



COUNCIL MEETING MINUTES

Monday 20 January 2020
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
20 January 2020

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AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

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

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

OPENING

The Mayor welcomed Councillors, staff and members of the public 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.

01/20.1.0 ATTENDANCE

01/20.1.1 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

01/20.1.2 Apologies

Nil.

01/20.1.3 Leave of Absence

Councillor Kylie Wright

01/20.1.4 Staff in Attendance

General Manager, John Brown
Executive Assistant, Angela Matthews
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 17.3*)
Manager Community Services, Chris Hughes (*Item 1.0 – 15.1*)
Manager Corporate Services, Bob Hoogland (*Item 1.0 – 16.1*)
Building Services Coordinator, Jake Ihnen (*Item 1.0 – 16.1*)
Senior Town Planner, Nick Cooper (*Item 1.0 – 16.1*)
Communications Coordinator, Jayne Richardson (*Item 1.0 – 16.1*)

01/20.2.0 PUBLIC QUESTION TIME

11 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.

01/20.2.1 Scamander Barway – Mr P Beattie, Scamander

To all Councillors as you are aware we are on a stage three (3) water restriction in Scamander, which is forcing water to be carted in to maintain town water supply. Which is also causing the death of fish species further up the river as there is lack of rainfall. Therefore I am asking you to open the barway at Scamander to allow the tides to flush the river.

Reply

The Manager Infrastructure & Development Services referred Mr Beattie's question to the Parks & Wildlife Service (PWS).

PWS have provided a copy of the Barway Breaching Policy.

There is basically three (3) main reasons that allow intervention in natural processes. These are;

1. If there is a threat to life,
2. If there is a significant threat to property
3. If there is a health risk.

At this stage none of these trigger points have been reached.

PWS received a call last week from Council's Community Services Manager to see if the reported fish deaths in the upper reaches of the Scamander river would be considered a health risk and therefore trigger the release. PWS advised that if the Council's Environmental Health Officer could provide advice the water quality triggered a public health risk, then PWS could certainly pursue that option. At this stage there is no evidence to support this option.

Some of the recent fish deaths have occurred in a section of the Scamander River at the top of the estuary many kilometres above the barway where tidal flushing does not occur and opening the Scamander Barway would not have any effect on this section of the river.

There was a similar instance of a very dry period back in 2015 where there were fish deaths in the Upper Scamander River. Fish samples were taken to the Mt Pleasant laboratories for testing and the report back was that it was considered a natural cause of death, likely due to the low water flows and lower than normal oxygen levels on top of warm water temperatures.

On Thursday 16 January 2020, the Tasmanian EPA commenced an investigation into the fish deaths at Upper Scamander.

On Friday 17 January 2020, Council's EHO independently collected water samples and submitted to these for assay. Results not advised at the time of writing this reply 22 January 2020.

01/20.2.2 Water Restrictions, Scamander – Mr P Beattie, Scamander

As the Council has promoted the area the influx of residents has put more stress on the resources we have in the municipality, therefore I am asking that all new residential buildings have a minimum of 10,000 litre rainwater tanks installed.

Reply

The *Break O Day Interim Planning Scheme* requires water tanks to be installed in the zones listed below as an "acceptable solution". An owner or applicant may propose a "performance solution" to remove the requirement to provide water tanks under the planning scheme. Currently there is no legislative ability to mandate new residential buildings to be provided with a minimum size of water tanks for domestic use.

The *Building Act 2016* requires that a non-combustible 10,000 litre supply be provided in Bushfire Prone areas where new works are proposed and a reticulated water supply point is not available however, this supply is required to be dedicated for firefighting purposes only.

The following zones require water tanks to be installed as an “Acceptable Solution” under the Break O Day Interim Planning Scheme.

- General Residential
- Low Density Residential
- Environmental Living
- Village
- Community Purpose
- Recreation
- Local Business
- General Business
- General Industrial
- Environmental Management
- Particular Purpose - Ansons Bay Small Lot Residential

01/20.2.3 Public Open Space, Scamander – Mrs C Mackeen, Scamander

At the Break O’Day Councils meeting on the 18 November 2019 the following question was asked by Mrs Sandra French on behalf of the many Scamander residents who signed two (2) petitions opposing the sale and proposed development by Centacare of Public Open Space land at Oberon Place (PID 2948700) Scamander:

Will the Council rescind its previous decision to dispose of Public Open Space at Oberon Place (PID 2948700), rezone the land to Open Space under the Break O’Day Planning Scheme and return the land to the local community?

The Councils response in the Minutes of that meeting was that they would make a decision on this issue at their next meeting on the 16 December 2019.

The petition submitted to Break O’Day Council in November for Oberon Place regarding the public open space was dealt with by Councillors at the 16 December 2019 Council Meeting by rescinding its previous motion which read:

That the Council rescind the following Council decision – That Council agree to sell the land to Centacare Evolve Housing (or successor body) for the purpose of building affordable housing and that should the project not proceed the land revert to Council ownership. – Carried Unanimously.

The second half of the question asked at the November meeting requesting Council to rezone the land to Open Space under the Break O’Day Planning Scheme and returned the land to the local community has yet to be addressed.

This means that as it stands the land at Oberon Place (PID 2948700) is still classified on its title as public open space but zoned as General Residential under the Break O’Day Planning Scheme and as such is still able to be sold for residential development.

Will Council rule out the sale of the Public Open Space land at Oberon Place (PID 2948700) and rezone the land to Open Space for the public benefit of Scamander residents as was intended in the original development application (DA146-06) approved by Council in 2006?

Reply

The question requires consideration by Council with advice being provided by a qualified person pursuant to Section 65 of the Local Government Act 1993 to enable a decision to be made on this request. The zoning of the land at Oberon Place could be addressed as part of the current Statewide Planning Scheme process.

01/20.2.4 Public Open Space – Oberon Place, Scamander – Mr T Dudley obo NE Bioregional Network, St Helens

Is the Council still seeking to remove the Public Open Space notations from land at Oberon Place (PID 2948700) Scamander and Falmouth Street (PID 2503461) St Helens.

Reply

This is under review by Council.

01/20.2.5 Rezone Public Open Space – Falmouth Street, St Helens – Mr T Dudley obo NE Bioregional Network, St Helens

Does the Council intend to or is it in the process of rezoning Public Open Space land at Falmouth Street (PID 2503461) to General Residential despite the fact that a watercourse runs through the middle of this narrow piece of land making it flood prone?

Reply

Council is not in the process of rezoning this land to General Residential

01/20.2.6 Public Open Space – Falmouth Street, St Helens – Mr T Dudley obo NE Bioregional Network, St Helens

Has Council properly assessed the value of retaining the Public Open Space at Falmouth Street (PID 2503461) for the purposes of maintaining water quality (including stormwater velocity, quantity and quality) entering Georges Bay, erosion control/land stability, nature conservation values (including Eucalyptus ovata habitat a critically endangered forest type that could easily be restored onsite) and recreation tracks (linking with the Public Reserve directly downstream from the land) as a community asset?

Reply

This is under review by Council.

01/20.2.7 Discussions Regarding Construction of Houses or Units - Public Open Space – Falmouth Street, St Helens – Mr T Dudley obo NE Bioregional Network, St Helens

Has Council been in discussions with Centacare regarding building houses or units on the land on Public Open Space, Falmouth Street (PID 2503461)?

Reply

No, Council has not been in such discussions.

01/20.2.8 Rescind Motion – Sell Off Public Open Space – Falmouth Street, St Helens – Mr T Dudley obo NE Bioregional Network, St Helens

Will Council rescind its previous motion to sell off the Public Open Space at Falmouth Street (PID 2503461) given its unsuitability for development (ie flood prone) and its value for maintaining water quality, stormwater management, erosion control, recreation and nature conservation values?

Reply

This is under review by Council.

01/20.2.9 Public / Affordable Housing in Break O’Day Municipality – Mr T Dudley obo NE Bioregional Network, St Helens

Can Council provide a list of properties (address and PID numbers) that are being considered for public / affordable housing in the Break O’Day Municipality?

Reply

Council is not specifically considering properties for public housing and therefore no such list exists.

01/20.2.10 Appointment of Weed Officer – Mr T Dudley obo NE Bioregional Network, St Helens

Why is it taking so long for Council to reappoint a Weed Officer and when will a new Weed Officer be appointed?

Reply

The position was advertised on the 16 November 2019 and at the conclusion of the recruitment process there were no applicants considered suitable for the position. The NRM Officer will continue to perform these tasks in the interim period as Council seeks a suitable person to fill this role.

01/20.2.11 Vegetation Removal – Intersection of St Helens Point Road and Tasman Highway, St Helens – Mr T Dudley obo NE Bioregional Network, St Helens

As a matter of urgency will Council contact TasNetworks regarding the clear-felling of threatened Melaleuca ericifolia forest at the intersection of St Helens Point Road and Tasman Highway to request retention of this vegetation via natural regeneration?

Reply

The works were undertaken by contractors for the Department of State Growth and not Tas Networks. The situation will be discussed with the Department.

01/20.3.0 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 a Pecuniary Interest for Agenda Item 01/20.17.3 – Tender – Contract 030\001\122\ - Brown Street, Fingal – Road Pavement Remediation as her husband works for a company who have submitted a tender.

01/20.4.0 CONFIRMATION OF MINUTES

01/20.4.1 Confirmation of Minutes – Council Meeting 16 December 2019

OFFICER’S RECOMMENDATION:

That the minutes of the Council Meeting held on the 16 December 2019 be confirmed.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

01/20.4.1.1 Moved: Clr G McGuinness / Seconded: Clr L Whittaker

That the minutes of the Council Meeting held on the 16 December 2019 be confirmed.

CARRIED UNANIMOUSLY

01/20.5.0 COUNCIL WORKSHOPS HELD SINCE 16 DECEMBER 2019 COUNCIL MEETING

There was no Workshop held in January 2020.

01/20.6.0 PLANNING AUTHORITY

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

01/20.7.0 PETITIONS

Nil.

01/20.8.0 NOTICES OF MOTION

01/20.8.1 Notice of Motion –Shade at Scamander River – Clr G McGuinness

MOTION:

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

That Council investigates the earliest practical inclusion of the installation of several shade cloth covered areas on the grassed area between the Mouth Cafe and the Scamander River in the capital works program.

SUBMISSION IN SUPPORT OF MOTION:

I have been made aware by several local residents, of the popularity of this area, particularly on warmer summer days. Apart from the shaded area over the children's playground, there are no trees and other forms of shade in this area. On several hot days, I have been told that many people have migrated to the playground for shade and this is probably not the most desirable scenario.

DISCUSSION:

- Clr Chapple stated that she fully supports the motion.
- Clr Osborne stated that there is money in the Public Open Space that could be used for Scamander.

COUNCIL DECISION:

01/20.8.1.2 Moved: Clr G McGuinness / Seconded: Clr K Chapple

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

That Council investigates the earliest practical inclusion of the installation of several shade cloth covered areas on the grassed area between the Mouth Cafe and the Scamander River in the capital works program.

CARRIED UNANIMOUSLY

01/20.9.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

01/20.10.0 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.

01/20.10.1 Scamander Foreshore – Clr J Drummond

When is the foreshore plan going to be commenced, can the shading be included in this development.

Reply

The Manager Community Services advised that the money to do the track following the demolition of the bridge was an election promise and she has sought clarification with regard to when the funding will be available but is yet to receive a response.

01/20.10.2 Parking in Scamander – Clr J Drummond

Have we found any resolution to the parking situation in Scamander (see extract below).

		demand periods.	
04/17.8.5.82	19 April 2017	That council investigate the need for improvements of parking arrangements and possible expansions of parking areas in Scamander.	

Reply

The following response to the question raised at 19 April 2017 was provided in September 2017: *“This is being considered in conjunction with the old Scamander Bridge project, however there is no room for expansion in the vicinity of the Mouth Café or the river mouth reserve”*

The previous response remains valid. Parking options can be considered for the redevelopment of the foreshore area adjacent to the old road bridge post bridge removal by the Department of State Growth.

01/20.10.3 Water Tank Requirement – Clr J Drummond

Was there previously a requirement for water tanks to hold a minimum of 10,000 litres. Is there a minimum currently? If not, can we reintroduce a minimum for water harvesting and building resilience in our community?

Reply

There has never been a minimum size of water tanks required for new developments. In some cases Development Services staff have required specific design requirements for water tanks due to limitations on existing infrastructure. There are mandatory requirements for Fire Fighting Water supplies in Bushfire prone areas, however the provision of this supply must be dedicated for firefighting purposes only.

Council staff will conduct a review of the current legislative requirements and provide a report to Council for consideration.

01/20.10.4 Tree Clearing – Intersection of St Helens Point Road and Tasman Highway, St Helens – Clr J Drummond

I believed it had been agreed to trim the melaleuca forest fronting the duel cycling/walking track crossing over close to St Helens Point Road and to improve sight lines coming down the hill into St Helens.

Today I am disappointed to see the melaleucas have been cut to the ground, please would you clarify what is happening in this area.

Reply

The works were undertaken by a contractor engaged by the Department of State Growth, concerns regarding the nature of the actual works carried out have been raised with the Department of State Growth.

01/20.10.5 Pioneer Head Stones in Tully Street – Clr G McGuinness

Clr McGuinness made a statement in regards to the excellent work which has been undertaken by someone to restore the pioneer headstones in the Tully Street Cemetery and enquired as to who had undertaken the works as he would like to thank whoever was responsible for looking after the heritage of the area.

Mayor Tucker agreed with the statement of gratitude and thinks that all Councillors would support this statement.

Reply

Some maintenance works were undertaken by a contractor of Council, however we believe that there may have also been members of the community who have undertaken some work at the site.

01/20.11.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

01/20.11.1 Mayor's Communications for Period Ending 20 January 2020

18.12.2019	Launceston	– Meeting Tasmania Police, Northern District
06.01.2020	St Helens	– Meeting with Mark Baker new CEO Northern Tasmania Development Corporation
08.01.2020	St Helens	– Tasmanian Audit Office, teleconference
20.01.2020	St Helens	– Council Meeting

01/20.11.2 Councillor's Reports for Period Ending 20 January 2020

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

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

- There has been no notification for any meetings.

NRM Special Committee – Clr Janet Drummond

- Meeting planned for 12 February 2020.

Barway Committee – Clr John McGiveron

- Advice from MAST has been received as follows:
 - The successful tenderer will be notified within the next week.
 - The preferred tenderers are employing the agitation method (to minimum depth of -2.5m CD)
 - The other submissions were looking at methods such as one was excavation with excavator with two (2) options for delivering the spoil to shore and the other was a suction dredge which doesn't give the option to do several times yearly if required.
 - Agitation will ensure 3-4 times a year availability depending on which contractor is successful and of course being in Tasmania can react quickly if their monthly monitoring shows dredging is required sooner than programmed. On average it will be done to the required depth three (3) times a year.
 - As soon as we award a tender I anticipate the first dredge event will be within 3-4 weeks.
- Mayor Tucker stated that we should write to MAST regarding Councils dissatisfaction of the way this matter has been dealt with.

Regional Tourism Organisation (RTO) – Clr Glenn McGuinness

- The ECRTO have changed their name to East Coast Tasmania Tourism as there are various East Coast Tourism organisations on the eastern part of Australia.
- The new Chairperson which was the panels preferred candidate is Kym Goodes.
- Kym is currently CEO of TasCOSS and is on the Board of Brand Tasmania.
- The General Manager advised that Kym brings a lot of leadership and governance experience to East Coast Tasmania Tourism.
- The Mayor suggested that Council write a welcome letter to Kym in this role from Break O'Day Council.

Mental Health Action Group – Clr Barry LeFevre

- Wendy French has been the facilitator for Suicide Prevention for BOD interested in coming to address the Council in the future as there is a forum coming up in the future in the Valley and St Helens.

Disability Access Committee – Clr Janet Drummond

- Will convene a meeting in the near future.

01/20.12.0 BUSINESS AND CORPORATE SERVICES

01/20.12.1 Corporate Services Department Report

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

That the report be received.

INTRODUCTION:

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

DISCUSSION:

- Clr Drummond asked in relation to the outstanding reports, what space was the Public Open Space referring to in February 2019. The Manager Corporate Services advised that it was the properties referred to in Public Question Time in Falmouth Street. The intention was to get the notation tidied up.

COUNCIL DECISION:

01/20.12.1.3 Moved: Clr J McGiveron / Seconded: Clr M Osborne

That the report be received.

CARRIED UNANIMOUSLY

01/20.12.2 Monthly Financial Report

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

That the following reports for the month ending 31 December 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 advised there are a couple of anomalies in the Revenue / Expenditure Statement. The contractor costs are up to 70% which looks like some capital items have gone in there that need to be journaled out to tidy up; the waste management contractors are also up but will be tidied up to reflect what it should be; other professional fees are a bit higher than expected as we have used contractors a little bit more when staff availability has not been there.

- Clr McGuinness asked in relation to the Wrinklers allocation, what is this actually for? The Manager Community Services advised that it is for the replacement toilet facility and some roadworks, she is just working with Crown Land Services with regard to the lease as Council currently don't lease this site.
- Clr Drummond asked, when will the car park at MTB hub commence. The General Manager advised that he is in the final stages of nailing the lease, the timing of the works will be when the busy season quietens down to avoid too much disruption.
- Clr Drummond asked in relation to the un-budgeted item for the vehicle for the MTB maintenance workers and now motorbikes have appeared. The General Manager advised that we were originally going to purchase Ebikes for the trail maintenance but due to equipment that needs to be carried to undertake this work these bikes have been recommended as most suitable and is generally what is used with other networks.

COUNCIL DECISION:

01/20.12.2.4 Moved: Clr M Osborne / Seconded: Clr G McGuinness

That the following reports for the month ending 31 December 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

01/20.12.3 Visitor Information Centre Report

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

That the report be received.

INTRODUCTION:

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

DISCUSSION:

- The Manager Corporate Services advised that Debra Taylor has reluctantly resigned from the VIC, the centre has been very stable for quite some time.
- Mayor Tucker asked if a letter of thanks could be forwarded to Debra from Council.

COUNCIL DECISION:

01/20.12.3.5 Moved: Clr B LeFevre / Seconded: Clr K Chapple

That the report be received.

CARRIED UNANIMOUSLY

01/20.13.0 **WORKS AND INFRASTRUCTURE**

01/20.13.1 **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 the Works Department are now planning to start our next range of larger projects.
- Clr Drummond asked, what is happening with the motion regarding vouchers for waste management from the outstanding items in 2018 The Manager Infrastructure and Development Services advised that he has completed the analysis and is preparing a report for a future workshop.
- Mayor Tucker asked, how far are we going with the footpath around the Parkside Caravan Park. The Manager Infrastructure and Development Services advised that we got consent from Parks & Wildlife Services to place rock last year around the embankment area, we need to get more rock to complete this work by end of February, this is to stop the erosion of the embankment under that road. The walkway is not currently funded and the scope has been completed which is shovel ready when funding is available.
- Clr Drummond asked, what has been the use of the MTB trail to Swimcart and what is the status of a dual use/dual direction bike path. The General Manager advised that we do have trail counters on this section of trail which will provide some data. A dual use / dual direction track will go through Parks & Wildlife Services land and private land holders are also involved in this, it is all part of it. Clr McGuinness also stated that the increase in bicycles on this road has increased exponentially.

COUNCIL DECISION:

01/20.13.1.6 Moved: Clr B LeFevre / Seconded: Clr L Whittaker

That the report be received by Council.

CARRIED UNANIMOUSLY

01/20.13.2 **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:

- Clr Drummond asked, could we continue with the detailed report outside this agenda format. The animal welfare detail is very beneficial. The Manager Infrastructure and Development Services advised that this will be provided in the workshop format.

COUNCIL DECISION:

01/20.13.2.7 Moved: Clr J McGiveron / Seconded: Clr K Chapple

That the report be received by Council.

CARRIED UNANIMOUSLY

01/20.14.0 **COMMUNITY DEVELOPMENT**

01/20.14.1 **Community Services Report**

FILE REFERENCE	011\034\006\
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OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

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

DISCUSSION:

- The Manager Community Services advised that an agenda item will come to the February workshop in regards to the review of Council leases as these are up for renewal.
- The Manager Community Services advised that the Georges Bay foreshore link was advertised for tender and the development application on the weekend. The Plans are available for viewing at Council.
- Clr Chapple asked, are there any updates as to when and where are the driver reviver sites to be set up. The Manager Community Services stated that in light of what has been happening in Fingal this has been put on hold.

COUNCIL DECISION:

01/20.14.1.8 Moved: Clr B LeFevre / Seconded: Clr K Chapple

That the report be received.

CARRIED UNANIMOUSLY

01/20.14.2 **Committee Representation – Australia Day Awards Committee**

FILE REFERENCE	005\003\005\
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OFFICER'S RECOMMENDATION:

That in accordance with the Break O'Day Council Awards Policy, Council appoint:

- Gary Barnes;
- Sue Gofton;
- Michael and Carol LeFevre;

to the Australia Day Awards Committee as community representatives and as part of the community they have the authority to consider applications and determine recipients of the Australia Day Awards.

INTRODUCTION:

The Break O'Day Council Awards Committee is established in accordance with the provision of the Local Government Act 1993 and Regulations.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

01/20.14.2.9 Moved: Clr J McGiveron / Seconded: Clr J Drummond

That in accordance with the Break O’Day Council Awards Policy, Council appoint:

- Gary Barnes;
- Sue Gofton;
- Michael and Carol LeFevre;

to the Australia Day Awards Committee as community representatives and as part of the community they have the authority to consider applications and determine recipients of the Australia Day Awards.

CARRIED UNANIMOUSLY

01/20.15.0 **DEVELOPMENT SERVICES**

01/20.15.1 **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:

- Clr Whittaker asked in relation to the appeal lodged for DA139-2019 is that the Glencoe Development. The General Manager advised that it is. The General Manager stated that following Council’s decision once representors and applicant are notified they have 14 days to lodge an appeal, in this situation we do have an appeal against Council’s decision and it is now with the tribunal.
- The General Manager advised in relation to the Local Provisions Schedule (LPS) that GHD are working with Council Officers on. GHD are preparing the major report for this to come to Council we would like to defer next week’s workshop for a couple of weeks to enable the full suite of information to be provided to Council. We want to try and avoid the situation of something being lodged and then there are requests for further information going between Council and the Commission.

- Clr McGiveron made comments in regards to the St Marys Rivulet – the bridge has been done and it is a good job, however the river is currently snagged up, if we do get floods things are going to get caught up. The Manager Infrastructure and Development Services advised that we are about to start cleaning up between bridges at this point.

COUNCIL DECISION:

01/20.15.1.10 Moved: Clr B LeFevre / Seconded: Clr L Whittaker

That the report be received.

CARRIED UNANIMOUSLY

01/20.15.2 **Planning Approvals Issued**

Received.

01/20.15.3 **Planning Approvals**

Received.

01/20.15.4 **Building Services Approvals**

Received.

01/20.16.0 **GOVERNANCE**

01/20.16.1 **General Manager’s Report**

FILE REFERENCE	002\012\001\
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OFFICER’S RECOMMENDATION:

That the General Manager’s report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various issues which are being dealt with by the General Manager and with other Council Officers where required.

DISCUSSION:

- The General Manager advised that he had a meeting with the new Northern Tasmania Development Corporation (NTDC) CEO Mark Baker. The General Manager stated that he found this a very positive discussion and he thinks Mark will drive projects from a regional perspective and focus on priorities as well as very positive for the future of NTDC with a focus also on Local Government representation on the Board.
- The General Manager provided an update in relation to the Enterprise Centre Tasmania program – They have advertised an expression of interest for funding at the moment and there have also been adjustments to the boundaries. This is an opportune time for the BEC to come and talk to Council. The State Government have found that the model does work and are just doing tweaks on this.
- The General Manager made comments in relation to the Fingal Fires. This fire had consequential effects and impacts on resources, provision of information, etc as there were a lot of staff on leave during this period. The General Manager would like to acknowledge the work that Chris Hughes has put in as the Break O’Day Emergency Management Coordinator as well as the work that Gary Barnes put in and the assistance from the Fingal Valley Neighbourhood House and volunteers. Clr McGuinness stated that he feels privileged with the staff that we have got and feels proud to be a Councillor at Break O’Day. Clr LeFevre stated the same comments as Clr McGuinness, it was a wonderful effort and the comments have been excellent. The General Manager also acknowledged Wayne Polden and the Valley crew, they also provided an excellent amount of support.

COUNCIL DECISION:

01/20.16.1.11 Moved: Clr L Whittaker / Seconded: Clr K Chapple

That the General Manager’s report be received.

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 Chapple That Council move into Closed Council.

CARRIED UNANIMOUSLY

IN CONFIDENCE

01/20.17.0 **CLOSED COUNCIL**

01/20.17.1 **Confirmation of Closed Council Minutes – Council Meeting 16 December 2019**

01/20.17.2 **Outstanding Actions List for Closed Council**

Clr K Chapple left the meeting at 10.59am

01/20.17.3 **Tender – Contract 030\001\122\ Brown Street, Fingal – Road Pavement Remediation - Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015**

COUNCIL DECISION:

01/20.17.3.CC Moved: Clr G McGuinness / Seconded: Clr B LeFevre

That Council award Contract 030\001\122\ “Brown Street Fingal – Road Pavement Remediation” to Streetwise Developments.

CARRIED UNANIMOUSLY

Clr K Chapple returned to the meeting at 11.01am

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

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

CARRIED UNANIMOUSLY

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 11.27am.

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MAYOR

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DATE