

COUNCIL MEETING MINUTES

Monday 16 September 2024 Council Chambers, St Helens

> John Brown, General Manager Break O'Day Council 16 September 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.

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09/24.1.0 ATTENDANCE

09/24.1.1 Present

Mayor Mick Tucker
Deputy Mayor Kristi Chapple
Councillor Gary Barnes
Councillor Janet Drummond
Councillor Liz Johnstone
Councillor Barry LeFevre
Councillor Vaughan Oldham
Councillor Kylie Wright

09/24.1.2 Apologies

Councillor Ian Carter

09/24.1.3 Leave of Absence

Nil

09/24.1.4 Staff in Attendance

General Manager, John Brown Corporate Services Coordinator, Ange Matthews Manager Infrastructure and Development Services, David Jolly (Item 1.0-18.6) Manager Community Services, Chris Hughes (Item 1.0-11.1/14.3-18.6) Executive Officer, Jayne Richardson (Item 1.0-18.6) Business Services Manager, Raoul Harper (Item 1.0-14.1/14.3-16.1/16.2-18.6) Development Services Coordinator, Jake Ihnen (Item 1.0-17.2) Governance Officer, Molli Brown (Item 1.0-9.0) NRM Facilitator, Polly Buchhorn (Item 13.3-17.1)

09/24.2.0 PUBLIC QUESTION TIME

Six (6) 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.

09/24.2.1 Upgrade to outer line lane markings along St Helens and Scamander - Simon Jacob Mars

I would like to request that the council upgrade the urgency of outer line, lane markings being painted along the stretch of road between St Helens and Scamander. Although sections of that road are no doubt earmarked to be upgraded, in the interim, it would make transport much easier and safer at night, if such markings existed.

The problem of no outer lane markings is exacerbated by the high number of 4x4 vehicles in St Helens and surrounds. When driving a smaller, standard size vehicle, an oncoming 4x4 has a similar effect of a car driving with high beam lights on; it has a near blinding effect on the smaller vehicle. Outside line markings allow for drivers to see the road definitions more clearly while not having to stare in the direction of the oncoming vehicle's lights, in the middle of the road.

Additionally, this year's frequent bouts of heavy rain periods, has meant that there have been more impediments to clear sight on the roads at night.

I'd like to table this request in the Council Meeting so a public record of it is made.

Reply

As the Tasman Highway is a State Road, we will forward your request to the Department of State Growth for their attention.

09/24.2.2 Fingal Park – Mr I Carline, Fingal

I want to know who or what gives you the right to go ahead with such an unconscionable act such as putting a pump track here in the beautiful, tranquil valley of Fingal. We came back here to retire we feel that our peace and quiet is going to be destroyed because of this proposal.

Reply

Fingal Park is already a recreational area used by youth and children and already has facilities for this age group including a playground and Early Years bike track. The addition of a pumptrack will offer another form of recreation for the youth and children of Fingal as well as visitors to the area. The upgrade will consolidate the look and feel of the park and enhance the space as a focal point and valued asset in the heart of the Fingal township.

09/24.2.3 Environmental Impact Study - Fingal Park – Mr P Veress, Fingal

Redevelopment of Fingal Park and Recreation Grounds – This will require an environmental impact study to be carried out to cover a rigorous assessment against the relevant legislation, regulations and standards regarding:

- Noise pollution
- Evaluation of cost effectiveness

Has Council carried this out and if so, where are the results available for viewing?

Reply

There is no requirement under the current Scheme for a Planning Application to be lodged or ecological assessments to be undertaken. However, concerns raised by two residents regarding asbestos contamination led Council to have the soil at Fingal Park tested. The report received on 19 September 2024 advised "No asbestos found, at the reporting limit of 0.1g/kg, by polarized light microscopy including dispersion staining".

Noise Pollution: As part of the design work undertaken, noise from additional activities being carried out in the park area was raised by the community and considered by Council Officers. This resulted in additional plantings being included as part of the project to act as screening and mitigate noise

Evaluation of cost effectiveness: The project went through a tender process

09/24.2.4 Fingal Park – Mrs V Carline, Fingal

The reasons for moving the RV site is supposedly for the safety of children. Then why are you proposing to build a pump track to draw children to it in Fingal, don't they matter??

And why hasn't the RV been moved yet, its been over 12 months since the act came in and if our home is devalued because of this crazy idea then you will foot the bill.

Reply

The Child and Youth Safe Organisations Act 2023 came into place on the 1 January, 2024.

The decision to move the RV Park from its existing location required a formal Council decision at a Council Meeting. This occurred at the May 2024 Meeting. Council sent a letter and fact sheet to all adjoining property owners outlining why this change was occurring on 17 July 2024.

09/24.2.5 Open Space Facility Provision – Mr S Krupski, Fingal

According to Break O'Day Open Space Management and Development Guidelines carried out by the City Council in February 2023:

Fingal Park at 17a Talbot Street Open Space Inventory Statement:

Under HIERACHY it is specified as "LOCAL"

Under FACILITY PROVISION (page 5) it is clearly stated:

"SKATE/BMX/BIKE FACILITY" "NOT SUITABLE"

Which is perfectly understandable.

What explanation does Council have for breaking their own Open Space and Management Development Guidelines?

Reply

The Open Space Development Guidelines are just that, guidelines. Regarding Facility provision the document states; "The following table provides guidance for the type of facilities which may be considered for public open space based on the hierarchy. It is not intended that all facilities listed in these guidelines will be placed in each of these spaces, the purpose is to guide what may be suitable."

09/24.2.6 Future Plans for the Fingal Township – Mr S Krupski, Fingal

Plans to develop a Youth Park with equipment which is specifically designed for young people is an "unconscionable act". It discriminates against other age groups in the community and contravenes discrimination laws to protect older people from unfair treatment.

What plans do Council have to accommodate the needs of most of the residents who are not "Youth"?

Reply

The Fingal Park is a community park and provides a range of facilities and activities for a range of age groups. Aside from the existing play equipment, the park also features exercise equipment as well as seating and BBQ facilities to allow community gathering. The redevelopment of the Park also includes the refurbishment of BBQ and seating as well as highlighting the historic importance of the 'stack'.

09/24.2.7 Future Plans for Tourist Destination – Mr S Krupski, Fingal

The extensive and successful government advertising Australia wide promoting Tasmania

"TO REDISCOVER TASMANIA"

is attracting many tourists. To accommodate the influx of tourists:

Launceston airport has been redeveloped" New ferries are on the way.

Fingal is on the main road to the East Coast. This creates many different opportunities for the township.

What plans does Council have to make Fingal attractive to newcomers, tourists and to businesses?

Reply

By redeveloping Fingal Park and providing additional facilities we are also providing additional reasons for people to stop in Fingal.

Council has invested considerable funds in improving the streetscape and refurbishing the Old Tasmania Hotel in Fingal. Both these projects aimed to create greater community pride and make the streetscape more welcoming for visitors.

09/24.2.8 Finances – Mr S Krupski, Fingal

All major developments require funding from both local and state governments.

Information has only been received regarding the proposal for the redevelopment of Fingal Town Park into a Youth Park.

No information has been given about the total allocated funding of this "Proposal".

What other locations have been considered for the Youth Park when there are other sites more suitable, cost and use effective?

Reply

Council has been very clear that funding for this project was received through the Black Summer Bush fire Fund which are Federal funds. This funding was only available to the Fingal Valley as the area affected by bushfire and was specifically granted for this project, it cannot be used for anything else. This is the only funding body for the project.

09/24.3.0 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.

Nil.

09/24.4.0 CONFIRMATION OF MINUTES

09/24.4.1 Confirmation of Minutes – Council Meeting 19 August 2024

OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 19 August 2024 be confirmed.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

09/24.4.1.444 Moved: Clr K Wright / Seconded: Clr V Oldham

That the minutes of the Council Meeting held on the 19 August 2024 be confirmed.

CARRIED UNANIMOUSLY

09/24.5.0 COUNCIL WORKSHOPS HELD SINCE 19 AUGUST 2024COUNCIL MEETING

There was a workshop held 2 September 2024 and the following items were listed for discussion.

- Presentation Lisa Denny Break O'Day Population
- Pending Development Application Updates
- Proposed Options for St Marys Exhibition Building
- Binalong Bay BBQ Area Redevelopment
- Revised Dog Management Policy 2024
- Policy Review LG30 Public Interest Disclosure Policy
- Request for Remission of Penalty & Interest Elephant Pass Road Gray
- Animal Control Report
- Waste Compactor Replacement Options & Kerbside Recyclables Collection Service considerations
- Phasing out Problematic Single Use Plastics in Tasmania Discussion Paper
- Northern Tasmania Development Corporation Ltd (NTDC) Receipt of Quarterly Report Apr-Jun 2024
- Council Meeting Minutes Procedures

09/24.6.0 PLANNING AUTHORITY

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

09/24.7.0 COUNCIL MEETING ACTIONS

09/24.7.1 Outstanding Matters

DISCUSSION:

- Clr Drummond asked if there were any updates regarding the Garden area at old hospital. The General Manager advised that we are still waiting to hear from Communities Tas.
- Clr Johnstone asked in relation to the Online Access Centre funding is there any further correspondence with regard to participating in the review. The General Manager advised that we have indicated our desire to participate and we have been advised that they will be in contact with us however we are not aware of what their process is and have not heard anything further at this stage.
- Clr Drummond asked in relation to Dual Naming has this progressed anywhere. The General Manager advised that as mentioned previously this has not progressed due to what is happening with the Reconciliation Action Plan (RAP) as we are looking at a more coordinated approach.

09/24.8.0 **PETITIONS**

09/24.8.1 Fingal Youth Park Redevelopment and Relocation of Fingal RV Park

FILE REFERENCE	002\019\010\
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OFFICER'S RECOMMENDATION:

That Council receive the petition and discuss if any further action is required.

INTRODUCTION:

The petition with accompanying letter was received by registered mail on 27 August 2024 and has 36 signatories.

The petition in full is included following this report.

The petition was proposed by:

- 1. Seweryn Krupski
- 2. Peter McGill
- 3. Ian Carline

The letter (included in this report) was addressed to the General Manager. The main points of the letter were:

- Formal objection to the redevelopment of the Fingal Park to a Fingal Youth Park
- Formal objection to the relocation of the RV park from Fingal Park to the Fingal Recreation Ground
- Request for a discussion with Council around the best way to develop Fingal

The petition requests two things (Wording below is directly quoted from the petition)

- 1. Oppose Council's proposal to develop Fingal Park into a Youth Park
- 2. Use the Government funding to redevelop existing facilities at the Fingal Recreation Ground for multi-use

DISCUSSION:

- Mayor Tucker invited the Petitioners to speak on behalf of their petition. Mr Krupski stated
 that the petition shows how the community feels about this proposal and asked, what are
 we going to do for tourists to create opportunities for businesses etc.
- Mr Krupski also stated that they are very happy to work together on proposals to benefit the everyone and the town.
- Mr Krupski stated that the EV charging and dump point are already located in the area.
- Mr Krupski stated that there are only 10 young people there, there is another location that can be adapted and be usable.

COUNCIL DECISION:

09/24.8.1.445 Moved: Clr J Drummond / Seconded: Clr K Chapple

That Council receive the petition.

CARRIED UNANIMOUSLY

09/24.9.0 NOTICES OF MOTION

Nil

09/24.10.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil

09/24.11.0 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.

09/24.11.1 Fingal Valley Tourism Group – Clr J Drummond

Can we re-invigorate the Valley Tourism group by calling a community meeting?

People have expressed interest IF a meeting is called.

Reply

The General Manager advised that he would need to check with the Manager Community Services with regard to the status of this. It has been run by the community in the past and Council would be more than happy to work with the community to get this running again if there is interest.

The Manager Community Services advised that she would work with Clr Drummond to invite people that Clr Drummond is aware of that would like to be part of the community and work with the Manager Fingal Valley Neighbourhood House to set a meeting date and invite them personally to attend a meeting.

09/24.12.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

09/24.12.1 Mayor's Communications for Period Ending 16 September 2024

23.08.24	Launceston	 Northern Local Government Round Table with Anita Dow MP.
26.08.24	MS Teams	 Local Government Association of Tasmania Meeting.
28.08.24	Scamander	 Probus Meeting.
28.08.24	St Helens	 Meeting with Dr Fox and the General Manager.
16.09.24	St Helens	- Council Meeting.

09/24.12.2 Councillor's Reports for Period Ending 16 September 2024

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

<u>Break O'Day Chamber of Commerce and Tourism – Deputy Mayor Kristi Chapple</u>

- Tuesday 3 September the AGM was held at the Bayside Inn St Helens 6pm
- All positions vacated and then election results as follows
 - President Mathew Lowndes
 - Vice President Sandy Johnson
 - Secretary vacant
 - Treasurer Donna Coulson
 - Executive Member Stuart Muir
- Stuart Muir will continue acting as secretary until this position is filled

NRM Special Committee - Clr Janet Drummond

- Clr Drummond stated that they had a meeting on the 3 September.
- They received a presentation from Glamorgan Spring Bay NRM and Climate Resilient Strategy.
- There was a lot of discussion regarding Skyline Tier project.

<u>East Coast Tasmania Tourism (ECTT) – Clr Barry LeFevre</u>

- Clr LeFevre advised that the next committee meeting for the Positive Impact Plan is scheduled for the 27 September.
- The AGM is scheduled for the 8 October at 2.30-3.30 and then moving onto Scamander Sanctuary for networking and presentations.

Mental Health Action Group – Clr Barry LeFevre

Men Care Too walk around the bay followed by a BBQ on the foreshore is scheduled for the
 21 September.

Access and Inclusion Advisory Committee - Clr Janet Drummond

- Clr Drummond advised that the next meeting is scheduled for the 23 September.

<u>Bay of Fires Master Plan Steering Committee – Clr Ian Carter</u>

No report was provided due to Clr Carter being an apology.

09/24.13.0 BUSINESS AND CORPORATE SERVICES

09/24.13.1 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 on activities of the Business and Corporate Service Department since the previous Council Meeting.

DISCUSSION:

- Clr Drummond stated that the interest rates are still looking good at the moment. The Business Services Manager replied that the rates are dropping but they are still looking ok.

COUNCIL DECISION:

09/24.13.1.446 Moved: Clr K Chapple / Seconded: Clr L Johnstone

That the report be received.

CARRIED UNANIMOUSLY

09/24.13.2 Monthly Financial Report

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

That the following reports for the period ending 31 August 2024 be received:

- 1. Profit and Loss Statements
- 2. Balance Sheet
- 3. Statement of Cash Flows
- 4. Capital Works 2024-2025

INTRODUCTION:

Presented to Council are the monthly financial statements.

DISCUSSION:

- The Manager Business Services stated that the recent storm event will have an impact but we are not sure of the full extent at this stage. Storms have an impact on our operational and capital programs.
- Mayor Tucker thanked the workforce for the work they have done with cleaning up from storm damage.
- Clr Drummond asked whether the St Marys Building listed in the budget is the new Evacuation Centre. The Manager Business Services advised that it is. Clr Drummond stated that her concern is that the State Government in the budget have given us the \$500,000 over two (2) years not one (1), so what does this mean for Council. The General Manager stated that it means we would have to carry the expenditure for the next year.
- Clr Johnstone commented in relation to what the Business Services Manager raised in relation to the fact that we nearly have a natural disaster every year, and asked whether we need to have some sort of financial contingency in our budget. The Business Services Manager stated that, that it is a good question. He explained that Council does have the ability to revisit the budget whenever we choose, we usually review every six (6) months. We could put in an allocation but it is probably not required because we can reallocate when required. The General Manager stated that there is also the opportunity under the Natural Disaster Relief and Recovery Arrangements (NDRRA) State and Federal funding for an activated event, there are thresholds that Council has to meet to be eligible to apply for financial assistance in this space. Clr Chapple stated that she was thinking the same as Clr Johnstone and requested that we have further discussion around this. Clr LeFevre asked if it would be possible in the future to discuss the requirements under the NDRRA. The General Manager stated that we could prepare a report, it comes down to the level of impact, number of Council areas impacted etc, there are guidelines that are used to activate an emergency response.

COUNCIL DECISION:

09/24.13.2.447 Moved: Clr K Wright / Seconded: Clr K Chapple

That the following reports for the period ending 31 August 2024 be received:

- 1. Profit and Loss Statements
- 2. Balance Sheet
- 3. Statement of Cash Flows
- 4. Capital Works 2024-2025

CARRIED UNANIMOUSLY

09/24.13.3 Visitor Information Centre Report

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

That the report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update on the activities and services the delivered by the Visitor Information Centre since the previous Council Meeting.

DISCUSSION:

- Clr Wright asked in relation to the Firearms Inspection would it be possible to make them unfunctional rather than them having to be locked away. Mayor Tucker stated that all of the firearms have been made so they can't function.
- Clr Johnstone stated that it is a great initiative to have free entry in August, this adds value to our community. Clr Johnstone also stated that she is thrilled that there are opportunities for staff to be able to go elsewhere such as the quarterly meetings.
- Mayor Tucker stated that the 150 year anniversary of the school was excellent and it was great that it was able to be recorded for prosperity.

COUNCIL DECISION:

09/24.13.3.448 Moved: Clr K Wright / Seconded: Clr L Johnstone

That the report be received.

CARRIED UNANIMOUSLY

09/24.13.4 Policy Review – LG30 – Public Interest Disclosure Policy

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

That Policy LG30 Public Interest Disclosure be amended as recommended.

INTRODUCTION:

This policy has to be reviewed every three (3) years in line with requirements of the Ombudsman.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

09/24.13.4.449 Moved: Clr K Chapple / Seconded: Clr G Barnes

That Policy LG30 Public Interest Disclosure be amended as recommended.

09/24.13.5 Request for General Rate Remission – 14 Mangana Road, Fingal

FILE REFERENCE	6413332
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OFFICER'S RECOMMENDATION:

That Council, in accordance with the provisions of s.129 of the *Local Government Act 1993*, <u>approve</u> <u>a remission</u> as requested for the property known as 14 Mangana Road, Fingal identified as PID 6413332.

INTRODUCTION:

Council has received correspondence from Malahide Golf Club requesting a remission for the 2024/2025 General rate. A request from the Malahide Golf Club is required annually to remit this levy.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

09/24.13.5.450 Moved: Clr B LeFevre / Seconded: Clr V Oldham

That Council, in accordance with the provisions of s.129 of the *Local Government Act 1993*, <u>approve</u> <u>a remission</u> as requested for the property known as 14 Mangana Road, Fingal identified as PID 6413332.

09/24.14.0 WORKS AND INFRASTRUCTURE

09/24.14.1 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 report provides a summary of details relating to Works Operations and Capital Projects for the reporting period of 1 August to 5 September 2024.

DISCUSSION:

- The Manager Infrastructure and Development Services provided an update in relation to the recent storm damage. He advised that we are dealing with this in two (2) parts. The first part has been to push debris to the side of road and by enlarge this has been finished the clearing of the roadsides will take a few more weeks to finish. The worst hit areas were up through Upper Esk and the Tyne area as well as areas around Curtis Road and Elephant Pass Road and isolated patches around St Helens. We are utilising some local contractors for the clean-up and he will provide an update of costs as they are at hand.
- CIr LeFevre thanked the Manager Infrastructure and Development Services and staff in relation to the clean-up, the planning is always terrific and the work ethic is terrific and overlayed with common sense.
- Clr Johnstone stated that she agreed with Clr LeFevre, she has had people from the community comment as well.
- Clr Johnstone asked, is Evercreech Road ok to travel? The Manager Infrastructure and Development Services advised that they have had engineer inspect the bridge, it is still ok but there is substantial damage to the barrier as well as some repairs required to the superstructure, he also that the second bridge at Priory suffered similar damage.
- Clr Drummond commented in relation to weeds. She has received complaints about the back streets with regard to spraying in the area and it going into the stormwater. The Manager Infrastructure and Development Services asked if she could please request that the person with concerns to contact him so he can discuss this with them.
- Clr Johnstone commented in relation to the waste stewardship program, this is a great initiative and asked, how are we informing ratepayers and are containers with us yet. The Manager Infrastructure and Development Services advised that the containers are not here yet, however once we have a date we will let ratepayers know.

COUNCIL DECISION:

09/24.14.1.451 Moved: Clr G Barnes / Seconded: Clr B LeFevre

That the report be received by Council.

09/24.14.2 Animal Control Report

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

That the report be received by Council.

INTRODUCTION:

This report aims to provide Councillors with summary statistics related to Dog Control for August 2024.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

09/24.14.2.452 Moved: Clr K Wright / Seconded: Clr K Chapple

That the report be received by Council.

CARRIED UNANIMOUSLY

09/24.14.3 Phasing out Problematic Single Use Plastics in Tasmania - Discussion Paper

FILE REFERENCE	039\002\008\

OFFICER'S RECOMMENDATION:

That Councils Manager Infrastructure & Development Services compile Councillor and officer feedback including comment on the likely implementation challenges and submit to LGAT by the required deadline of Monday 23 September 2024.

INTRODUCTION:

The Policy Director of the Local Government Association of Tasmania (LGAT) has written to Local Government General Managers / CEOs and Waste Managers, seeking input on the State Government's single use plastics phase-out with the release of a discussion paper last week (attached).

Phasing out of problematic single use plastics has been an important issue for the sector with the passing of resolutions of at LGAT's General Meetings in 2018 and 2019.

The current consultation is focused on the specific items to be 'phased out', the impacts of the phase-out and what support may be needed for the community and for businesses. Local

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government is noted in the discussion paper as perhaps having a role in providing information (page 26). It is silent on how the phase-out will be implemented, and in particular the State Government's expectations of local government in this. Consultation is open until 1 October 2024.

LGAT is requesting council feedback and input on the discussion paper, as well as likely implementation challenges and risks by Monday 23 September 2024.

DISCUSSION:

- Clr Drummond stated that she thinks that the fact we implemented our own policy shows that it is important to Council. Clr Drummond is fully supportive of this and thinks it is a really good opportunity to get a broader approach across the state.

COUNCIL DECISION:

09/24.14.3.453 Moved: Clr K Wright / Seconded: Clr L Johnstone

That Councils Manager Infrastructure & Development Services compile Councillor and officer feedback including comment on the likely implementation challenges and submit to LGAT by the required deadline of Monday 23 September 2024.

CARRIED UNANIMOUSLY

Adjourned for morning tea at 10.57am Meeting resumed at 11.07am

09/24.15.0 COMMUNITY DEVELOPMENT

09/24.15.1 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:

- Clr Johnstone asked in relation to community event funding there are two (2) items listed, the Australia Day event and then Australia Day including woodchopping. The Manager Community Services advised that the Australia Day event is the Council run event, will look at changing the titles so it is clear as to which funding is for which event. There are murmurings around another event next year as Australia Day will be a long weekend. The \$5,000 is for Council's event which is where the citizens of the year awards etc are presented and the \$15,000 is for the community event with woodchopping getting a small portion of that. Mayor Tucker stated that there used to be a show and shine and food vans etc in previous years. Clr Johnstone asked, so we still allocate the money even if there is no event identified. The Manager Community Services stated that we don't give the money out unless there is something happening. Clr Johnstone asked whether people can approach the Manager Community Services if they have an event idea. The Manager Community Services stated that there is an Australia Day Committee which has two (2) Councillors on it that assesses applications, if there was a group or someone wanting to run an event Officer's would bring it to Council.
- Clr Chapple asked for an update on the Pump Track and asked whether Councillors could have a site visit at some stage. The Manager Community Services advised that we can organise something.
- Clr Oldham stated that the wheels wine and dine event was wonderful and it used to attract all the food vendors, dancing and everything.
- Clr Drummond asked in relation to the \$2,500 budgeted for marketing valley tourism, and
 was wondering if we could set up a meeting and then try and invite people. The Manager
 Community Services stated that it could be that we go and tap some people on the shoulder.
 Clr Drummond asked, could we use some of the money for a morning tea.
- Clr Johnstone stated that the Reconciliation Action Plan (RAP) workshop was great to participate in, and it is great that things are moving along. The Manager Community Services advised that there are four (4) groups presenting tomorrow and there are four (4) Councillors still waiting for answers to questions that is needed for tomorrow.

COUNCIL DECISION:

09/24.15.1.454 Moved: Clr K Wright / Seconded: Clr V Oldham

That the report be received.

09/24.16.0 DEVELOPMENT SERVICES

09/24.16.1 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 activities which have been dealt with by the Development Services Department since the previous Council meeting.

DISCUSSION:

- The Development Services Coordinator advised that the Town Structure Plan brief will be presented to Council at the next Council workshop and then proceed to the Meeting.
- Clr Drummond asked in relation to the St Marys Evacuation Centre are we still on track for December completion. The Development Services Coordinator advised that we are.
- CIr Drummond asked in relation to the water refill stations where will these be. The
 Development Services Coordinator advised that there will be one placed in memorial park
 where they have identified a preferred location.
- CIr Johnstone asked in relation to the Falmouth toilet block, the report says there will be consultation where, what and how and then the one around the Falmouth Community Centre will this get out to the whole community. The Development Services Coordinator advised that they are still working on the consultation strategy for the toilet block and how this might work, he has already received some really good useful feedback from the community. The Development Services Coordinator stated that is also hoping to have a designer to be part of the conversation. Ideally the consultation will happen together. CIr Johnstone stated that there are a lot of new people that have moved into Falmouth so it is quite important that this gets out to the whole community.
- Clr Drummond stated that she is interested in the Climate Change projects is there any information out that Councillors can share? The NRM Facilitator advised that the resilience plan that is being worked on, one in each region, however they have recently lost the northern project officer but it is being rejigged and is working in a tight framework with federal funding. The Climate change adaptation for LG sort of doubles up a bit with the northern regional group, and there are all sorts of levels of government involved in this.
- Clr Johnstone asked in relation to the community awareness and engagement regarding the beach walk – how did Council support this event and how do we get it out to the broader community? The NRM Facilitator advised that we provide a platform for mapping of weeds on the walks, promotion is undertaken through the newsletter, facebook posts etc to try and share the word and there are buses provided for participants on the walks.

COUNCIL DECISION:

09/24.16.1.455 Moved: Clr B LeFevre / Seconded: Clr V Oldham

That the report be received.

CARRIED UNANIMOUSLY

09/24.16.2 Proposed Options for St Marys Exhibition Building

FILE REFERENCE	004\010\004\
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OFFICER'S RECOMMENDATION:

- 1. That Council develop a community engagement strategy which informs the community in relation to the asset conditions and limitations of the building in its current form;
- 2. That the community engagement is targeted to inform Council regarding the communities proposed uses;
- 3. Develop initial estimates based on the outcomes of the consultation to enable Council to make a fully informed decision in relation to the future of the building,

INTRODUCTION:

This report has been prepared as a result of Council motion to provide a report in relation to rescinding any former decisions in relation to the Exhibition building located at the St Marys Sports Complex.

Expert engineering advice and costings have been prepared to enable Council to make a fully informed decision in relation to the future of the building.

DISCUSSION:

- Clr Drummond stated that there are three (3) considerations that need to be made
 - 1. Report from the consultant talking about \$80,000 to make a storage facility
 - 2. Cost of demolition what would then happen with the materials
 - 3. Look at going back to Luck report regarding the portal framing inside the building. There was a report done in 2006 that looked at the Recreation Ground eg free camping, toilet and BBQ areas have all come out of that report. Graham Wathen feels that the building is in better condition than it was back in 2007 when he originally done a previous report. Graham Wathen made a suggestion in regards to the green timber that was originally used in construction may have bowed early in the construction and then settled in. Clr Drummond stated that she would be interested in looking at this further and looking at the cost of the portal framing inside the building. Clr Drummond will provide a copy of Graham's updated report
- CIr Drummond stated that she took the report to some members of the community. The question was asked, why are we looking at heating and cooling of the building when it is currently being used without heating or cooling and she said she would like more investigations be done in regards to costs and then go back to the community. When the report was done considerations were not given to the historical, social or cultural significance.

- Mayor Tucker asked about framing within framing what is the status on the actual substructure carrying the extra weight.
- The Development Services Coordinator stated that he will take Clr Drummond's comments on board. Essentially the floor of the building is in quite good condition. There are options and it is really a decision of Council with regard to capital costs and what they are willing to invest. The basis of the original discussions was its age with purely the asset life lense on.
- CIr Johnstone stated that we do need to have things costed so when we go to the community consultation we have something that is tangible. She wants to see genuine consultation with the community and be broadened out that it includes the coast and the broader valley as there are connections everywhere. There is very strong interest in this building and it has great historical significance.
- Clr Wright asked in relation to the 80 year structural life on a building, is this on a newly constructed building? Wonder where this 80 years line is drawn as we are hearing that the building is solid. The Development Services Coordinator stated that it is like heritage listed buildings their life can be extended as long as they are maintained and upgraded. The 80 years comes from an engineering perspective there are lifecycles that are more around a financial and asset management cycles. We review all of our assets regularly.
- CIr Drummond stated that the Development Services Coordinator mentioned rising damp there is a problem around the outside of the structure, there is dirt around the whole outside the building the down pipes are broken on the outside so they are not being drained away appropriately, these could be repaired fairly easily with water being directed to the swale drain. The Development Services Coordinator stated that the down pipes and ventilation are already on the maintenance schedule.
- Clr LeFevre stated that he would like us to learn from this process as other things will crop up like this in the future with new buildings going up and old buildings being demolished. We need to be very very clear that this is documented and everyone should be given the opportunity to have a say then leave it there.

COUNCIL DECISION:

09/24.16.2.456 Moved: Clr L Johnstone / Seconded: Clr J Drummond

- 1. That Council develop a community engagement strategy which informs the community in relation to the asset conditions and limitations of the building in its current form;
- 2. That the community engagement is targeted to inform Council regarding the communities proposed uses;
- 3. Develop initial estimates based on the outcomes of the consultation to enable Council to make a fully informed decision in relation to the future of the building,

CARRIED UNANIMOUSLY

09/24.16.3 Revised Dog Management Policy 2024

FILE REFERENCE	003\003\014\

OFFICER'S RECOMMENDATION:

That Council receive a report on the status of its *Dog Management Policy (EP05)* adopted in July with dog zones yet to be formally Declared, pending feedback from Tasmania Parks and Wildlife Service, and review progress again at its October Meeting.

INTRODUCTION:

The purpose of this report is to update Council on progress with the Parks and Wildlife Service reviewing of Council's revised Dog Policy and in particular the intended Declared areas (dog zones) it includes, that PWS would need to also authorise on Reserves they manage.

DISCUSSION:

- The NRM Facilitator advised that we are waiting for PWS to advise acceptance of dog zones.
- Clr Johnstone stated that the changeover of dog zones happens in our busy season. We need to be clear to people when the change happens.
- The NRM Facilitator stated that the current declarations have an end date of January next year, Council has adopted new ones but they will come in when approved.

COUNCIL DECISION:

09/24.16.3.457 Moved: Clr K Chapple / Seconded: Clr J Drummond

That Council receive a report on the status of its *Dog Management Policy (EP05)* adopted in July with dog zones yet to be formally Declared, pending feedback from Tasmania Parks and Wildlife Service, and review progress again at its October Meeting.

09/24.17.0 **GOVERNANCE**

09/24.17.1 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 matters which are being dealt with by the General Manager and with other Council Officers where required.

DISCUSSION:

- The General Manager advised that the State Budget was announced last week with a few items we were expecting to see. Not much in there relating to the Future of LG review.
- The General Manager made comments in relation to the community workshops regarding the St Marys Pass consultation – we were let down on this as we did not know until the key was being collected that the booking was confirmed, we weren't advised by the Department of State Growth or the Consultants, Council had no control over this situation.
- Clr Oldham asked in relation to the community consultation regarding St Marys Pass there were seven (7) options listed however in the past we spoke of a Davis Gully alternative route but this was not included in the options. The General Manager agreed, this was not included, Council does not have a view on this as we have not yet discussed the options provided. This has not been included in the frame by the Department of State Growth. The General Manager suggested that Clr Oldham provide this in his community response if he wishes.
- Clr Johnstone asked, are we able to write to the Department of State Growth advising that this was very short notice, however they were very well attended, are we able to respond to this. The General Manager stated that he completely agree, they should have given us some better notice, we made it very clear to the Department of State Growth and the consultants that the length of time was unacceptable and we had offered assistance previously. We have already given them feedback.
- Clr Drummond stated that she was grateful that the General Manager was at the St Marys session as they were saying that Councils preferred option was Gillies Road, there was misinformation that was also being provided. The General Manager stated that it is hopeful that they re-engage with the community down the track.
- Clr LeFevre stated that he left the St Helens session thinking that nothing that was said had been recorded so he went and did the online survey so it was in black and white.

COUNCIL DECISION:

09/24.17.1.458 Moved: Clr G Barnes / Seconded: Clr V Oldham

That the General Manager's report be received.

09/24.17.2 Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report Apr-Jun 2024

FILE REFERENCE	039\011\003\
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OFFICER'S RECOMMENDATION:

That Council receive the quarterly report of the Northern Tasmania Development Corporation (NTDC) for the period Apr-Jun 2024.

INTRODUCTION:

The Northern Tasmania Development Corporation (NTDC) has been formed as an enterprise under the Local Government Act. Accordingly, NTDC provides quarterly reports to its shareholders including Break O'Day Council.

DISCUSSION:

 The General Manager stated that the Population Strategy is being ramped up for review for the Northern Region.

COUNCIL DECISION:

09/24.17.2.459 Moved: Clr B LeFevre/ Seconded: Clr V Oldham

That Council receive the quarterly report of the Northern Tasmania Development Corporation (NTDC) for the period Apr-Jun 2024.

CARRIED UNANIMOUSLY

09/24.17.3 Council Meeting Minutes Procedures

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

- 1. That Council note the General Manager's recommendation that the following information be provided in Council Minutes:
 - Officer's Recommendation
 - Officer's Report Introduction
 - Council Decision
- 2. That Council Officer's be authorised to purchase an appropriate software application to be able to transcribe the audio of a Council Meeting.

INTRODUCTION:

The matter of what is included in the minutes has been a topic of discussion for a number of years with various different content being included and removed for various reasons.

As a result of the digital era we are in and the journey we will be taking into the future Council Officer's thought it was timely that this matter be reviewed again.

This was also raised by Mayor Tucker at the April Council Workshop.

DISCUSSION:

- Clr Drummond stated that as long as it does not result in a diminishment of the way people can see the minutes. People have different ways of understanding things. It is great how we are engaging with the community.
- Clr Wright stated that she agrees with Clr Drummond.
- Clr Johnstone asked, are we saying the transcription can be made available upon request by the public. The General Manager stated that we would need to review this as it goes, also the transcription can be there but it depends how much editing may be required or whether it is just a raw transcription, we will monitor this and then make adjustments as required.

COUNCIL DECISION:

09/24.17.3.460 Moved: Clr B LeFevre / Seconded: Clr V Oldham

- 1. That Council note the General Manager's recommendation that the following information be provided in Council Minutes:
 - Officer's Recommendation
 - Officer's Report Introduction
 - Council Decision
- 2. That Council Officer's be authorised to purchase an appropriate software application to be able to transcribe the audio of a Council Meeting.

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

Moved: Clr V Oldham / Seconded: Clr K Chapple

IN CONFIDENCE

09/24.18.0 CLOSED COUNCIL

09/24.18.1 Confirmation of Closed Council Minutes – Council Meeting 19 August

2024

COUNCIL DECISION:

09/24.18.1.CC Moved: Clr K Wright / Seconded: Clr K Chapple

That the minutes of the Closed Council Meeting held on the 19 August 2024 be confirmed.

CARRIED UNANIMOUSLY

09/24.18.2 Outstanding Actions List for Closed Council

09/24.18.3 Closed Council Item Pursuant to Section 15(2)D of the Local

Government (Meeting Procedures) Regulations 2015 Tender -

2024/2025 Bituminous Surfacing Program

 FILE REFERENCE
 030\001\151\

DECISION TO APPEAR IN OPEN COUNCIL

That Council award Contract 030\001\151"2024/2025 Bituminous Surfacing Program" to Crossroads Civil Contracting Pty Ltd.

CARRIED UNANIMOUSLY

09/24.18.4 Closed Council Item Pursuant to Section 15(2)G of the Local

Government (Meeting Procedures) Regulations 2015 - Request for

Remission of Penalty & Interest - Elephant Pass Road Gray

FILE REFERENCE 2297549

COUNCIL DECISION:

09/24.18.4.CC Moved: Clr G Barnes / Seconded: Clr B LeFevre

DECISION TO APPEAR IN OPEN COUNCIL

In accordance with the provisions of s.128 & s. 130 of the *Local Government Act 1993*, Council **approve a remission of penalty and interest up to \$1200.00 as** requested for the property known as Elephant Pass Road, Gray

CARRIED UNANIMOUSLY

09/24.18.5

Closed Council Item Pursuant to Section 15(2)G of the Local Government (Meeting Procedures) Regulations 2015 - Sale of Land Pursuant to S.137 Local Government Act 1993 – 123 German Town Road, St Marys

FILE REFERENCE 3062055

DECISION TO APPEAR IN OPEN COUNCIL

No part of the decision to appear

CARRIED UNANIMOUSLY

09/24.18.6

Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015 Tender – Contract 030\002\013 Bay of Fires Master Plan

FILE REFERENCE	030\002\013\

COUNCIL DECISION:

09/24.18.6.CC Moved: Clr V Oldham / Seconded: Clr B LeFevre

DECISION TO APPEAR IN OPEN COUNCIL

That Council award Contract 030\002\013 Bay of Fires Master Plan to Hansen Partnership.

CARRIED UNANIMOUSLY

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

Moved: Clr G Barnes/ Seconded: Clr K Chapple

09/24.19.0 MEETING CLOSED

Mayor Tucker thanks everyone for their attendance and declared the meeting closed at 12.20pm.