



COUNCIL MEETING MINUTES

Monday 14 April 2025
Council Chambers, St Helens

Raoul Harper, Acting General Manager
Break O'Day Council
14 April 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.

04/25.1.0 ATTENDANCE

04/25.1.1 Present

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

04/25.1.2 Apologies

Councillor Janet Drummond

04/25.1.3 Leave of Absence

Councillor Gary Barnes

04/25.1.4 Staff in Attendance

Acting General Manager, Raoul Harper
Administration & Governance Support Officer, Linda Singline
Corporate Services Manager, Angela Matthews (*Item 25.1-25.19*)
Executive Officer, Jayne Richardson (*Item 25.1-25.19*)
Development Services Coordinator, Jake Ihnen (*Item 25.1-25.19*)
Manager Infrastructure and Development Services, David Jolly (*Item 25.1-25.19*)
Senior Town Planner, Deb Szekely (*Item 25.1-25.6.2, 25.15.2-25.16.2*)
Planning Officer, Kathryn Clausen (*Item 25.1-25.6.2*)
Manager Community Services, Chris Hughes (*Item 25.1-25.15.2*)

Urgent Late Agenda Item – Closed Council

The Mayor vacated the Chair, with Deputy Mayor Chapple assuming the Chair.

The Mayor then moved the following motion:

“In accordance with sub regulation 6 of the Local Government (Meeting Procedures) Regulations 2015, that an urgent closed Council agenda item be accepted as a late agenda item. The Acting General Manager, as required under the Act, has advised that due to time constraints a report could not be prepared earlier. The matter relates to a grant application involving the supply of goods and services and their terms, and therefore must be considered in Closed Council.”

Moved: Cllr Tucker / Seconded: Cllr L Johnstone

CARRIED UNANIMOUSLY

11 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.

04/25.2.1

East Coast Aquatic Centre – Rosina Gallace

I would like to know if there is any update on the feasibility study for the Aquatic Centre?

Reply

A Draft Feasibility Study is with the Acting General Manager for internal review. Once this process is complete the next phase of consultation with the Aquatic Committee and Council will begin.

04/25.2.2

St Marys Tip Shop & St Helens Waste Transfer Station – Sandra French

Good Morning Mayor Tucker and Councillors

1. Wearing a new hat as a new member for the St Marys Hospital Auxiliary my question relates to a letter sent to Council in regard to toilets and power to the St Marys Tip Shop site. At the meeting of the 7th April the Secretary, Mr Kevin Faulkner, had not received an answer to his letter from Council. Will Council be including within budget discussion this question as an item and hopefully an inclusion in the 2025/2026 budget?
2. The wood thrown into a huge mountain high area at the St Helens Tip and refuse site is my next question. What will or does happen to this wood? If it had been placed rather than thrown, it could be re-used and therefore reduce what goes to the tip face. The volunteers working at the St Marys Tip Shop are encouraging people to sort their trailers and place the likes of timber and iron in the allocated areas to allow re-use and reduction of items going to the tip face. I would encourage Council to visit the St Marys Tip site to see for itself, a clean and manageable area.

ReplyQuestion 1:

Councils Manager Infrastructure & Development Services Manager wrote to Mr Faulkner on Friday 7th March 2025 advising the following:

- The toilet facility at the St Marys Waste Transfer Station was originally provided for use by the WTS attendant and is now being used by Shop Volunteers. The toilet is not a designated public toilet. Council officers will review the existing facility to support the existing usage and any limitations that may exist and a report on findings and any recommendation will subsequently be provided to the Council, including financial implications for any upgrade that may be necessary.
- Electricity to the site – that quotes were being sought for both the connection of power to the site and for the provision of building lighting and GPO's and that this would take several weeks. A Cost Benefit Analysis would be subsequently prepared for review by the Council and for considering alignment against other infrastructure projects.

Council will be briefed on the financial implications of both matters as part of the current budget process.

Question 2:

Untreated & treated timbers are stockpiled and chipped on a campaign basis. Chipped material is placed into the inert landfill and allowed to degrade by natural processes. Unchipped timber is available for salvage, with monetary donations passed to the St Helens Tip Shop.

Composite timbers are landfilled at the Copping landfill. Material is collected from St Helens on a campaign basis.

04/25.2.3 St Marys Tip Shop – Annette Wines

Question to council regarding
St Marys tip shop.
From Annette Wines

A few weeks ago I ran into the mayor and asked if he had ever been to the St Mary tip shop.

He hadn't.....why did I ask?

Because in my opinion the tip shop badly needs more or a much bigger building. They get so much stuff donated to them because so many people want to support the hospital auxiliary.

I myself, as I age am trying to down size and have so much that I would like to donate to the tip shop because I really do value our medical centre so would like them to get the benefits from my unwanted stuff.

I did speak to a member of the auxiliary on Sunday so am aware that they have been requesting assistance from Council for a few improvements at the tip shop.

My question today is firstly to the Mayor....have you been to check the tip shop out yet?

Now to the General Manager and all other Councillors....if you have not recently been To the St Marys tip shop can you all please go and check out what an amazing job the Volunteers are doing and how beneficial a much larger building would be.

Reply

Council acknowledges and appreciates your correspondence regarding the St Marys Tip Shop and the ongoing support provided to the Hospital Auxiliary. We note that the views expressed reflect your personal opinion. Council works directly with the Tip Shop team and remains in regular communication with them regarding their concerns.

Council receives many requests from individuals and community groups, all of which must be carefully balanced against competing priorities, available funding, and resourcing.

The Mayor is aware of the community's interest in the Tip Shop and is supportive of the valuable work being undertaken. Due to the breadth of his commitments across the municipality, a visit to the St Marys Tip Shop will be scheduled when time permits.

Councillors and the General Manager also acknowledge the significant contribution of the volunteers and recognise the importance of the service provided.

1. Has anyone done a fuel assessment on the Binalong Bay foreshore in Parks territory and the lease area to Council please?
2. Has anyone assess the Noxious weeds within those areas that are abundant and if not why not? I believe Council has a policy on weed management.

ReplyQuestion 1:

Thank you for your enquiry. Council has not undertaken a formal fuel load assessment on the Binalong Bay Foreshore.

As the land is leased from Parks and Wildlife Service, any maintenance or vegetation management works requires their permission and is undertaken in partnership with them, due to the sensitive environmental and cultural values of the area.

Question 2:

Council is aware of the Declared and environmental weeds on Binalong Bay foreshore reserve. It assessed the weed problems there several years ago and developed a strategic weed control plan for the foreshore. Council has been implementing this plan in conjunction with the Parks and Wildlife Service and remains committed to improving outcomes for native vegetation on the reserve as resources and priorities permit.

Mr Phil Coker-Williams has asked the following:

Mr Coker-Williams lives at 13 Moriarty Rd, and has resided there for almost 30 years. He has concerns about the state of his section of the road.

Both ends of Moriarty rd have been recently resealed and have kerb and channelling installed, including the section of Moriarty rd which intersects St Helens point road, heading toward the bay. Work has been done on those sections in the recent weeks, and reduced speed signs are still present, demonstrating how recent the work was done.

The middle section of Moriarty Rd, where Mr Coker-Williams and several other resident live, is in very bad repair, with deteriorating bitumen, crumbling edges and no kerbing. During periods of heavy rain, there are torrents of water flowing across that section of the road, bringing lots of sand dirt and debris with it, crossing Mr Coker-Williams' driveway and leaving large deposits of sand etc across the driveway and street. This requires Mr Coker-Williams to clean up the mess after rain events.

Mr Coker- Williams has attempted to address the issue, and requested that some remedial work be done to address the issues of the water and sand, which may include drainage being installed. There is also a drain on the opposite side of the road, which continually gets blocked with sand, and Mr Coker-Williams and another neighbour continually dig it out to keep the flow happening. He has also done his own work at reducing the issues by putting a small drain in, but this is now no longer coping with the situation. He has requested that some work be done to fix the problem.

A good solution would have been to install kerbing and repair the bituminised surface when the other work was being conducted recently, only meters from his property. Mr Coker- Williams had requested this to be done with the other work, however it was not done, and he would like a solution to the issue.

Reply

The sealing contractor is aware of the sealed road edge damage and will be tending to the repair before the end of April 2025.

Councils Works Manager and Engineer will arrange to meet with Mr Coker-Williams over next few weeks to discuss the stormwater issues raised.

04/25.3.0 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.

04/25.4.0 CONFIRMATION OF MINUTES

04/25.4.1 Confirmation of Minutes – Council Meeting 17 March 2025

OFFICER’S RECOMMENDATION:

That the minutes of the Council Meeting held on the 17 March 2025 be confirmed.

COUNCIL DECISION:

04/25.4.1.574 Moved: Clr L Johnstone/ Seconded: Clr V Oldham

That the minutes of the Council Meeting held on the 17 March 2025 be confirmed.

CARRIED UNANIMOUSLY

04/25.5.0 COUNCIL WORKSHOPS HELD SINCE 17 MARCH 2025 COUNCIL MEETING

There was a workshop held 7 April 2025 and the following items were listed for discussion.

- Presentation – East Coast Tourism Tasmania - Damian Mather at 10am
- Pending Development Application Updates
- Revised Land Use Planning and Approvals (Development Assessment Panel) Bill 2025
- Draft Industrial Land Study – Submissions
- Draft Scamander / Beaumaris Structure Plan – Submissions
- Schedule of Fees & Charges 2025/2026
- Request to Refund Waste Collection Charges – 1484 Upper Esk Road, Upper Esk
- Animal Control Report
- Draft Community Park and Landscape Policy
- Kerbside Waste Collection Schedule
- Tasman Highway St Helens – speed limits
- Reconciliation Action Plan Artwork
- Memorandum of Understanding – State Emergency Service
- St Marys Exhibition Building – Community Submissions
- Purpose Built Early Learning Centre for St Marys – Cl Drummond

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.

04/25.6.1

DA 2024 / 00239 - Demolition of Dwelling & Carport and New Building comprising one (1) Dwelling & Two (2) Visitor Accommodation Units - 74 Main Road, Binalong Bay

FILE REFERENCE	DA 2024 / 00239
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OFFICER'S RECOMMENDATION:

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for Demolition of Dwelling & Carport and New Building comprising one (1) Dwelling & Two (2) Visitor Accommodation Units on land situated at 74 Main Road, Binalong Bay described in Certificate of Title 168931/105 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Cover Sheet	-	Jennifer Binns	-
Site Plan and Demolition Plan	A03	Jennifer Binns	18/03/2025
Proposed Ground Floor	A04	Jennifer Binns	18/03/2025
Proposed First Floor	A05	Jennifer Binns	18/03/2025
Elevations (2 sheets)	A06, A07	Jennifer Binns	18/03/2025
Visuals	A09	Jennifer Binns	18/03/2025
Parking Section	A10	Jennifer Binns	18/03/2025
Shadow Diagrams	A11	Jennifer Binns	18/03/2025
Traffic Impact Assessment (Amended)		Richard Burk Traffic & Civil Services	18 March 2025

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.

CONDITION		TIMING
2	Visitor Accommodation	
A	<p>The Applicant is to provide to the satisfaction of the Council or its delegate, a Visitor Accommodation Management Plan which sets out the rules and requirements which will apply to the use of the accommodation. The Plan must include the following minimum information:</p> <ul style="list-style-type: none"> • Manager contact information • Maximum permitted occupancy • Guest parking rules • Guest behaviour expectation 	Prior to the commencement of the visitor accommodation use and maintained at all times
B	The Visitor Accommodation Management Plan approved by the Council or its delegate is to remain updated at all times and be made available upon request by the Council or its delegate.	At all times.
3	Stormwater	
A	<p>Stormwater overflow from the tank must be discharged (piped) to the street. The connection point is the grated pit located in the road reserve in front of 76 Main Road (see picture below) The connection at the pit must be completed by a licenced plumber.</p> <p>The applicant must obtain a works permit before undertaking any work in the road reservation.</p>	Prior to commencement of use and maintained at all times.
B	Concentrated stormwater must not be discharged into neighbouring properties.	At all times.
4	Access and Car Parking	
A	<p>The proposed access to Main Road must be constructed in accordance with standard drawings TSD-R04-v3 without the culvert. The crossover must be asphalt or concrete and join seamlessly with the edge of the road. (Concrete and asphalt details can be found in standard drawing TSD-R09-v3).</p> <p>The applicant must obtain a works permit before undertaking any work to construct the new crossover.</p>	Prior to commencement of use and maintained at all times.
B	The parking spaces/driveways for the visitor accommodation units must be sealed or	Prior to commencement of use and maintained at all times.

CONDITION		TIMING
	concrete and a cut off drain (full width) is required at the boundary (located on the property) to prevent flows down the crossover. The cut off drain must be piped to connect into the proposed pipe from the tank.	
C	Parking, access ways, manoeuvring and circulation spaces must comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i> .	Prior to commencement of use and maintained at all times.
5	Effluent Disposal	
	Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's Plumbing Permit Authority.	Prior to building approval
6	Nuisance	
	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
7	Demolition	
	During demolition all existing materials must be checked for the presence of asbestos and if found, handling, protection and disposal must be carried out in accordance with the requirements of Work Safe Tasmania and Safe Work Australia "How to Safely Remove Asbestos Code of Practice (2018)".	At all times.
8	Waste Management	
	All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	At all times.

ADVICE

1. TasNetworks Advises the following:

I would like to highlight the ground stay wire off pole ID 200361 and its proximity to the proposed retaining wall. Information about works occurring near our assets should be observed by your contractors and this information is found on our website here. [Digging around power poles - TasNetworks](#)

Should the proximity be too close and the stay wire need to be adjusted this will be at the requestors cost.

It is recommended that the customer or their electrician contact TasNetworks on 1300 137008 if they have any questions regarding any upgrades they may require to their electricity supply due to this development.

2. 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.
3. Activities associated with construction works are not to be performed outside the permissible time frames listed:

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

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

	Applicable Y/NA	Referral Agency
That all external Referral Agencies for the development application be provided with a copy of the Council's decision (Permit)	NA	e.g. Property Services

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

Development Permit Information	Details
<i>Development Description</i>	Demolition of Dwelling & Carport and New Building comprising one (1) Dwelling & Two (2) Visitor Accommodation Units
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Work Permit
<i>Attachments</i>	Planning Approval Plans
<i>Representations</i>	Three (3)

INTRODUCTION:

The applicant is seeking approval for the demolition of an existing dwelling and carport and the construction of a building comprising a dwelling and two (2) visitor accommodation units, at 74 Main Road, Binalong Bay.

COUNCIL DECISION:

04/25.6.1.575

Moved: Clr B LeFevre/ Seconded: Clr V Oldham

- A. After due consideration of the application received and pursuant to Section 57 of *the Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for Demolition of Dwelling & Carport and New Building comprising one (1) Dwelling & Two (2) Visitor Accommodation Units on land situated at 74 Main Road, Binalong Bay described in Certificate of Title 168931/105 be APPROVED subject to the following plans / documents and conditions:

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Traffic Impact Assessment (Amended)		Richard Burk Traffic & Civil Services	18 March 2025

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2	Visitor Accommodation	
A	<p>The Applicant is to provide to the satisfaction of the Council or its delegate, a Visitor Accommodation Management Plan which sets out the rules and requirements which will apply to the use of the accommodation. The Plan must include the following minimum information:</p> <ul style="list-style-type: none"> • Manager contact information • Maximum permitted occupancy • Guest parking rules • Guest behaviour expectation 	Prior to the commencement of the visitor accommodation use and maintained at all times

CONDITION		TIMING
B	The Visitor Accommodation Management Plan approved by the Council or its delegate is to remain updated at all times and be made available upon request by the Council or its delegate.	At all times.
3	Stormwater	
A	Stormwater overflow from the tank must be discharged (piped) to the street. The connection point is the grated pit located in the road reserve in front of 76 Main Road (see picture below) The connection at the pit must be completed by a licenced plumber. The applicant must obtain a works permit before undertaking any work in the road reservation.	Prior to commencement of use and maintained at all times.
B	Concentrated stormwater must not be discharged into neighbouring properties.	At all times.
4	Access and Car Parking	
A	The proposed access to Main Road must be constructed in accordance with standard drawings TSD-R04-v3 without the culvert. The crossover must be asphalt or concrete and join seamlessly with the edge of the road. (Concrete and asphalt details can be found in standard drawing TSD-R09-v3). The applicant must obtain a works permit before undertaking any work to construct the new crossover.	Prior to commencement of use and maintained at all times.
B	The parking spaces/driveways for the visitor accommodation units must be sealed or concrete and a cut off drain (full width) is required at the boundary (located on the property) to prevent flows down the crossover. The cut off drain must be piped to connect into the proposed pipe from the tank.	Prior to commencement of use and maintained at all times.
C	Parking, access ways, manoeuvring and circulation spaces must comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i> .	Prior to commencement of use and maintained at all times.
5	Effluent Disposal	

CONDITION		TIMING
	Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's Plumbing Permit Authority.	Prior to building approval
6	Nuisance	
	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
7	Demolition	
	During demolition all existing materials must be checked for the presence of asbestos and if found, handling, protection and disposal must be carried out in accordance with the requirements of Work Safe Tasmania and Safe Work Australia "How to Safely Remove Asbestos Code of Practice (2018)".	At all times.
8	Waste Management	
	All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	At all times.

ADVICE

1. TasNetworks Advises the following:

I would like to highlight the ground stay wire off pole ID 200361 and its proximity to the proposed retaining wall. Information about works occurring near our assets should be observed by your contractors and this information is found on our website here. [Digging around power poles - TasNetworks](#)

Should the proximity be too close and the stay wire need to be adjusted this will be at the requestors cost.

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3. Activities associated with construction works are not to be performed outside the permissible time frames listed:

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

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

	Applicable Y/NA	Referral Agency
That all external Referral Agencies for the development application be provided with a copy of the Council's decision (Permit)	NA	e.g. Property Services

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

Development Permit Information	Details
<i>Development Description</i>	Demolition of Dwelling & Carport and New Building comprising one (1) Dwelling & Two (2) Visitor Accommodation Units
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Work Permit
<i>Attachments</i>	Planning Approval Plans
<i>Representations</i>	Three (3)

CARRIED UNANIMOUSLY

FILE REFERENCE	DA 2024 / 00183
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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 Visitor Accommodation and Food Services - Additional Restaurant Use and Retrospective Approval of a Verandah, Carpark, Four (4) Accommodation Pods and Associated Works on land situated at 21040 Tasman Highway, Chain Of Lagoons described in Certificate of Title 42626/1 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Cover Sheet	-	Jennifer Binns	-
Site Plan	A01 REV 1	Jennifer Binns	18/03/2025
Restaurant Parking	A02 REV 1	Jennifer Binns	18/03/2025
Restaurant Floor Plan	A03 REV 1	Jennifer Binns	18/03/2025
Restaurant Elevations	A04 REV 1	Jennifer Binns	18/03/2025
Villa Elevation and Plan	BA 4/18	Gillian van der Schans	2/06/2021
Villa Elevations	A05 REV 1	Jennifer Binns	18/03/2025
Flora and Fauna Report		Mark Wapstra ECOtas	6 September 2024
Traffic Impact Assessment	REV 2	Keith Midson Midson Traffic Pty Ltd	16 December 2024

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
B	Exterior building finishes must have a light reflectance value not more than 40%, in dark natural tones of grey, green or brown.	To be maintained at all times.

CONDITION		TIMING
2	Nuisance	
A	The use and development must not cause an environmental nuisance to the owners or occupiers of adjoining land by reason of noise, dust or other pollutants emanating from the site	At all times
3	Outdoor Dining	
A	Outdoor seating associated with the restaurant use is to be limited to the northern and eastern verandah areas of the kitchen barn building	At all times
B	Speakers for amplified music associated with the restaurant use shall not be placed in any outdoor areas, unless approved in relation to a special event	At all times
4	Outdoor lighting	
A	Outdoor lighting, where provided, must be located, designed and baffled to ensure that no direct light is emitted outside the boundaries of the site.	Prior to the commencement of the use and maintained at all times
5	Standard Operating Procedures	
A	The current Standard Operating Procedures document must be updated to the satisfaction of the Council or its delegate, to include additional procedures for the Food Services use.	Prior to the commencement of the use and maintained at all times
6	Access and Car Parking	
A	Parking, access ways, manoeuvring and circulation spaces must comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i> .	Prior to use and maintained at all times.
B	Car parking spaces must be provided on-site prior to the commencement of the use. Each space, including disabled parking, must be clearly marked and used solely for parking purposes.	Prior to commencement of use
C	Areas set aside for the parking of vehicles together with the aisles and access lanes must be paved with crushed rock or gravel of adequate thickness as necessary to prevent the formation of potholes and depressions according to the nature of the	Prior to use and maintained at all times.

CONDITION		TIMING
	subgrade and vehicles which will use the areas. The areas must be constructed, drained and maintained in a condition suitable for use by two-wheel drive vehicles to the satisfaction of the General Manager.	
D	Ensure vehicular access is limited to the vehicle entry point on the approved plans.	At all times
7	Stormwater	
A	All runoff from the proposed buildings must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. Soakage drains must be of sufficient size to absorb stormwater runoff.	Prior to commencement of use and to be maintained at all times.
B	Concentrated stormwater must not be discharged into neighbouring properties.	To be maintained at all times.
8	Vegetation Management	
A	Standard <i>Phytophthora</i> hygiene measures must be implemented for the construction and maintenance of works in accordance with and using the <i>Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania</i> (DPIPWE 2015, Eds. K. Stewart & M. Askey-Doran. DPIPWE, Hobart, TAS).	During construction.
B	The location of the threatened plant species <i>Desmodium gunnii</i> (southern ticktrefoil) must not be disturbed by any works or construction activity associated with the approved development. <i>*The Applicant is advised that a permit under Section 51 of the Tasmanian Threatened Species Protection Act 1995 may be a requirement where disturbance of this threatened species occurs.</i>	During construction and at all times
C	Native vegetation must not be removed outside that necessitated by the proposed development (this includes the clearing of vegetation to retain or expand views or vistas).	At all times
D	Delineate areas where vegetation is proposed to be retained with exclusion fencing or similar barriers and devices to prevent accidental felling and in accordance with Australian Standard 4970	Prior to works commencing on site

CONDITION		TIMING
	Protection of Trees on Development Sites to Protect Existing Trees.	
E	Chip, shred or tub grind cleared native vegetation and spread as mulch or dispose of at an authorised waste facility. Any hollows observed in cleared vegetation must be salvaged and installed as nest boxes in trees within the property.	During works associated with the development
F	Ongoing weed management should continue with an emphasis on hygiene to prevent the spread of <i>Erica lusitanica</i> (Spanish heath) to other areas.	Ongoing
9	Construction	
A	Adequate vehicle wash down facilities must be provided on the site and no vehicle must leave the site until mud and other debris is first hosed from the wheels.	Prior to the commencement of construction
B	Measures must be in place to prevent the escape of soil and sediments beyond site boundaries.	Prior to the commencement of construction
C	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 roadway, drain, wetland or watercourse.	During construction
D	All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	At all times.
10	Storage/loading facilities	
A	Suitable waste storage facilities must be provided on site and screened from view from outside the boundaries of the lot.	Prior to use and maintained at all times.
B	Screen all loading / unloading facilities, refuse storage and other outdoor storage facilities on the site from direct view from any adjoining road or public space.	Prior to use and maintained at all times.
11	Effluent Disposal	
A	Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's Plumbing Permit Authority.	Prior to use and maintained at all times.

ADVICE

1. 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.
2. 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.
3. The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
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	DSG, Property Services

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

Development Permit Information	Details
<i>Development Description</i>	Visitor Accommodation and Food Services - Additional Restaurant Use and Retrospective Approval of a Verandah; Carpark, Four (4) Accommodation Pods and Associated Works.
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	DSG Permit
<i>Attachments</i>	Approved Plans
<i>Representations</i>	Three (3)

INTRODUCTION:

The subject property currently operates as Little Beach Co. Resort and provides visitor accommodation in the form of glamping tents, villas and associated infrastructure, including a separate amenities and guest kitchen/dining/lounge buildings. The property also has an existing dwelling which has dual use for residential and visitor accommodation.

The applicant is seeking to:

- increase the number of visitor accommodation units with the addition of four (4) new villas.
- introduce a new Food Services use (restaurant) within the existing kitchen/dining/lounge building (kitchen barn).
- retrospectively approve a verandah attached to the kitchen barn building which was constructed larger than originally approved.

COUNCIL DECISION:

04/25.6.2.576 Moved: Clr B LeFevre/ Seconded: Clr V Oldham

- 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 Visitor Accommodation and Food Services - Additional Restaurant Use and Retrospective Approval of a Verandah, Carpark, Four (4) Accommodation Pods and Associated Works on land situated at 21040 Tasman Highway, Chain Of Lagoons described in Certificate of Title 42626/1 be APPROVED subject to the following plans / documents and conditions:

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CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
A	Undertake development in accordance with the approved plans and/or documents.	Prior to commencement of use and to be maintained at all times.

CONDITION		TIMING
	These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	
B	Exterior building finishes must have a light reflectance value not more than 40%, in dark natural tones of grey, green or brown.	To be maintained at all times.
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A	The use and development must not cause an environmental nuisance to the owners or occupiers of adjoining land by reason of noise, dust or other pollutants emanating from the site	At all times
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A	The current Standard Operating Procedures document must be updated to the satisfaction of the Council or its delegate, to include additional procedures for the Food Services use.	Prior to the commencement of the use and maintained at all times
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B	Car parking spaces must be provided on-site prior to the commencement of the use. Each space, including disabled parking, must be clearly marked and used solely for parking purposes.	Prior to commencement of use

CONDITION		TIMING
C	Areas set aside for the parking of vehicles together with the aisles and access lanes must be paved with crushed rock or gravel of adequate thickness as necessary to prevent the formation of potholes and depressions according to the nature of the subgrade and vehicles which will use the areas. The areas must be constructed, drained and maintained in a condition suitable for use by two-wheel drive vehicles to the satisfaction of the General Manager.	Prior to use and maintained at all times.
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C	Native vegetation must not be removed outside that necessitated by the proposed development (this includes the clearing of	At all times

CONDITION		TIMING
	vegetation to retain or expand views or vistas).	
D	Delineate areas where vegetation is proposed to be retained with exclusion fencing or similar barriers and devices to prevent accidental felling and in accordance with Australian Standard 4970 Protection of Trees on Development Sites to Protect Existing Trees.	Prior to works commencing on site
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B	Screen all loading / unloading facilities, refuse storage and other outdoor storage	Prior to use and maintained at all times.

CONDITION		TIMING
	facilities on the site from direct view from any adjoining road or public space.	
11	Effluent Disposal	
A	Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's Plumbing Permit Authority.	Prior to use and maintained at all times.

ADVICE

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	Approval of a Verandah; Carpark, Four (4) Accommodation Pods and Associated Works.
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	DSG Permit
<i>Attachments</i>	Approved Plans
<i>Representations</i>	Three (3)

FOR – Cllr I Carter, Cllr B LeFevre, Cllr K Chapple, Cllr V Oldham, Cllr M Tucker

AGAINST – Cllr L Johnstone and Cllr K Wright

CARRIED

Cllr L Johnstone left the meeting 10:31am returned 10:32am

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.

04/25.7.0 COUNCIL MEETING ACTIONS

04/25.7.1 Outstanding Matters

Clr Ian Carter requested an update on the Telstra Tower.

The Acting General Manager sought further information and advised that Telstra have lodged an appeal.

04/25.8.0 PETITIONS

Nil

The Mayor vacated the Chair and Deputy Mayor Kristi Chapple took the Chair at 10:34am.

04/25.9.1

**Local Government Association of Tasmania - Lift the Tone Campaign
- Mayor Tucker****MOTION:**

Council resolves to challenge the normalisation of abuse against elected members and officers and uphold exemplary standards of public and political debate in all it does.

Council further resolves to pledge support for the Local Government Association of Tasmania's Lift the Tone campaign. In supporting the pledge Council commits to:

- Promoting civility in public debate.
- Refraining from abusive language and behaviour online or in person.
- Encouraging others to engage respectfully.

MAYOR SUPPORTING STATEMENT:

Our council and many others are experiencing increasing levels of toxicity in public and political discourse. While ensuring that everyone has a voice, including engaging in debate, is a vital part of democracy, when comments and actions shift from honest and respectful to abusive, they become harmful.

This intimidation of councillors, in person or otherwise, undermines democracy; preventing elected members from representing the communities they serve and deterring individuals from standing for election.

In late 2024 the Local Government Association of Tasmania (LGAT) conducted a survey of elected representatives to seek a better understanding of their experiences of bullying, harassment and intimidation.

The survey found that 78% of respondents had experienced abuse or intimidation from members of the community during the last two years. It was identified that the most common place for this to occur was social media (47%), followed by verbally in public (37%).

LGAT has now developed the Lift the Tone campaign, which aims to raise public awareness of this issue and reduce harassment and abuse directed towards elected representatives and council staff by encouraging constructive and solution-oriented public debate.

OFFICER'S REPORT:**Introduction**

This report formally outlines Break O'Day Council's strong endorsement of the Local Government Association of Tasmania's (LGAT) "Lift the Tone" campaign, aimed at addressing and reducing harassment and abusive behaviour towards elected representatives and council employees.

Background

Over recent years, Tasmania has witnessed an alarming increase in the frequency and severity of abusive behaviour targeted at local government officials and staff. This includes persistent social media harassment, disruptive conduct at council meetings, and sustained attacks intended to erode the credibility and integrity of council representatives and employees.

These are not isolated occurrences but reflect a disturbing global trend, observed across Australian jurisdictions and internationally. Society has reached a troubling point where incivility, aggression, and personal attacks in public discourse have become commonplace, with significant implications for democratic governance and community cohesion.

Nature of Recent Incidents

Specific incidents within Tasmania clearly illustrate the critical need for this campaign:

- **Social Media Abuse:** Persistent online harassment directed at elected officials and staff has become widespread, involving defamatory posts, threats, deliberate misinformation, and highly personal attacks.
- **Disruption of Council Meetings:** Public meetings have occasionally become environments of hostility, where verbal abuse, intimidation tactics, and even threats necessitate intervention from security or police to maintain order and safety.
- **Organised Attacks on Credibility:** Coordinated smear campaigns, frequently driven by small but vocal groups, target individuals and councils with the aim of undermining public confidence in local government institutions and personnel.

Mental Health and Workplace Impact

The detrimental effects on mental health arising from sustained harassment cannot be overstated. Individuals serving in council roles—both elected members and employees—are exposed to stress, anxiety, depression, and burnout as a direct result of continuous hostility. The emotional strain often extends beyond the workplace, affecting family life, interpersonal relationships, and overall personal wellbeing.

Council representatives and staff typically lack effective means to publicly counteract these attacks due to professional standards and responsibilities requiring them to maintain decorum. This sense of vulnerability and isolation can exacerbate psychological distress, negatively affecting workplace morale, employee retention, and productivity.

Importance of Constructive Dialogue

At its core, the “Lift the Tone” campaign calls for civility, respect, and empathy in public engagement. Criticism and accountability are fundamental aspects of democracy; however, they must occur in a constructive, solution-oriented manner. Elected members and council staff, who dedicate themselves to serving the community, deserve a safe, respectful working environment free from intimidation and abuse.

Constructive public discourse ensures effective governance, encourages greater civic participation, and improves community outcomes. It reinforces trust, allowing for robust debate and open dialogue without personal attacks or destructive tactics.

Recommendations and Council Commitments

Break O'Day Council fully supports the principles and objectives of the “Lift the Tone” campaign and commits to supporting the following actions:

Public Endorsement: Actively promoting the campaign's objectives through our communications channels, including media statements, council website, and community forums.

Awareness and Education: Supporting community education initiatives to highlight the importance of respectful, productive dialogue and the detrimental effects of abusive behaviour.

Mental Health Support: Continuing our existing focus on staff wellbeing initiatives and committing to further strengthening internal support structures and enhancing access to professional mental health resources for councillors and staff experiencing harassment or stress due to their roles

Policy Reinforcement: Reviewing and reinforcing guidelines and policies on public interactions during council meetings and on council-managed social media platforms to ensure civility and respect are consistently maintained.

Conclusion

Addressing the serious issue of abusive behaviour toward elected representatives and council staff is a priority for the integrity and effectiveness of local governance. The "Lift the Tone" campaign provides an essential platform to challenge and change the culture of public discourse. Break O'Day Council is dedicated to promoting a culture of respect, empathy, and constructive dialogue within our community, reinforcing that everyone has a role in fostering a safer, healthier, and more effective local democracy.

OFFICER'S RECOMMENDATION:

The Notice of Motion is supported.

COUNCIL DECISION:

04/25.9.1.577 Moved: Mayor M Tucker/ Seconded: Cllr B LeFevre

Council resolves to challenge the normalisation of abuse against elected members and officers and uphold exemplary standards of public and political debate in all it does.

Council further resolves to pledge support for the Local Government Association of Tasmania's Lift the Tone campaign. In supporting the pledge Council commits to:

- Promoting civility in public debate.
- Refraining from abusive language and behaviour online or in person.
- Encouraging others to engage respectfully.

CARRIED UNANIMOUSLY

FILE REFERENCE	004\010\004\
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MOTION:

That Council:

1. Thanks the community for having their say on the future of the St Marys Exhibition Hall, and notes the clear message that locals want to see the Hall kept for community use.
2. Agrees to keep the Hall and get on with the job of making it safe and usable again by doing the structural repairs and basic maintenance that are needed.
3. Sets aside \$100,000 in the 2025/2026 budget to get those safety and maintenance jobs done, and gives the go-ahead for Council staff to follow the process required to bring in the right engineers and builders to get the work underway as soon as possible in the new financial year.
4. Acknowledges the Expression of Interest process and thanks everyone who put forward a proposal. A decision about the future use or management of the Hall will be put on hold until the building works are finished.
5. Reconfirms Council's commitment to balancing responsible spending with delivering real value to the community. By backing this motion, we're taking a practical approach—keeping costs down while getting a good outcome that lines up with what the community's asked for.

MAYOR SUPPORTING STATEMENT:

This motion has come about because we've listened. The people of St Marys have told us loud and clear—they want to keep their Hall. It's an important part of the town, and it means a lot to the community. I'm proud to put my full support behind this. We've had solid engagement and honest feedback, and this recommendation reflects that local voice. It also gives us a practical, affordable way forward.

We're not talking about any gold-plated fix here—just doing what needs to be done to get the Hall safe, usable, and open again for the community. By locking in the funding now Council, the community, and our staff can get on with the job—no more sitting in limbo, no more back and forth. It gives us the breathing space to do the work properly, and once that's sorted, we can all come back around the table and keep working with the community to get the best outcome for its use in the future.

And I just want to say—I've got a lot of trust in the councillors around this table. We might not always agree on every detail, but I reckon we're all here for the right reasons—doing our best to support what matters to our communities. This is the sort of decision that lets us move forward, together, in a way that makes sense for the people we're here to serve.

OFFICER'S RECOMMENDATION:

The Notice of Motion is supported.

INTRODUCTION:

The following report has been developed by Council Officers in response to a notice of motion from Mayor Tucker. It also responds to recent consultation feedback, and public questions regarding the future of the St Marys Exhibition Hall. It outlines a recommended course of action that reflects community desire to retain the Hall, presents support for a cost-effective structural solution to make the building safe for use combined with an allocation for required basic maintenance, and proposes that Council allocate funding for these works in the 2025/2026 financial year. The report seeks a formal decision from Council to confirm its position on retention and a budget allocation to proceed with the required works.

PREVIOUS COUNCIL CONSIDERATION:

Council Workshop 2 October 2023

Council Meeting 18 March 2024

03/24.9.3.325 Moved: Clr J Drummond/ Seconded: Clr K 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 rescind any former decision to demolish the Exhibition Hall at St Marys Recreation Ground and provide an assurance that the Exhibition Hall will not be demolished.

CARRIED UNANIMOUSLY

Council Meeting 16 September 2024

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

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

CARRIED UNANIMOUSLY

Council Meeting 20 January 2025

01/25.9.1.525 Clr J Drummond /Clr K Chapple

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.

CARRIED UNANIMOUSLY

Council Workshop 7 April 2025

OFFICER'S REPORT:

Background

In 2021, Break O'Day Council secured funding under the Black Summer Bushfire Recovery program to construct a new multi-purpose facility in St Marys. This new building was intended to replace the aging St Marys Exhibition Hall (also known as the Exhibition Building) at the Recreation Ground, which had been serving as a community gym and occasional event space. As part of the project plan, Council resolved to demolish the old Exhibition Hall on the basis that it was no longer fit-for-purpose and had significant structural shortcomings requiring substantial funding to make it safe for future use. The Hall was deemed surplus to needs once the new facility opened, and demolition was seen as a way to avoid ongoing maintenance and financial burden on Council.

From late 2022 through 2024, local residents began lobbying Council and Councillors to keep the Exhibition Hall for community purposes. In response, Council initiated community engagement process to ensure any final decision was well-informed by public input. This included distribution of a detailed *St Marys Exhibition Building FAQ* outlining possible options, and a formal consultation survey which closed on 10 February 2025. Council encouraged all interested community members to submit their ideas and concerns regarding the Hall's future. Throughout this period, the issue remained prominent – public questions about the Hall were raised at multiple Council meetings (January, February, and March 2025), reflecting the high level of community interest and involvement in the decision-making process.

Community Feedback

The community feedback over recent months has favoured retaining the St Marys Exhibition Hall in some form. Council's submission process attracted responses from a broad cross-section of the community, with many respondents advocating against demolition and in support of continued community use of the Hall. Residents emphasised the Hall's historical and social value – even in its current condition – and proposed ideas to repurpose or reactivate the venue. During the consultation, community members put forward various ideas for the Hall's future use – such as an arts space, boxing gym, storage, workshops and a range of other community activities - providing that the building's safety and compliance issues can be addressed. In summary, the feedback indicates that the community is willing to work with Council to find a viable future for the Hall, and that simple demolition (even with material salvage) is widely viewed as an unacceptable outcome.

It should be noted that Council’s engagement efforts were aimed at making sure the community understood the challenges and costs associated with keeping the Hall. Even with that information, the public response has consistently leaned toward finding a way to retain and remediate the building rather than remove it. Council has acknowledged this public sentiment; at the March 2025 Council meeting, staff confirmed that all community suggestions – including low-cost alternatives – would be considered in the decision-making process for the Hall. This report now takes that feedback into account.

Structural Considerations

The St Marys Exhibition Hall is an older structure that has undergone multiple engineering assessments to determine its condition and the feasibility of continued use. Council commissioned structural reports have identified several deficiencies in the building’s framework. Notably, a 2024 assessment by Collective Consulting (reviewing an earlier 2007 report by Dale Luck & Associates) found that the Hall’s existing timber framing is not adequate to support wall claddings or ceiling linings, and the structure lacks sufficient lateral stability. In effect, the official advice to Council was that in its current form the building is unsuitable for occupation or public use, and could only be repurposed for basic storage purposes (with no public access) if certain reinforcements were made.

Based on these findings, Council had scoped out an option to “make safe” the Hall for storage-only use, which would entail structural modifications (e.g. installing steel rods or internal frames to brace the walls). The estimated cost for this minimal upgrade was approximately \$87,000 (ex GST). While such works would extend the building’s life by approximately 20 years for storage, they would not render the Hall suitable for community gatherings or regular public occupancy, as the building would still not meet code requirements for habitable or conditioned space. For comparison, Council also estimated the cost to demolish the Hall at around \$25,000 (ex GST) and explored concepts for a full rebuild which ranged from \$675,000 to \$810,000. Given the high costs, Council’s options continued to include demolition or, at most, a storage-only solution.

A community-sourced alternative structural solution to demolition of the building has been proposed as part of the community survey responses to address the Hall’s key structural weakness – its lateral bracing (wind stability). Specifically, the proposal which has included initial qualified feedback put forward by MV Consulting Pty Ltd, a licensed structural engineering firm involves adding external bracing or buttressing to stabilise the walls against wind loads, rather than installing more expensive internal portal frames. The engineer has offered to provide Council with a certified structural plan for this solution. That said, the cost of delivering this solution has not yet been verified at the time of writing this report.

This alternate engineering solution directly targets the Hall’s structural shortcomings and would, according to the engineer’s advice, make the building safe. Furthermore independent advice from a licenced Building Surveyor will likely to be required to ensure the building is fit for public use (not just storage) by resolving the lateral stability issue. To date, Council staff had not commissioned a detailed review of this alternate approach, partly because it was deemed “premature” to do so before knowing Council’s final decision on the Hall’s future. If Council were to decide to keep the Hall for ongoing use it is a significant consideration worthy of cost analysis.

In summary:

- Council’s Assessment: The building in its current state is only suitable for storage with substantial reinforcement (\$87k), and not fit for public occupation without a major rebuild.

- **Alternate Assessment:** A simpler reinforcement strategy (external lateral bracing). This approach has been offered by a licenced structural engineer within the community network
- **Use Assessment:** Council will seek the advice of an independent Building Surveyor to determine the suitability for the proposed community uses put forward through the community survey.

Given these facts, two viable structural solutions are available that would allow Council to retain the Hall safely. It should be noted that any structural work will still need to comply with necessary building regulations; however, because this solution avoids triggering major redevelopment or change of building class, it may not be required to bring the entire building up to modern code (for example, it would not introduce a requirement for full insulation or air-conditioning if the Hall continues to be used in a basic form). Detailed compliance implications will be addressed at the design stage, but at this point the engineering advice indicates the Hall's core safety issue can be rectified.

Financial and operational implications

From a financial perspective, the option of retaining the Exhibition Hall comes at a cost. The direct cost of the proposed bracing solution is likely to be on or around a similar cost to the \$87,000 required just to make the building usable for storage only. Further detailed analysis is required. Once made structurally safe, the Hall also requires maintenance such as improved drainage around the building, subfloor ventilation and mandatory safety equipment. By preserving the building, Council avoids the potential indirect costs of demolition such as site restoration and the loss of an asset that might still have usable life and community value.

Balancing financial sustainability with community benefit is paramount. Council's responsibility is to ensure that ratepayer funds are used effectively, which means that the Hall, if kept, should be put to productive use and not simply left to deteriorate. This is where community partnership becomes critical.

While there remains strong community interest in the Hall's future, will this materialise in to direct community involvement in its future use and management? There are local groups or enterprises willing to contribute resources or labour towards the Hall's upkeep or to operate activities from the Hall (reducing Council's direct costs). For example, a community-led committee might manage the facility (such as the Fingal Neighbourhood house has previously), or a tenant organisation could lease the space for events or a social enterprise, covering day-to-day costs. Such arrangements could offset Council's operational burden. These possibilities will become clearer once Council reviews proposals from the Expressions of Interest process.

In summary, the financial implications of the recommended course (retain and repair) are considered reasonable in the near term, and manageable in the long term if coupled with an effective community use strategy. The structural remedy means the initial investment will need to be absorbed in Council's budget for the coming financial year. The key consideration moving forward will be ensuring that the Hall delivers ongoing value to the community commensurate with its maintenance costs. Given the community's strong advocacy, there is good reason to expect that the Hall will be actively used and valued, justifying its preservation. Moreover, by taking this route, Council demonstrates responsiveness to community feedback, which has its own benefits in terms of public goodwill and trust.

Proposal

The Motion proposes that Council resolves to retain the St Marys Exhibition Hall and proceed with a structural upgrade to make the building safe for use, funded in the upcoming budget, and to finalise the Expression of Interest process to determine the Hall's future use. This approach responds to the community's preference to save the Hall, while addressing the safety concerns identified in engineering reports.

In implementing this proposal, Council will continue to engage with the community. Given the consultation process is now complete, a statement confirming that Council has heard the community's views and is acting to save the Hall, while also being transparent about the need for the community to remain involved in making the Hall a success. This collaborative approach is in line with Council's strategic goal of fostering community partnerships and ensures that the solution for the Exhibition Hall is not only structurally sound but also socially and economically sound.

STRATEGIC PLAN & ANNUAL PLAN:

Break O'Day Strategic Plan 2017-2027 (Revised March 2022)

Goal

Community - To strengthen our sense of community and lifestyle through opportunities for people to connect and feel valued.

Strategy

- Foster a range of community facilities and programs, which strengthen the capacity, wellbeing and cultural identity of our community.

Goal

Economy - To foster innovation and develop vibrant and growing local economies which offer opportunities for employment and development of businesses across a range of industry sectors.

Strategy

- Support and encourage innovation and growth in the economy through local leadership; infrastructure provision; support services and customer focussed service delivery.

Goal

Infrastructure - To provide quality infrastructure which enhances the liveability and viability of our communities for residents and visitors.

Strategy

- Be proactive infrastructure managers by anticipating and responding to the growing and changing needs of the community and the area.
- Work with stakeholders to ensure the community can access the infrastructure necessary to maintain their lifestyle.
- Develop and maintain infrastructure assets in line with affordable long-term strategies.

LEGISLATION & POLICIES:

Local Government Act 1993

Building Act 2016

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

\$100,000 Capital Expenditure in the 2025/2026 financial year plus ongoing depreciation and operational costs. (This includes a contingency cost above the known Council cost for basic rectification).

VOTING REQUIREMENTS:

Absolute Majority

COUNCIL DECISION:

04/25.9.2.578 Moved: Mayor M Tucker/ Seconded: Cllr L Johnstone

That Council:

1. Thanks the community for having their say on the future of the St Marys Exhibition Hall, and notes the clear message that locals want to see the Hall kept for community use.
2. Agrees to keep the Hall and get on with the job of making it safe and usable again by doing the structural repairs and basic maintenance that are needed.
3. Sets aside \$100,000 in the 2025/2026 budget to get those safety and maintenance jobs done, and gives the go-ahead for Council staff to follow the process required to bring in the right engineers and builders to get the work underway as soon as possible in the new financial year.
4. Acknowledges the Expression of Interest process and thanks everyone who put forward a proposal. A decision about the future use or management of the Hall will be put on hold until the building works are finished.
5. Reconfirms Council's commitment to balancing responsible spending with delivering real value to the community. By backing this motion, we're taking a practical approach—keeping costs down while getting a good outcome that lines up with what the community's asked for.

CARRIED UNANIMOUSLY

Deputy Mayor Kristi Chapple vacated the Chair and Mayor Tucker resumed the Chair at 10:44am.

04/25.10.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil

Regulation 29 of the Local Government (Meeting Procedures) Regulations 2005 specifies that in putting a Question Without Notice a Councillor must not offer an argument or opinion, draw any inference or make any imputations except so far as may be necessary to explain the question.

The Chairperson must not permit any debate of a Question without Notice or its answer.

Nil

18.03.2025	St Helens	– Meeting with Deputy Premier Guy Barnett to announce funding for medical equipment at St Helens District Hospital and Community Centre
18.03.2025	MS Teams	– Scamander Sports Complex - Election Promise to fund a new synthetic green for the Scamander Bowls Club as well as CCTV for several locations around Break O'Day
18.03.2025	St Helens	– Meeting with Sandra French and David Burnett in regards to the Bay of Fires Arts Prize MoU
18.03.2025	Dorset	– Event in Dorset to meet the mayoral candidates
24.03.2025	MS Teams	– Tasmanian Audit Office - Auditee Information Sessions – Local Government
25.03.2025	MS Teams	– Consultation - Land Use Planning and Approvals Amendment (Development Assessment Panel) Bill 2025
25.03.2025	St Helens	– Bendigo Bank Community Stadium Committee Meeting
26.03.2025	Hobart	– Local Government Association of Tasmania (LGAT) - Lift the Tone Launch / Meeting CEO
26.03.2025	MS Teams	– Northern Tasmania Development Corporation Members Representative Group Meeting
28.03.2025	MS Teams	– Communities of Practice for Mayors: Psychological Safety 2
02.04.2025	Hobart	– LGAT General Meeting
03.04.2025	Hobart	– Mayor and Deputy Mayors Workshop
04.04.2025	MS Teams	– Northern Tasmania Regional Land Use Study Steering Meeting
07.04.2025	St Helens	– Council Workshop
09.04.2025	St Helens	– Live4Life Launch Event
11.04.2025	MS Teams	– Development Assessment Panels Meeting with Minister Felix Ellis
11.04.2025	Derby	– Tuxedos and Trails Event
14.04.2025	St Helens	– Council Meeting

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

- Break O'Day Chamber of Commerce and Tourism – Deputy Mayor Kristi Chapple
Nil
- NRM Special Committee – Clr Janet Drummond
Nil
- East Coast Tasmania Tourism (ECTT) – Clr Barry LeFevre
Interviews for new board members are being conducted today.
- Mental Health Action Group – Clr Barry LeFevre
Nil
- Access and Inclusion Advisory Committee – Clr Janet Drummond
Nil
- Bay of Fires Master Plan Steering Committee – Clr Ian Carter
The Advisory Committee is meeting tomorrow afternoon to discuss the next phase of the consultation process.

04/25.13.0**BUSINESS AND CORPORATE SERVICES****04/25.13.1****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:**04/25.13.1.579**Moved: Clr K Wright/ Seconded: Clr B LeFevre

That the report be received.

CARRIED UNANIMOUSLY

04/25.13.2 Monthly Financial Report

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

That the following reports for the month ending 31 March 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:

04/25.13.2.580 Moved: Clr K Wright/ Seconded: Clr I Carter

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

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

CARRIED UNANIMOUSLY

04/25.13.3 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:

04/25.13.3.581 Moved: Clr V Oldham/ Seconded: Clr K Chapple

That the report be received.

CARRIED UNANIMOUSLY

04/25.13.4 Schedule of Fees & Charges 2025/2026

FILE REFERENCE	018\017\004\
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OFFICER'S RECOMMENDATION:

That Council adopt the Schedule of Fees & Charges 2025/2026 as presented.

INTRODUCTION:

Council's Schedule of Fees & Charges is reviewed annually as part of the budget process. The review is informed by the Council Financial Management Strategy and its principles relating to Fees and Charges.

COUNCIL DECISION:

04/25.13.4.582 Moved: Clr K Chapple/ Seconded: Clr K Wright

That Council adopt the Schedule of Fees & Charges 2025/2026 as presented.

CARRIED UNANIMOUSLY

04/25.14.0 WORKS AND INFRASTRUCTURE

04/25.14.1 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 details relating to Works Operations and Capital Projects for the reporting period March 2025.

COUNCIL DECISION:

04/25.14.1.583 Moved: Clr I Carter/ Seconded: Clr V Oldham

That the report be received by Council.

CARRIED UNANIMOUSLY

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

That the report be received by Council.

INTRODUCTION:

This report aims to provide Councillors with summary activity statistics for the reporting period March 2025 and financial year to date.

COUNCIL DECISION:**04/25.14.2.584**Moved: Clr B LeFevre/ Seconded: Clr K Wright

That the report be received by Council.

CARRIED UNANIMOUSLY

FILE REFERENCE	033\046\001\
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OFFICER’S RECOMMENDATION:

That Council introduce free green waste Sundays at the Ansons Bay Waste Transfer Station for residential customers only - November to February as currently exists at St Helens, Scamander and St Marys in accordance with Council policy, “EP04 – Waste Management Policy”.

INTRODUCTION:

The purpose of this report is twofold:

1. To provide the Council with cost estimates associated with handling green disposed at the Ansons Bay Waste Transfer Station and the forecast financial impact of introducing “Free-green” Waste Sundays at the site for residential customers only, November to February as exists at St Helens, Scamander and St Marys under Councils EP04 – Waste Management Policy.
2. To recommend that the Council introduce free green waste Sundays at the Ansons Bay Waste Transfer Station for residential customers only - November to February as currently exists at St Helens, Scamander and St Marys in accordance with Council policy, “EP04 – Waste Management Policy”.

COUNCIL DECISION:**04/25.14.3.585**Moved: Clr V Oldham/ Seconded: Clr B LeFevre

That Council introduce free green waste Sundays at the Ansons Bay Waste Transfer Station for residential customers only - November to February as currently exists at St Helens, Scamander and St Marys in accordance with Council policy, “EP04 – Waste Management Policy”.

CARRIED UNANIMOUSLY

Meeting adjourned at 11:03am for morning tea and resumed at 11:13am

FILE REFERENCE	002\024\003\
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OFFICER'S RECOMMENDATION:

That the Council receive and adopt the Community Park and Landscape Policy as a new policy.

INTRODUCTION:

The purpose of this report is to seek Council endorsement of the newly written Community Park and Landscape Policy.

COUNCIL DECISION:

04/25.14.4.586

Moved: Clr K Chapple/ Seconded: Clr K Wright

That the Council receive and adopt the Community Park and Landscape Policy as a new policy.

CARRIED UNANIMOUSLY

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

That the Council support the reduction in speed limit to 50km/hr along the Tasman Highway between St Helens Point Road and the Golden Fleece Bridge, south of the St Helens town centre.

INTRODUCTION:

Councils Manager Infrastructure & Development Services has received correspondence dated 27 March 2025 from the Department of State Growth regarding the speed limit along the Tasman Highway between St Helens Point Road and the Golden Fleece Bridge, south of the St Helens town centre.

The Department has advised that there is now a significantly stronger justification for reducing the speed limit along this section of road to 50km/h. Based on several community concerns raised, the Department is seeking formal confirmation of the Council’s support for this speed limit reduction via letter or email.

Upon receipt Upon receipt of that confirmation, an application by State Roads will be made to the Commissioner for Transport for a speed limit reduction on this section of road.

COUNCIL DECISION:**04/25.14.5.587**Moved: Clr B LeFevre/ Seconded: Clr K Chapple

That the Council support the reduction in speed limit to 50km/hr along the Tasman Highway between St Helens Point Road and the Golden Fleece Bridge, south of the St Helens town centre.

CARRIED UNANIMOUSLY

04/25.15.0 COMMUNITY DEVELOPMENT

04/25.15.1 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:

04/25.15.1.588 Moved: Clr K Wright/ Seconded: Clr V Oldham

That the report be received.

CARRIED UNANIMOUSLY

04/25.15.2 Memorandum of Understanding – State Emergency Service

ACTION	DECISION
FILE REFERENCE	16\005\005\

OFFICER'S RECOMMENDATION:

That Council provide the sum of \$18,500 to assist with the running costs of the Break O'Day SES Unit payable to the Department of Police, Fire and Emergency Management (DPFEM) paid in two six monthly instalments.

INTRODUCTION:

In the past Council has provided funds to assist the local volunteer SES Units to undertake their duties in relation to road crash rescue and any other emergency events. The current MOU expires on 30 June 2025

COUNCIL DECISION:

04/25.15.2.589 Moved: Clr B LeFevre/ Seconded: Clr I Carter

That Council provide the sum of \$18,500 to assist with the running costs of the Break O'Day SES Unit payable to the Department of Police, Fire and Emergency Management (DPFEM) paid in two six monthly instalments.

CARRIED UNANIMOUSLY

04/25.16.0 DEVELOPMENT SERVICES

04/25.16.1 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:

04/25.16.1.590 Moved: Clr K Chapple/ Seconded: Clr B LeFevre

That the report be received.

CARRIED UNANIMOUSLY

FILE REFERENCE	23/5310
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OFFICER'S RECOMMENDATION:

Council send the proposed submission on the draft Bill to the State Planning Office with a copy also sent to Local Government Association Tasmania.

INTRODUCTION:

In November 2024 the Break O'Day Council made a submission on the initial draft LUPAA (DAP) Bill. Following this session of consultation, the State Planning Office has released a modified version of the proposed Draft Bill that responds to the 542 submissions received from the public and later parliamentary events.

This report provides Council with a draft submission to the Bill for consideration. Any Council directed edits to the proposed submission will be incorporated prior to lodging with the State Planning Office prior to the deadline for submissions.

The draft Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025 is open for consultation from **26 February to 24 April 2025** (8-week consultation period).

COUNCIL DECISION:**04/25.16.2.591**Moved: Clr B LeFevre/ Seconded: Clr K Wright

Council send the proposed submission on the draft Bill to the State Planning Office with a copy also sent to Local Government Association Tasmania.

CARRIED UNANIMOUSLY

04/25.17.0 GOVERNANCE

04/25.17.1 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:

04/25.17.1.592 Moved: Clr K Wright/ Seconded: Clr I Carter

That the General Manager's report be received.

CARRIED UNANIMOUSLY

04/25.17.2 Staff Appreciation

FILE REFERENCE	014\001\028\
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The following resolution was passed in Closed Council. As the matter is not confidential, it is included in the open minutes in accordance with Regulation 15(9) of the Local Government (Meeting Procedures) Regulations 2015:

COUNCIL DECISION:

04/25.17.2.593 Moved: Clr L Johnstone / Seconded: Clr K Wright

That Council thank staff members Jake Ihnen and Jayne Richardson for all the work they have done around the St Marys Exhibition Building, both for the community and within Council.

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 K Wright

IN CONFIDENCE

04/25.18.0 CLOSED COUNCIL

04/25.18.1 Confirmation of Closed Council Minutes – Council Meeting 17 March 2025

COUNCIL DECISION:

04/25.18.1.CC Moved: Clr K Wright/ Seconded: Clr V Oldham

That the minutes of the Closed Council Meeting held on the 17 March 2025 be confirmed.

CARRIED UNANIMOUSLY

04/25.18.2 Outstanding Actions List for Closed Council

04/25.18.3 Closed Council Item Pursuant to Section 15(2)G of the Local Government (Meeting Procedures) Regulations 2015 - Request to Refund Waste Collection Charges – 1484 Upper Esk Road, Upper Esk

FILE REFERENCE	PID 2531075 CM 25/3697
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COUNCIL DECISION:

04/25.18.3.CC Moved: Clr K Chapple/ Seconded: Clr I Carter

DECISION TO APPEAR IN THE PUBLIC MINUTES

That Council approve the refund of the Waste and Recycling Collection Charges which have been incorrectly levied to PID 2531075 – 1484 Upper Esk Road, Upper Esk since the financial year 2008/2009 to 2024/2025.

CARRIED UNANIMOUSLY

04/25.18.4 **Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015 – Refund Point Agreement for Stand Alone RVM Container Refund Points**

FILE REFERENCE	033\025\001\
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COUNCIL DECISION:

04/25.18.4.CC Moved: Clr K Chapple/ Seconded: Clr I Carter

DECISION TO APPEAR IN THE PUBLIC MINUTES

That the Council receive this report for information and discussion.

CARRIED UNANIMOUSLY

04/25.18.5 **Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015 – Spirit Preparedness Fund for Local Councils**

FILE REFERENCE	018\019\001\
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COUNCIL DECISION:

04/25.18.5.CC Moved: Clr K Chapple/ Seconded: Clr K Wright

DECISION TO APPEAR IN THE PUBLIC MINUTES

That the Council authorise the Acting General Manager to engage suitably qualified professionals to urgently prepare and submit an application under the *Spirit Preparedness Fund for Local Councils*.

CARRIED UNANIMOUSLY

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

Moved: Clr K Chapple / Seconded: Clr B LeFevre

04/25.19.0 **MEETING CLOSED**

Mayor Tucker thanks everyone for their attendance and declared the meeting closed at 12:29pm.

.....
MAYOR

.....
DATE