



COUNCIL MEETING MINUTES

Monday 21 August 2023
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
21 August 2023

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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 the public, 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.

08/23.1.0 ATTENDANCE

08/23.1.1 Present

Mayor Mick Tucker
Deputy Mayor Kristi Chapple
Councillor Gary Barnes
Councillor Ian Carter
Councillor Vaughan Oldham
Councillor Kylie Wright

08/23.1.2 Apologies

Councillor Liz Johnstone
Councillor Barry LeFevre

08/23.1.3 Leave of Absence

Councillor Janet Drummond

08/23.1.4 Staff in Attendance

General Manager, John Brown
Corporate Services Coordinator, Angela Matthews
Business Services Manager, Raoul Harper (*Item 1.0 – 18.3*)
Executive Officer, Jayne Richardson (*Item 1.0 – 18.3*)
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 18.3*)
Town Planner, Deb Szekely (*Item 1.0 – 17.1*)
Community Services Officer, Jenna Barr (*Item 1.0 – 15.6*)
Governance Officer, Molli-Rose Brown (*Item 7.1 – 9.1*)
Economic Development Officer, Anna Williams (*Item 7.1 – 9.1*)

08/23.2.0 PUBLIC QUESTION TIME

Four (4) people 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.

08/23.2.1 Cross Overs Along Scamander Pathway - Mrs S French AM, Scamander

Has the Council in the 2023 – 2024 budget made available monies to address the need for cross overs along the Scamander pathway to allow motorised wheelchairs, prams and bicycles to easily move from the pathway to the road?

Reply

No allocation was made in the 2023-2024 budget. However, the current round of Local Roads and Community Infrastructure (LRCI) funding provides the Council to nominate a Footpath Crossover Upgrade Project for funding.

Council will be reviewing proposed projects in the coming months and will give consideration to this project.

08/23.2.2 St Marys Pass - Mrs S French AM, Scamander

Has the Council received any outcomes from the State Government regarding the St Marys Pass and or a dedicated truck route?

Reply

The General Manager has been advised by the Department of State Growth that the Department has received funding in the current financial year to undertake a Feasibility Study into an alternative route and are currently preparing a project brief for a consultancy to perform the work

08/23.2.3 Northern Side of the Scamander River - Mrs S French AM, Scamander

Has the Council negotiated an outcome with Parks and Wildlife with regard to the northern side of the Scamander River (mowing of the area)?

Reply

Parks and Wildlife Services have acknowledged that the land falls under their jurisdiction. At a local Parks and Wildlife Services level our understanding is that they will retain overall maintenance responsibilities for this area. Council's Town Maintenance team are monitoring the condition of the area and will assist with maintenance of the grassed area.

08/23.2.2 Proposed Development in Fingal - Mr J Vincent, Fingal

What commitments has Council made to Centacare Evolve in relation to this project and if no commitments have been made what is the next step in relation to the process?

Reply

The following was carried unanimously at the February 2023 Council Meeting:

That Break O'Day Council provide 'in principle' agreement to a partnership with Centacare Evolve Housing for the provision of community housing at Fingal on the following basis:

1. Council address the requirements of the Local Government Act 1993 Section 178. Sale, exchange and disposal of public land.
2. Council officers seek and obtain the necessary legal advice to safeguard Council's position on the project.

Council officers have sought the necessary legal advice and are awaiting their response. Once received, Council officers will bring the recommendation to lease the identified land at 29 Talbot Street, Fingal, to the next available Council meeting. The recommendation shall meet the requirements of the Section 178 of the *Local Government Act 1993* which initiates a public process and Part 3 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

08/23.3.0 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

08/23.4.0 CONFIRMATION OF MINUTES

08/23.4.1 Confirmation of Minutes – Council Meeting 17 July 2023

OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 17 July 2023 be confirmed.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

08/23.4.1.185 Moved: Clr I Carter/ Seconded: Clr K Chapple

That the minutes of the Council Meeting held on the 17 July 2023 be confirmed.

CARRIED UNANIMOUSLY

08/23.5.0 COUNCIL WORKSHOPS HELD SINCE 17 JULY 2023 COUNCIL MEETING

There was a Workshop held on Monday 7 August 2023 and the following items were listed for discussion.

- Request to Change Opening Hours of Council Office
- Council's Operational Banking Activities
- Request for General Rate Remission
- Council Meeting Procedures Review
- Animal Control Report
- Briefing note: Safer pedestrian crossings, Main Street St Marys
- Commemorative Plaque– Beaumaris Park
- Reconciliation Action Plan

- Review of the Community Facility Hire Policy – CB07
- Community Grant Application Form
- Bay of Fires Master Plan
- Waiver of Fees for Banner Pole Hire – A Festival Called George
- Pending Development Application Updates
- Decision – Tasmanian Planning Scheme – BODC Draft Local Provisions Schedule
- Draft Strata Development Policy – Post Targeted Consultation
- Sheds on Vacant Residential Land
- St Helens Hospital - Closed Council Item Pursuant To Section 15(2)F of the Local Government (Meeting Procedures) Regulations 2005
- 2024 – 2025 State Budget Community Consultation
- Next State Election

08/23.6.0 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.

08/23.6.1 DA 085-2023 Residential – Dwelling, Carport & Deck

FILE REFERENCE	DA 085-2023
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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 **Residential – Dwelling, Carport & Deck** on land situated at **12 Sunbeam Crescent, Beaumaris** described in Certificate of Title CT 62599/27 be **APPROVED** subject to the following conditions:

1. Development must be carried out in accordance with the approved plans and documents listed as follows, except as varied by conditions on this Planning Permit.

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposed Dwelling, Drawing Contents, Specifications, Site Plan, Floor Plans, Roof Plans, Elevations, Door & Window Schedule, Sections, Details Sections	Drawing No: 0001, 0002, 0010, 0020, 0030, 1100, 2000, 2001, 2100, 3000, 3001, 3100, 4000, 4100	Funky Little Shack	26 th July 2023
Stormwater Assessment		Geo-Environmental Solutions	May 2023
Geo-Environmental Assessment		Geo-Environmental Solutions	February 2023

2. All stormwater runoff from the development must be detained by on-site water storage systems and disposed of by means that will not result in soil erosion or other stormwater nuisance.
3. Prior to the issue of an occupancy permit, the crossover from the kerb to the property boundary must be constructed in accordance with standard drawing TSD-R09-v3.

A Works Permit must be obtained prior to work commencing in the road reservation (application form attached).

4. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
5. 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.
6. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer.

ADVICE

- Stormwater overflow from the existing tank next to the shed on site, is recommended to be connected into the new stormwater management system and in accordance with an updated Stormwater Assessment.
- 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 Works Manager.
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- Activities associated with construction works are not to be performed outside the permissible time frames listed:
 - Monday - Friday 7 am to 6 pm
 - Saturday 9 am to 6 pm
 - Sunday and public holidays 10 am to 6 pm

INTRODUCTION:

Application is made seeking approval for use and development of land at 12 Sunbeam Crescent, Beaumaris CT 62599/27 for a new two storey single dwelling with incorporated carport and attached deck.

Residential use in the Low Density Residential Zone is a permitted use without qualifications, under Table 12.2 of the *Break O'Day Interim Planning Scheme 2013*.

Site Location



Site Photos







DISCUSSION:

- The Senior Town Planner advised that this application satisfied all discretionary solutions in the Interim Planning Scheme except for two (2) items.
- The Senior Town Planner advised that one (1) representation was received and this was mainly about height, site cover and overshadowing however all of these matters met the acceptable solution within the Planning Scheme.
- Clr Wright stated that she can't see any issue with the Development Application and Clr Carter agreed.

COUNCIL DECISION:

08/23.6.1.186 Moved: Clr K Wright / Seconded: Clr I Carter

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 **Residential – Dwelling, Carport & Deck** on land situated at **12 Sunbeam Crescent, Beaumaris** described in Certificate of Title CT 62599/27 be **APPROVED** subject to the following conditions:

1. Development must be carried out in accordance with the approved plans and documents listed as follows, except as varied by conditions on this Planning Permit.

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposed Dwelling, Drawing Contents, Specifications, Site Plan, Floor Plans, Roof Plans, Elevations, Door & Window Schedule, Sections, Details Sections	Drawing No: 0001, 0002, 0010, 0020, 0030, 1100, 2000, 2001, 2100, 3000, 3001, 3100, 4000, 4100	Funky Little Shack	26 th July 2023
Stormwater Assessment		Geo-Environmental Solutions	May 2023
Geo-Environmental Assessment		Geo-Environmental Solutions	February 2023

2. All stormwater runoff from the development must be detained by on-site water storage systems and disposed of by means that will not result in soil erosion or other stormwater nuisance.
3. Prior to the issue of an occupancy permit, the crossover from the kerb to the property boundary must be constructed in accordance with standard drawing TSD-R09-v3.

A Works Permit must be obtained prior to work commencing in the road reservation (application form attached).

4. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
5. 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.
6. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer.

ADVICE

- Stormwater overflow from the existing tank next to the shed on site, is recommended to be connected into the new stormwater management system and in accordance with an updated Stormwater Assessment.
- 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 Works Manager.
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.

- Activities associated with construction works are not to be performed outside the permissible time frames listed:
 - Monday - 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 2015.

08/23.7.0 COUNCIL MEETING ACTIONS

08/23.7.1 Outstanding Matters

The report was received.

08/23.8.0 PETITIONS

08/23.8.1 Petition – Fingal Social Housing Development Project

FILE REFERENCE	011\016\002\
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OFFICER’S RECOMMENDATION:

That Council receive the petition.

INTRODUCTION:

The petition was received on 31 July 2023 and proposed the following:

“Petition urging the abandonment of the proposed Social Housing Development in Fingal.

We attach for your attention a petition representing the views of 84 local residents and workers in relation to the proposed social housing development in Fingal.

A group of concerned local residents has held a number of informal meetings to discuss the proposal since the Council announced its plans at the Fingal Neighbourhood House some months ago.

We firmly believe that additional social housing would place an inappropriate and unnecessary burden on the town.

In the absence of any feasibility study from the Council (despite our requests), we have taken the time to gather supporting data ourselves.

The text of the petition details our concerns about the impracticalities and negative impact on a community that is already poorly served by essential services.

If the Council is genuinely interested in a duty of care to residents of the municipality, we believe that social housing should be located within easy access of essential services. Fingal does not meet this criterion.

We are also concerned by the lack of dialogue and consultation. Concerned Fingal residents have written to the Council on several occasions since the meeting raising concerns.

The letters, according to the responses we have received, have been sent to the proposed housing provider. To our knowledge, there has been no response whatsoever to the detailed queries we have raised.

Furthermore, we have heard nothing proactively from Council members since the consultation meeting months ago. No timeline, no indication of next steps, no feasibility study, no meaningful response to our questions.”

DISCUSSION:

Statement made by Mr Hamish Thompson obo petitioners:

Good morning Council. I'm here representing the views of Fingal residents concerned about the proposed social housing development in the town. I'd like to make a brief statement on their behalf.

Let me start by thanking you for acknowledging receipt of the petition representing the views of 85 local residents and business owners.

I'd like to clarify that these signatures were collected easily. There was no door to door exercise undertaken.

Had we gone door to door, we are certain that we would have easily obtained the signatures of more than half the adult population of the town. Very few people declined to sign, and those that did said that they had been warned that doing so would have created a conflict of interest. This obviously isn't the case.

All of us are anxious. None of us want to get on the wrong side of Council. We support the need for additional social housing in Break O'Day, but we cannot support a proposal that places additional pressure on our small isolated town.

In our group meetings we looked closely at why we felt uncomfortable with the proposed development. We decided to look objectively and unemotionally at why we believe the proposed scheme should be abandoned.

We looked at subject access requests about the location of social housing units in Break O'Day and we looked at demographic data for our town, including age, health and income data.

We also looked at what essential facilities are within acceptable reach of the town and compared all of this data with other towns in the region.

On the basis of this research, we find it impossible to understand why our town has been identified as the site for these new units.

We are a low income, isolated town with an ageing population whose health is below state average. According to the data we have been able to access, we have a higher ratio of social housing units to population.

Other than a small shop and a post office, the town lacks all essential services. No doctor, no chemist, no cafes, no restaurants, no pubs, no retail, no hospital, no major employers, no newsagent.

The town is also ill-equipped to accommodate more people with potentially complex needs. Several of us have worked in public services, including housing, counselling and community safety. The key learning from this experience is that easy access to services is crucial.

Council members have advised us individually that a proposed development in Scamander was abandoned on the basis of the heated protests of local residents. We are not replicating that hostile behaviour. Instead, we hope that Council will heed our rational, objective concerns and agree that on any objective analysis, locating more social housing units in Fingal would be detrimental. We urge Council to abandon this proposal.

- Clr Wright stated that she is supportive of social housing but does see why the Fingal residents have the concerns that they have, however she also sees that we do need to do something somewhere within the Municipality.
- Mr Thompson stated that they want what is in the best interest for people however they have real concerns regarding the remoteness.
- Clr Carter stated that he thought it was great that Fingal was a welcoming town.
- Mr Thompson stated that they have left emotion to one side and have looked at this proposal objectively.

COUNCIL DECISION:

08/23.8.1.187 Moved: Clr K Chapple / Seconded: Clr G Barnes

That Council receive the petition.

CARRIED UNANIMOUSLY

08/23.9.0 NOTICES OF MOTION

08/23.9.1 Notice of Motion - Banner Hire Policy Review – Clr Ian Carter

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 given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:

That Council request that the Banner Pole Hire Policy be reviewed.

SUBMISSION IN SUPPORT OF MOTION:

That Council Officers review the above policy along the same lines as the Facility Hire Policy in a tiered structure to enable these to be more affordable for the community which in turn will increase the utilisation of the banner poles

DISCUSSION:

- Clr Carter stated that by having more use of the banner poles is a way of sprucing up the town.
- Clr Chapple agreed with Clr Carter, it is something we need to look at.

COUNCIL DECISION:

08/23.9.1.188 Moved: Clr I Carter / Seconded: Clr K Chapple

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 given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:

That Council request that the Banner Pole Hire Policy be reviewed.

CARRIED UNANIMOUSLY

08/23.10.0 COUNCILLOR'S QUESTIONS ON NOTICE

08/23.10.1 Avenue of Trees – St Helens – Clr K Chapple

Previously over the years there have been many discussions about replacing Elm trees when they reach their end of life in Tully Street and Cecelia Street precincts using the local nurseryman Paul Frater. I am of the understanding that these trees are currently being grown ready to be replacements. These trees historically have been problematic however, by using better infrastructure around this tree root system; we will provide a better avenue of new trees for our township. Can I request the latest update in regards to the status of the tree replacement project and if there is a timeline for this to occur?

Reply

The Manager Infrastructure and Development Services looked at this at least five (5) years ago and it was determined that the approach of planting trees that had been pre-grown by Paul Frater was not feasible and was therefore not progressed.

The Manager Infrastructure and Development Services also searched for grafted elm trees with smaller root balls and that proved unsuccessful at the time.

Replacement trees are available from Hobart noting that there are several different species of trees planted in Tully Street. The elm trees in an urban environment have a lifespan of approximately 200+ years and the current trees are about 100 years old.

Council has previously been advised about the problem of tree roots and the installation of root barriers along property frontages has proved successful since several were installed.

At this point in time there is no plan to fill the gaps left by removed trees and no current budget allocation.

The current maintenance program includes pruning conducted by our contracted arborists and elm-beetle treatment every three (3) – four (4) years as advised by our arborist.

08/23.11.0 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.

08/23.11.1 Policy or Plan for Council Garden Beds – Clr K Chapple

Does Council have a policy or plan for Council garden beds within our townships of our municipality?

Reply

Council has a Memorial Garden Policy (Policy AM13), a Nature Strip Planting Policy (AM18) and Tree Management Policy (EP06) that ensure public consultation during the planning stages of specific streetscape replanting programs as well as criterion for the selection of plants. Streetscape designs and cemetery master plans incorporate a planting schedule that is endorsed by the Council prior to construction activity occurring.

08/23.11.1 Process for Petitions – Clr K Wright

Can we look at readdressing the issue of petitions being able to be valid?

Reply

The General Manager advised that the way petitions are dealt with is actually legislated in the Local Government Act 1993, unfortunately we have no choice with that.

The General Manager stated that even though a petition may not be valid we still bring them forward to Council.

08/23.12.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

08/23.12.1 Mayor's Communications for Period Ending 21 August 2023

19.07.2023	St Helens	– Eating With Friends – Fingal Neighbourhood House
26.07.2023	Hobart	– General Management Committee Meeting and dinner
27.07.2023	Hobart	– Premier's Local Government Meeting
2.08.2023	St Helens	– Health Minister – Guy Barnett Meeting
7.08.2023	St Helens	– Council Workshop
9.08.2023	St Helens	– Council's Regional Drought Resilience Planning briefing.
10.08.2023	St Helens	– Guest Speaker for Liberal Branch
14.08.2023	Scottsdale	– Future Of Local Government Community Hearing
18.08.2023	St Helens	– Vietnam Veterans Day – Guest Speaker
21.08.2023	St Helens	– Council Meeting

08/23.12.2 Councillor's Reports for Period Ending 21 August 2023

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 – Deputy Mayor Kristi Chapple

- Next meeting which is the Annual General Meeting (AGM) as well as the next General Meeting is Tuesday 5 September at the Bayside.

NRM Special Committee – Clr Ian Carter

- Meetings scheduled and everything going along as required.

East Coast Tasmania Tourism (ECTT) – Clr Barry LeFevre

- No report due to Clr LeFevre not at the meeting.

Mental Health Action Group – Clr Barry LeFevre

- No report due to Clr LeFevre not at the meeting.

Disability Access Committee – Clr Kylie Wright

- Next meeting is in September.

Bay of Fires Master Plan Steering Committee – Clr Ian Carter

- No meetings.

08/23.13.0 BUSINESS AND CORPORATE SERVICES

08/23.13.1 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:

- Clr Wright stated that she is always impressed with how our investments are going.

COUNCIL DECISION:

08/23.13.1.189 Moved: Clr K Wright / Seconded: Clr I Carter

That the report be received.

CARRIED UNANIMOUSLY

08/23.13.2 **Monthly Financial Report**

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

That the following reports for the month ending 31 July 2023 be received:

1. Profit and Loss Statements
2. Balance Sheet
3. Statement of Cash Flows
4. Capital Works 2022-2023
5. Profit and Loss

INTRODUCTION:

Presented to Council are the monthly financial statements.

DISCUSSION:

- The Business Services Manager stated that in the notes in relation to the Profit & Loss it outlines some of the key items, otherwise everything is looking pretty much in order.

COUNCIL DECISION:

08/23.13.2.190 Moved: Clr K Chapple / Seconded: Clr G Barnes

That the following reports for the month ending 31 July 2023 be received:

1. Profit and Loss Statements
2. Balance Sheet
3. Statement of Cash Flows
4. Capital Works 2022-2023

CARRIED UNANIMOUSLY

08/23.13.3 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 the door count numbers continue to be the highest since we started recording numbers in 2007 so for the so called quiet season the VIC remains attractive to visitors to the area.
- The Business Services Manager commented in relation to the Valley Voice Archive Project. This has been an absolutely enormous project by the volunteers and staff at the History Room and Fingal Valley Neighbourhood House staff and he would like to congratulate everyone involved.
- The Business Services Manager stated that the Curator was also involved in the "Week in the Life of Council" (WITLOC) program run by Council last week and he stated that this project was really successful.

COUNCIL DECISION:

08/23.13.3.191 Moved: Clr I Carter / Seconded: Clr G Barnes

That the report be received.

CARRIED UNANIMOUSLY

08/23.13.4 Request for General Rate Remission – 14 Mangana Road, Fingal

FILE REFERENCE	6413332
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OFFICER'S RECOMMENDATION:

That Council in accordance with the provisions of s.129 of the *Local Government Act 1993*, Council **approve a remission** as requested for the property known as 14 Mangana Road, Fingal identified as PID 6413332.

INTRODUCTION:

Council has received correspondence from Malahide Golf Club requesting a remission for the 2023/2024 General Rate. A request from the Malahide Golf Club is required annually to remit this levy.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

08/23.13.4.192 Moved: Clr K Wright / Seconded: Clr K Chapple

That Council in accordance with the provisions of s.129 of the *Local Government Act 1993*, Council **approve a remission** as requested for the property known as 14 Mangana Road, Fingal identified as PID 6413332.

CARRIED UNANIMOUSLY

08/23.13.5 **Request for General Rate Remission and Service Rate Remission – PID 6414634 - 4 Dunn Street, Mathinna**

FILE REFERENCE	6414634
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OFFICER'S RECOMMENDATION:

That Council in accordance with the provisions of s.129 of the *Local Government Act 1993* and Council's *Rating Exemptions and Remission Policy no LG11*, Council **approve a General Rate remission and a 50% Service Charge Remission to the total value of \$878.00** as requested for the property known as 4 Dunn Street, Mathinna identified as PID 6414634.

INTRODUCTION:

Council has received correspondence from the Mathinna Landcare Group requesting a rate remission for the church they have purchased at 4 Dunn Street Mathinna in August 2021.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

08/23.13.5.193 Moved: Clr G Barnes / Seconded: Clr K Wright

That Council in accordance with the provisions of s.129 of the *Local Government Act 1993* and Council's *Rating Exemptions and Remission Policy no LG11*, Council **approve a General Rate remission and a 50% Service Charge Remission to the total value of \$878.00** as requested for the property known as 4 Dunn Street, Mathinna identified as PID 6414634.

CARRIED UNANIMOUSLY

08/23.13.6 **Council Meeting Procedures Review**

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

That the Council rescind LG53 – Audio Recording of Council Meetings Policy and adopt Councils Meeting Procedures – July 2023.

INTRODUCTION:

The Council Meeting Procedures were originally prepared to assist Councillors and Staff with the process and procedures for Council Meetings.

As a result of a Notice of Motion to Council to implement Live Audio/Visual Streaming of Council Meetings, Council Officers have reviewed the current Audio Recording of Council Meetings Policy – LG53 and Councils Meeting Procedures.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

08/23.13.6.194 Moved: Clr G Barnes / Seconded: Clr K Chapple

That the Council rescind LG53 – Audio Recording of Council Meetings Policy and adopt Councils Meeting Procedures – July 2023.

CARRIED UNANIMOUSLY

08/23.14.0 WORKS AND INFRASTRUCTURE

08/23.14.1 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 report provides summary detail relating to Works Operations and Capital Projects for the reporting period July 2023.

DISCUSSION:

- The Manager Infrastructure and Development Services commented in relation to waste management – last year there was 2912 tonnes of waste sent to Copping which is fairly consistent with previous years.
- The Manager Infrastructure and Development Services commented in relation to the St Marys Cemetery Master Plan works and advised that they are delaying construction of the new columbarium wall as the contractor is unavailable and it won't be done until mid-September.
- The Manager Infrastructure and Development Services advised that they are about to complete the MTB trails remediation works arising from the October 2022 floods and Upper Scamander Road remediation and Elephant Pass Road will commence shortly.

COUNCIL DECISION:

08/23.14.1.195 Moved: Clr G Barnes / Seconded: Clr K Wright

That the report be received by Council.

CARRIED UNANIMOUSLY

08/23.14.2 Animal Control Report

FILE REFERENCE	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:

No discussion took place on this item.

COUNCIL DECISION:

08/23.14.2.196 Moved: Clr K Wright / Seconded: Clr V Oldham

That the report be received by Council.

CARRIED UNANIMOUSLY

08/23.15.0 **COMMUNITY DEVELOPMENT**

08/23.15.1 **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 matters which are being dealt with by the Community Services Department.

DISCUSSION:

- The Community Services Officer stated that last week they had a Learner Driver Mentor Program (LDMP) day in Fingal with five (5) potential new mentors in the Valley.

COUNCIL DECISION:

08/23.15.1.197 Moved: Clr G Barnes / Seconded: Clr K Wright

That the report be received.

CARRIED UNANIMOUSLY

FILE REFERENCE	002\024\004\
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OFFICER'S RECOMMENDATION:

That policy CB07 be amended as follows:

- In Category A; a new paragraph is added: A registered political party/group can apply for an exemption in line with Category B or Category C.; and
- A new category is added:

Category E – Full Concession – eligible for 100% concession on full rate (ie. free venue hire) – 3 Month Trial Period

This category applies to groups/organisations/start up small businesses/start up social enterprises that fall outside categories A, B, C and D. Any group applying for Category E must provide copies of recent bank statements showing their financial position. Any materials that are used during the three-month trial of a venue hire MUST be removed from the venue after each use.

INTRODUCTION:

Council recently has received two requests to waive all fees for the hire of the St Marys Hall for a trial period of three months for a new activity.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

08/23.15.2.198 Moved: Clr V Oldham / Seconded: Clr I Carter

That policy CB07 be amended as follows:

- In Category A; a new paragraph is added: A registered political party/group can apply for an exemption in line with Category B or Category C.; and
- A new category is added:

Category E – Full Concession – eligible for 100% concession on full rate (ie. free venue hire) – 3 Month Trial Period

This category applies to groups/organisations/start up small businesses/start up social enterprises that fall outside categories A, B, C and D. Any group applying for Category E must provide copies of recent bank statements showing their financial position. Any materials that are used during the three-month trial of a venue hire MUST be removed from the venue after each use.

CARRIED UNANIMOUSLY

FILE REFERENCE	018\019\001\
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OFFICER'S RECOMMENDATION:

For Councillors information

INTRODUCTION:

Council staff undertook a review of the Community Grant Application form to ensure that it now captures Councillors comments which have been gathered over the last couple of rounds of this community grant program.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

08/23.15.3.199 Moved: Clr G Barnes / Seconded: Clr K Wright

That Council adopt the Community Grant Application Form.

CARRIED UNANIMOUSLY

08/23.15.4 Bay of Fires Master Plan

FILE REFERENCE	002\017\017\
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OFFICER'S RECOMMENDATION:

1. That Council does not proceed with the development of the Bay of Fires Master Plan due to additional funding not being received from the State Government.
2. That Council as part of the State Election process lobby for a commitment from both the Liberal and Labor parties for funding of \$150,000 for the development of a Bay of Fires Master Plan. .

INTRODUCTION:

Council sought additional funding from the State Government through the budget process this year and was not successful in receiving the requested \$50,000.

DISCUSSION:

- Clr Chapple stated that in the information provided it states that the \$50,000 will be returned to Parks and Wildlife and she is assuming that the funds will be used for infrastructure improvements. The General Manager stated that what they are saying is that the \$50,000 will be spent. Clr Chapple asked whether we seek assurances that this will happen and something will be done.
- Clr Carter stated that he has issues/concerns around the pressures on the area and one is the need for a toilet at the end of the Gardens Road and the pressures on the environment around the camping sites. Clr Carter would like to see continued pressure for something to be done in this area.

COUNCIL DECISION:

08/23.15.4.200 Moved: Clr K Wright / Seconded: Clr V Oldham

1. That Council does not proceed with the development of the Bay of Fires Master Plan due to additional funding not being received from the State Government.
2. That Council as part of the State Election process lobby for a commitment from both the Liberal and Labor parties for funding of \$150,000 for the development of a Bay of Fires Master Plan. .

CARRIED UNANIMOUSLY

08/23.15.5 **Waiver of Fees for Banner Pole Hire – A Festival Called George**

FILE REFERENCE	005\017\004\
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OFFICER’S RECOMMENDATION:

That Council waive all fees associated with the use of the eight (8) banner poles located in St Helens in support of the Festival Called George which is being held in October 2023.

INTRODUCTION:

The organisers of A Festival Called George has requested Council’s assistance in erecting eight (8) banners on the banner poles in Cecilia Street, St Helens one (1) month before October 7 2023.

DISCUSSION:

- Clr Carter stated that he assumes that this waiver is only for this year as they should become more sustainable going forward.

COUNCIL DECISION:

08/23.15.5.201 Moved: Clr K Wright / Seconded: Clr G Barnes

That Council waive all fees associated with the use of the eight (8) banner poles located in St Helens in support of the Festival Called George which is being held in October 2023.

CARRIED UNANIMOUSLY

08/23.15.6 **Reconciliation Action Plan**

FILE REFERENCE	011\002\002\
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OFFICER’S RECOMMENDATION:

That Council accept the quote of \$11,750.00 + GST as quoted by Reconciliation Tasmania (RT) to develop a Reconciliation Action Plan (RAP) for the Break O’Day Community. This cost excludes the cost of professional graphic art for RAP format, layout, artwork and photography, professional printing of the RAP document and associated promotional pieces – banners, flyers etc. as well as staff costs who will be working on the project.

INTRODUCTION:

Reconciliation Tasmania seeks to assist the many Tasmanians seeking truth and reconciliation in order to make our State more welcoming and informed for all.

DISCUSSION:

- The Business Services Manager advised that this project has not been included in the current budget as the quote was not received in time for it to be included.
- Mayor Tucker asked, would it be more appropriate for this to be included in the 2024/2025 budget. The Business Services Manager stated that this is more for a discussion for Council.
- The General Manager stated that this is not scheduled and may take a while and this could be considered as part of a budget review if required.
- Clr Chapple stated that she thinks there are some good points, especially with regards to timing that we need to be mindful of, but obviously we would like to get this done as soon as we can. Clr Chapple stated that she is also very mindful of staff workloads at the moment.
- Clr Carter agreed with Clr Chapple but also mentioned the local Aboriginal community group and he would like to make sure that they are not forgotten as well as being mindful of staff workloads as previously mentioned.
- The General Manager stated that this will be scheduled after the busy community event schedule to ensure there is not extra pressures on staff during that busy time.

COUNCIL DECISION:

08/23.15.6.202 Moved: Clr K Chapple / Seconded: Clr I Carter

That Council accept the quote of \$11,750.00 + GST as quoted by Reconciliation Tasmania (RT) to develop a Reconciliation Action Plan (RAP) for the Break O’Day Community. This cost excludes the cost of professional graphic art for RAP format, layout, artwork and photography, professional printing of the RAP document and associated promotional pieces – banners, flyers etc. as well as staff costs who will be working on the project.

CARRIED UNANIMOUSLY

*Meeting adjourned for Citizenship Ceremony and morning tea at 11.00am
Meeting resumed at 11.24am*

08/23.16.0 DEVELOPMENT SERVICES

08/23.16.1 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 matters which have been dealt with by the Development Services Department since the previous Council meeting.

DISCUSSION:

- The Senior Town Planner stated that the Tasmanian Planning Scheme is now in force and it will be Gazetted on the 23 August.

COUNCIL DECISION:

08/23.16.1.203 Moved: Clr G Barnes / Seconded: Clr K Wright

That the report be received.

CARRIED UNANIMOUSLY

FILE REFERENCE	P23/3
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OFFICER’S RECOMMENDATION:

Endorse the draft Strata Development Policy (Policy No EP11) which has undergone targeted consultation within the development community and legal counsel review.

INTRODUCTION:

The draft Strata Development Policy has been released for targeted consultation in accordance with the targeted consultation Communications Strategy. Invitations to comment on the draft policy were sent out to relevant organisations identified in the Communications Strategy, on 6 June 2023. Comment was invited until close of business on 3 July 2023. During this period, two (2) submissions were received:

1. Andrew Butler on behalf of East Coast Surveying and Woolcott Surveys (Land Development & Surveying);
2. Sally Bevis on behalf of Terrace (Strata Manager and Real Estate).

DISCUSSION:

- The Senior Town Planner advised that this is the final step in the process in developing this policy. This has been discussed at various meetings.
- The Senior Town Planner stated that the draft policy has been put out to targeted consultation and two (2) responses were received.
- The Senior Town Planner advised that Officer’s reviewed the responses and made a recommendation and the responses and the policy were reviewed by Councils solicitor to make sure they were correct.
- Mayor Tucker stated that the two (2) responses received both requested that item 4.4 be removed and he asked, why have they put so much emphasis on this when we have recommended no change to be made. The Senior Town Planner stated that this policy is aiming to ensure that an application is not a subdivision and it differentiates between what is a subdivision and what is a strata lot.
- Clr Chapple stated that she thinks it is really well done and does absolutely needs to be done right.

COUNCIL DECISION:

08/23.16.2.204 Moved: Clr K Chapple / Seconded: Clr K Wright

Endorse the draft Strata Development Policy (Policy No EP11) which has undergone targeted consultation within the development community and legal counsel review.

CARRIED UNANIMOUSLY

08/23.17.0 GOVERNANCE

08/23.17.1 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 matters which are being dealt with by the General Manager and with other Council Officers where required.

DISCUSSION:

- The General Manager commented in relation to the “Week in the Life of Council” (WITLOC) program which took place last week and he wanted to pay testament for the hard work of all Council Officers that were involved, this program was led by Council’s Human Resource Coordinator and supported by other Council officers. The amount of information and enthusiasm that the kids had was excellent and seeing the impact that the project had was very positive , there was a video made as well which will come out in due course showing the journey.
- The General Manager commented in relation to the Future of Local Government Review and advised that they had a meeting in Scottsdale last week with the Board which was quite a positive discussion – now we await the Board report.
- The General Manager stated that the State Government made an announcement last week about Strategic Regional Partnership. At this stage we have no information on this.
- Clr Chapple asked what is the timeframe for a decision in relation to the Future of Local Government. The General Manager stated that he thinks the report goes to the Minister at the end of October however he is not sure when the recommendations will be released.
- Clr Carter asked, is there any indication that the WITLOC program will happen again with possible expansion to the other schools. The General Manager stated that we will look at the feedback and evaluate it however at this stage it looks like we could possibly do it on an ongoing basis. Clr Carter stated that it sounds like it is achieving a number of things such as giving the youth a voice. The General Manager stated that it has some great benefits in the space of engagement with the youth. Clr Chapple stated that the team who did this need to be highly commended.

COUNCIL DECISION:

08/23.17.1.205 Moved: Clr G Barnes / Seconded: Clr I Carter

That the General Manager’s report be received.

CARRIED UNANIMOUSLY

FILE REFERENCE	018\019\001\
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OFFICER’S RECOMMENDATION:

That Council provide a submission to the 2024-2025 State Budget community consultation process covering the following items:

1. St Helens District High School investigation of replacement & upgrading options
2. St Helens Wharf repairs
3. St Marys Childcare Centre – investigation into options
4. St Marys Pass – investigation & business case

INTRODUCTION:

The State Government will shortly commence the community consultation process as part of developing the 2024 -2025 State Budget, this provides an opportunity for Council to provide a submission advocating for projects, services, activities or policy changes. The closing date for submissions has not been notified yet but could be in October 2023.

DISCUSSION:

- The General Manager asked if any councillors have anything to add please let him know.
- Clr Wright asked, is it worth putting something in for the use of the old hospital. The General Manager stated that he believes that the State Government will go to an Expression of Interest (EOI) process in the near future and we will see what happens with this process and Council can provide a response.

COUNCIL DECISION:

08/23.17.2.206 Moved: Clr K Wright / Seconded: Clr K Chapple

That Council provide a submission to the 2024-2025 State Budget community consultation process covering the following items:

1. St Helens District High School investigation of replacement & upgrading options
2. St Helens Wharf repairs
3. St Marys Childcare Centre – investigation into options
4. St Marys Pass – investigation & business case

CARRIED UNANIMOUSLY

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

Moved: Clr I Carter / Seconded: Clr G Barnes

CARRIED UNANIMOUSLY

IN CONFIDENCE

08/23.18.0 **CLOSED COUNCIL**

08/23.18.1 **Confirmation of Closed Council Minutes – Council Meeting 17 July 2023**

08/23.18.2 **Outstanding Actions List for Closed Council**

08/23.18.3 **Old St Helens Hospital - Closed Council Item Pursuant To Section 15(2)F of the Local Government (Meeting Procedures) Regulations 2005**

No part of the decision is to be released to the Public.

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

Moved: Clr K Wright / Seconded: Clr G Barnes

CARRIED UNANIMOUSLY

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 12.06pm.

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MAYOR

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DATE