



# COUNCIL MEETING MINUTES

Monday 19 February 2024  
Council Chambers, St Helens

John Brown, General Manager  
Break O'Day Council  
19 February 2024

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## AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

As determined by Break O’Day Council in March 2019 all Ordinary, Special and Annual General Meetings of Council are to be audio recorded and a link will be available on the Break O’Day Council website where the public can listen to audio recordings of previous Council Meetings.

*In accordance with the Local Government Act 1993 and Regulation 33 of the Local Government (Meeting Procedures) Regulations 2015, these audio files will be retained by Council for at least six (6) months and made available for listening online within seven (7) days of the scheduled meeting. The written minutes of a meeting, once confirmed, prevail over the audio recording of the meeting and a transcript of the recording will not be prepared.*

## OPENING

*The Mayor welcomed Councillors and staff and declared the meeting open at 10.00am.*

## ACKNOWLEDGEMENT OF COUNTRY

*We acknowledge the Traditional Custodians of the land on which we work and live, the Palawa people of this land Tasmania, and recognise their continuing connection to the lands, skies and waters. We pay respects to the Elders Past, present and future.*

### 02/24.1.0 ATTENDANCE

#### 02/24.1.1 Present

Mayor Mick Tucker  
Deputy Mayor Kristi Chapple  
Councillor Gary Barnes  
Councillor Ian Carter  
Councillor Janet Drummond  
Councillor Liz Johnstone  
Councillor Barry LeFevre  
Councillor Vaughan Oldham  
Councillor Kylie Wright

#### 02/24.1.2 Apologies

Nil

### 02/24.1.3 Leave of Absence

Nil

### 02/24.1.4 Staff in Attendance

General Manager, John Brown  
Corporate Services Coordinator, Angela Matthews  
Business Services Manager, Raoul Harper (*Item 1.0 – 17.5*)  
Manager Community Services, Chris Hughes (*Item 1.0 – 16.1*)  
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 17.7*)  
Executive Officer, Jayne Richardson (*Item 1.0 – 18.3*)  
NRM Facilitator, Polly Buchhorn (*Item 15.1 – 16.3*)

## 02/24.2.0 PUBLIC QUESTION TIME

One (1) person in the gallery.

*In accordance with Section 31(1) of the Local Government (Meeting Procedures) Regulations 2015 the following questions were submitted in writing prior to the Council Meeting.*

### 02/24.2.1 St Marys to Cornwall Trail – Clr J Drummond obo Mr G Luck & Ms J Hargreaves, St Marys

Regarding the St Marys to Cornwall Trail. The priority for the trail is listed as High in the “Recreational Trails Strategy”.

I’d like to know if a budget has been developed for the 5km section from St Marys to Cornwall, and if so, what the cost estimate is. I’d also like to know what options we have for funding.

#### Reply

There is currently no budget for this proposed project. This section traverses through four (4) different land owners and the actual train line is under the control of the Commonwealth. All fences and in some instances, bridges have been removed so will need to be replaced – adding to the cost of the project.

Council has undertaken a flora and fauna report in relation to this project and it has come back that weeds are of major concern as well as how any project utilising the existing train line manages creek crossings in the area. Council always looks for funding for projects that have been identified, and in most cases they require a 50/50 contribution so Council will in most instances need to contribute some funding towards this project. For example, an approximate cost of fencing is \$75 per metre – 5kms of animal fencing required x 2 (either side of the train trail) = \$750,000. Council officers are currently working through the Trails identified within the Recreational Trails Strategy in preparation for a report to the Council on the priorities to focus on having regard to a range of factors.

## 02/24.2.2

### Bicycles – Clr J Drummond obo Mr P Vonarburg, Beaumaris

I am concerned for the bicyclists travelling along the bay into St Helens. Would it be possible for Council to increase signage pointing to the track, so that bicyclists are made aware of the shared cycle track that goes around Georges Bay into St Helens.

#### Reply

Directional signage will be considered as part of a signage review for the shared pathway currently in progress

## 02/24.2.3

### Pumping of Water onto Beach – Clr L Johnstone obo Max & Sheena, Falmouth

Clr L Johnstone obo Mr M Di Giovanni, Falmouth

On January 23rd Michael was having a swim at the Frank Street beach in front of Salt Water property in Falmouth.

Micheal saw the dam water being pumped out draining onto the beach. There was power lead from the new house to dam/pump.

Is the property owner of the Saltwater property allowed to pump water from a human made dam onto the public beach at the end of Frank Street in Falmouth.

#### Reply

Council's Manager Infrastructure & Development Services will refer this matter to the Department of Natural Resources and Environment Tasmania who are the responsible agency. Should similar situations occur in the future, concerned community members should contact the Department on 1300 368 550 within Tasmania or 03 6169 9021.

## 02/24.3.0

### DECLARATION OF INTERESTS 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.

## 02/24.4.0 CONFIRMATION OF MINUTES

### 02/24.4.1 Confirmation of Minutes – Council Meeting 15 January 2024

#### OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 15 January 2024 be confirmed.

#### DISCUSSION:

No discussion took place on this item.

#### COUNCIL DECISION:

**02/24.4.1.302** Moved: Clr V Oldham / Seconded: Clr K Chapple

That the minutes of the Council Meeting held on the 15 January 2024 be confirmed.

**CARRIED UNANIMOUSLY**

## 02/24.5.0 COUNCIL WORKSHOPS HELD SINCE 15 JANUARY 2024 COUNCIL MEETING

There was a workshop held 15 January 2024 and the following items were listed for discussion.

- Capital Works Budget Review
- Animal Control Report
- SARAH GROUP Partnership
- Road Name – Aulichs Road, St Marys
- Shared Pathway: St Helens-Binalong Bay
- Hub4Health - Update
- Pending Development Application Updates
- Portable signage compliance
- NRM Committee Meeting Minutes 5 September and 5 December 2023
- Appointment of Break O'Day Council Natural Resource Management Committee representatives
- Review – LG02 – Councillor Learning and Development Policy
- Review Policy No LG50 – Gifts and Benefits Policy
- Australian Local Government Association (ALGA) – 2024 National General Assembly of Local Government – Call for Motions
- Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report Oct-Dec 2023
- 2023-2024 Annual Plan Quarterly Review
- Honour boards for Recognition of Service



## **02/24.6.0 PLANNING AUTHORITY**

*The Mayor advised that as there are no Planning Items on the Agenda for today's Council meeting. Council is not required to act as a Planning Authority pursuant to Section 25 of the Local Government (Meeting Procedures) Regulations 2015.*

## **02/24.7.0 COUNCIL MEETING ACTIONS**

### **02/24.7.1 Outstanding Matters**

The report was received.

## **02/24.8.0 PETITIONS**

Nil

## **02/24.9.0 NOTICES OF MOTION**

Nil

## **02/24.10.0 COUNCILLOR'S QUESTIONS ON NOTICE**

Nil.

## **02/24.11.0 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.*

### 02/24.11.1 Request for Signage to be Removed – Clr L Johnstone

Can the Council please arrange for the sign that says No to the Voice Campaign to be removed, can we find a way for this to be taken down.

#### Reply

The General Manager advised that this has been raised this with the Department of State Growth as this is their responsibility within a road reservation and they said they would tend to it with the Contractor.

### 02/24.11.2 Signage on Trees – Clr K Wright

How come signs have been allowed to be put on trees.

#### Reply

The General Manager stated that as mentioned above it has been taken it up with the Department of State Growth as signs are not allowed to be attached to trees.

## 02/24.12.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

### 02/24.12.1 Mayor's Communications for Period Ending 19 February 2024

18.01.2024	<b>St Helens</b>	– Meeting with Royal Flying Doctors Service to discuss usage of St Helens Aerodrome.
21.01.2024	<b>St Helens</b>	– Meeting with Wendy Askew and Susan Ley
26.01.2024	<b>St Helens</b>	– Australia Day, Awards Celebration for the nominees of Break O'Day at the Australia Day Awards Ceremony held at Portland Hall with Australia Day Ambassador Kim Smith.
29.01.2024	<b>Sorell</b>	– Future of Local Government Review, meeting involving representatives from Glamorgan-Spring Bay and Sorell Councils to discuss the process to investigate an East Coast Council.
05.02.2024	<b>St Helens</b>	– Council Workshop
06.02.2024	<b>Triabunna</b>	– Meeting with Premier Rockliff to sign Memorandum of Understanding relating to the Strategic Regional Partnership with the State Government.
08.02.2024	<b>Devonport</b>	– Local Government Association of Tasmania's briefing on the Future of Local Government Review.
14.02.2024	<b>Hobart</b>	– General Management Committee meeting
14.02.2024	<b>Hobart</b>	– Meeting with Minister Ellis to discuss the Fire and Emergency Service Act reform with the Tasmanian Fire and Emergency Services working group.
16.02.2024	<b>Scamander</b>	– Honouring Tony Chugg for 20 years of service with the Falmouth Fire Brigade.
19.02.2024	<b>St Helens</b>	– Council Meeting

Mayor Tucker advised that the meeting with Minister Ellis was cancelled due to the election being called and the government going straight into caretaker mode.

## 02/24.12.2 Councillor's Reports for Period Ending 19 February 2024

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

### Break O'Day Chamber of Commerce and Tourism – Deputy Mayor Kristi Chapple

- There has been no meeting this year as yet, the next meeting is scheduled for Tuesday 5 March however Clr Chapple will be unable to attend. Clr Carter stated that he will check his diary and will be happy to attend on behalf of Council.

### NRM Special Committee – Clr Janet Drummond

- The next meeting is scheduled for the 5 March.
- Clr Drummond stated that she was unaware that there was a Georges River meeting on 9 February as she received no notification.

### East Coast Tasmania Tourism (ECTT) – Clr Barry LeFevre

- Clr LeFevre stated that the Board was very pleased that \$300,000 over three (3) years has been received from the State Government.
- A new part time EC Tourism recruitment for this area has been successful.

### Mental Health Action Group – Clr Barry LeFevre

Nil

### Access and Inclusion Advisory Committee – Clr Janet Drummond

- There was a meeting held on the 12 February regarding two (2) Disability events.
- Clr Drummond has done an article in the newsletter about ways in which you can engage with your neighbours.
- The next meeting is scheduled for the 10 April to finalise the review of the action plan.

### Bay of Fires Master Plan Steering Committee – Clr Ian Carter

- A meeting has been scheduled for the 20 March to activate some conversation.

## 02/24.13.0 BUSINESS AND CORPORATE SERVICES

### 02/24.13.1 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 on activities of the Business and Corporate Service Department since the previous Council Meeting.

## DISCUSSION:

- The Business Services Manager commented in regards to the review of the capital works budget which has been completed and is presented in this agenda for consideration.
- The Business Services Manager also mentioned that he has been working on policies, etc in relation to IT and Cybersecurity as well as a Capitalisation procedure which is close to finalisation and this will come to a workshop.
- Rates and Charges policy has been reviewed but doesn't believe there is too much to be changed and this will come to the next workshop.
- The Asset Management policy is currently being reviewed and may require a significant rewrite.
- Cllr Drummond asked, how many rates are outstanding, people are in financial stress at the moment and she would like to look at reinstating the discount. The Business Services Manager stated that the discount hasn't changed this year we paid out approximately \$117,000 in discounts. The General Manager stated that there was a slight reduction a few years ago. The Business Services Manager stated that the concessions are on top of this with approximately \$611,000 remissions this year. The Business Services Manager stated that he suspects that we have had a higher uptake of the discount this year than last year.

## COUNCIL DECISION:

**02/24.13.1.303**

Moved: Cllr J Drummond / Seconded: Cllr I Carter

That the report be received.

**CARRIED UNANIMOUSLY**

## 02/24.13.2 Monthly Financial Report

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

That the following reports for the month ending 31 January 2024 be received:

1. Profit and Loss Statements
2. Balance Sheet
3. Statement of Cash Flows
4. Capital Works 2023-2024

## INTRODUCTION:

Presented to Council are the monthly financial statements.

## DISCUSSION:

- The Business Services Manager stated that this report has the original capital expenditure report included and this will be replaced with the updated one next month.
- The Business Services Manager stated that our cash position is better than it has been in some time. The interest on the P&L relates predominantly to TasWater.
- The Business Services Manager stated that the FAGS has been paid in advance for a little while now however we can't expect that these will continue to be paid in advance as this was done as a Covid stimulus and there is no guarantee that this will continue with the current Government. The Business Services Manager stated that we need to move beyond that grant for financial sustainability.

## COUNCIL DECISION:

**02/24.13.2.305**

Moved: Clr K Wright / Seconded: Clr L Johnstone

That the following reports for the month ending 31 January 2024 be received:

1. Profit and Loss Statements
2. Balance Sheet
3. Statement of Cash Flows
4. Capital Works 2023-2024

## CARRIED UNANIMOUSLY

### 02/24.13.3 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 on the activities and services the delivered by the Visitor Information Centre since the previous Council Meeting.

## DISCUSSION:

- The Business Services Manager stated that he had nothing further to add – they continue to do a great job.

- Clr Johnstone stated that she believes that recycling in our towns needs further consideration by Council and the mobile phone network is our communication and this is an area that needs be upgraded as people are changing providers. Council need to be mindful of and advocate for our residents.
- Clr Carter stated that he agrees with Clr Johnstone, as a provider of accommodation the most common thing that visitors come across is the difficulty with accessing information online.
- Clr Drummond stated that she recently attended the back room meeting and she found it very beneficial and learnt a lot about what the volunteers do and she will go again.

**COUNCIL DECISION:**

**02/24.13.3.306**                      Moved: Clr L Johnstone / Seconded: Clr I Carter

That the report be received.

**CARRIED UNANIMOUSLY**

**02/24.13.4**                      **Capital Works Budget Review**

<b>FILE REFERENCE</b>	018\008\001\
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**OFFICER’S RECOMMENDATION:**

That Council adopt the revised Capital Works Budget 2023/2024.

**INTRODUCTION:**

The purpose of this report is to provide Council with a revised Capital Works Budget 2023/2024.

**DISCUSSION:**

- The Business Services Manager stated that normally we would do both an Operational and Capital expenditure review but the operational is moving along quite smoothly so we have only reviewed the capital expenditure however in most cases the changes are reallocating funds from one area to another.
- Clr Drummond asked, she thought we had a capital allocation of approximately \$50,000 to put solar onto the town hall in St Marys. The Business Services Manager stated that he was not aware of this. The General Manager stated that he would have to go back to check however this capital budget is based on the original budget adopted last year. The Business Services Manager stated that there is St Marys Hall upgrades listed but there is no budget allocation, it may have been contemplated but it doesn’t look like it was included. Clr Drummond stated that she moved a motion in 2021. The General Manager stated that when the Development Services Coordinator is back from leave he will check to see where this is at.
- Clr Johnstone noted that the big machinery has also gone up which is huge when we are replacing things. The General Manager stated that the mower was a slight shift in specifications as we went to an electric mower however the life cycle costs should be lower – we have done this as a trial.

**COUNCIL DECISION:**

**02/24.13.4.307**

Moved: Clr K Chapple / Seconded: Clr K Wright

That Council adopt the revised Capital Works Budget 2023/2024.

**CARRIED UNANIMOUSLY**

**02/24.14.0          WORKS AND INFRASTRUCTURE**

**02/24.14.1          Works and Infrastructure Report**

<b>FILE REFERENCE</b>	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:**

- The Manager Infrastructure and Development Services advised that in March we have a surveillance audit by CASA on the aerodrome. We will also shut the airport for two (2) days to undertake standard runway maintenance.
- The Manager Infrastructure and Development Services advised that the sealing of North Ansons Bay Road was completed last week and it was the last item of LRCI Phase 3 funds.
- The Manager Infrastructure and Development Services advised that he is waiting for the Department of State Growth with regards to the Tasman Highway Corridor Strategy consultation and will provide an update when information received.
- Clr LeFevre commented that he was very impressed with the professionalism and no fuss attitude and the communication of the works crews it was fantastic when they were undertaking works around where he lives.

- Clr Carter asked in relation to the Tasman Highway Strategy – can we in the short term continue to lobby for a reduction in speed and improve signage in the areas that we have capacity. Mayor Tucker stated that this is a Department of State Growth issue and we have written to them but now the Government is in caretaker mode. Clr Carter stated that he just wants it documented as it is something that we can't ignore. Clr Wright asked, can we make this an election issue. Mayor Tucker stated that everyone has the right to lobby and request things from any candidates. Clr Drummond asked, is there something we can do with the SARAH group to lobby and try and get speed limits reduced, are there tools or ideas that they have used in other areas that we can draw on. The Manager Infrastructure and Development Services stated that the Department of State Growth allow anyone from the community to request a speed limit change and all the information to do this is on their website all the Department of State Growth want to see is that there is community support for these requests. Clr Wright asked, is there something we can do in regards to requesting or suggesting in some key areas. The General Manager stated that there are two (2) issues, one is speed another is driver behaviour, whatever we do with speed limits is not going to solve driver behaviour as the Manager Infrastructure and Development Services mentioned there are things that the community can do as well. Clr Johnstone stated that if we can potentially point people to how they can do this and get to the Department of State Growth it would be helpful and she would like to discuss this more in a workshop to help the community help themselves. Clr Chapple stated that it may be timely for a Tasmania Police meeting or update, there seems to be more cameras etc both locally and through the Valley. It would be good if we could invite our Inspector along to get an update and share our concerns. Clr LeFevre stated that there seems to be three (3) or four (4) different requests for reductions in speed limits could these be bundled together with the Department of State Growth.

**COUNCIL DECISION:**

**02/24.14.1.308**

Moved: Clr B LeFevre / Seconded: Clr G Barnes

That the report be received by Council.

**CARRIED UNANIMOUSLY**

**02/24.14.2**

**Animal Control Report**

<b>FILE REFERENCE</b>	003\003\018\
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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:

- The Manager Infrastructure and Development Services stated that he had nothing further to add.
- Clr Johnstone stated that she has had a number of ratepayers in Falmouth approach her about the number of cats getting around as it is on the increase.

## COUNCIL DECISION:

02/24.14.2.309

Moved: Clr B LeFevre / Seconded: Clr G Barnes

That the report be received by Council.

## CARRIED UNANIMOUSLY

### 02/24.14.3 Provision of a Road Name - Private Access Road off Aulichs Road

FILE REFERENCE	032\005\005\
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## OFFICER'S RECOMMENDATION:

That Council does not assign a road name for the unnamed private access road off Aulichs Road given a low level of affected landowner support for naming the road.

## INTRODUCTION:

In February 2019, the Council approved an officer's recommendation to approve the use of the name 'Freeman Road' for the no through road off Irish Town Road currently recognised as Aulichs Road, St Marys. The road referred to is 4,740m south of the Irish Town Road intersection with Esk Main Road St Marys, runs for 100m in a south-east direction and 521m in a southern direction.

The subsequent Nomenclature Board advice to the Council was – to disallow, as the naming proposal did not comply with the Tasmanian Place Naming Guidelines or the Rules for Placenames in Tasmania, due to there being duplicates and or similarities to other placenames in Tasmania. Council were contacted requesting a different name, with MacFreeman Road suggested as a possibility.

Further investigation undertaken by the Manager Infrastructure & Development Services (MIDS) in mid-2023 confirmed that the start of Aulichs Road is at the junction with Irish Town Road. The subject unnamed road starts at 100m along Aulichs Road from the junction with Irish Town Road.

In December 2023, the MIDS wrote to affected land owners, seeking their views on the proposed use of MacFreeman Road.

This report provides a summary of the landowners' feedback.

**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

**02/24.14.3.309**

Moved: Clr B LeFevre / Seconded: Clr L Johnstone

That Council does not assign a road name for the unnamed private access road off Aulichs Road given a low level of affected landowner support for naming the road.

**CARRIED UNANIMOUSLY**

**02/24.14.5 Safer Australian Roads and Highways Inc - Partnership MOU**

<b>FILE REFERENCE</b>	032\005\029\
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**OFFICER’S RECOMMENDATION:**

That Council consider entering a Partnership Memorandum of Understanding with the Safer Australian Roads and Highways Inc (SARAH).

**INTRODUCTION:**

Mr. Peter Frazer from the Peter Frazer from the Safer Australian Roads and Highways Inc (SARAH) delivered a presentation to the Council Meeting held 20 November 2023. The presentation highlighted the need for the Council to be a financial partner in the group to help support road safety.

SARAH is committed to promoting the “Vision Zero and the Safe System” road safety philosophy as the instrument for improved outcomes and is aligned with the commitment of Australian governments to a vision of zero deaths and serious injuries by 2050, (Vision Zero).

SARAH works cooperatively with road safety stakeholders at local, state, national and international levels.

- foster improved road safety awareness and responsibility by drivers/riders;
- ensure road policy focuses on harm elimination/ minimisation; and
- demonstrate solidarity and support for those affected by road tragedy

To become a partner with the SARAH, the Council will need to enter a Memorandum of Understanding and provide an annual financial contribution of \$1,950 (excluding GST).

**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

**02/24.14.4.310**

Moved: Clr J Drummond / Seconded: Clr K Wright

That Council consider entering a Partnership Memorandum of Understanding with the Safer Australian Roads and Highways Inc (SARAH).

**CARRIED UNANIMOUSLY**

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

**02/24.15.0 COMMUNITY DEVELOPMENT**

**02/24.15.1 Community Services Report**

<b>FILE REFERENCE</b>	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 activities which are being dealt with by the Community Services Department.

**DISCUSSION:**

- The Manager Community Services provided updates as follows:
  - o Reconciliation Action Plan – the Manager Community Services has emailed again looking for a response to start the process and this is putting our timeframes out – we are just trying to connect with them.
  - o We have been successful with another six (6) months of funding for the Get Into Gear Learner Driver Program.
  - o Monday 4 March the Independent Regulator for the Child and Youth Safe Framework will be in St Helens at Portland Hall from 4pm – 6pm and the Manager Community Services will send out an email with the information included, it would be good to get the information out to the community.
- Clr Drummond stated that there are two (2) Disability Day events not one (1).
- Clr Drummond stated that the Welcome to the town Christmas signs was a fantastic project.

**COUNCIL DECISION:**

**02/24.15.1.311**                      Moved: Clr G Barnes / Seconded: Clr K Chapple

That the report be received.

**CARRIED UNANIMOUSLY**

**02/24.16.0                      DEVELOPMENT SERVICES**

**02/24.16.1                      Development Services Report**

<b>FILE REFERENCE</b>	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 activities which have been dealt with by the Development Services Department since the previous Council meeting.

**DISCUSSION:**

The General Manager stated that the activity levels are reasonably static however we have seen a drop from the high around two (2) years ago.

**COUNCIL DECISION:**

**02/24.16.1.312**                      Moved: Clr G Barnes / Seconded: Clr K Chapple

That the report be received.

**CARRIED UNANIMOUSLY**

**02/24.16.2                      NRM Committee Meeting Minutes 5 September and 5 December 2023**

<b>FILE REFERENCE</b>	010\028\002\
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**OFFICER'S RECOMMENDATION:**

That Council receive the Minutes of the NRM Committee Meetings held on 5 September 2023 and 5 December 2023 and consider any matters for further Council attention.

## INTRODUCTION:

The Break O'Day NRM Special Committee met on 5 September 2023 at Scamander and on 5 December 2023 at St Helens.

## DISCUSSION:

- Clr Johnstone asked in relation to Deer Management are Parks and Wildlife Services recruiting staff to manage this. The NRM Facilitator stated that they were recruiting three (3) regional people.

## COUNCIL DECISION:

**02/24.16.2.313**                      Moved: Clr L Johnstone / Seconded: Clr J Drummond

That Council receive the Minutes of the NRM Committee Meetings held on 5 September 2023 and 5 December 2023 and consider any matters for further Council attention.

**CARRIED UNANIMOUSLY**

**02/24.16.3**                      **Appointment of Break O'Day Council Natural Resource Management Committee representatives**

<b>FILE REFERENCE</b>	010\028\003\
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## OFFICER'S RECOMMENDATION:

That Council appoint to its NRM Special Committee Mrs Fay Harding as Aboriginal community representative, Mrs Liese Fearman as Community representative (individual or local interest group) and Mr Brian French as Public Land Management representative (Parks and Wildlife Service).

## INTRODUCTION:

A number of vacancies The Charter for Council's NRM Committee provides for appointment of representatives of various sectors.

## DISCUSSION:

No discussion took place on this item.

**COUNCIL DECISION:**

**02/24.16.3.314**

Moved: Clr K Wright / Seconded: Clr L Johnstone

That Council appoint to its NRM Special Committee Mrs Fay Harding as Aboriginal community representative, Mrs Liese Fearman as Community representative (individual or local interest group) and Mr Brian French as Public Land Management representative (Parks and Wildlife Service).

**CARRIED UNANIMOUSLY**

**02/24.17.0 GOVERNANCE**

**02/24.17.1 General Manager’s Report**

<b>FILE REFERENCE</b>	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 matters which are being dealt with by the General Manager and with other Council Officers where required.

**DISCUSSION:**

- The General Manager provided the following updates:
  - o St Marys Pass – The General Manager stated that he has had conversations with the Department of State Growth officer in charge of this project and the General Manager reiterated Councils willingness to engage with the consultant and the need for the consultant to engage with the local community. The General Manager offered them the opportunity for a briefing. Clr Drummond asked, because the Government may change this isn’t going to get lost is it? The General Manager advised that it wouldn’t be lost, it is already funded and is now an administrative action, Labor and Liberal Parties have both been briefed on this.
  - o St Helens Aerodrome and RFDS – The General Manager advised that the possible change in the aircraft they will be using into the future means that our runway will not meet requirements, at the moment they have it covered but in the future aircraft may need a longer runway therefore the General Manager was highlighting that we may need to review our Airport Strategy.
  - o State Election – our priorities have been identified and provided copies to all candidates that have been announced in Lyons as well as the parties.

**COUNCIL DECISION:**

**02/24.17.1.315** Moved: Clr B LeFevre / Seconded: Clr I Carter

That the General Manager’s report be received.

**CARRIED UNANIMOUSLY**

**02/24.17.2** **Review – LG02 – Councillor Learning and Development Policy**

<b>FILE REFERENCE</b>	002\024\001\
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**OFFICER’S RECOMMENDATION:**

That Draft Policy LG02 – Councillor Learning and Development Policy be adopted replacing Policy LG02 Training and Development for the Mayor and Councillors.

**INTRODUCTION:**

Council has a schedule for regular review of policies and this policy is due for review every four (4) years following a Council Election in line with Council’s Policy Framework or earlier in the event of major changes to legislation or related policies, procedures or if deemed necessary by the General Manager.

**DISCUSSION:**

- Clr Drummond stated that the new policy reads cleaner, much less confusion, and it is important to build on Councillors expertise.
- The General Manager stated that a lot of what is in this policy will feed back to the model policy.

**COUNCIL DECISION:**

**02/24.17.2.316** Moved: Clr I Carter / Seconded: Clr V Oldham

That Draft Policy LG02 – Councillor Learning and Development Policy be adopted replacing Policy LG02 Training and Development for the Mayor and Councillors.

**CARRIED UNANIMOUSLY**

**02/24.17.3** **Review Policy No LG50 – Gifts and Benefits Policy**

<b>FILE REFERENCE</b>	002\024\001\
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**OFFICER’S RECOMMENDATION:**

That Draft Policy LG50 – Gifts and Benefits as amended be adopted.

## INTRODUCTION:

Council has a schedule for regular review of policies and this policy is due for review every four (4) years in line with Council's Policy Framework or earlier in the event of major changes to legislation or related policies, procedures or if deemed necessary by the General Manager.

## DISCUSSION:

No discussion took place on this item.

## COUNCIL DECISION:

**02/24.17.3.317** Moved: Clr K Wright / Seconded: Clr I Carter

That Draft Policy LG50 – Gifts and Benefits as amended be adopted.

**CARRIED UNANIMOUSLY**

**02/24.17.4** **Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report Oct-Dec 2023**

FILE REFERENCE	039\011\003\
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## OFFICER'S RECOMMENDATION:

That Council receive the quarterly report of the Northern Tasmania Development Corporation (NTDC) for the period Oct-Dec 2023.

## INTRODUCTION:

The Northern Tasmania Development Corporation (NTDC) has been formed as an enterprise under the Local Government Act. Accordingly, NTDC provides quarterly reports to its shareholders including Break O'Day Council.

## DISCUSSION:

Clr Drummond stated that it is nice to see Dorset come back on board as it makes it feel more cohesive.

## COUNCIL DECISION:

**02/24.17.4.318** Moved: Clr B LeFevre / Seconded: Clr K Chapple

That Council receive the quarterly report of the Northern Tasmania Development Corporation (NTDC) for the period Oct-Dec 2023.

**CARRIED UNANIMOUSLY**



FILE REFERENCE	002\036\002\
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**OFFICER'S RECOMMENDATION:**

That Council receive the Review as at 31 December 2023 of the 2023-2024 Break O'Day Council Annual Plan.

**INTRODUCTION:**

Council's management team prepared the 2023 – 2024 Annual Plan based on discussions, which occurred through Council workshops and the normal budget/planning process. The Annual Plan was prepared to take into account broader factors which are impacting Council; and reflecting continuity of existing projects, and activities where this exists.

**DISCUSSION:**

- The General Manager stated that we are about half way through the year and we are probably sitting a bit below the percentage as to where we would have expected. The General Manager made the following comments:
  - o Brand was part of it, but this is around timing of activities.
  - o Population – resourcing availability challenge but we are now starting this.
  - o Land Use Planning – appropriate development is a bit in front.
  - o A few in Infrastructure that we are a bit behind where we would like to be.
  - o A few in community facilities, towns eg car parking – St Marys is progressing and St Helens is looking at streetscape as well.
- Clr Drummond asked in relation to the social housing in Fingal, the appeal date ended on 1 February, has this gone through without an appeal. The General Manager stated that we have heard nothing from TASCAT so we are assuming this is fine. Clr Drummond asked where was the one at St Marys with Homes Australia. The General Manager stated that this is the site up behind the hospital.

**COUNCIL DECISION:**

02/24.17.5.319

Moved: Clr K Wright / Seconded: Clr K Chapple

That Council receive the Review as at 31 December 2023 of the 2023-2024 Break O'Day Council Annual Plan.

**CARRIED UNANIMOUSLY**

FILE REFERENCE	014\006\001\
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**OFFICER’S RECOMMENDATION:**

That Council endorse the submission provided subject to any further comments at the Council meeting .

**INTRODUCTION:**

The Future of Local Government Review process has now entered the final stage with the Board having completed its work and submitted the Final report to the Minister for Local Government.

The formal consultation period on the Report is open until 29 February 2024 and the nature of Councils submission will need to be finalised over the next three months.

**DISCUSSION:**

- The General Manager stated that it will be incredibly disappointing to come this far if it just gets put on the shelf. It will be interesting to see how this progresses post-election, obviously after the election it will probably be a number of months before it hits the table again however the critical thing we need to do is finalise our submission. The General Manager stated that he has received no other comments from Councillors but he is still happy to receive comments and then wrap this up.
- The General Manager and Mayor met with the two (2) Mayors, General Managers and the Office of Local Government recently regarding the process to move forward. Resources were going to be secured in the forthcoming State Budget to assist Councils moving forward, it was quite a solid conversation but now we just sit and wait.
- Mayor Tucker stated that it is still really important to maintain the working relationship we have with the other two (2) Councils.

**COUNCIL DECISION:****02/24.17.6.320**Moved: Clr I Carter / Seconded: Clr K Chapple

That Council endorse the submission provided subject to any further comments at the Council meeting.

**CARRIED UNANIMOUSLY**

FILE REFERENCE	039\004\018\
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**OFFICER'S RECOMMENDATION:**

That the signing of the Memorandum of Understanding relating to the East Coast Strategic Regional Partnership be noted.

**INTRODUCTION:**

The Tasmanian Government announced in April 2023 that a Strategic Regional Partnership Agreement (SRPA) would be developed with the Break O'Day and Glamorgan-Spring Bay Councils to address issues of strategic importance on the East Coast of Tasmania. The focus of the SRPA is to drive economic growth and enhance liveability, including through sustainability, wellbeing and connection for local people and local industries.

**DISCUSSION:**

- The General Manager stated that this Agreement has ticked off a number of state budget and election priorities and it is really important to continue to move forward.
- Clr Drummond stated that there is a lot in the Memorandum of Understanding (MOU) that wasn't in the election priorities so it would be good if the MOU has been signed off and is now an administrative action. Clr Drummond would like to know more about the St Helens/Binalong Bay Liveability Strategy as this is something new. The General Manager advised that it will be discussed further at the next workshop and noted the presentation we are having from Stephen Burgess on that day which will be relevant.

**COUNCIL DECISION:****02/24.17.7.321**Moved: Clr G Barnes / Seconded: Clr K Chapple

That the signing of the Memorandum of Understanding relating to the East Coast Strategic Regional Partnership be noted.

**CARRIED UNANIMOUSLY**

Pursuant to Regulation 15(1) of the Local Government (Meeting Procedures) Regulations 2015 that Council move into Closed Council.

Moved: Clr K Chapple / Seconded: Clr G Barnes**CARRIED UNANIMOUSLY**

# IN CONFIDENCE

**02/24.18.0**      **CLOSED COUNCIL**

**02/24.18.1**      **Confirmation of Closed Council Minutes – Council Meeting 15 January 2024**

**02/24.18.2**      **Outstanding Actions List for Closed Council**

**02/24.18.3**      **Closed Council Item Pursuant to Section 15(2)A of the Local Government (Meeting Procedures) Regulations 2015 - General Manager Annual Leave**

**TO BE PUBLISHED IN THE PUBLIC MINUTES:**

**02/24.18.2.CC**      Moved: Clr B LeFevre / Seconded: Clr K Chapple

That the General Manager’s proposed annual leave be noted and that the Business Services Manager, Raoul Harper, be appointed as Acting General Manager.

**CARRIED UNANIMOUSLY**

**02/24.18.4**      **Closed Council Item Pursuant to Section 15(2)A of the Local Government (Meeting Procedures) Regulations 2015 - Works & Infrastructure Review**

**TO BE PUBLISHED IN THE PUBLIC MINUTES:**

**02/24.18.3.CC**      Moved: Clr K Wright / Seconded: Clr G Barnes

That the Infrastructure & Works Department Review report from the General Manager be received.

**CARRIED UNANIMOUSLY**

