in the case of the visitor car parking spaces only, and contained wholly within the Common Property.
4. Effluent disposal is subject to a Special Plumbing Permit to be issued by Council's Environmental Health Officer.
5. Native vegetation must not be removed outside that necessitated by the proposed development.

#### ADVICE

- 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.

- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.
- Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
- 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

#### **PROPOSAL SUMMARY:**

Application is made for the construction of an additional dwelling on an existing property off Main Road, Binalong Bay. Residential use of the proposed additional multiple dwelling in the Village Zone of Binalong Bay is a permitted use without qualifications, under Table 16.2 of the *Break O'Day Interim Planning Scheme 2013*.

#### **DISCUSSION:**

- Clr LeFevre asked when is too small too small for a block? He advised there had been discussions held last year and he went to have a look at the block and wouldn't have thought you would be able to build on it. Understands why this happens on the mainland but not here.
  - o The Planning Consultant advised there is no density in the planning scheme in this zone and although the site seemed quite tight the designer has taken this into account.
- Clr Drummond asked if the new planning scheme will have size requirements.
  - o Planning Officer responded that at this stage he wasn't aware this would be the case. The main issue was the waste water disposal which Council's Environmental Health Officer (EHO) had confirmed was demonstrated.
- Clr McGuinness stated the whole site was originally a complex and that the goal posts had been moved with stratum titling. There needs to be something done about the block sizes. Samples have been evident of effluent leaking, won't vote against but we need to be mindful and address for the future.

## COUNCIL DECISION:

06/16.6.1.139

Moved: Clr M Osborne/ Seconded: Clr J Tucker

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 **New Dwelling** on land situated at **66-74 Main Road, Binalong Bay** described in Certificate of Title CT 149855/108 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 056-2016 received by Council 4 April 2016, together with all submitted documentation received and forming part of the development application, except as varied by conditions of this Planning Permit.
2. All runoff from the proposed building must be collected and contained within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. Overflow stormwater disposal from the strata lot must be in accordance with recommendations provided by Pitt & Sherry (report dated 15 January 2015).
3. The areas shown to be set aside for vehicle access and car parking (including visitor parking) must be:
  - f. Completed prior to the use of the development commencing;
  - g. Designed and laid out in accordance with provisions of E6.0 of the *Break O'Day Interim Planning Scheme 2013*;
  - h. 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;
  - i. Constructed with a pervious dust free surface and drained in a manner that will not cause either a dust or stormwater nuisance to occupants of adjoining properties;
  - j. Line-marked or identified in the case of the visitor car parking spaces only, and contained wholly within the Common Property.
4. Effluent disposal is subject to a Special Plumbing Permit to be issued by Council's Environmental Health Officer.
5. Native vegetation must not be removed outside that necessitated by the proposed development.

## ADVICE

- 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.
- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.

- Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
- 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

### 06/16.6.2                      DA080-2016 – Shed Additions & Front Fence – 12 Main Road, Binalong Bay

FILE REFERENCE	DA 080-2016
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#### OFFICER’S RECOMMENDATION:

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O’Day Interim Planning Scheme 2013* that the application for **SHED ADDITIONS & FRONT FENCE** on land situated at **12 MAIN ROAD, BINALONG BAY** described in Certificate of Title 76615/1 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 080-16 received by Council 14 April 2016, together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.
2. The shed is approved for non-habitable residential use only and may not be changed without written consent from Council. The installation of facilities and/or any alterations to the shed would therefore require a further development application.
3. The proposed fence is not to be constructed with a maximum height above 1.6m from natural ground level, when measured at any point along the fence line.
4. Works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.
5. Stormwater runoff from the vehicular access to the shed is to be diverted away from the nearby on-site waste water treatment system.
6. All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council’s Manager Works and Infrastructure.

7. The vehicle crossover from the carriageway to the property boundary must be **upgraded** and maintained in general accordance with the vehicular crossing requirements of **LGAT Standard Drawing Urban Roads – Driveways, TSD-R09-v1** and Council’s Manager of Works and Infrastructure, enclosed. 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.
8. 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.
9. 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.
10. Prior to any works commencing on the additions to the existing shed, the engineering design of the proposed retaining wall inside the southern boundary of Certificate of Title 76615 Folio 1 is to be to the satisfaction of the Building Surveyor.

#### **ADVICE**

1. The proposed retaining wall design will be subject to the adjoining property owner’s written agreement as required by Section 121 of the *Building Act 2000*.
2. 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

#### **PROPOSAL SUMMARY:**

Application is made for the construction of two (2) separate additions to an existing shed and the construction of a 1.6m high, concrete core-filled rendered block front fence on a corner property within Binalong Bay.

**ZONE – Low Density Residential**  
**USE CLASS – Residential**

#### **DISCUSSION:**

- Mayor Tucker believed the report is deficient in a couple of cases relating to the officers report advice ‘*The proposed retaining wall design will be subject to the adjoining property owner’s written agreement as required by Section 121 of the Building Act 2000*’. There is no design having been done or approved by adjoining landowner. If adjoining landowner doesn’t agree does this mean the DA doesn’t happen?

- Planning officer replied adjoining property owner would need to advise why they don't agree and mediation would happen. Council actually has the final say and can override.
- Clr McGiveron also stated no design has been done as yet. The area developed is increasing so tightening the performance criteria.
  - Planning officer advised the shed is behind the building line on rear of block. People driving past would be looking at the road going up the hill not the shed.
- Clr McGuinness advised he was thinking along the same lines as the Mayor. He understands it falls within the performance criteria so why is anyone else able to have a say and what happens if adjoining landowner doesn't agree.

## COUNCIL DECISION:

06/16.6.2.140

Moved: Clr G McGuinness/ Seconded: Clr M Osborne

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **SHED ADDITIONS & FRONT FENCE** on land situated at **12 MAIN ROAD, BINALONG BAY** described in Certificate of Title 76615/1 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 080-16 received by Council 14 April 2016, together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.
2. The shed is approved for non-habitable residential use only and may not be changed without written consent from Council. The installation of facilities and/or any alterations to the shed would therefore require a further development application.
3. The proposed fence is not to be constructed with a maximum height above 1.6m from natural ground level, when measured at any point along the fence line.
4. Works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.
5. Stormwater runoff from the vehicular access to the shed is to be diverted away from the nearby on-site waste water treatment system.
6. All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.
7. The vehicle crossover from the carriageway to the property boundary must be **upgraded** and maintained in general accordance with the vehicular crossing requirements of **LGAT Standard Drawing Urban Roads – Driveways, TSD-R09-v1** and Council's Manager of Works and Infrastructure, enclosed. 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.

8. 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.
9. 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.
10. Prior to any works commencing on the additions to the existing shed, the engineering design of the proposed retaining wall inside the southern boundary of Certificate of Title 76615 Folio 1 is to be to the satisfaction of the Building Surveyor.

#### **ADVICE**

3. The proposed retaining wall design will be subject to the adjoining property owner's written agreement as required by Section 121 of the *Building Act 2000*.
4. Activities associated with construction works are not to be performed outside the permissible time frames listed:

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

#### **CARRIED UNANIMOUSLY**

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

## **06/16.7.0          PETITIONS**

Nil.



## 06/16.8.0 NOTICES OF MOTION

*Mayor Mick Tucker vacated the Chair. Deputy Mayor John McGiveron took the Chair*

### 06/16.8.1 Notice of Motion – Flying Fox at Reids Road Bridge - Clr M Tucker

#### **MOTION:**

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 investigate what funding is available through grant funding for a permanent flying fox to be built at Reids Road bridge. This will overcome all flooding issues and medical emergencies, food drop offs etc.

#### **DISCUSSION:**

- Mayor Tucker advised that if grant funding is available we need to have a look at it. If flooding occurred and the marine rescue service was not available it would be a way of getting medicines and essential supplies through.
- Clr McGuinness agreed should at least explore option and can see reasons for a need.
- Clr Drummond asked how many people would benefit.
  - o Clr McGuinness replied around 350 and up to 1000 people in the peak seasons are living or visiting the area.

#### **COUNCIL DECISION:**

**06/16.8.1.141** Moved: Clr M Tucker/ Seconded: Clr J 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 investigate what funding is available through grant funding for a permanent flying fox to be built at Reids Road bridge. This will overcome all flooding issues and medical emergencies, food drop offs etc.

**CARRIED UNANIMOUSLY**

*Mayor Mick Tucker re- took the Chair*

## 06/16.9.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

## 06/16.10.0 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.*

### 06/16.10.1 Closing off of Feeder Roads - Clr J Drummond

Are we able to work with the relevant agencies to close off “feeder” roads onto the Elephant Pass when it is closed?

#### Reply

Works Supervisor spoke to Department of State Growth’s contractor who advised when such events as these happens it is really up to the community to keep themselves informed of road closures etc by updates from Council, Government Departments, Police and SES. The manpower is not available to physically close off all feeder roads and access may also be restricted. If it is deemed that there is immediate danger to residents relevant authorities will endeavour to assist or contact accordingly.

## 06/16.11.0 MAYOR’S & COUNCILLOR’S COMMUNICATIONS

### 06/16.11.1 Mayor’s Communications for Period Ending 27 June 2016

19.05.16	<b>Hobart</b>	– Local Government Association of Tasmanian (LGAT) – General Management Committee (GMC).
19.05.16	<b>St Helens</b>	– East Coast Regional Tourism Organisation (ECRTO) – Special General Meeting.
19.05.16	<b>St Helens</b>	– Break O’Day Business Enterprise Centre, briefing session to Councillors on activities of the BEC and funding situation.
25.05.16	<b>St Helens</b>	– Citizen Ceremony.
25.05.16	<b>Bicheno</b>	– Great Eastern Drive Car Rally, meeting with Glamorgan Spring Bay Council representatives David Metcalf, General Manager and Clr Bertrand Cadart
26.05.16	<b>Hobart</b>	– ex-HMAS Tobruk project, meeting of local project representatives and Federal political representatives (Sen Eric Abetz, Sen Stephen Parry, and Eric Hutchinson MP) with advisers from Premier and Minister for State Growth to discuss and obtain clarity around the State Government position and next steps to move the project forward.
27.05.16	<b>St Helens</b>	– Governor’s Visit – Tours and Civic Reception.
28.05.16	<b>St Marys</b>	– Governor’s Visit – Tours.

01.06.16	<b>Sydney</b>	<ul style="list-style-type: none"> <li>– Ex-HMAS Tobruk, Department of Defence mandatory briefing for potential bidders. Tasmanian presence involved local representatives, Department of State Growth and industry partners. Attended by 5 States who are interested.</li> </ul>
02.06.16	<b>Devils Corner</b>	<ul style="list-style-type: none"> <li>– Tourism Tasmania, function involving local operators and Tourism Tasmania Board. Excellent networking opportunity and chance to discuss local projects and challenges.</li> </ul>
03.06.16	<b>Launceston</b>	<ul style="list-style-type: none"> <li>– Northern Tasmania Development (NTD), Local Government Committee Meeting which discussed the proposed governance structure and the process to transition to the new structure. Presentation received on projects including Fermentation Tasmania which is focussed on value adding to existing industry and produce.</li> </ul>
06.06.16	<b>St Helens</b>	<ul style="list-style-type: none"> <li>– Special Council Meeting.</li> </ul>
07.06.16	<b>St Helens</b>	<ul style="list-style-type: none"> <li>– Forest Lodge Road, meeting with representatives from Resource Management Services and Pentach regarding access to Seaview plantation across Forest Lodge Road. Potentially they may seek a very substantially reduced access to the Forest Lodge Road. Preference for the originally intended route across Rattler Range was expressed by Mayor and General Manager.</li> </ul>
09.06.16	<b>Launceston</b>	<ul style="list-style-type: none"> <li>– TasWater, Special General Meeting which discussed freezing of Dividends. Proposal was agreed to by a substantial majority of Councils (5 voted against).</li> <li>– Royal Flying Doctor Service, meeting with CEO John Kirwan where Mayor and GM were provided with an update on the service and general directions of the RFDS. They have an increased interest in primary health care initiatives and noted Council's response to the Healthy Tasmania 5 Year Strategic Plan.</li> </ul>
09.06.16	<b>St Helens</b>	<ul style="list-style-type: none"> <li>– Federal Election, meeting with Brian Mitchell, Labour Candidate in Federal Election by Mayor and GM. Discussion focussed on the priority projects Council was pursuing and expressed appreciation for the recently communicated position of the Labour Party on the Tobruk Dive Wreck project.</li> </ul>
09.06.16	<b>Scottsdale</b>	<ul style="list-style-type: none"> <li>– Meeting with Senate members.</li> </ul>
10.06.16	<b>St Marys</b>	<ul style="list-style-type: none"> <li>– Council Workshop.</li> <li>– Strategic Planning Workshop.</li> </ul>
11.06.16	<b>St Helens</b>	<ul style="list-style-type: none"> <li>– Bay of Fires Arts Prize – Gala Opening and Presentation.</li> </ul>
14.06.16	<b>St Marys</b>	<ul style="list-style-type: none"> <li>– Presentation Ceremony for Ian Bradbury.</li> </ul>
14.06.16	<b>Mathinna</b>	<ul style="list-style-type: none"> <li>– East North East Cross Country Presentation.</li> </ul>
17.06.16	<b>Launceston</b>	<ul style="list-style-type: none"> <li>– Regional Meeting with Mayors of Flood-Affected Municipalities.</li> </ul>
18.06.16	<b>St Helens</b>	<ul style="list-style-type: none"> <li>– TS Argonaut - Presentation of Award for Most Efficient Training Ship.</li> </ul>
19.06.16	<b>Canberra</b>	<ul style="list-style-type: none"> <li>– Australian Local Government Association (ALGA) – National General Assembly.</li> </ul>
20.06.16	<b>Canberra</b>	<ul style="list-style-type: none"> <li>– Australian Local Government Association (ALGA) – National General Assembly.</li> </ul>
21.06.16	<b>Canberra</b>	<ul style="list-style-type: none"> <li>– Australian Local Government Association (ALGA) – National General Assembly.</li> </ul>

22.06.16	<b>Canberra</b>	– Australian Local Government Association (ALGA) – National General Assembly.
25.06.16	<b>St Helens</b>	– Kids in Care Ball.
27.06.16	<b>St Helens</b>	– Council Meeting.
27.06.16	<b>Four Mile Creek</b>	– East Coast Regional Tourism – Awards Dinner.

## 06/16.11.2 Councillor's Reports for Period Ending 27 June 2016

*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

- No meeting held in June.

### NRM Special Committee – Clr Hannah Rubenach-Quinn/Clr Janet Drummond

- New charter prepared for adoption at July meeting.
- Submission to the Break O'Day Annual Plan 2016/2017 Environmental Policy – Sub-committee.
- Bee Friendly Municipality Policy adopted.
- Report about Cormorants on Georges Bay returned and received by Council.
- Funding for rehabilitation of waste management sites in Stieglitz and Binalong Bay.
- Weed management funding for part time officer in budget.
- Flooding in St Marys and Fingal Valley ongoing issue to be looked at again in July meeting.

### Star FM – Clr Kylie Wright

- Brief discussions around agreement with Council.
- Have been using work for the dole participants for painting etc.
- Installation of solar panels have cut power bills.
- Next meeting 28 June 2016.

### Barway Committee – Clr John McGiveron

- There has been no appeals since representations received on the training wall.
- The floods have helped to flush out the barway.

### Regional Tourism Organisation (RTO) – Clr Glenn McGuinness

- A lot of vigorous discussions about procurement policy. Will be voted at next meeting.
- Four (4) coffee shops have been selected from Launceston and Hobart. Random customers will receive a coffee and be issued with a postcard that has a unique URL containing special offers on the page.
- Tourism awards being held tonight.
- Discussed the salmon farming in Triabunna with Tassal.

### Titely Shack & Binalong Bay Reference Group – Clr Glenn McGuinness

- No meeting held in June.

Mental Health Action Group – Clr Barry LeFevre

- A list is being prepared of providers in the municipality.

**06/16.11.3 Mayor’s and Councillor’s Items**

**Outstanding Reports:**

Motion Number	Meeting Date	Council Decision	Comments
Nil			

**06/16.12.0 BUSINESS AND CORPORATE SERVICES**

**06/16.12.1 Corporate Services Department Report**

FILE REFERENCE	018\018\001\
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**OFFICER’S RECOMMENDATION:**

That the report be received.

**INTRODUCTION:**

The purpose of this report is to provide Councillors with an update of various issues which have been dealt with in the Business and Corporate Service Department since the previous Council Meeting.

**DISCUSSION:**

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

**COUNCIL DECISION:**

**06/16.12.1.142** Moved: Clr J Tucker / Seconded: Clr G McGuinness

That the report be received.

**CARRIED UNANIMOUSLY**

## 06/16.12.2 Monthly Financial Report

FILE REFERENCE	018\018\001\
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### OFFICER'S RECOMMENDATION:

That the following reports for the month ending 31 May 2016 be received:

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

### INTRODUCTION:

Presented to Council are the monthly financial statements.

### DISCUSSION:

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

### COUNCIL DECISION:

**06/16.12.2.143** Moved: Clr B LeFevre/ Seconded: Clr G McGiveron

That the following reports for the month ending 31 May 2016 be received:

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

**CARRIED UNANIMOUSLY**

## 06/16.12.3 Visitor Information Centre Report

FILE REFERENCE	040\028\002\
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### OFFICER'S RECOMMENDATION:

That the report be received.

## INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various issues which are being dealt with by the Visitor Information Centre.

## DISCUSSION:

- Mayor Tucker advised when the Governor had her visit here recently that she was very impressed with the History Room.
- Clr McGiveron advised the history of fishing exhibit was well received.

## COUNCIL DECISION:

06/16.12.3.144

Moved: Clr M Osborne / Seconded: Clr B LeFevre

That the report be received.

## CARRIED UNANIMOUSLY

### 06/16.12.4 Adoption of 2016-2017 Rates Resolution

FILE REFERENCE	018\033\002\
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## OFFICER'S RECOMMENDATION:

That in accordance with the provisions of the *Local Government Act 1993*, Council adopts the rates and charges for the period 1 July 2016 to 30 June 2017 in accordance with the resolutions which follow.

### 1. General Rate:

- 1.1 Pursuant to Section 90 of the *Local Government Act 1993*, Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the Municipal area of Break O'Day for the period commencing 1 July 2016 and ending 30 June 2017, namely a rate of 8.56603 cents in the dollar on the assessed annual value (as adjusted) of the land.
- 1.2 Pursuant to Section 90(4) of the *Local Government Act 1993*, Council sets a minimum amount payable in respect of the general rate of \$529.40
- 1.3 Pursuant to Section 107(1)(a) of the *Local Government Act 1993*, Council declares by absolute majority, that the general rate is varied as follows:
  - (a) For land which has the defined use, of commercial, in accordance with the list provided by the Valuer General, a varied general rate of 8.067780 cents in the dollar of the assessed annual value (as adjusted) of the land

- (b) For land which has the defined use, of primary production excluding forestry, in accordance with the list provided by the Valuer General, a varied general rate of 8.56603 cents in the dollar of the assessed annual value (as adjusted) of the land
- (c) For land which has the defined use, of primary production forestry, in accordance with the list provided by the Valuer General, a varied general rate of 17.11720 cents in the dollar of the assessed annual value (as adjusted) of the land

**2. Service Charges:**

Pursuant to Sections 93, 93A, 94, and 95 of the *Local Government Act 1993*, Council makes the following service rates and service charges on all rateable land within the municipal area of Break O’Day (including land which is otherwise exempt from rates pursuant to Section 87 but excluding Crown Land to which Council does not supply any of the following services) for the period commencing 1 July 2016 and ending on the 30 June 2017, namely:

**2.1 Waste Management:**

Service charges for different waste management services as follows;

- (a) for the making available of waste management services to all land within the municipal area comprising waste disposal areas, waste transfer stations and related waste management facilities, \$170.00;
- (b) for making available the service of a mobile garbage bin collection within each collection area, \$87.90; and
- (c) for each mobile garbage bin supplied, in addition to the first, \$87.90 per bin.

Pursuant to Section 94(3) Council declares, by absolute majority, that the service charges for waste management are each varied within the municipal area according to each of the following factors;

- (d) where land is within a collection area pursuant to sub-paragraph (b) but is vacant and is not used for any purpose, vary the collection service charge to nil;
- (e) where land to which sub-paragraphs (a) or (b) apply is used as a sporting or recreational facility and is a jetty, boat shed, boat ramp or slipway, vary the service charges to nil.

**2.2 Fire Protection (fire service contribution):**

Pursuant to Section 93A of the *Local Government Act 1993* Council makes the following service rates in respect of the fire service contributions it must collect under the Fire Service Act 1979 for the rateable parcels of land within the Municipal area as follows:

<i>District</i>	<i>Cents in the Dollar of AAV</i>
Volunteer brigade rating district	.261783
General land	.551802

Pursuant to Section 93(3) of the *Local Government Act 1993* Council sets a minimum amount payable in respect of this service rate of \$38.00.



### **3. Separate Land:**

**3.1** For the purposes of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the Valuation of Land Act 2001.

### **4. Adjusted Values:**

**4.1.** For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Section 89 of the *Local Government Act 1993*.

### **5. Instalment Payment:**

**5.1** Pursuant to Section 124 of the *Local Government Act 1993*, Council:

- (a)** Decides that all rates are payable by all rate payers by four (4) instalments which must be of approximately equal amounts.
- (b)** Determines that the dates by which instalments are to be paid shall be as follows:
  - (i)** The first instalment on or before 13 September 2016;
  - (ii)** The second instalment on or before 15 November 2016;
  - (iii)** The third instalment on or before 7 February 2017; and
  - (iv)** The fourth instalment on or before 2 May 2017.
- (c)** Where a ratepayer fails to pay any instalment within 21 days of the date on which the rates are due, the full amount owing becomes due and payable in accordance with Section 124 (5) of the *Local Government Act 1993*.

### **6. Discount:**

Pursuant to Section 130 of the *Local Government Act 1993* Council offers to all of the ratepayers who are liable to pay rates and charges a discount of 3% of the rates and charges if they are paid, and received by Council, by one payment on or before 13 September 2016.

### **7. Penalty and Interest:**

**7.1** Pursuant to Section 128 of the *Local Government Act 1993*, if any rate or instalment is not paid on or before the date it falls due then:

- (a)** There is payable a penalty of 6% of the unpaid rate or instalment; and
- (b)** There is payable a daily interest charge of 0.0230137% (8.4% per annum) in respect of the unpaid rate or instalment for the period during which it is unpaid.

### **8. Words and Expressions:**

Words and expressions used both in these resolutions and in the *Local Government Act 1993* or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those Acts.

## **INTRODUCTION:**

This rates resolution for 2016/2017 has been developed on the basis that the budget for the 2016/2017 financial year is approved as part of this Council Meeting. If there are any changes made to the budget then the rates resolution may need to be adjusted to ensure that it is in line with the proposed budget.

## DISCUSSION:

- Manager Corporate Services explained the main thing looked at was the long term financial plan. He also explained about the changes to valuations and that a full valuation is done every six (6) years with an interim every two (2) years. None have been received this year to date.
- Mayor Tucker expressed concern for social media comments and that they bring up hysteria. The rate increase on an average was about 80 cents to \$1 per week per residence.
- General Manager advised staff are also looking at savings. Report to the end of March showed approximately \$75,000 in ongoing savings which helps to reduce the need for increases. Opening the quarries had saved an additional \$68,000 and having the crew in the Fingal valley have all helped.
- Clr McGiveron said we need to look realistically at what has been done in the towns. \$4 million spent in the last few years in St Helens and \$1 million in St Marys last year.
- Clr J Tucker asked what effect the forestry changes have had.
  - o Manager Corporate Services replied minimal changes.
- Clr Osborne advised that people try to compare councils. This doesn't work as for example we have 80 bridges and Devonport only have two (2). Roads are a similar thing, no comparison so you can't compare rates easily.
- Clr McGiveron also stated if we all lived in the same areas and not spread out things would be easier.
- Clr Drummond confirmed getting the budget back to a sustainable state was important. People don't want to see Council taking us into the 'red'.
- Mayor Tucker stated if the stormwater works in St Helens hadn't have been done there would have been flooding of the local businesses.
- 

## COUNCIL DECISION:

**06/16.12.4.145**

Moved: Clr M Osborne/ Seconded: Clr G McGuinness

That in accordance with the provisions of the *Local Government Act 1993*, Council adopts the rates and charges for the period 1 July 2016 to 30 June 2017 in accordance with the resolutions which follow.

### **1. General Rate:**

- 1.1** Pursuant to Section 90 of the *Local Government Act 1993*, Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the Municipal area of Break O'Day for the period commencing 1 July 2016 and ending 30 June 2017, namely a rate of 8.56603 cents in the dollar on the assessed annual value (as adjusted) of the land.
- 1.2** Pursuant to Section 90(4) of the *Local Government Act 1993*, Council sets a minimum amount payable in respect of the general rate of \$529.40

**1.3** Pursuant to Section 107(1)(a) of the *Local Government Act 1993*, Council declares by absolute majority, that the general rate is varied as follows:

- (a) For land which has the defined use, of commercial, in accordance with the list provided by the Valuer General, a varied general rate of 8.067780 cents in the dollar of the assessed annual value (as adjusted) of the land
- (b) For land which has the defined use, of primary production excluding forestry, in accordance with the list provided by the Valuer General, a varied general rate of 8.56603 cents in the dollar of the assessed annual value (as adjusted) of the land
- (c) For land which has the defined use, of primary production forestry, in accordance with the list provided by the Valuer General, a varied general rate of 17.11720 cents in the dollar of the assessed annual value (as adjusted) of the land

**2. Service Charges:**

Pursuant to Sections 93, 93A, 94, and 95 of the *Local Government Act 1993*, Council makes the following service rates and service charges on all rateable land within the municipal area of Break O’Day (including land which is otherwise exempt from rates pursuant to Section 87 but excluding Crown Land to which Council does not supply any of the following services) for the period commencing 1 July 2016 and ending on the 30 June 2017, namely:

**2.1 Waste Management:**

Service charges for different waste management services as follows;

- (a) for the making available of waste management services to all land within the municipal area comprising waste disposal areas, waste transfer stations and related waste management facilities, \$170.00;
- (b) for making available the service of a mobile garbage bin collection within each collection area, \$87.90; and
- (c) for each mobile garbage bin supplied, in addition to the first, \$87.90 per bin.

Pursuant to Section 94(3) Council declares, by absolute majority, that the service charges for waste management are each varied within the municipal area according to each of the following factors;

- (d) where land is within a collection area pursuant to sub-paragraph (b) but is vacant and is not used for any purpose, vary the collection service charge to nil;
- (e) where land to which sub-paragraphs (a) or (b) apply is used as a sporting or recreational facility and is a jetty, boat shed, boat ramp or slipway, vary the service charges to nil.

**2.2 Fire Protection (fire service contribution):**

Pursuant to Section 93A of the *Local Government Act 1993* Council makes the following service rates in respect of the fire service contributions it must collect under the Fire Service Act 1979 for the rateable parcels of land within the Municipal area as follows:

<i>District</i>	<i>Cents in the Dollar of AAV</i>
Volunteer brigade rating district	.261783
General land	.551802

Pursuant to Section 93(3) of the *Local Government Act 1993* Council sets a minimum amount payable in respect of this service rate of \$38.00.

**3. Separate Land:**

**3.1** For the purposes of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the Valuation of Land Act 2001.

**4. Adjusted Values:**

**4.1.** For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Section 89 of the *Local Government Act 1993*.

**5. Instalment Payment:**

**5.1** Pursuant to Section 124 of the *Local Government Act 1993*, Council:

- (a) Decides that all rates are payable by all rate payers by four (4) instalments which must be of approximately equal amounts.
- (b) Determines that the dates by which instalments are to be paid shall be as follows:
  - (i) The first instalment on or before 13 September 2016;
  - (ii) The second instalment on or before 15 November 2016;
  - (iii) The third instalment on or before 7 February 2017; and
  - (v) The fourth instalment on or before 2 May 2017.
- (c) Where a ratepayer fails to pay any instalment within 21 days of the date on which the rates are due, the full amount owing becomes due and payable in accordance with Section 124 (5) of the *Local Government Act 1993*.

**6 Discount:**

Pursuant to Section 130 of the *Local Government Act 1993* Council offers to all of the ratepayers who are liable to pay rates and charges a discount of 3% of the rates and charges if they are paid, and received by Council, by one payment on or before 13 September 2016.

**7. Penalty and Interest:**

**7.1** Pursuant to Section 128 of the *Local Government Act 1993*, if any rate or instalment is not paid on or before the date it falls due then:

- (a) There is payable a penalty of 6% of the unpaid rate or instalment; and
- (b) There is payable a daily interest charge of 0.0230137% (8.4% per annum) in respect of the unpaid rate or instalment for the period during which it is unpaid.

**8. Words and Expressions:**

Words and expressions used both in these resolutions and in the *Local Government Act 1993* or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those Acts.

**CARRIED UNANIMOUSLY**

FILE REFERENCE	Various PID's
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**OFFICER'S RECOMMENDATION:**

That Council allows an exemption of the fire levy and garbage infrastructure charges in line with treatment of land owned by Forestry under Section 106A of the *Local Government Act 1993*.

**INTRODUCTION:**

Council currently allows land owned by Forestry exemption from fire levy and garbage infrastructure charges. Forestry has their own fire service in place and all waste is dealt with on the land or taken to facilities for processing.

**DISCUSSION:**

No discussion of significance took place on this item.

**COUNCIL DECISION:**

06/16.12.5.146

Moved: Clr B LeFevre/ Seconded: Clr G McGuinness

That Council allows an exemption of the fire levy and garbage infrastructure charges in line with treatment of land owned by Forestry under Section 106A of the *Local Government Act 1993*.

**CARRIED UNANIMOUSLY**

FILE REFERENCE	2993368
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**OFFICER'S RECOMMENDATION:**

That Council deny the request due to the property already receiving a 50% remission on service charges and to treat in line with other properties within the municipality.

**INTRODUCTION:**

Council has received correspondence from the property owner requesting a remission for the additional waste management infrastructure charge for tenement properties to be levied on the rates for 2016/2017.

**DISCUSSION:**

No discussion of significance took place on this item.

**COUNCIL DECISION:**

**06/16.12.6.147**

Moved: Clr G McGiveron/ Seconded: Clr J Tucker

That Council deny the request due to the property already receiving a 50% remission on service charges and to treat in line with other properties within the municipality.

**CARRIED UNANIMOUSLY**

**06/16.12.7**

**Adoption of 2016-2017 Budget Estimates**

<b>FILE REFERENCE</b>	018\007\023\
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**OFFICER'S RECOMMENDATION:**

That Council adopt the 2016/2017 Budget Estimates document inclusive of:

1. Budget Income Statement
2. Budgeted Cash Flow Statement
3. Budgeted Capital Expenditure

**INTRODUCTION:**

The Budget Estimates and Rates Resolution are considered annually in accordance with Section 82 of the *Local Government Act 1993* and are prepared in accordance with Council's Long Term Financial Plan.

**DISCUSSION:**

No discussion of significance took place on this item.

**COUNCIL DECISION:**

**06/16.12.7.148**

Moved: Clr J Drummond/ Seconded: Clr K Wright

That Council adopt the 2016/2017 Budget Estimates document inclusive of:

1. Budget Income Statement
2. Budgeted Cash Flow Statement
3. Budgeted Capital Expenditure

**CARRIED UNANIMOUSLY**

## 06/16.13.0 WORKS AND INFRASTRUCTURE

### 06/16.13.1 Works and Infrastructure Report

FILE REFERENCE	014\002\001\
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#### OFFICER'S RECOMMENDATION:

That the report be received by Council.

#### INTRODUCTION:

This is a monthly summary update of the works undertaken through the Works and Infrastructure Department for the previous month and a summary of the works proposed for the coming month, and information on other items relating to council's infrastructure assets and capital works programs.

#### DISCUSSION:

- Clr J Tucker asked what the condition of Forest Lodge Road was since the rains.
  - o Works Supervisor advised that it is good at the bottom but hadn't been up to the top.
- Clr Drummond asked if the fridge degassing program had started as yet.
  - o Works Supervisor advised that it has started.
- Clr McGiveron asked about the status of the Ryans Road bridge. The resident that asked wasn't complaining just checking what is happening.
  - o Works Supervisor replied that he had met with the contractor who has given a few options, these have been given to the General Manager to look at.
  - o General Manager advised he has the report which is looking at a temporary solution and the costs will be approximately \$65,000 for Scamander. It will be a couple of weeks before anything can be done and there will be a further \$10,000 to remove the temporary structure. The other issue at Grimstones Road is the river has moved about eight (8) metres and the cost of the temporary fix there is approximately \$40,000. This can't be a quick fix as it does take time.
- Mayor Tucker stated Council shouldn't be criticised for increases when we need to spend over \$100,000 to assist four (4) properties.
- Clr Wright asked if there was any emergency funding available.
  - o General Manager advised that there is funding for approximately 75% but still would be out of pocket in excess of \$25,000.
- Clr J Tucker stated he is getting really good reports about the condition of North Ansons Road and complimented the works staff.
- Clr Drummond also complimented the works staff on how good St Marys is looking.

#### COUNCIL DECISION:

06/16.13.1.149

Moved: Clr M Osborne/ Seconded: Clr J McGiveron

That the report be received by Council.

**CARRIED UNANIMOUSLY**

## 06/16.13.2 Animal Control Report

FILE REFERENCE	003\008\002\
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### OFFICER'S RECOMMENDATION:

That the report be received by Council.

### INTRODUCTION:

This is a monthly update for animal control undertaken since the last meeting of Council.

### DISCUSSION:

No discussion of significance took place on this item.

### COUNCIL DECISION:

**06/16.13.2.150** Moved: Clr G McGuinness/ Seconded: Clr J McGiveron

That the report be received by Council.

### CARRIED UNANIMOUSLY

*Adjourned for morning tea at 11.12am  
Meeting resumed at 11.24am*

## 06/16.14.0 COMMUNITY DEVELOPMENT

### 06/16.14.1 Community Services Report

FILE REFERENCE	011\034\006\
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### OFFICER'S RECOMMENDATION:

That the report be received.

### INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various issues which are being dealt with by the Community Services Department.



## DISCUSSION:

- Clr Drummond advised the recent Women in Agriculture conference was a fantastic event.

## COUNCIL DECISION:

**06/16.14.1.151**

Moved: Clr J Tucker/ Seconded: Clr B LeFevre

That the report be received.

**CARRIED UNANIMOUSLY**

**06/16.14.2**

**Great Eastern Trail – Memorandum of Understanding**

<b>FILE REFERENCE</b>	011\029\002\
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## OFFICER'S RECOMMENDATION:

That Council enter into a Memorandum of Understanding with the following parties:

The Tasmanian Land Conservancy;  
Glamorgan/Spring Bay Council; and  
East Coast Regional Tourism Organisation

To seek funding, develop and promote the Great Eastern Trail along Tasmania's East Coast.

## INTRODUCTION:

The Tasmanian Land Conservancy is currently funding a pilot stage of the Great Eastern Trail. The pilot stage is from Lagoons Beach to Bicheno, a distance of 29 km.

## DISCUSSION:

No discussion of significance took place on this item.

## COUNCIL DECISION:

**06/16.14.2.152**

Moved: Clr G McGuinness/ Seconded: Clr J Drummond

That Council enter into a Memorandum of Understanding with the following parties:

The Tasmanian Land Conservancy;  
Glamorgan/Spring Bay Council; and  
East Coast Regional Tourism Organisation

To seek funding, develop and promote the Great Eastern Trail along Tasmania's East Coast.

**CARRIED UNANIMOUSLY**

FILE REFERENCE	16/7915
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**OFFICER’S RECOMMENDATION:**

That Council support this request from the Johns Family and provide financial assistance in the sum of \$1,000 to assist them in running of the Golf Day as a fundraiser to support Suicide Prevention Australia.

**INTRODUCTION:**

Council has received a request from Mrs Annette Johns seeking Council’s financial support for this event.

**DISCUSSION:**

No discussion of significance took place on this item.

**COUNCIL DECISION:**

06/16.14.3.153

Moved: Clr J McGiveron/ Seconded: Clr J Drummond

That Council support this request from the Johns Family and provide financial assistance in the sum of \$1,000 to assist them in running of the Golf Day as a fundraiser to support Suicide Prevention Australia.

**CARRIED UNANIMOUSLY**

FILE REFERENCE	011\007\003\
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**OFFICER’S RECOMMENDATION:**

That Council allow THRIVE to utilise the parcel of land named up on the Break O’Day Council Health Precinct plan as community space for the purpose of a social enterprise project – Community Garden.

**INTRODUCTION:**

THRIVE has recently been negotiating with a developer in Tully Street for the use of his land for the purpose of a community garden. Currently these negotiations are at a standstill and members of THRIVE started searching for other locations to which the Community Garden could be located.

**DISCUSSION:**

No discussion of significance took place on this item.

**COUNCIL DECISION:**

**06/16.14.4.154**

Moved: Clr J Tucker/ Seconded: Clr J Drummond

That Council allow THRIVE to utilise the parcel of land named up on the Break O’Day Council Health Precinct plan as community space for the purpose of a social enterprise project – Community Garden.

**CARRIED UNANIMOUSLY**

**06/16.14.5**

**Break O’Day Council Municipal Management Plan – Summary Document**

<b>FILE REFERENCE</b>	002\017\009\
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**OFFICER’S RECOMMENDATION:**

That Council adopt the Municipal Management Plan – Summary Document which makes reference to all strategies/plans that were developed under the Municipal Management Plan project and identifies projects for the next ten years.

**INTRODUCTION:**

The aim of the Municipal Management Plan is to ensure that the future development within the Municipality is undertaken in a strategic and integrated manner. The Plan will establish priorities for works over the next ten (10) years.

**DISCUSSION:**

No discussion of significance took place on this item.

**COUNCIL DECISION:**

**06/16.14.5.155**

Moved: Clr J McGiveron/ Seconded: Clr B LeFevre

That Council adopt the Municipal Management Plan – Summary Document which makes reference to all strategies/plans that were developed under the Municipal Management Plan project and identifies projects for the next ten years.

**CARRIED UNANIMOUSLY**

## 06/16.15.0 DEVELOPMENT SERVICES

### 06/16.15.1 Development Services Report

FILE REFERENCE	031\013\003\
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#### OFFICER'S RECOMMENDATION:

That the report be received.

#### INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various issues which have been dealt with by the Development Services Department since the previous Council meeting.

#### DISCUSSION:

- Building Services Co-Ordinator advised the Break O'Day Community Stadium recently won an award for public architecture.
- General Manager advised he attended the awards dinner and the stadium just missed out on another award and was beaten by Devils Corner.
- Clr McGiveron asked the Building Services Co-Ordinator if as part of his report he could provide updates on what is happening at the stadium.
- Building Services Co-Ordinator gave a brief update of the sports clubs rosters for the stadium.

#### COUNCIL DECISION:

06/16.15.1.156 Moved: Clr J McGiveron/ Seconded: Clr M Osborne

That the report be received.

**CARRIED UNANIMOUSLY**

### 06/16.15.2 Planning Approvals Issued

#### COUNCIL DECISION:

Received.

### 06/16.15.3 Building Services Approvals

#### COUNCIL DECISION:

Received.

## 06/16.15.4 Toilet Block Replacement Program

FILE REFERENCE	004\009\006\
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### OFFICER'S RECOMMENDATION:

That Council accept the updated Toilet Block replacement and upgrade program in accordance with the proposed schedule attached.

### INTRODUCTION:

Council officers have been working hard on asset management planning. This report is to provide Councillors with the current proposed 10 year toilet replacement program which in combination with council's preventative maintenance program councillors can expect to have all Council Toilet blocks at very high condition rating which will meet or exceed the community expectations.

### DISCUSSION:

- Clr Drummond asked if the signage for the public toilets in St Marys could be checked to make sure they are pointing to the correct areas.

### COUNCIL DECISION:

06/16.15.4.157

Moved: Clr J Tucker/ Seconded: Clr B LeFevre

That Council accept the updated Toilet Block replacement and upgrade program in accordance with the proposed schedule attached.

**CARRIED UNANIMOUSLY**

## 06/16.15.5 Revised 'Pay As You Go' Proposal

FILE REFERENCE	004\011\005\
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### OFFICER'S RECOMMENDATION:

1. Do not implement 'Pay as you go' lighting and showers to the Break O day Community Stadium;
2. To continue to implement 'Pay as you go' Showers and energy efficient hot water system as per previous Council decision for any new public amenity buildings;
3. To continue to assess financial benefits and implement energy efficiency measures to council assets such as Solar Power, Solar Hot Water and LED lighting, and
4. That Council accept the report in relation to costs for 'Pay as you go' lightings but do not pursue installation to council assets at this stage.

## INTRODUCTION:

The following Council recommendations were approved for a report to be provided to Council Decision reference: 05/15.13.4.135:

1. 'Pay as you go' showers to be installed in the St Helens Sports Complex Building as soon as possible.
2. Investigate the cost of pay as you go for lighting in Council owned facilities.  
This report has been provided to inform Council of the investigations and officers recommendations as a result of the investigations.

## DISCUSSION:

No discussion of significance took place on this item.

## COUNCIL DECISION:

**06/16.15.5.158**

Moved: Clr M Osborne/ Seconded: Clr J McGiveron

1. Do not implement 'Pay as you go' lighting and showers to the Break O day Community Stadium;
2. To continue to implement 'Pay as you go' Showers and energy efficient hot water system as per previous Council decision for any new public amenity buildings;
3. To continue to assess financial benefits and implement energy efficiency measures to council assets such as Solar Power, Solar Hot Water and LED lighting, and
4. That Council accept the report in relation to costs for 'Pay as you go' lightings but do not pursue installation to council assets at this stage.

**CARRIED UNANIMOUSLY**

**06/16.15.6**

**Tasmanian Cat Management Plan - Submission**

<b>FILE REFERENCE</b>	16/10025
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## OFFICER'S RECOMMENDATION:

That Council submits its comments on the Draft Tasmanian Cat Management Plan to Biosecurity Tasmania.

## INTRODUCTION:

Council is concerned about the impact of feral and stray cats on the municipality and in 2014 started its Feral Cat Management program, working through the framework of the *Cat Management Act 2009* and with Biosecurity Tasmania.

Biosecurity Tasmania has undertaken a review of cat management with state wide stakeholders and in April 2016 proposed changes in a Draft Tasmanian Cat Management Plan.

#### DISCUSSION:

- Clr Drummond asked if Council was moving down the path of micro chipping as not mentioned in the report.
  - o General Manager replied if we go down that path will have to review the budget as there will be a cost involved. De-sexing is a critical issue.

#### COUNCIL DECISION:

**06/16.15.6.159**

Moved: Clr J Drummond/ Seconded: Clr M Osborne

That Council submits its comments on the Draft Tasmanian Cat Management Plan to Biosecurity Tasmania.

**CARRIED UNANIMOUSLY**

## **06/16.16.0 GOVERNANCE**

### **06/16.16.1 General Manager's Report**

FILE REFERENCE	002\012\001\
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#### OFFICER'S RECOMMENDATION:

That the General Manager's report be received.

#### INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various issues which are being dealt with by the General Manager and with other Council Officers where required.

#### DISCUSSION:

- Clr McGiveron stated he was disappointed with the State Governments response to the Tobruk.
- General Manager stated that progress is not happening unless the Government is pushed very hard. Need another meeting with the Premier to have some frank discussions.
- Mayor Tucker thanked the General Manager for the amount of work he has been putting in for this project. He stated that the HMAS Sydney is not viable for our needs and would involve too greater costs, the HMAS Tobruk is what we need and it would be a Tasmanian asset not just Break O'Day.

- Clr LeFevre asked about traineeships so if Council was having a bad year for a particular reason would have people to fall back on. We need to lead the way.
  - o General Manager replied that we are better to use contractors for floods etc as can't claim for staff wages unless it is overtime. It also takes a period of time to put a trainee in place
  - o The General Manager noted that provision had been made in the 2016-17 Budget for two trainees.
- Clr Drummond asked what the issues on Tasman Highway were.
  - o General Manager replied it was about problems being experienced from St Helens to the bottom end of St Marys Pass with sealed shoulders, overtaking and slow vehicle lanes.
  - o The General Manager advised that the meeting with TasWater didn't happen and it was to talk about upgrading of the pump station on the foreshore and that Council had concerns about the reduction in carparking this would cause.
- Clr Osborne asked how the meeting with the post office people went.
  - o General Manager replied they were receptive to selling land for an access road and walkway to the carpark.
- Clr Drummond asked if any closer to the St Marys carparking issues.
  - o General Manager replied we would need to check with the Works Manager.
- Clr LeFevre asked if we had an update yet on the bridge across Grants Lagoon from Parks & Wildlife Service.
  - o General Manager replied nothing definite as yet but that Parks & Wildlife had said it would be done in the near future.

**COUNCIL DECISION:**

**06/16.16.1.160**

Moved: Clr B LeFevre/ Seconded: Clr J Tucker

That the General Manager's report be received.

**CARRIED UNANIMOUSLY**

**06/16.16.2          Binalong Bay Breakwater**

<b>FILE REFERENCE</b>	028\019\001\
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**OFFICER'S RECOMMENDATION:**

That Council advise Marine & Safety Tasmania that Council will take on responsibility for the structure of the Binalong Bay Breakwater on the understanding that funds could be available through the Recreational Boating Fund for future maintenance if it is required.

**INTRODUCTION:**

The Binalong Bay Community Group Inc has been progressing a proposal aimed at improving the safety of the Binalong Bay Boat Ramp by creating a breakwater using an existing offshore reef as a base. They are now requesting Council take over the Breakwater upon completion.



**DISCUSSION:**

- Mayor Tucker stated that he was asking for the online story in The Examiner to be retracted as it was inaccurate reporting.
- Clr McGiveron advised they would need to have very large rocks and that they would need to be pinned down very well and built properly.
- Clr Drummond asked if there was any surety of getting maintenance funding. Does this fit with the Coastal Plan and is there any research/evidence that this will achieve what is expected.
  - o General Manager advised this is in Councils name only and that it is a local community and MAST project and that they are paying. SEMF are doing the current works and design. There are no guarantees with maintenance funding but MAST had said Council would be welcome to apply.
- Clr McGiveron stated the existing rock wall is being increased to cover the weather.

**COUNCIL DECISION:**

**06/16.16.2.161**

Moved: Clr J Tucker/ Seconded: Clr G McGuinness

That Council advise Marine & Safety Tasmania that Council will take on responsibility for the structure of the Binalong Bay Breakwater on the understanding that funds could be available through the Recreational Boating Fund for future maintenance if it is required.

**CARRIED UNANIMOUSLY**

**06/16.16.3                      Review – Councillors Code of Conduct Policy**

FILE REFERENCE	002\024\007\
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**OFFICER’S RECOMMENDATION:**

That LG03 – Councillors Code of Conduct Policy be adopted as amended and reviewed in line with any legislation changes.

**INTRODUCTION:**

The model code has been developed by the Local Government Division (LGD) of the Department of Premier and Cabinet in consultation with LGAT, the Integrity Commission and the current Members of the LGAT Standards Panel.

**DISCUSSION:**

No discussion of significance took place on this item.

**COUNCIL DECISION:**

**06/16.16.3.162**

Moved: Clr J McGiveron/ Seconded: Clr J Tucker

That LG03 – Councillors Code of Conduct Policy be adopted as amended and reviewed in line with any legislation changes.

**CARRIED UNANIMOUSLY**

*Pursuant to Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 that Council move into Closed Council.*

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

**CARRIED UNANIMOUSLY**

# IN CONFIDENCE

**06/16.17.0**            **CLOSED COUNCIL**

**06/16.17.1**            **Outstanding Actions List for Closed Council**

**06/16.17.2**    **Tender for St Helens Waste Transfer Station Improvement Works - Closed Council Item Pursuant To Section 15(2)D Of The Local Government (Meeting Procedures) Regulations 2015**

**06/16.17.3**    **St Helens Memorial Park Wood Sculptures - Closed Council Item Pursuant To Section 15(2)C Of The Local Government (Meeting Procedures) Regulations 2015**

*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**

.....  
**DATE**