



COUNCIL MEETING MINUTES

Monday 19 August 2024
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
19 August 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.

08/24.1.0 ATTENDANCE

08/24.1.1 Present

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

08/24.1.2 Apologies

Councillor Barry LeFevre

08/24.1.3 Leave of Absence

Nil

08/24.1.4 Staff in Attendance

General Manager, John Brown	
Governance Officer, Molli Brown	(Item 08/24.1.0 to 08/24.15.6)
Planning Officer, Kathryn Clausen	(Item 08/24.1.0 to 08/24.6.1)
Manager Community Services, Chris Hughes	(Item 08/24.1.0 to 08/24.19.0)
Development Services Coordinator, Jake Ihnen	(Item 08/24.1.0 to 08/24.16.1)
Manager Infrastructure and Development Services, David Jolly	(Item 08/24.1.0 to 08/24.18.5)
Corporate Services Coordinator, Angela Matthews	(Item 08/24.1.0 to 08/24.15.7)
Mental Health & Wellbeing Coordinator, Leah Page	(Item 08/24.15.7 to 08/24.15.7)
Executive Officer, Jayne Richardson	(Item 08/24.1.0 to 08/24.19.0)
Senior Town Planner, Deb Szekely	(Item 08/24.1.0 to 08/24.18.4)
Corporate Officer, Wanita Wells	

08/24.2.0 PUBLIC QUESTION TIME

Three (3) people in the gallery.

08/24.2.1 Community communication - Nicola Stevens

Regarding the BODC Community Engagement Strategy and Community Engagement Promise – detailing how, when and why BODC will communicate with the community.

1. Please provide specific examples of how BODC has applied the Aims and Principles outlined in the BODC Community Engagement Strategy to the Economic Development Strategy's project initiation and planning phases.

RESPONSE

As with all Requests for Tender, consultants are asked to address in detail how they will undertake community consultation and how this aligns with Council's Community Engagement Strategy. This is assessed by the project team and forms part of the scoring matrix in determining the right consultant for the project.

2. When will the section on the Economic Development Strategy project, including the Stantec community survey link, be available on the BODC website, and how will this be shared with the broader community?

RESPONSE

Within seven days of receiving the links and information from the consultants.

3. Please provide details on how Reconciliation Tasmania or the local First Nations community were involved in reviewing and approving the Reconciliation Action Plan information on the BODC website and survey information and contents.

RESPONSE

Reconciliation Tasmanian designed and developed the survey which they have used in the development of other Reconciliation Action Plans. All information on this project has either been provided or approved by Reconciliation Tasmania. Reconciliation Tasmania worked with Council officers to determine a list of First People stakeholders who have been contacted for their input.

4. How is the design of BODC surveys being managed to:
 - a. Avoid common survey pitfalls
 - b. Ensure high-quality quantitative and qualitative data is collected for analysis
 - c. Address the potential issue of survey fatigue within the community.

RESPONSE

Surveys are designed in line with our Community Engagement Strategy and the individual communications plans for each project.

The Communications Plan covers off on time lines, aims, audiences, methods etc to ensure that we capture meaningful data.

We are always mindful of survey fatigue but also understand that this must be balanced as with project timelines which are often dictated by grant and funding arrangements.

08/24.2.2 Display of Forestry logging operations – Jo Trevelyan, Falmouth

As a former resident of many urban council districts, I was delighted to find that Break O’Day Council informed residents of upcoming forestry/logging operations by displaying received Notices of Intent in the public area of the Council Chambers.

To my dismay when looking for the “Notice of Intent” for the proposed forestry operations on the Skyline Tier, I see that this is no longer the case, I am worried about the Council’s adherence to transparency. In this era of breakdown of civilians’ trust of authority, I think that this is a serious issue especially going forward when hard decisions will have to be made in terms of climate change and people’s safety and welfare.

So my question is, is the Council going to restore this tradition of displaying upcoming forestry/logging operations in the public area of the Council Chambers and if so when?

RESPONSE

Council has not displayed the Notices in the foyer area over the last eight years approximately. To encourage healthy dialogue between the forestry industry and local communities Council will provide copies of Intent it receives for viewing at its St Helens office foyer.

Community members interested to obtain information about intended forest operations and plans for them will need to use the opportunities the forest industry provides. These are described in the Forest Practices Authority’s policy for Communication of information in relation to Forest Practices Plans.

08/24.2.3 Lighting on Georges Bay Multi User Track - Graeme Beech, Beaumaris

I note in the recent BODC newsletter that lighting is being planned for the Georges Bay multi user track. There is a big push around the world and in Tasmania to preserve our night skies and protect wildlife from artificial lighting. Tasmania has a particular opportunity to promote night sky darkness attractions due to our southward location and prevalence of auroras.

In relation to wildlife, the multi-user track is quite significant in terms of the variety of wildlife and habitats contained in that corridor that may be affected by the installation of night lighting. The impacts upon seabirds, shorebirds and waterbirds that use Georges Bay should also be considered in any proposal to install artificial lighting in such an environment. Native mammals rely on darkness to travel, feed and avoid predators. Native mammals are most active in low light conditions (night, dusk, dawn). Mammals use dark corridors to travel between habitat patches, and dark spaces (refuges) to hide from predators. Artificial light reduces feeding opportunities, limits travel between habitat patches and exposes native mammals to predators. Artificial light masks day length and other natural light signals used by mammals to regulate daily activity and annual reproduction. Sudden changes in light levels will disorient and temporarily blind native mammals.

Can you please advise of the environmental assessment undertaken for this project and if a community consultation process occurred to allow broad community input for consideration? I note the BODC 'Our Community Engagement Promise' would classify this project as one where the community would be engaged.

RESPONSE

Lighting along the multi-user track is being installed for safety reasons which have been raised by the community. The grant application from funding was submitted with a letter of support from a local community group.

The lighting selected for use in the multi-user track was selected by taking in to account fauna including marine animals and birds to minimise its impact on our wildlife as well as residential properties.

In 2022 Council developed the Georges Bay Foreshore Strategy which involved substantial community consultation with 161 responses for consideration. Lighting was one of the key elements identified within the Strategy.

Regarding your comments on Dark Sky attractions, it is important to note that there are strict eligibility guidelines that need to be considered. This includes precluding areas with ambient light from street lights and houses which would see this area as ineligible for Dark Sky status.

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.

08/24.3.0 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.

08/24.3.1 St Helens Surf Angling Club – Swimcart Beach Building

Regarding the Swimcart Beach Building, item 08/24.15.3, Clr Oldham advised he is a member of the St Helens Surf Angling Club. The General Manager noted Clr Oldham's interest in the item which is not a pecuniary interest.

08/24.4.0 CONFIRMATION OF MINUTES

08/24.4.1 Confirmation of Minutes – Council Meeting 15 July 2024

OFFICER'S RECOMMENDATION:

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

DISCUSSION:

Nil

COUNCIL DECISION:

08/24.4.1.421 Moved: Clr Chapple / Seconded: Clr Carter

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

CARRIED UNANIMOUSLY

08/24.5.0 COUNCIL WORKSHOPS HELD SINCE 15 JULY 2024 COUNCIL MEETING

There was a workshop held 5 August 2024 and the following items were listed for discussion.

- Presentation – TasWater
- Presentations – Reconciliation Action Plan
- Pending Development Application Updates
- Audit Panel Minutes
- Animal Control Report
- Scamander Sports Complex – Walking Trails
- Relocation of Ashes at Cemeteries
- Cecilia Street – Streetscape Concept
- Clean fill Type 1 and Type 2 materials recovery
- Safeguarding Children and Young People – Statement of Commitment
- Future use for the old Council offices, 29 Talbot Street, Fingal
- St Helens Surf Angling Club – Swimcart Beach Building
- Georges Bay Sailing & Aquatic Club – Permission to use Council leased land
- Request to waive fees for Stadium and camping at St Helens Sports Complex – Military Brotherhood Military Motorcycle Club
- Waiver of fees – A Festival Called George
- Youth Voice to Council
- Next Federal Election
- Local Government Association of Tasmania Feedback Request for the Local Government Code of Conduct

08/24.6.0 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.

08/24.6.1 DA 140-2023 – Residential and Visitor Accommodation - Multiple Dwellings (two (2) co-joined dwellings) and associated works – 6 Coffey Drive, Binalong Bay

FILE REFERENCE	DA 2023 / 00140
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OFFICER'S RECOMMENDATION:

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme*, that the application for - Residential and Visitor Accommodation - Multiple Dwellings (two (2) co-joined dwellings and associated works) on land situated at 6 Coffey Drive, Binalong Bay described in Certificate of Title 11717/26 be APPROVED, subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Cover Sheet		Jennifer Binns	06/08/2024
Site Plan	A04 Rev 3	Jennifer Binns	06/08/2024
Ground Floor Plan	A05 Rev 3	Jennifer Binns	06/08/2024
First Floor Plan	A06 Rev 3	Jennifer Binns	06/08/2024
Elevations (east, south and street)	A07 Rev 3	Jennifer Binns	06/08/2024
Elevations (west and north)	A08 Rev 3	Jennifer Binns	06/08/2024
Visuals (east and south)	A09 Rev 3	Jennifer Binns	06/08/2024
Visuals (northeast and north)	A10 Rev 3	Jennifer Binns	06/08/2024
Shadow Diagrams (June)	A12 Rev 3	Jennifer Binns	06/08/2024
Shadow Diagrams (March, December)	A13 Rev 3	Jennifer Binns	06/08/2024
Traffic Impact Assessment (TIA)	Final 2	Richard Burke	July 2024
On-site Wastewater Assessment and Design (Amended)		Geo-Environmental Solutions (GES)	Revised July 2024

Stormwater Assessment and Design		Geo-Environmental Solutions (GES) & Flussig Engineers	October 2023 and Hydraulic Design dated 15/4/2024
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CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
A	Undertake use and 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	The approved plans dated 06/08/2024 are for the use class 'residential' only. The permit description shall read: Residential - Multiple Dwellings – Two (2) co-joined dwellings and associated works.	
2	Stormwater	
A	Stormwater shall be directed to the kerb via a new connection. The connection must be completed by a licenced plumber in accordance with standard drawing TSD-SW29-v3.	Prior to use and maintained at all times
B	Prior to any work commencing on the stormwater connection a permit must be obtained by submitting a Works Permit application form.	Prior to commencement of work.
3	Vehicle Crossover	
A	Widening of the crossover and crossover construction must be undertaken in accordance with standard drawing TSD-SW29-v3	Prior to use and maintained at all times.
B	No works are to commence on the crossover until a permit to undertake works in the road reservation has been issued by Council's Works Department.	Prior to commencement of work.
4	Residential Use Car Parking	
	The areas shown to be set aside for vehicle access and car parking must be: a) completed before the use of the development; b) constructed in accordance with the approved plans including stormwater management.	Prior to use and maintained at all times.

CONDITION		TIMING
	c) compliant with Australian Standard AS 2890.1:2004 – Parking facilities, Part 1: Off-street car parking.	
5	Landscaping	
	The areas indicated for landscaping shall be planted with a suitable mix of vegetation and include screening elements to a height of at least 3m.	Prior to use and maintained at all times
5	Nuisance	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
6	Demolition	
A	During demolition all existing materials must be checked for the presence of asbestos and if found, handling, protection and disposal must be carried out in accordance with the requirements of Work Safe Tasmania and Safe Work Australia “How to Safely Remove Asbestos Code of Practice (2018)”.	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. 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
 3. 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.
- B. That all external Referral Agencies for the development application be provided with a copy of the Council’s decision (Permit).

	Applicable Y/NA	Referral Agency
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That all external Referral Agencies for the development application be provided with a copy of the Council's decision (Permit)	NA	
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C. That the following information be included in the Permit.

Development Permit Information	Details
<i>Development Description</i>	Residential - Multiple Dwellings – Two (2) co-joined dwellings and associated works
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Council Works Permit
<i>Attachments</i>	Approved Plans and Reports
<i>Representations</i>	Two (2)

INTRODUCTION:

Development application (DA 140-2023) was lodged with Council on 26 June 2023, seeking approval for the construction of multiple dwellings, in the form of two (2) co-joined dwellings and associated works, at 6 Coffey Drive Binalong Bay. Dual use classes 'residential' and 'visitor accommodation' were sought. Both use classes are 'Permitted' without qualification in the Low Density Residential Zone.

Background

The application was lodged with all information requirements set out in section 8.1.2 (application requirements) of the Interim Planning Scheme, and the relevant planning fees were paid on 28 June 2023, making the application valid for assessment under version 20 of the Break O'Day Interim Planning Scheme.

A request for additional information under section 8.1.3 was made by Council staff on 10 July 2023, relating to various aspects of the proposal, including requirements for stormwater and wastewater disposal. The application was subject to a number of additional requests for further clarification of information and in April 2024, it was considered that the proposal had sufficient information to proceed to advertising.

The application commenced advertising on 4 May 2024 for the required fourteen (14) day period and two (2) representations were received.

After the advertising period and in response to concerns raised by staff and representors, the proposal was amended to abandon the use class 'visitor accommodation' and alter some of the siting and design aspects of the proposal.

At this point, staff were required to consider whether the amended plans constituted a new application or whether the planning authority could grant a permit subject to a condition requiring compliance with the amended plans. Council should note that the LUPA Act makes no provision for

the re-advertising of amended plans. This is confirmed in the deliberations of the Supreme Court of Tasmania decision – *Tomaszewski v Hobart City Council [2020] TASSC 48*, which in relation to the LUPA Act state:

'...Counsel for the Council informed me that there is a common practice whereby councils repeat the statutory notification process if an applicant changes a development application after the statutory notices have been given. He also acknowledged that the fact that that practice is long-standing and efficacious does not make it lawful...'

It goes on to say:

'...If, after the modification of a development proposal in a particular case, there was reason to think that members of the public might wish to make further representations relating to the modified proposal, or that the planning authority might benefit from additional representations, that might be a powerful indication that the revised proposal was one for a substantially different development, rather than a modification of the development originally proposed...'

The Court recognises that the LUPA Act provides for mediations to be conducted, which may result in compromises being reached on proposals, and provides for the planning authority to give effect to a compromise by imposing a permit condition that varies the original development proposal.

In this context, staff are of the opinion that the amended plans do not constitute a new application because the amended plans do not transform the original proposal into something substantially different. Some discretions have been removed or improved but staff do not consider that there are any new aspects that would benefit from additional representations. Although the plans were not re-advertised, they were provided to the representors for information. The post advertising process is discussed under section 5 – Mediation.

DISCUSSION:

Clr Johnstone advised that she had questions and concerns regarding the development explaining that she felt that she had a duty of care to raise the concerns I have about Development Applications such as this one as they are putting our coastal environments at increasing risk.

Clr Johnstone noted her concerns are to do with the management of stormwater and waste water on this site of 700m². Developments of this density in unserviced areas can lead to increased storm water intensity leading to more erosion (i.e. sedimentation in coastal waterways and wetlands) and flood risks.

In addition there is the risk of increased wastewater run off polluting local waterways and wetlands (i.e. Binalong Bay Beach and Grants Lagoon) and therefore increasing nutrient loads in the water course favouring weeds and also higher risk of algal blooms in Grants Lagoon.

The Planning Officer advised that Council has relied on qualified advice regarding management of storm water and waste water and that both reports support the application.

Clr Drummond said she had similar issues to those raised by Clr Johnstone have been raised in the past.

Councillors were pleased to see the visitor accommodation use removed and noted that any future application for visitor accommodation would be a discretionary application on the basis of the size of the development.

COUNCIL DECISION:

08/24.6.1.422 Moved: Clr Chapple / Seconded: Clr Wright

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O’Day Interim Planning Scheme*, that the application for - Residential and Visitor Accommodation - Multiple Dwellings (two (2) co-joined dwellings and associated works) on land situated at 6 Coffey Drive, Binalong Bay described in Certificate of Title 11717/26 be APPROVED, subject to the following plans / documents and conditions:

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Elevations (west and north)	A08 Rev 3	Jennifer Binns	06/08/2024
Visuals (east and south)	A09 Rev 3	Jennifer Binns	06/08/2024
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B	The approved plans dated 06/08/2024 are for the use class 'residential' only. The permit description shall read: Residential - Multiple Dwellings – Two (2) co-joined dwellings and associated works.	
2	Stormwater	
A	Stormwater shall be directed to the kerb via a new connection. The connection must be completed by a licenced plumber in accordance with standard drawing TSD-SW29-v3.	Prior to use and maintained at all times
B	Prior to any work commencing on the stormwater connection a permit must be obtained by submitting a Works Permit application form.	Prior to commencement of work.
3	Vehicle Crossover	
A	Widening of the crossover and crossover construction must be undertaken in accordance with standard drawing TSD-SW29-v3	Prior to use and maintained at all times.
B	No works are to commence on the crossover until a permit to undertake works in the road reservation has been issued by Council's Works Department.	Prior to commencement of work.
4	Residential Use Car Parking	
	The areas shown to be set aside for vehicle access and car parking must be: a) completed before the use of the development; b) constructed in accordance with the approved plans including stormwater management. c) compliant with Australian Standard AS 2890.1:2004 – Parking facilities, Part 1: Off-street car parking.	Prior to use and maintained at all times.
5	Landscaping	
	The areas indicated for landscaping shall be planted with a suitable mix of vegetation and include screening elements to a height of at least 3m.	Prior to use and maintained at all times

CONDITION		TIMING
5	Nuisance	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
6	Demolition	
A	During demolition all existing materials must be checked for the presence of asbestos and if found, handling, protection and disposal must be carried out in accordance with the requirements of Work Safe Tasmania and Safe Work Australia “How to Safely Remove Asbestos Code of Practice (2018)”.	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. 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
3. 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.

B. That all external Referral Agencies for the development application be provided with a copy of the Council’s decision (Permit).

	Applicable Y/NA	Referral Agency
That all external Referral Agencies for the development application be provided with a copy of the Council’s decision (Permit)	NA	

C. That the following information be included in the Permit.

Development Permit Information	Details
<i>Development Description</i>	Residential - Multiple Dwellings – Two (2) co-joined dwellings and associated works
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Council Works Permit
<i>Attachments</i>	Approved Plans and Reports
<i>Representations</i>	Two (2)

For: Mayor Tucker Clr Barnes, Clr Carter, Clr Chapple, Clr Drummond, Clr Oldham, Clr Wright

Against: Clr Johnstone

CARRIED

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

08/24.7.0 COUNCIL MEETING ACTIONS

08/24.7.1 Outstanding Matters

DISCUSSION:

Nil

08/24.8.0 PETITIONS

Nil

08/24.9.0 NOTICES OF MOTION

Nil

08/24.10.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil

08/24.11.0 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.

08/24/11.1 Tip fee vouchers – Clr Wright

Clr Wright asked for an update regarding her motion put forward earlier regarding tip fee vouchers as many in the community are asking about this.

RESPONSE

Councillors were told that this matter was discussed at a previous Council workshop/meeting and the General Manager will circulate the information which was provided previously.

08/24.11.2 Notice of Intent x 5 to conduct forest practices – Clr Johnstone

Clr Johnstone advised that she had a question in relation to the Notice of Intent(s) x 5 to conduct forest practices under the *Forest Practices Act 1985*.

The Notice was sent to the Break O’Day local government and to landholders within 100 metres of the proposed forest practices in late June with the expectation of the proposed forestry operations to commence around July 2024.

The proposed forestry operation will be conducted by Timberlands Pacific Pty Ltd and is for *Pinus radiata* establishment on Permanent Timber Production land:

- Coupe 827184012 – Dianas Basin/Crackers Arm Catchment
- Coupe 827187004 – Reedy Creek Catchment
- Coupe 827186011 – Reedy Creek Catchment
- Coupe 827173005 – Yarmouth and Freshwater Creek Catchments
- Coupe 827183005 – Wrinklers Creek and Lagoon Catchment

My questions are as follows:

1. Has the Council received the five Notices of Intent for forestry Operations of Timberland Pacific Pty Ltd?

RESPONSE

Council did receive the five of the Notices of Intent from Timberlands Pacific regarding future forest operations in their Scamander (pine plantation) Forest. (The notice for “Dianas Basin/Crackers Arm Catchment” appears to be for coupe number ‘827185012’, not 827184012)

2. Assuming the Council has received them, has the responsible and authorised Council staff responded to these five notices? And will these responses be available to the Councillors and residents of Break O’Day?

RESPONSE

There has been no reply contact by Council regarding these Notices. Such Notices of forest operations are considered by Council’s Works and Infrastructure Department with regard to Council infrastructure that would be used and road and bridge assets and safety in particular. If there are matters which will impact Council infrastructure due to restrictions on say bridge load limits for instance, these would be raised. In this instance there were no Council infrastructure matters to be raised. These Notices were sent to Council for its information and copies will be shared with Councillors.

3. If responses have been made, did the responsible and authorised Council staff represent in its response the community’s and the Councillors’ support (recent motion supporting the restoration work at Skyline Tier with letters sent to Timberlands Pacific Pty Ltd and North East Bioregional Network) for the restoration work on the Skyline Tier?

RESPONSE

There was no response made as Council infrastructure was unaffected.

4. And if responses were made, did the responsible and authorised Council staff in its response represent the community's concern for the proposed planting of Pine plantations on the Skyline Tier? The communities concern was and is clearly evident by the conversations and attendance at two recent community information sessions held in St Helens (approximately 150 residents) and Beaumaris (approximately 100 residents). These meetings supported the ongoing restoration of the Skyline Tier back to native forest and didn't want the establishment of pine plantations.

RESPONSE

There was no response made as Council infrastructure was unaffected.

08/24.11.3 Georges Bay Multi-user Track – Clr Drummond

Clr Drummond referred to dark sky tourism and the Georges Bay Multi-user Track. She asked whether any environmental assessments had been conducted and if community consultation was undertaken to see if the community wanted lighting put along the foreshore track.

RESPONSE

Lighting along the multi-user track is being installed for safety reasons which have been raised by the community. The grant application from funding was submitted with a letter of support from a local community group.

The lighting selected for use in the multi-user track was selected by taking in to account fauna including marine animals and birds to minimise its impact on our wildlife as well as residential properties.

In 2022 Council developed the Georges Bay Foreshore Strategy which involved substantial community consultation with 161 responses for consideration. Lighting was one of the key elements identified within the Strategy.

08/24.12.0**MAYOR'S & COUNCILLOR'S COMMUNICATIONS****08/24.12.1****Mayor's Communications for Period Ending 19 August 2024**

23.07.24	St Helens	– Meeting with Tabatha Badger MP.
24.07.24	Devonport	– Senate Committee Meeting to discuss Local Government sustainability.
25.07.24	Devonport	– House of Representatives Standing Committee Meeting on Regional Development, Infrastructure and Transport.
25.07.24	Devonport	– Local Government of Tasmania Association's General Management Committee Meeting.
25.07.24	Devonport	– Australian Local Government Association – Post National General Assembly teleconference.
26.07.24	Devonport	– Local Government of Tasmania Association's General Meeting and Annual General Meeting.
27.07.24	Devonport	– Elected Representatives Professional Development Day.
05.08.24	St Helens	– Council Workshop.
07.08.24	Launceston	– MRG Meeting with Northern Tasmania Development Cooperation.
11.08.24	St Helens	– Meeting with Mr Ellis - Minister for Police, Fire and Emergency Management, Housing and Planning, and Skills and Training.
18.08.24	St Helens	– Vietnam Veterans Day at Portland Memorial Hall.
19.08.24	St Helens	– Council Meeting

The Mayor advised that he did not attend the Northern Tasmania Development Cooperation's Regional Collaboration Forum as planned on 16 August 2024, due to circumstances which arose.

08/24.12.2**Councillor's Reports for Period Ending 19 August 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.

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

Nil

NRM Special Committee – Clr Janet Drummond

Nil

East Coast Tasmania Tourism (ECTT) – Clr Barry LeFevre

Nil

Mental Health Action Group – Clr Barry LeFevre

Nil

Access and Inclusion Advisory Committee – Clr Janet Drummond

Nil

Bay of Fires Master Plan Steering Committee – Clr Ian Carter

A meeting will be held on 21 August 2024 to decide on a consultant regarding the future development of the Bay of Fires.

08/24.13.0 BUSINESS AND CORPORATE SERVICES

08/24.13.1 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:

The Corporate Services Coordinator advised that the first rates instalment is due on 31 August 2024.

COUNCIL DECISION:

08/24.13.1.423 Moved: Clr Barnes/ Seconded: Clr Johnstone

That the report be received.

CARRIED UNANIMOUSLY

08/24.13.2 Monthly Financial Report

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

That the following reports for the month ending 31 July 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 Corporate Services Coordinator advised that the Manager Business Services continues to be away from the office and is working remotely.

COUNCIL DECISION:

08/24.13.2.424

Moved: Clr Barnes/ Seconded: Clr Wright

That the following reports for the month ending 31 July 2024 be received:

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

CARRIED UNANIMOUSLY

08/24.13.3

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 Carter noted that St Helens District High School is holding a 150-year celebration on 23 October 2024 and asked if Council has an intention to be involved with the celebration. The Mayor advised he has been invited to attend.

Clr Johnstone said the centre provides an exceptional service and wishes to thank staff and volunteers.

COUNCIL DECISION:

08/24.13.3.425

Moved: Clr Drummond/ Seconded: Clr Wright

That the report be received.

CARRIED UNANIMOUSLY

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

That Council receive the minutes of the Audit Panel meeting of the 24 June 2024.

INTRODUCTION:

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

DISCUSSION:

The General Manager said that the Audit Panel discussed the External Audit conducted by Marsh Pty Ltd on Council's Risk Maturity Assessment which reviewed Council's risk management framework and risk register. The management team will respond to the report's recommendations.

COUNCIL DECISION:**08/24.13.4.426**Moved: Clr Barnes/ Seconded: Clr Johnstone

That Council receive the minutes of the Audit Panel meeting of the 24 June 2024.

CARRIED UNANIMOUSLY

08/24.14.0 WORKS AND INFRASTRUCTURE

08/24.14.1 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 is a monthly summary update of the works undertaken through the Works and Infrastructure Department for the previous month and a summary of the works proposed for the coming month, and information on other items relating to Council's infrastructure assets and capital works programs.

DISCUSSION:

The Manager Infrastructure and Development Services advised that:

- The next scheduled hazard waste collection is at the St Helens Waste Transfer Station on 2 November 2024.
- Through the Australian Government's Waste Stewardship Program, Council has arranged for silage containers to be placed at the St Helens Waste Transfer Station for collection of mixed household batteries up to 2kg and fluoro light tubes.
- Council has established a new partnership with Veolia Environmental Services to process kerbside recyclables at their facility in Spreyton. This new arrangement is more cost effective.

Clr Carter observed that the outdoor work staff are proactive in our community and their work is particularly noted when responding to all weather events.

Clr Johnstone asked is there a way to advise the community when weed management will occur in order to provide education about weed species? The Manager Infrastructure and Development Services advised most weed infestations on road reserves are the result of infestations on private property of which the land owner is responsible for. Council's works are restricted to Council reserves and Council land and does not extend to private land.

Clr Wright enquired if the mulch available at St Helens tip is less processed and has it been treated accordingly to prevent spread of weeds? The Manager Infrastructure and Development Services advised that single shredded mulch sells for \$12m3 while the double shredded mulch goes through two screens and is more expensive to produce and sells for \$25m3. The single shredded mulch sells well. Council has priced the mulch to obtain cost recovery as it is expensive to make. A higher quantity of double shredded mulch could be make available if the demand was there. There will be another campaign in November 2024. The mulch is cooked to the required temperature to sterilise the product.

Clr Drummond – asked for an update regarding the weed management community group pilot program at Weldborough and suggested this structure could be adapted to suit other

communities. The Manager Infrastructure and Development Services advised he will take that question on notice and provide a response.

COUNCIL DECISION:

08/24.14.1.427 Moved: Clr Oldham/ Seconded: Clr Barnes

That the report be received by Council.

CARRIED UNANIMOUSLY

08/24.14.2 **Animal Control Report**

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

That the report be received by Council.

INTRODUCTION:

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

DISCUSSION:

Nil

COUNCIL DECISION:

08/24.14.2.428 Moved: Clr Oldham / Seconded: Clr Wright

That the report be received by Council.

CARRIED UNANIMOUSLY

08/24.14.3 **Scamander Sports Complex – Walking Trails**

FILE REFERENCE	004\008\032\
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OFFICER'S RECOMMENDATION:

That the Council receive this report and endorses the following steps for developing the project:

- Assess and review matters related to flora and fauna at the site.
- Lodge an Aboriginal Heritage Tasmania Assessment in accordance with prescribed Assessment Process.
- Approach the Department of Natural resources and Environment in relation to upgrading part of the short track segment located on Crown Land.

- Identify grant funding opportunities.
- Report outcomes to the Council.

INTRODUCTION:

Clr Carter lodged a notice of motion at the May 2024 Council meeting recommending that Council considers options to develop walking trails around and within the Scamander Sports Complex. This report provides detail on the proposed track by Clr Carter and the construction cost estimate (gravel tracks).

DISCUSSION:

Clr Drummond noted that the estimated construction cost is \$106,000 and asked if this amount will come from grant funding. The Manager Infrastructure and Development Services advised that the estimates are in the preliminary stage and that the funding may be a combination of grant funding and capital works funding.

Clr Drummond noted there is \$100,000 in the budget for this year to progress the Recreational Trails Strategy and asked whether this money will be used to fund this project. While Clr Drummond is supportive of this walking track, she does not wish to see this project elevated above ones that already exist within the Recreational Trails Strategy. The General Manager noted that the funding is for the investigations and bringing projects to a shovel ready stage. The Scamander project is largely desktop and is being undertaken by Council officers.

Clr Carter said he does not expect this project to supersede other projects that have been identified. This project does not involve lengthy liaison with the State Government and can therefore be made 'shovel-ready' and achieved in the short term.

COUNCIL DECISION:

08/24.14.3.429

Moved: Clr Chapple / Seconded: Clr Carter

That the Council receive this report and endorses the following steps for developing the project:

- Assess and review matters related to flora and fauna at the site.
- Lodge an Aboriginal Heritage Tasmania Assessment in accordance with prescribed Assessment Process.
- Approach the Department of Natural resources and Environment in relation to upgrading part of the short track segment located on Crown Land.
- Identify grant funding opportunities.
- Report outcomes to the Council.

CARRIED UNANIMOUSLY

08/24.14.4 Relocation of Ashes at Cemeteries

FILE REFERENCE	009\007\001\
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OFFICER'S RECOMMENDATION:

- 1) That Policy AM04 Cemetery Management be accepted with the minor amendment to incorporate "relocation of ashes".
- 2) That a new fee to cover administration costs associated with the relocation of ashes be approved.

INTRODUCTION:

Since the construction of the new columbarium wall at St Marys Cemetery, Council has received several requests for ashes to be moved from the old wall to the new one built in 2023.

DISCUSSION:

The Manager Infrastructure and Development Services advised that Council does not handle cremated remains and rather directs this responsibility to a funeral service provider. A fee of \$100 is proposed to administrate the process including updating cemetery records.

COUNCIL DECISION:

08/24.14.4.430 Moved: Clr Barnes/ Seconded: Clr Chapple

- 1) That Policy AM04 Cemetery Management be accepted with the minor amendment to incorporate "relocation of ashes".
- 2) That a new fee to cover administration costs associated with the relocation of ashes be approved.

CARRIED UNANIMOUSLY

08/24.14.5 Cecilia Street – Streetscape Concept

FILE REFERENCE	032\002\016\
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OFFICER'S RECOMMENDATION:

Councillors receive this report for information and for use as a basis for seeking available grant funding to undertake a staged approach to upgrade the streetscape at the northern end of Cecilia Street.

INTRODUCTION:

This report aims to provide Councillors with feedback from the community and local businesses regarding the streetscape Concept Plan and preliminary construction cost estimates.

DISCUSSION:

The Manager Infrastructure and Development Services advised that, following a community engagement process in June 2024, feedback was received from just one person. Council staff met with the individual who raised concerns about parking bays. The concerns raised have been noted.

Clr Drummond noted that the response rate of one representation was very low and wondered what medium was used and why this was. The Manager Infrastructure and Development Services advised that consultation was undertaken by social media, Council's website and letters were sent to local businesses. The project largely involves unseen work such as stormwater infrastructure, the addition of one traffic island and renewal of footpaths and doesn't impact on private property.

COUNCIL DECISION:

08/24.14.5.431

Moved: Clr Carter/ Seconded: Clr Wright

Councillors receive this report for information and for use as a basis for seeking available grant funding to undertake a staged approach to upgrade the streetscape at the northern end of Cecilia Street.

CARRIED UNANIMOUSLY

08/24.15.0 COMMUNITY DEVELOPMENT

08/24.15.1 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 there are some big events scheduled between now and Christmas and that the Seniors Week event on 15 October is fully subscribed.

Clr Carter said the letter received from the Bay of Fires art prize committee enables Councillors to have greater understanding and gives Councillors more capacity to advocate for the group going forward. He asked if other recipients of funding could be asked to provide such a letter into the future. The Manager Community Services said not all letters received by Council are addressed to Councillors but in future can be forwarded to Councillors for their information.

Clr Wright asked about Council sponsorship of the BEC directories. The Manager Community Services advised that Council's sponsorship is continuing.

Clr Drummond asked if a good response is being received to the Reconciliation Action Plan survey. The Manager Community Services said a good level of feedback is being received with comments being interesting and varied. The survey questions were formed with the help of Reconciliation Tasmania.

COUNCIL DECISION:

08/24.15.1.432 Moved: Clr Drummond / Seconded: Clr Carter

That the report be received.

CARRIED UNANIMOUSLY

FILE REFERENCE	002\024\004\
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OFFICER’S RECOMMENDATION:

1. That Council adopt the Statement of Commitment which shows that we are collectively and individually committed to improving the way we work with children and young people:

Break O’Day Council is committed to regularly training and educating our Councillors, employees and volunteers on child abuse risks.

We are committed to the safety of all children; the cultural safety of Aboriginal children; the safety of children from culturally and/or linguistically diverse backgrounds; and to providing a safe environment for children with a disability.

We have specific policies and procedures in place that support our Councillors, staff and volunteers to achieve these commitments.

2. That Council include the Statement of Commitment into Policy CB09 – Interim Safeguarding Children and Young People Policy.

INTRODUCTION:

Following the Royal Commission into Institutional Response to Child Sexual Abuse (“the Royal Commission”), the Tasmanian Government has enacted new legislation – *Child and Youth Safe Organisations Act 2023* (“the Act”). This legislation directly impacts on, and places obligations on, Councils (amongst other organisations).

DISCUSSION:

The Manager Community Services said it is important for Council to have this statement which will form part of the policy.

COUNCIL DECISION:

08/24.15.2.433

Moved: Clr Barnes/ Seconded: Clr Drummond

1. That Council adopt the Statement of Commitment which shows that we are collectively and individually committed to improving the way we work with children and young people:

Break O’Day Council is committed to regularly training and educating our Councillors, employees and volunteers on child abuse risks.

We are committed to the safety of all children; the cultural safety of Aboriginal children; the safety of children from culturally and/or linguistically diverse backgrounds; and to providing a safe environment for children with a disability.

We have specific policies and procedures in place that support our Councillors, staff and volunteers to achieve these commitments.

2. That Council include the Statement of Commitment into Policy CB09 – Interim Safeguarding Children and Young People Policy.

CARRIED UNANIMOUSLY

08/24.15.3 **St Helens Surf Angling Club – Swimcart Beach Building**

FILE REFERENCE	004\011\005\
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OFFICER’S RECOMMENDATION:

That Council commence discussions with Parks & Wildlife/Crown Land Services with regard to entering into a lease arrangement for the Swimcart Beach Building located at Swimcart.

INTRODUCTION:

In 2019, Parks & Wildlife Service (PWS) provided the St Helens Surf Angling Club with an engineering assessment on the facility that the Club holds a crown lease over – Swimcart Beach Building. The Club have since met with Council staff seeking advice on where to from here and asking that Council staff assist in dealing with Government Departments dealing with the issues that have been raised and mapping a way forward.

DISCUSSION:

The Manager Community Services said this asset is valued by the community.

Clr Oldham advised his position as a member of the St Helens Surf Angling Club.

COUNCIL DECISION:

08/24.15.3.434 Moved: Clr Chapple / Seconded: Clr Carter

That Council commence discussions with Parks & Wildlife/Crown Land Services with regard to entering into a lease arrangement for the Swimcart Beach Building located at Swimcart.

CARRIED UNANIMOUSLY

08/24.15.4 Georges Bay Sailing & Aquatic Club – Permission to use Council leased land

FILE REFERENCE	011\034\006\
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OFFICER’S RECOMMENDATION:

That Council permit the Georges Bay Sailing & Aquatic Club to establish a temporary fenced off area adjacent to the existing Scout Shed at O’Connors Beach for the storage of their dinghies.

INTRODUCTION:

The Georges Bay Sailing and Aquatic Club are a newly formed sailing and aquatic club which are currently utilising a shared facility at O’Connors Beach.

DISCUSSION:

The Manager Community Services said the club is newly formed and member numbers have exceeded the club’s expectations.

COUNCIL DECISION:

08/24.15.4.435 Moved: Clr Drummond/ Seconded: Clr Carter

That Council permit the Georges Bay Sailing & Aquatic Club to establish a temporary fenced off area adjacent to the existing Scout Shed at O’Connors Beach for the storage of their dinghies.

CARRIED UNANIMOUSLY

08/24.15.5 Request to waive fees for Stadium and camping at St Helens Sports Complex – Military Brotherhood Military Motorcycle Club

FILE REFERENCE	004\010\006\
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OFFICER’S RECOMMENDATION:

That Council approve a full fee waiver as requested by the Military Brotherhood Military Motorcycle Club (MBMMC) allowing them to camp at the St Helens Sports Complex and hire the Bendigo Bank Community Stadium for their event from Thursday 7 November 2024 to Sunday 10 November, 2024.

INTRODUCTION:

Council has received a request from the Military Brotherhood Military Motorcycle Club seeking a fee waiver for Council facilities for 4 days whilst they have their biennial meeting in St Helens.

DISCUSSION:

The Manager Community Services said that delegates from Australia-wide will be attending the club's conference in St Helens. She noted the club is a volunteer group and that unforeseen expenses such as additional insurance for road closures have been incurred. Permits from the Department of State Growth have been received for the closure of St Mary Pass to enable the safe passage of the motorcycles.

COUNCIL DECISION:

08/24.15.5.436 Moved: Clr Drummond/ Seconded: Clr Chapple

That Council approve a full fee waiver as requested by the Military Brotherhood Military Motorcycle Club (MBMMC) allowing them to camp at the St Helens Sports Complex and hire the Bendigo Bank Community Stadium for their event from Thursday 7 November 2024 to Sunday 10 November, 2024.

CARRIED UNANIMOUSLY

08/24.15.6 **Waiver of fees – A Festival Called George**

FILE REFERENCE	005\017\004\
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OFFICER'S RECOMMENDATION:

That Council support this event by waiving the following fees associated with the running of the event "A Festival Called George":

- Supply and empty 30 General waste and 20 recycling bins;
- Waive the hire fees for use St Helens Foreshore for these events; and
- The hire of the eight (8) banner poles located in St Helens so that the promotional banners can be used to promote the upcoming event.

INTRODUCTION:

The organisers of A Festival Called George have requested Council's assistance in providing infrastructure for their upcoming 2024 event.

DISCUSSION:

Nil

COUNCIL DECISION:

08/24.15.6.437 Moved: Clr Johnstone/ Seconded: Clr Carter

That Council support this event by waiving the following fees associated with the running of the event "A Festival Called George":

- Supply and empty 30 General waste and 20 recycling bins;
- Waive the hire fees for use St Helens Foreshore for these events; and
- The hire of the eight (8) banner poles located in St Helens so that the promotional banners can be used to promote the upcoming event.

CARRIED UNANIMOUSLY

The meeting adjourned at 11.03am and resumed at 11.13am.

08/24.15.7 Youth Voice to Council

FILE REFERENCE	011\034\006\
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OFFICER’S RECOMMENDATION:

That Council endorse and implement A Youth Voice to Council Framework.

INTRODUCTION:

In the 2023-24 Annual Plan, a Youth Voice to Council was identified as an Action. This is an opportunity to discuss a proposal for establishing a Youth Voice to Council.

DISCUSSION:

The Mental Health & Wellbeing Coordinator said the framework has been submitted for Council’s endorsement and seeks approval to implement a working design for a 12 month trial period. Templates have been prepared.

Councillors commented on the attractive and colourful design documentation and welcomed the opportunity for youth engagement and contribution.

COUNCIL DECISION:

08/24.15.7.438 Moved: Clr Chapple/ Seconded: Clr Carter

That Council endorse and implement A Youth Voice to Council Framework.

CARRIED UNANIMOUSLY

08/24.16.0 DEVELOPMENT SERVICES

08/24.16.1 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 a correction to the second page of the Planning Report; the end column should say EOFY 2023/24 for comparison. Building approvals for July 2024 are down considerably from July 2023.

Clr Drummond asked what the purpose and associated cost is of the Scamander/Beaumaris Township Structure Plan. The Development Services Coordinator advised that Council staff are developing the brief, and then a request for quote will be advertised.

Clr Carter asked about the low number of immunisations provided by Council through its school immunisation program compared to last year. This is due to the timing of immunisations.

Clr Drummond asked about the engineering report for the St Marys Exhibition Building and whether this can be shared with community members. The General Manager advised this report is for internal Council use only at this stage and that further discussion will occur at Council's September workshop.

Clr Johnstone asked if more information could be provided about the weed action fund as it would be of great interest to the broader community. The Development Services Coordinator will obtain and circulate information to Councillors.

COUNCIL DECISION:

08/24.16.1.439 Moved: Clr Barnes / Seconded: Clr Oldham

That the report be received.

CARRIED UNANIMOUSLY

08/24.17.0 GOVERNANCE

08/24.17.1 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:

- A letter has been received from the Minister advising funding to 30 June 2025 of the Online Access Centre and that an independent review will be undertaken of the Government's investment in digital inclusion programs.
- Arrangements are coming into place regarding the Eastern Strategic Regional Partnership Projects. The St Marys Child Care Needs analysis and site investigation is in the initial stages. The scope of the work needs to be reviewed as there is merit in taking a more holistic approach to the assessment of the need for childcare within the broader municipality rather than St Marys in isolation and there is the capacity to do this and still undertake the necessary work at St Marys.

Clr Drummond asked if the Online Access Centre can be put on the community engagement page. The General Manager advised that Council is waiting to receive more information on what the independent review process will involve.

Clr Carter asked for an update on the study hub project. The General Manager advised that consultants have been engaged and have commenced work on the first stage of the project. Completion is scheduled for the end of 2024.

Clr Carter noted that demographer Lisa Denny will present again to Council and asked if people of her calibre would be able to present at public forums to help advance community thinking. The General Manager said the intention is to run an online session with Lisa Denny after the session for Councillors.

COUNCIL DECISION:

08/24.17.1.440 Moved: Clr Barnes/ Seconded: Clr Wright

That the General Manager's report be received.

CARRIED UNANIMOUSLY

08/24.17.2 Federal Election Lobbying Priorities

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

That Council consider additional projects for inclusion in Federal Election lobbying activities.

INTRODUCTION:

In the lead up to the Tasmanian State Election, Council gave consideration as to what it saw as being priorities it would lobby for which included potential Federal Election priorities given the linkage with State priorities. With a Federal Election approaching it is timely to review those priorities to see how they could be translated into the Federal context. The next federal election will be held on or before 27 September 2025.

DISCUSSION:

The General Manager advised the three projects that we currently have listed for pursuit at the Federal level include: St Marys Pass, Georges Bay Foreshore Track, and St Marys Childcare Centre. He asked Councillors to consider other projects that could potentially be included. The Break O'Day Aquatic Centre, Scamander Sports Complex Master Plan, CBA Carpark, and St Marys to Cornwall Multi-user Trail were mentioned.

Clr Chapple asked for the sealing of Ansons Bay Road through to Ansons Bay be included. The General Manager said this could be included for consideration.

Clr Chapple asked if the St Marys to Cornwall Multi-user Trail could go through to Fingal. The General Manager advised that the first stage of the trail is to Cornwall; other sections include challenges that need to be worked through.

Councillors in general were very supportive of the inclusion of the St Marys to Cornwall Multi-user Trail as the community have embraced this concept, it will connect communities, and promotes health and wellbeing.

COUNCIL DECISION:

08/24.17.2.441 Moved: Clr Carter / Seconded: Clr Chapple

That Council consider additional projects for inclusion in Federal Election lobbying activities.

CARRIED UNANIMOUSLY

08/24.17.3 Local Government Association of Tasmania Feedback Request for the Local Government Code of Conduct

FILE REFERENCE	014\006\001\
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OFFICER'S RECOMMENDATION:

That Council note the previous engagement processes and that it is unlikely that any substantive change will be made irrespective of feedback, and that the Local Government Association of Tasmania be advised that Break O'Day Council has no comment to make.

INTRODUCTION:

The Minister for Local Government Nic Street has written to all Councils regarding; legislation relating to changes which are being made to the Code of Conduct relating to Councillors.

DISCUSSION:

The General Manager said that consultation has occurred in the past, that the amendments reflect minor changes, and that Council does not intend to provide any further feedback.

COUNCIL DECISION:

08/24.17.3.442

Moved: Clr Carter / Seconded: Clr Wright

That Council note the previous engagement processes and that it is unlikely that any substantive change will be made irrespective of feedback, and that the Local Government Association of Tasmania be advised that Break O'Day Council has no comment to make.

CARRIED UNANIMOUSLY

08/24.17.4

Local Government Association of Tasmania (LGAT) – Motions for Discussion at the September General Meeting

FILE REFERENCE	039\002\008\
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OFFICER'S RECOMMENDATION:

That the voting delegate to the General Meeting note the comments from Councillors.

INTRODUCTION:

The next General Meeting for LGAT is scheduled to be held on the 4 September 2024 and the attached motions have been submitted for consideration at this meeting.

DISCUSSION:

The General Manager advised that five motions have been tabled for the upcoming meeting and that Council officers have provided comment on three of the motions with Psychosocial Safety Insurance for Elected Members being a key issue. Councillors agreed that psychosocial concerns are real in a small community where Councillors are familiar with many in the community and where unpleasant behaviour from members of the public is often experienced. The General Manager noted that Council employees also experienced similar behaviour from members of the public.

Clr Drummond referred to the motion regarding the Working with Vulnerable People Card and whether it will be made mandatory that all Council staff and Councillors will need to have one. The General Manager noted this would be a substantial cost to Council with the employee cost being \$138 per card while the volunteer cost is \$20 per card.

COUNCIL DECISION:

08/24.17.4.443 Moved: Clr Carter / Seconded: Clr Chapple

That the voting delegate to the General Meeting note the comments from Councillors.

CARRIED UNANIMOUSLY

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

Moved: Clr Chapple / Seconded: Clr Oldham

That Council move into Closed Council

CARRIED UNANIMOUSLY

IN CONFIDENCE

08/24.18.0 **CLOSED COUNCIL**

08/24.18.1 **Confirmation of Closed Council Minutes – Council Meeting 15 July 2024**

COUNCIL DECISION:

TO APPEAR IN OPEN COUNCIL MINUTES

08/24.18.1.CC Moved: Clr Johnstone/ Seconded: Clr Chapple

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

CARRIED UNANIMOUSLY

08/24.18.2 **Outstanding Actions List for Closed Council**

08/24.18.3 **Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015 Tender – Pump Track Fingal Park Contract 030\001\149**

COUNCIL DECISION:

TO APPEAR IN OPEN COUNCIL MINUTES

08/24.18.3.CC Moved: Clr Wright / Seconded: Clr Chapple

That Council award Contract 030\001\149 Pump Track – Fingal Park, Fingal to World Trail.

CARRIED UNANIMOUSLY

08/24.18.4 **Closed Council Item Pursuant to Section 15(2)(I) of the Local Government (Meeting Procedures) Regulations 2015 - Amendment of sealed plan – SP134740**

COUNCIL DECISION:

TO APPEAR IN OPEN COUNCIL MINUTES

08/24.18.4.CC Moved: Clr Drummond/ Seconded: Clr Chapple

Council delegates its decision-making power to support or oppose the application to amend in accordance with s. 103(3)(b) of the *Local Government (Building and Miscellaneous Provisions) Act*

1993 (Tas) to the General Manager, pursuant to the power to delegate available to the Council under section 22 of the *Local Government Act 1993*.

CARRIED UNANIMOUSLY

08/24.18.5 **Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015 Tender – Scamander Inert Landfill Contract 030\001\148**

TO APPEAR IN OPEN COUNCIL MINUTES

08/24.18.5.CC Moved: Clr Barnes / Seconded: Clr Oldham

That Council award Contract 030\001\148 “Scamander Inert Landfill – Consultant Design Services” to GHD.

CARRIED UNANIMOUSLY

08/24.18.6 **Closed Council Item Pursuant To Section 15(2)F of the Local Government (Meeting Procedures) Regulations 2005 - Old St Helens Hospital**

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

Moved: Clr Johnstone / Seconded: Clr Barnes

That Council leave Closed Council

CARRIED UNANIMOUSLY

08/24.19.0 **MEETING CLOSED**

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 12.33pm.

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MAYOR

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DATE