



COUNCIL MEETING MINUTES

Monday 20 January 2025
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
20 January 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.

01/25.1.0 ATTENDANCE

01/25.1.1 Present

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

01/25.1.2 Apologies

Nil

01/25.1.3 Leave of Absence

Nil

01/25.1.4 Staff in Attendance

General Manager, John Brown
Corporate Services Officer, Linda Singline
Corporate Services Coordinator, Angela Matthews (*Item 1.0 – 25.17.1*)
Business Services Manager, Raoul Harper (*Item 1.0 – 16.3*)
Executive Officer, Jayne Richardson (*Item 1.0 – 25.17*)
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 25.17*)
Development Services Coordinator, Jake Ihnen (*Item 1.0 – 25.16.3*)
Senior Town Planner, Deb Szekely (*Item 25.11.0 – 25.16.3*)

01/25.2.0 PUBLIC QUESTION TIME

Four people in the gallery.

01/25.2.1 Hunting Dogs on Gray Road, St Marys

What is being done by council about the pack of 20 plus hunting dogs being kept in appalling conditions behind a locked gate on Gray Road St Marys? I know that this has been reported to RSPCA and BOD council in the past, however this cruelty continues. It is my understanding that the owner does not have a kennel license to keep this number of dogs.

Reply

Council officers, in conjunction with the RSPCA are working with the owner of the dogs towards a resolution.

01/25.2.2 Break O'Day Planning Scheme – Graeme Beech

In May 2024, I asked General Manager John Brown to clarify his statement in a Council Newsletter that the removal of the planning clause in the Break O Day Planning Scheme which prohibited subdivision within 1km of the coast in Break O Day would result in the "same outcome or better" in terms of protecting the coast from overdevelopment.

The recently approved 6 lot subdivision north of Wrinklers Lagoon with lot sizes of 20 hectares indicates that the protection of land from subdivision has been weakened under the new scheme contrary to previous advice from Mr Brown who also stated in that same newsletter that the minimum lot size in the new planning scheme for the Landscape Conservation Zone would be 50 ha. Can I please receive an explanation of this disparity?

With structure plans intended to be developed by BODC for Scamander and Beaumaris, correct advice and information should be given to ratepayers and residents on planning matters that will affect the liveability and natural and scenic values of our towns and coastline.

Please note I have attached the Council Newsletter item for inclusion with the agenda and minutes.

Regards

Graeme Beech
Beaumaris

From General Manager - John Brown

Recently we conducted some informal engagement sessions with the community in relation to work we are undertaking to prepare a new Local Provisions Schedule which brings us into line with the State Government's Tasmanian Planning Scheme requirements. The sessions focussed on talking about the information that has been developed so far and gaining input from those who attended; local knowledge plays an important part in making sure we get this as right as possible. A diverse range of views are held by community members on key elements which they feel passionately about.

One area of particular interest relates to the oft quoted 'prohibition of subdivision within 1km of the coast'. Indeed the Environmental Living Zone in the current Break O'Day Planning Scheme has a requirement that any new lots must be located at least 1km from the High Water Mark. Under the Tasmanian Planning Scheme structure the Environmental Living Zone will disappear and is essentially replaced by the Landscape Conservation Zone which whilst it doesn't have the same 'prohibition' approach, it does increase the minimum lot size to 50ha. As we have very few individual lots of land along the coast in the Environmental Living Zone of this size the same outcome or better is basically being achieved because it covers areas more than 1km from the Coast.

As we progress into the formal part of the process with public exhibition of the Planning Scheme and Local Provision Schedules, it is important for the community to look at this information and take advantage of the opportunity to have their say whether it is to support what is proposed or suggest something else. That stage is still a number of months off and we will feel a sense of relief when we get to that phase.



Members of the Break O'Day Council One Night Stand Team just before the gates opened.

One Night Stand St Helens takes home Launceston Chamber of Commerce Outstanding Event, 2019 Award

A year on and we are still basking in the glory of the One Night Stand and being recognised for the effort our whole community went to to execute the event.

The latest accolade came on Saturday 26 October, at the Launceston Chamber of Commerce Business Excellence Awards where we won Outstanding Event of the year.

This is the most prestigious award to date as we were up against some stiff competition including the Qantas Tourism Awards.

The judges of this award stated that our entry was a stand-out as not only did we achieve a hugely successful event in only 12 weeks, we involved the entire community and raised more than \$28,000 for charity.

"The Launceston Chamber of Commerce congratulates the Break O'Day Council on their winning TasPlan Business Excellence Awards entry in the Outstanding Event category

for the St Helens One Night Stand," Launceston Chamber of Commerce CEO, Neil Grose said.

"The success of the St Helens One Night Stand event epitomises the strength of the East Coast community who seized upon a unique opportunity to bring a huge national music event to St Helens with only several weeks' notice, and made it an outstanding success."

"This win also demonstrates a council and council staff who are prepared to make a huge effort for the benefit of the whole community."

"This category is very competitive with previous winners including the 2017 Enduro World series at Derby and the Subaru Rally in Launceston in 2018." Despite these awards being through the Launceston Chamber of Commerce, they are open to all businesses and organisations in the North of the state and we would encourage local businesses to consider applying next year.

Reply

The General Manager notes that responses have previously been sent to Mr Beech on 26 November 2019 and on 4 March 2020 in relation to the October 2019 Newsletter item he has provided. The General Manager's response to Mr Beech on 4 March 2020 it stated *"In my response of 26 November 2019 I referred to the permitted pathway under the Landscape Conservation Zone and what could be achieved under this process. The Acceptable Solution (often referred to as the "permitted pathway") states each lot must have an area of not less than 50ha. It is possible for an application to be made for a subdivision using the performance criteria (at less than 50 ha) but this performance criteria states it must not be less than 20ha in area. i.e. less than 50 ha but not less than 20 ha. It is important to note that a range of other provisions also have to be addressed to satisfy this performance criteria such as, the pattern of development existing on established properties in the area, the topography of the site and the ability to retain vegetation and protect landscape values"*.

In the Tasmanian Planning Scheme the minimum lot size for a subdivision under the Acceptable Solution criteria in the Landscape Conservation Zone is 50ha. Under the former Break O'Day Interim Planning Scheme the minimum lot size for a subdivision under the Acceptable Solution in the Environmental Living Zone is 20ha. The Tasmanian Planning Scheme has Performance Criteria that reduces the minimum lot size to 20ha providing it addresses the performance criteria. The proponents for the subdivision relied upon the Performance Criteria under the Tasmanian Planning Scheme and not the Acceptable Solution.

01/25.2.3 Rodeo at Reids Road, St Helens– Clr Wright OBH the Residents of Reids Road

1. Was the recent rodeo council approved, and or sponsored?
2. What animal welfare measures were employed, as Rodeos are known for animal cruelty, in some events, such as calf roping, bull and bronco riding events?
3. Is this likely to be an annual event, or was it a one off event?
4. What policing and security measures were employed, as party went well into the early hours of the morning, causing distress to neighbours and their pets.
5. Can or should council be more involved in the regulatory process of such events?

Concerned residents of Reid's RD.

Reply

Question 1 - The event was held on private property and the event planners worked with the owners of the property – the event was organised by external event planners. Council did not provide any sponsorship for this event. In terms of Council approval, the organisers applied for and were granted a Place of Assembly licence under Part 5 of the Health Act.

place of assembly includes –

- (a) any place or area used for the entertainment of members of the public; and
- (b) any place or area used for the assembly of members of the public for social and recreational purposes; and
- (c) any school or other place or area used for community or public purposes;

A licence is required when event has over 1000 people attending for 2 hours or more.

The matters to be considered by Councils are shown below in section 77 (2)

77. Grant or refusal of licence

- (1) A council may –
 - (a) grant an application for a place of assembly licence for a specific event or for general purposes subject to any conditions; or
 - (b) refuse to grant the application.
- (2) In determining an application, a council is to consider the following matters:
 - (a) the maintenance of peace and good order;
 - (b) the prevention of noise, smell, pollution or other nuisances;
 - (c) the effect of traffic on highways;
 - (d) whether the place of assembly is capable of being operated, used or managed in accordance with any relevant guidelines;
 - (e) the protection of public health.
- (3) The council, by notice in writing served on the applicant, must notify –
 - (a) the granting of the application; or
 - (b) the refusal to grant the application.

Question 2 - This matter is outside of Council's jurisdiction.

Question 3 - This is unknown. This would be a commercial decision for the organisers to consider.

Question 4 - A condition of the approval for the Place of Assembly licence was for the organisers to consider any nuisance caused. No noise complaints were made to Council in relation to this event. Council plays no role and has no jurisdiction in the security and policing of a private event. When it comes to events, Council's resources are applied in the planning stages by ensuring that organisers have management plans in place to deal with such matters. We will be passing on your concerns to the event organisers for their consideration.

Question 5 - The Place of Assembly licence is the only involvement that Council has for such events. Should an application be received for such an event for 2026, Council will push for more local community engagement from the organisers.

01/25.2.4 Feasibility Report for Free Green Waste Days, Ansons Bay Waste Transfer Station– Clr Oldham OBH Graeme Le Brocq, President Ansons Bay Community Group

Regarding request for feasibility report to have free green waste das at Ansons Bay Waste Transfer Station, would you know how long such reports take to complete and then the decision-making process involved?

We would be happy with the same arrangement that exists for St Helens.

Thank you
Graeme Le Brocq

Reply

The timeframe for conducting a feasibility study and having the Council formally consider a recommendation is determined by the schedule of Councillor workshops, which occur on the first Monday of each month, and the subsequent Council meetings on the third Monday of each month.

Given the current workload and available resources, the Council's Manager of Infrastructure & Development Services will aim to undertake a feasibility assessment during February for offering free green waste disposal days at the Ansons Bay Waste Transfer Station. Based on this assessment, a recommendation would be made to the Council for consideration in March 2025.

Public Questions to Break O’Day Council**20 January 2025****Graeme Wathen**graemewathen@gmail.com
0429 701 324
PO Box 10, Scamander 7215

At the last Council meeting on 16 December 2024 I asked the following question:

“Why does the Council insist on re-classifying the Exhibition Building, which is a Class 9b building, to a workplace classification such as a Class 5 building, which requires air-conditioning, when it is essentially a large indoor space suitable for a variety of community activities and purposes?”

The response provided by Council officers was:

“Council is not insisting that the building be reclassified. Council, as the property owner is required to ensure buildings occupied are compliant with the National Construction Code when new work requiring a building approval are being conducted. As the building requires building work, whether utilised for storage or any other use class then the National Construction Code must be met. Both class 5 and class 9 buildings are required to comply with Part J of the National Construction Code. There are various ways in which the performance criteria of the code can be met, this has not been explored in any detail by Council officers and will be dependent upon the final decision of Council.”

Section J of the NCC specifies requirements for energy efficiency to ensure that buildings are built to a minimum standard to reduce energy consumption and greenhouse gas emissions.

The requirements of the NCC are not applied retrospectively to existing buildings, but only required for new buildings or when there are substantial alterations or improvements to an existing building.

Since 2007 the Council has undertaken significant repairs or improvements to the Exhibition Building, namely: repainting the external cladding, repairs to flooring, replacement of windows, replacement of the roof cladding, and electrical upgrades. These measures would seem to be both normal repairs and minor upgrades.

The NCC was formally adopted by Tasmania on 1 July 1997, and Section J of the NCC was adopted in late 2006 when the Building Code of Australia was amended. So the repairs and improvements undertaken by Council since 2007, including installing energy consuming lighting, did not require application of Section J.

Council officers have now stated “Council is not insisting that the building be reclassified.” However, in the **St Marys Exhibition Building FAQ** document alternative options are canvassed for the Building, including:

- Upgrade the building for storage purposes, which is a Class 7 building.
- Full rebuild or install steel portal frames, both with provision of air-conditioning, which would be a Class 5 building

Interestingly an option not considered is to undertake structural improvements to the building to allow continuation of its function as a Class 9b building, that is to continue as an un-airconditioned assembly building for community uses. Such structural improvements,

essentially repairs, without a change of classification would not require application of the NCC, nor application of Section J.

Council officers are now claiming that any new building work triggers application of Section J of the NCC.

So my first question is:

1. What new building works are being proposed by Council officers for the Exhibition Building which would require implementation of Section J of the NCC if there is no intention to re-classify the building? Are Council officers insisting that after more than 70 years of the building's life as an assembly type building, air-conditioning must now be installed?

At the last Council meeting on 16 December 2024 I also asked the following question:

“What was the brief provided to Collective Consulting for their report in June this year? Was the brief written; if not why not? As only a limited structural assessment was undertaken does Council insist the advice provided is sound, that is, the building has exceeded its design life and is no longer economically viable? Is the Council interested in other advice?”

The response provided by Council officers was:

“A written brief was not provided given the limited nature of the engagement. The information provided to the structural engineers was to provide an assessment to Council relating to its structural adequacy and ‘fit for purpose’ assessment. Council would consider other engineering advice from suitably qualified practitioners who hold a Tasmanian licence.”

It is notable that the advice provided by **Collective Consulting**, in their June 2024 report was that they carried out a “limited structural assessment with a view to establishing the extent of structural damage along with potential causes”. They made an afternoon inspection on 6 May 2024 at which they observed “typical damage” as:

- “Major displacement and outward bowing of external walls between steel tie rods
- Deflection of roof sheet
- External downpipe cut off right at building corner resulting in ponding water
- Water stains to end wall interior cladding, due to potential water ingress or roof condensation”

Collective Consulting believed the lateral displacement of the long walls was due to “long term timber sagging related to the age of the material, and wind load damage due to insufficient bracing.” They noted “Generally, the floor, external claddings, and foundations are in good condition ...”

The **Collective Consulting** report makes a number of negative findings and recommendations “after discussions in conjunction with” a Council officer, including:

- a view that the building had exceeded its design life and improvements to extend its life would not be rational
- an expectation that movement and deflection would continue regardless of minor improvements

- that the building could not be made suitable for habitation or air-conditioning
- that the building be demolished and replaced with new

Council officers have not provided any opinion as to whether this advice from **Collective Consulting** is considered sound.

Council also engaged structural engineers **Dale P Luck & Associates** in 2007 to undertake some structural assessments of the Exhibition Building.

In their 18 April 2007 report to Council **Luck & Associates** noted a number of matters:

- the existing tie rods were not very satisfactory
- the existing structure would not support a ceiling lining
- roof bracing was insufficient, and the current bracing was provided by the roof sheeting
- while the wall cladding was in fair condition there was no easy way to determine the extent of wall bracing
- the timber floor appeared to be in very good condition

Luck & Associates proposed the bracing problem and the internal ceiling lining proposal could be solved by installing four (4) internal steel portal frames. It is important to note here that these steel portal frames were proposed to solve two separate matters: (1) the bracing problem, and (2) the installation of ceiling lining to allow for air-conditioning.

Now that was 18 years ago. Since then Council has installed a completely new roof covering with gutters and downpipes but has failed to provide stormwater drains to carry the rainwater away from the building, and nor has the Council attempted to resolve the bracing problem.

Further, in responses to a number of public questions about the future of the Exhibition Building, Council officers have deferred to the proposition that they are awaiting the "the final decision of Council".

So my further questions are:

2. Why has Council, after seeking structural advice about the Exhibition Building from a number of engineers over the past 18 years, implemented only some of their recommendations but ignored other recommendations, such as:
 - installing structural improvements to overcome the bracing problem, such as steel portal frames or installing additional steel tie rods to partially overcome the bracing problem, and
 - installing underground drains to direct rainwater from the downpipes away from the building?
3. In preparing for the "final decision of Council" is it not incumbent on Council officers to provide Councillors with sufficient information to enable them to make a fair, balanced and well informed decision? In this regard is the Council prepared to seek alternative, low cost structural solutions designed to solve the lateral bracing problem without the requirement that the building must be air-conditioned?

Reply

Question 1 – Part A – Council must ensure that National and State Government legislation is met and comply with those requirements, the information provided in the current consultation package has been prepared based on this requirement. The applicability of Section J of the National Construction Code will be determined by the final proposal approved by Council via the consultation process. Furthermore, in the event that a Certificate of Likely Compliance is required to be issued by a Building Surveyor, the application and the extent of the requirements will be determined by the Building Surveyor engaged to issue the certification.

Question 1 Part B – No -

Council is not insisting that air-conditioning must now be installed. The requirements and application of the requirements of the National Construction Code will be determined once the final proposal for the building's future is decided upon by Council. In the event that the decision of Council determines that upgrades to the building are required, designs will be required to be prepared by a licenced building designer and then a Certificate of Likely Compliance would likely be required as part of the regulatory process. The extent of the application of Part J (which includes the requirements for conditioned spaces) of the National Construction Code will be determined by the Building Surveyor engaged.

Question 2 – Council has not received any further engineering advice further to the two (2) engineers reports references in the statement provided. Council has carried out appropriate remedial works consistent with the engineers advice over a period of time as funds were available and approved under Council's Capital Works program. Council adopted all recommendations within the report at the time including the installation of new roof cladding except for the recommended installation of the steel portal frames which were considered however not completed as this scope of work was considered a cost prohibitive option at the time. The re-direction of the downpipes is scheduled for completion as part of Council's maintenance works program and will be completed when resources permit. The re-direction of the downpipes is scheduled for completion as part of Councils maintenance works program and will be completed when resources permit.

Question 3 – Yes, Section 65 of the *Local Government Act 1993* states

65. Qualified persons

- (1) *A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.*
- (2) *A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless –*
 - (a) *the general manager certifies, in writing –*
 - (i) *that such advice was obtained; and*
 - (ii) *that the general manager took the advice into account in providing general advice to the council or council committee; and*
 - (b) *a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.*

Council Officers will ensure that elected members will receive and consider any information/ideas and suggestions put forward from the current community consultation process along with the professional advice required for them to make an informed decision. Together with solutions of “low cost structural solutions” would also require supporting professional advice by licenced practitioners along with considering the analysis of the full life-cycle of the building considering factors such as future use, life-cycle, depreciation and ongoing required maintenance in order to make a fair, balanced and well informed decision.

01/25.3.0 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.

Nil

01/25.4.0 CONFIRMATION OF MINUTES

01/25.4.1 Confirmation of Minutes – Council Meeting 16 December 2024

OFFICER’S RECOMMENDATION:

That the minutes of the Council Meeting held on 16 December 2024 be confirmed.

COUNCIL DECISION:

01/25.4.1.523 Moved: Clr V Oldham / Seconded: Clr K Chapple

That the minutes of the Council Meeting held on the 16 December 2024 be confirmed.

CARRIED UNANIMOUSLY

01/25.4.2 Confirmation of Minutes – Annual General Meeting 10 December 2024

OFFICER’S RECOMMENDATION:

That the minutes of the Annual General Meeting held on 10 December 2024 be confirmed.

01/25.4.2.524 Moved: Clr B Le Fevre / Seconded: Clr K Chapple

That the minutes of the Annual General Meeting held on 10 December 2024 be confirmed.

CARRIED UNANIMOUSLY

01/25.5.0 **COUNCIL WORKSHOPS HELD SINCE 16 DECEMBER 2024
COUNCIL MEETING**

There were no workshops held since 16 December 2024.

01/25.6.0 **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.

Nil

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.

01/25.7.0 **COUNCIL MEETING ACTIONS**

01/25.7.1 **Outstanding Matters**

Received

01/25.8.0 **PETITIONS**

Nil

01/25.9.0 NOTICES OF MOTION

01/25.9.1 St Mary's Exhibition Building FAQ submissions and closing date – Clr Johnstone

MOTION:

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

That council accept all St Mary's Exhibition Building FAQ submissions received as valid whether or not a submission covers all 14 points asked by Council in the FAQ.

That the closing date for submissions to be received be extended to February 10, 2025.

SUBMISSION IN SUPPORT OF MOTION:

Over the past number of weeks, I have been approached by many interested and engaged members of our community about the relevance and the difficulty of a number of the questions in the FAQ.

Council has asked people answer and ensure all questions are covered in their submissions. In addition, at the December meeting of Council a number of interested community members ask public questions about the St Mary's Exhibition Building and one question related directly to the FAQ submissions. I believe it would be beneficial and proper for the Council to accept all submissions as valid. The council has taken time to prepare this written consultation and many in the community will take the time to write a submission which takes time and energy.

Therefore, I would suggest that all submissions be accepted as valid to assist Council in its deliberations on the future of the St Mary's Exhibition Building.

The St Mary's Exhibition Building FAQ was opened or first promoted on the Break O'Day Facebook page on Thursday 28 November 2024 and was available on the BOD website. The closing date for submissions is currently Monday 27 January 2025. This period includes the 2 weeks of Christmas and New Year and the long weekend at the end of January.

As we would be all aware, many, dare I say most of our residents and community including ourselves are busy with preparation for the Christmas, New Year period. Many of us are intra or interstate with our families, or very consumed, as we all are preparing for this Tasmania wide holiday season. It is not a time to be writing submissions to Council I would attest. As such I think it would be prudent in recognition of the holiday season for the Council to extend the closing date for receiving submission to Monday 10 February 2025.

COUNCIL DECISION:

01/25.9.1.525 Moved: Clr Johnstone / Seconded: Clr Wright

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

That council accept all St Mary's Exhibition Building FAQ submissions received as valid whether or not a submission covers all 14 points asked by Council in the FAQ.

That the closing date for submissions to be received be extended to February 10, 2025.

An amendment was moved:

01/25.9.1.525 Clr J Drummond /Clr K Chapple

That council accept all St Mary's Exhibition Building FAQ submissions received as valid whether or not a submission covers all 14 points asked by Council in the FAQ.

That the closing date for submissions to be received be extended to February 10, 2025.

CARRIED UNANIMOUSLY

The Amended Motion was put:

CARRIED UNANIMOUSLY

01/25.10.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil

01/25.11.0 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.

01/25.11.1 **Public Questions Listed in Council Agenda – Clr L Johnstone**

Clr Johnstone proposed that the public questions listed in the Council Meeting Agenda, be presented and read aloud during the Council Meeting.

Reply

It was agreed that this practice would be implemented moving forward.

01/25.11.2 Upper Scamander Road – Clr J Drummond

Does Council have plans to seal the gravel section, of about 6kms, at Upper Scamander Road. The road was re-sheeted in 2024 using a granite type gravel which is resulting in grey white dust. Since the re-sheeting, this portion of Upper Scamander Road has been re-graded on several occasions spreading gravel and dust with it. Residents have concerns are around silicosis. Council was previously replacing one km of dirt a year with bitumen. Is Council going to continue this program into the future, so as to safeguard the people living on that stretch of road.

Reply

The Council currently has no plans to seal Upper Scamander Road. However, the Council's Manager of Infrastructure and Development Services will undertake a criterion-based feasibility assessment for sealing through a staged approach and present a recommendation to the Council for their consideration in April 2025.

01/25.11.3 St Marys Pass Updates – Clr J Drummond

Have there been any updates on the St Marys Pass, and if not, can we make contact with the relevant body to request an update to share with the community.

Reply

The Department of State Growth and their consultants for this project met with Council Officers on Thursday December 5 to discuss the St Marys Pass Options Assessment. This discussion was centred around the community consultation outcomes and the scoring matrix used. Council Officers provided the consultant with some feedback on this report and we are now waiting for the Department to be ready to release the report. Once released we will promote its availability. Council Officers will continue to communicate with the Department on this project. Council officers also asked that the Department of state Growth provide an update on the progress with the project on their website in the meantime

01/25.11.4 Condition of Gravel Roads to The Gardens and Dora Point Camping Grounds – Mayor M Tucker

The Mayor raised concerns about the condition of the gravel roads to The Gardens and Dora Point which are maintained by Parks and Wildlife. The Mayor requested a letter be written by the General Manager to the Minister of Parks to address the concerns.

Reply

Council received notification from the Tasmanian Parks and Wildlife Service at 4pm on 20 January 2025 advising that urgent road maintenance on Dora Point Road in the Humbug Nature and Recreation Reserve will be undertaken on Tuesday and Wednesday 21 and 22 January. There will be road closures in place over this period from 8:00am – 4:30pm with alternate access provided via Binalong Bay Road.

01/25.12.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

01/25.12.1 Mayor's Communications for Period Ending 20 January 2025

16.12.2024	Hobart	– Brief meeting with Premier Rockliff
18.12.2024	MS Teams	– Meeting with Deputy Premier Guy Barnett to discuss Council's concerns and major projects planned
08.01.2025	St Helens	– Australia Day Awards Committee meeting
17.01.2025	St Helens	– Meeting with Ms Rebecca White MP and General Manager John Brown
20.01.2025	St Helens	– Council Meeting

01/25.12.2 Councillor's Reports for Period Ending 20 January 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
No meeting has been held for 2025, no updates.
- NRM Special Committee – Clr Janet Drummond
Next meeting scheduled for February 2025.
- East Coast Tasmania Tourism (ECTT) – Clr Barry Le Fevre
No meeting has been held for 2025 but there have been eight quality applications for the advertised Acting CEO position vacant.
- Mental Health Action Group – Clr Barry Le Fevre
No updates.
- Access and Inclusion Advisory Committee – Clr Janet Drummond
 - Next meeting scheduled for February 2025.
- Bay of Fires Master Plan Steering Committee – Clr Ian Carter
No meeting had been held for 2025. There have been communication issues for accessing The Bay of Fires Masterplan Survey but this has been rectified and timeline extended.

01/25.13.0 BUSINESS AND CORPORATE SERVICES

01/25.13.1 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:

01/25.13.1.526 Moved: Clr L Johnstone / Seconded: Clr K Wright

That the report be received.

CARRIED UNANIMOUSLY

01/25.13.2 Monthly Financial Report

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

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

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

INTRODUCTION:

Presented to Council are the monthly financial statements.

COUNCIL DECISION:

01/25.13.2.527

Moved: Clr K Wright/ Seconded: Clr I Carter

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

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

CARRIED UNANIMOUSLY

01/25.13.3

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 the delivered by the Visitor Information Centre since the previous Council Meeting.

COUNCIL DECISION:

01/25.13.3.528

Moved: Clr J Drummond/ Seconded: Clr K Chapple

That the report be received.

CARRIED UNANIMOUSLY

01/25.14.0

WORKS AND INFRASTRUCTURE

01/25.14.1

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

COUNCIL DECISION:

01/25.14.1.529 Moved: Clr B Le Fevre / Seconded: Clr V Oldham

That the report be received by Council.

CARRIED UNANIMOUSLY

01/25.14.2 **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:

01/25.14.2.530 Moved: Clr K Chapple/ Seconded: Clr V Oldham

That the report be received by Council.

CARRIED UNANIMOUSLY

01/25.15.0 **COMMUNITY DEVELOPMENT**

01/25.15.1 **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:

01/25.15.1.531 Moved: Clr J Drummond / Seconded: Clr L Johnstone

That the report be received.

CARRIED UNANIMOUSLY

01/25.16.0 **DEVELOPMENT SERVICES**

01/25.16.1 **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:

01/25.16.1.532 Moved: Clr G Barnes / Seconded: Clr V Oldham

That the report be received.

CARRIED UNANIMOUSLY

01/25.16.2 **Industrial Land Study – Project Brief**

FILE REFERENCE	21/2375
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OFFICER’S RECOMMENDATION:

Development Services release the Project Brief – Industrial Land Study publicly to obtain expressions of interest after consideration and feedback from Council.

INTRODUCTION:

Internally, Development Services has completed an Industrial Land Scoping Study to assist in documenting the state of play for Break O’Day’s Industrial land supply. The purpose of the Scoping Study was as a precursor to more in-depth analysis of Industrial land in the context of available supply, known demand and ability to influence aspirational goals of improving opportunities for employment. To this end, the attached Project Brief is aimed at completing this work.

COUNCIL DECISION:

01/25.16.2.533

Moved: Clr B Le Fevre/ Seconded: Clr K Chapple

Development Services release the Project Brief – Industrial Land Study publicly to obtain expressions of interest after consideration and feedback from Council.

CARRIED UNANIMOUSLY

Meeting adjourned at 11:00am for morning tea.

Meeting resumed at 11:08am

01/25.16.3

Scamander/Beaumaris Structure Plan – Project Brief

FILE REFERENCE	23/13725
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OFFICER’S RECOMMENDATION:

Development Services release the brief publicly to attract quotations for services specified in the brief.

INTRODUCTION:

The project brief was considered by Council at a Workshop in October 2024. The revised brief is provided to Council for further consideration prior to release for submissions.

COUNCIL DECISION:

01/25.16.3.534

Moved: Clr K Wright/ Seconded: Clr B Le Fevre

Development Services release the brief publicly to attract quotations for services specified in the brief.

CARRIED UNANIMOUSLY

01/25.17.0

GOVERNANCE

01/25.17.1

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:

01/25.17.1.535 Moved: Clr B Le Fevre/ Seconded: Clr K Wright

That the General Manager's report be received.

CARRIED UNANIMOUSLY

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

Moved: Clr K Chapple/ Seconded: Clr I Carter

IN CONFIDENCE

01/25.18.0 **CLOSED COUNCIL**

01/25.18.1 **Confirmation of Closed Council Minutes – Council Meeting 16 December 2024**

01/25.18.2 **Outstanding Actions List for Closed Council**

01/25.18.3 **Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015 - Quotations for Solar Lighting – Georges Bay Foreshore St Helens**

COUNCIL DECISION:

DECISION TO APPEAR IN THE PUBLIC MINUTES

That Council purchase solar light assemblies for the Georges Bay Foreshore Solar Lighting Project from “Leadsun Australia”.

That Council will approve an additional \$54,500 in capital funding in the current financial year to enable project completion by the deadline of 30 June 2025.

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 K Wright

01/25.19.0 **MEETING CLOSED**

Mayor Tucker thanks everyone for their attendance and declared the meeting closed at 11:36am.

.....
MAYOR

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DATE