



# COUNCIL MEETING MINUTES

Monday 20 February 2023  
Council Chambers, St Helens

Raoul Harper, Acting General Manager  
Break O'Day Council  
20 February 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 Councillors, staff and members of the community 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.*

### 02/23.1.0 ATTENDANCE

#### 02/23.1.1 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

## 02/23.1.2 Apologies

Nil

## 02/23.1.3 Leave of Absence

Nil

## 02/23.1.4 Staff in Attendance

Acting General Manager, Raoul Harper  
Executive Assistant, Bec Wood  
Manager Community Services, Chris Hughes (1.0-17.7)  
Manager Infrastructure and Development Services, David Jolly (1.0-18.3)  
Communications Coordinator, Jayne Richardson (1.0-18.4)  
Development Services Coordinator, Jake Ihnen (1.0-17.7)  
Senior Planning Officer, Deb Szekely (1.0-6.1)  
Economic Development Officer, Anna Williams (1.0-18.4)

## 02/23.2.0 PUBLIC QUESTION TIME

Four (4) people in the gallery.

## 02/23.2.1 PUBLIC QUESTIONS

Nil

## 02/23.3.0 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

## 02/23.4.0 CONFIRMATION OF MINUTES

### 02/23.4.1 Confirmation of Minutes – Council Meeting 16 January 2023

#### OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 16 January 2023 be confirmed with the following amendments from Councillor Drummond.

1. Page 10 Planning Authority - Clr Drummond stated the she is not comfortable with the recommendation, but will second the officers recommendation to enable debate to occur.
2. Page 11 Planning Authority - Clr Drummond asked, do we have time and space to go back to the proponent, and ask for an extension of time, say 30 days, to look at this more thoroughly and to work towards a positive outcome for both the planning authority and for the proponent.
3. Page 25 Housing Action Crisis - Clr Drummond stated that the item on housing crisis in the newsletter was very well received and she was very pleased about its inclusion.
4. Page 30 Future of Local Government Review - Clr Drummond suggested the maybe remuneration should be paid by the State Government, as we are a level of government, should this burden be on the local government. She also agreed that there should be better remuneration but this is not something that the Council can wear financially.

#### DISCUSSION:

- Mayor Tucker reminded Councillors that the Council meeting minutes are not hansard. Councillor Drummond indicated that she understood this but feels that these are important points made in the discussion that were missed.

#### COUNCIL DECISION:

##### 02/23.4.1.015 Moved: Clr J Drummond/ Seconded: Clr K Wright

That the minutes of the Council Meeting held on the 16 January 2023 be confirmed with the following amendments from Councillor Drummond.

1. Page 10 Planning Authority - Clr Drummond stated the she is not comfortable with the recommendation, but will second the officers recommendation to enable debate to occur.
2. Page 11 Planning Authority - Clr Drummond asked, do we have time and space to go back to the proponent, and ask for an extension of time, say 30 days, to look at this more thoroughly and to work towards a positive outcome for both the planning authority and for the proponent.
3. Page 25 Housing Action Crisis - Clr Drummond stated that the item on housing crisis in the newsletter was very well received and she was very pleased about its inclusion.

4. Page 30 Future of Local Government Review - Clr Drummond suggested the maybe remuneration should be paid by the State Government, as we are a level of government, should this burden be on the local government. She also agreed that there should be better remuneration but this is not something that the Council can wear financially.

**CARRIED UNANIMOUSLY**

## **02/23.5.0 COUNCIL WORKSHOPS HELD SINCE 16 JANUARY 2023 COUNCIL MEETING**

There was a Workshop held on Monday 6 February 2023 and the following items were listed for discussion.

- Future of Local Government Review
- 2022-2023 Annual Plan Review
- Risk Management Framework Policy Review
- Capital Works Budget Review
- Animal Control Report
- Main Street, St Marys – Vulnerable Road User Program
- Funding of Online Access Centres – St Marys and Fingal
- 5-7 Portland Court, St Helens – Hub4Health Building
- Binalong Bay Local Township Plan
- Scamander Local Township Plan
- Falmouth Local Township Plan
- Policy AM21 – Single Use Plastics Policy
- Pending Development Application Updates
- NRM Committee Meeting Minutes – 6 December 2022
- Grant for Scamander Coastal Hazards Risk Mitigation and Pathways Planning Project
- Binalong Bay Foreshore Weed Management
- Future Aquatic Facility Investigation
- Australian Local Government Association (ALGA) – 2023 National General Assembly of Local Government – Call for Motions
- Live Streaming of Council Minutes
- Housing Supply
- Draft Response – Tasmanian Population Strategy Consultation
- Review - LG03 – Councillors Code of Conduct Policy



## 02/23.6.0 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.

### 02/23.6.1 DA 297-2022 – 2 Lot Subdivision – 2 Annie Street, St Helens

FILE REFERENCE	DA 297-2022
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#### OFFICER'S RECOMMENDATION:

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **2 LOT SUBDIVISION** on land situated at **2 ANNIE STREET, ST HELENS (INCL WORKS IN CT107996/2 & MEDEA STREET)** described in Certificate of Title 173142/2 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
Subdivision Plan	Job No. 220101, Version: 2.0	Woolcott Surveys	20/12/22
Preliminary Servicing Plans	Drawing No: 7606-14, Sheet No's: G01-G03, C01-C03	CSE Tasmania Pty Ltd	November 2022 Rev: P0
Planning Supporting Report	Job No. 220101, Version: 3	Woolcott Surveys	November 2022

2. All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, TWDA **2022/01925-BODC (dated: 19/12/2022)** as attached to this permit.
3. The Development shall provide a crossover for Lots 1 and 2 which must be constructed in accordance with standard drawing TSD-R09-v3 prior to sign off of The Final Plan of Survey.
4. Stormwater connection points for Lots 1 and 2 must be constructed and extend to the confines of each lot prior to sign off of The Final Plan of Survey.

#### Notes in relation to Condition 4:

- a) Stormwater infrastructure for Lot 2 will be a 600 RCP connecting to the existing manhole in Annie Street indicated by the marker on the map below. The pipe will be laid at the depth and grade of the existing off take stub in Annie Street. The pipe will terminate within the boundary of Lot 2 with a 1050 diameter manhole.



- b) Stormwater infrastructure for Lot 1 will be a 150 PVC pipe connected to the new manhole created for Lot 2, generally in accordance with LGAT standards TSD-SW02-v3 & TSD-SW25-v3.
  - c) A drainage easement is required over Lot 2 in favour of Lot 1.
  - d) Prior to any work commencing in the road reservation a permit must be obtained by submitting a Works Permit application form.
5. Any restrictive covenants created by this subdivision are not to preclude the use/development of this land for State, Commonwealth or Local Government purposes.
  6. A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. The plan will not be sealed until such time as all conditions on this permit have been complied with. Council may, at the developer's request, accept a bond or bank guarantee, for particular works or maintenance, to enable early seal and release of the final plan of survey.

## ADVICE

- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Infrastructure and Development Services.
- If any Aboriginal relics are uncovered during works:
  - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction.
  - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: 1300 487 045, Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au) and

c) *The relevant approval processes will apply with state and federal government agencies.*

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

*Mon-Friday 7 am to 6 pm*

*Saturday 9 am to 6 pm*

*Sunday and public holidays 10 am to 6 pm*

#### **PROPOSAL SUMMARY:**

Application is made for a 2-lot subdivision, at 2 Annie Street, St Helens. Sewer works are also proposed at CT 107996/2 and Medea Street.

One lot presently exists, with one additional lot proposed. The land at CT 107996/2 and Medea Street is included in the application for sewer infrastructure only.

#### **DISCUSSION:**

*Councillor Barnes entered the meeting at 10.05am.*

- The planning consultant advised that this application is for a proposed two lot subdivision, lodged by East Coast Surveying on behalf of Break O’Day Council. The application relied on four performance criteria and no representations were received. It has been recommended for approval with conditions.
- Councillor LeFevre noted that this is a straight forward application and it is positive to see this happen for emergency services in the area.

#### **COUNCIL DECISION:**

**02/23.6.1.016**      Moved: Clr B LeFevre/ Seconded: Clr J Drummond

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and *Break O’Day Interim Planning Scheme 2013* that the application for **2 LOT SUBDIVISION** situated at **2 ANNIE STREET, ST HELENS (INCL WORKS IN CT107996/2 & MEDEA STREET)** described in Certificate of Title 173142/2 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.

<b>Approved Plans / Documents</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Subdivision Plan	Job No. 220101, Version: 2.0	Woolcott Surveys	20/12/22
Preliminary Servicing Plans	Drawing No: 7606-14, Sheet No’s: G01-G03, C01-C03	CSE Tasmania Pty Ltd	November 2022 Rev: P0

- All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, TWDA **2022/01925-BODC (dated: 19/12/2022)** as attached to this permit.
- The Development shall provide a crossover for Lots 1 and 2 which must be constructed in accordance with standard drawing TSD-R09-v3 prior to sign off of The Final Plan of Survey.
- Stormwater connection points for Lots 1 and 2 must be constructed and extend to the confines of each lot prior to sign off of The Final Plan of Survey.

**Notes in relation to Condition 4:**

- a) *Stormwater infrastructure for Lot 2 will be a 600 RCP connecting to the existing manhole in Annie Street indicated by the marker on the map below. The pipe will be laid at the depth and grade of the existing off take stub in Annie Street. The pipe will terminate within the boundary of Lot 2 with a 1050 diameter manhole.*



- b) *Stormwater infrastructure for Lot 1 will be a 150 PVC pipe connected to the new manhole created for Lot 2, generally in accordance with LGAT standards TSD-SW02-v3 & TSD-SW25-v3.*
- c) *A drainage easement is required over Lot 2 in favour of Lot 1.*
- d) *Prior to any work commencing in the road reservation a permit must be obtained by submitting a Works Permit application form.*
- Any restrictive covenants created by this subdivision are not to preclude the use/development of this land for State, Commonwealth or Local Government purposes.
  - A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. The plan will not be sealed until such time as all conditions on this permit have been complied with. Council may, at the developer's request, accept a bond or

bank guarantee, for particular works or maintenance, to enable early seal and release of the final plan of survey.

## ADVICE

- *All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Infrastructure and Development Services.*
- *If any Aboriginal relics are uncovered during works:*
  - a) *All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction.*
  - b) *The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: 1300 487 045, Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au) and*
  - c) *The relevant approval processes will apply with state and federal government agencies.*
- *Activities associated with construction works are not to be performed outside the permissible time frames listed:*

*Mon-Friday 7 am to 6 pm*

*Saturday 9 am to 6 pm*

*Sunday and public holidays 10 am to 6 pm*

## CARRIED UNANIMOUSLY

*The Mayor advised the Council that it had now concluded its meeting as a Planning Authority under Section 25 of the Local Government (Meeting Procedures) Regulations 2015*

## 02/23.7.0 COUNCIL MEETING ACTIONS

### 02/23.7.1 Outstanding Matters

The report was received.

- Councillor Chapple followed up about the meeting scheduled with Minister Jaensch relating to increased funding for the St Helens Online Access Centre. Mayor Tucker advised that the meeting would be held the following day.
- Councillor Wright asked where are we up to with tip vouchers for people outside of the collection area? The Acting General Manager advised that this can be considered by Council as part of the budget discussions.

## 02/23.8.0 PETITIONS

Nil.

## 02/23.9.0 NOTICES OF MOTION

### 02/23.9.1 Short Stay Accommodation Policy – Clr J Drummond

#### **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 develop a Short Stay Accommodation policy.

#### **SUBMISSION IN SUPPORT OF MOTION:**

There is concern within certain sectors of the community that too many houses are moving towards short-stay accommodation. This is a sentiment which has been echoed by other communities, particularly when considering housing affordability. Any consideration must be balanced against the need for visitor accommodation which brings about a range of social and economic benefits for the local community.

Council have acknowledged in the past that short-stay accommodation is an important part of our economy in Break O’Day. However, it is also problematic for those seeking accommodation in the municipality, by reducing the available housing stock. This is particularly evident when the tourist season is at its height and there is also an influx of workers providing additional assistance to businesses during the busy period.

Residential Land Supply data as provided through a recent study by Kinetica shows that rental availability and affordability in the St Helens area, and potentially beyond, is experiencing significantly increasing median rental prices, this is an issue throughout Tasmania. Figures that are available from local real estate agents suggest that there are limited rental properties available.

This shortage can be directly linked to properties being utilized for short-stay accommodation. CBOS reported that of non-vacant residential properties in St Helens and surrounding coastal towns, 11% of the total housing stock is utilized for short term accommodation. Contrast this to Hobart, who have been looking at this issue of short-term accommodation where 9.3% of housing has been placed into the short-term accommodation market and Sydney where just 2% of housing is in the short-term accommodation market.

The Tasmanian Government imposes the planning requirements for visitor accommodation. According to the Tasmanian Government Planning in Tasmania website @ <https://planningreform.tas.gov.au/planning/short-stay-accommodation-act-2019>, “Short stay accommodation refers to houses, apartments and other types of dwellings that are let out to paying



guests for overnight accommodation, generally on a temporary basis and usually to people who are on holiday or vacation.

You do not require a planning permit if you meet the 'home-sharing' exemption, which applies if the dwelling is used by the host (as owner or occupier) as their main place of residence and:

- the dwelling is only let to visitors while they are on vacation or are temporarily absent, or
- visitors are accommodated in not more than four bedrooms while the host is living there.

For all other instances, a planning permit subject to specific planning requirements is required from the relevant local council.

Planning requirements may currently vary from council to council while the staged implementation of the single Tasmanian Planning Scheme is rolled out across councils."

According to the most recent "Report on data collection Quarter 2 2022, Short Stay Accommodation Act 2019" ([https://cbos.tas.gov.au/\\_data/assets/pdf\\_file/0007/697579/Short-Stay-Accommodation-Act-2019-Report-11-Quarter-2-2022.pdf](https://cbos.tas.gov.au/_data/assets/pdf_file/0007/697579/Short-Stay-Accommodation-Act-2019-Report-11-Quarter-2-2022.pdf)) compiled by the state government, there are approximately 252 short term accommodation options in the Break O'Day municipality. This is the fourth highest reported rate of short-term accommodation in the State after Hobart (449), Glamorgan Spring Bay (420) and Launceston (265).

Council does not have a Short Stay Accommodation Policy and must decide if one is required balanced against the statutory planning requirements, community benefits and consequences.

### **1. Short Stay Accommodation Audit**

That council conduct an audit of BODC approved short-term accommodation against short-term accommodation sites and the most recent data provided by CBOS and confirm that existing short-term accommodation is appropriately registered and noted.

A report is sought providing advice in accordance with the requirements of *Section 65 of the Local Government Act 1993* for the information of Council at a future meeting; and consider any advice as required from relevant State Agencies.

### **2. Short Stay Accommodation Ownership by councillors**

- 2.1 That all elected Councillors declare their ownership and / or interest in any form of short-term accommodation in the Break O'Day municipality and that these interests should be listed in the Register of interests held at the Break O'Day Council.
- 2.2 Councillors should be requested to consider if these interests raise a conflict of interest when voting on and/ or participating in decision making regarding short term accommodation

A report is sought providing advice in accordance with the requirements of *Section 65 of the Local Government Act 1993* for the information of Council at a future meeting; and consider any advice as required from relevant State Agencies.

## DISCUSSION:

- Councillor Drummond noted that Council have discussed short stay accommodation many times previously and that we need a clear direction for where we are going with this. She indicated that she understood it is good for our economy but recognises that we also have a housing crisis and this is affecting things such as rent. She would like to get qualified advice about what this means for our community as we have such a high percentage of short stay accommodation in our area. Councillor Wright agreed.
- Mayor Tucker advised that Hobart City Council have been working through this and have spent significant money and time to date, they lost their case with the Planning Commission last week. He indicated that he would like our Council watching brief on what happens with Hobart City Council on the issue before we look in to it further.
- Councillor LeFevre would like to see this come back to workshop after the next Local Government Review section has come through the review being completed. He also referred to the point about Councillors declaring their ownership of property that are listed as airbnbs and made the point that a Councillor with a long term rental property could also be affected by this.
- Councillor Wright agreed that we need to bring this back to workshop but noted that it is very important that this be discussed as it is an important issue.
- Mayor Tucker agreed with concerns and noted that the housing crisis is affecting many parts of Australia at the moment.
- Councillor Drummond noted it has been a problem for years and that we have talked about it many times since she has been a Councillor but the community are now talking about the transparency of Councillors owning airbnbs. She would like this to be an open and honest discussion so Councillors can become more informed about what we may or may not be able to do. She agreed to discuss it at a later date as long as it is on the table.
- Councillor Carter indicated this is a positive conversation to have and acknowledged that he is an airbnb owner.
- Councillor Chapple agreed with what Councillor LeFevre brought up and noted that a workshop is a good space to have a further discussion. She would also like to see what happens with Hobart City Council. She advised that from the chamber of commerce meetings there are a number of airbnb owners concerned about what may happen with regards to this.
- Councillor Johnstone acknowledged that she has an airbnb on her property and supports this concept but noted that she has not had any feedback from the community around Councillors being airbnb owners. She would like to see this go to workshop and see what happens with Hobart Council.
- Mayor Tucker would like to move the motion away from developing a policy to bringing it back to workshop with the view to it coming back to Council as part of the next annual plan. He indicated that we need to allow the process to unfold in Hobart as this will affect every municipality in Tasmania.
- Councillor Drummond indicated this is acceptable to her as long as it is still on the table and not forgotten about again, she felt this has already gone on for too long.



- Councillors voted unanimously for this to go back to workshop.
- This item was returned to at 11.20am to formally amend the motion to reflect this change.

#### **COUNCIL DECISION:**

**02/23.9.1.017**      Moved: Clr J Drummond/ Seconded: Clr K Wright

*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 develop a Short Stay Accommodation policy.

**An amendment was moved:**

**02/23.9.1.018**      Moved: Clr B LeFevre/ Seconded: Clr L Johnstone

That Council discuss a short stay accommodation policy at a workshop.

**CARRIED UNANIMOUSLY**

**The amendment becomes the motion:**

**CARRIED UNANIMOUSLY**

#### **02/23.10.0      COUNCILLOR'S QUESTIONS ON NOTICE**

Nil.

*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.*

### 02/23.11.1 Break O'Day Reconciliation Action Plan – Clr Drummond

Councillor Drummond requested an update on the progress of the Break O'Day Council Reconciliation Program.

#### **Reply:**

Council made a decision in 2019 to develop a Reconciliation Action Plan (RAP) - we got a quote to work with Reconciliation Tasmania - \$15,050 - Council did not approve the funding for this project by Reconciliation Tasmania but Council did support Council staff developing the document with the community. In the early stages we identified that we may face challenges ensuring that we worked with all representatives and then COVID struck.

A Council officer attended a session run by LGAT in November, 2021 facilitated by Reconciliation Tasmania. The topics discussed at this session were:

- The history of reconciliation in Australia from the Bridge Walks to today
- First Nations representatives shared their perspectives on the reconciliation process and the role of local government as leaders.
- The 5 pillars of reconciliation and what they mean in our workplaces and community
- What is a Reconciliation Action Plan, why 'do reconciliation' and the potential benefits emerging from RAP commitments
- Case studies of several regional councils currently undertaking RAPs in Tasmania – George Town and Huon Valley Council
- Perspectives from First Nations communities in Tasmania regarding the process in developing RAPs and strategies in consulting with the Aboriginal community

Council has adopted a Key Focus Area of Access and Inclusion as a lens to conduct work and advocate for broader systemic, structural and social changes towards a fair and equitable Break O'Day as a first step towards developing a RAP. We believe this KFA is an important lens that can embrace reconciliation, cultural diversity, disability access and social disadvantage action areas, and that it is a critical first step towards providing the structural frame for us to conduct this important work. However this work must be enacted authentically and this takes skills resources and time. Reconciliation is a two-way process built on trust and long-term relationships. We must commit to authentically walking together with our Aboriginal Community.

## 02/23.12.0

## MAYOR'S & COUNCILLOR'S COMMUNICATIONS

### 02/23.12.1

### Mayor's Communications for Period Ending 20 February 2023

26.01.2023	<b>St Helens</b>	– Australia Day Awards and Citizenship Ceremony
30.01.2023	<b>St Helens</b>	– Meeting with Brian Mitchell MP
30.01.2023	<b>Scamander</b>	– Scamander Community meeting
01.02.2023	<b>Launceston</b>	– Northern Tasmania Development Corporation (NTDC) – Members Meeting
06.02.2023	<b>Sydney</b>	– Australian Local Government Association Board Meeting
08.02.2023	<b>St Helens</b>	– Bendigo Bank 5 <sup>th</sup> Birthday Celebrations
08.02.2023	<b>St Helens</b>	– Meeting with Minister for Local Government
09.02.2023	<b>Bicheno</b>	– Future of Local Government Elected Representatives Engagement Session
14.02.2023	<b>St Helens</b>	– St Helens Destination Action Plan and Chamber of Commerce Tourism Networking Event
16.02.2023	<b>Launceston</b>	– Northern Flood Recovery Advisory Group
16.02.2023	<b>MS Teams</b>	– Australian Local Government Association Board Meeting
20.02.2023	<b>St Helens</b>	– Council Meeting
20.02.2023	<b>St Helens</b>	– Meeting with Senator Wendy Askew

### 02/23.12.2

### Councillor's Reports for Period Ending 20 February 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

- Councillor Chapple advised there is a meeting tomorrow night

#### NRM Special Committee – Clr Janet Drummond

- Councillor Drummond advised that there is a meeting coming up in approximately six (6) weeks

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

- Councillor LeFevre advised that there is a meeting tomorrow at Fingal Valley Neighbourhood House and that they have three board member positions currently being advertised

#### Mental Health Action Group – Clr Barry LeFevre

- Nothing to report

#### Disability Access Committee – Clr Janet Drummond

- Councillor Drummond advise that the last meeting was postponed due to sickness

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

- Nothing to report

**02/23.13.0 BUSINESS AND CORPORATE SERVICES**

**02/23.13.1 Corporate Services Department Report**

<b>FILE REFERENCE</b>	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 Acting General Manager noted the following:
  - That local government election costs increased by \$10,000 in comparison to the previous election.
  - We have now passed the due date for the third rates instalment.
  - Our most recent term deposit is now returning 4.55% which is an enormous turn around compared to last year.

**COUNCIL DECISION:**

**02/23.13.1.019** Moved: Clr B LeFevre/ Seconded: Clr K Chapple

That the report be received.

**CARRIED UNANIMOUSLY**

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

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

1. Profit and Loss Statement
2. Capital Works 2022-2023

**INTRODUCTION:**

Presented to Council are the monthly financial statements.

**DISCUSSION:**

Nil

**COUNCIL DECISION:**

**02/23.13.2.020**

Moved: Clr K Chapple/ Seconded: Clr G Barnes

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

1. Profit and Loss Statement
2. Capital Works 2022-2023

**CARRIED UNANIMOUSLY**

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 Acting General Manager noted the following:
  - These are the best statistics we've had in over 13 years which shows we have had a very busy tourist season.
  - We have a staff centric model which provides a local connection for visitors who come to the area and thanked the staff and volunteers for their on going efforts during such a busy period.
- Councillor Carter indicated that he was in the centre for over half an hour recently and noted that there was only one volunteer on their own and in that half an hour and they looked after eight (8) different people and answered two (2) phone calls and feels we need more staff at certain times of year.
- Councillor LeFevre said with Council's permission he would like to go to East Coast Tasmania Tourism with these figures and our support for the Visitor Information Centre.
- Mayor Tucker indicated he was supportive of this, the staff and volunteer based model works very well for our community and economy, and said why change something that isn't broken.
- The Acting General Manager advised that we no longer have a touch screen available for visitors to use at the centre. In conjunction with the VIC staff a decision has been made to no longer continue with this service given our ongoing focus on face to face service delivery.

**COUNCIL DECISION:****02/23.13.3.021**Moved: Clr I Carter/ Seconded: Clr K Wright

That the report be received.

**CARRIED UNANIMOUSLY**

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

That Council adopt the revised Risk Management Framework Policy.

**INTRODUCTION:**

The purpose of this report is to provide Councillors with a detailed overview of the revised Risk Management Framework Policy being presented for formal adoption.

**DISCUSSION:**

- The Acting General Manager highlighted that this is a very important policy at an operational level as it helps determine how we go about business and decision making and flows on to other policies that come before Council. The risk appetite identified is used to inform these policies.

**COUNCIL DECISION:****02/23.13.4.022**Moved: Clr L Johnstone/ Seconded: Clr K Chapple

That Council adopt the revised Risk Management Framework Policy.

**CARRIED UNANIMOUSLY**

## 02/23.13.5 Capital Works Budget Review

FILE REFERENCE	018\011\001\
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### OFFICER'S RECOMMENDATION:

That Council adopt the revised Capital Works Budget 2022/2023.

### INTRODUCTION:

The purpose of this report is to provide Council with a revised Capital Works Budget 2022/2023.

### DISCUSSION:

- The Acting General Manager advised that the budget estimates for 2022/2023 and the capital works program have been heavily impacted due to the floods in late 2022.
- The Manager infrastructure and Development Services advised the following:
  - That they went through a long process and looked at what our capabilities are and those of local contractors to complete this work.
  - After the floods it was clear that we would be unable to repair the flood damage and complete the capital works program. The flood damage estimate is sitting at approximately \$1 million dollars and that has now been factored into the new capital budget estimate.
  - Each line was looked at individually to check what could be deferred without affecting serviceability and that is how we developed the revised capital budget.
- Mayor Tucker asked how much we will recover back from the Disaster Recovery fund out of that million dollars? The Manager Infrastructure and Development Services advised that at this stage Council estimates to recover \$650,000 to \$700,000.

### COUNCIL DECISION:

**02/23.13.5.023**

Moved: Clr B LeFevre/ Seconded: Clr G Barnes

That Council adopt the revised Capital Works Budget 2022/2023.

**CARRIED UNANIMOUSLY**



## 02/23.14.0 WORKS AND INFRASTRUCTURE

### 02/23.14.1 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 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 the following:

- Work is currently underway on North Ansons Bay Road.
- The nomination of the footpath for Grant Street, Falmouth has been approved by the funding body.
- We have put in a submission for black spot funding for the Medea Street and Circassian Street intersection upgrade and we have received \$200,000 funding for this project. This will be scheduled for construction in the next financial year.
- Councillor Drummond commented that it was really nice to see the water refill station going into Scamander.
- Councillor Chapple expressed concerns that it has only been 8 weeks since St Marys Pass has opened and the potholes in the middle of the road are already evident, she acknowledged this is not a Council road but is very disappointed in this. The Manager Infrastructure and Development Services outlined the importance of notifying State Growth of the failures that are occurring.
- Councillor LeFevre also brought up the section of road leading into St Marys in the lead up to the bridge, it is the worst he has ever seen it.
- Councillor Oldham asked if we are still working towards an alternative for the pass. Mayor Tucker indicated that a lot of work is being done in the background, the State Government has committed to funding a report that will include geological studies and design work and Brian Mitchell MP has said he will fully support our case if the State Government provides a fully costed solution.
- Mayor Tucker asked the General Manager to write another letter to State Growth regarding the St Marys Pass potholes and the state of the main road through St Marys. Councillor Carter asked if we can include the road at Scamander in the lead up to the Falmouth turn off.

- Councillor Drummond is fully supportive of the letter and has sent photos of the corner of Aulichs Lane and the Main Street in St Marys to the General Manager.
- The Acting General Manager agreed to draft a letter to State Growth on the matter.

**COUNCIL DECISION:**

**02/23.14.1.024**                      Moved: Clr K Wright/ Seconded: Clr K Chapple

That the report be received by Council.

**CARRIED UNANIMOUSLY**

**02/23.14.2**                      **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 advised they are working through unpaid dog registrations, we currently have 15 outstanding dog registrations, down from 42 that we had outstanding in December. We are still looking at the issue of the kennels operating in the municipality without licences.
- Councillor LeFevre asked can we workshop the hours of the animal control officer as dogs are a huge issue in our municipality. Mayor Tucker advised that because this is operational matter that will need to brought to the workshop.

**COUNCIL DECISION:**

**02/23.14.2.025**                      Moved: Clr B LeFevre/ Seconded: Clr V Oldham

That the report be received by Council.

**CARRIED UNANIMOUSLY**

**02/23.15.0 COMMUNITY DEVELOPMENT**

**02/23.15.1 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 issues which are being dealt with by the Community Services Department.

**DISCUSSION:**

- The Manager Community Services advised the following:
- The projector at St Marys Hall is now up and running and got great feedback from BODRA.
- We are holding a volunteer event on the 16<sup>th</sup> March and it's designed to match potential volunteers to those that need volunteers and will include a sausage sizzle. This will be held at St Helens and if successful another will be held in the valley.

**COUNCIL DECISION:**

**02/23.15.1.026** Moved: Clr K Chapple/ Seconded: Clr K Wright

That the report be received.

**CARRIED UNANIMOUSLY**

FILE REFERENCE	004\002\009\
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**OFFICER’S RECOMMENDATION:**

That under s.177A. of the Local Government Act, the property at 5 – 7 Portland Court, St Helens be classed as public land:

S177A. Public Land

(1) The following land owned by a council is public land:

- (a) .....
- (f) Any other land that the council determines is public land;
- (g) ....

**INTRODUCTION:**

That the property located at 5-7 Portland Court, St Helens be classified as public land under the Local Government Act.

By classing this property as public land, it means that if Council wishes to dispose of this property in the future it will require a Council resolution and then publish its intention to sell the property where members of our community can lodge an objection to the proposed sale.

**DISCUSSION:**

The Manager Community Services advised that this facility has now been transferred to council ownership.

**COUNCIL DECISION:**

**02/23.15.2.027**

Moved: Clr J Drummond/ Seconded: Clr L Johnstone

That under s.177A. of the Local Government Act, the property at 5 – 7 Portland Court, St Helens be classed as public land:

S177A. Public Land

(2) The following land owned by a council is public land:

- (b) .....
- (h) Any other land that the council determines is public land;
- (i) ....

**CARRIED UNANIMOUSLY**

FILE REFERENCE	002\017\016\
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**OFFICER'S RECOMMENDATION:**

That Council endorse the second Binalong Bay Township Plan which has been developed with the community listing actions/projects that the community can work with Council to develop to be forwarded to the Binalong Bay community for comment.

**INTRODUCTION:**

The purpose of the township plan is to provide a framework for how members of the Binalong Bay community can work with Council on projects.

**DISCUSSION:**

- The Manager Community Services advised that this now includes a small section about completed goals from the previous township plan.
- Councillor Wright said that she received feedback that the Binalong Bay ratepayers group had not been consulted and was concerned only 16 submissions were made. The Manager Community Services advised that we did send an invite to their generic email address.

**COUNCIL DECISION:****02/23.15.3.028**Moved: Clr K Wright/ Seconded: Clr K Chapple

That Council endorse the second Binalong Bay Township Plan which has been developed with the community listing actions/projects that the community can work with Council to develop to be forwarded to the Binalong Bay community for comment.

**CARRIED UNANIMOUSLY**

## 02/23.15.4 Scamander – Local Township Plan

FILE REFERENCE	002\017\016\
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### OFFICER'S RECOMMENDATION:

That Council endorse the second Scamander Township Plan which has been developed with the community listing actions/projects that the community can work with Council to develop to be forwarded to the Scamander community for comment.

### INTRODUCTION:

The purpose of the township plan is to provide a framework for how members of the Scamander community can work with Council on projects.

### DISCUSSION:

- The Manager Community Services advised that this now includes a small section about completed goals from the previous township plan.
- Councillor Carter asked about the inclusion of Four Mile Creek in the Scamander township plan and wants to know how this could be organised better considering that Four Mile Creek is closer to Falmouth. The Manager Community Services advised that they did not want to attend the Falmouth group or be in that plan so their voice is being heard through the Scamander Plan.

### COUNCIL DECISION:

**02/23.15.4.029**

Moved: Clr B LeFevre/ Seconded: Clr K Chapple

That Council endorse the second Scamander Township Plan which has been developed with the community listing actions/projects that the community can work with Council to develop to be forwarded to the Scamander community for comment.

**CARRIED UNANIMOUSLY**

## 02/23.15.5 Falmouth – Local Township Plan

<b>FILE REFERENCE</b>	002\017\016\
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### OFFICER’S RECOMMENDATION:

That Council endorse the second Falmouth Township Plan which has been developed with the community listing actions/projects that the community can work with Council to develop to be forwarded to the Falmouth community for comment.

### INTRODUCTION:

The purpose of the township plan is to provide a framework for how members of the Falmouth community can work with Council on projects.

### DISCUSSION:

- The Manager Community Services advised that this now includes a small section about completed goals from the previous township plan.
- Councillor Carter indicated that an amazing number of people attended that forum and thinks this is healthy feedback.
- Councillor Johnstone attended the consultation in Falmouth and wondered how that came about – did Council do anything differently and is there a way we can engage better with other town? The Manager Community Services said nothing was done differently and some towns have an excellent turnout.
- The Communications Coordinator advised that this time we also had an online survey open so people from every township had greater access to communicate with Council than in previous years.

### COUNCIL DECISION:

**02/23.15.5.030**

Moved: Clr L Johnstone/ Seconded: Clr K Chapple

That Council endorse the second Falmouth Township Plan which has been developed with the community listing actions/projects that the community can work with Council to develop to be forwarded to the Falmouth community for comment.

**CARRIED UNANIMOUSLY**

## 02/23.15.6 Policy AM21 – Single Use Plastics Policy

FILE REFERENCE	002\024\003\
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### OFFICER'S RECOMMENDATION:

1. That a longer time frame be considered for community members who are participating in events and activities to implement the Single Use Plastic Policy.
2. That Council undertaking more extensive community engagement with community groups as to what options are available for them to use when replacing current single use plastics.

### INTRODUCTION:

This policy was adopted by Council in February, 2022 and amended in 2022 after community members sought clarification around one of the items that cannot be used.

### DISCUSSION:

- The Manager Community Services advised they have received correspondence from people who didn't fully understand the policy but agreed with the principle so have asked for an extension to transition.
- Councillor LeFevre and Councillor Carter agreed that this is a very sensible idea.
- Councillor Drummond is disappointed that it has taken Council so long to engage with the community about this and supports an extension.

### COUNCIL DECISION:

**02/23.15.6.031**                      Moved: Clr B LeFevre/ Seconded: Clr I Carter

1. That a longer time frame be considered for community members who are participating in events and activities to implement the Single Use Plastic Policy.
2. That Council undertaking more extensive community engagement with community groups as to what options are available for them to use when replacing current single use plastics.

**CARRIED UNANIMOUSLY**



**02/23.16.0          DEVELOPMENT SERVICES**

**02/23.16.1          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 issues which have been dealt with by the Development Services Department since the previous Council meeting.

**DISCUSSION:**

- The Development Services Coordinator advised that water fountains have now been installed at Scamander, St Marys and at the stadium in St Helens and we have already had some good feedback about those.

**COUNCIL DECISION:**

**02/23.16.1.032**                      Moved: Clr J Drummond/ Seconded: Clr K Wright

That the report be received.

**CARRIED UNANIMOUSLY**

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

That Council receive the Minutes of the NRM Committee Meeting held on 6 December 2022.

**INTRODUCTION:**

The Break O'Day NRM Special Committee met on 6 December 2022 in the Council Chambers, St Helens.

**DISCUSSION:**

- Councillor Carter asked about the amendment to the conservation covenant report and would like to ask about the financial implications of this. Mayor Tucker advised that today's item is only to receive the minutes.

**COUNCIL DECISION:****02/23.16.2.033**Moved: Clr K Chapple/ Seconded: Clr K Wright

That Council receive the Minutes of the NRM Committee Meeting held on 6 December 2022.

**CARRIED UNANIMOUSLY**

### 02/23.16.3 Grant for Scamander Coastal Hazards Risk Mitigation and Pathways Planning Project

FILE REFERENCE	028\008\002
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#### OFFICER'S RECOMMENDATION:

That Council receive an update on successful grant proposal for a project to address coastal erosion and flood hazards at the Scamander River mouth and confirm Council contributions towards the project to secure the grant.

#### INTRODUCTION:

Council has received word its proposal for a Scamander Coastal Hazards Risk Management Project and grant funding has been successful.

#### DISCUSSION:

- The Manager infrastructure and Development Services advised that we have been successful for a grant of 165,000 for this work. The conditions include that we have to make a \$30,000 cash contribution from Council and a further in kind contribution of \$40,000 from Council.
- The Acting General Manager indicated that this requires a budget variation and there are no funds allocated in the budget for this. He advised that Councillors can choose through this motion to add the \$30,000 to the revised capital works budget.

#### COUNCIL DECISION:

**02/23.16.3.034**                      Moved: Clr K Wright/ Seconded: Clr K Chapple

That Council receive an update on successful grant proposal for a project to address coastal erosion and flood hazards at the Scamander River mouth and confirm Council contributions towards the project to secure the grant.

**An amendment was moved:**

**02/23.16.3.035**                      Moved: Clr B LeFevre/ Seconded: Clr K Wright

That Council receive an update on successful grant proposal for a project to address coastal erosion and flood hazards at the Scamander River mouth and confirm Council contributions towards the project to secure the grant by allocating \$30,000 to its capital works budget in the 2022-2023 financial year.

**CARRIED UNANIMOUSLY**

**The amendment becomes the motion:**

**CARRIED UNANIMOUSLY**

## 02/23.16.4 Binalong Bay Foreshore Weed Management

FILE REFERENCE	017\014\002\
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### OFFICER'S RECOMMENDATION:

That Council receive the Weed Management Plan for the Binalong Bay foreshore reserve and note the officers request to allocate in its 2023/2024 budget for Parks and Reserves operational resources to implement the plan, and commit to providing further resources for follow-up work to 2026.

### INTRODUCTION:

Commitment of Council resources and cooperation from others will be required over several years if the attached plan for managing weeds on Binalong Bay foreshore reserve is to be successful.

### DISCUSSION:

- The Manager Infrastructure and Development Services advised that the weed management plan requires a collaborative approach with the Parks and Wildlife Service (PWS). At a minimum we would need to spend \$150,000 over the next four years. We would need to reallocate \$20,000 from other work in parks and reserves towards this to begin the work with PWS during this financial year. Ongoing funds will be required past this first four years to continue to maintain the area.
- Councillor Drummond asked for clarification that this item is both accepting the report and making a budget decision about it. The Manager Infrastructure and Development Services indicated that going forward if this is accepted then \$20,000 will need to be reallocated from the current operational budget and then the remaining funds could be considered with the new budget.
- Councillor Carter asked if we have an indication of how much PWS are putting towards this. The Manager Infrastructure and Development Services said no but we are expecting it to be quite substantial. Councillor Carter asked can we please have that verified as he is concerned that Council may end up bearing the brunt of this project.
- The Acting General Manager shared these concerns and advised that Council needs to be very conscious of the costs associated if this is to become an ongoing expansion of the funding provided to weed management in the years ahead. This project would require a 0.5% rate increase to the community next year just to manage the Binalong Bay Foreshore. He advised that Councillors need to be aware that small changes to service standards add up very quickly.
- Councillor Carter asked does that warrant a review of the whole municipality in terms of weed management?
- Mayor Tucker said we need to be very cautious on how far we go, if private landowners don't fix it on road verges and State Growth don't maintain weeds on road verges then we would constantly be chasing our tails trying to fix the weed problem. He feels we should get it in writing from PWS agreeing to their share of the weed management at Binalong Bay Foreshore.

- Councillor Carter feels we need to set the example regarding weeds.
- Councillor Johnstone agreed with both Councillor Carter and Mayor Tucker and noted the four major stakeholders involved in this including private landowners, PWS, State Growth and Council and said this is an opportunity for us to work together with Council providing leadership on this. People come and visit this area because of our natural beauty and our biodiversity, not to see weeds.
- Mayor Tucker asked if there is any funding available through Landcare or an alternative to help co-contribute towards this so our ratepayers are not funding a PWS program.
- The Manager Infrastructure and Development Services said not currently but there may be in the future. He also advised that our lease of the Binalong Bay Foreshore means we are considered the landholders, the plan highlights the areas responsible for Council to maintain and those which need to be maintained by PWS.
- Councillor Drummond asked how long Council have held the lease over this area. The Manager Community Services stated the lease has been in place since 2018. She also noted that PWS have been sending letters to Binalong Bay residents regarding not dumping waste and not cutting down trees in the area.
- The Manager Infrastructure and Development Services advised that when we put in the foreshore track we had to remove a substantial amount of garden waste which had been illegally dumped there. The colonisation weeds in this area represents a substantial amount of work which has been left unchecked for many years.
- Councillor LeFevre indicated that this is an ideal project for us and is happy to make a decision to fund it as we have a massive amount of people come to visit the Binalong Bay Foreshore area. He believes we should set the example with this and move to other areas with co funding.
- Councillor Carter indicated he would like to see this allocated today and in the future it should be shared funding. The Acting General Manager clarified that this is not just allocating funding for this year, we are committing to \$150,000 of funding.
- Councillor Drummond fully supported this funding going through to 2026, she indicated that we need to get commitment from PWS and volunteers groups, but this is a show of good faith from the Council and will allow us to show how it can be done.
- Councillor Johnstone fully supported going ahead and asked does it mean every time that we need to do something that requires funding our decision will result in a budget increase?
- The Acting General Manager advised that it would require either a rate increase or a decrease in services and/or finding savings in another area. He indicated that our budget is currently very tight so this is unlikely. Councillor Johnstone again clarified that this means we will need to increase the rates? The Acting General Manager restated that if you increase expenditure, you either need to increase revenue or find an existing cost that you can cut to make up the short fall.
- Councillor LeFevre said this is a big cost for a small Council but it is a special place in our municipality.
- Councillor Drummond indicated that we could revisit the possibility of differentiated rates again such as increasing commercial rates as they benefit from all the visitors to the area. Mayor Tucker indicated that this would be punishing one side of the community.

- Councillor Carter agreed with what everyone is saying about it being an important place which needs to be kept in a pristine condition but that this should come back to workshop to discuss.
- Councillor Chapple indicated that Councillors did not get to workshop this very well at the February workshop and feels that this needs a further deep dive at another workshop.
- Councillor LeFevre indicated that he can't see any advantage in workshopping it but feels we need to talk to PWS to see what they are going to provide.
- Mayor Tucker indicated that Councillors need to make a decision today or defer for further information by taking it to a workshop. Councillor Barnes indicated that it should be taken to workshop or only commit to this budget year and then discuss it again when future budgets come up.
- Councillor Wright indicated that Councillors currently have it in front of them and if we don't act on it now it is just drawing it out and the problem gets worse, if we commit to one year and don't maintain it, then it is just wasted money. Councillor Drummond requested going round the table to vote.

#### **COUNCIL DECISION:**

**02/23.16.4.036**

Moved: Clr B LeFevre/ Seconded: Clr K Wright

That Council receive the Weed Management Plan for the Binalong Bay foreshore reserve and allocate in its 2023/24 budget for Parks and Reserves operational resources to implement the plan, and commit to providing further resources for follow-up work to 2026.

**FOR** Councillor B LeFevre, Councillor L Johnstone, Councillor J Drummond, Councillor K Wright

**AGAINST** Councillor V Oldham, Councillor I Carter, Councillor G Barnes, Councillor K Chapple, Councillor M Tucker

**LOST**

**An amendment was moved:**

**02/23.16.4.037**

Moved: Clr V Oldham / Seconded:

That Council bring this item back to workshop.

**LOST**

The amendment was lost due to a lack of a seconder.

**An amendment was moved:**

**02/23.16.4.038**

Moved: Clr K Chapple / Seconded: Clr I Carter

That Council commit to the first year of funding and then look at the following years as part of the budget process.

**FOR** Councillor B LeFevre, Councillor K Wright, Councillor V Oldham, Councillor I Carter,  
Councillor G Barnes, Councillor K Chapple, Councillor M Tucker  
**AGAINST** Councillor L Johnstone, Councillor J Drummond  
**CARRIED**

**02/23.17.0 GOVERNANCE**

**02/23.17.1 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 issues which are being dealt with by the General Manager and with other Council Officers where required.

**DISCUSSION:**

Nil

**COUNCIL DECISION:**

**02/23.17.1.039**                      Moved: Clr G Barnes/ Seconded: Clr K Chapple

That the General Manager's report be received.

**CARRIED UNANIMOUSLY**



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

That the submission in relation to the Options Paper be endorsed.

**INTRODUCTION:**

The Tasmanian Government has instructed the Local Government Board to undertake a review into the future of Local Government in Tasmania. The end goal is to deliver a local government sector that can meet the challenges and opportunities that Tasmanians will face in the coming decades. The Board released an Options Paper in mid-December seeking feedback which needs to be received by 19 February 2023.

**DISCUSSION:**

- The Acting General Manager advised that this is the second paper we are responding to as a Council and noted the following:
  - The report has been updated following feedback from the workshop and also now includes population information from a demographer.
  - We supported a hybrid amalgamation model and have supported undertaking a state agency review which has been supported by Minister Jaensch.
  - We have recommended a common depreciation model for all Councils and recognised the need for greater coordination between Councils and services such as Taswater and PWS with regards to Capital Works Projects.
- Councillor LeFevre said this is a quality response and thanked those who participated.
- Councillor Drummond indicated that the data set from the Northern Tasmanian Development Corporation on Friday supports the demographers work.
- Councillor Johnstone thanked everybody that has had input into this report and noted it is a very good document.

**COUNCIL DECISION:**

02/23.17.2.040

Moved: Clr I Carter/ Seconded: Clr K Chapple

That the submission in relation to the Options Paper be endorsed.

**CARRIED UNANIMOUSLY**

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

That Council receive the Quarterly Review as at the 31 December 2022 of the Break O'Day Council Annual Plan the 2022 – 2023.

**INTRODUCTION:**

Council's management team prepared the 2022 - 2023 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 the matters identified during the recent Strategic Plan review process; broader factors which are impacting Council; and reflecting continuity of existing projects and activities where this exists.

The Annual Plan is a requirement of Section 71 of the *Local Government Act 1993* as follows:

*An Annual Plan is to –*

- (a) be consistent with the strategic plan; and*
- (b) include a statement of the manner in which the Council is to meet the goals and objectives of the strategic plan; and*
- (c) include a summary of the estimates adopted under section 82; and*
- (d) include a summary of the major strategies to be used in relation to the Council's public health goals and objectives.*

**DISCUSSION:**

Nil

**COUNCIL DECISION:**

**02/23.17.3.041**      Moved: Clr I Carter/ Seconded: Clr K Chapple

That Council receive the Review as at the 31 December 2022 of the Break O'Day Council Annual Plan the 2022 – 2023.

**CARRIED UNANIMOUSLY**

**FILE REFERENCE**

011\036\004\

**OFFICER'S RECOMMENDATION:**

That Council:

1. Adopt the Break O'Day Council Future Aquatic Facility Strategy Project Methodology (January 2023) for implementation
2. Endorse the Terms of Reference for the Aquatic Facility Investigation Working Group and seek expressions of interest to fill the positions

**INTRODUCTION:**

The purpose of this report is to detail a process to follow to investigate the potential future construction and operation of an aquatic facility in the Break O'Day.

**DISCUSSION:**

- Councillor Wright thanked all who contributed to this report but is concerned the approach is too large from the start which means we end up doing nothing. Would this be better to be done as a staged approach such as starting with a 25m pool and a hydrotherapy pool.
- Mayor Tucker advised that the point of stage one is to look at all options and not discount anything, there are no pre conceived ideas of what it needs to be. This will look at what is available, what is feasible and the associated costs.
- Councillor Carter clarified that at the end of stage 1 Council has the option to terminate if they no longer wish to proceed. The Acting General Manager confirmed that it will be coming back to Council for review after each stage.
- Councillor LeFevre noted that this is a complex issue but we just need to accumulate all the information we possibly can and get it out to every rate payer and then have an elector poll and let ratepayers decide.
- Mayor Tucker said at the start no one should have any preconceived ideas, everything will be taken into consideration to see if it is feasible but agrees that an elector poll could be required.
- Councillor Drummond asked if it is worth approaching the State Government again in regards to the hydrotherapy pool from a health perspective. Mayor Tucker agreed with Councillor Drummond regarding the hydro pool but noted that for them to do that it would need to be adjoined to the hospital instead of as part of the aquatic facility, this was due to nurses being required to help patients get in and out of the pool.
- Councillor Chapple asked if will be considered as part of stage 1?
- The Acting General Manager said yes all options are on the table, it needs to go to the steering group without preconceived notions of what Council feels the community wants.

The end of stage 1 is a stop point to review and the end of stage 2 is when a critical decision is required.

#### **COUNCIL DECISION:**

**02/23.17.4.042**

Moved: Clr J Drummond/ Seconded: Clr L Johnstone

It is recommended that Council:

1. Adopt the Break O'Day Council Future Aquatic Facility Strategy Project Methodology (January 2023) for implementation
2. Endorse the Terms of Reference for the Aquatic Facility Investigation Working Group and seek expressions of interest to fill the positions

**CARRIED UNANIMOUSLY**

<b>FILE REFERENCE</b>	014\002\001\
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**OFFICER'S RECOMMENDATION:**

1. That Council resolve to implement Live Streaming of Council Meetings; and
2. That the cost for the implementation for associated hardware and software be considered as part of the 2023-2024 budget deliberations.

**INTRODUCTION:**

At the November 2022 Council Meeting Clr Drummond presented the following Notice of 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 develop a procedure to live stream Council meetings, this would provide for the live streaming of the public component of Council meetings. The streaming would not include the part of a meeting when Council is 'closed' to the public.

**DISCUSSION:**

- Councillor Drummond indicated that she is fully supportive of this but asked if we can fund this in the current budget instead of waiting to the 2023-24 budget.
- The Acting General Manager said that would be up to Councillors but we are currently over extended and that live streaming was not considered to be time critical.

**COUNCIL DECISION:****02/23.17.5.043**Moved: Clr B LeFevre/ Seconded: Clr J Drummond

1. That Council resolve to implement Live Streaming of Council Meetings; and
2. That the cost for the implementation for associated hardware and software be considered as part of the 2023-2024 budget deliberations.

**CARRIED UNANIMOUSLY**

FILE REFERENCE	23/2026
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**OFFICER'S RECOMMENDATION:**

That Councillors consider and discuss the draft response to the Tasmanian Population Strategy Consultation

**INTRODUCTION:**

The Tasmanian Government has released *Refreshing Tasmania's Population Consultation Paper* outlining a renewed approach to supporting Tasmania's future. As stated by the Tasmanian Government, '*sustainable population growth is vital in not only meeting the needs of those living in our state but also ensuring we have the right population to keep our businesses, industries, investment and communities going*'.

A draft response has been prepared and requires the Councillors' input on provided questions in the consultation paper. In preparation for drafting the report, consultation was also made with the Break O'Day Employment Centre (BODEC) and child care operators.

**DISCUSSION:**

- The Economic Development officer provided an updated item to Councillors and commented on additional inclusions in each section of the report including the following:
  - Additional information about importance of strategic planning for affordable housing.
  - The need to understand what liveability means for Tasmanians and individual communities.
  - The inclusion of a section to explore legislative reforms to the rating of properties.
  - The inclusion of a section about localised support offered to the people in the community and support offered to services which help the community.
- Mayor Tucker felt a review of the land use strategy is the most relevant factor to affordable housing by allowing the release of land for developments. The Economic Development officer said this is one element of it but does not see this as the most immediate solution to this, but Councillor Tucker's comments will be include in response.
- Councillor Drummond asked in light of new census data coming out, what is the sustainable population of Tasmania – if the recent growth trend continues we are going to exceed 660,000. Councillor Drummond asked about where we are heading? How do we ensure quality of life? She feels we are paying lip service to really important issues and will correspond with the Economic Development Officer regarding the submission before due date on 5<sup>th</sup> March 2023.
- The Economic Development officer noted that growth has been removed from strategy and the focus is now on sustainability. This paper now has no target population included.

**COUNCIL DECISION:**

02/23.17.6.044

Moved: Clr J Drummond/ Seconded: Clr K Chapple

That Councillors consider and discuss the draft response to the Tasmanian Population Strategy Consultation

**CARRIED UNANIMOUSLY**

02/23.17.7

**Review – LG03 – Councillors Code of Conduct Policy**

<b>FILE REFERENCE</b>	002\024\003\
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**OFFICER’S RECOMMENDATION:**

That Policy LG03 Councillors Code of Conduct as amended, be adopted.

**INTRODUCTION:**

As per the legislative requirements Council is required to review the Councillors Code of Conduct Policy within three (3) months after each ordinary election and/or within three (3) months of the Minister making any amendments available therefore this Policy is now due for revision.

**DISCUSSION:**

- The Acting General Manager advise that Council is required to review the code of conduct within three months of the election so this is a procedural matter.

**COUNCIL DECISION:**

02/23.17.7.045

Moved: Clr B LeFevre/ Seconded: Clr K Wright

That Policy LG03 Councillors Code of Conduct as amended, be adopted.

**CARRIED UNANIMOUSLY**

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

Moved: Clr B LeFevre / Seconded: Clr K Wright

**CARRIED UNANIMOUSLY**

# IN CONFIDENCE

## 02/23.18.0 CLOSED COUNCIL

02/23.18.1 Confirmation of Closed Council Minutes – Council Meeting 16 January 2023

02/23.18.2 Outstanding Actions List for Closed Council

The report was received.

02/23.18.3 Contract 030\001\141\ Bridge 2293 Replacement - Closed Council Item Pursuant to Section 15(2)(d) of the Local Government (Meeting Procedures) Regulations 2015

### COUNCIL DECISION:

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

02/23.18.3.CC Moved: Clr K Wright/ Seconded: Clr K Chapple

That Council award Contract 030/001/141 “Bridge 2293 Replacement – Design & Construct Contract” to TASMARINE CONSTRUCTION (TMC).

#### CARRIED UNANIMOUSLY

02/23.18.4 Housing Supply - Closed Council Item Pursuant to Section 15(2)(f) of the Local Government (Meeting Procedures) Regulations 2015

### COUNCIL DECISION:

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

02/23.18.4.CC Moved: Clr K Chapple/ Seconded: Clr J Drummond

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.

#### CARRIED UNANIMOUSLY



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

Moved: Clr B LeFevre/ Seconded: ClrJ Drummond

**CARRIED UNANIMOUSLY**

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 12.58pm.

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**MAYOR**

.....  
**DATE**