



# COUNCIL MEETING MINUTES

Monday 18 May 2020  
Electronically Via MS Teams

John Brown, General Manager  
Break O'Day Council  
18 May 2020

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## CONTENTS

CONTENTS .....	3
AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL .....	5
OPENING .....	5
ACKNOWLEDGEMENT OF COUNTRY.....	5
05/20.1.0 ATTENDANCE .....	5
05/20.1.1 Present .....	5
05/20.1.2 Apologies.....	5
05/20.1.3 Leave of Absence .....	6
05/20.1.4 Staff in Attendance .....	6
05/20.2.0 PUBLIC QUESTION TIME.....	6
05/20.2.1 Various Matters in Mathinna - Ms L Robson, Mathinna .....	6
05/20.3.0 DECLARATION OF PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE.....	7
05/20.4.0 CONFIRMATION OF MINUTES.....	7
05/20.4.1 Confirmation of Minutes – Council Meeting 20 April 2020.....	7
05/20.5.0 COUNCIL WORKSHOPS HELD SINCE 20 APRIL 2020 COUNCIL MEETING.....	8
05/20.6.0 PLANNING AUTHORITY .....	8
05/20.6.1 DA 033-2020 – Two (2) New Dwellings - 33 Lawry Heights, St Helens.....	8
05/20.7.0 PETITIONS.....	17
05/20.7.1 Petition – Protection of all Future Potential Production Forests .....	17
05/20.8.0 NOTICES OF MOTION .....	18
05/20.9.0 COUNCILLOR’S QUESTIONS ON NOTICE .....	18
05/20.10.0 COUNCILLOR’S QUESTIONS WITHOUT NOTICE .....	18
05/20.10.1 Ochre Testing Facility and Turn Around for Testing – Clr J Drummond .....	18
05/20.10.2 Rubbish Bins in St Helens Main Street – Clr M Osborne.....	19
05/20.11.0 MAYOR’S & COUNCILLOR’S COMMUNICATIONS.....	19
05/20.11.1 Mayor’s Communications for Period Ending 18 May 2020 .....	19
05/20.11.2 Councillor’s Reports for Period Ending 18 May 2020 .....	20
05/20.12.0 BUSINESS AND CORPORATE SERVICES.....	20
05/20.12.1 Corporate Services Department Report .....	20
05/20.12.2 Monthly Financial Report.....	21
05/20.12.3 Visitor Information Centre Report .....	22
05/20.13.0 WORKS AND INFRASTRUCTURE .....	23
05/20.13.1 Works and Infrastructure Report.....	23
05/20.13.2 Animal Control Report .....	23
05/20.14.0 COMMUNITY DEVELOPMENT .....	24
05/20.14.1 Community Services Report.....	24

05/20.14.2	Crown Land – Mathinna Cemetery – Request to Purchase.....	25
05/20.15.0	DEVELOPMENT SERVICES.....	26
05/20.15.1	Development Services Report.....	26
05/20.16.0	GOVERNANCE.....	27
05/20.16.1	General Manager’s Report.....	27
05/20.16.2	Northern Tasmania Development Corporation (NTDC) Members Agreement 2020 – 2023 and Population Attraction Coordinator .....	28
05/20.16.3	Northern Tasmania Development Corporation (NTDC) – Receipt of Quarterly Report.....	29
05/20.16.4	2019 / 2020 Annual Plan – March Quarterly Review .....	30
05/20.16.5	Review of Council Delegations.....	31
05/20.16.6	Community Care and Recovery Package – COVID-19.....	32
05/20.17.0	CLOSED COUNCIL .....	34
05/20.17.1	Confirmation of Closed Council Minutes – Council Meeting 20 April 2020 .....	34
05/20.17.2	Outstanding Actions List for Closed Council .....	34
05/20.17.3	Contract 030\001\116\ St Helens Foreshore Path - Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015 .	34
05/20.17.4	Contract 030\001\120\ – St Helens Cycle/Walkway – Design & Construct – Separable Portions – Bridge and Elevated Walkway - Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015 .....	35
05/20.17.5	Tender - Contract 030\001\123\ Kerbside Co-Mingled Recyclables Collection Service - Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015 .....	35
05/20.17.6	Contract 030\001\124\ Kerbside General Waste Collection Service - Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015.....	36

## AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

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

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

## OPENING

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

## ACKNOWLEDGEMENT OF COUNTRY

*We 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.*

### 05/20.1.0 ATTENDANCE

#### 05/20.1.1 Present

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

#### 05/20.1.2 Apologies

Nil.

### 05/20.1.3      Leave of Absence

Nil.

### 05/20.1.4      Staff in Attendance

General Manager, John Brown  
Executive Assistant, Angela Matthews  
Manager Community Services, Chris Hughes (*Item 1.0 – 16.5*)  
Manager Corporate Services, Bob Hoogland (*Item 1.0 – 16.3*)  
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 17.6*)  
Development Services Coordinator, Jake Ihnen (*Item 1.0 – 16.3*)  
Planning Consultant, Rebecca Green (*Item 1.0 – 7.1*)  
Communications Coordinator, Jayne Richardson (*Item 1.0 – 17.1*)  
Projects Officer, Stuart Barwick (*Item 1.0 – 17.5*)  
Building Services Officer, Mark Legge (*Item 16.6 – 17.5*)

### 05/20.2.0      PUBLIC QUESTION TIME

There were no people in the gallery due to the COVID-19 situation and the public being unable to attend.

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

### 05/20.2.1      Various Matters in Mathinna - Ms L Robson, Mathinna

1. When will to pot holes near the church be fixed?
2. When will the drain on the church side be fixed?
3. When will Council do something about the rubbish at the Giblin Street and Mangana Street intersection?
4. When will Council put back in place another trial run with the skip bins?
5. We were promised some years ago that our driveways would be done and we are still waiting.
6. The footpath needs to be ripped up and needs re-doing, just wondering when this could happen?

## Reply

1. Council has a Customer Service Request process, where items can be reported and corrective works scheduled. Potholes near the church have not been previously reported to the Council. The Valley Crew will be advised and will address in due course.
2. Drainage work was undertaken 12 months ago.
3. The matter will be investigated.
4. This request will need to be considered by the Council
5. No record exists of a commitment by the Council that driveways would be done. Section 16AA of the Tasmanian Roads and Jetties Act 1935 applies and maintenance of driveways are the responsibility of the person who owns the access.
6. Council has submitted a funding application for this work to be undertaken (Drought Community Funding Round 2).

## 05/20.3.0 DECLARATION OF PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE

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

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

Clr K Chapple declared an interest for Agenda Item number 05/20.17.3 – Contract 030\001\116\ - St Helens Foreshore Path – Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015 as her husband works for a company that submitted a tender for this construction.

## 05/20.4.0 CONFIRMATION OF MINUTES

### 05/20.4.1 Confirmation of Minutes – Council Meeting 20 April 2020

#### OFFICER'S RECOMMENDATION:

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

## DISCUSSION:

No discussion took place on this item.

## COUNCIL DECISION:

**05/20.4.1.69**      Moved: Clr K Wright / Seconded: Clr K Chapple

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

**CARRIED UNANIMOUSLY**

## 05/20.5.0 COUNCIL WORKSHOPS HELD SINCE 20 APRIL 2020 COUNCIL MEETING

There was a Workshop held on Monday 4 May 2020 – the following items were listed for discussion.

- Northern Tasmania Development Corporation (NTDC) Members Agreement 2020 – 2023 and Population Attraction Coordinator
- 2019 / 2020 Annual Plan – March Quarterly Review
- Update – Kerbside Waste Collection Service Costs
- Report from Tender Assessment Panel for Request for Tender's (RFT's) – 030\001\116 and 030\001\120 – Georges Bay Cycleway Extension
- Crown Land – Mathinna Cemetery – Request to Purchase
- Review of Council Delegations
- Northern Tasmania Development Corporation (NTDC) – Receipt of Quarterly Report

## 05/20.6.0 PLANNING AUTHORITY

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

### 05/20.6.1 DA 033-2020 – Two (2) New Dwellings - 33 Lawry Heights, St Helens

FILE REFERENCE	DA 033-2020
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## OFFICER'S RECOMMENDATION:

After due consideration of the representations received pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **2 X DWELLINGS/VISITOR ACCOMMODATION** on land situated at 33 LAWRY HEIGHTS, ST HELENS described in Certificate of Title 9355/70 be **APPROVED** subject to the following conditions:



1. Development must accord with the Development Application DA 033-2020 received by Council 20 February 2020, together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.
2. All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, TWDA **2020/00234-BODC** as attached to this permit.
3. Use of the development must not create a nuisance as defined by the *Environmental Management and Pollution Control Act 1994*.
4. All stormwater runoff from the proposed dwelling and shed must be detained by on-site water storage systems and overflow disposed of within the boundaries of the subject site by means that will not result in soil erosion or other stormwater nuisance.
5. The vehicle crossover from the carriageway to the property boundary must be constructed in accordance with standard drawing TSD-R09-v1 (attached – the drawing details the extra width) and maintained in general accordance with the vehicular crossing requirements of Council's Infrastructure & Development Services Manager. The construction of a standard duty vehicular crossover will provide effective, safe and nuisance-free vehicle access in connection with the proposed development and must be financed by the applicant.
6. No works are to commence on the crossover until a permit to undertake works in the road reservation has been issued by Council's Works Operations Manager for the crossover.
7. The areas shown to be set aside for vehicle access and car parking must be:
  - a. Completed prior to the use of the development commencing;
  - b. Designed and laid out in accordance with provisions of E6.0 of the *Break O'Day Interim Planning Scheme 2013*;
  - c. Constructed with a impervious surface and drained in a manner that will not cause stormwater nuisance to occupants of adjoining properties; and
  - d. Line-marked or delineated to identify car parking spaces.
8. Prior to the use commencing on site, the northern first floor window of Unit 1 must have a fixed external privacy shutter which will maintain light and ventilation to the internal room but prevent overlooking to adjacent properties.
9. No signage is approved as a part of this permit; any future signage will be subject to a separate application should it be required.
10. 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.
11. 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.
12. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the dwellings/visitor accommodation units being occupied on the subject site.

## 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 Infrastructure & Development Services Manager.

- 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:**

Application is made for the use and construction of two (2) dwellings that are to be used for either or a combination of short-medium term stays (visitor accommodation) and residential use at 33 Lawry Heights, St Helens. Residential use in the General Residential Zone is a permitted use if not for a single dwelling, under Table 10.2 of the *Break O'Day Interim Planning Scheme 2013*. Visitor Accommodation, under Planning Directive No. 6 (effective 1 August 2018) is also permitted use within the General Residential Zone.



















## DISCUSSION:

- The Planning Consultant advised that this application relied on six (6) performance criteria, one of which was in relation to the gross floor area exceeding 200m<sup>2</sup> which comes from the Planning Directive 6.
- The Planning Consultant advised that one (1) representation was received and the representor is not immediately adjacent to the site, there is a public footway in between the two (2) properties. However it was difficult to identify what the true concerns were of the representor.
- The Planning Consultant advised that this is recommended for approval with standard conditions plus one (1) other that is not standard which is in regards to a screening device in unit 1. This screening device does form part of the application however by adding the condition just makes sure that this occurs by way of the condition.
- Cllr Osborne stated that it meets all of the criteria for the Planning Scheme.
- Cllr McGiverson stated that he has been past the site and supports the application.
- Cllr Chapple asked in relation to the gross floor area being greater than 200m<sup>2</sup>, is this because it is a single bedroom dwelling. The Planning Consultant advised that Planning Directive 6's main intention was to exempt all substantive visitor accommodation in residential zones, mainly for conversions of existing dwellings to visitor accommodation. The two (2) units do exceed this even though they are only single bedrooms each. Cllr Chapple stated that she thinks this is a good design for the block as it is quite steep.
- Cllr Drummond stated, in the representation the person refers to the streetscape not being compatible with the purpose of the area. The Planning Consultant stated that they have talked about the design rather than the use of the dwellings, it is quite hard to determine what the principle issue of the representation was, there is nothing to do with height or set back it is protrusion outside the size of the building.

## COUNCIL DECISION:

05/20.6.1.70

Moved: Cllr M Osborne / Seconded: Cllr J McGiverson

After due consideration of the representations received pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **2 X DWELLINGS/VISITOR ACCOMMODATION** on land situated at 33 LAWRY HEIGHTS, ST HELENS described in Certificate of Title 9355/70 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 033-2020 received by Council 20 February 2020, together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.
2. All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, TWDA **2020/00234-BODC** as attached to this permit.
3. Use of the development must not create a nuisance as defined by the *Environmental Management and Pollution Control Act 1994*.
4. All stormwater runoff from the proposed dwelling and shed must be detained by on-site water storage systems and overflow disposed of within the boundaries of the subject site by means that will not result in soil erosion or other stormwater nuisance.

5. The vehicle crossover from the carriageway to the property boundary must be constructed in accordance with standard drawing TSD-R09-v1 (attached – the drawing details the extra width) and maintained in general accordance with the vehicular crossing requirements of Council's Infrastructure & Development Services Manager. The construction of a standard duty vehicular crossover will provide effective, safe and nuisance-free vehicle access in connection with the proposed development and must be financed by the applicant.
6. No works are to commence on the crossover until a permit to undertake works in the road reservation has been issued by Council's Works Operations Manager for the crossover.
7. The areas shown to be set aside for vehicle access and car parking must be:
  - a. Completed prior to the use of the development commencing;
  - b. Designed and laid out in accordance with provisions of E6.0 of the *Break O'Day Interim Planning Scheme 2013*;
  - c. Constructed with a impervious surface and drained in a manner that will not cause stormwater nuisance to occupants of adjoining properties; and
  - d. Line-marked or delineated to identify car parking spaces.
8. Prior to the use commencing on site, the northern first floor window of Unit 1 must have a fixed external privacy shutter which will maintain light and ventilation to the internal room but prevent overlooking to adjacent properties.
9. No signage is approved as a part of this permit; any future signage will be subject to a separate application should it be required.
10. 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.
11. 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.
12. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the dwellings/visitor accommodation units being occupied on the subject site.

## 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 Infrastructure & Development Services Manager.
- 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.*



## 05/20.7.0

## PETITIONS

### 05/20.7.1

### Petition – Protection of all Future Potential Production Forests

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

That Council receive the petition and note that the NRM Officer is already investigating this matter and a report will be provided to Council.

#### INTRODUCTION:

The petition which was received on the 8 April 2020 and the following was proposed on the petition:

We the electors of the Break O'Day Municipality area petition the Mayor and the Councillors in accordance with the *Local Government Act 1993* to:

Support the protection of all Future Potential Production Forests in the Break O'Day Municipality in secure conservation reserves under the *Nature Conservation Act 2002*.

#### DISCUSSION:

- Cllr Drummond stated that she thinks it is an important matter and we have requested information from the State Government and it has not been forthcoming as yet but we need this to make an informed decision on this matter.
- Cllr Osborne stated that we need to put out some rules and regulations with regard to petitions, put it in our newsletter, people need to be aware of what they need to do when signing a petition. The General Manager advised that there is a section on our website which sets out quite clearly the requirements, we still look at the substantive nature of petitions anyway whether they meet the Legislative requirements or not. Cllr Osborne stated that she is concerned with parents getting their kids to sign petitions when they are not supposed to. Cllr LeFevre stated that he is going to bring up in the next workshop that there have been various topics come up with a number of kids involved, we need to review the process.
- Cllr McGuinness asked for a point of clarification, a Councillor signed the petition, can a Councillor then vote on whether we accept it or not. Mayor Tucker stated that we cannot force any Councillor to declare any interest it is up to them, however in this case we are not making a decision we are only voting to receive the petition. The General Manager stated that certainly with regard to the mechanics, Councillors just need to be aware of the elected member training with regard to signing a petition versus voting in relation to a substantive matter.
- Cllr Drummond stated that a petition does show what is of interest to the community and thinks that youth are the upcoming people who could take up leadership roles in our community so we can't dismiss their views either, even though they are under 18 and can't vote yet.

## COUNCIL DECISION:

**05/20.7.1.71**                      Moved: Clr J Drummond / Seconded: Clr L Whittaker

That Council receive the petition and note that the NRM Officer is already investigating this matter and a report will be provided to Council.

**CARRIED UNANIMOUSLY**

## **05/20.8.0**                      **NOTICES OF MOTION**

Nil.

## **05/20.9.0**                      **COUNCILLOR'S QUESTIONS ON NOTICE**

Nil.

## **05/20.10.0**                      **COUNCILLOR'S QUESTIONS WITHOUT NOTICE**

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

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

### **05/20.10.1**                      **Ochre Testing Facility and Turn Around for Testing – Clr J Drummond**

It has been reported that the Ochre testing facility in St Helens has a five (5) day turn around for COVID-19 test results whereas the Launceston clinic has a turn around of two (2) days. The five (5) day waiting period makes it challenging for some to self-isolate at home with families.

Is there some way Council is able to work with Ochre to reduce the waiting time for results and achieve an equity in service provision with the Launceston clinic.

#### **Reply**

Yes, Council will raise the matter with Ochre Health and the State Government seeking an explanation as to whether this is the situation and why this is occurring. We will be strongly advocating for this time to be reduced as much as possible, hopefully in line with Launceston testing times.

When the new rubbish bins were put in the main street, why wasn't there any consultation with the Disability Action Committee?

### Reply

There has been no conscious decisions to omit the Disability Action Committee from discussions. Some temporary wheelie bins have been placed in the streetscape to manage hygiene risks to employees associated with COVID-19 controls.

Given that accessibility is a matter for the whole community, we would be pleased to include the Disability Action Committee on any such matters in the future.

22.04.2020	<b>St Helens</b> Via web	– Meeting with Minister Mark Shelton, Local Government Association of Tasmania (LGAT), Tasmanian Councils. Discuss COVID-19
28.04.2020	<b>St Helens</b> Via web	– TasWater Owners Representative Group Information Session
29.04.2020	<b>St Helens</b> Via web	– General Management Committee COVID-19 catch up
04.05.2020	<b>St Helens</b> Via web	– Council Workshop
04.05.2020	<b>St Helens</b> Via web	– Meeting with Minister Mark Shelton, Local Government Association of Tasmania (LGAT), Tasmanian Councils. Discuss COVID-19 – Local Government Recovery Planning
06.05.2020	<b>St Helens</b> Via web	– Northern Tasmanian Development Corporation (NTDC) members meeting
08.05.2020	<b>St Helens</b> Via web	– East Coast Regional Tourism Organisation – Sip & Chat
13.05.2020	<b>St Helens</b> Via web	– Local Government Association of Tasmania (LGAT) - General Management Committee (GMC) meeting
18.05.2020	<b>St Helens</b> Via web	– 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 Margaret Osborne OAM

- No meetings.

NRM Special Committee – Clr Janet Drummond

- No meeting has taken place although Clr Drummond has requested an online meeting as there are some pressing issues.

Barway Committee – Clr John McGiveron

- Nothing further to add.

East Coast Tasmania Tourism (ECTT) – Clr Glenn McGuinness

- Circulated the minutes of the last meeting to Councillors.
- Working in partnership with DSG and Tourism Tas.
- In addition to developing the new Strategic Plan, ECTT are also working in partnership with the Department of State Growth and Tourism Tasmania, on refreshing the Great Eastern Drive journey. A working group has been formed to assist in the development of the Great Eastern Drive.

In the process of reviewing the Great Eastern Drive journey, including the brand, it is important to review the brand hierarchy of East Coast Tasmania and digital assets.

Tourism Tasmania are funding the brand review/analysis and the agency, The20, will be doing a presentation to the ECTT Board in the next few weeks.

Mental Health Action Group – Clr Barry LeFevre

- No meetings.

Disability Access Committee – Clr Janet Drummond

- No meetings.

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

That the report be received.

## INTRODUCTION:

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

## DISCUSSION:

- The Manager Corporate Services reported that Council's Work Health & Safety Officer has advised that there has been a subsequent act of vandalism and theft, the cardboard trailer from the Pyengana Waste Transfer Station was stolen with damage to the gate etc the cost of approximately \$3,000 to replace and repair the damaged items.
- The Manager Corporate Services advised that the interest rates are dropping on the term deposits.

## COUNCIL DECISION:

**05/20.12.1.72**      Moved: Clr K Wright / Seconded: Clr J McGiveron

That the report be received.

**CARRIED UNANIMOUSLY**

## 05/20.12.2      Monthly Financial Report

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

That the following reports for the month ending 30 April 2020 be received:

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

## INTRODUCTION:

Presented to Council are the monthly financial statements.

## DISCUSSION:

The Manager Corporate Services advised that he had nothing further to add.

## COUNCIL DECISION:

**05/20.12.2.73**      Moved: Clr K Chapple / Seconded: Clr M Osborne

That the following reports for the month ending 30 April 2020 be received:

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

**CARRIED UNANIMOUSLY**

## **05/20.12.3**      **Visitor Information Centre Report**

<b>FILE REFERENCE</b>	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 work that can be undertaken at the VIC is starting to taper, however there are leave options available for the staff without having to stand any down.

## COUNCIL DECISION:

**05/20.12.3.74**      Moved: Clr K Chapple / Seconded: Clr J Drummond

That the report be received.

**CARRIED UNANIMOUSLY**

## 05/20.13.0 WORKS AND INFRASTRUCTURE

### 05/20.13.1 Works and Infrastructure Report

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

That the report be received by Council.

#### INTRODUCTION:

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

#### DISCUSSION:

- The Manager Infrastructure and Development Services advised that Bridge #2293 in Cecilia Street we were about to undertake deck replacement repairs to this bridge and we have had the bridge inspected and found that the beams have deteriorated so we have deferred this project for a further three (3) years to then undertake a more extensive replacement.
- Cllr Drummond asked in relation to outstanding item – 11/19.8.1.226 – the dual access track to Swimcart, when will we be able to talk to the community about this and get feedback. The General Manager advised that we are currently working through the concept with Parks & Wildlife Services so once we have more detail including the ecological assessment and an Aboriginal Heritage report undertaken then we can go further with engagement with the community. The General Manager stated that as much as possible we are staying on existing alignments, which means using already disturbed areas.

#### COUNCIL DECISION:

**05/20.13.1.75** Moved: Cllr M Osborne / Seconded: Cllr G McGuinness

That the report be received Council.

**CARRIED UNANIMOUSLY**

### 05/20.13.2 Animal Control Report

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

That the report be received by Council.

## INTRODUCTION:

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

## DISCUSSION:

- Cllr Drummond stated that recently someone raised with her whether it is possible that when we send out dog registration reminders could we send a covering notice with what the responsibilities of dog owners are. The General Manager advised that the dog renewal notices have already gone out now for this year however we will have to look at other avenues.

## COUNCIL DECISION:

**05/20.13.2.76**      Moved: Cllr J McGiveron / Seconded: Cllr J Drummond

That the report be received Council.

**CARRIED UNANIMOUSLY**

## **05/20.14.0**      **COMMUNITY DEVELOPMENT**

### **05/20.14.1**      **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 in regards to the Burns Bay car park that we are working on a draft plan which has been provided to Parks & Wildlife Services, therefore we are waiting on their feedback, the draft plan is not set in concrete as we have to go to consultation on this.
- The Manager Community Services advised that she is receiving a mixed bag of feedback with regard to Wrinklers.



- Clr Drummond asked in relation to construction activity on Loila Tier Road. The trees that have been pushed over there, did we have a permit from Crown Land or Parks & Wildlife Services to do this. The General Manager advised that yes there were permits for this work. Clr Drummond asked in relation to the current closure of the Bay of Fires Trail, what are the weather conditions needed to open that trail. The General Manager stated that it is more to do with the top end and the amount of rain that has been up there, it may only be the bottom half that is opened and not the top half for now. As has been mentioned before we have to be careful with the new track until it settles down more.

#### **COUNCIL DECISION:**

**05/20.14.1.77**      Moved: Clr M Osborne / Seconded: Clr K Wright

That the report be received.

**CARRIED UNANIMOUSLY**

#### **05/20.14.2    Crown Land – Mathinna Cemetery – Request to Purchase**

<b>FILE REFERENCE</b>	009\004\002\
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#### **OFFICER’S RECOMMENDATION:**

That Council purchase the land to which the Mathinna Cemetery is located on instead of entering into a lease arrangement with Property Services for an extended period of time.

#### **INTRODUCTION:**

Property Services have advised Council that we do not have a current lease on the Mathinna Cemetery and if we wished to continue to use it, Council would need to enter into the appropriate lease arrangement.

#### **DISCUSSION:**

No discussion took place on this matter.

#### **COUNCIL DECISION:**

**05/20.14.2.78**      Moved: Clr M Osborne / Seconded: Clr J McGiveron

That Council purchase the land to which the Mathinna Cemetery is located on instead of entering into a lease arrangement with Property Services for an extended period of time.

**CARRIED UNANIMOUSLY**

## 05/20.15.0 DEVELOPMENT SERVICES

### 05/20.15.1 Development Services Report

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

That the report be received.

#### INTRODUCTION:

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

#### DISCUSSION:

- The Development Services Coordinator stated that he had nothing further to add.
- Cllr LeFevre asked, how are things going, are they tapering off? The Development Services Coordinator stated that at the moment we aren't seeing a significant drop however designers have advised that they have had a few projects put on hold but they are running steady at the moment.
- Cllr Drummond asked in relation to legalisation of vegetation removal at Goshen, she is concerned about these after the event has happened, should these sorts of things come back to Council with regard to re-vegetation as she is concerned that we see a number of these come forward. The Development Services Coordinator stated that this triggers the Biosecurity Code, these have to be advertised and if we receive representations that is when it comes to Council, therefore it is approved by the Planning Authority under delegation with conditions.

#### COUNCIL DECISION:

**05/20.15.1.79**      Moved: Cllr K Chapple / Seconded: Cllr B LeFevre

That the report be received.

**CARRIED UNANIMOUSLY**

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 commented in regards to the Tasman Highway and Skyline Drive intersection works. Consultation was undertaken by the Department of State Growth and Pitt & Sherry and was well attended by the community. They are preparing a summary paper in regards to the engagement. The intention is to undertake works in the current construction window, probably around September.
- COVID-19 – Council operations – we need to be in step with the State Government and the reopening of the 3 stages.
  - o Playgrounds etc will open over the next day or so with appropriate signage.
  - o The actual workplace –
    - Outside
      - the ongoing impact is with regard to construction works with people working in close confines, the rest of the activities around staggered start and finish may stay in operation.
    - Office
      - we are working on the safe work plan, this is being finalised although the State Government are still promoting working from home within Stage 1 and 2,
      - we are looking at how we manage the opening of the reception and face to face meetings within the office,
      - triaging people coming to work with cold type symptoms as there is an encouragement to stay at home if not well, and
      - Council's Work Health & Safety Officer has done a huge amount of work in locking everything down over the last two (2) months and now working to bring things back.
      - We will also change messaging on the radio as required.

- Clr LeFevre asked the General Manager if he or the Mayor during meetings had any discussions where back burning is occurring, with people at home and not camping they could have been doing a lot more back burning throughout the whole state. The General Manager advised that Parks & Wildlife Services and the Tas Fire Services have their plans in place although he agrees they could have done a bit more but it would be around resourcing. Mayor Tucker stated that he has also spoken to these agencies and they have to get permits and there are quite a few areas locally that have been identified for back burning over coming weeks.

#### **COUNCIL DECISION:**

**05/20.16.1.80**      Moved: Clr G McGuinness / Seconded: Clr J Drummond

That the General Manager's report be received.

**CARRIED UNANIMOUSLY**

#### **05/20.16.2 Northern Tasmania Development Corporation (NTDC) Members Agreement 2020 – 2023 and Population Attraction Coordinator**

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

That Council

1. Endorse the draft Northern Tasmania Development Corporation (NTDC) Members' Agreement 2020-2023 and in doing so, agree to remain a member of Northern Tasmania Development Corporation for the duration of the agreement; and
2. Agree to continue to fund the Northern Tasmania Development Corporation's (NTDC) Population Attraction Coordinator position.

#### **INTRODUCTION:**

The Break O'Day Council has now been supporting Northern Tasmania Development Corporation (NTDC) for three (3) years through the original Members Agreement which was established in February 2017. Consideration now needs to be given to Council's ongoing support for NTDC through a new Agreement incorporating some changed arrangements.

#### **DISCUSSION:**

- The General Manager stated that there is a new direction within NTDC and a lot of this has come about with the new CEO, Mark Baker.
- The General Manager stated that NTDC need to be very mindful of where we are on the fringe of the northern region and represent us as well.
- The General Manager stated that NTDC are also working very hard within the circular economy concept.

- Clr Whittaker asked, what is the cost, is it about \$27,000 per year. The General Manager advised that it is approximately \$27,000 and it is based around the population formula.

#### **COUNCIL DECISION:**

**05/20.16.2.81**      Moved: Clr B LeFevre / Seconded: Clr J McGiveron

That Council

1. Endorse the draft Northern Tasmania Development Corporation (NTDC) Members' Agreement 2020-2023 and in doing so, agree to remain a member of Northern Tasmania Development Corporation for the duration of the agreement; and
2. Agree to continue to fund the Northern Tasmania Development Corporation's (NTDC) Population Attraction Coordinator position.

**CARRIED UNANIMOUSLY**

#### **05/20.16.3 Northern Tasmania Development Corporation (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 (NTDC).

#### **INTRODUCTION:**

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

#### **DISCUSSION:**

- Clr Drummond commented that we are monitoring this quarterly, if as a group in the future we don't feel benefit from the group, would we then be able to review whether we would remain members of the group. The General Manager advised that there is a clause in the constitution for the opportunity to cease involvement through giving the required notice.

## COUNCIL DECISION:

**05/20.16.3.82**      Moved: Clr M Osborne / Seconded: Clr K Chapple

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

**CARRIED UNANIMOUSLY**

*Meeting adjourned for morning tea at 10.56am*

*Meeting resumed at 11.09am*

## 05/20.16.4    2019 / 2020 Annual Plan – March Quarterly Review

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

That Council endorse the Review as at the 31 March 2020 of the Break O'Day Council Annual Plan 2019/2020.

## INTRODUCTION:

The Annual Plan is a requirement of Section 71 of the *Local Government Act 1993* as follows:

*An Annual Plan is to –*

- (a) be consistent with the strategic plan; and*
- (b) include a statement of the manner in which the Council is to meet the goals and objectives of the strategic plan; and*
- (c) include a summary of the estimates adopted under section 82; and*
- (d) include a summary of the major strategies to be used in relation to the Council's public health goals and objectives.*

## DISCUSSION:

- The General Manager advised that we are down a bit in the Economic Development area. Some of these actions are impacted in some ways by requiring actions of external agencies.
- The General Manager stated that some actions are there so we can investigate and see what we can do in this space, some of them we can't achieve anything in any one year but will take a number of years.
- The General Manager stated that Tourism has a couple of activities which is also pulling the total percentage down a little as well. The Visitor Information provision is really in the hands of East Coast Tasmania Tourism (ECTT) and they have been told that this is a priority of Council.

- The General Manager stated that the activities around the environment have quite a significant impact on where we are sitting within our plan progress. The NRM Officer is working on this and he is working on getting this back in line as soon as possible.
- The General Manager stated that there is not too much disruption in the infrastructure area.
- The General Manager stated that the impact of COVID-19 on our final situation is hard to tell at this stage, the main issue/s may probably be more around anything that requires some sort of engagement process or someone visiting Council.

#### **COUNCIL DECISION:**

**05/20.16.4.83**      Moved: Clr B LeFevre / Seconded: Clr M Osborne

That Council endorse the Review as at the 31 March 2020 of the Break O'Day Council Annual Plan 2019/2020.

**CARRIED UNANIMOUSLY**

#### **05/20.16.5**      **Review of Council Delegations**

<b>FILE REFERENCE</b>	014\002\010\
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#### **OFFICER'S RECOMMENDATION:**

That having conducted a review of Council's Delegations Register in accordance with Section 22 of the *Local Government Act 1993*, the Council adopt the Delegations Register dated April 2020.

#### **INTRODUCTION:**

The aim of the report is to provide Council with an updated "Break O'Day Delegations Register April 2020" following the annual review as required under the *Local Government Act 1993*.

#### **DISCUSSION:**

- The General Manager advised that this is bringing things into line with some changes around positions.

#### **COUNCIL DECISION:**

**05/20.16.5.84**      Moved: Clr B LeFevre / Seconded: Clr K Chapple

That having conducted a review of Council's Delegations Register in accordance with Section 22 of the *Local Government Act 1993*, the Council adopt the Delegations Register dated April 2020.

**CARRIED UNANIMOUSLY**

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

That Council note the report and increasing focus on community support, including National Volunteers Week recognition, and engagement with the business community of Break O'Day.

**INTRODUCTION:**

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

**DISCUSSION:**

- The General Manager stated that he will include this item each month in both the Council Workshop and Council Meeting for ongoing review.
- The General Manager stated that people have been appreciative of what Council has tried to achieve.
- The General Manager stated that the report for the next quarter will be the one to watch to see what the impact is with regard to the rates.
- The General Manager advised that the correspondence with regard to the waiving of the fees for food premises have been sent out and there has been a good steady flow of those coming back in ready for when they can re-open.
- The General Manager advised that he has had conversations with the BEC as to what they have been doing to make sure there are no people dropping through the cracks in receiving support, we will continue to coordinate this with the BEC.
- The General Manager stated that we are working with volunteers as some of them are feeling a bit lost and we are trying to continue to maintain contact with them, eg the Online Access Centre at Fingal, the volunteers are not allowed to help out even with good work practices, screening etc in place. Cllr Osborne stated that they have been having a similar issue with the tip shop volunteers, they are feeling disconnected and they are looking forward to being able to get back into action again. Cllr Drummond stated that she agreed with regard to the volunteers. This is National Volunteer Week – the St Marys Op Shop have decided to re-open this week heading into winter people are looking for some warmer clothes.
- Cllr Drummond asked in relation to projects getting to shovel ready stage. We have already taken to ALGA previously as a motion the request for the re-instating of the Green Army project. This would be an opportune time to create employment and support economic activity within the area, the Drought Communities Programme was greatly appreciated by the community. This might be the opportunity to push again for Regional areas. Another one is to push with the State Government that when road works are being done, dedicated bike lanes be incorporated into these works, Cllr Drummond believes this is something else we can advocate for.



## COUNCIL DECISION:

**05/20.16.6.85**      Moved: Clr M Osborne / Seconded: Clr G McGuinness

That Council note the report and increasing focus on community support, including National Volunteers Week recognition, and engagement with the business community of Break O'Day.

**CARRIED UNANIMOUSLY**

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

Moved: Clr K Wright / Seconded: Clr M Osborne That Council move into Closed Council.

**CARRIED UNANIMOUSLY**

# IN CONFIDENCE

05/20.17.0

CLOSED COUNCIL

05/20.17.1

Confirmation of Closed Council Minutes – Council Meeting 20 April 2020

05/20.17.2

Outstanding Actions List for Closed Council

*Clr K Chapple left the meeting at 11.33am – The General Manager confirmed that Clr K Chapple left the meeting.*

05/20.17.3

Contract 030\001\116\ St Helens Foreshore Path - Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015

## COUNCIL DECISION:

### RELEASED IN OPEN MINUTES

05/20.17.3.CC

Moved: Clr B LeFevre / Seconded: Clr M Osborne

That the Council award Contract 030\001\116\ “St Helens Foreshore Path” as a low tidal inundation risk option to Streetwise Developments.

### CARRIED UNANIMOUSLY

*Clr K Chapple returned to the meeting at 11.44am – The General Manager confirmed her attendance.*

**05/20.17.4 Contract 030\001\120\ – St Helens Cycle/Walkway – Design & Construct – Separable Portions – Bridge and Elevated Walkway - Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015**

**COUNCIL DECISION:**

**RELEASED IN OPEN MINUTES**

**05/20.17.4.CC** Moved: Clr M Osborne / Seconded: Clr J McGiveron

That Council consider and approve funding arrangements and Contract awards to enable the extension of the shared walkway and cycle path from vicinity of Lawry Heights intersection to the St Helens wharf area, as follows:

- i. That delegation is given to the General Manager to award Contract 030\001\120\ “St Helens Cycle /Walkway, Design & Construct, Separable Portions – Bridge & Elevated Walkway” to BridgePro Engineering.
- ii. Additional funding of \$123,511 is allocated in the 2020/2021 FY Capital Budget to cover shortfall of grant funds, and for a contingency for latent conditions such as piling depths and other underground issues.

**CARRIED UNANIMOUSLY**

**05/20.17.5 Tender - Contract 030\001\123\ Kerbside Co-Mingled Recyclables Collection Service - Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015**

**COUNCIL DECISION:**

**RELEASED IN OPEN MINUTES**

**05/20.17.5.CC** Moved: Clr B LeFevre / Seconded: Clr G McGuinness

That the Council award Contract 030\001\123\ “Kerbside Co-Mingled Recyclables Collection Service” (excluding provisional service items Bin Maintenance and Delivery) to JJ’s Waste & Recycling for the tendered service rates and subject to the resolution of outstanding matters; The Kerbside Co-Mingled Recyclables Collection Schedule and Fuel Increases.

That Council’s General Manager is authorised to enter into a contract with JJ’s Waste & Recycling subject to the successful resolution of outstanding matters; The Kerbside Co-Mingled Recyclables Collection Schedule and Fuel Increases.

**CARRIED UNANIMOUSLY**

**05/20.17.6 Contract 030\001\124\ Kerbside General Waste Collection Service - Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015**

**COUNCIL DECISION:**

**RELEASED IN OPEN MINUTES**

**05/20.17.6.CC** Moved: Clr J McGiveron / Seconded: Clr J Drummond

That the Council terminate the Tender process for Contract 030\001\124\ “Kerbside General Waste Collection Service”.

**CARRIED UNANIMOUSLY**

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

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

**CARRIED UNANIMOUSLY**

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 12.02pm.

.....  
**MAYOR**

.....  
**DATE**