



**Ordinary Council Meeting Minutes
Monday 20 February 2006
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1. PRESENT

Mayor Roger Self, Deputy Mayor Gary Alexander, Councillors Joan Fazackerley, Peter Wilson, Allen Briggs, Bruce Wiggins, Roseanne Heyward, Audrey Noye, Jan Barwick, General Manager David Laughler (until item 14e), Executive Officer David Moser (proxy for General Manager from item 14f)

2. APOLOGIES

Nil

3. DECLARATION OF INTEREST

Nil

4. CONFIRMATION OF MINUTES

a. Minutes of the Ordinary Council Meeting held Monday 16 January 2006

Recommendation 10/2006

Moved: Councillor Briggs Seconded: Councillor Wilson

That the Minutes of the Ordinary Council Meeting held Monday 16 January 2006 be confirmed, with the following amendment:

- Paragraph 11 (Page 12) to include the word "maintenance".

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward, Noye, Wiggins, Wilson

Against: Nil

CARRIED

b. Minutes of the Community Advisory Committee Meeting held Wednesday 25 January 2006

Recommendation 11/2006

Moved: Councillor Alexander Seconded: Councillor Heyward

That the Minutes of the Community Advisory Committee Meeting held Wednesday 25 January 2006 be received.

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward, Noye, Wiggins, Wilson

Against: Nil

CARRIED

c. Minutes of the Tasman Entertainment Centre Committee Meeting held Tuesday 31 January 2006



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Recommendation 12/2006

Moved: Councillor Wilson Seconded: Councillor Alexander
That the Minutes of the Tasman Entertainment Centre
Committee Meeting held Tuesday 31 January 2006 be received.
In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson
Against: Nil
CARRIED

**d. Minutes of the Tourism and Economic Development
Committee Meeting held Monday 6 February 2006**

Recommendation 13/2006

Moved: Councillor Briggs Seconded: Councillor Wiggins
That the minutes of the Tourism and Economic Development
Committee Meeting held Monday 6 February 2006 be received.
In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson
Against: Nil
CARRIED

**e. Minutes of the Engineering Services Committee Meeting
held Tuesday 24 January 2006**

Recommendation 14/2006

Moved: Councillor Briggs Seconded: Councillor Barwick
That the minutes of the Engineering Services Committee
Meeting held Tuesday 24 January 2006 be received.
In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson
Against: Nil
CARRIED

Recommendation 15/2006

Moved: Councillor Wiggins Seconded: Councillor Briggs
That Council endorse the recommended changes to the Terms of
Reference for the Engineering Services Committee as below:
(i) That Clause 2 of the terms of reference be amended to
include: *“Report back to Council in relation to any other
matters that may be referred to them by any meeting of full
Council.”*
In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson
Against: Nil
CARRIED

**f. Minutes of the Planning and Compliance Committee
Meeting held Friday 27 January 2006**

Recommendation 16/2006



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Moved: Councillor Alexander Seconded: Councillor Heyward
That the minutes of the Planning and Compliance Committee
Meeting held Friday 27 January 2006 be received.

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson
Against: Nil

CARRIED

**g. Minutes of the Recreation Grounds and Facilities
Committee Meeting held Tuesday 7 February 2006**

Recommendation 17/2006

Moved: Councillor Noye Seconded: Councillor Wiggins
That the minutes of the Recreation Grounds and Facilities
Committee Meeting held Tuesday 7 February 2006 be received.

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson
Against: Nil

CARRIED

5. PUBLIC QUESTION TIME

- Mr Paul Wiggins asked about action being taken on the dispute with Prices Flat Road.
Mr Wiggins was advised by the General Manager that Council were aware of the issue and were working with the proponents on a potential solution
- Mr J Hansen asked about action being taken on the dispute with Prices Flat Road.
Mr Hanson was advised by the General Manager that the question had largely been answered, however in respect to the specifics of his statement it was not true that the road had been closed to public access and that strands of barbed wire had been strung across the public road causing a dangerous situation. Further that whilst he (Mr Hanson) had an understanding of the legislation, Council would be guided by the advice it received from its legal experts rather than rely upon his interpretation.
- Mr Paul Wiggins asked about actions being taken on road closures.
Mr Wiggins was advised by the General Manager that there was an existing matter to be determined by the Supreme Court and that Council's legal advice was not to take pre-emptive action, however should a member of the public choose to block a busy access road Council would consider its potential actions at that time.
- Ms Tracey Watson asked about hang-gliding activity, and the smell from the chicken farm near/at Alfred Street Nubeena.



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In relation to the hang gliding activity Ms Watson was advised by the General Manager that he was unaware of any application involving such an activity, however should one be received in the near future Council would advise her of same.

In relation to the smell from to a chicken farm near her property Ms Watson was advised by the General Manager that she could further discuss her concerns with Council's Environmental Health Officer, however it would appear that she may be advised to seek her own independent legal advice.

6. DEPUTATION/ ADDRESSORS TO COUNCIL

Nil

7. MAYOR AND COUNCILLOR REPORTS

Council noted the following reports:

- Mayor's report as tabled.
- Deputy Mayor's report as tabled.
- Cr Wiggins verbally reported on the Copping Joint Authority: lease negotiations; NRM support and management plan; request from gun club to extend range; and tour of site. In relation to each of the first three items the General Manager advised that further information should be sought and an assessment report be tabled prior to any decision being made by Council. In respect to the final item, Councillor Wiggins undertook to facilitate a visit to the site for all interested Councillors.
- Cr Noye reported on the Port Arthur Region Marketing Board meeting.
- Cr Briggs reported on an approach he had received from a Martin Beck who wants to explore setting up a water-based business at the Port Arthur jetty and asked whether the jetty was a public jetty.

The General Manager undertook to ascertain the status of the Port Arthur Jetty.

8. COUNCIL WORKSHOPS

(a) Delegations - 20 January 2006

Mr Graeme Yeoland addressed Councillors and facilitated the workshop to review delegations of Council. All Councillors were in attendance.

(b) Waste Management - 23 January 2006



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Mr Mike Griffiths of Southern Waste Strategy Authority addressed Councillors and any attending members of the public with regard to Waste Management in the Tasman Region.

**(c) Tourism and Economic Development Committee KPI -6
February 2006**

Those in attendance were Mayor Roger Self, Councillors Allen Briggs, Audrey Noye and Mr Stephen Large, Ms Maria Stacey, Ms Vicki Skeggs, Mr David Laugher.

9. PETITIONS

Nil

10. QUESTIONS ON NOTICE

Nil

11. QUESTIONS WITHOUT NOTICE

- Cr Briggs asked if a copy of the Council's road asset register and map could be provided to all Councillors.
The General Manager advised that this will be arranged.
- Cr Heyward asked if the Councillors' site visit to the MPS could be organised for Wednesday, 1st March at 11.30am.
The General Manager advised that he would ascertain the availability of staff and advise Councillors accordingly.
- Cr Barwick asked if a copy of the Council's Policies Register could be provided to all Councillors and if an updated list of actions items from Council meetings could be provided to Councillors.
The General Manager advised that copies of the policies would be provided and that the tasks/action list of decision status would be included in future agenda papers.

12. URGENT MATTERS

Recommendation 18/2006

Moved: Councillor Wiggins Seconded: Councillor Barwick
That the urgent matter of Councillor Allowances Policy be discussed.

The General Manager advised that whilst there was an existing policy in place a review was currently being undertaken and that this matter would be listed for consideration on the March 2006



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Council agenda. No further advice could be provided at this time.

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson
Against: Nil
CARRIED

Recommendation 19/2006

Moved: Councillor Wiggins Seconded: Councillor Wilson
That the urgent matter of Prices Flat Road be discussed.

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson
Against: Nil

*Council held a discussion regarding the Prices Flats Road issue.
The General Manager advised that this item did not appear to constitute
an urgent matter as defined within the meaning of the Local
Government Meeting Procedures Regulations, and that in any event it
was not possible to provide qualified advice on the item.*

CARRIED

Recommendation 20/2006

Moved: Councillor Wiggins Seconded: Councillor Briggs
That the [urgent matter of] the public placement of recycling
bins be discussed.

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson
Against: Nil

*The General Manager indicated that he was not in a position to provide
advice in respect to this matter at this time. Councillor Wiggins advised
Council that he was not happy about an alleged misuse of public place
recycling bins.*

*The General Manager advised that the Council meeting was an
inappropriate forum to lodge a complaint and that should Councillor
Wiggins wish to provide him with the particulars of his complaint it
would be investigated.*

CARRIED

13. NOTICES OF MOTION

Nil

14. NEW BUSINESS

a. Council Policies

Recommendation 21/2006

Moved: Councillor Noye Seconded: Councillor Wiggins



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That the General Manager be directed to develop a policy document within broad terms of reference as follows:
That if a road appears on the Council assets map or register, and is maintained by Council, then Council shall keep open to the public access to these roads.

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward, Noye, Wiggins, Wilson
Against: Nil
CARRIED

Councillor Noye left the meeting at 12.24pm.

b. Application for Rates Exemption

Recommendation 22/2006

Moved: Councillor Briggs Seconded: Councillor Alexander
That Council grant an exemption from rates for the Sommers Bay Jetty Association (Inc) in respect to the Sommers Bay Jetty (Crown Land Structure No 3608).

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward, Noye, Wiggins, Wilson
Against: Nil
CARRIED

Councillor Noye returned to the meeting at 12.26pm

c. Times and Days for Council Meetings

Recommendation 23/2006

Moved: Councillor Heyward Seconded: Councillor Alexander
That Council agrees to retain its current commencement time and day for ordinary meetings as 10.00am on the third Monday of the month (and the third Tuesday of the month where the Monday falls on a public holiday).

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward, Noye, Wiggins, Wilson
Against: Nil
CARRIED

d. MPS Six Monthly Report

Recommendation 24/2006

Moved: Councillor Wiggins Seconded: Councillor Barwick
That Council accept the MPS Six Monthly Report as provided.

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward, Noye, Wiggins, Wilson
Against: Nil
CARRIED

e. Judd Park Toilets



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Recommendation 25/2006

Moved: Councillor Wiggins Seconded: Councillor Noye
That Council include in its budget workshop for 2006/2007
consideration of an allocation to renew/upgrade the public
facility.

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson

Against: Nil

CARRIED

The meeting adjourned for lunch at 12:45pm.

General Manager left the meeting. Executive Officer, David Moser, joined the meeting as his proxy when the meeting resumed after lunch.

The meeting resumed at 1.20pm.

The meeting, with the exception of Councillor Barwick, resumed at 1.20pm.

f. Change to Terms of Reference for Business Enterprise and Recreational Grounds and Facilities Committees

Recommendation 26/2006

Moved: Councillor Noye Seconded: Councillor Alexander

That Council agrees to:

- Amend the Terms of Reference of the Business Enterprise Committee such that the first part of Clause 13, Meetings, is changed to read:
The Business Enterprise Committee shall meet at least once every three months (and normally monthly) and special meetings shall be called by the Chairperson or his/her delegate. Normal meetings, to be held in the Council Chambers, shall occur on the 2nd Wednesday of the Month. The commencement time for meetings is to be determined by the members of the Committee at an appropriate time prior to the meeting.
- Amend the Terms of Reference of the Recreational Grounds and Facilities Committee such that sub-Clause 4(b) is changed to read:
The Membership of the Committee shall comprise of persons all of whom shall be appointed by the Council and shall consist of the following:
 - up to four Councillors;
 - the General Manager or his nominee; and



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- *one representative from each of the separate hall or ground sub-committees.*

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson
Against: Nil
CARRIED

Councillor Barwick returned to the meeting at 1.28pm.

g. Key Performance Indicators for Customer Service Charter

Recommendation 27/2006

Moved: Councillor Wiggins Seconded: Councillor Briggs
That Council endorses the proposed list of key performance indicators, and measurement mechanisms as provided and tasks the General Manager with providing a monthly report on these indicators to Council.

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson
Against: Nil
CARRIED

h. Councillor Training Options

Recommendation 28/2006

Moved: Councillor Noye Seconded: Councillor Wiggins
That the General Manager investigate further Councillor training options, including:

- the potential for the Local Government Association of Tasmania to provide training packages similar to those offered by LG Performance;
- whether the LG Performance packages are available for a broader group of participants or to a group of Councils; and/or
- whether the LG Performance modules can be purchased over a wider time period.

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson
Against: Nil
CARRIED

i. Tasman Farmers Market – Request for Fees Review

Recommendation 29/2006

Moved: Councillor Wilson Seconded: Councillor Heyward
That Council review the rate to be charged to community groups for regular use of the community centre facilities and either set a new rate, or agree to a variance of the rate solely for the current use by the Tasman Farmers Market group. Accordingly, the Council agrees that the Tasman Farmers' Market group be



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required to pay, by Friday 24 February 2006, the full agreed fee of \$180 per day for the first four Sundays of use in 2006, and that the fee for this group for the use of the Tasman Community Centre facility for the remainder of 2005-2006 be set at \$100 per day. This arrangement is to allow help for the group to establish the markets for this financial year and the fees for use of facilities will be reviewed by Council at its Budget workshop.

In favour: Councillors Self, Barwick, Briggs, Fazackerley, Heyward, Wiggins, Wilson
Against: Councillors Noye, Alexander

CARRIED

j. General Managers Monthly Report

The Council noted the General Manager's report and, supplementary MPS report for January 2006.

15. PLANNING

Nil

16. FINANCE REPORT

Recommendation 30/2006

Moved: Councillor Alexander Seconded: Councillor Wiggins
That Council accept the January 2006 Finance Report as tabled.

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson

Against: Nil

CARRIED

17. CLOSED COUNCIL

Recommendation

Moved: Councillor Heyward Seconded: Councillor Wiggins
That the Council meeting be closed to the public as at 2.21pm.

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson

Against: Nil

CARRIED

18. OPEN COUNCIL

The meeting was re-opened to the public as at 2.31pm.

Recommendation 31/2006

Moved: Councillor Alexander Seconded: Councillor Wiggins
That Council moves back into Questions Without Notice.



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In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson

Against: Nil

CARRIED

Councillor Noye expressed concern about the lack of a safety fence around the new skateboard facility at Judd Park.

Recommendation 32/2006

Moved: Councillor Noye Seconded: Councillor Briggs
That Council, via advice from the General Manager, assess the need for, and the cost of, a safety fence around the perimeter of the skateboard node at Judd Park.

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson

Against: Nil

CARRIED

Councillor Wilson asked about the status of the safety compliance issues related to the Tasman Community Centre, and advised that there had been problems with the water supply to the outside toilets.

Recommendation 33/2006

Moved: Councillor Wilson Seconded: Councillor Wiggins
That Council gives authorisation to Councillor Wilson to order water for the Tasman Community Centre, and a second water order if required, and to investigate the installation of a safety cut-out switch for the water pump (estimated cost of \$65.00) and the cost of repairs to the outside (men's) urinal.

In favour: Councillors Self, Alexander, Barwick, Briggs, Fazackerley, Heyward,
Noye, Wiggins, Wilson

Against: Nil

CARRIED

18. NEXT MEETING

The next meeting is to be held on Monday 20 March 2006, commencing at 10.00am in the Council Chambers.

Mayor Self closed the meeting at 2.45pm