



COUNCIL MEETING MINUTES

Monday 17 February 2025
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
17 February 2025

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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.

02/25.1.0 ATTENDANCE

02/25.1.1 Present

Mayor Mick Tucker
Deputy Mayor Kristi Chapple
Councillor Ian Carter
Councillor Janet Drummond
Councillor Liz Johnstone
Councillor Barry LeFevre
Councillor Vaughan Oldham

02/25.1.2 Apologies

Councillor Gary Barnes
Councillor Kylie Wright

02/25.1.3 Leave of Absence

Nil

02/25.1.4 Staff in Attendance

General Manager, John Brown
Administration and Governance Support Officer, Linda Singline
Business Services Manager, Raoul Harper (*Item 25.7.1-25.18*)
Executive Officer, Jayne Richardson (*Item 25.1.0 – 25.18*)
Manager Infrastructure and Development Services, David Jolly (*Item 25.1.0 – 25.17.3*)
Development Services Coordinator, Jake Ihnen (*Item 25.1.0 – 25.17.3*)
NRM Facilitator, Polly Buchhorn (*Item 25.14.3-25.17.1*)
Senior Town Planner, Deb Szekely (*Item 25.1.0 –25.7.0*)
Manager Community Services, Chris Hughes (*Item 25.1.0 – 25.18*)

02/25.2.0 PUBLIC QUESTION TIME

Four people in the gallery.

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

Public Questions to Break O’Day Council**17 February 2025****Graeme Wathen**graemewathen@gmail.com

0429 701 324

PO Box 10, Scamander 7215

At the Council meeting on 20 January 2025 I asked questions related to the Exhibition Building at St Marys.

In summary of my questions and Council Officers’ answers it is understood the following is the situation:

- There are no current proposals to undertake any works on the Building that would require application of the NCC, but if the Council decides to do so compliance with the NCC may be required.
- Council Officers are not insisting the Building must be air-conditioned.
- Structural repairs to the Building such as internal portal frames although recommended by engineers in the past have not been undertaken because of costs at that time. Alternative low-cost solutions have not been sought.
- Rainwater will be directed to drains away from the corners of the building when resources permit.
- Council Officers have stated they are open to receiving professional advice about low-cost structural solutions for the building but only if licenced practitioners provide it and such advice should also include full life-cycle analysis of future use, depreciation and ongoing maintenance, etc. Council Officers say such advice is required for the elected Councillors “to make a fair, balanced and well informed decision” about the future of the building. But how such advice will arise is unclear.

It is about this last point that I wish to ask further questions.

1. Will the Council Officers now prepare a brief and seek advice from suitably qualified professional licensed structural engineers to prepare a low-cost structural solution to stabilise the existing unairconditioned Building against lateral wind loading, particularly by way of external buttress frames rather than by internal portal frames?
2. Will the Council Officers after seeking such advice provide it to Councillors before Councillors are asked to make a fair, balanced and well informed decision on the future of the Building?

To assist Council in seeking such advice about the external buttress proposal, I have two documents which I would like to provide to Councillors and Council Officers for their information.

- The first is a draft brief for engineering advice.
- The second is an example solution.

Hopefully, both will be of interest and assistance to Council.

I can also inform Council that I have been in contact with a licensed engineer who has experience in designing similar remedial solutions to stabilise buildings and who has had a look at the Exhibition Building and is interested in assisting Council. I can provide further information if the Council is interested.

Response

1. The decision to carry out further structural engineering solutions will be determined by Council once the evaluation of the survey has been completed and considered by Council. It would be premature to prepare a brief at this point in time given the community survey feedback has not yet been considered.
2. Yes, any decision made by Council will be well informed. Council officers will be guided by the relevant Council decisions.

The draft design brief and advice is very much appreciated and received by Council and this information will be taken on board as part of the assessment process and recommendations made to Council.

02/25.2.2 Relocation of St Helens District High School – The General Manager, John Brown OBH Todd Dudley, St Helens Soccer Club

Public Question Time for next Council meeting.

Page 30 of the Councils Minutes of its December General Meeting reads as follows:

"The State Government has commenced the community consultation process as part of developing the 2025 -2026 State Budget, this provides an opportunity for Council to provide a submission advocating for projects, services, activities or policy changes. The closing date for submissions is Sunday 22 December 2024.

That Council provide a submission to the 2025-2026 State Budget consultation process covering the following items:

1. Relocation of St Helens District High School
2. St Helens Wharf – Ownership and assessment
3. Purpose built Early Learning Centre for St Marys
4. St Marys Pass Alternative Route

Question:

Why didn't the Council consult with sports groups and other users of the St Helens Sports Complex before deciding to make a submission to the State Government to relocate the St Helens School to the Sports Complex?

Todd Dudley
St Helens Soccer Club

Please note, Clr Johnstone also received this question to present to Council and provided copy of correspondence.

Response

Council has not requested that the State Government relocate the St Helens District High School to the St Helens Sports Complex, The Council has requested that the State Government consider this option in the future when a major upgrade of the existing St Helens District High School is required rather than just continue to undertake works on a site and building that have significant limitations. When the State Government is considering this option at some stage in the future, it is not currently on a major Capital Works Upgrade program from what Council understands, then broad community consultation would occur at that stage involving not just the users of the Sporting Complex.

02/25.2.3 Proposed Dog Park in St Marys – Clr Drummond OBH Kerry Tinker, St Marys

Will Council please provide an update on the proposed dog park in St Marys. It's been almost a year since Council put out the Community Consultation Survey?

Response

Preparations are underway by Council's Works Department to install the dog park at the Sports Grounds during March/April. Planning and approvals needed for the second dog park at the Railway station site remains to be completed.

02/25.2.4 Proposed St Marys to Cornwall Rail Trail – Clr Drummond OBH Gary Luck, St Marys

In reference to an email received from John Brown (dated July 15, 2024), noting that BoD Council had allocated funds in the 2024/25 budget to 'ground truth' the St Marys to Cornwall rail trail.

My questions are:

1. Has the ground truthing been completed, and if not, when is it planned?
2. Will a report be produced (and available to the community) detailing the results of the ground truthing?

Response

1. ECOTas has undertaken a flora and fauna assessment of the proposed trail alignment – the existing rail track. Council has identified landowners whose land abuts the existing rail track. Drone footage has also been obtained of the proposed alignment from Cornwall to St Marys. Council staff are in the early stages of preparing a Scope of Works document. This document will outline what works are required, for example the distance of fencing required on both sides of the track, weed and vegetation removal (if required), replacement of bridges, track surfacing, signage etc. Consultants will be engaged to provide a report which will form the basis for the Tender Specifications

2. This report will be a publicly available document available to the community as it will form part of the Tender Specification. If a Development Application is required to construct the rail trail from St Marys to Cornwall, this information will also be available.

02/25.3.0 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.

02/25.4.0 CONFIRMATION OF MINUTES

02/25.4.1 Confirmation of Minutes – Council Meeting 20 January 2025

OFFICER’S RECOMMENDATION:

That the minutes of the Council Meeting held on the 20 January 2025 be confirmed.

COUNCIL DECISION:

02/25.4.1.536 Moved: Clr B LeFevre / Seconded: Clr V Oldham

That the minutes of the Council Meeting held on the 20 January 2025 be confirmed.

CARRIED UNANIMOUSLY

02/25.5.0 COUNCIL WORKSHOPS HELD SINCE 20 JANUARY 2025 COUNCIL MEETING

There was a workshop held on 3 February 2025 and the following items were listed for discussion.

- Break O’Day Council Climate Change Action
- Capital Works Budget Review
- Update Fingal Park, Black Summer Bushfire Grant Funded Project. Capital Funding for Extra Works
- Animal Control Report
- Tasman Highway St Helens – speed limits
- Kerbside Recyclables Collection Service
- Update on the Break O’Day Community Wellbeing Project
- Unreasonable Conduct within Councils (Elected Members) – Recognition and Response Model Guidelines
- Local Government Priority Reform Program 2024-26, Local Government Act 1993 Amendments
- 2024-2025 Annual Plan Quarterly Update
- Falmouth Toilet Block Location – Community Engagement

02/25.6.0 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.

02/25.6.1 Subdivision - 11 Lots Plus 1 Road Lot

FILE REFERENCE	DA 2023 / 00258
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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 11 Lot Plus 1 Road Lot Subdivision on land situated at Lot 200 Cobrooga Drive, St Helens described in Certificate of Title 140656/200 and 140656/201 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents				
Plan / Document Name	Reference Number	Prepared By		Dated
Whole Site Plan	Sheet 1/2 V 2.0	Woolcott Services	Land	30/10/2024
Proposed Subdivision	Sheet 2/2 V2.0	Woolcott Services	Land	30/10/2024
Overall Infrastructure Plan	Drawing No C401 Rev A	Collective Consulting		9/10/2024
Local Infrastructure Plan	Drawing No C402 Rev A	Collective Consulting		9/10/2024
Civil Works Plan	Drawing No C501 Rev A	Collective Consulting		9/10/2024
Traffic Impact Assessment	Revision 0	Midson Traffic Pty Ltd		21/08/2023
Bushfire Hazard Report	Revision 2	Woolcott Surveys		28/11/2024
Infrastructure Report	Version 01	Collective Consulting		9/10/2024

CONDITIONS

- Erosion and sediment control
- Part 5

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 submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained at all times.

CONDITION		TIMING
2.	Lots	
	Approval is for Lots 1-9, Road Lot 100 and Balance Lots 101 and 102.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
3.	Roads & Footpaths	
A	Provide dedicated constructed road access to the development in accordance with the approved plans and approved Bushfire Hazard Management Report prepared by Woolcott Land Services and dated as per the table of approved plans and documents.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) and to be maintained at all times.
B	Cul de sac heads must have a turning circle with a minimum 12m outer radius and allow through traffic to southern lots reliant on the road reserve.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) and to be maintained at all times.
C	Provision of a footpath located on one side of the road.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) and to be maintained at all times.
D	Provision of singular vehicle crossing for each lot within the subdivision. All accesses need to be constructed in accordance with standard drawing TSD-R09-V3.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) and to be maintained at all times.
4.	Storm Water Management	
A	<p>Submit and have approved by Council, storm water design drawings of the subdivision which includes the design life of the proposed development and compliance with current version of Australian Rainfall and Runoff incorporating Tasmanian requirements for Climate Change and sea-level rise.</p> <p>Design drawings shall identify the requirement to upgrade existing Council owned infrastructure to service the development.</p> <p>Design drawings shall demonstrate that provision has been made to allow storm water flow up to a 100 Year ARI storm, to flow overland (mapped watercourse) without undue inundation of any surrounding properties. Overland Flow paths are to be shown on the submitted engineering drawings.</p> <p>Design drawings must be prepared and certified by a qualified professional engineer practicing in the fields of hydrology and hydraulics.</p>	Prior to commencement of works associated with this condition.

CONDITION		TIMING
B	Stormwater Management design is to include stormwater treatment through Water Sensitive Urban Design. Stormwater treatment shall achieve stormwater quality targets as listed in Appendix ii. Stormwater Quality Management Targets of the Environmental Protection Authority Tasmania State Stormwater Strategy.	Prior to commencement of works associated with this condition.
C	Construct and upgrade where required, storm water infrastructure to service the development at no cost to Council and in accordance with the approved plans and documents of development.	Prior to submitting to Council any request for approval of a plan of subdivision (i.e. a survey plan).
D	Provide 4m wide registered services easements in favour of Council over any drainage paths and drainage infrastructure within all new lots in accordance with the approved plans and documents of development.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
E	Submit certification from a suitably qualified person that the storm water infrastructure has been built / upgraded in accordance with the approved plans.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
5.	Storm Water	
	Each lot must be provided with a connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works Department.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
6.	Street Lighting	
	Provide Street lighting in accordance with Council Policy No AM03 Street Lighting Policy.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
7.	Street Trees / Landscaping	
A	Submit for Council approval, a landscaping / street trees planting plan. The plan must be prepared by a suitably qualified person, must be drawn to scale and must include details and technical specifications of any proposed planting or landscape works.	Prior to any site works.
B	Carry out the approved landscaping / street trees planting plan.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
C	Landscaping plants must not include Environmental Weeds as listed in BRE-P1.8.1 Environmental Weeds in the Break O'Day Local Provisions Schedule. Advice: The Break O'Day Local Provisions Schedule can be accessed on the Tasmanian Planning Commission website www.planning.tas.gov.au .	To be maintained at all times

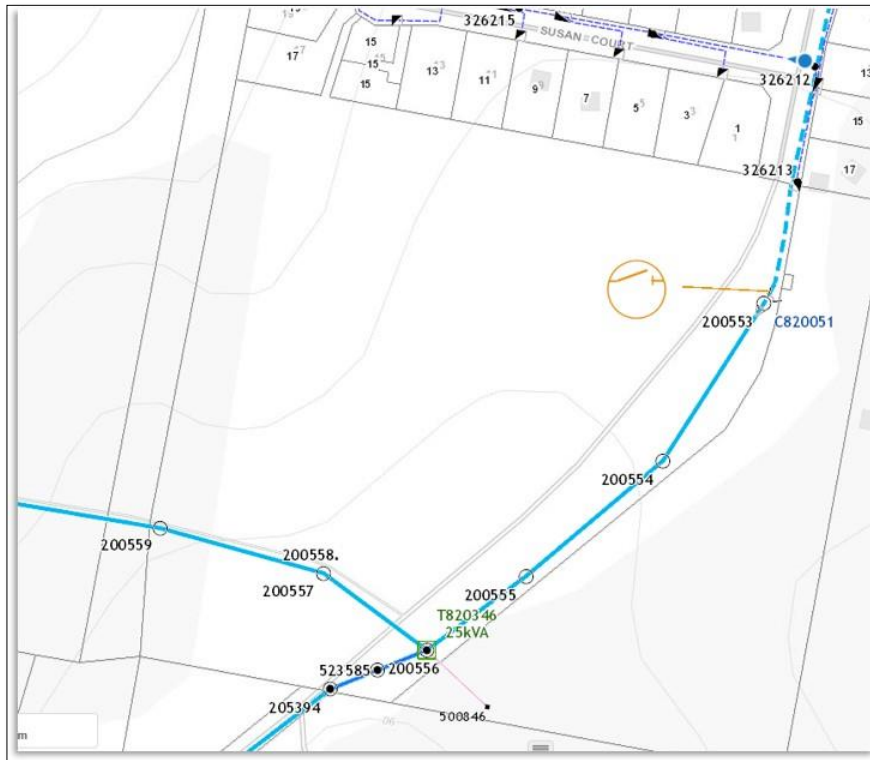
CONDITION		TIMING
8.	Erosion and Sediment Control	
A	Submit and have approved by Council, an Erosion and Sediment Control Plan prepared by a suitably qualified person, and prepared in accordance with the Tasmanian Government publication 'Soil & Water Management on Building & Construction Sites'.	Prior to commencement of works and to be maintained current at all times during construction.
B	Implement the requirements and recommendations of the Erosion and Sediment Control Plan.	During site works and for any period of maintenance identified within the Plan and until such time as ground surfaces are stabilized.
C	The developer must ensure that pollutants such as mud, silt or chemicals are not released from the site.	At all times.
D	Install all necessary silt fences and cut-off drains to prevent soil, gravel and other debris from escaping the site. Material or debris must not be transported onto the road reserve (including nature strip, footpath and road pavement).	Prior to the commencement of works
9.	Municipal standards & certification of works	
	Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. Any design must be completed in accordance with Council's Subdivision Design Guidelines to the satisfaction of the Works Department. Any construction, including maintenance periods, must also be completed to the approval of the Works Department.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
10.	Water and Sewerage (TasWater)	
A	All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, TWDA 2023/01667-BODC .	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
11.	Construction Management Plan	
A	Submit and have approved by Council, a Construction Management Plan (CMP) prepared by the Principal Contractor for subdivision works. The CMP is to outline, in sufficient detail, the processes that will be employed to minimize impacts on the surrounding community during subdivision works.	Not less than two (2) weeks prior to commencement of works. To be maintained current at all time.
B	Implement the approved Construction Management Plan (CMP) and keep a copy of the approved CMP on site at all times during works.	At all times during subdivision works.

12.	Bushfire Hazard Management Plan	
A	Implement the requirements and recommendations of the approved Bushfire Hazard Report prepared by Woolcott Surveys and dated 28/11/2024.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained at all times.
B	A Part V agreement, in accordance with Section 71 of the <i>Land Use Planning and Approvals Act 1993</i> must be prepared at the developer's expense, to install and maintain the bushfire hazard management easement as identified in the approved Bushfire Hazard Report Annexure 1 Bushfire Hazard Management Plan prepared by Woolcott Surveys and dated 28/11/2024.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
13.	Payment in Lieu of Public Open Space	
A	The developer must make payment to the Break O' Day Council in lieu of providing public open space in accordance with <i>Policy No AM02 Public Open Space Contributions Policy</i> as amended.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
14.	Covenants on Subdivisions	
A	Any restrictive covenants created by this subdivision are not to preclude the use/development of this land for State, Commonwealth or Local Government purpose.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
15.	New Works & Infrastructure Construction	
A	All works must be in accordance with Council Policy No. AM08: Subdivision New Works and Infrastructure Construction	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
16.	Stockpiles of Works and Landscaping Materials	
	Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed onto any footpath, nature strip, roadway or into any drain or watercourse.	During site works.
17.	Final Plan of Survey	
A	A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. Advice: the plan will not be sealed until such time as all conditions on this permit have been complied with.	On completion and satisfaction of all conditions on this permit.

ADVICE

1. The development is likely to adversely affect Tas Networks' operations. Tas Networks has a Statutory Deemed easement over this property for distribution assets. Further information regarding Easements can be found on the Tas Networks website: [Electricity easements - Tas Networks](#)

Please find the attached diagram taken from our mapping system showing the land title with the distribution high voltage feeders marked by the royal blue lines and underground high voltage cable indicated by dotted blue lines.



As with any subdivision, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot. To understand what these requirements may entail, it is recommended you advise the proponent to contact Tas Networks on 1300 137 008 or our Negotiated Connections team at Negotiated.Connections@tasnetworks.com.au at their earliest convenience.

2. All works associated with the development should be conducted in accordance with *Guidelines for Soil and Water Management*, Hobart City Council, available on Council's website (<http://www.bodc.tas.gov.au/webdata/resources/files/GuidelinesforSoilandWaterManagement.pdf>). All worked areas not covered by structures must be promptly and progressively stabilised (e.g. revegetated) so that they will not erode and/or act as a source of sediment transfer.
3. 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.

4. 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

- 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)	Yes	TasWater Tas Networks

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

Development Permit Information	Details
<i>Development Description</i>	Subdivision - 11 Lots Plus 1 Road Lot
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Work Permit
<i>Attachments</i>	1. TasWater SPAN 2. Subdivision Package for Developers 3. Policy No AM02 Public Open Space Policy
<i>Representations</i>	Three (3)

INTRODUCTION:

The applicant is seeking approval for subdivision of land described as Title Reference 140656/200 and 1406565/201. These two large adjoining lots will be reconfigured to provide:

1. Nine (9) Residential Lots;
2. Road Lot (100);
3. Balance Lots x 2 (101 & 102)

Existing Lot 200	5.424 ha	Proposed Lot 4	637 m ²
Existing Lot 201	2.190 ha	Proposed Lot 5	846 m ²
Proposed Lot 1	651 m ²	Proposed Lot 6	744 m ²
Proposed Lot 2	653 m ²	Proposed Lot 7	716 m ²
Proposed Lot 3	655 m ²	Proposed Lot 8	754 m ²
Proposed Road Lot 100	1808 m ²	Proposed Balance Lot 101	4.98 ha
Proposed Balance Lot 102	1.809 ha		

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 11 Lot Plus 1 Road Lot Subdivision on land situated at Lot 200 Cobrooga Drive, St Helens described in Certificate of Title 140656/200 and 140656/201 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents				
Plan / Document Name	Reference Number	Prepared By		Dated
Whole Site Plan	Sheet 1/2 V 2.0	Woolcott Services	Land	30/10/2024
Proposed Subdivision	Sheet 2/2 V2.0	Woolcott Services	Land	30/10/2024
Overall Infrastructure Plan	Drawing No C401 Rev A	Collective Consulting		9/10/2024
Local Infrastructure Plan	Drawing No C402 Rev A	Collective Consulting		9/10/2024
Civil Works Plan	Drawing No C501 Rev A	Collective Consulting		9/10/2024
Traffic Impact Assessment	Revision 0	Midson Traffic Pty Ltd		21/08/2023
Bushfire Hazard Report	Revision 2	Woolcott Surveys		28/11/2024
Infrastructure Report	Version 01	Collective Consulting		9/10/2024

CONDITIONS

- Erosion and sediment control
- Part 5

CONDITION		TIMING
6.	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 submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained at all times.
7.	Lots	
	Approval is for Lots 1-9, Road Lot 100 and Balance Lots 101 and 102.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).

CONDITION		TIMING
8.	Roads & Footpaths	
A	Provide dedicated constructed road access to the development in accordance with the approved plans and approved Bushfire Hazard Management Report prepared by Woolcott Land Services and dated as per the table of approved plans and documents.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) and to be maintained at all times.
B	Cul de sac heads must have a turning circle with a minimum 12m outer radius and allow through traffic to southern lots reliant on the road reserve.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) and to be maintained at all times.
C	Provision of a footpath located on one side of the road.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) and to be maintained at all times.
D	Provision of singular vehicle crossing for each lot within the subdivision. All accesses need to be constructed in accordance with standard drawing TSD-R09-V3.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) and to be maintained at all times.
9.	Storm Water Management	
A	<p>Submit and have approved by Council, storm water design drawings of the subdivision which includes the design life of the proposed development and compliance with current version of Australian Rainfall and Runoff incorporating Tasmanian requirements for Climate Change and sea-level rise.</p> <p>Design drawings shall identify the requirement to upgrade existing Council owned infrastructure to service the development.</p> <p>Design drawings shall demonstrate that provision has been made to allow storm water flow up to a 100 Year ARI storm, to flow overland (mapped watercourse) without undue inundation of any surrounding properties. Overland Flow paths are to be shown on the submitted engineering drawings.</p> <p>Design drawings must be prepared and certified by a qualified professional engineer practicing in the fields of hydrology and hydraulics.</p>	Prior to commencement of works associated with this condition.
B	Stormwater Management design is to include stormwater treatment through Water Sensitive Urban Design. Stormwater treatment shall achieve stormwater quality targets as listed in Appendix ii. Stormwater Quality Management Targets of the Environmental Protection Authority Tasmania State Stormwater Strategy.	Prior to commencement of works associated with this condition.

CONDITION		TIMING
C	Construct and upgrade where required, storm water infrastructure to service the development at no cost to Council and in accordance with the approved plans and documents of development.	Prior to submitting to Council any request for approval of a plan of subdivision (i.e. a survey plan).
D	Provide 4m wide registered services easements in favour of Council over any drainage paths and drainage infrastructure within all new lots in accordance with the approved plans and documents of development.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
E	Submit certification from a suitably qualified person that the storm water infrastructure has been built / upgraded in accordance with the approved plans.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
10.	Storm Water	
	Each lot must be provided with a connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works Department.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
8.	Street Lighting	
	Provide Street lighting in accordance with Council Policy No AM03 Street Lighting Policy.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
9.	Street Trees / Landscaping	
A	Submit for Council approval, a landscaping / street trees planting plan. The plan must be prepared by a suitably qualified person, must be drawn to scale and must include details and technical specifications of any proposed planting or landscape works.	Prior to any site works.
B	Carry out the approved landscaping / street trees planting plan.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
C	Landscaping plants must not include Environmental Weeds as listed in BRE-P1.8.1 Environmental Weeds in the Break O'Day Local Provisions Schedule. Advice: The Break O'Day Local Provisions Schedule can be accessed on the Tasmanian Planning Commission website www.planning.tas.gov.au .	To be maintained at all times
9.	Erosion and Sediment Control	
A	Submit and have approved by Council, an Erosion and Sediment Control Plan prepared by a suitably qualified person, and prepared in accordance with the Tasmanian Government publication 'Soil & Water Management on Building & Construction Sites'.	Prior to commencement of works and to be maintained current at all times during construction.

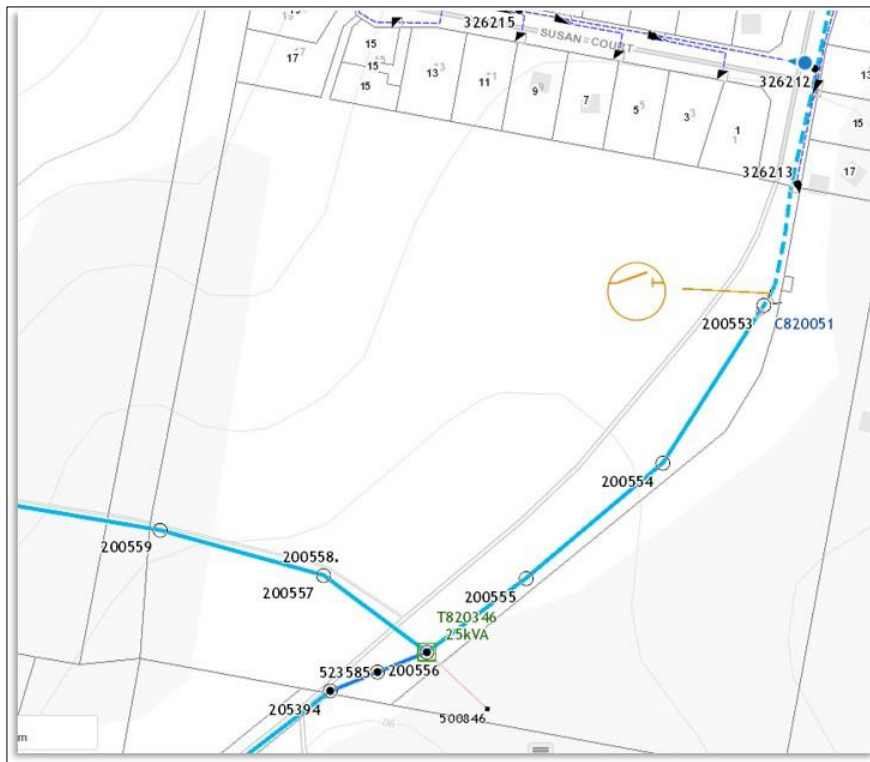
CONDITION		TIMING
B	Implement the requirements and recommendations of the Erosion and Sediment Control Plan.	During site works and for any period of maintenance identified within the Plan and until such time as ground surfaces are stabilized.
C	The developer must ensure that pollutants such as mud, silt or chemicals are not released from the site.	At all times.
D	Install all necessary silt fences and cut-off drains to prevent soil, gravel and other debris from escaping the site. Material or debris must not be transported onto the road reserve (including nature strip, footpath and road pavement).	Prior to the commencement of works
18.	Municipal standards & certification of works	
	Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. Any design must be completed in accordance with Council's Subdivision Design Guidelines to the satisfaction of the Works Department. Any construction, including maintenance periods, must also be completed to the approval of the Works Department.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
19.	Water and Sewerage (TasWater)	
A	All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, TWDA 2023/01667-BODC .	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
20.	Construction Management Plan	
A	Submit and have approved by Council, a Construction Management Plan (CMP) prepared by the Principal Contractor for subdivision works. The CMP is to outline, in sufficient detail, the processes that will be employed to minimize impacts on the surrounding community during subdivision works.	Not less than two (2) weeks prior to commencement of works. To be maintained current at all time.
B	Implement the approved Construction Management Plan (CMP) and keep a copy of the approved CMP on site at all times during works.	At all times during subdivision works.
21.	Bushfire Hazard Management Plan	
A	Implement the requirements and recommendations of the approved Bushfire Hazard Report prepared by Woolcott Surveys and dated 28/11/2024.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained at all times.

B	A Part V agreement, in accordance with Section 71 of the <i>Land Use Planning and Approvals Act 1993</i> must be prepared at the developer's expense, to install and maintain the bushfire hazard management easement as identified in the approved Bushfire Hazard Report Annexure 1 Bushfire Hazard Management Plan prepared by Woolcott Surveys and dated 28/11/2024.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
22.	Payment in Lieu of Public Open Space	
A	The developer must make payment to the Break O' Day Council in lieu of providing public open space in accordance with <i>Policy No AM02 Public Open Space Contributions Policy</i> as amended.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
23.	Covenants on Subdivisions	
A	Any restrictive covenants created by this subdivision are not to preclude the use/development of this land for State, Commonwealth or Local Government purpose.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
24.	New Works & Infrastructure Construction	
A	All works must be in accordance with Council Policy No. AM08: Subdivision New Works and Infrastructure Construction	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
25.	Stockpiles of Works and Landscaping Materials	
	Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed onto any footpath, nature strip, roadway or into any drain or watercourse.	During site works.
26.	Final Plan of Survey	
A	A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. Advice: the plan will not be sealed until such time as all conditions on this permit have been complied with.	On completion and satisfaction of all conditions on this permit.

ADVICE

1. The development is likely to adversely affect Tas Networks' operations. Tas Networks has a Statutory Deemed easement over this property for distribution assets. Further information regarding Easements can be found on the Tas Networks website: [Electricity easements - Tas Networks](#)

Please find the attached diagram taken from our mapping system showing the land title with the distribution high voltage feeders marked by the royal blue lines and underground high voltage cable indicated by dotted blue lines.



As with any subdivision, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot. To understand what these requirements may entail, it is recommended you advise the proponent to contact Tas Networks on 1300 137 008 or our Negotiated Connections team at Negotiated.Connections@tasnetworks.com.au at their earliest convenience.

2. All works associated with the development should be conducted in accordance with *Guidelines for Soil and Water Management*, Hobart City Council, available on Council's website (<http://www.bodc.tas.gov.au/webdata/resources/files/GuidelinesforSoilandWaterManagement.pdf>). All worked areas not covered by structures must be promptly and progressively stabilised (e.g. revegetated) so that they will not erode and/or act as a source of sediment transfer.
3. 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.
4. 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

- 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)	Yes	TasWater Tas Networks

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

Development Permit Information	Details
<i>Development Description</i>	Subdivision - 11 Lots Plus 1 Road Lot
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Work Permit
<i>Attachments</i>	4. TasWater SPAN 5. Subdivision Package for Developers 6. Policy No AM02 Public Open Space Policy
<i>Representations</i>	Three (3)

CARRIED UNANIMOUSLY

02/25.6.2 Residential - 2 Lot Subdivision

FILE REFERENCE	DA 2024 / 00233
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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 - 2 Lot Subdivision on land situated at 7 Grant Street, St Helens described in Certificate of Title 217603/3 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents						
Plan / Document Name	Reference Number	Prepared By		Dated		
Proposed 2 Lot Subdivision	Sheet 1/1	Woolcott Services	Land	17/12/2024		

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 submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained at all times.
2	Lots	
	Approval is for Lots 1 - 2.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
3	Flood Prone Areas	
A	Submit a flood hazard report for Council approval, that considers the future development of lot 2 and provides qualified advice as to whether, on development, lot 2 is likely to cause or contribute to the occurrence of flooding on the site or on <u>adjacent land</u> including the proposed lot 1. The report must also consider how the future use and development of lot 2 will be able to achieve / maintain a tolerable risk for the intended life of the use or development. This should include advice regarding construction/design of any structure e.g. dwelling and advice regarding minimum floor levels for any future habitable structure.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
B	The endorsed flood hazard report will form part of the approved plans and documents.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
4	Storm water Management	
A	The new stormwater connection for Lot 2 must be completed by a licensed plumber in accordance with standard drawing TSD-SW29-v3. All new services must extend to within the benefiting lot boundary.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
B	Obtain a Works Permit for all works within the road reservation.	Prior to commencing works on the stormwater connection

5	Driveways and access ways	
A	The driveways and access ways for Lots 1 and 2, to the extent of the access handle on lot 2, must: i) be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement; and ii) be drained to the public stormwater system.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	The parking, access ways, manoeuvring and circulation spaces for the existing residential use (Lot 1) must be constructed with a durable all weather surface and not cause sediment to be transported from the site onto the shared internal access way or onto a road or public place.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
6	Vehicle Crossovers	
	The vehicle crossover, including the kerb crossing and the access pad between the kerb and the property boundary, servicing Lots 1 and 2 is required to be constructed / upgraded in accordance with standard drawing TSD-R09-v3.	Upgrading and construction of the accesses must be completed prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Obtain a Works Permit for all works within the road reservation	Prior to commencing works within the road reservation.
7	Easements	
A	Prepare an easement (right of way) over Lot 2 access handle in full, in favour of lot 1.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Provide certification (licenced surveyor) that the width of the access handle (easement / right of way) contained on lot 2 is not less than 3.0 metres for the full length of the access handle.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
8	Infrastructure Repair	
	The owner must, at their expense, repair any Council services (e.g. pipes, drains) or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council. If the owner does not undertake the required repair works within the timeframe specified by Council, the Council may arrange for the works to be carried out at the owner's expense.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

9	Water (TasWater)	
	All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, TWDA 2024/01411-BODC	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
10	Payment in Lieu of Public Open Space	
	The developer must make payment to the Break O'Day Council in lieu of providing public open space in accordance with <i>Policy No AM02 Public Open Space Contributions Policy</i> as amended.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
11	Covenants on Subdivisions	
	Any restrictive covenants created by this subdivision are not to preclude the use/development of this land for State, Commonwealth or Local Government purpose.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
12	New Works & Infrastructure Construction	
	All works must be in accordance with Council Policy No. AM08: Subdivision New Works and Infrastructure Construction	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
13	Final Plan of Survey	
A	A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. Advice: the plan will not be sealed until such time as all conditions on this permit have been complied with.	On completion and satisfaction of all conditions on this permit.
B	Documentation accompanying the final plan of survey and schedule of easements must contain certification from a suitably qualified person (e.g. land surveyor) that the existing dwelling (including eaves) is completely contained within the title boundaries of lot 1.	Submission to Council for approval of a plan of subdivision.

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.

COUNCIL DECISION:

02/25.6.2.538

Moved: Clr I Carter / Seconded: Clr K Chapple**OFFICER'S RECOMMENDATION:**

D. 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 - 2 Lot Subdivision on land situated at 7 Grant Street, St Helens described in Certificate of Title 217603/3 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents						
Plan / Document Name	Reference Number	Prepared By	Dated			
Proposed 2 Lot Subdivision	Sheet 1/1	Woolcott Land Services	17/12/2024			

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 submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained at all times.
2	Lots	
	Approval is for Lots 1 - 2.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
3	Flood Prone Areas	
A	Submit a flood hazard report for Council approval, that considers the future development of lot 2 and provides qualified advice as to whether, on development, lot 2 is likely to cause or contribute to the occurrence of flooding on the site or on <u>adjacent land</u> including the proposed lot 1. The report must also consider how the future use and development of lot 2 will be able to achieve / maintain a tolerable risk for the intended life of the use or development. This should include advice regarding construction/design of any structure e.g. dwelling and advice regarding minimum floor levels for any future habitable structure.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).

B	The endorsed flood hazard report will form part of the approved plans and documents.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
4	Storm water Management	
A	The new stormwater connection for Lot 2 must be completed by a licensed plumber in accordance with standard drawing TSD-SW29-v3. All new services must extend to within the benefiting lot boundary.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
B	Obtain a Works Permit for all works within the road reservation.	Prior to commencing works on the stormwater connection
5	Driveways and access ways	
A	The driveways and access ways for Lots 1 and 2, to the extent of the access handle on lot 2, must: j) be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement; and iii) be drained to the public stormwater system.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	The parking, access ways, manoeuvring and circulation spaces for the existing residential use (Lot 1) must be constructed with a durable all weather surface and not cause sediment to be transported from the site onto the shared internal access way or onto a road or public place.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
6	Vehicle Crossovers	
	The vehicle crossover, including the kerb crossing and the access pad between the kerb and the property boundary, servicing Lots 1 and 2 is required to be constructed / upgraded in accordance with standard drawing TSD-R09-v3.	Upgrading and construction of the accesses must be completed prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Obtain a Works Permit for all works within the road reservation	Prior to commencing works within the road reservation.
7	Easements	
A	Prepare an easement (right of way) over Lot 2 access handle in full, in favour of lot 1.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Provide certification (licenced surveyor) that the width of the access handle (easement / right of way) contained on lot 2 is not less than 3.0 metres for the full length of the access handle.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

8	Infrastructure Repair	
	<p>The owner must, at their expense, repair any Council services (e.g. pipes, drains) or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council.</p> <p>If the owner does not undertake the required repair works within the timeframe specified by Council, the Council may arrange for the works to be carried out at the owner's expense.</p>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
9	Water (TasWater)	
	All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, TWDA 2024/01411-BODC	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
10	Payment in Lieu of Public Open Space	
	The developer must make payment to the Break O' Day Council in lieu of providing public open space in accordance with <i>Policy No AM02 Public Open Space Contributions Policy</i> as amended.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
11	Covenants on Subdivisions	
	Any restrictive covenants created by this subdivision are not to preclude the use/development of this land for State, Commonwealth or Local Government purpose.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
12	New Works & Infrastructure Construction	
	All works must be in accordance with Council Policy No. AM08: Subdivision New Works and Infrastructure Construction	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
13	Final Plan of Survey	
A	<p>A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing.</p> <p>Advice: the plan will not be sealed until such time as all conditions on this permit have been complied with.</p>	On completion and satisfaction of all conditions on this permit.
B	Documentation accompanying the final plan of survey and schedule of easements must contain certification from a suitably qualified person (e.g. land surveyor) that the existing dwelling (including eaves) is completely contained within the title boundaries of lot 1.	Submission to Council for approval of a plan of subdivision.

ADVICE

3. 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.
4. 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

- E. 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)	Yes	TasWater

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

Development Permit Information	Details
<i>Development Description</i>	Residential - 2 Lot Subdivision
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Work Permit
<i>Attachments</i>	TasWater SPAN
<i>Representations</i>	One

CARRIED UNANIMOUSLY

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

02/25.7.0 COUNCIL MEETING ACTIONS

02/25.7.1 Outstanding Matters

Clr Drummond – Motion of Clr Chapple regarding policy for planting in communities.

Clr Johnstone – old hospital site.

Clr Carter – update on Online Access Centre.

Clr Johnstone – St Helens Sports Complex and St Helens and Binalong Bay Living Strategy.

Clr Johnstone – briefing from TasWater, regarding water quality and management.

Received.

02/25.8.0 PETITIONS

Nil

02/25.9.0 NOTICES OF MOTION

Nil

02/25.10.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil

02/25.11.0

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.

02/25.11.1

DA 234-2024. Utilities - Telecommunications Facility, 14 Bowen Street, St Helens - Clr I. Carter

Council is currently reviewing a Development Application (**DA 234-2024**. Utilities - Telecommunications Facility, 14 Bowen Street, St Helens) for a 26.3-metre telecommunications tower proposed for the centre of St Helens. Given the tower's height and location in the heart of town, some in the community may have concerns about its visual impact, suitability, and how well it aligns with the character and ambience of St Helens' central area.

Beyond the standard DA process, what steps is Council taking to ensure that this development is in keeping with community expectations and does not detract from the town's aesthetic and atmosphere? Are there any additional measures being considered, such as community consultation, design modifications, or visual impact assessments, to balance improved connectivity with maintaining St Helens' unique charm as a place to live and as a major tourist destination?

Response

Council has received a development application for a proposed Telecommunications Facility at 14 Bowen Street, St Helens.

The proposal must be assessed in accordance with the *Tasmanian Planning Scheme – Break O'Day* and the *Land Use Planning and Approvals Act 1993 (LUPAA)*.

There is no circumstance as to why the application, its notification or assessment would follow a different methodology to that of any other development application lodged with the planning authority under LUPAA.

The application is a discretionary application and underwent notification (public advertising) after which one (1) representation was received during the notification period. Council must undertake notification in accordance with the requirements of the relevant legislation (LUPAA). Additionally, Council made the development application available for viewing on its website during the notification period. No further 'community consultation' occurs.

Council is limited to the Provisions, including the Use Standards and Development Standards within the zone and relevant Codes when undertaking its assessment.

As the development application received a representation, the application will be decided by Council as the planning authority. Council will be provided with submitted development application materials including a visual impact assessment and an assessment of the proposal and recommendation by the Senior Town Planner.

02/25.11.2 Bay of Fires - Clr I. Carter

The Bay of Fires has just been named Australia's number one beach

Given that visitation will expand further as a result can Council activate all relevant agencies to undertake necessary action to

1. Improve beach access exemplified by the washed out steps adjacent to the café
2. Remove from path and road verges all weeds particularly blackberries and revegetate with native species This issue is also relevant for the roads leading to the Bay of Fires
3. Clear designated walking tracks of fallen trees and obstructing vegetation. [leave debris adjacent to improve habitat]
4. Provide adequate amenities at all sectors of the Bay of Fires with particular attention to providing toilets at the Gardens junction

It would be important that effort occurs prior to next peak season and therefore precede the Bay of Fires Master Plan activation and the Livability study?

Response

1. Council will inspect the pathway and if identified as minor maintenance, works can be undertaken. If the works are identified as more than just maintenance, applications will be made to Property Services to gain permission to undertake the works to repair this pathway to the beach.

2. Council staff undertake weed monitoring of weeds on road reserves and the Council leased land. Spraying on road reserves is undertaken by a contractor and on leased and Council owned land by our works crew. The Binalong Bay Foreshore weeds are hand pulled by Council's Weeds Officer and other weeds which are near native vegetation, are cut and sprayed to ensure that we are not damaging native vegetation close by. When weeds are removed, they are replaced with native vegetation.
3. Council as part of the lease agreement are able to remove debris from any tracks that are within the leased area, this will be added to the maintenance for this area to be monitored. We will also forward this to PWS so that they are aware of the concerns that have been raised as there are a number of trails on PWS managed land.
4. PWS are responsible for the amenities within the Bay of Fires excluding those that are on Council leased land. The referenced to the Gardens junction for a toilet, this has been an ongoing issue with PWS and the community who have places at the Gardens and unfortunately after many meetings no site has been agreed upon. Infrastructure is part of the Bay of Fires Master Plan but this concern will be forwarded to PWS for their noting.

02/25.11.3 Scamander Tip Shop - Clr I. Carter

With the recent passing of Sandy Von Stieglitz [there are efforts underway to publically acknowledge Sandy's contribution] but now the Scamander Tip Shop is operating minimally through the generosity of Council site staff. Can Council provide basic amenity [power/water] to the shed and work with identified local volunteers to re-establish this vital community asset? The initiative could be a potential funding source for local projects

Response

Currently, there is no arrangement in place with any community group to operate the shop and Council is feeling the loss of Sandy and the voluntary work she did.

The Council is interested in finding a volunteer organisation willing to operate the Scamander Tip Shop and continue the community service and the waste reduction services for the community.

Council will call for interested community members and groups to contact Council and discuss options for continued operation of the tip shop as a non-profit community enterprise by volunteers. Operation of the tip shop would depend on scale and infrastructure need, limits to WTS access, volunteer arrangements and benefiting the community.

A report will need to be provided to Council on the provision of power and water infrastructure following an assessment to identify options and estimate the capital and ongoing costs. A Budget allocation will be required to undertake the works.

Councillor Question without Notice

Councillor Johnstone
17 February 2025

At the January Council meeting Graeme Wathen asked about the need for air-conditioning in the Exhibition Building and the response from Council staff was that Council is not insisting that air-conditioning must now be installed.

On a further question Council was asked if it was prepared to seek alternative low cost structural solutions to ensure the stability and integrity of the building without the requirement that the building must be air-conditioned.

Council staff indicated that Councillors will need not only to consider a low cost structural solution but also the full life-cycle costing in order to make their decision about the future of the St Marys Exhibition Building.

Accordingly my question to the General Manager is:

Will the General Manager as a first step ask Council staff to engage Tasmanian licensed engineers to provide a low cost structural solution for the St Marys Exhibition Building to solve the lateral bracing problem?

Response

The Council General Manager will be guided by Council's decisions in relation to the future of the building. The low-cost structural solution put forward by community will be considered amongst other alternative options. It would be premature to engage a Tasmanian Licenced engineer to prepare drawings for this solution at this point in time until the future use of the building is finalised.

02/25.11.5 Bay of Fires – Clr J. Drummond

Following some recent discussions with a Binalong Bay resident I would like to ask the following questions. I ask these questions whilst being aware that the management of the Binalong Bay foreshore area is a collaborative effort between the Break O'Day Council and the Tasmanian Parks and Wildlife Service (PWS) and that acknowledging that these issues were previously identified in the Binalong Bay Foreshore Masterplan January 2014 under the "issues and opportunities" section (item 2.4.5)

1. What actions can the council take to address the overgrown vegetation and fuel load along the Binalong foreshore, given the significant bushfire risk and lack of an escape route for residents?

2. How can the council improve accessibility to the foreshore and beaches while ensuring proper maintenance of pathways, signage, and public facilities to enhance both visitor experience and environmental sustainability?

Response

Council is implementing with Parks and Wildlife Service its current plan to manage weeds and restore coastal native vegetation on the foreshore. Its aim, and that of Humbug Nature Recreation Reserve, is to maintain native vegetation and habitat, presenting a degree of fire hazard. However, Council can consider ongoing management with the Parks and Wildlife Service, including access for residents and visitors.

02/25.12.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

02/25.12.1 Mayor's Communications for Period Ending 17 February 2025

26.01.2025	St Helens	– Australia Day Awards Ceremony.
29.01.2025	MS Teams	– Office of Local Government regarding Local Government Meeting and General Regulations review and remaking.
30.01.2025	St Helens	– Meeting with two community members.
03.02.2025	St Helens	– Council Workshop.
03.02.2025	Falmouth	– Official handover ceremony for a new fire truck at the Falmouth Fire Station.
06.02.2025	Hobart	– Building and Construction Industry Roundtable to discuss a future work program focused on improving housing delivery for Tasmanians. Mr Felix Ellis MP and the Hon. Kerry Vincent MP were in attendance.
10.02.2025	St Helens	– Aquatic Committee Working Group meeting to review the Break O'Day Aquatic Feasibility Draft Report.
12-13.02.2025	Canberra	– Australian Local Government Association (ALGA) Strategic Planning sessions.
17.02.2025	St Helens	– Council Meeting.

Please note – The Mayor advised that he did not attend the Aquatic Committee Working Group meeting on 10 February 2025 but in addition to the above, he also met with Felix Ellis MP, in Launceston on 16 February 2025.

02/25.12.2 Councillor's Reports for Period Ending 17 February 2025

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 is scheduled for 4 March 2025 at 6pm.

- **NRM Special Committee – Clr Janet Drummond**
A meeting was held on 4 February 2025 at which Clr Johnstone chaired the meeting at the request of Clr Drummond. 4/2/25. Discussion was held on native species, appointment of members, NRM preparedness response, weed management and updates from members.
Clr Johnstone noted that it was a full meeting and good to see there were two Parks Representatives present. She did raise that the NRM Facilitator must participate in the meetings as well as take the minutes and requested the support of a Council employee to take the minutes at future NRM Committee meetings. Clr Drummond advised that she is in ongoing discussions with the General Manager regarding this topic.
- **East Coast Tasmania Tourism (ECTT) – Clr Barry LeFevre**
The next meeting is scheduled for 4 March 2025 and he will provide a report at the March Council Meeting.
- **Mental Health Action Group – Clr Barry LeFevre**
Nil
- **Access and Inclusion Advisory Committee – Clr Janet Drummond**
A meeting was held on the 12 February 2025. Discussion was held on the Action Plan, carers report, member updates and International Day of Disability events held in December. The movie ‘Live the Life You Please’, which centres around end-of-life decisions, was shown as part of the International Day of Disability, this had a great response and they have had a request for the film to be shown at the Day Centre.
- **Bay of Fires Master Plan Steering Committee – Clr Ian Carter**
No recent meeting has been held. The online survey has closed but the community can still provide feedback through the Council Website.

02/25.13.0 BUSINESS AND CORPORATE SERVICES

02/25.13.1 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.

COUNCIL DECISION:

02/25.13.1.539 Moved: Clr K Chapple/ Seconded: Clr V Oldham

That the report be received.

CARRIED UNANIMOUSLY

02/25.13.2 Monthly Financial Report

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

That the following reports for the month ending 31 January 2025 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.

COUNCIL DECISION:

02/25.13.2.540 Moved: Clr B LeFevre/ Seconded: Clr I Carter

That the following reports for the month ending 31 January 2025 be received:

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

CARRIED UNANIMOUSLY

02/25.13.3 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 delivered by the Visitor Information Centre since the previous Council Meeting.

COUNCIL DECISION:

02/25.13.3.541 Moved: Clr L Johnstone/ Seconded: Clr J Drummond

That the report be received.

CARRIED UNANIMOUSLY

02/25.13.4 **Capital Works Budget Review**

FILE REFERENCE	018\008\001\
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OFFICER’S RECOMMENDATION:

That Council adopt the revised Capital Works Budget 2024/2025.

INTRODUCTION:

The purpose of this report is to provide Council with a revised Capital Works Budget 2024/2025.

COUNCIL DECISION:

02/25.13.4.542 Moved: Clr L Johnstone/ Seconded: Clr K Chapple

That Council adopt the revised Capital Works Budget 2024/2025.

CARRIED UNANIMOUSLY

*Meeting adjourned at 11:00am for morning tea and to conduct the Citizenship Ceremony.
Meeting resumed at 11:22am*

02/25.14.0 **WORKS AND INFRASTRUCTURE**

02/25.14.1 **Works and Infrastructure Report**

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

That the report be received by Council.

INTRODUCTION:

This report provides a summary of activities relating to Works Operations and Capital Projects for the reporting period January 2025.

COUNCIL DECISION:

02/25.14.1.543 Moved: Clr B LeFevre/ Seconded: Clr I Carter

That the report be received by Council.

CARRIED UNANIMOUSLY

02/25.14.2 **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.

COUNCIL DECISION:

02/25.14.2.544 Moved: Clr K Chapple/ Seconded: Clr I Carter

That the report be received by Council.

CARRIED UNANIMOUSLY

02/25.14.3 **Tasman Highway St Helens – speed limits**

FILE REFERENCE	032\005\004\
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OFFICER’S RECOMMENDATION:

That Council receive this report for information and discussion.

INTRODUCTION:

The purpose of this report is to provide Council with a copy of a recent response received from the Department of State Growth, regarding the speed limits that apply along the Tasman Highway on either side of St Helens.

COUNCIL DECISION:

02/25.14.3.545 Moved: Clr L Johnstone/ Seconded: Clr K Chapple

That Council receive this report for information and discussion.

CARRIED UNANIMOUSLY

02/25.15.0 COMMUNITY DEVELOPMENT

02/25.15.1 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.

COUNCIL DECISION:

02/25.15.1.546 Moved: Clr K Chapple/ Seconded: Clr B LeFevre

That the report be received.

CARRIED UNANIMOUSLY

02/25.16.0 DEVELOPMENT SERVICES

02/25.16.1 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.

COUNCIL DECISION:

02/25.16.1.547 Moved: Clr V Oldham/ Seconded: Clr B LeFevre

That the report be received.

CARRIED UNANIMOUSLY

FILE REFERENCE	017\023\005\
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OFFICER'S RECOMMENDATION:

Council endorse the *Break O'Day Council Corporate Climate Change Adaptation Plan 2024* for implementation through its organisational governance, service delivery, operations and Annual Plans.

INTRODUCTION:

The purpose of this report is to pass on to Councillors recent output from the Northern Tasmania Alliance of Resilient Councils following climate action activities late last year. This included a review of corporate climate change risks and report: *Break O'Day Council Corporate Climate Change Adaptation Plan 2024*.

COUNCIL DECISION:**02/25.16.2.548**Moved: Clr J Drummond/ Seconded: Clr K Chapple

Council endorse the *Break O'Day Council Corporate Climate Change Adaptation Plan 2024* for implementation through its organisational governance, service delivery, operations and Annual Plans.

CARRIED UNANIMOUSLY**02/25.17.0 GOVERNANCE****02/25.17.1 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.

COUNCIL DECISION:

02/25.17.1.549 Moved: Clr K Chapple/ Seconded: Clr L Johnstone

That the General Manager’s report be received.

CARRIED UNANIMOUSLY

02/25.17.2 **2024-2025 Annual Plan Quarterly Update**

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

That Council receive the Review as at 31 December 2024 of the 2024-2025 Break O’Day Council Annual Plan.

INTRODUCTION:

Council’s management team prepared the 2024 – 2025 Annual Plan based on discussions, which occurred through Council workshops and the normal budget/planning process. The Annual Plan was prepared to take into account broader factors which are impacting Council; and reflecting continuity of existing projects, and activities where this exists.

COUNCIL DECISION:

02/25.17.2.550 Moved: Clr L Johnstone/ Seconded: Clr K Chapple

That Council receive the Review as at 31 December 2024 of the 2024-2025 Break O’Day Council Annual Plan.

CARRIED UNANIMOUSLY

02/25.17.3 **Eastern Strategic Regional Partnership – Study Hub**

FILE REFERENCE	039\004\018\
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OFFICER’S RECOMMENDATION:

That Council note the successful funding application to establish a Regional University Study Hub to service the East Coast of Tasmania.

INTRODUCTION:

Through the Eastern Strategic Regional Partnership, funding was provided to Break O'Day Employment Connect via the Fingal Valley Neighbourhood House for an investigation in relation to the nature and extent of need for assistance with education and training pathways which might lead to the establishment of a Regional Study Hub. A consultancy was commissioned to examine two key elements which are linked but are likely to result in separate but complementary solutions leading to a cohesive approach. An application for funding was made to Cohort 5 of the Regional University Study Hub program and on 3 February it was advised that the Application had been successful.

COUNCIL DECISION:

02/25.17.3.551

Moved: Clr L Johnstone / Seconded: Clr J Drummond

That Council note the successful funding application to establish a Regional University Study Hub to service the East Coast of Tasmania.

CARRIED UNANIMOUSLY

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

Moved: Clr I Carter/ Seconded: Clr V Oldham

IN CONFIDENCE

02/25.18.0 **CLOSED COUNCIL**

02/25.18.1 **Confirmation of Closed Council Minutes – Council Meeting 20 January 2025**

COUNCIL DECISION:

DECISION TO APPEAR IN THE PUBLIC MINUTES

That the minutes of the Closed Council Meeting held on the 20 January 2025 be confirmed.

CARRIED UNANIMOUSLY

02/25.18.2 **Outstanding Actions List for Closed Council**

02/25.18.3 **Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015 - Tender Contract 030\001\153 - Kerbside Recyclables Collection Service**

COUNCIL DECISION:

DECISION TO APPEAR IN THE PUBLIC MINUTES

The Council not accept any tenders submitted for Contract 030\001\153 "Kerbside Co-Mingled Recyclables Collection Service."

The Council has rescinded Contract 030\001\153 for the "Kerbside Co-Mingled Recyclables Collection Service."

The Council will commence operations of the kerbside Co-Mingled Recyclables Collection Service on 1 July 2025.

The Council will seek the procurement of a waste truck utilising the LGAT Tender Panel Process.

CARRIED UNANIMOUSLY

02/25.18.4 **Closed Council Item Pursuant to Section 15(2)F of the Local Government (Meeting Procedures) Regulations 2015 - CBA Car Park – 18-24 Cecilia Street, St Helens**

COUNCIL DECISION:

DECISION TO APPEAR IN THE PUBLIC MINUTES

To defer consideration of the item to Closed Council Meeting on 17 March 2025, to allow Councillors to conduct a site visit to CBA Car Park.

CARRIED UNANIMOUSLY

02/25.18.5 **Closed Council Item Pursuant to Section 15(2)F of the Local Government (Meeting Procedures) Regulations 2015 - Old St Helens Hospital**

COUNCIL DECISION:

DECISION TO APPEAR IN THE PUBLIC MINUTES

That Council confirm to the State Government that it is interested in acquiring the green space fronting Cecilia Street.

CARRIED UNANIMOUSLY

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

Moved: Clr J Drummond/ Seconded: Clr V Oldham

02/25.19.0 **MEETING CLOSED**

Mayor Tucker thanks everyone for their attendance and declared the meeting closed at 1:10pm.

.....
MAYOR

.....
DATE