



# COUNCIL MEETING MINUTES

Monday 20 May 2024  
Council Chambers, St Helens

John Brown, General Manager  
Break O'Day Council  
20 May 2024

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## AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

All ordinary meetings, special meetings and annual general meetings will be live streamed using audio/visual technology. A link to the audio/visual recordings will be made available to the public post the meeting on Council's website (within seven (7) days post the meeting in line with the uploading of the minutes from the meeting). The audio/visual recording of Council Meetings will only be retained for six (6) months.

Other than an official Council recording, no video or audio recording of proceedings of Council Meetings shall be permitted without specific approval by resolution of the Meeting.

The streaming platform utilised for recording and streaming is setup specifically for Break O'Day Council and Council has full control of which meetings are streamed or uploaded for viewing. There is no ability for the public to comment, edit or download recordings in anyway. They can only be viewed via the Council link.

Participation in person at the Council Meeting is considered as providing your consent to livestreaming of that meeting.

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

## OPENING

*The Mayor welcomed Councillors and staff and declared the meeting open at 10.00am.*

## ACKNOWLEDGEMENT OF COUNTRY

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

## LIVE AUDIO/VISUAL STREAMING OF COUNCIL MEETINGS

*Ladies and gentlemen, I would like to advise you that today's Council Meeting is being live streamed and recorded. This means that members of the public who are unable to attend in person can still observe the proceedings. By remaining in this chamber, you are consenting to being filmed and recorded. Please be mindful of your actions and contributions as they will be visible to the public. Thank you for your cooperation.*

## **05/24.1.0 ATTENDANCE**

### **05/24.1.1 Present**

Mayor Mick Tucker  
Deputy Mayor Kristi Chapple  
Councillor Gary Barnes (with the exception of Item 05/24.15.3)  
Councillor Ian Carter  
Councillor Janet Drummond  
Councillor Liz Johnstone  
Councillor Barry LeFevre (with the exception of Item 05/24.15.4)  
Councillor Vaughan Oldham  
Councillor Kylie Wright

### **05/24.1.2 Apologies**

Nil

### **05/24.1.3 Leave of Absence**

Nil

### **05/24.1.4 Staff in Attendance**

General Manager, John Brown  
Corporate Officer, Wanita Wells  
Governance Officer, Molli Brown  
Manager Community Services, Chris Hughes (Item 1.0 – 17.4)  
Manager Infrastructure and Development Services, David Jolly (Item 1.0 – 17.4)  
Corporate Services Coordinator, Angela Matthews (Item 1.0 – 13.5)  
Senior Town Planner, Deb Szekely (Item 1.0 – 6.1)  
NRM Facilitator, Polly Buchhorn (Item 16.2)

## **05/24.2.0 PUBLIC QUESTION TIME**

One (1) person in the gallery.

### **05/24.2.1 Binalong Bay Foreshore Weed Management – Mr Todd Dudley**

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

Can Council advise how much money will be allocated in its 2024/25 budget for weed management on the Binalong Bay foreshore land leased to Council from Parks?

**Reply:**

The General Manager advised that Council is yet to finalise budget for 2024/25 year, and that previous Council decisions on this matter will be taken into account when framing the budget.

**05/24.2.2                    12 Scamander Avenue, Scamander – Mr Peter Beattie**

In 2012 the Council sued the developer of the Wrinklers Estate subdivision for planning breaches. Could the Council please explain how it is they continue to use the Water Retention Basin (WRB) on the development when it was never approved on the planning application? Further, did the Council do an assessment of the amount of water that will come off hard surfaces in the stage 2 and 3 phases of the development and subsequently run into the WRB - due to the fact that the WRB reached capacity in the February flood event experienced predominately in St Helens?

**Reply:**

The detention basin continues to operate in its current form as a result of a Tasmanian Planning Commission decision.

Detailed assessments were undertaken by qualified hydraulic engineers that considered the entire subdivision and catchment.

The detention basin overflowed in the 21 February 2024 storm event in accordance with its design.

**05/24.2.3                    Blockage of Scamander Avenue footpath by bins – Mr Dale Matheson**

I refer to a November meeting (and the environmental by law 11/23.16.2.256) which raised the particular issue of the constant blockage of the Scamander Avenue footpath by wheelie bins – with the ratepayers under instruction from Council to place their bins on the footpath next to the kerb. At the November meeting the Mayor noted concerns regarding the placement of wheelie bins on the footpath. This is particularly concerning in Scamander where motorised wheelchair users have to go onto the road because people are putting bins on the narrow footpath. The Development Service Controller said (in regard to bins on the footpath) “for existing properties this is mainly about education”. The fact is that Council instruct the ratepayers to place wheelie bins on the footpath adjacent to the kerb. In essence the Council is educating ratepayers to obstruct the footpath. The control of Scamander Avenue (which is a State road) is that the Department of State Growth maintains the road and the Council maintains the drains, footpath and nature strip.

Whose responsibility is it when the footpath is obstructed by wheelie bins, remembering the law states any obstruction of a footpath must provide an alternative in the immediate vicinity otherwise the said obstruction is illegal?

**Reply:**

The laws of obstruction relate to the operation of a motor vehicle in accordance with the Tasmanian Road Rules and the Australian Standards governing Traffic Management Controls for work zones. The placement of a wheelie bin on a footpath for collection does not constitute an obstruction. Persons placing wheelie bins on a footpath need, out of courtesy, to be considerate to others who may be using the path. Council officers will examine the situation with a view to educating the community on the matter

**05/24.2.4 Fencing-off of heritage area at St Marys railway precinct – Mr Neil Capill**

Further to the discussion at last month's meeting about the potential new St Marys Dog Exercise Park at the Railway Precinct. Who gave permission to Council for anybody to 'fence off' part of this Heritage area, to alienate the area from the general public's use?

**Reply:**

Council is aware of the Heritage listing of Council land at the old St Marys Railway Station. Should Council decide to declare a part of it for the public to use for off-lead dog exercise, Council is aware of the process that needs to be followed to develop a dog park facility.

**05/24.2.5 Trimming of Falmouth trees and bushes lining streets – Ms Jo Trevelyan**

Like many Falmouth residents I'm deeply upset by the recent butchering of our Falmouth trees and bushes lining our streets. What was the specific reason for the butchering? Exactly how much did this cost? Was this cost derived from length of road covered, volume of branches cut or time on the job?

The word around Falmouth is that this was the result of a caravan getting scratched and the owner's insurance company threatening to sue the Council. This has caused much anger and disbelief amongst the residents.

Why are some plants up to two metres from the edge of the road cut back fiercely whilst huge dead branches left hanging over the road?

Does this seemingly random approach fit in with the Council's best practice standards for the treatment of roadside vegetation? How does this approach work going forward?

Leaving many branches split rather than sawn, leaves the plant open to disease, and hacking all branches along a vertical plane will cause trees to grow back thicker and hence become more of a problem in the future.

Finally with all roads in Falmouth having a 40kph limit, leaving trees along the road which in many cases residents have lovingly planted and cared for, whilst judiciously lopping the occasional problem branch provides a natural strategy in speed reduction, fitting for the place. It should also be noted, trees in a street provide measurable mental health benefits.



Whilst this tree mutilation method maybe appropriate for certain situations it has no place whatsoever in a small rural hamlet.

**Reply:**

The trees being referred to were trimmed by a qualified arborist, who removed only parts of the trees that required removal. Council works crew provided traffic control and assisted in removing tree waste. The trees are trimmed every two to three years depending upon need. Works costs have yet to be finalised and can be advised accordingly.

### **05/24.3.0            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.*

Clr Barnes – Neighbourhood Houses Tasmania 2024 Conference – Request for Support (Item 15.3)  
Clr LeFevre – Bay of Fires Winter Arts Festival – Funding (Item 15.4)

### **05/24.4.0            CONFIRMATION OF MINUTES**

#### **05/24.4.1            Confirmation of Minutes – Council Meeting 15 April 2024**

#### **OFFICER’S RECOMMENDATION:**

That the minutes of the Council Meeting held on the 15 April 2024 be confirmed.

#### **COUNCIL DECISION:**

**05/24.4.1.355            Moved: Clr Wright / Seconded: Clr Chapple**

That the minutes of the Council Meeting held on the 15 April 2024 be confirmed.

**CARRIED UNANIMOUSLY**

### **04/24.5.0    COUNCIL WORKSHOPS HELD SINCE 15 APRIL 2024**

There was a special workshop held 14 May 2024 and the following items were listed for discussion.

- Financial Management Strategy 2023/2030
- Policy LG40 - Rates and Charges Policy

- Draft Operational and Capital Budget Estimates 2024-2025
- Draft of Annual Plan 2024-2025

There was a workshop held 6 May 2024 and the following items were listed for discussion.

- Presentation – REMPLAN – Nick Byrne
- Presentation – NTARC - Katrina Graham
- Council response to domestic violence – Clr Chapple
- Pending Development Application Updates
- Project Scoping - Construction of New Indoor & Evacuation Centre
- Binalong Bay BBQ & Shetler Demolition & Replacement
- Planning application RSL additions and alterations - 35 Quail Street, St Helens
- Draft report - Lower George Floodplain Avulsion Impact Assessment
- Review of Council Delegations
- Animal Control Report
- Cecilia Street – Streetscape Concept
- Development of the Scamander Inert Landfill
- Scamander WTS – Waste Compactor
- RV Camping - Fingal
- Neighbourhood Houses Tasmania 2024 Conference – Request for Support
- Bay of Fires Winter Arts Festival - Funding
- Economic Development Strategy
- 2023-2024 Annual Plan Quarterly Review

## 05/24.6.0 PLANNING AUTHORITY

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

### 05/24.6.1 Natural & Cultural Values Management- Shelter & Amenities Building

<b>FILE REFERENCE</b>	DA 2024 / 00041
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#### **OFFICER’S RECOMMENDATION:**

After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for NATURAL & CULTURAL VALUES MANAGEMENT- SHELTER & AMENITIES BUILDING on land situated at TASMAN HIGHWAY, ST HELENS described in Certificate of Title 180289/1 be APPROVED subject to the following plans / documents and conditions:

<b>Approved Plans / Documents</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Title Page	Sheet No. 01	All Draw Building Design	19/03/2024
Locality Plan	Sheet No. 02	All Draw Building Design	19/03/2024
Protection Area Plan	Sheet No. 03	All Draw Building Design	19/03/2024
Site Drainage Plan	Sheet No. 04	All Draw Building Design	19/03/2024
Floor Plan 1	Sheet No. 05	All Draw Building Design	19/03/2024
Elevations	Sheet No. 06	All Draw Building Design	19/03/2024
Floor Plan 2	Sheet No. 07	All Draw Building Design	19/03/2024
Elevations	Sheet No. 08	All Draw Building Design	19/03/2024

## CONDITIONS

<b>CONDITION</b>		<b>TIMING</b>
<b>1</b>	<b>Approved Plans and/or Document</b>	
	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
<b>2</b>	<b>Residential Use Car Parking</b>	
	The areas shown to be set aside for vehicle access and car parking must be: <ul style="list-style-type: none"> <li>a. completed before the use of the development;</li> <li>b. provided with space for access turning and manoeuvring of vehicles on-site to enable them to enter and leave the site in a forward direction;</li> <li>c. surfaced with a pervious dust free surface and drained in a manner that will not cause stormwater nuisance.</li> </ul>	Prior to use and maintained at all times.
<b>3</b>	<b>Effluent Disposal</b>	
A	Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's Plumbing Permit Authority.	Prior to use and maintained at all times.
<b>4</b>	<b>Nuisance</b>	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
<b>5</b>	<b>Stormwater</b>	
A	All runoff from the proposed buildings must be disposed of within the confines of the property by	Prior to use and maintained at all times

CONDITION		TIMING
	means that will not result in soil erosion or other stormwater nuisance. Soakage drains must be of sufficient size to absorb stormwater runoff.	
<b>6</b>	<b>Weed and Disease Management</b>	
A	Standard <i>Phytophthora</i> hygiene measures must be implemented for the construction and maintenance of works in accordance with and using the <i>Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania</i> (DPIPWE 2015, Eds. K. Stewart & M. Askey-Doran. DPIPWE, Hobart, Tas).	During site works and maintained at all times.
<b>7</b>	<b>Building Waste</b>	
A	All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being cause outside of the works site.	During site works and maintained at all times.
<b>8</b>	<b>Extent of Vegetation Clearing</b>	
A	Clearing of native vegetation must be limited to that which is necessary for the approved development; and	During site works and maintained at all times.
B	Natural regeneration must be allowed to occur in areas outside of the approved development footprint; and	On completion of site works.
C	Disturbed areas associated with the development must be monitored and managed for weeds to prevent their occurrence.	During site works and maintained at all times.

## ADVICE

1. 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.
2. 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.
3. 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

4. Be advised that in accordance with the *Building Act 2016* assessment for building approval cannot commence until such time as Council is provided with full Building Design Plans and Specifications prepared by a Tasmanian Licenced designer.

#### INTRODUCTION:

The applicant is seeking approval to construct a covered shelter (outbuilding) and Amenities structure housing two (2) toilets and a shower, stormwater collection tanks and associated car parking.

#### DISCUSSION:

- The Senior Town Planner advised the project is within the Natural and Cultural Values Management Use Class, and that the development includes the construction of a shelter and amenities block which will provide facilities for activities. The use class is in line with the activities proposed for the site, examples include track work and maintenance. The application received one representation mainly regarding the protection of natural values including landscape and scenic values; these concerns have been addressed in the body of the report.
- The Senior Town Planner advised that there is an error within the report which relates to the description of condition 2 'Residential Use Car Parking'. Council will omit the term 'Residential Use' and the title for condition 2 will be 'Car Parking' only.
- The Senior Town Planner spoke to the conditions applied. The development is recommended for approval.
- Clr LeFevre said he supports the recommendation, as the development is for a small construction on a large piece of land.
- Clr Johnstone asked about the scenic values and the building materials proposed which generally aren't used under the planning scheme. The Senior Town Planner advised this development falls outside of the Scenic Road Corridor. There is substantial separation from the boundaries and it's unlikely that the building will be visible from the road casement. The materials that don't meet the planning scheme relate to the roof materials so there is an element of reflectivity which will disappear over time. A condition will require immediate regeneration of vegetation around the structure which will provide screening against visibility.
- The General Manager clarified with the Senior Town Planner regarding the removal of the words "Residential Use" which formed part of the heading in Condition 2.

#### COUNCIL DECISION:

**05/24.6.1.356**      Moved: Clr LeFevre / Seconded: Clr Carter

After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O'Day*, that the application for NATURAL & CULTURAL VALUES MANAGEMENT- SHELTER & AMENITIES BUILDING on land situated at TASMAN HIGHWAY, ST HELENS described in Certificate of Title 180289/1 be APPROVED subject to the following plans / documents and conditions:

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<b>1</b>	<b>Approved Plans and/or Document</b>	
	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
<b>2</b>	<b>Car Parking</b>	
	The areas shown to be set aside for vehicle access and car parking must be: <ul style="list-style-type: none"> <li>1. completed before the use of the development;</li> <li>2. provided with space for access turning and manoeuvring of vehicles on-site to enable them to enter and leave the site in a forward direction;</li> <li>3. surfaced with a pervious dust free surface and drained in a manner that will not cause stormwater nuisance.</li> </ul>	Prior to use and maintained at all times.
<b>3</b>	<b>Effluent Disposal</b>	
A	Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's Plumbing Permit Authority.	Prior to use and maintained at all times.

<b>4</b>	<b>Nuisance</b>	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
<b>5</b>	<b>Stormwater</b>	
A	All runoff from the proposed buildings must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. Soakage drains must be of sufficient size to absorb stormwater runoff.	Prior to use and maintained at all times
<b>6</b>	<b>Weed and Disease Management</b>	
A	Standard <i>Phytophthora</i> hygiene measures must be implemented for the construction and maintenance of works in accordance with and using the <i>Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania</i> (DPIPWE 2015, Eds. K. Stewart & M. Askey-Doran. DPIPWE, Hobart, Tas).	During site works and maintained at all times.
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## ADVICE

1. 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.

2. 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.
3. 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
4. Be advised that in accordance with the *Building Act 2016* assessment for building approval cannot commence until such time as Council is provided with full Building Design Plans and Specifications prepared by a Tasmanian Licenced designer.

## **CARRIED UNANIMOUSLY**

The Mayor advised that Council was concluding its meeting as a planning authority.

## **05/24.7.0 COUNCIL MEETING ACTIONS**

### **05/24.7.1 Outstanding Matters**

- Clr Drummond asked about the status of the Online Access Centre funding given that a new State Government is in place. The General Manager advised that Council is making the new Minister aware of the history of the matter.
- Clr Drummond asked about the Reconciliation Action Plan and if a date for the first meeting had been decided. The Manager Community Services advised that a date has not been set as yet.
- Clr Johnstone asked about Native Forest Restoration in Skyline Tier/Scamander Forest and if there is a timeframe around the drafting of that and how it will be communicated. The General Manager undertook to refer the question to the NRM Facilitator for a later response.
- Clr Johnstone noted 100% completion of Live Streaming of Council Meetings and congratulated Council on achieving this and said the community will benefit from the accessibility.
- Clr Johnstone asked about the status of the Community Landscape Plan or Policy for our townships. The General Manager advised this depends on available internal resources and that Council will return focus to this after the budget is done.

The report was received.

## **05/24.8.0 PETITIONS**

Nil.



## 05/24.9.0 NOTICES OF MOTION

### 05/24.9.1 Developing walking trails around and within the Scamander Complex precinct – Clr Carter

#### **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 considers options to develop walking trails around and within the Scamander Complex precinct.

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

The Scamander Sports Complex committee has embarked on a strategy to achieve 10 improvements to the facilities/ grounds over a 10-month timeframe.

A crucial aspect of this endeavor is to activate greater use of the area by general community and visitors:

1. A major task identified is the creation of a walking trail (possibly incorporating fitness stations - subject to community approval) that meanders through bushland and the grassed areas adjacent to the cricket oval. This is the heart and essential component of the request with 4 other extensions identified if resources are available. The main track would be 1.8 metres wide with a graveled surface. The complex committee has identified a significant volunteer base to provide assistance to advance the project.
2. Extension of the track (1.2 to 1.5 width) to meander down the golf club side of the gully to a headland that offers a broad vista over the river and towards the river-mouth is seen as a major enticement to visitors. Seating would be provided at the end of this section of the walk. There may be complications with boundary proximity to accommodate seating.
3. A path that links the complex to Scamander Avenue would allow pedestrians to use a safer access alternative (standard street pathway and again gravel to blend with recent improvement to the park).
4. There is also potential to establish a gravelled track down the eastern side of the gully towards the river which has an elevated outlook.
5. A path established from the complex access to the Skyline Tier boundary which would create a vital link to an extensive network of gravel roads and ultimately entice recreational experiences in what is returning to a significant native habitat attraction.

This submission could be considered for staged development.

The project is also seen as an important example of community engagement if the volunteer base is used actively in the development and maintenance of this public asset.

Enhancement of vegetation and existing infrastructure identified in the 10 by 10 initiative is also envisaged by the Complex committee during this project.

#### **DISCUSSION:**

- Clr Carter said that the existing complex plan specifies a 10 by 10 motivational exercise to provide things at reasonable cost and through predominantly volunteer labour. The aim is to achieve 10 goals in 10 months and with 10% effort. The walking track is seen as the connection of the community to enable people to reach the complex and be involved in the community beyond the sporting opportunities that exist there.
- Clr Drummond said she is supportive of the motion however is conscious that Council has the Recreational Trails Strategy which lists tracks awaiting completion; she doesn't want to see this project impacting on other trail priorities.
- Clr Johnstone said she likes the volunteer aspect of this and having trails that connect people and this is a great initiative for people to work collaboratively. She also noted the importance of the Recreational Trails Strategy and the other priorities listed within that and that these projects should not be impacted.
- Clr Carter said he appreciated the concerns regarding other trails listed under the strategy however the Scamander proposals can be made shovel-ready very quickly particularly because the land is owned by Council and therefore consultation with other land-managing agencies is not required.

#### **COUNCIL DECISION:**

**05/24.9.1.358**      Moved: Clr Carter / Seconded: Clr 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 considers options to develop walking trails around and within the Scamander Complex precinct.

**CARRIED UNANIMOUSLY**

**MOTION:**

This National General Assembly calls on the Australian Government to:

1. Recognise that Local Government, as the closest level of government to the community, has an important role to play in ending violence against women and children.
2. Support and resource Local Governments to advocate for and enact social change in their communities to end violence against women and children.
3. Collaborate with Local Government when discussing, developing and implementing strategies to end violence against women and children.

**SUBMISSION IN SUPPORT OF MOTION:**

## ALGA – Emergency Motion

### MOTION:

***This National General Assembly calls on the Australian Government to...***

1. Recognise that Local Government, as the closest level of government to the community, has an important role to play in ending violence against women and children.
2. Support and resource Local Governments to advocate for and enact social change in their communities to end violence against women and children.
3. Collaborate with Local Government when discussing, developing and implementing strategies to end violence against women and children.

### NATIONAL OBJECTIVE

***Why is this a national issue and why should this be debated at the NGA? (Maximum 200 words)***

Regardless of a woman's status in society, their age, religion, political views or address, violence against women does not discriminate. It affects women from all walks of life and with the latest statistics stating that a woman is violently killed every four days in Australia, it is an issue that requires attention from all levels of government as well as the community.

Local Governments can play a crucial role in addressing violence against women and advocating for cultural and societal change due to our close proximity to our communities and our ability to implement tailored solutions for our communities. We are well placed to implement policies, allocate resources, raise awareness, provide support services, and collaborate with other levels of Government to create safer and more equitable communities for all.

(129 Words)

### SUMMARY OF KEY ARGUMENTS

***Background information and supporting arguments. (Maximum 500 words)***

#### MOTION:

The issue of violence against women and children has been on the Australian Government's agenda for several decades. Efforts to address this issue have intensified over the years, with significant attention and resources allocated to prevention, support, and legislative measures. However, despite these efforts, violence against women and children continues to dominate news headlines across the nation. Local Government believes that an ongoing commitment and long lasting action that involves support and collaboration between Local Government and the State and Federal Governments is required to create lasting change.

In October 2022, the Australian Government announced the *National Plan to End Violence against Women and Children 2022 -2023*. This plan provides a framework aimed at ending violence against women and children over the next 10 years. This plan aims to coordinate efforts across jurisdictions

to prevent and respond to violence against women and is a joint initiative between Federal and State Governments. While the document states it is to provide... “a national policy framework to guide the work of government’s policy makers, business... etc” Local Governments believe a vital opportunity to work directly with Local Governments and their communities has been missed.

The most recent action in regards to this Plan from the Federal Government was Prime Minister Anthony Albanese announcing around \$1 billion to support those escaping domestic and family violence. Local Government commend this decisive action from the Federal Government and urge the State and Federal Governments to collaborate with Local Government to determine how this money could be best spent in their communities.

Local Government across the nation are already doing significant and important work in this space and we could do more with support from the State and Federal Governments. Local governments can collaborate with other stakeholders, including State and Federal governments and agencies, community organisations, advocacy groups, and businesses, to develop comprehensive strategies for preventing and addressing violence against women. A collaboration across the three tiers of government would help leverage resources and expertise on the ground, but most importantly, maximise the impacts of the National Strategy.

Overall, local governments have a critical role to play in ending violence against women by working with other levels of government and stakeholders to create safer and more equitable communities for all.

## DISCUSSION:

- Clr Chapple thanked Executive Officer Jayne Richardson, Clr Drummond, Clr Johnstone and Clr Carter for their participation in putting the motion together. She said local governments can play a crucial role in advocating for societal change and are well placed to implement policies and can do more with more support.
- Clr Johnstone said this is an opportunity for Break O’Day to take a leadership role.
- Clr Drummond said this is a vital motion and that this is a space where we need to be very active as it is impacting people within our communities.
- The Mayor personally thanked Clr Chapple for putting forward this motion.

## COUNCIL DECISION:

**05/24.9.2.359**      Moved: Clr Chapple / Seconded: Clr Johnston

This National General Assembly calls on the Australian Government to:

1. Recognise that Local Government, as the closest level of government to the community, has an important role to play in ending violence against women and children.
2. Support and resource Local Governments to advocate for and enact social change in their communities to end violence against women and children.
3. Collaborate with Local Government when discussing, developing and implementing strategies to end violence against women and children.

## CARRIED UNANIMOUSLY

**05/24.9.3**      **Council has a role to play in ending violence against women – Deputy Mayor Chapple**

## MOTION:

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

1. Develop and issue a formal statement that Break O’Day Council will not tolerate violence against women within the organisation or community.
2. Consider creating and implementing a physical talking point, like the ‘red bench project’ that aims to raise public awareness about violence against women
3. Facilitate a community event in St Helens and the Fingal Valley that provides the opportunity for the community to come together and show their support for ending violence against women.

## SUBMISSION IN SUPPORT OF MOTION:

The issue of violence against women has been on the Australian Government's agenda for several decades. Efforts to address this issue have intensified over the years, with significant attention and resources allocated to prevention, support, and legislative measures. However, despite these efforts, challenges remain ineffectual in combating violence against women. An ongoing commitment and long lasting action are required to create lasting change.

The most recent action from the Federal Government was Prime Minister Anthony Albanese announcing around \$1 billion to support those escaping domestic and family violence.

In October 2022, the Australian Government announced the *National Plan to End Violence against Women and Children 2022 -2023*. This plan provides a framework aimed at ending violence against women and children over the next 10 years. This plan aims to coordinate efforts across jurisdictions to prevent and respond to violence against women.

Already this year 28 women have been violently killed by men known to them. This is double the figures from last year. This is simply not good enough and shows that as a nation we have a long way to go to end violence against women, what is needed is a societal and cultural shift that acknowledges zero tolerance of violence against women in our communities.

If we want to be part of the solution to this growing epidemic, we must take a strong stance now. If we want to see societal and cultural change in our own communities, we must lead by example.

As the level of Government closest to the community, we, Break O'Day Council, staff and elected members are well placed to play an important role in this space. We can lead our communities by example, effect positive change and advocate for access to services and support on behalf of our community.

By taking a strong stance on this issue and unequivocally condemning violence against women publically we can be a living example of the societal and cultural shift that we want to see. We are also in a position to prompt, deep community discussion in our communities around this issue and show support for those affected in our community.

#### **DISCUSSION:**

- Clr Chapple said as a Council we need to take a stand and do more locally to lead by example. She said there are good awareness projects to be involved with and we need to enable community events to happen.
- Clr Drummond said that 1st May this year was National Domestic Violence Remembrance Day and that it would be good to focus on that date next year as an activity in our community.
- Clr Wright and Cl Johnstone indicated their full support of the motion, noting that this is a moment in time for the Council to be responsive.

#### **COUNCIL DECISION:**

**05/24.9.3.360**

Moved: Clr Chapple / Seconded: Clr Drummond

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

1. Develop and issue a formal statement that Break O’Day Council will not tolerate violence against women within the organisation or community.
2. Consider creating and implementing a physical talking point, like the ‘red bench project’ that aims to raise public awareness about violence against women
3. Facilitate a community event in St Helens and the Fingal Valley that provides the opportunity for the community to come together and show their support for ending violence against women.

**CARRIED UNANIMOUSLY**

## **05/24.10.0 COUNCILLOR’S QUESTIONS ON NOTICE**

Nil.

## **05/24.11.0 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.*

### **05/24.11.1 Waste Transfer Station, Mulch Treatment – Cllr Drummond**

Are we able to obtain a costing for any machinery and other materials/labour that might be required to increase the temperature of the mulch, so as to make it a weed free compost/mulch that we are providing to the community?

**Reply:**

The green waste shredding process generates shredded material that reaches temperatures exceeding the necessary level to effectively destroy weeds, seeds and propagating roots. The Council stockpiles this shredded green waste for three months, allowing it to decompose into coarse-grade humus and cool before sale. The resulting material is weed-free. However, since it’s organic, weed seeds from other sources may still grow. To accelerate decomposition and reduce the holding time to under 12 weeks, specialised turning machinery and air injection equipment are required. After initial searching of the internet for equipment that may be suitable, it would be expected that plant investment would be in the order of \$150,000 with minimal ongoing operational costs.



My questions are in relation to and about the recent road side cutting of mature, establish and young trees and bushes in Falmouth. The cutting was rough and inconsistent at best. I have had a number of telephone calls and conversations with Falmouth residents. Many residents are concerned and upset, explaining that the tree and plant lined roads that make Falmouth the village it is, had been harmed. One resident in tears said they had nurtured and cared for two of the damaged trees for 40 years. Some residents noted that the Council facilitates township plans which residents participate in, in good faith. They then went on to say that no resident had asked for the roadside vegetation to be slashed the way it had been during the week of 13 May 2024.

Residents also asked why they hadn't been consulted and why they hadn't been informed that the slashing/cutting of the roadside vegetation was going to happen. And finally a number of members of the community informed me that a tourist towing a caravan on a narrow gravel road in Falmouth damaged their caravan and their insurance company was threatening to seek damages from the Council. Residents are understandably upset and bewildered by the above.

My questions without notice are:

- a. Why was there slashing/cutting of the roadside vegetation in Falmouth in the week of 13 May 2024?

**Reply:**

The vegetation maintenance works were scheduled amongst other priorities and contractor availability.

- b. Why were the Falmouth residents not consulted about the slashing/cutting of the roadside vegetation in the week of 13 May 2024? Many residents have nurtured and cared for these trees and plants and in a number of cases for many years.

**Reply:**

These were routine vegetation maintenance works and are periodic in nature. Council does not consult the community on routine maintenance works. Council has been undertaking this type of work within the reservation over many years and it is undertaken around the same time in a given year, unless excessive growth requires additional maintenance.

- c. Why were the Falmouth residents not informed about the slashing of the roadside vegetation in the week of 13 May 2024?

**Reply:**

Council undertakes this type of activity as described in the response to question b above as part of its ongoing maintenance program.

- d. Why wasn't the slashing/cutting of the roadside vegetation in Falmouth communicated via Council's Facebook page and the Council newsletter?

**Reply:**

The question is noted and consideration can be given to advising residents on social media.

- e. Why was the slashing/cutting of the roadside vegetation in Falmouth random? It varied from one road to another and from one verge to another.

**Reply:**

Each roadside verge has its individual characteristic which result in variations in the maintenance.

- f. Is there a standard for the cutting of roadside vegetation and if so did Council have this as an expectation for the contractors or Council work team?

**Reply:**

Council engages qualified and experienced contractors to trim vegetation and undertake road-side slashing.

## 05/24.12.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

### 05/24.12.1 Mayor's Communications for Period Ending 20 May 2024

18.04.2024	<b>St Helens</b>	– Meeting with Ms Jane Howlett MP
30.04.2024	<b>St Helens</b>	– Special Committee of Council – Bendigo Bank Community Stadium Committee Meeting
01.05.2024	<b>Launceston</b>	– Local Government Association Tasmania -General Management Committee meeting
06.05.2024	<b>St Helens</b>	– Council Workshop
06.05.2024	<b>Hobart</b>	– Traffic Management Association of Australia Board Dinner
07.05.2024	<b>Hobart</b>	– Meeting with the Mr Felix Ellis MP
08.05.2024	<b>MS Teams</b>	– Tasmania Audit Office – Local Government Client Information Session
08.05.2024	<b>Hobart</b>	– Meeting with Mr David O'Byrne MP
09.05.2024	<b>St Helens</b>	– Meeting with Ms Tabatha Badger MP
09.05.2024	<b>St Helens</b>	– Meeting with the Mr Nick Duigan MP
10.05.2024	<b>St Helens</b>	– Meeting with Premier Jeremy Rockliff
13.05.2024	<b>St Helens</b>	– Meeting with member of public Jason Unwin
14.05.2024	<b>St Helens</b>	– Special Council Workshop
14.05.2024	<b>St Helens</b>	– Meeting with member of public Andrew Burns
14.05.2024	<b>St Helens</b>	– Attended the Break O'Day Volunteer Film Festival
15.05.2024	<b>St Helens</b>	– Meeting with the Georges Bay Sailing Club
17.05.2024	<b>St Helens</b>	– St Helens Bowls Club Presentation dinner
20.05.2024	<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.*

Break O'Day Chamber of Commerce and Tourism – Deputy Mayor Kristi Chapple

- Details to businesses about Regional Tech Hub – they can assist businesses with training and education, equipment selection, poor internet access etc
- Visitor map is nearly ready for another print run
- Encourage people to vote for Binalong Bay – Top Tourism town
- Able to source a representative from Chamber of Commerce to fill Bendigo Bank Stadium Committee vacancy
- Gave Council update and fielded questions including update on sealing of Ansons Bay Road and current status of the LPS
- Presentation from St Helens History Rooms and Visitor Information Centre which was very informative

NRM Special Committee – Clr Janet Drummond

- There hasn't been a meeting but the next one is scheduled for 14 June 2024.

East Coast Tasmania Tourism (ECTT) – Clr Barry LeFevre

- There will be a two-day meeting next Wednesday and Thursday at Bicheno.

Mental Health Action Group – Clr Barry LeFevre

- Will attend an event at Fingal on Thursday.

Access and Inclusion Advisory Committee – Clr Janet Drummond

- There will be a meeting on 29 May meeting, will take draft policy review to the committee before community consultation.

Bay of Fires Master Plan Steering Committee – Clr Ian Carter

- A meeting was held on 8 May.
- The tender brief was reviewed and the original tenderer will be provided with the brief.
- Have extended study of the Bay of Fires to include up to Deep Creek.
- Have received information from Grace Keath (East Coast Tourism) to be included in the brief in support of the venture.

**05/24.13.0 BUSINESS AND CORPORATE SERVICES**

**05/24.13.1 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 on activities of the Business and Corporate Service Department since the previous Council Meeting.

**DISCUSSION:**

The Corporate Services Coordinator advised that she has been away and hence the investment schedule is not included in the report. The investment program has been started for the 2024/25 financial year and investments are rolling over. A full report will be provided next month.

**COUNCIL DECISION:**

**05/24.13.1.361** Moved: Clr LeFevre / Seconded: Clr Drummond

That the report be received.

**CARRIED UNANIMOUSLY**

**05/24.13.2 Monthly Financial Report**

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

That the following reports for the month ending 30 April 2024 be received:

1. Profit and Loss Statements
2. Balance Sheet
3. Statement of Cash Flows
4. Capital Works 2023-2024

**INTRODUCTION:**

Presented to Council are the monthly financial statements.

**DISCUSSION:**

Nil

**COUNCIL DECISION:**

**05/24.13.2.362** Moved: Clr Chapple / Seconded: Clr LeFevre

That the following reports for the month ending 30 April 2024 be received:

1. Profit and Loss Statements
2. Balance Sheet
3. Statement of Cash Flows
4. Capital Works 2023-2024

**CARRIED UNANIMOUSLY**

**05/24.13.3** **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 on the activities and services the delivered by the Visitor Information Centre and History Room.

**DISCUSSION:**

Nil

**COUNCIL DECISION:**

**05/24.13.3.363** Moved: Clr Barnes / Seconded: Clr Chapple

That the report be received.

**CARRIED UNANIMOUSLY**

## 05/24.13.4 Review of Council Delegations

FILE REFERENCE	014\002\010\
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### OFFICER'S RECOMMENDATION:

That having conducted a review of Council's Delegations Register in accordance with Section 22 of the *Local Government Act 1993*, the Council adopt the updated Delegations Register dated February 2024.

### INTRODUCTION:

The aim of the report is to provide Council with an updated Break O'Day Council Delegations Register following the annual review as required under the *Local Government Act 1993*.

### DISCUSSION:

The Corporate Services Coordinator advised that the delegations are for operational purposes which allow officers to undertake their required duties in accordance with relevant legislation.

### COUNCIL DECISION:

**05/24.13.4.364**                      Moved: Clr Barnes / Seconded: Clr Wright

That having conducted a review of Council's Delegations Register in accordance with Section 22 of the *Local Government Act 1993*, the Council adopt the updated Delegations Register dated February 2024.

**CARRIED UNANIMOUSLY**

## 05/24.13.5 Audit Panel Minutes

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

That Council receive the minutes of the Audit Panel meeting of the 18 March 2024.

### INTRODUCTION:

The Council Audit Panel meets every three months and the minutes of each meeting are provided to Council.

### DISCUSSION:

Nil.

**COUNCIL DECISION:**

**05/24.13.5.365** Moved: Clr Wright / Seconded: Clr Chapple

That Council receive the minutes of the Audit Panel meeting of the 18 March 2024.

**CARRIED UNANIMOUSLY**

**05/24.14.0 WORKS AND INFRASTRUCTURE**

**05/24.14.1 Works and Infrastructure Report**

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

That the report be received by Council.

**INTRODUCTION:**

This report provides summary detail relating to Works Operations and Capital Projects for the reporting period April 2024.

**DISCUSSION:**

The Manager Infrastructure and Development Services advised that:

- There has been a minor delay in finishing off the junction works on the intersection of Georges Bay Esplanade and Cecilia Street. Council is waiting on the Department of State Growth to do work on the southern traffic lane; Council is working to get this resolved.
- There has been a minor contract delay with the construction of the roundabout at Medea and Circassian Streets. The program has been deferred to June/July which means it will be a month late.
- There was an issue on 7 May at the Ansons Bay Waste Transfer Station where green waste was burnt without approval and without permits in place. The Ansons Bay Fire Brigade was involved. The issue is being investigated.
- There are a couple of speed limit proposals at Ansons Bay which will come before Council. The first involves the 40kph speed zones in Ansons Bay.
- Since the sealing of Ansons Bay Road from the junction into the town, by default the speed limit should increase to 100kph. This will need to be reviewed and Council will need to seek approval from the Transport Commissioner to have this modified.

**COUNCIL DECISION:**

**05/24.14.1.366** Moved: Clr Chapple / Seconded: Clr LeFevre

That the report be received by Council.

**CARRIED UNANIMOUSLY**

**05/24.14.2            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:**

Nil

**COUNCIL DECISION:**

**05/24.14.2.367**                      Moved: Clr Wright / Seconded: Clr Carter

That the report be received by Council.

**CARRIED UNANIMOUSLY**

**05/24.14.3            Waster Transfer Station –Motor oil disposal charge**

<b>FILE REFERENCE</b>	033\030\005\
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**OFFICER’S RECOMMENDATION:**

That Council adopt a Waste Transfer Station (WTS) fee for motor oil disposal.

**INTRODUCTION:**

The purpose of this report is to notify Council that as of 1 January 2024, waste motor oil will incur a fee from the processor.

**DISCUSSION:**

The Manager Infrastructure and Development Services advised that previously the disposal of waste motor oil was free. The oil contractor has now indicated there is a disposal fee of \$1.25 per litre including GST. This cost was missed in the fees and charges review.

**COUNCIL DECISION:**



05/24.14.3.368

Moved: Clr Wright / Seconded: Clr Oldham

That Council adopt a Waste Transfer Station (WTS) fee for motor oil disposal.

**CARRIED UNANIMOUSLY**

## 05/24.15.0 COMMUNITY DEVELOPMENT

### 05/24.15.1 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 activities which are being dealt with by the Community Services Department.

#### DISCUSSION:

The Manager Community Services advised:

- Council held a recent discussion with Reconciliation Tasmania. Council is waiting on a revised fee schedule following changes in the fee structure.
- The Scamander/Beaumaris survey has closed and a report will come before Council at the June workshop regarding the outcomes for Beaumaris park and the outdoor gym equipment at Scamander.
- Thank you to all who attended the recent volunteer film event at Easy Tiger to acknowledge the community's volunteers and their work.
  
- Clr Carter noted important forums during the last month which included the LGBTIQA+ and disability forum which took place on 18 April which Council officers helped coordinate. He hopes that Council can encourage this forum to continue on an annual basis which would help the community understand the complexity of the issues. The community garden event was extremely well attended and extremely well-run. The youth collective meeting aims to ensure there is support for youth into the future and hopes this would continue into the future and be supported. The volunteer film festival was an amazing event and was very much appreciated by the volunteer community.
  
- Clr Johnstone and Clr Drummond also congratulated and thanked Council officers for their input and effort towards the volunteer film festival.

- Clr Barnes advised that the Fingal Valley Neighbourhood House have identified that the youth projects are really important. At the last board meeting, \$25,000 was allocated from their budget to support programs until the end of the year. Brian Mitchell MP will attend in June to talk about youth programs and possible funding from the Australian Government. Bendigo Bank has been approached regarding sponsorship, awaiting response.
- Clr Johnstone asked if there is a role for Council/Councillors to set up regular meetings with youth. The Manager Community Services advised that ongoing conversations are occurring with the Neighbourhood Houses.
- Clr Drummond explained the youth collective meeting is open to anyone who wants to attend and is a good way to engage in the youth space. On 21 May there is the “31 ways to sing your blues away” project funded by various mental health organisations, 31 short movies have been made and this is being launched at the Falmouth Community Centre from 4pm - 6pm.

**COUNCIL DECISION:**

**05/24.15.1.369**

Moved: Clr Johnstone / Seconded: Clr Barnes

That the report be received.

**CARRIED UNANIMOUSLY**

**05/24.15.2**

**RV Camping - Fingal**

<b>FILE REFERENCE</b>	004\010\001\
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**OFFICER’S RECOMMENDATION:**

1. That Council consider relocating the RV caravan parking currently located within the Fingal Park area to the Fingal Recreation Ground; and
2. That Council engage with the Fingal Community to relocate the RV Caravan camping to the Fingal Recreation Ground and seek their comments on the proposed relocation.

**INTRODUCTION:**

As part of the planning for the Fingal Youth Recreation Hub, the landscape architect engaged by Council to design the space, has identified a risk with the RV caravan parking and users of the Fingal Park space.

**DISCUSSION:**

- The Manager Community Services spoke of new legislation which came into effect on 1 January 2024 and our requirement to be mindful of the child and youth safeguarding

requirements. This has raised the issue of camping in young people’s spaces following the setting up of the youth park at Fingal. People currently camp at Fingal Park and Council is being asked to consider changing the area for free camping to the Fingal Recreation Ground. Community consultation will occur however it’s important to note that Council does have obligations under the legislation.

- Clr Drummond, Clr Johnstone and Clr Barnes indicated their support for the recommendation noting it was a good use of space and a great way to resolve the issue. Clr Barnes said it is important that the community engagement includes the larger use of the recreation space at the recreation ground.
- Clr Wright asked if the amenities at the recreation ground will be increased. The Manager Community Services said there is one toilet short.

**COUNCIL DECISION:**

**05/24.15.2.370**                      Moved: Clr Barnes / Seconded: Clr Chapple

1. That Council consider relocating the RV caravan parking currently located within the Fingal Park area to the Fingal Recreation Ground; and
2. That Council engage with the Fingal Community to relocate the RV Caravan camping to the Fingal Recreation Ground and seek their comments on the proposed relocation.

**CARRIED UNANIMOUSLY**

*The meeting adjourned at 10.55am for a citizenship ceremony and morning tea.  
The meeting recommenced at 11.25am.*

*Clr Barnes declared an interest in the following item and left the meeting at 11:27am.*

**05/24.15.3 Neighbourhood Houses Tasmania 2024 Conference – Request for Support**

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

That Council consider the request to provide financial support to Neighbourhood House Tasmania (NHT) to assist in the running of the 2024 conference being held in St Helens in the sum of \$5,000.

**INTRODUCTION:**

Council has received a letter from NHT seeking financial assistance with the running of their annual conference which is being held in St Helens this year.

## DISCUSSION:

- The Manager Community Services advised that Neighbourhood House Tasmania are holding a conference together with St Helens Neighbourhood House and the Fingal Valley Neighbourhood House in St Helens during 18 – 20 September 2024. Council has been asked to provide some funding towards the event. The event will draw many visitors to the area and there is opportunity for the community and Councillors to attend the conference. Council is being asked to provide in-kind and financial support at a total value of \$5,000.
- Clr Wright and Clr Carter indicated their support of the event and the funding proposal.
- Clr Johnstone noted the conference was mainly for Neighbourhood House staff and that the community could attend if they wished to pay the \$495 per person registration fee which means it will be out of reach for some members of the community. The Manager Community Services said that one of the events is a community garden day which is open to the community at no cost and there will be trade stalls which people can attend free of charge. The event will showcase what the Neighbourhood Houses do. The \$495 is for the full package and there are other packages also available which are cheaper.
- Clr Drummond said she supported the recommendation and asked about the four non-member tickets available to the Council and whether these would go to community members or Council staff. Regarding Council's invitation to be part of the proceedings, Clr Drummond asked at what level the Councillors would be involved and if Councillors would be required to pay \$495 to attend.
- The Manager Community Services said that the four tickets could be made available to community members or to Councillors. She advised that Council staff are on the planning committee.
- The Mayor said he will open happily open the conference, as asked, subject to his availability.

## COUNCIL DECISION:

**05/24.15.3.371**

Moved: Clr Wright / Seconded: Clr Carter

That Council provide financial support to Neighbourhood House Tasmania (NHT) to assist in the running of the 2024 conference being held in St Helens in the sum of \$5,000.

**CARRIED UNANIMOUSLY**

*Clr Barnes re-entered the meeting at 11.32am.*

*Clr LeFevre declared a potential interest in the next item and left the meeting at 11.32am.*

## 05/24.15.4 Bay of Fires Winter Arts Festival – Funding

FILE REFERENCE	018\019\001\
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### OFFICER'S RECOMMENDATION:

That Council do not re-allocate the \$4,000 from the 2023 – 2024 budget, which was initially allocated for the Bay of Fires Winter Arts Market, to the Bay of Fires Winter Arts Festival, as the market will not be taking place this year.

### INTRODUCTION:

Council has received a letter from the Bay of Fires Winter Arts Festival committee advising that the market will not be held this year.

### DISCUSSION:

The Manager Community Services noted that this item had been discussed at the Council workshop and it was now before Council for a decision on which way they wanted to go.

- Clr Wright indicated there is some validity to the request.
- Clr Drummond said having access to full details before the workshop would have assisted.
- Clr Drummond and Clr Chapple said the committee needs to be clear about what their funding request relates to, particularly so for future applications.
- Clr Carter said an overarching body of the arts would be useful to assist when specific submissions come to Council.

Clr Wright foreshadowed a motion to provide \$4,000 to the Bay of Fires Winter Arts Festival rather than the arts market.

### COUNCIL DECISION:

**05/24.15.4.372**

Moved: Clr Johnstone / Seconded: Clr Chapple

That Council do not re-allocate the \$4,000 from the 2023 – 2024 budget, which was initially allocated for the Bay of Fires Winter Arts Market, to the Bay of Fires Winter Arts Festival, as the market will not be taking place this year.

**FOR:** Clr Carter, Clr Chapple, Clr Johnstone

**AGAINST:** Clr Barnes, Clr Wright, Clr Drummond, Clr Oldham, Mayor Tucker

**LOST**

**05/24.15.4.373**      Moved: Clr Wright / Seconded Clr Drummond

That Council allocate \$4,000 from the 2023/24 budget to the Bay of Fires Winter Arts Festival to support the activities of the 2024 festival.

**FOR:** Clr Barnes, Clr Wright, Clr Drummond, Clr Oldham, Clr Johnstone, Mayor Tucker

**AGAINST:** Clr Chapple

**ABSTAIN:** Clr Carter

**CARRIED**

*Clr LeFevre re-entered the meeting at 11:40am.*

**05/24.16.0**      **DEVELOPMENT SERVICES**

**05/24.16.1**      **Development Services Report**

<b>FILE REFERENCE</b>	031\013\003\
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**OFFICER'S RECOMMENDATION:**

That the report be received.

**INTRODUCTION:**

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

**DISCUSSION:**

The General Manager provided an apology from the Development Services Coordinator who was unable to attend the meeting.

The General Manager advised:

- Planning activity levels are slightly lower than previous years.
- Council officers are progressing a number of strategic land use planning activities.
- A number of capital works projects have been completed. The larger ones include the Black Summer bushfire projects which are progressing and nearing completion.
- Clr Drummond asked about the new evacuation centre and exhibition hall at St Marys and if there is a timeframe for when the engineer reports will come back to Council for consideration. The General Manager advised he anticipates the report will be received in the next week or so and that the report will come back to Councillors for consideration.

**COUNCIL DECISION:**

**05/24.16.1.374** Moved: Clr Barnes/ Seconded: Clr Wright

That the report be received.

**CARRIED UNANIMOUSLY**

**05/24.16.2** **Final Report - Lower George Floodplain Avulsion Impact Assessment**

<b>FILE REFERENCE</b>	016\012\003\
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**OFFICER’S RECOMMENDATION:**

That Council receive the end of project report for the Lower George Floodplain Avulsion Impact Assessment, investigating risks and management of the George River breaking out into new channels over the George River floodplain.

**INTRODUCTION:**

This grant funded project to assess socioeconomic consequences of the George River breaking-out of its channel and forming new channels over the floodplain (avulsion) has produced its final report.

**DISCUSSION:**

- The NRM Facilitator advised there were not a lot of changes to the draft following Council’s review. Some comments were added regarding the removal of willows and replacement with native vegetation.
- Councillors overall felt it was a well written, easy to follow report giving clear direction which will enable Council to make grant funding applications and work with the farmers and the community.

**COUNCIL DECISION:**

**05/24.16.2.375** Moved: Clr LeFevre/ Seconded: Clr Johnston

That Council receive the end of project report for the Lower George Floodplain Avulsion Impact Assessment, investigating risks and management of the George River breaking out into new channels over the George River floodplain.

**CARRIED UNANIMOUSLY**

FILE REFERENCE	004\018\005\
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**OFFICER'S RECOMMENDATION:**

That Council:

1. Proceed Community Consultation with three suggested site locations.
2. Allocate \$70, 000 in the 2024/2025 Capital works budget for demolition of the existing structure and installation of new.

**INTRODUCTION:**

The existing BBQ Shelter at Binalong Bay Village Green is no longer fit for purpose and requires demolition. Council officers have explored options for its replacement.

**DISCUSSION:**

The General Manager advised the barbeque shelter at Binalong Bay requires replacement due to the poor condition of the current facility and the location within a depression which is prone to flooding. The site has been examined by Council officers who have identified three location options for the replacement shelter. There are advantages and disadvantages of all three options. The Binalong Bay Foreshore Master Plan has been taken into consideration. Community engagement will take place regarding the location options. A budget allocation will need to be made. The intent will be for the new structure to be in place for next summer.

**COUNCIL DECISION:**

**05/24.16.3.376**

Moved: Clr LeFevre / Seconded: Clr Wright

That Council:

1. Proceed Community Consultation with three suggested site locations.
2. Allocate \$70, 000 in the 2024/2025 Capital works budget for demolition of the existing structure and installation of new.

**CARRIED UNANIMOUSLY**



**05/24.17.0 GOVERNANCE**

**05/24.17.1 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 matters which are being dealt with by the General Manager and with other Council Officers where required.

**DISCUSSION:**

The General Manager advised:

- The volunteer festival event was a wonderful inspiring event, very well received by the community and thanked the groups who took the time to make the films and to Council staff for organising.
- Council has provided feedback to the Department of State Growth regarding the Tasman Highway Corridor Strategy. The General Manager said he found the questions in the survey to be quite generic and has suggested to the Department that Council be able to look at their draft for the St Marys Pass engagement plan before it is implemented.

Clr Drummond asked what the meetings with Jason Unwin and the Georges Bay Sailing Club were about. The General Manager advised that Jason Unwin is the owner of Easy Tiger Cinema who provided an update about plans for the site. The Georges Bay Sailing Club are looking at their options for where the club will be located.

**COUNCIL DECISION:**

**05/24.17.1.377** Moved: Clr Drummond/ Seconded: Clr Wright

That the General Manager's report be received.

**CARRIED UNANIMOUSLY**

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

For discussion and consideration.

**INTRODUCTION:**

The Call for Motions has been advertised for the General Meeting of the Association to be held on Wednesday 4 September 2024.

**DISCUSSION:**

- The General Manager advised this is Council’s opportunity to put forward notice of motions for future LGAT meetings. The closing date for notice of motions is on 7 June.
- Cllr Drummond said she would like to consider housing as there is a shortage of rentals and accommodation for workers in the area. Emergency accommodation is an issue particularly for homeless families who have children. Funding opportunities are offered by the Tasmanian and Australian governments and this could be a point of focus for the new Economic Development Officer.
- The Scottsdale facility recently opened and includes 12 tiny homes and is located on private land. This could be a model for workers and emergency accommodation.
- The Mayor advised that LGAT is working hard to get the infrastructure contribution charge introduced, and that dramatic changes are required in rezoning. Many people have land banks and are reluctant to develop because of the costs.
- The General Manager advised the East Coast Strategic Regional Partnership includes examination of the housing situation and makes recommendations to progress worker and other forms of accommodation. This is something Council has long advocated for at the State level. Council continues to advocate for the State Government to continue to build affordable housing. The Fingal housing project is part of Council’s action. Council will continue to establish strategic partnership to unlock land and create housing opportunities. The nature and extent of need analysis is required for business case development and to seek funding through national housing initiative strategies. Regarding the old St Helens hospital site being used for housing, the challenge is finding a service provider in remote areas such as Break O’Day to manage the facility.
- The Mayor suggested that Councillors email Jayne Richardson should they wish to put forward a Notice of Motion on the matter.
- This item is for discussion and consideration, and the Mayor advised that a decision and voting is not required.

FILE REFERENCE	002\036\002\
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**OFFICER'S RECOMMENDATION:**

That Council receive the Review as at 31 March 2024 of the 2023-2024 Break O'Day Council Annual Plan.

**INTRODUCTION:**

Council's management team prepared the 2023 – 2024 Annual Plan based on discussions, which occurred through Council workshops and the normal budget/planning process. The Annual Plan was prepared to take into account broader factors which are impacting Council; and reflecting continuity of existing projects, and activities where this exists.

**DISCUSSION:**

- The General Manager said that 67% of activities have been completed versus a target of 75%. Some areas of variation relate to external influences. Regarding population there is a delay due to the Strategic Regional Partnership. The General Manager recently met with demographer Lisa Denny regarding updating the information for Break O'Day and to provide more in-depth housing, health and education information in her written report which will provide the latest population projections. Treasury have released their updated projections for local government areas and this will be included in the report for the next Council meeting.
- Clr Wright asked about the aquatic centre feasibility in which the original quote was \$40,000 and is now \$90,000. The General Manager explained the initial allocation was \$40,000 and that extra funds totalling \$50,000 were added in the last budget following a staged approach. The committee is assessing this and will report back to Council.
- Clr Drummond asked where the affordable housing projects that are being pursued at St Marys are located. The General Manager advised the location is at the back of the St Marys Community Health Centresite at the back of the Catholic Church was raised with Homes Tasmania but a response has not been received. Another potential location was on the corner of Cameron and Main streets.
- Clr Drummond asked for an update on the proposed St Marys Pass roadworks. The General Manager advised that the Department of State Growth has appointed a consultant and a draft communication engagement strategy has been prepared; Council has offered to support the Department in developing a process to effectively engage the community.
- Clr Drummond asked if the issue of waste education through social media could be promoted specifically regarding the placement of wheelie bins so they do not obstruct people's access, particularly to wheel chair users. Clr Wright, Clr Carter and the Mayor agreed the issue needs to be addressed. The General Manager said focus will be given to this to help change community habits.
- Clr Drummond asked about the professional development for the Land Use Planning module. She suggested that the emails should provide a link which take users directly to the learning site; the General Manager said this feedback will be conveyed. The latest module is

available for completion and assistance is available for anyone that needs it by contacting Jayne Richardson. The next module will be financial and asset management.

- Clr Carter asked if the Scamander Coastal Hazard and Flood Management issues could be progressed. The General Manager advised that the NRM Facilitator has prioritised this and will re-focus on this noting that other issues such as the dog management policy and Georges Bay avulsion project have recently taken up a lot of time.

#### **COUNCIL DECISION:**

**05/24.17.3.378**

Moved: Clr LeFevre / Seconded: Clr Barnes

That Council receive the Review as at 31 March 2024 of the 2023-2024 Break O’Day Council Annual Plan.

**CARRIED UNANIMOUSLY**

**05/24.17.4**

#### **Inquiry into Local Government Sustainability**

<b>FILE REFERENCE</b>	002\012\001\
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#### **OFFICER’S RECOMMENDATION:**

That Council make a submission to the Inquiry in relation to local government sustainability.

#### **INTRODUCTION:**

The Federal Government has recently announced an inquiry which will focus on local government sustainability.

#### **DISCUSSION:**

- The General Manager said the Terms of Reference are relatively broad and he has considered some points relevant to Break O’Day to put forward a submission. This is a high level approach to Local Government sustainability and includes financial assistance grants.
- Clr Drummond asked what the status is of the Local Government review at the State level. The General Manager advised that submissions closed at the end of February, and that this requires a budget allocation which will be in September when the State budget is handed down.
- Clr Carter and the Mayor stressed the importance of this document and the requirement for Council to put in a submission.

#### **COUNCIL DECISION:**

**05/24.17.4.379**

Moved: Clr LeFevre / Seconded: Clr Carter

That Council make a submission to the Inquiry in relation to local government sustainability.

**CARRIED UNANIMOUSLY**

# IN CONFIDENCE

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

Moved: Clr Chapple / Seconded: Clr Barnes

**CARRIED UNANIMOUSLY**

**05/24.18.0          CLOSED COUNCIL**

**05/24.18.1          Confirmation of Closed Council Minutes – Council Meeting 15 April 2024**

**05/24.18.2          Outstanding Actions List for Closed Council**

**05/24.18.3          Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015 - Project Scoping - Construction of New Indoor & Evacuation Centre**

**05/24.18.4          Closed Council Item Pursuant to Section 15(2)A of the Local Government (Meeting Procedures) Regulations 2015 – General Manager’s Contract**

**05/24.19.0          MEETING CLOSED**