



COUNCIL MEETING MINUTES

Monday 16 November 2020
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
16 November 2020

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AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

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

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

OPENING

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

ACKNOWLEDGEMENT OF COUNTRY

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

11/20.1.0 ATTENDANCE

11/20.1.1 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

11/20.1.2 Apologies

Nil

11/20.1.3 Leave of Absence

Nil

11/20.1.4 Staff in Attendance

General Manager, John Brown
Executive Assistant, Angela Matthews
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 17.5*)
Communications Coordinator, Jayne Richardson (*Item 1.0 – 16.3*)
Manager Corporate Services, Bob Hoogland (*Item 1.0 – 13.2*)
Development Services Coordinator, Jake Ihnen (*Item 2.0 – 12.4 / 14.1 – 16.3*)
NRM Officer, Polly Buchhorn (*Item 15.1 – 16.1*)

11/20.2.0 PUBLIC QUESTION TIME

Clr Wright advised that Mr Charles Stephens had contacted her advising that his questions for Public Question Time in October was not tabled or included in the minutes.

The General Manager explained that the mailbox is checked prior to the meeting and potentially what was delivered did not indicate it was a question for the meeting.

POST MEETING NOTE:

Council Officers checked Council records for correspondence received and identified the letter however it did not state that it was a request related to Public Question Time nor did it really contain a question it was rather a statement and has been dealt with as written correspondence received by Council.

11/20.3.0 DECLARATION OF PECUNIARY INTEREST 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 Chapple declared a Pecuniary Interest for agenda item 11/20.17.4 – Contract 030\001\133\ St Helens Point Road Upgrade – Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015.

11/20.4.0 CONFIRMATION OF MINUTES

11/20.4.1 Confirmation of Minutes – Council Meeting 19 October 2020

OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 19 October 2020 be confirmed.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

11/20.4.1.202 Moved: Cllr M Osborne / Seconded: Cllr G McGuinness

That the minutes of the Council Meeting held on the 19 October 2020 be confirmed.

CARRIED UNANIMOUSLY

11/20.5.0 COUNCIL WORKSHOPS HELD SINCE 19 OCTOBER 2020 COUNCIL MEETING

There was a Workshop held on Wednesday 4 November 2020 – the following items were listed for discussion as well as a Presentations from the CEO of East Coast Tasmania Tourism (ECTT) and CEO of Northern Tasmania Development Corporation (NTDC).

- Northern Tasmania Development Corporation Ltd (NTDC) – Regional Collaboration Framework Endorsement
- Audit Panel – Receipt of Minutes
- Review of Policy - LG13 – Anti-Discrimination & Harassment
- Mannalargenna Day 2020
- Adolescent Amenities – St Helens Foreshore
- Implementation of Dog Management Policy
- Grant for Flood Management – Lower George Floodplain and Riverworks Trust
- Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report
- 2020/2021 Annual Plan – September Quarterly Review
- St Helens Neighbourhood House Community Garden
- Family/Sexual Violence Policy
- Email Procedures
- Information on Possible Contentious Issues

11/20.6.0 PLANNING AUTHORITY

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

11/20.7.0 PETITIONS

Nil.

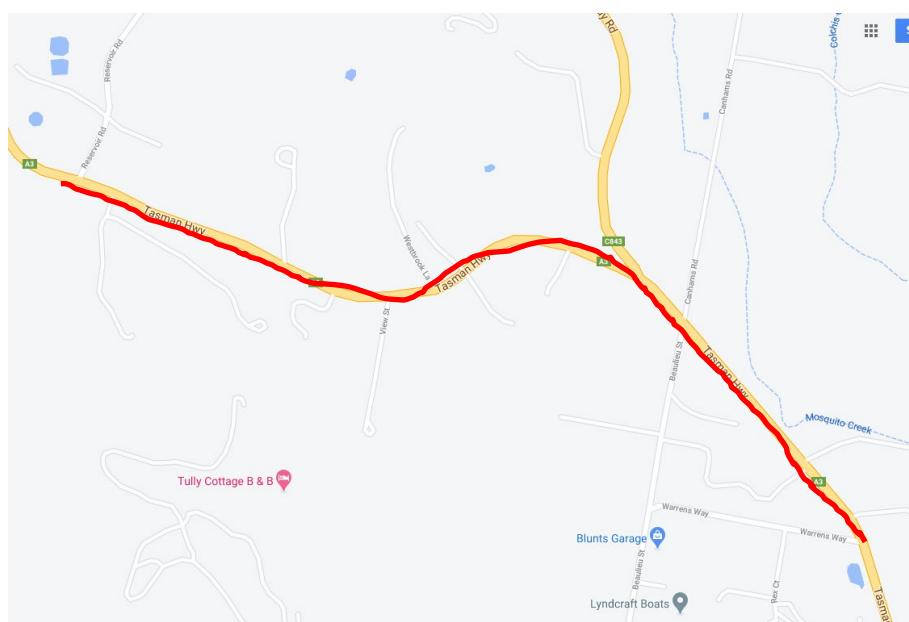
11/20.8.0 NOTICES OF MOTION

11/20.8.1 Notice of Motion - Tasman Highway Speed Limit Reduction – Clr K Chapple

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 approach the Department of State Growth to investigate the possibility of reducing the speed limit on the Tasman Highway heading northwest towards Scottsdale from 80km per hour to 60 km per hour.



SUBMISSION IN SUPPORT OF MOTION:

With the purchase of 1-11 Warrens Way, St Helens by Calows Coaches and the conversion of this site to a Bus Depot and proposed Tas Petroleum fuel depot there will be an increased amount of heavy traffic using the Warrens Way and Tasman Highway intersection, who have confirmed that this is the preferred access to this site. This intersection has very poor line of sight for oncoming traffic. There have also been a number of close near misses in regards to the movement of heavy traffic in and out of the St Helens Concrete Depot located at 25495 Tasman Highway, St Helens involving cement trucks and vehicles overtaking turning trucks, through no fault of the heavy vehicles in any way.

There has also been a visible increase of the amount of mountain bike riders on this section of road in both directions. It would be a good time for the road to have the speed limit reduced from 80km per hour to 60 km per hour up past the Ansons Bay and Beaulieu Street intersections to View Street, which will in turn slow down the traffic coming down the hill and provide better visibility for oncoming traffic for these heavy vehicles.

DISCUSSION:

- Clr Drummond stated that she was supportive of everything Clr Chapple has said.
- The General Manager commented in relation to the Notice of Motion. Given that it is for a letter to the Department of State Growth there is no need for a report to be prepared for this, we will proceed as a direct action.
- Clr McGuinness asked for clarification in relation to the red line on the map, it goes to Reservoir Road but the preamble states View Street. Clr Chapple stated that it is really up to the Department of State Growth but she would be happy with View Street.
- Clr's McGiveron, McGuinness and LeFevre all support to View Street.

COUNCIL DECISION:

11/20.8.1.203 Moved: Clr K Chapple / Seconded: Clr J Drummond

That Council approach the Department of State Growth to investigate the possibility of reducing the speed limit on the Tasman Highway heading northwest towards Scottsdale from 80km per hour to 60 km per hour to View Street.

CARRIED UNANIMOUSLY

11/20.9.0 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.

11/20.10.1

Scamander – Whites Lane – Between 101 and 103 Scamander Avenue, Scamander – Cllr K Wright

It has been brought to my attention, that the property for sale at 103 Scamander Avenue, may be inadvertently impinging on a piece of land which is shown as “Whites Lane”. As shown on local maps and list map. Pictures attached.

1. Is this land owned by Council and a gazetted Lane way?
2. Should the real estate be alerted to this land being a gazetted Lane way and not part of the saleable property and asked to make this known in the property listing?
3. Should this piece of land be officially made into a Lane way for access to the beach and lagoon area as seen in the pictures attached.?

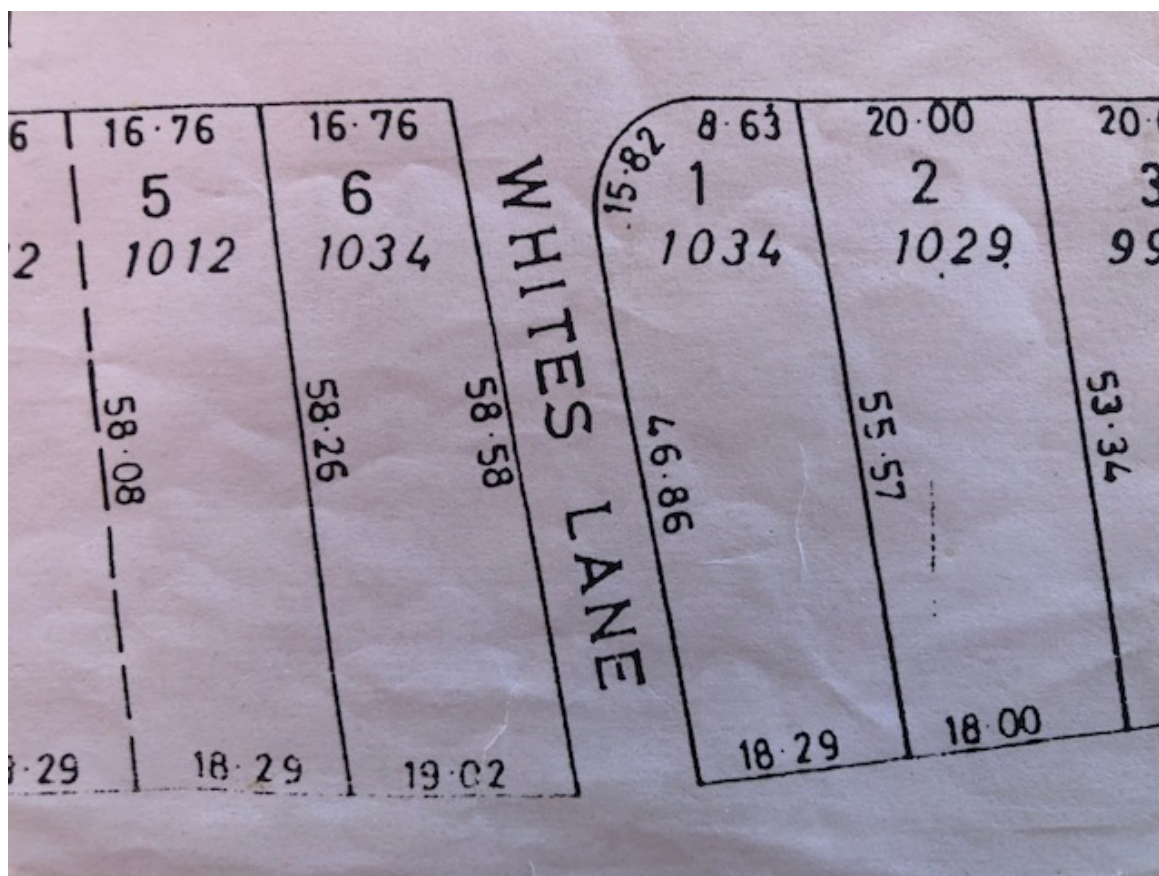


What's your property worth?
Get a guide to the market.



Best offer over \$395,000 ☆
103 Scamander Ave, Scamander
2 1 4 1,034 m²
House





Reply

1. No, this parcel of land is owned by the Crown and forms part of the Road Easement.
2. It is the responsibility of the owner and any prospective purchaser to ensure they exercise due diligence to ensure they are aware of boundary locations.
3. Council is not aware of any requests to consider formalising additional accesses to the beach. The Crown Lands Department and the community would need to be consulted and consider any formalisation of further accesses to the beach.

11/20.11.0

MAYOR'S & COUNCILLOR'S COMMUNICATIONS

11/20.11.1

Mayor's Communications for Period Ending 16 November 2020

20.10.2020	St Helens	– Chamber of Commerce, Tourism Award Presentation
21.10.2020	St Helens Via Web	– Local Government Association of Tasmania (LGAT), State Governments forward program for planning reform
21.10.2020	St Helens	– Meeting with Steven Jones from Rotary
28.10.2020	Devonport	– Local Government Association of Tasmania (LGAT), Code of Conduct session
29.10.2020	St Helens	– Meeting with Minister Jaensch & John Tucker MP
01.11.2020	Scamander	– East Coast Master Golf Tournament
04.11.2020	St Helens	– Council Workshop
05.11.2020	St Helens	– Meeting with TasWater representatives
16.11.2020	St Helens	– Council Meeting
16.11.2020	St Helens	– Bendigo Bank AGM

11/20.11.2

Councillor's Reports for Period Ending 16 November 2020

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

- No meeting – next one is on Tuesday night.

NRM Special Committee – Clr Janet Drummond

- Meeting planned for next week has been postponed.

Barway Committee – Clr John McGiveron

- Nothing to report.

East Coast Tasmania Tourism (ECTT) – Clr Glenn McGuinness

- Had a successful Tourism Awards on Friday night at Freycinet Lodge.
- Next Board Meeting will be at Panorama St Helens in December.

Mental Health Action Group – Clr Barry LeFevre

- Attended an online meeting advocating for services to the area.
- Watch this space.

Disability Access Committee – Clr Janet Drummond

- Nothing to report.

11/20.12.0 BUSINESS AND CORPORATE SERVICES

11/20.12.1 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 stated that ratepayers paying in advance and receiving the discount is up on previous years.
- Clr Chapple commented about how disappointing to see the two (2) acts of vandalism at Fingal.

COUNCIL DECISION:

11/20.12.1.204 Moved: Clr B LeFevre / Seconded: Clr J McGiveron

That the report be received.

CARRIED UNANIMOUSLY

11/20.12.2 Monthly Financial Report

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

That the following reports for the month ending 31 October 2020 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:

- The Manager Corporate Services noted that this is a third of the way through the year. We will be bringing a budget review to the next workshop.

COUNCIL DECISION:

11/20.12.2.205

Moved: Clr L Whittaker / Seconded: Clr K Chapple

That the following reports for the month ending 31 October 2020 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

11/20.12.3

Visitor Information Centre Report

FILE REFERENCE	040\028\002\
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OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various issues which are being dealt with by the Visitor Information Centre.

DISCUSSION:

- The Manager Corporate Services stated that the numbers into the VIC are low even though there are quite a few people up the street.
- The Manager Corporate Services stated that the VIC Staff have been doing famils and continuing with the care calls to businesses.

COUNCIL DECISION:

11/20.12.3.206 Moved: Clr K Wright/ Seconded: Clr J McGiveron

That the report be received.

CARRIED UNANIMOUSLY

11/20.12.4 **Policy – LG11 Rating and Exemptions Policy**

FILE REFERENCE	002\024\001\
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OFFICER'S RECOMMENDATION:

That Policy LG11 Rating and Exemptions be amended as recommended.

INTRODUCTION:

Council has a schedule for regular review of Policies. This Policy is now due for review being three (3) years since the previous review.

DISCUSSION:

- The Manager Corporate Services advised that this is the normal three (3) yearly review however we tend to look at this when we adopt the budget and strike the rates.
- The Manager Corporate Services advised that this has been looked at by the Audit Panel.

COUNCIL DECISION:

11/20.12.4.207 Moved: Clr G McGuinness / Seconded: Clr K Chapple

That Policy LG11 Rating and Exemptions be amended as recommended.

CARRIED UNANIMOUSLY

11/20.12.5 **Policy – LG13 Anti-Discrimination and Harassment Policy**

FILE REFERENCE	002\024\001\
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OFFICER'S RECOMMENDATION:

That Policy LG13 Anti-Discrimination and Harassment be amended as recommended.

INTRODUCTION:

Council has a schedule for regular review of Policies. This Policy is now due for review being three (3) years since the previous review.

DISCUSSION:

- The Manager Corporate Services stated that this has had a fairly formal review by both Audit Panel and Council Workshop.

COUNCIL DECISION:

11/20.12.5.208 Moved: Clr J Drummond / Seconded: Clr K Wright

That Policy LG13 Anti-Discrimination and Harassment be amended as recommended.

CARRIED UNANIMOUSLY

11/20.12.6 **Policy – LG46 Fraud Management & Control**

FILE REFERENCE	002\024\001\
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OFFICER'S RECOMMENDATION:

That Policy LG46 Fraud Management & Control be amended as recommended.

INTRODUCTION:

Council has a schedule for regular review of Policies. This Policy is now due for review being three (3) years since the previous review

DISCUSSION:

- The Manager Corporate Services advised that this comes under the auspices of the Audit Panel and has been reviewed by the Audit Panel.

COUNCIL DECISION:

11/20.12.6.209 Moved: Clr K Wright / Seconded: Clr M Osborne

That Policy LG46 Fraud Management & Control be amended as recommended.

CARRIED UNANIMOUSLY

11/20.12.7 **Policy – LG51 Related Party Disclosure**

FILE REFERENCE	002\024\001\
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OFFICER'S RECOMMENDATION:

That Policy LG51 Related Parties Disclosures be amended as recommended.

INTRODUCTION:

Council has a schedule for regular review of Policies. This Policy is now due for review being three (3) years since the previous review.

DISCUSSION:

- The Manager Corporate Services stated that this also comes under the auspices of the Audit Panel and has been reviewed by the Audit Panel.

COUNCIL DECISION:

11/20.12.7.210 Moved: Clr K Wright / Seconded: Clr K Chapple

That Policy LG51 Related Parties Disclosures be amended as recommended.

CARRIED UNANIMOUSLY

11/20.12.8 **Policy – LG52 Council Support for Destroyed Dwellings**

FILE REFERENCE	002\024\001\
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OFFICER'S RECOMMENDATION:

That Policy LG52 Council Support for Destroyed Dwellings be renewed as recommended.

INTRODUCTION:

Council has a schedule for regular review of Policies. This Policy is now due for review being three (3) years since the previous review.

DISCUSSION:

- The Manager Corporate Services advised that this has been reviewed in the past and has been to the Audit Panel as it comes under the finance area.
- Clr Osborne stated that the one thing that she knows is a problem when a house is burnt down is the cost involved with the clearing of the land, is there some way within this policy that we could have this mentioned. Mayor Tucker stated that we would have to question this, if it is an insured property why would we subsidise an insurance company. Clr Osborne stated that we could have some way of not charging them until after their insurance has been paid. The Manager Corporate Services stated that Council did discuss this back when the policy was considered and the decision was to keep it very general because of the insurance issue. Council is certainly open to not expecting payments up front and additional requests for support can come back to Council for consideration.

COUNCIL DECISION:

11/20.12.8.211 Moved: Clr J Drummond / Seconded: Clr G McGuinness

That Policy LG52 Council Support for Destroyed Dwellings be renewed as recommended.

CARRIED UNANIMOUSLY

11/20.12.9 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 19 October 2020.

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 this was considered at the workshop. This is standard procedure.

COUNCIL DECISION:

11/20.12.9.212 Moved: Clr B LeFevre / Seconded: Clr K Chapple

That Council receive the minutes of the Audit Panel 19 October 2020.

CARRIED UNANIMOUSLY

11/20.13.0 WORKS AND INFRASTRUCTURE

11/20.13.1 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 advised that he had nothing further to add.

COUNCIL DECISION:

11/20.13.1.213 Moved: Clr J McGiveron / Seconded: Clr K Wright

That the report be received by Council.

CARRIED UNANIMOUSLY

11/20.13.2 Immediate Removal of Moulting Bay Jetty

FILE REFERENCE	004\007\003\
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OFFICER'S RECOMMENDATION:

That Council act to immediately remove the Moulting Bay jetty in the interests of public safety.

INTRODUCTION:

At the October 2020, ordinary Meeting of Council, Clr McGuiness tabled the following Notice of Motion:

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 remove the Moulting Bay jetty in the interests of public safety.

SUBMISSION IN SUPPORT OF MOTION:

The jetty on the seaward side of the gate has completely collapsed.

The remaining jetty has become dangerous to curious tourists and could result in injury for which Council would be liable.

The jetty has ceased to fulfil a useful need for a significant period.

Councillor Discussion:

- Clr McGuinness stated that since the motion was submitted a storm has been through and demolished part of the end of the jetty and Council has since been out and tidied that section up.
- Clr LeFevre stated that he fully supports the motion as he raised it approximately five (5) years ago. This jetty is redundant and an eyesore and needs to be removed.

DISCUSSION:

The Manager Infrastructure and Development Services stated that after doing some research the recommendation was originally made in 2014.

COUNCIL DECISION:

11/20.13.2.214 Moved: Clr J McGiveron / Seconded: Clr B LeFevre

That Council act to immediately remove the Moulting Bay jetty in the interests of public safety.

CARRIED UNANIMOUSLY

11/20.13.3 Improvement of the Intersection of Upper Scamander Road and Tasman Highway

FILE REFERENCE	032\005\013\
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OFFICER'S RECOMMENDATION:

That Council make submission for a Safety Audit of the intersection of Upper Scamander Road and the Tasman Highway under the 2021/2022 Black Spot program at cost to the programme.

INTRODUCTION:

At the October 2020, ordinary Meeting of Council, Clr Drummond tabled the following Notice of Motion:

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 consider supporting a project of improvement to the intersection of the junction of Upper Scamander Road and Tasman Highway, be funded in the 2021-2022 budget.

SUBMISSION IN SUPPORT OF MOTION:

Some residents have expressed concern about the condition of the road at the junction of Upper Scamander Road and the Tasman Highway, and also suggested that a protected right-hand turn lane would be beneficial to road users.

I respectfully request that Council support a project submission to improve the intersection and apply for Black Spot program funding as part of a safety audit in the 2021-2022 allocation of funding.

Councillor Discussion:

- *The General Manager advised that Cllr Whittaker has been authorised by Cllr Drummond to move the motion.*
- *Cllr Whittaker stated that Cllr Drummond would like this submitted to the Black Spot funding that is to be done this month.*
- *The General Manager advised that a report will come to Council but we will move to forward an Application as discussions have been held with the Manager Infrastructure and Development Services.*
- *Cllr McGuinness stated that the road surface in that area is extremely poor and we should contact the Government with respect to the road surface.*

DISCUSSION:

- The Manager Infrastructure and Development Services stated that this is purely a Department of State Growth road and part of their network so Black Spot Program should fund this.

COUNCIL DECISION:

11/20.13.3.215 Moved: Cllr J Drummond / Seconded: Cllr M Osborne

That Council make submission for a Safety Audit of the intersection of Upper Scamander Road and the Tasman Highway under the 2021/2022 Black Spot program at cost to the programme.

CARRIED UNANIMOUSLY

11/20.14.0 COMMUNITY DEVELOPMENT

11/20.14.1 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:

- Clr LeFevre stated that he was wondering where we are up to with the food vans at Binalong Bay. The General Manager stated that it has been advertised and there has been one (1) person who has expressed interest that he is aware of and they have been directed to Parks and Wildlife Services to go through their process. We are just responding to enquiries and facilitating where we can.

COUNCIL DECISION:

11/20.14.1.216 Moved: Clr K Wright / Seconded: Clr M Osborne

That the report be received.

CARRIED UNANIMOUSLY

11/20.14.2 MannaLargenna Day 2020

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

That Council provide the sum of \$2,500 towards the MannaLargenna event which is being held in December, 2020.

INTRODUCTION:

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

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

11/20.14.2.217 Moved: Clr M Osborne / Seconded: Clr K Chapple

That Council provide the sum of \$2,500 towards the MannaLargenna event which is being held in December, 2020.

CARRIED UNANIMOUSLY

11/20.15.0 DEVELOPMENT SERVICES

11/20.15.1 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:

11/20.15.1.218 Moved: Cllr L Whittaker / Seconded: Cllr K Wright

That the report be received.

CARRIED UNANIMOUSLY

11/20.15.2 Implementation of Dog Management Policy

FILE REFERENCE	01/19.8.3.6
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OFFICER'S RECOMMENDATION:

1. That Council's strategy for implementing its Dog Management Policy is to work in cooperation with the Parks and Wildlife Service with what resources Council and they have available and includes: joint targeted compliance actions with publicity, coordinated signage for dog access zones and to develop strategies for effective communication and education together.
2. That Council seek commitment from the Parks and Wildlife Service to work cooperatively with Council to implement consistent and coordinated management of dogs in the municipality through Council's public processes for Dog Management Policy and Declared Areas, while recognising our different roles, objectives and responsibilities, and means for achieving them.

INTRODUCTION:

Council has been working more closely with the Parks and Wildlife Service on implementation of dog management since 2018, including coordinating enforcement, signage and education and communication efforts. Better cooperation and implementation was called for by many community submissions at the last Policy review.

Council resources for animal control is an on-going associated issue.

DISCUSSION:

- The NRM Officer stated that locally and informally we have been working along these lines. This is to go to Parks and Wildlife Services to formalise things a bit more and hopefully it then goes to the State level.

COUNCIL DECISION:

11/20.15.2.219

Moved: Clr J Drummond / Seconded: Clr L Whittaker

1. That Council's strategy for implementing its Dog Management Policy is to work in cooperation with the Parks and Wildlife Service with what resources Council and they have available and includes: joint targeted compliance actions with publicity, coordinated signage for dog access zones and to develop strategies for effective communication and education together.
2. That Council seek commitment from the Parks and Wildlife Service to work cooperatively with Council to implement consistent and coordinated management of dogs in the municipality through Council's public processes for Dog Management Policy and Declared Areas, while recognising our different roles, objectives and responsibilities, and means for achieving them.

CARRIED UNANIMOUSLY

11/20.15.3 Grant for Flood Management – Lower George Floodplain and Riverworks Trust

FILE REFERENCE	017\006\002\
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OFFICER'S RECOMMENDATION:

1. That Council participate in a new project addressing Lower George floodplain priorities in partnership with the Lower George Riverworks Trust.
2. That Council contribute \$4,000 towards the cost of the project plus in-kind resources.

INTRODUCTION:

A joint application for funding by Council and the Lower George Riverworks Trust to the SES and its *Natural Disaster Risk Reduction Grants Program* (NDRRG) has been successful.

The application was for a project titled *Impact Assessment of likely changes in river course over the George River Floodplain*.

DISCUSSION:

- The NRM Officer stated that we have got a little bit of funding to start to get working on this project. It will give us the opportunity to start scoping out what other works need to be undertaken.

COUNCIL DECISION:

11/20.15.3.220 Moved: Clr G McGuinness / Seconded: Clr B LeFevre

1. That Council participate in a new project addressing Lower George floodplain priorities in partnership with the Lower George Riverworks Trust.
2. That Council contribute \$4,000 towards the cost of the project plus in-kind resources.

CARRIED UNANIMOUSLY

11/20.16.0 **GOVERNANCE**

11/20.16.1 **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 advised that he had a meeting with Parks and Wildlife Services on Friday for a general catch up where a number of things were discussed:
 - o Burns Bay Car Park is progressing to the next stage
 - o Wrinklers lagoon
 - o Where we are at with Parnella.
 - o They are going to write to us regarding a bridge of theirs on Terrys Hill Road. They have asked if they replace it would Council take it over. The General Manager stated that he does not see any merit in this however he has suggested that they formally put it to Council.
 - o Working on brief for the Bay of Fires Master Plan and talked about a Committee with community representation.
- The General Manager represented Council at the East Coast Tasmania Tourism (ECTT) Awards Dinner on Friday.
- St Helens Wharf – we hopefully may have some progress on this.
- The General Manager recognised Katrena Stephenson’s work for the sector through her role as the CEO of the Local Government Association of Tasmania (LGAT).
- Cllr Osborne stated that St Marys Pass is daily getting worse and it is quite obvious and it will continue to deteriorate weekly. The General Manager stated that they may get to the situation like a few years ago that they may have to close the Pass and redirect traffic to the Elephant Pass to do repair works on this. There is just a litany of road failures through the valley and up and down the coast in general. Cllr Drummond stated that this seems to be a really large topic of conversation at the moment in the community. Cllr Osborne stated that we probably need to talk to the Department of State Growth about how they are doing their roadworks. The General Manager stated that one issue is how effective have the work of sealing shoulders been and the other is that part of the damage is in relation to the season as it has been quite wet as well as the large amounts of traffic.
- Cllr McGuinness asked in relation to Binalong Bay Road – given that the Department of State Growth have this budgeted in this financial year he is wondering why they haven’t physically actually taken it over as yet, do we know when they are likely to do this. The General Manager stated that we have taken this up with the Department of State Growth and continually chase them up. The Manager Infrastructure and Development Services stated that we have been talking at length to the Department of State Growth with our concerns with regard to the quality of the work and the short life span of the work.
- Cllr McGivern asked, what is the next stage for Burns Bay. The General Manager stated that Parks and Wildlife Services have met with users and now they are working with Aboriginal Heritage Tasmania and engineers to try and get a design down to get as much out of the site as possible. Cllr McGivern stated that he is concerned that the actual car park is going to end up smaller than it is now. The General Manager stated that we are pushing that there is as much logic in the design and that they look at the impacts on constraints on the design as it may be a case of some small sacrifices to minimise the potential impact in other areas due to there not being enough formalised parking. The General Manager stated that there are so many issues to deal with on that site with regard to Aboriginal Heritage as well as flora and fauna.

COUNCIL DECISION:

11/20.16.1.221 Moved: Clr M Osborne / Seconded: Clr K Chapple

That the General Manager's report be received.

CARRIED UNANIMOUSLY

11/20.16.2 **Northern Tasmanian Development Corporation Ltd (NTDC) – Receipt of Quarterly Report**

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

That Council receive the quarterly report of the Northern Tasmania Development Corporation (NTDC).

INTRODUCTION:

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

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

11/20.16.2.222 Moved: Clr M Osborne / Seconded: Clr G McGuinness

That Council receive the quarterly report of the Northern Tasmania Development Corporation (NTDC).

CARRIED UNANIMOUSLY

11/20.16.3 **2020/2021 Annual Plan – September Quarterly Review**

FILE REFERENCE	018\033\007\
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OFFICER'S RECOMMENDATION:

That Council receive the Review as at the 30 September 2020 of the Break O'Day Council Annual Plan 2020/2021.

INTRODUCTION:

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:

- The General Manager advised that we are a quarter of the way through the year and we are marginally in front of where we should be which is good.
- Events – these have been impacted by Covid however there is now a trickle of events coming through but there is still a degree of uncertainty.
- Community Engagement Framework – this has been delayed due to the Local Government Act Review, once this information starts flowing through we will progress this.
- Economic Development – a number of these are yet to commence due to the retirement of the Economic Development Officer but we will progress a recruitment process for this position in the near future.

Clr Wright left the meeting at 10.46am

Clr Wright returned to the meeting at 10.48am

- The Regional Land Use Strategy (RLUS) and the Tasmanian Planning Scheme Provisions – we will continue with this while we recruit a new Planner.
- Waste Management – quite a few activities ongoing in that space.
- Recreational and Trails Strategy – will start to accelerate this now with the borders opening, the Georges Bay and Marine Strategy as well, we are looking at trying to package some of these up.
- Clr Drummond asked about the Fingal and St Marys Trail, she is being asked in the community a lot at the moment to keep people staying in the valley. The General Manager stated that the key overarching document is the Recreational and Trails Strategy as we need a business case for the Fingal/St Marys Trail. We need some strategy above it to support it. Clr Drummond asked, when are we looking at progressing this. The General Manager stated that this project was waiting on borders to open and now we have movement happening and more opportunities with mainland consultants we anticipate we will move forward in the new year.

COUNCIL DECISION:

11/20.16.3.223 Moved: Clr B LeFevre / Seconded: Clr K Chapple

That Council receive the Review as at the 30 September 2020 of the Break O'Day Council Annual Plan 2020/2021.

CARRIED UNANIMOUSLY

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

Moved: Clr L Whittaker / Seconded: Clr K Wright That Council move into Closed Council.

CARRIED UNANIMOUSLY

IN CONFIDENCE

11/20.17.0 CLOSED COUNCIL

11/20.17.1 Confirmation of Closed Council Minutes – Council Meeting 19 October 2020

11/20.17.2 Outstanding Actions List for Closed Council

11/20.17.3 Contract 030\001\132\ - Bridge 2398 Replacement - Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015

COUNCIL DECISION:

PUBLISH IN PUBLIC MINUTES:

11/20.17.3.CC Moved: Clr J McGiveron / Seconded: Clr M Osborne

That Council:

Award Contract 030/001/132 “Bridge 2398 Replacement – Design & Construct Contract” to BridgePro Engineering for the conforming tendered amount.

CARRIED UNANIMOUSLY

Clr Chapple left the meeting at 10.56am

11/20.17.4 Contract 030\001\133\ St Helens Point Road Upgrade - Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015

COUNCIL DECISION:

PUBLISH IN PUBLIC MINUTES:

11/20.17.4.CC Moved: Clr M Osborne / Seconded: Clr L Whittaker

That the Council:

Award Contract 030\001\133\ “St Helens Point Road Upgrade” as a combined project for the negotiated amount to Civilscape Contracting Tasmania Pty Ltd.

CARRIED UNANIMOUSLY

Clr Chapple returned to the meeting at 10.58am.

11/20.17.5 St Helens Neighbourhood House Community Garden - Closed Council Item Pursuant to Section 15(2)F of the Local Government (Meeting Procedures) Regulations 2015

COUNCIL DECISION:

PUBLISH IN PUBLIC MINUTES:

11/20.17.5.CC Moved: Clr M Osborne / Seconded: Clr J McGiveron

That Council

1. Acknowledges the valuable role of the Community Garden for local community members.
2. Advises the St Helens Neighbourhood House that it does not agree to the request to adjust the leased area to include the area that they have fenced which is outside their leased area.
3. Requests that the Neighbourhood House provide a plan and timeframe to relocate the community garden activities currently outside the leased area to the area which they lease and that Council indicate its willingness to discuss how it may be able to assist the Neighbourhood House to achieve this outcome.
4. Will consider the request for a multiple term Lease at the conclusion of the current Lease.

CARRIED UNANIMOUSLY

Pursuant to Regulation 15(1) of the Local Government (Meeting Procedures) Regulations 2005 that Council move out of Closed Council.

Moved: Clr J McGiveron / Seconded: Clr L Whittaker That Council move out of Closed Council.

CARRIED UNANIMOUSLY

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 11.24am.

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MAYOR

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DATE