



# COUNCIL MEETING MINUTES

Monday 20 May 2019  
Council Chambers, St Helens

John Brown, General Manager  
Break O'Day Council  
20 May 2019

This page left blank intentionally

## CONTENTS

CONTENTS .....	3
OPENING .....	5
ACKNOWLEDGEMENT OF COUNTRY.....	5
05/19.1.0 ATTENDANCE .....	5
05/19.1.1 Present .....	5
05/19.1.2 Apologies.....	5
05/19.1.3 Leave of Absence .....	5
05/19.1.4 Staff in Attendance .....	6
05/19.2.0 PUBLIC QUESTION TIME.....	6
05/19.2.1 Clean-up of Reedy Creek – Ms H Weston, Beaumaris.....	6
05/19.2.2 Clean-up Tasman Highway Day – Ms H Weston, Beaumaris.....	6
05/19.2.3 Request for Subsidy for Water – Ms H Weston, Beaumaris.....	7
05/19.3.0 DECLARATION OF PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE.....	7
05/19.4.0 CONFIRMATION OF MINUTES.....	8
05/19.4.1 Confirmation of Minutes – Council Meeting 15 April 2019.....	8
05/19.5.0 COUNCIL WORKSHOPS HELD SINCE 15 APRIL 2019 COUNCIL MEETING.....	8
05/19.6.0 PLANNING AUTHORITY .....	9
05/19.6.1 DA 032-2019 – Construction of Dwelling, Ancillary Dwelling, Shed with Carport, Shipping Container and Vegetation Clearance – 1284 North Ansons Road, Ansons Bay.....	9
05/19.6.2 DA 040-2019 – Application to Amend the Break O’Day Interim Planning Scheme 2013 – Draft Amendment 02/2019.....	13
05/19.6.3 DA 208-2018 – New Dwelling and Demolition of Existing – 2 Hilltop Drive, Binalong Bay.....	14
05/19.7.0 PETITIONS.....	17
05/19.8.0 NOTICES OF MOTION .....	18
05/19.8.1 Notice of Motion –Bay of Fires Master Plan – Clr G McGuinness .....	18
05/19.8.2 Notice of Motion – Sharp Container Disposal Service – Clr K Chapple .....	20
05/19.9.0 COUNCILLOR’S QUESTIONS ON NOTICE .....	20
05/19.10.0 COUNCILLOR’S QUESTIONS WITHOUT NOTICE .....	21
05/19.10.1 Building Fees – Clr J Drummond .....	21
05/19.10.2 Black Spots on St Helens Point Road – Clr J Drummond .....	21
05/19.10.3 Pathway up Aerodrome Hill – Clr J Drummond.....	21
05/19.11.0 MAYOR’S & COUNCILLOR’S COMMUNICATIONS.....	22
05/19.11.1 Mayor’s Communications for Period Ending 20 May 2019 .....	22
05/19.11.2 Councillor’s Reports for Period Ending 20 May 2019 .....	22
05/19.12.0 BUSINESS AND CORPORATE SERVICES.....	23

05/19.12.1 Corporate Services Department Report .....	23
05/19.12.2 Monthly Financial Report.....	24
05/19.12.3 Visitor Information Centre Report .....	25
05/19.13.0 WORKS AND INFRASTRUCTURE .....	25
05/19.13.1 Works and Infrastructure Report.....	25
05/19.13.2 Animal Control Report .....	26
05/19.14.0 COMMUNITY DEVELOPMENT .....	27
05/19.14.1 Community Services Report.....	27
05/19.15.0 DEVELOPMENT SERVICES.....	28
05/19.15.1 Development Services Report.....	28
05/19.15.2 Planning Approvals Issued .....	28
05/19.15.3 Building Services Approvals .....	28
05/19.15.4 NRM Committee Meeting Minutes and Items for Attention .....	28
05/19.15.5 Support for 2019 Season Fire Bans by Parks and Wildlife Service .....	29
05/19.15.6 Sharing and Sustaining Coastal Camping Opportunities .....	30
05/19.15.7 Draft Revised NRM Strategy Plans.....	30
05/19.16.0 GOVERNANCE.....	31
05/19.16.1 General Manager's Report.....	31
05/19.16.2 Policy – LG06 Employee Recognition Policy .....	32
05/19.16.3 Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report.....	33
05/19.16.4 2018 / 2019 Annual Plan – March Quarterly Review .....	34
05/19.16.5 Policy – LG05 – Social Media Policy Review.....	35
05/19.16.6 Policy – LG10 – Salary Packaging Policy .....	35
05/19.16.7 Policy – LG19 - Disciplinary Policy .....	36
05/19.16.8 Policy – LG44 – UV Protection Policy .....	36
05/19.16.9 Policy – LG50 – Gifts and Benefits Policy .....	37
05/19.16.10 Election of Committee Member of the General Management Committee (GMC) and President of the Local Government Association of Tasmania (LGAT) .....	37
05/19.17.0 CLOSED COUNCIL .....	39
05/19.17.1 Confirmation of Closed Council Minutes – Council Meeting 15 April 2019 .....	39
05/19.17.2 Outstanding Actions List for Closed Council .....	39
05/19.17.3 Contract 030\001\114\ Town Litter Collection - Closed Council Item Pursuant To Section 15(2)D Of The Local Government (Meeting Procedures) Regulations 2015	39

## OPENING

*The Mayor to welcome Councillors, staff and members of the public and declare 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.*

### 05/19.1.0 ATTENDANCE

#### 05/19.1.1 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

#### 05/19.1.2 Apologies

Councillor Kylie Wright

#### 05/19.1.3 Leave of Absence

Nil.

#### 05/19.1.4 Staff in Attendance

General Manager, John Brown  
Executive Assistant, Angela Matthews  
Manager Community Services, Chris Hughes (*Item 11.1 – 15.1*)  
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 17.3*)  
Communications Coordinator, Jayne Richardson (*Item 1.0 – 16.6*)  
Planning Services Coordinator, Geraldine O'Connor (*Item 1.0 – 11.1*)  
Planning Consultant, Rebecca Green (*Item 1.0 – 7.0*)  
Planning Officer, Chris Triebe (*Item 1.0 – 7.0*)  
Manager Corporate Services, Bob Hoogland (*Item 1.0 – 13.2*)  
NRM Facilitator, Polly Buchhorn (*Item 13.1 – 16.1*)  
Building Services Coordinator, Jake Ihnen (*Item 2.0 – 11.1 / 13.1 – 15.4*)

#### 05/19.2.0 PUBLIC QUESTION TIME

Two (2) people in the gallery.

#### 05/19.2.1 Clean-up of Reedy Creek – Ms H Weston, Beaumaris

Will Council approach relevant government bodies regarding clean-up of Reedy Creek in Beaumaris due to significant health issues?

##### Reply

Yes, Council will inform the Parks and Wildlife Service, Manager of Conservation Area land through which Reedy Creek flows seaward of the Tasman Highway, of your concerns.

West of the highway however the creek flows over private land, which is zoned in the Break O'Day Planning Scheme for 'Environmental Living'. At the highway the creek is in a healthy natural and well vegetated state, consistent with the objectives for Conservation Area land and values to be expected for the Environmental Living planning zone.

#### 05/19.2.2 Clean-up Tasman Highway Day – Ms H Weston, Beaumaris

Will Council support me in organising a clean-up the Tasman Highway Day?

##### Reply

As part of Clean Up Australia Day, Council supports community groups each year to organise local clean ups, including with disposal of waste and recyclables collected and events on Council managed roads.

The Tasman Highway is the responsibility of the Department of State Growth and a roadside clean up would first require permission from them. Roadside works also require traffic management to be addressed. These issues can be a significant barrier to community roadside clean ups of state highways however Council staff will assist where possible to secure approvals if a local community group would like to pursue this.

Council would assist with the provision of a central rubbish collection point and remove the rubbish collected.

### **05/19.2.3 Request for Subsidy for Water – Ms H Weston, Beaumaris**

Will Council consider subsidising the cost to ratepayers of a load of water, for those who are not connected to town water?

#### **Reply**

The Drought Communities Programme funding guidelines identify that eligible projects must relate to economic, social and cultural infrastructure, safety and accessibility upgrades, and/or town facility developments and upgrades.

The funds cannot be used to purchase water for individuals or reimburse individuals for the purchase of water.

### **05/19.3.0 DECLARATION OF PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE**

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

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

Clr Barry LeFevre declared a non-pecuniary (conflict of interest) for agenda item 05/19.6.3 – DA208-2018 – New Dwelling and Demolition of Existing – 2 Hilltop Drive, Binalong Bay as his cousin submitted a representation.

*Clr Osborne arrived at 10.09am*

## 05/19.4.0 CONFIRMATION OF MINUTES

### 05/19.4.1 Confirmation of Minutes – Council Meeting 15 April 2019

#### OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 15 April 2019 be confirmed.

#### DISCUSSION:

- Cllr Drummond requested an amendment to the discussion section of item 04/19.16.5 – Review – LG05 – Social Media Policy Review.

#### COUNCIL DECISION:

**05/19.4.1.100** Moved: Cllr J McGiveron / Seconded: Cllr L Whittaker

That the minutes of the Council Meeting held on the 15 April 2019 be confirmed with Cllr Drummond's amendment for the discussion in item 04/19.16.5 – Review – LG05 – Social Media Policy Review be amended as follows *"anything that is already in the public domain, such as newspapers etc, whether it be a news article, an opinion piece or a letter to the editor, should be allowed to be shared on Councillors personal pages. The fact that it is shared does not make it my opinion"*.

**CARRIED UNANIMOUSLY**

## 05/19.5.0 COUNCIL WORKSHOPS HELD SINCE 15 APRIL 2019 COUNCIL MEETING

There was a Workshop held on Monday 6 May 2019 – the following items were listed for discussion.

- Adoption of 2019 - 2020 Budget Estimates
- Draft Playgrounds Asset Management Plan
- St Marys – Local Township Plan
- NRM Committee Meeting Minutes and items for attention
- Support for 2019 Season Fire Bans by Parks and Wildlife Service
- Sharing and Sustaining Coastal Camping Opportunities
- Draft Revised NRM Strategy Plans
- Draft Local Provisions Schedule (LPS) Project
- Elected Member Allowance & Support Policy
- Policy – LG10 Salary Packaging Policy
- Policy – LG19 Disciplinary Policy
- Policy – LG44 UV Protection Policy
- Policy – LG50 – Gifts and Benefits Policy
- Review – Break O'Day Council Meeting Procedures
- Policy – LG53 – Audio Recording of Council Meetings



- St Helens CBD – Parking and MTB Destination Focus
- Council Meetings
- Community Correspondence
- Code of Conduct

## 05/19.6.0 PLANNING AUTHORITY

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

### 05/19.6.1 DA 032-2019 – Construction of Dwelling, Ancillary Dwelling, Shed with Carport, Shipping Container and Vegetation Clearance – 1284 North Ansons Road, Ansons Bay

FILE REFERENCE	DA 032-2019
----------------	-------------

#### OFFICER'S RECOMMENDATION:

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 **CONSTRUCTION OF DWELLING, ANCILLARY DWELLING, SHED WITH CARPORT, SHIPPING CONTAINER AND VEGETATION CLEARANCE** on land situated at **1284 NORTH ANSONS ROAD, ANSONS BAY** described in Certificate of Title 11915/20 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 032-2019 received by Council 1 March 2019, together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.
2. The container 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 container would therefore require a further development application.
3. The vehicle crossover from the carriageway to the property boundary must be **constructed** and maintained in general accordance with the vehicular crossing requirements of Council's Manager Infrastructure and Development Services, TSD-R03-v1 and TSD-R04-v1 (attached) with the exception that the culvert pipe, end walls and guideposts are not required. The construction of a standard duty vehicular crossover will provide an effective, safe and nuisance-free vehicle access in connection with the proposed development and must be financed by the applicant.
4. No works are to commence on the crossover until a permit to undertake works in the road reservation has been issued by Council's Manager Infrastructure and Development Services for the crossover. Works Permit application attached.
5. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.

6. All works must be conducted in accordance with *Environmental Best Practice Guidelines for Undertaking Works in Waterways and Wetlands in Tasmania* as outlined in the Department of Primary Industries, Parks, Water and Environment publication 'Waterways and Wetlands Works Manual 2003' and the Forest Practices Plan to be submitted prior to the clearing of land for the Resource Development Use.
7. Standard *Phytophthora* hygiene measures must be implemented for the construction and maintenance of works in accordance with and using the *Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania* (DPIPWE 2015, Eds. K. Stewart & M. Askey-Doran. DPIPWE, Hobart, Tas). A copy of the Weed and Disease Management Plan prepared from these Guidelines is to be provided to Council prior to works beginning, including commissioning of the work site.
8. A report from a Forest Practices Officer or the Forest Practices Authority must be provided to Council regarding the requirements of a Forest Practices Plan prior to the undertaking any forest practices within CT 11915 Folio 20. This report is to demonstrate compliance with the relevant Clauses of E8 Biodiversity Code and E9 Water Quality Code of the Planning Scheme.
9. A field survey of potential *Sowerbaea juncea* habitat is to be completed during the peak flowering period and in accordance with the ECOtas ecological assessment dated 12 February 2019. A copy of this assessment is to be provided to Council and to the satisfaction of Council's Planning Services Co-ordinator prior to stage 2 and any forestry activities commencing.
10. Native vegetation is not to be removed outside the area immediately servicing the dwelling, ancillary unit, shipping container and associated wastewater infrastructure until such time as the Forest Practices Plan prepared by a suitably qualified person has been submitted to Council and it's adequacy confirmed in writing by Council's Planning Services Manager.
11. 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 Manager Infrastructure and Development Services.
12. 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.

## ADVICE

- Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.

- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- Activities associated with construction works are not to be performed outside the permissible time frames listed:  
*Mon-Friday 7 am to 6 pm*  
*Saturday 9 am to 6 pm*  
*Sunday and public holidays 10 am to 6 pm*

#### DISCUSSION:

- Cllr McGuinness stated that in the whole area there are a number of residences with very little impact on the environment, they seem to have been fairly thoughtful and thorough with the application.
- Cllr Osborne stated that there is nothing that tells her that there is anything that goes against the Planning Scheme requirements.
- Cllr McGivern stated that the report is very extensive which is good.

#### COUNCIL DECISION:

**05/19.6.1.101**      Moved: Cllr G McGuinness / Seconded: Cllr M Osborne

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 **CONSTRUCTION OF DWELLING, ANCILLARY DWELLING, SHED WITH CARPORT, SHIPPING CONTAINER AND VEGETATION CLEARANCE** on land situated at **1284 NORTH ANSONS ROAD, ANSONS BAY** described in Certificate of Title 11915/20 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 032-2019 received by Council 1 March 2019, together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.
2. The container 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 container would therefore require a further development application.
3. The vehicle crossover from the carriageway to the property boundary must be **constructed** and maintained in general accordance with the vehicular crossing requirements of Council's Manager Infrastructure and Development Services, TSD-R03-v1 and TSD-R04-v1 (attached) with the exception that the culvert pipe, end walls and guideposts are not required. The construction of a standard duty vehicular crossover will provide an effective, safe and nuisance-free vehicle access in connection with the proposed development and must be financed by the applicant.
4. No works are to commence on the crossover until a permit to undertake works in the road reservation has been issued by Council's Manager Infrastructure and Development Services for the crossover. Works Permit application attached.

5. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
6. All works must be conducted in accordance with *Environmental Best Practice Guidelines for Undertaking Works in Waterways and Wetlands in Tasmania* as outlined in the Department of Primary Industries, Parks, Water and Environment publication 'Waterways and Wetlands Works Manual 2003' and the Forest Practices Plan to be submitted prior to the clearing of land for the Resource Development Use.
7. Standard *Phytophthora* hygiene measures must be implemented for the construction and maintenance of works in accordance with and using the *Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania* (DPIPWE 2015, Eds. K. Stewart & M. Askey-Doran. DPIPWE, Hobart, Tas). A copy of the Weed and Disease Management Plan prepared from these Guidelines is to be provided to Council prior to works beginning, including commissioning of the work site.
8. A report from a Forest Practices Officer or the Forest Practices Authority must be provided to Council regarding the requirements of a Forest Practices Plan prior to the undertaking any forest practices within CT 11915 Folio 20. This report is to demonstrate compliance with the relevant Clauses of E8 Biodiversity Code and E9 Water Quality Code of the Planning Scheme.
9. A field survey of potential *Sowerbaea juncea* habitat is to be completed during the peak flowering period and in accordance with the ECOtas ecological assessment dated 12 February 2019. A copy of this assessment is to be provided to Council and to the satisfaction of Council's Planning Services Co-ordinator prior to stage 2 and any forestry activities commencing.
10. Native vegetation is not to be removed outside the area immediately servicing the dwelling, ancillary unit, shipping container and associated wastewater infrastructure until such time as the Forest Practices Plan prepared by a suitably qualified person has been submitted to Council and it's adequacy confirmed in writing by Council's Planning Services Manager.
11. 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 Manager Infrastructure and Development Services.
12. 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.

## ADVICE

- Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.

- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- Activities associated with construction works are not to be performed outside the permissible time frames listed:  
*Mon-Friday 7 am to 6 pm*  
*Saturday 9 am to 6 pm*  
*Sunday and public holidays 10 am to 6 pm*

**CARRIED UNANIMOUSLY**

**05/19.6.2                      DA 040-2019 – Application to Amend the Break O’Day Interim Planning Scheme 2013 – Draft Amendment 02/2019**

<b>FILE REFERENCE</b>	DA 040-2019
-----------------------	-------------

**RECOMMENDATION:**

That the Council:

1. Considers the representations received to Amendment 02/2019 to the Break O’Day Interim Planning Scheme 2013, together with the responses provided.
2. Recommends to the Tasmanian Planning Commission that draft Amendment 02/2019 be approved as certified and exhibited.

**DISCUSSION:**

- The Planning Consultant advised that due to a representation being received it is very likely that there will be a hearing with the Tasmanian Planning Commission.
- The Planning Consultant advised that the overlay maps provide clarification and guide developers as to what is required when submitting development applications.
- Clr Whittaker stated that she thought it was very thorough and there is no confusion with this.
- Clr McGiveron stated that it provides a certainty and this needs to be done sooner rather than later.
- Clr McGuinness asked, are there any implications for pre-existing properties. The Planning Consultant advised that there weren’t unless you are undertaking development, however she advised that there are also certain works that are exempt through this process.
- Clr LeFevre asked, who pays for a hearing with the Tasmanian Planning Commission. The Planning Consultant advised that there is an application fee that forms part of the process of approximately \$300 and then any costs relating to any representation required on Council’s behalf for the hearing.
- Clr Drummond asked, are the overlays transferred to the new Planning Scheme. The Planning Consultant advised that yes, they will be.

## COUNCIL DECISION:

**05/19.6.2.102**      Moved: Clr L Whittaker / Seconded: Clr J McGiveron

That the Council:

1. Considers the representations received to Amendment 02/2019 to the Break O’Day Interim Planning Scheme 2013, together with the responses provided.
2. Recommends to the Tasmanian Planning Commission that draft Amendment 02/2019 be approved as certified and exhibited.

**CARRIED UNANIMOUSLY**

**05/19.6.3**      **DA 208-2018 – New Dwelling and Demolition of Existing – 2 Hilltop Drive, Binalong Bay**

<b>FILE REFERENCE</b>	DA 208-2018
-----------------------	-------------

## OFFICER’S RECOMMENDATION:

After due consideration of the representations received pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O’Day Council Interim Planning Scheme 2013* that the application for **New Dwelling and Demolition of Existing** on land situated at **2 Hilltop Drive, Binalong Bay** described in Certificate of Title CT 78613/8 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 208-2018 received by Council 27 September 2018, together with all submitted documentation received and forming part of the development application, except as varied by conditions of this Planning Permit.
2. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council’s *Plumbing Permit Authority*.
3. All stormwater runoff from the proposed dwelling must be detained by on-site water storage systems and overflow disposed of into the storm water system servicing the existing dwelling by means that will not result in soil erosion or other stormwater nuisance.
4. Prior to the use commencing, the vehicle crossover from the carriageway to the property boundary must be upgraded and maintained in general accordance with the vehicular crossing requirements of Council’s Infrastructure & Development Services Manager prior to the use commencing, generally in accordance with Standard Drawing TSD-R03-v1 and TSD-R04-v1 including pipe culvert, headwalls and sealing. 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.

5. No works are to commence on the crossover until a permit to undertake works in the road reservation has been issued by Council's Infrastructure & Development Services Manager for the crossover (application attached).
6. 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.
7. 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.
8. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the dwelling 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 Works Manager.
- Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures. Such relics are to be immediately reported to Aboriginal Heritage Tasmania and guided by the Unanticipated Discovery Plan.
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- Activities associated with construction works are not to be performed outside the permissible time frames listed:

*Mon-Friday 7 am to 6 pm*

*Saturday 9 am to 6 pm*

*Sunday and public holidays 10 am to 6 pm*

#### **DISCUSSION:**

- Cllr McGiveron stated that he had no issues with this application the report is very clear.



## COUNCIL DECISION:

**05/19.6.3.103**

Moved: Clr J McGiveron / Seconded: Clr M Osborne

After due consideration of the representations received pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Council Interim Planning Scheme 2013* that the application for **New Dwelling and Demolition of Existing** on land situated at **2 Hilltop Drive, Binalong Bay** described in Certificate of Title CT 78613/8 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 208-2018 received by Council 27 September 2018, together with all submitted documentation received and forming part of the development application, except as varied by conditions of this Planning Permit.
2. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
3. All stormwater runoff from the proposed dwelling must be detained by on-site water storage systems and overflow disposed of into the storm water system servicing the existing dwelling by means that will not result in soil erosion or other stormwater nuisance.
4. Prior to the use commencing, the vehicle crossover from the carriageway to the property boundary must be upgraded and maintained in general accordance with the vehicular crossing requirements of Council's Infrastructure & Development Services Manager prior to the use commencing, generally in accordance with Standard Drawing TSD-R03-v1 and TSD-R04-v1 including pipe culvert, headwalls and sealing. 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.
5. No works are to commence on the crossover until a permit to undertake works in the road reservation has been issued by Council's Infrastructure & Development Services Manager for the crossover (application attached).
6. 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.
7. 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.
8. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the dwelling 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 Works Manager.
- Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures. Such relics are to be immediately reported to Aboriginal Heritage Tasmania and guided by the Unanticipated Discovery Plan.
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- Activities associated with construction works are not to be performed outside the permissible time frames listed:

*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.*

## 05/19.7.0

## PETITIONS

Nil.

**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:*

To invite the State Government to join a conversation with BODC to commence a Bay of Fires Master Plan.

Ultimately this is to include but not exclusive to....

- Parks and Wildlife Service
- Break O' Day Council
- Department Of State Growth
- Tas. Aboriginal Community
- Heritage Tasmania
- Friends of Eddystone Point
- John Tucker MHA and Mhari Tucker, as owners of The Gardens pastoral property
- Residents of BOF settlements
- CMCA
- Taswater
- East Coast Tourism

Major items for discussion....

- Parking at pressure points- Binalong Bay, The Gardens and Larapuna
- Provision of further infrastructure, eg. Boat ramps, interpretation sites, designated coastal walks, further access etc.
- Provision of more food outlets
- The future of reticulated water and sewerage
- Provision of more interpretation sites
- Protection of historical sites, both European and Aboriginal
- A discussion of the roles of Mt. William National Park, Mt. Pearson State Reserve, Humbug Pt. State Reserve, various coastal state reserves and the conservation area north of The Gardens
- Maintenance of the highly popular free camping sites along the BOF precinct
- Bushfire management
- Flood management
- Accommodation
- Pressure on The Gardens Rd. from the Reids Rd. Intersection
- Any other valid points

## DISCUSSION:

- Clr McGuinness stated that this area is vital for this community as far as the economy goes and that it is too big for us to try and do it, we need to engage with the State Government.
- Clr McGuinness stated that Tourism Tasmania should also be involved.
- Clr LeFevre stated that Clr McGuinness has articulated this perfectly. There has been some significant work done in the area lately and we need to get all groups involved.
- Clr Whittaker stated that this was a great idea totally supportive.

## COUNCIL DECISION:

**05/19.8.1.104**      Moved: Clr G McGuinness / Seconded: Clr B LeFevre

*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:*

To invite the State Government to join a conversation with Break O'Day Council to commence a Bay of Fires Master Plan.

Ultimately this is to include but not exclusive to....

- Parks and Wildlife Service
- Break O' Day Council
- Department Of State Growth
- Tas. Aboriginal Community
- Heritage Tasmania
- Friends of Eddystone Point
- John Tucker MHA and Mhari Tucker, as owners of The Gardens pastoral property
- Residents of BOF settlements
- CMCA
- Taswater
- East Coast Tourism

Major items for discussion....

- Parking at pressure points - Binalong Bay, The Gardens and Larapuna
- Provision of further infrastructure, eg. Boat ramps, interpretation sites, designated coastal walks, further access etc.
- Provision of more food outlets
- The future of reticulated water and sewerage
- Provision of more interpretation sites
- Protection of historical sites, both European and Aboriginal
- A discussion of the roles of Mt William National Park, Mt Pearson State Reserve, Humbug Point State Reserve, various coastal state reserves and the conservation area north of The Gardens
- Maintenance of the highly popular free camping sites along the BOF precinct

- Bushfire management
- Flood management
- Accommodation
- Pressure on The Gardens Road from the Reids Road Intersection
- Any other valid points

**CARRIED UNANIMOUSLY**

## 05/19.8.2 Notice of Motion – Sharp Container Disposal Service – Clr K Chapple

### **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 investigate the feasibility of reducing the cost to community members who use the sharp container disposal service.

### **DISCUSSION:**

- Clr Drummond stated that she is fully supportive of this motion to help out our community at either low cost or no cost.

### **COUNCIL DECISION:**

**05/19.8.2.105**      Moved: Clr K Chapple / Seconded: Clr J Drummond

*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 investigate the feasibility of reducing the cost to community members who use the sharp container disposal service.

**CARRIED UNANIMOUSLY**

## 05/19.9.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

*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.*

### 05/19.10.1 Building Fees – Clr J Drummond

Could there be a capping of building fees where an extension of time is sought rather than incremental increases year by year \$100, \$150, \$300. This would take consideration of home builders, loss of employment; medical expenses; injury time, etc.

#### Reply

Council Officers did not consider the capping of the application for an “*extension of time for the duration of a building permit*” in the 2019/2020 Schedule of Fees & Charges. The incremental increase is reflective of Council’s additional ongoing costs for file management, technical assessment for consideration of the request, insurance cover and any additional inspections required to finalise the file. A property developer may request for a fee waiver for special circumstances in writing to Council which would be considered on a case by case basis.

### 05/19.10.2 Black Spots on St Helens Point Road – Clr J Drummond

What is happening with the black spots identified on the St Helens Point Road which need pedestrian/bike paths? The members of the St Helens Point Progress Association are concerned about the potential accident at these points.

#### Reply

Black spot funding is based on a crash history at a roadway site involving motor vehicles and the expertise required to assess the appropriate treatment. There are no listed black spots for St Helens Point Road.

Council continues to seek funding to enable the construction of a foreshore shared way (pedestrians/bicycles) between Talbot Street and Cunningham Street Jetty.

### 05/19.10.3 Pathway up Aerodrome Hill – Clr J Drummond

Is there a possibility of a path up Aerodrome Hill? The St Helens Point Progress Association understand that this would need to be done in conjunction with MRT, due to the landslip classification of the land there.

## Reply

There is an existing pedestrian refuge on the southern side of the road. There is insufficient space between the road kerb and the rock embankment to construct a compliant footpath (LGAT Standard Drawings). The difficulties and restrictions in this area due to the landslip classification and the steepness of the bank have been explained to the Association previously.

## 05/19.11.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

### 05/19.11.1 Mayor's Communications for Period Ending 20 May 2019

16.04.2019	St Helens	– Tascoss – Employment Partnership Presentation
16.04.2019	St Helens	– Meeting with National Senator Steve Martin – Funding announcements
25.04.2019	St Helens	– ANZAC Day services
28.04.2019	St Helens	– Meeting with St Helens Point Road Progress Association
30.04.2019	St Helens	– Meeting with representatives from Lower Georges Riverworks Trust
06.05.2019	St Helens	– Council Workshop
08.05.2019	Launceston	– TasWater General meeting
09.05.2019	Launceston	– Local Government Association of Tasmania (LGAT) – General Management Committee & Premiers Local Government Council meetings
10.05.2019	St Helens	– Meeting with Rebecca White MP & Jen Butler MP
11.05.2019	Beaumaris	– Official Re-opening Surfside Hotel/Motel
15.05.2019	St Helens	– Rotary Club of St Helens meeting
16.05.2019	St Helens	– Official opening of St Helens District Hospital
17.05.2019	Fingal	– Eating with Friends – Fingal Valley Neighbourhood House
17.05.2019	St Helens	– St Helens Bowls Club dinner
20.05.2019	St Helens	– Council Meeting

### 05/19.11.2 Councillor's Reports for Period Ending 20 May 2019

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

#### St Helens and Districts Chamber of Commerce and Tourism –Clr Kylie Wright

- The next meeting is tomorrow night.

#### NRM Special Committee – Clr Janet Drummond

- Draft report in this agenda.

#### Barway Committee – Cllr John McGivern

- Nothing further since the last Council Meeting.
- Mayor and General Manager met with representatives from MAST a couple of weeks ago and the Mayor advised that he believes this is on track, however there are still approvals being sought by MAST through other agencies. Deputy Mayor McGivern stated that he believes this needs to be followed up further.

#### Regional Tourism Organisation (RTO) – Cllr Glenn McGuinness

- No further meeting until June.
- CEO, Ruth Dowty will not be renewing her contract at the end of June and this position will be advertised with a focus of someone being either based on the East Coast or at least spending considerable time on the coast.
- Council will formerly acknowledge our appreciation for Ruth Dowty over the last five (5) years.

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

- Next meeting scheduled late June.

#### Disability Access Committee – Cllr Janet Drummond

- Scheduled meeting in two (2) weeks' time.

## **05/19.12.0 BUSINESS AND CORPORATE SERVICES**

### **05/19.12.1 Corporate Services Department Report**

<b>FILE REFERENCE</b>	018\018\001\
-----------------------	--------------

#### **OFFICER'S RECOMMENDATION:**

That the report be received.

#### **INTRODUCTION:**

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

#### **DISCUSSION:**

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

**COUNCIL DECISION:****05/19.12.1.106**Moved: Clr J McGiveron / Seconded: Clr K Chapple

That the report be received.

**CARRIED UNANIMOUSLY****05/19.12.2      Monthly Financial Report**

<b>FILE REFERENCE</b>	018\018\001\
-----------------------	--------------

**OFFICER'S RECOMMENDATION:**

That the following reports for the month ending 30 April 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 he had nothing further to add.

**COUNCIL DECISION:****05/19.12.2.107**Moved: Clr J Drummond / Seconded: Clr B LeFevre

That the following reports for the month ending 30 April 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**



### 05/19.12.3 Visitor Information Centre Report

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

#### OFFICER'S RECOMMENDATION:

That the report be received.

#### INTRODUCTION:

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

#### DISCUSSION:

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

#### COUNCIL DECISION:

**05/19.12.3.108** Moved: Clr J McGiveron / Seconded: Clr L Whittaker

That the report be received.

**CARRIED UNANIMOUSLY**

### 05/19.13.0 WORKS AND INFRASTRUCTURE

#### 05/19.13.1 Works and Infrastructure Report

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

#### OFFICER'S RECOMMENDATION:

That the report be received by Council.

#### INTRODUCTION:

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

#### DISCUSSION:

- The Manager Infrastructure and Development Services advised that there is an ongoing issue with illegal dumping of asbestos at our waste transfer stations and it is consuming a lot of time and money of Council. We have taken all appropriate actions in dealing with

the asbestos. We have some work to do with strategy and preventative planning moving forward within Council. Cllr McGuinness asked, is there any police involvement here or are we any closer to knowing who may be the cause. The Manager Infrastructure and Development Services advised that at the moment we do not have sufficient information to proceed with prosecution or cost recovery. Workplace Standards and the EPA have been advised and they may conduct further investigations. The General Manager advised that there will be ongoing education in relation to this with a piece in the newsletter, etc and we will let the community know what \$45,000 means to this community in terms of projects which could be undertaken with funds such as this. Cllr LeFevre stated that the Council should adopt an approach that we go to the nth degree to encourage prosecution as this would help the situation immensely. Cllr Drummond stated that she agrees with the General Manager and Cllr LeFevre that we need to make it known to the community what this means to the community. The Manager Infrastructure and Development Services advised that as information comes forward we will pass it onto the regulators.

- Cllr Drummond asked, where is the matter of free green waste up to, is this ongoing. The Manager Infrastructure and Development Services advised that he will have this available for the July workshop.
- Cllr Drummond asked in relation to the turning circle in Cornwall, has anything happened with this. The Manager Infrastructure and Development Services advised that we have spoken to TasWater regarding the drainage works and the turning circle also sits with TasWater, they are making a contribution towards remediation works for the drainage which has caused these issues in Cornwall.

#### **COUNCIL DECISION:**

**05/19.13.1.109**

Moved: Cllr G McGuinness / Seconded: Cllr K Chapple

That the report be received by Council.

**CARRIED UNANIMOUSLY**

#### **05/19.13.2      Animal Control Report**

<b>FILE REFERENCE</b>	003\003\018\
-----------------------	--------------

#### **OFFICER'S RECOMMENDATION:**

That the report be received by Council.

#### **INTRODUCTION:**

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

#### **DISCUSSION:**

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

**COUNCIL DECISION:****05/19.13.2.110**Moved: Clr L Whittaker / Seconded: Clr J McGiveron

That the report be received by Council.

**CARRIED UNANIMOUSLY**

*Meeting adjourned at 10.58am for morning tea*

*Meeting resumed at 11.15am*

**05/19.14.0          COMMUNITY DEVELOPMENT****05/19.14.1          Community Services Report**

<b>FILE REFERENCE</b>	011\034\006\
-----------------------	--------------

**OFFICER'S RECOMMENDATION:**

That the report be received.

**INTRODUCTION:**

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

**DISCUSSION:**

The Manager Community Services advised he had nothing further to add.

**COUNCIL DECISION:****05/19.14.1.111**Moved: Clr B LeFevre / Seconded: Clr G McGuinness

That the report be received.

**CARRIED UNANIMOUSLY**

## 05/19.15.0 DEVELOPMENT SERVICES

### 05/19.15.1 Development Services Report

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

#### OFFICER'S RECOMMENDATION:

That the report be received.

#### INTRODUCTION:

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

#### DISCUSSION:

- The Building Services Coordinator advised that there has been a bit of a delay with the St Helens Foreshore toilets, however they should be completed in the next week.
- Clr McGiveron stated that the toilets at the St Marys Recreation Ground are getting a little bit run down, are there any plans for any refurbishments.

#### COUNCIL DECISION:

**05/19.15.1.112** Moved: Clr J Drummond / Seconded: Clr G McGuinness

That the report be received.

**CARRIED UNANIMOUSLY**

### 05/19.15.2 Planning Approvals Issued

Received.

### 05/19.15.3 Building Services Approvals

Received.

### 05/19.15.4 NRM Committee Meeting Minutes and Items for Attention

FILE REFERENCE	010\028\002\
----------------	--------------

#### OFFICER'S RECOMMENDATION:

That Council receive the Minutes of NRM Committee Meetings of 1 March and 20 December 2018 and 20 February 2019 and acknowledges advice and recommendations from the Committee.

## INTRODUCTION:

A series of Break O'Day NRM Special Committee Meeting minutes have not been received by Council since November 2017.

## DISCUSSION:

- The NRM Coordinator advised that the list of action items flowing from the subsequent meetings are progressing.

## COUNCIL DECISION:

**05/19.15.4.113**

Moved: Clr J Drummond / Seconded: Clr L Whittaker

That Council receive the Minutes of NRM Committee Meetings of 1 March and 20 December 2018 and 20 February 2019 and acknowledges advice and recommendations from the Committee.

**CARRIED UNANIMOUSLY**

## 05/19.15.5 Support for 2019 Season Fire Bans by Parks and Wildlife Service

FILE REFERENCE	010\028\002\
----------------	--------------

## OFFICER'S RECOMMENDATION:

That Council write to the Tasmanian Parks and Wildlife Service to support its fire bans this summer to manage camp fire risks in Break O'Day reserves and its campground signage communicating the bans.

## INTRODUCTION:

Tasmania was impacted by significant wildfires during January 2019. Council's NRM Committee believes the fire bans applied by the PWS in its reserves during the camping season should be acknowledged and supported by Council.

## DISCUSSION:

- The NRM Coordinator advised that the NRM Committee would like to acknowledge the positive support from other agencies/ partners.

## COUNCIL DECISION:

**05/19.15.5.114**

Moved: Clr L Whittaker / Seconded: Clr J Drummond

That Council write to the Tasmanian Parks and Wildlife Service to support its fire bans this summer to manage camp fire risks in Break O'Day reserves and its campground signage communicating the bans.

**CARRIED UNANIMOUSLY**

## 05/19.15.6 Sharing and Sustaining Coastal Camping Opportunities

FILE REFERENCE	010\028\002\
----------------	--------------

### OFFICER'S RECOMMENDATION:

That Council acknowledges the issues of environmental sustainability and equity of access to 'free camping' opportunities in the natural areas of Break O'Day, raised by the NRM Special Committee, and that Council is awaiting the outcomes of the current PWS East Coast Camping Project.

### INTRODUCTION:

For decades access to coastal campgrounds in Break O'Day has been enjoyed by thousands of residents and visitors. It has contributed significantly to the reputation of places such as Irapuna / Bay of Fires for their natural beauty and to the growth of the local economy.

### DISCUSSION:

No discussion of significance took place on this item.

### COUNCIL DECISION:

**05/19.15.6.115** Moved: Clr J Drummond / Seconded: Clr K Chapple

That Council acknowledges the issues of environmental sustainability and equity of access to 'free camping' opportunities in the natural areas of Break O'Day, raised by the NRM Special Committee, and that Council is awaiting the outcomes of the current PWS East Coast Camping Project.

**CARRIED UNANIMOUSLY**

## 05/19.15.7 Draft Revised NRM Strategy Plans

FILE REFERENCE	010\028\002\
----------------	--------------

### OFFICER'S RECOMMENDATION:

That Council receive the draft 'Environment and NRM Strategy' and 'Environment and NRM Action Plan' (v2.2) and seek community comment on them, for the NRM Committee to consider in preparing final plans for Council.

### INTRODUCTION:

Council's Natural Resource Management (NRM) Committee has been reviewing the 2012 Break O'Day Council NRM Strategy to develop revised priorities for Council that align with the Council's Strategic Plan 2017-2027. A five (5) year Action Plan and longer term Strategy document have been drafted by the Committee, with input from Council's management team.

## DISCUSSION:

- Cllr Drummond stated that she would like to thank all of the Council staff who have been involved in this project. There has been really good sound collaboration between Council staff and the NRM Committee.
- Cllr LeFevre asked in relation to the section on Flora and Fauna, point 1.2 – fragmentation by coastal ribbon development. Will the Planning Scheme address this. The General Manager stated that the Planning Scheme will look at some of this on a small scale, we do have fairly defined settlements and sections with areas of Crown Land, there are some areas that may need to be addressed from a strategic point of view. It is just identifying something we need to consider in that respect. The NRM Officer stated that this is built into the Planning Scheme as well.

## COUNCIL DECISION:

**05/19.15.7.116**

Moved: Cllr J Drummond / Seconded: Cllr L Whittaker

That Council receive the draft 'Environment and NRM Strategy' and 'Environment and NRM Action Plan' (v2.2) and seek community comment on them, for the NRM Committee to consider in preparing final plans for Council.

**CARRIED UNANIMOUSLY**

## **05/19.16.0 GOVERNANCE**

### **05/19.16.1 General Manager's Report**

<b>FILE REFERENCE</b>	002\012\001\
-----------------------	--------------

## OFFICER'S RECOMMENDATION:

That the General Manager's report be received.

## INTRODUCTION:

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

## DISCUSSION:

- Jobs Action Package – The General Manager advised that this has been an ongoing process. It started with TasCOSS but now a smaller group has been working on a cohesive approach which will be put back to TCCI and TasCOSS in the next week. We have looked at the youth side, accessing services, transport, focal point of a physical hub, and on the flip side we have looked at the business side. There are significant funds available it is about getting a solution on the ground that will work. We have advised TasCOSS that we want to put this out to the youth to test the proposal as well.

- St Helens Helipad – The General Manager advised that this is still in the frame to be mainly used for interventions to get highly trained paramedics on the ground quickly. They were talking approximately a dozen times a year that it may be required to be used for emergency landings.
- Population analysis from Treasury – The General Manager listed this as something for Council to be aware of for the future. NTDC also have a population project that will be coming through. It is really important to look at other sources of data eg school enrolments as mentioned by Cllr LeFevre. Cllr Drummond stated that as Cllr LeFevre said this kind of data as well as local knowledge is vital for us to consider when planning for the future. Cllr Whittaker stated that another consideration is the availability of housing and accommodation, if this gets worse people can't afford to come and live here. The General Manager stated that there are a number of things Council needs to consider here and work with the State Government and other organisations, we need to be proactive and try and make a difference.
- Drought Package – The General Manager advised that we will be advertising this week coming for people to apply for labouring type positions and we will be keeping a register, people with track building skills will be great. Cllr McGuinness asked, will there be specific projects within this that are already in train. The General Manager advised that we have had to wait due to care-taker mode with the Federal Government election we have not been able to progress this as much as we would have liked. We are also looking at streetscapes, cemeteries etc that we can be delivered between 1 July to 31 December.

#### **COUNCIL DECISION:**

**05/19.16.1.117**

Moved: Cllr J Drummond / Seconded: Cllr K Chapple

That the General Manager's report be received.

**CARRIED UNANIMOUSLY**

#### **05/19.16.2 Policy – LG06 Employee Recognition Policy**

<b>FILE REFERENCE</b>	002\024\007\
-----------------------	--------------

#### **OFFICER'S RECOMMENDATION:**

That Policy LG06 – Employee Recognition be cancelled and replaced with a similarly worded Procedure.

#### **INTRODUCTION:**

Council has a schedule for regular review of Policies and upon examination it is considered the nature and intent of this policy are administrative and operational therefore better captured as a procedure.



#### DISCUSSION:

- Clr LeFevre stated that he is against this policy for a number of reasons, however agrees with the opening sentence. Clr LeFevre stated that he is against it because if you stay for 40 years you get \$1,750 from the Council over that time, there are inconsistencies and irregularities. He thinks a voucher is fairly meaningless there are a lot better ways of doing this. Clr LeFevre suggested an alternative as 10, 20, 30 and 40 years and it should be presented at an end of year function, go in the newsletter, and make a huge fuss, maybe dinner with the General Manager or other such manager along with a different structure for dollar values with a total being \$500 value for the total gift.
- The General Manager advised in relation to the presentations that these have always been done at a whole gathering of staff or larger gathering at the closest time to the anniversary eg all staff meetings, functions.
- Clr LeFevre stated that if this was private enterprise he would not have an issue with this but at Government levels he doesn't think it is appropriate.
- Clr Drummond stated that she thinks that the workforce is a lot more mobile these days and if people stay with us we need to acknowledge this. Five (5) year increments is quite reasonable, it is good to value our staff.

#### COUNCIL DECISION:

That this be deferred for further discussion at a Council Workshop.

#### 05/19.16.3 Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report

FILE REFERENCE	039\011\003\
----------------	--------------

#### OFFICER'S RECOMMENDATION:

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

#### INTRODUCTION:

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

#### DISCUSSION:

No discussion of significance took place on this item.

## COUNCIL DECISION:

05/19.16.3.118

Moved: Clr J McGiveron / Seconded: Clr J Drummond

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

**CARRIED UNANIMOUSLY**

05/19.16.4

2018 / 2019 Annual Plan – March Quarterly Review

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

## OFFICER'S RECOMMENDATION:

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

## INTRODUCTION:

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

*An Annual Plan is to –*

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

## DISCUSSION:

- The General Manager went through the quarterly report and provided clarification and comment on items.
- Clr McGiveron stated that it was an excellent report and easy to understand.
- Clr LeFevre asked in relation to the item for the Stormwater Management Plan where it shows "major disruption". The General Manager explained that we have engaged a contractor and this is one that has come forward from previous years and doesn't reflect accurately where the project is up to and we are working on these issues with PMH to rectify it so it reflects accurately where items are up to in progress.

## COUNCIL DECISION:

05/19.16.4.119

Moved: Clr J McGiveron / Seconded: Clr M Osborne

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

**CARRIED UNANIMOUSLY**

### 05/19.16.5 Policy – LG05 – Social Media Policy Review

FILE REFERENCE	002\024\001\
----------------	--------------

#### OFFICER'S RECOMMENDATION:

That Council review and adopt the amended Social Media Policy LG05.

#### INTRODUCTION:

With the increase in our community seeking Council information through Social Media Channels it is important that we continue to review and update our Social Media Policy.

#### DISCUSSION:

- Clr Drummond stated that if something is out there in the public domain there is no harm in further sharing on their page. Clr Drummond stated that she still feels quite strongly about this.

#### COUNCIL DECISION:

**05/19.16.5.120** Moved: Clr B LeFevre / Seconded: Clr K Chapple

That Council review and adopt the amended Social Media Policy LG05.

**FOR** Clr J McGiveron, Clr M Osborne, Clr G McGuinness, Clr K Chapple, Clr B LeFevre, Clr M Tucker  
**AGAINST** Clr L Whittaker, Clr J Drummond  
**CARRIED**

### 05/19.16.6 Policy – LG10 – Salary Packaging Policy

FILE REFERENCE	002\024\001\
----------------	--------------

#### OFFICER'S RECOMMENDATION:

That Draft Policy LG10 – Salary Packaging Policy be accepted as the reviewed policy.

#### INTRODUCTION:

Council has a schedule for regular review of policies and this policy has not been reviewed since 2012.

#### DISCUSSION:

No discussion of significance took place on this item.

**COUNCIL DECISION:****05/19.16.6.121**Moved: Clr J Drummond / Seconded: Clr G McGuinness

That Draft Policy LG10 – Salary Packaging Policy be accepted as the reviewed policy.

**CARRIED UNANIMOUSLY****05/19.16.7 Policy – LG19 - Disciplinary Policy**

<b>FILE REFERENCE</b>	002\024\001\
-----------------------	--------------

**OFFICER'S RECOMMENDATION:**

That Draft Policy LG19 – Disciplinary Policy be accepted as the reviewed policy.

**INTRODUCTION:**

Council has a schedule for regular review of policies and it is appropriate that the policy be updated to incorporate and reflect 'Our Values' which describes agreed organisational behaviours.

**DISCUSSION:**

No discussion of significance took place on this item.

**COUNCIL DECISION:****05/19.16.7.122**Moved: Clr K Chapple / Seconded: Clr M Osborne

That Draft Policy LG19 – Disciplinary Policy be accepted as the reviewed policy.

**CARRIED UNANIMOUSLY****05/19.16.8 Policy – LG44 – UV Protection Policy**

<b>FILE REFERENCE</b>	002\024\003\
-----------------------	--------------

**OFFICER'S RECOMMENDATION:**

That Draft Policy LG44 – UV Policy be accepted as the reviewed policy.

**INTRODUCTION:**

Council has a schedule for regular review of policies and this policy has not been reviewed since 2014.

**DISCUSSION:**

No discussion of significance took place on this item.

**COUNCIL DECISION:****05/19.16.8.123**Moved: Clr B LeFevre / Seconded: Clr K Chapple

That Draft Policy LG44 – UV Policy be accepted as the reviewed policy.

**CARRIED UNANIMOUSLY****05/19.16.9 Policy – LG50 – Gifts and Benefits Policy**

<b>FILE REFERENCE</b>	002\024\003\
-----------------------	--------------

**OFFICER’S RECOMMENDATION:**

That Policy LG50 – Gifts and Benefits Policy as amended, be adopted.

**INTRODUCTION:**

As per the “Monitoring and Review” section of this policy it is required to *“be reviewed at least every four (4) years, following the conducting of Local Government elections or earlier in the vent of major changes to legislation or related policies, procedures or if deemed necessary by the General Manager”*.

**DISCUSSION:**

No discussion of significance took place on this item.

**COUNCIL DECISION:****05/19.16.9.124**Moved: Clr J McGiveron / Seconded: Clr K Chapple

That Policy LG50 – Gifts and Benefits Policy as amended, be adopted.

**CARRIED UNANIMOUSLY****05/19.16.10 Election of Committee Member of the General Management Committee (GMC) and President of the Local Government Association of Tasmania (LGAT)**

<b>FILE REFERENCE</b>	039\002\008\
-----------------------	--------------

**OFFICER’S RECOMMENDATION:**

1. That Council vote 1 for Mayor Mick Tucker for President of the Local Government Association of Tasmania (LGAT); and

2. That Council vote 1 for Mayor Mick Tucker for the Northern District (less than 20,000 population) for Committee Member of the General Management Committee (GMC) of the Local Government Association of Tasmania (LGAT).

#### **INTRODUCTION:**

The Tasmanian Electoral Commission the voting papers for President of the Local Government Association of Tasmania (LGAT) and Committee members of the General Management Committee of LGAT.

#### **DISCUSSION:**

- Clr LeFevre stated that it would be excellent to have the Mayor as President as well as on the GMC for the Northern Districts. If the Mayor was President he would be able to take Break O'Day Council's proactive ideas forward on our behalf.

#### **COUNCIL DECISION:**

**05/19.16.10.125** Moved: Clr M Osborne / Seconded: Clr B LeFevre

That Council vote 1 for Mayor Mick Tucker for President of the Local Government Association of Tasmania (LGAT).

<b>FOR</b>	Clr J McGiveron, Clr L Whittaker, Clr M Osborne, Clr G McGuinness, Clr K Chapple, Clr B LeFevre, Clr M Tucker
<b>AGAINST</b>	Clr J Drummond
<b>CARRIED</b>	

**05/19.16.10.126** Moved: Clr M Osborne / Seconded: Clr J McGiveron

That Council vote 1 for Mayor Mick Tucker for the Northern District (less than 20,000 population) for Committee Member of the General Management Committee (GMC) of the Local Government Association of Tasmania (LGAT).

**CARRIED UNANIMOUSLY**

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

Moved: Clr G McGuinness / Seconded: Clr L Whittaker: That Council move into Closed Council.

**CARRIED UNANIMOUSLY**

# IN CONFIDENCE

## 05/19.17.0 CLOSED COUNCIL

05/19.17.1 Confirmation of Closed Council Minutes – Council Meeting 15 April 2019

05/19.17.2 Outstanding Actions List for Closed Council

05/19.17.3 Contract 030\001\114\ Town Litter Collection - Closed Council Item Pursuant To Section 15(2)D Of The Local Government (Meeting Procedures) Regulations 2015

That the following information is placed in Open Council:

05/19.17.3.CC Moved: Clr M Osborne / Seconded: Clr K Chapple

### COUNCIL DECISION:

05/19.17.3.CC Moved: Clr J McGiveron / Seconded: Clr J Drummond

That Council formally close the tender process for *Contract 030\001\114\ “Town Litter Collection Service”*.

*and*

That Council readvertise the tender Contract 030\001\114\ changing the emphasis of the tender so as to attract local small to medium business enterprises to make submissions for the Town Litter Collection Service.

That Council advertise the tender in the Valley Voice and The Coastal Column and invite any interested local businesses to meet with Council representatives to discuss this opportunity.

### 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 K Chapple: That Council move out of Closed Council.

### CARRIED UNANIMOUSLY

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 12.40pm.

.....  
**MAYOR**

.....  
**DATE**