



# COUNCIL MEETING MINUTES

Monday 16 May 2022  
Council Chambers, St Helens

John Brown, General Manager  
Break O'Day Council  
16 May 2022

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## AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

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

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

## OPENING

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

## ACKNOWLEDGEMENT OF COUNTRY

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

### 05/22.1.0 ATTENDANCE

#### 05/22.1.1 Present

Mayor Mick Tucker  
Deputy Mayor John McGiveron  
Councillor Kristi Chapple  
Councillor Janet Drummond  
Councillor Barry LeFevre  
Councillor Glenn McGuinness  
Councillor Lesa Whittaker  
Councillor Kylie Wright

## 05/22.1.2 Apologies

Councillor Margaret Osborne OAM

## 05/22.1.3 Leave of Absence

Nil

## 05/22.1.4 Staff in Attendance

General Manager, John Brown

Executive Assistant, Angela Matthews

Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 18.3*)

Manager Community Services, Chris Hughes (*Item 1.0 – 16.0*)

Manager Corporate Services, Bob Hoogland (*Item 1.0 – 14.0*)

Development Services Coordinator, Jake Ihnen (*Item 1.0 – 6.0 / 13.3 – 17.4*)

Communications Coordinator, Jayne Richardson (*Item 1.0 – 17.4*)

Planning Consultant, Rebecca Green (*Item 1.0 – 7.0*)

NRM Officer, Polly Buchhorn (*Item 12.2 – 17.1*)

Economic Development Officer, Anna Williams (*Item 14.1 – 17.3*)

Three (3) people in the gallery.

*In accordance with Section 31(1) of the Local Government (Meeting Procedures) Regulations 2015 the following questions were submitted in writing prior to the Council Meeting.*

**05/22.2.1****Break O'Day Council's Investigations into a Swimming Pool and Hydra Therapy Pool – Ms N Stevens, St Helens and Ms S Ashley, St Helens**

In today's Break O'Day Council (BODC) Agenda under **05/22.15.1 Community Services Report**

*"St Helens Sports Complex – Conceptual Plan Council is currently seeking feedback on this draft conceptual plan. Feedback to date has been in support of a toilet block for the croquet club and a pool and gym facility. All feedback received will form of further consideration of the St Helens Sports Complex. Feedback for this project closes on the 13 May 2022."*

In the April BODC Newsletter under St Helens Recreation Ground Update, the article states

*"Once we have closed off the submissions we will then start collating your feedback together. This feedback will then be used to further develop the Draft Conceptual Plan. As we have been receiving a lot of feedback just on the pool, we will also keep all this information together which will be used in the development of a business case for a pool. We will keep the community updated on this project via our website (My Community/Community Engagement) and the newsletter. In the meantime we ask for your patience while we undertake this project."*

1. Now the email feedback has closed for the DRAFT CONCEPT plan of the St Helens Sports Complex – including #16 gym, pool and hydrotherapy. Which department and Manager is responsible for the analysis and publishing of the results, not only collating?

**Reply**

The Manager Community Services, Chris Hughes has lead responsibility for the review of draft Concept Plan for the St Helens Sports Complex

2. When, where and how will the results of the feedback including the pool be made available to the public?

**Reply**

Following review of the submissions received and the analysis by Councillors, the comments received and the analysis will be made available on the Break O'Day Council website. Availability will be communicated through Council's newsletter and via social media. Printed copies will be available for collection from the Council office.

3. Can interested parties register for information to be sent/emailed directly to them?

**Reply**

Yes, by advising Council's Communications Coordinator, Jayne Richardson, [jayne.richardson@bodc.tas.gov.au](mailto:jayne.richardson@bodc.tas.gov.au) or by advising the Council office

4. What are the dates for next steps once feedback has been published?

**Reply**

The next steps will be determined by the Council once Councillors have considered the submissions and the analysis. An initial timeframe will be established at that point in time.

5. The Newsletter stated *"This feedback will then be used to further develop the Draft Concept Plan."* How many draft concept plans for further consideration are required before a proposal?

**Reply**

The current draft Concept Plan will be finalised following consideration by the Council.

6. What criteria is required to reach a consensus on the draft?

**Reply**

A Council decision to adopt the final draft of the Concept Plan.

In the BODC May 2021 Council Minutes, Mayor Tucker's 05/21.9.2 Notice of Motion - Investigations into a Swimming Pool and Hydra Therapy Pool minuted discussion, reported the Mayor stating *"that a lot of things have changed since the last investigation was undertaken and we should look at newer pools"*.

7. When, where and how will the previous investigations information, including all previously created reports/documents/plans/feasibility studies be made available to the public?

**Reply**

A report prepared in March, 2004, by Thompson Tregear Pty Ltd was provided to the BOD Aquatic Centre Committee. It is a public document. This has now been placed on the Break O'Day Council website for information.

The Council lodged a funding application through the 2009-10 Regional and Local Community Infrastructure Program - Strategic Projects for the BodSwim Project which was unsuccessful.



Within the motion 05/21.9.2 it stated *“Council Officers/Managers go to Circular Head Council and look at the new swimming pool complex they have built and work with their Council on understanding the costs of running the complex now it has been running for a while.”*

8. Has this occurred?

**Reply**

Yes, the General Manager has visited the site.

9. If not, why not?

**Reply**

N/A

10. If yes, when, where and how will the information be made available to the public?

**Reply**

Information gathered from this site visit and others will be reflected in the business case and feasibility studies. These reports will also include information in relation to projects by the Georgetown and Southern Midlands Councils. The report is currently being prepared and will ultimately go to a Council meeting for consideration as required by the decision relating to the Council meeting item 05/21.9.2.

In the same discussion the minutes state *“Clr McGuinness stated that he supports the motion and noted that out of all the issues that come to everyone prior to the last election this was the biggest one.”*

11. The Mayor has not previously supported his communities’ multiple historical attempts to have a community pool built, and his disparaging opinion and remarks a matter of public record, therefore, what has changed the Mayors mind to support a community pool?

**Reply**

Mayor Tucker provided the following statement in support at the Council meeting on 17 May 2021

*It is clear that the need for an indoor swimming pool complex with a hydra therapy pool needs to be revisited, we need to do a business case and work out a design and work out how it can be funded through government grants, both State and Federal and any other grants that may be available through health and wellbeing.*

At the meeting Mayor Tucker stated

*Mayor Tucker stated that a lot of things have changed since the last investigation was undertaken and we should look at newer pools. This does not give an expectation that one would be built, however we are investigating it and request a detailed report to come back to Council.*

12. Of the current BOD Elected Councillors who amongst you support a community pool and why?

### **Reply**

In accordance with Council Meeting Procedures, questions must relate to the business of Council as a whole and not be directed to a particular Councillor and how they are discharging their duties as a Councillor. (Council Meeting Procedures Version 4 adopted 24 June 2019, clause 5.4). Councillors at the Council meeting on 17 May 2021 made the following comments:

- *Clr Whittaker stated that she thinks a thorough investigation is warranted.*
- *Clr Drummond stated that she is fully supportive but wondered if there can be consideration also given to whether there is space at somewhere like Scamander in a more central location.*
- *Clr LeFevre stated that he supports the motion with a word of caution, as he knows the astronomical cost of the operations of the St Marys School pool. If the St Helens School moved to the Recreation Ground in future years that could also be the time to look at a pool where the cost could be shared with the Education Department.*
- *Clr Wright stated that she thinks this is very important with our aging demographic, in particular a hydrotherapy pool.*
- *Clr Chapple asked, are we also factoring into the investigation something in regards to community memberships as people have said that they would love a pool and would be happy to pay.*
- *Clr McGuinness stated that he supports the motion and noted that out of all the issues that come to everyone prior to the last election this was the biggest one.*
- *Clr Osborne asked, in the investigation can we make sure that we have the amount of money we would have to charge extra on the rates to make this possible. People need to know what the cost to ratepayers would be.*

13. Of the current BOD Elected Councillors who amongst you do not support a community pool and why?

### **Reply**

In accordance with Council Meeting Procedures, questions must relate to the business of Council as a whole and not be directed to a particular Councillor and how they are discharging their duties as a Councillor. (Council Meeting Procedures Version 4 adopted 24 June 2019, clause 5.4).

14. Prior to the Stadium being built there were funds raised by the community, for a community pool, please confirm when, how much was raised and where the funds are or where were they re-allocated?

**Reply**

A committee was formed by the community, BOD Aquatic Centre Committee, Council has no record of how much was raised or if any funds were reallocated.

15. The proposed size of #16 pool and gym and hydrotherapy on the DRAFT CONCEPT plan of the St Helens Sports Complex is limited in size due to position within existing structures – have other sites and or BODC townships been proposed as a site for a community pool?

**Reply**

The report prepared in March 2004 by Thompson Tregear Pty Ltd considered other townships. Cllr Drummond has suggested that Scamander be considered as a location. Whilst the St Helens Sports Complex has been identified as a potential site, other sites and townships will be considered as part of the investigations progress.

16. Please confirm all details of alternatives, and rationales for not preceding.

**Reply**

See answer to the above question.

17. Has BODC created an overarching BODC health (physical and mental)/fitness/movement/activity/wellbeing strategy to connect the objectives, (Community, Economy and Environment, Infrastructure and Services) of the Strategic Plan 2017 – 2027 Our Plan Our Future Revised March 2022?

**Reply**

No

18. If no, why not?

**Reply**

Council has been concentrating on the individual Key Focus Areas within the Strategic Plan which was developed with comprehensive community input. The suggestion made in Question 17 has merit and will need to be formally considered by Council.

19. If yes when, where and how will the information be made available to the public?

**Reply**

As above. If Council proceeds with this idea then the community will be engaged in the process in line with the Community Engagement Strategy.

20. The 2021 – 2022 Annual Plan refers to a St Helens Sports Complex Master Plan – this is not available on the BODC website. When will this be available?

**Reply**

The plan was made available on the website on 31 March when we launched the community engagement process. This document, along with all Community Consultation documentation can be found under My Community/Community Engagement on Council's website.

21. When, where and how will a Review of Progress on the 2021 – 2022 Annual Plan be made available to the public?

**Reply**

Quarterly updates on progress with the Annual plan are made available on the website under My Council/Council Strategies, plans and documents. Quarterly updates on progress with the Annual plan were included in the Agendas for Council meetings on the 15 November 2021 (September Quarterly Review); 21 February 2022 (December Quarterly Review); 16 May 2022 (March Quarterly Review).

On the 5 April 2022, John Brown – BODC General Manager emailed Nicola Stevens, the following information:

*"The St Helens Sports Complex Draft Concept Plan is not a proposal for a Pool and Gym. It is a collection of ideas that current users have provided to stimulate conversation ... Developing a proposal involves a detailed business case, a cost-benefit analysis, funding solution and a formal process involving Councillors."*

22. How can the BOD community ensure a proposal is now developed (as described by John Brown in his email) for a community pool and gym and hydrotherapy with open, transparent, inclusive community consultation?

**Reply**

Council regularly undertakes engagement with the Break O'Day community on a wide range of matters. Council has developed a draft Community Engagement Framework which is currently out for community feedback and has been developed based on International best practice of community engagement. Engagement with the community on this proposal will occur in line with the Framework. A copy of the draft can be found on our website under My Community/Community Engagement.

- a. If BODC states a petition is the best way in which a community pool and gym and hydrotherapy, proceeds to a proposal, please confirm requirements, as the BODC website states

*“The petition must have enough signatures to equal 5% of the population or 1000 signatures whichever is less. These must be elector signatures, which are ratepayers or residents in the area. The signatures will be crosschecked with the electoral roll.”*

According to the 2015 Census, (Census 2021 data due for release in July 2022) BOD has a population of 6469 which means a valid petition must have a minimum of 324 elector signatures – if this is not correct, please provide the number of signatures required?

### **Reply**

The total number of signatories required under Section 57 of the *Local Government Act 1993* is “5% of the electors of the Municipal area or 1,000 of those electors whichever is the lesser”. The current number on the Electoral Roll as at the 13 September 2018 is 5,330 which calculates to a minimum of 266 eligible signatories for the 5%.

Due to the forthcoming Local Government elections which will be held in October 2022, a new Electoral Roll will be issued in approximately mid-September 2022 which will result in the amount required changing.

- b. Please also confirm that the BODC definition of a “resident” for the purpose of a petition excludes those not on the electoral roll, ie under 18’s and non-Australian Citizens even if they are ratepayers.

### **Reply**

The rules and definitions around valid petitions are dictated by the Section 57 of the Local Government Act. You can find relevant links on how to present petitions to Council including to the Act on our website under My Council/Petitions.

The definition of a “resident” does not apply for the purpose of a petition. For the purposes of a petition people must be eligible to vote in the Break O’Day Municipality Local Government elections and these people are:

- An owner or occupier of land in the BODC Municipality
- Over the age of 18 years
- Not serving a term of imprisonment
- Not subject to an assessment order under the Mental Health Act 2013 or an order under the Guardianship and Administration Act 1995

If you are already enrolled on the State Government’s House of Assembly electoral roll and the address is registered in the Break O’Day Municipality, you are automatically on the Break O’Day Council electoral roll

If you are not enrolled on the State Government's House of Assembly electoral roll and want to vote in the Break O'Day Council election you can apply under the Local Government General Managers Electoral Roll. To be eligible for the General Managers Roll you can be one of the following:

- If you live in another municipality but own property or a business in Break O'Day Municipality, or
- If you are not an Australian Citizen but you live in or own land in the Break O'Day Municipality.

23. How does BODC define a "resident" for other purposes?

**Reply**

A person who lives somewhere permanently or on a long-term basis.

24. Regarding the newsletter statement, *"In the meantime we ask for your patience while we undertake this project."* What does this mean?

**Reply**

The sentence you are referring to was part of the last paragraph in the newsletter article titled St Helens Recreation Ground Update. The paragraph was as follows:

*Developing the business case will include things like a feasibility study and therefore will take funding and time to develop. We will keep the community updated on this project via our website (My Community/ Community Engagement) and the newsletter. In the mean time we ask for your patience while we undertake this project.*

As explained in this paragraph, we are asking the community to be patient while we undertake the research and reports.

25. Will the Council create a project plan including dates for next steps on this project and then attempt to adhere to them?

**Reply**

Yes. Realistic timeframes will be established having regard to the overall activity within the Break O'Day Council organisation and resource and funding availability.

26. If no, why not?

**Reply**

N/A

- a. Is there something the community needs to know as to why creating a project plan and setting dates for next steps cannot be achieved?

## Reply

Answered above.

### 05/22.3.0 DECLARATION OF INTERESTS OF A COUNCILLOR OR CLOSE ASSOCIATE

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

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

Nil.

### 05/22.4.0 CONFIRMATION OF MINUTES

#### 05/22.4.1 Confirmation of Minutes – Council Meeting 20 April 2022

##### OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 20 April 2022 be confirmed.

##### DISCUSSION:

No discussion took place on this item.

##### COUNCIL DECISION:

**05/22.4.1.84** Moved: Cllr J McGiveron / Seconded: Cllr L Whittaker

That the minutes of the Council Meeting held on the 20 April 2022 be confirmed.

**CARRIED UNANIMOUSLY**

#### 05/22.4.2 Confirmation of Minutes – Special Council Meeting 26 April 2022

##### OFFICER'S RECOMMENDATION:

That the minutes of the Special Council Meeting held on the 26 April 2022 be confirmed.

##### DISCUSSION:

- Cllr Drummond advised that she has emailed the General Manager and Executive Assistant regarding amending comments in these minutes as she did not believe they reflected what she said and stated that as the discussion is recorded it is required to reflect what was said on the day. Cllr Drummond stated that she spent quite a long time stating why she could not do due diligence on that report.
- The General Manager stated that Cllr Drummond has identified amendments of the minutes and the following comments will be recorded in minutes.
  - Cllr Drummond's reasons for abstaining from the vote on the "Report on Representations to the Draft Break O'Day Provisions Schedule" are:
    - Being provided with two (2) documents, containing approximately over 1,000 pages which contained the representations. These documents were provided without page numbers
    - The same two documents containing representations had no functional index, that would have made it possible to conduct due diligence whilst reading the representations.
    - I was unable to conduct due diligence as a Councillor. As an aside, yes, I got bogged down and lost in the documentation, however, that was due to the manner in which it was presented to us.
    - I raised the question as to why we could not have been provided with this over 1,000 pages of representations in the previous months, when submissions had closed in December 2021. This would have allowed Councillors to become familiar with the content in preparation for reading the Officers Report.
    - On Wednesday 13 April we were presented with these documents plus an agenda of 680 pages for the Council Meeting on Wednesday 20 April. The Special Council Meeting 26 April meant we had approximately 2,000+ pages of documentation to read in a 13 day period which contained both the Easter long weekend and the Anzac Day holiday.
- The General Manager also stated that Councillors are aware we do paraphrase we do not provide a Hansard Record of the meeting however we try to achieve the context.

#### **COUNCIL DECISION:**

**05/22.4.2.85**

Moved: Cllr G McGuinness / Seconded: Cllr B LeFevre

That the minutes of the Special Council Meeting held on the 26 April 2022 be confirmed with the inclusion of the following amendment to the discussion by Cllr Drummond discussion:

- Cllr Drummond's reasons for abstaining from the vote on the "Report on Representations to the Draft Break O'Day Provisions Schedule" are:
  - Being provided with two (2) documents, containing approximately over 1,000 pages which contained the representations. These documents were provided without page numbers
  - The same two documents containing representations had no functional index, that would have made it possible to conduct due diligence whilst reading the representations.



- I was unable to conduct due diligence as a Councillor. As an aside, yes, I got bogged down and lost in the documentation, however, that was due to the manner in which it was presented to us.
- I raised the question as to why we could not have been provided with this over 1,000 pages of representations in the previous months, when submissions had closed in December 2021. This would have allowed Councillors to become familiar with the content in preparation for reading the Officers Report.
- On Wednesday 13 April we were presented with these documents plus an agenda of 680 pages for the Council Meeting on Wednesday 20 April. The Special Council Meeting 26 April meant we had approximately 2,000+ pages of documentation to read in a 13 day period which contained both the Easter long weekend and the Anzac Day holiday.

**CARRIED UNANIMOUSLY**

## **05/22.5.0 COUNCIL WORKSHOPS HELD SINCE 20 APRIL 2022 COUNCIL MEETING**

There was a Workshop held on Monday 2 May 2022 and the following items were listed for discussion.

- Break O'Day Climate Change Action
- Local Government Association of Tasmania (LGAT) – AGM/General Meeting 2022 – Submissions of Motions
- 2021 / 2022 Annual Plan – March 2022 Quarterly Review
- Audit Panel – Review of Panel Membership
- Adoption of 2022 – 2023 Budget Estimates
- Rates Estimate 2022 / 2023
- Policy Review – LG28 – Work Health & Safety Policy
- Policy Review – LG24 – Equal Opportunities Policy
- Animal Control Report
- Rock Lobster Review – Mayor M Tucker

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.

FILE REFERENCE	DA 070-2022
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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 **Three (3) x Carports** on land situated at **30 Osprey Drive, Stieglitz** described in Certificate of Title CT 38059/4 be **APPROVED** subject to the following conditions:

1. Development must be carried out in accordance with the approved plans and documents listed as follows, except as varied by conditions on this Planning Permit.

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Carport Plans and Elevations	Job No: SJD22/14, Sheet No's: 01-04	Steve Jordan Drafting	March 2022
Planning Scheme Submission including discretionary aspects	-	David McGuire (DCM Sheds)	-

2. All stormwater runoff from the proposed development must be detained by on-site water storage systems and overflow disposed of by means within the subject site that will not result in soil erosion or other stormwater nuisance. Soakage drains must be of sufficient size to absorb stormwater runoff.
3. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the costs of the developer.

#### ADVICE

- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Works Manager.
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.

- Activities associated with construction works are not to be performed outside the permissible time frames listed:
  - Monday - Friday 7 am to 6 pm
  - Saturday 9 am to 6 pm
  - Sunday and public holidays 10 am to 6 pm

#### PROPOSAL SUMMARY:

Application is made for the construction of three (3) carports at 30 Osprey Drive, Stieglitz. Residential use in the Low Density Residential Zone is a permitted use without qualifications, under Table 12.2 of the *Break O'Day Interim Planning Scheme 2013*.







Subject site from Osprey Drive



Subject site

Image courtesy of [www.realestate.com.au](http://www.realestate.com.au)

## DISCUSSION:

- The Planning Consultant advised that this application triggered two (2) performance criteria. One was in relation to the gross floor area of outbuildings – it does exceed the 80m<sup>2</sup> and the second criteria was in relation to onsite stormwater management.
- The Planning Consultant advised that one (1) representation was received which asked in relation to Councils procedures as to why this application did not require additional information regarding stormwater calculations as well as raising a possible bias as the applicant is a staff member of Council. In response to the perceived bias it is noted that because of this situation a Planning Consultant was engaged to assess and provide the report on this application, hence there is the arms length approach. The Planning Consultant also commented in relation to the stormwater management and stated that assessments are undertaken on a case by case basis, every application is unique and in this instance the size of the allotment and site coverage does not pose any concerns that the site could not manage the onsite stormwater management.
- Clr McGuinness stated that there was only one (1) representation and this has been adequately answered and the representor did not respond to the request for further information shows that the application should be approved.
- Clr LeFevre agreed with Clr McGuinness.

#### COUNCIL DECISION:

**05/22.6.1.86**

Moved: Clr G McGuinness / Seconded: Clr B LeFevre

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 **Three (3) x Carports** on land situated at **30 Osprey Drive, Stieglitz** described in Certificate of Title CT 38059/4 be **APPROVED** subject to the following conditions:

1. Development must be carried out in accordance with the approved plans and documents listed as follows, except as varied by conditions on this Planning Permit.

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Carport Plans and Elevations	Job No: SJD22/14, Sheet No's: 01-04	Steve Jordan Drafting	March 2022
Planning Scheme Submission including discretionary aspects	-	David McGuire (DCM Sheds)	-

2. All stormwater runoff from the proposed development must be detained by on-site water storage systems and overflow disposed of by means within the subject site that will not result in soil erosion or other stormwater nuisance. Soakage drains must be of sufficient size to absorb stormwater runoff.
3. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the costs of the developer.



## ADVICE

- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Works Manager.
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- Activities associated with construction works are not to be performed outside the permissible time frames listed:
  - Monday - Friday 7 am to 6 pm
  - Saturday 9 am to 6 pm
  - Sunday and public holidays 10 am to 6 pm

## CARRIED UNANIMOUSLY

*The Mayor advised the Council that it had now concluded its meeting as a Planning Authority under Section 25 of the Local Government (Meeting Procedures) Regulations 2015.*

## 05/22.7.0 COUNCIL MEETING ACTIONS

### 05/22.7.1 Outstanding Matters

The report was received.

## 05/22.8.0 PETITIONS

Nil.

**MOTION:**

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

That Council re-consider the provision of pedestrian cross over points and/or traffic islands in the Main Street of St Marys.

**SUBMISSION IN SUPPORT OF MOTION:**

In mid 2018 Midson Traffic Pty were engaged by Council to look at the matter of the St. Marys pedestrian cross over points and traffic islands.

This was in response to community concerns being brought to Council concerning community members with mobility issues, those using mobility scooters or wheelchairs and young families with pushchairs experiencing difficulties when crossing the road.

A report was prepared, but was never implemented, due to the potential loss of parking spaces. However, the safety of pedestrians should be reconsidered as this road becomes busier and busier and harder to cross safely.

**DISCUSSION:**

- Clr Drummond stated that she is concerned that these problems are increasing.
- Clr Wright stated that she fully supports the motion.
- Clr McGivern stated that he supports the motion that we need a crossing as there is a problem but he is concerned if we have a crossover where pedestrians think they have right over traffic that this could cause issues. It needs to be a crossing point.
- Clr McGuinness stated that he is supportive however he would like to understand how a crossing would look. Is it with a calming section in the middle of the road, light controlled, zebra crossing – there are a number of options. Clr Drummond stated that the report Midson put together was about putting a pedestrian island in the middle which is a flat surface with a ramp at the other end.
- The General Manager stated that the first stage would be to review the existing information and there may be a requirement to update some of the information but anything further required would be a request back to Council.

**COUNCIL DECISION:**

*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 re-consider the provision of pedestrian cross over points and/or traffic islands in the Main Street of St Marys.

**CARRIED UNANIMOUSLY**

**05/22.9.2                      Notice of Motion – Signage for Town Hall Car Park, St Marys – 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 invest in better signage for the Town Hall Car Park in St Marys. This signing to include the entry points to town so that visitors, as well as locals, know of, and are encouraged to use the parking at the Town Hall car park.

**SUBMISSION IN SUPPORT OF MOTION:**

This matter has been raised previously but no action has resulted.

**DISCUSSION:**

- Clr Drummond suggested that maybe something at the entry point to towns with a board to show where parking is ahead eg railway station as you come into St Marys.
- Clr Wright agreed with the motion as it leads on well from the previous motion if we lose parking on the Main Street it will direct people to other areas.

**COUNCIL DECISION:**

**05/22.9.2.88                      Moved: Clr J Drummond / Seconded: Clr K Chapple**

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



That Council invest in better signage for the Town Hall Car Park in St Marys. This signing to include the entry points to town so that visitors, as well as locals, know of, and are encouraged to use the parking at the Town Hall car park.

**CARRIED UNANIMOUSLY**

### 05/22.9.3

### Notice of Motion – Free Use of St Marys Town Hall – 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 work with community groups and provide free use of the St Marys Town Hall, so that a Repair Cafes can be established and run by volunteers on a regular basis.

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

This will result in a reduction of materials being sent to landfill for Council. If the model is successful it may be possible to extend this facility to other townships in the municipality.

#### **DISCUSSION:**

- Clr Drummond explained that a group would like to set themselves up to create a Repair Café. This is not a money making venture, it is about them doing repairs on things eg spinning wheels, lap top computers, testing and tagging of electrical items to try and lengthen the life of things rather than sending them to landfill.
- Clr Wright fully supported the idea, it creates community and gets people of all ages involved. They need to have somewhere that they can set up free of charge.
- Clr LeFevre would like to discuss this item at a workshop as it opens a pandoras box. It fits into the strategic plan really well but we could face the argument about the use of other facilities that are also worthwhile so why should others have to pay fees. Mayor Tucker noted that a report will come back to Council.
- Mayor Tucker stated that we also need to make sure we cover insurance, liability etc if they are not an incorporated group.
- Clr McGuinness agreed with the concept but he would love to hear from the group with a formal submission rather than a notice of motion.

#### **COUNCIL DECISION:**

### 05/22.9.3.89

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 work with community groups and provide free use of the St Marys Town Hall, so that a Repair Cafes can be established and run by volunteers on a regular basis.

**CARRIED UNANIMOUSLY**

## **05/22.10.0 COUNCILLOR'S QUESTIONS ON NOTICE**

Nil.

## **05/22.11.0 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.*

### **05/22.11.1 Ansons Bay Road, Clr K Wright**

Clr Wright has been approached by members of the community stating that Ansons Bay Road is in very bad condition at the moment. When is maintenance scheduled to be done on Ansons Bay Road?

#### **Reply**

There are two (2) graders and trucks working on Ansons Bay Road starting today (Monday 17 May 2022).

### **05/22.11.2 Local Provisions Schedule (LPS) – Clr J Drummond**

1. Why were the individuals and groups who made representations to the LPS process not informed of the decisions decided upon with regard to their individual representations and informed of the Special Council meeting that was held on Tuesday 26 April 2022.
2. What is the process now for those people and organisations who made representations.

#### **Reply**

1. Section 35F of the Land Use Planning and Approvals Act 1993 requires the planning authority to prepare a report following exhibition of the draft LPS. The section stipulates what must be included in the report including a statement of the merit of each representation received. Representors were not informed of the assessment outcome of consideration of representations as until such time as the report is considered and adopted by Council, it is not yet a formal response to the representation. Notification of meeting agendas is available on Council's website. The Special Council Meeting was an opportunity for Council to consider the report and adopt the findings. With respect to representors, the Special Council Meeting was not the final opportunity for representors to have their say and this matter was clearly articulated at the Council meeting as was the next steps in the process. This information is also available on our website on the page devoted to the LPS. The response to representations was a public document and is available on Council's website for access by representors and the general public.
2. The Tasmanian Planning Commission must hold a hearing in relation to the representations. Council has already provided a copy of all representations, including contact details, to the Tasmanian Planning Commission (TPC) as it is part of their process to inform representors of the next stage. At such time as the TPC has determined a hearing date, they will provide notification of the hearing date to all representors. The Commission will give at least 14 days notice of a hearing to be held. Council has not yet received advice from the Commission regarding a hearing date.

## 05/22.12.0

## MAYOR'S & COUNCILLOR'S COMMUNICATIONS

### 05/22.12.1

### Mayor's Communications for Period Ending 16 May 2022

25.04.2022	<b>St Helens</b>	– Anzac Day Memorial Services – Dawn and 11am
26.04.2022	<b>St Helens</b>	– Special Council Meeting
02.05.2022	<b>St Helens</b>	– Council Workshop
02.05.2022	<b>St Helens</b> <b>Via web</b>	– Local Government Association of Tasmania (LGAT) – General Management Committee (GMC) Meeting
03.02.2022	<b>Launceston</b>	– Northern Tasmania Development Corporation (NTDC) – Members Meeting
05.02.2022	<b>Hobart</b>	– Meeting with Minister for Local Government
05.02.2022	<b>Hobart</b>	– Government House - Investiture for Recipients of Australia Day Honours
10.02.2022	<b>Campbell Town</b>	– Local Government Association of Tasmania (LGAT) – General Management Committee (GMC) Meeting
12.02.2022	<b>St Helens</b>	– Break O'Day Municipal Emergency Management Meeting
13.02.2022	<b>St Helens</b>	– Meeting with Representatives from Ochre Health
13.02.2022	<b>St Helens</b>	– St Helens Bowls Club Presentation Evening
16.02.2022	<b>St Helens</b>	– Council Meeting

*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

- No meeting.

NRM Special Committee – Clr Janet Drummond

- Meeting held on the 12 April and next meeting scheduled for 12 July.
- May have a representative in the Indigenous sector joining.

East Coast Tasmania Tourism (ECTT) – Clr Barry LeFevre

- Few staff role changes and the next meeting is in June.

Mental Health Action Group – Clr Barry LeFevre

- Next meeting scheduled for 31 May.

Disability Access Committee – Clr Janet Drummond

- Meeting scheduled for 20 May.

Bay of Fires Master Plan Steering Committee – Clr Glenn McGuinness

- First meeting for the year last week.
- New Committee member joined Erin Wilkins.
- Most conversation was around the Brief and the Tender Process.
- EOI were called for members of the Committee to be on the Tender Assessment Committee.
- No success to date for an Aboriginal Representative to join the Committee. It is important that there is an Aboriginal representative.

## 05/22.13.0

## BUSINESS AND CORPORATE SERVICES

### 05/22.13.1

### Corporate Services Department Report

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

That the report be received.

#### INTRODUCTION:

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

#### DISCUSSION:

- The Manager Corporate Services stated that he has had positive meetings with Bendigo Community Bank and things are progressing well. Hopefully not too far away from getting a timeline for changing over.

#### COUNCIL DECISION:

**05/22.13.1.90**      Moved: Clr B LeFevre / Seconded: Clr G McGuinness

That the report be received.

**CARRIED UNANIMOUSLY**

#### 05/22.13.2      Monthly Financial Report

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

That the following reports for the month ending 30 April 2022 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 stated that we are now a fair way through the financial year – there are still some elements that require a little more investigation.

#### COUNCIL DECISION:

**05/22.13.2.91**      Moved: Clr J McGiveron / Seconded: Clr G McGuinness

That the following reports for the month ending 30 April 2022 be received:

1. Trading Account Summary
2. Income Statement

3. Profit and Loss Statements
4. Financial Position
5. Cash Flow
6. Capital Expenditure

**CARRIED UNANIMOUSLY**

### 05/22.13.3 Visitor Information Centre Report

<b>FILE REFERENCE</b>	040\028\002\
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#### OFFICER'S RECOMMENDATION:

That the report be received.

#### INTRODUCTION:

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

#### DISCUSSION:

- Mayor Tucker stated that if you look at February, March and April 2021 and look at the same months in 2022 we are definitely picking up some numbers which is reflective of people moving around the state now.
- Clr LeFevre stated that the numbers reinforce that people still want some face to face contact and he thinks this is really important.

#### COUNCIL DECISION:

**05/22.13.3.92**      Moved: Clr J Drummond / Seconded: Clr B LeFevre

That the report be received.

**CARRIED UNANIMOUSLY**

### 05/22.13.4 Audit Panel - Review of Panel Membership

<b>FILE REFERENCE</b>	018\005\008\
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#### OFFICER'S RECOMMENDATION:

That Clr ..... be nominated as the alternate Councillor representative to the Audit Panel.

**INTRODUCTION:**

Clr McGiveron has resigned as alternate Councillor representative to the Audit Panel and Council therefore needs to consider a replacement representative.

**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

**05/22.13.4.93**      Moved: Clr J Drummond / Seconded: Clr K Chapple

That Clr Kylie Wright be nominated as the alternate Councillor representative to the Audit Panel.

**CARRIED UNANIMOUSLY**

**05/22.13.5    Policy Review – LG28 – Work Health & Safety Policy**

<b>FILE REFERENCE</b>	002\024\007\
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**OFFICER'S RECOMMENDATION:**

That Policy LG28 Work Health & Safety be adopted as amended.

**INTRODUCTION:**

This Policy is overdue for review and has been considered by relevant officers and managers and is now recommended for Council review.

**DISCUSSION:**

- The Manager Corporate Services advised that this policy was due for review and there have been minimal changes.

**COUNCIL DECISION:**

**05/22.13.5.94**      Moved: Clr J McGiveron / Seconded: Clr G McGuinness

That Policy LG28 Work Health & Safety be adopted as amended.

**CARRIED UNANIMOUSLY**

### 05/22.13.6 Policy Review – LG24 – Equal Opportunities Policy

FILE REFERENCE	002\024\007\
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#### OFFICER'S RECOMMENDATION:

That Policy LG24 Equal Opportunities be adopted as amended.

#### INTRODUCTION:

This Policy is overdue for review as part of Council's schedule for regular review of Policies.

#### DISCUSSION:

- The Manager Corporate Services advised that this policy was due for review and there have been minimal changes.

#### COUNCIL DECISION:

**05/22.13.6.95**      Moved: Clr J Drummond / Seconded: Clr L Whittaker

That Policy LG24 Equal Opportunities be adopted as amended.

**CARRIED UNANIMOUSLY**

*Adjourned for morning tea at 10.50am*

*Meeting resumed at 11.03am*



## 05/22.14.0 WORKS AND INFRASTRUCTURE

### 05/22.14.1 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 provided the following updates:
  - o The replacement of Kirwans jetty is starting today with pile driving and the construction should be finished in a couple of weeks.
  - o There is activity on the foreshore construction track at Parkside, we have been busy sourcing rock, this is now progressing well and a second crew is starting today.
  - o Currently we have issues and delays with sealing crews out of Launceston, they have been hit with Covid which has slowed them down.
  - o The line marking contractor can't do line marking until July as they are currently completing projects for the Department of State Growth.
- Clr McGuinness asked in relation to Kirwans jetty – a lot of community money went in to building the first one and asked whether the plaques on this are going to be retained. The Manager Infrastructure and Development Services advised that they will be retained, we have done this on other structures and they will be reinstated.
- Clr Drummond made an observation in the Works Report – the waste to landfill is not heading in the right direction. The Manager Infrastructure and Development Services stated that this is a matter of variation – we are tracking on our previous five (5) year high. Clr Drummond asked, is it worth us asking the Communications Coordinator to do some more material for facebook/newsletters to talk about waste management? Our recycling is in the middle but waste is going up. The Manager Infrastructure and Development Services stated, yes we can do that.

#### COUNCIL DECISION:

**05/22.14.1.96**      Moved: Clr J Drummond / Seconded: Clr L Whittaker

That the report be received by Council.

**CARRIED UNANIMOUSLY**

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

That the report be received by Council.

**INTRODUCTION:**

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

**DISCUSSION:**

- The Manager Infrastructure and Development Services stated noted the activity summary with no commentary.
- Clr Wright stated that the report seems very minimal this month. The Manager Infrastructure and Development Services stated, to the contrary he sees this as the normal level activity. The Manager Infrastructure and Development Services has asked for a Year to Date (YTD) column be added to this report.
- Clr Drummond asked, she was just wondering regarding the off leash dog area in St Marys as people are saying there have been more altercations in St Marys with regard to dogs off lead in the main street etc. Clr Drummond is wondering when the off leash area may be done as it may alleviate issues.

**COUNCIL DECISION:**

**05/22.14.2.97**      Moved: Clr J McGiveron / Seconded: Clr B LeFevre

That the report be received by Council.

**CARRIED UNANIMOUSLY**

## 05/22.15.0 COMMUNITY DEVELOPMENT

### 05/22.15.1 Community Services Report

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

That the report be received.

#### INTRODUCTION:

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

#### DISCUSSION:

- The Manager Community Services advised that the Bay of Fires Master Plan has now been advertised – to date we have received approximately 20 requests for information from right around Australia.
- The Manager Community Services commented in relation to the Township Sessions – there are some common themes coming out, more trails (walking and bike), now each township want a swimming pool.
- Cllr McGivern provided an update in relation to his email to John Tucker MP regarding Burns Bay –John Tucker's office advised that this email has been sent to Minister Petrusma on the 6 April and nothing has been received to date. The Manager Community Services advised that she also contacted Parks & Wildlife Services and they have not got back to her either.
- Cllr Drummond asked in relation to the funding listed for Greater Esk Tourism. The Manager Community Services stated that this is an annual approval through the budget and it just sits there until a request is received and this has not been received to date. Cllr Drummond stated that she was just curious as this group has been in abeyance for a couple of years.
- Cllr Whittaker asked in relation to the St Helens Sports Complex conceptual plan – will there be consideration for conservation land and management for the overall plan. The Manager Community Services stated that has been raised previously so it will be given consideration as part of the plan.

#### COUNCIL DECISION:

**05/22.15.1.98** Moved: Cllr B LeFevre / Seconded: Cllr G McGuinness

That the report be received.

**CARRIED UNANIMOUSLY**

## 05/22.16.0 DEVELOPMENT SERVICES

### 05/22.16.1 Development Services Report

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

That the report be received.

#### INTRODUCTION:

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

#### DISCUSSION:

- The Development Services Coordinator stated that the St Marys Indoor Community Centre consultation session was really well attended and a lot of feedback given.
- The Development Services Coordinator advised that the Information Sessions Council officers are holding with the industry people have been really well received.

#### COUNCIL DECISION:

**05/22.16.1.99**      Moved: Clr K Chapple / Seconded: Clr K Wright

That the report be received.

**CARRIED UNANIMOUSLY**

### 05/22.16.2 Break O'Day Climate Change Action

FILE REFERENCE	017\023\001\
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#### OFFICER'S RECOMMENDATION:

1. Council receive the *Break O'Day Climate Change Information for Decision Making* (2020) profile of municipal climate indices to support strategic, operational, service, adaptation and emergency management in Break O'Day.
2. Council thank and congratulate the Southern Tasmanian Councils Authority (STCA) for their draft *Regional Strategy - Adapting to a changing coastline in Tasmania* (2022); and suggest the Strategy highlight more clearly the significant role and responsibility of state public land agencies responsible for coastlines and authorising coastal adaptation responses – when changing natural coastal processes there generate coastal hazards and risks.

## INTRODUCTION:

Council is taking a steady and collaborative steps to identify and prioritise Climate Change Action for Break O'Day. This report provides an update on recent activity.

## DISCUSSION:

- The NRM Officer stated that he is putting together some work for flooding at Scamander Mouth to look at issues around Dune Street and around the mouth as there is grant funding available.
- Cllr McGuinness commented in relation to the flooding in New South Wales and Queensland, they are facing huge problems with the continuing flooding events where a huge number of properties are becoming uninsurable. Cllr McGuinness was wondering, should we start looking at properties within our municipality which may fall into that category in the future and maybe already are. Mayor Tucker stated that there are already people in communities that are prepared to buy and build to new standards in those areas. The NRM Officer stated that we are putting out the flood modelling that we have already done so people own their own risks. It is a significant problem but we are doing quite well with trying to avoid the risks but there is still a long way to go.
- Cllr Wright stated that it is pertinent to look harder at what we already have and discourage development closer to the shoreline.
- Cllr Drummond stated that her comments were similar to Cllr Wright's, she thinks it is still important to maintain that 1km prohibition for subdivision from the Coast in the Local Provision Schedule (LPS).
- The NRM Officer stated that the regional initiative and action plan will come together and will come back to Council. We have been chipping away at the action plan to date.
- Mayor Tucker stated that there is now more information coming to the forefront and more things that can be dealt with as we can adapt what other people are doing and we can try and combine them with ours.
- Cllr Drummond stated an interesting point – 98% of Councils in the UK now act under a Climate Change Emergency Plan so there is a lot of examples already out there not just in Australia.

## COUNCIL DECISION:

05/22.16.2.100

Moved: Cllr G McGuinness / Seconded: Cllr L Whittaker

1. Council receive the *Break O'Day Climate Change Information for Decision Making* (2020) profile of municipal climate indices to support strategic, operational, service, adaptation and emergency management in Break O'Day.
2. Council thank and congratulate the Southern Tasmanian Councils Authority (STCA) for their draft *Regional Strategy - Adapting to a changing coastline in Tasmania* (2022); and suggest the Strategy highlight more clearly the significant role and responsibility of state public land agencies responsible for coastlines and authorising coastal adaptation responses – when changing natural coastal processes there generate coastal hazards and risks.

CARRIED UNANIMOUSLY

## 05/22.17.0 GOVERNANCE

### 05/22.17.1 General Manager's Report

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

That the General Manager's report be received.

#### INTRODUCTION:

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

#### DISCUSSION:

- The General Manager stated last Wednesday he circulated to Councillors the LG Reform submission – as noted in the submission the approach we took was to look at the identified themes and the dot points that the Board had used that they thought the themes represented. There were a couple of themes that we thought were deficient and that is what we focussed on eg Community Wellbeing and Economic Development, there was also a bit in Environment as Climate Change was not represented. There were other issues raised by Development Services but they will go forward into Stage 2 consultation. We identified current activity and future as well as raised discussion points for discussion and consideration by the Board. Clr McGiveron stated that he would like to pass on thanks to those who prepared this report it is quite comprehensive, let's hope this work doesn't get over looked. Clr Drummond agreed with Clr McGiveron, she really enjoyed reading this report and it picked up things pertinent to our area. Clr McGuinness commented along similar lines, he sincerely hopes that there is no hidden agenda here.
- Mayor Tucker stated that he and the Local Government Association of Tasmania (LGAT) President met with the new Minister for Local Government, Nic Street and they both came away feeling quite excited and his level of knowledge was evident. He made it very clear there is no agenda, there is no overview, etc until a full report is provided by the Board at the end of the 18 month process.
- The General Manager commented in relation to the Break O'Day Population project. He has been in contact with Dr Lisa Denney and she advised that the ABS regional population data is being released in August, the observation she has made is the population change is not following the model due to the pandemic. We should see an update in August.

#### COUNCIL DECISION:

05/22.17.1.101

Moved: Clr J McGiveron / Seconded: Clr L Whittaker

05/22.17.1

General Manager's Report

38

That the General Manager's report be received.

**CARRIED UNANIMOUSLY**

**05/22.17.2**      **Tasmanian Rock Lobster Fishery – Managing Stocks for the Future – Proposed Rules and Policy Changes for Public Consultation**

<b>FILE REFERENCE</b>	22/6990
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**OFFICER'S RECOMMENDATION:**

That Council endorse the Draft submission to the *'Tasmanian Rock Lobster Fishery – Managing Stocks for the Future - Proposed Rules and Policy Changes for Public Consultation'*.

**INTRODUCTION:**

Following receipt of correspondence from local fisherman Council's Economic Development Officer proceeded to review the abovementioned discussion paper and the potential impacts it may have on our local community.

Presented to Council is the proposed submission to the *'Tasmanian Rock Lobster Fishery – Managing Stocks for the Future - Proposed Rules and Policy Changes for Public Consultation'*.

**DISCUSSION:**

- Clr LeFevre stated that this is a really terrific document and certainly points in the right direction that some of the proposed changes would be really negative for this community.
- Clr Drummond stated that she agrees with Clr LeFevre, it picks up that it is favouring the larger operators rather than the smaller ones.
- Clr McGiveron also agreed it is really good. Clr McGiveron also commented regarding previous Recreational Fishers meetings which have taken place and a lot of concerns were raised in the past but have not gone anywhere, it is really critical that these submissions are taken into consideration.
- Mayor Tucker stated that if we don't really emphasise the economic social benefit we have no economic viability for other things to exist eg a slipways, etc. We also need to send this to the Minister for Fisheries as well as the Premier as these submissions don't always get seen by the relevant people.

**COUNCIL DECISION:**

**05/22.17.2.102**      Moved: Clr J McGiveron / Seconded: Clr B LeFevre

That Council endorse the Draft submission to the *'Tasmanian Rock Lobster Fishery – Managing Stocks for the Future - Proposed Rules and Policy Changes for Public Consultation'*.

**CARRIED UNANIMOUSLY**

**05/22.17.3**      **Local Government Association of Tasmania (LGAT) – General Meeting  
September 2022 - Call for Motions**

FILE REFERENCE	039\002\008\
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**OFFICER’S RECOMMENDATION:**

For discussion and consideration.

**INTRODUCTION:**

The Call for Motions has been advertised for the Annual General Meeting and General Meeting. The Annual General Meeting will be held via Zoom on the 1 July 2022 with the General Meeting of the Association to be held on Friday 16 September 2022.

**DISCUSSION:**

- The General Manager stated that we have already submitted one (1) motion regarding the maintenance of state road infrastructure which will be listed on one of the future meetings.

**COUNCIL DECISION:**

**05/22.17.3.103**      Moved: Clr J Drummond / Seconded: Clr G McGuinness

For discussion and consideration.

**CARRIED UNANIMOUSLY**

**05/22.17.4**      **2021 / 2022 Annual Plan – March 2022 Quarterly Review**

FILE REFERENCE	018\033\007\
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**OFFICER’S RECOMMENDATION:**

That Council receive the Review as at the 31 March 2022 of the Break O’Day Council Annual Plan 2021/2022.

**INTRODUCTION:**

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

*An Annual Plan is to –*

- (a) be consistent with the strategic plan; and*



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

#### **DISCUSSION:**

- The General Manager provided a broad summary. There are a lot of things tracking fairly well with a few providing challenges.
- Cllr Drummond asked, when will the Recreational Trails Strategy go back to the community for consultation. The General Manager stated that we were waiting on feedback from Sustainable Timber Tasmania, we have received feedback from PWS and we are just waiting for a report back from the Consultant so we can get it out to the community as soon as possible. The General Manager stated that it took a while to go through comments and make changes.

#### **COUNCIL DECISION:**

**05/22.17.4.104**

Moved: Cllr B LeFevre / Seconded: Cllr J Drummond

That Council receive the Review as at the 31 March 2022 of the Break O'Day Council Annual Plan 2021/2022.

**CARRIED UNANIMOUSLY**

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

Moved: Cllr J Drummond / Seconded: Cllr L Whittaker

**CARRIED UNANIMOUSLY**

# IN CONFIDENCE

## 05/22.18.0 CLOSED COUNCIL

05/22.18.1 Confirmation of Closed Council Minutes – Council Meeting 20 April 2022

05/22.18.2 Outstanding Actions List for Closed Council

05/22.18.3 Purchase of Water Cart Truck – Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015

### COUNCIL DECISION:

#### TO BE PUBLISHED IN THE PUBLIC MINUTES:

05/22.18.3.CC Moved: Clr B LeFevre / Seconded: Clr K Wright

That Council award the tender for the purchase of a Water Cart Truck to FRM.

#### CARRIED UNANIMOUSLY

*Clr Whittaker left the meeting at 11.51am*

05/22.18.4 2 Annie Street, St Helens - Closed Council Item Pursuant to Section 15(2)F of the Local Government (Meeting Procedures) Regulations 2015

### COUNCIL DECISION:

#### TO BE PUBLISHED IN THE PUBLIC MINUTES:

There was no decision to be published

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

Moved: Clr J McGiveron / Seconded: Clr K Wright

#### CARRIED UNANIMOUSLY

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 12.14pm.

.....  
**MAYOR**

.....  
**DATE**