



COUNCIL MEETING MINUTES

Monday 17 May 2021
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
17 May 2021

**This page left blank
intentionally**

CONTENTS

CONTENTS	3
AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL	5
OPENING	5
ACKNOWLEDGEMENT OF COUNTRY.....	5
05/21.1.0 ATTENDANCE	5
05/21.1.1 Present	5
05/21.1.2 Apologies.....	5
05/21.1.3 Leave of Absence	6
05/21.1.4 Staff in Attendance	6
05/21.2.0 PUBLIC QUESTION TIME.....	6
05/21.3.0 DECLARATION OF INTERESTS OF A COUNCILLOR OR CLOSE ASSOCIATE	6
05/21.4.0 CONFIRMATION OF MINUTES.....	7
05/21.4.1 Confirmation of Minutes – Council Meeting 19 April 2021.....	7
05/21.5.0 COUNCIL WORKSHOPS HELD SINCE 19 APRIL 2021 COUNCIL MEETING.....	7
05/21.6.0 PLANNING AUTHORITY	8
05/21.6.1 DA061 – 2021 – Retrospective Approval – Deck Additions, Fenced Spa and Water Tank and New Installation of Tank – 13 Hilltop Drive, Binalong Bay.....	8
05/21.7.0 COUNCIL MEETING ACTIONS	15
05/21.7.1 Outstanding Matters.....	15
05/21.8.0 PETITIONS.....	15
05/21.9.0 NOTICES OF MOTION	15
05/21.9.1 Emergency Motion - Notice of Motion – Announcement of Closure of Commonwealth Bank at St Marys – Clr J McGiveron	15
05/21.9.2 Notice of Motion – Investigations into a Swimming Pool and Hydra-Therapy Pool – Clr M Tucker	16
05/21.9.3 Notice of Motion – St Marys Town Hall Upgrade – Clr J Drummond	18
05/21.9.4 Notice of Motion – Public Toilet Block for the St Marys Community Space – Clr J Drummond	19
05/21.9.5 Notice of Motion – Dredging of the Entrance to the Stieglitz Boat Ramp – Clr B LeFevre	20
05/21.10.0 COUNCILLOR’S QUESTIONS ON NOTICE	21
05/21.11.0 COUNCILLOR’S QUESTIONS WITHOUT NOTICE	21
05/21.11.1 Upgrade Irishtown and Patricks Head Roads – Clr J Drummond.....	21
05/21.12.0 MAYOR’S & COUNCILLOR’S COMMUNICATIONS.....	22
05/21.12.1 Mayor’s Communications for Period Ending 17 May 2021	22
05/21.12.2 Councillor’s Reports for Period Ending 17 May 2021	22
05/21.13.0 BUSINESS AND CORPORATE SERVICES.....	23

05/21.13.1	Corporate Services Department Report	23
05/21.13.2	Monthly Financial Report.....	23
05/21.13.3	Visitor Information Centre Report	24
05/21.13.4	Policy Review – LG30 – Public Interest Disclosure Policy	25
05/21.14.0	WORKS AND INFRASTRUCTURE	25
05/21.14.1	Works and Infrastructure Report.....	25
05/21.14.2	Animal Control Report	26
05/21.14.3	Policy Review – AM10 – Reserves Management Policy	27
05/21.14.4	Policy Review – AM07 – Playground Management Policy	27
05/21.14.5	Policy Review – AM06 – Footpath Construction Policy	28
05/21.15.0	COMMUNITY DEVELOPMENT	28
05/21.15.1	Community Services Report.....	28
05/21.15.2	Disability Access Committee – Disability Action Plan 2021 - 2024.....	29
05/21.16.0	DEVELOPMENT SERVICES.....	30
05/21.16.1	Development Services Report.....	30
05/21.16.2	Applications for Break O’Day Drought Weeds Grants	30
05/21.16.3	St Marys Flood Risk Mitigation Project – Vegetation Management Investigation....	31
05/21.17.0	GOVERNANCE.....	32
05/21.17.1	General Manager’s Report.....	32
05/21.17.2	Business Enterprise Centre (BEC) – Funding Request.....	33
05/21.17.3	2020/2021 Annual Plan – March 2021 Quarterly Review	34
05/21.18.0	CLOSED COUNCIL	37
05/21.18.1	Confirmation of Closed Council Minutes – Council Meeting 19 April 2021	37
05/21.18.2	Outstanding Actions List for Closed Council	37
05/21.18.3	Velvet Worm NRM Action Awards for 2021 - Closed Council Item Pursuant to Section 15(2)G of the Local Government (Meeting Procedures) Regulations 2015 .	37

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, members of the public 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.

05/21.1.0 ATTENDANCE

05/21.1.1 Present

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

05/21.1.2 Apologies

Nil

05/21.1.3 Leave of Absence

Nil

05/21.1.4 Staff in Attendance

General Manager, John Brown
Executive Assistant, Angela Matthews
Manager Corporate Services, Bob Hoogland (*Item 1.0 – 14.2*)
Manager Community Services, Chris Hughes (*Item 1.0 – 16.1*)
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 18.3*)
Planning Consultant, Rebecca Green (*Item 1.0 – 7.1*)
NRM Officer, Polly Buchhorn (*Item 16.1 – 18.3*)
Communications Coordinator, Jayne Richardson (*Item 1.0 – 17.3*)

05/21.2.0 PUBLIC QUESTION TIME

One (1) person in the gallery.

In accordance with Section 31(1) of the Local Government (Meeting Procedures) Regulations 2015 the following questions were submitted in writing prior to the Council Meeting.

Nil.

05/21.3.0 DECLARATION OF INTERESTS OF A COUNCILLOR OR CLOSE ASSOCIATE

Section 48 or 55 of the Local Government Act 1993 requires that a Councillor or Officer who has an interest in any matter to be discussed at a Council Meeting that will be attended by the Councillor or Officer must disclose the nature of the interest in a written notice given to the General Manager before the meeting; or at the meeting before the matter is discussed.

A Councillor or Officer who makes a disclosure under Section 48 or 55 must not preside at the part of the meeting relating to the matter; or participate in; or be present during any discussion or decision making procedure relating to the matter, unless allowed by the Council.

Clr B LeFevre declared a Non-Pecuniary Interest (Conflict of Interest) in agenda item 05/21.17.2 – Business Enterprise Centre (BEC) Funding – form completed at the meeting.

Clr G McGuinness declared a Non-Pecuniary Interest (Conflict of Interest) in agenda item 05/21.17.2 – Business Enterprise Centre (BEC) Funding – form not completed at the meeting as Clr McGuinness already has completed a form for the BEC which is on file and current.

05/21.4.0 CONFIRMATION OF MINUTES

05/21.4.1 Confirmation of Minutes – Council Meeting 19 April 2021

OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 19 April 2021 be confirmed.

DISCUSSION:

No discussion took place at the meeting.

COUNCIL DECISION:

05/21.4.1.100 Moved: Clr L Whittaker / Seconded: Clr K Chapple

That the minutes of the Council Meeting held on the 19 April 2021 be confirmed.

CARRIED UNANIMOUSLY

05/21.5.0 COUNCIL WORKSHOPS HELD SINCE 19 APRIL 2021 COUNCIL MEETING

There was a Workshop held on Monday 3 May 2021 – the following items were listed for discussion as well as a presentation provided by the CEO of East Coast Tasmania Tourism (ECTT).

- Reduced Facility Hire Fees
- Animal Control Report
- Policy Review – AM06 – Footpath Construction
- Policy Review – AM07 – Playground Management
- Policy Review – AM10 – Reserves Management
- Disability Access Committee – Disability Action Plan 2021 – 2024
- Request for Funds – St Helens Scouts Group
- Application for Break O'Day Drought Weeds Grant 2021
- St Marys Flood Risk Mitigation Project

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*.

05/21.6.1

DA061 – 2021 – Retrospective Approval – Deck Additions, Fenced Spa and Water Tank and New Installation of Tank – 13 Hilltop Drive, Binalong Bay

FILE REFERENCE	DA 061-2021
----------------	-------------

OFFICER'S RECOMMENDATION:

After due consideration of the representations received pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Council Interim Planning Scheme 2013* that the application for **Retrospective approval of Deck Additions, Fenced Spa & Water Tank and New Installation of Tank** on land situated at **13 Hilltop Drive, Binalong Bay** described in Certificate of Title CT 177066/1 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) Site Plan, Design to Live, Job No.: HLLT13, Rev. 4, Dated: 30 March 2021;
 - b) Planning Cover Page, Design to Live, Dated: 30 March 2021; and
 - c) Existing site photographs provided by Design to Live.
2. All stormwater overflow from the water tanks must be disposed of to the Council's stormwater network, via one connection for the subject property.
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. 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 costs of the developer.

ADVICE

- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Works Manager.
- 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. Such relics are to be immediately reported to Aboriginal Heritage Tasmania and guided by the Unanticipated Discovery Plan.
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.

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

Monday - Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

PROPOSAL SUMMARY:

Application is made for the retrospective approval of deck extension, fenced spa and water tank addition and new installation of water tank at 13 Hilltop Drive, Binalong Bay. Residential use in the Low Density Residential Zone is a permitted use without qualifications, under Table 12.2 of the *Break O'Day Interim Planning Scheme 2013*.











DISCUSSION:

- The Planning Consultant stated that the water tanks on the eastern boundary do not meet an exemption under the Planning Scheme.
- The Planning Consultant stated that at the time the application was made the applicant made an assumption that any decks form part of the definition of site coverage, however it is only roofed decks that form part of “site coverage”.
- The Planning Consultant stated that the assessment has been made against the performance criteria and one (1) representation was received.

- Clr McGuinness stated that he thinks the application has been well covered by the Planning Consultant and finds it curious about the representation regarding the vegetation. The application is a highly reasonable proposition.
- Clr Osborne stated that she agrees with Clr McGuinness.

COUNCIL DECISION:

05/21.6.1.101 Moved: Clr G McGuinness / Seconded: Clr M Osborne

After due consideration of the representations received pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Council Interim Planning Scheme 2013* that the application for **Retrospective approval of Deck Additions, Fenced Spa & Water Tank and New Installation of Tank** on land situated at **13 Hilltop Drive, Binalong Bay** described in Certificate of Title CT 177066/1 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) Site Plan, Design to Live, Job No.: HLLT13, Rev. 4, Dated: 30 March 2021;
 - b) Planning Cover Page, Design to Live, Dated: 30 March 2021; and
 - c) Existing site photographs provided by Design to Live.
2. All stormwater overflow from the water tanks must be disposed of to the Council's stormwater network, via one connection for the subject property.
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. 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 costs of the developer.

ADVICE

- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Works Manager.
- 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. Such relics are to be immediately reported to Aboriginal Heritage Tasmania and guided by the Unanticipated Discovery Plan.
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.

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

CARRIED UNANIMOUSLY

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

05/21.7.0 COUNCIL MEETING ACTIONS

05/21.7.1 Outstanding Matters

The report was received.

05/21.8.0 PETITIONS

Nil.

05/21.9.0 NOTICES OF MOTION

Mayor advised that there has been an Emergency Motion submitted by Cllr J McGiveron regarding the closure of the Commonwealth Bank at St Marys and the Mayor has accepted this motion.

05/21.9.1 Emergency Motion - Notice of Motion – Announcement of Closure of Commonwealth Bank at St Marys – Cllr J McGiveron

MOTION:

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

That the Mayor and General Manager commence urgent discussion with the directors of Bendigo Bank to seriously consider setting up a Bendigo Branch in St Marys as soon as possible or any other available possibility to retain a proper banking service in St Marys.

SUBMISSION IN SUPPORT OF MOTION:

Due to the recent announcement in the Examiner newspaper on Saturday 15 May 2021 without any prior notice or consultation by the Commbank advising that they will be closing the St Marys branch on the 6 August 2021 and the absolute importance of retaining a banking service in the Fingal Valley, Council immediately take any action available to assist to resolve this unacceptable situation using any means possible to support our residents.

DISCUSSION:

- Clr Wright stated that David Llewellyn has also taken this on board and will be talking to the Board of the Bendigo Bank.
- Mayor Tucker requested Council to support him with regard to sending out a media release to show Councils support for the whole Fingal Valley after this meeting.
- Clr Drummond stated that we need to be really positive and thinks it is great that the Mayor does a media statement after the meeting.

COUNCIL DECISION:

05/21.9.1.102 Moved: Clr J McGiveron / Seconded: Clr K Chapple

That the Mayor and General Manager commence urgent discussion with the directors of Bendigo Bank to seriously consider setting up a Bendigo Branch in St Marys as soon as possible or any other available possibility to retain a proper banking service in St Marys.

CARRIED UNANIMOUSLY

Deputy Mayor John McGiveron took the Chair at 10.12am

05/21.9.2 **Notice of Motion – Investigations into a Swimming Pool and Hydra-Therapy Pool – Clr M Tucker**

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:

Council to start undertaking another look into an indoor swimming pool and hydra-therapy pool at the sports complex whilst updating our St Helens Sports Complex Master Plan.

Council Officers/Managers go to Circular Head Council and look at the new swimming pool complex they have built and work with their Council on understanding the costs of running the complex now it has been running for a while.

SUBMISSION IN SUPPORT OF MOTION:

It is clear that the need for an indoor swimming pool complex with a hydra therapy pool needs to be revisited, we need to do a business case and work out a design and work out how it can be funded through government grants, both State and Federal and any other grants that may be available through health and wellbeing.

DISCUSSION:

- Mayor Tucker stated that a lot of things have changed since the last investigation was undertaken and we should look at newer pools. This does not give an expectation that one would be built, however we are investigating it and request a detailed report to come back to Council.
- Cllr Whittaker stated that she thinks a thorough investigation is warranted.
- Cllr Drummond stated that she is fully supportive but wondered if there can be consideration also given to whether there is space at somewhere like Scamander in a more central location.
- Cllr LeFevre stated that he supports the motion with a word of caution as he knows the astronomical cost of the operations of the St Marys School pool. If the St Helens School moved to the Recreation Ground in future years that could also be the time to look at a pool where the cost could be shared with the Education Department.
- Cllr Wright stated that she thinks this is very important with our aging demographic, in particular a hydrotherapy pool.
- Cllr Chapple asked, are we also factoring into the investigation something in regards to community memberships as people have said that they would love a pool and would be happy to pay.
- Cllr McGuinness stated that he supports the motion and noted that out of all the issues that come to everyone prior to the last election this was the biggest one.
- Cllr Osborne asked, in the investigation can we make sure that we have the amount of money we would have to charge extra on the rates to make this possible. People need to know what the cost to ratepayers would be.

COUNCIL DECISION:

05/21.9.2.103 Moved: Cllr M Tucker / Seconded: Cllr L Whittaker

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:

Council to start undertaking another look into an indoor swimming pool and hydra-therapy pool at the sports complex whilst updating our St Helens Sports Complex Master Plan.

Council Officers/Managers go to Circular Head Council and look at the new swimming pool complex they have built and work with their Council on understanding the costs of running the complex now it has been running for a while.

CARRIED UNANIMOUSLY

Mayor Mick Tucker resumed the Chair at 10.18am

05/21.9.3

Notice of Motion – St Marys Town Hall Upgrade – 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 upgrade the St Marys Town Hall, including, but not limited to, solar panels and improved heating facilities, with a view to making the Hall more user friendly and cost efficient.

SUBMISSION IN SUPPORT OF MOTION:

The loneliness epidemic is challenging social resilience throughout Australia. Local government play a critical role in building resilient and sustainable communities. Making the St Marys Town Hall more accessible for community, is vital to continue to build community resilience and wellbeing. Reducing or offsetting running costs is one step towards a better future for the functioning of the hall, which is currently very under utilised.

DISCUSSION:

- Clr Drummond stated that if this is done it could provide a better space for people to use if it were more user friendly.
- Clr McGiveron stated that he is generally in support as the heating has been hit and miss for a while and when it works it works well. If we can look at better ways of utilising the hall, it would be good.
- .

COUNCIL DECISION:

05/21.9.3.104

Moved: Clr J Drummond / Seconded: Clr M Osborne

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 upgrade the St Marys Town Hall, including, but not limited to, solar panels and improved heating facilities, with a view to making the Hall more user friendly and cost efficient.

CARRIED UNANIMOUSLY

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 work with the State Government and other agencies as necessary, to secure and make available funding for a simple toilet block at the St Marys Community Space.

SUBMISSION IN SUPPORT OF MOTION:

The community have expressed a need for a toilet block at the St Marys Community Space. The space is exceptionally well utilised and often families with young, and multiple, children are using the space. This makes it difficult for a young mother or father to take a young child to the toilets in St Marys without packing up the family for safety reasons.

At the recent opening of the St Marys Community Space there was discussion between parties representing State govt., the Tas. Comm. Fund and elected members, as to the potential for funding for a toilet block to be established on the site. This was referred to on the day during a speech and this has heightened the community calls for a public toilet block.

DISCUSSION:

- Clr Chapple stated that she fully supports the motion with the amount of use it is getting and the events that are being held there, it is imperative that there is a toilet there.
- Clr McGiveron stated that he supports the motion. The community space has bought St Marys alive and it is the best thing that has happened in that space.
- Clr Osborne stated that she is supportive, however she wondered why it wasn't thought about to start with. Clr Drummond advised that the Tasmania Community Fund (TCF) will not fund toilet blocks and unfortunately the association couldn't raise funds at that point for a toilet block.

COUNCIL DECISION:

05/21.9.4.105 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 work with the State Government and other agencies as necessary, to secure and make available funding for a simple toilet block at the St Marys Community Space.

CARRIED UNANIMOUSLY

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 seek a report providing information regarding the viability of dredging the entrance to the Stieglitz Boat Ramp enabling boats to once again successfully utilise the facility and appropriate signage be placed limiting the size of vessels launching.

SUBMISSION IN SUPPORT OF MOTION:

There has been considerable discussion about the shallow water in front of the Stieglitz Boat Ramp. Complaints regarding not being able to use the ramp on low tides are frequent and during the recent extreme tides the problem was even more visible.

Boat users are having difficulty launching on anything less than a .5 metre tide. In early May two (2) boats ran aground in succession trying to access the jetty.

The Stieglitz Boat Ramp is frequently used and provides an ideal launching site for those living in the St Helens Point area. In busy times up to 30 boat trailers are parked there.

If this situation isn't improved boaters will launch from the main boat ramp on the wharf area thus causing additional crowding and further exacerbated problems.

Clear and appropriate signage is needed at Stieglitz addressing the maximum size of vessels allowed to launch. There is a community belief that larger vessels should not launch there as they contribute to the sand movement.

DISCUSSION:

- Cllr LeFevre stated that he is not sure if dredging will fix it or not hence why he would like the report done.
- Cllr McGiverson stated that it is a boat ramp that has sandy conditions in shallow water. It is a very essential boat ramp, and it is in the right location. Cllr McGiverson stated that it needs dredging however he is not sure how they would do it and how long it would last but it needs something done.
- Cllr McGuinness stated that the sand goes out for an awful long way past the ramp. Maybe part of the investigation should be alternative options for a ramp within close proximity. Cllr McGuinness suspects that dredging would only be a temporary fix.
- Mayor Tucker stated that the reality is that maybe we should also look at a long reach excavator to dig a hole and remove the sand, if it is dredged it will come back, it will be limited as it is a low tide issue, no matter what you do you will never fix it completely.

- Clr LeFevre stated that he totally agrees with Mayor Tucker however being unable to use that ramp exacerbates the issue on the foreshore with people coming into town and overcrowding the foreshore car park, etc.
- Clr Osborne stated that if it is interfering with peoples livelihoods we should do something about it.

COUNCIL DECISION:

05/21.9.5.106 Moved: Clr B LeFevre / Seconded: Clr M Osborne

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 seek a report providing information regarding the viability of dredging the entrance to the Stieglitz Boat Ramp enabling boats to once again successfully utilise the facility and appropriate signage be placed limiting the size of vessels launching.

CARRIED UNANIMOUSLY

05/21.10.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

05/21.11.0 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

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

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

05/21.11.1 Upgrade Irishtown and Patricks Head Roads – Clr J Drummond

Is it possible to gain assistance from Tourism funding, or any other source, for a better road facility into an iconic tourist walk in the Fingal Valley. There has been the recent Residents letter to the Council resulting in a promise to re-sheet these roads, and a letter in the Valley Voice pointing to the popularity of this iconic visitor experience, even during the autumn months. Car insurance often not covering tourists to visit this iconic landmark being on dirt roads.

Reply

Council officers are not aware of any current funding programs targeting upgrading of tourist roads through road sealing activities but will monitor future funding opportunities as they arise.

05/21.12.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

05/21.12.1 Mayor's Communications for Period Ending 17 May 2021

25.04.2021	St Helens	– Anzac Day Service
28.04.2021	Launceston	– Northern Tasmania Development Corporation (NTDC) – Regional Collaboration Forum
03.05.2021	St Helens	– Council Workshop
04.05.2021	St Helens	– Opening of the New Lawn – St Helens Croquet Club
12.05.2021	Launceston	– Local Government Association of Tasmania (LGAT) – General Management Committee (GMC) Meeting and Premiers Local Government Committee (PLGC) Meeting
14.05.2021	St Helens	– St Helens Bowls Club – Annual Presentation Dinner
17.05.2021	St Helens	– Council Meeting

05/21.12.2 Councillor's Reports for Period Ending 17 May 2021

This is for Councillors to provide a report for any Committees they are Council Representatives on and will be given at the Council Meeting.

St Helens and Districts Chamber of Commerce and Tourism –Clr Margaret Osborne OAM

- Nothing to report.

NRM Special Committee – Clr Janet Drummond

- Missed the last meeting due to illness.

East Coast Tasmania Tourism (ECTT) – Clr Glenn McGuinness

- Nothing to report.

Mental Health Action Group – Clr Barry LeFevre

- Nothing to report.

Disability Access Committee – Clr Janet Drummond

- Disability Action Plan is listed for consideration today and a meeting is scheduled in the near future to discuss this plan if it is approved today.

05/21.13.0 BUSINESS AND CORPORATE SERVICES

05/21.13.1 Corporate Services Department Report

FILE REFERENCE	018\018\001\
----------------	--------------

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 the new "New Residents" letter has been well received with people coming into Council asking for the New Residents kits which is quite positive.
- Cllr Chapple stated that she has given out some of the new kits to New Residents as well as New Tenants which is great.

COUNCIL DECISION:

05/21.13.1.107 Moved: Cllr B LeFevre / Seconded: Cllr G McGuinness

That the report be received.

CARRIED UNANIMOUSLY

05/21.13.2 Monthly Financial Report

FILE REFERENCE	018\018\001\
----------------	--------------

OFFICER'S RECOMMENDATION:

That the following reports for the month ending 30 April 2021 be received:

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

INTRODUCTION:

Presented to Council are the monthly financial statements.

DISCUSSION:

- The Manager Corporate Services stated that he didn't note anything particularly significant, some issues have been identified when we have been working on the budget.

COUNCIL DECISION:

05/21.13.2.108

Moved: Clr L Whittaker / Seconded: Clr J McGiveron

That the following reports for the month ending 30 April 2021 be received:

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

CARRIED UNANIMOUSLY

05/21.13.3

Visitor Information Centre Report

FILE REFERENCE	040\028\002\
----------------	--------------

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:

- No discussion took place on this item.

COUNCIL DECISION:

05/21.13.3.109

Moved: Clr K Wright / Seconded: Clr K Chapple

That the report be received.

CARRIED UNANIMOUSLY

FILE REFERENCE	002\024\007\
----------------	--------------

OFFICER'S RECOMMENDATION:

That Policy LG30 Public Interest Disclosure be amended as recommended.

INTRODUCTION:

This policy has to be reviewed every three (3) years in line with requirements of the Ombudsman.

DISCUSSION:

- The Manager Corporate Services stated that this has not been to the Audit Panel or a workshop. This is because this policy is directed by the Ombudsman's Office and the wording is provided by the Ombudsman's Office and the Ombudsman's approval is sought prior to Council adoption.

COUNCIL DECISION:**05/21.13.4.110**Moved: Cllr J McGiveron / Seconded: Cllr K Wright

That Policy LG30 Public Interest Disclosure be amended as recommended.

CARRIED UNANIMOUSLY

FILE REFERENCE	014\002\001\
----------------	--------------

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 advice in relation to Waste Management and the kerbside co-mingled recyclables. We have asked JJ Richards for a report as to what is being taken there and once a response is received he will bring a report to Council.
- The Manager Infrastructure and Development Services stated that the sign posting on North Ansons Bay Road has not yet been completed. The two (2) big projects on St Helens Point Road and Gardens Road are ready to seal and have been for some time, we have asked our Contractor to look at an alternative contractor to come and seal the roads. The Manager Infrastructure and Development Services will keep everyone updated as to when these will be sealed. The Manager Infrastructure and Development Services advised that we do have a process at the end of a contract to sit down and have discussions with the contractors and record any matters/issues for future reference.

COUNCIL DECISION:

05/21.14.1.111

Moved: Clr K Wright / Seconded: Clr J Drummond

That the report be received by Council.

CARRIED UNANIMOUSLY

05/21.14.2

Animal Control Report

FILE REFERENCE	003\003\018\
-----------------------	--------------

OFFICER'S RECOMMENDATION:

That the report be received by Council.

INTRODUCTION:

This is a monthly update for animal control undertaken since the last meeting of Council.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

05/21.14.2.112

Moved: Clr K Wright / Seconded: Clr M Osborne

That the report be received by Council.

CARRIED UNANIMOUSLY

05/21.14.3 Policy Review – AM10 – Reserves Management Policy

FILE REFERENCE	002\024\003\
----------------	--------------

OFFICER'S RECOMMENDATION:

That Policy AM10 Reserves Management, as amended, be adopted.

INTRODUCTION:

Council has a schedule for regular review of Policies and this Policy is now due for revision.

DISCUSSION:

- The Manager Infrastructure and Development Services advised that this policy didn't require any changes.

COUNCIL DECISION:

05/21.14.3.113 Moved: Clr J McGiveron / Seconded: Clr K Wright

That Policy AM10 Reserves Management, as amended, be adopted.

CARRIED UNANIMOUSLY

05/21.14.4 Policy Review – AM07 – Playground Management Policy

FILE REFERENCE	002\024\003\
----------------	--------------

OFFICER'S RECOMMENDATION:

That Policy AM07 Playground Management, as amended, be adopted.

INTRODUCTION:

Council has a schedule for regular review of Policies and this Policy is now due for revision.

DISCUSSION:

- The Manager Infrastructure and Development Services advised that this policy was corrected to reflect what is in the Asset Management Plan.

COUNCIL DECISION:

05/21.14.4.114 Moved: Clr B LeFevre / Seconded: Clr G McGuinness

That Policy AM07 Playground Management, as amended, be adopted.

CARRIED UNANIMOUSLY

05/21.14.5 Policy Review – AM06 – Footpath Construction Policy

FILE REFERENCE	002\024\003\
----------------	--------------

OFFICER'S RECOMMENDATION:

That Policy AM06 Footpath Construction, as amended, be adopted.

INTRODUCTION:

Council has a schedule for regular review of Policies and this Policy is now due for revision.

DISCUSSION:

- The Manager Infrastructure and Development Services advised that this policy has been reviewed and the wording strengthened to reflect the Australian Standard as well as consideration be given to other construction materials.
- Cllr Drummond stated that she is pleased to see other construction materials be included.

COUNCIL DECISION:

05/21.14.5.115 Moved: Cllr K Wright / Seconded: Cllr M Osborne

That Policy AM06 Footpath Construction, as amended, be adopted.

CARRIED UNANIMOUSLY

05/21.15.0 COMMUNITY DEVELOPMENT

05/21.15.1 Community Services Report

FILE REFERENCE	011\034\006\
----------------	--------------

OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

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

DISCUSSION:

- The Manager Community Services advised that TRC Tourism has been appointed to undertake the Recreational Trails Strategy.

- Clr Drummond asked in relation to the Bay of Fires BOF Master Plan, have we finalised the Committee for this. The Manager Community Services advised that once the Committee is finalised she will let Councillors know.

COUNCIL DECISION:

05/21.15.1.116 Moved: Clr B LeFevre / Seconded: Clr M Osborne

That the report be received.

CARRIED UNANIMOUSLY

05/21.15.2 Disability Access Committee – Disability Action Plan 2021 - 2024

FILE REFERENCE	011\011\002\
-----------------------	--------------

OFFICER'S RECOMMENDATION:

That Council adopts the Disability Action Plan 2021 - 2024 developed by the Disability Access Committee.

INTRODUCTION:

One of the standing agenda items for the Disability Access Committee was to review the Disability Access Plan that had been in place for a number of years to bring it into line with current practices.

DISCUSSION:

- The Manager Community Services advised that this Plan was being worked on prior to COVID and due to COVID it was held up.

COUNCIL DECISION:

05/21.15.2.117 Moved: Clr J Drummond / Seconded: Clr K Wright

That Council adopts the Disability Action Plan 2021 - 2024 developed by the Disability Access Committee.

CARRIED UNANIMOUSLY

*Adjourned for Morning Tea at 10.48am
Meeting resumed at 11.01am*

05/21.16.0 DEVELOPMENT SERVICES

05/21.16.1 Development Services Report

FILE REFERENCE	031\013\003\
----------------	--------------

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 General Manager reported on behalf of the Development Services Coordinator that the Recreational Water Quality sampling has finished for the year.

COUNCIL DECISION:

05/21.16.1.118 Moved: Clr K Chapple / Seconded: Clr M Osborne

That the report be received.

CARRIED UNANIMOUSLY

05/21.16.2 Applications for Break O'Day Drought Weeds Grants

FILE REFERENCE	017\014\004\
----------------	--------------

OFFICER'S RECOMMENDATION:

1. That Council grant \$3,818 of Drought Weeds funding to an application for support of gorse and Californian thistle control on 'Koorringa', Esk Main Road, Fingal.
2. That Council grant \$8,470 of Drought Weeds funding to an application for support of Spanish heath control by a landholder group at Whalers Watch Lane, St Helens.

INTRODUCTION:

Council's Drought Weeds Project is underway with its Drought Weeds Officer working with farmers in the field supporting farmers to access Council's \$30,000 of Drought Weeds grants funding.

DISCUSSION:

- The NRM Officer advised that there are two (2) projects, these are a bit bigger in terms of funding being asked for. One is a quite substantial thistle project in the Valley and the other is a large group project on Spanish Heath down here in St Helens which Council will be a partner in.
- The NRM Officer advised he forwarded to DPIPWE for comment however no comment has been received to date.

COUNCIL DECISION:

05/21.16.2.119

Moved: Clr K Wright / Seconded: Clr J Drummond

1. That Council grant \$3,818 of Drought Weeds funding to an application for support of gorse and Californian thistle control on 'Kooringa', Esk Main Road, Fingal.
2. That Council grant \$8,470 of Drought Weeds funding to an application for support of Spanish heath control by a landholder group at Whalers Watch Lane, St Helens.

CARRIED UNANIMOUSLY

05/21.16.3

St Marys Flood Risk Mitigation Project – Vegetation Management Investigation

FILE REFERENCE	028\010\005\
----------------	--------------

OFFICER'S RECOMMENDATION:

That Council receive the report *St Marys Vegetation Management Investigation* (Flood Study - Vegetation Management below Story St - St Marys and associated flood study maps) documenting an examination of the influence of vegetation downstream of Story Street bridge on flood risk.

INTRODUCTION:

Council's St Marys Flood Mitigation project is nearing completion using the \$400,000 grant from the Australian Government to implement priorities of the St Marys Flood Risk Management Plan. The *St Marys Vegetation Management Investigation* was undertaken as part of the project.

DISCUSSION:

- The NRM Officer stated that he will be looking at wrapping up the project in the next couple of months. The report will provide a good basis to work with landholders.
- Clr McGiveron stated that we are between a rock and a hard place with this as the report as it says that the creek needs to be cleaned up a little bit but it also talks about the velocity of the water. Where to from here?

- Cllr Drummond stated that she agrees with what Cllr McGivern has said and she knows there has already been an impact in some areas with erosion due to the velocity of the water. Cllr Drummond stated that she is not sure where to go with the people downstream further with the flow on effect.
- Mayor Tucker stated that he agrees with Cllr McGivern. He stated that he has been to the properties and walked around the area and by visual look it is overgrown and has created a lot of restrictions that would let the water flow in a more direct manner but then it would create erosion on the opposite bank. We may need to do some rock armour on some edges to protect the bank as well as clean out some of those areas.
- Cllr McGuinness asked whether when you get the over growth in an area, could you trim the trees without taking out their root stocks.
- The NRM Officer stated that he agrees, it is a dilemma, if we are going to have a natural stream we need soil banks, terraces and vegetation. We could do a little bit to maintain some of the willows whilst trying not to aggravate anything.
- Cllr McGivern stated that he agreed. It is finding a solution somewhere in the middle.
- Mayor Tucker stated that we just need to try and mitigate and do the best we can do and try to have a bit of a balance.
- Cllr Drummond stated that the situation we have now is also much better than what it was. We still have difficulties to deal with but the main street is not going under water anymore.

COUNCIL DECISION:

05/21.16.3.120

Moved: Cllr J Drummond / Seconded: Cllr K Chapple

That Council receive the report *St Marys Vegetation Management Investigation* (Flood Study - Vegetation Management below Story St - St Marys and associated flood study maps) documenting an examination of the influence of vegetation downstream of Story Street bridge on flood risk.

CARRIED UNANIMOUSLY

05/21.17.0

GOVERNANCE

05/21.17.1

General Manager's Report

FILE REFERENCE	002\012\001\
-----------------------	--------------

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 stated that now that the election is out of the way and we have a majority Liberal Government the pursuit of structural reform is firmly on the agenda through the PESRAC Report. What that process looks like, it is hard to get a handle on at the moment. However, it will probably take an economic rationalist approach on financial sustainability. This may consume quite a bit of resources and focus over the next 12-18 months, 10-14 Councils potentially being the outcome. We will know more once the Committee is formed, very much who Chairs the Committee will be a strong indicator as to what the process will look like. Mayor Tucker stated that if you read the PESRAC report it comments about how long the process may take as well as the transition. Things like the Local Government elections may be delayed, etc there are a lot of things that are unknown and we know that Local Government Reform was supported by both parties, however they were both totally opposed to forced amalgamation it could be a PESRAC driven and Government supported process not Government driven. The General Manager thinks they will move fairly quickly on this agenda. Mayor Tucker stated that Local Government was not invited to be at the table by PESRAC.

COUNCIL DECISION:

05/21.17.1.121

Moved: Clr J McGiveron / Seconded: Clr B LeFevre

That the General Manager's report be received.

CARRIED UNANIMOUSLY

05/21.17.2

Business Enterprise Centre (BEC) – Funding Request

FILE REFERENCE	040\082\005\
-----------------------	--------------

OFFICER'S RECOMMENDATION:

1. That Council agree to provide the Break O'Day Business Enterprise Centre (BEC) with funding of \$28,000 per annum to support the delivery of services.
2. That the current Service Agreement with the BEC be amended to align the provision of funding with the funding arrangements which are in place with the State Government.

INTRODUCTION:

Council has received a written request from the Break O'Day (BEC) seeking continuation of the funding assistance which Council provides.

DISCUSSION:

- The General Manager stated that it seems logical that we should amend the current service agreement to be aligned with the State Government funding agreement.

- Clr McGiveron stated that during this COVID period we need to support the BEC more than ever.
- Clr Osborne asked, is the money for the booklet included in that or is that separate. The General Manager advised that they sell advertising for that and that is separate funding, Council purchases an advertisement in that.
- Clr Wright stated that she is still concerned that the BEC are not getting funding support from other Councils that the BEC is reaching out to, there needs to be a bit of a push that they provide some sort of funding. Clr Wright stated that she was wondering why we are funding the directory when they get money for advertisements. The General Manager stated that the \$2,000 from Council is for our advertising in the directory. When the State Government reviewed the area they took off the Dorset area and reduced the Glamorgan Spring Bay area but unfortunately Glamorgan Spring Bay Council are not in a position to pay.
- Clr Osborne stated that she is not happy about the directory being printed in NSW. We have good printers in Tasmania that could do this. The General Manager stated that we can raise this with the BEC. Clr LeFevre stated that the cost of getting the directory published in NSW was much lower than that here in Tasmania.
- Clr LeFevre stated that the \$28,000 for two (2) years gives the BEC stability.
- Clr Drummond stated she also supports what Clr Osborne has said and also requested that we could follow up with the Board with regard to the printing of the directory. Mayor Tucker stated that it needs to be a commercial decision for the Board.

COUNCIL DECISION:

05/21.17.2.122

Moved: Clr J McGiveron / Seconded: Clr M Osborne

1. That Council agree to provide the Break O'Day Business Enterprise Centre (BEC) with funding of \$28,000 per annum to support the delivery of services.
2. That the current Service Agreement with the BEC be amended to align the provision of funding with the funding arrangements which are in place with the State Government.

CARRIED UNANIMOUSLY

05/21.17.3 2020/2021 Annual Plan – March 2021 Quarterly Review

FILE REFERENCE	018\033\007\
-----------------------	--------------

OFFICER'S RECOMMENDATION:

That Council receive the Review as at the 31 March 2021 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 stated that we are now 75% of the way through the year.
- Cllr Drummond asked, is there still a limit of people at events in Council facilities. The General Manager advised that all of the requirements including plans, the Check In Tas App still need to happen.
- The General Manager commented in regards to the Local Government Act Review, we are still waiting for this to be released and we have heard it is not a small piece of legislation.
- The General Manager stated that we have been quite reactive in the Economic Development area.
- The General Manager stated that we will be arranging for Break O'Day Employment Connect (BODEC) to come and present to Council at a workshop with regard to what has been achieved and what is happening in the community.
- The General Manager stated that due to our capital works program this year this has stretched our resources and therefore other priorities such as car parking in St Helens and St Marys have not had the opportunity to be investigated.
- The General Manager stated that Development Services have been trying to look at streamlining some of their activities but the current activity levels have not allowed staff to look at this.
- Cllr Drummond asked with regard to Health Services, there does seem to be a bit of a crisis about interim doctors again. Was there anything in the Liberal election promises for St Helens or St Marys doctors. The General Manager stated not that he is aware of, there was for equipment at the hospitals and paramedics but nothing about doctors. Cllr Drummond stated that she was just wondering if there was going to be any further funding to get more permanent doctors.
- Cllr Wright stated that if there could be funding to have an actual doctor located at the hospital full time that would take the pressure off the doctors at the surgery.
- Cllr LeFevre stated that he thinks there may have been something in the Federal Budget about remote/rural doctors.

COUNCIL DECISION:

05/21.17.3.123

Moved: Clr B LeFevre / Seconded: Clr M Osborne

That Council receive the Review as at the 31 March 2021 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 of Closed Council.

Moved: Clr J Drummond / Seconded: Clr G McGuinness

CARRIED UNANIMOUSLY

IN CONFIDENCE

05/21.18.0 **CLOSED COUNCIL**

05/21.18.1 **Confirmation of Closed Council Minutes – Council Meeting 19 April 2021**

05/21.18.2 **Outstanding Actions List for Closed Council**

05/21.18.3 **Velvet Worm NRM Action Awards for 2021 - Closed Council Item Pursuant to Section 15(2)G of the Local Government (Meeting Procedures) Regulations 2015**

PUBLISH IN PUBLIC MINUTES:

05/21.18.3.CC Moved: Clr J Drummond / Seconded: Clr K Wright

That Council award a \$2,000 Velvet Worm NRM Action Award for 2021.

CARRIED UNANIMOUSLY

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

Moved: Clr J McGiveron / Seconded: Clr K Wright

CARRIED UNANIMOUSLY

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 12.00pm.

.....
MAYOR

.....
DATE