



# COUNCIL MEETING MINUTES

Monday 18 February 2019  
Council Chambers, St Helens

John Brown, General Manager  
Break O'Day Council  
18 February 2019

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*Mayor Tucker welcomed everyone and declared the meeting open at 10.00am.*

## **ACKNOWLEDGEMENT OF COUNTRY**

*We would like to acknowledge the Tasmanian Aboriginals as the traditional custodians of the land on which we meet today, and pay respect to the elders past and present.*

### **02/19.1.0 ATTENDANCE**

#### **02/19.1.1 Present**

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

#### **02/19.1.2 Apologies**

Nil.

#### **02/19.1.3 Leave of Absence**

Nil.

#### **02/19.1.4 Staff in Attendance**

General Manager, John Brown  
Executive Assistant, Angela Matthews  
Manager Community Services, Chris Hughes (*Item 1.0 – 15.1*)  
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 17.3*)  
Communications Coordinator, Jayne Richardson (*Item 1.0 – 16.7*)  
Building Services Coordinator, Jake Ihnen (*Item 1.0 – 12.3 / 13.3 – 16.0*)  
Planning Officer, Chris Triebe (*Item 1.0 – 7.0 / 13.3 – 16.0*)  
Planning Consultant, Rebecca Green (*Item 5.0 – 7.0*)  
Planning Services Coordinator, Geraldine O'Connor (*Item 6.1 – 7.0*)  
Manager Corporate Services, Bob Hoogland (*Item 11.2 – 13.1 / 17.3*)  
Project Officer, Stuart Barwick (*Item 11.2 – 16.0*)  
NRM Officer, Polly Buchhorn (*Item 14.1 – 12.0*)  
HR Manager, Paula Kloosterman (*Item 16.0 – 16.3*)

## 02/19.2.0 PUBLIC QUESTION TIME

Two (2) people in the gallery.

*In accordance with Section 31(1) of the Local Government (Meeting Procedures) Regulations 2005 the following questions were submitted in writing prior to the Council Meeting.*

Nil.

## 02/19.3.0 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.

## 02/19.4.0 CONFIRMATION OF MINUTES

### 02/19.4.1 Confirmation of Minutes – Council Meeting 21 January 2019

#### OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 21 January 2019 be confirmed.

#### DISCUSSION:

No discussion took place on this item.

#### COUNCIL DECISION:

**02/19.4.1.21** Moved: Clr G McGuinness / Seconded: Clr J McGiveron

That the minutes of the Council Meeting held on the 21 January 2019 be confirmed.

**CARRIED UNANIMOUSLY**

## 02/19.5.0 COUNCIL WORKSHOPS HELD SINCE 21 JANUARY 2018 COUNCIL MEETING

There was a Workshop held on Monday 4 February 2019 – the following items were listed for discussion.

- Australian Local Government Association (ALGA) – 2019 National General Assembly (NGA) of Local Government – Call for Motions
- 2018 / 2019 Annual Plan – December Quarterly Review
- Northern Tasmania Development Corporation Ltd (NTDC) – Regional Economic Development Plan
- Local Government Act Review
- Priority Strategic Directions
- Disposal of Public Open Space – 186 Gardens Road, Binalong Bay
- Disposal of iPads
- Update of S137 and Disposal of Council Properties 2018/2019
- Notice to Amend Sealed Plans – Public Open Space
- St Helens Aerodrome and Facilities Asset Management Plan
- Cecilia and Tully Streets - Avenue of Trees Management
- Design Foreshore Access Features – Architectural Trail
- Proposal for Notice Board
- Old Tasmanian Hotel Upgrades
- Provision of Road Name: Aulichs Road off Irish Town Road, St Marys
- St Marys Flood Risk Management Plan
- Update on Notice of Motion – Roundabout at Quail and Cecilia Streets
- Draft Local Provisions Schedule (LPS) Project
- Implementation of Dog Management Policy
- Policy Review – LG 04 - Elected Member Seeking Involvement in Operational Employment Matters Protocol
- Policy Review – LG 15 - Intellectual Property Confidentiality Policy
- Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report
- Recycling Collection
- Community Consultation

## 02/19.6.0

## PLANNING AUTHORITY

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

### 02/19.6.1

### DA 178-2017 – Shed and Two (2) Lot Subdivision – P3292 Medeas Cove Road, St Helens

FILE REFERENCE	DA 178-2017
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#### OFFICER'S RECOMMENDATION:

After due consideration of the representations received pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Council Interim Planning Scheme 2013* that the application for **Shed and Two (2) Lot Subdivision** on land situated at **P3292 Medeas Cove Road, St Helens** described in Certificate of Title CT 44553/1 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 178-2017 received by Council 3 September 2018, together with all submitted documentation received and forming part of the development application, except as varied by conditions of this Planning Permit.
2. Access (Rural)
  - a) A driveway crossover and sealed apron must be constructed from the edge of the road to the property boundary of all Lots in accordance with Council standard drawing TSD-R03-v1 & TSD-R04-v1 (attached) including pipe and endwalls.
  - b) Access works must not commence until an application for vehicular crossing has been approved by Council (application attached).
3. Practical completion inspection

At the completion of all civil works the contractor shall contact Council to schedule a practical completion inspection. A certificate of practical completion shall be provided to Council prior to the submission of the plan of subdivision to the Land Titles Office.
4. The final plan of survey will not be sealed until all conditions have been complied with, or an agreement has been entered into providing for the completion of works at a later stage.
5. All runoff from the proposed shed 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 and not create any new point sources of discharge into the defined watercourse.
6. 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.



## ADVICE

- 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.
- 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.
- Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered or suspected during works, cease works immediately and contact Aboriginal Heritage Tasmania for advice on how to proceed. An Unanticipated Discovery Plan should be provided and must be on-hand and available to all contractors during ground disturbing works.
- Activities associated with construction works are not to be performed outside the permissible time frames listed:

*Mon-Friday 7 am to 6 pm*

*Saturday 9 am to 6 pm*

*Sunday and public holidays 10 am to 6 pm*

## PROPOSAL SUMMARY:

The proposal seeks to subdivide the property into two (2) lots at P3292 Medeas Cove Road, St Helens. Lot 1 will have an area of 1.309ha and Lot 2 will have an area of 1.085ha. Both lots will have new access points to Medeas Cove Road.

Application is also made for the construction of a 10.5m x 9.0m x 4.1m shed on proposed Lot 1. Residential use of the proposed shed in the Rural Living Zone is permitted under Table 13.2 of the *Break O'Day Interim Planning Scheme 2013*.















## DISCUSSION:

- The Planning Consultant stated that it is a pretty standard application and she has no concerns with recommending it for approval with conditions.
- Clr McGuinness asked in relation to Condition 2 regarding the driveway crossover and sealed apron – why should it be sealed when it is a gravel road. The Planning Consultant stated that it is a standard condition that comes from the Works Department.
- Clr McGuinness stated that he was concerned with the number of reports which were required for this application as it is substantially residential area. The Planning Consultant stated that this happens when you start relying on performance criteria this is when the reports are required. The Planning Consultant advised that the agricultural report was needed because of the nearby Rural Resource Zone and the setback variation sought.
- Clr Drummond asked in relation to the 20 metre setback on site, it says it is within 10 metres. The Planning Consultant stated that we needed to make sure we are not causing constraint to existing and potential primary industry uses. The Planning Consultant stated that the block size is reliant on the performance criteria.

## COUNCIL DECISION:

**02/19.6.1.22**

Moved: Clr G McGuinness / Seconded: Clr J McGiveron

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 **Shed and Two (2) Lot Subdivision** on land situated at **P3292 Medeas Cove Road, St Helens** described in Certificate of Title CT 44553/1 be **APPROVED** subject to the following conditions:

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4. The final plan of survey will not be sealed until all conditions have been complied with, or an agreement has been entered into providing for the completion of works at a later stage.



5. All runoff from the proposed shed 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 and not create any new point sources of discharge into the defined watercourse.
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## ADVICE

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- 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.
- Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered or suspected during works, cease works immediately and contact Aboriginal Heritage Tasmania for advice on how to proceed. An Unanticipated Discovery Plan should be provided and must be on-hand and available to all contractors during ground disturbing works.
- Activities associated with construction works are not to be performed outside the permissible time frames listed:

*Mon-Friday 7 am to 6 pm*

*Saturday 9 am to 6 pm*

*Sunday and public holidays 10 am to 6 pm*

## CARRIED UNANIMOUSLY

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



## 02/19.7.0 PETITIONS

Nil.

## 02/19.8.0 NOTICES OF MOTION

Nil.

## 02/19.9.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

## 02/19.10.0 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

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

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

## 02/19.11.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

### 02/19.11.1 Mayor's Communications for Period Ending 18 February 2019

25.01.2019	St Helens	– Meeting with Minister's Guy Barnett & Jeremy Rockliff
25.01.2019	St Helens	– Australia Day Awards & Celebrations
04.02.2019	St Helens	– Council Workshop
06.02.2019	Launceston	– Tasmanian Community Fund \$100M Celebration
07.02.2019	Launceston	– TasWater Owners Representatives Quarterly Briefing
08.02.2019	St Helens	– Bendigo Bank 1st Birthday
08.02.2019	St Helens	– Meeting with Mark Shelton MP
16.02.2019	Launceston	– Local Government Association Tasmania (LGAT) Planning Authority Training
18.02.2019	St Helens	– Council Meeting

*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 Kylie Wright

- Next Meeting is scheduled to be held Tuesday 19 February.

NRM Special Committee – Clr Janet Drummond

- Next Meeting is on Wednesday this week.

Barway Committee – Clr John McGiveron

- Nothing further to report – no further information has been provided by MAST.

Regional Tourism Organisation (RTO) – Clr Glenn McGuinness

- See attached report from the ECRT0.



### Update from East Coast Tourism Board meeting 12 February 2019, Triabunna

- Snapshot of **2018 East Coast Tourism achievements** and support activities that enable the growth of tourism on the East Coast for the benefit of industry and communities along the East Coast:
  - Supported over 50 new/redeveloped products.
  - Marketed East Coast experiences growing our social media following by 15,000 new followers and supporting 445,606 active engagements across social platforms (Facebook and Instagram).
  - Spring Campaign grew social media followers by 3,000 and involved 26 East Coast operators who provided 18 prizes.
  - Over 50 industry included in Tourism Tasmania communications.
  - Industry website listings grew to 333 operators.
  - 3 board Industry events held in St Helens, Bicheno and Cranbrook and co-hosted industry workshops with Tourism Tasmania in Bicheno, Four Mile Creek and Orford.
  - Actively supported DAP groups including assisting Bicheno to win a \$36,000 grant from State Growth; Freycinet to secure funding for review of Coles Bay Road turnoff; Maria Island pledge; Wine Drive signs; launch events for Spring Bay, Wine and Swansea DAPs; and entrance of 2 DAP groups into the 2018 tourism awards.
  - Most successful East Coast Tourism Awards ever with a sellout gala event and 52 entrants.
  - Influenced government investment, policy and planning – \$34.5M new funding for Great East Drive roadworks; Maria Island Rediscovered project; Freycinet Draft Master Plan; Cruise Ships in Wine Glass Bay policy; Next Iconic Walk submission; Short Term Accommodation Market Legislative Review submission and testimony at committee hearings.
  - Assist Break O'Day Council with brand and marketing evaluation services for the new MTB project and the hugely successful JJJ One Night Stand.
- The **East Coast Tourism Board and management met with Glamorgan Spring Bay Councillors in a workshop** as part of our Board meeting. This was a good opportunity to discuss the benefits, challenges and opportunities for the sustainable growth of tourism and its contribution to the Glamorgan Spring Bay community. The Board is grateful for the ongoing support of Council for the work of ECRTTO.
- **Great media coverage** for East Coast tourism over January:
  - The Examiner ran two stories on the burgeoning dining scene in St Helens
  - The Spring Bay DAP Group's Maria Island Pledge story was picked up globally including in a number of prestigious publications – The Times (London), The New York Times, CNN, BBC Travel, Lonely Planet, Spiegel (Germany), The Smithsonian Magazine. In total this story has appeared in well over 100 publications around the world.
- East Coast Tourism will be launching a **new industry website** in early March. This will be an important resource for industry – sharing information, promoting opportunities for operators and servicing to provide a one stop shop for tools and information for our industry.

- **2019 East Coast Tourism co-operative marketing opportunities** with industry will include:
  - Refreshed printed Holiday Guide (planned for release end June/early July).
  - Winter and spring campaigns.
  - East Coast and Great Eastern Drive brand refresh in consultation with industry and partners.
  - Printed maps in collaboration with DAP groups and Chambers.
  - Social media expanding on our already successful reach and engagement.
- Discussions with industry indicate there was **minimal adverse effect from the bushfires** to the East Coast with many businesses reporting more visitors as they were displaced from other parts of the state.
- The Board and management have worked closely with Tourism Tasmania, State Growth and the other Regional Tourism Organisations to **strengthen the role and success of the regional tourism network across the State** through a 'pulse check' review of the model, in parallel with a review of the T21. This will be completed by June 2019 and will inform a new Partnership Agreement and funding model for RTOs for the next 3 years.
- A new **Destination Action Plan (DAP)** will be developed in conjunction with the St Helens community – key focus on preparing the community for the visitors that will be attracted to the area by the new mountain bike trails.
- Justin King, who was the General Manager Saffire and a valued member of the East Coast Tourism Board, has taken up a position in Fiji and as such a **Board Director vacancy** has been created. As a skills-based position, this vacancy will be advertised widely across East Coast industry to enhance our Board skill set, with recruitment finalised end April.
- **Next Board meeting will be held in St Helens on Thursday 18 April, followed by an industry function.**

#### 2019 Schedule of Board Meetings

April 18 (north)  
 June 20 (central)  
 August 15 (south)  
 October 17 (north)  
 November 29 (central)

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

- Next meeting is scheduled for June.
- Trish O'Duffy is attending the National awards presentation for the LIFE Award.

#### Disability Access Committee – Cllr Janet Drummond

- Next meeting is scheduled for late February early March.

#### National Competition Policy (NCP) – Tasmanian Public Camping Facilities Stakeholder Reference Group – Mayor Mick Tucker

- The Mayor stated that it all started when a couple of caravan park owners in Tasmania complained to the State Government as they thought the provision of free camping facilities by a local Council was unfair.
- Mayor Tucker stated that the Policy which has been developed in relation to competitive neutrality come up with an arbitrary figure of 60kms by road from where you are, you are allowed 10% of unpowered sites as a Council.
- .
- The Mayor stated that there are approximately 560 Parks & Wildlife Services free camping sites in our area – if we don't have somewhere for them to go they then start parking illegally.
- The Mayor stated that we tick every box of the public benefit test and competitive neutrality to be able to have free camping in our area.
- Cllr J Tucker stated that he has been told that Parks & Wildlife Services are shutting down where people can camp.
- Mayor Tucker advised that the Minister can grant Ministerial Exemptions to Councils who can prove they meet the competitive neutrality and public benefit test. This process has already commenced with the General Manager and Manager Corporate Services.
- Cllr McGuinness stated that he agrees with Cllr J Tucker. There is confusion as people don't know that Parks & Wildlife Services run the bulk of free camping in our area. To the public, through social media, they think that they are all going to close down, we need to clarify this very quickly with the State Government as people are already cancelling bookings to come here. There needs to be a media statement saying that we are open for business. Mayor Tucker agreed that we need to address the hype, we are getting emails from people who think it is Council, we need to follow this through.
- Cllr Drummond asked, do we have an idea of how long it will take to get Ministerial approval. The General Manager advised that the Manager Corporate Services is working on this process at the moment, the State Government is very keen to test the system.
- Mayor Tucker stated that it needs to be fixed and addressed by the Treasurer, he is working very hard to make it clear that Tasmania is open for business. We may be the first test case for an exemption.
- Cllr J Tucker stated that this comes up again as part of his previous motion that we should work more closely with Parks & Wildlife Services, should Council be working more closely with them on this issue, there needs to be a clear passage for open talk.

- The General Manager stated that Parks & Wildlife Services are working on a strategy in relation to upgrading camp grounds and facilities. The General Manager has also been in discussion with Chris Colley and there is a model in New Zealand in regards to freedom camping – the approach they are taking is something that the State Government may need to consider down the track. This is all being driven by the economic regulator. There is a broader conversation that needs to happen in regards to camps being set up for long periods of time, etc it is not just about free camping.
- Mayor Tucker stated that there needs to be a strategy which incorporates solutions for free camping and at the moment there is not one.

## **02/19.12.0 BUSINESS AND CORPORATE SERVICES**

### **02/19.12.1 Corporate Services Department Report**

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

That the report be received.

#### **INTRODUCTION:**

The purpose of this report is to provide Councillors with an update 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.

#### **COUNCIL DECISION:**

**02/19.12.1.23**      Moved: Clr L Whittaker / Seconded: Clr K Chapple

That the report be received.

**CARRIED UNANIMOUSLY**

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

That the following reports for the month ending 31 January 2019 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 as mentioned last meeting we have gone through and put comments in beside items for information.
- The Manager Corporate Services advised that at the Audit Panel Meeting this morning they suggested that in the Capital Expenses section that comments be made in relation to completed items.
- Cllr Drummond asked in relation to the ONS costs – where is the State Government contribution showing in relation to these costs. The General Manager stated that this would come in the Government Grants section, there are also some other things that are included in these expenses outside the ONS. Cllr Drummond stated that she got a little concerned when she couldn't find where the State Government contribution was. The General Manager also noted that a summary of costs were provided to Councillors a few months ago which detailed the expenditure and income.

**COUNCIL DECISION:**

**02/19.12.2.24**      Moved: Cllr L Whittaker / Seconded: Cllr K Chapple

That the following reports for the month ending 31 January 2019 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**

## 02/19.12.3 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 he had nothing further to add.

### COUNCIL DECISION:

**02/19.12.3.25**      Moved: Clr J Drummond / Seconded: Clr L Whittaker

That the report be received.

**CARRIED UNANIMOUSLY**

## 02/19.12.4 Notice to Amend Sealed Plans – Public Open Space

FILE REFERENCE	031\012\013\
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### OFFICER'S RECOMMENDATION:

That Council petition for the removal of notations relating to Public Open Space/Set Apart for Public Recreation on properties identified for disposal.

### INTRODUCTION:

In implementing Council's decision to dispose of surplus Public Open Space properties, the desirability of removing notations on Certificates of Title has been identified.

### DISCUSSION:

- The Manager Corporate Services advised that this is as discussed at the Council Workshop and there shouldn't be any effect on properties that we are trying to dispose of.



#### COUNCIL DECISION:

**02/19.12.4.26**      Moved: Clr J McGiveron / Seconded: Clr B LeFevre

That Council petition for the removal of notations relating to Public Open Space/Set Apart for Public Recreation on properties identified for disposal.

**CARRIED UNANIMOUSLY**

## **02/19.13.0      WORKS AND INFRASTRUCTURE**

### **02/19.13.1      Works and Infrastructure Report**

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

That the report be received by Council.

#### INTRODUCTION:

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

#### DISCUSSION:

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

#### COUNCIL DECISION:

**02/19.13.1.27**      Moved: Clr J Tucker / Seconded: Clr G McGuinness

That the report be received by Council.

**CARRIED UNANIMOUSLY**

## 02/19.13.2 Animal Control Report

FILE REFERENCE	003\003\018\
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### OFFICER'S RECOMMENDATION:

That the report be received by Council.

### INTRODUCTION:

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

### DISCUSSION:

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

### COUNCIL DECISION:

**02/19.13.2.28**      Moved: Clr J McGiveron / Seconded: Clr J Tucker

That the report be received by Council.

**CARRIED UNANIMOUSLY**

## 02/19.13.3 St Helens Aerodrome and Facilities Asset Management Plan

FILE REFERENCE	004\001\001\
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### OFFICER'S RECOMMENDATION:

That Council receive and endorse the draft St Helens Aerodrome and Facilities Asset Management Plan that has been prepared for use as an internal operational planning document referencing Council's:

- Asset Management Strategic Plan 2017-2026.
- Annual Plan.
- Aurecon Airstrip Feasibility Study 2013.

### INTRODUCTION:

The purpose of this report is for the Council to receive a stand-alone St Helens Aerodrome and Facilities Asset Management Plan. The Plan details information about infrastructure assets including actions required to provide an agreed level of service in the most cost effective manner while outlining associated risks. The Plan defines the services to be provided, how the services are provided and what funds are required to provide the services over a 10-year planning period, 2018/2019 to 2027/2028.

## DISCUSSION:

- Cllr LeFevre asked, if several major companies came into the area and it took off and we needed to upgrade the airport, what would it cost? The Manager Infrastructure and Development Services stated that he would need to take this on notice as it would depend on the upgrade as to what it could potentially cost. The General Manager advised that the Aurecon Airstrip Feasibility Study 2013 provides some cost estimates for different upgrades. This was prepared as part of the Municipal Management Plan and is available on the website
- Cllr Wright asked, if more is sealed at the airport would it create more water runoff for the landslip area. The Manager Infrastructure and Development Services advised that the water is directed away from the landslip area.

## COUNCIL DECISION:

**02/19.13.3.29**      Moved: Cllr K Chapple / Seconded: Cllr K Wright

That Council receive and endorse the draft St Helens Aerodrome and Facilities Asset Management Plan that has been prepared for use as an internal operational planning document referencing Council's:

- Asset Management Strategic Plan 2017-2026.
- Annual Plan.
- Aurecon Airstrip Feasibility Study 2013.

**CARRIED UNANIMOUSLY**

## **02/19.14.0**      **COMMUNITY DEVELOPMENT**

### **02/19.14.1**      **Community Services Report**

<b>FILE REFERENCE</b>	011\034\006\
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## OFFICER'S RECOMMENDATION:

That the report be received.

## INTRODUCTION:

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

## DISCUSSION:

- The Manager Community Services advised that she has met with the new facilitator for free2b Girls program and she is applying for funding to run similar programs in St Marys.
- The Manager Community Services advised that we are running another St Helens Local Area Township community session for two (2) hours on the 6 March in the evening to try and capture another section of the community who can't attend during the day session.
- The Manager Community Services advised in relation to the Driver Reviver program – this has to go through the national body hence why it has taken so long.
- Clr Whittaker asked, is there any chance we can see the details of the lease for the Grants Lagoon / Binalong Bay area? The Manager Community Services advised that we haven't yet got this as things have been held up with Parks & Wildlife Services however she will bring it to a workshop when it is received.
- Clr Wright stated that StarFM is still listed as a donation but we no longer provide them with a donation. The Manager Community Services stated that she will request that this be changed.
- Clr Drummond asked in relation to the walking trail audit, has this progressed. The General Manager advised that the Trails Project Manager has been working with Parks & Wildlife Services and local community members on this audit. The Trails Project Manager is doing some final works on prioritisation and classification of the walks and then he will bring an item to a Council workshop on this.

## COUNCIL DECISION:

**02/19.14.1.30**      Moved: Clr J Tucker / Seconded: Clr K Chapple

That the report be received.

**CARRIED UNANIMOUSLY**

## 02/19.14.2      Design Foreshore Access Features – Architectural Trail

FILE REFERENCE	004\009\006\
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## OFFICER'S RECOMMENDATION:

The following areas have been identified as possible sites that could be suitable to house a basic toilet and shelter amenity to visitors whilst also creating an unexpected and memorable experience:

- The Gardens
- Scamander
- Four Mile Creek (north of entry point)
- South of Little Beach
- St Helens
- Burns Bay

## INTRODUCTION:

In March, 2018 Council moved a motion to continue with this project.

## DISCUSSION:

- The Manager Community Services advised that she had nothing further to add.

## COUNCIL DECISION:

**02/19.14.2.31**      Moved: Clr J McGiveron / Seconded: Clr J Drummond

The following areas have been identified as possible sites that could be suitable to house a basic toilet and shelter amenity to visitors whilst also creating an unexpected and memorable experience:

- The Gardens
- Scamander
- Four Mile Creek (north of entry point)
- South of Little Beach
- St Helens
- Burns Bay

**CARRIED UNANIMOUSLY**

## 02/19.15.0      DEVELOPMENT SERVICES

### 02/19.15.1      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 Building Services Coordinator advised that the Tas Fire Service Report regarding the overlay maps was supposed to be at this meeting but due to the bushfires they were unable to complete it in time so it will be presented to the next Council Meeting.

## COUNCIL DECISION:

**02/19.15.1.32**      Moved: Clr G McGuinness / Seconded: Clr J Tucker

That the report be received.

**CARRIED UNANIMOUSLY**

**02/19.15.2**      **Planning Approvals Issued**

Received.

**02/19.15.3**      **Building Services Approvals**

Received.

**02/19.15.4**      **St Marys Flood Risk Management Plan**

<b>FILE REFERENCE</b>	10/18.15.7.235
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## OFFICER'S RECOMMENDATION:

That Council adopt the St Marys Flood Risk Management Plan 2018-2027.

That Council develop the priority actions of the St Marys Flood Risk Management Plan according to availability of external funding and resources and allocation of Council resources.

## INTRODUCTION:

The grant funded St Marys Flood Risk Management project was completed in 2018, including a start to priority flood mitigation works by Council.

The St Marys Flood Risk Management Plan is Council's plan for continuing this work, using and building on the flood studies project to plan and work on the next priorities.

## DISCUSSION:

- Clr Drummond asked, with the vegetation removal which has already happened, will this be revegetated with local species. The NRM Officer advised that it will be as per the report.

#### **COUNCIL DECISION:**

**02/19.15.4.33**      Moved: Clr J McGiveron / Seconded: Clr J Drummond

That Council adopt the St Marys Flood Risk Management Plan 2018-2027.

That Council develop the priority actions of the St Marys Flood Risk Management Plan according to availability of external funding and resources and allocation of Council resources.

**CARRIED UNANIMOUSLY**

#### **02/19.15.5      Old Tasmanian Hotel Upgrades**

<b>FILE REFERENCE</b>	004\005\004\
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#### **OFFICER'S RECOMMENDATION:**

That Council grant permission to lodge Planning and Building approvals for Stage 1 and 2 Upgrades to the Old Tasmanian Hotel only.

#### **INTRODUCTION:**

The concept and detailed design has now been completed for David Denman Architects and Heritage Consultants and permission to proceed with regulatory approvals is being sought.

#### **DISCUSSION:**

- The Building Services Coordinator advised that we anticipate that this process as it involves Heritage Tasmania, can take quite some time and we want to be shovel ready for any future funding opportunities.

#### **COUNCIL DECISION:**

**02/19.15.5.34**      Moved: Clr J Tucker / Seconded: Clr J Drummond

That Council grant permission to lodge Planning and Building approvals for Stage 1 and 2 Upgrades to the Old Tasmanian Hotel only.

**CARRIED UNANIMOUSLY**

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

That Council approve the use of the name "Freeman Road" for the no through road off Irish Town Road currently recognised as Aulichs Road, St Marys. The road is 4740m south of the Irish Town Road intersection with Esk Main Road St Marys, runs for 100m in a south-east direction and 521m in a southern direction.

**PROPOSAL SUMMARY:**

The use of two (2) similarly named roads in close proximity can potentially cause problems with addresses being incorrectly located by private, emergency and commercial interests. The proposal is to re-name one (1) road to be readily identifiable and appropriate to the location of the carriageway.

The provision of official street names and property numbering is important to ensure quick and correct property identification for private, commercial and emergency purposes and enable connections to be made to available reticulated service systems.

**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

**02/19.15.6.35**      Moved: Clr J McGiveron / Seconded: Clr J Drummond

That Council approve the use of the name "Freeman Road" for the no through road off Irish Town Road currently recognised as Aulichs Road, St Marys. The road is 4740m south of the Irish Town Road intersection with Esk Main Road St Marys, runs for 100m in a south-east direction and 521m in a southern direction.

**CARRIED UNANIMOUSLY**

*Meeting adjourned for morning tea at 10.55am*

*Meeting resumed at 11.06am*



## 02/19.16.0 GOVERNANCE

### 02/19.16.1 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 stated that in regards to the Local Action Group he has concerns with how it is integrating with TCCI as well as the manner it is progressing. The General Manager stated that he contacted TASCOS and raised his concerns, he also has concerns as to how the funding is being distributed as well as transparency. There has been no opportunity for a local leadership to develop with this, it needs to be a smaller group with local leadership. Cllr LeFevre stated that he agrees with the General Manager and that he has also emailed and advised that he would be pulling out for the same reasons outlined by the General Manager. Cllr Drummond stated that she has also written to them, she thought they were there with a model for the future earlier at that meeting, she stated that she was exceptionally disappointed. Cllr Wright stated that she thinks the process is quite mind numbing, there are opportunities lacking and they need to do something that is forward moving. The General Manager stated that he also thought at previous meetings that there was a process to move forward, the current approach is lacking, it is not giving local communities the opportunity to grab hold of it and get on with it.
- The General Manager advised that the St Helens Stacked Loop MTB Trail Network appeal has been resolved.

#### COUNCIL DECISION:

**02/19.16.1.36** Moved: Cllr J Drummond / Seconded: Cllr K Chapple

That the General Manager's report be received.

**CARRIED UNANIMOUSLY**

### 02/19.16.2 Policy Review – LG 15 - Intellectual Property Confidentiality Policy

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

To adopt the reviewed LG15 Intellectual Property Confidentiality Policy.

## INTRODUCTION:

The policy is due for routine review.

## DISCUSSION:

No discussion took place on this item.

## COUNCIL DECISION:

**02/19.16.2.37**      Moved: Clr J Tucker / Seconded: Clr B LeFevre

To adopt the reviewed LG15 Intellectual Property Confidentiality Policy.

**CARRIED UNANIMOUSLY**

## **02/19.16.3 Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report**

<b>FILE REFERENCE</b>	039\011\003\
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## OFFICER'S RECOMMENDATION:

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

## INTRODUCTION:

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

## DISCUSSION:

No discussion took place on this item.

## COUNCIL DECISION:

**02/19.16.3.38**      Moved: Clr K Chapple / Seconded: Clr J Drummond

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

**CARRIED UNANIMOUSLY**

#### 02/19.16.4 2018 / 2019 Annual Plan – December Quarterly Review

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

That Council endorse the Review as at the 31 December 2018 of the Break O'Day Council Annual Plan 2018 / 2019.

##### 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 noted that the detail had been worked through at the Council workshop and invited questions from Councillors.

No discussion took place on this item.

##### COUNCIL DECISION:

**02/19.16.4.39**      Moved: Clr J McGiveron / Seconded: Clr L Whittaker

That Council endorse the Review as at the 31 December 2018 of the Break O'Day Council Annual Plan 2018 / 2019.

**CARRIED UNANIMOUSLY**

#### 02/19.16.5 Policy Review – LG 04 - Elected Member Seeking Involvement in Operational Employment Matters Protocol

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

That LG04 – Elected Member Seeking Involvement in Operational Employment Matters Protocol as amended, be adopted.

## INTRODUCTION:

Council is required to review the Elected Member Seeking Involvement in Operational Employment Matters Protocol every four (4) years following a Council election therefore this Policy is now due for revision.

## DISCUSSION:

- The General Manager stated that this is to provide additional clarity around a couple of perspectives – whilst the current policy dealt with Councillors approaching staff internally, this didn't capture what happens outside of the office as well, and the other is the responsibilities under the Work Health and Safety Act. Whilst we can't do anything about members of the public, certainly from a Councillor perspective the policy articulates this.

## COUNCIL DECISION:

**02/19.16.5.40**      Moved: Clr G McGuinness / Seconded: Clr L Whittaker

That LG04 – Elected Member Seeking Involvement in Operational Employment Matters Protocol as amended, be adopted.

**CARRIED UNANIMOUSLY**

## **02/19.16.6 Northern Tasmania Development Corporation Ltd (NTDC) – Regional Economic Development Plan (REDP)**

<b>FILE REFERENCE</b>	039\011\003\
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## OFFICER'S RECOMMENDATION:

That Council review the Northern Tasmania Regional Economic Development Plan (REDP) and provide feedback to Northern Tasmania Development Corporation (NTDC).

## INTRODUCTION:

A key strategic activity of Northern Tasmania Development Corporation has been the development of a Regional Economic Development Plan to provide the guidance necessary to achieve the KPIs for the region which were established in consultation with Councils when NTDC was formed.

## DISCUSSION:

- The General Manager stated that the intent is to embody Councillor comments into a response to NTDC.

## COUNCIL DECISION:

**02/19.16.6.41**      Moved: Clr L Whittaker / Seconded: Clr K Chapple

That Council review the Northern Tasmania Regional Economic Development Plan (REDP) and provide feedback to Northern Tasmania Development Corporation (NTDC).

**CARRIED UNANIMOUSLY**

## 02/19.16.7 Local Government Act Review

FILE REFERENCE	001\006\017\
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## OFFICER'S RECOMMENDATION:

That Council provide a submission addressing:

1. Support for the principles of general competency powers and avoidance of unnecessary prescription;
2. Points raised by Councillors which have been agreed that they should be included.

## INTRODUCTION:

The Tasmanian Government has commenced the major review of Tasmania's local government legislation with the release of an initial Discussion Paper.

## DISCUSSION:

- The General Manager advised that he attended an information session on Friday run by the Local Government Division regarding the Local Government Act Review.
- The General Manager stated that one of the things raised was public notification provisions – within a newspaper circulating within the area – there was no website/social media back when the 1993 Act was prepared. We need to question this as there is a reduced reliance on traditional newspapers as an information source, there could be some flexibility on the way Councils give notifications in the future. We need to think about how communities get information today and potentially into the future.
- Mayor Tucker stated that we should raise the issue of Councillors voting at meetings – if a Councillor votes against a recommendation (whether the decision is carried or lost), it was suggested at the LGAT Elected Member Training on the weekend that Councillors should give their reasons for voting against a recommendation. When acting as the Planning Authority you should only vote “no” in relation to planning or statutory/legislation requirements. Clr Drummond stated that as part of the debate she states why she votes in a certain way. The General Manager stated that from a legal perspective it is not required but it is good for transparency reasons. The General Manager stated that it is quite clear in the Planning Authority section that Council have to give reasons if they have voted against a recommendation and it is lost.

- The General Manager stated another item could be non-pecuniary conflicts of interest. Could there be greater clarity around this as it is not legislated.
- Clr LeFevre stated that he thinks the process that Mayor Tucker has raised in regards to justifying voting has real benefit.
- Mayor Tucker stated that he would like to see it mandatory that Councillors supply reasons for voting against a recommendation, both inside and outside the Planning Authority.
- Clr LeFevre agreed with Mayor Tucker.
- Clrs McGiveron and J Tucker stated that they both support Mayor Tucker's suggestion.
- The General Manager stated that we can raise Mayor Tucker's suggestion – should there be something or not? Without taking an official position to provoke discussion.
- Clr Chapple stated that she would like to see voting compulsory in Local Government elections as State and Federal elections are both compulsory. The General Manager stated that he believes that will be a discussion point through this process, he also noted that the voting processes were fundamentally different, postal voting vs polling places and that all electors were sent a Ballot Paper now.
- Clr Drummond agreed with Clr Chapple.
- The General Manager stated that he will include compulsory voting as part of the submission.
- Clr McGuinness stated that everything on the summary that has been circulated should be raised as discussion points.

#### **COUNCIL DECISION:**

**02/19.16.7.42**      Moved: Clr L Whittaker / Seconded: Clr K Chapple

That Council provide a submission addressing:

1. Support for the principles of general competency powers and avoidance of unnecessary prescription;
2. Points raised by Councillors which have been agreed that they should be included.

**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 Closed Council.

**CARRIED UNANIMOUSLY**

# IN CONFIDENCE

**02/19.17.0**      **CLOSED COUNCIL**

**02/19.17.1**      **Confirmation of Closed Council Minutes – Council Meeting 21 January 2019**

**02/19.17.2**      **Outstanding Actions List for Closed Council**

**02/19.17.3**      **Disposal of Public Open Space – 186 Gardens Road, Binalong Bay –  
Closed Council Item Pursuant to Section 15(2)f of the Local  
Government (Meeting Procedures) Regulations 2015**

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

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

**CARRIED UNANIMOUSLY**

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 12.31pm.

.....  
**MAYOR**

.....  
**DATE**