



COUNCIL MEETING MINUTES

Monday 20 July 2020
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
20 July 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 to welcome Councillors and staff and declare the meeting open at 10.00am.

ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Traditional Custodians of the land on which we work and live, the Palawa people of this land Tasmania, and recognise their continuing connection to the lands, skies and waters. We pay respects to the Elders Past, Present and Future.

07/20.1.0 ATTENDANCE

07/20.1.1 Present

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

07/20.1.2 Apologies

Councillor Janet Drummond
Councillor Kylie Wright

07/20.1.3 Leave of Absence

Nil

07/20.1.4 Staff in Attendance

General Manager, John Brown
Executive Assistant, Angela Matthews
Manager Corporate Services, Bob Hoogland (*Item 1.0 – 13.5*)
Manager Community Services, Chris Hughes (*Item 1.0 – 16.2*)
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 17.4*)
Communications Coordinator, Jayne Richardson (*Item 1.0 – 16.2*)
Development Services Coordinator, Jake Ihnen (*Item 1.0 – 16.2*)
Planning Officer, Deb Szekely (*Item 1.0 – 7.0*)

07/20.2.0 PUBLIC QUESTION TIME

07/20.2.1 Tully Street Trees – Mr M Holloway, St Helens

1. When are Council going to clean up the mess in Tully Street after the tree pruning.
2. When are Council going to pay home owners in Tully Street compensation for damage caused to homes and gardens caused by out of control tree roots.
3. When are Council going to pay compensation for mental and emotional stress caused by the above.
4. When are Council going to cut edges of footpaths over grown by grass.

Reply

1. The tree contractor tidied the footpath, nature strip and gutter after pollarding the trees.
2. Council has no reason to believe it is liable to pay compensation. If a properly detailed claim for compensation is received, Council will investigate and/or seek legal advice, before responding. It is noted that Council has an ongoing works program in Tully Street, based on expert advice. This includes pruning trees and installing root barriers.
3. Council has no reason to believe it is liable to pay compensation. If a properly detailed claim for compensation is received, Council will investigate and/or seek legal advice, before responding.
4. Footpaths are edged under a routine maintenance schedule. The Tully Street footpath will be addressed in August.

07/20.3.0 DECLARATION OF PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE

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

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

Nil.

07/20.4.0 CONFIRMATION OF MINUTES

07/20.4.1 Confirmation of Minutes – Council Meeting 22 June 2020

OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 22 June 2020 be confirmed.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

07/20.4.1.107 Moved: Clr M Osborne / Seconded: Clr L Whittaker

That the minutes of the Council Meeting held on the 22 June 2020 be confirmed.

CARRIED UNANIMOUSLY

07/20.5.0 COUNCIL WORKSHOPS HELD SINCE 22 JUNE 2020 COUNCIL MEETING

There was a Workshop held on Monday 6 July 2020 – the following items were listed for discussion.

- Audit Panel – Review of Panel Membership
- Audit Panel – Receipt of Minutes
- Policy - AM 13 Memorial Gardens
- Policy - AM 18 Nature Strip Planting
- Forest Lodge Road Plantation
- Beauty Flats Road

- Georges Bay Walkway Bridge - Update
- Request for Sponsorship – Free2bgirls – Youth Support
- Recreational Trails Strategy
- Wrinklers Proposed Project
- Petitions
- Community Care and Recovery Package – COVID-19 - Update
- Local Government Association of Tasmania (LGAT) – Guide to Resuming Face to Face Council Meetings – COVID-19
- Review of Four (4) Tourism Information Sites in BOD
- Mental Health & Wellbeing
- RSL Club
- Tree Root Damage in Tully Street, St Helens

07/20.6.0 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.

07/20.6.1 DA 024-2020 – New Dwelling & Shed – 8 Fysh Place Stieglitz

FILE REFERENCE	DA 024-2020
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OFFICER'S RECOMMENDATION:

After due consideration of the application received and Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **DWELLING & SHED** on land situated at **8 FYSH PLACE, STIEGLITZ** described in Certificate of Title 152051/4 be **APPROVED** subject to the following plans and conditions:

Approved Plans			
Plan Name	Reference Number	Prepared By	Dated
Cover Page	FYSH08 1/7 REV5	Design To Live	6/07/2020
Site Plan	FYSH08 2/7 REV5	Design To Live	6/07/2020
Ground Plan	FYSH08 3/7 REV5	Design To Live	6/07/2020
First Floor	FYSH08 4/7 REV5	Design To Live	6/07/2020
External Services	FYSH08 5/7 REV5	Design To Live	6/07/2020
Elevations NTH-STH	FYSH08 6/7 REV5	Design To Live	6/07/2020
Elevations	FYSH08 7/7 REV5	Design To Live	6/07/2020

Development must accord with the Development Application DA 024-2020 received by Council 1 June 2020, together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.

1. The garage/shed is approved for non-habitable residential use only and may not be changed without written consent from Council. The installation of facilities and/or any alterations to the garage/shed would therefore require a further development application.
2. Use of the development must not create a nuisance as defined by the *Environmental Management and Pollution Control Act 1994*.
3. Works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.
4. All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within 2 metres of any Council owned infrastructure must be done in consultation with Council's Works Operations Manager.
5. 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.
6. Any damage that may occur to any Council infrastructure during the construction of the proposed dwelling and shed, must be reinstated to the satisfaction of Council and at the cost of the developer.
7. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the occupancy of the dwelling on the subject site.
8. Stormwater disposal connection is to be made to the back of the side entry pit located within the road reserve (Fysh Place) in proximity to the western boundary.

ADVICE:

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

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm.

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

INTRODUCTION:

The applicant is seeking approval for the use and construction of a single dwelling and attached shed at 8 Fysh Place, Stieglitz. The site is currently void of native vegetation, however the applicant is seeking retrospective approval for the removal of native vegetation (2) and small shrubbery along the western boundary fence line. Residential use (single dwelling) in the General Residential Zone is a qualified no permit required use under Table 10.2 Use Table of the *Break O'Day Interim Planning Scheme 2013*. The proposed use and development underwent a notification period from 6 June 2020 until 5pm Monday 22 June 2020. Three (3) representations were received on 22 June, although one (1) of these representations was received after the 5pm deadline. All three (3) representations have been included for consideration.

DISCUSSION:

- The Planning Officer advised that three (3) representations were received.
- Cllr LeFevre stated that he is happy to support the Officer's Recommendation particularly in light of the eight (8) conditions with a particular emphasis on stormwater.

COUNCIL DECISION:

07/20.6.1.108 Moved: Cllr B LeFevre / Seconded: Cllr M Osborne

After due consideration of the application received and Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **DWELLING & SHED** on land situated at **8 FYSH PLACE, STIEGLITZ** described in Certificate of Title 152051/4 be **APPROVED** subject to the following plans and conditions:

Approved Plans			
Plan Name	Reference Number	Prepared By	Dated
Cover Page	FYSH08 1/7 REV5	Design To Live	6/07/2020
Site Plan	FYSH08 2/7 REV5	Design To Live	6/07/2020
Ground Plan	FYSH08 3/7 REV5	Design To Live	6/07/2020
First Floor	FYSH08 4/7 REV5	Design To Live	6/07/2020
External Services	FYSH08 5/7 REV5	Design To Live	6/07/2020
Elevations NTH-STH	FYSH08 6/7 REV5	Design To Live	6/07/2020
Elevations	FYSH08 7/7 REV5	Design To Live	6/07/2020

Development must accord with the Development Application DA 024-2020 received by Council 1 June 2020, together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.

1. The garage/shed is approved for non-habitable residential use only and may not be changed without written consent from Council. The installation of facilities and/or any alterations to the garage/shed would therefore require a further development application.
2. Use of the development must not create a nuisance as defined by the *Environmental Management and Pollution Control Act 1994*.
3. Works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.
4. All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within 2 metres of any Council owned infrastructure must be done in consultation with Council's Works Operations Manager.
5. 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.
6. Any damage that may occur to any Council infrastructure during the construction of the proposed dwelling and shed, must be reinstated to the satisfaction of Council and at the cost of the developer.
7. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the occupancy of the dwelling on the subject site.

8. Stormwater disposal connection is to be made to the back of the side entry pit located within the road reserve (Fysh Place) in proximity to the western boundary.

ADVICE:

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

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm.

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

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.

07/20.7.0 PETITIONS

Nil.

07/20.8.0 NOTICES OF MOTION

07/20.8.1 Improvement of the Intersection of Upper Scamander Road & Tasman Highway – Cllr J Drummond

MOTION:

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

That Council consider supporting a project of improvement to the intersection of the junction of Upper Scamander Road and Tasman Highway, be funded in the 2021-2022 budget.

SUBMISSION IN SUPPORT OF MOTION:

Some residents have expressed concern about the condition of the road at the junction of Upper Scamander Road and the Tasman Highway, and also suggested that a protected right-hand turn lane would be beneficial to road users.

I respectfully request that Council support a project submission to improve the intersection and apply for Black Spot program funding as part of a safety audit in the 2021-2022 allocation of funding.

DISCUSSION:

- The General Manager advised that Cllr Whittaker has been authorised by Cllr Drummond to move the motion.
- Cllr Whittaker stated that Cllr Drummond would like this submitted to the Black Spot funding that is to be done this month.
- The General Manager advised that a report will come to Council but we will move to forward an Application as discussions have been held with the Manager Infrastructure and Development Services.
- Cllr McGuinness stated that the road surface in that area is extremely poor and we should contact the Government with respect to the road surface.

COUNCIL DECISION:

07/20.8.1.109 Moved: Cllr L Whittaker / Seconded: Cllr 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 consider supporting a project of improvement to the intersection of the junction of Upper Scamander Road and Tasman Highway, be funded in the 2021-2022 budget.

CARRIED UNANIMOUSLY

07/20.9.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

07/20.10.0

COUNCILLOR'S QUESTIONS WITHOUT NOTICE

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

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

Nil.

07/20.11.0

MAYOR'S & COUNCILLOR'S COMMUNICATIONS

07/20.11.1

Mayor's Communications for Period Ending 20 July 2020

23.06.2020	St Helens	– Meeting with Janette Cumming, Director of Nursing St Helens Hospital
24.06.2020	St Helens	– Meet and Greet with Tim Holder, Tas Broadcasters
25.06.2020	St Helens Via web	– Local Government Association of Tasmania (LGAT) – Leading in a time of a Pandemic
25.06.2020	St Helens	– Win Award Winners, Flagstaff Trailhead
02.07.2020	Launceston	– Premiers Local Government Council (PLGC)
02.07.2020	Launceston	– Interviews for Northern Tasmania Development Corporation (NTDC) Chair
06.07.2020	St Helens	– Council Workshop
06.07.2020	St Helens Via Web	– Local Government Association of Tasmania (LGAT) - General Management Committee (GMC) meeting
07.07.2020	Launceston	– Northern Tasmania Development Corporation (NTDC) Chair selection panel
09.07.2020	St Helens Via web	– Presentation by Pitt & Sherry, road realignment Tasman Highway St Helens
09.07.2020	St Helens	– Meet and Greet with Minister Mark Shelton
15.07.2020	St Helens Via web	– Local Government Association of Tasmania (LGAT) – General Meeting
20.07.2020	St Helens	– Council Meeting

07/20.11.2

Councillor's Reports for Period Ending 20 July 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

- Next meeting Tuesday 21 July 2020.

NRM Special Committee – Clr Janet Drummond

- No report as Clr Drummond was absent.

Barway Committee – Clr John McGiveron

- No changes.

East Coast Tasmania Tourism (ECTT) – Clr Glenn McGuinness

- No report.

Mental Health Action Group – Clr Barry LeFevre

- No report.

Disability Access Committee – Clr Janet Drummond

- No report as Clr Drummond was absent.

07/20.12.0 BUSINESS AND CORPORATE SERVICES

07/20.12.1 Corporate Services Department Report

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

That the report be received.

INTRODUCTION:

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

DISCUSSION:

- The Manager Corporate Services advised that he had nothing to add, however things are transitioning back to a new normal with Corporate Services and front counter and we are operating reasonably normally.

COUNCIL DECISION:

07/20.12.1.110 Moved: Clr J McGiveron / 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 30 June 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 the Executive Assistant circulated an amended report for the Building section.
- Clr McGuinness stated that he read a report in the Mercury, instigated from Kingborough Mayor with regards to most Councils going into deficit due to the pandemic. Clr McGuinness thought this was poor reporting as it was talking about Council amalgamations. What we and other Councils have done is fiscally responsible during the pandemic and sharing the load.
- Mayor Tucker asked in relation to the Christmas decorations, item CH075 - \$5,000. People are saying it would be good if we spend this money and put some nice decorations up for Christmas this year. The Manager Corporate Services stated that the decorations have certainly been showing their age. Clr Osborne also stated that the Christmas Tree on the corner of Quail Street is nearly big enough to get decorated this year.

COUNCIL DECISION:

07/20.12.2.111

Moved: Clr G McGuinness / Seconded: Clr M Osborne

That the following reports for the month ending 30 June 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

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 the VIC has re-opened and there have been some visitors there and they have been appreciative of the service. The care calls have also been very positively received by the businesses.

COUNCIL DECISION:

07/20.12.3.112 Moved: Clr J McGiveron / Seconded: Clr K Chapple

That the report be received.

CARRIED UNANIMOUSLY

07/20.12.4 Audit Panel – Receipt of Minutes

FILE REFERENCE	018\005\024\
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OFFICER'S RECOMMENDATION:

That Council receive the minutes of the Audit Panel 17 February 2020, the Audit Panel 2019/2020 Report and endorse the Audit Panel Work Plan for 2020/2021.

INTRODUCTION:

Council's Audit Panel meets every three (3) months and the minutes of each meeting are required to be provided to Council.

DISCUSSION:

- The Manager Corporate Services advised that he had nothing further to add and this matter was also considered at the workshop.

COUNCIL DECISION:

07/20.12.4.113 Moved: Clr B LeFevre / Seconded: Clr M Osborne

That Council receive the minutes of the Audit Panel 17 February 2020, the Audit Panel 2019/2020 Report and endorse the Audit Panel Work Plan for 2020/2021.

CARRIED UNANIMOUSLY

07/20.12.5 Audit Panel – Review of Panel Membership

FILE REFERENCE	018\005\024\
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OFFICER'S RECOMMENDATION:

That Council appoint Clr as Audit Panel member to replace Clr Drummond until the October 2020 Audit Panel membership review.

INTRODUCTION:

Clr Drummond has indicated her desire to be replaced as Councillor representative to the Audit Panel.

DISCUSSION:

- The Manager Corporate Services advised that Council is aware of the process for appointing a panel member.
- The Manager Corporate Services stated that we have been targeting October for the review date for the panel but we may need to push this out a bit depending on the recruitment for a new Chair.

COUNCIL DECISION:

07/20.12.5.114 Moved: Clr M Osborne / Seconded: Clr G McGuinness

That Council appoint Clr L Whittaker as Audit Panel member to replace Clr Drummond and until the October 2020 Audit Panel membership review.

CARRIED UNANIMOUSLY

07/20.12.5.115 Moved: Clr M Osborne / Seconded: Clr B LeFevre

That Council appoint Clr J McGiveron as Proxy Member of the Audit Panel until the October 2020 Audit Panel membership review.

CARRIED UNANIMOUSLY

07/20.13.0 WORKS AND INFRASTRUCTURE

07/20.13.1 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 completion of waste data for last financial year was general waste, 2700 tonnes and 50 tonnes of recyclables.
- The Manager Infrastructure and Development Services stated that Councils new general waste collection is going very well. We have purchased two (2) trucks – a demo model from Melbourne and a second hand one from Sydney, we have recruited a new operator and in the first collection no bins were missed and no complaints were received so to date we are doing well.

COUNCIL DECISION:

07/20.13.1.116 Moved: Clr J McGiveron / Seconded: Clr B LeFevre

That the report be received by Council.

CARRIED UNANIMOUSLY

07/20.13.2 Animal Control Report

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

That the report be received by Council.

INTRODUCTION:

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

DISCUSSION:

- The Manager Infrastructure and Development Services advised that this is a summary of statistics for animal control.

COUNCIL DECISION:

07/20.13.2.117 Moved: Clr K Chapple / Seconded: Clr M Osborne

That the report be received by Council.

CARRIED UNANIMOUSLY

07/20.13.3 Policy – AM13 Memorial Gardens

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

That Policy AM13 Memorial Gardens, as amended, be adopted.

INTRODUCTION:

Council has a schedule for regular review of policies and this policy is now due for revision.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

07/20.13.3.118 Moved: Clr J McGiveron / Seconded: Clr G McGuinness

That Policy AM13 Memorial Gardens, as amended, be adopted.

CARRIED UNANIMOUSLY

07/20.13.4 Policy – AM18 Nature Strip Planting

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

That Policy AM18 Nature Strip Planting, as amended, be adopted.

INTRODUCTION:

Council has a schedule for regular review of policies and this policy is now due for revision.

DISCUSSION:

- Clr LeFevre stated that we need to be a bit open-minded over certain circumstances. The Manager Infrastructure and Development Services advised that we do have the power to get land owners to trim plants back if they are on the road reserve and if they don't Council has the power to go and do it.

COUNCIL DECISION:

07/20.13.4.119 Moved: Clr M Osborne / Seconded: Clr K Chapple

That Policy AM18 Nature Strip Planting, as amended, be adopted.

CARRIED UNANIMOUSLY

07/20.13.5 Beauty Flats Road

FILE REFERENCE	032\005\003\
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OFFICER'S RECOMMENDATION:

1. That Council does not support Forico's proposal to install a Kelly Gate on Beauty Flats Road.
2. That Council rescind the following Council Decision:
 - 21 October 2019 Council Meeting 10/19.13.3.251
That Council invoke Section 16 of the Local Government (Highways) Act 1982 in support of Forico's request for Beauty Flat Road, Transport Segment ID 6174046 off Barnes Road, near Mathinna to be changed from a public road to a Private road where it intersects with title 112336-2.

INTRODUCTION:

As a result of community representation received on this matter it is prudent at this time that the Council does not support a proposal by Forico to install a Kelly Gate on Beauty Flats Road.

DISCUSSION:

- The Manager Infrastructure and Development Services advised that he hasn't heard from Forico on this matter for some time.
- Clr McGiveron stated that he thinks this is sensible decision to leave it like it is.
- Clr McGuinness stated that it was a good idea at the time but obviously Forico have changed their way of doing things.

COUNCIL DECISION:

07/20.13.5.120

Moved: Clr J McGiveron / Seconded: Clr G McGuinness

1. That Council does not support Forico's proposal to install a Kelly Gate on Beauty Flats Road.
2. That Council rescind the following Council Decision:
 - 21 October 2019 Council Meeting 10/19.13.3.251
That Council invoke Section 16 of the Local Government (Highways) Act 1982 in support of Forico's request for Beauty Flat Road, Transport Segment ID 6174046 off Barnes Road, near Mathinna to be changed from a public road to a Private road where it intersects with title 112336-2.

CARRIED UNANIMOUSLY

07/20.14.0 COMMUNITY DEVELOPMENT

07/20.14.1 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 we are half way through our Park, Snack & Chats and it has been an interesting process with the information we have gathered to date. We have a very resilient community so far. The community are really supportive of what Council has been doing, it has been good to hear.
- Clr McGiveron asked if there has been any progress on Burns Bay yet or is it still in progress. The quotation process with Parks & Wildlife Services for the Aboriginal Heritage Report has been awarded and work will commence on that soon.
- Clr LeFevre asked, has a location been found for the toilet at the Gardens. The Manager Community Services advised that this is with Parks & Wildlife Services. The General Manager advised that approximately 13 sites have been identified and discussed with the community but the community is very divided on the options and there is no clear direction.

- Clr Whittaker asked in relation to the report under “Branding and Marketing” that states that Gravity Isle have a trial shop at the trail head. What is the procedure for a pop up shop at the Trail Head. The Manager Community Services stated that Council looks at the benefit of the proposal and seeks approval from the land owner if they will allow it. Every application will be assessed regarding the benefit to the Trail Head.
- Clr McGuinness stated that we have a grave need for extra parking at the Trail Head, is this something we are going to actively pursue. The General Manager stated that there are some options for additional parking and we can also look at some other areas. We would much prefer people to ride up to the Trail Head or get a shuttle from town, this will be pushed more when the connectivity from town is completed. The school holidays certainly showed the numbers using the trails. We currently have approximately 45-50 parking spaces at the Trail Head. Mayor Tucker stated that this has been an amazing opportunity that we have created for our community.

COUNCIL DECISION:

07/20.14.1.121

Moved: Clr K Chapple / Seconded: Clr M Osborne

That the report be received.

CARRIED UNANIMOUSLY

07/20.14.2 Recreational Trails Strategy

FILE REFERENCE	011\029\002\
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OFFICER’S RECOMMENDATION:

That Council allocate the sum of \$30,000 as matching funds for Building Better Regions Fund grant to undertake the preparation of the Recreational Trails Strategy in the 2020-2021 Budget.

INTRODUCTION:

Council lodged an application under the Building Better Regions Fund to undertake a Recreational Trails Strategy in December 2019. We were advised recently that we were successful in receiving \$30,000 towards the cost of the Recreational Trails Strategy.

DISCUSSION:

- Clr Osborne stated that she thinks it is great going forward with the next step.
- Clr Whittaker asked, does it also include walking trails. The Manager Community Services advised that it includes every form of recreational trail.

COUNCIL DECISION:

07/20.14.2.122

Moved: Clr M Osborne / Seconded: Clr J McGiveron

That Council allocate the sum of \$30,000 as matching funds for Building Better Regions Fund grant to undertake the preparation of the Recreational Trails Strategy in the 2020-2021 Budget.

CARRIED UNANIMOUSLY

07/20.14.3 Request for Sponsorship – Free2bgirls – Youth Support

FILE REFERENCE	011\028\002\
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OFFICER'S RECOMMENDATION:

1. That Council provide \$2,600 towards the running costs of the Free2bgirls program for the next six (6) months; and
2. That Council look at opportunities for a Youth Worker to be employed in partnership with other State Government agencies to work in Break O'Day with our young people.

INTRODUCTION:

Council has received a written request to assist the program Free2bgirls by providing additional financial support for the year 2020-2021.

DISCUSSION:

- Clr LeFevre stated that he thinks it is a good recommendation when we have already provided seed funding, it also gives the opportunity to seek future funding prior to the end of the year as well as further discussions to take place with regard to a Youth Worker.

COUNCIL DECISION:

07/20.14.3.123

Moved: Clr B LeFevre / Seconded: Clr G McGuinness

1. That Council provide \$2,600 towards the running costs of the Free2bgirls program for the next six (6) months; and
2. That Council look at opportunities for a Youth Worker to be employed in partnership with other State Government agencies to work in Break O'Day with our young people.

CARRIED UNANIMOUSLY

07/20.14.4 Wrinklers Proposed Project

FILE REFERENCE	
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OFFICER'S RECOMMENDATION:

That taking into account the community comment:

1. Council restrict the project to the area between the dune and the road referring all other matters to Parks & Wildlife Service to address as it is outside Council's leased area.
2. Council design and build a toilet facility in approximately the same location as the existing toilet facility which blends with the surrounding environment.
3. That Council utilise the existing bus shelter at Wrinklers; and
4. That Council undertake the traffic movement improvements as identified with the Traffic Impact Assessment to improve the flow of traffic at the site and to correct the issue of sight distance that has occurred since the upgrade of the Wrinklers Bridge located on the Tasman Highway.

INTRODUCTION:

The replacement of the Wrinklers toilet block has been on Council's replacement toilet block program since 2016-2017 with the design work to be undertaken with the build to occur in 2017-2018 but due to the proposed bridge replacement by State Growth – this project was put on hold.

DISCUSSION:

- Clr Osborne asked, what is the timeframe for this. The Manager Community Services stated that it would be great if it could be done this financial year.

COUNCIL DECISION:

07/20.14.5.124

Moved: Clr M Osborne / Seconded: Clr K Chapple

That taking into account the community comment:

1. Council restrict the project to the area between the dune and the road referring all other matters to Parks & Wildlife Service to address as it is outside Council's leased area.
2. Council design and build a toilet facility in approximately the same location as the existing toilet facility which blends with the surrounding environment.
3. That Council utilise the existing bus shelter at Wrinklers; and
4. That Council undertake the traffic movement improvements as identified with the Traffic Impact Assessment to improve the flow of traffic at the site and to correct the issue of sight distance that has occurred since the upgrade of the Wrinklers Bridge located on the Tasman Highway.

CARRIED UNANIMOUSLY

07/20.15.0 DEVELOPMENT SERVICES

07/20.15.1 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 reported that there has been approximately a 10% increase in planning approvals and a small decline in building approvals for 2019/2020. The decline in building approvals would be because of the Building Act changes as there are now quite a number of buildings that no longer require building permits.
- The Development Services Coordinator advised that the State Government have extended the building permits for a further six (6) months.
- The General Manager advised that the Local Provisions Schedules (LPS) that were submitted to the Tasmanian Planning Commission after the March Council meeting. A meeting with the Tasmanian Planning Commission has now been scheduled for late next week which GHD, Councils Senior Town Planner and himself will be attending. It is progressing, last week Burnie had their LPS approved which would be the first one in the State.
- Cllr Whittaker asked in relation to the correspondence sent to the State Government in regards to the Potential Future Forest Production and where it was at. The General Manager stated that we received an initial response back which was a bit wishy washy and didn't address our questions so we have gone back for a further response.

COUNCIL DECISION:

07/20.15.1.125 Moved: Cllr B LeFevre / Seconded: Cllr M Osborne

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 provided the following updates:
- A number of political member representatives have visited over the last couple of weeks. The meeting with Anita Dow covered similar matters as the others including Local Government issues as well as ongoing upgrade to Tasman Highway, local MP Jen Butler was also with Anita Dow.
- St Helens Hospital – we are working with Department of Health and Human Services (DHHS) and Rotorlift regarding a temporary helicopter landing. Over the weekend the DHHS have advised that they will pay for a gate to be put in the side fence at the hospital to enable patients to be transported from the hospital to the helicopter. The helicopter will not always use this site, especially around night-time landings as they also need to land at the airport for refuelling any way so we are working with them on this.
- Council operations and COVID-19 – we have resumed working in a slightly modified form. There have been benefits for people to work remotely so we are putting some guidelines in place to enable this to continue to happen. The Depot are continuing with their staggered start and finish times as this has been working really well. Whilst we can't let compliancy take hold we have to be ready in case things take hold and we have to re-implement anything.
- Cllr LeFevre asked in relation to the presentation from Pitt & Sherry regarding the upgrade to Tasman Highway, we emphasised the need to not do this in the busy period. It should not be up to the Contractor as to when this work happens. The General Manager stated that this is normally negotiated and the Department of State Growth would express a preference, we will continue to emphasise that we want them to avoid the busy season as much as possible. It will be juggling act as they have the Sea Eagle Nest to deal with, they will have to be smart about how they try and schedule works, they won't be able to totally avoid the busy period but if they can try and push it through to mid-March that would be handy and stay away from January, February and the later part of December as well. They will also need to find accommodation for their workers which is tricky during the busy period. Cllr Osborne asked, have they awarded the contract as yet. The General Manager advised that it has not yet been awarded.

COUNCIL DECISION:**07/20.16.1.126**Moved: Clr K Chapple / Seconded: Clr G McGuinness

That the General Manager's report be received.

CARRIED UNANIMOUSLY**07/20.16.2 Community Care and Recovery Package – COVID-19 - Update**

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

That Council:

1. Receive the latest Community Care and Recovery Package Update.
2. That Council extend the discount period for dog registrations until the end of July.

INTRODUCTION:

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

DISCUSSION:

- The General Manager provided this report as an update and ask for any other ideas.
- The General Manager noted that with information coming out of the Park, Snack & Chat sessions there may be other items coming forward.

COUNCIL DECISION:**07/20.16.2.127**Moved: Clr L Whittaker / Seconded: Clr M Osborne

That Council:

1. Receive the latest Community Care and Recovery Package Update.
2. That Council extend the discount period for dog registrations until the end of July.

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

07/20.17.0

CLOSED COUNCIL

07/20.17.1

Confirmation of Closed Council Minutes – Council Meeting 22 June 2020

07/20.17.2

Outstanding Actions List for Closed Council

07/20.17.3

Forest Lodge Road Plantation - Closed Council Item Pursuant to Section 15(2)B of the Local Government (Meeting Procedures) Regulations 2015

COUNCIL DECISION:

07/20.17.3.CC

Moved: Clr J McGiveron / Seconded: Clr G McGuinness

That Council agree to the request from Sustainable Timbers Tasmania (STT) to use Forest Lodge Road as a 'one-off' event to transport logs from 'Lindavale'.

CARRIED UNANIMOUSLY

07/20.17.4

Contract 030\001\121\ Bridge 2792 – Repair & Protective Coating Renewal – Contract Variance Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015

COUNCIL DECISION:

07/20.17.4.CC

Moved: Clr J McGiveron / Seconded: Clr B LeFevre

That the Council support and endorse a contract variance against Contract 030\001\121\ "Bridge 2792 – Repair & Protective Coating Renewal" awarded to Haywards Steel Fabrication & Construction in April 2020.

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 McGiveron / Seconded: Clr K Chapple That Council move out of Closed Council.

CARRIED UNANIMOUSLY

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 11.18am.

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MAYOR

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DATE