



# COUNCIL MEETING MINUTES

Monday 21 December 2020  
Council Chambers, St Helens

John Brown, General Manager  
Break O'Day Council  
21 December 2020

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## AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

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

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

## OPENING

*The Mayor welcomed Councillors and staff and declared 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.*

### 12/20.1.0 ATTENDANCE

#### 12/20.1.1 Present

Mayor Mick Tucker  
Deputy Mayor John McGiveron  
Councillor Janet Drummond  
Councillor Barry LeFevre  
Councillor Glenn McGuinness  
Councillor Margaret Osborne OAM (*arrived at 10.47am*)  
Councillor Lesa Whittaker  
Councillor Kylie Wright

#### 12/20.1.2 Apologies

Councillor Kristi Chapple

### 12/20.1.3 Leave of Absence

Nil

### 12/20.1.4 Staff in Attendance

General Manager, John Brown  
Executive Assistant, Angela Matthews  
Manager Corporate Services, Bob Hoogland (*Item 1.0 – 14.1*)  
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 12.52 / 12.6 – 16.5*)  
Manager Community Services, Chris Hughes (*Item 1.0 – 16.4*)  
Communications Coordinator, Jayne Richardson (*Item 1.0 – 16.5*)  
Development Services Coordinator, Jake Ihnen (*Item 1.0 – 12.5 / 12.6 / 12.8 – 16.5*)  
NRM Officer, Polly Buchhorn (*Item 12.6 / 12.8 – 16.2*)  
Mental Health & Wellbeing Coordinator, Jodie Cooper (*Item 12.6 – 16.5*)

### 12/20.2.0 PUBLIC QUESTION TIME

#### 12/20.2.1 St Helens Soccer Pitch – Mr D Griffiths, Beaumaris

David Attinborough has referenced 500 scientists who agree Tree clearing and an obsession with economic growth is destroying our planet, so why are the BODC Council proposing to rip out trees and lay concrete on our Soccer Pitch?

#### Reply

Council is unsure of the source of the information regarding the apparent proposal of Council to “rip out trees and lay concrete on our Soccer Pitch” but it appears there may be some misinformation circulating in this respect.

Council would like to undertake a review of the current St Helens Sports Complex Master Plan and as a first step prior to formal consultation has written to sporting clubs who are the current users of the St Helens Sports Complex to seek their participation in the review of which the Soccer Club is one current user. To assist in discussions three (3) plans for the St Helens Sports Complex have been developed

- First plan – existing layout at November 2020.
- Second conceptual plan - current approved projects for the St Helens Sports Complex – projects that have generally been developed between a sporting group and Council with projects being broadly scoped only and not detailed at this stage. Detail design, approvals and funding processes are yet to occur. Tree preservation remains a priority and will be considered in developing detailed project plans and in alignment with Councils Tree Policy.

- Third conceptual plan - a layout to start conversations with users as to how they see the future use of the St Helens Sports Complex for the next 10 plus years. This drawing does show tennis courts at the soccer pitch but this has been developed only from comments received by Council officers over the past few years to gain further user and community feedback prior to consideration by Council. It is a plan for conversation only with a likelihood that an unknown number of elements may not proceed or new elements may come up through the engagement process.

### 12/20.2.2 Binalong Bay Road – Mr R Webb, St Helens

Binalong Bay Road is in poor condition with lots of pots holes. Is this road listed for future work?

#### Reply

The Binalong Bay Road is currently transferring to Tasmanian Government responsibility and a substantial upgrade to this road is planned to occur commencing within the next 12 months.

### 12/20.2.3 Drought Communities Program - Mr N Capill, St Marys

In Councils application for drought funding, the title of that application reads “Enhancing community life in the Fingal Valley”. Yet, you have directed monies to the Scamander Surf Club. Scamander is not in the Fingal Valley.

Would Council please explain why money been directed to the Scamander Surf Club.

#### Reply

Council selected the project as being worthy of support from the Drought Communities Program. Under the Drought Communities Program Council could include projects from anywhere within the Break O’Day area yet chose to make the Fingal Valley the overwhelming focus for funding of projects as it was the area most affected by drought. It is noted that of the \$2million available only \$18,000 was allocated outside the Fingal Valley. The primary focus of the Application ‘Enhancing Community Life in the Fingal Valley’ is about doing just that with 96% of the funds spent in this way.

### 12/20.3.0 DECLARATION OF INTERESTS 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.

## 12/20.4.0 CONFIRMATION OF MINUTES

### 12/20.4.1 Confirmation of Minutes – Council Meeting 16 November 2020

#### OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 16 November 2020 be confirmed.

#### DISCUSSION:

No discussion took place on this item.

#### COUNCIL DECISION:

##### 12/20.4.1.224 Moved: Clr L Whittaker / Seconded: Clr K Wright

That the minutes of the Council Meeting held on the 16 November 2020 be confirmed.

**CARRIED UNANIMOUSLY**

## 12/20.5.0 COUNCIL WORKSHOPS HELD SINCE 16 NOVEMBER 2020 COUNCIL MEETING

There was a Workshop held on Monday 7 December 2020 – the following items were listed for discussion.

- Review of Long Term Financial Plan (LTFP)
- Budget Review as at 30 September 2020
- Tasmanian Audit Office – Audit Completion Report
- Reduced Facility Hire Fee – Zumba
- Reduced Facility Hire Fee – St Helens Little Athletics
- Animal Control Report
- Local Roads and Community Infrastructure (LRCI) Program – Extension
- Marine Facilities Strategy – Georges Bay
- Family and Domestic Violence
- Swimcart to Binalong Bay Shared Trail
- August 2020 – NRM Committee Meeting Minutes
- East Coast Tasmania Tourism (ECTT) – Memorandum of Understanding
- Addition to the 2020 / 2021 Fees and Charges – Hire of Open Space at Flagstaff Trail Head
- Community Wellbeing Pilot Project – Tas Community Fund (TCF) Funding
- St Marys Tip Shop



## 12/20.6.0 PLANNING AUTHORITY

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

## 12/20.7.0 PETITIONS

Nil.

## 12/20.8.0 NOTICES OF MOTION

*Deputy Mayor John McGiveron took the chair at 10.04am*

### 12/20.8.1 Notice of Motion – Vehicle and Pedestrian Access for the Community Garden – Mayor M Tucker

#### **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 vehicle and pedestrian access from Annie Street to the community garden with a total of approximately 4.5 meters in width.

#### **SUBMISSION IN SUPPORT OF MOTION:**

Submission is simply to help address the need for the community garden to have safe access from Annie Street for a vehicle and a small gate for the users.

#### **DISCUSSION:**

- Clr Drummond stated that she supports the Mayors comments.
- Clr Wright asked, how soon is the Community Garden going to be losing the initial space. The General Manager stated that we are currently working with the Community Garden on a solution so when the time comes this will be ready to go, there is no immediate requirement.

## COUNCIL DECISION:

**12/20.8.1.225**      Moved: Clr M Tucker / 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 vehicle and pedestrian access from Annie Street to the community garden with a total of approximately 4.5 meters in width.

**CARRIED UNANIMOUSLY**

*Mayor Mick Tucker retook the Chair at 10.06am*

## **12/20.9.0**      **COUNCILLOR'S QUESTIONS ON NOTICE**

Nil.

## **12/20.10.0**      **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.*

### **12/20.10.1**      **Swift Parrots – Clr J Drummond**

I have been asked by various members of the Community if Council would petition State Growth, or the relevant body, to reopen the potential nesting sites for Swift Parrots, which were recently sealed on the Tasman Highway leading into St Helens, as there are currently flowers in the trees and Swift Parrots have been sighted locally.

Recent research shows that there are potentially fewer than 300 Swift Parrots in the wild (ANU 2 December 2020). "Swift parrots are critically threatened by a range of factors, including deforestation of their habitat," co-author Dr Dejan Stojanovic said.

## Reply

Council issued a Planning Permit on 26 October 2020 relating to the upgrading of the section of the Tasman Highway which is currently the subject of a Planning Appeal. The request will be forwarded to the Department of State Growth.

### 12/20.10.2 Procurement in Local Government – Auditor General’s Report – Clr J Drummond

Regarding an article in The Examiner on December 10<sup>th</sup> 2020 “Concern over Glamorgan Spring Bay Council’s procurement reporting” which alerted me to the mention of Break O’Day Council in the Auditor General’s report.

The Auditor General report on “Procurement in Local Council” raised questions about BOD Councils procurement processes on pages 13-19. Would Council please provide details about which 12 procurements were deemed to not follow proper process, and further what procedures have now been put into place to ensure that the Auditor-Generals recommendations will be complied with, into the future?

## Reply

The Auditor-General’s Qualified Opinion refers to Council’s inability to provide documentary evidence of the obtaining of quotations for all of the 12 procurements sampled. We believe that the Opinion expressed on Page 3 of the Report does not accurately reflect the situation as there were a number of the 12 sampled which did comply with requirements and the statement made could be read that all 12 sampled failed to comply. The Auditor-General has recommended that Council introduce a centralised recording of quotations rather than the de-centralised approach currently in place. Management agreed with the recommendation and this is being implemented. Council will be seeking a meeting with the Tasmanian Audit Office (TAO) to discuss the recommendation to gain a better understanding of where they have identified what the TAO believe to be deficiencies as their Report contains motherhood statements and lacks specificity.

### 12/20.10.3 Review of Fee Schedule for Facility Hire – Clr J Drummond

Would Council consider reviewing the Fee Schedule for the facility hire of the Community Halls within our Municipality. This issue has been raised many times with me by community members and groups.

Costs are seen to be prohibitive to many within our community and particularly during this period of coming out of COVID, it would be positive to see an increase in use of the Community Halls, with a view to building community well-being and resilience. This could be considered alongside of the other COVID-19 Economic measures which have supported our community through this time and potentially time limited (12 months) and then re-assessed.

## Reply

Council has agreed to review the fee schedule for facility hire in the context of the impact of the COVID pandemic and associated restrictions. It is expected that this will be progressed initially at Council's February 2021 Workshop.

## 12/20.11.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

### 12/20.11.1 Mayor's Communications for Period Ending 21 December 2020

17.11.2020	St Helens	– Meeting with Sue Rees and Herc – Future Event – World Top 50 Supermodels
18.11.2020	Launceston	– Northern Tasmania Waste Management Group (NTWMG) – Waste NoT Awards
19.11.2020	St Helens	– Official Opening of the Multi-User Track
20.11.2020	St Helens	– Seniors Event at the St Helens Community Garden
25.11.2020	Launceston	– Northern Tasmania Development Corporation (NTDC) – Annual General Meeting (AGM)
27.11.2020	St Helens	– Meeting with Representatives of the St Helens Neighbourhood House
01.12.2020	St Marys	– RFDS Launch of the new Mobile Dental Vehicle
02.12.2020	Hobart	– Tas Community Fund (TCF) Presentation
03.12.2020	Hobart	– Local Government Association of Tasmania (LGAT) General Meeting and Conference
07.12.2020	St Helens	– Council Workshop
08.12.2020	St Helens	– Stadium Special Committee Meeting
14.12.2020	St Helens	– Citizenship Ceremony
16.12.2020	Hobart	– Local Government Association of Tasmania (LGAT) – General Management Committee (GMC) and Premiers Local Government Committee (PLGC) Meetings
21.12.2020	St Helens	– Council Meeting

### 12/20.11.2 Councillor's Reports for Period Ending 21 December 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

- Clr Osborne advised that she didn't attend the last meeting.
- Clr McGuinness stated it was a fairly brief meeting other than a report by Anton Wiesmann from Panorama St Helens which was the same presentation as he did to East Coast Tasmania Tourism (ECTT) which was well received.

#### NRM Special Committee – Clr Janet Drummond

- Had a meeting last week and there is a report in today's agenda.

#### Barway Committee – Clr John McGiveron

- No word from MAST and no changes to the best of his knowledge.

East Coast Tasmania Tourism (ECTT) – Clr Glenn McGuinness

- The Board are currently examining a sponsorship model.
- There will probably be a need for people with certain skills in the future.
- Board Members have been asked to approach businesses with a series of questions and report to each meeting to look at how businesses have been coping with COVID.
- Presentation by Anton Wiesmann from Panorama St Helens which outlined things such as we cater for baby boomers who are not techno literate, there is no central booking centre in the town to find out what is happening and how they can book it. We are missing out on a lot of tourists. Anton indicated that he would like to make the same presentation to Council, it is an important next step for this community.

Mental Health Action Group – Clr Barry LeFevre

- Nothing to report.

Disability Access Committee – Clr Janet Drummond

- Manager Community Services is endeavouring to arrange a meeting for February 2021.

## **12/20.12.0 BUSINESS AND CORPORATE SERVICES**

### **12/20.12.1 Corporate Services Department Report**

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

That the report be received.

#### **INTRODUCTION:**

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

#### **DISCUSSION:**

- The Manager Corporate Services advised that the recent sale of land for rate arrears was better than we expected in terms of the amount of people there bidding as well as the prices that were obtained. A lot of the properties were in Weldborough. It was a very good outcome.
- The Manager Corporate Services stated that he was hoping the Audit Panel minutes would have been available but they had not been finalised when the agenda was prepared.

- The Manager Corporate Services advised that Council had two (2) types of audits, an internal performance type audit as well as the annual Financial Audit, the Financial Statements were adopted without qualification. The other audit is a process/procedural type audit and they do these for all sorts of entities. At the time the agenda was being prepared the Procurement Audit Report was still embargoed hence it could not be included in this agenda. The Manager Corporate Services advised that he will provide a report to the next meeting with regard to the Procurement Audit. The process audits are about compliance with legislation and best practice. Some of the legislative terminology can be subjective which is where some of the comments were made in the audit report. The Minister for Local Government has also made statements that we don't necessarily agree with that we will be responding to and making strong comments. Clr Drummond stated that she thought that the actual report was quite clear, not like what was in the media report, and she thanked the Manager Corporate Service for going through this. The General Manager stated that in general there were some improvements that we could make from a procedural point of view but there were also areas of the audit that we disputed and questioned the understanding of the Auditors, we don't feel that were looked at closely and there were statements made without the necessary context provided. A strong response will be provided as some of the comments were questionable. We will also request greater clarity around some of the procedural comments as well as that there seems to be discrepancy between the way some Councils were looked at as opposed to ourselves. Clr McGuinness stated that he was concerned with this so he asked questions to the Tasmanian Audit Office as to why there were only three (3) Councils. There were three (3) Councils done previously we were in the second round. It made him happier to hear that we were not singled out.

**COUNCIL DECISION:**

**12/20.12.1.226**

Moved: Clr B LeFevre / Seconded: Clr J McGiveron

That the report be received.

**CARRIED UNANIMOUSLY**

**12/20.12.2 Monthly Financial Report**

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

That the financial reports be received.

**INTRODUCTION:**

Presented to Council are the monthly financial statements.

**DISCUSSION:**

- Manager Corporate Services explained to Council that due to staff changes the reports were not available at the time of preparing the Agenda and drew attention to the Financial Report which had now been provided. The Manager Corporate Services noted that Councillors r have not had much time to look at it and reported that there was nothing highlighted for any concern from his perspective. If Council come across anything in coming days he is happy to provide a response.
- Mayor Tucker queried line item1896 which was at 326% and asked what does this relate to? The Manager Corporate Services will find out what this is and provide a response.

**COUNCIL DECISION:**

**12/20.12.2.227**                      Moved: Clr L Whittaker / Seconded: Clr J Drummond

That the financial reports be received.

**CARRIED UNANIMOUSLY**

**12/20.12.3**                      **Visitor Information Centre Report**

<b>FILE REFERENCE</b>	040\028\002\
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**OFFICER’S RECOMMENDATION:**

That the report be received.

**INTRODUCTION:**

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

**DISCUSSION:**

- The Manager Corporate Services stated that previous reports have shown that the numbers were low in comparison to previous years, this is the month that we would expect numbers to jump and they haven’t as yet.

**COUNCIL DECISION:**

**12/20.12.3.228**                      Moved: Clr K Wright / Seconded: Clr B LeFevre

That the report be received.

**CARRIED UNANIMOUSLY**

## 12/20.12.4 Review of Long Term Financial Plan (LTFP)

FILE REFERENCE	018\036\003\
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### OFFICER'S RECOMMENDATION:

That Council adopt, in principle, the revised Long Term Financial Plan 2020 to 2030.

### INTRODUCTION:

Council is required to review plans regularly and at least every four years. The Long Term Financial Plan has been reviewed following finalisation and audit of the 2019/2020 Financial Statements, 2020/2021 Budget and initial capital budget consideration for 2020/2021.

### DISCUSSION:

BH this was considered at the recent Council Workshop and has been reviewed by the Audit Panel. This incorporates the COVID efforts of Council and no increase in rates as well as the reduction in TasWater dividends. This indicates that we could increase the rates above CPI for a couple of years following COVID to work towards bringing the operational budget back inline.

### COUNCIL DECISION:

**12/20.12.4.229** Moved: Clr K Wright / Seconded: Clr L Whittaker

That Council adopt, in principle, the revised Long Term Financial Plan 2020 to 2030.

**CARRIED UNANIMOUSLY**

## 12/20.12.5 Budget Review as at 30 September 2020

FILE REFERENCE	0180\007\001\
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### OFFICER'S RECOMMENDATION:

That Council receive the Budget Estimates 2020-2021 Review as at 30 September 2020 and the following variances be applied to the original 2020-2021 budget as set by Council Minute:

Amend Capital Expenditure	\$
Carried forward changes (various inc. MTB Stacked Loops & Mortys Car Park)	806,595
New Items:	
CC730 Increase Old Tas Hotel Upgrade	50,000
Upgrade Light Towers St Helens Rec Grounds	5,000
Second transformer St Helens Rec Grounds	10,000
St Helens Foreshore Shared Track (grant funded)	185,000
Tourist Information signage (grant funded)	9,000



Kirwans Beach footpath (grant funded)	35,000
Scamander footpath (grant funded)	108,167
CH105 Binalong Bay footpath (grant funded)	40,239
CH225 Four Mile Creek Road Bridge	80,000
CI135 St Helens Point Road Pavement remediation (grant funded)	170,000
Flagstaff Road/MTB Trail Head Sealing (grant funded)	100,000
	792,406
<b>TOTAL CAPITAL ADJUSTMENT (Increase capital expenditure)</b>	<b>\$1,599,001</b>
<b>Amend Operating Revenue</b>	
1767 – Contributions – Fingal Neighbourhood House for Old Tas Hotel	50,000
1792 – Financial Assistance Grants – including reduction in FAGs \$73K and balance received in advance	(1,560,340)
1794 – Operating Grants – Recreational Trail Strategy	30,000
1791 – Capital Grants – Georges Bay Walking Trail (recognised in 2019/2020)	(315,000)
1791 – Capital Grants – Blackspot Funding – new grant	200,000
1791 – Capital Grants – LRCI Funding – new grant	647,406
1791 – Capital Grants – Old Tasman Hotel – part from 2019/2020	175,000
1791 – Capital Grants – St Marys Flood Mitigation – part from 2019/2020	40,000
1791 – Capital Grants – MTB Trails - Federal – part from 2019/2020	717,047
1791 – Capital Grants – MTB Trails - State – part from 2019/2020	50,000
1791 – Capital Grants – Shade structure – Flagstaff Trailhead – new grant	15,000
Revenue Adjustment (increase)	\$49,113
<b>Amend Operating Expenditure</b>	
1997 – Professional Fees – Capital Projects – Recreational Trail Strategy	30,000
Expenditure Adjustment (increase)	\$30,000
<b>TOTAL OPERATING ADJUSTMENT</b>	<b>\$19,113</b>
<b>TOTAL BUDGET ADJUSTMENT</b>	<b>\$1,618,114</b>

## INTRODUCTION:

The 2020/2021 budget has been reviewed by management, with changes reflecting corrections to actual verses expected carried forward capital projects and recognising additional grant funds.

## DISCUSSION:

- Clr Drummond asked, where did we get the grant for the shade structure. The General Manager advised that it was from Tourism funding.
- Clr LeFevre stated that COVID has obviously caused a lot of stress to people and no less to Council Staff and he would particularly like to single out the Manager Corporate Services and his crew in the background, their work is appreciated. The Manager Corporate Services stated that no one should be singled out, the whole Council team have done what was needed in all aspects of Council, working together to get done what needed to be done. Mayor Tucker stated, absolutely everyone has done an amazing job.

- Clr McGuinness stated that it has been recognised previously that additional parking at Flagstaff Trailhead might be required, is anything happening with this. The General Manager stated that it is something we are monitoring, equally there is a focus on encouraging people to get shuttles from town. We have identified some areas but they won't be built to the standard that we have there now. The General Manager stated that we will continue to look at parking and improve in the future. The General Manager stated that if need be it would go through to discussions for the next budget, we do have traffic counters up there.

## COUNCIL DECISION:

12/20.12.5.230

Moved: Clr J Drummond / Seconded: Clr B LeFevre

That Council receive the Budget Estimates 2020-2021 Review as at 30 September 2020 and the following variances be applied to the original 2020-2021 budget as set by Council Minute:

<b>Amend Capital Expenditure</b>	<b>\$</b>
Carried forward changes (various inc. MTB Stacked Loops & Mortys Car Park)	806,595
<b>New Items:</b>	
CC730 Increase Old Tas Hotel Upgrade	50,000
Upgrade Light Towers St Helens Rec Grounds	5,000
Second transformer St Helens Rec Grounds	10,000
St Helens Foreshore Shared Track (grant funded)	185,000
Tourist Information signage (grant funded)	9,000
Kirwans Beach footpath (grant funded)	35,000
Scamander footpath (grant funded)	108,167
CH105 Binalong Bay footpath (grant funded)	40,239
CH225 Four Mile Creek Road Bridge	80,000
CI135 St Helens Point Road Pavement remediation (grant funded)	170,000
Flagstaff Road/MTB Trail Head Sealing (grant funded)	100,000
	792,406
<b>TOTAL CAPITAL ADJUSTMENT (Increase capital expenditure)</b>	<b>\$1,599,001</b>
<b>Amend Operating Revenue</b>	
1767 – Contributions – Fingal Neighbourhood House for Old Tas Hotel	50,000
1792 – Financial Assistance Grants – including reduction in FAGs \$73K and balance received in advance	(1,560,340)
1794 – Operating Grants – Recreational Trail Strategy	30,000
1791 – Capital Grants – Georges Bay Walking Trail (recognised in 2019/2020)	(315,000)
1791 – Capital Grants – Blackspot Funding – new grant	200,000
1791 – Capital Grants – LRCI Funding – new grant	647,406
1791 – Capital Grants – Old Tasman Hotel – part from 2019/2020	175,000
1791 – Capital Grants – St Marys Flood Mitigation – part from 2019/2020	40,000
1791 – Capital Grants – MTB Trails - Federal – part from 2019/2020	717,047
1791 – Capital Grants – MTB Trails - State – part from 2019/2020	50,000
1791 – Capital Grants – Shade structure – Flagstaff Trailhead – new grant	15,000

Revenue Adjustment (increase)	\$49,113
<b>Amend Operating Expenditure</b>	
1997 – Professional Fees – Capital Projects – Recreational Trail Strategy	30,000
Expenditure Adjustment (increase)	\$30,000
<b>TOTAL OPERATING ADJUSTMENT</b>	<b>\$19,113</b>
<b>TOTAL BUDGET ADJUSTMENT</b>	<b>\$1,618,114</b>

**CARRIED UNANIMOUSLY**

*Clr Osborne arrived at the meeting at 10.47am.*

**12/20.12.6                      Reduced Facility Hire Fee - Zumba**

<b>FILE REFERENCE</b>	20/22355
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**OFFICER’S RECOMMENDATION:**

That Council not approve reduced facility hire rates as requested.

**INTRODUCTION:**

The applicant operates Zumba classes in the area and is seeking reduced hire rates for Council facilities.

**DISCUSSION:**

- The Manager Corporate Services stated that this may create an inappropriate precedent.
- Clr Drummond stated that this is one of the instances she was alluding to in her earlier question with regard to assisting people to get through following COVID and get back into using facilities and improving their wellbeing.
- Clr Whittaker asked, would this program fit into the Break O’Day Wellbeing Project. The General Manager stated that this is separate at this stage.
- Clr LeFevre stated that he supports the motion as this is a private operator charging a fee so hiring for a fee \$20 is a small fee.
- Clr Drummond stated that she thinks it would be worthwhile assisting groups such as this for a 12 month period.
- 
- Clr McGuinness asked in relation to the line dancing being charged \$5, has this been investigated. The Manager Corporate Services advised that it has and there is a very old arrangement that has been in place for quite a long time. The line dancers have very low numbers and low impact on the facility they use and should they stop using it, it would probably not be offered again. Clr McGuinness asked, is it a money making venture or is it simply a get together. The Manager Corporate Services stated that as mentioned numbers are low and it is probably more of a community activity.

- Clr Wright stated that we should at least consider assistance over this period while we are trying to encourage people back into community activities.
- Clr Osborne stated that the agreement was for the community and it was the only thing in the community at that stage.
- The Manager Community Services stated that the hall hire fee is capped at an hourly rate for a minimum of four (4) hours. She is running two (2) classes and she is running a business and she also uses other facilities.
- Clr McGiveron asked, do we know what she would be paying at Bicheno and Scamander.
- The General Manager stated that we just need to consider this in relation to the use of Councils facilities. With regard to the COVID review it is a broader picture not just a single request. We need to be mindful of creating a precedent outside the COVID framework. If we could separate the two (2) out and in passing this motion it doesn't preclude that there maybe something from a COVID review down the track.
- Clr Drummond asked, should we defer making a decision on this until the COVID review is done. What about our general residents and their health and wellbeing.
- Mayor Tucker stated, are ratepayers going to subsidise commercial businesses through the use of Council facilities.
- Clr Drummond foreshadowed a procedural motion.

**COUNCIL DECISION:**

**12/20.12.6.231** Moved: Clr B LeFevre / Seconded: Clr J McGiveron

That Council not approve reduced facility hire rates as requested.

**A procedural motion was moved:**

**12/20.12.6.232** Moved: Clr J Drummond / Seconded: Clr K Wright

That this item be deferred.

**CARRIED UNANIMOUSLY**

*Adjourned for morning tea at 10.57am*

*Meeting reconvened at 11.08am*

**12/20.12.7** **Reduced Facility Hire Fee – St Helens Little Athletics**

<b>FILE REFERENCE</b>	20/22927
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**OFFICER'S RECOMMENDATION:**

That Council approve waiving the facility hire fee by amending the lease agreement to include use of the stadium toilets without charge.

## INTRODUCTION:

St Helens Little Athletics has a lease agreement for the athletics field but this does not include use of the stadium, such as the toilet area.

## DISCUSSION:

- The Manager Corporate Services stated that the lease is due for renewal.

## COUNCIL DECISION:

**12/20.12.7.233** Moved: Clr J McGiveron / Seconded: Clr J Drummond

That Council approve waiving the facility hire fee by amending the lease agreement to include use of the stadium toilets without charge.

**CARRIED UNANIMOUSLY**

## 12/20.12.8 **Review of Policy – AM01 – Asset Recognition and Depreciation**

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

That Policy AM01 Asset Recognition and Depreciation as amended be adopted.

## INTRODUCTION:

This Policy is not due for review until August 2021 but has been reviewed in the context of changes identified through the external audit process

## DISCUSSION:

- The Manager Corporate Services stated that as previously mentioned earlier there was a discrepancy from this policy to our audit and it has been reviewed by the Audit Panel.

## COUNCIL DECISION:

**12/20.12.8.234** Moved: Clr J McGiveron / Seconded: Clr L Whittaker

That Policy AM01 Asset Recognition and Depreciation as amended be adopted.

**CARRIED UNANIMOUSLY**

## 12/20.13.0 WORKS AND INFRASTRUCTURE

### 12/20.13.1 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 stated that he has applied for a number of grants as detailed in the agenda. In addition to those he has put in two (2) further applications for the St Helens Airport for re-sheeting and fencing.
- Clr Drummond asked, is the green waste selling. The Manager Infrastructure and Development Services advised that it is slow we have sold approximately 60m<sup>3</sup> to date and have ramped up advertising, we may need to revisit the advertised hours.

#### COUNCIL DECISION:

12/20.13.1.235 Moved: Clr G McGuinness / Seconded: Clr M Osborne

That the report be received by Council.

**CARRIED UNANIMOUSLY**

### 12/20.13.2 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 stated that he has nothing further to add.
- Clr Drummond asked, what’s happening in Ansons Bay. The Manager Infrastructure and Development Services stated that over the long weekend there were an influx of people with a number of issues arising.

**COUNCIL DECISION:**

**12/20.13.2.236**

Moved: Clr B LeFevre / Seconded: Clr J Drummond

That the report be received by Council.

**CARRIED UNANIMOUSLY**

**12/20.14.0            COMMUNITY DEVELOPMENT**

**12/20.14.1            Community Services Report**

<b>FILE REFERENCE</b>	011\034\006\
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**OFFICER’S RECOMMENDATION:**

That the report be received.

**INTRODUCTION:**

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

**DISCUSSION:**

- The Manager Community Services advised at the last workshop that Officers would be meeting with the Soccer Club, this meeting took place as scheduled.
- The Manager Community Services reminded Councillors with regard to nominations for Australia Day.
- The Manager Community Services stated that over the weekend (started Friday) there were rumours around that there were COVID cases in our community which was incorrect. Because of this the Department of Health and Human Services are now bringing the COVID mobile unit up for the 9-10 January 2021 as part of a broader statewide program. The Manager Community Services is working with them and this is in addition to the testing already provided by Ochre as a precaution.

**COUNCIL DECISION:**

12/20.14.1.237

Moved: Clr G McGuinness / Seconded: Clr B LeFevre

That the report be received.

**CARRIED UNANIMOUSLY**

**12/20.15.0      DEVELOPMENT SERVICES**

**12/20.15.1      Development Services Report**

<b>FILE REFERENCE</b>	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 advised that there is a new addition to the monthly report in relation to the water testing. The NRM Officer advised that he took some samples a couple of weeks ago and he went back to Grants Lagoon and took some more due to concerns of the community and it is all clear, more tests will be run in January.
- The Development Services Coordinator advised that the recruitment processes are still going for an Environmental Health Officer and Planning Officer at this stage.
- Clr McGiveron advised that there are concerns with regard to fire abatements in Aulichs Lane, St Marys. The concerns were not followed up last year and it still hasn’t been done. The Development Services Coordinator advised that he will follow up on this.
- Clr McGuinness asked in relation to the issue with Reason Way, how are the negotiations going with Crown Land Services with regard to a takeover. The Development Services Coordinator advised that we have taken legal advice in relation to Reason Way and it will come over to Councils ownership, an issue that has come up through the subdivision process that road titles haven’t been transferred to Council. We are now following up on these going forward.



**COUNCIL DECISION:**

**12/20.15.1.238**                      Moved: Clr L Whittaker / Seconded: Clr J McGiveron

That the report be received.

**CARRIED UNANIMOUSLY**

**12/20.15.2**                      **NRM Committee Meeting Minutes – August 2020**

<b>FILE REFERENCE</b>	010\028\002\
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**OFFICER’S RECOMMENDATION:**

That Council receives the Minutes of NRM Committee Meeting of 4 August 2020, acknowledging from the Committee for future Council attention: advice regarding biodiversity assessments in its planning approvals process, and a recommendation regarding facilitating capacity to treat small marine oil spills at St Helens.

**INTRODUCTION:**

The Break O’Day NRM Special Committee met on 4 August 2020 at the St Helens Child and Family Centre.

**DISCUSSION:**

- The NRM Officer state that Council reviewed these at the last workshop and the Committee met last week and he will bring the outcomes of that meeting to February.

**COUNCIL DECISION:**

**12/20.15.2.239**                      Moved: Clr K Wright / Seconded: Clr L Whittaker

That Council receives the Minutes of NRM Committee Meeting of 4 August 2020, acknowledging from the Committee for future Council attention: advice regarding biodiversity assessments in its planning approvals process, and a recommendation regarding facilitating capacity to treat small marine oil spills at St Helens.

**CARRIED UNANIMOUSLY**

## 12/20.16.0 GOVERNANCE

### 12/20.16.1 General Manager's Report

FILE REFERENCE	002\012\001\
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#### OFFICER'S RECOMMENDATION:

That the General Manager's report be received.

#### INTRODUCTION:

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

#### DISCUSSION:

- The General Manager provided an update in regards to the St Helens Neighbourhood House and the Community Garden. A couple of discussions have taken place with them and they are looking at another site for the whole garden at the St Helens Sports Complex and given we are looking at the Master Plan for this area it was timely that this could be included in this process. We will continue to work with them on this.

#### COUNCIL DECISION:

**12/20.16.1.240**                      Moved: Clr G McGuinness / Seconded: Clr M Osborne

That the General Manager's report be received.

**CARRIED UNANIMOUSLY**

<b>FILE REFERENCE</b>	018\017\004\
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**OFFICER'S RECOMMENDATION:**

That Council adopt the following fees and charges for Event and Activity Space Hire at the Flagstaff Trail Head:

<b>DESCRIPTION</b>	<b>FEE</b>
Non-Waiverable and Non-Refundable Administration Fee:	\$25.00
Bond <i>The Bond is the same for all bookings no matter what the time frame and will be refunded following an inspection of the area after completion of the event/activity</i>	\$315.00
Unpowered Site	
- Per Hour	\$10.00
- ½ Day (4 hours)	\$30.00
- Full Day (8 hours)	\$60.00
Powered Site	
- Per Hour	\$12.00
- ½ Day (4 hours)	\$36.00
- Full Day (8 hours)	\$72.00
Skills Training/Activation Area	
- Per Hour	\$15.00
- ½ Day (4 hours)	\$45.00
- Full Day (8 hours)	\$90.00

**INTRODUCTION:**

Due to the growing MTBing activity in Break O'Day and requests being received for hire of space at the Trail Head for individuals/organisations offering skills sessions, learn to ride classes, activities, etc Council Officers have prepared a St Helens MTB Trail Network, Trail Head Activity/Event Hire Application Form with associated fees and charges.

**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:****12/20.16.2.241**Moved: Clr M Osborne / Seconded: Clr J Drummond

That Council adopt the following fees and charges for Event and Activity Space Hire at the Flagstaff Trail Head:

DESCRIPTION	FEE
Non-Waiverable and Non-Refundable Administration Fee:	\$25.00
Bond <i>The Bond is the same for all bookings no matter what the time frame and will be refunded following an inspection of the area after completion of the event/activity</i>	\$315.00
Unpowered Site	
- Per Hour	\$10.00
- ½ Day (4 hours)	\$30.00
- Full Day (8 hours)	\$60.00
Powered Site	
- Per Hour	\$12.00
- ½ Day (4 hours)	\$36.00
- Full Day (8 hours)	\$72.00
Skills Training/Activation Area	
- Per Hour	\$15.00
- ½ Day (4 hours)	\$45.00
- Full Day (8 hours)	\$90.00

**CARRIED UNANIMOUSLY****12/20.16.3****Nomination of Municipal Emergency Management Coordinator and Deputy**

<b>FILE REFERENCE</b>	016\001\001\
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**OFFICER'S RECOMMENDATION:**

That pursuant to Section 23 of the *Emergency Management Act 2006*, Council nominate Chris Hughes as the Municipal Emergency Management Coordinator and Angela Matthews as the Deputy Municipal Emergency Management Coordinator for a term of five (5) years commencing immediately.

**INTRODUCTION:**

Under the provisions of Section 23 (5) (c) *Emergency Management Act 2006*, Chris Hughes has been undertaking the duties of the Municipal Emergency Management Coordinator since prior to the Scamander Bushfire in 2006 and Angela Matthews came on board late 2006 during this event.

The State Emergency Service has requested that Council formalise a nomination for the position.

## DISCUSSION:

No discussion took place on this item.

## COUNCIL DECISION:

**12/20.16.3.242**

Moved: Clr M Osborne / Seconded: Clr J McGiveron

That pursuant to Section 23 of the *Emergency Management Act 2006*, Council nominate Chris Hughes as the Municipal Emergency Management Coordinator and Angela Matthews as the Deputy Municipal Emergency Management Coordinator for a term of five (5) years commencing immediately.

**CARRIED UNANIMOUSLY**

**12/20.16.4**

### **East Coast Tasmania Tourism (ECTT) – Memorandum of Understanding**

<b>FILE REFERENCE</b>	040\049\002\
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## OFFICER'S RECOMMENDATION:

That Council endorse the Memorandum of Understanding with East Coast Tasmania Tourism for the period 1 July 2020 to 30 June 2023.

## INTRODUCTION:

In recent years, Councils ongoing relationship with East Coast Tasmania Tourism (ECTT) has been based on an annual request for funding and reporting on their activities supporting and developing the Tourism industry on the Coast. The establishment of a Memorandum of Understanding (MoU) which clearly articulates expectations and deliverables is appropriate given the amount of funding provided and to strengthen accountability.

## DISCUSSION:

- The General Manager stated that it is logical to have a Memorandum of Understanding (MOU) such as this in place and that items of particular importance to Break O'Day had been included.
- Clr McGuinness advised that he has been appointed the person on the East Coast Tasmania Tourism (ECTT) Board who is responsible with moving forward the Bay of Fires Master Plan.
- Clr Whittaker asked if we pay \$60,000 per year. The General Manager advised that we do. Clr Drummond asked, is this what we have been paying. The General Manager stated that we have been paying this for about the last five (5) years.

**COUNCIL DECISION:**

**12/20.16.4.243**

Moved: Clr B LeFevre / Seconded: Clr G McGuinness

That Council endorse the Memorandum of Understanding with East Coast Tasmania Tourism for the period 1 July 2020 to 30 June 2023.

**CARRIED UNANIMOUSLY**

**12/20.16.5**

**Community Wellbeing Pilot Project – Tas Community Fund (TCF) Funding**

<b>FILE REFERENCE</b>	018\019\001\
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**OFFICER’S RECOMMENDATION:**

That Council note the Community Wellbeing Pilot Project has been funded from the Tasmanian Community Fund and amend the 2020-2021 Annual Plan to include this activity.

**INTRODUCTION:**

The Wellbeing Project is a three-year evidence-based wellbeing program to build capacity in Break O’Day community members to build connections, develop resilience and enhance wellbeing. Funding from Tasmanian Community Fund is required to enable the project.

Essentially, the objective of the project is to energise the community around the topic of wellbeing, provide skills and resources to improve their own and others wellbeing and then empower and support the community to create lasting change.

**DISCUSSION:**

- The Mental Health and Wellbeing Coordinator advised that part of the agreement is that we focus on Break O’Day for the first two (2) years.
- The Mental Health and Wellbeing Coordinator advised that the Wellbeing Coordinator position will be a two (2) day per week position as the liaison.
- Clr Osborne asked, how are these people going to be sourced. In the past it never really gets out in the community to the people who have the background and expertise and know the community well, that is her concern and she knows there are people out there that never get asked. The Mental Health and Wellbeing Coordinator stated that she has spent the last eight (8) months engaging with people who are interested as well as developing a communications strategy which we will put out an Expression of Interest for everyone to have the opportunity, it won’t be a shoulder tap. Clr Osborne stated that she thinks it is important that we have older people involved as well. The Mental Health and Wellbeing Coordinator advised that we have already flagged representation from cross sections of the community.

**COUNCIL DECISION:**

**12/20.16.5.244**

Moved: Clr K Wright / Seconded: Clr M Osborne

That Council note the Community Wellbeing Pilot Project has been funded from the Tasmanian Community Fund and amend the 2020-2021 Annual Plan to include this activity.

**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 M Osborne That Council move into Closed Council.

**CARRIED UNANIMOUSLY**

# IN CONFIDENCE

**12/20.17.0**            **CLOSED COUNCIL**

**12/20.17.1**            **Confirmation of Closed Council Minutes – Council Meeting 16  
November 2020**

**12/20.17.2**            **Outstanding Actions List for Closed Council**

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

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

**CARRIED UNANIMOUSLY**

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 11.48am.

.....  
**MAYOR**

.....  
**DATE**