



# COUNCIL MEETING MINUTES

Monday 21 October 2019  
Council Chambers, St Helens

John Brown, General Manager  
Break O'Day Council  
21 October 2019

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## CONTENTS

CONTENTS .....	3
OPENING .....	5
ACKNOWLEDGEMENT OF COUNTRY.....	5
10/19.1.0 ATTENDANCE .....	5
10/19.1.1 Present .....	5
10/19.1.2 Apologies.....	5
10/19.1.3 Leave of Absence .....	5
10/19.1.4 Staff in Attendance .....	5
10/19.2.0 PUBLIC QUESTION TIME.....	6
10/19.2.1 Tourist Operation – Shuttle Bus Services – Mr Todd Dudley, St Helens .....	6
10/19.2.2 Recycled Waste Water & Town Potable Water - Onion Creek, St Helens – Mr Todd Dudley, St Helens .....	6
10/19.2.3 Tip Opening Hours – Mr Craig Freiboth, St Marys.....	7
10/19.2.4 Silica Dust Hazard – Mr Warren Lye, Upper Esk .....	7
10/19.3.0 DECLARATION OF PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE.....	7
10/19.4.0 CONFIRMATION OF MINUTES.....	7
10/19.4.1 Confirmation of Minutes – Council Meeting 16 September 2019 .....	7
10/19.5.0 COUNCIL WORKSHOPS HELD SINCE 16 SEPTEMBER 2019 COUNCIL MEETING .....	8
10/19.6.0 PLANNING AUTHORITY .....	9
10/19.6.1 DA 135-2019 – Shed Addition with Veranda - Eagle Street, St Helens.....	9
10/19.7.0 PETITIONS.....	11
10/19.7.1 Petition – Pike’s Point Signage .....	11
10/19.8.0 NOTICES OF MOTION .....	12
10/19.8.1 Notice of Motion – TerraCycle and BIC Pen Recycling Program – Clr J Drummond..	12
10/19.8.2 Notice of Motion – Local Government Election – Clr M Tucker .....	13
10/19.9.0 COUNCILLOR’S QUESTIONS ON NOTICE .....	14
10/19.10.0 COUNCILLOR’S QUESTIONS WITHOUT NOTICE .....	14
10/19.10.1 Councillors Questions Without Notice – Audio Recording of Meetings – Clr J Drummond .....	14
10/19.10.2 Councillors Questions Without Notice – Traffic Management & Parking, Scamander – Clr J Drummond.....	14
10/19.10.3 Councillors Questions Without Notice – Recycling & Landfill Bins – Clr J Drummond .....	15
10/19.10.4 Councillors Questions Without Notice – Weed Officer – Clr J Drummond .....	15
10/19.10.5 Councillors Questions Without Notice – Defibrillator Availability – Clr L Whittaker	16
10/19.10.6 Councillors Questions Without Notice – Binalong Bay Foreshore Land – Clr K Chapple .....	16

10/19.10.7 Councillors Questions Without Notice – Basketball Hoops – Clr K Chapple .....	16
10/19.11.0 MAYOR’S & COUNCILLOR’S COMMUNICATIONS.....	17
10/19.11.1 Mayor’s Communications for Period Ending 21 October 2019 .....	17
10/19.11.2 Councillor’s Reports for Period Ending 21 October 2019 .....	17
10/19.12.0 BUSINESS AND CORPORATE SERVICES.....	18
10/19.12.1 Corporate Services Department Report .....	18
10/19.12.2 Monthly Financial Report.....	19
10/19.12.3 Visitor Information Centre Report .....	20
10/19.12.4 Audit Panel – Receipt of Minutes .....	21
10/19.13.0 WORKS AND INFRASTRUCTURE .....	21
10/19.13.1 Works and Infrastructure Report.....	21
10/19.13.2 Animal Control Report .....	22
10/19.13.3 Beauty Flats Road – Request for Change of Ownership .....	23
10/19.14.0 COMMUNITY DEVELOPMENT .....	24
10/19.14.1 Community Services Report.....	24
10/19.15.0 DEVELOPMENT SERVICES.....	25
10/19.15.1 Development Services Report.....	25
10/19.15.2 Planning Approvals Issued .....	25
10/19.15.3 Planning Approvals.....	25
10/19.15.4 Building Services Approvals .....	25
10/19.15.5 Notice of Motion – Food Services at Binalong Bay .....	26
10/19.15.6 Provision of Sharps Disposal Containers.....	26
10/19.15.7 New Dog Exercise Areas for St Marys and St Helens .....	27
10/19.15.8 Scamander Skate Park – Project for Consideration .....	29
10/19.16.0 GOVERNANCE.....	30
10/19.16.1 General Manager’s Report.....	30
10/19.16.2 Office Closure - Christmas to New Year .....	31
10/19.16.3 Speed Limit Tasman Highway, St Helens .....	32
10/19.17.0 CLOSED COUNCIL .....	33
10/19.17.1 Confirmation of Closed Council Minutes – Council Meeting 16 September 2019 ....	33
10/19.17.2 Outstanding Actions List for Closed Council .....	33
10/19.17.3 Car Parking & MTB Hub - Closed Council Item Pursuant To Section 15(2)C Of The Local Government (Meeting Procedures) Regulations 2015.....	33
10/19.17.4 Affordable Housing - Closed Council Item Pursuant To Section 15(2)F Of The Local Government (Meeting Procedures) Regulations 2015 .....	34

## OPENING

*The Mayor welcomed Councillors, staff and members of the public to the meeting and declared it open at 10.00 am.*

## ACKNOWLEDGEMENT OF COUNTRY

*The Mayor stated that 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.*

### 10/19.1.0 ATTENDANCE

#### 10/19.1.1 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

#### 10/19.1.2 Apologies

Councillor Kylie Wright

#### 10/19.1.3 Leave of Absence

Nil.

#### 10/19.1.4 Staff in Attendance

General Manager, John Brown  
Records Officer, Carol Joyce  
Manager Corporate Services, Bob Hoogland (*Item 3.0 – 13.1*)  
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 14.0, 15.5 - 17.4*)  
Manager Community Services, Chris Hughes (*Item 10.0 – 15.0*)  
Planning Consultant, Rebecca Green (*Item 3.0 – 6.1*)  
Communications Coordinator, Jayne Richardson (*Item 1.0 – 15.7*)  
Planning Services Coordinator, Geraldine O'Connor (*Item 13.1 – 15.5*)  
Building Services Coordinator, Jake Ihnen (*Item 1.0 – 17.3*)  
Manager Environmental Health, Paula Kloosterman (*Item 13.0 – 15.7*)

## 10/19.2.0 PUBLIC QUESTION TIME

Two (2) people in the gallery.

### 10/19.2.1 Tourist Operation – Shuttle Bus Services – Mr Todd Dudley, St Helens

Regarding DA 152-19 Tourist Operation-Shuttle Bus services and booking office. Could Council advise as to why the booking office (see attached photo) for this DA has already been placed in situ at Artnor Lodge when the DA has not been approved at a Council meeting as yet as required for a discretionary application?



#### Reply

Development Approval was provided in relation to DA 152-19 in accordance with the Delegated Authority provided to the Manager Infrastructure & Development Services relating to Land Use Planning & Approvals Act 1993 Section 57(6).

### 10/19.2.2 Recycled Waste Water & Town Potable Water - Onion Creek, St Helens – Mr Todd Dudley, St Helens

Is the Break O Day Council aware of or involved in discussions with TasWater and or Hallwill Pty Ltd regarding the provision of recycled waste water and or town potable water to be used as part of a proposed large scale golf course resort on land owned by Hallwill Pty Ltd at Onion Creek near St Helens? If so how advanced are the negotiations and has there been any active physical works undertaken to provide the necessary infrastructure for water supply?

#### Reply

Council officers are aware that there have been discussions between TasWater and Hallwill Pty Ltd in relation to a potential development on land owned by Hallwill Pty Ltd but Council is not part of any discussions. Council is not aware of any active physical works which have been undertaken nor the current status of negotiations as this would be a matter between TasWater and Hallwill Pty Ltd.

### 10/19.2.3

### Tip Opening Hours – Mr Craig Freiboth, St Marys

Why is St Helens tip open six (6) hours daily and St Marys is open only three (3) days a week?

#### Reply

The St Helens Waste Transfer Station caters for the disposal of nearly four (4) times the volume of general waste and materials for recovery/recycling than does St Marys. The St Helens facility also receives a significantly greater quantity of green waste and inert waste.

St Helens is open for 42 hours per week and St Marys for 15 hours per week. Current opening hours are appropriate to accommodate current community need.

### 10/19.2.4

### Silica Dust Hazard – Mr Warren Lye, Upper Esk

We residents are covered by the gravel used on Upper Esk Road as tank water is collected and impacted by dust from the road. What is Council going to do to address this problem?

#### Reply

Policy No AM11 “Roads Infrastructure Policy” Section 8: DUST SUPPRESSION – UNSEALED ROADS applies.

### 10/19.3.0

### 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.*

### 10/19.4.0

### CONFIRMATION OF MINUTES

#### 10/19.4.1

#### Confirmation of Minutes – Council Meeting 16 September 2019

#### OFFICER’S RECOMMENDATION:

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

#### DISCUSSION:

No discussion took place on this item.

## **COUNCIL DECISION:**

**10/19.4.1.240**      Moved: Clr G McGuinness / Seconded: Clr J McGiveron

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

**CARRIED UNANIMOUSLY**

## **10/19.5.0 COUNCIL WORKSHOPS HELD SINCE 16 SEPTEMBER 2019 COUNCIL MEETING**

There was a Workshop held on Monday 7 October 2019 – the following items were listed for discussion.

- MTB Hub and Car Parking
- Beauty Flats Road – Request for Change of Ownership
- Progress Report on the Development of a Break O’Day Stormwater System Management Plan
- Reconciliation Action Plan
- Scamander Skate Park – Project for Consideration
- Amendment to Northern Tasmania Regional Land Use Strategy (NTRLUS)
- Draft Local Provisions Schedule (LPS) Project - October
- New Dog Exercise Areas for St Marys and St Helens
- Notice of Motion – Food Services at Binalong Bay
- Provision of Sharps Disposal Containers



## 10/19.6.0 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.*

### 10/19.6.1 DA 135-2019 – Shed Addition with Veranda - Eagle Street, St Helens

FILE REFERENCE	DA 135-2019
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#### OFFICER'S RECOMMENDATION:

After due consideration of the representation 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 **Shed Addition with Veranda** on land situated at **Eagle Street, St Helens** described in Certificate of Title CT 154887/1 be **APPROVED** subject to the following conditions:

1. Development must be generally in accordance with the Development Application DA 135-2019 received by Council 27 August 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 Shed Addition and Veranda are to be clad in natural earthy colours to match the existing shed colours.
3. All stormwater runoff from the proposed development must be detained by on-site water storage systems and overflow contained within the confines of the property by means that will not result in soil erosion or other stormwater nuisance.
4. 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.
5. 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 cost of the developer.

#### 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 Manager Works and Infrastructure.

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

*Monday-Friday 7am to 6pm*

*Saturday 9am to 6pm*

*Sunday and public holidays 10am to 6pm*

## DISCUSSION:

No discussion took place on this item.

## COUNCIL DECISION:

**10/19.6.1.241**      Moved: Clr J McGiveron/ Seconded: Clr G McGuinness

After due consideration of the representation 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 **Shed Addition with Veranda** on land situated at **Eagle Street, St Helens** described in Certificate of Title CT 154887/1 be **APPROVED** subject to the following conditions:

1. Development must be generally in accordance with the Development Application DA 135-2019 received by Council 27 August 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 Shed Addition and Veranda are to be clad in natural earthy colours to match the existing shed colours.
3. All stormwater runoff from the proposed development must be detained by on-site water storage systems and overflow contained within the confines of the property by means that will not result in soil erosion or other stormwater nuisance.
4. 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.
5. 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 cost of the developer.

## 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 Manager Works and Infrastructure.

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

*Monday-Friday 7am to 6pm*

*Saturday 9am to 6pm*

*Sunday and public holidays 10am to 6pm*

## 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.*

## 10/19.7.0 PETITIONS

### 10/19.7.1 Petition – Pike’s Point Signage

FILE REFERENCE	19/15464
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#### OFFICER’S RECOMMENDATION:

That Council receive the petition and pass onto Crown Land Services as the land owner of the site referred to as Pike’s Point being opposite to the entry to Perseus Street.

#### INTRODUCTION:

The petition which was received was signed in September 2019 and the following was proposed on the petition:

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

We respectfully ask you to direct necessary parties to provide and erect signage “Pike’s Point” opposite the entry to Perseus Street, St Helens which was officially named by Licencing Tasmania Fisheries as an unloading wharf.

#### DISCUSSION:

- Clr LeFevre stated this was a good idea.

#### COUNCIL DECISION:

**10/19.7.1.242**      Moved: Clr J McGiveron / Seconded: Clr J Drummond

That Council receive the petition and pass onto Crown Land Services as the land owner of the site referred to as Pike’s Point being opposite to the entry to Perseus Street.

**CARRIED UNANIMOUSLY**

## 10/19.8.0 NOTICES OF MOTION

### 10/19.8.1 Notice of Motion – TerraCycle and BIC Pen Recycling Program – Clr J Drummond

#### MOTION:

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

That Council join the TerraCycle and BIC pen recycling program.

#### SUBMISSION IN SUPPORT OF MOTION:

Pens are a commonly misplaced item, but Tasmanian schools, businesses and organisations have been challenged to collect used pens, markers and highlighters to help build new gardens and playgrounds.

Council could join this program by visiting [terracycle.com/en-AU](http://terracycle.com/en-AU) and start collecting used writing instruments in a cardboard box which could be situated in the front foyer.

#### DISCUSSION:

- Clr Whittaker stated she supported anything we can do for recycling.
- Clr McGiveron stated that he supports the motion but does it need to come to Council for a decision or could it be handled by Council Management.
- General Manager stated that we need to look at this in the context of the front entry and we are getting to the stage of running out of space. All the current recycling is working well but we need to look at it strategically and potential management of this area. Launceston Council have a good set up which works in a larger area.
- Clr Whittaker asked can we consider like Launceston Council's setup but not to their scale.
- Clr Drummond asked can it be embraced at waste transfer stations rather than front of house. General Manager replied once this goes to a site it would need to be rolled out to all facilities.

#### COUNCIL DECISION:

**10/19.8.1.243** Moved: Clr J Drummond/ Seconded: Clr L Whittaker

*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 join the TerraCycle and BIC pen recycling program.

#### CARRIED UNANIMOUSLY

*Mayor Tucker vacated the Chair and Deputy Mayor McGiveron took the Chair at 10:09am.*

## **10/19.8.2                      Notice of Motion – Local Government Election – Clr 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 provide a motion to the LGAT next meeting in December requesting that LGAT member Councils ask the State Government to consider reviewing the timing of the next Local Government Election.

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

I suggest that we need to have a six (6) month extension to the current four (4) year term to overcome voter fatigue as we have in the same year a State Election in March and a Federal Election in May unless someone goes early.

We as Local Government do not want to suffer with voter fatigue in the October as three (3) elections in the one (1) year would be unacceptable.

### **DISCUSSION:**

- Clr LeFevre stated he fully supports the motion. If the elections are in March & May it is far better to get an extension date so promises made can be implemented otherwise you could get all new people to Council and would need to explain what has been happening.

### **COUNCIL DECISION:**

**10/19.8.2.244                      Moved: Clr M Tucker/ Seconded: Clr J McGuinness**

That Council provide a motion to the LGAT next meeting in December requesting that LGAT member Councils ask the State Government to consider reviewing the timing of the next Local Government Election.

**CARRIED UNANIMOUSLY**

*Mayor Tucker resumed the Chair at 10:12am.*

## 10/19.9.0

## COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

## 10/19.10.0

## 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.*

### 10/19.10.1

### Councillors Questions Without Notice – Audio Recording of Meetings – Cllr J Drummond

Can the General Manager please advise Council what is happening in regard to the audio recording of meetings, as per a Council decision in January 2019 - 01/19.8.4.7.

#### Reply

The audio system was installed last week and some training and testing will be required to make sure we are operating it correctly. It is expected to be operating at the November Council meeting.

### 10/19.10.2

### Councillors Questions Without Notice – Traffic Management & Parking, Scamander – Cllr J Drummond

Will Council separate out the traffic management and parking arrangements from the main town development plan that is linked to the removal of the old Scamander Bridge in Scamander?

Will Council agree to act urgently, before the main tourist season, on what is becoming a hazardous and dangerous situation in Scamander?

#### Reply

This item is to be deferred until further clarification is sought from the Cllr Drummond to enable an informed response.

Will Council investigate the placement of Recycling and Landfill bins in public places in our towns. See attached photograph of those provided by Launceston City Council (LCC). Could Council join with LCC in procuring these bins for our municipality.



### Reply

The placement of compactor recycling and landfill bins introduced by Launceston City may be considered after a cost benefit analysis is undertaken, that includes the measurement and assessment of waste stream volume and type in higher use public areas. Should a decision be made to procure this type of bin, the preferred approach is to utilise the MAV/Local Government tender process to attract the best competitive infrastructure rates in the market place.

Will the General Manager please advise what is happening with the position of the Weed Officer, as I understand this position is now vacant.

### Reply

The duties of the Weeds Officer are currently being undertaken by the NRM Officer for an interim period. Given the work which has been undertaken through this position so far, we are currently undertaking a review of the current situation in relation to weed management before finalising the direction of the position. The Weeds Officer vacancy will be advertised when this is complete.



Is there a defibrillator available 24 hours in the centre of each town? Easily accessible and well know?

**Reply**

There are a number of defibrillators available throughout the municipality – some are located within businesses and there are a number of community groups which have access to the machines as well but we have not been able to determine that any are available 24/7 without initial calls being made for people to come and unlock the facilities to where they are located. Fingal Valley Neighbourhood House has one on the outside of their building but it does require a PIN number.

Who is responsible for the land on the Binalong Bay foreshore in particular opposite 58 Main Road and back towards the Lichen carpark? This area amongst others is an eyesore and filled with weeds and highly invasive blackberries, residents are concerned by the lack of work being done in this iconic tourist area to remove the weeds. The local population have indicated they would like to assist and maybe a landcare group could be formed to assist council with this work.

**Reply**

Council have a Lease over part of the land with some maintenance responsibility. Given the sensitive nature of the area and the interfaces that exist between the foreshore and the lease area, Parks & Wildlife Services (PWS) officers at St Helens have spoken with several people from Binalong Bay who have an interest in acting on a voluntary basis. PWS have advised that PWS is happy to manage weeds at Binalong Bay with volunteers under PWS insurance. Volunteers should approach the local PWS office directly to make enquiry.

I would like to ask whether council would consider installing an accessible basketball hoop for locals and visiting teenagers use. Somewhere on council property such as skate parks and sports/rec grounds. In all areas, St Helens Scamander, St Marys, Fingal, Pyengana. Very little cost involved and very little space required. A concerned resident from St Helens has mentioned that all their grandson wanted to do other than play computer games was shoot some hoops, but there was nowhere to go. They rang council, and the only suggestion was the school grounds, which they were not comfortable using as they were unsure if they could.

**Reply**

Basketball hoops may be installed in appropriate public areas. Any installation requires that:

- a need is validated.



- an installation is aligned to any community space plan endorsed by the Council.
- public risk assessment is low or risk mitigation controls can be managed with available resources.
- asset life cycle costs are considered and deemed to be acceptable by the Council.

It is suggested that they check with the local School as use outside school hours occurs at some schools in Launceston.

## 10/19.11.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

### 10/19.11.1 Mayor's Communications for Period Ending 21 October 2019

18.09.2019	<b>Launceston</b>	– Norther Tasmania Waste Management Group – 2019 Waste NoT Awards Ceremony
19.09.2019	<b>St Helens</b>	– Love Your Sister Event – St Helens Big 4 Park
25.09.2019	<b>St Helens</b>	– Probus Meeting
26.09.2019	<b>St Helens</b>	– Legal Literacy Volunteers – Presentation of Certificates
01.10.2019	<b>St Helens</b>	– Lower George River Trust Annual General Meeting
05.10.2019	<b>St Helens</b>	– East Coast Swans Presentation
07.10.2019	<b>St Helens</b>	– Council Workshop
08.10.2019	<b>St Marys</b>	– Local Planning Scheme (LPS) Community Drop in Session
09.10.2019	<b>St Helens</b>	– Meeting with Cornwall Coal representatives – update on their works
09.10.2019	<b>St Helens</b>	– Emergency Management Meeting
09.10.2019	<b>St Helens</b>	– Local Planning Scheme (LPS) Community Drop in Session
16.10.2019	<b>Campbell Town</b>	– Save our Community Soul In – Annual General Meeting
17.10.2019	<b>St Helens</b>	– East Coast Regional Tourism – Annual General Meeting
17.10.2019	<b>St Helens</b>	– T21 Visitor Economy Strategy Workshop
21.10.2019	<b>St Helens</b>	– Council Meeting

### 10/19.11.2 Councillor's Reports for Period Ending 21 October 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 Margaret Osborne OAM
  - At the last meeting there were some new people there who were a very receptive audience, constructive and asked good questions.
- NRM Special Committee – Clr Janet Drummond
  - Nothing to report.
- Barway Committee – Clr John McGiveron
  - Submissions were received for agitated dredging, excavation on a barge and then to be transported ashore in smaller barges and cutter suction dredge. There was 60 hours of dredging undertaken in early October to maintain access with a significant increase in depth.

There seems to be getting better and better results each time this is done. The agitation method is certainly working and into the future it gives an option to react to seasonal changes. Currently in the middle of works at the southern end of the training wall where the erosion has been occurring and channel narrowing. The end wall has been removed that was angled out into the channel. This will give some channel width and remove the hazard in the event that vessels got that close. In the next few weeks this works will recommence to armour the edge with rock and marry it into the existing sand shoreline.

- Regional Tourism Organisation (RTO) – Clr Glenn McGuinness
  - The Annual General Meeting was held at Tidal Waters last Thursday. As yet a summarised report has not been received.
  - A Tourism 2030 Workshop occurred after the AGM facilitated by Tourism Tasmania. This was well attended and forms part of the engagement process for the new tourism strategy, Tourism 2030.
- Mental Health Action Group – Clr Barry LeFevre
  - Meeting with Minister Jeremy Rockliff on Friday.
- Disability Access Committee – Clr Janet Drummond
  - Meeting to be held tomorrow.

## 10/19.12.0 BUSINESS AND CORPORATE SERVICES

### 10/19.12.1 Corporate Services Department Report

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

That the report be received.

#### INTRODUCTION:

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

#### DISCUSSION:

No discussion took place on this item.

#### COUNCIL DECISION:

**10/19.12.1.245** Moved: Clr M Osborne / Seconded: Clr K Chapple

That the report be received.

**CARRIED UNANIMOUSLY**

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

That the following reports for the month ending 30 September 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:**

- Clr Drummond asked about the GST Free Reimbursement amount stated on page 54 as she was not sure what this meant. Manager Corporate Services to check and respond accordingly.

**COUNCIL DECISION:**

**10/19.12.2.246**

Moved: Clr B LeFevre/ Seconded: Clr K Chapple

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

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

That the report be received.

**INTRODUCTION:**

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

**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

**10/19.12.3.247**

Moved: Cllr B LeFevre/ Seconded: Cllr L Whittaker

That the report be received.

**CARRIED UNANIMOUSLY**

## 10/19.12.4      Audit Panel – Receipt of Minutes

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

That Council receive the minutes of the Audit Panel 7 October 2019.

### INTRODUCTION:

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

### DISCUSSION:

- Clr Tucker stated that it seems satisfactory how the audit is going.

### COUNCIL DECISION:

**10/19.12.4.248**      Moved: Clr J Drummond/ Seconded: Clr M Osborne

That Council receive the minutes of the Audit Panel 7 October 2019.

**CARRIED UNANIMOUSLY**

## 10/19.13.0      WORKS AND INFRASTRUCTURE

### 10/19.13.1      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:

- Clr Tucker stated that at the recent Chamber of Commerce meeting there were photos of the Gray Mare Tail Track and comments were made about the quality of the work.

- Clr Osborne stated the Fingal Streetscape doesn't look like it is progressing. Manager of Infrastructure & Development Services advised that there is a lot of stormwater works that need to be completed first and the project is on schedule.
- Clr Drummond also commended the work of the Gray Mares Tail Track but asked is the carpark going to be fixed. Manager of Infrastructure & Development Services advised that this is Parks & Wildlife and they need to fix up.
- Clr Drummond asked about a report on how the green waste was going. Manager of Infrastructure & Development Services advised there will be a report in November.
- Manager of Infrastructure & Development Services stated that he did an expression of interest with local businesses to purchase the green mulch. North East Excavations was successful so will start purchasing soon. There should be cheaper options going forward.

#### **COUNCIL DECISION:**

**10/19.13.1.249**

Moved: Clr J McGiveron/ Seconded: Clr K Chapple

That the report be received by Council.

**CARRIED UNANIMOUSLY**

**10/19.13.2**

#### **Animal Control Report**

<b>FILE REFERENCE</b>	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:**

- Manager of Infrastructure & Development Services stated that it had been a busy month around dangerous dogs.
- Clr Drummond stated she feels strongly that we need full time staff as issues are increasing.
- General Manager stated that levels are monitored with periodic reviews. The costs would be a lot more and it is hard to recruit someone that has the skills and customer service in this area.
- Clr LeFevre stated that we need to workshop this as it has bought up many times before.

#### **COUNCIL DECISION:**

**10/19.13.2.250**

Moved: Clr G McGuinness/ Seconded: Clr J McGiveron

That the report be received by Council.

**CARRIED UNANIMOUSLY**

### 10/19.13.3 Beauty Flats Road – Request for Change of Ownership

FILE REFERENCE	032\005\010\
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#### OFFICER'S RECOMMENDATION:

That Council invoke Section 16 of the Local Government (Highways) Act 1982 in support of Forico's request for Beauty Flat Road, Transport Segment ID 6174046 off Barnes Road, near Mathinna to be changed from a public road to a Private road where it intersects with title 112336-2.

#### INTRODUCTION:

Forico has written to the Council requesting that Beauty Flat Road, Transport Segment ID 6174046 off Barnes Road, near Mathinna be changed from a public road to a Private road where it intersects with title 112336-2.

Section 16 of the Local Government (Highways) Act 1982 applies.

#### DISCUSSION:

- Clr McGiveron stated that his only concerns were that it doesn't impact any business in the area.
- Manager of Infrastructure & Development Services stated that the land owners will be notified.
- Clr McGiveron stated that if they object to it would it have to come back to Council and some people maybe inconvenienced. Manager of Infrastructure & Development Services stated if this happens it would have to go to another workshop.

#### COUNCIL DECISION:

**10/19.13.3.251**

Moved: Clr G McGuinness / Seconded: Clr M Osborne

That Council invoke Section 16 of the Local Government (Highways) Act 1982 in support of Forico's request for Beauty Flat Road, Transport Segment ID 6174046 off Barnes Road, near Mathinna to be changed from a public road to a Private road where it intersects with title 112336-2.

**CARRIED UNANIMOUSLY**

## 10/19.14.0 COMMUNITY DEVELOPMENT

### 10/19.14.1 Community Services Report

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

That the report be received.

#### INTRODUCTION:

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

#### DISCUSSION:

- Cllr Drummond stated that when we launch the MTB she has concerns for only having half the network open. The General Manager stated that it was always going to be a staged opening and that subject to favourable weather the full length of the Bay of Fires Trail will be open.

#### COUNCIL DECISION:

**10/19.14.1.252** Moved: Cllr J McGivern/ Seconded: Cllr G McGuinness

That the report be received.

**CARRIED UNANIMOUSLY**



## 10/19.15.0 DEVELOPMENT SERVICES

### 10/19.15.1 Development Services Report

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

That the report be received.

#### INTRODUCTION:

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

#### DISCUSSION:

No discussion took place on this item.

#### COUNCIL DECISION:

**10/19.15.1.253** Moved: Clr B LeFevre/ Seconded: Clr K Chapple

That the report be received.

**CARRIED UNANIMOUSLY**

### 10/19.15.2 Planning Approvals Issued

Received.

### 10/19.15.3 Planning Approvals

Received.

### 10/19.15.4 Building Services Approvals

Received.

### 10/19.15.5 Notice of Motion – Food Services at Binalong Bay

FILE REFERENCE	031\011\015\
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#### OFFICER'S RECOMMENDATION:

Information only.

#### INTRODUCTION:

This paper responds to 08/19.8.5 Notice of Motion – Binalong Bay Snack Food – Clr B LeFevre.

#### DISCUSSION:

- Clr LeFevre stated he supports the motion just need to get on with it and get a food van out there. The wharf area is the main spot.

#### COUNCIL DECISION:

**10/19.15.5.254** Moved: Clr B LeFevre / Seconded: Clr K Chapple

Information only.

**CARRIED UNANIMOUSLY**

### 10/19.15.6 Provision of Sharps Disposal Containers

FILE REFERENCE	020\009\002\
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#### OFFICER'S RECOMMENDATION:

Provide free replacement sharps containers to those on low incomes as evidenced by a health care card or equivalent.

#### INTRODUCTION:

Until 2015 the St Helens District Hospital has provided a free disposal and a sharps container exchange service (empty for full) for residents.

That service ended on the 30 June 2015 and Council took over the responsibility of sharps disposal but did not offer a container exchange service.

It has been suggested that the cost of purchasing sharps disposal containers is a financial burden on persons requiring them.

This report is provided to identify the issues and considerations to allow Councillors to make an informed decision regarding the provision of sharps containers at no cost to residents and visitors.

## DISCUSSION:

No discussion took place on this item.

## COUNCIL DECISION:

**10/19.15.6.255**

Moved: Cllr K Chapple/ Seconded: Cllr J Drummond

Provide free replacement sharps containers to those on low incomes as evidenced by a health care card or equivalent.

**CARRIED UNANIMOUSLY**

## 10/19.15.7 New Dog Exercise Areas for St Marys and St Helens

<b>FILE REFERENCE</b>	01/19.8.3.6
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## OFFICER'S RECOMMENDATION:

1. That Council, considering the community input on additional off-lead dog exercise areas for St Marys and St Helens, Declare these Exercise Areas under the Dog Control Act at the old St Marys railway station (7265 Esk Main Road), St Marys Sports Complex (2 Gray Road) and to extend the Exercise Area at St Helens Sports Complex (Young Street St.). Declaration of these areas under the Dog Control Act, wholly or in parts, is subject to the installation of safe dog exercise facilities being completed and reported to Council for confirmation.
2. Priorities for development of new dog parks in 2019-2020 are the eastern half of the proposed new dog park site at St Marys Railway Station and the extension of the St Helens dog park at St Helens Sports Complex, to a minimal standard of facilities.

## INTRODUCTION:

Council received several submissions from the community on proposed new sites for off-lead dog exercise for St Marys and St Helens during August. These must be considered by Council in making a final decision on Declaring new Exercise Areas under the Dog Control Act 2000, which is also dependant on safe dog park facilities being built first.

## DISCUSSION:

- Cllr McGiveron stated regarding the railway station at St Marys after recent rains it is a bog hole with no drainage and would also be a haven for snakes. It needs a lot of money spent to clean it up and clear overhanging willow trees. There are also sheep in the adjoining next door paddock that the dogs would scare. We need to check this area and look closer.
- Cllr Drummond stated she also went down after recent rains and the area was very boggy which would increase the costs for drainage etc to make it functional.

## COUNCIL DECISION:

**10/19.15.7.256**

Moved: Clr K Chapple/ Seconded: Clr G McGuinness

1. That Council, considering the community input on additional off-lead dog exercise areas for St Marys and St Helens, Declare these Exercise Areas under the Dog Control Act at the old St Marys railway station (7265 Esk Main Road), St Marys Sports Complex (2 Gray Road) and to extend the Exercise Area at St Helens Sports Complex (Young Street St.). Declaration of these areas under the Dog Control Act, wholly or in parts, is subject to the installation of safe dog exercise facilities being completed and reported to Council for confirmation.
2. Priorities for development of new dog parks in 2019-2020 are the eastern half of the proposed new dog park site at and the extension of the St Helens dog park at St Helens Sports Complex, to a minimal standard of facilities.

**An amendment was moved:**

**010/19.15.7.257**

Moved: Clr J McGiveron / Seconded: Clr M Osborne

1. That Council, considering the community input on additional off-lead dog exercise areas for St Marys and St Helens, Declare these Exercise Areas under the Dog Control Act at the old St Marys Sports Complex (2 Gray Road) and to extend the Exercise Area at St Helens Sports Complex (Young Street St.). Declaration of these areas under the Dog Control Act, wholly or in parts, is subject to the installation of safe dog exercise facilities being completed and reported to Council for confirmation.
2. Priorities for development of new dog parks in 2019-2020 are the eastern half of the proposed new dog park site at and the extension of the St Helens dog park at St Helens Sports Complex, to a minimal standard of facilities.
3. Council review the site constraints prior to confirming being suitable – Old St Marys Railway Station.

**CARRIED UNANIMOUSLY**

**The amendment becomes the motion:**

**CARRIED UNANIMOUSLY**

*Meeting adjourned for morning tea at 11.10am*

*Meeting resumed at 11.23am*

#### 10/19.15.8 Scamander Skate Park – Project for Consideration

FILE REFERENCE	004\008\027\
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#### OFFICER'S RECOMMENDATION:

That Council undertakes the appropriate level of improvement works to improve the embankment between the Scamander Skate Park and car park in line with Council's endorsed Scamander Beach Reserve Master Plan.

#### INTRODUCTION:

Council has received detail of a proposed project to improve the embankment between the Scamander Skate Park and car park – refer to attached Proponent Project Proposal Drawings.

#### DISCUSSION:

No discussion took place on this item.

#### COUNCIL DECISION:

**10/19.15.8.258**

Moved: Clr J McGiveron/ Seconded: Clr G McGuinness

That Council undertakes the appropriate level of improvement works to improve the embankment between the Scamander Skate Park and car park in line with Council's endorsed Scamander Beach Reserve Master Plan.

**CARRIED UNANIMOUSLY**

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

That the General Manager's report be received.

**INTRODUCTION:**

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

**DISCUSSION:**

- Clr LeFevre asked whether anymore had been heard about the old hospital site.
- General Manager stated that all of the information from the community consultation sessions had been sent to the Department of Communities Tasmania. There evidently has been some things removed from the old hospital eg the kitchen area so this may have an impact on the future use.
- Clr Osborne responded that the only things that went out of the kitchen went to St Marys hospital and she wasn't aware of anything else.
- Clr Drummond stated that people had advised that they weren't aware of the Local Provision Schedule (LPS) drop in sessions at St Marys and could we use maybe the ABC radio and email to get the information out there even the community boards at the local IGA's.
- General Manager stated that unless it is a media release the ABC would not broadcast the information and even then they may not pick it up as being newsworthy.

**COUNCIL DECISION:**

10/19.16.1.259

Moved: Clr G McGuinness/ Seconded: Clr M Osborne

That the General Manager's report be received.

**CARRIED UNANIMOUSLY**

FILE REFERENCE	004\003\002\
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**OFFICER'S RECOMMENDATION:**

That Council authorise the General Manager to close the Council Office and the Works Depot for the Christmas Break from 12.30pm on Tuesday 24 December 2019 and reopen on Thursday 2 January 2020.

**INTRODUCTION:**

Christmas Eve falls on a Tuesday this year and consideration needs to be given to the closure period for the Council Office and Works Depot.

**DISCUSSION:**

No discussion of significance on this item.

**COUNCIL DECISION:****10/19.16.2.260**Moved: Cllr J McGiveron/ Seconded: Cllr J Drummond

That Council authorise the General Manager to close the Council Office and the Works Depot for the Christmas Break from 12.30pm on Tuesday 24 December 2019 and reopen on Thursday 2 January 2020.

**CARRIED UNANIMOUSLY**

### 10/19.16.3 Speed Limit Tasman Highway, St Helens

FILE REFERENCE	032\002\011\
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#### OFFICER'S RECOMMENDATION:

That Council request that the Department of State Growth:

1. Extend the current 60km/h speed limit zone south by 100 metres with required adjustments being made to the 80km/h zone.
2. Review the decision to not reduce the current 100km/h speed limit between the southern entrance to St Helens and Flagstaff Road.

#### INTRODUCTION:

Council has previously requested that the Department of State Growth review the speed limit on the Tasman Highway for the section from St Helens Point Road to Flagstaff Road and the Department chose not to agree to this at the time. Given the St Helens MTB Trails are close to opening, it is logical to raise the matter again with the Department requesting a reconsideration of the situation.

#### DISCUSSION:

No discussion took place on this item.

#### COUNCIL DECISION:

**10/19.16.3.261**                      Moved: Clr J Drummond/ Seconded: Clr B LeFevre

That Council request that the Department of State Growth:

1. Extend the current 60km/h speed limit zone south by 100 metres with required adjustments being made to the 80km/h zone.
2. Review the decision to not reduce the current 100km/h speed limit between the southern entrance to St Helens and Flagstaff Road.

#### CARRIED UNANIMOUSLY

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

Moved: Clr J Drummond/ Seconded: Clr L Whittaker move into Closed Council.

#### CARRIED UNANIMOUSLY



# IN CONFIDENCE

## 10/19.17.0 CLOSED COUNCIL

10/19.17.1 Confirmation of Closed Council Minutes – Council Meeting 16 September 2019

10/19.17.2 Outstanding Actions List for Closed Council

10/19.17.3 Car Parking & MTB Hub - Closed Council Item Pursuant To Section 15(2)C Of The Local Government (Meeting Procedures) Regulations 2015

### COUNCIL DECISION:

10/19.17.3.CC Moved: Clr J McGuinness / Seconded: Clr M Osborne

1. That Council enter into an Agreement with the owners of 49-53 Cecilia Street to Lease part of the site for car parking and related works.
2. That Council enter into an Agreement with the owners of 49-53 Cecilia Street to Lease the currently fenced part of the site on an annual basis for additional car parking.
3. That Council review the car parking layout at the Council owned car park at the Visitor Information Centre and create the identified one-way linkage between this car park and 49-53 Cecilia Street to facilitate traffic flow in general and MTB shuttle buses in particular.
4. That Council officers recommence discussions with the Department of State Growth regarding alternatives for traffic control at the Cecilia and Quail Streets intersection including seasonal signalisation.
5. That Council amend the 2019-2020 Council Budget to allocate \$300,000 to undertake the identified capital works with the currently allocated \$150,000 for car parking works at the Community Stadium being transferred to this project.

**FOR** Clr M Tucker, Clr J McGiveron, Clr B LeFevre, Clr G McGuinness, Clr M Osborne, Clr K Chapple

**AGAINST** Clr J Drummond, Clr L Whittaker

**CARRIED**

#### 10/19.17.4 Affordable Housing - Closed Council Item Pursuant To Section 15(2)F Of The Local Government (Meeting Procedures) Regulations 2015

##### COUNCIL DECISION:

**10/19.17.4.CC**      Moved: Clr J Drummond / Seconded: Clr K Chapple

That Council agree to sell the land to Centacare Evolve Housing (or successor body) for the purposes of building affordable housing and that should the project not proceed the land revert to Council ownership.

**CARRIED UNANIMOUSLY**

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

Moved: Clr K Chapple/ 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 12.07pm.

.....  
**MAYOR**

.....  
**DATE**