



# COUNCIL MEETING MINUTES

Monday 24 June 2019  
Council Chambers, St Helens

John Brown, General Manager  
Break O'Day Council  
24 June 2019

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## OPENING

*The Mayor to welcome Councillors, staff and members of the public and declare the meeting open at 10.00am.*

## ACKNOWLEDGEMENT OF COUNTRY

*We would like to acknowledge the Tasmanian Aboriginals as the traditional custodians of the land on which we meet today, and pay respect to the elders past and present.*

### 06/19.1.0 ATTENDANCE

#### 06/19.1.1 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  
Councillor Kylie Wright

#### 06/19.1.2 Apologies

Nil.

#### 06/19.1.3 Leave of Absence

Clr M Osborne has requested a leave of absence from 20 August to 13 September 2019.

### RECOMMENDATION:

That Council endorse Clr M Osborne's requested leave of absence from 20 August 2019 to 13 September 2019.

## COUNCIL DECISION:

**06/19.1.3.127**      Moved: Clr J McGiveron / Seconded: Clr K Chapple

That Council endorse Clr M Osborne's requested leave of absence from 20 August 2019 to 13 September 2019.

**CARRIED UNANIMOUSLY**

## **06/19.1.4**      **Staff in Attendance**

General Manager, John Brown  
Executive Assistant, Angela Matthews  
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 15.4*)  
Communications Coordinator, Jayne Richardson (*Item 1.0 – 16.8*)  
Planning Services Coordinator, Geraldine O'Connor (*Item 1.0 – 7.0*)  
Manager Corporate Services, Bob Hoogland (*Item 6.1 – 15.1*)  
Building Services Coordinator, Jake Ihnen (*Item 1.0 – 15.4*)  
Human Resources Manager, Paula Kloosterman (*Item 6.1 – 10.0 / 13.1 – 16.1*)

## **06/19.2.0**      **PUBLIC QUESTION TIME**

17 people in the gallery.

Nil.

## **06/19.3.0**      **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.*

Nil.

## 06/19.4.0 CONFIRMATION OF MINUTES

### 06/19.4.1 Confirmation of Minutes – Council Meeting 20 May 2019

#### OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 20 May 2019 be confirmed.

#### DISCUSSION:

No discussion took place on this item.

#### COUNCIL DECISION:

**06/19.4.1.128** Moved: Clr L Whittaker / Seconded: Clr K Chapple

That the minutes of the Council Meeting held on the 20 May 2019 be confirmed.

**CARRIED UNANIMOUSLY**

## 06/19.5.0 COUNCIL WORKSHOPS HELD SINCE 20 MAY 2019 COUNCIL MEETING

There was a Workshop held on Monday 3 June 2019 – the following items were listed for discussion.

- 2019-2020 Annual Plan
- Adoption of 2019-2020 Budget Estimates
- Electric Vehicle Charging Station Proposal
- Traffic Monitoring – Binalong Bay Road
- Draft Playgrounds Asset Management Plan
- St Helens Football Club – Sport & Recreation Grant Application for Grounds Irrigation System
- Council Leases
- NRM Committee Meeting Minutes
- Amendment of the Charter for the Natural Resource Management Committee
- Appointment of Break O'Day Council Natural Resource Management Committee Representatives
- Draft Local Provisions Schedule (LPS) Project
- Review – Break O'Day Council Meeting Procedures
- NTDC – Population Growth Program
- NTDC – Recurrent Funding Commitment
- Review – LG01 – Elected Members Allowances and Support Policy
- Policy – LG06 Employee Recognition Policy
- Marine and Safety Tasmania (MAST) Infrastructure Plan

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*.

### 06/19.6.1 DA 064-2019 - Proposed New Trail Alignments Stages 1-3 Mountain Bike Trail between Poimena and Bay of Fires, Car Park and Temporary Toilet

FILE REFERENCE	DA 064-19
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#### OFFICER'S RECOMMENDATION:

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **PASSIVE RECREATION (MOUNTAIN BIKE TRAIL)** on land situated at POIMENA, ST HELENS be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 064-2019 received by Council 23 April 2019 together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.
2. Prior to works commencing, a full copy of the Certified Forest Practices Plan dated 29 November 2017 shall be lodged with Council and will form part of the endorsed plans.
3. Prior to the use commencing, road signage must be installed as detailed in the Traffic Impact Assessment by Midson Traffic submitted with the application.
4. Prior to works commencing, a *Soil and Water Management Plan* must be submitted to Council for approval by the Planning Coordinator. When approved, the plan will be endorsed and will then form part of the permit. It must be prepared in accordance with *Guidelines for Soil and Water Management*, published by Hobart City Council and available on Council's website: ([http://www.bodc.tas.gov.au/webdata/resources/files/Guidelines for Soil and Water Management.pdf](http://www.bodc.tas.gov.au/webdata/resources/files/Guidelines%20for%20Soil%20and%20Water%20Management.pdf)). All works associated with the development must be conducted in accordance with the approved *Soil and Water Management Plan*.
5. Works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.
6. All works must be conducted in accordance with *Environmental Best Practice Guidelines for Undertaking Works in Waterways and Wetlands in Tasmania* as outlined in the Department of Primary Industries, Parks, Water and Environment publication 'Waterways and Wetlands Works Manual 2003'.
7. Site benching through cut and fill must be in keeping with the physical and environmental capabilities of the site.
8. Prior to any works commencing, a Weed and Disease Management Plan must be submitted for approval by the Planning Coordinator. When approved, the plan will be endorsed and will then form part of the permit. The plan must include:
  - a. Details of how standard *Phytophthora* hygiene measures are to be implemented on an ongoing basis.
  - b. Be in accordance with and using the *Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania* (DPIPWE 2015, Eds. K. Stewart & M. Askey-Doran. DPIPWE, Hobart, Tas).



9. Prior to any works commencing, a construction management plan must be submitted for approval by the Planning Co-ordinator. When approved, the plan will be endorsed and will then form part of the permit. The plan must detail:
  - a. Site induction for all workers and visitors to the site. This must cover the hygiene protocols as detailed below.
  - b. Hygiene protocols in accordance with the latest edition of the *Tasmanian Washdown Guidelines for Weed and Disease Control (DPIPWE)*. All construction vehicles and machinery must be washed down and disinfected to prevent the introduction and/or spread of weeds or pathogens, specifically *Phytophthora Cinnamomi* (root rot).
  - c. A site supervisor that must inspect vehicles and machinery according to the sample washdown register at Appendix 2 in the latest edition of the *Tasmanian Washdown Guidelines for Weed and Disease Control (DPIPWE)*.
10. Native vegetation must not be removed outside that necessitated by the proposed development (this includes the clearing of vegetation to retain or expand views or vistas) unless consented to by Council.

## ADVICE

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

*Mon-Friday 7 am to 6 pm*

*Saturday 9 am to 6 pm*

*Sunday and public holidays 10 am to 6 pm*

## NOTES

- a) Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
- b) This property contains threatened species. Permits are required under the Threatened Species Protection Act 1995 for any activities that may impact those species. Information on applying for a permit, including application forms, can be found on the DPIPWE website.

## DISCUSSION:

- The Planning Services Coordinator advised that the report was prepared by an outside Consultant.
- Cllr McGuinness stated that this is common sense for realignment for reasons provided.
- Cllr McGivern stated that it is practicable and sensible.
- Cllr Drummond stated that in the report A3 complies however she couldn't find a condition regarding planting with plants from local provenance. The Planning Services Coordinator stated that this would be part of the report however a condition in regards to this would be ok. The General Manager stated that this would be included under "Advice".
- Cllr Drummond asked whether the speed limit on Poimena Road could be reduced from 80km. Cllr Drummond is concerned that this could be a dangerous point of entry and we should reduce the speed limit for safety. The Manager Infrastructure and Development Services advised that the road is 80km as default as all gravel roads in Tasmania are 80km and the Department of State Growth would not reduce. Cllr Drummond stated that the

concerns have been raised by the community. The Manager Infrastructure and Development Services stated that we could sign post the road with regard to changing conditions. The Planning Services Coordinator stated that we suggest this as part of the management plan. Mayor Tucker asked, can we have a drive to the conditions signage. The Manager Infrastructure and Development Services stated that other Council's put advisory signage however this is not regulated and most people would adhere to this.

- Clr Drummond stated in regards to car parking that it would be good practice to put in a disabled park. The Planning Services Coordinator stated there is room within the proposed car park for disabled parking and there is already room for disabled parking in the existing car park.
- Clr Drummond asked in relation to the trail going through someone's private land, whose asset does this become. The General Manager advised that the trails do not go through any private land only Crown Land.
- Clr Wright asked, what is our definition of "Passive Recreation", as in Clr Wright's mind this trail doesn't fit into passive recreation. The Planning Services Coordinator stated that it is the 'unstructured' use which makes this passive recreation. The General Manager also advised that this definition was the subject of submissions through mediation on another Development Application.
- Clr Whittaker stated that there are an additional 16 car parks, how many are there already. The Planning Services Coordinator stated that she thinks there are approximately eight (8) unmarked car spaces. Clr Whittaker and Clr Chapple both asked, is this enough? The General Manager stated that during events, etc most transport would be via shuttle drop off so vehicles would be limited.

#### COUNCIL DECISION:

**06/19.6.1.129**

Moved: Clr G McGuinness / Seconded: Clr J McGiveron

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **PASSIVE RECREATION (MOUNTAIN BIKE TRAIL)** on land situated at POIMENA, ST HELENS be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 064-2019 received by Council 23 April 2019 together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.
2. Prior to works commencing, a full copy of the Certified Forest Practices Plan dated 29 November 2017 shall be lodged with Council and will form part of the endorsed plans.
3. Prior to the use commencing, road signage must be installed as detailed in the Traffic Impact Assessment by Midson Traffic submitted with the application.
4. Prior to works commencing, a *Soil and Water Management Plan* must be submitted to Council for approval by the Planning Coordinator. When approved, the plan will be endorsed and will then form part of the permit. It must be prepared in accordance with *Guidelines for Soil and Water Management*, published by Hobart City Council and available on Council's website: ([http://www.bodc.tas.gov.au/webdata/resources/files/Guidelines for Soil and Water Management.pdf](http://www.bodc.tas.gov.au/webdata/resources/files/Guidelines%20for%20Soil%20and%20Water%20Management.pdf)). All works associated with the development must be conducted in accordance with the approved *Soil and Water Management Plan*.

5. Works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.
6. All works must be conducted in accordance with *Environmental Best Practice Guidelines for Undertaking Works in Waterways and Wetlands in Tasmania* as outlined in the Department of Primary Industries, Parks, Water and Environment publication 'Waterways and Wetlands Works Manual 2003'.
7. Site benching through cut and fill must be in keeping with the physical and environmental capabilities of the site.
8. Prior to any works commencing, a Weed and Disease Management Plan must be submitted for approval by the Planning Coordinator. When approved, the plan will be endorsed and will then form part of the permit. The plan must include:
  - a. Details of how standard *Phytophthora* hygiene measures are to be implemented on an ongoing basis.
  - b. Be in accordance with and using the *Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania* (DPIPWE 2015, Eds. K. Stewart & M. Askey-Doran. DPIPWE, Hobart, Tas).
9. Prior to any works commencing, a construction management plan must be submitted for approval by the Planning Co-ordinator. When approved, the plan will be endorsed and will then form part of the permit. The plan must detail:
  1. Site induction for all workers and visitors to the site. This must cover the hygiene protocols as detailed below.
  2. Hygiene protocols in accordance with the latest edition of the *Tasmanian Washdown Guidelines for Weed and Disease Control* (DPIPWE). All construction vehicles and machinery must be washed down and disinfected to prevent the introduction and/or spread of weeds or pathogens, specifically *Phytophthora Cinnamomi* (root rot).
  3. A site supervisor that must inspect vehicles and machinery according to the sample washdown register at Appendix 2 in the latest edition of the *Tasmanian Washdown Guidelines for Weed and Disease Control* (DPIPWE).
10. Native vegetation must not be removed outside that necessitated by the proposed development (this includes the clearing of vegetation to retain or expand views or vistas) unless consented to by Council.

## ADVICE

1. Activities associated with construction works are not to be performed outside the permissible time frames listed:
  - Mon-Friday 7 am to 6 pm*
  - Saturday 9 am to 6 pm*
  - Sunday and public holidays 10 am to 6 pm*
2. Plantings associated with the development shall be from seeds or rootstocks derived from provenance taken within the boundaries of the site or local area.

## NOTES

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

- b) This property contains threatened species. Permits are required under the Threatened Species Protection Act 1995 for any activities that may impact those species. Information on applying for a permit, including application forms, can be found on the DPIPW website.

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

*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.*

## 06/19.7.0 PETITIONS

Nil.

## 06/19.8.0 NOTICES OF MOTION

### 06/19.8.1 Notice of Motion – Climate Emergency – 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:*

- (1) Council recognises that we are in a state of climate emergency that requires urgent action by all levels of government, including by local councils.
- (2) Council establishes an Energy and Environment Working Group. The Working Group will comprise all Councillors who wish to participate and will be supported by relevant Council officers.

The Working Group will meet on a regular basis over coming months to develop proposals for Council's consideration at a meeting in six (6) months-time.

#### **DISCUSSION:**

- Clr Drummond stated that she sees a vast range of benefits to come from this.
- Clr Whittaker stated that she totally supports this motion especially with the work done in 2013. We need to be forward planning and forward thinking.
- Clr LeFevre stated that he was against this motion due to perceived political bias. Clr LeFevre stated that he believes Council is already performing well in regards to Climate Change. It is unknown with this motion as to how much staff and Council resources would

be required. Clr LeFevre also stated that Climate Change is an important issue and he advised that he foreshadowed a new motion as follows:

**FORESHADOWED MOTION:**

- a) *That Council recognises with serious concern Climate Change and requests bilateral support with all forms of Government; and*
  - b) *That Council write to the State and Federal Governments seeking action.*
- Clr Wright stated that she fully supports Clr Drummond's motion as Council need to take the lead. It is happening and this is backed by science, she stated that Council should be leaders.
  - Clr McGiveron stated that he supports Clr LeFevre very strongly. There is no doubt that Council has to do something. A Committee gives the public perception that Council are going to do something. Council needs to look at the economy and environment as they are.
  - Clr McGuinness stated that he is very strongly concerned about Climate Change and he wants to see action, however he is concerned that we are becoming part of a political movement and it is highly emotive. Clr McGuinness stated that he genuinely believes that Council is doing a lot and the motion proposed by Clr LeFevre goes a long way to support our position.
  - Clr Whittaker stated that she doesn't believe we can put cost ahead of the environment and protecting the environment is not political.
  - Clr Drummond stated this is not political and as far as the resource and time implications to Council, this goes back to the report which already exists within Council where there are all sorts of actions that need to be implemented. There is more to it than lobbying people and writing letters.
  - Clr Drummond stated that Clr LeFevre's foreshadowed motion ignores all the work we have done and achieves nothing.

**COUNCIL DECISION:**

**06/19.8.1.130**      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:*

- (1) Council recognises that we are in a state of climate emergency that requires urgent action by all levels of government, including by local councils.
- (2) Council establishes an Energy and Environment Working Group. The Working Group will comprise all Councillors who wish to participate and will be supported by relevant Council officers.

The Working Group will meet on a regular basis over coming months to develop proposals for Council's consideration at a meeting in six (6) months-time.

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

**06/19.8.1.131**      Moved: Clr B LeFevre / Seconded: Clr M Osborne

- a) That Council recognises with serious concern Climate Change and requests bilateral support with all forms of Government; and
- b) That Council write to the State and Federal Governments seeking action.

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

## **06/19.8.2**                      **Notice of Motion – Disabled Parking Bay, Fingal – 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 consider the establishment and fund allocation for the creation of a Disabled parking bay, and relevant signage, at the rear of the toilets at the Fingal public toilet facility, and a new pathway into the toilet block.

### **DISCUSSION:**

- Clr Wright agreed with Clr Drummond, disability access is a very important thing.

### **COUNCIL DECISION:**

**06/19.8.2.132**                      Moved: Clr J Drummond / Seconded: Clr K Wright

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

That Council consider the establishment and fund allocation for the creation of a disabled parking bay, and relevant signage, at the rear of the toilets at the Fingal public toilet facility, and a new pathway into the toilet block.

**CARRIED UNANIMOUSLY**

## 06/19.9.0 COUNCILLOR'S QUESTIONS ON NOTICE

### 06/19.9.1 Questions on Notice – Online Food Safety Training – Clr J Drummond

Will Break O'Day considering offering free online food safety training via the programme called 'I'm Alert' to community based organisations?

<https://www.imalert.com.au/foodsafety/>

#### Reply

No plans at this stage as informal consultation with cohort Council Dorset, was that uptake didn't justify the cost.

## 06/19.10.0 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.*

### 06/19.10.1 Road to Poimena - Clr J Drummond

What is happening with the road up Poimena? Are there any planned improvements? I have had concerns voiced by community members about both the width and condition of the road and the amount of traffic now using the road making this an urgent safety issue.

#### Reply

Poimena Road from Lottah to the top of the Blue Tier was upgraded by Council in 2017. The road segment is also owned by Council.

There are no further opportunities to significantly widen the road. Upgrading works included the construction of additional vehicle pull off areas and the road is subject to maintenance grading and periodic re-sheeting.

Traffic counter devices will be placed on the road during Spring and Summer that will record vehicle numbers, speed and other variables. The data will be used to assess traffic flow and to determine if additional traffic controls are required.

### 06/19.10.2 Bikes in Binalong Bay Dunes - Clr G McGuinness

Is it possible to prevent bikes from using the track along the back of Binalong Bay dunes as the increased traffic is going above and in close proximity to penguin burrows.



## Reply

The matter will be referred to the Parks & Wildlife Service.

### 06/19.11.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

#### 06/19.11.1 Mayor's Communications for Period Ending 24 June 2019

22.05.2019	St Helens	– National Storytime with St Helens District School kids
30.05.2019	Launceston	– Local Government Associations of Tasmania (LGAT) Mayors Professional Development
03.06.2019	St Helens	– Council Workshop
15.06.2019 to 19.06.2019	Canberra	– Australian Local Government Association (ALGA) National General Assembly
24.06.2019	St Helens	– Council Meeting

#### 06/19.11.2 Councillor's Reports for Period Ending 24 June 2019

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

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

- Clr Wright advised that she has not been to a meeting, she missed April and May due to work commitments.
- Clr Wright advised that she is unable to attend the next meeting and is happy to stand down if another Councillor is able to be Council's representative.

##### 06/19.12.1.133 Moved: Clr G McGuinness / Seconded: Clr K Wright

That Clr Margaret Osborne become Council's representative on the St Helens and Districts Chamber of Commerce and Tourism.

#### **CARRIED UNANIMOUSLY**

##### NRM Special Committee – Clr Janet Drummond

- Next meeting is the 7 August.

##### Barway Committee – Clr John McGiveron

- No further updates.

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

- Clr McGuinness advised that he attended the RTO Awards at Freycinet on behalf of the Mayor. The award results were disappointing as they were all from Glamorgan-Spring Bay area. The General Manager advised that we have asked for formal feedback in regards to the outcome.



Mental Health Action Group – Clr Barry LeFevre

- Meet this Thursday.

Disability Access Committee – Clr Janet Drummond

- Met on the 17 June, looked at the existing action plan and working on updating this. A further meeting is required to resolve this on the 16 July.

## **06/19.12.0 BUSINESS AND CORPORATE SERVICES**

### **06/19.12.1 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 he had nothing further to add.
- Clr Drummond asked in relation to the Risk Register and the Climate Change group. The Manager Corporate Services advised that we have withheld any review of this item as Council were considering this as a Notice of Motion.

#### **COUNCIL DECISION:**

**06/19.12.1.134**                      Moved: Clr B LeFevre / Seconded: Clr K Wright

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 31 May 2019 be received:

1. Trading Account Summary
2. Income Statement
3. Profit and Loss Statements
4. Financial Position
5. Cash Flow
6. Capital Expenditure

**INTRODUCTION:**

Presented to Council are the monthly financial statements.

**DISCUSSION:**

- The Manager Corporate Services made comments in regards to numbers 2101 and 2140. The revenue for plant hire is a long way away from what was budgeted, it is an in and out and the overall effect counters each other. The Manager Corporate Services advised that we are looking at ways to get the budget and actuals closer together.
- The Manager Corporate Services stated that the Audit Panel didn't note anything from this report.
- Cllr Drummond asked in relation to 1971 – Contractors, this is 133%, is any of this covered under our grant funding at all. The Manager Corporate Services advised that it is, in particularly the ONS, we just recognise that we have gone over on budget even though it is offset by revenue.
- Cllr Drummond asked in relation to CE110 – Scamander Entrance at Wrinklers, are we going to commence this in the coming year? The Manager Corporate Services stated that we have been held up getting approvals and designs. The Manager Infrastructure and Development Services advised that this is still going through the process of finalising design then we will apply to Crown for consent and then submit a development application.

## COUNCIL DECISION:

**06/19.12.2.135**

Moved: Clr B LeFevre / Seconded: Clr K Wright

That the following reports for the month ending 31 May 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**

**06/19.12.3**

## Visitor Information Centre Report

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

That the report be received.

## INTRODUCTION:

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

## DISCUSSION:

- The Manager Corporate Services advised that he had nothing further to report other than the Curator has been away.

## COUNCIL DECISION:

**06/19.12.3.136**

Moved: Clr L Whittaker / Seconded: Clr J Drummond

That the report be received.

**CARRIED UNANIMOUSLY**

FILE REFERENCE	018\007\001\
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**OFFICER'S RECOMMENDATION:**

That Council adopt the 2019-2020 Budget Estimates document inclusive of:

1. Budget Income Statement
2. Budgeted Statement of Financial Position
3. Budgeted Cash Flow Statement

and,

That in accordance with the provisions of the *Local Government Act 1993*, Council adopts the rates and charges for the period 1 July 2019 to 30 June 2020 in accordance with the resolutions which follow.

**1. General Rate:**

- 1.1 Pursuant to Section 90 of the *Local Government Act 1993*, Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the Municipal area of Break O'Day for the period commencing 1 July 2019 and ending 30 June 2020, namely a rate of 8.10 cents in the dollar on the assessed annual value (as adjusted) of the land.
- 1.2 Pursuant to Section 90(4) of the *Local Government Act 1993*, Council sets a minimum amount payable in respect of the general rate of \$551.00.
- 1.3 Pursuant to Section 107(1)(a) of the *Local Government Act 1993*, Council declares by absolute majority, that the general rate is varied as follows:
  - (a) for land which has the defined use, of primary production forestry, in accordance with the list provided by the Valuer General, a varied general rate of 16.60368 cents in the dollar of the assessed annual value (as adjusted) of the land

**2. Service Charges:**

Pursuant to Sections 93, 93A, 94, and 95 of the *Local Government Act 1993*, Council makes the following service rates and service charges on all rateable land within the municipal area of Break O'Day (including land which is otherwise exempt from rates pursuant to Section 87 but excluding Crown Land to which Council does not supply any of the following services) for the period commencing 1 July 2019 and ending on the 30 June 2020, namely:

**2.1 Waste Management:**

Service charges for different waste management services as follows;

**2.1.1 Waste Infrastructure**

for the making available of waste management services to all land within the municipal area comprising waste disposal areas, waste transfer stations and related waste management facilities, \$183.00;

### 2.1.2 Waste Collection Services

- (a) for making available the service of a 140 litre mobile waste bin collection within each collection area, \$94.50 per bin; and
- (b) for making available the service of a 240 litre mobile waste bin collection within each collection area, \$154.00 per bin; and
- (c) additional 140 litre waste bin will be \$94.50 per service, and 240 litre waste bin will be \$154.00 per service.
- (d) for making available the service of a 240 litre mobile recycling collection within each collection area, \$54.00 per bin; and
- (e) for each 240 litre mobile recycling collection bin supplied, in addition to the first, \$54.00 per bin.

### 2.1.3 Waste Collection Services – Exceptions

Pursuant to Section 94(3) Council declares, by absolute majority, that the service charges for waste management are each varied within the municipal area according to each of the following factors;

- (a) where land is within a collection area pursuant to sub-paragraph (a), (b) or (d) but is vacant and is not used for any purpose, vary the collection service charge to nil;
- (b) where improved land is within a collection area pursuant to sub-paragraph (a) (b) or (d) but either of the following two conditions apply (i) the capital value is \$3,000 or less above the land value; or (ii) is considered to not be habitable; vary the collection service charge to nil;
- (c) where land to which sub-paragraphs (a), (b) or (d) apply is used as a sporting or recreational facility and is a jetty, boat shed, boat ramp or slipway, vary the service charges to nil.

## **2.2 Fire Protection (fire service contribution):**

Pursuant to Section 93A of the *Local Government Act 1993* Council makes the following service rates in respect of the fire service contributions it must collect under the Fire Service Act 1979 for the rateable parcels of land within the Municipal area as follows:

<i>District</i>	<i>Cents in the Dollar of AAV</i>
Volunteer brigade rating district	.465033
General land	.336364

Pursuant to Section 93(3) of the *Local Government Act 1993* Council sets a minimum amount payable in respect of this service rate of \$41.00.

## **3. Separate Land:**

For the purposes of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the Valuation of Land Act 2001.

## **4. Adjusted Values:**

For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Section 89 of the *Local Government Act 1993*.

**5. Instalment Payment:**

Pursuant to Section 124 of the *Local Government Act 1993*, Council:

- (a) decides that all rates are payable by all rate payers by four (4) instalments which must be of approximately equal amounts.
- (b) determines that the dates by which instalments are to be paid shall be as follows:
  - (i) The first instalment on or before 10 September 2019;
  - (ii) The second instalment on or before 12 November 2019;
  - (iii) The third instalment on or before 4 February 2020; and
  - (iv) The fourth instalment on or before 5 May 2020.
- (c) where a ratepayer fails to pay any instalment within 21 days of the date on which the rates are due, the full amount owing becomes due and payable in accordance with Section 124 (5) of the *Local Government Act 1993*.

**6 Discount:**

Pursuant to Section 130 of the *Local Government Act 1993* Council offers to all of the ratepayers who are liable to pay rates and charges a discount of 3% of the rates and charges if they are paid, and received by Council, by one payment on or before 10 September 2019.

**7. Penalty and Interest:**

Pursuant to Section 128 of the *Local Government Act 1993*, if any rate or instalment is not paid, and received by Council, on or before the date it falls due then:

- (a) there is payable a penalty of 6% of the unpaid rate or instalment; and
- (b) there is payable a daily interest charge of 0.0221311% (8.10% per annum) in respect of the unpaid rate or instalment for the period during which it is unpaid.

**8. Words and Expressions:**

Words and expressions used both in these resolutions and in the *Local Government Act 1993* or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those Acts.

**INTRODUCTION:**

The Budget Estimates and Rates Resolution are considered annually in accordance with Section 82 of the *Local Government Act 1993* and are prepared in accordance with Council's Long Term Financial Plan.

**DISCUSSION:**

- The Manager Corporate Services advised that the audit panel has reviewed this, the comment was made that it would be good if there is more of a link between the Long Term Financial Plan (LTFP) and the Budget. There are linkages there but they are not quite as visible.
- Cllr Osborne stated that she is concerned about things getting carried over each year eg the cemetery plans. The Manager Corporate Services stated that some things are multi-year staged plans with new activities programmed each year, however some are carried over for

some very specific reasons, it is something that is being improved on. The General Manager advised that there would be a significant reduction in projects carried forward at the end of the current year as the Manager Infrastructure and development services had a works program which is addressing this situation.

- Cllr McGivern asked in relation to the St Marys Master Plan and the new columbarium wall, how far will \$20,000 go towards this project. The General Manager stated that the St Marys Columbarium wall situation is that there is still about seven (7) – eight (8) years' worth of space left in the current one. Cllr McGivern stated that the issue was the quality of the current wall not so much the space. The General Manager stated that there are also substantial road works required on that site as well.
- Cllr Drummond asked, how do ratepayers have the opportunity to raise a question regarding rates before we adopt the budget. The Manager Corporate Services stated that we have provided Council information on sample properties, areas, etc prior to the budget being adopted.
- Cllr Wright asked, with the new valuations should this somehow reflect the value of your property if you were to sell your property. The Manager Corporate Services stated that it is the most significant indicator, however it is always going to be out of date and should not be used as a genuine marker for market value.
- Cllr Drummond asked, have we reduced our use of 4WD's since 2013. The Manager Corporate Services stated that it is not so much about reducing use of 4WD's we review vehicles by emissions and fuel economy, etc, we have changed most vehicles to diesels. It is more about reduce fuel emissions and reducing impacts. Cllr Wright asked, don't diesel engines put out higher emissions. The Manager Corporate Services stated that we have looked at low emissions as a significant issue as well as overall fuel economy. The General Manager stated that it is about affordability and practicality, we will also be looking at hybrid vehicles as well, as things have changed over time and then as things evolve we will look at electric vehicles as well.

#### **COUNCIL DECISION:**

**06/19.12.4.137**

Moved: Cllr J McGivern / Seconded: Cllr M Osborne

That Council adopt the 2019-2020 Budget Estimates document inclusive of:

1. Budget Income Statement
2. Budgeted Statement of Financial Position
3. Budgeted Cash Flow Statement

and,

That in accordance with the provisions of the *Local Government Act 1993*, Council adopts the rates and charges for the period 1 July 2019 to 30 June 2020 in accordance with the resolutions which follow.

**1. General Rate:**

- 1.1 Pursuant to Section 90 of the *Local Government Act 1993*, Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the Municipal area of Break O'Day for the period commencing 1 July 2019 and ending 30 June 2020, namely a rate of 8.10 cents in the dollar on the assessed annual value (as adjusted) of the land.
- 1.2 Pursuant to Section 90(4) of the *Local Government Act 1993*, Council sets a minimum amount payable in respect of the general rate of \$551.00.
- 1.3 Pursuant to Section 107(1)(a) of the *Local Government Act 1993*, Council declares by absolute majority, that the general rate is varied as follows:
- (a) for land which has the defined use, of primary production forestry, in accordance with the list provided by the Valuer General, a varied general rate of 16.60368 cents in the dollar of the assessed annual value (as adjusted) of the land

**2. Service Charges:**

Pursuant to Sections 93, 93A, 94, and 95 of the *Local Government Act 1993*, Council makes the following service rates and service charges on all rateable land within the municipal area of Break O'Day (including land which is otherwise exempt from rates pursuant to Section 87 but excluding Crown Land to which Council does not supply any of the following services) for the period commencing 1 July 2019 and ending on the 30 June 2020, namely:

**2.1 Waste Management:**

Service charges for different waste management services as follows;

2.1.1 Waste Infrastructure

for the making available of waste management services to all land within the municipal area comprising waste disposal areas, waste transfer stations and related waste management facilities, \$183.00;

2.1.2 Waste Collection Services

- (a) for making available the service of a 140 litre mobile waste bin collection within each collection area, \$94.50 per bin; and
- (b) for making available the service of a 240 litre mobile waste bin collection within each collection area, \$154.00 per bin; and
- (c) additional 140 litre waste bin will be \$94.50 per service, and 240 litre waste bin will be \$154.00 per service.
- (d) for making available the service of a 240 litre mobile recycling collection within each collection area, \$54.00 per bin; and
- (e) for each 240 litre mobile recycling collection bin supplied, in addition to the first, \$54.00 per bin.

2.1.3 Waste Collection Services – Exceptions

Pursuant to Section 94(3) Council declares, by absolute majority, that the service charges for waste management are each varied within the municipal area according to each of the following factors;



- (a) where land is within a collection area pursuant to sub-paragraph (a), (b) or (d) but is vacant and is not used for any purpose, vary the collection service charge to nil;
- (b) where improved land is within a collection area pursuant to sub-paragraph (a) (b) or (d) but either of the following two conditions apply (i) the capital value is \$3,000 or less above the land value; or (ii) is considered to not be habitable; vary the collection service charge to nil;
- (c) where land to which sub-paragraphs (a), (b) or (d) apply is used as a sporting or recreational facility and is a jetty, boat shed, boat ramp or slipway, vary the service charges to nil.

## 2.2 **Fire Protection (fire service contribution):**

Pursuant to Section 93A of the *Local Government Act 1993* Council makes the following service rates in respect of the fire service contributions it must collect under the Fire Service Act 1979 for the rateable parcels of land within the Municipal area as follows:

<i>District</i>	<i>Cents in the Dollar of AAV</i>
Volunteer brigade rating district	.465033
General land	.336364

Pursuant to Section 93(3) of the *Local Government Act 1993* Council sets a minimum amount payable in respect of this service rate of \$41.00.

## 3. **Separate Land:**

For the purposes of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the Valuation of Land Act 2001.

## 4. **Adjusted Values:**

For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Section 89 of the *Local Government Act 1993*.

## 5. **Instalment Payment:**

Pursuant to Section 124 of the *Local Government Act 1993*, Council:

- (a) decides that all rates are payable by all rate payers by four (4) instalments which must be of approximately equal amounts.
- (b) determines that the dates by which instalments are to be paid shall be as follows:
  - (i) The first instalment on or before 10 September 2019;
  - (ii) The second instalment on or before 12 November 2019;
  - (iii) The third instalment on or before 4 February 2020; and
  - (v) The fourth instalment on or before 5 May 2020.
- (d) where a ratepayer fails to pay any instalment within 21 days of the date on which the rates are due, the full amount owing becomes due and payable in accordance with Section 124 (5) of the *Local Government Act 1993*.

**6 Discount:**

Pursuant to Section 130 of the *Local Government Act 1993* Council offers to all of the ratepayers who are liable to pay rates and charges a discount of 3% of the rates and charges if they are paid, and received by Council, by one payment on or before 10 September 2019.

**7. Penalty and Interest:**

Pursuant to Section 128 of the *Local Government Act 1993*, if any rate or instalment is not paid, and received by Council, on or before the date it falls due then:

- (a) there is payable a penalty of 6% of the unpaid rate or instalment; and
- (b) there is payable a daily interest charge of 0.0221311% (8.10% per annum) in respect of the unpaid rate or instalment for the period during which it is unpaid.

**8. Words and Expressions:**

Words and expressions used both in these resolutions and in the *Local Government Act 1993* or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those Acts.

**CARRIED UNANIMOUSLY**

**06/19.12.5 Electric Vehicle Charging Station Proposal**

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

That Council contribute up to \$10,000 towards the site establishment and reinstatement to facilitate the installation of an electric vehicle fast charging station and associated funding proposal, and that management be authorised to enter into a joint funding agreement for the installation and operation of such a charging station

**INTRODUCTION:**

Council received information relating to a funding program for electric vehicle fast charging stations and a proposal for applying for, and if successful, installing, developing and operating such a station in St Helens

**DISCUSSION:**

- Cllr McGiveron asked, is this commercial or not, should we be delving into the commercial side of this industry.
- The Manager Corporate Services stated that we are here to support, we are providing land that is suitable as this is the most logical place at this stage. We are doing as much and as little to get this to happen, our preference is that it is private enterprise.

## COUNCIL DECISION:

06/19.12.5.138

Moved: Clr J Drummond / Seconded: Clr B LeFevre

That Council contribute up to \$10,000 towards the site establishment and reinstatement to facilitate the installation of an electric vehicle fast charging station and associated funding proposal, and that management be authorised to enter into a joint funding agreement for the installation and operation of such a charging station

**CARRIED UNANIMOUSLY**

*Adjourned for morning tea at 11.17am*

*Meeting resumed at 11.27am*

## 06/19.13.0 WORKS AND INFRASTRUCTURE

### 06/19.13.1 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:

- The Manager Infrastructure and Development Services advised that the Fingal WTS ran into an unexpected issue with the renewal of the lease. We have held this project over until the lease was resolved. This is now done so works will be undertaken.
- The Manager Infrastructure and Development Services provided advice in relation to the asbestos issue – Weldborough site is now cleaned up completely at a cost of more than \$20,000 and then another lot has since been dumped again, this time in the general waste bin. We are investigating possible kerbside collection in Weldborough and closing down this site. A proposal will be presented to Council for consideration.

- The Manager Infrastructure and Development Services advised that Reids Road bridge had its annual inspection last week and it was found that the bridge has been substantially damaged by a very large heavy vehicle at speed. We have had to reduce load limit from 44t to 5t. and the National Heavy Vehicle Regulator (NHVR) have been notified. The Manager Infrastructure and Development Services stated that we think that it may have been a large crane or a 26 metre Class 12 truck which are not permitted on our road network. We will find out the cost for this and provide an update. Cllr McGuinness asked, is this bridge on our replacement program. The Manager Infrastructure and Development Services advised that there was another seven (7) years left on its life. Mayor Tucker asked, is there any grant funding that we could get to assist with replacement and make it higher so it stays out of the flood zone. The General Manager stated that there may be through the bridge renewal program but time is against us in this instance. The Manager Infrastructure and Development Services stated that the bridge renewal program has specific criteria around it. The Manager Infrastructure and Development Services also advised that if we were going to replace the bridge we would also need to replace abutments as well. The Manager Infrastructure and Development Services advised that he has put out an EOI for the three (3) main companies as this won't be going out for tender as this is classed as "emergency works".
- Cllr LeFevre asked how much longer will the Cunningham Street jetty be. The Manager Infrastructure and Development Services advised that it will be six (6) metres longer than the current one.
- Cllr Osborne asked in relation to when we are going to finish the streetscape in Cecilia Street. The Manager Infrastructure and Development Services advised that this year we have finished the design for this from Circassian Street to Georges Bay Esplanade and construction is scheduled in the Long Term Financial Plan (LTFP).

#### **COUNCIL DECISION:**

**06/19.13.1.139**

Moved: Cllr B LeFevre / Seconded: Cllr J Drummond

That the report be received by Council.

**CARRIED UNANIMOUSLY**

**06/19.13.2**

#### **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:

No discussion took place on this item.

## COUNCIL DECISION:

**06/19.13.2.140** Moved: Clr J Drummond / Seconded: Clr K Chapple

That the report be received by Council.

**CARRIED UNANIMOUSLY**

## 06/19.13.3 Draft Playgrounds Asset Management Plan

FILE REFERENCE	004\008\017\
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## OFFICER'S RECOMMENDATION:

That Council receive the Draft Playgrounds Asset Management Plan that has been prepared for use as an internal operational planning document referencing Council's:

- Asset Management Strategic Plan 2017-2026.
- Annual Plan.

## INTRODUCTION:

The purpose of this report is to inform Council of a stand-alone Playgrounds Asset Management Plan. The Plan details information about infrastructure assets including actions required to provide an agreed level of service in the most cost effective manner while outlining associated risks. The Plan defines the services to be provided, how the services are provided giving consideration to design for access and mobility and the funding requirements to provide the services over a 10-year planning period, 2018-2019 to 2027-2028.

The plan was reviewed by Councillors at the May & June 2019 Council Workshops.

## DISCUSSION:

- Clr Drummond asked, as new playgrounds are developed and built will they become part of this plan. The Manager Infrastructure and Development Services advised that they would be added to this plan.

#### **COUNCIL DECISION:**

**06/19.13.3.141**

Moved: Clr M Osborne / Seconded: Clr K Chapple

That Council receive the Draft Playgrounds Asset Management Plan that has been prepared for use as an internal operational planning document referencing Council's:

- Asset Management Strategic Plan 2017-2026.
- Annual Plan.

**CARRIED UNANIMOUSLY**

#### **06/19.13.4 St Helens Football Club – Sports & Recreation Grant Application for Grounds Irrigation System**

<b>FILE REFERENCE</b>	004\008\025\
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#### **OFFICER'S RECOMMENDATION:**

That Council confirm a financial commitment not exceeding \$35,000 towards the installation of an in-ground irrigation system for the St Helens Football Ground in the 2019-2020 financial year.

#### **INTRODUCTION:**

The purpose of this report is to provide Councillors with information on the:

1. Life-cycle cost for the proposed grounds irrigation system and;
2. Health of the playing field, assessed through soil sampling and analysis.

#### **DISCUSSION:**

No discussion took place on this item.

#### **COUNCIL DECISION:**

**06/19.13.4.142**

Moved: Clr B LeFevre / Seconded: Clr K Chapple

That Council confirm a financial commitment not exceeding \$35,000 towards the installation of an in-ground irrigation system for the St Helens Football Ground in the 2019-2020 financial year.

**CARRIED UNANIMOUSLY**

## 06/19.14.0 COMMUNITY DEVELOPMENT

### 06/19.14.1 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:

- Clr Chapple asked for an update in regards to the Driver Reviver Site, do we have a timeframe when this will be up and running? The Manager Community Services will request an update and forward to Councillors.
- Clr McGuinness stated that he has been looking at the rail trail and he is very concerned with the number of bridges on that trail, this is going to cost an arm and leg, and for what benefit. The General Manager advised that an estimate for construction will be next on the list, there is quite a lot of work following the ecological report and then we will do a feasibility study.
- Clr Osborne asked when will the Gardens toilet be completed? The General Manager advised that Parks and Wildlife Services have now finalised a temporary solution whilst they develop a permanent solution and they are communicating with the residents at the moment but we are not sure on timeframes at this stage.
- Clr Whittaker asked in relation to the community grants and sponsorship for 2018/2019, with regard to the ongoing support for the BEC, do we receive a report from them with numbers they assist, etc. The General Manager advised that we do get reports from the BEC and they usually do a periodic presentation to Council as well.
- Clr Drummond asked in relation to the boardwalk in Boggy Creek, last time we discussed this we were negotiating a lease with the property owner. The General Manager advised that we now have a licence on this piece of land, ultimately if the Subdivision progresses this is in the first stage to be handed over to Council, if the subdivision doesn't happen Council has the option of compulsory acquisition if we were concerned about security.

#### COUNCIL DECISION:

**06/19.14.1.143** Moved: Clr B LeFevre / Seconded: Clr G McGuinness

That the report be received.

**CARRIED UNANIMOUSLY**

FILE REFERENCE	038\004\006\
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**OFFICER'S RECOMMENDATION:**

That Council authorise management to renew leases for five (5) years with community organisations on the existing basis except that the standard charge for additional wheelie bins be introduced.

**INTRODUCTION:**

Council introduced standardised lease agreements formats and the executed five (5) year agreements are now coming due for renewal.

**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:****06/19.14.2.144**Moved: Clr J Drummond / Seconded: Clr G McGuinness

That Council authorise management to renew leases for five (5) years with community organisations on the existing basis except that the standard charge for additional wheelie bins be introduced.

**CARRIED UNANIMOUSLY****06/19.15.0****DEVELOPMENT SERVICES****06/19.15.1****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:

- The Building Services Coordinator advised that the mural on Portland Hall is being left for a little while due to weather.
- Cllr McGuinness stated that he has noticed that a number of bins around town have been vandalised (kicked in), what are we doing about this, can we take them off and reshape them? The Building Services Coordinator stated that he is not sure how much or how often they are being vandalised, he will check with the Works Operations Manager on the status of this.

#### COUNCIL DECISION:

**06/19.15.1.145** Moved: Cllr J McGiveron / Seconded: Cllr M Osborne

That the report be received.

**CARRIED UNANIMOUSLY**

#### **06/19.15.2** **Planning Approvals Issued**

Received.

#### **06/19.15.3** **Building Services Approvals**

Received.

#### **06/19.15.4** **NRM Committee Meeting Minutes**

<b>FILE REFERENCE</b>	010\028\002\
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#### OFFICER'S RECOMMENDATION:

That Council receive the Minutes of NRM Committee Meeting of 1 May 2019 and note advice and recommendations from the Committee.

#### INTRODUCTION:

The Break O'Day NRM Special Committee held a Meeting on 1 May 2019.

#### DISCUSSION:

No discussion took place on this item.

## COUNCIL DECISION:

06/19.15.4.146

Moved: Clr J Drummond / Seconded: Clr J McGiveron

That Council receive the Minutes of NRM Committee Meeting of 1 May 2019 and note advice and recommendations from the Committee.

**CARRIED UNANIMOUSLY**

## 06/19.15.5 Amendment of the Charter for the Natural Resource Management Committee

FILE REFERENCE	010\028\003\
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## OFFICER'S RECOMMENDATION:

That Council amend the Break O'Day Council Charter for the Natural Resource Management Committee by: in the NRM Committee composition replacing "Forestry Tasmania" with "the forest industry" and adding a one (1) new representative for the "Education sector" from "schools or early or higher education", and correct the tally of members.

That Council amend the Break O'Day Council Charter for the Natural Resource Management Committee by inserting a new responsibility for members of the Committee "to attend at least three (3) meetings of the Committee per year".

That Council amend the Terms of Reference of the Break O'Day Council Charter for the Natural Resource Management Committee by: replacing "Break O'Day NRM Strategy" with "Break O'Day Environment and NRM Action Plan and Strategy"; and delete the term of reference numbered "3" referring to "NRM North's Regional NRM Strategy".

## INTRODUCTION:

The NRM Committee has been considering membership and representation matters and has proposed some changes to its Charter. Some updating of the Terms of Reference may also be appropriate.

## DISCUSSION:

No discussion took place on this item.

## COUNCIL DECISION:

**06/19.15.5.147**

Moved: Clr K Wright / Seconded: Clr M Osborne

That Council amend the Break O'Day Council Charter for the Natural Resource Management Committee by: in the NRM Committee composition replacing "Forestry Tasmania" with "the forest industry" and adding a one (1) new representative for the "Education sector" from "schools or early or higher education", and correct the tally of members.

That Council amend the Break O'Day Council Charter for the Natural Resource Management Committee by inserting a new responsibility for members of the Committee "to attend at least three (3) meetings of the Committee per year".

That Council amend the Terms of Reference of the Break O'Day Council Charter for the Natural Resource Management Committee by: replacing "Break O'Day NRM Strategy" with "Break O'Day Environment and NRM Action Plan and Strategy"; and delete the term of reference numbered "3" referring to "NRM North's Regional NRM Strategy".

## CARRIED UNANIMOUSLY

### 06/19.15.6 Appointment of Break O'Day Council Natural Resource Management Committee Representatives

FILE REFERENCE	010\028\003\
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## OFFICER'S RECOMMENDATION:

That Council reappoint continuing representatives: Mr Howard Jones and Mr Peter Nichols (Community); Mr Todd Dudley (Community conservation); Mr Gerald Nicklason and Mr Tim Rhodes (Agricultural sector); Ms Linda Overend (Public land management - Parks and Wildlife Service); and Mr Craig Lockwood (Marine and aquaculture).

That Council appoint to its Natural Resource Management Committee, as a new member representing the forest industry (Public land management), Mr Hayden Ihnen, of Timberlands Pacific Pty. Ltd.

## INTRODUCTION:

The Charter for Council's NRM Committee requires review of representation periodically.

## DISCUSSION:

No discussion took place on this item.

## COUNCIL DECISION:

**06/19.15.6.148**

Moved: Clr J Drummond / Seconded: Clr K Chapple

That Council reappoint continuing representatives: Mr Howard Jones and Mr Peter Nichols (Community); Mr Todd Dudley (Community conservation); Mr Gerald Nicklason and Mr Tim Rhodes (Agricultural sector); Ms Linda Overend (Public land management - Parks and Wildlife Service); and Mr Craig Lockwood (Marine and aquaculture).

That Council appoint to its Natural Resource Management Committee, as a new member representing the forest industry (Public land management), Mr Hayden Ihnen, of Timberlands Pacific Pty. Ltd.

**CARRIED UNANIMOUSLY**

## **06/19.16.0 GOVERNANCE**

### **06/19.16.1 General Manager's Report**

<b>FILE REFERENCE</b>	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 updates as follows:
  - o Drought Communities Programme – we are currently waiting on information from Parks and Wildlife Services regarding Mathinna Falls Road and Meadstone Falls Road as they both require bridge replacements and this is adding a substantial cost. We have gone back to PWS asking whether there are contributions available but it may get to the situation that we can only do one as both bridges are substantial. Clr LeFevre asked, when do we imagine work may be able to start for people who have submitted an EOI. The General Manager advised that we are just waiting on PWS and then the approval from the Commonwealth Government. Clr LeFevre asked, will the people that have enquired be told what the hold up is. The General Manager stated they would, we are just waiting on an update.
  - o Population Symposium – The General Manager advised that there was some very insightful background information from Regional Australia Institute and UTas and he found it very enlightening and may be worth inviting them to speak to Council at a workshop or meeting.

- Clr McGuinness asked in relation to the dog exercise area for Binalong Bay – who is responsible for actioning this. The General Manager advised that he would need to check the status of this with the NRM Officer who would be working with the Works Department.

#### **COUNCIL DECISION:**

**06/19.16.1.149**

Moved: Clr L Whittaker / Seconded: Clr M Osborne

That the General Manager's report be received.

**CARRIED UNANIMOUSLY**

#### **06/19.16.2 2019-2020 Annual Plan**

<b>FILE REFERENCE</b>	002\036\002\
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#### **OFFICER'S RECOMMENDATION:**

That Council adopt the 2019 - 2020 Annual Plan.

#### **INTRODUCTION:**

Council's management team have prepared a draft 2019 - 2020 Annual Plan based on discussions which have occurred through Council workshops and the normal budget/planning process. The Annual Plan has been prepared to take into account the matters identified in Council's Strategic Plan and reflects continuity of existing projects and activities where this exists.

#### **DISCUSSION:**

- Clr McGuinness stated that growing the population is something that is fairly topical, and he was just wondering if we can get an update from the Economic Development Officer at some stage. The General Manager advised this could be done as this goes with what he mentioned in the General Manager's report.
- Clr Whittaker asked in relation to the Georges Bay Foreshore Trail – is there a plan for this? The General Manager responded that there is a plan for this and he will arrange for it to be circulated.
- Clr Whittaker commented in relation to the Old St Helens Hospital. Clr Whittaker went to the homeless forum last Monday and stated that we need to start working forward. Could Council and the community work on solutions for homelessness, it was suggested that the old hospital be purchased for homelessness and emergency housing. Clr Wright stated that there is community support for this to happen. The General Manager advised that a drop in session for the community has been scheduled for 18 July with Department of Communities Tasmania regarding the future use of the old St Helens Hospital and this is the time to get these thoughts on the table. Clr Wright stated that the other suggestion was to find an area where we could construct tiny homes, this would require Council to have a look at their land bank as to whether there is any land available. Clr Wright asked, is there some land that Council has access to that could be looked at for this type of project.

The General Manager advised that this is listed in the annual plan and there are a number of actions in regards to housing.

- Clr Chapple stated that she would be interested to know how our change of uses for AirBNB through building are going, have these numbers gone up or down. The General Manager advised that he will ask Development Services to provide an indication as to how these are going, however we have no way of being able to tell what their original use was.
- Clr LeFevre stated that he didn't see anything in regards to signage in the Annual Plan. The General Manager stated that in terms of signage, dog signage is in the dog policy and this is being worked on, business signage is a planning approval process, therefore there is nothing specific around signage as it is embodied in other plans, processes and actions, if there are specific things these should be taken up on an individual basis we will look at them separately.

#### **COUNCIL DECISION:**

**06/19.16.2.150**

Moved: Clr M Osborne / Seconded: Clr K Wright

That Council adopt the 2019 - 2020 Annual Plan.

**CARRIED UNANIMOUSLY**

**06/19.16.3**

**Review – Break O'Day Council Meeting Procedures**

<b>FILE REFERENCE</b>	014\002\001\
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#### **OFFICER'S RECOMMENDATION:**

That Council adopt the reviewed Meeting Procedures Guidelines.

#### **INTRODUCTION:**

These Meeting Procedures have been prepared to assist Councillors and Staff with the process and procedures for Council Meetings.

#### **DISCUSSION:**

- Clr Drummond asked in relation to "public question time", there is nothing about encouraging the public to ask questions. The General Manager stated that this is more about procedure as to what is done. Clr Drummond stated that we should be thinking of a way that we can embrace the promotion of the public being able to ask questions at Council Meetings. Clr Chapple asked, could we promote this through social media, website, etc. The Communications Coordinator stated that this is on our website under FAQ's. Clr McGuinness stated that those actively engaged look at the Council Minutes and see it listed there.

**COUNCIL DECISION:**

**06/19.16.3.151** Moved: Clr K Chapple / Seconded: Clr M Osborne

That Council adopt the reviewed Meeting Procedures Guidelines.

**CARRIED UNANIMOUSLY**

**06/19.16.4** **Northern Tasmania Development Corporation (NTDC) – Population Growth Program**

<b>FILE REFERENCE</b>	039\011\003\
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**OFFICER'S RECOMMENDATION:**

That Council participate in the Population Attraction Program and agree to make a \$2,900 contribution for the first year.

**INTRODUCTION:**

A key strategic activity of Northern Tasmania Development Corporation has been the development of a Regional Economic Development Plan to provide the guidance necessary to achieve the KPIs for the region which have been established in consultation with Councils when NTDC was formed. A key focus arising from the plan is addressing the working age population decline which is projected from modelling.

**DISCUSSION:**

- The General Manager stated that this is highly topical with what we are working through.

**COUNCIL DECISION:**

**06/19.16.4.152** Moved: Clr B LeFevre / Seconded: Clr J McGiveron

That Council participate in the Population Attraction Program and agree to make a \$2,900 contribution for the first year.

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

<b>FILE REFERENCE</b>	039\011\003\
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**OFFICER'S RECOMMENDATION:**

That Council extend the funding agreement with NTDC for a six (6) month period from the conclusion of the current agreement on 31 December 2019 until 30 June 2020 based on the current funding formula.

**INTRODUCTION:**

The existing funding agreement expires on 31 December 2019. NTDC are currently preparing a three (3) year work plan which reflects the actions within the Regional Economic Development Plan. This will be submitted as part of a future funding model beyond the life of the current agreement.

**DISCUSSION:**

- Clr Whittaker asked in relation to the priorities for 2019-2020 should we maybe seek community input as to what they would like us to support for the future.
- Clr Osborne stated that she is not happy with this because this is a different group that we wanted to see how they would go. Clr Osborne stated that she still hasn't seen anything that makes a difference in our community.
- Mayor Tucker stated that he would like to wait before we look at the next financial commitment.
- Clr LeFevre stated that he fully supports the six (6) month renewal as it gives them time to finish off work however we need to review this prior to the decision needing to be made for the next financial commitment.
- Clr Drummond stated that she feels like we are on the edge of the northern area and their focus is on the central area. Clr Drummond stated that she doesn't think we have achieved a great deal for our money.

**COUNCIL DECISION:****06/19.16.5.153**Moved: Clr B LeFevre / Seconded: Clr J McGiveron

That Council extend the funding agreement with NTDC for a six (6) month period from the conclusion of the current agreement on 31 December 2019 until 30 June 2020 based on the current funding formula.

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

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

**CARRIED**



## 06/19.16.6 Review – LG01 – Elected Members Allowances and Support Policy

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

That Draft Policy LG01 – Elected Member Allowances and Support Policy be accepted as the reviewed policy.

### INTRODUCTION:

Council has a schedule for regular review of policies and this policy is due for review every four (4) years following a Council Election in line with Council's Policy Framework or earlier in the event of major changes to legislation or related policies, procedures or if deemed necessary by the General Manager..

### DISCUSSION:

No discussion took place on this item.

### COUNCIL DECISION:

**06/19.16.6.154**                      Moved: Clr J McGiveron / Seconded: Clr K Chapple

That Draft Policy LG01 – Elected Member Allowances and Support Policy be accepted as the reviewed policy.

**CARRIED UNANIMOUSLY**

## 06/19.16.7 Policy – LG53 – Audio Recording of Council Meetings

FILE REFERENCE	014\002\001\
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### OFFICER'S RECOMMENDATION:

That Council adopt LG53 – Audio Recording of Council Meetings Policy.

### INTRODUCTION:

As a result of the motion for investigations to take place into the audio recording of Council Meetings, Council resolved at the April 2019 Council Meeting to do this and therefore a policy has been prepared to cover the process and procedure for this to take place.

### DISCUSSION:

No discussion took place on this item.

**COUNCIL DECISION:****06/19.16.7.155**Moved: Clr J Drummond / Seconded: Clr K Wright

That Council adopt LG53 – Audio Recording of Council Meetings Policy.

**CARRIED UNANIMOUSLY****06/19.16.8 Marine and Safety Tasmania (MAST) Infrastructure Plan**

<b>FILE REFERENCE</b>	028\015\005\
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**OFFICER'S RECOMMENDATION:**

That Council note the draft Marine and Safety Tasmania (MAST) Infrastructure Plan and provide no comment.

**INTRODUCTION:**

Marine and Safety Tasmania (MAST) have released a draft Infrastructure Plan and are seeking feedback by 30 June 2019.

**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:****06/19.16.8.156**Moved: Clr B LeFevre / Seconded: Clr J McGiveron

That Council note the draft Marine and Safety Tasmania (MAST) Infrastructure Plan and provide no comment.

**CARRIED UNANIMOUSLY****06/19.16.9 Local Government Association of Tasmania (LGAT) – 2019 Annual General Meeting and General Meeting – Consideration of Motions**

<b>FILE REFERENCE</b>	039\002\008\
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**OFFICER'S RECOMMENDATION:**

For discussion.

## **INTRODUCTION:**

The Local Government Association of Tasmania are holding a General Meeting of the Association on 3 July 2019 and a number of motions have been submitted by member Councils for consideration.

## **DISCUSSION:**

To be listed for discussion at the 1 July Council Workshop.

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

Moved: Clr J McGiveron / Seconded: Clr K Chapple: That Council move into Closed Council.

**CARRIED UNANIMOUSLY**

# IN CONFIDENCE

**06/19.17.0**      **CLOSED COUNCIL**

**06/19.17.1**      **Confirmation of Closed Council Minutes – Council Meeting 20 May**

**06/19.17.2**      **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 G McGuinness: That Council move out of Closed Council.

**CARRIED UNANIMOUSLY**

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 12.45pm.

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**MAYOR**

.....  
**DATE**