



COUNCIL MEETING MINUTES

Monday 17 August 2020
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
17 August 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.

08/20.1.0 ATTENDANCE

08/20.1.1 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

08/20.1.2 Apologies

Nil

08/20.1.3 Leave of Absence

Nil

08/20.1.4 Staff in Attendance

General Manager, John Brown
Executive Assistant, Angela Matthews
Manager Corporate Services, Bob Hoogland (*Item 1.0 – 13.1*)
Manager Community Services, Chris Hughes (*Item 1.0 – 17.3*)
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 17.0*)
Communications Coordinator, Jayne Richardson (*Item 1.0 – 17.0*)
Development Services Coordinator, Jake Ihnen (*Item 1.0 – 11.2 / 13.1 – 17.0*)
Planning Coordinator, Nick Cooper (*Item 1.0 – 7.0 / 13.1 – 15.2*)
NRM Facilitator, Polly Buchhorn (*Item 12.3 – 16.1*)
Planning Consultant, Rebecca Green (*Item 1.0 – 7.0*)

08/20.2.0 PUBLIC QUESTION TIME

08/20.2.1 St Helens Dog Exercise Area – Mrs H Lowe, St Helens

1. How much money has been allocated in the budget for the extension and upgrading of the St Helens Dog Exercise Area and what are the scheduled commencement and completion dates?
2. What progress has been made to identify additional areas throughout the Break O'Day region for designated off lead exercise areas?

Reply

1. Council has allocated \$10,000 in its 2020/2021 budget for development of dog parks and building of the St Helens extension and a new dog park at St Marys Sports Ground are scheduled for completion this financial year.
2. Council's Agenda for this Meeting included an item for a dog exercise area at Binalong Bay, to ask the community for input on three (3) possible options identified by Council, ahead of building and declaring an area there. Council's Dog Management Policy suggests further needs for off-lead exercise areas elsewhere, to be investigated and planned afterwards.

08/20.3.0 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.

Nil.

08/20.4.0 CONFIRMATION OF MINUTES

08/20.4.1 Confirmation of Minutes – Council Meeting 20 July 2020

OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 20 July 2020 be confirmed.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

08/20.4.1.128 Moved: Clr L Whittaker / Seconded: Clr G McGuinness

That the minutes of the Council Meeting held on the 20 July 2020 be confirmed.

CARRIED UNANIMOUSLY

08/20.5.0 COUNCIL WORKSHOPS HELD SINCE 22 JUNE 2020 COUNCIL MEETING

There was a Workshop held on Monday 3 August 2020 – the following items were listed for discussion.

- 2019/2020 Annual Plan – Review as at 30 June 2020
- Policy – LG08 – Employees Voluntary Emergency Services Policy
- Policy – LG25 – Grievance Policy
- Policy – LG31 – Recruitment and Selection Policy
- Local Government Summary Tables Comparison Report
- Review of Risk Management Framework
- Potential Location of Optus Infrastructure

- Local Roads and Community Infrastructure Program (LRCI Program)
- Request for Council Sponsorship – Ten Days on the Island - 2021
- Break O’Day Drought Weeds Grants 2020
- Review of Reliance Forest Fibre Draft Forest Management Plan
- New Dog Exercise Areas for Binalong Bay, St Marys and St Helens
- Community Care and Recovery Package – COVID-19 - Update
- Footpaths
- Medea Street and Quail Street Intersection

08/20.6.0 PLANNING AUTHORITY

Pursuant to Section 25 of the Local Government (Meeting Procedures) Regulations 2015 the Mayor informed the Council that it was now acting as a Planning Authority under the Land Use Planning and Approvals Act 1993.

08/20.6.1 DA 129-2020 – Demolish Shed and New Storage Shed – 2 Gray Road, St Marys

FILE REFERENCE	DA 129-2020
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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 **STORAGE SHED** on land situated at **2 GRAY ROAD, ST MARYS** described in Certificate of Title 103674/1, 152467/1, 152716/1(CLAC PRG) be **APPROVED** subject to the conditions:

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

Approved Plans			
Plan Name	Reference Number	Prepared By	Dated
Proposed Site Plan	A03	Jon Pugh Home Design	8/07/2020
Proposed Shed Plan and Elevations	A04	Jon Pugh Home Design	8/07/2020

2. Use of the development must not create a nuisance as defined by the *Environmental Management and Pollution Control Act 1994*.
3. Works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.
4. All runoff from the proposed buildings must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. Soakage drains must be of sufficient size to absorb stormwater runoff.

5. Site benching through cut and fill must be in keeping with the physical and environmental capabilities of the site.
6. 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.

ADVICE

- 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*
- Be advised that in accordance with the *Building Act 2016* assessment for building approval cannot commence until such time as Council is provided with full Building Design Plans and Specifications prepared by an accredited designer.

INTRODUCTION:

The proposed development includes the demolition of the existing shed and a proposed new storage shed at the St Marys Sports Complex at 2 Gray Road, St Marys. The applicant is the Break O'Day Council and the proposed development is located on land of which Council is the owner. Sports and Recreation is a Permitted Use Class in the Recreation Zone. The application is relying on performance criteria in seeking an approval and is therefore a Discretionary Application.

DISCUSSION:

- The Senior Town Planner advised that no representations were received on this item.

COUNCIL DECISION:

08/20.6.1.129 Moved: Clr M Osborne / 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 **STORAGE SHED** on land situated at **2 GRAY ROAD, ST MARYS** described in Certificate of Title 103674/1, 152467/1, 152716/1(CLAC PRG) be **APPROVED** subject to the conditions:

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

Approved Plans			
Plan Name	Reference Number	Prepared By	Dated
Proposed Site Plan	A03	Jon Pugh Home Design	8/07/2020
Proposed Shed Plan and Elevations	A04	Jon Pugh Home Design	8/07/2020

2. Use of the development must not create a nuisance as defined by the *Environmental Management and Pollution Control Act 1994*.
3. Works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.
4. All runoff from the proposed buildings must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. Soakage drains must be of sufficient size to absorb stormwater runoff.
5. Site benching through cut and fill must be in keeping with the physical and environmental capabilities of the site.
6. 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.

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 - *Saturday 9 am to 6 pm*
 - *Sunday and public holidays 10 am to 6 pm*
- Be advised that in accordance with the *Building Act 2016* assessment for building approval cannot commence until such time as Council is provided with full Building Design Plans and Specifications prepared by an accredited designer.

CARRIED UNANIMOUSLY

FILE REFERENCE	DA 058-20
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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 **DWELLING** on land situated at **17 WRINKLERS DRIVE, SCAMANDER** described in Certificate of Title 158994/7 be **APPROVED** subject to the following conditions:

1. Development must accord with the following approved plans and documents, except as varied by conditions on this Planning Permit.

Approved Plans			
Plan	Reference Number	Prepared By	Dated
Site Plan	A02	Jennifer Binns Design	13/07/20
Proposed Ground Floor	A03	Jennifer Binns Design	13/07/20
Proposed first floor	A04	Jennifer Binns Design	13/07/20
Elevations	A05	Jennifer Binns Design	13/07/20
Elevations	A06	Jennifer Binns Design	13/07/20
Visuals	A09	Jennifer Binns Design	13/07/20

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.
3. 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.
4. No clearing of native trees is permitted as part of this application.
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.
6. A Works Permit must be obtained prior to commencing work on the proposed crossover. The crossover is to be constructed in accordance with Council standard drawing TSD-R09-v1.

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 Manager Works and Infrastructure.

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

Monday-Friday 7am to 6pm

Saturday 9am to 6pm

Sunday and public holidays 10am to 6pm

INTRODUCTION:

The application is for a dwelling at 17 Wrinkles Avenue, Scamander. The application relies on the following three (3) performance criteria as detailed below;

1. 10.4.2 P3 – Building Envelope Side Setback
2. 10.4.16.2 P1 – Filling of Site
3. E4.7.2 – P1 Additional Vehicle crossover.

A detailed assessment against the provisions of the *Break O' Day Interim Planning Scheme 2013* is provided herein this report.

DISCUSSION:

- The Senior Town Planner advised that this application relied on three (3) performance criteria, and a representation was received from an adjoining property owner.
- The Senior Town Planner advised that the dwelling will have an overshadow on the adjoining site, however it is not classed as an unreasonable loss of amenity. The shadowing will extend over the deck of the adjoining house and onto the open space.
- Cllr Chapple stated that she has a little bit of a concern with the overshadowing on the deck and open space, these are areas that there is considerable time spent. The Senior Town Planner stated that one of the key considerations was the amount of time the shadow is cast, on the 21 June is when the shadow is at its worst, it doesn't cover the whole deck and by 3pm the property is casting its own shadow at that time. If the dwelling was to move there would only be a minor difference on the shadowing on the adjoining block.
- Cllr Drummond stated that she also had concerns regarding the shadowing. The times of day from 11am-3pm is when the sun is the hottest so we tend to not be outside as much during that time. The Senior Town Planner stated that the deck itself casts its own shadow.
- Cllr Whittaker asked in regards to the house that is already built, is this built close to the boundary. The Senior Town Planner advised that is correct, it is approximately 2m from the northern boundary.

COUNCIL DECISION:

08/20.6.2.130 Moved: Clr K Chapple / Seconded: Clr K Wright

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 **DWELLING** on land situated at **17 WRINKLERS DRIVE, SCAMANDER** described in Certificate of Title 158994/7 be **APPROVED** subject to the following conditions:

1. Development must accord with the following approved plans and documents, except as varied by conditions on this Planning Permit.

Approved Plans			
Plan	Reference Number	Prepared By	Dated
Site Plan	A02	Jennifer Binns Design	13/07/20
Proposed Ground Floor	A03	Jennifer Binns Design	13/07/20
Proposed first floor	A04	Jennifer Binns Design	13/07/20
Elevations	A05	Jennifer Binns Design	13/07/20
Elevations	A06	Jennifer Binns Design	13/07/20
Visuals	A09	Jennifer Binns Design	13/07/20

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.
3. 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.
4. No clearing of native trees is permitted as part of this application.
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.
6. A Works Permit must be obtained prior to commencing work on the proposed crossover. The crossover is to be constructed in accordance with Council standard drawing TSD-R09-v1.

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 Manager Works and Infrastructure.

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

Monday-Friday 7am to 6pm

Saturday 9am to 6pm

Sunday and public holidays 10am to 6pm

CARRIED UNANIMOUSLY

08/20.6.3

DA 196-2019 – New Dwelling – 80 McManus Drive, Falmouth

FILE REFERENCE	DA 196-2019
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OFFICER'S RECOMMENDATION:

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **DWELLING** on land situated at **80 MCMANUS DRIVE, FALMOUTH** described in Certificate of Title 152931/4 be **APPROVED** subject to the following conditions:

1. Use and development must be substantially in accordance with the following endorsed plans and documents unless modified by a condition of this permit:
 - a) Plans and Elevations and Vegetation Plan, Another Perspective, including Rev E, Dated 15 July 2020.
2. All stormwater runoff from the proposed development must be detained by on-site water storage systems and overflow disposed of by means that will not result in soil erosion or other stormwater nuisance in accordance with Part 14.4.1 A9 of the Break O'Day Interim Planning Scheme 2013.
3. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
4. No native vegetation removal/modification is permitted, except in accordance with the approved Vegetation Plan, Another Perspective, Rev E, Dated 15 July 2020.
5. Prior to the use commencing on site, revegetation as indicated in Vegetation Plan, Another Perspective, Rev E, Dated 15 July 2020 must be established.
6. All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.

7. Plants listed in Appendix 3 of the Break O'Day Interim Planning Scheme 2013 must not be used in landscaping.
8. Reflective materials must not be used as visible external elements in the building and the colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements in accordance with Part 14.4.1 A7 of the *Break O'Day Interim Planning Scheme 2013*.
9. 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.
10. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer.
11. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the occupancy of the dwelling on the subject site.

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.
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and/or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.
- Activities associated with construction works are not to be performed outside the permissible time frame listed:

Monday-Friday 7am to 6pm

Saturday 9am to 6pm

Sunday and public holidays 10am to 6pm

DISCUSSION:

- The Planning Consultant advised that this application relied on four (4) performance criteria.
- The Planning Consultant advised that the proponents have come back with a proposed vegetation management plan and are going to landscape more than what was taken out and this is a really great planning outcome.

- Clr McGuinness stated that the outcomes are excellent with regards to the performance criteria.
- Clr LeFevre stated that this is very positive outcome all round.
- The Planning Consultant advised that there are timeframes that we prepare the condition to, this is to ensure compliance has occurred, we try to appoint time that is achievable.

COUNCIL DECISION:

08/20.6.3.131 Moved: Clr G McGuinness / Seconded: Clr B LeFevre

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 **DWELLING** on land situated at **80 MCMANUS DRIVE, FALMOUTH** described in Certificate of Title 152931/4 be **APPROVED** subject to the following conditions:

1. Use and development must be substantially in accordance with the following endorsed plans and documents unless modified by a condition of this permit:
 - a) Plans and Elevations and Vegetation Plan, Another Perspective, including Rev E, Dated 15 July 2020.
2. All stormwater runoff from the proposed development must be detained by on-site water storage systems and overflow disposed of by means that will not result in soil erosion or other stormwater nuisance in accordance with Part 14.4.1 A9 of the *Break O’Day Interim Planning Scheme 2013*.
3. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council’s *Plumbing Permit Authority*.
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5. Prior to the use commencing on site, revegetation as indicated in Vegetation Plan, Another Perspective, Rev E, Dated 15 July 2020 must be established.
6. All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.
7. Plants listed in Appendix 3 of the *Break O’Day Interim Planning Scheme 2013* must not be used in landscaping.
8. Reflective materials must not be used as visible external elements in the building and the colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements in accordance with Part 14.4.1 A7 of the *Break O’Day Interim Planning Scheme 2013*.
9. 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.

10. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer.
11. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the occupancy of the dwelling on the subject site.

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.
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and/or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.
- Activities associated with construction works are not to be performed outside the permissible time frame listed:

*Monday-Friday 7am to 6pm
Saturday 9am to 6pm
Sunday and public holidays 10am to 6pm*

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.

08/20.7.0 PETITIONS

Nil.

08/20.8.0 NOTICES OF MOTION

08/20.8.1 Notice of Motion - Virtual Attendance at Council Meeting – Clr J Drummond

MOTION:

A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:

That Council expressly provide for and regulate virtual attendance for councillors, to participate at meetings via teleconference, video-conference or other means of instant electronic communication.

SUBMISSION IN SUPPORT OF MOTION:

There may be times due to illness or local emergencies (landslides, floods as examples) that councillors may not be able to attend meetings. If a councillor decides to not attend a meeting due to illness, or is unable to physically get to the Council Chambers, but still wishes to participate in the Council meeting, then that participation should surely be facilitated.

This form of participation would also need to be regulated. Virtual attendance at Council meetings was posited in the Review of Local Government (Meeting Procedures) Regulations 2005 Discussion Paper May 2014 (Local Government Division Department of Premier and Cabinet).

Western Australia and Queensland provide for and regulate virtual attendance at Council meetings.

DISCUSSION:

- Clr Wright stated that she agrees completely with Clr Drummond. She personally has felt disengaged at times during her own personal illness.
- Clr McGuinness stated that there should be a word of caution, he would hate to see people just not turning up because it is easier.
- Clr Osborne stated that she feels that this will change the whole of how we see Council at the moment, there would need to be really strict rules around this. We make a commitment when we stand for Council and this changes the interaction with other Councillors.
- Clr McGiveron stated that he doesn't support this. He thinks having the people in the room changes the way we think and operate. It was different when we had everyone on the screen because we had to.
- Clr Drummond stated that she agrees with what has been said and there needs to be rules. Clr Drummond sees this as an exception if you can increase your participation.
- Clr Wright stated that she also agrees with what has been said but for genuine reasons it is a great idea and certainly has to be controlled, not just for convenience.
- Clr LeFevre stated that he supports Clr Osborne and Clr McGiveron with their thoughts, meetings need to be face to face where possible. Clr LeFevre stated that he understands the sentiment behind the genuine sickness but how do we monitor this.

- Clr Whittaker stated that she agrees with the motion, however she does understand what people are saying.
- The General Manager asked, is the focus is on Council Meetings? Should this include workshops as well? Clr Drummond said yes it could include workshops as well. The General Manager stated that obviously this is a request for a report, there are a few things that need to be addressed. Whilst in COVID certain aspects of meeting Regulations have been set aside, once we come out of the State of Emergency normal Regulations come back into play and currently would not allow Council Meetings to take place this way. The General Manager stated that he senses the feeling that it needs to be constrained in some form. There is a bit of work that will be required to scope it out. It is not necessarily a simple task to do this.
- Clr Wright stated that we could restrict it eg each Councillor could only have virtual attendance at two (2) or three (3) meetings per calendar year.
- Clr Drummond stated that this would be another way to increase participation in a cautious way.
- Clr McGiveron commented that if you are seriously unwell would you really want to sit through a virtual meeting.

COUNCIL DECISION:

08/20.8.1.132 Moved: Clr J Drummond / Seconded: Clr K Wright

A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:

That Council expressly provide for and regulate virtual attendance for councillors, to participate at meetings via teleconference, video-conference or other means of instant electronic communication.

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

08/20.8.2 **Notice of Motion - Domestic / Family and Sexual Violence Strategy – Clr J Drummond**

MOTION:

A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:

That Council develops a Domestic/Family and Sexual Violence Strategy in order to demonstrate our commitment to making our community safer for everyone impacted by the trauma of interpersonal violence.

SUBMISSION IN SUPPORT OF MOTION:

It has come to my attention that in the last few weeks George Town Council, here in Tasmania, have endorsed a Domestic Violence Strategy and are the first Council in Tasmania to do so. This follows on from Brisbane City Council developing a Domestic and Violence Strategy, which is now published on their web site and which I have attached the first page of for your information. The document can be viewed in full @ <https://www.brisbane.qld.gov.au/sites/default/files/documents/2020-06/20200610-brisbane-city-council-domestic-and-family-violence-strategy.pdf>

Even though, or even because, we are a smaller more rural based council with limited resources, I believe we should actively be supporting our community in developing a willingness to openly discuss Domestic /Family and Sexual Violence and work towards zero tolerance within our municipality. Whilst women and children, who statistically are the victims of over 95% of domestic violence that occurs, this has the potential to lead to a safer community for all of our residents.

This strategy could include a provision, that, Council formally commit to actively working with Police, Community Service organisations and housing providers on addressing this grave societal problem; this is something I believe that Council is already engaged in but could formalise the interactions.

The Commission for Children and Young People Tasmania report – **“The Health and Wellbeing of Tasmania’s Children and Young People Report 2018 - AUGUST 2018”** contains important statistics. In 2016-17, Tasmania Police recorded 3,098 incidents of family violence, under the *Family Violence Act 2004*. The Tasmania Police Corporate Performance Report June 2017 records that children were present at 1,749 family violence incidents (56.5 per cent of the 3,098 incidents reported).

This motion in no way suggests that Break O’Day has any greater incidence of domestic/family and sexual violence than anywhere else, it does however, suggest that we can be in the forefront of address interpersonal violence within our community.

I believe the development of such a strategy aligns with multiple sections of Council’s Strategic Plan 2017-2027, particularly those in the community and services areas. This strategy would fit well with our Community Wellbeing goals.

I would be happy to assist with the development of this strategy to ensure Council resources are not overloaded. Clr. Justine Brooks the proponent of George Town motion wants to submit for funding to the Tasmanian Community Fund to explore the option of developing a single strategy framework that would be relevant to all rural and remote council areas, thereby reducing any costs imposed on smaller Councils who wished to adopt such a strategy.

DISCUSSION:

- Clr Chapple stated that she fully supports the motion especially in regards to our conversation with Inspector Johnston the other day and what is happening in the area.
- Clr Osborne stated that we need more information from the Police perspective before we get involved to make sure we can make a difference.

- Clr LeFevre stated that he likes the sentiment of the motion but maybe not necessarily the outcome of the motion. Clr LeFevre stated that he would like more information from the Police and also the George Town Council regarding timeframes and bring it to a workshop for a really good discussion about it. Clr LeFevre stated that he foreshadowed a motion to bring it back to a workshop for discussion.
- Clr Wright stated that this is for a report and all of Clr Osborne's and Clr LeFevre's concerns would come up in the report, this is something as a Council for the community that we need to address.
- Clr McGiveron stated that he agrees with Clr LeFevre for discussion at a workshop, it is important and he thoroughly supports the sentiment of the motion.
- Clr Drummond stated that she is not asking for a strategy at this point, she is asking for a report to look at what can we do as a Council to allow our community to feel supported.
- Mayor Tucker stated that we know it doesn't matter where you live these things happen. Council already does an awful lot and it may be good to hear what is done and what other community groups are already doing.
- Clr LeFevre stated that we need to have facts and figures before we come back to Council.
- The General Manager stated that we need to understand that deeper discussion is needed at a less formal environment, this could happen at a workshop before it comes back to a Council Meeting for consideration. The motion says that we develop a strategy, wondering if the motion needs a slight tweak that Council consider developing a strategy and the process that needs to be followed.
- Clr LeFevre stated that by investigating it means that we include the police and other key people in the community.
- Clr Drummond stated that the drive behind this is that we work together with all of the agencies and lobby the Local Government Association of Tasmania (LGAT) for all areas to be on the same page.

COUNCIL DECISION:

08/20.8.2.133 Moved: Clr J Drummond / Seconded: Clr K Chapple

A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:

That Council develops a Domestic/Family and Sexual Violence Strategy in order to demonstrate our commitment to making our community safer for everyone impacted by the trauma of interpersonal violence.

An amendment was moved:

08/20.8.2.134 Moved: Clr K Wright / Seconded: Clr G McGuinness

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 the development of a Domestic/Family and Sexual Violence Strategy in order to demonstrate our commitment to making our community safer for everyone impacted by the trauma of interpersonal violence.

CARRIED UNANIMOUSLY

Amendment becomes the motion:

CARRIED UNANIMOUSLY

Clr Wright left the meeting at 10.43am

08/20.9.0 **COUNCILLOR'S QUESTIONS ON NOTICE**

Nil.

08/20.10.0 **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.

Nil.

08/20.11.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

08/20.11.1 Mayor's Communications for Period Ending 17 August 2020

21.07.2020	St Helens	– Meeting with Wheels Wine and Dine committee
21.07.2020	St Helens Via Web	– Meeting with Australia Local Government Association (ALGA), National General Assembly motions
22.07.2020	St Helens Via web	– Local Government Association of Tasmania (LGAT) – Annual General Meeting & General Meeting
29.07.2020	Launceston	– ASPIRE Launch
29.07.2020	St Helens	– Athletic Club Annual General Meeting
30.07.2020	St Helens	– Citizenship Ceremony
03.08.2020	St Helens	– Council Workshop
06.08.2020	St Helens	– Liberal Party Brach Meeting
14.08.2020	St Marys	– Launch St Marys Flood Risk Management Plan
14.08.2020	St Helens	– Meeting with Brian Mitchell MP and Janet Lambert
17.08.2020	St Helens	– Council Meeting

Clr Wright returned to the meeting at 10.44am

08/20.11.2 Councillor's Reports for Period Ending 17 August 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

- Clr Osborne reported that discussion took place on the following items:
 - There was a talk on the new Planning Scheme by Brett Woolcott of East Coast Surveying; discussion with regards to community consultation and Clr Osborne assured members that they would have the opportunity for comment.
 - Peter Paulsen spoke about the new TV advertisement that the Chamber have made.
 - Jayne Richardson spoke about and showed the Chambers entry in the best Tasmanian Town competition.
 - Donna Coulson told the Chamber that she had been at the airport recently on a Sunday and there were 12 small planes there. She asked if Council could consider sealing of the runway as this plan was shovel ready when she was a Councillor and this could be a great asset in the future. The General Manager wrote to the Chamber and advised that if we move to seal the runway we are going to have to do some substantial works which brings up other issues eg clearance issues therefore runway would need to be moved sideways and then this creates other obstacle issues. It is a very important asset. Clr McGuinness stated that it is important that the Chamber understand the implications and obstacles involved with upgrading the airport. The General Manager advised that the written response to the Chamber was very detailed in this regard.

NRM Special Committee – Clr Janet Drummond

- Met on the 4 August.
- BOD Drought Weeds Grant guidelines were discussed.
- One community representative resigned so there are now two (2) vacant positions—one (1) for a community representative and one (1) Forest Industry position.

Barway Committee – Clr John McGiveron

- Clr McGiveron reported that the dredging seems to be working fairly well.
- We have had some trawlers working out here and there have been no issues reported with them getting in and out.

East Coast Tasmania Tourism (ECTT) – Clr Glenn McGuinness

- Met last Thursday.
- VIC's – the Department of State Growth are being obstinate about this and they are saying the VIC's are the responsibility of Councils. There needs to be high-level discussions about this. Whilst Glamorgan Spring Bay Council have agreed to contribute the \$60,000 to ECTT, they haven't agreed to their VIC's reopening.
- There will be an awards presentation coming up for the Tourism Awards.

Mental Health Action Group – Clr Barry LeFevre

- Another round of community champions in mid-October.

Disability Access Committee – Clr Janet Drummond

- No meeting at this time.

08/20.12.0 BUSINESS AND CORPORATE SERVICES

08/20.12.1 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 advised that he had nothing further to add. Generally things are operating as normal.

COUNCIL DECISION:

08/20.12.1.135

Moved: Clr J McGiveron / Seconded: Clr L Whittaker

That the report be received.

CARRIED UNANIMOUSLY

08/20.12.2 Monthly Financial Report

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

That the following reports for the month ending 31 July 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 advised that this is the first month of the new financial year.
- Clr Chapple asked in relation to the Turf Mower listed for \$40,000 co-funded by the St Helens Football Club, is this a specific mower. The Manager Infrastructure and Development Services advised that it is a specialised mower however we have had no further correspondence regarding this with the St Helens Football Club to date.
- Clr Drummond asked is the item listed for the St Marys car park sealing behind the Community Centre is this supposed to be behind the Town Hall. The Manager Infrastructure and Development Services advised that it is the area behind the town hall. Clr Drummond asked if the description could be amended to reflect this.

COUNCIL DECISION:

08/20.12.2.136

Moved: Clr J McGiveron / Seconded: Clr L Whittaker

That the following reports for the month ending 31 July 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

Meeting adjourned for morning tea at 10.58am

Meeting resumed at 11.06am

08/20.12.3

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 advised that we are still using slightly reduced VIC hours.

COUNCIL DECISION:

08/20.12.3.137

Moved: Clr B LeFevre / Seconded: Clr M Osborne

That the report be received.

CARRIED UNANIMOUSLY

08/20.12.4 Request for Rates Remission – 14 Mangana Road, Fingal

FILE REFERENCE	6413332
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OFFICER'S RECOMMENDATION:

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

INTRODUCTION:

Council has received correspondence from Malahide Golf Club requesting a remission for the general rate 2021. Due to the nature of the charge, a request is required annually to remit this charge.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

08/20.12.4.138 Moved: Clr J McGiveron / Seconded: Clr G McGuinness

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

CARRIED UNANIMOUSLY

08/20.12.5 Policy – LG08 – Employees Voluntary Emergency Services Policy

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

That Policy LG08 Employees Voluntary Emergency Services 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:

No discussion took place on this item.

COUNCIL DECISION:

08/20.12.5.139

Moved: Clr J Drummond / Seconded: Clr M Osborne

That Policy LG08 Employees Voluntary Emergency Services be amended as recommended.

CARRIED UNANIMOUSLY

08/20.12.6 Policy – LG25 – Grievance Policy

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

That Policy LG25 Grievance Policy be amended as recommended.

INTRODUCTION:

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

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

08/20.12.6.140

Moved: Clr J McGiveron / Seconded: Clr L Whittaker

That Policy LG25 Grievance Policy be amended as recommended.

CARRIED UNANIMOUSLY

08/20.12.7 Policy – LG31 – Recruitment and Selection Policy

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

That Policy LG31 Recruitment & Selection Policy 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:

No discussion took place on this item.

COUNCIL DECISION:

08/20.12.7.141 Moved: Clr G McGuinness / Seconded: Clr K Wright

That Policy LG31 Recruitment & Selection Policy be amended as recommended.

CARRIED UNANIMOUSLY

08/20.12.8 **Review of Risk Management Framework**

FILE REFERENCE	002\025\001\
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OFFICER’S RECOMMENDATION:

That Council adopt the Risk Management Framework as amended.

INTRODUCTION:

Council has a Risk Management Framework from which the Risk Management Policy and Risk Register are derived and implemented. Council relatively recently reviewed the Policy; the Audit Panel has recommended making similar amendments to the Framework.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

08/20.12.8.142 Moved: Clr J Drummond / Seconded: Clr K Wright

That Council adopt the Risk Management Framework as amended.

CARRIED UNANIMOUSLY

08/20.13.0 WORKS AND INFRASTRUCTURE

08/20.13.1 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 provided an update in relation to the outstanding item for Grimstones Road. He has had communications with Sustainable Timber Tasmania and this will progress with discussions this week.
- Clr Whittaker asked in relation to the Circular Economy – the Aspire Program, is this a new program. The Manager Infrastructure and Development Services advised that it is a new program that has come through Northern Tasmania Development Corporation (NTDC) as part of a COVID response. The General Manager stated that more information will be provided to Council. Clr Whittaker asked, will this be advertised. The General Manager advised that it would be advertised as it is rolled out. Mayor Tucker stated that this has got the potential for some really good outcomes. Clr Drummond stated that it is a very positive step forward in the Circular Economy.

COUNCIL DECISION:

08/20.13.1.143 Moved: Clr M Osborne / Seconded: Clr B LeFevre

That the report be received by Council.

CARRIED UNANIMOUSLY

08/20.13.2 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 the year totals in this case mean calendar year, not financial year and all incidents have an investigation trail.

COUNCIL DECISION:

08/20.13.2.144 Moved: Clr J McGiveron / Seconded: Clr K Wright

That the report be received by Council.

CARRIED UNANIMOUSLY

08/20.14.0 COMMUNITY DEVELOPMENT

08/20.14.1 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:

- The Manager Community Services provided advice in relation to events; The Community Services Department have held a meeting with some community groups to fill the space for Wheels Wine and Dine weekend which is no longer. The groups are keen to progress with some planning for the whole Municipality for the whole weekend.
- Clr McGuinness asked in relation to the Gardens Toilet – this decision was made in May 2018 and nothing has happened. Is there somewhere along the line we can take the lead and make this happen. The General Manager advised that Council Officers have been pushing to get a resolution for a site up there for a long time, we are really governed by how Parks & Wildlife Services deal with this as it is most likely going to be on their land and be their toilet. The Manager Community Services stated that there have been approximately nine (9) sites that have been looked at including the road reservation site. The land owners out there don’t want it in their back yard. The General Manager stated that we don’t seem to have a

site that works for everyone. Parks & Wildlife Services have talked about putting a temporary toilet out there to monitor the use etc but there is division within the community with this happening and its location. It is not just a couple of noisy property owners it has been large groups present at the meetings. The General Manager stated that a decision could end up being that no toilet gets built. The General Manager advised that we offered Parks & Wildlife Services the Road Reservation site and Councils previous decision has not been rescinded. Mayor Tucker stated that it is an awkward situation that most people would probably like to see resolved.

- Clr Drummond asked in relation to the item listed – Top 50 World Supermodel event in March. The Manager Community Services stated that unfortunately she can't disclose anything at this stage as it is Commercial in Confidence.

COUNCIL DECISION:

08/20.14.1.145 Moved: Clr J Drummond / Seconded: Clr K Chapple

That the report be received.

CARRIED UNANIMOUSLY

08/20.15.0 DEVELOPMENT SERVICES

08/20.15.1 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:

- The Senior Town Planner provided an update in regards to two (2) meetings that have taken place. One with the Tasmanian Planning Commission (TPC) regarding the Local Provisions Schedule (LPS) and the other regarding the Regional Land Use Strategy (RLUS).
 - o Tasmanian Planning Commission (TPC) meeting – this was the first meeting since we lodged the LPS back in March. They advised that they hadn't looked at the LPS in relation to the merit of what we lodged at this stage. It was a fairly positive meeting with some additional items which will need some further thought from us. The Senior Town Planner stated that he is about to start work through these items and will bring to Council for further discussion. The General Manager stated that one

particular point that was raised was around particular purpose zone eg Ansons Bay, they questioned as to whether this is the right approach or whether we do Specific Area Plans for towns in these cases, it was just looking at different mechanisms. Another item was around flood mapping, these transition across automatically and the TPC asked whether we should treat new mapping as an amendment rather than delaying the LPS coming into play. We just need to further consider what they have come back with. The Senior Town Planner stated that he doesn't think there are any major road blocks or hurdles that we can foresee.

- Regional Land Use Strategy (RLUS) meeting – The Senior Town Planner advised that this group has started up again with regard to reviewing potential amendments to the RLUS, particularly around the more urban Councils regarding expanding the urban growth boundary as well as what other matters other Councils may wish to look into. Other Councils were keen to look at making some other amendments.
- The Development Services Coordinator advised that IPlan is now named PlanBuild which is the online platform which they hope to have live next year with initial testing taking place in approximately April, we are hoping Break O'Day can be part of the testing.
- The Development Services Coordinator advised that the \$40,000 Government incentive has created a mini boom in the area, we are hoping they might extend the date for this so others can take up the opportunity.

COUNCIL DECISION:

08/20.15.1.146 Moved: Clr M Osborne / Seconded: Clr G McGuinness

That the report be received.

CARRIED UNANIMOUSLY

08/20.15.2 **Break O'Day Drought Weeds Grants Guidelines**

FILE REFERENCE	017\019\002\
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OFFICER'S RECOMMENDATION:

1. That Council offer farmers in Break O'Day Drought Weeds Grants on condition of the *Municipal Drought Weeds Grants 2020 - Guidelines and Eligibility* being met and best outcomes for the Break O'Day Drought Weeds Project.
2. That Council determine successful grant applications after considering recommendations from an assessment panel comprising two members of its NRM Special Committee, a Department of Primary Industries, Parks, Water and Environment officer and its NRM Facilitator.

INTRODUCTION:

Council has received its \$55,000 of Tasmanian Government funding and started its Break O’Day Drought Weeds Project, with its Drought Weeds Officer starting farm visits and weed surveys in July. \$30,000 of the funding is for grants to Break O’Day farmers, to be delivered by Council’s project.

Council is responsible for the delivery and governance of its local Drought weeds grants.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

08/20.15.2.147

Moved: Clr J Drummond / Seconded: Clr L Whittaker

1. That Council offer farmers in Break O’Day Drought Weeds Grants on condition of the *Municipal Drought Weeds Grants 2020 - Guidelines and Eligibility* being met and best outcomes for the Break O’Day Drought Weeds Project.
2. That Council determine successful grant applications after considering recommendations from an assessment panel comprising two members of its NRM Special Committee, a Department of Primary Industries, Parks, Water and Environment officer and its NRM Facilitator.

CARRIED UNANIMOUSLY

08/20.15.3 Dog Exercise Area for Binalong Bay

FILE REFERENCE	003\003\019\
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OFFICER’S RECOMMENDATION:

That Council develop and Declare a new dog off-lead exercise area at Binalong Bay on one (1) of three (3) locations and invite community submissions for Council to consider regarding these possible sites: Crown Land at the end of Reserve Street, Council parkland on Felmingham Street, and Crown Land between Coffey Drive and Felmingham Street; in accordance with Division 2 of the Dog Control Act 2000.

INTRODUCTION:

A need to develop additional off-lead Dog Park facilities was flagged by community input during the last review of Council’s Dog Management Policy. Fenced land-based exercise facilities provide safe off-lead exercise opportunities and an alternative to often limited off-lead beach access.

DISCUSSION:

- The NRM Officer advised that TasNetworks are quite happy with what has been proposed.
- The NRM Officer stated that during advertising we can tie things up with Crown Land Services.
- Clr LeFevre stated that he is surprised to see Reserve Street in the motion, he thought this had been canned due to the flack received from residents previously.
- Clr McGuinness stated that he has been closely associated with this as a resident of Binalong Bay, some members of the community have spoken to him regarding Reserve Street and they were very vigorously against it, including Reserve Street may create unnecessary angst.
- Clr Drummond stated that she thinks that keeping Reserve Street in was to get community feedback on this was for completeness, even though we know it wasn't favourable.
- Clr Chapple stated that she agrees with Clr Drummond.
- Clr LeFevre stated that he is the same as Clr McGuinness, he has had heaps of community members approach him as well.

COUNCIL DECISION:

08/20.15.3.148

Moved: Clr J Drummond / Seconded: Clr K Wright

That Council develop and Declare a new dog off-lead exercise area at Binalong Bay on one (1) of three (3) locations and invite community submissions for Council to consider regarding these possible sites: Crown Land at the end of Reserve Street, Council parkland on Felmingham Street, and Crown Land between Coffey Drive and Felmingham Street; in accordance with Division 2 of the Dog Control Act 2000.

An amendment was moved:

08/20.15.3.149

Moved: Clr M Osborne / Seconded: Clr G McGuinness

That Council develop and Declare a new dog off-lead exercise area at Binalong Bay on one (1) of three (3) locations and invite community submissions for Council to consider regarding these possible sites: Council parkland on Felmingham Street, and Crown Land between Coffey Drive and Felmingham Street; in accordance with Division 2 of the Dog Control Act 2000.

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

AGAINST Clr K Chapple, Clr J Drummond

CARRIED

The amendment becomes the motion:

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

AGAINST Clr K Chapple, Clr J Drummond

CARRIED

FILE REFERENCE	017\007\005\
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OFFICER’S RECOMMENDATION:

That Council submit comments to Reliance Forest Fibre on their draft revised Forest Management Plan, thanking them for consulting Council on their Plan, and ask they

1. Reconsider the company’s assessment of ‘Chemical Use’ risk in the Plan to account for the risks to Break O’Day’s environment, including human health, land and aquatic production industries and our natural soil, water and biodiversity systems and adopt appropriate and cautious management measures for Chemical Use risks in the Plan.
2. Consider aiming for higher levels of management of Soil and Water Resources and Ecosystem Health in the Plan, with measures to promote practices greater than minimum regulatory requirements. For example, restoring streamside reserves with diverse native vegetation and roading, reforestation and harvesting practices to reduce soil loss and sedimentation of streams further.

INTRODUCTION:

Council has been invited to comment on a draft Forest Management Plan by Reliance Forest Fibre Pty. Ltd. (RFF) for the hardwood plantations they own and operate in Tasmania.

DISCUSSION:

- Clr Drummond stated that she thinks it has been a very positive step to be engaged in this process and the response is very well thought out.

COUNCIL DECISION:**08/20.15.4.150**Moved: Clr J Drummond / Seconded: Clr M Osborne

That Council submit comments to Reliance Forest Fibre on their draft revised Forest Management Plan, thanking them for consulting Council on their Plan, and ask they

1. Reconsider the company’s assessment of ‘Chemical Use’ risk in the Plan to account for the risks to Break O’Day’s environment, including human health, land and aquatic production industries and our natural soil, water and biodiversity systems and adopt appropriate and cautious management measures for Chemical Use risks in the Plan.
2. Consider aiming for higher levels of management of Soil and Water Resources and Ecosystem Health in the Plan, with measures to promote practices greater than minimum regulatory requirements. For example, restoring streamside reserves with diverse native vegetation and roading, reforestation and harvesting practices to reduce soil loss and sedimentation of streams further.

CARRIED UNANIMOUSLY

08/20.16.0 GOVERNANCE

08/20.16.1 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 provided the following updates regarding meetings and activities which have taken place:
 - o The General Manager and Mayor met with Brian Mitchell MP last Friday to discuss general matters eg Tully Street trees, Telecommunications Black Spot Program and he was quite interested with the impact of COVID on the community and community events.
 - o Drought Communities Programme – The General Manager has flagged with AusIndustry that we may require extensions on some of these projects due to the length of time taken for approvals. We will sign the grant deed as it is and apply for extensions later in the year, we are also finalising recruitment for the team that will be working on these projects.
- The Communications Coordinator provided an update regarding the Great Eastern Drive (GED) rebranding. There are five (5) journeys throughout Tasmania and the GED was the first and we will be keeping the name but it will be re-branded. The signage will be in the same locations as they are currently and they have included Pyengana, Weldborough and Fingal, these townships will have East Coast on them instead of the GED. Clr Drummond stated that she doesn't think the coastal sign in St Marys encourages people to stop in the area, it encourages people to keep driving to the beach. Clr Drummond stated that she thinks that St Patricks Head is so iconic and she finds it disappointing that there is going to be another beach sign.

COUNCIL DECISION:

08/20.16.1.151 Moved: Clr L Whittaker / Seconded: Clr G McGuinness

That the General Manager's report be received.

CARRIED UNANIMOUSLY

Clr Wright left the meeting at 11.50am
Clr Wright returned to the meeting at 11.51am
Clr Drummond left the meeting at 11.52am
Clr Drummond returned to the meeting at 11.56am

08/20.16.2 2019/2020 Annual Plan – Review as at 30 June 2020

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

That Council endorse the Review as at the 30 June 2020 of the Break O'Day Council Annual Plan 2019 / 2020.

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 achieved approximately 90% of what we set out to achieve. COVID-19 has had a bit of an impact on some activities in the later part of the year.
- The General Manager went through most items and provided the following comments:
 - o Communications – progressed well.
 - o Events – we are continuing to work with community groups with regard to future events.
 - o Community Engagement Framework – this is on hold due to the Local Government Act Review and we expect to see the proposed legislation fairly soon.
 - o Opportunities – progress in this area has been a bit variable, we are somewhat reactive in this space as well. The population item is something we are mindful of and how we manage this along with housing and affordable housing.
 - o Tourism – the main source of frustration has been the VIC's, hopefully we will get clarity around this soon.
 - o Employment – reactive item – it is good to see some emerging leadership in our area eg the Destination Action Plan (DAP) group with assistance from Council Officer's.
 - o Environment – finalisation of Local Provision Schedules (LPS's) was a major undertaking during the year.
 - o Land Management – we didn't get as far as we would have liked to in this area.

- Water – the focus has been the St Marys Flood Mitigation project which means some of the smaller activities didn't get finished but they will move forward to this year.
- Telecommunications – ongoing.
- Waste Management – addressing emerging issues around green waste and the circular economy.
- Roads and Streets – focus on state road network.
- Recreational Facilities – key things has been the St Helens MTB Network and the opening of this as well as some walking trails in the Fingal Valley through the Drought Communities Programme.
- Old St Helens Hospital – this is a source of frustration but we will keep working with the State Government to get a resolution on this.
- Employment Partnerships Project is ticking along.
- Financial Sustainability – this is one thing we cannot take our eye off, and this was highlighted through COVID as well. Cash savings are a lot harder to find these days but every little bit adds up. The focus is about ongoing savings, these are really important.

COUNCIL DECISION:

08/20.16.2.152

Moved: Clr J McGiveron / Seconded: Clr L Whittaker

That Council endorse the Review as at the 30 June 2020 of the Break O'Day Council Annual Plan 2019 / 2020.

CARRIED UNANIMOUSLY

08/20.16.3 Community Care and Recovery Package – COVID-19 - Update

FILE REFERENCE	020\002\005\
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OFFICER'S RECOMMENDATION:

That Council receive the latest Community Care and Recovery Package Update.

INTRODUCTION:

During the COVID-19 Pandemic Break O'Day Council is working with Tasmanian Councils and other levels of Government to address the impact of this Pandemic with one area of focus being a Community Care and Recovery Package. With an evolving situation, it is important that Council continually review the package to address the emerging needs in the community where possible.

DISCUSSION:

- The General Manager advised that the Park, Snack & Chat received some really good engagement and the survey is still open online until midnight tonight.

COUNCIL DECISION:

08/20.16.3.153

Moved: Clr L Whittaker / Seconded: Clr M Osborne

That Council receive the latest Community Care and Recovery Package Update.

CARRIED UNANIMOUSLY

08/20.16.3.154

Moved: Clr J McGiveron / Seconded: Clr K Wright

Congratulations to all staff involved in the LG Professionals Awards this is an absolute credit to Break O' Day 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 K Wright That Council move into of Closed Council.

CARRIED UNANIMOUSLY

IN CONFIDENCE

08/20.17.0

CLOSED COUNCIL

08/20.17.1

Confirmation of Closed Council Minutes – Council Meeting 20 July 2020

08/20.17.2

Outstanding Actions List for Closed Council

08/20.17.3

Request for Council Sponsorship – Ten Days on the Island 2021 - Closed Council Item Pursuant to Section 15(2)C of the Local Government (Meeting Procedures) Regulations 2015

COUNCIL DECISION:

PUBLISH IN PUBLIC MINUTES:

Moved: Clr M Osborne / Seconded: Clr K Wright

Due to Commercial in Confidence until the announcement is made by 10 Days on the Island we are unable to release any information.

CARRIED UNANIMOUSLY

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

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

CARRIED UNANIMOUSLY

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 12.11pm.

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MAYOR

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DATE