



COUNCIL MEETING MINUTES

Monday 18 August 2025
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
18 August 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. The audio/visual recording of Council Meetings will be published for 12 months and will be retained for two (2) years.

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 43 of the Local Government (Meeting Procedures) Regulations 2025, these audio files will be published on Council's website for 12 months and be retained for two (2) years. The written minutes of a meeting, once confirmed, prevail over the audio recording of the meeting and a transcript of the recording will not be prepared.

OPENING

The Mayor welcomed Councillors and staff and declared the meeting open at 10.00am.

ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Traditional Custodians of the land on which we work and live, the Palawa people of this land Tasmania, and recognise their continuing connection to the lands, skies and waters. We pay respects to the Elders Past, present and future.

LIVE AUDIO/VISUAL STREAMING OF COUNCIL MEETINGS

Ladies and gentlemen, I would like to advise you that today's Council Meeting is being live streamed and recorded. This means that members of the public who are unable to attend in person can still observe the proceedings. By remaining in this chamber, you are consenting to being filmed and recorded. Please be mindful of your actions and contributions as they will be visible to the public. Thank you for your cooperation.

08/25.1.0 ATTENDANCE

08/25.1.1 Present

Mayor Mick Tucker
Councillor Ian Carter
Councillor Barry LeFevre
Councillor Vaughan Oldham
Councillor Kylie Wright

08/25.1.2 Apologies

Deputy Mayor Kristi Chapple
Councillor Gary Barnes

08/25.1.3 Leave of Absence

Councillor Janet Drummond
Councillor Liz Johnstone

08/25.1.4 Staff in Attendance

General Manager, John Brown
Corporate Services Coordinator, Angela Matthews
Executive Officer, Jayne Richardson (*Item 1.0 – 19.0*)
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 19.0*)
Economic Development Officer, Dilara Bedwell (*Item 1.0 – 19.0*)
Development Services Coordinator, Jake Ihnen (*Item 1.0 – 19.0*)
Planning Officer, Alex McKinlay (*Item 1.0 – 7.0*)
Community Services Officer, Jenna Barr (*Item 1.0 – 16.1*)
NRM Facilitator, Polly Buchhorn (*Item 14.1 – 17.1*)

08/25.2.0 PUBLIC QUESTION TIME

Two (2) 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.

08/25.2.1 Life Time Dog Registrations – Clr K Wright obo Mrs L Cowdery, Akaroa

Would Council consider changing dog registration fees to a similar pan used in other Councils, which is a once off upfront payment for life time registration as an option as opposed to annual registration.

I believe this is happening in Dorset and Tamar council.

Reply

As the dog registration fees have been established and dogs registered for the 2025-2026 year, Council officers will investigate the suggestion as part of reviewing the dog registration fees for the 2026-2027 years and provide a report to Council for consideration.

08/25.3.0 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

08/25.4.0 CONFIRMATION OF MINUTES

08/25.4.1 Confirmation of Minutes – Council Meeting 21 July 2025

OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 21 July 2025 be confirmed.

COUNCIL DECISION:

08/25.4.1.553 Moved: Clr V Oldham / Seconded: Clr I Carter

That the minutes of the Council Meeting held on the 21 July 2025 be confirmed.

CARRIED UNANIMOUSLY

08/25.5.0 COUNCIL WORKSHOPS HELD SINCE 21 JULY 2025 COUNCIL MEETING

There was a workshop held 4 August 2025 and the following items were listed for discussion.

- Presentation - East and Northeast Coast Education, Training & Employment Pathways – Fae Robinson
- Pending Development Application Updates
- State Coastal Policy actively mobile landforms amendment
- Northeast Coast Shorebird Working Group – Terms of Reference
- Establishment of Community Bendigo Bank – Financial Assistance
- Request to Waiver Interest and Penalty – Gardens Road, The Gardens
- Animal Control Report
- Transport Master Plan 2013-2018 Review
- Local Government Association of Tasmania (LGAT) – General Meeting November 2025 - Call for Motions
- Local Government (Meeting Procedures) Regulations remake 2025
- East and Northeast Coast Education, Training & Employment Pathways project
- Objections on removal of St Helens Aerodrome from public land register

08/25.6.0 PLANNING AUTHORITY

Pursuant to Regulation 29 of the Local Government (Meeting Procedures) Regulations 2025 the Mayor informed the Council that it was now acting as a Planning Authority under the Land Use Planning and Approvals Act 1993.

08/25.6.1 DA 085-2025 – 2/13 Sunnybank Close, St Helens - Visitor Accommodation - Additional Use for Visitor Accommodation

FILE REFERENCE	DA 2025 / 00085
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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 - Additional Use for Visitor Accommodation on land situated at 2/13 Sunnybank Close, St Helens described in Certificate of Title 188350/2 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Site Plan	Drawing 2/33	Design To Live	4/04/2025
U2 Floor Plan	Drawing 15/33	Design To Live	4/04/2025

CONDITIONS

CONDITION		TIMING
1.	Approved Plans and/or Document	
A.	Undertake Use 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.	Nuisance	
A.	Use of the development must not create a nuisance as defined by the <i>Environmental Management and Pollution Control Act 1994</i>	Maintained at all times.

ADVICE

1. This permit allows for the dual Residential Use and Visitor Accommodation Use of the existing dwelling at Unit 2/13 Sunnybank Close, St Helens (CT 188350/2).
2. **Prior to commencing the visitor accommodation use, it is strongly recommended that legal advice is obtained in relation to the restrictive covenants associated with Unit 2/13 Sunnybank Close, St Helens, and specifically with regards to restrictive covenant a (i) where it states the following:**

‘(a) Not to erect on such a lot a main building that:

(i) Shall be used for any purpose other than a private dwelling house;’

3. Prior to the commencement of the Visitor Accommodation Use, a completed and signed copy of a Building Self-Assessment Form must be submitted to Council via email to admin@bodc.tas.gov.au.
- 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)	N/A	N/A

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

Development Permit Information	Details
<i>Development Description</i>	Visitor Accommodation - Additional Use for Visitor Accommodation
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Nil
<i>Attachments</i>	Nil
<i>Representations</i>	One (1)

INTRODUCTION:

The applicant is seeking approval for the allocation of an additional use of visitor accommodation to the existing unit on the subject site at Unit 2/13 Sunnybank Close, St Helens.

COUNCIL DECISION:

08/25.6.1.554 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 - Additional Use for Visitor Accommodation on land situated at 2/13 Sunnybank Close, St Helens described in Certificate of Title 188350/2 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Site Plan	Drawing 2/33	Design To Live	4/04/2025
U2 Floor Plan	Drawing 15/33	Design To Live	4/04/2025

CONDITIONS

CONDITION		TIMING
3.	Approved Plans and/or Document	
B.	Undertake Use 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.
4.	Nuisance	
B.	Use of the development must not create a nuisance as defined by the <i>Environmental Management and Pollution Control Act 1994</i>	Maintained at all times.

ADVICE

1. This permit allows for the dual Residential Use and Visitor Accommodation Use of the existing dwelling at Unit 2/13 Sunnybank Close, St Helens (CT 188350/2).
2. **Prior to commencing the visitor accommodation use, it is strongly recommended that legal advice is obtained in relation to the restrictive covenants associated with Unit 2/13 Sunnybank Close, St Helens, and specifically with regards to restrictive covenant a (i) where it states the following:**

‘ (a) Not to erect on such a lot a main building that:

(ii) Shall be used for any purpose other than a private dwelling house;’

3. Prior to the commencement of the Visitor Accommodation Use, a completed and signed copy of a Building Self-Assessment Form must be submitted to Council via email to admin@bodc.tas.gov.au.

- 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)	N/A	N/A

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

Development Permit Information	Details
<i>Development Description</i>	Visitor Accommodation - Additional Use for Visitor Accommodation
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Nil
<i>Attachments</i>	Nil
<i>Representations</i>	One (1)

CARRIED UNANIMOUSLY

08/25.6.2 DA 036-2025 – 41 Moriarty Road, Stieglitz - Residential - Construction of a Second Dwelling (Multiple Dwelling)

FILE REFERENCE	DA 2025 / 00036
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OFFICER'S RECOMMENDATION:

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O'Day*, that the application for Residential - Construction of a Second Dwelling (Multiple Dwelling) on land situated at 41 Moriarty Road, Stieglitz described in Certificate of Title 240662/38 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Cover Page	01	AJM Drafting	10/02/2025
Existing Site Plan	02	AJM Drafting	10/02/2025
Proposed Site Plan	03	AJM Drafting	10/02/2025
Floor Plan	04	AJM Drafting	10/02/2025
Window Setout	05	AJM Drafting	10/02/2025
Drainage Plan	06	AJM Drafting	10/02/2025
Setout Plan	07	AJM Drafting	10/02/2025

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Wall Framing Plan	08	AJM Drafting	10/02/2025
Roof Framing Plan	09	AJM Drafting	10/02/2025
Roof Plan	10	AJM Drafting	10/02/2025
Elevations	11	AJM Drafting	10/02/2025
Section A-A	12	AJM Drafting	10/02/2025
Reflective Ceiling Plan	13	AJM Drafting	10/02/2025
Finishing Plan	14	AJM Drafting	05/02/2025
Waterproofing	15	AJM Drafting	10/02/2025
NNC Notes	16	AJM Drafting	Nil
Shadow Plan - June	17	AJM Drafting	10/02/2025
Shadow Plan – Dec	18	AJM Drafting	10/02/2025
Planning Support Statement	Nil	AJM Drafting	Received 19/06/2025

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	Second Dwelling (Multiple Dwelling)	
A	If a visitor accommodation use is sought for the dwelling, a further development application must be lodged with Council to seek approval for the allocation of an additional use to the dwelling.	Prior to use and maintained at all times.
3	Residential Use Car Parking	
A	The areas shown to be set aside for vehicle access and car parking must be: <ul style="list-style-type: none"> a. completed before the use of the development; b. constructed with a durable all weather pavement and drained in a manner that will not cause stormwater nuisance. 	Prior to use and maintained at all times.
4	Vehicle Crossover and Stormwater	
A	The crossovers (Entry 2 & 3 on the proposed site plan) from the kerb to the property boundary must be constructed in accordance with standard drawing TSD-R09-v3.	Prior to use and maintained at all times.
B	The new stormwater connection at the kerb must be completed by a licenced plumber in accordance with standard drawing TSD-SW29-v3.	Prior to use and maintained at all times.
C	A grated strip drain is required across both driveways at the property boundary to prevent sheet flows of water onto the road. The grated strip drains must be connected to discharge into the proposed kerb connection point.	Prior to use and maintained at all times.

CONDITION		TIMING
D	Prior to any work commencing on the stormwater connection and/or the crossovers a permit to work in the road reservation must be obtained by submitting a Works Permit application form.	Prior to commencement of work.
5	TasWater	
A	All works must be in accordance with the conditions of the Submission to Planning Authority Notice (SPAN) by TasWater, TWDA 2025/00289-BODC as attached to this permit	Prior to use and maintained at all times.
6	Demolition	
A	During demolition all existing materials must be checked for the presence of asbestos and if found, handling, protection and disposal must be carried out in accordance with the requirements of Work Safe Tasmania and Safe Work Australia "How to Safely Remove Asbestos Code of Practice (2018)".	At all times.
7	Nuisance	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
B	During the period of construction, works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.	Prior to use and maintained at all times.
C	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.
8	Underground Infrastructure	
A	All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works.	Prior to site works and maintained at all times.

ADVICE

- 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

- 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)	N/A	N/A

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

Development Permit Information	Details
<i>Development Description</i>	Residential - Construction of a Second Dwelling (Multiple Dwelling)
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Works Permit
<i>Attachments</i>	TasWater's Submission to Planning Authority Notice (TWDA 2025/00289-BODC)
<i>Representations</i>	Two (2)

INTRODUCTION:

The applicant is seeking approval for the construction of a second dwelling (multiple dwelling) and associated works on the subject site at 41 Moriarty Road, Stieglitz (CT 240662/38).

COUNCIL DECISION:

08/25.6.2.555 Moved: Clr B LeFevre / Seconded: Clr I Carter

A. After due consideration of the application received and pursuant to Section 57 of *the Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O'Day*, that the application for Residential - Construction of a Second Dwelling (Multiple Dwelling) on land situated at 41 Moriarty Road, Stieglitz described in Certificate of Title 240662/38 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Cover Page	01	AJM Drafting	10/02/2025
Existing Site Plan	02	AJM Drafting	10/02/2025
Proposed Site Plan	03	AJM Drafting	10/02/2025
Floor Plan	04	AJM Drafting	10/02/2025
Window Setout	05	AJM Drafting	10/02/2025
Drainage Plan	06	AJM Drafting	10/02/2025
Setout Plan	07	AJM Drafting	10/02/2025
Wall Framing Plan	08	AJM Drafting	10/02/2025
Roof Framing Plan	09	AJM Drafting	10/02/2025
Roof Plan	10	AJM Drafting	10/02/2025
Elevations	11	AJM Drafting	10/02/2025
Section A-A	12	AJM Drafting	10/02/2025
Reflective Ceiling Plan	13	AJM Drafting	10/02/2025
Finishing Plan	14	AJM Drafting	05/02/2025

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Waterproofing	15	AJM Drafting	10/02/2025
NNC Notes	16	AJM Drafting	Nil
Shadow Plan - June	17	AJM Drafting	10/02/2025
Shadow Plan – Dec	18	AJM Drafting	10/02/2025
Planning Support Statement	Nil	AJM Drafting	Received 19/06/2025

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	Second Dwelling (Multiple Dwelling)	
A	If a visitor accommodation use is sought for the dwelling, a further development application must be lodged with Council to seek approval for the allocation of an additional use to the dwelling.	Prior to use and maintained at all times.
3	Residential Use Car Parking	
A	The areas shown to be set aside for vehicle access and car parking must be: <ul style="list-style-type: none"> c. completed before the use of the development; d. constructed with a durable all weather pavement and drained in a manner that will not cause stormwater nuisance. 	Prior to use and maintained at all times.
4	Vehicle Crossover and Stormwater	
A	The crossovers (Entry 2 & 3 on the proposed site plan) from the kerb to the property boundary must be constructed in accordance with standard drawing TSD-R09-v3.	Prior to use and maintained at all times.
B	The new stormwater connection at the kerb must be completed by a licenced plumber in accordance with standard drawing TSD-SW29-v3.	Prior to use and maintained at all times.
C	A grated strip drain is required across both driveways at the property boundary to prevent sheet flows of water onto the road. The grated strip drains must be connected to discharge into the proposed kerb connection point.	Prior to use and maintained at all times.
D	Prior to any work commencing on the stormwater connection and/or the crossovers a permit to work in the road reservation must be obtained by submitting a Works Permit application form.	Prior to commencement of work.

CONDITION		TIMING
5	TasWater	
A	All works must be in accordance with the conditions of the Submission to Planning Authority Notice (SPAN) by TasWater, TWDA 2025/00289-BODC as attached to this permit	Prior to use and maintained at all times.
6	Demolition	
A	During demolition all existing materials must be checked for the presence of asbestos and if found, handling, protection and disposal must be carried out in accordance with the requirements of Work Safe Tasmania and Safe Work Australia "How to Safely Remove Asbestos Code of Practice (2018)".	At all times.
7	Nuisance	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
B	During the period of construction, works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.	Prior to use and maintained at all times.
C	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.
8	Underground Infrastructure	
A	All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works.	Prior to site works and maintained at all times.

ADVICE

- 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

- 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)	N/A	N/A

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

Development Permit Information	Details
<i>Development Description</i>	Residential - Construction of a Second Dwelling (Multiple Dwelling)
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Works Permit
<i>Attachments</i>	TasWater's Submission to Planning Authority Notice (TWDA 2025/00289-BODC)
<i>Representations</i>	Two (2)

CARRIED UNANIMOUSLY

The Mayor advised the Council that it had now concluded its meeting as a Planning Authority under Regulation 29 of the Local Government (Meeting Procedures) Regulations 2025.

08/25.7.0 COUNCIL MEETING ACTIONS

08/25.7.1 Outstanding Matters

Received.

08/25.8.0 PETITIONS

Nil

08/25.9.0 NOTICES OF MOTION

Nil

08/25.10.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil

Regulation 34 of the Local Government (Meeting Procedures) Regulations 2025 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.

Would Council support writing to the Minister request that the Breast Screen Bus visit St Helens for at least one (1) week?

Currently, the bus has been based on the North West Coast since January 2025 and is scheduled to remain there until December, with Devonport listed from 22 September through the year's end. Even a short visit to St Helens would ensure our community does not fall behind in accessing vital breast screening services.

Reply

Council Officers will write to the relevant Minister formally requesting that the BreastScreen Tasmania mobile unit be scheduled to visit St Helens by the end of 2025, in order to ensure equitable access to breast screening services for the Break O'Day community.

25.07.2025	Launceston	– Local Government Association of Tasmania's (LGAT) General Meeting and Annual General Meeting.
26.07.2025	Launceston	– Elected Member Professional Development Day hosted by LGAT. Deputy Mayor Chapple and Councillor Oldham were also in attendance.
28.07.2025	St Helens	– Athletics Club Annual General Meeting.
29.07.2025	Fingal	– Early Learning Matters event held at the Fingal Play Centre, bringing together families and children to celebrate the importance of early learning and the support available for young children.
31.07.2025	MS Teams	– Australian Local Government Association (ALGA) Meeting.
04.08.2025	St Helens	– Council Workshop.
06.08.2025	Melbourne	– ALGA Meeting.
11.08.2025	St Helens	– Meeting with Rebecca White MP to discuss Break O'Day Council's priorities.
11.08.2025	St Helens	– TasWater Prices and Services Plan Briefing.
13.08.2025	MS Teams	– Meeting with LGAT CEO Dion Lester.
14.08.2025	St Helens	– Meeting with community members Garry Cottam and Les Thorpe
15.08.2025	MS Teams	– Northern Tasmania Regional Land Use Strategy (NTRLUS) Steering 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 Liz Johnstone

Attended a meeting – no quorum – talked over the agenda and the meeting is rescheduled for October.

East Coast Tasmania Tourism (ECTT) – Clr Barry LeFevre

- Steering Committee for Positive Impact Plan – Mel West is Aboriginal representative on that Committee – looked at next round of engagement with the community for October and will be looking at emerging themes.
- Full meeting this week.

Mental Health Action Group – Clr Barry LeFevre
Nil.

Access and Inclusion Advisory Committee – Clr Kylie Wright
Meeting scheduled for tomorrow (Tuesday 19 August).

Bay of Fires Master Plan Steering Committee – Clr Ian Carter
No meeting however consultants working on the draft Master Plan.

08/25.13.0

BUSINESS AND CORPORATE SERVICES

08/25.13.1

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 Corporate Service Department since the previous Council Meeting.

COUNCIL DECISION:**08/25.13.1.556**Moved: Clr V Oldham / Seconded: Clr K Wright

That the report be received.

CARRIED UNANIMOUSLY**08/25.13.2 Monthly Financial Report**

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

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

1. Profit and Loss Statements
2. Balance Sheet
3. Statement of Cash Flows
4. Capital Works 2025-2026

INTRODUCTION:

Presented to Council are the monthly financial statements.

COUNCIL DECISION:**08/25.13.2.557**Moved: Clr B LeFevre / Seconded: Clr V Oldham

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

1. Profit and Loss Statements
2. Balance Sheet
3. Statement of Cash Flows
4. Capital Works 2025-2026

CARRIED UNANIMOUSLY**08/25.13.3 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:

08/25.13.3.558 Moved: Clr K Wright / Seconded: Clr I Carter

That the report be received.

CARRIED UNANIMOUSLY

08/24.13.4 **Request for General Rate Remission and Service Rate Remission, Mathinna**

FILE REFERENCE	6414634 CM 25/16245
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OFFICER'S RECOMMENDATION:

In accordance with the provisions of s.129 of the *Local Government Act 1993* and Council's *Rating Exemptions and Remission Policy no LG11*, Council **approves a General Rate remission and a 50% Service Charge Remission to the total value of \$1051.25** as requested for the property known as 4 Dunn Street, Mathinna identified as PID 6414634.

INTRODUCTION:

Council has received correspondence from the Mathinna Community and Landcare Group requesting a rate remission for the church they own at 4 Dunn Street, Mathinna. Council have previously approved the rates remission in the financial years 2022/2023, 2023/2024 and 2024/2025.

COUNCIL DECISION:

08/25.13.4.559 Moved: Clr I Carter / Seconded: Clr B LeFevre

In accordance with the provisions of s.129 of the *Local Government Act 1993* and Council's *Rating Exemptions and Remission Policy no LG11*, Council **approves a General Rate remission and a 50% Service Charge Remission to the total value of \$1051.25** as requested for the property known as 4 Dunn Street, Mathinna identified as PID 6414634.

CARRIED UNANIMOUSLY

FILE REFERENCE	018\006\003\
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OFFICER'S RECOMMENDATION:

That Council waive the repayment of \$15,830.96 for the loan provided in February 2015 in recognition of the financial contribution the company has made directly to Council initiatives like the sponsorship of the Stadium and Mountain Bike Tracks along with their community contributions through their grants program.

INTRODUCTION:

Council has received correspondence from the Break O'Day Community Financial Services Ltd, Company Secretary requesting that Council consider waiving the repayment of \$15,830.96 for the loan provided in 2015. The loan assisted with the funding of a Community Survey which was a requirement in the establishment of the St Helens/St Marys Bendigo Community Bank under the Bendigo Bank franchise model.

COUNCIL DECISION:**08/25.13.5.560**Moved: Clr I Carter / Seconded: Clr B LeFevre

That Council waive the repayment of \$15,830.96 for the loan provided in February 2015 in recognition of the financial contribution the company has made directly to Council initiatives like the sponsorship of the Stadium and Mountain Bike Tracks along with their community contributions through their grants program.

CARRIED UNANIMOUSLY**08/25.14.0****WORKS AND INFRASTRUCTURE****08/25.14.1****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:

08/25.14.1.561 Moved: Clr B LeFevre / Seconded: Clr K Wright

That the report be received by Council.

CARRIED UNANIMOUSLY

08/25.14.2 **Animal Control Report**

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

That the report be received by Council.

INTRODUCTION:

This report presents an activity summary for Councillors, covering the reporting period of July 2025.

COUNCIL DECISION:

08/25.14.2.562 Moved: Clr V Oldham / Seconded: Clr K Wright

That the report be received by Council.

CARRIED UNANIMOUSLY

08/25.15.0 **COMMUNITY DEVELOPMENT**

08/25.15.1 **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:

08/25.15.1.563

Moved: Clr I Carter / Seconded: Clr K Wright

That the report be received.

CARRIED UNANIMOUSLY

08/25.16.0 DEVELOPMENT SERVICES

08/25.16.1 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:

08/25.16.1.564

Moved: Clr V Oldham / Seconded: Clr K Wright

That the report be received.

CARRIED UNANIMOUSLY

The Mayor adjourned the Meeting at 10.45am for Mayor and Councillors to attend the Vietnam Veterans Day Service and will reconvene at 11.30am

Meeting reconvened at 11.39am

FILE REFERENCE	003\003\010\
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OFFICER'S RECOMMENDATION:

That Council, having considered the *DRAFT Terms of Reference V1.2* of the *Northeast Coast Shorebird Working Group*, refer its proposed revised draft to the Working Group for a final *Terms of Reference* to be returned to Council for consideration.

INTRODUCTION:

Council has been participating in and supporting the *Northeast Coast Shorebird Working Group* for several years and the group is seeking to clarify and formalise its role with some Terms of Reference.

COUNCIL DECISION:**08/25.16.2.565**Moved: Clr I Carter / Seconded: Clr K Wright

That Council, having considered the *DRAFT Terms of Reference V1.2* of the *Northeast Coast Shorebird Working Group*, refer its proposed revised draft to the Working Group for a final *Terms of Reference* to be returned to Council for consideration.

CARRIED UNANIMOUSLY

FILE REFERENCE	23/5310
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OFFICER'S RECOMMENDATION:

That Council make a submission to the Tasmanian Planning Commission regarding the *Draft amendment 01-25 State Coastal Policy 1996* regarding provisions for development on 'actively mobile landforms' in Outcomes 1.4.1 and 1.4.2 of the State Coastal Policy.

INTRODUCTION:

The purpose of this report is to provide and recommend points of comment Break O'Day Council submits to the Tasmanian Planning Commission, regarding the *Draft amendment 01-25 State Coastal Policy 1996*.

COUNCIL DECISION:**08/25.16.3.566**Moved: Clr K Wright / Seconded: Clr I Carter

That Council make a submission to the Tasmanian Planning Commission regarding the *Draft amendment 01-25 State Coastal Policy 1996* regarding provisions for development on 'actively mobile landforms' in Outcomes 1.4.1 and 1.4.2 of the State Coastal Policy.

CARRIED UNANIMOUSLY**08/25.17.0 GOVERNANCE****08/25.17.1 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:**08/25.17.1.567**Moved: Clr B LeFevre / Seconded: Clr V Oldham

That the General Manager's report be received.

CARRIED UNANIMOUSLY**08/25.17.2 Local Government Association of Tasmania (LGAT) – General Meeting November 2025 - Call for Motions**

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

That Council:

1. endorse the General Manager's motion for submission to the Local Government Association of Tasmania's (LGAT) General Meeting to be held in November 2025.
2. endorse the Deputy Mayor's motion for submission to the Local Government Association of Tasmania's (LGAT) General Meeting to be held in November 2025.

INTRODUCTION:

The Call for Motions has been advertised for the General Meeting of the Association to be held on Thursday 20 November 2025.

COUNCIL DECISION:

08/25.17.2.568 Moved: Clr K Wright / Seconded: Clr V Oldham

That Council:

1. endorse the General Manager's motion for submission to the Local Government Association of Tasmania's (LGAT) General Meeting to be held in November 2025.
2. endorse the Deputy Mayor's motion for submission to the Local Government Association of Tasmania's (LGAT) General Meeting to be held in November 2025.

CARRIED UNANIMOUSLY

08/25.17.3 Local Government (Meeting Procedures) Regulations remake 2025

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

That Council approve the updated Council Meeting Procedures 2025 and Council Meeting Agenda Template in accordance with the amendments to the *Local Government (Meeting Procedures) Regulations 2025*.

INTRODUCTION:

The Local Government (Meeting Procedures) Regulations 2015 is an important part of the local government legislative framework in Tasmania. The Meeting Procedures Regulations are made under the *Local Government Act 1993 (the Act)*.

Regulations last for 10 years and are then required to be 'rewritten' (or remade). This requirement is set out under *section 11(2) of the Subordinate Legislation Act 1992*.

COUNCIL DECISION:

08/25.17.3.569 Moved: Clr B LeFevre / Seconded: Clr K Wright

That Council approve the updated Council Meeting Procedures 2025 and Council Meeting Agenda Template in accordance with the amendments to the *Local Government (Meeting Procedures) Regulations 2025*.

CARRIED UNANIMOUSLY

FILE REFERENCE	004\001\001\
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OFFICER'S RECOMMENDATION:

That Council, by absolute majority:

1. Having:
 - a. Given notice of its intention to remove the land on which the St Helens Aerodrome is located contained within Certificate of Titles (112855/1, 18671/2, 214209/1, 223471/1, 148076/1 and 45005/2) from the Public Land Register ("the property") in accordance with section 178(4) of the Local Government Act 1993 (Tas);
 - b. Read and considered every objection lodged, as contained in attachment 1 received from Anna Povey, Peter Dane, Bill Manning, Graeme Beech, Graeme Wathen, Todd Dudley (North East Bioregional Network), Jenny Jobling and Michael Kerans and summarised in the table included in this report; and
 - c. Received and considered qualified advice in the Council Officer's report and recommendations, which includes analysis of the objections lodged,

Council:

- a. Determines that the removal of the property from the Public Land Register is not contrary to the public interest in that:
 - i. The community will not suffer undue hardship due to the loss of access to, and the use of, the property; and
 - ii. There is similar land available to that which the property represents; and
2. Resolve pursuant to Section 178 (6) of the Act that Council provide notice in writing within 7 days after making a decision, advise all persons who lodged an objection of the decision and the right to appeal against that decision under section 178A.
3. If the General Manager does not receive an appeal under Section 178A, the General Manager shall amend the Public Land Register and remove the land on which the St Helens Aerodrome is located contained within Certificate of Titles (112855/1, 18671/2, 214209/1, 223471/1, 148076/1 and 45005/2) from the Public Land Register maintained pursuant to the Act.

(Council officers are currently awaiting advice from Council's solicitors regarding the incorrect inclusion of this property on the Public Land Register and this may impact on the decision Council will need to make)

INTRODUCTION:

A number of representations have been received with regard to the removal of the Aerodrome from the public land register. This report outlines those representations covering the key areas of concern and assessing against the criteria in Section 178 of the Local Government Act. Upon further legal investigation, it has been found that the Aerodrome was in fact not listed as public land. A meeting to discuss the public land register was held in April 2005 where the decision was clearly stated that the Aerodrome not be listed on the Public Land Register. We are expecting further legal advice on this matter which may affect the recommendation.

COUNCIL DECISION:

08/25.17.4.570

Moved: Cllr B LeFevre / Seconded: Cllr V Oldham

That Council defer considering this item pending receipt of legal advice.

CARRIED UNANIMOUSLY

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

Moved: Clr I Carter/ Seconded: Clr V Oldham

CARRIED UNANIMOUSLY

IN CONFIDENCE

08/25.18.0 **CLOSED COUNCIL**

08/25.18.1 **Confirmation of Closed Council Minutes – Council Meeting 21 July 2025**

COUNCIL DECISION:

08/25.18.1.CC Moved: Clr I Carter / Seconded: Clr V Oldham

That the minutes of the Closed Council Meeting held on the 21 July 2025 be confirmed.

CARRIED UNANIMOUSLY

08/25.18.2 **Outstanding Actions List for Closed Council**

Received.

08/25.18.3 **Closed Council Item Pursuant to Section 15(2)(i) of the Local Government (Meeting Procedures) Regulations 2025 - Clr Liz Johnstone Leave of Absence**

COUNCIL DECISION:

08/25.18.3.CC Moved: Clr I Carter / Seconded: Clr B LeFevre

DECISION TO APPEAR IN THE PUBLIC MINUTES:

That Leave of Absence be granted to Clr Liz Johnstone.

CARRIED UNANIMOUSLY

08/25.18.4 **Closed Council Item Pursuant to Section 15(2)(h) of the Local Government (Meeting Procedures) Regulations 2025 - Request to Waiver Interest and Penalty, Gardens Road The Gardens**

COUNCIL DECISION:

08/25.18.4.CC Moved: Clr I Carter / Seconded: Clr B LeFevre

DECISION TO APPEAR IN PUBLIC MINUTES:

In accordance with the provisions of s. 129 of the *Local Government Act 1993*, and Council policy LG11 Rating Exemptions and Remissions Policy part 8, Council:

1. Refuse a remission for penalty and interest applied to rates and charges for the years 2021/2022, 2022/2023, 2023/2024 and 2024/2025 totalling Interest and Penalties of \$2058.60; and
2. Approve a remission of the Penalty \$62.64 applied to Instalment 3 2024/2025 rates and charges.

CARRIED UNANIMOUSLY

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

Moved: Clr I Carter / Seconded: Clr K Wright

CARRIED UNANIMOUSLY

08/25.19.0 MEETING CLOSED

Mayor Tucker thanks everyone for their attendance and declared the meeting closed at 12.12pm.

.....
MAYOR

.....
DATE