



COUNCIL MEETING MINUTES

Monday 24 June 2024
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
24 June 2024

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CONTENTS

CONTENTS 3

AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL	5
OPENING 5	
ACKNOWLEDGEMENT OF COUNTRY.....	5
LIVE AUDIO/VISUAL STREAMING OF COUNCIL MEETINGS.....	5
06/24.1.0 ATTENDANCE	6
06/24.1.1 Present	6
06/24.1.2 Apologies.....	6
06/24.1.3 Leave of Absence	6
06/24.1.4 Staff in Attendance	6
06/24.2.0 PUBLIC QUESTION TIME.....	6
06/24.2.1 St Helens Online Access Centre – Rosina Gallace, President.....	6
06/24.3.0 DECLARATION OF INTERESTS OF A COUNCILLOR OR CLOSE ASSOCIATE	8
06/24.4.0 CONFIRMATION OF MINUTES.....	8
06/24.4.1 Confirmation of Minutes – Council Meeting 20 May 2024	8
06/24.5.0 COUNCIL WORKSHOPS HELD SINCE 20 MAY 2024 COUNCIL MEETING	9
06/24.6.0 PLANNING AUTHORITY	9
06/24.6.1 DA 044-2023 Hotel Industry - Additions & Alterations to RSL Club Inc Signage & Carparking	9
06/24.6.2 DA 013-2024 Residential – Retrospective Approval of Wall	15
06/24.6.3 DA 047-2024 Demolition of Dwelling & Shed, New Dwelling, Shed & Crossover	22
06/24.6.4 DA 238-2023 - RA 26 Tims Creek Road, Mathinna Storage – Storage Shed.....	30
06/24.7.0 COUNCIL MEETING ACTIONS	34
06/24.7.1 Outstanding Matters.....	34
06/24.8.0 PETITIONS.....	35
06/24.9.0 NOTICES OF MOTION	35
06/24.10.0 COUNCILLOR’S QUESTIONS ON NOTICE	36
06/24.11.0 COUNCILLOR’S QUESTIONS WITHOUT NOTICE	36
06/24.12.0 MAYOR’S & COUNCILLOR’S COMMUNICATIONS.....	36
06/24.12.1 Mayor’s Communications for Period Ending 24 June 2024.....	36
06/24.12.2 Councillor’s Reports for Period Ending 24 June 2024.....	36
06/24.13.0 BUSINESS AND CORPORATE SERVICES.....	38
06/24.13.1 Corporate Services Department Report	38
06/24.13.2 Monthly Financial Report.....	38
06/24.13.3 Visitor Information Centre Report.....	39
06/24.13.4 2024 – 2025 Budget Estimates	40

06/24.13.5	2024 – 2025 Rates Resolution.....	41
06/24.14.0	WORKS AND INFRASTRUCTURE	42
06/24.14.1	Works and Infrastructure Report.....	42
06/24.14.2	Animal Control Report	42
06/24.14.3	Speed Limits – North Ansons Bay Road and Ansons Bay.....	43
06/24.15.0	COMMUNITY DEVELOPMENT	44
06/24.15.1	Community Services Report.....	44
06/24.15.2	Scamander & Beaumaris Community Projects – Results of Survey	44
06/24.16.0	DEVELOPMENT SERVICES.....	45
06/24.16.1	Development Services Report.....	45
06/24.16.2	Review of Dog Management Policy	46
06/24.17.0	GOVERNANCE.....	47
06/24.17.1	General Manager’s Report.....	47
06/24.17.2	2024-2025 Annual Plan	49
06/24.17.3	Northern Tasmania Development Corporation (NTDC) – Receipt of Quarterly Report – January – March 2024	49
06/24.18.0	CLOSED COUNCIL	51
06/24.18.1	Confirmation of Closed Council Minutes – Council Meeting 20 May 2024.....	51
06/24.18.2	Outstanding Actions List for Closed Council	51
06/24.18.3	Closed Council Item Pursuant to Section 15(2)D of The Local Government (Meeting Procedures) Regulations 2015 Tender – Feasibility Analysis, Aquatic Facility in Break O’Day.....	51
06/24.18.4	Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015 - Project Scoping - Construction of New Indoor & Evacuation Centre	51
06/24.19.0	MEETING CLOSED.....	52

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 10.04am.

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.

06/24.1.0 ATTENDANCE

06/24.1.1 Present

Mayor Mick Tucker
Deputy Mayor Kristi Chapple
Councillor Ian Carter
Councillor Janet Drummond
Councillor Barry LeFevre
Councillor Vaughan Oldham
Councillor Kylie Wright

06/24.1.2 Apologies

Councillor Liz Johnstone
Councillor Gary Barnes

06/24.1.3 Leave of Absence

Nil

06/24.1.4 Staff in Attendance

General Manager, John Brown	
Governance Officer, Molli Brown	
Corporate Officer, Wanita Wells	
NRM Facilitator, Polly Buchhorn	(Item 06/24.14.0 to 06/24.14.2)
Planning Officer, Kathryn Clausen	(Item 06/24.1.0 to 06/24.6.4)
Manager Community Services, Chris Hughes	(Item 06/24.1.0 to 06/24.15.2)
Development Services Coordinator, Jake Ihnen	(Item 06/24.1.0 to 06/24.18.4)
Manager Infrastructure and Development Services, David Jolly	(Item 06/24.1.0 to 06/24.14.3)
Senior Town Planner, Deb Szekely	(Item 06/24.1.0 to 06/24.6.4)
Accountant, Marissa Walters	(Item 06/24.13.4 to 06/24.13.5)

06/24.2.0 PUBLIC QUESTION TIME

One (1) person in the gallery (Item 06/24.1.0 to 06/24.12.0)

06/24.2.1 St Helens Online Access Centre – Rosina Gallace, President

Could the Council please advise the St Helens Online Access Centre of any of your communications with the State Government regarding our funding situation? Our current funding under the Grant Agreement of 2022-2025 ceases in June 2025. Our question today is a follow up from your previous update in the March Break O’Day Minutes which stated the following reply at section 03/24.2.1 for the St Helens Online Access Centre:

REPLY

The last letter was sent to Minister Roger Jaensch on 1 February 2024 and an acknowledgement that it had been received was received on the same day. No response has been received. As referred to above the next step was to use Parliament and have the matter raised as part of question time. Unfortunately, the calling of the State Election results in the Caretaker period coming into effect and Roger Jaensch MP is no longer Minister. Once Parliament resumes then we will arrange for the matter to be raised on the floor of Parliament.

The St Helens Online Access Centre seeks a further update on the above communication as stated in the Break O' Day Minutes for March 2024 with the Minister of Education.

I would also like to advise the Council today that the Tasmanian Online Access Centres are still residing within the budget with Libraries Tasmania which is the portfolio of the Minister of Education, Jo Palmer MP and not Roger Jaensch MP, Minister of Community Services, as had previously advised by the Premier.

Reply:

Following the announcement of Ministerial portfolios after the State Election, Council wrote to the new Minister for Education, Jo Palmer seeking a definitive answer on the future funding of Online Access Centres; the exploration of a hub approach and the availability of funds to examine this approach; and clear articulation of the State Government's plans for future delivery of services. Council received a response from the Minister on 20 June 2024 which disappointingly failed to address the matters raised. A further letter will be sent to the Minister asking that Council's questions be addressed. The situation in relation to the funding of Online Access Centres was raised in State Parliament on 20 June 2024 by the Hon Jen Butler MP, Member for Lyons.

06/24.2.2 Water Retention Basin, Wrinklers subdivision – Peter Beattie

Could the Council please confirm the date that the Tasmanian Planning Commission approved the Water Retention Basin as part of the Wrinklers subdivision?

Reply:

The subdivision in question (Council Ref: 534-2006), was not subject to a tribunal decision. The appeal was withdrawn.

06/24.2.3 Pedestrian crossing in Cecilia Street – Chris Foote

Could the pedestrian crossing area in Cecilia Street outside Portland Hall become a more formalised user-friendly crossing? People with mobility issues, and mothers with young children and prams, often have difficulty navigating this crossing. Further, many vehicle drivers seem unaware that this is a crossing area, and often fail to slow down to allow safe crossing.

Reply:

The current pedestrian refuge at the St Helens midblock location has been installed because:

- It provides a safe place for pedestrians to pause during their crossing and cross the road in two stages allowing pedestrians to focus on one direction of traffic at a time as they cross, providing them a place to wait for an adequate gap in oncoming traffic before finishing the second phase of a crossing.
- Is visible to drivers and breaks up the crossing into two shorter segments, reducing collision risk.
- Helps to maintain smoother traffic flow. Vehicles may proceed when pedestrians are on the island, rather than waiting for the entire crossing.
- It accommodates persons with disabilities.

Council officers will also seek comment from the Department of State Growth as to whether a more formalised crossing could be given further consideration at that location.

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.

Nil

06/24.3.0 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

06/24.4.0 CONFIRMATION OF MINUTES

06/24.4.1 Confirmation of Minutes – Council Meeting 20 May 2024

OFFICER’S RECOMMENDATION:

That the minutes of the Council Meeting held on the 20 May 2024 be confirmed.

DISCUSSION:

Nil

COUNCIL DECISION:

06/24.4.1.379 Moved: Clr Chapple / Seconded: Clr LeFevre

That the minutes of the Council Meeting held on the 20 May 2024 be confirmed.

CARRIED UNANIMOUSLY

06/24.5.0 COUNCIL WORKSHOPS HELD SINCE 20 MAY 2024 COUNCIL MEETING

There was a workshop held 3 June 2024 and the following items were listed for discussion.

- 2024 – 2025 Annual Plan
- Pending Development Application Updates
- Review of Dog Management Policy
- 2024-2025 Budget Estimates Discussion
- 2024-2025 Budget Estimates
- Animal Control Report
- Speed Limits – North Ansons Bay Road and Ansons Bay
- Ansons Bay Waste Transfer Station
- Scamander & Beaumaris Community Projects – Results of Survey
- Northern Tasmania Development Corporation (NTDC) – Receipt of Quarterly Report – January – March 2024
- Proposed Amendments to the Residential Tenancy Act
- Car Parking Area – 18-24 Cecilia Street, St Helens

06/24.6.0 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.

06/24.6.1 DA 044-2023 Hotel Industry - Additions & Alterations to RSL Club Inc Signage & Carparking

FILE REFERENCE	DA 2023 / 00044
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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 *Tasmanian Planning Scheme – Break O’Day*, that the application for HOTEL INDUSTRY - ADDITIONS & ALTERATIONS TO RSL CLUB INC SIGNAGE & CARPARKING on land situated at 35 QUAIL STREET, ST HELENS described in Certificate of Title 134932/1 be APPROVED subject to the following conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Location Plan	-	Dock 4 Architects	-
Existing Site Plan	Dwg. No. 1.01 Rev 01	Dock 4 Architects	16/04/2024
Existing Site Plan – Carparking	Dwg. No. 1.02 Rev 01	Dock 4 Architects	16/04/2024
Demo Floor Plan	Dwg. No. 1.03 Rev 01	Dock 4 Architects	16/04/2024
Proposed Site Plan	Dwg. No. 2.01 Rev 01	Dock 4 Architects	16/04/2024
Proposed Site Plan – Car Parking	Dwg. No. 2.02 Rev 01	Dock 4 Architects	16/04/2024
Proposed Floor Plan	Dwg. No. 2.03 Rev 01	Dock 4 Architects	16/04/2024
Elevations	Dwg. No. 2.04 Rev 01	Dock 4 Architects	16/04/2024
Proposed Floor Plan	Dwg. No. 2.03 Rev 01	Dock 4 Architects	02/02/2024
Structural	Dwg. No. 3.02 Rev 01	Dock 4 Architects	16/04/2024

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2	CAR PARKING	
A	The areas shown to be set aside for accessible car parking must be: <ul style="list-style-type: none"> a. completed before the use of the development; b. be designed and constructed in accordance with AS/NZS 2890.6:2009 Parking facilities, off-street parking for people with disabilities. c. surfaced with an impervious surface; d. line-marked to indicate each space to the satisfaction of the Council. e. drained to Council’s stormwater drainage system. 	Prior to use and maintained at all times.
3	BICYCLE PARKING	
A	Bicycle parking spaces and access must comply with relevant provisions within AS 2890.3 – 2015 Parking facilities – Part 3: Bicycle parking.	Prior to use and maintained at all times.

CONDITION		TIMING
4	TASWATER	
A	All works must be in accordance with the conditions of the Submission to Planning Authority Notice (SPAN) by TasWater, TWDA 2023/00315-BODC as attached to this permit.	Prior to use and maintained at all times.
5	SIGNAGE	
A	Signs must be: <ul style="list-style-type: none"> a. professionally designed and legible; b. structurally sound and not in any way hazardous; c. located entirely within the boundaries of lot C.T. 134932/1; d. situated so as not to obstruct traffic; and e. designed in colours and principles not currently incorporated into statutory or directional signs erected by public authorities. 	Prior to use and maintained at all times.
6	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.
7	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	Nil

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

Development Permit Information	Details
<i>Development Description</i>	HOTEL INDUSTRY - ADDITIONS & ALTERATIONS TO RSL CLUB INC SIGNAGE & CARPARKING
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Nil
<i>Attachments</i>	TasWater TWDA 2023/00315-BODC
<i>Representations</i>	Two (2)

INTRODUCTION:

The applicant is seeking approval for works and development that will provide for alterations and additions to the RSL Ex Servicemen’s and Citizens Club, St Helens.

DISCUSSION:

The Senior Town Planner explained the additions to the building relate to a new portion of roofing at the Quail Street frontage over the access and the creation of a partially covered outdoor area and back entrance accessible via the rear carpark. The site is also undergoing internal alterations which don’t require planning approvals. The application received two representations and these have been addressed within the report. This resulted in some amended plans where a boundary separating fence was included into the development.

COUNCIL DECISION:

06/24.6.1.380 Moved: Clr Carter/ 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 *Tasmanian Planning Scheme – Break O’Day*, that the application for HOTEL INDUSTRY - ADDITIONS & ALTERATIONS TO RSL CLUB INC SIGNAGE & CARPARKING on land situated at 35 QUAIL STREET, ST HELENS described in Certificate of Title 134932/1 be APPROVED subject to the following conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Location Plan	-	Dock 4 Architects	-
Existing Site Plan	Dwg. No. 1.01 Rev 01	Dock 4 Architects	16/04/2024
Existing Site Plan – Carparking	Dwg. No. 1.02 Rev 01	Dock 4 Architects	16/04/2024
Demo Floor Plan	Dwg. No. 1.03 Rev 01	Dock 4 Architects	16/04/2024
Proposed Site Plan	Dwg. No. 2.01 Rev 01	Dock 4 Architects	16/04/2024
Proposed Site Plan – Car Parking	Dwg. No. 2.02 Rev 01	Dock 4 Architects	16/04/2024
Proposed Floor Plan	Dwg. No. 2.03 Rev 01	Dock 4 Architects	16/04/2024
Elevations	Dwg. No. 2.04 Rev 01	Dock 4 Architects	16/04/2024
Proposed Floor Plan	Dwg. No 2.03 Rev 01	Dock 4 Architects	02/02/2024
Structural	Dwg. No. 3.02 Rev 01	Dock 4 Architects	16/04/2024

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2	CAR PARKING	
A	The areas shown to be set aside for accessible car parking must be: <ul style="list-style-type: none"> a. completed before the use of the development; b. be designed and constructed in accordance with AS/NZS 2890.6:2009 Parking facilities, off-street parking for people with disabilities. c. surfaced with an impervious surface; d. line-marked to indicate each space to the satisfaction of the Council. e. drained to Council’s stormwater drainage system. 	Prior to use and maintained at all times.
3	BICYCLE PARKING	
A	Bicycle parking spaces and access must comply with relevant provisions within AS 2890.3 – 2015 Parking facilities – Part 3: Bicycle parking.	Prior to use and maintained at all times.

CONDITION		TIMING
4	TASWATER	
A	All works must be in accordance with the conditions of the Submission to Planning Authority Notice (SPAN) by TasWater, TWDA 2023/00315-BODC as attached to this permit.	Prior to use and maintained at all times.
5	SIGNAGE	
A	Signs must be: f. professionally designed and legible; g. structurally sound and not in any way hazardous; h. located entirely within the boundaries of lot C.T. 134932/1; i. situated so as not to obstruct traffic; and j. designed in colours and principles not currently incorporated into statutory or directional signs erected by public authorities.	Prior to use and maintained at all times.
6	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.
7	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	Nil

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

Development Permit Information	Details
<i>Development Description</i>	HOTEL INDUSTRY - ADDITIONS & ALTERATIONS TO RSL CLUB INC SIGNAGE & CARPARKING
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Nil
<i>Attachments</i>	TasWater TWDA 2023/00315-BODC
<i>Representations</i>	Two (2)

CARRIED UNANIMOUSLY

06/24.6.2 DA 013-2024 Residential – Retrospective Approval of Wall

FILE REFERENCE	DA 2024 / 00013
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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 *Tasmanian Planning Scheme – Break O’Day*, that the application for RESIDENTIAL – RETROSPECTIVE APPROVAL OF WALL on land situated at 17 FOUR MILE CREEK ROAD, FOUR MILE CREEK described in Certificate of Title 39416/1 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Site Plan	-	Prepared by Applicant	Received 25/01/2024

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2	Natural Colours, Materials and Finishes	
	Ensure that colours of predominant surfaces harmonise with the colours of adjacent vegetation and should continue to include natural tones of green, grey and brown.	Prior to the commencement of the use and to be maintained all times.
3	Landscaping	
A	Provide landscaping to ensure practical screening of the development (garden wall) when landscaping reaches maturity, from direct view from any adjoining road, public and space including coastal foreshore.	During site works and maintained at all times.
B	Select plant species from local provenance plant stock where possible	During site works and maintained at all times.
C	Maintain the landscaping to ensure viability of plantings.	At all times.
	Advice: Landscaping associated with screening the garden wall must not compromise Bushfire Hazard Management in relation to the Residential use. In order to comply with Bushfire Hazard Plan, complete screening may not be possible.	

ADVICE

1. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works, then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
2. The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
3. Activities associated with construction works are not to be performed outside the permissible time frames listed:
 - Mon-Friday 7 am to 6 pm
 - Saturday 9 am to 6 pm
 - Sunday and public holidays 10 am to 6 pm
4. Be advised that in accordance with the *Building Act 2016* assessment for building approval cannot commence until such time as Council is provided with full Building Design Plans and Specifications prepared by a Tasmanian Licenced designer.

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	Nil

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

Development Permit Information	Details
<i>Development Description</i>	Residential – Retrospective Approval of Wall
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Nil
<i>Attachments</i>	Nil
<i>Representations</i>	One (1)

INTRODUCTION:

The applicant is seeking retrospective approval for a garden wall at 17 Four Mile Creek Road, Four Mile Creek. The free-standing wall is located north and appurtenant to the existing dwelling and partially encloses a private garden. Dimensions of the garden wall are:

- Maximum height 1.8m
- Length – western presentation 6.4m
- Length – northern presentation 14m
- Width – 90mm
- Construction materials – concrete block
- Colour/Finishes – dark grey. The pigment used is the same as used for the existing dwelling.

The free-standing garden wall is within the Use Class – Residential and is associated with and a subservient part of the existing residential use occurring within the dwelling on site (Development Permit DA301-2009) approved on 23 December 2010.



Western Presentation



Northern Presentation



Green Arrow – Garden Wall

Red Arrow – Dwelling

DISCUSSION:

The Senior Town Planner explained the wall is located within the Environmental Management Zone. The freestanding wall is described as a garden wall. The unauthorised development is also the subject of an enforcement notice. The application received one representation which has been considered in the body of the report.

The following comments were made:

- Clr LeFevre – Supports the recommendation, noting the conditions. Retrospective approvals need workshopping for the future. These take a lot more time and work for officers which in turn affect all ratepayers.
- Clr Wright – Is concerned about retrospective approvals and asked would this development be approved had it followed proper process. The Senior Town Planner advised the assessment would have been exactly the same and the outcome would have been the same.
- Clr Drummond made the following comments:

“After careful consideration and much soul searching, I cannot in all good conscience vote to approve this retrospective development application for the “garden wall” situated at 17 Four Mile Creek Road, Four Mile Creek. The decision is based on several critical factors that highlight significant deviations from the approved planning scheme and raise serious ethical concerns.

Firstly, the construction of the structure was undertaken without the necessary approvals, blatantly disregarding the planning scheme established to ensure orderly and sustainable development within our community. The decision to proceed with construction outside of these guidelines is a violation of planning regulations and demonstrates a lack of respect for the established processes that govern responsible development in our municipality.

The actions suggest a deliberate attempt to circumvent the regulatory framework, undermining the integrity of our planning process. This behaviour sets a concerning precedent for other developers and residents, potentially encouraging similar unauthorised activities.

Additionally, the absence of any monitoring or oversight during the construction phase means that we cannot ascertain whether the structure complies with safety standards and building regulations. The lack of supervision raises serious concerns about the quality and the safety of the construction, posing potential risks to both the occupants and potentially the surrounding community, should the wall subsequently collapse.

Given these significant issues, I feel I have no choice but to vote in the negative for this retrospective application. Furthermore, due to the unauthorised nature of the construction and the potential risks it presents, I would further request the immediate demolition of the structure.

If the DA is approved, I would like a condition attached that requires an independent engineer’s report ascertaining the state of the construction and whether compliance with safety standards and building regulations were complied with. This action is necessary to rectify the situation, uphold the integrity of our planning scheme, and ensure the safety and well-being of our community.

I understand that my decision is not based within the framework of the planning scheme, but I believe it is essential to maintain the principles of fairness, safety, and adherence to the established planning framework. I would request that the proponents work with the council for any future development proposals to ensure compliance with all relevant regulations and to contribute positively to the growth and development of our community.

In summary, granting retrospective approval for unauthorised works establishes detrimental planning precedents and fosters a culture of non-compliance with planning laws, further exacerbated by the lack of enforcement of planning permit conditions.”

- Mayor Tucker – The concerns about retrospective approvals are shared. The greatest concern is civil engineering to make sure the structure is safe and this will be addressed through the building approval stage.

The Senior Town Planner talked about the feasibility of adding an extra condition and addressed the building safety component. The legislation sets out that a building approval is required, and Council can ensure this process happens quickly.

COUNCIL DECISION:

06/24.6.2.381

Moved: Clr LeFevre / Seconded: Clr Carter

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for RESIDENTIAL – RETROSPECTIVE APPROVAL OF WALL on land situated at 17 FOUR MILE CREEK ROAD, FOUR MILE CREEK described in Certificate of Title 39416/1 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Site Plan	-	Prepared by Applicant	Received 25/01/2024

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2	Natural Colours, Materials and Finishes	
	Ensure that colours of predominant surfaces harmonise with the colours of adjacent vegetation and should continue to include natural tones of green, grey and brown.	Prior to the commencement of the use and to be maintained all times.
3	Landscaping	
A	Provide landscaping to ensure practical screening of the development (garden wall) when landscaping reaches maturity, from direct view from any adjoining road, public and space including coastal foreshore.	During site works and maintained at all times.
B	Select plant species from local provenance plant stock where possible	During site works and maintained at all times.
C	Maintain the landscaping to ensure viability of plantings.	At all times.
	Advice: Landscaping associated with screening the garden wall must not compromise Bushfire Hazard Management in relation to the Residential use. In order to comply with Bushfire Hazard Plan, complete screening may not be possible.	

ADVICE

1. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works, then an

Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.

2. The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
3. Activities associated with construction works are not to be performed outside the permissible time frames listed:

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

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

- 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	Nil

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

Development Permit Information	Details
<i>Development Description</i>	Residential – Retrospective Approval of Wall
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Nil
<i>Attachments</i>	Nil
<i>Representations</i>	One (1)

CARRIED

FOR: Clr Carter, Clr Chapple, Clr LeFevre, Clr Oldham

AGAINST: Clr Drummond, Clr Wright

06/24.6.3 DA 047-2024 Demolition of Dwelling & Shed, New Dwelling, Shed & Crossover

FILE REFERENCE	047-2024
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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 *Tasmanian Planning Scheme – Break O’Day*, that the application for DEMOLITION OF DWELLING & SHED, NEW DWELLING, SHED & CROSSOVER on land situated at 193 ST HELENS POINT ROAD, STIEGLITZ described in Certificate of Title 236654/3 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Project Details	DA01 Rev 06	Align Architects	14/05/2024
Detail Survey	V2	Andy Hamilton & Associates – Consulting Land Surveyors	10/08/2023
Site Plan – Existing / Demo + Proposed	DA03 Rev 08	Align Architects	14/05/2024
Shadow Diagrams	DA04 Rev 06	Align Architects	14/05/2024
Ground Floor Plan	DA05 Rev 06	Align Architects	14/05/2024
First Floor Plan	DA06 Rev 06	Align Architects	14/05/2024
Roof Plan	DA07 Rev 06	Align Architects	14/05/2024
Elevations	DA08 Rev 07	Align Architects	14/05/2024
Elevations	DA09 Rev 06	Align Architects	14/05/2024
3D Views	DA10 Rev 06	Align Architects	14/05/2024
Stormwater Design Report	Job No. EE908 Rev 01	Exceed Engineering	08/05/2024
Cover Page	C100 Rev 02	Exceed Engineering	13/05/2024
Stormwater Site Plan	C101 Rev 02	Exceed Engineering	13/05/2024
Above Ground Retention Detail	C102 Rev 02	Exceed Engineering	13/05/2024
Trench Detail	C103 Rev 02	Exceed Engineering	13/05/2024
Civil Notes	C104 Rev 02	Exceed Engineering	13/05/2024

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
	Undertake development in accordance with the approved plans and 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.
2	Outbuildings	
A	The outbuilding is approved for non-habitable residential use only.	To be maintained at all times

3	Vehicle Crossover	
A	The crossovers (existing and proposed) must be constructed in accordance with Standard Drawing TSD-R04-V3 incorporating a shallow dish crossing instead of a pipe culvert due to the absence of roadside drainage. Both crossovers must be sealed (e.g. concrete) and join seamlessly with the adjoining road.	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 for the crossover.	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: <ul style="list-style-type: none"> 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	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.
7	Stormwater	
A	Works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance	During site works and maintained at all times.
B	All runoff from the proposed buildings must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. The stormwater management system must be of sufficient size to absorb stormwater runoff.	Prior to use and maintained at all times.

8	Exterior and Security Lighting	
A	Exterior and security lighting must be designed, baffled and located so that no direct light is emitted outside the property boundaries.	Prior to use and maintained at all times.

ADVICE

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

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

Development Permit Information	Details
<i>Development Description</i>	DEMOLITION OF DWELLING & SHED, NEW DWELLING, SHED & CROSSOVER
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Work Permit - Crossovers
<i>Attachments</i>	Nil
<i>Representations</i>	Six (6)

INTRODUCTION:

The applicant is seeking approval for the demolition of the existing structures on site including a dwelling and outbuildings. The application also includes the construction of a single dwelling four (4) bedroom split level dwelling and outbuilding.

The proposed dwelling will have floor area of 245 m² with the outbuilding having a floor area of 126 m². Development also includes an addition to the existing low level timber deck at the rear of the premises.



Existing Dwelling and structures – Left: St Helens Point Rd frontage; Right: Georges Bay frontage



Proposed Structures – St Helens Pt Road frontage



Proposed Structure – Georges Bay frontage

The proposed Residential use and development is within the General Residential Zone which is serviced by TasWater but will rely on onsite disposal of stormwater. The development application also includes a second crossover to St Helens Point Road and this matter has been fully considered by the road authority (BODC Works Department).

DISCUSSION:

The Senior Town Planner explained the application relied on satisfying two (2) performance criterion which have been addressed in the body of the report. The application received six (6) representations which have been considered.

COUNCIL DECISION:

06/24.6.3.382 Moved: Clr LeFevre / Seconded: Clr Oldham

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 *Tasmanian Planning Scheme – Break O’Day*, that the application for DEMOLITION OF DWELLING & SHED, NEW DWELLING, SHED & CROSSOVER on land situated at 193 ST HELENS POINT ROAD, STIEGLITZ described in Certificate of Title 236654/3 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Project Details	DA01 Rev 06	Align Architects	14/05/2024
Detail Survey	V2	Andy Hamilton & Associates – Consulting Land Surveyors	10/08/2023
Site Plan – Existing / Demo + Proposed	DA03 Rev 08	Align Architects	14/05/2024

Shadow Diagrams	DA04 Rev 06	Align Architects	14/05/2024
Ground Floor Plan	DA05 Rev 06	Align Architects	14/05/2024
First Floor Plan	DA06 Rev 06	Align Architects	14/05/2024
Roof Plan	DA07 Rev 06	Align Architects	14/05/2024
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Cover Page	C100 Rev 02	Exceed Engineering	13/05/2024
Stormwater Site Plan	C101 Rev 02	Exceed Engineering	13/05/2024
Above Ground Retention Detail	C102 Rev 02	Exceed Engineering	13/05/2024
Trench Detail	C103 Rev 02	Exceed Engineering	13/05/2024
Civil Notes	C104 Rev 02	Exceed Engineering	13/05/2024

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
	Undertake development in accordance with the approved plans and 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.
2	Outbuildings	
A	The outbuilding is approved for non-habitable residential use only.	To be maintained at all times
3	Vehicle Crossover	
A	The crossovers (existing and proposed) must be constructed in accordance with Standard Drawing TSD-R04-V3 incorporating a shallow dish crossing instead of a pipe culvert due to the absence of roadside drainage. Both crossovers must be sealed (e.g. concrete) and join seamlessly with the adjoining road.	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 for the crossover.	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: <ul style="list-style-type: none"> d. completed before the use of the development; e. constructed in accordance with the approved plans including stormwater management. 	Prior to use and maintained at all times.

CONDITION		TIMING
	f. Compliant with Australian Standard AS 2890.1:2004 – Parking facilities, Part 1 :Off-street car parking.	
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.
7	Stormwater	
A	Works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance	During site works and maintained at all times.
B	All runoff from the proposed buildings must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. The stormwater management system must be of sufficient size to absorb stormwater runoff.	Prior to use and maintained at all times.
8	Exterior and Security Lighting	
A	Exterior and security lighting must be designed, baffled and located so that no direct light is emitted outside the property boundaries.	Prior to use and maintained at all times.

ADVICE

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

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

Development Permit Information	Details
<i>Development Description</i>	DEMOLITION OF DWELLING & SHED, NEW DWELLING, SHED & CROSSOVER
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Work Permit - Crossovers
<i>Attachments</i>	Nil
<i>Representations</i>	Six (6)

CARRIED UNANIMOUSLY

06/24.6.4 DA 238-2023 - RA 26 Tims Creek Road, Mathinna Storage – Storage Shed

FILE REFERENCE	DA 238-2023
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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 *Tasmanian Planning Scheme – Break O'Day*, that the application for STORAGE – STORAGE SHED on land situated at RA 26 TIMS CREEK ROAD, MATHINNA described in Certificate of Title 50063/1 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Title Sheet	7128 sheet 1 of 3 Revision 2	Creek to Coast Designs	09/04/2024
Locality Plan	7128 sheet 2 of 3 Revision 2	Creek to Coast Designs	09/04/2024
Site Plan	7128 sheet 3 of 3 Revision 2	Creek to Coast Designs	09/04/2024
Elevations (Layout)	TLAN234005-3	Apex Engineering Group Pty Ltd	07/08/2023
Elevations	TLAN234005-10	Apex Engineering Group Pty Ltd	07/08/2023

(Component Position)			
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CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2	Access	
A	The crossover must be constructed in accordance with standard drawings TSD-RO3-v3 & TSD-R04-v3.	Prior to use and maintained at all times
B	An application must be submitted to obtain a Works Permit prior to undertaking any work on the crossover.	Prior to commencing works associated with the crossover
3	Stormwater	
	All runoff from the proposed buildings must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. Soakage drains must be of sufficient size to absorb stormwater runoff.	Prior to commencement of use and to be maintained at all times.
4	Nuisance	
	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	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. TasNetworks recommends that the customer or their electrician contact TasNetworks on 1300 137008 if they have any questions regarding any upgrades they may require to their electricity supply due to this development.
3. Activities associated with construction works are not to be performed outside the permissible time frames listed:
 - Mon-Friday 7 am to 6 pm
 - Saturday 9 am to 6 pm
 - Sunday and public holidays 10 am to 6 pm
4. Be advised that in accordance with the *Building Act 2016* assessment for building approval cannot commence until such time as Council is provided with full Building Design Plans and Specifications prepared by a Tasmanian Licenced designer.

- 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>	Storage – Storage Shed
<i>Relevant Period of Approval</i>	2 Years
<i>Attachments</i>	Approved Plans
<i>Representations</i>	Yes - 1

INTRODUCTION:

The applicant is seeking approval for the construction of a storage shed on a vacant property in the Rural Zone located at RA 26 Tims Creek Road, Mathinna.

DISCUSSION:

The Planning Officer explained one (1) representation was received concerning the siting of the shed in relation to the representor’s property and concerns that the shed will be used as a workshop. The applicant confirmed the shed will be used for storage of personal items and property maintenance equipment and is not intended to be used as a workshop.

COUNCIL DECISION:

06/24.6.4.383 Moved: Clr Chapple / Seconded: Clr Carter

- A. After due consideration of the application received and pursuant to Section 57 of *the Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for STORAGE – STORAGE SHED on land situated at RA 26 TIMS CREEK ROAD, MATHINNA described in Certificate of Title 50063/1 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Title Sheet	7128 sheet 1 of 3 Revision 2	Creek to Coast Designs	09/04/2024

Locality Plan	7128 sheet 2 of 3 Revision 2	Creek to Coast Designs	09/04/2024
Site Plan	7128 sheet 3 of 3 Revision 2	Creek to Coast Designs	09/04/2024
Elevations (Layout)	TLAN234005-3	Apex Engineering Group Pty Ltd	07/08/2023
Elevations (Component Position)	TLAN234005-10	Apex Engineering Group Pty Ltd	07/08/2023

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2	Access	
A	The crossover must be constructed in accordance with standard drawings TSD-RO3-v3 & TSD-R04-v3.	Prior to use and maintained at all times
B	An application must be submitted to obtain a Works Permit prior to undertaking any work on the crossover.	Prior to commencing works associated with the crossover
3	Stormwater	
	All runoff from the proposed buildings must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. Soakage drains must be of sufficient size to absorb stormwater runoff.	Prior to commencement of use and to be maintained at all times.
4	Nuisance	
	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	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. TasNetworks recommends that the customer or their electrician contact TasNetworks on 1300 137008 if they have any questions regarding any upgrades they may require to their electricity supply due to this development.
3. Activities associated with construction works are not to be performed outside the permissible time frames listed:

Mon-Friday 7 am to 6 pm
Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

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

- 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>	Storage – Storage Shed
<i>Relevant Period of Approval</i>	2 Years
<i>Attachments</i>	Approved Plans
<i>Representations</i>	Yes - 1

CARRIED UNANIMOUSLY

Clr Carter thanked the Senior Town Planner for her recent efforts in establishing the Councillors' understandings of the planning matters up for decision during this meeting.

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.

06/24.7.0 COUNCIL MEETING ACTIONS

06/24.7.1 Outstanding Matters

- Clr Chapple noted that the Update response to item 05/24.9.3.360 (refer page 478 of the agenda) relates to a different matter. The response as listed relates to Council's own motion of developing a formal statement and organising a community event with regard to ending violence against women. The General Manager advised the Update to Goal 05/24.9.3.360 will be corrected and the appropriate update provided to Councillors.
- Clr Drummond asked in relation to item 03/24.9.3.325 (refer page 481 of the agenda), if the engineering report for demolition of the Exhibition Hall at St Marys has been received. The

General Manager advised the report has been received and the Development Services Coordinator will prepare a report for the July Council workshop.

- Clr Carter noted that in relation to item 06/23.9.2.131 (refer page 483 of the agenda) despite numerous attempts, obtaining a response from the State Government regarding funding of the Online Access Centres is protracted. He asked whether Council should activate its own conversation regarding a potential service hub and how that might assist the community. The General Manager advised we can begin our own discussion and would need to apply resources to make that happen. He noted that certain projects need to be shovel-ready and we therefore need to be clear about what our priorities are.
- Clr Drummond asked in relation to item 05/24.15.2.370 (refer page 478 of the agenda), about the fact sheet to be provided to the community about moving free camping to the Fingal Recreation Ground and if any consultation engagement will occur. The General Manager advised the fact sheet will be provided at an 'inform' level on the basis that there is no real alternative to be debated.
- Clr Drummond asked for an update about the Reconciliation Action Plan. The Manager Community Services advised that the first working group will meet on 25 June 2024.
- Clr Drummond asked about the indigenous naming of St Patricks Head and whether any feedback had been received from the Parks and Wildlife Service. The General Manager advised initial feedback has been received from Parks and Wildlife but we need to consider this matter in the context of the Reconciliation Action Plan.
- Clr Carter noted that the naming of St Patricks Head is a one-off and asked if Council should consistently consider giving our natural resources an Aboriginal name. The General Manager said the Reconciliation Action Plan will help form the context and a more structured approach for this.

The report was received.

06/24.8.0 PETITIONS

Nil.

06/24.9.0 NOTICES OF MOTION

Nil.

06/24.10.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

06/24.11.0 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.

Nil

06/24.12.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

06/24.12.1 Mayor's Communications for Period Ending 24 June 2024

22.05.2024	Canberra	– Australian Local Government Association Board Dinner National Press Club Canberra.
23.05.2024	Canberra	– Australian Local Government Association Board and General Meeting.
27.05.2024	MS Teams	– Australian Local Government Association National General Assembly Sub-Committee Meeting.
03.06.2024	St Helens	– Council Workshop.
03.06.2024	St Helens	– Meeting with Acting Police Commander - Nathan Johnston – with General Manager John Brown.
04.06.2024	St Helens	– Meeting with Leader of the Opposition Dean Winter, Rebecca White MP and Jen Butler MP – with General Manager John Brown.
05.06.2024	Launceston	– Emergency Management Workshop
06.06.2024	MS Teams	– Local Government Association of Tasmania Meeting
07.06.2024	St Helens	– Bay of Fires Winter Arts Festival Gala Dinner.
09.06.2024	St Marys	– St Marys Car, Bike and Pedal Show.
12.06.2024	Hobart	– Meeting with Nick Duigan MP to discuss TasNetworks.
12.06.2024	Hobart	– Meeting with Felix Elis MP.
12.06.2024	Hobart	– Meeting with Jane Howlett MP.
12.06.2024	Hobart	– Dinner with Leader of the Opposition Dean Winter and Anita Dow MP.
12.06.2024	Hobart	– Meeting with Shane Broad MP, Shadow Minister for Housing.
20.06.2024	MS Teams	– Australian Local Government Association Meeting
23.06.2024		– Marine Rescue - Official opening of the new building.
24.06.2024	St Helens	– Council Meeting.

06/24.12.2 Councillor's Reports for Period Ending 24 June 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

The next meeting will be on 2 July 2024 at 6.00pm at Bayside. Clr Le Fevre will stand in for Clr Chapple while she is interstate.

NRM Special Committee – Clr Janet Drummond

A meeting was held on 4 June 2024 which included a field trip to the Binalong Bay area to look at potential sites for the picnic area, weeds, and degradation of camping areas. A report will come back to Council. A Forestry representative attended the meeting as part of the discussion about the ecological restoration of Skyline Tier and will form part of the committee membership.

East Coast Tasmania Tourism (ECTT) – Clr Barry LeFevre

A meeting was held on 29 May 2024 and focused on the Positive Impact Plan and associated funding. The Board undertook Cultural Awareness Training led by Trish Hodge from NITA Education and supported by JD McDonald, for one and a half days. Clr LeFevre said he was delighted to learn, in a supportive and respectful environment, new facts about Aboriginal people and the effect of European Settlement. Having completed the training he believes it will make him a more tolerant and informed individual regarding Aboriginal history. He urges Council to consider the professional learning for Councillors and Council staff.

Mental Health Action Group – Clr Barry LeFevre

Attended the launch of the Live 4 Life Break O’Day program at Fingal on 23 May 2024. The program involves Grade 8 students within the municipality leading positive peer to peer messaging about good mental health and seeking behavioural help. This program is funded by the Australian Government.

Council of the Aging (COTA) – Clr Barry LeFevre

Clr Le Fevre represented the Mayor at the COTA Long Table Lunch for Life Long Respect at St Marys Town Hall on 12 June 2024. The event was fantastic, the tables were beautifully set out, the food was magnificent allowing for great banter. The atmosphere was relaxed, respectful and easy. A special thanks to Chris, Jenna and Leah from Council and Clr Gary Barnes from the Neighbourhood Houses. Clr Drummond said she also attended the Long Table Lunch as Chair of that committee, and the feedback has been extremely positive.

Clr LeFevre spoke with the COTA State CEO and raised the following issues which he was assured will be taken up with the State Government and Australian Government.

- The lack of grief/bereavement counselling for the aged. Many within the municipality haven’t had the opportunity to be counselled on the loss of their partner and this has lasting consequences.
- The rate of change in technology and the vulnerability of the aged in trying to keep up with continual change. This leads to insecurity and being more open to scams and corruption.

Access and Inclusion Advisory Committee – Clr Janet Drummond

A meeting is scheduled for 25 June 2024.

Bay of Fires Master Plan Steering Committee – Clr Ian Carter

The process of reactivating the consultation process is underway and it is hoped the matter will progress.

06/24.13.0 BUSINESS AND CORPORATE SERVICES

06/24.13.1 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 Corporate Service Department since the previous Council Meeting.

DISCUSSION:

The General Manager advised that the Business Services Manager is unwell and currently away from work. On behalf of the Councillors, Mayor Tucker asked for their best wishes to be passed onto Raoul Harper while he recovers from illness.

The General Manager advised the last month of work has focussed on the 2024/25 budget and in preparation for the end of financial year period.

COUNCIL DECISION:

06/24.13.1.384 Moved: Clr Chapple / Seconded: Clr Wright

That the report be received.

CARRIED UNANIMOUSLY

06/24.13.2 Monthly Financial Report

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

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

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

INTRODUCTION:

Presented to Council are the monthly financial statements.

DISCUSSION:

The General Manager advised that, since the meeting papers were prepared, Council has received advice from the Australian Government that they will pay 85% of the 2024/25 Financial Assistance Grants in the current financial year. At the tail end of the financial year, things are tracking positively.

Clr LeFevre stated his concerns regarding the State Government’s expectations on Councils to perform audits and produce reports and the impost this is on smaller Councils who have less resources to contribute. He advocated for the State Government to provide some leniency or provide funding to smaller Councils to assist. The Mayor explained that the Auditor-General’s rules are applied equally across all Councils, small and large. The General Manager explained that the Tasmanian Audit Office sets the benchmark for all Councils and that the focus of Break O’Day Council is to perform the mandatory tasks and focus on priorities such as risk management.

COUNCIL DECISION:

06/24.13.2.385 Moved: Clr Carter / Seconded: Clr Chapple

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

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

CARRIED UNANIMOUSLY

06/24.13.3 **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:

Nil

COUNCIL DECISION:

06/24.13.3.386 Moved: Clr LeFevre/ Seconded: Clr Carter

That the report be received.

CARRIED UNANIMOUSLY

06/24.13.4 **2024 – 2025 Budget Estimates**

FILE REFERENCE	018\036\003\
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OFFICER’S RECOMMENDATION:

That Council adopt the budget estimates for the 2024/2025 FY.

INTRODUCTION:

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

DISCUSSION:

The General Manager explained the budget has been set with reference to the Long Term Financial Plan. While cost of living pressures have been considered it is necessary for Council to increase revenue via a rates increase to meet increased costs and to avoid a reduction in service delivery. The General Manager noted that for a number of years Council has kept rate increases down to ease pressure on the community but our costs had been increasing substantially. Interest from investments will assist the revenue stream until such time as mortgage rates decrease and then interest on savings account will decrease. The budget is aimed to be a balanced budget with an anticipated deficit of \$10,000.

The Accountant said that insurance costs have increased by 20%, and that one loan has been paid out resulting in a balanced stable position.

Clr Drummond asked if a spreadsheet was available, as used in years past, to indicate what the rate increase looks like over a variety of properties. The General Manager advised the modelling spreadsheet was not prepared this year and was provided in the past when there was a lot of variation between properties and when a general valuation comes through.

Clr Drummond asked about the Recreational Trails Strategy Implementation Stage 1 of \$100,000. The General Manager explained this is about progressing projects to a shovel-ready stage which allows for the planning, ecological and design works to be done. Clr Drummond said she is pleased to see this.

COUNCIL DECISION:

06/24.13.4.387 Moved: Clr Wright / Seconded: Clr Carter

That Council adopt the budget estimates for the 2024/2025 FY.

CARRIED UNANIMOUSLY

FILE REFERENCE	018\023\006\
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OFFICER'S RECOMMENDATION:

That Council approve the Rates Resolution 2024-2025.

INTRODUCTION:

As part of the annual budget process, Council is required to adopt a rates resolution for the applicable financial year. The resolution is informed by a number of legislative requirements, Council Policy and importantly by the Long Term Financial Plan (LTFP) projections of the revenue Council requires to sustainably fund and deliver services.

The rates resolution presented aligns with the funding requirements of Council in the LTFP and the Council Budget Estimates for 2024-2025, which were also discussed and reviewed at Council workshops held in May and June.

DISCUSSION:

The General Manager said there were a number of changes for asset classes last year which required the rates resolution to be reviewed by Simmons Wolfhagen but because there are no substantive changes this year, legal advice was not required.

The General Manager said that waste management continues to be a challenge in raising enough revenue to meet the State Government's Waste Levy and contractor costs, and that the changes made will contribute to a balanced budget. He said more decisions will need to be made regarding waste management during the next 12 months resulting from the Scamander site being at end of life. Substantive modelling for options will be presented to Council in the future for significant capital investment and operating costs for the next 20-year chapter of this essential service.

Clr Drummond said she is pleased to see the rates resolution include the forestry and public purpose classes.

COUNCIL DECISION:**06/24.13.5.388**Moved: Clr Wright / Seconded: Clr Le Fevre

That Council approve the Rates Resolution 2024-2025.

CARRIED UNANIMOUSLY

The meeting adjourned at 11.10am and resumed at 11.22am.

06/24.14.0 WORKS AND INFRASTRUCTURE

06/24.14.1 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 summary detail relating to Works Operations and Capital Projects for the reporting period May 2024.

DISCUSSION:

The Manager Infrastructure and Development Services provided an update on the Ansons Bay Waste Transfer Station. WorkSafe Tasmania has issued a prohibition and improvement notice to Council regarding the quantity and type of asbestos found at the site. Council is working to resolve the matters in an effort to have the station reopened. Procedures have been reviewed, operators have been retrained, risk assessments have been undertaken, and a contractor has been selected to clean up the site. The clean-up process involves two stages: first to remove all visible asbestos at ground level, this will occur on 25 – 28 June 2024. The second stage involves the material that is unseen; the fibres in the soil and sub-soil. Further discussion with the Environment Protection Authority will occur and a strategy formed to secure the site into the future. The estimated cost to remove the visible material is approximately \$40,000.

Clr Wright asked if the remediation occurring is purely a result of the recent illegal dumping of asbestos. The Manager Infrastructure and Development Services said it is largely yes, however there is some evidence of the presence of historic material as well.

COUNCIL DECISION:

06/24.14.1.389 Moved: Clr Carter / Seconded: Clr Wright

That the report be received by Council.

CARRIED UNANIMOUSLY

06/24.14.2 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:

06/24.14.2.390 Moved: Clr Le Fevre / Seconded: Clr Oldham

That the report be received by Council.

CARRIED UNANIMOUSLY

06/24.14.3 **Speed Limits – North Ansons Bay Road and Ansons Bay**

FILE REFERENCE	032\005\007\
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OFFICER’S RECOMMENDATION:

That Council adopt the recommendations made by Traffic & Civil Services as stated in this report.

INTRODUCTION:

This report aims to seek the Council’s endorsement of recommendations made in this report in relation to:

1. North Ansons Bay Road (Ansons Bay Road to Acacia Drive) – Speed limits & line markings.
2. The establishment of a 40km/hr area zone within the Ansons Bay town boundary, replacing individual road 40km/hr limits.

DISCUSSION:

The Manager Infrastructure and Development Services gave a summary of the assessment report and recommendations made by Traffic & Civil Services.

COUNCIL DECISION:

06/24.14.3.391 Moved: Clr Wright / Seconded: Clr Oldham

That Council adopt the recommendations made by Traffic & Civil Services as stated in this report.

CARRIED UNANIMOUSLY

06/24.15.0 COMMUNITY DEVELOPMENT

06/24.15.1 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:

- The Long Table Lunch on 12 June 2024 was a great success, and is testament to different groups working together to address community issues.
- The working group for the Reconciliation Action Plan will meet on 25 June 2024.

Clr Drummond asked about the \$8,000 budget item for youth services and noted that only \$300 has been spent. The Manager Community Services said this work has not been carried out this year.

Clr Drummond asked about the \$15,000 budget item for the Australia Day event and noted that only \$2,000 has been spent. The Manager Community Services said there was a group interested in holding an event which fell through and that she hopes this will be held next year. The other wood chopping event that is funded did not spend all of their funds and the money has been repaid.

Clr Drummond asked about the location of the East Coast Masters Golf Tournament. The Manager Community Services advised that event is run over two courses at St Helens and Scamander.

COUNCIL DECISION:

06/24.15.1.392 Moved: Clr Wright / Seconded: Clr Chapple

That the report be received.

CARRIED UNANIMOUSLY

06/24.15.2 Scamander & Beaumaris Community Projects – Results of Survey

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

- 1. That Council supports the outdoor gym equipment to be located on the eastern side of the Scamander Bridge in the recreation space where toilets and other play equipment are located; and
- 2. Council supports the proposed Beaumaris community group’s planting project so long as it does not come at the cost of other recreational facilities and activities the Park is used for.

INTRODUCTION:

To ensure that we engage with the whole of community in relation to the two projects that have been put forward by members of our community, a survey was devised by Council staff seeking feedback and ideas around the two projects.

DISCUSSION:

The Manager Community Services spoke about the feedback received from the community and gave a summary of the recommendations.

Clr Drummond noted the funding application for purchase of outdoor gym equipment was unsuccessful. The Manager Community Services said she is hopeful that more grant opportunities might open up in the new financial year.

Clr Carter said the consultation and survey was extremely thorough and a good response was received from the community.

COUNCIL DECISION:

06/24.15.2.393 Moved: Clr Wright / Seconded: Clr Oldham

- 1. That Council supports the outdoor gym equipment to be located on the eastern side of the Scamander Bridge in the recreation space where toilets and other play equipment are located; and
- 2. Council supports the proposed Beaumaris community group’s planting project so long as it does not come at the cost of other recreational facilities and activities the Park is used for.

CARRIED UNANIMOUSLY

06/24.16.0 DEVELOPMENT SERVICES

06/24.16.1 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 said he will provide some comparisons of the number of approvals during this financial year compared with previous years, and this will be provided to Councillors for their information at a future meeting.

The General Manager noted that development applications which receive representations involve significant additional work which impacts on resourcing. The statistics of these will be included in the summary to help identify trends.

COUNCIL DECISION:

06/24.16.1.394 Moved: Clr LeFevre/ Seconded: Clr Chapple

That the report be received.

CARRIED UNANIMOUSLY

06/24.16.2 **Review of Dog Management Policy**

FILE REFERENCE	003\003\014\
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OFFICER'S RECOMMENDATION:

That Council receive the report on public submissions on the *Draft Revised Dog Management Policy May 2024*.

INTRODUCTION:

The purpose of this report is to update Councillors on the over 80 submissions received from the community and stakeholders on Council's Draft Revised Dog Management Policy and consideration of them for a final revised policy.

DISCUSSION:

The NRM Facilitator said the final policy will be presented to Councillors at the July Council meeting. Analysis of the 88 submissions is being undertaken and there was a good range of comments including from the Parks and Wildlife Service and from shorebird advocates.

Observations regarding dog behaviour included:

- Clr Wright – reports of dogs being off-lead in St Helens and St Marys continue to be a problem.

- Clr Carter – dogs are not allowed to be at the St Helens Recreation Ground yet during weekend football games there are many dogs taken out of cars. Clr Chapple said other football grounds allow on-lead dogs. Clr Carter asked why there is a difference in how the football grounds are managed.
- Clr Drummond – Parks and Wildlife Service are not supportive of dogs swimming at on-lead areas and asked how this will be managed.
- Clr Drummond – previously raised the issue of greyhounds. The NRM Facilitator said this will be an operational matter initially.
- Clr Drummond – compliance required for dog owners who perpetually breach regulations. Concerns will be put in writing for further discussion.
- Clr Drummond – asked about the two dog exercise areas in St Marys.
- Clr Carter – documentation needs to provide a definition of service dogs and acknowledge the capacity for the inclusion of service dogs. The Mayor said in Tasmania there is no criteria of what a service dog is which creates confusion. Clr Drummond said that requesting a letter from a dog owner’s GP regarding companion dogs is a good alternative when there are gaps in legislation.
- The NRM Facilitator said that the above issues will be workshopped during July and that further information to Councillors will be provided.

COUNCIL DECISION:

06/24.16.2.395 Moved: Clr Chapple / Seconded: Clr Wright

That Council receive the report on public submissions on the *Draft Revised Dog Management Policy May 2024*.

CARRIED UNANIMOUSLY

06/24.17.0 **GOVERNANCE**

06/24.17.1 **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:

Further to the discussion at the workshop regarding the *Residential Tenancy Act 1997*, the General Manager advised, following the extremely short consultation period, that the legislation went to Parliament last week. Time will tell how this impacts the rental market.

The General Manager advised that the Aquatic Centre working group has held a couple of meetings and the committee has done a very good job of working through the submissions and the structured process. The matter is coming to Council today for a decision.

The General Manager advised the Economic Development Strategy process has commenced and the first period of engagement is underway including workshops and meetings with various stakeholders.

The General Manager and Mayor said positive meetings have been held recently with politicians from various parties to discuss matters including St Marys Pass, housing, worker accommodation, and other issues.

Clr Carter asked about the outcomes of the meeting with Tasmania Police. Hooning in Scamander has occurred recently. The General Manager said a general conversation was held with the Acting Commander and that the local Inspector will attend a Council meeting in the near future.

Clr Drummond spoke about the Stantec Economic Development Strategy forum held recently in St Marys and that productive conversations were held despite there being only 12 people or so in attendance. Feedback received from the community was that the community consultation opportunity was not widely advertised and the timing was difficult for people to attend. The General Manager advised that there will be a second round of engagement with the community.

In relation to the East Coast Strategic Regional Partnership, the General Manager advised that the St Marys Child Care Centre Project has been assigned to Council to administer. Funding is available for consultants but not for project management. Council is now in a position to progress this.

COUNCIL DECISION:

06/24.17.1.396

Moved: Clr Wright / Seconded: Clr Carter

That the General Manager's report be received.

CARRIED UNANIMOUSLY

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

That Council adopt the 2024-25 Annual Plan as presented.

INTRODUCTION:

Council's management team have worked with Council to prepare the draft 2024 – 2025 Annual Plan based on discussions that have occurred through Council workshops and the normal budget/planning process. The Annual Plan has been prepared to take into account these items as well as the broad factors that are impacting Council; and reflecting continuity of existing projects and activities where this exists.

DISCUSSION:

The General Manager said the focus for the year ahead is to finalise activities which have been running across various years and to progress specific projects through to a shovel-ready stage.

The Mayor advised there is a professional development training day for elected members being held on 26 – 27 July 2024 in Devonport which includes the AGM and general meeting of LGAT and an evening dinner. The event features excellent speakers and would be of benefit to all Councillors.

Clr Drummond raised the reference to psycho-social safety which features under Corporate Activities in the Annual Plan. The General Manager said this is an evolving area of WHS for internal staff and elected members, and includes managing the level of risk, responsibilities of legislation and upskilling staff.

Clr Carter asked about the two-year timeframe of the St Helens / Binalong Bay Liveability Strategy and what consequences that has for other current projects which might be related to the strategy. The General Manager said some things will be able to progress such as the Georges Bay activation. The sports complex masterplan will be progressed where possible. The car parking strategy for St Helens will be on hold as this directly relates to liveability. This strategy will be a key priority for the Economic Development Officer once that position is filled.

COUNCIL DECISION:**06/24.17.2.397**Moved: Clr LeFevre/ Seconded: Clr Wright

That Council adopt the 2024-25 Annual Plan as presented.

CARRIED UNANIMOUSLY

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 January to March 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:

With the Australian Government election getting closer, the General Manager said a big focus of NTDC is preparation for lobbying of activities and collaboration to provide a united voice to advocate for the Northern region.

Clr Carter noted there has been some loss of momentum regarding the previous work done for gastronomy in Northern Tasmania and hopes this can become a priority once the Economic Development Officer is appointed. The General Manager advised the gastronomy committee has been formally relocated under the NTDC umbrella and that activities are still occurring. Our local links will be strengthened once the Economic Development Officer commences.

COUNCIL DECISION:

06/24.17.3.398

Moved: Clr Chapple / Seconded: Clr LeFevre

That Council receive the quarterly report of the Northern Tasmania Development Corporation (NTDC) for the period January to March 2024.

CARRIED UNANIMOUSLY

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

Moved: Clr Wright / Seconded: Clr Chapple

IN CONFIDENCE

06/24.18.0 **CLOSED COUNCIL**

06/24.18.1 **Confirmation of Closed Council Minutes – Council Meeting 20 May 2024**

COUNCIL DECISION:

06/24.17.4.CC Moved: Clr Oldham / Seconded: Clr Chapple

That the minutes of the Closed Council Meeting held on the 20 May 2024 be confirmed.

CARRIED UNANIMOUSLY

06/24.18.2 **Outstanding Actions List for Closed Council**

06/24.18.3 **Closed Council Item Pursuant to Section 15(2)D of The Local Government (Meeting Procedures) Regulations 2015 Tender – Feasibility Analysis, Aquatic Facility in Break O’Day**

TO BE PUBLISHED IN THE PUBLIC MINUTES:

06/24.18.3.CC Moved: Clr LeFevre / Seconded: Clr Oldham

That Council award Contract 030\006\006 Feasibility Analysis, Aquatic Facility in Break O’Day to OTIUM.

CARRIED UNANIMOUSLY

06/24.18.4 **Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015 - Project Scoping - Construction of New Indoor & Evacuation Centre**

TO BE PUBLISHED IN THE PUBLIC MINUTES:

06/24.18.4.CC Moved: Clr Carter / Seconded: Clr Wright

Vary the Contract with Moorey Constructions to undertake the additional works which have been identified and which the Contractor is capable of undertaking.

CARRIED

FOR: Clr Carter, Clr Chapple, Clr LeFevre, Clr Oldham, Clr Wright

AGAINST: Clr Drummond

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

Moved: Clr Chapple / Seconded: Clr Carter

06/24.19.0 MEETING CLOSED

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