



COUNCIL MEETING MINUTES

Monday 15 February 2021
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
15 February 2021

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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 to welcomed Councillors and staff and declared the meeting open at 10.00am.

ACKNOWLEDGEMENT OF COUNTRY

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

02/21.1.0 ATTENDANCE

02/21.1.1 Present

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

02/21.1.2 Apologies

Nil

02/21.1.3 Leave of Absence

Nil

02/21.1.4 Staff in Attendance

General Manager, John Brown
Executive Assistant, Angela Matthews
Manager Corporate Services, Bob Hoogland (*Item 1.0 – 13.1*)
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 16.1*)
Manager Community Services, Chris Hughes (*Item 1.0 – 15.1*)
Communications Coordinator, Jayne Richardson (*Item 1.0 – 16.5*)
Development Services Coordinator, Jake Ihnen (*Item 1.0 – 11.1 / 14.1 – 15.2*)
Planning Consultant, Rebecca Green (*Item 1.0 – 7.0*)
Senior Town Planner, Deb Szekely (*Item 1.0 – 7.0*)
Planning Officer, Maria Baas (*Item 1.0 – 7.0*)
NRM Officer, Polly Buchhorn (*Item 14.1 – 16.1*)

02/21.2.0 PUBLIC QUESTION TIME

Nil (0) 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.

02/21.2.1 Existing Water Retention Site Rear of 12 Scamander Avenue, Scamander – Mr & Mrs Rayner, Scamander

Over the past three (3) months in Wrinklers Drive and Sunrise Court nearly every week end there has been children playing, riding bikes and generally just being children (which is great being outside). We see a problem which is safety issue and that is water retaining in a holding pond when it has rained, it is concerning in regarding the possibility of a drowning and from a layman's eye this is not acceptable way of dealing with stormwater runoff from Wrinklers Drive and Sunrise Court. We have looked at the Northrop report ref 128 done for Council that clearly states that it is ineffective due to high ground water and a high risk rating. We ask that it be piped and holding pond filled in and left as open space. Also as the area develops there will be more stormwater going to this holding pond and needs to be dealt with correctly.

Reply

The matters raised in this public question time submission have been addressed by Council several times, starting with Development Application (DA) representations in 2007 and subsequently via the planning appeals process under Resource Management and Planning Appeal Tribunal (RMPAT). A current review of Council records shows that due diligence was exercised on behalf of Council throughout the DA process and the first two (2) stages of this development. Further to that the Developer and their agents followed the statutory procedures and complied with the directions of RMPAT. All of the planning processes envisage both the development and use of the land, including normal civic activities which happen in a mature residential environment. Stormwater systems are designed to adopted standards which are consistent State-wide, and this development was no exception. The remarks written by consultants engaged by Council in the wake of extreme weather conditions which occurred in 2011, quoted in this submission, do not detract from that status.

02/21.2.2 Water Retention Basin at Wrinklers Drive, Scamander – Mr & Mrs Beattie, Scamander

1. As the Council is aware the water retention basin at Wrinklers Drive, Scamander is Council owned land. Could Council please tell me why they don't maintain that property, cutting grass, trimming trees etc?

Reply

- General property maintenance has been guided by the preference of neighbouring land owners to beautify the facility to their liking. Council has cooperated and provides a green waste removal service - typically on an annual basis.
 - Council removes silt build-up on an as required basis.
2. Page 104 of the 2014 Northrop report, ref#128. Recommendation, existing W.R.B., rear of 12 Scamander Avenue, Scamander, ineffective due to High Ground Water. Risk rating HIGH.

Could Council please inform my wife and I why the Council is still allowing water to run into the W.R.B. when an independent report has informed the Council that it does not work.

Reply

These matters raised in this public question time submission have been addressed by Council several times, starting with Development Application (DA) representations in 2007 and subsequently via the planning appeals process under Resource Management and Planning Appeal Tribunal (RMPAT). A current review of Council records shows that due diligence was exercised on behalf of Council throughout the DA process and the first two (2) stages of this development. Further that the Developer and their agents followed the statutory procedures and complied with the directions of RMPAT. All of the planning processes envisage both the development and use of the land, including normal civic activities which happen in a mature residential environment. Stormwater systems are designed to adopted standards which are consistent State-wide, and this development was no exception. The remarks written by consultants engaged by Council in the wake of extreme weather conditions which occurred in 2011, quoted in this submission, do not detract from that status.

3. As the current W.R.B. has a number of issues:

- a. Does not support water removal due to unsuitable soil infiltration.
- b. Water depth in excess of 1 metre before overflow activates, causing a safety issue.
- c. Overflow was an emergency action in 2011 no permanent fix has been taken since.
- d. The overflow not effective due to levels.

Has the Council considered removal of the W.R.B. and running the stormwater into the stormwater system, as there is a pipe at our back fence and one the other side of the W.R.B.

Reply

Refer to answer to Question 2.

4. The 2014 Northrop Report, also clearly states, that soil infiltration, as a means of discharging water runoff is not viable. Where ground water tables are high or soils exhibit poor infiltration properties including silica sands, both of which are incorporated into the W.R.B.

Please explain why the Council continues to use this W.R.B.?

Reply

Refer to answer to Question 2.

I am a resident, living in an ancillary dwelling in Scamander Avenue, Scamander. Directly behind the main property is the Water Retention Basin at Wrinklers Drive, Scamander. This basin is on Council owned land. There are three (3) main issues that I see with this basin.

When there is downpour, the basin fills and does not drain effectively, the only maintenance is done by residents and there is a significant safety risk when this basin is full and when it is in the process of draining.

- Firstly, Break O'Day Council are aware that the basin at Wrinklers Drive, Scamander is ineffective due to high ground water. The risk of water damage is high. This is mentioned on page 104 of the 2014 Northrop Report. The basin is directly behind both 12 and 14 Scamander Avenue. If the basin floods, these properties have in the past and will in the future, suffer significant water damage. Due to the amount of rain we have had recently, the ground water level is very high and the basin is not draining entirely. Please address this matter, as it is very concerning.
- Secondly, there is little to no maintenance done by the Break O'Day Council to the Water Retention Basin at Wrinklers Drive. It is the Council's responsibility to keep this area clear of high grass as it is a fire hazard. There is a high possibility of it becoming a haven for snakes, especially at this time of year. Leading up to the basin, along the nature strip in this section of Wrinklers Drive, the waist high grass looks disgraceful.
- Lastly, the basin at Wrinklers Drive is not fenced and there are no warning signs that there is an exposed water hazard present. There are families living in this area and many more that will be moving into the new subdivision in time to come. Could the Break O'Day Council please consider the risk to young children. We have had a few incidences of young children being attracted to the basin. It looks like a swimming hole. Please consider some form of signage or better still, fence off the basin. If I had a swimming pool, I would be required to have adequate pool fencing to endeavor to prevent accidental drowning by a third party. This basin poses a significant drowning risk to young children.

Reply

The matters raised in this public question time submission have been addressed by Council several times, starting with Development Application (DA) representations in 2007 and subsequently via the planning appeals process under Resource Management and Planning Appeal Tribunal (RMPAT). A current review of Council records shows that due diligence was exercised on behalf of Council throughout the DA process and the first two (2) stages of this development. Further that the Developer and their agents followed the statutory procedures and complied with the directions of RMPAT. All of the planning processes envisage both the development and use of the land, including normal civic activities which happen in a mature residential environment. Stormwater systems are designed to adopted standards which are consistent State-wide, and this development was no exception. The remarks written by consultants engaged by Council in the wake of extreme weather conditions which occurred in 2011, quoted in this submission, do not detract from that status.

Council removes silt build-up on an as required basis. General property maintenance has been guided by the preference of neighbouring land owners to beautify the facility to their liking. Council has cooperated and provides a green waste removal service - typically on an annual basis.

02/21.3.0 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.

Clr J Drummond declared a Non-Pecuniary Interest for agenda item 02/21.13.3 – Speed Limit Reduction Lower Germantown Road and Denneys Road, St Marys.

02/21.4.0 CONFIRMATION OF MINUTES

02/21.4.1 Confirmation of Minutes – Council Meeting 18 January 2021

OFFICER’S RECOMMENDATION:

That the minutes of the Council Meeting held on the 18 January 2021 be confirmed.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

02/21.4.1.27 Moved: Clr G McGuinness / Seconded: Clr L Whittaker

That the minutes of the Council Meeting held on the 18 January 2021 be confirmed.

CARRIED UNANIMOUSLY

02/21.5.0 COUNCIL WORKSHOPS HELD SINCE 18 JANUARY 2021 COUNCIL MEETING

There was a Workshop held on Monday 1 February 2021 – the following items were listed for discussion along with a presentation regarding the Creative Cities Project.

- Australian Local Government Association (ALGA) – 2021 National General Assembly (NGA) of Local Government – Call for Motions
- Break O’Day Strategic Plan 2017-2027
- 2021-2022 State Budget Consultation
- Policy – LG07 – Procurement (Code for Tenders and Contracts) Policy
- Reduced Facility Hire Fees – Zumba
- Animal Control Report
- Family and Domestic Violence
- Request for Funds – Youth Collective North East Coast Tasmania (YCNECT)
- Bay of Fires Master Plan
- Northern Regional Cat Management Strategy
- December 2020 NRM Committee Meeting Minutes
- Draft Policy LG55 – Use of Conferencing Technology to Attend Council Meetings and Workshops Policy
- Community Wellbeing Pilot Project – Update & Roll Out
- Maintenance of Terrys Hill Road, Goshen
- Covenants, Both Positive and Burdening

02/21.6.0 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.

02/21.6.1 DA 087-2020 – Legalisation of Vegetation Removal, Earthworks, Drainage Works and Retaining Wall – 444 Binalong Bay Road, St Helens

FILE REFERENCE	DA 087-2020
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OFFICER’S RECOMMENDATION:

After due consideration of the application received and 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 **LEGALISATION OF VEGETATION REMOVAL, EARTHWORKS, DRAINAGE WORKS AND RETAINING WALL** on land situated at **444 BINALONG BAY ROAD, ST HELENS** described in Certificate of Title LEASE/LICENCE - AGREEMENT NO. 70982 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 and Documents			
Plan/Document Name	Reference Number	Prepared By	Dated
Site Plan	Job Number 200605 Sheet 1 of 1 Edition V.01	East Coast Surveying	08/07/2020
Licence Area – Binalong Bay Road	Job 010602	East Coast Surveying	21/06/2001
Annotated Licence Area	Job 010602	East Coast Surveying	21/06/2001
Annotated Site Plan	Job Number 200605 Sheet 1 of 1 Edition V.01	East Coast Surveying	08/07/2020
Retaining Wall Floor Plan	-	GHD Pty Ltd	20/10/2020
Site Works Plan and Cross Section	SK001 Rev A	GHD Pty Ltd	01/12/2020
Landscape Management Plan	SK 12543136-LA01	GHD Woodhead	December 2020
Flora and Fauna Assessment	12534002-22281-5	Dean Heinze Senior Ecologist	01/08/2020

2. Ensure that colours of predominant surfaces harmonise with the colours of adjacent bushland vegetation and should include natural tones of green, grey and brown.
3. Provide landscaping on site generally in accordance with the approved Landscape Management Plan. The landscaping plan must also include replacement plantings of *Melaleuca ericifolia* (50% of stems) and removal of the Sandhill Sward Sedge as it is considered inappropriate for this site. The landscaping is to be maintained at all times, including weed management, to ensure plantings reach maturity. Substantial establishment of landscaping must be evidential within six (6) months of receiving the planning permit.
4. Application must be made, and consent received from the Department of Primary Industry, Parks, Water and the Environment (DPIPWE), Crown Land Services, to extend the Crown Lease area to include the approved works and development. A copy of the approved extended Crown Lease Area is to be provided to Council within three (3) months of receipt of the same.
5. Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed into any drain, waterway or coastal foreshore.
6. Carry out the development to ensure that any public land, including the Coastal foreshore is protected from ponding or nuisance from stormwater as a result of any works undertaken.
7. Provide an all-weather accessible surface to the site works area to ensure sediment is not transported off site and in particular into adjoining coastal waters.
8. Works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.
9. Standard *Phytophthora* hygiene measures must be implemented for the construction and maintenance of works in accordance with and using the *Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania* (DPIPWE 2015, Eds. K. Stewart & M. Askey-Doran. DPIPWE, Hobart, Tas).

ADVICE

- Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
- Activities associated with construction works are not to be performed outside the permissible time frames listed:
Mon-Friday 7 am to 6 pm
Saturday 9 am to 6 pm
Sunday and public holidays 10 am to 6 pm
- 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 2 metres of any Council owned infrastructure must be done in consultation with Council's Works Operations Manager.

INTRODUCTION:

The applicant is seeking approval for the legalisation of native vegetation removal and earthworks and also proposed drainage works and the construction of a retaining wall. The applicant, GHD Pty Ltd has prepared an application for ACA Aquaculture (Oyster Farming) that addresses works that have occurred outside of the lease area and on Crown land. The operators have historically and mistakenly, been operating outside of the Crown Lease Area. This eventuated in the clearing of native vegetation and conducting earth works to create a levelled area for the operations. The two diagrams below (Figures 1 & 2) demonstrate the Crown Licence Area (1477 m²) and the area of infringement (144 m²).

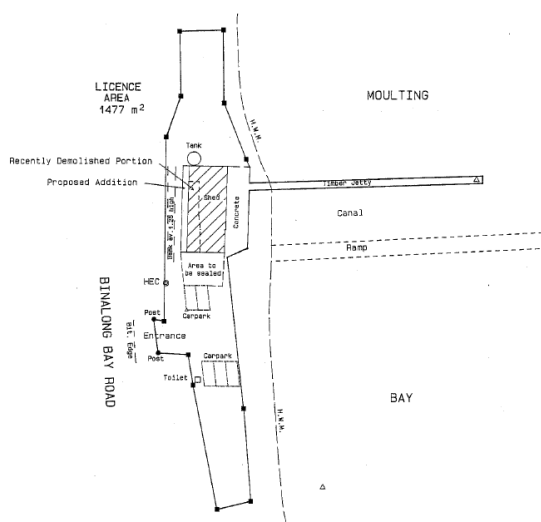


Figure 1 – Licence Area

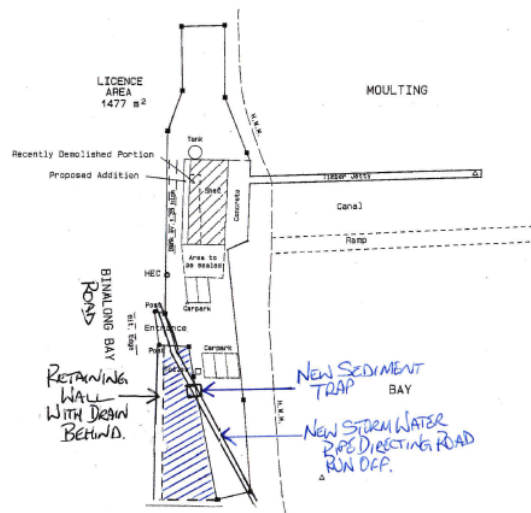


Figure 2 – Licence Area and area of infringement

It is expected that a portion of the native vegetation (Figure 3) included individuals of *Melaleuca ericifolia* classified as threatened under Schedule 3A of the Tasmanian Nature Conservation Act 2002. Additionally, native vegetation removed is believed to have included species representative of Coastal forest (TASVEG DAC). The proposed development includes a Landscape Management Plan to address this.



Figure 3 – Vegetation adjacent to the earthworks and bordering Binalong Bay Rd.

The proposed development includes retrospective consideration of earthworks associated with levelling the area and creating an embankment that responds to the change in contour levels moving from the road (Binalong Bay Rd) to the coastal foreshore. A proposed retaining wall, varying in height (<1m – 1.2m) and 24.7m in length, parallel to the road, addresses the change in contour levels and the creation of a levelled area.

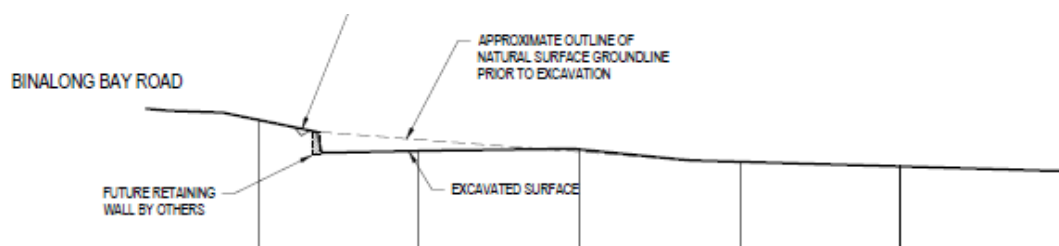


Figure 4 – Proposed Retaining Wall – Longitudinal Section

Currently, a minor tributary west of Binalong Bay Rd has historically been diverted through a culvert under the road and drains south of the site. Drainage from behind the retaining wall will be connected to the same. Additionally, there is a stormwater grate norther of the development area that historically drained road reserve stormwater through the site. The Stormwater pipe will be re-connected and pass through a new stormwater sediment trap and discharge to the existing open stormwater drain (Figures 6&7). Overall stormwater management is detailed below. (Figure 5).

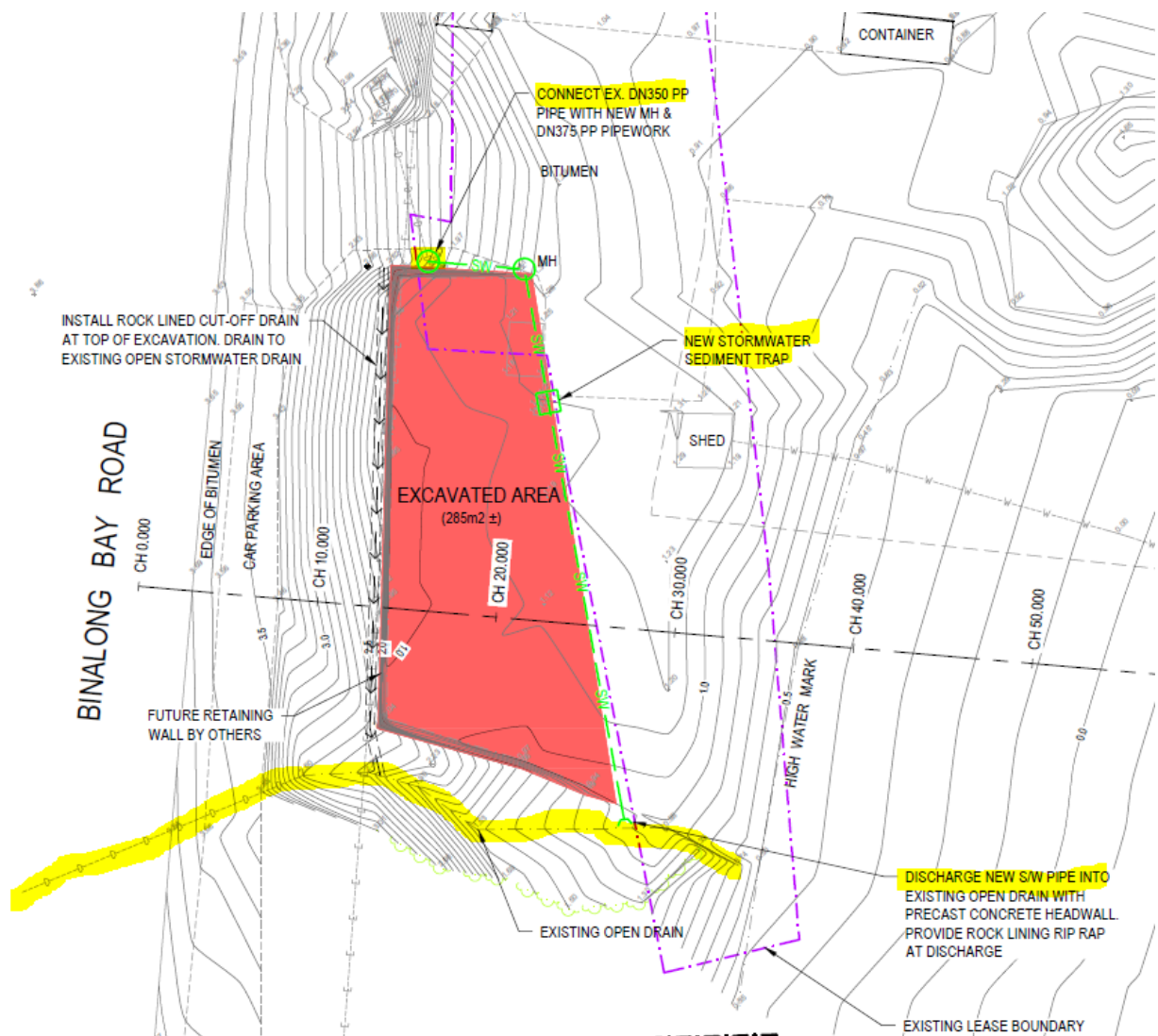


Figure 5 – Stormwater Management



Figures 6 & 7 Stormwater Pipe to be reconnected - drainage from road reserve



Figures 8, 9 & 10 – Stormwater – redirected minor tributary.

DISCUSSION:

- The Senior Town Planner advised that the application is seeking approval for development that includes the legalisation of vegetation removal, earthworks, drainage works and construction of a retaining wall at the Oyster Aquaculture Facility on Binalong Bay Road.
- The Senior Town Planner advised that there is a correction to the report provided in that the use Resource Development is a Discretionary Use within the Environmental Management Zone. Section 4 of the report identifies the performance criteria upon which the application relies on. The first dot point – 29.2 Use Table is incorrect. Clause 9.2.1 of the Scheme states a discretionary use must be considered as if that use class had permitted status in that Use Table, where the proposal for development does not establish a new use or substantially intensify the use. The development being considered does not establish a new use or substantially intensify the use and as such is considered permitted development in accordance with the scheme. The identified correction does not alter the assessment in any way.

- The Senior Town Planner stated that the application relied on seven (7) performance criteria associated with the zone, the Flood Prone Areas Code, the Scenic Management Code, the Biodiversity Code and the Water Quality Code.
- The application includes a Landscape Management Plan that addresses the Biodiversity Code and the Water Quality Code.
- Clr McGiveron stated that we finish up with a better result and it is the right way to go.
- Clr LeFevre stated that he agrees with Clr McGiveron.
- Clr Whittaker asked, what are the consequences for clearing vegetation without approval. The Senior Town Planner advised that the Landscape Management Plan addresses the unauthorized removal of vegetation and ensures that replanting includes Melaleuca species (50% of stems). The landscaping plan has been reviewed by Council's NRM Officer and is a condition of approval.
- Clr Wright stated that she has concerns when things are asked for approval retrospectively. The Senior Town Planner stated that it is a condition of approval, that the applicant seeks Crown approval for extension of their lease area.
- Clr Drummond stated that she is also concerned with the post approval, how do we monitor what we are asking to happen does happen. The Senior Town Planner stated that Council's internal records system has the ability to recall the application and conduct a compliance check to ensure all conditions are being satisfied.

COUNCIL DECISION:

02/21.6.1.28

Moved: Clr J McGiveron / Seconded: Clr B LeFevre

After due consideration of the application received and 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 **LEGALISATION OF VEGETATION REMOVAL, EARTHWORKS, DRAINAGE WORKS AND RETAINING WALL** on land situated at **444 BINALONG BAY ROAD, ST HELENS** described in Certificate of Title LEASE/LICENCE - AGREEMENT NO. 70982 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 and Documents			
Plan/Document Name	Reference Number	Prepared By	Dated
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Annotated Licence Area	Job 010602	East Coast Surveying	21/06/2001
Annotated Site Plan	Job Number 200605 Sheet 1 of 1 Edition V.01	East Coast Surveying	08/07/2020
Retaining Wall Floor Plan	-	GHD Pty Ltd	20/10/2020
Site Works Plan and Cross Section	SK001 Rev A	GHD Pty Ltd	01/12/2020
Landscape Management Plan	SK 12543136-LA01	GHD Woodhead	December 2020
Flora and Fauna Assessment	12534002-22281-5	Dean Heinze Senior Ecologist	01/08/2020

2. Ensure that colours of predominant surfaces harmonise with the colours of adjacent bushland vegetation and should include natural tones of green, grey and brown.

3. Provide landscaping on site generally in accordance with the approved Landscape Management Plan. The landscaping plan must also include replacement plantings of *Melaleuca ericifolia* (50% of stems) and removal of the Sandhill Sward Sedge as it is considered inappropriate for this site. The landscaping is to be maintained at all times, including weed management, to ensure plantings reach maturity. Substantial establishment of landscaping must be evidential within six (6) months of receiving the planning permit.
4. Application must be made, and consent received from the Department of Primary Industry, Parks, Water and the Environment (DPIPWE), Crown Land Services, to extend the Crown Lease area to include the approved works and development. A copy of the approved extended Crown Lease Area is to be provided to Council within three (3) months of receipt of the same.
5. Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed into any drain, waterway or coastal foreshore.
6. Carry out the development to ensure that any public land, including the Coastal foreshore is protected from ponding or nuisance from stormwater as a result of any works undertaken.
7. Provide an all-weather accessible surface to the site works area to ensure sediment is not transported off site and in particular into adjoining coastal waters.
8. Works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.
9. Standard *Phytophthora* hygiene measures must be implemented for the construction and maintenance of works in accordance with and using the *Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania* (DPIPWE 2015, Eds. K. Stewart & M. Askey-Doran. DPIPWE, Hobart, Tas).

ADVICE

- Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
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Mon-Friday 7 am to 6 pm
Saturday 9 am to 6 pm
Sunday and public holidays 10 am to 6 pm
- 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 2 metres of any Council owned infrastructure must be done in consultation with Council's Works Operations Manager.

CARRIED UNANIMOUSLY

FILE REFERENCE	DA 296-2020
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OFFICER'S RECOMMENDATION:

After due consideration of the representations 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 **Dwelling** on land situated at **5 Halcyon Grove, St Helens (to be known as 8 Murray Street, St Helens)** described in Certificate of Title CT 176484/2 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
Site Plan, Floor Plans, Site Drainage, Elevations, 3D views	Job No: 20014 Sheet No's: A01-A07	Streamline Buildings Designs	05/11/20 Revision: A
Planning Compliance Report	-	Michael Kelly – Streamline Building Designs	Unknown

2. All stormwater runoff from the proposed building must be detained by on-site water storage systems and overflow disposed of by means to Council's reticulated network via one point of discharge only for the subject land that will not result in soil erosion or other stormwater nuisance.
Stormwater must be discharged to the kerb in accordance with standard drawing TSD-SW29-v2 (attached). The connection must be completed by a licenced plumber and financed by the developer.
3. The proposed extension of the crossover/access must be completed in accordance with standard drawing TSD-R09-v1 (attached).
A Works Permit must be obtained before commencing any work on the crossover/access and the stormwater connection (application form attached).
4. 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.
5. Any damage that may occur to any Council infrastructure during the construction of the proposed dwelling must be reinstated to the satisfaction of Council and at the cost of the developer.

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 2 metres of any Council owned infrastructure must be done in consultation with Council's Works Manager.

- Activities associated with works are not to be performed outside the permissible time frames listed:
Mon-Friday 7 am to 6 pm
Saturday 9 am to 6 pm
Sunday and public holidays 10 am to 6 pm

PROPOSAL SUMMARY:

Application is made for the use and construction of a single dwelling at land currently identified as 5 Halcyon Grove, St Helens (lot 2 of approved subdivision forming part of DA 050-2017). Lot 2 is to be known as 8 Murray Street, St Helens, noting that three titles are still identified on the LIST as forming part of 5 Halcyon Grove, with Lot 2 only just recently being transferred to a different owner. Details of the current address and future address were included within the public notification documentation to assist in identification of the subject site.

DA 050-2017 included approval for a 3-lot subdivision - boundary adjustment, 2 x dwellings, carport and garage at land identified at 5 and 9 Halcyon Grove, St Helens. Stage 1 only was completed – subdivision component to this day.

This proposal (DA 296-2020) is a new application for a single dwelling at Lot 2, with any approval of such and consideration over riding the previous approval should the developer wish to invoke such approval, and must be considered on its own merit within this subject application.







DISCUSSION:

- The Planning Consultant stated that this application relies on only one (1) performance criteria.
- The Planning Consultant stated that the matters raised in representations were not in relation to the performance criteria.
- Clr LeFevre stated that it is pretty straight forward.
- Clr Osborne agreed with Clr LeFevre.

COUNCIL DECISION:

02/21.6.2.29 Moved: Clr B LeFevre / Seconded: Clr M Osborne

After due consideration of the representations 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 **Dwelling** on land situated at **5 Halcyon Grove, St Helens (to be known as 8 Murray Street, St Helens)** described in Certificate of Title CT 176484/2 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
Site Plan, Floor Plans, Site Drainage, Elevations, 3D views	Job No: 20014 Sheet No's: A01-A07	Streamline Buildings Designs	05/11/20 Revision: A
Planning Compliance Report	-	Michael Kelly – Streamline Building Designs	Unknown

2. All stormwater runoff from the proposed building must be detained by on-site water storage systems and overflow disposed of by means to Council's reticulated network via one point of discharge only for the subject land that will not result in soil erosion or other stormwater nuisance.
Stormwater must be discharged to the kerb in accordance with standard drawing TSD-SW29-v2 (attached). The connection must be completed by a licenced plumber and financed by the developer.
3. The proposed extension of the crossover/access must be completed in accordance with standard drawing TSD-R09-v1 (attached).
A Works Permit must be obtained before commencing any work on the crossover/access and the stormwater connection (application form attached).
4. 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.
5. Any damage that may occur to any Council infrastructure during the construction of the proposed dwelling must be reinstated to the satisfaction of Council and at the cost of the developer.

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 2 metres of any Council owned infrastructure must be done in consultation with Council's Works Manager.
- Activities associated with 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.

Nil.

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 the Council consider an update of the St Helens Main Street as a project for the Community Infrastructure Program Extension.

SUBMISSION IN SUPPORT OF MOTION:

This would be an opportunity to do work on the main business Centre, in Break O’Day. We need to upgrade the Main Street starting at the Tully Street end and working down to meet up with the new work already planned at the Bayside end. We need more pullover bays to cater for tourist as as soon as they get in the Main Street they are looking for somewhere to pull over. We need to update the tree surrounds and gardens and check all tree roots and add more seats and bike racks.

DISCUSSION:

- Cllr LeFevre stated that in particular looking at over the Christmas period when you look past the Post Office everything seems to stop. We need to progress further up Cecilia Street.

COUNCIL DECISION:

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 the Council consider an update of the St Helens Main Street as a project for the Community Infrastructure Program Extension.

CARRIED UNANIMOUSLY

02/21.9.0 COUNCILLOR'S QUESTIONS ON NOTICE

02/21.9.1 Question on Notice - Stainless Steel Bin Tops – Cllr M Osborne

Do we have a cleaning plan for the stainless steel bin tops in the main street.

Reply

A cleaning plan was implemented in the first week of February 2021.

02/21.10.0 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Regulation 29 of the Local Government (Meeting Procedures) Regulations 2005 specifies that in putting a Question Without Notice a Councillor must not offer an argument or opinion, draw any inference or make any imputations except so far as may be necessary to explain the question.

The Chairperson must not permit any debate of a Question without Notice or its answer.

02/21.10.1 St Marys Dog Exercise Area – Cllr J Drummond

- (a) When will the construction of the St Marys Dog Exercise Area commence; and
- (b) Will there be an opportunity for members of the public to become involved in anyway?

Reply

The capital budget allocated to CH815 Dog Exercise Area St Helens improvements is \$10,000. \$8,254 has been spent to date and the remainder of funding will be consumed on additional fencing works. Council will need to consider a funding allocation for St Marys in the 2021/2022 budget.

There will be no opportunity for members of the public to become involved in on-site works.

02/21.10.2 Rubbish on Property at Irish Town Road – Cllr J Drummond

Are Council aware of a property on Irish Town Road with a couple of empty fish tanks and a large amount of rubbish stored in view of the road? Are Council able to inspect to see if there any Health and / or Environmental Concerns that need acting upon.

Reply

Council Officers have undertaken an inspection of the property. At this point Council staff are of the opinion that there is no direct breach of relevant legislation, however Council staff will monitor the property in terms of potential for issue of an Abatement Notice.

Will Council please advise how much was recently spent, from the Drought Communities Programme funding, on the upgrade to the St Patricks Head walking trail.

Reply

The Drought Communities Programme funding spent “Fingal Valley Track Upgrades” which included works at Mathinna Falls, Gray Mares Trail and St Patricks Head. On a time basis St Patricks Head consumed about 40% of \$83,874 = \$33,550 plus minor materials and consulting costs.

02/21.11.0

MAYOR’S & COUNCILLOR’S COMMUNICATIONS

02/21.11.1

Mayor’s Communications for Period Ending 15 February 2021

22.01.2021	Launceston	– Meeting with Northern Councils – Potential North East Riding Event
26.01.2021	St Helens	– Australia Day Awards Presentation Event
27.01.2021	St Helens	– Break O’Day Council Annual General Meeting
01.02.2021	St Helens	– Council Workshop
03.02.2021	St Helens	– Meeting with Cassy O’Connor MP
04.02.2021	Launceston	– Taswater Owners Representatives Quarterly Briefing
15.02.2021	St Helens	– Opening of Sports Court, St Helens District High School
15.02.2021	St Helens	– Council Meeting

02/21.11.2

Councillor’s Reports for Period Ending 15 February 2021

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 –Clr Margaret Osborne OAM

- Meeting tomorrow (Tuesday) night.

NRM Special Committee – Clr Janet Drummond

- Meeting on the 23 February 2021.

Barway Committee – Clr John McGiveron

- Need to discuss the future of this Committee as there is no role to play at this point in time.

East Coast Tasmania Tourism (ECTT) – Clr Glenn McGuinness

- Last week there was a Board Meeting held at the Spring Bay Mill at Triabunna.
- Break O’Day Council have signed the Memorandum of Understanding (MOU) for the next three (3) years.
- Two (2) Board positions will be advertised shortly.
- Office Bearers were elected.

- Austrade have COVID tourism funding through the State Government and we would like to get a fair share for the East Coast. Preferences expressed by Austrade are as follows – Agri Tourism; Business and Leisure Events Famil program; Events Innovation and Development; Tourism Innovation and Business Resilience; Winter Activation; New and Diversified Products and Experiences; Passion Point travel eg fishing, mountain biking, food, etc; Gap Year in Tasmania, working holiday maker for all ages; Reimaging Visitor Servicing and Engagement with East Coast as potential Pilot site.
- A new office has been set up for staff at Swansea with assistance from Glamorgan Spring Bay Council with costs for that.
- Next meeting 7 April and will include an hour with the Premier at this meeting.

Mental Health Action Group – Clr Barry LeFevre

- Nothing to report.

Disability Access Committee – Clr Janet Drummond

- Trying to work out a date for the next meeting.

02/21.12.0 BUSINESS AND CORPORATE SERVICES

02/21.12.1 Corporate Services Department Report

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

That the report be received.

INTRODUCTION:

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

DISCUSSION:

- The Manager Corporate Services advised that there had been some additions to the Work Health and Safety report, there have been a couple of incidents that have occurred after this report being prepared and these will be reported on further in the next Council agenda.

COUNCIL DECISION:

02/21.12.1.31 Moved: Clr K Chapple / Seconded: Clr M Osborne

That the report be received.

CARRIED UNANIMOUSLY

02/21.12.2 **Monthly Financial Report**

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

That the following reports for the month ending 31 January 2021 be received:

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

INTRODUCTION:

Presented to Council are the monthly financial statements.

DISCUSSION:

No discussion of significance took place on this item.

COUNCIL DECISION:

02/21.12.2.32 Moved: Clr G McGuinness / Seconded: Clr B LeFevre

That the following reports for the month ending 31 January 2021 be received:

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

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 of various issues which are being dealt with by the Visitor Information Centre.

DISCUSSION:

- The Manager Corporate Services advised that he had nothing further to add however, Covid has made it quite difficult, there are still some good things happening. People still want local stories, local information therefore there is certainly still a role for how we provide visitor information.
- Clr Drummond asked, a while ago we talked about a mobile Visitor Information Centre, is this still being looked into. The General Manager stated that the provision of Visitor Information is an item sitting within our Annual Plan and we have been working with East Coast Tasmania Tourism (ECTT) and got hamstrung with a review by the State Government, at this point in time it is sitting in abeyance and could potentially be a pilot project on the East Coast.

COUNCIL DECISION:

02/21.12.3.33 Moved: Clr J Drummond / Seconded: Clr K Chapple

That the report be received.

CARRIED UNANIMOUSLY

FILE REFERENCE	20/22355
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OFFICER'S RECOMMENDATION:

That the application for reduced fees for Zumba not be approved.

INTRODUCTION:

Council has received a request for a reduction in fees for facility hire for Zumba classes.

DISCUSSION:

- Clr LeFevre stated that he is all for health and wellbeing but this is a commercial operation and if we alter our views we will set a precedent for the future.
- Clr Drummond stated that she feels quite strongly about this as it is part of community wellbeing. BODRA markets could potentially make more money from one (1) market than this group would in a day. The Manager Corporate Services stated that he does note that the matter with regard to the usage of halls is still coming back to workshop for further consideration. The General Manager commented in regard to the booking fee, if you book for 10 sessions at one time, it is a one off \$25 booking fee not for individual dates.
- Clr Chapple stated that if we are still looking at the usage maybe this matter should be held over until that review is done. The Manager Corporate Services stated, as discussed previously Council decided that this matter was separate to this review.
- Clr LeFevre stated that a number of years ago there was a working group that met and discussed a number of alternatives for fees associated with Council facilities. The outcome we have in place at the moment is the best that we could come up with as there are many different scenarios.

COUNCIL DECISION:

02/21.12.4.34 Moved: Clr B LeFevre / Seconded: Clr M Osborne

That the application for reduced fees for Zumba not be approved.

FOR Clr J McGiveron, Clr L Whittaker, Clr K Wright, Clr K Chapple, Clr M Osborne, Clr G McGuinness, Clr B LeFevre, Clr M Tucker
AGAINST Clr J Drummond
CARRIED

02/21.12.5 Policy – LG07 Procurement (Code for Tenders and Contracts)

FILE REFERENCE	002\024\007\
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OFFICER'S RECOMMENDATION:

That Policy LG07 Procurement (Code for Tenders and Contracts) be amended as recommended.

INTRODUCTION:

Break O'Day Council's procurement procedures were audited by Tasmanian Audit Office (TAO). The resulting recommendations have been incorporated into these amendments.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

02/21.12.5.35 Moved: Clr J McGiveron / Seconded: Clr L Whittaker

That Policy LG07 Procurement (Code for Tenders and Contracts) be amended as recommended.

CARRIED UNANIMOUSLY

02/21.12.6 **Audit Panel – Receipt of Minutes**

FILE REFERENCE	018\005\024\
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OFFICER'S RECOMMENDATION:

That Council receive the minutes of the Audit Panel 1 February 2021.

INTRODUCTION:

Council's Audit Panel meets every three (3) months and the minutes of each meeting are required to be provided to Council.

DISCUSSION:

- The Manager Corporate Services stated that a matter that has been raised in the past and has come up again and that is in the way we prepare the agenda for these meetings. This has been taken on board by Management and we will address this matter for the next meeting.

COUNCIL DECISION:

02/21.12.6.36 Moved: Clr B LeFevre / Seconded: Clr K Chapple

That Council receive the minutes of the Audit Panel 1 February 2021.

CARRIED UNANIMOUSLY

02/21.13.0 **WORKS AND INFRASTRUCTURE**

02/21.13.1 **Works and Infrastructure Report**

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

That the report be received by Council.

INTRODUCTION:

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

DISCUSSION:

- The Manager Infrastructure and Development Services provided further information in relation to the Local Roads and Community Infrastructure (LRCI) Program – at the last meeting Council endorsed a number of nominations however advice has now been received that all nominated projects need to be submitted by July.
- The Manager Infrastructure and Development Services advised that the Intake Bridge is closed until repairs have been undertaken. The Bridge is scheduled for repair in April this has been moved forward from May.
- Cllr Drummond asked, is there going to be community consultation going ahead regarding the St Marys Lighting at the Recreation Ground. The Manager Infrastructure and Development Services advised that it will be.
- Cllr Drummond asked where the Marine Facilities Strategy where is this at – the General Manager advised that a draft has been prepared we are awaiting advice from MAST regarding funding. Community engagement happened through the township meetings.
- Cllr McGuinness asked in relation to the greenwaste that is being sold at the tip. He commented that it was pointed out to him that the uptake is probably not what it could have been, is it time for a bit more advertising regarding signage or on the radio. The Manager Infrastructure and Development Services stated that he is quite comfortable that we have ample space at the site, the uptake is slow but it is moving, we have put some advertising at the ticket office and we are looking at what we can do to get this more widely known. The allocated days of Wednesday and Sunday is maybe not convenient to everyone so we are looking at that. Cllr Whittaker asked, what could it be used for. The Manager Infrastructure and Development Services advised that it is a garden mulch topping, relatively weed free and we are using on the gardens around towns.

COUNCIL DECISION:

02/21.13.1.37 Moved: Cllr G McGuinness / Seconded: Cllr M Osborne

That the report be received by Council.

CARRIED UNANIMOUSLY

02/21.13.2 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:

The Manager Infrastructure and Development Services advised that he had nothing further to add.

COUNCIL DECISION:

02/21.13.2.38 Moved: Clr J McGiveron / Seconded: Clr K Chapple

That the report be received by Council.

CARRIED UNANIMOUSLY

Clr Drummond left the meeting at 10.43am

02/21.13.3 Speed Limit Reduction – Lower Germantown Road and Denneys Road, St Marys

FILE REFERENCE	20/17338
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OFFICER'S RECOMMENDATION:

1. That Council receive traffic-engineering advice prepared by Traffic Civil Services (TCS) "German Town Road and Denney's Road Speed Limit Review, Lower German Town".
2. That Council does not support the case for the installation of a posted speed limit of less than 80km/hr on Lower German Town Road or Denneys Road as guided by AS1742.4 Speed Controls or Austroads Guide to Traffic Management Part 5.
3. That Council adopt the TCS Assessment Recommendations as stated:
 - "Use relevant Warning signs and advisory speed signs where there are hazards in the road alignment rather than post speed limit signs.
 - Install a W5-102 Gravel Road – Drive Carefully Warning sign (W5-102) at the start of Lower German Town Road".

INTRODUCTION:

Traffic Civil Services (TCS) was engaged to undertake an assessment of provide Lower Germantown and Denney's roads against AS1742 Manual of uniform traffic control devices – Part 4: Speed Controls.

AS1742-Part 4 specifies the traffic control devices required for the regulatory control of traffic speed and gives guidance on how speed limits should be determined and applied, with the objective of providing road authorities throughout Australia with a set of uniform requirements and guidelines for the regulatory management of traffic speeds.

TCS has provided qualified traffic engineering advice, attached.

DISCUSSION:

- Clr Wright stated that she personally thinks that this should be a reduced speed limit. It needs to come down to road user common sense but it doesn't always.
- Clr McGuinness stated that whilst he agrees partly with Clr Wright, the fact that you impose a limit doesn't stop bad behaviour anyway. We need to be guided by the experts in this area.
- Clr McGiveron stated that we asked for expert advice and we received that and we would be very foolish to go against expert advice.

COUNCIL DECISION:

02/21.13.3.39 Moved: Clr B LeFevre / Seconded: Clr J McGiveron

1. That Council receive traffic-engineering advice prepared by Traffic Civil Services (TCS) "German Town Road and Denney's Road Speed Limit Review, Lower German Town".
2. That Council does not support the case for the installation of a posted speed limit of less than 80km/hr on Lower German Town Road or Denneys Road as guided by AS1742.4 Speed Controls or Austroads Guide to Traffic Management Part 5.
3. That Council adopt the TCS Assessment Recommendations as stated:
 - *"Use relevant Warning signs and advisory speed signs where there are hazards in the road alignment rather than post speed limit signs.*
 - *Install a W5-102 Gravel Road – Drive Carefully Warning sign (W5-102) at the start of Lower German Town Road".*

CARRIED UNANIMOUSLY

Clr Drummond returned to the meeting at 10.46am

02/21.14.0 COMMUNITY DEVELOPMENT

02/21.14.1 Community Services Report

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

That the report be received.

INTRODUCTION:

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

DISCUSSION:

- The Manager Community Services advised that she had had initial discussions with Parks & Wildlife Services (PWS) and we are now going to follow up with the landowners again with regard to the Gardens toilet to try and resolve this matter.
- The Manager Community Services advised that staff are meeting weekly with regard to the Dragon Trail event to ensure all arrangements are in place.
- Clr McGiveron asked, have we got anywhere with Burns Bay Car Park as yet. The Manager Community Services advised that this has not yet proceeded any further. Clr McGiveron stated that this is now becoming vital. Clr Osborne stated that she thinks we need to start talking to some politicians, this has been going on for years. The Manager Community Services stated that PWS are dealing with Aboriginal Heritage Tasmania and they are trying to work out what design proposal will get passed by them. The General Manager stated that once we get through the Aboriginal Heritage issues the flora and fauna should be fairly straight forward. Hopefully within the next few months we hope that it tentatively gets resolved.

COUNCIL DECISION:

02/21.14.1.40 Moved: Clr M Osborne / Seconded: Clr G McGuinness

That the report be received.

CARRIED UNANIMOUSLY

FILE REFERENCE	002\017\007\
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OFFICER'S RECOMMENDATION:

That Council in conjunction with Parks & Wildlife (PWS) establish a Steering Committee to undertake the Bay of Fires Master Plan project with priority given to the finalisation of the Project Scope and development of Terms of Reference for the Steering Committee.

INTRODUCTION:

Clr McGuinness sought a report in relation to the development of a Master Plan for the area known as The Bay of Fires.

DISCUSSION:

- Clr McGuinness advised that at the East Coast Tasmania Tourism (ECTT) meeting he foreshadowed that this was coming up. The ECTT CEO did express interest to being on the Steering Committee.
- Clr Drummond asked, should someone from NRM Committee be on this group. The Manager Community Services stated that there is the opportunity for someone from one of these groups or individuals to nominate to be on the Steering Committee.

COUNCIL DECISION:

02/21.14.2.41 Moved: Clr G McGuinness / Seconded: Clr K Chapple

That Council in conjunction with Parks & Wildlife (PWS) establish a Steering Committee to undertake the Bay of Fires Master Plan project with priority given to the finalisation of the Project Scope and development of Terms of Reference for the Steering Committee.

CARRIED UNANIMOUSLY

02/21.14.3 Request for Funds – Youth Collective North East Coast Tasmania (YCNECT)

FILE REFERENCE	011\028\002\
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OFFICER'S RECOMMENDATION:

That Council support YCNECT by providing financial support in the sum of \$3,300 to assist them provide mobile outreach youth workers to support and engage young people in the community between the ages of 10 and 25 years.

INTRODUCTION:

Council has received a request for funding from YCNECT to assist them with the 10% contribution required to fulfil their grant requirements in relation to the recent success they achieved with Tasmania Community Fund.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

02/21.14.3.42 Moved: Clr J Drummond / Seconded: Clr K Chapple

That Council support YCNECT by providing financial support in the sum of \$3,300 to assist them provide mobile outreach youth workers to support and engage young people in the community between the ages of 10 and 25 years.

CARRIED UNANIMOUSLY

02/21.14.4 Family and Domestic Violence

FILE REFERENCE	20/15674
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OFFICER'S RECOMMENDATION:

Break O'Day Council does not tolerate any form of domestic violence and to provide support to our community, we will:

- work with the community in making them aware that there are organisations within our community who can assist if impacted by family and domestic violence; and
- provide information through our webpage, social media and newsletter to our community of materials and services available to anyone in need.

INTRODUCTION:

Council had recently discussed this issue at the August workshop and followed up with a presentation from Tricia Males who spoke about family and domestic violence and how Local Government can become involved. Local Government can build support in addressing the issue by forming partnerships with community stakeholders such as domestic and family violence services, specialist community organisations and other community services to discuss what prevention and other activities could work in the community.

DISCUSSION:

- The Manager Community Services advised that there is also some online training which we can share with the community.

- Cllr Drummond stated that she'd hoped that maybe we would do something a little bit more and adopt the information from the State Government OurWatch Program. As a Councillor she would like to support the Local Government Association of Tasmania (LGAT) to create a designated Officer in this area that would support us as a Council. Cllr Drummond stated that she would like to bring a motion forward to LGAT.
- Cllr LeFevre stated that he supports the motion fully, it is more about making the community more aware about domestic violence, what it is, where to find help and once we get this done we can then move onto other things.

COUNCIL DECISION:

02/21.14.4.43 Moved: Cllr B LeFevre / Seconded: Cllr M Osborne

Break O'Day Council does not tolerate any form of domestic violence and to provide support to our community, we will:

- work with the community in making them aware that there are organisations within our community who can assist if impacted by family and domestic violence; and
- provide information through our webpage, social media and newsletter to our community of materials and services available to anyone in need.

CARRIED UNANIMOUSLY

Meeting adjourned for morning tea at 10.59am

Meeting resumed at 11.06am

02/21.15.0 DEVELOPMENT SERVICES

02/21.15.1 Development Services Report

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

That the report be received.

INTRODUCTION:

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

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

02/21.15.1.44 Moved: Clr M Osborne / Seconded: Clr G McGuinness

That the report be received.

CARRIED UNANIMOUSLY

02/21.15.2 **Northern Regional Cat Management Strategy**

FILE REFERENCE	003\001\003\
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OFFICER'S RECOMMENDATION:

That Council endorse the *Northern Tasmania Regional Cat Management Strategy (2020—2030) Draft V10.1* for it's management of cats in cooperation with other councils and stakeholders in the region.

INTRODUCTION:

Council has been participating in a regional working group, representing Councils, animal welfare and shelter groups in the northern region and state government, to develop the Northern Regional Cat Management Strategy.

Those councils and peak groups are currently endorsing the final draft of the strategy individually; ready for implementation to start in 2021, as changes to state legislation come into effect.

DISCUSSION:

- Clr Drummond asked, with additional work which will be involved with this do you think we need to think about allocating more hours to the Animal Control Officer in the next budget. The NRM Officer stated that he thinks it is a bit early to tell at this stage. The strategy mainly addresses standards and expectations of Council.
- Mayor Tucker stated that people have underestimated the issue of feral cats on our wildlife.

COUNCIL DECISION:

02/21.15.2.45 Moved: Clr M Osborne / Seconded: Clr K Chapple

That Council endorse the *Northern Tasmania Regional Cat Management Strategy (2020—2030) Draft V10.1* for it's management of cats in cooperation with other councils and stakeholders in the region.

CARRIED UNANIMOUSLY

02/21.15.3 December 2020 NRM Committee Meeting Minutes

FILE REFERENCE	010\028\002\
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OFFICER'S RECOMMENDATION:

That Council receive the Minutes of NRM Committee Meetings of 16 December 2020, acknowledging any advice and considering recommendations from the Committee for further Council attention.

INTRODUCTION:

The Break O'Day NRM Special Committee met on 16 December 2020 at the St Helens Marine Rescue building on St Helens Wharf.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

02/21.15.3.46 Moved: Cllr L Whittaker / Seconded: Cllr J Drummond

That Council receive the Minutes of NRM Committee Meetings of 16 December 2020, acknowledging any advice and considering recommendations from the Committee for further Council attention.

CARRIED UNANIMOUSLY

02/21.16.0 GOVERNANCE

02/21.16.1 General Manager's Report

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

That the General Manager's report be received.

INTRODUCTION:

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

DISCUSSION:

- The General Manager provided an update from TasWater regarding forthcoming dividends. TasWater did state that they are in a strong financial position and are in a lot better position than they thought they would be. They did also note that there was a report completed by Deloitte regarding the reliance of people on JobKeeper and there maybe a delayed impact with the removal of JobKeeper. They noted that the State Government has a Rural Water Strategy but it ignores the urban water situation. The State Government are going to do more work in this space in the future and look at the whole rural and urban water situation and the General Manager indicated that Council may be interested in participating in this.

COUNCIL DECISION:

02/21.16.1.47 Moved: Clr M Osborne / Seconded: Clr K Chapple

That the General Manager's report be received.

CARRIED UNANIMOUSLY

02/21.16.2 Change of Council Meeting Date – June 2021

FILE REFERENCE	014\001\022\
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OFFICER'S RECOMMENDATION:

That Council agree to change the date of the June Council Meeting to Monday 28 June 2021 commencing at 10.00am.

INTRODUCTION:

Due to the Australian Local Government Association (ALGA) General Assembly being held in Canberra from the 20 - 23 June 2021, Council is asked to consider that the June Council Meeting date be postponed to Monday 28 June 2021.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

02/21.16.2.48 Moved: Clr J McGiveron / Seconded: Clr K Wright

That Council agree to change the date of the June Council Meeting to Monday 28 June 2021 commencing at 10.00am.

CARRIED UNANIMOUSLY

02/21.16.3 Northern Tasmania Development Corporation Ltd (NTDC) – Regional Collaboration Framework Endorsement

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

That Council endorses the proposed Regional Collaboration Framework and participates in any formation of a regional position.

INTRODUCTION:

The collaboration framework aims for Northern Tasmanian stakeholders and civic leaders to work together and with one voice for the greater good of the region and to put forward projects and policy suggestions it sees as integral for its future.

The collaboration framework will provide the mechanism for Northern Tasmanian stakeholders and the community to bring ideas forward for debate and to provide an understanding of regional priorities ahead of crucial junctures such as State and Federal elections.

DISCUSSION:

- Mayor Tucker stated that this is something that is really important to our community and all of northern Tasmania and what we have to offer, we get the spin offs for a successful northern Tasmania.

COUNCIL DECISION:

02/21.16.3.49 Moved: Clr G McGuinness / Seconded: Clr M Osborne

That Council endorses the proposed Regional Collaboration Framework and participates in any formation of a regional position.

CARRIED UNANIMOUSLY

02/21.16.4 Draft Policy LG55 – Use of Conferencing Technology to Attend Council Meetings and Workshops Policy

FILE REFERENCE	008\001\010\
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OFFICER'S RECOMMENDATION:

That Council note the draft Policy LG55 – Use of Conferencing Technology to Attend Council Meetings and Workshops Policy and await the outcome of the Local Government Act review.

INTRODUCTION:

In light of what has been achieved virtually through COVID-19 a Draft Use of Conferencing Technology to Attend Council Meetings and Workshops Policy has been prepared for discussion.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

02/21.16.4.50 Moved: Clr B LeFevre / Seconded: Clr K Chapple

That Council note the draft Policy LG55 – Use of Conferencing Technology to Attend Council Meetings and Workshops Policy and await the outcome of the Local Government Act review.

CARRIED UNANIMOUSLY

02/21.16.5 2021 – 2022 State Budget Consultation

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

That Council provide a submission to the 2021 - 2022 State Budget process reflecting the identified matters from Council.

INTRODUCTION:

The State Government has now commenced the consultation process as part of developing the 2021-2022 State Budget, this provides an opportunity for Council to provide a submission advocating for projects, services, activities or policy changes.

DISCUSSION:

- The General Manager advised that no comments had been received from Councillors so we will progress with the identified dot points.
- Clr Whittaker stated that she feels Break O'Day Council could be innovative, creative and leaders in Local Government for the fight against Climate Change. For such projects as: promote green energy, community education, protect and restore key ecosystems like rivers and forests. The General Manager stated that maybe this needs some discussion and asked what would be specific to Tasmania. The General Manager stated that he is just trying to understand where this could sit with the State Government, we need to have some shape for the submission but we need clarity with regard to what Council would like to achieve. Clr Whittaker stated that maybe it needs some workshop discussion. This submission is in relation to State Government services and requests or how they can support something in Break O'Day.

- Clr McGuinness commented in regards to the Tasman Highway matter, the current focus is to upgrade from Dianas Basin to the Bottom of St Marys Pass. Clr McGuinness stated that the Chain of Lagoons through to Denison River is dangerous and he would like to see that included in this section. The General Manager stated that effectively we have it there even though we have identified a priority from Dianas Basin as this gets the main traffic to and from the Coast, we are advocating for the whole East Coast. Clr McGuinness stated that the Chain of Lagoons beyond is really bad. The General Manager stated that we need the State Government to create a strategic plan instead of a bit here and a bit there. Clr Chapple stated that as the General Manager said it needs to be done in a strategic approach not just adhoc and fragmented.

COUNCIL DECISION:

02/21.16.5.51 Moved: Clr M Osborne / Seconded: Clr G McGuinness

That Council provide a submission to the 2021 - 2022 State Budget process reflecting the identified matters from Council.

CARRIED UNANIMOUSLY

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

Moved: Clr J McGiveron / Seconded: Clr M Osborne

CARRIED UNANIMOUSLY

IN CONFIDENCE

02/21.17.0 **CLOSED COUNCIL**

02/21.17.1 **Confirmation of Closed Council Minutes – Council Meeting 18 January 2021**

02/21.17.2 **Outstanding Actions List for Closed Council**

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

Moved: Clr J McGiveron / Seconded: Clr K Chapple

CARRIED UNANIMOUSLY

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 11.35am.

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MAYOR

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DATE