



# COUNCIL MEETING AGENDA

Monday 21 August 2023  
Council Chambers, St Helens

John Brown, General Manager  
Break O'Day Council  
15 August 2023

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## NOTICE OF MEETING

Notice is hereby given that the next meeting of the Break O'Day Council will be held at the St Helens Council Chambers on Monday 21 August 2023 commencing at 10.00am.

### CERTIFICATION

Pursuant to the provisions of Section 65 of the *Local Government Act 1993*, I hereby certify that the advice, information and recommendations contained within this Agenda have been given by a person who has the qualifications and / or experience necessary to give such advice, information and recommendations or such advice was obtained and taken into account in providing the general advice contained within the Agenda.



**JOHN BROWN**  
**GENERAL MANAGER**  
Date: 15 August 2023

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## AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

As determined by Break O'Day Council in March 2019 all Ordinary, Special and Annual General Meetings of Council are to be audio recorded and a link will be available on the Break O'Day Council website where the public can listen to audio recordings of previous Council Meetings.

*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 to welcome Councillors and staff and declare the meeting open at [time].*

## 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.*

### 08/23.1.0 ATTENDANCE

#### 08/23.1.1 Present

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

#### 08/23.1.2 Apologies

Councillor Barry LeFevre

### 08/23.1.3 Leave of Absence

Councillor Janet Drummond

### 08/23.1.4 Staff in Attendance

General Manager, John Brown  
Corporate Services Officer, Rebecca Wood

## 08/23.2.0 PUBLIC QUESTION TIME

### 08/23.2.1

## 08/23.3.0 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.*

## 08/23.4.0 CONFIRMATION OF MINUTES

### 08/23.4.1 Confirmation of Minutes – Council Meeting 17 July 2023

#### OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 17 July 2023 be confirmed.

## 08/23.5.0 COUNCIL WORKSHOPS HELD SINCE 17 JULY 2023 COUNCIL MEETING

There was a Workshop held on Monday 7 August 2023 and the following items were listed for discussion.

- Request to Change Opening Hours of Council Office
- Council's Operational Banking Activities
- Request for General Rate Remission
- Council Meeting Procedures Review
- Animal Control Report
- Briefing note: Safer pedestrian crossings, Main Street St Marys
- Commemorative Plaque– Beaumaris Park
- Reconciliation Action Plan
- Review of the Community Facility Hire Policy – CB07
- Community Grant Application Form
- Bay of Fires Master Plan
- Waiver of Fees for Banner Pole Hire – A Festival Called George
- Pending Development Application Updates
- Decision – Tasmanian Planning Scheme – BODC Draft Local Provisions Schedule
- Draft Strata Development Policy – Post Targeted Consultation
- Sheds on Vacant Residential Land
- St Helens Hospital - Closed Council Item Pursuant To Section 15(2)F of the Local Government (Meeting Procedures) Regulations 2005
- 2024 – 2025 State Budget Community Consultation
- Next State Election

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.

| ACTION                           | DECISION  |
|----------------------------------|---|
| PROPONENT                        | Harry Keith Franks  |
| OFFICER                          | Rebecca Green, Planning Consultant  |
| FILE REFERENCE                   | DA 085-2023   |
| ASSOCIATED REPORTS AND DOCUMENTS | Stormwater Assessment<br>Geo-Environmental Assessment<br>Representation(1)<br>Response to Representation<br>Site Plan, Floor Plans, elevations, sections, details and perspectives (In response to Representation – 26 <sup>th</sup> July 2023) |

#### OFFICER'S RECOMMENDATION:

After due consideration of the representation received pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Council Interim Planning Scheme 2013* that the application for **Residential – Dwelling, Carport & Deck** on land situated at **12 Sunbeam Crescent, Beaumaris** described in Certificate of Title CT 62599/27 be **APPROVED** subject to the following conditions:

1. Development must be carried out in accordance with the approved plans and documents listed as follows, except as varied by conditions on this Planning Permit.

| Approved Plans / Documents  |  |                             |                            |
|---|--|-----------------------------|----------------------------|
| Plan / Document Name  | Reference Number   | Prepared By                 | Dated                      |
| Proposed Dwelling, Drawing Contents, Specifications, Site Plan, Floor Plans, Roof Plans, Elevations, Door & Window Schedule, Sections, Details Sections | Drawing No: 0001, 0002, 0010, 0020, 0030, 1100, 2000, 2001, 2100, 3000, 3001, 3100, 4000, 4100 | Funky Little Shack          | 26 <sup>th</sup> July 2023 |
| Stormwater Assessment   |  | Geo-Environmental Solutions | May 2023                   |
| Geo-Environmental Assessment  |  | Geo-Environmental Solutions | February 2023              |



2. All stormwater runoff from the development must be detained by on-site water storage systems and disposed of by means that will not result in soil erosion or other stormwater nuisance.
3. Prior to the issue of an occupancy permit, the crossover from the kerb to the property boundary must be constructed in accordance with standard drawing TSD-R09-v3.

*A Works Permit must be obtained prior to work commencing in the road reservation (application form attached).*

4. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's Plumbing Permit Authority.
5. 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.
6. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer.

#### ADVICE

- Stormwater overflow from the existing tank next to the shed on site, is recommended to be connected into the new stormwater management system and in accordance with an updated Stormwater Assessment.
- 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. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Works Manager.
- 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.
- Activities associated with construction works are not to be performed outside the permissible time frames listed:
  - Monday - Friday 7 am to 6 pm
  - Saturday 9 am to 6 pm
  - Sunday and public holidays 10 am to 6 pm

#### INTRODUCTION:

Application is made seeking approval for use and development of land at 12 Sunbeam Crescent, Beaumaris CT 62599/27 for a new two storey single dwelling with incorporated carport and attached deck.

Residential use in the Low Density Residential Zone is a permitted use without qualifications, under Table 12.2 of the *Break O'Day Interim Planning Scheme 2013*.

Site Location





Site Photos







## PREVIOUS COUNCIL CONSIDERATION:

Relocatable Shed – DA 525-2005

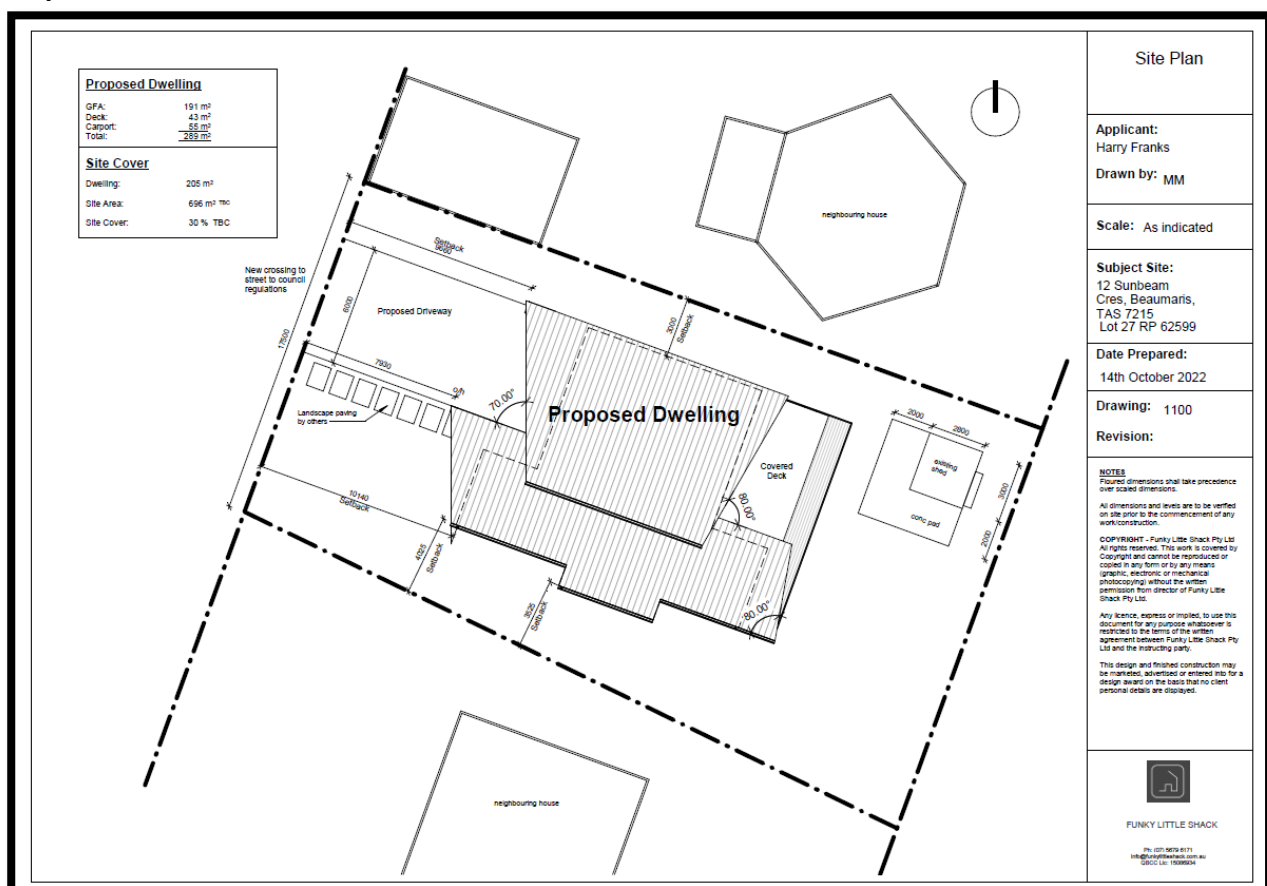
## OFFICER'S REPORT:

### 1. The Proposal

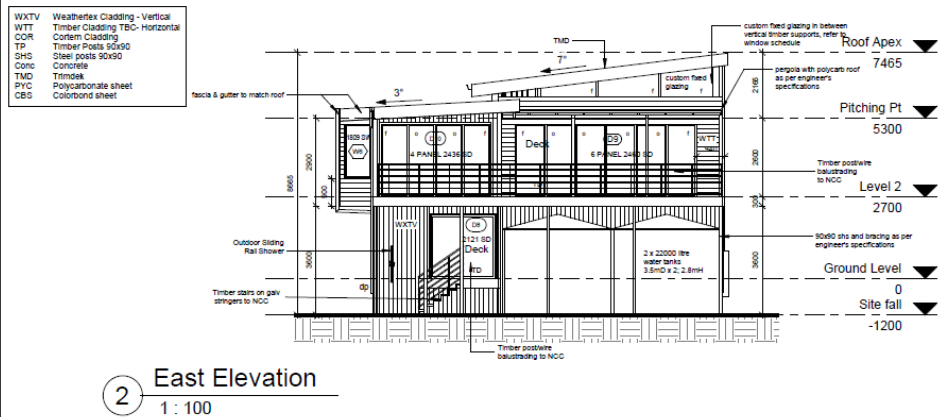
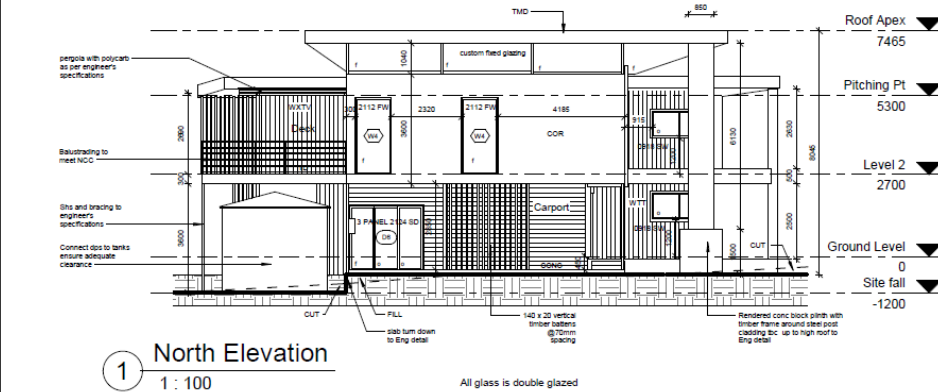
Break O'Day Council received a valid application on 8 May 2023 from Harry Keith Franks for the use and construction of a single dwelling at 12 Sunbeam Crescent, Beaumaris.

The 696m<sup>2</sup> rectangular development site has an existing outbuilding located on the north-eastern corner and abuts similarly zoned properties with existing dwellings on adjacent properties.

### Proposed Site Plan



### Original Elevations



### Elevations 1

Applicant:  
Harry Franks

Drawn by: LT

**Scale:** 1 : 100

**Subject Site:**  
12 Sunbeam  
Cres, Beaumaris,  
TAS 7215  
Lot 27 RP 62599

Date Prepared:  
14th October 2022

Drawing: 3000

**Revision:**

**NOTES**  
Floured dimensions shall take precedence over scaled dimensions.

All dimensions and levels are to be verified on site prior to the commencement of any work/construction.

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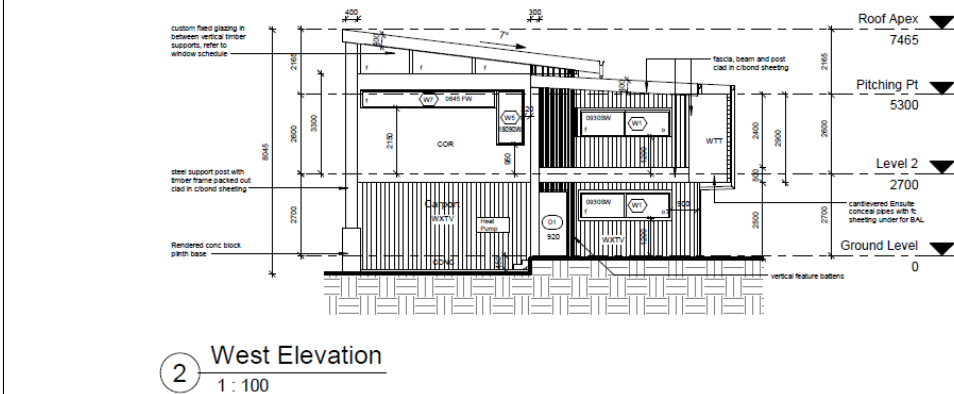
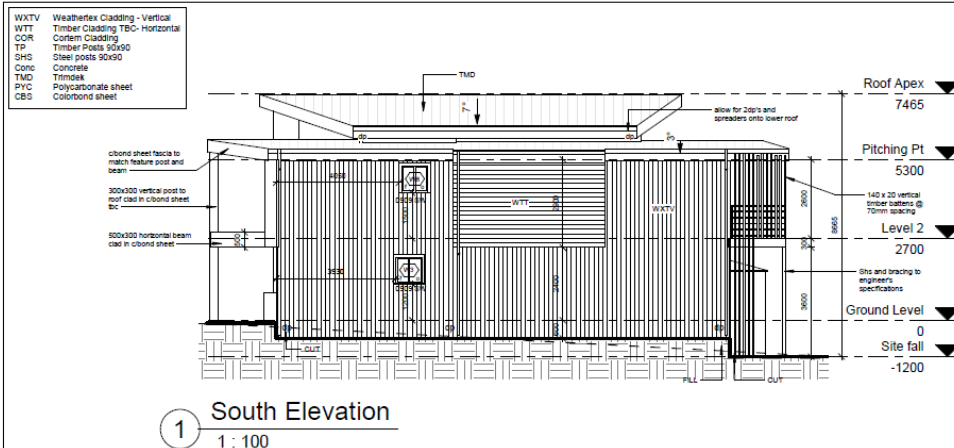
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FUNKY LITTLE SHACK

Ph: (07) 5679 6171  
 info@funnyflashed.com  
 QBCC Lic: 15006904

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Elevation 2

Applicant:  
Harry Franks

Drawn by: LT

Scale: 1 : 100

**Subject Site:**  
12 Sunbeam  
Cres, Beaumaris,  
TAS 7215  
Lot 27 RP 62599

Date Prepared:  
14th October 2022

Drawing: 3001

**Revision:**

**NOTES**  
Floured dimensions shall take precedence over scaled dimensions.

All dimensions and levels are to be verified on site prior to the commencement of any work/construction.

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[info@universityhack.com.au](mailto:info@universityhack.com.au)

CBOC DE TORREDA



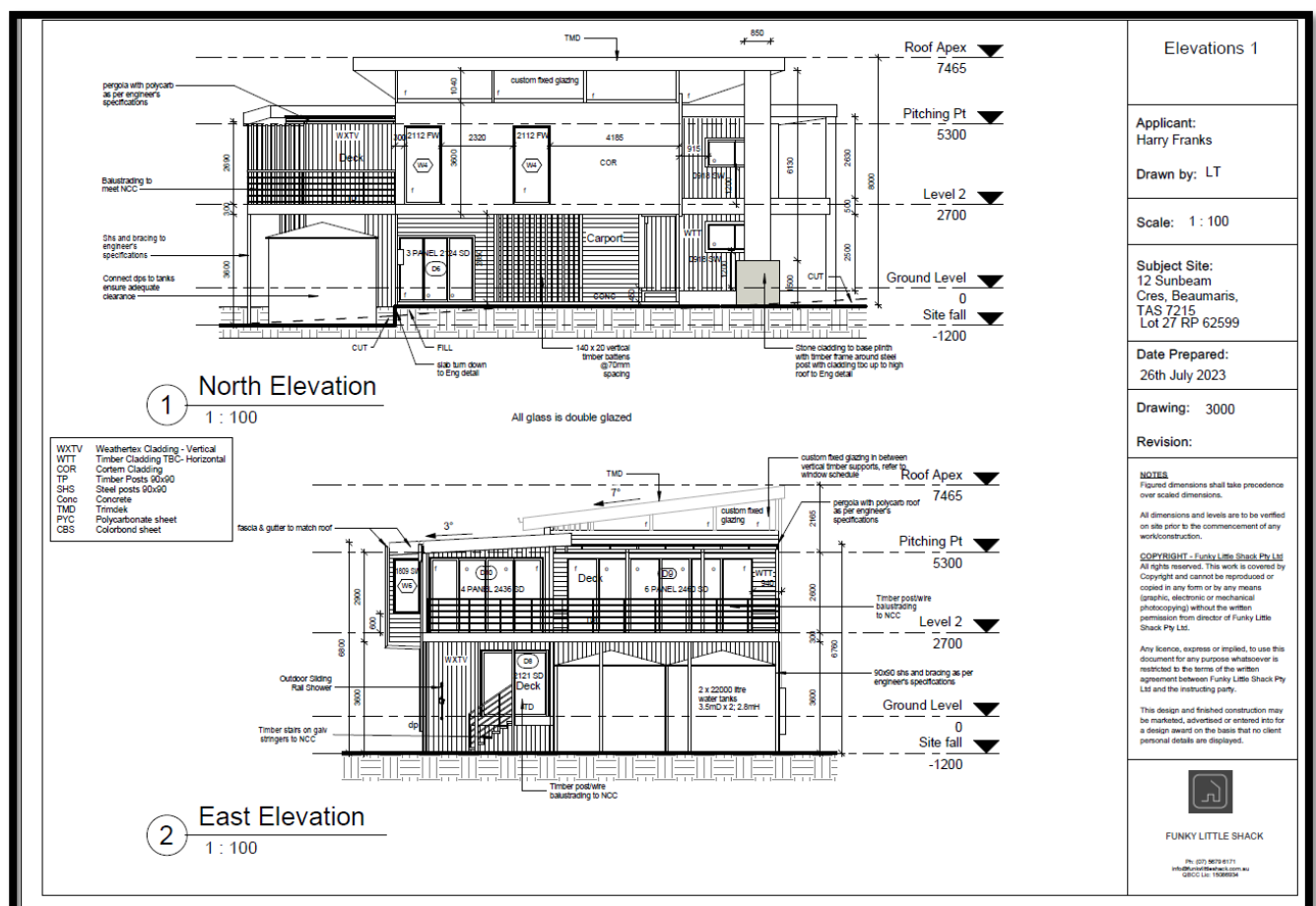
The application is for a two storey single dwelling. On the ground floor level of the dwelling is to be located a carport which enables the car parking for up to two vehicles, a media room, powder room, a bedroom and laundry. On the first floor level, the dwelling is to accommodate a further two bedrooms, main with ensuite and walk-in-robe, bathroom, open plan kitchen, living, dining, and attached deck. The maximum overall height of the dwelling is less than 8.0m. The site slopes from west down to the east (with an average slope 8%).

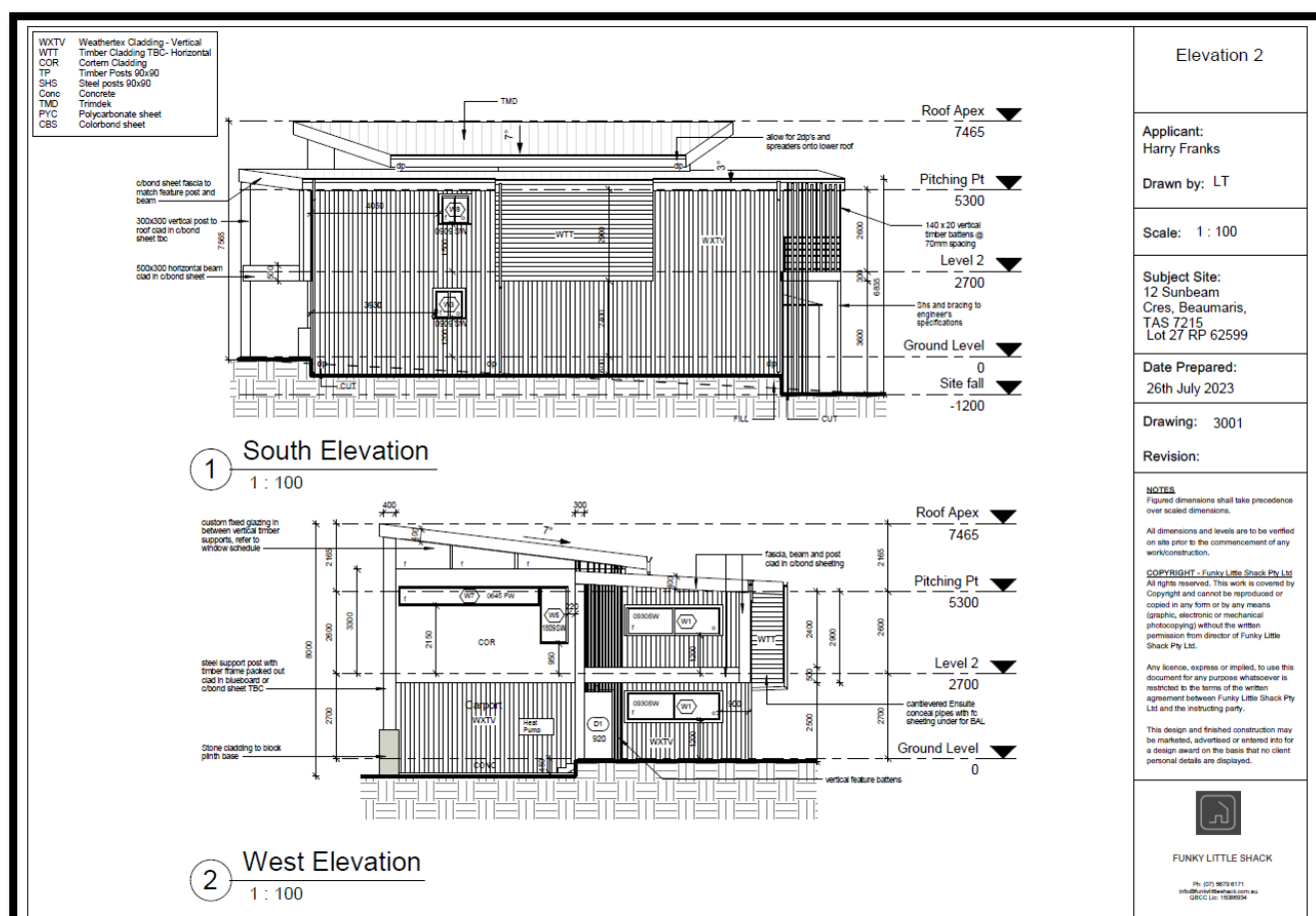
The dwelling is to be clad using a combination of weathertex cladding – vertical, timber cladding – horizontal, corten cladding for the walls and a trimdek roof sheeting with polycarbonate roofing for the pergola over the deck area.

Following receipt of the representation and to complete the assessment of the application, Council requested and received an extension of time to 28 August 2023. Discussion was held between the planning officer and the proponent in relation the concerns particularly in relation to the height concerns.

Following receipt of the representation and the discussion with the planning officer, the proponent has provided amended elevations, which further clarifies the dimensions of the height, noting the slope of the site, and the cut and fill. The architect has made slight alterations in this regard. The proponent's builder has also proposed a slightly deeper cut, which may be applied to assist in mitigating some of the concerns. It is the amended plans dated 26 July 2023 that will form the basis of this assessment.

## Amended Proposed Elevations





## 2. Applicable Planning Scheme Provisions

Part 12 Low Density Residential Zone

E6 Car Parking and Sustainable Transport Code

E14 Coastal Code

E16 On-Site Wastewater Management Code

## 3. Referrals

Referrals to Council's Works Department and Council's Environmental Health Officer were undertaken to which conditions relating to services, and access have been provided.

Council's Environmental Health Officer provided the following comment:

*"The Geo-Environmental Assessment provided by GES, satisfactorily demonstrates compliance with AS15457 – 2012, and, the Directors Guidelines for On-site Wastewater, therefore I am able to provide consent to the installation."*

Council's Works Department requires a condition in relation to the new access point.

## 4. Assessment

The application has met the acceptable solutions for all issues, except for reliance upon seven (7) performance criteria as detailed below;

- 1) 12.4.4.2 Stormwater Disposal P1
- 2) E16.6.1 Use and Lot Size P1
- 3) E16.7.1 Onsite Wastewater Management P1.1, P1.2 & P1.3 & P2



#### 4) E16.7.2 Surface and Ground Water Impacts P4

Detailed assessment against the provisions of the *Break O'Day Interim Planning Scheme 2013* is provided below. **The proposal is deemed to comply with the performance criteria applicable.**

### Planning Assessment

#### 12 Low Density Residential Zone

##### 12.1 Zone Purpose

###### 12.1.1 Zone Purpose Statements

**12.1.1.1 To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.**

**12.1.1.2 To provide for non-residential uses that are compatible with residential amenity.**

**12.1.1.3 To ensure that development respects the natural and conservation values of the land and is designed to mitigate any visual impacts of development on public views.**

##### 12.2 Use Table

The proposed use fits the use class of Residential, being a single dwelling which is a Permitted use (with no qualifications) within the Low Density Residential Zone.

Residential as defined by the Scheme means:

“use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.”

##### 12.3 Use Standards

###### 12.3.1 Amenity

| Acceptable Solutions   | Proposed Solutions   |
|--|--|
| A1 If for permitted or no permit required uses.  | A1 The proposed use for residential is permitted in the zone. <b>The proposal complies with the Acceptable Solution.</b> |
| A2 Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday. | A2 Not applicable.   |
| A3 If for permitted or no permit required uses.  | A3 The proposed use for residential is permitted in the zone. <b>The proposal complies with the Acceptable Solution.</b> |

###### 12.3.2 Low Density Residential Character

| Acceptable Solutions  | Proposed Solutions                                |
|---|---|
| A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property. | A1 Not applicable. The proposed use is permitted. |

|  |   |
|--|---|
| A2 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.   | A2 Not applicable. The proposed use is permitted. |
| A3 Waste material storage for discretionary uses must:<br>a) Not be visible from the road to which the lot has frontage; and<br>b) Use self-contained receptacles designed to ensure waste does not escape to the environment. | A3 Not applicable. The proposed use is permitted. |
| A4 The gross floor area for General Retail and Hire use does not exceed 100m <sup>2</sup> .  | A4 Not applicable.                                |

## 12.4 Development Standards

### 12.4.1 Clauses 12.4.1.1. - 12.4.1.7 Only apply to development within the Residential Use Class.

#### 12.4.1.1 Residential Density for Multiple Dwellings – Not applicable.

#### 12.4.1.2 Site Coverage

| Acceptable Solutions  | Proposed Solutions   |
|---|--|
| A1 The site coverage must not exceed 20%, unless the existing lot is less than 1000m <sup>2</sup> , in which case maximum site coverage is 30%. | A1 The proponent has confirmed via their architect that the site coverage of the site including new dwelling is 26.7% of the site.<br><b>The proposal complies with the Acceptable Solution.</b> |

#### 12.4.1.3 Building Height

| Acceptable Solutions                         | Proposed Solutions   |
|--|--|
| A1 Building height must not exceed 8 metres. | A1 The proposal is maximum overall height of 8m. It is noted that due to the slope, and the cut and fill, the actual building height above natural ground level at any given point ( <i>Building Height as defined by the Scheme</i> ) is less and was originally to be so, but may not have been clear in the original elevations submitted, noting that building height also excludes minor protrusions (e.g. awnings, verandahs, eaves, fascia and gutters). <b>The proposal complies with the Acceptable Solution.</b> |

#### 12.4.1.4 Frontage Setbacks

| Acceptable Solutions   | Proposed Solutions   |
|--|--|
| <p>A1.1 Primary frontage setbacks must be a minimum:</p> <ul style="list-style-type: none"> <li>a) Of 5m; and</li> <li>b) For infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 12.4.1.3 below; and</li> </ul> <p>A1.2 Buildings must be set back a minimum of 3m from any other frontage.</p> | <p>A1.1 The proposed primary frontage setback of the dwelling is at least 5m.<br/><b>The proposal complies with the Acceptable Solution.</b></p> |

#### 12.4.1.5 Rear and Side Setback

| Acceptable Solutions / Performance Criteria              | Proposed Solutions   |
|--|--|
| A1 Buildings must be set back 5m from the rear boundary. | <p>A1 The proposed rear setback is at least 5m to the proposed dwelling.<br/><b>The proposal complies with the Acceptable Solution.</b></p>        |
| A2 Buildings must be set back from side boundaries 3m.   | <p>A2 The proposed dwelling is to be located a minimum 3m from a side boundary.<br/><b>The proposal complies with the Acceptable Solution.</b></p> |

#### 12.4.1.6 Location of Car Parking

| Acceptable Solutions  | Proposed Solutions   |
|---|--|
| <p>A1 A garage or carport must be located:</p> <ul style="list-style-type: none"> <li>a) Within 20 metres of the dwelling it serves; and</li> <li>b) With a setback equal to or greater than the setback of the dwelling from the primary road frontage.</li> </ul> | <p>A1 The carport forms a part of and is integral to the dwelling structure and therefore within 20m of the dwelling it serves and has a setback greater than the setback of the dwelling from the primary road frontage.<br/><b>The proposal complies with the Acceptable Solution.</b></p> |

#### 12.4.1.7 Outbuildings and Ancillary Structures

| Acceptable Solutions  | Proposed Solutions                   |
|---|--------------------------------------|
| <p>A1 Outbuildings must not have a:</p> <ul style="list-style-type: none"> <li>a) Combined gross floor area of greater than 81m<sup>2</sup>; and</li> <li>b) Maximum wall height of greater than 4m; and</li> <li>c) Maximum height greater than 5m.</li> </ul> | <p>A1 Not applicable – existing.</p> |

|  |                    |
|--|--------------------|
| A2 A swimming pool for private use must be located:<br>a) Behind the primary frontage setback;<br>or<br>b) In the rear yard. | A2 Not applicable. |
|--|--------------------|

#### 12.4.1.8 Filling of Sites

| Acceptable Solutions  | Proposed Solutions   |
|---|--|
| A1 Fill must be:<br>a) No more than 50m <sup>3</sup> ; and<br>b) Clean fill, uncontaminated by weeds, disease or toxic materials.<br>c) Located more than 2m from any boundary. | A1 The level of fill proposed meets the requirements of the acceptable solution.<br><b>The proposal complies with the Acceptable Solution.</b> |

**12.4.2 Clause 12.4.2.1 only applies to development other than the Residential Use Class – Not applicable, residential use existing.**

**12.4.3 Subdivision – Not applicable.**

**12.4.4 Clause 12.4.4.1 and 12.4.4.2 applies to all development other than subdivision.**

**12.4.4.1 Frontage Fences for Single Dwellings – Not applicable.**

#### 12.4.4.2 Stormwater Disposal

| Acceptable Solutions/ Performance Criteria   | Proposed Solutions  |
|--|---|
| A1 All run off from buildings must be directed into on-site water storage tanks and the overflow from the tanks disposed of into the Council maintained roadside drain or the reticulated stormwater system.<br><br>P1 Run off must be managed through integrated stormwater management techniques by means that will not cause soil erosion or flooding nuisance to adjoining lots. | P1 Stormwater from the proposed development will be directed into proposed water storage tanks and the overflow directed to an onsite stormwater absorption trench, due to the slope of the site<br><br>An assessment and design was submitted with the application, prepared by Geo-Environmental Solutions.<br><br><b>The proposal is consistent with the performance criteria.</b> |

## Part E Codes

### E6 Car Parking and Sustainable Transport Code

#### E6.6 Use Standards

### E6.6.1 Car Parking Numbers

| Acceptable Solutions  | Proposed Solutions   |
|---|--|
| A1 The number of car parking spaces must not be less than the requirements of:<br>a) Table E6.1; or<br>b) A parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone). | A1 Proposal complies, site plan demonstrates parking for two vehicles on site. |

## E6.7 Development Standards

### E6.7.1 Construction of Car Parking Spaces and Access Strips

| Acceptable Solutions   | Proposed Solutions    |
|--|-----------------------|
| A1 All car parking, access strips, manoeuvring and circulation spaces must be:<br>a) Formed to an adequate level and drained; and<br>b) Except for a single dwelling, provided with an impervious all weather seal; and<br>c) Except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces. | A1 Proposal complies. |

### E6.7.2 Design and Layout of Car Parking

| Acceptable Solutions   | Proposed Solutions  |
|--|---|
| A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for a dwelling in the General Residential Zone) must be located behind the building line; and<br>A1.2 Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.                          | A1.1 Not applicable; and<br>A1.2 Not applicable. The development site is within the Low Density Residential zone. |
| A2.1 Car parking and manoeuvring space must:<br>a) Have a gradient of 10% or less; and<br>b) Where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and<br>c) Have a width of vehicular access no less than prescribed in Table E6.2; and<br>d) Have a combined width of access and manoeuvring space adjacent to parking spaces not less than as | A2.1 Complies.<br>A2.2 Complies.  |

|  |  |
|--|--|
| <p>prescribed in Table E6.3 where any of the following apply:</p> <ul style="list-style-type: none"> <li>i) There are three or more car parking spaces; and</li> <li>ii) Where parking is more than 30m driving distance from the road; or</li> <li>iii) Where the sole vehicle access is to a category 1, 2, 3 or 4 road; and</li> </ul> <p>A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p> |  |
|--|--|

#### E14 Coastal Code

The overlays show the Coastal Height Inundation Reference is 2.36m and the development site has a level of approximately 20.0 AHD or more. The proposal complies with all relevant acceptable solutions of the Code.

#### E16 On-Site Wastewater Management Code

##### E16.6 Use Standards

##### E16.6.1 Use and Lot Size

| Acceptable Solutions/ Performance Criteria   | Proposed Solutions   |
|--|--|
| <p>A1 Residential uses that rely on onsite wastewater management must:</p> <ul style="list-style-type: none"> <li>a) Be on a site with minimum area of 2,000m<sup>2</sup>; and</li> <li>b) Have four bedrooms or less.</li> </ul> <p>P1 Residential use on sites less than 2,000m<sup>2</sup> or with more than four bedrooms that rely on onsite wastewater management must be able to accommodate:</p> <ul style="list-style-type: none"> <li>a) The proposed residence and associated buildings and structures;</li> <li>b) Private open space;</li> <li>c) Vehicle manoeuvring and car parking;</li> <li>d) Hardstand and paved areas; and</li> <li>e) Onsite wastewater management infrastructure.</li> </ul> | <p>P1 The subject site has an area of 696m<sup>2</sup>. A Geo-Environmental Assessment prepared by Geo-Environmental Solutions states the use of the secondary treatment of effluent system for this development (Eljen Geotextile Single Pass Sand Filter with Liner System) will ensure the potential wastewater load from the residential use will be accommodated within the property boundaries when considering:</p> <ul style="list-style-type: none"> <li>a) The proposed residence and associated buildings and structures;</li> <li>b) Private open space;</li> <li>c) Vehicle manoeuvring and car parking;</li> <li>d) Hardstand and paved areas; and</li> <li>e) Onsite wastewater management infrastructure.</li> </ul> |

|  |  |
|--|--|
|  | <b>The proposal is consistent with the performance criteria.</b> |
| A2 Non-residential uses that rely on onsite wastewater management must be on a site with minimum area of 5,000m <sup>2</sup> . | A2 Not applicable.   |

## E16.7 Development Standards

### E16.7.1 Onsite Wastewater Management

| Acceptable Solutions/ Performance Criteria  | Proposed Solutions   |
|---|--|
| <p>A1 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and buildings and structures.</p> <p>P1.1 Buildings and structure must not be placed over onsite wastewater infrastructure; and</p> <p>P1.2 Buildings and structures within 3m of onsite wastewater infrastructure must not have a detrimental impact on the operation or integrity of the onsite wastewater management infrastructure; and</p> <p>P1.3 Onsite wastewater management must not have a detrimental impact on the foundations or footings of buildings or structures.</p>               | <p>P1.1, P1.2 &amp; P1.3 A Geo-Environmental Assessment prepared by Geo-Environmental Solutions demonstrates compliance.</p> <p><b>The proposal is consistent with the performance criteria.</b></p> |
| <p>A2 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and the following:</p> <ol style="list-style-type: none"> <li>Hardstand and paved areas;</li> <li>Car parking and vehicle manoeuvring areas; and</li> <li>Title or lot boundaries.</li> </ol> <p>P2 Hardstand, paved area car parking and vehicle manoeuvring areas must:</p> <ol style="list-style-type: none"> <li>Not be located above or below each other; and</li> <li>Have no detrimental impact on the operation or integrity of the onsite waste water management infrastructure.</li> </ol> | <p>P2 A Geo-Environmental Assessment prepared by Geo-Environmental Solutions demonstrates compliance.</p> <p><b>The proposal is consistent with the performance criteria.</b></p>                    |

|  |   |
|--|---|
| A3 Private Open Space must not be used for surface irrigation of treated wastewater.                 | A3 The proposal complies, no private open space is used for surface irrigation of treated wastewater.<br><b>The proposal complies with the Acceptable Solution.</b> |
| A4 Onsite wastewater management infrastructure must be on lots with an average slope of 10% or less. | A4 The proposed wastewater treatment system is on land with an average slope of less than 10%.<br><b>The proposal complies with the Acceptable Solution.</b>        |

#### E16.7.2 Surface and Ground Water Impacts

| Acceptable Solutions/ Performance Criteria   | Proposed Solutions   |
|--|--|
| A1 Onsite wastewater management infrastructure must have a minimum separation distance of 100m from a wetland or watercourse or coastal marine area.   | A1 The proposed development is not to be located within 100m of a coastal marine area. <b>The proposal complies with the Acceptable Solution.</b>                      |
| A2 Onsite wastewater management infrastructure must have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply.  | A2 The wastewater system is not within 50m of a known bore or well.<br><b>The proposal complies with the Acceptable Solution.</b>                                      |
| A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, must be no less than 1.5m.   | A3 There was no groundwater encountered during soil testing. <b>with the Acceptable Solution.</b>  |
| A4 Vertical separation between a limiting layer and the land used to apply effluent, including reserved areas, must be no less than 1.5m.<br><br>P4 Onsite wastewater management infrastructure separated from the limiting layer by less than 1.5m must have no detrimental impacts on groundwater. | P4 A Geo-Environmental Assessment prepared by Geo-Environmental Solutions demonstrates compliance.<br><b>The proposal is consistent with the performance criteria.</b> |

## 5. Representations

The application was advertised 24 June 2023 to 7 July 2023 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining land owners. One (1) representation was received prior to the closing date and time.

The representation is as follows:-

| Representation 1   | Response  |
|--|---|
| 1. Concerns that the information provided does not constitute a valid application. | It is noted that not all documentation, including planning application form and titles are advertised. The application is |



|   |  |
|---|--|
|   | considered to be valid by Council, the stormwater report and wastewater report address and consider the discretions sought of the application.   |
| 2. The north and south elevations provided indicate that the height will exceed the 8m acceptable solution. | As detailed earlier in this assessment, the original elevations were a little difficult to read by those that may not quite understanding the drawings by way of the dimensions provided, given the slope of the site and overall dimensions added to those drawings. The height (as defined by the Scheme) always did and will be less than 8m (above natural ground level and excluding minor protrusions). In response to the representation received, the proponents have sought that their architect provide amended drawings which are clearer to understand the height. The proposal meets the acceptable solution both in height and setback, and the visual impact and relationship has no further considerations in this assessment. The builder has also proposed a slightly deeper cut which may be applied to assist mitigate some of the concerns. |
| 3. Shading concerns   | The proposed dwelling meets the acceptable solutions in both building height and setbacks. Shadow diagrams were not required to address any performance criteria relating to a development provision.<br><br>No further consideration of solar access is required of this application.   |
| 4. Age of survey and concerns building will not meet when building takes place the setbacks as shown.       | The proposal demonstrates that the setbacks will meet the acceptable solution. There is scope to move slightly if a remark is to be undertaken or setout is undertaken by the proponent/ land surveyor to establish location of the dwelling in accordance with the approved plans. Should there be some minor changes to move the dwelling slightly south to ensure a minimum 3m setback to all side boundaries is complied with this will still be generally in accordance with the plans so long as 3m minimum is met. Construction   |

|  |   |
|--|---|
|  | compliance will be the responsibility of the builder/developer/land surveyor.   |
| 5. Site coverage concerns  | In response to the concerns raised in this representation, the architect has provided amended plans confirming site coverage is less than 30% at 26.7% and compliant with the acceptable solution in relation to site coverage.   |
| 6. Existing tank from the existing shed concerns of runoff.  | The shed and its stormwater tank exist on site and do not form consideration of this assessment, however a note on any approval is recommended that the existing tank be connected into the new stormwater management system on site (new soakage trench) and that the stormwater assessment may require amending if needed to consider this existing shed and tank (if not already absorbed elsewhere on site), but is not a concern as there is vacant areas on the site for additional absorption if needed. |
| 7. Concerns of noise from the ground floor media room.   | The allocated room name is quite generic but is typical of a habitable room in a dwelling, providing for viewing of media i.e TV/movies. Any noise concerns in the duration of the use of the building as a dwelling that would exceed those allowable under EMPCA and/or a nuisance, is a matter either for the Police and/or Council's Environmental Health Department should noise be excessive.   |
| 8. The interior layout indicates a 3 bedroom dwelling. What measures will be put in place to ensure the media room is not additional bedroom(s). | The Geo-Environmental Assessment has considered the dwelling as accommodating three bedrooms only. Any change of use to an additional bedroom may warrant compliance procedures, but this Planning assessment can only consider what is seeking approval.   |

The recommendation for approval has been made following due consideration of the representation and comments.

## 6. Mediation

Nil.

## 7. Conclusion

In accordance with 8.10 of the *Break O' Day Interim Planning Scheme 2013*, the application has been assessed against the objectives of the Scheme, in particular the Low Density Residential Zone, all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and seven (7) Performance Criterion/discretions; the received representation has been considered. It is recommended for approval with conditions normally set to this type of development.

### LEGISLATION & POLICIES:

*Break O' Day Interim Planning Scheme 2013;*  
*Land Use Planning and Approvals Act 1993;*  
*Local Government (Building and Miscellaneous Provisions) Act 1993.*

### BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

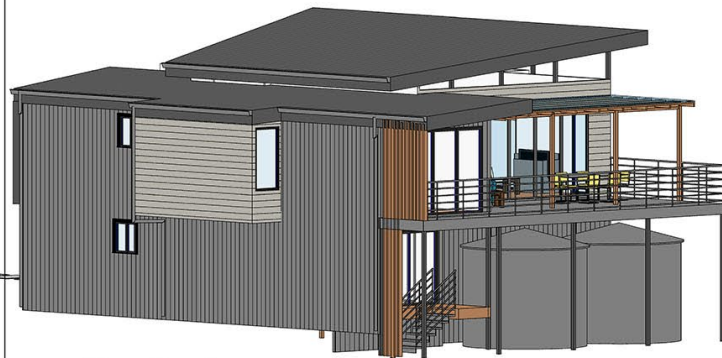
Not applicable, all costs of the development are the responsibility of the developer.

### VOTING REQUIREMENTS:

Simple Majority



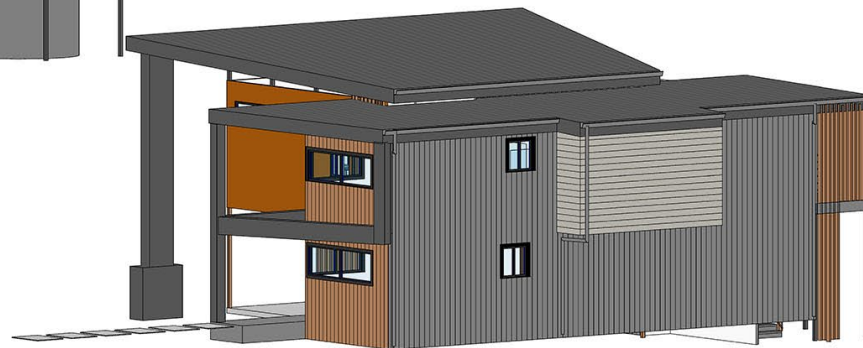
1 North view



3 South view.



2 East view



4 West view.

## Proposed Dwelling

Applicant:  
Harry Franks

Drawn by: MM

Scale:

Subject Site:  
12 Sunbeam  
Cres, Beaumaris,  
TAS 7215  
Lot 27 RP 62599

Date Prepared:  
26th July 2023

Drawing: 0001

Revision:

### NOTES

Figured dimensions shall take precedence over scaled dimensions.

All dimensions and levels are to be verified on site prior to the commencement of any work/construction.

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Ph: (07) 5679 6171  
info@funky littleshack.com.au  
QBCC Lic: 15088934

|              |                                       |
|--------------|---------------------------------------|
| Sheet List   |                                       |
| Sheet Number | Sheet Name                            |
| 0001         | Proposed Dwelling                     |
| 0002         | Drawing Contents                      |
| 0010         | Specification 1                       |
| 0020         | Specification 2                       |
| 0030         | Specification 3                       |
| 1100         | Site Plan                             |
| 2000         | Floor Plan Ground Level               |
| 2001         | Floor Plan Level 2                    |
| 2100         | Roof Plan                             |
| 3000         | Elevations 1                          |
| 3001         | Elevation 2                           |
| 3100         | Door & Window Schedules               |
| 4000         | Sections                              |
| 4100         | Detailed Sections                     |
| 5000         | Sub Floor Plan - GL                   |
| 5001         | Sub Floor Plan - L2                   |
| 5100         | Electrical Plan - GL                  |
| 5101         | Electrical Plan - L2                  |
| 6000         | Kitchen/Desk/Storage Details          |
| 7100         | Ensuite Details                       |
| 7110         | Bathroom/WC Details 1                 |
| 7111         | Bathroom/WC 2 and Broom/Linen Details |
| 7200         | Pdr'R/L'Dry Details                   |
| 7300         | Robe Details                          |
| 7301         | WIR Details                           |

Drawing Contents

Applicant:  
Harry Franks

Drawn by: Author

Scale:

Subject Site:  
12 Sunbeam  
Cres, Beaumaris,  
TAS 7215  
Lot 27 RP 62599

Date Prepared:  
26th July 2023

Drawing: 0002

Revision:

NOTES


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Ph: (07) 5679 6171  
info@funky littleshack.com.au  
QBCC Lic: 15086934

| DESIGN SPECIFICATIONS       | HARRY FRANKS  | 24/10/22 |
|-----------------------------|---|----------|
| PROJECT TYPE                | New House   |          |
| SPECIFICATION & DRAWING NO. | Sheet Numbers: 00-7301, Sheets 25   |          |
| BUILDERS INSURANCE          | Builder to provide mandatory Home Warranty Insurance  |          |
| BUILDING APPROVAL           |   |          |
| BAL RATING                  |   |          |
| DRAWING NOTES               | This specification has been compiled from architectural and engineering drawings supplied by the client and subsequent correspondence. In cases where the architectural drawings are contradictory to the specification, the specification shall take precedence. |          |
| ENGINEERING                 | All structural elements including, but not limited, to concrete slabs, footings, posts, connections, bracing and tie down and all member sizes are as per the Registered Consulting Engineer's drawings and Spec sheet.   |          |
| TERMITE PROTECTION          | Where required for the Building Code of Australia, Termite Barrier installed to all pipe penetrations, piers, construction / cold joints and perimeter of building. Termite barrier product and installation to comply with AS. 3660.1 - 2000                     |          |
| WATERPROOFING               | Waterproofing to all areas required within the Building Code of Australia. Waterproofing membranes to comply with all relevant building codes and Australian Standards. Form 16 provided to ensure compliance.  |          |
| PLUMBING                    | Allowance made for sewer connection to New Dwelling. Water supply to be connected to house water supply.  |          |
|                             | All plumbing to comply with Australian Standards in order to achieve local council plumbing authority approval.   |          |
|                             | No allowance made for additional, split or water metre upgrade. Any application required for additional or upgraded water metre will be the responsibility of the client. No allowance made for the installation or upgrade of existing sewage systems.           |          |
| SERVICE CONNECTIONS         | Service connections to water, sewer, gas and electricity included.  |          |
| PAINTING (INTERIOR)         | Any works requiring removal/cutting and reinstatement of existing pathways, driveways, retaining walls, or extensive landscaping may constitute a variation   |          |
|                             | Walls - 1 coat sealer/undercoat, 2 coats washable, low sheen.   |          |
|                             | Doors/architraves, skirting – 1 coat sealer/undercoat, 2 coats washable, semi-gloss.  |          |
| PAINTING (EXTERIOR)         | Ceilings/cornices - 1 coat sealer / undercoat finished with ceiling flat.   |          |
|                             | Wet area ceilings - 1 coat or sealer/undercoat and finish with low sheen.   |          |
|                             | Wall cladding/timber trims/downpipes/bearers @ subfloor – gap prep + 2 coats exterior grade low sheen.  |          |
| BUILDERS CLEAN              | Soffits – 2 coats matt.   |          |
|                             | Decking, timber posts, balustrading/stairs – 2 coats Intergrain Ultra deck.   |          |
|                             | Subfloor posts – 2 coats low sheen.   |          |
| WINDOWS AND DOORS           | Professional builders clean to dwelling and property suitable for occupancy.  |          |
| EXTERNAL WINDOW TRIMS       | Aluminium sliding windows and glass sliding doors with timber reveals to N2 wind rating. NOTE: Where required, if wind rating is determined as higher than N2 this may require a variation to windows/glass sliding doors.  |          |
| SARKING                     | 90mm colorbond/steel/aluminium trim   |          |
|                             | 60mm R1.4 Anticon Insulation Blanket  |          |

| EXTERNAL                      | SPECIFICATIONS   | NOTES   |
|-------------------------------|--|---|
| ITEMS                         |  |   |
| FOOTINGS/FOUNDATION           | Dimensions, concrete, steel for footings/foundation as per engineers specifications.   | To engineers specifications   |
| SUBFLOOR                      | Carport-Concrete Pad   |   |
|                               | House-Duragal steel 90x90mm posts; timber bearers/joists   |   |
| STRUCTURAL FRAMING            | 90mm timber stud wall & roof framing   | To engineers specifications   |
| ROOFING                       | Trimdeck   | Colorbond roof sheeting .42bmt                                      |
| DECK/PERGOLA                  | Polycarbonate Trimdek (SRib) clear sheeting<br>Tint colour - TBC Verandah plate, rafters and battens as per dwg and Eng Spec | Installed as per manufacturer's Specification                       |
| FASCIAS                       | Colorbond XRW Novaline fascia system   | Colours to be selected by client from Standard Colorbond range      |
| GUTTERS                       | Colorbond XRW slotted 115mm hi-front quad gutter   |   |
| SARKING                       | 60mm R1.4 Anticon insulation blanket   | Or to NCC requirements  |
| CLADDING TYPE 1               | Weatherex (or similar)   | 1200x2400mm panels<br>Installed as per manufacturer's Specification |
|                               | Vertically Laid  |   |
| CLADDING TYPE 2 FEATURE       | Weathered Timber Product (TBA by Client)   | Installed as per manufacturer's Specification                       |
|                               | Horizontally Laid  |   |
| CLADDING TYPE 3 FEATURE       | Corten   | Installed as per manufacturer's Specification                       |
|                               | N/A  |   |
| CLADDING TYPE 4 FEATURE       | Stone Cladding fixed to Block Plinth   | Installed as per manufacturer's Specification                       |
| WINDOWS/GLIDING DOORS         | Double Glazing   | Refer to Door and Window Schedules                                  |
| FLY SCREENS                   | Combination- see Win/door schedules  |   |
| EXTERNAL WINDOW TRIM          | 90mm timber trim-painted   |   |
| WINDOW AWNINGS                | Refer to Awning Detail   |   |
| SOFFITS                       | 4.5mm FC Soffits   | Where applicable  |
| DECKING                       | Upper deck - 140mm merbau timber   | Timber decking screwed to subfloor                                  |
| FRONT PORCH                   | Tiles over concrete  | TBC   |
| EXTERNAL STAIRS/ENTRANCE STEP | Tiles over concrete  | TBC   |
| BALUSTRADING                  | Post/wire  | To NCC Ensure Stainless wire Marine Grade 316                       |
| GARAGE/CARPORT                | Carport  |   |
| GARAGE DOOR                   | N/A  |   |

## Specification 1

Applicant:  
Harry Franks

Drawn by: CR

Scale:

Subject Site:  
12 Sunbeam  
Cres, Beaumaris,  
TAS 7215  
Lot 27 RP 62599

Date Prepared:  
26th July 2023

Drawing: 0010

Revision:

**NOTES**  
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Ph: (07) 5679 6171  
info@funky littleshack.com.au  
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| INTERNAL                        |  |   | HF 24.10.22 |
|---------------------------------|--|---|-------------|
| ITEMS                           | SPECIFICATIONS   | NOTES   |             |
| FLOOR SHEETING                  | Termifloor - termite protected structural grade particle board sheet flooring  |   |             |
| FLOOR COVERING - LIVING/KITCHEN | Vinyl timber planking  |   |             |
| FLOOR COVERING - BATHROOM       | Tiles  |   |             |
| FLOOR COVERING - POWDER         | Vinyl timber planking  |   |             |
| FLOOR COVERING - BEDROOMS       | Carpet   |   |             |
| WALL & CEILING INSULATION       | Wall batts R2.5 bulk insulation - 75mm installed to external walls to height of ceiling and floor. Ceiling batts RS bulk insulation installed to ceiling, or to EER requirements | To meet BERS rating requirements. Should subsequent BERS report require additional, this will be reflected within a variation |             |
| PLASTERBOARD                    | 10mm plasterboard to walls and ceiling throughout.   |   |             |
|                                 | Water resistant (WR) plasterboard to all wet areas.  |   |             |
|                                 | 4.5mm FC sheeting to deck ceilings.  |   |             |
| CEILINGS                        | Flat-Lower Level, Raked-Upper Level  | Raked and Flat Refer drawings   |             |
| CORNICES                        | Square set   |   |             |
| INTERNAL STAIRCASE              | Timber, closed risers, vertical slat screening   | to NCC  |             |
| STAIRCASE BALUSTRADING          | Timber   | to NCC  |             |
| INTERNAL DOORS                  | Internal doors - 2040mmH 35mm flush redicoat and sliding cavity hollow core doors  |   |             |
| CARPENTRY TRIMS                 | Architraves - 42 x 11 mm splayed.  |   |             |
|                                 | Skirting - 66 x 11 mm splayed.   |   |             |
|                                 |  |   |             |
| ELECTRICAL                      | As per electrical plan on architectural drawings   | Supply/installation by electrician  |             |
| AIR CONDITIONING                | Living   | Size TBA by electrician   |             |
|                                 |  | Location as per electrical plan in design drawings  |             |
| HEATING                         | Heat Pump  | Location as per electrical plan in design drawings  |             |
| HEATING                         | Gas Fire Place   | Client Supplied, Installed by Builder   |             |
|                                 |  | Install gas connection point in Living  |             |
| HOT WATER UNIT                  | 250L Electric Unit   | TBC   |             |
|                                 |  | Location TBA by builder   |             |
| WATER TANKS                     | 2 x 20,000L Tanks  | To be selected by Client (refer PC items)   |             |
| SOLAR PANELS                    | N/A  |   |             |

| PC SCHEDULE                      |   |       |                 | HF 24.10.22 |
|----------------------------------|---|-------|-----------------|-------------|
| ITEMS                            | DESCRIPTION                                   | QTY   | ALLOWANCE TOTAL |             |
| <b>FLOORING</b>                  |   |       |                 |             |
| VINYL TIMBER PLANKING            |   | \$/M2 | \$              | 45.00       |
| CARPET                           |   | \$/M2 | \$              | 45.00       |
| TILES                            |   | \$/M2 | \$              | 35.00       |
| <b>KITCHEN</b>                   |   |       |                 |             |
| OVEN                             | Electric under bench oven                     |       | \$              | 550.00      |
| COOKTOP                          | Gas cooktop                                   |       | \$              | 330.00      |
| RANGEHOOD                        | Recirculating rangehood                       |       | \$              | 220.00      |
| SINK                             | 1 1/2 bowl sink, undermount                   |       | \$              | 500.00      |
| DRAINBOARD                       | With drainboard on right                      |       |                 |             |
| MIXER TAP                        | Mixer tap                                     |       | \$              | 150.00      |
| DISHWASHER                       | Full size dishwasher                          |       | \$              | 600.00      |
| PENDANT LIGHTS                   | supplied by client                            |       |                 |             |
| <b>ENS/BATHROOM/POWDER ROOM</b>  |   |       |                 |             |
| VANITY                           | 3 - Refer to Dwg's                            | 3     | \$              | 2,400.00    |
| BENCHTOP                         | Stone   | 3     | \$              | 600.00      |
| BASIN                            | Double Ens, 5gl x2                            | 4     | \$              | 800.00      |
| MIRROR                           | Standard, glued                               | 4     | \$              | 600.00      |
| MIXER TAPS                       | Vanity  | 5     | \$              | 150.00      |
| SHOWER ROSE/HEAD                 | Combo rain head & hand shower on sliding rail | 3     | \$              | 1,050.00    |
| SHOWER ROSE/HEAD                 | Rain shower                                   | 1     | \$              | 350.00      |
| SHOWER MIXERS                    | Wall Mixer                                    | 4     | \$              | 600.00      |
| BATH                             | 1800mmL freestanding                          | 1     | \$              | 2,000.00    |
| BATH TAP MIXER                   | Bath mixer with Spout                         | 1     | \$              | 150.00      |
| TOILETS                          | Lani wall faced 6002                          | 3     | \$              | 990.00      |
| TOWEL RAILS                      | 800L double towel rail                        | 3     | \$              | 360.00      |
| HAND TOWEL RAILS                 | Hand towel rail                               | 5     | \$              | 250.00      |
| ROBE HOOKS                       | Robe Hook                                     | 3     | \$              | 150.00      |
| TOILET ROLL HOLDERS              | Toilet roll holder                            | 3     | \$              | 150.00      |
| POWDER ROOM VANITY (250MMX400MM) | Yes   | 1     | \$              | 300.00      |
| DISABLED HAND RAILS              | N/A   | 0     | \$              | -           |
| <b>LAUNDRY</b>                   |   |       |                 |             |
| SINK                             | Sink, built into custom cabinetry             |       | \$              | 300.00      |
| MIXER TAP                        | Mixer tap                                     |       | \$              | 150.00      |
| <b>DOORS</b>                     |   |       |                 |             |
| FRONT DOOR                       | Timber front door with glass panel            |       | \$              | 1,300.00    |
| FRONT DOOR HANDLE                | Yes   |       | \$              | 100.00      |
| DOOR HANDLES - ALL OTHERS        | YES -10@ \$40 Ea                              |       | \$              | 400.00      |
| <b>TANKS</b>                     |   |       |                 |             |
| WATER TANKS                      | 2 x 20,000L Water Tanks                       | 2     | \$              | 6,000.00    |

## Specification 2

Applicant:  
Harry Franks

Drawn by: CR

Scale:

Subject Site:  
12 Sunbeam  
Cres, Beaumaris,  
TAS 7215  
Lot 27 RP 62599

Date Prepared:  
26th July 2023

Drawing: 0020

Revision:

**NOTES**  
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info@funkyshack.com.au  
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| JOINERY                                |  | HF 24.10.22   |
|--|--|---|
| KITCHEN CABINETRY                      | Standard laminate/ polytec cabinetry<br>20mm reconstituted stone benchtop<br>TBC               | As per cabinet maker plans (based on architectural plans)   |
| KITCHEN FITTINGS/FIXTURES              | Chosen by client as per Interior Styling Schedule.<br>Allowance as per PC Schedule             | Supplied/installed by builder   |
| DINING BOOTH                           | N/A  | As per cabinet maker plans (based on architectural plans)   |
| LAUNDRY FITOUT                         | Sink, built into custom cabinetry<br>Floating shelves<br>Laminate benchtop<br>Tiled splashback | As per cabinet maker plans (based on architectural plans)   |
| LAUNDRY FITTINGS/FIXTURES              | Chosen by client as per Interior Styling Schedule.<br>Allowance as per PC Schedule below       | Supplied/installed by builder   |
| LINEN/STORAGE FIT OUT                  | White laminate shelving<br>Sliding vinyl doors   | As per cabinet maker plans (based on architectural plans)<br>Colour chosen by client as per Interior Styling Schedule |
| BATHROOM/POWDER ROOM FITTINGS/FIXTURES | Chosen by client as per Interior Styling Schedule.<br>Allowance as per PC Schedule below       | Supplied/installed by builder/plumber   |
| SHOWER SCREEN x2                       | 10mm Frameless fixed glass panels and fixed/sliding refer dwgs for sizes                       | 2000mmH, 10mm thick toughened glass screen to Australian Standards  |
| FLOORING                               | Chosen by client as per Interior Styling Schedule.<br>Allowance as per PC Schedule below       | Supplied/laid by builder  |
| TILING                                 | Chosen by client as per Interior Styling Schedule.<br>Allowance as per PC Schedule below       | Supplied/laid by builder  |
| BEDROOM ROBES                          | White laminate shelving<br>Hinged timber doors   | Bedroom robe fitouts as per architectural drawings<br>Colour/trim selected by client as per Interior Styling Schedule |
| WIR                                    | White laminate shelving<br>Walk in robe  | Bedroom robe fitouts as per architectural drawings<br>Colour/trim selected by client as per Interior Styling Schedule |
| DOOR HANDLES                           | Chosen by client as per Interior Styling Schedule.<br>Allowance as per PC Schedule below       | Supplied/installed by builder   |

| KITCHEN SCHEDULE             |                               |
|------------------------------|-------------------------------|
| ITEM                         | SELECTION                     |
| KITCHEN BENCHTOP             | 20mm Stone Benchtop           |
| KITCHEN UNDERBENCH CABINETRY | Flat Finish Laminate/Polytech |
| KITCHEN OVERHEAD CABINETRY   | Glass Panel Style             |
| KITCHEN SINK                 | 1+1/2 Bowls with drainer      |
| KITCHEN SINK MOUNT           | Overmounted                   |
| COOKTOP                      | Gas Cooktop                   |
| OVEN                         | Under bench oven              |
| RANGEHOOD                    | Recirculating Rangehood       |
| MICROWAVE SPACE              | Yes                           |
| DISHWASHER                   | Full Size Dishwasher          |
| FRIDGE SPACE REQUIRED        | 1000mm wide                   |
| KITCHEN SPLASHBACK           | TBC                           |
| KITCHEN PENDANT LIGHTS       | 2                             |
| WINE RACK                    | TBC                           |

| L'DRY/STORAGE SCHEDULE   |                               |
|--------------------------|-------------------------------|
| ITEM                     | SELECTION                     |
| LAUNDRY CABINETRY        | Built in by cabinet maker     |
| LAUNDRY SPLASH           | Tiles -300h x 2000L           |
| LAUNDRY O/HEAD CABINETRY | Open shelves                  |
| WASHING MACHINE          | Front loader - Under bench    |
| DRYER                    | Yes - Under Bench- Next to WM |
| STORE DOORS              | Sliding Vinyl Doors           |
| CARPORT STORE DOORS      | Sliding Vinyl Doors           |
| LINEN/BRM SHELIVING      | 5No. White Melamine Shelves   |

| UPPER BATHROOM & POWDER ROOM |  |
|------------------------------|--|
| ITEM                         | SELECTION                                      |
| BATHROOM VANITY              | Wall Mounted Vanity 900w x 500D                |
| BATHROOM BASIN               | Inset basin                                    |
| BASIN TAPWEAR                | Mixer  |
| SHOWER TAPWEAR               | Hand Shower on Sliding Rail with Wall Mixer    |
| SHOWER SCREEN                | Fixed Glass Shower Screen 10mm- 2000Hx1000L    |
| MIRROR                       | Standard, glued                                |
| BATHROOM TILES               | Shower, Skirting, vanity splash only           |
| HAND TOWEL RAIL              | Yes  |
| TOWEL RAIL                   | 800L Double Towel Rail                         |
| ROBE HOOK                    | Yes  |
| TOILET SUITE                 | Floor mounted WC                               |
| POWDER VANITY                | Wall mounted vanity basin 400Wx250D with mixer |
| HAND TOWEL RAIL              | Yes  |
| TOILET ROLL HOLDER           | Yes  |
| MIRROR                       | Standard, glued                                |

| UPPER ENSUITE    |  |
|------------------|--|
| ITEM             | SELECTION  |
| BATHROOM VANITY  | Single Vanity unit 1500Wx500D                    |
| BATHROOM BASIN   | Inset basin                                      |
| BASIN TAPWEAR    | Mixer  |
| SHOWER TAPWEAR 1 | Combo Rain shower and Sliding Rail w Wall Mixer  |
| SHOWER TAPWEAR 2 | Rain Shower with Wall Mixer                      |
| SHOWER SCREEN    | 10mm Glass - 2Fixed (700w) 1 central slider 700w |
| MIRROR           | Standard, glued                                  |
| ENSUITE TILES    | Floor to Ceiling                                 |
| HAND TOWEL RAIL  | Yes  |
| TOWEL RAIL       | 800L Double Towel Rail x2                        |
| ROBE HOOK        | Yes x 2  |
| TOILET SUITE     | Floor mounted WC                                 |
| BATH             | 1800L Freestanding Bath                          |
| BATH MIXER       | Wall Mixer and SpoutTBC                          |

| LOWER BATHROOM  |   |
|-----------------|---|
| ITEM            | SELECTION                                   |
| BATHROOM VANITY | Wall Mounted Vanity 900w x 500D             |
| BATHROOM BASIN  | Inset basin                                 |
| BASIN TAPWEAR   | Mixer                                       |
| TOILET SUITE    | Floor mounted WC                            |
| MIRROR          | Standard, glued                             |
| BATHROOM TILES  | Shower, Skirting, vanity splash only        |
| HAND TOWEL RAIL | Yes   |
| TOWEL RAIL      | 800L Double Towel Rail                      |
| ROBE HOOK       | Yes   |
| OUTDOOR SHOWER  | Hand Shower on Sliding Rail with Wall Mixer |

| ROBE SCHEDULE     |                            |
|-------------------|----------------------------|
| ITEM              | SELECTION                  |
| ROBE FITOUTS      | White Melamine Shelving    |
| ROBE HANGING RAIL | Tubular Hanging Rod to fit |
| ROBE DOORS        | Sliding Vinyl Doors        |
| WIR FITOUT        | Timber Look Laminate       |

## Specification 3

Applicant:  
Harry Franks

Drawn by: CR

Scale:

Subject Site:  
12 Sunbeam  
Cres, Beaumaris,  
TAS 7215  
Lot 27 RP 62599

Date Prepared:  
26th July 2023

Drawing: 0030

Revision:

### NOTES

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info@funky littleshack.com.au  
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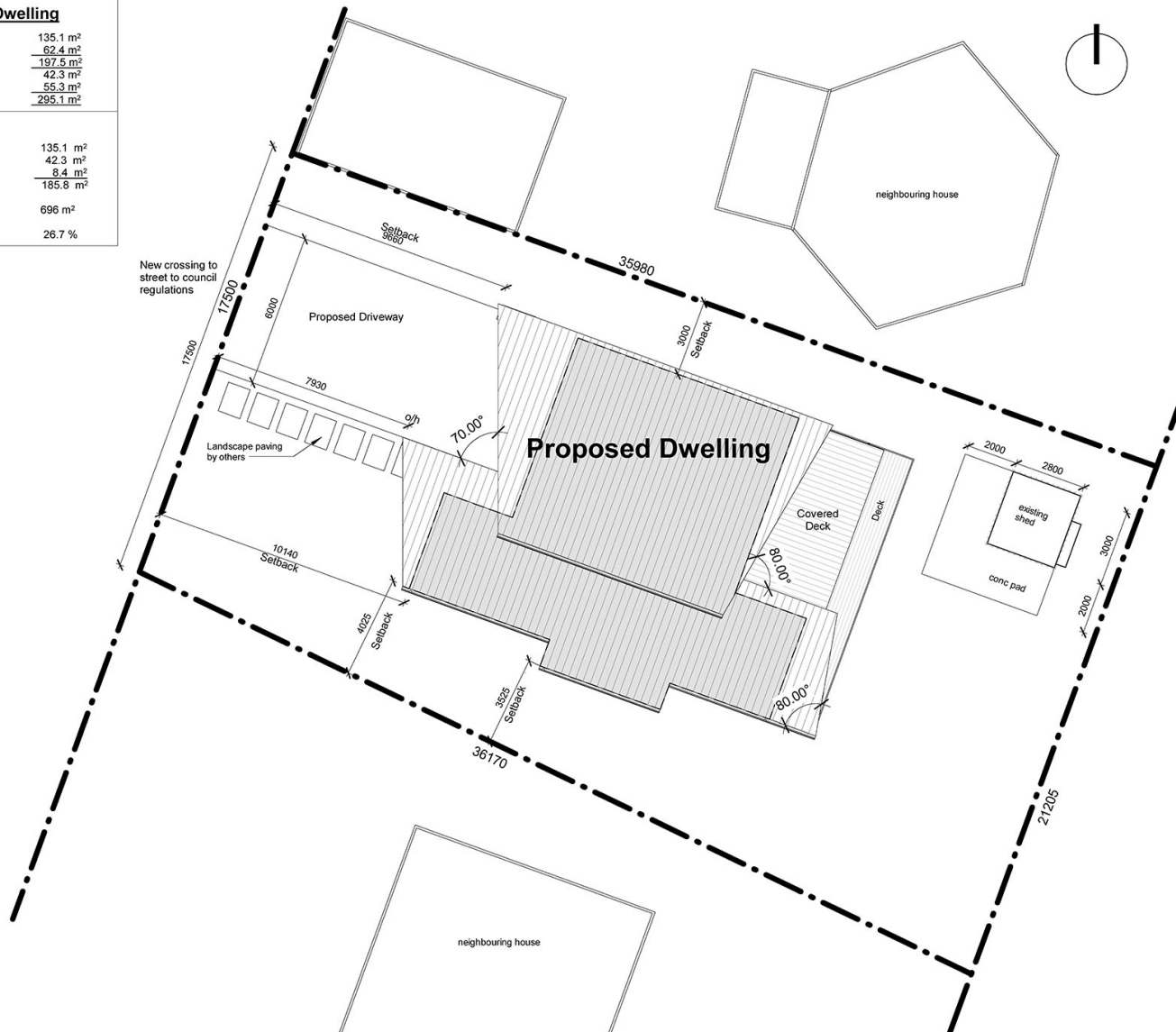


### Proposed Dwelling

|            |                      |
|------------|----------------------|
| GFA Upper: | 135.1 m <sup>2</sup> |
| GFA Lower: | 62.4 m <sup>2</sup>  |
| Total:     | 197.5 m <sup>2</sup> |
| Deck:      | 42.3 m <sup>2</sup>  |
| Carport:   | 55.3 m <sup>2</sup>  |
| Total:     | 295.1 m <sup>2</sup> |

### Site Cover

|                |                      |
|----------------|----------------------|
| Dwelling:      | 135.1 m <sup>2</sup> |
| Deck:          | 42.3 m <sup>2</sup>  |
| Existing Shed: | 8.4 m <sup>2</sup>   |
| Total:         | 185.8 m <sup>2</sup> |
| Site Area:     | 696 m <sup>2</sup>   |
| Site Cover:    | 26.7 %               |



### Site Plan

Applicant:  
Harry Franks

Drawn by: MM

Scale: As indicated

Subject Site:  
12 Sunbeam  
Cres, Beaumaris,  
TAS 7215  
Lot 27 RP 62599

Date Prepared:  
26th July 2023

Drawing: 1100

Revision:

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info@funkyshack.com.au  
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- NOTES:
- ALL RELEVANT CODES INCLUDING AUSTRALIAN STANDARDS, NATIONAL CONSTRUCTION CODE, AND ALL LOCAL GOVERNMENT CODES INCLUDING QLD DEVELOPMENT CODE ARE TO BE COMPLIED WITH
  - ALL FRAMING TO COMPLY WITH ENGINEERED SPECIFICATIONS
  - N2 NON-CYCLONIC
  - STAIRS TO COMPLY WITH NCC
  - ALL DIMENSIONS TO BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION.
  - DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ENGINEERS DRAWINGS
  - TERMITE TREATMENT TO COMPLY WITH AS3660
  - WINDOWS TO N2 NON-CYCLONIC
  - BUILDER IS RESPONSIBLE FOR ENSURING BUILDING IS WATERTIGHT
  - ENSURE WATER DRAINS AWAY FROM BUILDING
  - ALL WINDOW OPENINGS MUST BE PROTECTED TO NCC REQUIREMENTS
  - PROTECT BEARERS AND JOISTS AS PER MANUFACTURERS INSTRUCTIONS
  - BAL RATING: TBA
  - ALL METAL FIXINGS TO BE HOT DIPPED GALV OR MARINE GRADE STAINLESS STEEL

LEGEND:

|      |                   |
|------|-------------------|
| CONC | CONCRETE          |
| TP   | 90x90 TIMBER POST |
| SHS  | 90 STEEL POST     |
| C    | CARPET            |
| TF   | TILED FLOOR       |
| VF   | VINYL FLOOR       |
| BR   | BROOM CUPBOARD    |
| WM   | WASHING MACHINE   |
| DP   | DOWNPIPE LOCATION |
| SD   | SLIDING DOOR      |
| SW   | SLIDING WINDOW    |
| LW   | LOUVRE WINDOW     |
| F    | FRIDGE SPACE      |
| P    | PANTRY            |
| MW   | MICROWAVE OVEN    |
| CT   | COOK TOP          |
| DW   | DISHWASHER        |
| RH   | RANGEHOOD         |
| LIN  | LINEN CUPBOARD    |
| SHR  | SHOWER            |

## Floor Plan Ground Level

Applicant:  
Harry Franks

Drawn by: LT

Scale: As indicated

Subject Site:  
12 Sunbeam  
Cres, Beaumaris,  
TAS 7215  
Lot 27 RP 62599

Date Prepared:  
26th July 2023

Drawing: 2000

Revision:

### NOTES

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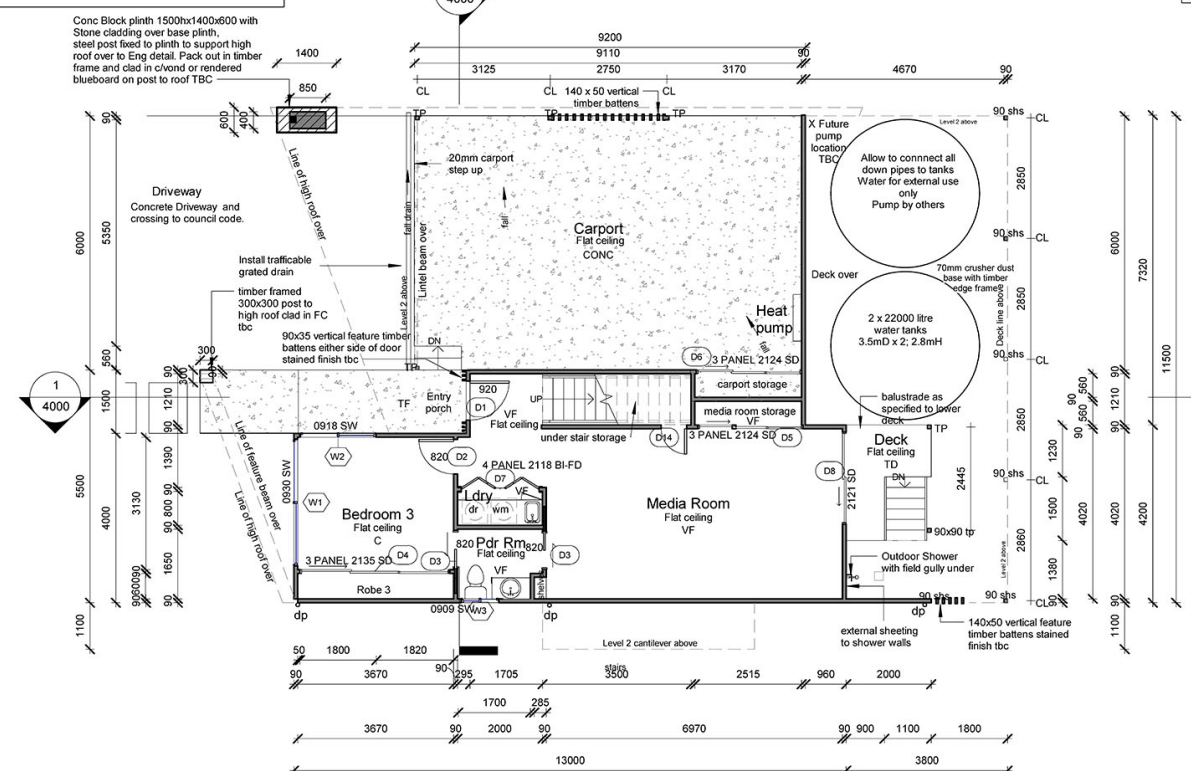
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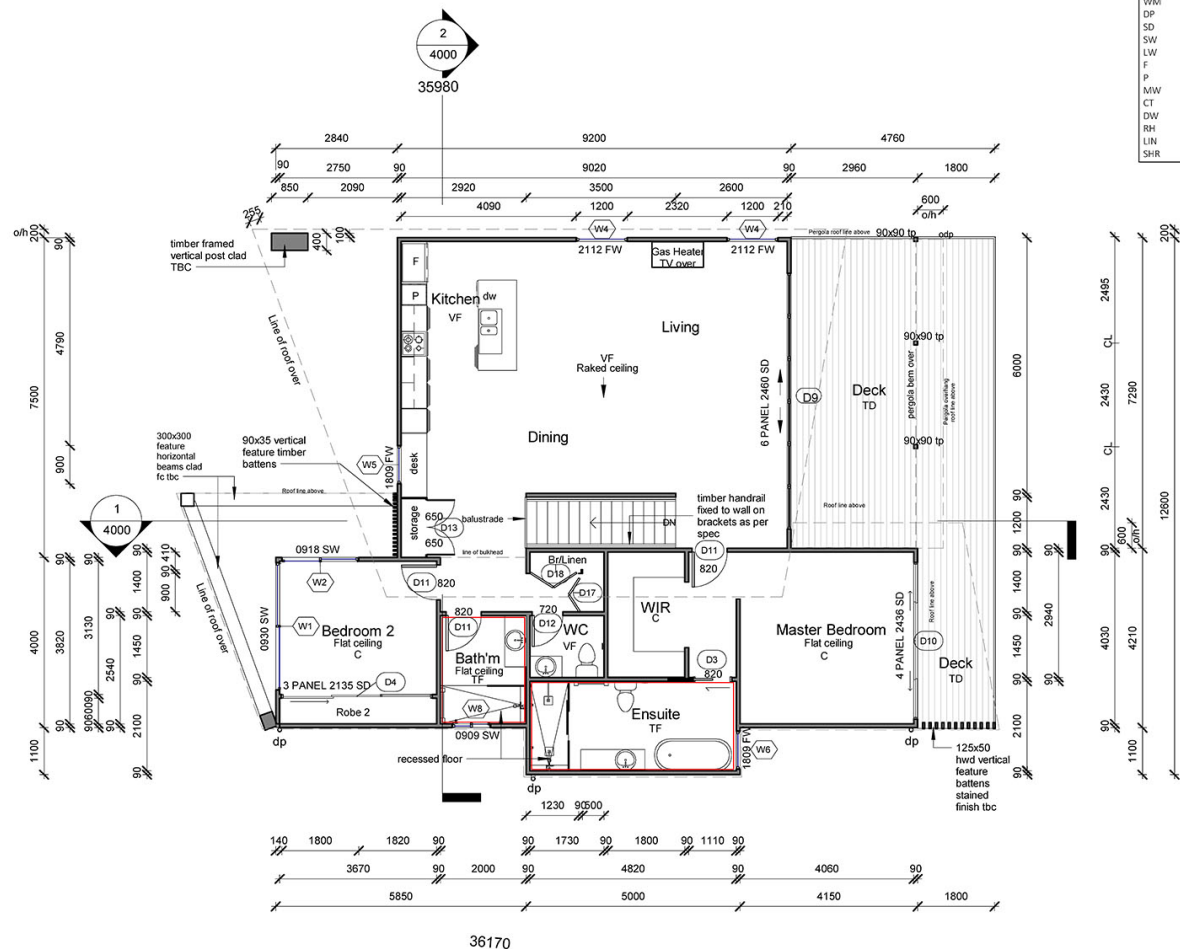


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Ph: (07) 5679 6171  
info@funky littleshack.com.au  
QBCC Lic: 15086954



1 Ground Level Plan  
1 : 100



LEGEND:

|      |                   |
|------|-------------------|
| CONC | CONCRETE          |
| TP   | 90x90 TIMBER POST |
| SHS  | 90 STEEL POST     |
| C    | CARPET            |
| TF   | TILED FLOOR       |
| VF   | VINYL FLOOR       |
| BR   | BROOM CUPBOARD    |
| WM   | WASHING MACHINE   |
| DP   | DOWNPIPE LOCATION |
| SD   | SLIDING DOOR      |
| SW   | SLIDING WINDOW    |
| LW   | LOUVRE WINDOW     |
| F    | FRIDGE SPACE      |
| P    | PANTRY            |
| MIW  | MICROWAVE OVEN    |
| CT   | COOK TOP          |
| DW   | DISHWASHER        |
| RH   | RANGEHOOD         |
| LIN  | LINEN CUPBOARD    |
| SHR  | SHOWER            |

## Floor Plan Level 2

Applicant:  
Harry Franks

Drawn by: LT

Scale: As indicated

Subject Site:  
12 Sunbeam  
Cres, Beaumaris,  
TAS 7215  
Lot 27 RP 62599

Date Prepared:  
26th July 2023

Drawing: 2001

Revision:

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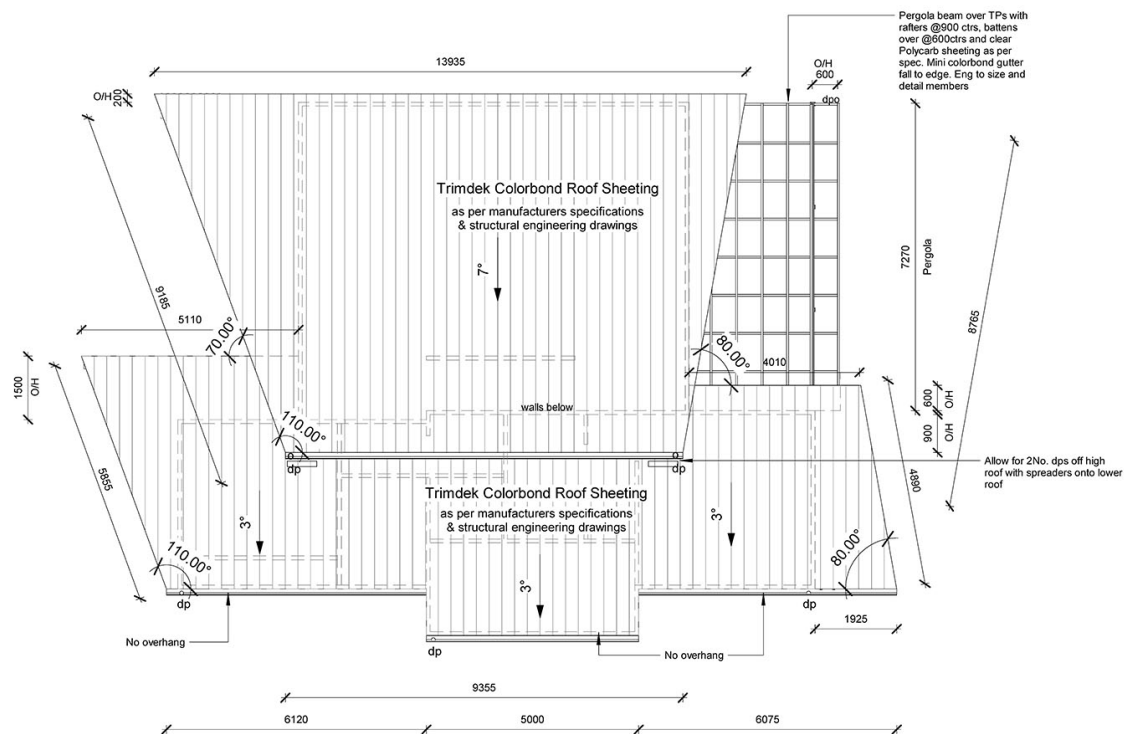
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info@funky littleshack.com.au  
QBCC Lic: 15098934



1 Roof Plan  
1 : 100

## Roof Plan

Applicant:  
Harry Franks

Drawn by: LT

Scale: As indicated

Subject Site:  
12 Sunbeam  
Cres, Beaumaris,  
TAS 7215  
Lot 27 RP 62599

Date Prepared:  
26th July 2023

Drawing: 2100

Revision:

### NOTES

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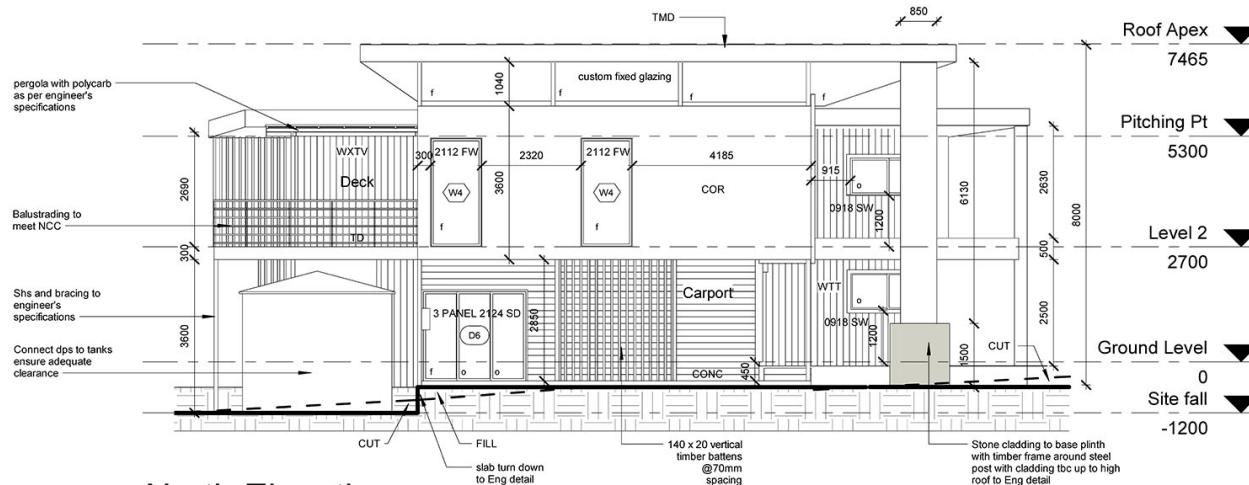
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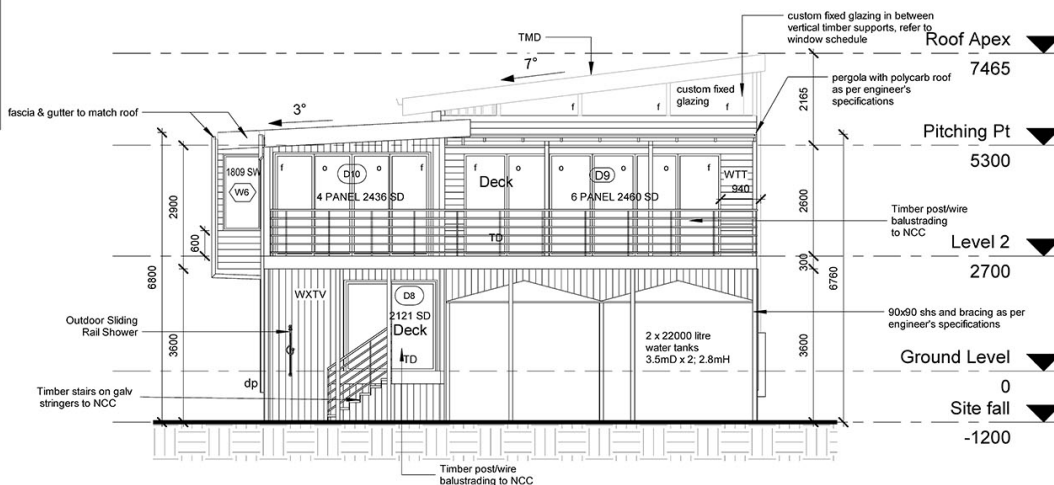
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info@funky littleshack.com.au  
ORCC Lic: 15086954



1 North Elevation  
1 : 100

|      |                                 |
|------|---------------------------------|
| WXTV | Weatherex Cladding - Vertical   |
| WTT  | Timber Cladding TBC- Horizontal |
| COR  | Corten Cladding                 |
| TP   | Timber Posts 90x90              |
| SHS  | Steel Posts 90x90               |
| CONC | Concrete                        |
| TMD  | Trimdek                         |
| PYC  | Polycarbonate sheet             |
| CBS  | Colorbond sheet                 |



2 East Elevation  
1 : 100

## Elevations 1

Applicant:  
Harry Franks

Drawn by: LT

Scale: 1 : 100

Subject Site:  
12 Sunbeam  
Cres, Beaumaris,  
TAS 7215  
Lot 27 RP 62599

Date Prepared:  
26th July 2023

Drawing: 3000

Revision:

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Ph: (07) 5679 6171  
info@funkyshack.com.au  
QBCC Lic: 15096934





## Door & Window Schedules

Applicant:  
Harry Franks

Drawn by: LT

Scale:

Subject Site:  
12 Sunbeam  
Cres, Beaumaris,  
TAS 7215  
Lot 27 RP 62599

Date Prepared:  
26th July 2023

Drawing: 3100

Revision:

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info@funky littleshack.com.au  
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### DOOR SCHEDULE

| NO. | LOCATION                             | HEIGHT | WIDTH | QTY | DESCRIPTION                                    |
|-----|--------------------------------------|--------|-------|-----|--|
| D1  | ENTRY                                | 2100   | 920   | 1   | TIMBER HINGED FRONT DOOR WITH GLASS PANEL      |
| D2  | BEDROOM 3                            | 2100   | 820   | 1   | 820 SINGLE HINGED DOOR                         |
| D3  | PDR RM/ENSUITE                       | 2100   | 820   | 3   | 820 CAVITY SLIDING DOOR                        |
| D4  | ROBE 2 & 3                           | 2100   | 3450  | 2   | 3 PANEL SLIDING DOOR                           |
| D5  | MEDIA ROOM STORAGE                   | 2100   | 2400  | 1   | 3 PANEL SLIDING DOOR                           |
| D6  | GARAGE STORAGE                       | 2100   | 2400  | 1   | 3 PANEL SLIDING DOOR                           |
| D7  | LAUNDRY                              | 2100   | 1830  | 1   | 4 PANEL BI-FOLD DOOR                           |
| D8  | MEDIA ROOM                           | 2100   | 2100  | 1   | 2 PANEL GLAZED SLIDING DOORS w/SECURITY SCREEN |
| D9  | LIVING                               | 2400   | 6000  | 1   | 6 PANEL GLAZED SLIDING DOORS w/SECURITY SCREEN |
| D10 | MASTER BEDROOM                       | 2400   | 3600  | 1   | 4 PANEL GLAZED SLIDING DOORS w/SECURITY SCREEN |
| D11 | MASTER BEDROOM/BEDROOM2/BAHTRROOM/WC | 2100   | 820   | 3   | 820 SINGLE HINGED DOOR                         |
| D12 | WC                                   | 2100   | 720   | 1   | 720 SINGLE HINGED DOOR                         |
| D13 | STORAGE                              | 2100   | 650   | 2   | 460 MELAMINE SINGLE HINGED DOOR                |
| D14 | STORAGE                              | 1500   | 600   | 1   | HINGED STORE DOOR UNDER STAIR COS              |
| D17 | BR.LINEN                             | 2100   | 900   | 1   | 2 PANEL BI FOLDING DOOR                        |
| D18 | BR.LINEN                             | 2100   | 1200  | 1   | 2 PANEL BI FOLDING DOOR                        |

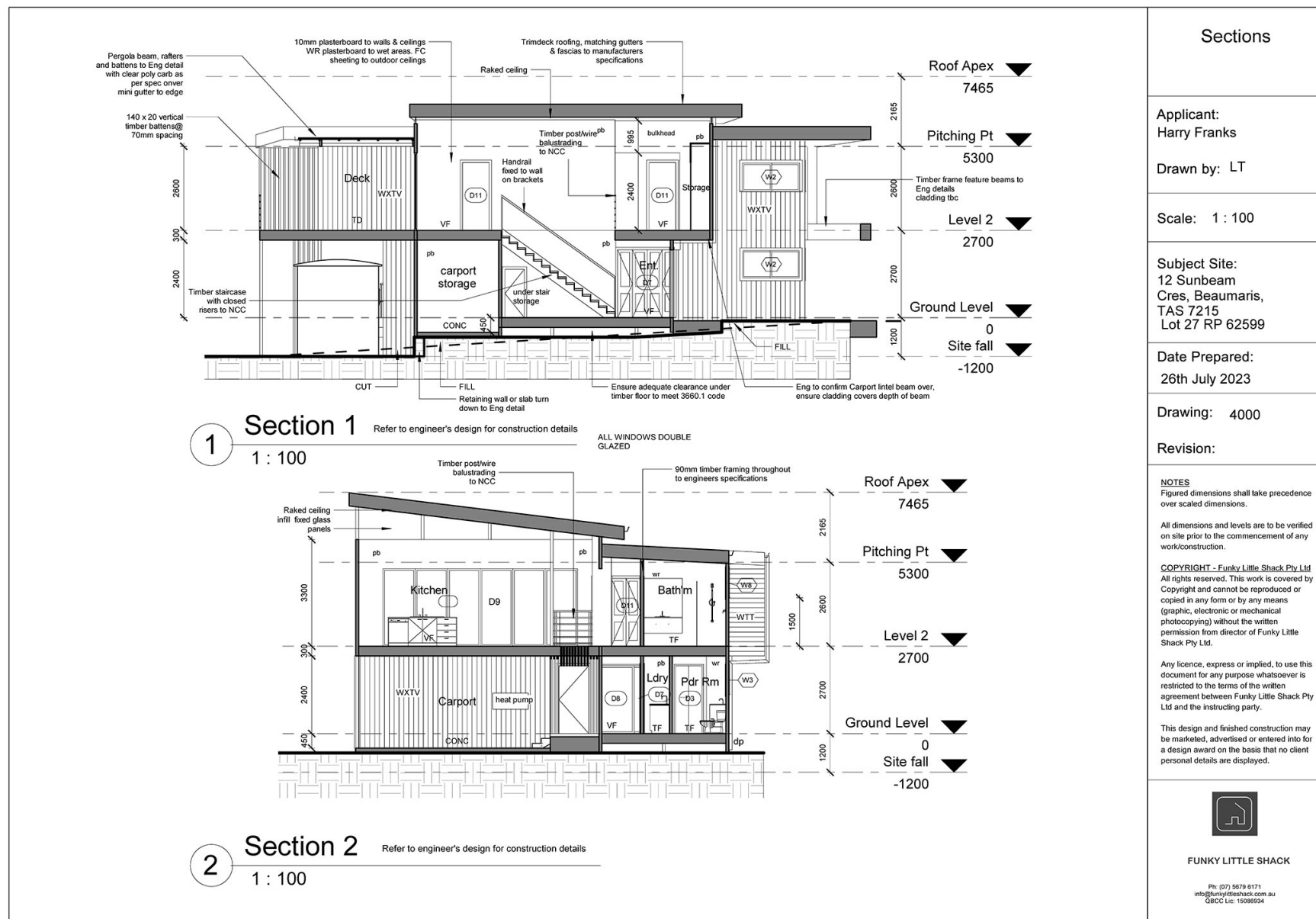
ALL GLASS DOORS TO BE DOUBLE GLAZED

ALL WINDOWS TO BE DOUBLE GLAZED

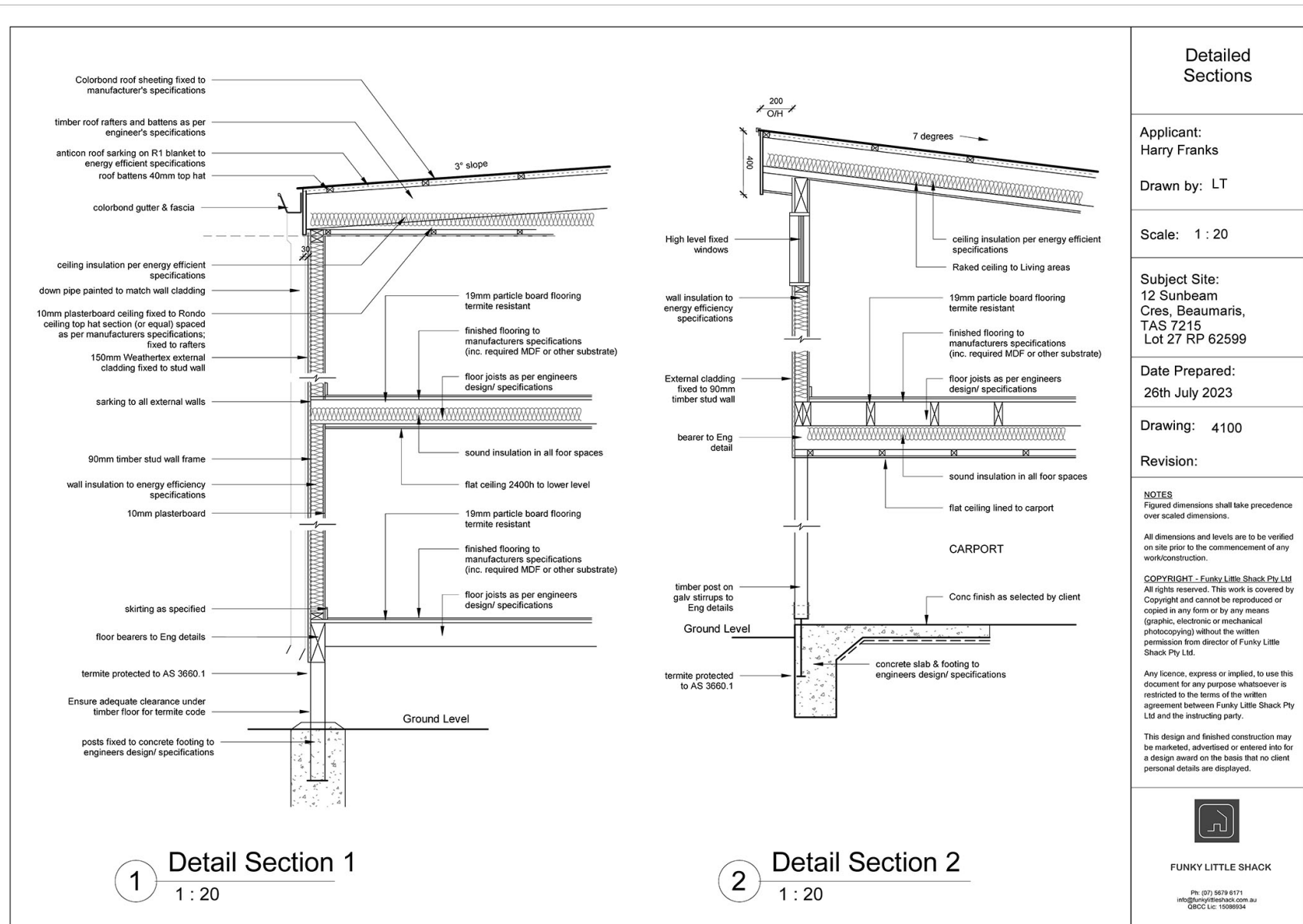
### WINDOW SCHEDULE

| NO. | LOCATION       | HEIGHT | WIDTH | SILL HT | QTY | DESCRIPTION                      |
|-----|----------------|--------|-------|---------|-----|----------------------------------|
| W1  | BEDROOMS 2 & 3 | 900    | 3000  | 1200    | 2   | SLIDING WINDOW w/SECURITY SCREEN |
| W2  | BEDROOMS 2 & 3 | 900    | 1800  | 1200    | 2   | SLIDING WINDOW w/SECURITY SCREEN |
| W3  | PDR RM         | 900    | 900   | 1200    | 1   | SLIDING WINDOW w/SECURITY SCREEN |
| W4  | LIVING         | 2550   | 1200  | 0       | 2   | FIXED WINDOW                     |
| W5  | KITCHEN        | 1800   | 900   | 950     | 1   | SLIDING WINDOW w/SECURITY SCREEN |
| W6  | ENSUITE        | 1800   | 900   | 600     | 1   | SLIDING WINDOW w/SECURITY SCREEN |
| W7  | KITCHEN        | 600    | 4500  | 2150    | 1   | FIXED WINDOW                     |
| W8  | BATHROOM       | 900    | 900   | 1500    | 1   | SLIDING WINDOW w/SECURITY SCREEN |

**HIGH LEVEL FIXED WINDOWS-**  
11 Panels of fixed glass between structural post above the Living area walls up to the soffits. Refer elevations.  
3 to West, 3 to East and 4 to North Elevations. Check on measurements on site.  
All panels to be double glazed







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.

08/23.7.0

## COUNCIL MEETING ACTIONS

08/23.7.1

## Outstanding Matters



## COUNCIL RESOLUTIONS - MEETINGS - PUBLIC

15/08/2023

25

GOALS

69%

GOAL COMPLETION

## COUNCIL RESOLUTIONS PLAN

## COUNCIL RESOLUTIONS - JULY 2023

| Current Co... | Meeting ... | Due D...   | Goal  | Resolution / Action   | Update  | Owner                            |
|---------------|-------------|------------|---|---|---|----------------------------------|
| 100%          | 17/07/2023  | 31/08/2023 | 07/23.6.1.162 DA 078-2023 Residential - Shipping Container  | After due consideration of the application received and Pursuant to Section 57 of the <i>Land Use Planning &amp; Approvals Act 1993</i> and the <i>Break O'Day Interim Planning Scheme 2013</i> that the application for Residential - Shipping Container on land situated at 28 Freshwater Street, Beaumaris described in Certificate of Title 155447/3 be APPROVED subject to the following conditions:         | Planning Permit issued 20th July 2023   | Development Services Coordinator |
| 100%          | 17/07/2023  | 31/08/2023 | 07/23.6.2.163 DA 108-2023 Development of St Helens Police Station   | After due consideration of the representations received pursuant to Section 57 of the <i>Land Use Planning &amp; Approvals Act 1993</i> and the <i>Break O'Day Council Interim Planning Scheme 2013</i> that the application for Emergency Services – Police Station on land situated at 2 Annie Street, St Helens described in Certificate of Title CT 173142/2 be APPROVED subject to the following conditions: | Planning Permit issued 20th July 2023.  | Development Services Coordinator |
| 100%          | 17/07/2023  | 31/08/2023 | 07/23.6.3.184 DA 276-2022 Residential - Construction of Dwelling Additions & Alterations, Garage, Deck and Additional Crossover | That Council defer consideration of this item until the Council Meeting of 21 August 2023.  | Item deferred and an extension of time has been agreed with the applicant including arrangement of mediation in relation to the representation. | Development Services Coordinator |
| 100%          | 17/07/2023  | 31/08/2023 | 07/23.13.4.169 Review of Council Delegations  | That having conducted a review of Council's Delegations Register in accordance with Section 22 of the <i>Local Government Act 1993</i> , the Council adopt the Delegations Register dated May 2023.   | Policy updated and uploaded to Councils records management system and website.  | Corporate Services Coordinator   |

| Current Co... | Meeting ... | Due D...   | Goal  | Resolution / Action  | Update   | Owner                          |
|---------------|-------------|------------|---|--|--|--------------------------------|
| 100%          | 17/07/2023  | 31/08/2023 | <b>07/23.15.2.173 Review of the Banner Infrastructure Hire Policy – CB05</b>  | That Policy CB05 be amended as follows:<br><br>1. Change the name of the Policy from Banner Pole Hire Policy to Banner Infrastructure Hire Policy;<br>2. Include the Cecilia Street banner infrastructure within the policy; and<br>3. An indemnity clause that if a banner is damaged it is not the responsibility of Break O'Day Council.  | Policy updated and uploaded to Councils records management system and website.   | Corporate Services Coordinator |
| 100%          | 17/07/2023  | 31/08/2023 | <b>07/23.15.3.174 Transfer assets used by Break O'Day SES Unit to Department of Police, Fire and Emergency Management (DPFEM)</b> | 1. That Council approve the transfer of ownership of the following vehicles to the Department of Police, Fire and Emergency Management (DPFEM) which are currently owned by Break O'Day Council:<br><ul style="list-style-type: none"> <li>• Canter Rigid Truck</li> <li>• Car trailer</li> <li>• Holden Rodeo Utility</li> <li>• Mario Box Trailer</li> </ul> 2. That Council does not transfer the funds received through an insurance claim from a vehicle owned by Break O'Day Council which was used by the SES Unit, that was written off in the sum of \$9,541.82 (ex GST) to the Department of Police, Fire and Emergency Management (DPFEM).<br>3. That Council consider not entering into any further Memorandum of Understandings (MOU) once the current MOU expires on 30 June 2024. | SES Regional Manager North advised of Council decision to transfer assets and its position on the other matters.   | Community Services Officer     |
| 33%           | 17/07/2023  | 31/08/2023 | <b>07/23.15.4.175 Lease of Public Land under S.178 Local Government Act – Elizabeth Street, Mangana</b>                           | That in making this resolution, Council has considered all objections lodged against this lease and that Council under Section 178 of the <i>Local Government Act 1993</i> authorise the General Manager to lease part of Certificate of Title Volume 203723 Folio 5 being land situate in Elizabeth Street, Mangana for the purpose of the construction of a small cell mobile tower.   | Notice of Council's decision provided to the representor advising of the Appeal period.  | Community Services Officer     |
| 100%          | 17/07/2023  | 31/08/2023 | <b>07/23.16.2.177 Sponsor Community to Attend Landcare Conference</b>   | That Council support new and existing environmental volunteers in the Break O'Day community to attend the <i>Tasmanian Community Landcare Conference 2023</i> by providing ticket bursaries with Landcare Tasmania to the value of \$1040 and that recipients be determined by the General Manager.  | Council has sponsored ticket bursaries to support new and existing environmental volunteers in the Break O'Day community to attend the <i>Tasmanian Community Landcare Conference 2023</i> in October. Landcare Tasmania will advise Council of applicants nearer the Conference date. | NRM Facilitator                |
| 100%          | 17/07/2023  | 31/08/2023 | <b>07/23.17.2.180 Future of Local Government Review – Stage 2 Interim Report</b>  | That Council endorse the submission on the <i>Future of Local Government Review – Stage 2 Interim Report</i> based on the feedback provided at the Council meeting.  | Submission lodged as discussed with Council at the meeting and with the Community engagement report included   | General Manager                |
| 100%          | 17/07/2023  | 31/08/2023 | <b>07/23.17.3.181 Local Government Association of Tasmania (LGAT) – General Meeting November 2023 – Call for Motions Report</b>   | Council to submit a motion to the Local Government Association of Tasmania regarding a review of Parks and Wildlife Services and Crown Land Services including resourcing levels.  | Submission of motion finalised and submitted on 24/7/23.   | General Manager                |

| Current Co... | Meeting ... | Due D...   | Goal  | Resolution / Action  | Update  | Owner           |
|---------------|-------------|------------|---|--|---|-----------------|
| 100%          | 17/07/2023  | 31/08/2023 | <b>07/23.17.4.182 East Coast Tasmania Tourism – Memorandum of Understanding</b>   | That Council endorse the Memorandum of Understanding with East Coast Tasmania Tourism for the period 1 July 2023 to 30 June 2025   | Memorandum of Understanding has been finalised  | General Manager |
| 100%          | 17/07/2023  | 31/08/2023 | <b>07/23.17.5.183 Break O Day Aquatic Committee – Representatives Appointment</b> | That Council appoint the following representatives to the Break O'Day Aquatic Committee:<br>1. Representatives from the community, Elise Frost and Tim Gowans and Christine Treloggen<br>2. Representative from the health sector, Sally Faulkner<br>3. Representatives from Council, Councillor Carter and Councillor Johnstone and Councillor Drummond<br>4. Representative from East Coast Aquatic and Wellbeing Committee, Peter Tonkin<br>That Council agree to the East Coast Aquatic and Wellbeing Committee's request for a second representative on the Committee and that Fiona Gray be appointed. | The outcome of the process for Expressions of Interest has been communicated to the interested parties and announced in Council's newsletter. | General Manager |

## COUNCIL RESOLUTIONS - JUNE 2023

| Current Co... | Meeting ... | Due D...   | Goal   | Resolution / Action  | Update   | Owner                            |
|---------------|-------------|------------|--|--|--|----------------------------------|
| 25%           | 26/06/2023  | 31/07/2023 | <b>06/23.9.2.131 Online Access Centre Funding – Cllr Carter</b>                | That Council write to the State Government requesting:<br>1. A definitive answer about the future funding of Online Access Centres in the Break O'Day area beyond the completion of the current funding contract expiring on 30 June 2024.<br>2. An explanation of the Hub approach that the Minister mentioned in a meeting with the Mayor and Acting General Manager in February 2023.<br>3. Clear articulation to the affected communities and relevant service providers of the State Government's plans for the future delivery of services currently delivered by Online Access Centres at St Helens, St Marys and Fingal including how and who will be delivering these services and what services may be lost under the new approach. The articulation should include the financial consequences of establishing Hubs and the efforts that will be undertaken to seek ratepayer and service provider input | Letter developed and sent to the Minister  | General Manager                  |
| 25%           | 26/06/2023  | 29/02/2024 | <b>06/23.16.3.154 Draft Municipal By-Law &amp; Regulatory Impact Statement</b> | 1. In accordance with section 156 of the Local Government Act 1993, Council resolves to make a by-law for the regulation of refuse disposal sites, household refuse disposal, animal control, caravans and control of burning, and<br>2. Proceed to forward decision and draft documents to the Director of Local Government for certification under Section 156A(6) of the Local Government Act, and<br>3. Subsequent to the director of the office of local government certification, proceed to notification and seek community submissions for consideration.  | By-Law and Updated decision forwarded to Office of Local Government for certification. Subsequent to the certification the consultation phase will commence. | Development Services Coordinator |

## COUNCIL RESOLUTION MAY 2023

| Current Co... | Meeting ... | Due D...   | Goal   | Resolution / Action   | Update  | Owner           |
|---------------|-------------|------------|--|---|---|-----------------|
| 50%           | 15/05/2023  | 30/06/2023 | <b>05/23.17.6 Economic Development Strategy Review</b> | That Council<br>1. Allocate funding within the 2023-2024 budget for the development of an Economic Development Strategy<br>2. Undertake an Expression of Interest (EOI) for a consultant to develop the Economic Development Strategy | Funding allocation included within draft 2023-24 Budget. Draft Consultants Brief has been prepared. | General Manager |

## COUNCIL RESOLUTIONS APRIL 2023

| Current Co... | Meeting ... | Due D...   | Goal  | Resolution / Action   | Update  | Owner                            |
|---------------|-------------|------------|---|---|---|----------------------------------|
| 48%           | 17/04/2023  | 30/04/2023 | <b>04/23.15.3 Review of the Community Facility Hire Policy – CB07</b> | That Council nominate Councillors Drummond, Oldham, Johnstone, Carter, Wright to work with Community Services staff to review Policy CB07 – Section 2 – Hirer Categories & Concessions. | Another meeting has been organised for July with the relevant Councillor. | Manager<br>Community<br>Services |



## COUNCIL RESOLUTIONS - MARCH 2023

| Current Co... | Meeting ... | Due D...   | Goal  | Resolution / Action   | Update  | Owner   |
|---------------|-------------|------------|---|---|---|---|
| 11%           | 20/03/2023  | 30/06/2023 | <b>03/23.9.1 Submission from St Marys Dog Group – Cllr Drummond</b> | To provide acknowledgement and consider the submission from the St Marys Dog's Group for two dog exercise areas in St Marys.<br>That Council acknowledge the submission of the St Marys Dog group, of the preferred dog exercise areas, in St Marys; and consider including the proposed areas as part of the municipal Dog Management Policy.  | Alternative potential sites for dog exercise area under assessment. Council to be briefed on options at October Council Workshop.   | Manager Infrastructure and Development Services |
| 36%           | 20/03/2023  | 30/06/2023 | <b>03/23.15.7 St Helens Sports Complex</b>                          | 1. That Council engage a landscape architect to design connectivity between the various areas of the St Helens Sports Complex identifying what amenities are required to service the area and its users as well as ensuring green spaces and vegetation management are addressed as part of the project.<br>2. That funds from Public Open Space – St Helens be used to engage a landscape architect to undertake this project. | Meeting has been organised with staff to start developing a Brief for this project so that Expressions of Interest can be obtained in line with community feedback and usage. | Manager Community Services                      |



## COUNCIL RESOLUTIONS FEBRUARY 2023

| Current Co... | Meeting ... | Due D...   | Goal   | Resolution / Action  | Update   | Owner                          |
|---------------|-------------|------------|--|--|--|--------------------------------|
| 75%           | 20/02/2023  | 31/03/2023 | <b>02/23.15.6 Policy AM21 – Single Use Plastics Policy</b> | <ol style="list-style-type: none"> <li>1. That a longer time frame be considered for community members who are participating in events and activities to implement the Single Use Plastic Policy.</li> <li>2. That Council undertaking more extensive community engagement with community groups as to what options are available for them to use when replacing current single use plastics.</li> </ol> | Council approved a longer time frame to enforce the Soft Plastics Policy with our community and engagement has commenced with market groups and leasees of Council owned facilities. | Manager Community Services     |
| 100%          | 20/02/2023  | 31/05/2023 | <b>02/23.17.4 Future Aquatic Facility Investigation</b>    | <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Adopt the Break O'Day Council Future Aquatic Facility Strategy Project Methodology (January 2023) for implementation</li> <li>2. Endorse the Terms of Reference for the Aquatic Facility Investigation Working Group and seek expressions of interest to fill the positions</li> </ol>  | Expression of Interest process completed for the Working Group.  | General Manager                |
| 20%           | 20/02/2023  | 30/06/2023 | <b>02/23.17.5 Live Streaming of Council Meetings</b>       | <ol style="list-style-type: none"> <li>1. That Council resolve to implement Live Streaming of Council Meetings; and</li> <li>2. That the cost for the implementation for associated hardware and software be considered as part of the 2023-2024 budget deliberations.</li> </ol>  | Draft Revised Meeting Procedures Guidelines are listed on the August Council Workshop for discussion.  | Corporate Services Coordinator |

## COUNCIL RESOLUTIONS 2022

| Current Co... | Meeting ... | Due D...   | Goal   | Resolution / Action   | Update   | Owner                            |
|---------------|-------------|------------|--|---|--|----------------------------------|
| 65%           | 21/02/2022  | 31/03/2022 | <b>02/22.16.5.39 - Management of Freshwater Resources and Water Quality</b>        | Council show leadership on freshwater management arrangements and seek input and advice from state water managers and independent experts on freshwater management arrangements and development initiatives in Tasmania, and their adequacy for ensuring the ecologically sustainable use and development of freshwater systems and resources in Break O'Day. | Activities to bring information and advice on state water resources and water quality management to Break O'Day through Council remain to be developed. The NRM Committee is continuing to investigate recent issues, such with Taswater regarding sewage discharges into St Marys Rivulet. Concerns remain for critical reviews and claims of poor freshwater and river management by the Tasmanian Government agencies and bodies. | NRM Facilitator                  |
| 75%           | 27/06/2022  | 31/10/2022 | <b>06/22.15.3.123 - Outdoor Exercise Equipment - Scamander</b>                     | That Council seek external funding to cover the cost of this project.   | The committee who is looking at projects for the area where the old bridge was removed have approved two pieces of gym equipment to be placed in the open space which is currently being reinstate green area  | Manager<br>Community<br>Services |
| 50%           | 21/11/2022  | 30/06/2023 | <b>11/22.16.6 Community Communications support for Off Road Vehicle Management</b> | That Council provide public information and education support to the efforts being made by the Parks and Wildlife Service, private landholders and NRM North to control illegal off road vehicles on St Helens Point.   | Councils Communications Coordinator and NRM Facilitator will develop public communications on Off Road Vehicle issues for the ahead of the summer season, in collaboration with the Parks and Wildlife Service and other stakeholders.   | NRM Facilitator                  |

## COUNCIL RESOLUTIONS 2021

| Current Co... | Meeting ... | Due D...   | Goal  | Resolution / Action  | Update  | Owner             |
|---------------|-------------|------------|---|--|---|-------------------|
| 10%           | 15/02/2021  | 31/08/2021 | <b>02/21.16.4.50 - Draft Policy LG55 – Use of Conferencing Technology to Attend Council Meetings and Workshops Policy</b> | That Council note the draft Policy LG55 – Use of Conferencing Technology to Attend Council Meetings and Workshops Policy and await the outcome of the Local Government Act review. | On hold until the Local Government Act Review is completed. | Executive Officer |

| ACTION                           | DECISION                    |
|----------------------------------|-----------------------------|
| PROPONENT                        | Residents/Ratepayers        |
| OFFICER                          | John Brown, General Manager |
| FILE REFERENCE                   | 011\016\002\                |
| ASSOCIATED REPORTS AND DOCUMENTS | Petition                    |

**OFFICER'S RECOMMENDATION:**

That Council receive the petition.

**INTRODUCTION:**

The petition was received on 31 July 2023 and proposed the following:

“Petition urging the abandonment of the proposed Social Housing Development in Fingal.

We attach for your attention a petition representing the views of 84 local residents and workers in relation to the proposed social housing development in Fingal.

A group of concerned local residents has held a number of informal meetings to discuss the proposal since the Council announced its plans at the Fingal Neighbourhood House some months ago.

We firmly believe that additional social housing would place an inappropriate and unnecessary burden on the town.

In the absence of any feasibility study from the Council (despite our requests), we have taken the time to gather supporting data ourselves.

The text of the petition details our concerns about the impracticalities and negative impact on a community that is already poorly served by essential services.

If the Council is genuinely interested in a duty of care to residents of the municipality, we believe that social housing should be located within easy access of essential services. Fingal does not meet this criterion.

We are also concerned by the lack of dialogue and consultation. Concerned Fingal residents have written to the Council on several occasions since the meeting raising concerns.

The letters, according to the responses we have received, have been sent to the proposed housing provider. To our knowledge, there has been no response whatsoever to the detailed queries we have raised.

Furthermore, we have heard nothing proactively from Council members since the consultation meeting months ago. No timeline, no indication of next steps, no feasibility study, no meaningful response to our questions.”

#### PREVIOUS COUNCIL CONSIDERATION:

Nil

#### OFFICER’S REPORT:

The petition was proposed by Fingal residents. A formal contact was not provided however the letter was signed by Peter Simmonds, John Vincent and Hamish Thompson and one other but we were unable to identify their name from their signature. Council staff notified Hamish Thompson and John Vincent of receipt of the petition, as we already had contact details for them when they wrote to us regarding the Social Housing Project

The petition does not meet the requirements of Section 57 of the *Local Government Act 1993*.

As per Section 57(2)(e)(i) the petition does not meet the legislative requirements as there are a total of 85 signatures which form this part of the petition and following a cross check with the Electoral Roll dated 8 September 2022 there was the following breakdown:

|                       |    |
|-----------------------|----|
| On Electoral Roll     | 59 |
| Not on Electoral Roll | 26 |

The total number of signatories required under Section 57 of the *Local Government Act 1993* is “5% of the electors of the Municipal area or 1,000 of those electors whichever is the lesser”. The current number on the Electoral Roll as at the 8 September 2022 is 5,414 which calculates to a minimum of 271 eligible signatories for the 5%.

Council officers note that that the letter states:

*“We are also concerned by the lack of dialogue and consultation. Concerned Fingal residents have written to the Council on several occasions since the meeting raising concerns.*

*The letters, according to the responses we have received, have been sent to the proposed housing provider. To our knowledge, there has been no response whatsoever to the detailed queries we have raised.”*

Council staff would like to clarify that in-terms of consultation for this project:

- Council staff and Centacare staff met with adjoining property owners at their property where we discussed their concerns and worked through them to find solutions.
- Centacare and Council staff held a community information session in Fingal.
- Responded to all concerns raised with Council from residents regarding the project.

Staff would like to confirm with Councillors that all residents who wrote to Council regarding the Social Housing Project received formal responses from Council. We also forwarded residents

correspondence to Centacare Evolve. We also mentioned in our responses to residents that they should contact Centacare Evolve directly and we provided an email and phone contact.

## STRATEGIC PLAN & ANNUAL PLAN:

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

#### 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 sectors.

#### Strategy

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

### Break O Day Annual Plan 2023 – 2024

#### *Key Focus Area:*

Housing – Develop and understanding of housing needs; advocate for and facilitate the construction of a range of housing solutions.

#### *Action*

2.4.2.4 Council Investment – Examine and pursue opportunities for greater Council involvement in the provision of housing.

2.4.2.5 Public and Emergency Housing – Lobby and work with the State Government and housing providers to build new affordable housing and emergency housing.

## LEGISLATION & POLICIES:

Section 57, *Local Government Act 1993*.

### **57. Petitions**

- (1) *A person may lodge a petition with a council by presenting it to a councillor or the general manager.*
- (2) *A person lodging a petition is to ensure that the petition contains –*
  - (a) *a clear and concise statement identifying the subject matter and the action requested; and*
  - (b) *in the case of a paper petition, a heading on each page indicating the subject matter; and*
  - (c) *in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and*
  - (d) *a statement specifying the number of signatories; and*
  - (e) *at the end of the petition –*
    - (i) *in the case of a paper petition, the full name, address and signature of the person lodging the petition; and*
    - (ii) *in the case of an electronic petition, the full name and address of the person lodging the petition and a statement by that person certifying that the*



*statement of the subject matter and the action requested, as set out at the beginning of the petition, has not been changed.*

(3) *In this section –*

**electronic petition** *means a petition where the petition is created and circulated electronically and the signatories have added their details by electronic means;*

**paper petition** *means a petition where the petition is created on paper which is then circulated and to which the signatories have added their details directly onto the paper;*

**petition** *means a paper petition or electronic petition;*

**signatory** *means –*

(a) *in the case of a paper petition, a person who has added his or her details to the paper petition and signed the petition; and*

(b) *in the case of an electronic petition, a person who has added his or her details to the electronic petition.*

#### **BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

There are no financial implications in adopting the Officer's Recommendation.

#### **VOTING REQUIREMENTS:**

Simple Majority

Break O'Day Council  
32-34 Georges Bay Esplanade  
St Helens Tasmania 7216

For the attention of elected Council Members: Mick Tucker, Kristi Chapple, Ian Carter, Gary Barnes, Vaughan Oldham, Liz Johnstone, Janet Drummond, Barry Le Fevre, Kylie Wright

DELIVERED BY HAND

31 July, 2023

Dear Council Members

**PETITION URGING THE ABANDONMENT OF THE PROPOSED  
SOCIAL HOUSING DEVELOPMENT IN FINGAL**

We attach for your attention a petition representing the views of 84 local residents and workers in relation to the proposed social housing development in Fingal.

A group of concerned local residents has held a number of informal meetings to discuss the proposal since the Council announced its plans at the Fingal Neighbourhood House some months ago.

We firmly believe that additional social housing would place an inappropriate and unnecessary burden on the town.

In the absence of any feasibility study from the Council (despite our requests) we have taken the time to gather supporting data ourselves.

The text of the petition details our concerns about the impracticalities and negative impact on a community that is already poorly served by essential services.

If the Council is genuinely interested in a duty of care to residents of the municipality, we believe that social housing should be located within easy access of essential services. Fingal does not meet this criterion.

We are also concerned by the lack of dialogue and consultation. Concerned Fingal residents have written to the Council on several occasions since the meeting raising concerns.

The letters, according to the responses we have received, have been sent to the proposed housing provider. To our knowledge, there has been no response whatsoever to the detailed queries we have raised.

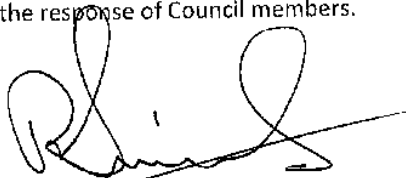
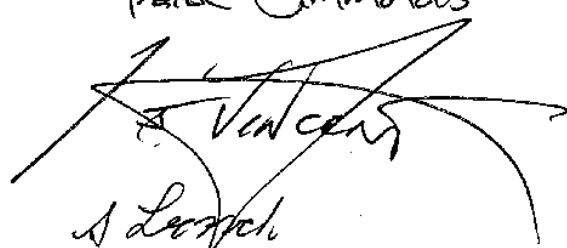


Furthermore, we have heard nothing proactively from Council members since the consultation meeting months ago. No timeline, no indication of next steps, no feasibility study, no meaningful response to our questions.

Separately, we understand that the provision of a doctor, hospital and chemist at St Mary's is under threat. Whilst the uncertainty of existing provision at St Mary's does not form part of our argument, it speaks to the potential exacerbation of already poor provision of essential services in the area.

Whilst we wholeheartedly support the provision of social housing withing the municipality, additional social housing provision in our town makes no sense at this stage. We believe that it would be detrimental to the proposed residents and place an additional burden on our town. Our concerns are driven purely by practicality. We urge the council to take our views into account and to abandon plans for further social housing in Fingal.

We await the response of Council members.

Signed:

  
Peter Simmonds  
  
J. Vercen  
  
J. Lough  
  
Damien Thompson

ATTACHED: 10 PETITION SHEETS

## PETITION TO BREAK O' DAY COUNCIL, MAY 2023

### PETITION

To Members of the Council for the Break O' Day municipality, Tasmania

This petition of certain residents of Fingal draws to the attention of the Council that:

We support Break O'Day Council's efforts to build social housing in the municipality. Safe, warm housing should be a fundamental right. However, we have significant practical concerns about the Council's plans to build an additional eight social housing units in our town. These practical considerations are formed on the basis of Census data, a Right To Information disclosure about the locations of social housing units in the Break O'Day Council area, and our own lived experience in a town that lacks many essential civic services.

According to a Right To Information disclosure (related to Housing Tasmania properties; our best available guide), our town already has the highest ratio of residents to social housing units in Break O' Day. The proposed development would give Fingal 2.5X social housing units per capita than St Helens, for instance.

Fingal is poorly served for basic facilities. It does not have a doctor, chemist, medical centre, professional therapists, cafes, restaurants, newsagent, pub or many other basic town services. It is remote and not well served by public transport.

Fingal has a high level of unemployment and no significant sources of employment. Additional social housing units will have a further dilutive impact on average household incomes in our small town, which will make it more difficult to attract new businesses to the town and delay regeneration.

Fingal's population is elderly and reported medical conditions (and multiple conditions) listed in Census data for the town are well above state average, creating a burden on the nearest medical facilities and compounding risks for local elderly residents.

Councillors have advised us that they have ruled out building social housing units in at least one other location in the district (Scamander) on the basis of the subjective views of residents. We are putting forward objective criteria to persuade council to abandon this proposal. We are a welcoming community, but we are under-served with critical infrastructure. We believe that the burden on us (and potential additional social housing residents) would be inequitable and create unacceptable risk for the community.

Your petitioners therefore request the Council abandon the proposal social housing development in Fingal and identify more appropriate and well-resourced locations for the development in the municipality.

| NAME (please print) | ADDRESS               | SIGNATURE   |
|---------------------|-----------------------|-------------|
| K. NYKIEL           | 2 SHORT ST FINGAL     | [Signature] |
| Peter Simmonds      | 19 Legge St Fingal    | [Signature] |
| TONY VERDEN         | 70 VICTORIA ST FINGAL | [Signature] |
| Rosie Taffin        | 6 TALBOT ST FINGAL    | [Signature] |
| David Reid          | 7 Gray St Fingal      | [Signature] |
| Shelly Cain         | 17 GRAY ST FINGAL     | [Signature] |
| Ricky Campbell      | 6 Talbot St Fingal    | [Signature] |
| Emily Hyland        | 6 Talbot St Fingal    | [Signature] |
| Miriam Hope         | 2 Talbot St Fingal    | [Signature] |



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Your petitioners therefore request the Council abandon the proposal social housing development in Fingal and identify more appropriate and well-resourced locations for the development in the municipality.

| NAME (please print) | ADDRESS                | SIGNATURE          |
|---------------------|------------------------|--------------------|
| John Lowe           | 89 Pedder St Fingal    | <i>[Signature]</i> |
| Joan Lowe           | 89 Pedder St. Fingal   | <i>[Signature]</i> |
| Megan Parker        | 6 Carey St Fingal      | <i>[Signature]</i> |
| Warrick Lowe        | 6 Carey St Fingal      | <i>[Signature]</i> |
| Sade Lowe           | 6 Carey St Fingal      | <i>[Signature]</i> |
| ALLISTER WOODS      | 80 MATHINNA RD FINGAL  | <i>[Signature]</i> |
| Melanie Woods       | 80 Mathinna Rd, Fingal | <i>[Signature]</i> |
| Stevie Speers       | 2 Stieglitz St Fingal  | <i>[Signature]</i> |
| Deborah Speers      | 2 Stieglitz St, Fingal | <i>[Signature]</i> |

## PETITION TO BREAK O' DAY COUNCIL, MAY 2023

### PETITION

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According to a Right To Information disclosure (related to Housing Tasmania properties; our best available guide), our town already has the highest ratio of residents to social housing units in Break O' Day. The proposed development would give Fingal 2.5X social housing units per capita than St Helens, for instance.

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Fingal has a high level of unemployment and no significant sources of employment. Additional social housing units will have a further dilutive impact on average household incomes in our small town, which will make it more difficult to attract new businesses to the town and delay regeneration.

Fingal's population is elderly and reported medical conditions (and multiple conditions) listed in Census data for the town are well above state average, creating a burden on the nearest medical facilities and compounding risks for local elderly residents.

Councillors have advised us that they have ruled out building social housing units in at least one other location in the district (Scamander) on the basis of the subjective views of residents. We are putting forward objective criteria to persuade council to abandon this proposal. We are a welcoming community, but we are under-served with critical infrastructure. We believe that the burden on us (and potential additional social housing residents) would be inequitable and create unacceptable risk for the community.

Your petitioners therefore request the Council abandon the proposal social housing development in Fingal and identify more appropriate and well-resourced locations for the development in the municipality.

| NAME (please print) | ADDRESS                   | SIGNATURE      |
|---------------------|---------------------------|----------------|
| Shirleen Woods      | 133 Redder St, Fingal     | SSWoods.       |
| Geoffrey Woods      | 133 Pedder St, Fingal     | Geoff Woods    |
| Vern Woods          | 10 Cotton St, Fingal      | VW. Woods.     |
| Belinda Byard       | 2 Russell Street Fingal   | BKByard.       |
| Shane Byard         | 2 Russell Street Fingal   | SByard         |
| Sharna Burn         | 80 Mathinna Road Fingal   | SBurn          |
| Judine Lynch        | 37 Victoria Street Fingal | Judine R Lynch |
| Stephen Lynch       | 37 Victoria Street Fingal | S. P. Lynch    |
| Andrew Johns        | 24 Fleming Street Fingal  | AJohns         |

3



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| NAME (please print) | ADDRESS                       | SIGNATURE      |
|---------------------|-------------------------------|----------------|
| CHRISTINE Woods     | 59 SEYMOUR ST, FINGAL 7214    | C.J. Woods     |
| Peter Woods         | " " " "                       | P. Woods       |
| Sommer Howorka      | 94 Legge St, Fingal, 7214     | Howorka        |
| Tenille Burt        | 31 Haine St Fingal 7214       | Tenille Burt   |
| paul Burt           | 31 Haine St Fingal 7214       | Paul Burt      |
| Emma Woods          | 148 Gray St, Fingal 7214      | EWoods         |
| Lianne Lynch        | 2 Lombard Place Fingal        | Lianne E Lynch |
| Robert Woods        | 75 Seymour St Fingal 7214     | R. Woods       |
| Alana Johns         | 24 Fleming Street Fingal 7214 | Alana Johns    |

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| NAME (please print) | ADDRESS  | SIGNATURE    |
|---------------------|----------|--------------|
| D. M. H. Y.         | AVICA    |              |
| JENNIS              | Fingal   | Jenniss      |
| Althoskumser        | Fingal   | Althoskumser |
| JAHOSKINSON         | Fingal   | JAHOSKINSON  |
| S. Barber           | Fingal   | S. Barber    |
| Silbert             | Matheson | Silbert      |
| Jerry Lyman         | Fingal   | Jerry Lyman  |
| P. Gifford          | Fingal   | P. Gifford   |
| Ricky Hume          | Fingal   | Ricky Hume   |



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| NAME (please print) | ADDRESS                  | SIGNATURE   |
|---------------------|--------------------------|-------------|
| Riona Wilkison      | 18 Talbot St Fingal 7214 | [Signature] |
| Laurie Barton       | 693 Mangana Mangana 7214 | [Signature] |
| N.J. Clavidge       | 19 Horne St Fingal       | [Signature] |
| N.A. Verren         | 21 HORNE ST FINGAL       | [Signature] |
| Gregoire Darn       | 2/10 Lomond place Fingal | [Signature] |
| Warren Pau          | 2/10 Lomond place Fingal | [Signature] |
| SIMON LLOYD         | 4 SHORT ST, FINGAL       | [Signature] |
| Tomy Aclal          | B#43 Fingal              | [Signature] |
| Heather Shilling    | 25 Talbot St Fingal      | [Signature] |

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| NAME (please print) | ADDRESS             | SIGNATURE |
|---------------------|---------------------|-----------|
| PAUL VINCENT        | 31 TALBOT ST FINGAL |           |
| BUSAN GRENDA        | 31 TALBOT ST FINGAL |           |
| BART MOSS           | 89 ELIZABETH Mawson |           |
| L Cox               | Gray St Fingal      |           |
| David Reece         | Gray St Fingal      |           |
| Peter O'Halley      | 16 Lodge St Fingal  |           |
| Andrea Peng         | 73 Redden St Fingal |           |
| V.B. Olanik         | 20 FRANK ST FINGAL  |           |
| Ben Vandenberg      | 12 ALBERT ST FINGAL |           |



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| NAME (please print)  | ADDRESS                      | SIGNATURE   |
|----------------------|------------------------------|-------------|
| John McClelland      | 25 Bower St                  | [Signature] |
| Dominic McClelland   | "                            | [Signature] |
| Daniel Smith         | 47 Elizabeth Street          | [Signature] |
| Greg Dominique Jacob | 6 THOMPSON CRT ST HELENS TAS | [Signature] |
| P TOCCO              | Lomond Crt Fingal            | [Signature] |
| Loise Vassil         | Talbot Street, Fingal        | [Signature] |
| TINA FRENCH          | 47 ELIZABETH ST. MANGAMA     | [Signature] |
| Wayne Miller         | T calders Gully Rd. Mangama  | [Signature] |
| Jennifer Krenmer     | 1517 Upper Esk rd Upper Esk  | [Signature] |

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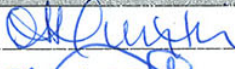


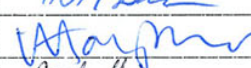





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| NAME (please print) | ADDRESS             | SIGNATURE  |
|---------------------|---------------------|--|
| Ali Hunter          | Cl-Fingal PO        |  |
| Renee Woods         | Fingal              |  |
| John McKenzie       | 10 1611 Mangan Road |  |
| Toni McKenzie       | "                   |  |
| Hamberston McKenzie | "                   |  |
| Kathryn Thompson    | 27 Talbot St Fingal |  |
| JULIANE WOLF        | 6 ALBERT ST Fingal  |  |
| Ashley Nime         | 13 Talbot St Fingal |  |
| DIMET STONE         | 13 TALBOT ST FINGAL |  |



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| NAME (please print) | ADDRESS               | SIGNATURE     |
|---------------------|-----------------------|---------------|
| CAROL BATES         | 20 GRANT ST, FINGAL   | C Bates       |
| DEBORAH EWERT       | 18-20 LEGGE ST FINGAL | Deborah Ewert |
| WANDA EWERT         | 18-20 LEGGE ST FINGAL | Wanda Ewert   |
| S Lynch             | 37 VICTORIA STREET    | S Lynch       |
|                     |                       |               |
|                     |                       |               |
|                     |                       |               |
|                     |                       |               |
|                     |                       |               |

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## 08/23.9.0 NOTICES OF MOTION

### 08/23.9.1 Banner Hire Policy Review – Cllr Ian Carter

#### MOTION:

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

That Council request that the Banner Pole Hire Policy be reviewed.

#### SUBMISSION IN SUPPORT OF MOTION:

That Council Officers review the above policy along the same lines as the Facility Hire Policy in a tiered structure to enable these to be more affordable for the community which in turn will increase the utilisation of the banner poles

## 08/23.10.0 COUNCILLOR'S QUESTIONS ON NOTICE

### 08/23.10.1 Avenue of Trees – St Helens

Previously over the years there have been many discussions about replacing Elm trees when they reach their end of life in Tully Street and Cecelia Street precincts using the local nurseryman Paul Frater. I am of the understanding that these trees are currently being grown ready to be replacements. These trees historically have been problematic however, by using better infrastructure around this tree root system; we will provide a better avenue of new trees for our township. Can I request the latest update in regards to the status of the tree replacement project and if there is a timeline for this to occur?

## 08/23.11.0 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

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

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

|            |            |  |
|------------|------------|--|
| 19.07.2023 | St Helens  | – Eating With Friends – Fingal Neighbourhood House         |
| 26.07.2023 | Hobart     | – General Manager's Committee Meeting and dinner.          |
| 27.07.2023 | Hobart     | – Premier's Local Government Meeting                       |
| 2.08.2023  | St Helens  | – Health Minister – Guy Barnett Meeting                    |
| 7.08.2023  | St Helens  | – Council Workshop   |
| 9.08.2023  | St Helens  | – Council's Regional Drought Resilience Planning briefing. |
| 10.08.2023 | St Helens  | – Guest Speaker for Liberal Branch                         |
| 14.08.2023 | Scottsdale | – Future Of Local Government Community Hearing             |
| 18.08.2023 | St Helens  | – Vietnam Veterans Day – Guest Speaker                     |
| 21.08.2023 | 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.*

- St Helens and Districts Chamber of Commerce and Tourism – Deputy Mayor Kristi Chapple
- NRM Special Committee – Cllr Janet Drummond
- East Coast Tasmania Tourism (ECTT) – Cllr Barry LeFevre
- Mental Health Action Group – Cllr Barry LeFevre
- Disability Access Committee – Cllr Janet Drummond
- Bay of Fires Master Plan Steering Committee – Cllr Ian Carter

| <b>ACTION</b>                           | <b>INFORMATION</b>                      |
|---|---|
| <b>PROPONENT</b>                        | Council Officer                         |
| <b>OFFICER</b>                          | Raoul Harper, Business Services Manager |
| <b>FILE REFERENCE</b>                   | 018\018\001\                            |
| <b>ASSOCIATED REPORTS AND DOCUMENTS</b> | Nil                                     |

**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.

**PREVIOUS COUNCIL CONSIDERATION:**

Provided as a monthly report – Council consideration at previous meetings.

**OFFICER'S REPORT:****Tasmanian Audit Office (TAO)**

Responding to requests for information relating to the upcoming 2022/2023 financial year audit including a separate audit in to Private Works undertaken in the 2021/2022 FY.

**End of Financial Year Preparations**

Management and staff are working through the process of finalising the 2022/2023 Annual Financial Report.

**Cyber Security Training**

Two staff have successfully completed certificates of attainment in Cyber Security Awareness.

Key units completed included:

- 1) Protection of online profiles from cyber security threats
- 2) Identify and report online security threats
- 3) Securely manage personally identifiable information and workplace information
- 4) Promote workplace cyber security awareness and best practice

## Investments

| Maturing      | Term (Months) | Principle Amount       | Interest            | Total Amount           | Interest Rate | Bank    |
|---------------|---------------|------------------------|---------------------|------------------------|---------------|---------|
| 18.09.2023    | 3             | 1,000,000.00           | 12,876.71           | \$ 1,012,876.71        | 5.00%         | Bendigo |
| 10.11.2023    | 12            | 1,007,022.43           | 42,882.05           | \$ 1,049,904.48        | 4.27%         | CBA     |
| 10.11.2023    | 12            | 1,008,843.21           | 42,959.58           | \$ 1,051,802.79        | 4.27%         | CBA     |
| 28.11.2023    | 12            | 1,500,000.00           | 64,921.64           | \$ 1,564,921.64        | 4.34%         | CBA     |
| 18.12.2023    | 6             | 1,000,000.00           | 26,863.01           | \$ 1,026,863.01        | 5.30%         | Bendigo |
| 24.01.2024    | 12            | 1,100,000.00           | 49,912.88           | \$ 1,149,912.88        | 4.55%         | Bendigo |
| 19.03.2024    | 9             | 1,000,000.00           | 40,912.33           | \$ 1,040,912.33        | 5.45%         | Bendigo |
| 06.04.2024    | 9             | 1,500,000.00           | 62,325.00           | \$ 1,562,325.00        | 5.54%         | CBA     |
| 09.05.2024    | 9             | 3,000,000.00           | 123,075.00          | \$ 3,123,075.00        | 5.47%         | CBA     |
| 16.06.2024    | 12            | 1,000,000.00           | 54,295.89           | \$ 1,054,295.89        | 5.40%         | Bendigo |
|               |               |                        |                     |                        |               |         |
| <b>TOTALS</b> |               | <b>\$13,115,865.64</b> | <b>\$521,024.09</b> | <b>\$13,636,889.73</b> |               |         |

## Rates

A summary table is provided below.

### Rates Summary - 1 August 2023

#### Rates Brought Forward

Outstanding Rate Debtors

Less Rates in Credit

**Net Rates Outstanding at 30 June 2023**

Rates and Charges Levied

Interest and Penalty Charged

**Total Rates and Charges Demanded**

Less Rates and Charges Collected

Less Credit Journals and Supp Credits

Remissions and Discount

**Unpaid Rates and Charges 1 August 2023**

|  | 2023/2024     |                      | 2022/2023     |                      |
|--|---------------|----------------------|---------------|----------------------|
|  | %             | \$                   | %             | \$                   |
|  |               | 695,682.00           |               | 470,736.59           |
|  |               | -271,942.69          |               | -280,014.02          |
|  | <b>3.45</b>   | <b>423,739.31</b>    | <b>1.72</b>   | <b>190,722.57</b>    |
|  |               |                      |               |                      |
|  |               |                      |               |                      |
|  | 96.52         | 11,848,610.99        | 97.48         | 10,795,713.76        |
|  | 0.03          | 3,646.33             | 0.80          | 88,725.73            |
|  | <b>100.00</b> | <b>11,852,257.32</b> | <b>100.00</b> | <b>10,884,439.49</b> |
|  |               |                      |               |                      |
|  | 12.74         | 1,563,535.10         | 4.42          | 489,338.50           |
|  | 0.48          | 58,488.53            | 0.01          | 1,563.49             |
|  | 4.11          | 504,446.07           | 4.06          | 449,508.73           |
|  |               |                      |               |                      |
|  |               |                      |               |                      |
|  | <b>82.68</b>  | <b>10,149,526.93</b> | <b>91.51</b>  | <b>10,134,751.34</b> |

**Remissions and Discounts**

Early Payment Discount

Pensioner Rebates

| <b>2023/2024</b>  |
|-------------------|
| 29,690.02         |
| 474,756.05        |
| <b>504,446.07</b> |

| <b>2022/2023</b>  |
|-------------------|
| 9,793.43          |
| 439,715.30        |
| <b>449,508.73</b> |

**Number Rateable Properties****6786****Number Unpaid Rateable Properties****5380****% Properties Not fully paid****79.28****Right to Information (RTI) Requests**

Nil

**132 and 337 Certificates**

|                  | <b>132</b> | <b>337</b> |
|------------------|------------|------------|
| <b>July 2023</b> | 38         | 14         |
| <b>June 2023</b> | 23         | 18         |
| <b>July 2022</b> | 56         | 21         |

**Debtors/Creditors @ 9 August 2023****DEBTORS INFORMATION****Invoices Raised**

| <b>Current</b> |                  |                  | <b>Previous Year</b> |                  |
|----------------|------------------|------------------|----------------------|------------------|
| <b>Month</b>   | <b>Mth Value</b> | <b>YTD 23/24</b> | <b>Month</b>         | <b>YTD 22/23</b> |
| 94             | \$270,478,29     | 94               | 99                   | 99               |

**CREDITORS INFORMATION****Payments Made**

| <b>Current</b> |                  |                  | <b>Previous Year</b> |                  |
|----------------|------------------|------------------|----------------------|------------------|
| <b>Month</b>   | <b>Mth Value</b> | <b>YTD 23/24</b> | <b>Month</b>         | <b>YTD 22/23</b> |
| 312            | \$899,120.64     | 1312             | 200                  | 200              |



## **STRATEGIC PLAN & ANNUAL PLAN:**

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

#### Goal

Services – To have access to quality services that are responsive to the changing needs of the community and lead to improved health, education and employment outcomes.

#### Strategy

- Work collaboratively to ensure services and service providers are coordinated and meeting the actual and changing needs of the community.
- Ensure Council services support the betterment of the community while balancing statutory requirements with community and customer needs.

## **LEGISLATION & POLICIES:**

N/A

## **BUDGET AND FINANCIAL IMPLICATIONS:**

N/A

## **VOTING REQUIREMENTS:**

Simple Majority

| ACTION                           | INFORMATION                             |
|----------------------------------|---|
| PROPONENT                        | Council Officer                         |
| OFFICER                          | Raoul Harper, Business Services Manager |
| FILE REFERENCE                   | 018\018\001\                            |
| ASSOCIATED REPORTS AND DOCUMENTS | Financial Reports                       |

**OFFICER'S RECOMMENDATION:**

That the following reports for the month ending 31 July 2023 be received:

1. Profit and Loss Statements
2. Balance Sheet
3. Statement of Cash Flows
4. Capital Works 2022-2023
5. Profit and Loss

**INTRODUCTION:**

Presented to Council are the monthly financial statements.

**PREVIOUS COUNCIL CONSIDERATION:**

Council considers financial reports on a monthly basis.

**OFFICER'S REPORT:**

The financial statements as shown below show the financial position of Council as at 31 July 2023.

## Profit and Loss

Break O'Day Council

For the month ended 31 July 2023

| Account   | Actual YTD        | Budget YTD        | Budget<br>Variance %<br>YTD | Annual<br>Budget  | Notes |
|---|-------------------|-------------------|-----------------------------|-------------------|-------|
| <b>Trading Income</b>                               |                   |                   |                             |                   |       |
| Rates   | 11,842,491        | 11,845,314        | 0%                          | 11,845,314        |       |
| User Fees   | 82,058            | 113,731           | -28%                        | 1,383,879         | 1     |
| Operating Grants                                    | 82,910            | 0                 |                             | 3,897,036         |       |
| Interest & Investment Income                        | (107,752)         | 145,538           | -174%                       | 816,457           | 2     |
| Contributions                                       | 1,527             | 1,325             | 15%                         | 15,900            |       |
| Other Revenue                                       | 1,010             | 7,380             | -86%                        | 88,550            |       |
| <b>Total Trading Income</b>                         | <b>11,902,244</b> | <b>12,113,288</b> | <b>-2%</b>                  | <b>18,047,136</b> |       |
| <b>Gross Profit</b>                                 | <b>11,902,244</b> | <b>12,113,288</b> | <b>-2%</b>                  | <b>18,047,136</b> |       |
| <b>Capital Grants</b>                               |                   |                   |                             |                   |       |
| Grants - Commonwealth Capital                       | 1,504,151         | 776,622           | 94%                         | 3,106,489         |       |
| Grants - Roads to Recovery                          | 0                 | 0                 |                             | 647,000           |       |
| Grants - State Capital                              | 105,644           | 246,250           | -57%                        | 985,000           |       |
| <b>Total Capital Grants</b>                         | <b>1,609,795</b>  | <b>1,022,872</b>  | <b>57%</b>                  | <b>4,738,489</b>  | 3     |
| <b>Other Non Operating Income</b>                   |                   |                   |                             |                   |       |
| Net Gain/Loss on Disposal of Assets                 | 0                 | 10,000            | -100%                       | 120,000           |       |
| <b>Total Other Non Operating Income</b>             | <b>0</b>          | <b>10,000</b>     | <b>-100%</b>                | <b>120,000</b>    |       |
| <b>Total Non Operating Revenue</b>                  | <b>1,609,795</b>  | <b>1,032,872</b>  | <b>56%</b>                  | <b>4,858,489</b>  |       |
| <b>Operating Expenses</b>                           |                   |                   |                             |                   |       |
| Employee Costs                                      | 370,855           | 470,315           | -21%                        | 6,114,089         | 4     |
| Materials & Services                                | 1,122,284         | 1,278,338         | -12%                        | 7,026,009         | 5     |
| Interest Expense                                    | (2,348)           | 20,659            | -111%                       | 247,910           |       |
| Depreciation  | 353,926           | 388,149           | -9%                         | 4,657,790         |       |
| Other Expenses                                      | 15,835            | 22,417            | -29%                        | 269,008           |       |
| <b>Total Operating Expenses</b>                     | <b>1,860,552</b>  | <b>2,179,878</b>  | <b>-15%</b>                 | <b>18,314,806</b> |       |
| <b>Operating Net Profit</b>                         | <b>10,041,692</b> | <b>9,933,410</b>  | <b>1%</b>                   | <b>(267,670)</b>  |       |
| <b>Net Profit (Including Non Operating Revenue)</b> | <b>11,651,487</b> | <b>10,966,282</b> | <b>6%</b>                   | <b>4,590,819</b>  |       |
| <b>Work in Progress</b>                             |                   |                   |                             |                   |       |
| Capital Work in Progress                            | 193,381           | 0                 | 0%                          | 0                 |       |
| <b>Total Work in Progress</b>                       | <b>193,381</b>    | <b>0</b>          | <b>0%</b>                   | <b>0</b>          |       |

### Notes

1. Interest & investment income is down \$253k on budget YTD, due to the reversal of interest accrued into last financial year and the timing of term deposits maturing.
2. Capital grants are up \$587k on budget YTD primarily due to unspent grant funds carried forward from the prior year.
3. Employee costs are down \$99k (21%) on budget YTD, primarily due to the reversal of accrued payroll relating to the prior financial year.

## Balance Sheet

Break O'Day Council

As at 31 July 2023

| Account                              | 31 Jul 2023        | 30 Jun 2023        |
|--------------------------------------|--------------------|--------------------|
| <b>Assets</b>                        |                    |                    |
| <b>Current Assets</b>                |                    |                    |
| Cash & Cash Equivalents              | 16,097,418         | 14,434,952         |
| Trade & Other Receivables            | 0                  |                    |
| Inventory                            | 242,885            | 242,538            |
| Other Assets                         | 2,838              | 2,838              |
| <b>Total Current Assets</b>          | <b>16,343,141</b>  | <b>14,680,328</b>  |
| <b>Non-current Assets</b>            |                    |                    |
| Trade and Other Receivables          | 14,392             | 14,392             |
| Property, Plant & Equipment          | 181,763,516        | 182,115,339        |
| Right of Use Asset                   | 792,141            | 792,141            |
| Intangible Assets                    | 44,045             | 46,147             |
| Investment in Water Corporation      | 33,959,804         | 33,959,804         |
| Other Investments                    | 0                  |                    |
| <b>Total Non-current Assets</b>      | <b>216,573,897</b> | <b>216,927,823</b> |
| <b>Total Assets</b>                  | <b>232,917,039</b> | <b>231,608,151</b> |
| <b>Liabilities</b>                   |                    |                    |
| <b>Current Liabilities</b>           |                    |                    |
| Trade & Other Payables               | 1,905,361          | 902,726            |
| Contract Liabilities                 | 0                  | 1,021,755          |
| Lease Liability                      | 60,783             | 60,783             |
| Interest Bearing Loans & Borrowings  | 375,587            | 407,685            |
| Provisions                           | 947,362            | 947,362            |
| Trust Funds and Deposits             | 741,169            | 742,459            |
| <b>Total Current Liabilities</b>     | <b>4,030,263</b>   | <b>4,082,770</b>   |
| <b>Non-current Liabilities</b>       |                    |                    |
| Lease Liabilities                    | 741,882            | 741,882            |
| Interest Bearing Loans & Borrowings  | 5,459,137          | 5,459,137          |
| Provisions                           | 766,323            | 766,323            |
| <b>Total Non-current Liabilities</b> | <b>6,967,342</b>   | <b>6,967,342</b>   |
| <b>Total Liabilities</b>             | <b>10,997,605</b>  | <b>11,050,112</b>  |
| <b>Net Assets</b>                    | <b>221,919,434</b> | <b>220,558,039</b> |
| <b>Equity</b>                        |                    |                    |
| Accumulated Surplus                  | 56,208,080         | 44,749,973         |
| Reserves                             | 176,894,144        | 176,894,144        |
| <b>Total Equity</b>                  | <b>233,102,224</b> | <b>221,644,117</b> |

## Statement of Cash Flows

Break O'Day Council

For the month ended 31 July 2023

| Account  | YTD              | 2023               |
|--|------------------|--------------------|
| <b>Operating Activities</b>                      |                  |                    |
| Receipts from customers                          | 208,398          | 1,409,593          |
| Receipts from rates                              | 2,627,682        | 10,670,704         |
| Receipts from Operational Grants                 | 73,091           | 0                  |
| Contributions                                    | 7,009            | 155,057            |
| Interest received                                | (107,752)        | 546,447            |
| Dividends received                               | 0                | 465,600            |
| Payments to employees                            | (460,315)        | (5,752,370)        |
| Payments to suppliers                            | (1,113,611)      | (6,893,366)        |
| Finance Costs                                    | 0                | (343,938)          |
| Cash receipts from other operating activities    | 177,046          | 927,655            |
| Cash payments from other operating activities    | (1)              | 421                |
| <b>Net Cash Flows from Operating Activities</b>  | <b>1,411,547</b> | <b>1,185,802</b>   |
|  |                  | 0                  |
| <b>Investing Activities</b>                      |                  |                    |
| Payment for property, plant and equipment        | (345,761)        | (5,833,818)        |
| Payment for investments                          | 0                | (1,022,273)        |
| Capital Grants received                          | 588,040          | 1,987,754          |
| <b>Net Cash Flows from Investing Activities</b>  | <b>242,279</b>   | <b>(4,868,337)</b> |
| <b>Financing Activities</b>                      |                  |                    |
| Proceeds of trust funds and deposits             | 8,640            | 57,599             |
| Repayment of loans                               | 0                | (389,024)          |
| Repayment of lease liabilities                   | 0                | 773,131            |
| Other cash items from financing activities       | 0                | 1,022,273          |
| <b>Net Cash Flows from Financing Activities</b>  | <b>8,640</b>     | <b>1,463,979</b>   |
| <b>Net Cash Flows</b>                            | <b>1,662,466</b> | <b>(2,218,556)</b> |
| <b>Cash and Cash Equivalents</b>                 |                  |                    |
| Cash and cash equivalents at beginning of period | 14,434,952       | 11,813,436         |
| Net change in cash for period                    | 1,662,466        | 2,621,516          |
| Cash and cash equivalents at end of period       | 16,097,418       | 14,434,952         |

# Break O'Day Council

Capital Works 2022-2023

Budget 2024

| Project Details  | YTD           | Estimated<br>Carried<br>Forward @<br>30/06/2023 | New Budget<br>Items<br>2023/2024 | Estimated<br>Carry<br>Forward +<br>Budget 2024 | Comments  |
|--|---------------|---|----------------------------------|--|---|
| <b>Plant &amp; Equipment</b>   |               |   |                                  |  |   |
| Replace 1358 H66ZW - Kia Sportage - Building Surveying                     | -             | 40,000  |                                  | 40,000   |   |
| Small Plant - VARIOUS  | 11,905        |   | 40,000                           | 40,000   |   |
| Replace 1050 - Crown LPG Forklift  | -             |   | 25,000                           | 25,000   |   |
| Replace 1061 - John Deere 570B Grader                                      | -             |   | 350,000                          | 350,000  |   |
| Replace 1223 - Hitachi EX7SUR-3 Excavator                                  | -             |   | 150,000                          | 150,000  |   |
| Replace 1291 - Toro Mower  | -             |   | 40,000                           | 40,000   |   |
| Replace 1329 - Toro Groundmaster 7200                                      | -             |   | 30,000                           | 30,000   |   |
| Replace 1340 - Ferris IS3200 61" Mower                                     | -             |   | 30,000                           | 30,000   |   |
| Replace 1360 - Dmax 4x4 Crew Cab   | -             |   | 45,000                           | 45,000   |   |
| Replace 1361 - Kia Sportage H402N - Corporate Services                     | 40,936        |   | 40,000                           | 40,000   |   |
| Replace 1363 - Toro Groundmaster 360                                       | -             |   | 40,000                           | 40,000   |   |
| Replace 1364 - Ferris IS3200Z Mower  | -             |   | 30,000                           | 30,000   |   |
| Replace 1379 - Toro G3 Z-Master 48"  | -             |   | 17,148                           | 17,148   |   |
| Fuso Fighter (replace 1321)  | 17,080        |   |                                  |  |   |
| <b>Total Plant &amp; Equipment</b>   | <b>69,901</b> | <b>40,000</b>                                   | <b>837,148</b>                   | <b>877,148</b>                                 |   |
| <b>Furniture &amp; IT</b>  |               |   |                                  |  |   |
| Desktop replacements 2022/23   | 568           |   | 14,400                           | 14,400   |   |
| Firewall   | -             |   | 14,000                           | 14,000   |   |
| Livestream Equipment   | -             |   | 8,000                            | 8,000  |   |
| Server Replacement   | -             |   | 20,000                           | 20,000   |   |
| Phone system   | -             |   | 25,000                           | 25,000   |   |
| <b>Total Furniture &amp; IT</b>  | <b>568</b>    | <b>-</b>  | <b>81,400</b>                    | <b>81,400</b>                                  |   |
| <b>Buildings</b>   |               |   |                                  |  |   |
| Fingal Community Shed (Old Tas Hotel)                                      | -             | 350,000   |                                  | 350,000  | BSBR Grant - need to carry forward all remaining budget   |
| St Marys Indoor Recreation Facility  | -             | 1,000,000                                       |                                  | 1,000,000                                      | BSBR Grant - need to carry forward all remaining budget   |
| Portland Hall Upgrades   | -             | 6,288   | 3,712                            | 10,000   | Audio visual equipment to be purchased and installed.   |
| Scamander Sports Complex   | -             | 50,000  |                                  | 50,000   | CFWD from 21/22: Solar Panel & Kitchen upgrades - Contribution from Scamander Sports Complex \$20k                                      |
| St Marys Hall Upgrades   | -             |   |                                  | -  | Subject to grant funding  |
| Stadium repaint of floors and replace damaged equipment                    | -             | 95,074  |                                  | 95,074   | Works planned for completion in November 2023 - Insurance Job   |
| Council Chambers additions and improvements                                | -             | 47,735  | 10,000                           | 57,735   | Continuation of Building improvements, Painting outside, front counter alterations, Heat pumps  |
| Falmouth Community Centre - New Toilet, Demolish Old, Internal Alterations | -             |   |                                  | -  | Defer works to 24/25  |
| Pyengana Recreation Ground Improvements                                    | -             |   |                                  | -  | Defer works to 24/25  |
| Binalong Bay - Village Green BBQ Replacements                              | -             |   |                                  | -  | Defer works to 24/25  |
| Memorial Park Toilet Block Replacement                                     | -             |   |                                  | -  | Defer works to 24/25 - design work only   |
| Service Tasmania   | -             |   | 20,000                           | 20,000   | Replace Carpet & Repaint  |
| Marine Rescue Building Renovations   | 318           |   |                                  |  |   |
| <b>Total Buildings</b>   | <b>318</b>    | <b>1,649,097</b>                                | <b>33,712</b>                    | <b>1,682,809</b>                               |   |
| <b>Parks, Reserves &amp; Other</b>   |               |   |                                  |  |   |
| Special Project - Land Use Review Projects                                 | -             |   |                                  | -  | Refer Council workshop report & Annual Plan Items   |
| Special Project - St Helens Wharf Foreshore Master Plan                    | -             | 50,000  |                                  | 50,000   | Carry forward   |
| Special Project - Feasibility Study Aquatic Centre & Hydrotherapy Pool     | -             | 40,000  | 50,000                           | 90,000   | Carry Forward   |
| Special Project - Tas Police Project                                       | -             |   | 200,000                          | 200,000  | Allocation for utilities  |
| Special Project - Parking Strategy St Helens and St Marys                  | -             |   | 20,000                           | 20,000   |   |
| Special Project - Scamander Coastal Hazards Project                        | 517           | 30,000  | 70,865                           | 100,865  | Total quantum of \$100,865 for 2023/2024 comprises the following amounts: Council contribution = \$40,865 and Grant receipts = \$60,000 |
| Fingal Youth Playground/recreation hub                                     | -             | 345,767   |                                  | 345,767  | BSBR Grant  |
| Pump Tracks  | -             | 500,000   |                                  | 500,000  | State Gov't Grant   |
| Playground equipment replacement program                                   | -             | 64,261  |                                  | 64,261   | Other sites - individual equipment pieces   |
| Dog exercise area St Helens Improvements                                   | 469           | 7,803   |                                  | 7,803  | Dog park user consultation to occur prior to install of equipment.  |
| St Marys Dog Park  | -             | 6,554   |                                  | 6,554  | Community engagement to be undertaken prior to install - need to establish new site   |
| Cornwall Soldiers Park - Track upgrade and SW works                        | -             | 20,000  |                                  | 20,000   |   |
| St Marys Cemetery Master Plan - Columbarium Wall & garden                  | 1,050         |   | 5,000                            | 5,000  | Works commencing May 2023   |
| St Helens Cemetery Master Plan improvements                                | -             |   |                                  | -  | Defer to 24/25 \$50,000   |
| <b>Totals Parks, Reserves &amp; Other</b>                                  | <b>2,036</b>  | <b>1,064,385</b>                                | <b>345,865</b>                   | <b>1,410,250</b>                               |   |
| <b>Roads - Streetscapes</b>  |               |   |                                  |  |   |
| LRCI Phase 4 - Cecilia St/ Georges Bay Esp Junction                        | 25,616        |   | 130,000                          | 130,000  | LRCIP - Phase 4 Nominated project   |
| Cecilia Street/Georges Bay Esplanade junction                              | -             |   | 30,000                           | 30,000   | Land acquisition needed for junction upgrade  |
| Cecilia St - Northern End  | -             |   | 15,000                           | 15,000   | Streetscape design  |
| Quail St Parkina Bay   | -             | 50,000  |                                  | 50,000   | Defer to 24/25? \$50,000  |
| <b>Total Streetscapes</b>  | <b>25,616</b> | <b>50,000</b>                                   | <b>175,000</b>                   | <b>225,000</b>                                 |   |
| <b>Roads - Footpaths</b>   |               |   |                                  |  |   |
| Main St Mathinna (Wilson St to Community Hall)                             | -             | 8,500   |                                  | 8,500  | CFWD Works  |



| Project Details                                       | YTD          | Estimated Carried Forward @ 30/06/2023 | New Budget Items 2023/2024 | Estimated Carry Forward + Budget 2024 | Comments  |
|---|--------------|--|----------------------------|---------------------------------------|---|
| Parkside Foreshore Footpath                           | 4,892        | 30,000                                 |                            | 30,000                                | Minor shared pathway works between Lions Park and Talbot St Jetty and pathway signs   |
| Grant Street Pathway, Falmouth                        | -            | -                                      | 47,303                     | 47,303                                | LRCIP-Phase 3 Project fully funded at \$47,303  |
| <b>Total Footpaths</b>                                | <b>4,892</b> | <b>38,500</b>                          | <b>47,303</b>              | <b>85,803</b>                         |   |
| <b>Roads - Kerb &amp; Channel</b>                     |              |  |                            |                                       |   |
| Penelope St St Helens                                 | -            | -                                      | -                          | -                                     | 100 lm new K&C required to address local flooding issue and includes bus pull over area pavement treatment.   |
| <b>Total Kerb &amp; Channel</b>                       | <b>-</b>     | <b>-</b>                               | <b>-</b>                   | <b>-</b>                              |   |
| <b>Roads - Resheeting</b>                             |              |  |                            |                                       |   |
| 999 - Victoria St Part C                              | -            | 1,400                                  |                            | 1,400                                 |   |
| 998 - Victoria St Part C                              | -            | 360                                    |                            | 360                                   |   |
| 997 - Victoria St Part C                              | -            | 2,100                                  |                            | 2,100                                 |   |
| 2138 - Franks St Fingal                               | -            | 3,795                                  |                            | 3,795                                 |   |
| 1024 - Franks St Fingal                               | -            | 3,400                                  |                            | 3,400                                 |   |
| 1081 - Sorell St                                      | -            | 6,700                                  |                            | 6,700                                 |   |
| 1053 - Louisa St                                      | -            | 2,800                                  |                            | 2,800                                 |   |
| Fingal Streets  | -            | 6,500                                  |                            | 6,500                                 |   |
| Canhams Road  | -            | -                                      | 39,250                     | 39,250                                |   |
| Evercrech Road  | -            | -                                      | 64,160                     | 64,160                                |   |
| Mathinna Plains Road                                  | 822          | -                                      | 96,250                     | 96,250                                |   |
| North Ansons Road                                     | -            | -                                      | 253,732                    | 253,732                               |   |
| Macquane Street                                       | -            | -                                      | 12,558                     | 12,558                                |   |
| Champ St, Seymour                                     | -            | -                                      | 13,650                     | 13,650                                |   |
| Davis Gully Road                                      | -            | -                                      | 38,800                     | 38,800                                |   |
| Lyne Court  | -            | -                                      | 19,656                     | 19,656                                |   |
| St Marys Area Resheeting                              | 3,899        | -                                      | -                          | -                                     |   |
| <b>Total Resheeting</b>                               | <b>4,721</b> | <b>27,055</b>                          | <b>538,056</b>             | <b>565,111</b>                        |   |
| <b>Roads - Reseals</b>                                |              |  |                            |                                       |   |
| St Marys - Story Street Esk Main Road to Groom Street | -            | 55,084                                 |                            | 55,084                                | Subject to State Growth resealing Story St  |
| 794-Boronia St  | -            | -                                      | 6,730                      | 6,730                                 | Reseal  |
| 656-Football Entry Rd                                 | -            | -                                      | 2,293                      | 2,293                                 | Reseal  |
| 1036-Talbot St West C/W                               | -            | -                                      | 5,328                      | 5,328                                 | Reseal  |
| 1035-Talbot St West C/W                               | -            | -                                      | 4,688                      | 4,688                                 | Reseal  |
| 1004-Victoria St Part A                               | -            | -                                      | 4,870                      | 4,870                                 | Reseal  |
| 616-Charlotte Crt                                     | -            | -                                      | 29,250                     | 29,250                                | Reseal  |
| 621-Four Mile Creek Rd                                | -            | -                                      | 18,206                     | 18,206                                | Reseal  |
| 644-Mangana Rd  | -            | -                                      | 30,108                     | 30,108                                | Reseal  |
| 307-Mangana Rd  | -            | -                                      | 39,597                     | 39,597                                | Reseal  |
| 306-Mangana Rd  | -            | -                                      | 10,051                     | 10,051                                | Reseal  |
| 305-Mangana Rd  | -            | -                                      | 33,069                     | 33,069                                | Reseal  |
| 636-Chapman St  | -            | -                                      | 3,574                      | 3,574                                 | Reseal  |
| 623-Fonthill St                                       | -            | -                                      | 4,071                      | 4,071                                 | Reseal  |
| 614-High St Mathinna                                  | -            | -                                      | 12,127                     | 12,127                                | Reseal  |
| 613-High St Mathinna                                  | -            | -                                      | 9,531                      | 9,531                                 | Reseal  |
| 631-High St Mathinna                                  | -            | -                                      | 9,611                      | 9,611                                 | Reseal  |
| 630-High St Mathinna                                  | -            | -                                      | 8,849                      | 8,849                                 | Reseal  |
| 629-High St Mathinna                                  | -            | -                                      | 13,280                     | 13,280                                | Reseal  |
| 628-High St Mathinna                                  | -            | -                                      | 3,366                      | 3,366                                 | Reseal  |
| 626-High St Mathinna                                  | -            | -                                      | 2,872                      | 2,872                                 | Reseal  |
| 638-Wilson St   | -            | -                                      | 4,011                      | 4,011                                 | Reseal  |
| 194-Mathinna Rd                                       | -            | -                                      | 14,942                     | 14,942                                | Reseal  |
| 572-Cherrywood Dve                                    | -            | -                                      | 5,420                      | 5,420                                 | Reseal  |
| 543-Scamander Ave                                     | -            | -                                      | 18,121                     | 18,121                                | Reseal  |
| 565-Silver St   | -            | -                                      | 7,978                      | 7,978                                 | Reseal  |
| 923-Ansons Bay Rd (Priory Rd)                         | -            | -                                      | 53,861                     | 53,861                                | Reseal  |
| 432-Circassian St                                     | -            | -                                      | 11,935                     | 11,935                                | Reseal  |
| 439-Depot Rd  | -            | -                                      | 5,036                      | 5,036                                 | Reseal  |
| 485-Netball Rd  | -            | -                                      | 6,525                      | 6,525                                 | Reseal  |
| 484-Netball Rd  | -            | -                                      | 4,887                      | 4,887                                 | Reseal  |
| 689-St Helens Point Rd                                | -            | -                                      | 31,993                     | 31,993                                | Reseal  |
| 688-St Helens Point Rd                                | -            | -                                      | 23,223                     | 23,223                                | Reseal  |
| Quail Street - off traffic lane resealing             | -            | 50,000                                 |                            | 50,000                                | Subject to State Growth resealing central carriageway traffic lanes   |
| <b>Totals Reseals</b>                                 | <b>-</b>     | <b>105,084</b>                         | <b>439,403</b>             | <b>544,487</b>                        |   |
| <b>Roads - Construction, Digouts &amp; Other</b>      |              |  |                            |                                       |   |
| Aerodrome ring road - Erosion mitigation              | -            | -                                      | 30,000                     | 30,000                                |   |
| Digouts and road edge remediation to be allocated     | -            | 25,000                                 | 250,000                    | 275,000                               | Multiple failures on sealed road network  |
| 218 - Mathinna Plains Road                            | 33,845       | 185,000                                |                            | 185,000                               | CFWD - Pavement Renewal and Sealing - Stage 3 works   |
| Medeas St/Circassian St intersection upgrade          | -            | 195                                    | 200,000                    | 200,195                               | \$200,000 Black Spot funding received (Feb 2023)  |
| LRCI Phase 3 North Ansons Bay Sealing                 | 744          | 139,000                                |                            | 139,000                               | LRCIP-Phase 3 Project   |
| Road Network - Sign Replacement                       | -            | -                                      | 25,000                     | 25,000                                |   |
|   |              |  |                            |                                       | Phase 4 funding total is \$1,020,844 in two parts. Part A = \$647,406, Part B = \$373,438. \$130,000 of total funds has been allocated to the Cecilia St/ Georges Bay Espl Junction Upgrade leaving \$890,844 Funding to be expended by 30 June 2025. |
| LRCI Program - Phase 4 Projects                       | -            | -                                      | 890,844                    | 890,844                               |   |
| Flood damage remediation works                        | 16,701       | -                                      | 300,000                    | 300,000                               | From October 22 Floods  |
| Gardens Road - STAGE ONE                              | 2,360        | -                                      | -                          | -                                     |   |

| Project Details   | YTD            | Estimated<br>Carried<br>Forward @<br>30/06/2023 | New Budget<br>Items<br>2023/2024 | Estimated<br>Carry<br>Forward +<br>Budget 2024 | Comments  |
|---|----------------|---|----------------------------------|--|---|
| St Helens Point Road - Parkside                         | 1,522          |   |                                  | -  |   |
| Digouts and Edge Remediation                            | 19,260         |   |                                  | -  |   |
| <b>Totals - Roads Construction, Digouts &amp; Other</b> | <b>74,433</b>  | <b>349,195</b>                                  | <b>1,695,844</b>                 | <b>2,045,039</b>                               |   |
| <b>Totals Roads &amp; Footpaths</b>                     | <b>109,681</b> | <b>569,834</b>                                  | <b>2,895,606</b>                 | <b>3,465,440</b>                               |   |
| <b>Bridges</b>  |                |   |                                  |  |   |
| B2293 - Cecilia St                                      | 792            | 216,499   | 5,000                            | 221,499  | CFWD TO 23/24                                     |
| B7027 - Mathina Plains Road                             | -              | 30,000  | 30,000                           | 60,000   | CFWD TO 23/24                                     |
| B1243 - Binns Road                                      | -              |   | 28,600                           | 28,600   | Renew Timber Deck and Runners                     |
| B1245 - Clellands Road                                  | -              |   | 29,400                           | 29,400   | Renew Timber Deck and Runners                     |
| B1675 - Lower Germantown Road                           | -              |   | 220,000                          | 220,000  | Replace bridge in concrete or culvert             |
| B1605 - St Columba Falls Road                           | 4,019          |   |                                  | -  |   |
| <b>Total Bridges</b>                                    | <b>4,811</b>   | <b>246,499</b>                                  | <b>313,000</b>                   | <b>559,499</b>                                 |   |
| <b>Stormwater</b>                                       |                |   |                                  |  |   |
| Minor stormwater jobs                                   | 2,523          |   | 58,000                           | 58,000   |   |
| Osprey Drive  | -              | 9,006   |                                  | 9,006  | Design only                                       |
| Falmouth Street   | -              | 10,000  |                                  | 10,000   | Design only                                       |
| Penelope Street   | -              | 113,521   |                                  | 113,521  | Stormwater Main - frontage of caravan park        |
| Victoria Street, Fingal                                 | -              |   | 108,000                          | 108,000  | New stormwater line - Design & Construct          |
| Aulichs Lane, St Marys                                  | -              |   | 10,000                           | 10,000   | New stormwater line - Design & Approvals          |
| Freswater St / Lade Court Beaumnans                     | 1,563          |   | -                                | -  |   |
| Trellogens Track  | 563            |   | -                                | -  |   |
| <b>Total Stormwater</b>                                 | <b>4,649</b>   | <b>132,527</b>                                  | <b>176,000</b>                   | <b>308,527</b>                                 |   |
| <b>Waste Management</b>                                 |                |   |                                  |  |   |
| Scamander WTS - Waste Paint Container Station           | -              | 14,283  |                                  | 14,283   |   |
| Scamander WTS - Replace sump pit & pump                 | -              |   | 20,000                           | 20,000   |   |
| Scamander WTS - Waste Compactor                         | -              |   | 20,000                           | 20,000   | Develop specifications for replacement compactor. |
| <b>Total Waste Management</b>                           | <b>-</b>       | <b>14,283</b>                                   | <b>40,000</b>                    | <b>54,283</b>                                  |   |
| <b>Total Capital</b>                                    | <b>191,944</b> | <b>3,616,625</b>                                | <b>4,722,731</b>                 | <b>8,339,356</b>                               |   |

| ACTION                           | INFORMATION                             |
|----------------------------------|---|
| PROPONENT                        | Council Officer                         |
| OFFICER                          | Raoul Harper, Business Services Manager |
| FILE REFERENCE                   | 040\028\002\                            |
| ASSOCIATED REPORTS AND DOCUMENTS | Nil                                     |

**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.

**PREVIOUS COUNCIL CONSIDERATION:**

Provided as a monthly report – Council consideration at previous meetings.

**OFFICER'S REPORT:****Visitor Information Centre Report:**

VIC staff noted:

- Main tourists this month were Victoria, Brisbane and NSW, also a lot of mainland families and overseas tourists from NZ.
- Our door count numbers for July are the highest ever since we started recording numbers in 2007.
- One Staff member attended a family with an operator looking at conducting Bus Tours to Eddystone Point Lighthouse.
- Visitors commenting on how our local park run is very well organised and that many people travel out of their own region to attend the park run. Also have had a couple of mainland tourists ask if we have park runs in St Helens.

## The History Room Curator Report:

- 'Ships of St Helens' exhibition still on display until end of August 2023.
- August is free entry into the museum at the centre for all visitors. Part of The Off Season promotional campaign.
- Did a media release regarding the Valley Voice archive project and ABC Radio picked up the story. Contact has been made with the current Editor of the Valley Voice & this archive is to be shared with them so that they will then have the full archive available for that publication. Project now complete.
- New volunteer has had her induction and first time on duty, welcome Margaret Forsyth.
- Working with Council staff on the project "A Week in the Life of Council" and a visit to the centre is scheduled for Tuesday 15 August 2023 at 12.30 – 1.30 pm as part of that.
- Friends of St Helens History Room are having their AGM in the Backroom of the St Helens History Room on Monday 14 August 2023 from 3.30 pm. They requested possible use of the space and this is the first meeting to be held. They have quarterly meetings only throughout the calendar year.
- Foyer Cabinet Display: Family Histories – collected memorabilia from St Helens families currently on view.
- St Helens History Room has had contact from both Nicole Ma (Maa Mon Chin's descendant) concerning images of the Ma family at Weldborough, high-resolution images for a short film pitch and also, descendant from Ah Moy, storekeeper at Branhholm, Tracey, where her family history was provided. Both very pleased with information received.
- Attending Roving Curator Regional Workshop for Greater Launceston at QVMAG on Monday 7 August 2023 with a couple of possible projects in mind for the St Helens History Room.
- July's stats are on par with previous years.

## Statistics:

### Door Counts:

| Month/Year | Visitor Numbers | Daily Average | History Room |
|------------|-----------------|---------------|--------------|
| July 2012  | 636             | 20.52         | 42           |
| July 2013  | 809             | 26.10         | 71           |
| July 2014  | 1,064           | 34.32         | 121          |
| July 2015  | 946             | 30.52         | 42           |
| July 2016  | 1,048           | 33.80         | 119          |
| July 2017  | 875             | 28.22         | 36           |
| July 2018  | 912             | 29.42         | 47           |
| July 2019  | 837             | 27.00         | 51           |
| July 2020  | 730             | 23.55         | 52           |
| July 2021  | 906             | 29.23         | 44           |

|           |      |       |    |
|-----------|------|-------|----|
| July 2022 | 1049 | 33.83 | 52 |
| July 2023 | 1235 | 39.83 | 42 |

### Revenue 2022/2023

| Month     | VIC Sales | HR Entry | HR Donations |
|-----------|-----------|----------|--------------|
| July      | 2,838.51  | 188.00   | 80.90        |
| August    | 2,518.86  | 0        | 197.35       |
| September | 4,865.29  | 331.00   | 58.50        |
| October   | 6,847.24  | 532.00   | 138.80       |
| November  | 8,437.20  | 601.00   | 107.75       |
| December  | 7,698.94  | 415.00   | 148.05       |
| January   | 9,745.80  | 647.00   | 190.60       |
| February  | 10,381.03 | 668.00   | 296.85       |
| March     | 11,971.72 | 872.00   | 176.95       |
| April     | 4,265.51  | 333.00   | 105.65       |
| May       | 3,805.27  | 309.00   | 110.00       |
| June      | 2,187.51  | 179.00   | 69.20        |

### Revenue 2023/2024

| Month | VIC Sales | HR Entry | HR Donations |
|-------|-----------|----------|--------------|
| July  | 3108.79   | 174.00   | 149.50       |

## STRATEGIC PLAN & ANNUAL PLAN:

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

#### 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.

#### Strategies

Create a positive brand which draws on the attractiveness of the area and lifestyle to entice people and businesses' to live and work in BOD.

## LEGISLATION & POLICIES:

N/A

## BUDGET AND FINANCIAL IMPLICATIONS:

N/A

## VOTING REQUIREMENTS:

Simple Majority

| ACTION                           | DECISION  |
|----------------------------------|---|
| PROPONENT                        | Council Officer                                 |
| OFFICER                          | Angela Matthews, Corporate Services Coordinator |
| FILE REFERENCE                   | 6413332   |
| ASSOCIATED REPORTS AND DOCUMENTS | Request from Ratepayer – Malahide Golf Club Inc |

**OFFICER'S RECOMMENDATION:**

That Council in accordance with the provisions of s.129 of the *Local Government Act 1993*, Council **approve a remission** as requested for the property known as 14 Mangana Road, Fingal identified as PID 6413332.

**INTRODUCTION:**

Council has received correspondence from Malahide Golf Club requesting a remission for the 2023/2024 General Rate. A request from the Malahide Golf Club is required annually to remit this levy.

**PREVIOUS COUNCIL CONSIDERATION:**

Remission of the General Rate upon application has been previously granted annually from 2015/2016.

**OFFICER'S REPORT:**

The Secretary of the Malahide Golf Club has written requesting a remission of the General Rate.

Remissions have been approved since 2015/2016 due to financial hardship. The Club endeavours to keep the facility up and running as a benefit to Fingal and neighbouring communities by providing recreational and social options. However, due to limited membership, the Club continues to experience financial difficulties.

No additional financial reports or information have been provided.

Council's Rate Remissions and Exemptions Policy LG011 allows for the option of remitting the general rate, if Council believes that the property provides a community benefit.



## **STRATEGIC PLAN & ANNUAL PLAN:**

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

#### Goal

Services – To have access to quality services that are responsive to the changing needs of the community and lead to improved health, education and employment outcomes.

#### Strategy

Ensure Council services support the betterment of the community while balancing statutory requirements with community and customer needs.

## **LEGISLATION & POLICIES:**

Section 129 of the *Local Government Act 1993*  
LG011 - Rate Remissions and Exemptions Policy

## **BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

An amount of \$769.91 to rates remissions.

## **VOTING REQUIREMENTS:**

Absolute Majority

*Malahide Golf Club Inc.*

ABN 80 746 243 303

*14 Mangana Rd, Fingal Tasmania 7214*

*P. O. Box 31, Fingal 7214*



Malahide Golf Club Inc.

ABN: 80 746 243 303

14 Mangana Rd, Fingal Tasmania 7214

PO Box 31, Fingal - TAS 7214



21/7/23

Sheryl De Bomford

Senior Rates Officer

Break O'Day Council

32-34 Georges Bay Esplanade

St Helens, 7216

**Request for Remission - Council Rates - 2023/2024**

Dear Ms De Bomford

I write on behalf of the Malahide Golf Club to seek a remission from the Annual Rates as specified in the Notice sent to the Club dated 1/07/23.

The Malahide Golf Club is a purely voluntary body which exists solely for the purpose of recreation. We operate on the membership fees paid by our small group of members and the takings of our bar and kitchen from fund raising and special events. We do not employ any staff and the course is maintained purely by our dedicated group of volunteers.

Our funds are not great. We are not capable of significant investment in course upgrades and struggle to meet the cost of unanticipated events – such as occurred last year when our pump broke down.

We are doing our best to promote the Club and the sport of golf and seek new members. We recently hosted an innovative golf tournament between the St Marys and Campbell Town Schools, for example.

We have received a remission in the past three years and ask that Council looks favourably on our request this year.

Please feel free to contact me if you require further information.

Rod Hunt

Hon Secretary, Malahide Golf Club

0428 998 144 [rodhunt@netspace.net.au](mailto:rodhunt@netspace.net.au)

| ACTION                           | DECISION   |
|----------------------------------|--|
| PROPONENT                        | Mathinna Landcare Group                                    |
| OFFICER                          | Angela Matthews, Corporate Services Co-ordinator           |
| FILE REFERENCE                   | 6414634  |
| ASSOCIATED REPORTS AND DOCUMENTS | Request from Ratepayer – Mathinna Community Landcare Group |

**OFFICER'S RECOMMENDATION:**

That Council 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 **approve a General Rate remission and a 50% Service Charge Remission to the total value of \$878.00** as requested for the property known as 4 Dunn Street, Mathinna identified as PID 6414634.

**INTRODUCTION:**

Council has received correspondence from the Mathinna Landcare Group requesting a rate remission for the church they have purchased at 4 Dunn Street Mathinna in August 2021.

**OFFICER'S REPORT:**

The Mathinna Landcare Group purchased the church at 4 Dunn Street, Mathinna previously owned by the Trustees of the Diocese of Tasmania (Anglican Church).

As per the attached correspondence, the community group is a not for profit organisation and all money made goes back into Mathinna community projects. The church is only used for community activities, funeral services and baptisms.

Council's Rating Exemptions and Remissions Policy LG11 allows for the option of remitting the general rate and a 50% service charge remission if the general rate remission is approved for non-profit community organisations who have a proven benefit to the Break O'Day community.

The rate remission policy states:

**2. DISCRETIONARY REMISSIONS**

*Organisations which are not eligible for an exemption under Section 87 (d) of the Local Government Act 1993, may apply to Council for a rates remission.*

*Council will provide a remission of the General Rate to those ratepayers that are:*

- Charitable organisations that would otherwise be eligible for an exemption, except that they are the ratepayer/occupier of the property and not the owner.*
- Religious institutions that own residential properties that are occupied solely by the Church Minister and his/her family.*
- A cemetery that is owned by a religious institution.*

- A Church where the owners are not eligible for a remission as they are not registered as a charitable organisation, only if the organisation or owner is not-for-profit.
- Any other property which Council believes offers a benefit to the community \*.

\* Benefit to the community would include activities such as health promotion, advancement of education, relief of poverty, relief of needs for the aged, relief of sickness or distress or the advancement of religion. This needs to be assessed in the context of what has already been assessed as charitable by the Australia Taxation Office.

### **3. CHURCH REMISSIONS – SERVICE CHARGES**

In addition to exemptions and/or remission provided in relation to the General Rate, Council will also offer Churches a remission of 50% of the applicable service rates.

#### **ELIGIBILITY**

It is intended that this policy apply to churches owned by religious, not-for-profit or charitable organisations; that are:

- Used exclusively as a place of worship; or
- Consecrated burial place; and
- Are eligible for an exemption and/or remission under this policy for General Rate.

#### **STRATEGIC PLAN & ANNUAL PLAN:**

N/A

#### **LEGISLATION & POLICIES:**

Section 129 of the *Local Government Act 1993*  
Rate Remissions and Exemptions Policy LG011 (4)

#### **BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

Rates Remission applicable to 2023/2024 Rates and Charges are as follows:

|                 |                 |
|-----------------|-----------------|
| General Rate    | \$650.00        |
| Service Charges | <u>\$228.00</u> |
| Total           | <u>\$878.00</u> |

#### **VOTING REQUIREMENTS:**

Absolute Majority

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**From:** Robert Parsons <robertprsns2@y7mail.com>  
**Sent:** Thursday, 27 April 2023 10:24 AM  
**To:** John Brown <john.brown@bodc.tas.gov.au>  
**Subject:** Rates

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Hi John

The Mathinna Community Landcare Group was enquiring to see whether we can get a exemption on the rates on the Stgeorges Anglican Church at Mathinna .The church will only be used for community activities funeral services ,baptisms .

The community group is a non for profit organisation and all money made goes back into community projects.Example Mathinna Church, Up keep old school biulding,Community Bus, Insurances, Aurora Tas Water. Gas for bbqs and shower block .The group struggles a bit when it comes around to rates as we already pay rates for the old school building. If you can let me know of the outcome of this e-mail so we can discuss this at our next meeting that would be very much appreciated.

Cheers

Robert Parsons  
President Mathinna Community Landcare Group

[Sent from Yahoo Mail on Android](#)

**From:** [Kate Lee](#)  
**To:** [Sheryl De Bomford](#)  
**Cc:** [robertprn2@gmail.com](mailto:robertprn2@gmail.com)  
**Subject:** RE: Rates Officer PID6414634  
**Date:** 3 August 2023 5:11:24 PM  
**Attachments:** [image009.png](#)  
[image013.png](#)  
[image015.png](#)

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Good Afternoon Sheryl,

We are writing to confirm that we are still eligible for an exemption of paying rates on St George's Anglican Church, Dunn Street Mathinna for 2023/2024. The Mathinna Community and Landcare Group Inc purchased the property in 2021, so that the Church and its history could be kept within the community. We have recently spent a large amount of money to update and renovate the Church so that it can be used within the community. We would also like to thank your Councillors who attended our open day in May, this support was greatly appreciated by the Mathinna Community and Landcare Group.

If you could please confirm in writing if we are entitled to an exemption and arrange a refund of rates already received.

Kind Regards

Kate Lee      Robert Parsons  
Secretary      President  
Mathinna Community and Landcare Group Inc

Kate Lee



Childcare Director | Northern Midlands Council  
Council Office, 13 Smith Street (PO Box 156), Longford Tasmania 7301  
T: (03) 6397 7330 | M: 0438 911 303  
E: [childcaredirector@nmc.tas.gov.au](mailto:childcaredirector@nmc.tas.gov.au) | W: [www.northernmidlands.tas.gov.au](http://www.northernmidlands.tas.gov.au)



**From:** Sheryl De Bomford <[sheryl.debomford@bodc.tas.gov.au](mailto:sheryl.debomford@bodc.tas.gov.au)>  
**Sent:** Thursday, 3 August 2023 3:15 PM  
**To:** Kate Lee <[childcaredirector@nmc.tas.gov.au](mailto:childcaredirector@nmc.tas.gov.au)>  
**Subject:** RE: Rates Officer PID6414634

Good afternoon Kate

We only require a letter with the same format as the original you sent last year, then I can forward a report to Council for approval

Thanks  
Sheryl

Sheryl de Bomford | Senior Rates Officer | Break O'Day Council  
t: 03 6376 7900  
e: [sheryl.debomford@bodc.tas.gov.au](mailto:sheryl.debomford@bodc.tas.gov.au) | w: [www.bodc.tas.gov.au](http://www.bodc.tas.gov.au)



BreakODay-Council\_Logo(MED)



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**From:** Kate Lee <[childcaredirector@nmc.tas.gov.au](mailto:childcaredirector@nmc.tas.gov.au)>  
**Sent:** Thursday, 27 July 2023 4:39 PM  
**To:** Sheryl De Bomford <[sheryl.debomford@bodc.tas.gov.au](mailto:sheryl.debomford@bodc.tas.gov.au)>  
**Subject:** Re: Rates Officer PID6414634

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Thanks as for clarifying, sometimes it's not easy being blonde!  
What do I need to fill out could you please forward to me again.  
Regards  
Kate  
Sent from my iPhone

On 27 Jul 2023, at 3:30 pm, Sheryl De Bomford <[sheryl.debomford@bodc.tas.gov.au](mailto:sheryl.debomford@bodc.tas.gov.au)> wrote:

Hi Kate

The credit is for 2022/2023 and as you had paid the rates in full it was transferred to the 2023/2024 rats balance. You need to apply for the 2023/2024 general rate remission which will place the property a smaller amount in credit. It will catch up in 2024/2025.

Regards  
Sheryl

Sheryl de Bomford | Senior Rates Officer | Break O'Day Council  
t: 03 6376 7900  
e: [sheryl.debomford@bodc.tas.gov.au](mailto:sheryl.debomford@bodc.tas.gov.au) | w: [www.bodc.tas.gov.au](http://www.bodc.tas.gov.au)

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the Break O'Day Council shall be understood as neither given nor endorsed by it.

---

**From:** Kate Lee <[childcaredirector@nmc.tas.gov.au](mailto:childcaredirector@nmc.tas.gov.au)>  
**Sent:** Thursday, 27 July 2023 3:25 PM  
**To:** Sheryl De Bomford <[sheryl.debomford@bodc.tas.gov.au](mailto:sheryl.debomford@bodc.tas.gov.au)>  
**Cc:** [robertprns2@y7mail.com](mailto:robertprns2@y7mail.com)  
**Subject:** RE: Rates Officer PID6414634

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Hi Sheryl

Yes we were I was assuming that this was for this year? Which looking at the rates notice that is for this year, so we will need to reapply for next year 24/25? Thank you for your assistance with this.

Kind Regards

Kate Lee



Child Care Director | Northern Midlands Council  
Council Office, 13 Smith Street (PO Box 156), Longford Tasmania 7301  
T: (03) 6397 7303 | F: (03) 6397 7331  
E: [childcaredirector@nmc.tas.gov.au](mailto:childcaredirector@nmc.tas.gov.au) | W:  
[www.northernmidlands.tas.gov.au](http://www.northernmidlands.tas.gov.au)



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**From:** Sheryl De Bomford <[sheryl.debomford@bodc.tas.gov.au](mailto:sheryl.debomford@bodc.tas.gov.au)>  
**Sent:** Thursday, July 27, 2023 12:31 PM  
**To:** Kate Lee <[childcaredirector@nmc.tas.gov.au](mailto:childcaredirector@nmc.tas.gov.au)>  
**Subject:** RE: Rates Officer PID6414634

Good morning Kate

Sorry the initial notice did not reflect the credit. Were you intending to apply for the general rate remission again this year? Unfortunately it will be an annual application under the Rates Remission policy?

We require the same application format that you supplied last financial year to take to Council for consideration.

Regards  
Sheryl

Sheryl de Bomford | Senior Rates Officer | Break O'Day Council  
t: 03 6376 7900  
e: [sheryl.debomford@bodc.tas.gov.au](mailto:sheryl.debomford@bodc.tas.gov.au) | w: [www.bodc.tas.gov.au](http://www.bodc.tas.gov.au)

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**From:** Kate Lee <[childcaredirector@nmc.tas.gov.au](mailto:childcaredirector@nmc.tas.gov.au)>  
**Sent:** Monday, 24 July 2023 2:16 PM  
**To:** Break O Day Office Admin <[admin@bodc.tas.gov.au](mailto:admin@bodc.tas.gov.au)>  
**Cc:** [robertprns2@y7mail.com](mailto:robertprns2@y7mail.com)  
**Subject:** Rates Officer PID6414634

**CAUTION:** Do not click links or attachments unless you recognize the sender and know the content is safe

Good Afternoon Sheryl

I am writing on behalf of the Mathinna Community Landcare Group in regards to our rate remission for 4 Dunn Street and your letter dated the 30<sup>th</sup> of June 2023.

The rates notice that we received was for the full amount and we were unable to see the \$803.80 that had been credited for general rate. If you could please revert back to me to confirm the amount that we are required to pay with the correct rates notice.

Kind Regards

Kate Lee



Child Care Director | Northern Midlands Council  
Council Office, 13 Smith Street (PO Box 156), Longford Tasmania 7301  
T: (03) 6397 7303 | F: (03) 6397 7331  
E: [childcaredirector@nmc.tas.gov.au](mailto:childcaredirector@nmc.tas.gov.au) | W:  
[www.northernmidlands.tas.gov.au](http://www.northernmidlands.tas.gov.au)



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| <b>ACTION</b>                           | <b>DISCUSSION/DECISION</b>  |
|---|---|
| <b>PROPONENT</b>                        | Council Officer   |
| <b>OFFICER</b>                          | Angela Matthews, Corporate Services Coordinator   |
| <b>FILE REFERENCE</b>                   | 014\002\001\  |
| <b>ASSOCIATED REPORTS AND DOCUMENTS</b> | Draft Meeting Procedures – July 2023<br>LG53 – Audio Recording of Council Meetings Policy |

**OFFICER’S RECOMMENDATION:**

That the Council rescind LG53 – Audio Recording of Council Meetings Policy and adopt Councils Meeting Procedures – July 2023.

**INTRODUCTION:**

The Council Meeting Procedures were originally prepared to assist Councillors and Staff with the process and procedures for Council Meetings.

As a result of a Notice of Motion to Council to implement Live Audio/Visual Streaming of Council Meetings, Council Officers have reviewed the current Audio Recording of Council Meetings Policy – LG53 and Councils Meeting Procedures.

**PREVIOUS COUNCIL CONSIDERATION:**

Council Meeting Procedures were originally adopted in June 2010 with reviews undertaken in May 2018; April 2019; June 2019 and November 2021.

**OFFICER’S REPORT:**

As a result of a Notice of Motion for the implementation of live audio/visual streaming of Council Meetings and the subsequent approval of the budget for this to be implemented, Officers have reviewed the relevant legislation, policies and procedures in relation to the operations of meetings.

In the draft Meeting Procedures document, any reference to audio recording is removed and has been replaced with information relating to audio/visual live streaming of meetings. With that revision now included in the draft Meeting Procedures, the LG53 – Audio Recording of Council Meetings Policy can be rescinded.

With the implementation of live streaming, the community has a greater capacity to view and listen to the deliberations and decision making of Council. The ability to access the live stream will be advertised and promoted throughout the community on a regular basis.

The draft Meeting Procedures document provides a higher level of detail compared to previous versions in relation to “Acting as a Planning Authority”. The revised section outlines the procedure required when approving or refusing development applications as a Planning Authority.

By way of example, the revised section gives clarity to Councils on the process required when a motion is lost. A lost motion means that the development application is neither approved nor refused, it is in fact 'not making a decision'. The consequence of which can be alleviated with a clear understanding of how a Planning Authority should then move a motion to approve or refuse an application.

Officers have revised the draft Meeting Procedures and Councillors will now be able to review the document and seek clarification or request possible amendments (within legislative requirements) to these procedures prior to being formally considered at the Council meeting.

## **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

Create an informed and involved community by developing channels of communication.

#### Goal

Services – To have access to quality services that are responsive to the changing needs of the community and lead to improved health, education and employment outcomes.

#### Strategy

Ensure Council services support the betterment of the community while balancing statutory requirements with community and customer needs.

## **LEGISLATION & POLICIES:**

Local Government Act 1993

Local Government (Meeting Procedures) Regulations 2015

Land Use Planning and Approvals Act 1993

## **BUDGET AND FINANCIAL IMPLICATIONS:**

There are no financial implications identified in adopting the reviewed Council Meeting Procedures as Council has previously adopted the 2023 – 2024 Budget Estimates, which had an allocation for the implementation of Live Audio/Visual Streaming of Council Meetings.

## **VOTING REQUIREMENTS:**

Simple Majority



# Council Meeting Procedures



*Version: 1 – Adopted 10 June 2010  
Version: 2 – Reviewed May 2018  
Version 3 – Reviewed April 2019  
Version 4 – Adopted 24 June 2019  
Version 5 – Reviewed November 2021  
Version 6 – Reviewed July 2023*

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## 1. Introduction

- 1.1 Break O'Day Council considers that the process of Local Government meetings should be open, transparent and accessible to the community.
- 1.2 To ensure that the processes undertaken by Council are consistent in their application, Council will use the *Local Government (Meeting Procedures) Regulations 2015* ("the regulations") and the *Local Government Act 1993* ("the Act") supported by the following meeting procedures as the basis for the operation of Council and Committee meetings.
- 1.3 In accordance with Regulation 37 of the regulations the following procedures be adopted in respect of the operation of Council Meetings and Council Committee Meetings.

## 2. Interpretation

- 2.1 "Meeting": means either a Council Meeting or a Council Committee Meeting.

## 3. Agenda for Council and Council Committee Meetings

- 3.1 The standard agenda to be used for a Council Meeting is shown in Appendix A.
- 3.2 The standard agenda to be used for a Council Committee Meeting is shown in Appendix B.
- 3.3 The Duties and Responsibilities of a Chairperson ("Chair") of a Meeting are shown in Appendix C.

## 4. Live Audio/Visual Streaming of Council Meetings

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.

The Chairperson will read aloud the following Disclaimer at the commencement of meetings and this disclaimer will also be published within the agenda:

*The Break O'Day Council ('the Council') is committed to providing greater accessibility to the community of the content of public Council meetings through live streaming and recording. It is considered this will provide a fuller public record of proceedings that can be made available in addition to formal written minutes.*

*The opinions or statements made during the course of the Council meeting are those of the particular individuals, and not the opinions or statements of the Council.*

*The information contained in the live streaming and recording of Council meetings are provided on the Council's website on the basis that all persons accessing them accept responsibility for assessing the relevance, completeness and accuracy of its content. The Council does not accept any responsibility for the comments made or information provided during Council meetings and does not warrant nor represent that the material or statements made during the streamed meetings are complete, reliable, accurate or free from error. The Council does not accept any responsibility or liability for any loss, damage, cost or expense you might incur as a result of the viewing, use or reliance of information or statements provided in the live streaming/recording of Council meetings.*

*The Council does not necessarily endorse or support the views, opinions, standards or information contained in the live streaming/recording of the Council meetings. In the event that you are offended or consider material/statements made during a Council meeting and provided on this site are inappropriate, offensive or in breach of any law, you are entitled to contact the Council, which will then investigate the complaint and take such action as it sees fit.*

The audio/visual recording of the meetings does not replace the written minutes and a transcript of the recording will not be prepared.

Signs will be placed in prominent positions within the Council Chambers/Meeting Room to inform the public entering the room that the meeting is being audio/visually streamed and recorded.

The Chairperson has the authority at any time of the proceedings to direct the termination of the audio recording of a meeting. However, the Chairperson should only terminate the audio/visual streaming/recording in exceptional circumstances including (but not limited to):

- It is clearly evident that the discussion is (or potentially likely to be):
  - o An infringement of copyright;
  - o A breach of privacy and/or unlawful disclosure of personal information;
  - o A release of privileged or confidential information of Council.
- Unexpected adjournment;
- Inappropriate behaviour;
- Moving into a closed session; or
- Formally closing the meeting.

If in the situation of a technical difficulty that the live streaming is not possible, every attempt will be made to audio record the meeting and the Chairperson will advise those present of the circumstances. In the event that an audio recording is unable to take place due to the same technical difficulties affecting the live streaming or, if any file becomes corrupt and therefore unavailable, this information will be provided on the Council website (or equivalent).

The following Frequently Asked Questions are provided for information purposes only and are simply a general guide in relation to the live streaming of meetings.

*What is live streaming?*

Live streaming is the transmission over the Internet of video of an event as it happens. Streaming is a form of online video in which the site sends video footage to a user's machine "on the fly" rather than as a complete file. It is like the difference between watching a TV show as it airs and watching a DVD.

*What do I need to view the videos?*

You need a device running a supported operating system, a supported web browser, and speakers. Please see responses below for more details.

*What platforms and browsers are supported?*

The following browsers are supported:

- Chrome
- Firefox
- Internet Explorer 11+
- Opera
- Safari
- iOS
- Android 4(Mobile)

*What connection speed is required to watch the videos?*

To be sure the video will play smoothly, you will need a minimum connection speed of 700kbs.

*How much data will be used while streaming a video?*

While live streaming a video from this website, it will use approximately 6MB per minute (700kbs).

*Video Player for archive videos?*

For archive videos, you need a browser compatible to play html5 video most update to date browsers can play html5 video.

*How soon after a Council Meeting will the video be available to watch?*

In most cases, once a Council Meeting has concluded, the video will be available to watch online within two business days. These are available in the [archive](#).



## 5. Public Question Time

- 5.1 A member of the public may give written notice to the General Manager at least seven (7) days before an ordinary Council Meeting of a question to be asked at that meeting.
- 5.2 A member of the public can ask no more than four (4) questions per meeting.
- 5.3 A member of the public can speak for no longer than five (5) minutes per meeting.
- 5.4 The Chairperson of an ordinary Council meeting will address questions on notice submitted by members of the public and invite any members of the public present at the meeting to ask questions relating to the activities of the Council.
- 5.5 Questions from the public must be clear and concise. The question must be asked first and then any supporting explanation provided must directly relate to the question in a clear and concise manner.
- 5.6 Questions must relate to the business of Council as a whole and not be directed to a particular Councillor and how they are discharging their duties as a Councillor.
- 5.7 General statements from the public are not permitted during public question time.
- 5.8 The Chairperson will require a question from a member of the public asked at the meeting to be put in writing and provided at that meeting.
- 5.9 A question by any member of the public under this regulation and an answer to that question are not to be debated at the ordinary Council meeting.
- 5.10 The Chairperson of an ordinary Council meeting may refuse to accept a question from a member of the public and if the Chairperson refuses to accept a question they must give reasons for doing so.

## 6. Questions on Notice

- 6.1 This agenda item allows Councillors to ask a question on notice on any matter relevant to Council activities.
- 6.2 A Councillor can ask no more than four (4) questions on notice per meeting by giving the General Manager written notice of the question(s) at least seven (7) clear days before the date of the meeting at which the question is to be asked.
- 6.3 In the event the question is accepted the General Manager must ensure that the question and the reply are placed on the agenda for the meeting at which the question is to be asked.
- 6.4 The question and the reply must be entered in the minutes of the relevant meeting.



## 7. Notice of Motion

*Motions and amendments should not be vague or ambiguous; they should be couched in precise and definite language and should comply with any regulations as to form a notice; otherwise the Chair should refuse to allow them to be put. [Joske's Law and Procedure at Meetings in Australia, 10<sup>th</sup> Edition, Ellis S Magner, Thomson Lawbook co., 2007]*

- 7.1 This agenda item allows Councillors to bring forward any business in the form of a written notice of motion.
- 7.2 A notice of motion must be given to the General Manager at least seven (7) clear days before the date of the meeting at which the motion is to be moved.
- 7.3 A Councillor can submit no more than four (4) notices of motion per meeting.
- 7.4 Provided the General Manager does not refuse to accept a notice of motion in accordance with Regulation 16(6) of the regulations then the General Manager must ensure that the motion on notice is placed on the agenda for the meeting at which the notice of motion is to be moved.
- 7.5 No motion shall be proceeded with in the absence of the Councillor giving notice unless some other Councillor has been authorised to move it by the Councillor who gave notice. *[Joske's Law and Procedure at Meetings in Australia, 10<sup>th</sup> Edition, Ellis S Magner, Thomson Lawbook co., 2007]*

All notices of motion must be preceded by the following statement:

*"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 its meeting on the..."*

## 8. Petitions

- 8.1 Where a petition is received by a Councillor pursuant to Section 57(1) of the Act then that Councillor is to forward the petition to the General Manager within seven (7) days of receiving it.
- 8.2 Where a petition is received directly by the General Manager in accordance with Section 57 of the Act or is received by the General Manager in accordance with 6.1 above the General Manager will, subject to Sections 58(3) and 59 of the Act, ensure that the petition is placed on the agenda of the next ordinary meeting of Council with a short statement as to the nature of the petition and the number of signatures to the petition.

- 8.3 If the petition placed on the Council Meeting agenda is accompanied by a report from a Council Officer, the Council may consider the petition at the Council Meeting.
- 8.4 If the petition placed on the Council Meeting agenda is not accompanied by a report from a Council Officer, and if it however relates to a matter that:-
- 8.4.1 Has recently been on (or is already on) an agenda of a Council Meeting, and/or
  - 8.4.2 The community at large do not need to have the opportunity to be aware of and/or have the opportunity to comment on, and
  - 8.4.3 Does not require further information to be provided by a Council Officer prior to Council making an informed decision,

The Chair will allow the petition to be considered at the Council Meeting.

- 8.5 The head petitioner or their nominee will be invited to attend the Council Meeting as a delegate and will be offered an opportunity to speak to the petition for a maximum of five (5) minutes, except in the case that the petition relates to a matter Council is undertaking consultation on, or relates to a matter that is not the responsibility of Council. Councillors will then be able to ask questions of the petitioner.
- 8.6 After the petitioner has been heard, the Chair of the Council Meeting will bring forward that item or items on the agenda to enable the matter(s) to be discussed forthwith.

If the head petitioner or their nominee attends a Council Meeting and has an opportunity to speak to the petition, any further request to speak at a subsequent Council Meeting will only be approved by the Chair if new material is placed on the agenda by a Council Officer in relation to the petition.

## 9. Deputations

- 9.1 A request for a deputation to a meeting received in accordance with Regulation 38 will be referred to the Chair for his/her approval for the deputation to appear.
- 9.2 Approval for a depute to speak will only be refused by the Chair if the depute has previously addressed the Council or a Council Committee about the same subject in the previous six (6) months and Council has resolved the matter.
- 9.3 Deputies will be given the opportunity to address the Council or Council Committee for a maximum of five (5) minutes. Councillors will then be able to ask questions of the depute.

- 9.4 Deputies will be heard and questioned without debate.
- 9.5 After hearing the deputations the Chair will bring forward the relevant item on the agenda (if any) to enable the matter to be discussed forthwith.

## 10. Voting Procedures

- 10.1 At a meeting, each Councillor, including the Chair, has one (1) vote.
- 10.2 The Chair is to take a vote by any means the Council determines.
- 10.3 Voting at a meeting may be conducted by secret ballot if the purpose is to select a person to represent the Council on a Committee or other body.
- 10.4 Where a Councillor abstains from voting the vote is recorded as a negative.
- 10.5 A tied vote results in a motion being determined in the negative.
- 10.6 The Chair will count the number of votes for and against a decision and then declare an outcome. The details of Councillors votes and the outcome are recorded in the minutes.

## 11. Questions Without Notice

- 11.1 This agenda item allows Councillors to ask no more than four (4) questions per meeting on any matter relevant to Council activities.
- 11.2 Councillors should provide the Chair with a written copy of the question.
- 11.3 Questions without notice, and any answers to those questions, are not required to be recorded in the minutes.

## 12. Acting as a Planning Authority

- 12.1 If a Council or Council Committee intends to act at a meeting as a “Planning Authority” under the *Land Use Planning and Approvals Act 1993*, the Chair is to advise the meeting accordingly as follows:

At the Commencement of the “Planning Authority”:

*“Pursuant to Section 25 of the Local Government (Meeting Procedures) Regulations 2015 the Mayor informed the Council that it was now acting as a Planning Authority under the Land Use Planning and Approvals Act 1993.”..*

At the Conclusion of the “Planning Authority”:

*“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.”*

- 12.2 A member of the Planning Authority is required to make decisions within the framework of the *Land Use Planning and Approvals Act 1993* (LUPAA).
- 12.3 As a member of a Planning Authority your decisions must be based on the provisions of the Planning Scheme.
- 12.4 Process to Decision:
- 12.4.1 Application
  - 12.4.2 Advertising
  - 12.4.3 Representation
  - 12.4.4 Assessment
  - 12.4.5 Decision
- 12.5 Assessment Report – The Planning Authority will be guided by its Planning Officers, who will assist by:
- 12.5.1 Identifying which parts of the Scheme you need to consider – Discretion triggers;
  - 12.5.2 Identify relevant considerations;
  - 12.5.3 Representations – relevance; and
  - 12.5.4 Recommendation.
- 12.6 If the Planning Officer recommends that a development application is refused, then the motion to be considered by the Planning Authority will be to adopt that recommendation.
- 12.6.1 If the motion is carried, then the Planning Authority will have made a decision to refuse to grant a permit.
  - 12.6.2 If the motion is lost, then the Planning Authority has not made a decision on the development application. In order to avoid the consequences of section 59 of the *Land Use Planning and Approvals Act 1993*, which deems a development application to be approved where there is no decision by the Planning Authority,



- the Planning Authority should subsequently consider a motion to approve the development application.
- 12.6.3 If the vote is tied, then the Planning Authority has not made a decision on the development application and it must subsequently consider a motion to approve the development application.
- 12.7 If the Planning Officer recommends that a development application is approved (or if a motion to refuse has been lost or tied), then a motion to approve the development application on certain conditions should be considered.
- 12.7.1 If the motion is carried, then the Planning Authority will have made a decision to grant a permit on those conditions.
- 12.7.2 If the motion is lost, then the Planning Authority has not made a decision on the development application and it may consider a subsequent motion (for example, that a permit is granted on different conditions or that the development approval is refused, on certain grounds).
- 12.7.3 If the vote is tied, then the Planning Authority has not made a decision on the development application and it must subsequently consider a motion to refuse the development application..
- 12.8 In the event that the decision of the Planning Authority is tied at both a refusal AND an approval a decision by the Planning Authority has still not been reached. The following steps may happen next:
- 12.8.1 An alternate motion can be foreshadowed, however it must be different from the motions put previously eg add/change conditions.
- 12.8.2 To break the deadlock the General Manager may exercise a delegation provided by the Planning Authority to grant a permit under Section 59(7) of the *Land Use Planning and Approvals Act 1993*.
- 12.9 To ensure that the Planning Authority does not inadvertently refuse a development application through a tied vote, the members of the Planning Authority are encouraged to:
- 12.9.1 communicate openly during the meeting prior to the formal vote being taken, so that other members are aware of each other's intention to vote; and
- 12.9.2 foreshadow an alternate motion, if a member supports the Planning Officer's recommendation generally but would prefer that a permit was granted on conditions which differ from the Planning Officer's recommendation, or that it be refused on different grounds.
- 12.10 The General Manager is to ensure that the reasons for a decision by a Council or Council Committee acting as a Planning Authority are recorded in the minutes. To the extent that there is a deemed refusal of a development application, the minutes should reflect this.



## 12.11 The Rules of Engagement and Decision Making

### 12.11.1 Do Not:

12.11.1.1 Make statements of predetermination – do not make any comments which suggest that you will exercise discretion in a particular way without being prepared to listen to contrary arguments.

12.11.1.2 Sign a representation or a petition in favour or against a proposal.

12.11.1.3 Participate in a decision if you have a conflict of interest:

- Pecuniary benefit or pecuniary detriment – Sections 48 to 56 of the *Local Government Act 1993*.
- Code of Conduct.

### 12.11.2 Do:

12.11.2.1 Understand exactly what you are required to decide:

- Which provision of LUPAA apply?
- Which parts of the Scheme are relevant?

12.11.2.2 Take the information contained in the application and representations into account when you make your decision.

12.11.2.3 Take other information into account, although you should notify the applicant if you intend to do so.

12.11.2.4 Encourage a community member to make a representation so that their views can be taken into account, rather than relying upon you to do that for them.

12.11.2.5 Channel enquiries through the relevant Planning Officer.

12.11.2.6 Be transparent.

12.11.2.7 Make and keep records of interactions which may be contentious (file notes, emails etc).

### 12.11.3 You May (Subject to the above):

12.11.3.1 Participate in discussions with developers and interested third parties before and after a development application is lodged.

12.11.3.2 Attend private and public meetings and briefings in relation to an application that will be determined by the Planning Authority.

12.11.3.3 Speak in favour of or against a proposal (although this is not routinely recommended).

12.11.3.4 Speak firmly, even passionately, in favour of your view at a Planning Authority meeting with the intention of influencing other Councillors; that conduct is to be expected.

12.11.3.5 Make a decision which differs from the recommendations of the Planning Officer. Clear reasons (pursuant to the Planning Scheme) must be recorded to support the decision of Council.

## 13. Submission of Emergency Motions

- 13.1 Emergency motions may be tabled at a Council Meeting. This request must be provided to the Chair and the Chair will determine whether the motion should be dealt with in an urgent capacity or whether it can be listed on a future Council Agenda.

## 14. Closed Council

- 14.1 Regulation 15(l) stated that in order to close part of a meeting to the public, it may only be done where the Council has resolved to do so by an absolute majority.
- 14.2 Items listed within Closed Council must clearly reference the reason for the inclusion of each Closed Council item, including item for discussion and correctly identifying the relevant sub-regulation reference pursuant to sub-regulation 15(2).
- 14.3 Within the Regulations there are specific provisions that prohibit some matters being discussed in a Closed meeting.

*Regulation 15(3): Unless sub-regulation (4) applies, a Council or Council Committee must not close part of a meeting when it is –*

- a) Acting as a Planning Authority; or*
- b) Considering whether or not to grant a permit under the Act; or*
- c) Considering proposals for the Council to deal with public land under section 178 of the Local Government Act 1993.*

- 14.4 Within the Closed Meeting of Council, there must be a consideration of what, if any, information can be released to the public for each item discussed.
- 14.5 As per sub-regulation 34(l)(b), there must be at least enough information in the open minutes of Council to show that the matter was discussed and a brief description of the matter. This information should include as many details of what was discussed as possible, as per sub-regulation 15(8) which requires Council to consider whether discussions, decisions, reports or documents from that Closed Meeting are to be kept confidential or released to the public.

Generally, it would be expected that Councils could provide the voting details of closed agenda items, if not the detail of the discussion or motion itself.

- 14.6 Open minutes must not disclose confidential information meant for the closed meeting of Council (unless the Council agrees that the information can be released).

## 15. Meeting Closure

- 15.1 The duration of a meeting will not extend beyond 3.00pm without a resolution being passed by those Councillors present.

## Appendix A

### NOTICE OF MEETING

Notice is hereby given that the next meeting of the Break O'Day Council will be held at the St Helens Council Chambers on ..... commencing at 10.00am.

#### CERTIFICATION

Pursuant to the provisions of Section 65 of the *Local Government Act 1993*, I hereby certify that the advice, information and recommendations contained within this agenda have been given by a person who has the qualifications and/or experience necessary to give such advice, information and recommendations or such advice was obtained and taken into account in providing the general advice contained within the agenda.

[NAME]

**GENERAL MANAGER**

Date: .....

---

STATEMENT BY CHAIRPERSON INFORMING ALL COUNCILLORS, STAFF AND ANY PUBLIC PRESENT, THAT THE MEETING IS BEING RECORDED

#### OPENING

#### ACKNOWLEDGEMENT OF COUNTRY

- .../18.1.0 ATTENDANCE
  - .../18.1.1 Present
  - .../18.1.2 Apologies
  - .../18.1.3 Leave of Absence
  - .../18.1.4 Staff in Attendance
- .../18.2.0 PUBLIC QUESTION TIME
- .../18.3.0 DECLARATION OF PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE
- .../18.4.0 CONFIRMATION OF MINUTES
  - .../18.4.1 Confirmation of Minutes – Council Meeting .....
- .../18.5.0 COUNCIL WORKSHOPS HELD SINCE ..... COUNCIL MEETING
- .../18.6.0 PLANNING AUTHORITY
- .../18.7.0 COUNCIL MEETING ACTIONS
- .../18.8.0 PETITIONS

|             |  |
|-------------|--|
| .../18.9.0  | NOTICES OF MOTION  |
| .../18.10.0 | COUNCILLOR'S QUESTIONS ON NOTICE                               |
| .../18.11.0 | COUNCILLOR'S QUESTIONS WITHOUT NOTICE                          |
| .../18.12.0 | MAYOR'S & COUNCILLOR'S COMMUNICATIONS                          |
| .../18.12.1 | Mayor's Communications for Period Ending .....                 |
| .../18.12.2 | Councillor's Reports for Period Ending .....                   |
| .../18.13.0 | BUSINESS AND CORPORATE SERVICES                                |
| .../18.13.1 | Corporate Services Department Report                           |
| .../18.13.2 | Monthly Financial Report                                       |
| .../18.13.3 | Visitor Information Centre Report                              |
| .../18.14.0 | WORKS AND INFRASTRUCTURE                                       |
| .../18.14.1 | Works and Infrastructure Report                                |
| .../18.14.2 | Animal Control Report  |
| .../18.15.0 | COMMUNITY DEVELOPMENT  |
| .../18.15.1 | Community Services Report                                      |
| .../18.16.0 | DEVELOPMENT SERVICES   |
| .../18.16.1 | Development Services Report                                    |
| .../18.17.0 | GOVERNANCE   |
| .../18.17.1 | General Manager's Report                                       |
| .../18.18.0 | CLOSED COUNCIL   |
| .../18.18.1 | Confirmation of Closed Council Minutes – Council Meeting ..... |
| .../18.18.2 | Outstanding Actions List for Closed Council                    |



## Appendix B

..... COMMITTEE  
ON [DATE]  
TO BE HELD AT [VENUE]

### AGENDA

|            |   |
|------------|---|
| .../18.1.0 | ATTENDANCE  |
| .../18.1.0 | Present   |
| .../18.1.0 | Apologies   |
| .../18.1.0 | Leave of Absence                                  |
| .../18.2.0 | CONFIRMATION OF MINUTES                           |
| .../18.2.1 | Confirmation of Minutes – Committee Meeting ..... |
| .../18.3.0 | MATTERS ARISING FROM PREVIOUS MINUTES             |
| .../18.4.0 | .....   |
| .../18.5.0 | .....   |
| .../18.6.0 | .....   |
| .../18.7.0 | .....   |
| .../18.8.0 | GENERAL BUSINESS                                  |
| .../18.9.0 | MEETING CLOSE                                     |

## Appendix C

### DUTIES AND RESPONSIBILITIES OF THE CHAIR

*The Chair has a number of important duties to perform. These duties are as follows:*

- *Preside at meetings;*
- *Conduct proceedings regularly;*
- *Determine the sense of a meeting;*
- *Preserve order;*
- *Adjourn the meeting if necessary;*
- *Control the voting process;*
- *Declare the meeting closed; and*
- *Sign the minutes*

*The Chair has the authority and duty to make necessary rulings on questions of meeting procedure. [Joske's Law and Procedure at Meetings in Australia, 10<sup>th</sup> Edition, Eilis S Magner, Thomson Lawbook Co., 2007]*

**It is Council's intention to consider all agenda items on the day of a meeting. The following meeting procedures are designed to facilitate the achievement of this intention.**

#### Meeting Procedures

- Once a quorum is present, to declare the meeting open at the prescribed time.
- Make a statement advising Councillors, staff and any public present that the meeting is being recorded.
- To provide an Acknowledgement of Country.
- To call over the reports by item number (example attached).
- To identify Councillors on leave.
- To call for any apologies.
- Ask members of the public who are present whether they have any questions they would like to ask. No debate is allowed on a question and it must be provided in writing and a reply will be provided in the minutes.
- To call Councillors to advise pecuniary/conflict of interests (if any) on any of the agenda items.
- To seek a mover and seconder for confirmation of the minutes of the last meeting. The only discussion permitted on this item concerns the accuracy of the minutes as a record of proceedings. *[Joske's Law and Procedure at Meetings in Australia, 10<sup>th</sup> Edition, Eilis S Magner, Thomson Lawbook Co., 2007]*
- If there are any questions on notice, to read the title of the question and state the Councillor who asked the question and advise that a response is provided by the relevant person. **[Note: no debate is allowed on a question on notice or the reply.]**
- To call on the Councillor who has a notice of motion to move the motion and speak to it.

- To call for questions without notice (maximum four (4) per Councillor per meeting). **[Note:** no discussion or debate is permitted in reference to the question asked and the answer given. The question and answer do not have to be listed in the minutes.]
- To close the meeting.
- The duration of a meeting will not extend beyond 3.00pm without a resolution being passed by those Councillors present.
- In the event that such a resolution is passed then at around 3.15pm the Chair will confirm the order or priority that the remaining items on the agenda will be considered.
- The Chair (if necessary) will then seek Councillors to move and second a formal motion that consideration of any remaining agenda items will be adjourned to a date and time as fixed by the meeting or to be determined by the General Manager.

### Maintaining Order

In terms of running the meeting for debates on the items reserved, the following points should be noted:

- The Councillor who has reserved an item should be invited to briefly state why it has been withdrawn. However, if the Councillor is not prepared to move the recommendation as presented in the report provided, the Chair will in the first instance, seek a Councillor who is prepared to move the recommendation as presented in the report provided.
- The mover of the recommendation may speak for not more than five (5) minutes.
- The mover of the recommendation has the right of reply for up to three (3) minutes and is not to introduce any new information in exercising that right.
- A Councillor who moves a motion loses the right of reply if a motion “that the motion be put” is passed.
- The Chair will then seek a Councillor who is prepared to second the recommendation as presented in the report provided.
- The seconder of the recommendation may speak for not more than five (5) minutes.
- A motion will lapse if it is not seconded at the appropriate time.
- A Councillor in addressing a Council Meeting is not to digress from the subject under discussion.
- If the Chair is unable to find Councillors who are prepared to move and second the recommendation as presented in the report provided, with or without minor variation, the Chair will seek a Councillor who wishes to move an alternative motion.
- The Chair may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the Council or Council Committee (as the case may be).
- A Councillor may only speak once to a motion except –
  - a) To provide a brief explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or
  - b) With leave of the meeting; or
  - c) As the mover in reply.

- Once a motion has been voted on (see “Voting” below), and is LOST, a new motion regarding the same agenda item may be moved (that may be substantially different to the previous motion just lost).

#### Amendments

- A Councillor who has moved or seconded a motion may not, at a later stage of the debate, move or second an amendment to the motion.
- A Councillor who has not moved or seconded the motion at an earlier stage of the debate may move or second an amendment to the motion. **[Note:** An amendment is not a new motion and cannot be a direct negative of the motion on the floor. Rather it must be relevant to the motion on the floor (and therefore, must relate to the substance or it) and can only seek to modify it by adding to or deleting from the motion, without negating it.]
- When an amendment is moved and seconded the debate is on the subject matter of the amendment.
- A Councillor who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment) will, in so doing, be taken to have spoken to the motion to which the amendment relates.
- A Councillor has up to five (5) minutes to talk to the amendment after which the Chair will seek a member to second the amendment. An amendment will lapse if it is not seconded at that time.
- If the amendment is defeated then the debate returns to the original motion and only one further (second) amendment may be moved to the original motion.
- If the (second) amendment is defeated then the original motion must then be decided.
- If an amendment is carried, the amended motion may be subject to one (1) further amendment.
- Once an amendment (and second amendment where applicable) is carried, the amendment becomes the motion which must then be put to the vote in its own right. **[Note:** The effect, therefore, is that where the meeting votes in favour of an amendment it is then required to vote on it for a second time as the substantive motion. The usual course is for the whole original motion, as amended by the amendment, to be put to the vote as the amendment and then, where carried, to be put to the vote again as the substantive motion.]
- An amendment which calls for a further report and/or additional information should include a statement as to what additional information is required.

#### Variations

- The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.
- The Chair must immediately put the question for leave to be granted and no debate will be allowed on that question.
- If the Chair gets an indication that at least two thirds of the Councillors are in favour of granting leave, leave is to be granted (ie a formal vote is not required – just require general consensus).



### Conduct of Debate

*The purpose of debate is to allow members to state relevant facts and express their views on the business before the meeting. The objective is that the decision reached at the meeting will be an informed one. Controlling the conduct of debate and the progress of the meeting are the major responsibilities of the Chair. [Joske's Law and Procedure at Meetings in Australia, 10<sup>th</sup> Edition, Ellis S Magner, Thomson Lawbook Co., 2007]*

- It should be particularly noted that a Councillor must not speak for longer than five (5) minutes at any one time.
- This can only be extended by the leave of the meeting. If the Chair gets an indication that at least two thirds of the Councillors are in favour of granting leave, leave is to be granted ie a formal vote is not required – just general consensus). The Chair does not have discretion to allow an extension.
- Elected Councillors wishing to speak should raise their hands and be recognised by the Chair. It is desirable to have alternate speakers for and against the motion and for second and subsequent speakers to confine discussion to information or details not adequately covered by previous speakers. These principles do not in any way take away a Councillors right to speak.
- If a Councillor seeks to ask a question it is important that the Councillor does not make a speech before or after the question, but asks the question straight away. The Chair must ensure that a member only speaks once to a motion and should rule the member out of order if in asking a question a further speech is being made.

### Voting

*The common method of voting is by show of hands; that is "by counting the persons present who are entitled to vote and who choose to vote by holding up their hands". [Joske's Law and Procedure at Meetings in Australia, 10<sup>th</sup> Edition, Ellis S Magner, Thomson Lawbook Co., 2007]*

- The Chair will, in taking a vote, ask for the votes of those Councillors in favour of the question and then for the votes of those Councillors against the question (and may do so as often as is necessary to enable him or her to determine the result of the voting), and will then declare the outcome.
- A Councillor who is not in his or her seat is not permitted to vote.

### Suspension of Meeting Procedures

- If the Chair considers that the conduct of a meeting would benefit from suspending the operation of all or some of the provisions of the regulations for a period of time in order to allow or facilitate informal discussions, the Chair will seek an indication that at least two thirds of the Councillors present at the meeting are in favour of suspending the operation of the regulations for a period determined by the Chair eg the issue could be clarified by some informal discussion for a period of ten (10) minutes.



- Council has resolved that in the interest of Councillors health, the Chair of the meeting is encouraged to exercise his/her discretion and suspend the operation of the regulations to enable a suitable break to be taken, as far as is practicable, to allow Councillors to stand up and move about thereby restoring their energy and circulation.
- If a suspension occurs –
  - a) A note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and
  - b) The period of suspension should be limited to achieving the purpose for which it was declared; and
  - c) The period of suspension will come to an end if –
    - The Chair determines that the period should be brought to an end; or
    - At least two thirds of the Councillors present at the meeting resolve that the period should be brought to an end.

#### Points of Order

- The Chair may call to order a Councillor who is in breach of the Act, the regulations or these procedures.
- A Councillor may draw to the attention of the Chair a breach of the Act, the regulations or these procedures, and must state briefly the nature of the alleged breach and the section of the Act, regulation or these procedures which has been contravened.
- A point of order takes precedence over all other business until determined.
- The Chair will rule on a point of order.

#### Interruption of a Meeting by Councillors

- A Councillor must comply with the Code of Conduct at all times.
- A Councillor must not, while at a meeting –
  - a) Behave in an improper or disorderly manner; or
  - b) Cause an interruption or interrupt another Councillor who is speaking.
- If the Chair considers that a Councillor during a meeting may have acted in contravention of the regulations or Council's Code of Conduct or these procedures the Councillor must be allowed to make a personal explanation.

#### Interruption of a Meeting by Others

- A member of the public who is present at a meeting must not –
  - a) Behave in a disorderly manner; or
  - b) Cause an interruption. Maximum penalty: \$500.

**Any queries regarding these Meeting Procedures should be directed to the General Manager in the first instance.**

| ACTION                           | INFORMATION  |
|----------------------------------|--|
| PROPONENT                        | Council Officer  |
| OFFICER                          | David Jolly, Infrastructure and Development Services Manager |
| FILE REFERENCE                   | 014\002\001\   |
| ASSOCIATED REPORTS AND DOCUMENTS | Nil  |

**OFFICER'S RECOMMENDATION:**

That the report be received by Council.

**INTRODUCTION:**


This report provides summary detail relating to Works Operations and Capital Projects for the reporting period July 2023.

**PREVIOUS COUNCIL CONSIDERATION:**

Provided as a monthly report – Council consideration at previous meetings.

**OFFICER'S REPORT:**

| Asset Maintenance |   |
|-------------------|---|
| Facilities        | <ul style="list-style-type: none"> <li>Preventative Maintenance Inspections (PMI) of Council owned buildings and playgrounds.</li> </ul>  |
| Town & Parks      | <ul style="list-style-type: none"> <li>Mowing/ground maintenance.</li> <li>Garden/tree maintenance and weeding.</li> <li>Footpath maintenance and repairs.</li> <li>Boat Ramp – monthly inspections and cleaning undertaken.</li> <li>Level 1 footpath inspections completed.</li> <li>Routine playground inspections completed and ongoing.</li> <li>Footpath edging program in progress.</li> </ul> |
| Roads             | <ul style="list-style-type: none"> <li>Sealed road patching – all areas.</li> <li>Stormwater system pit cleaning and pipe unblocking.</li> <li>Flood damage.</li> <li>Kerb cleaning/sweeping where required.</li> <li>Sealing maintenance throughout the municipality.</li> <li>Storm damage clean-up.</li> <li>Maintenance and grading St Marys area.</li> </ul>                                     |
| MTB               | <ul style="list-style-type: none"> <li>Routine track maintenance.</li> </ul>  |

| Weed Management – Targeted weeds for July 2023                                     |   |
|--|---|
| Scamander WTS  | <ul style="list-style-type: none"> <li>Caper spurge, thistles, pampas grass, mullein, butterfly bush, Spanish heath, various</li> </ul>   |
| Binalong Bay   | <ul style="list-style-type: none"> <li>Thistles, capeweed, bridal creeper</li> </ul>  |
| St Helens  | <ul style="list-style-type: none"> <li>Thistles, broadleaf, blackberry, various</li> </ul>  |
| Fingal   | <ul style="list-style-type: none"> <li>Broadleaf</li> </ul>   |
| St Marys   | <ul style="list-style-type: none"> <li>Spanish heath, gorse, broadleaf</li> </ul>   |
|  | <p>Agapanthus praecox (Agapanthus) is a hardy lily Native to Southern Africa with thick, glossy, strap-like leaves to 50cm. It flowers during summer, blue or white in large heads on thick stem, and is approximately 1.2m tall. It spreads by rhizomes, also seed and fragments in water, garden waste and soil. The thick rhizomes can withstand extreme drought and still re-sprout. Agapanthus is a very common garden plant that has become established on or near old house sites and gardens. Although its status is unclear at present, its extreme hardiness and vigour make it a likely candidate as a future environmental weed. Control: Dispose of flower-heads before they set seed. Dig out clumps and all roots.</p> |

## Waste Management – General Information

| General Waste to Copping Landfill |     |     |     |     |     |     |     |     |     |     |     |     |       |
|-----------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Year                              | Jul | A   | S   | O   | N   | D   | J   | F   | M   | A   | M   | Jun | Total |
| 2023/24 (T)                       | TBA |     |     |     |     |     |     |     |     |     |     |     |       |
| 2022/23 (T)                       | 194 | 243 | 226 | 206 | 250 | 262 | 388 | 197 | 267 | 246 | 199 | 234 | 2,912 |

| Kerbside Recyclables Collection – JJ's Waste service |     |    |    |    |    |    |    |    |    |    |    |     |       |
|--|-----|----|----|----|----|----|----|----|----|----|----|-----|-------|
| Year   | Jul | A  | S  | O  | N  | D  | J  | F  | M  | A  | M  | Jun | Total |
| 2023/24 (T)  | TBA |    |    |    |    |    |    |    |    |    |    |     |       |
| 2022/23 (T)  | 53  | 56 | 66 | 64 | 67 | 65 | 81 | 63 | 69 | 61 | 50 | 61  | 756   |

## CAPITAL WORKS

| Activity   | Update  |
|--|---|
| <b>Bridge 1605 replacement – St Columba Falls Road</b> | <b>Completed</b>  |
| Mt Paris Dam Road – William Street urban area sealing  | Pavement upgrade completed. Sealing contractor delay - sealing to occur in 2 <sup>nd</sup> quarter of 23/24.  |
| North Ansons Road                                      | Stage 1 sealing completed 1.8km. Stage 2 to pavement upgrade completed, sealing to occur in 2 <sup>nd</sup> quarter of 23/24.                         |
| <b>Cecilia Streetscape – Part A</b>                    | <b>Completed</b>  |
| St Helens Point Road                                   | Segment 1 at Parkside and Segment 2 at Stieglitz have been resealed. Line marking completed. Waiting for contractor to install guardrail.             |
| St Marys Cemetery Masterplan                           | New columbarium and remembrance wall. Fencing and landscaping work is progress. Blockwork delayed due to contractor unavailability until late August. |
| Cornwall Soldiers Memorial Park                        | Storm water and footpath renewal works completed. Garden works yet to occur.  |
| Gardens Road – Pavement Dig-out (remediation)          | In-progress.  |

### STRATEGIC PLAN & ANNUAL PLAN:

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

##### 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:

N/A

### BUDGET AND FINANCIAL IMPLICATIONS:

N/A

**VOTING REQUIREMENTS:**

Simple Majority



| ACTION                           | INFORMATION         |
|----------------------------------|---------------------|
| PROPONENT                        | Council Officer     |
| OFFICER                          | Municipal Inspector |
| FILE REFERENCE                   | 003\003\018\        |
| ASSOCIATED REPORTS AND DOCUMENTS | Nil                 |

**OFFICER'S RECOMMENDATION:**

That the report be received by Council.

**INTRODUCTION:**

This is a monthly update for animal control undertaken since the last meeting of Council.

**PREVIOUS COUNCIL CONSIDERATION:**

Provided as a monthly report – Council consideration at previous meetings.

**OFFICER'S REPORT:**

| Dog Control - Activity Summary: 6th July to 9th August 2023  |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          |    | Reporting Period Total | 2022-2023 YTD |
|--|------------|---------------------------|----------|------------------|----------|--------------|---------------------------------|-----------|-----------|------------------|------------------------------|-------------------------------|-----------|----------|----|------------------------|---------------|
| Category/Area  | Ansons Bay | Binalong Bay, The Gardens | Cornwall | Fingal, Manganna | Falmouth | Four Mile Ck | Upper Esk, Mathinna, Evercreech | Beaumaris | Scamander | Seymour, Denison | Parnella, Stieglitz, Akarora | Goshen, Pyengana, Weldborough | St Helens | St Marys |    |                        |               |
| Dog - Attack on a person (Serious)   |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 3                      |               |
| Dog - Attack on another animal (Serious)   |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 10                     |               |
| Dog - Attack/Harassment - on another animal (Minor)  |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 0                      |               |
| Dog - Attack/Harassment on a person (Minor)  |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 4                      |               |
| Dog - Declared Dangerous   |            |                           |          |                  |          |              |                                 |           | 1         |                  |                              |                               |           |          | 1  | 5                      |               |
| Dog - Dangerous Dogs Euthanised  |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 5                      |               |
| Dog - Barking  |            |                           |          |                  |          | 1            |                                 |           | 1         |                  | 1                            |                               | 1         |          | 4  | 47                     |               |
| Dog - Chasing a person   |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 1                      |               |
| Dog - Impounded  |            | 1                         |          |                  |          |              | 1                               |           | 2         |                  |                              |                               |           |          | 4  | 18                     |               |
| Dog - in Prohibited Area   |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 0                      |               |
| Dog - Lost Dogs Reported   |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           | 2        | 2  | 5                      |               |
| Dog - Rehomed/kennel for rehoming  |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 1                      |               |
| Dog - Wandering/at large   |            | 1                         |          |                  |          |              |                                 |           |           |                  |                              |                               | 1         | 1        | 3  | 50                     |               |
| Verbal Warnings given to dog owners  |            |                           |          |                  |          |              |                                 |           |           |                  | 1                            |                               | 2         | 3        | 6  | 52                     |               |
| Notice Issued - Unregistered Dog   |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 32                     |               |
| Notice Issued - Bark Abatement Notice  |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 0                      |               |
| Notice Issued - Caution Notice   |            |                           |          |                  |          |              |                                 |           | 1         |                  |                              |                               |           |          | 1  | 14                     |               |
| Notice Issued - Infringement Notice  |            | 1                         |          |                  |          |              |                                 |           | 2         |                  |                              |                               | 1         |          | 4  | 20                     |               |
| Infringement Notice - Disputes   |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 0                      |               |
| Infringement Notice - Time Extension Request   |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 0                      |               |
| Infringement Notice - Revoked  |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 6                      |               |
| Written Letter - Various matters to Dog owners.  |            |                           |          |                  |          |              |                                 |           | 2         | 1                |                              |                               | 2         | 2        | 7  | 54                     |               |
| Patrols - Township/Urban Areas   |            |                           | 1        | 1                |          |              |                                 |           |           |                  |                              |                               | 2         | 2        | 6  | 111                    |               |
| Patrols - Beaches/Foreshore  |            | 1                         |          |                  | 2        | 2            |                                 | 4         | 3         |                  | 2                            |                               | 3         |          | 17 | 166                    |               |
| Unregistered Dog - Notice to Register  |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 0                      |               |
| Kennel Licence - No licence held   |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 3                      |               |
| Kennel Licence - Issued  |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 1                      |               |
| Other - Cat complaints   |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 3                      |               |
| Other - Livestock  |            |                           |          |                  |          |              | 1                               |           |           |                  |                              |                               |           |          | 1  | 1                      |               |
| Other - Poultry  |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 0  | 4                      |               |
| Other - Animal Welfare, RSPCA intervention   | 1          |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          | 1  | 15                     |               |
| TOTAL  | 1          | 4                         | 1        | 1                | 2        | 3            | 2                               | 4         | 12        | 1                | 4                            | 0                             | 12        | 10       | 57 | 631                    |               |
|  |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          |    |                        |               |
| Registered 2023-2024 YTD   | 1,246      |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          |    |                        |               |
| Pending 2023-2024  | 216        |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          |    |                        |               |
| Notes:   |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          |    |                        |               |
| Infringement Notices revoked 2022-2023YTD include infringement notices issued in the previous financial year2021-2022 and revoked in the current financial year. |            |                           |          |                  |          |              |                                 |           |           |                  |                              |                               |           |          |    |                        |               |

## STRATEGIC PLAN & ANNUAL PLAN

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

#### Goal

Environment - To balance our use of the natural environment to ensure that it is available for future generations to enjoy as we do.

#### Strategy

Ensure the necessary regulations and information is in place to enable appropriate use and address inappropriate actions.

## LEGISLATION & POLICIES:

N/A

## BUDGET AND FINANCIAL IMPLICATIONS:

N/A

## VOTING REQUIREMENTS:

Simple Majority

## 08/23.15.0 COMMUNITY DEVELOPMENT

### 08/23.15.1 Community Services Report

| ACTION                          | INFORMATION                              |
|---------------------------------|--|
| PROPONENT                       | Council Officer                          |
| OFFICER                         | Chris Hughes, Community Services Manager |
| FILE REFERENCE                  | 011\034\006\                             |
| ASSOCIATED REPORT AND DOCUMENTS | Nil                                      |

#### OFFICER'S RECOMMENDATION:

That the 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 Community Services Department.

#### PREVIOUS COUNCIL CONSIDERATION:

Provided as a monthly report – Council consideration at previous meetings.

#### OFFICER'S REPORT:

##### 2023 - 2024 Programs and Initiatives

| Community Services      |        |
|-------------------------|--------|
| Community Grants        | 30,000 |
| Youth Services          | 8,000  |
| Misc Donations & Events | 7,500  |
| School Prizes           | 1,000  |

| Community Event Funding                      |        |
|--|--------|
| Seniors Day                                  | 3,000  |
| Australia Day Event                          | 5,000  |
| Swimcart                                     | 1,000  |
| St Helens Athletic Carnival                  | 2,500  |
| Carols by Candlelight                        | 1,600  |
| Australia Day Event (including Woodchopping) | 15,000 |
| Fingal Valley Coal Festival                  | 2,000  |
| Pyengana Endurance Ride -                    | 500    |
| St Helens Game Fishing Comp                  | 2,000  |
| Wellbeing Festival                           | 3,500  |
| Marketing Valley Tourism                     | 2,500  |
| Volunteer Week                               | 2,500  |

|                                    |        |
|------------------------------------|--------|
| Bay of Fires Art Prize             | 10,000 |
| Bay of Fires Winter Arts Market    | 4,000  |
| St Marys Community Car & Bike Show | 2,000  |
| East Coast Masters Golf Tournament | 2,500  |
| International Disability Day Event | 1,000  |
| Mental Health Week                 | 500    |
| Barn Dance                         | 2,000  |
| Suicide Prevention                 | 1,000  |
| Pyengana Easter Carnival           | 1,000  |
| Mannalargenna Day                  | 2,500  |

|                                  |        |
|----------------------------------|--------|
| <b>Council Sponsorship</b>       |        |
| Funding for BEC Directory        | 2,000  |
| St Helens Marine Rescue          | 3,000  |
| Business Enterprise Centre (BEC) | 28,000 |
| Welcome to Town Christmas Signs  | 1,000  |

Updates on current projects being managed by Community Services:

#### **Pump Track Project**

No further update.

#### **Community Events/Activities**

Scooter Jam – new date Sunday 12 November 2023. Negotiations with Youth Week Grant and key stakeholders underway.

Planning is underway for the Festival of Wellbeing on Saturday 14 October 2023. Lots of interest from the community and the event continues to attract new contributors. \$1,800.00 was awarded from the Mental Health Council of Tasmania for the event from the Mental Health Week Grant program.

#### **AUGUST 2023**

18 – Vietnams Veterans Day – Portland Hall

25 – Brian Mitchell – Mobile Member day – St Marys Hall

#### **SEPTEMBER 2023**

2 – With One Voice Choir – Portland Hall

29 – Break O'Day Stitchers – Portland Hall

#### **Learner Driver Mentor Program**

On-road hours are slowly increasing now that more mentors seem to be coming on board. A huge thank you to Fingal Valley Neighbourhood House for their support with this program.

On-Road Hours: 39.5

Learners in the car: 10

Learners on the waiting list: 9

Mentors: 6



### **Break O'Day Christmas Festivities Committee:**

This Committee is in the early stages of planning events for the Christmas Period. They have been working closely with the Council OH&S officer to ensure all appropriate insurances are in place. The committee has been hard at work raising funds for these proposed events. The next meeting will be held on the 24 August 2023 at 4 pm in the Council Chambers anyone is more than welcome to attend.

### **Community Wellbeing Project**

22 people commenced the Wellbeing Certificate in two groups starting 10 and 13 July 2023. Three people have withdrawn from the program for personal reasons.

- St Helens on Mondays 9am-12pm at St Helens Neighbourhood House
- St Marys on Thursdays 10am-1pm community space - Fingal Valley Neighbourhood House

The face-to-face format is working well, as always we are learning more and more and look forward to continuing to be agile and make adjustments to keep the approach fresh and to honour the wisdom generated by member of our community who participate and contribute.

Two past participants are co-facilitating the sessions as consultants. All past participants are being offered opportunities to connect with this year's cohort. A member's only area of the website [www.wellbeingaction.org](http://www.wellbeingaction.org) has been created as a space for everyone who has participated in the certificate since 2021 to see the project ideas and the wellbeing wisdom being collated and created by this year's group.

Andrew MacGregor, local TCF Board Member visited the St Helens group on 7 August 2023 to discover more about how this year's program is working.

Some wellbeing wisdom from this year's Wellbeing Certificate participants.

When we have seen communities at their best they are....

doing things together towards a shared goal, they value each other's contribution and skills, they are generous and proud, and enjoy supporting each other and achieving something together.

When we have seen communities at their best they are....

welcoming & inclusive, they find ways to connect & support each other, they celebrate & have fun, they know to be open to changes and adapt, & they have things to do & places to do them

## Wellbeing in Break O'Day website

[www.wellbeingaction.org](http://www.wellbeingaction.org)



### CREATE WELLBEING

Explore wellbeing tools and tips to help you elevate wellbeing for yourself and the people around you.



### LOCAL PROJECTS

Local people doing good things to help others think, feel and be well so they can do good things too. Making ripples of change for big impact.

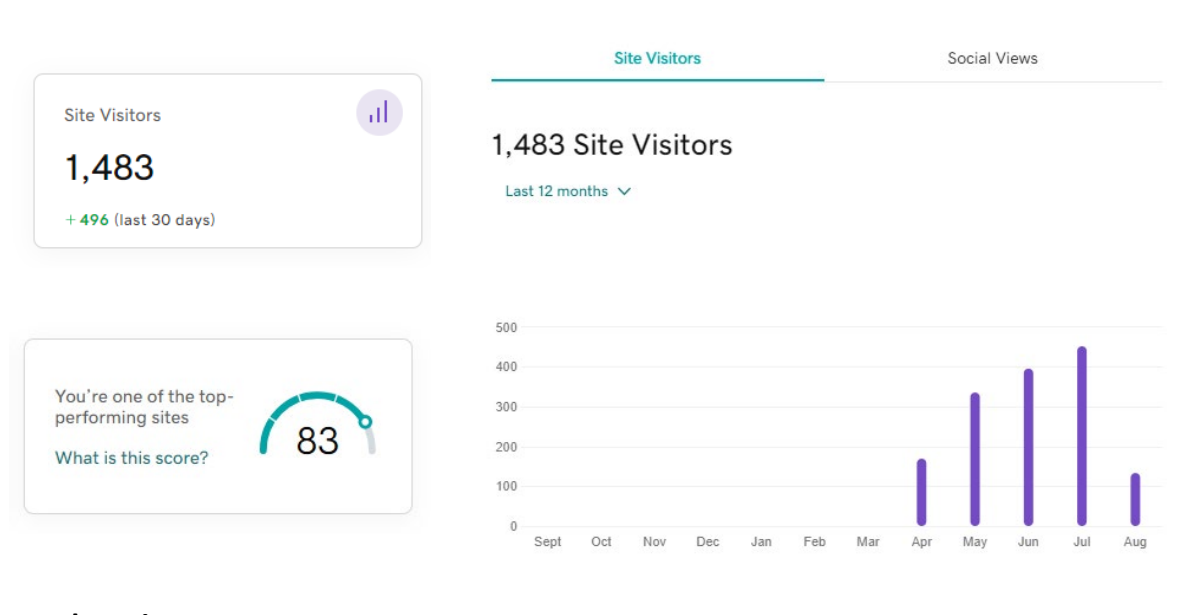


### FESTIVAL OF WELLBEING

Bringing our community together to share the good stuff and create more of it together.

The Wellbeing Website was launched in April to scaffold the Wellbeing Certificate. The website provides a way to showcase local actions, connect the broader community to the wellbeing program and provide a place for resources to support the program being collated. We needed our own website when we committed to no longer using the fee for service learning management system we started with in the first versions of the certificate.

Website engagement is looking good. The top performing site score reflects how our engagement compares to other wellbeing type websites hosted on the same domain we are using.



## Youth Project

Council is involved in the pilot project [Live4Life](#) (a peer support mental health program) hosted by Fingal Valley Neighbourhood House and continues to meet and connect with other youth stakeholders about the development of this project.

Scooter Jam on 7 May 2023 in Youth Week was postponed due to weather and illness. It will now be held on Sunday 12 November 2023. We will continue to collaborate with the Youth Collective of North East Coast Tasmania (YCNECT) and Scooter Stop to design the day. The extended timeline enables us to hold the day when the weather is more likely to be fine and gives opportunity for young people to use the October School Holidays to get involved in planning for the day.

Jenna and Leah continue to investigate how best to work with community to develop the youth strategy as there is a lot going in the youth space at the moment that is taking up people's time. It is anticipated that the Strategy will be focussed on generating aspirational-shared goals and good systems for working on them, with the potential for more action specific outcomes to be developed annually to meet the aspirational goals. Capturing and amplifying youth voice will be an important part of the strategy development.

Nine young girls from Free2Be attended the August Council workshop with Tani Langoulant to share their youth perspective with Council. They are keen to continue building on that connection.



## Health and Wellbeing

Our next Social Services Network meeting will be on 25 September 2023 at the Council Chambers and online. A dedicated youth network meeting and quarterly e-news will follow. We have 80+ subscribers to our emailed e-news, mostly health and wellbeing services providers in our area or who those who have outreach to our area. About 40% are regularly opening the e-news. Clicks on links inside the e-news doubled between the autumn and winter e-news.

A meeting is pending in September for rural councils to reconnect about progress with Lift Local Grants (\$20,000) for Health and Wellbeing planning. Council will use these funds to plan for the former Hub 4 Health facility focussed on preventative health programs and outreach. We expect to consult with community in late October when Chris Hughes has returned from leave.

### **Access and Inclusion**

The Disability Access and Inclusion Committee continues to meet regularly.

The Community Services team approaches all our work through a lens of access and inclusion and we advocate for this in the networks and meetings that we participate in both internally and externally.

### **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

- Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge.
- Foster a range of community facilities and programs which strengthen the capacity, wellbeing and cultural identity of our community.

### **LEGISLATION & POLICIES:**

N/A

### **BUDGET AND FINANCIAL IMPLICATIONS:**

N/A

### **VOTING REQUIREMENTS:**

Simple Majority

| ACTION                           | DISCUSSION                               |
|----------------------------------|--|
| PROPONENT                        | Council Officer                          |
| OFFICER                          | Chris Hughes, Community Services Manager |
| FILE REFERENCE                   | 002\024\004\                             |
| ASSOCIATED REPORTS AND DOCUMENTS | Policy No CB07                           |

**OFFICER'S RECOMMENDATION:**

That policy CB07 be amended as follows:

- In Category A; a new paragraph is added: A registered political party/group can apply for an exemption in line with Category B or Category C.; and
- A new category is added:

**Category E – Full Concession – eligible for 100% concession on full rate (ie. free venue hire) – 3 Month Trial Period**

This category applies to groups/organisations/start up small businesses/start up social enterprises that fall outside categories A, B, C and D. Any group applying for Category E must provide copies of recent bank statements showing their financial position. Any materials that are used during the three-month trial of a venue hire MUST be removed from the venue after each use.

**INTRODUCTION:**

Council recently has received two requests to waive all fees for the hire of the St Marys Hall for a trial period of three months for a new activity.

**PREVIOUS COUNCIL CONSIDERATION:**

Nil

**OFFICER'S REPORT:**

Council's current policy reflects four categories where organisations are able to apply for a reduced hire fee.

Below is an explanation of the categories and who is able to apply.

**HIRER CATEGORIES & CONCESSIONS**

The categorisation of hirers allows Council to accommodate a diversity of community needs and interests within Council venues, and provides a transparent and accountable mechanism for determining the rate at which hirers are charged. Hirers will be categorised according to:

- The purpose for which the Council facility is being hired, and



- The demonstrated capacity of the hirer to pay

There are four (4) Hirer Categories:

- (a) Category A Commercial – full fee paying;
- (b) Category B Community Business – 25% discount on hire fees;
- (c) Category C Community Interest Group – 50% discount on hire fees;
- (d) Category D Full Concession – 100% discount on hire fees.

To be eligible to receive a concession under Categories B, C or D, hirers must complete and submit a Concession Application Form and supply their organisation's most recent audited financial statement.

Organisations which are determined by Council to have reasonable access to funds (e.g., substantial funds in reserve or access to funds through grants etc.) will not be eligible for a concession. Alternatively, these organisations may be awarded a lesser rate reduction than they originally sought.

When an organisation is in receipt of any concession (Category B and C) on the full cost of the hire of a Council facility, they are considered by Council to be in receipt of a donation/subsidy. An organisation will need to declare this donation/subsidy if they apply to Council for funding under the Community Grant scheme.

Council has adopted an administration fee, which cannot be waived under any circumstances, including the categories and processes identified in this Policy. Neither the administration fee, or other hire charges apply to Memorial Services (e.g. Anzac Day Services) – refundable bonds still apply.

Councillors met to discuss the additional Category to be added to the policy allowing for a trial period of three months. This category will apply to groups/originations/start up small businesses/start up social enterprises that fall outside categories A, B, C and D. Any group applying for Category E must provide Council staff with copies of recent bank statements showing their financial position.

In the past, Council has approved two fee waivers on a 3-month trial period. Materials used by one of the users are now being stored in one of the facilities. Councillors have addressed this issue to ensure that it does not happen again by adding another clause to the Policy:

- Any materials that are used during the three-month trial of a venue hire MUST be removed from the venue after each use.

## **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

Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge.

## **LEGISLATION & POLICIES:**

N/A

## **BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

There will be a cost to Council if this amendment to the Policy is approved. Those organisations etc. that may fall within Category E – will have all fees waived, this will mean that Council will have to cover all cleaning, electricity and gas during this period.

## **VOTING REQUIREMENTS:**

Absolute Majority

## POLICY NO CB07 COMMUNITY FACILITY HIRE POLICY EXCLUDES INDOOR MULTI-PURPOSE FACILITY

|                                |  |
|--------------------------------|--|
| <b>DEPARTMENT:</b>             | Community Services   |
| <b>RESPONSIBLE OFFICER:</b>    | Manager Community Services   |
| <b>LINK TO STRATEGIC PLAN:</b> | Build capacity to improve community spirit and enhance a sense of wellbeing  |
| <b>STATUTORY AUTHORITY:</b>    | N/A  |
| <b>OBJECTIVE:</b>              | <ul style="list-style-type: none"> <li>To ensure that there is flexibility and an opportunity for all community members as individuals, groups and/or organisations to be able to access Council facilities for a mix of welfare, social, cultural, recreational and community functions, activities and services.</li> <li>To ensure that fees and charges for hire of Council community facilities meet principles of social justice, equity and value for money.</li> <li>To ensure the application of fees and charges demonstrates Council's commitment to a fair, accountable and transparent process.</li> <li>To ensure that there is a clear process and criteria in place for the consideration of applications for fee reduction or fee waiver for the hire of Council facilities.</li> </ul> |
| <b>POLICY INFORMATION:</b>     | Adopted 16 July 2012 – Minute No 07/12.13.7.190<br>Amended 23 April 2014 – Minute No 04/14.13.8.101<br>Amended 17 August, 2015 – Minute No 08/15.13.3.226<br>Amended 17 January 2022 – Minute No 01/22.15.2.10.<br>Amended   |

### POLICY

#### 1. INTRODUCTION

Council owns and maintains a number of venues, facilities and meeting rooms which are available for hire for commercial, community or private purposes. Some of the uses include (but are not limited to) seminars, meetings, concerts, conferences, product launches, conventions, tuition classes, live theatre and musical presentations. Council needs to generate income from letting these venues for periodic use to cover such costs as cleaning and power, but also seeks to facilitate good community access to amenities and services for groups that support people with special needs. Council achieves this by establishing affordable fees and charges for the use of its assets by specific types of groups such as registered, not for profit groups, charities and individuals; those whose circumstances are severely limited by the disability of their members; groups who have limited capacity to general income; groups that deliver a community development or support activity, or those that target disadvantaged people.

This policy provides guidelines for staff and potential hirers to assess the grounds for Council awarding concessional hire to applicants, and establishes common guidelines for the use of Council facilities. It takes into account the relationship of the hirer to Council, the local orientation or



membership of the hirer, the purpose of the hire and the overall benefit to the entire community of the particular use of Council's amenities.

## FACILITIES

This policy applies to all Council owned community venues currently available for periodic hire. It does not apply to properties that are leased from Council, and for which contractual lease agreements have been established.

## 2. HIRER CATEGORIES & CONCESSIONS

The categorisation of hirers allows Council to accommodate a diversity of community needs and interests within Council venues, and provides a transparent and accountable mechanism for determining the rate at which hirers are charged. Hirers will be categorised according to:

- The purpose for which the Council facility is being hired, and
- The demonstrated capacity of the hirer to pay

There are four (4) Hirer Categories:

- (a) Category A Commercial – full fee paying;
- (b) Category B Community Business – 25% discount on hire fees;
- (c) Category C Community Interest Group – 50% discount on hire fees;
- (d) Category D Full Concession – 100% discount on hire fees.

To be eligible to receive a concession under Categories **B, C, D or E**, hirers must complete and submit a Concession Application Form and supply their organisation's most recent audited financial statement.

Organisations which are determined by Council to have reasonable access to funds (eg, substantial funds in reserve or access to funds through grants etc) will not be eligible for a concession. Alternatively these organisations may be awarded a lesser rate reduction than they originally sought.

When an organisation is in receipt of any concession (Category B and C) on the full cost of the hire of a Council facility, they are considered by Council to be in receipt of a donation/subsidy. An organisation will need to declare this donation/subsidy if they apply to Council for funding under the Community Grant scheme.

Council has adopted an administration fee which cannot be waived under any circumstances, including the categories and processes identified in this Policy. Neither the administration fee, or other hire charges apply to Memorial Services (eg. Anzac Day Services) – refundable bonds still apply.

## 3. OVERVIEW OF HIRER CATEGORIES & HIRERS RECEIVING SPECIAL DISPENSATION

To be eligible for any of the concession categories, hirers must match the criteria below and provide supporting documentation (for example, audited financial statements).

If you are possibly eligible for an exemption under Category **B, C, D and E** you will need to apply through the Community Grant Scheme. Council runs a 2 tier Community Grant Scheme.





- Tier 1 Continued funding for small infrastructure projects and programs; and
- Tier 2 Provides potential funding for facility fee waivers – up to a maximum of 50%.

There will be two rounds of funding per annum. Please check Council's website and Newsletters produced on a monthly basis for news of when these grants are open.

**a) Category A – Commercial, Business, Political & Private Hirers**

Full fees are applicable to this category. Commercial, political groups and private hirers are not able to apply for a concession for venue hire.

Types of Use – Private and family functions, trade fairs, product launches, meetings of registered political groups/parties, conventions and all income generating activities for personal or corporate profit.

Examples of hirers likely to be located within this category are: State and Federal Government agencies (excluding primary and secondary schools), registered political parties/groups, private businesses, business owners and corporations.

**A registered political party/group can apply for an exemption in line with Category B or Category C.**

**b) Category B – Community Services & Small Businesses – eligible for a 25% concession on the full commercial rate**

This category applies to the activities of healthy lifestyle and community education organisations or businesses, and community service/welfare agencies that have the capacity to raise funds and/or apply for operational funding from one or a combination of Local, State or Federal government grants programs.

This includes community service providers (funded), other local government agencies, incorporated community groups (funded) education/leisure/lifestyle organisations (that charge fees), revenue raising activities (eg. ticket sales at concerts), exhibitions, seminars and community service conferences and meetings eg. karate, yoga, dancing classes

**c) Category C – Community Interest Groups – eligible for a 50% concession on the full commercial rate**

This category applies to; the activities of groups/organisations that do not receive State or Federal funding but raise funds from other sources including membership, sponsorship, project-focused grant funding and/or Council funding.

Examples of groups that might be located within this category are: not for profit playgroups and child-focused early intervention groups, religious/spiritual groups or church-based/place of worship organisations, schools, registered charities, clubs/leisure/education/amateur sporting/lifestyle activities (run by volunteers or with volunteer labour), incorporated organisations, not for profit community groups (limited funding), and Council operated services and activities.

**d) Category D – Full Concession – eligible for 100% concession on the full commercial rate (ie. free venue hire)**

This category applies to groups/organisations that fall outside categories B and C. Any group/organisation applying for Category D must provide evidence of their exceptional circumstances. Fundraising events for fire and flood events are examples of Category D.





All applications for full concession require Council approval.

e) **Category E – Full Concession – eligible for 100% concession on full rate (ie. free venue hire) – 3 Month Trial Period**

**This category applies to groups/organisations/start up small businesses/start up social enterprises that fall outside categories A, B, C and D. Any group applying for Category E must provide copies of recent bank statements showing their financial position. Any materials that are used during the three month trial of a venue hire MUST be removed from the venue after each use.**

**Guidelines for assessing requests for a concession**

Each concession request will be assessed individually following common criteria:

- a) The applicant meets the criteria for Category B and C
- b) The necessary documentation and financial information (eg, latest Audited Financial Statement, Certificate of Insurance) has been provided and supports the request
- c) The activity/event/function has a primary focus on the Break O'Day Municipality
- d) The proposal improves community access to an activity or service
- e) The applicant has demonstrated that they will not profit from usage
- f) The applicant has demonstrated they are unable to meet the full cost and/or that the costs of usage cannot be recovered from participants
- g) The application has demonstrated that the function or activity will not be viable without a subsidy
- h) The event/activity is being held to support a charity organisation, to raise money for a charitable cause or to support an individual or family in crisis.

**4. MONITORING AND REVIEW**

This Policy will be reviewed every three (3) years in line with the Council's Policy Framework or earlier in the event of major changes to legislation or related policies, procedures or if deemed necessary by the General Manager.

| ACTION                           | INFORMATION                              |
|----------------------------------|--|
| PROPONENT                        | Council Officer                          |
| OFFICER                          | Chris Hughes, Community Services Manager |
| FILE REFERENCE                   | 018\019\001\                             |
| ASSOCIATED REPORTS AND DOCUMENTS | Nil                                      |

**OFFICER'S RECOMMENDATION:**

For Councillors information

**INTRODUCTION:**

Council staff undertook a review of the Community Grant Application form to ensure that it now captures Councillors comments which have been gathered over the last couple of rounds of this community grant program.

**PREVIOUS COUNCIL CONSIDERATION:**

Nil

**OFFICER'S REPORT:**

Council's Community Funding Program provides grants to community groups based in the Break O'Day municipality to improve the amenity of an area or facility. The Community Grant program also encourages applications that are focused on building inclusiveness and resilience in our community. Priority is given to projects that have broad and ongoing benefits to the community.

The changes we have made to the form, we believe, have identified more clearly what activities **will not be** considered for funding under this program, those being:

- Any projects on privately owned land or which cannot be freely accessed by all community members.
- Capital Works projects (ie. Footpaths, kerb and guttering etc.)
- Is part of ongoing administration or operational costs of an organisation.eg staff costs and insurance, honorariums for volunteers.
- Is made by a registered school or commercial business.

We have retained the five selection criteria questions, those being:

1. Description of the project/activity;
2. Benefit of the proposal to the local community;
3. Sustainable outcomes;
4. Support for the project/activity; and
5. Organisational, financial and project management .

The organisation applying for the funding has to provide a detailed response using these five questions. This will provide Councillors with a good overview of the project such as, what the benefits are to the community, what support from the community they have for the project, for example are they partnering with other groups etc. This will provide Council with a good overview of the organisations financial sustainability ie., is the grant they are applying for seed funding to start a project and does the organisation have the capability to continue with the program.

We have also include a Declaration page at the end of the application form which has to be signed by the person lodging the application form.

By signing the Declaration page they are agreeing to the following terms:

- They certify to the best of their knowledge that the information given on the form is complete and correct.
- They understand that approval of the grant is subject to mutual agreement between Break O'Day Council and the applicant.
- They understand that if Break O'Day Council approves a grant, they will be required to accept the conditions of the grant in accordance with Break O'Day Council requirements.
- They agree to ensure all necessary approvals/permits are obtained prior to the project/program/event taking place.
- They understand that Break O'Day Council does not accept any liability or responsibility for the proposal in this application and that it is the responsibility of the applicant or their sponsor to provide the appropriate insurance cover.
- They will abide by all relevant health and safety standards.
- They agree that if funded, funds will be used only for the project described on this application.

#### **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 and support leadership within the community to share the responsibility for securing the future we desire.

#### **LEGISLATION & POLICIES:**

N/A

**BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

Council has funding in the current budget (\$30,000) to be applied to the Community Grants program.

**VOTING REQUIREMENTS:**

Simple Majority



## Break O'Day Council – Community Funding Program

### Guidelines:

The Community Funding Program provides grants to community groups based in the Break O'Day municipality to improve the amenity of an area or facility. The grant program also encourages applications focused on building inclusiveness and resilience in our community. . Priority will be given to projects that have broad and ongoing benefit to the community.

### Activities that will be considered for funding but not necessarily restricted to:

- Beautification projects
- Projects to improve recreation facilities
- Projects that will improve the amenity of an area, township or community
- Encourage inclusiveness by drawing together diverse groups to share in positive outcomes
- Develop connectedness by encouraging accessibility.

### Activities that will not be considered:

- Any projects on privately owned land or which cannot be freely accessed by all community members
- If successful in receiving funds from a previous year under this program, no additional time will be granted – programs must be completed within the financial year they are allocated to the recipient
- Capital Works projects (ie. Footpaths, kerb and guttering etc.)
- Ongoing administration or operational costs of an organisation.eg staff costs and insurance, honorariums for volunteers
- Is made by a registered school or commercial business.

### Eligibility

- All community groups that represent the ratepayers of their township/area are eligible to apply for funding.
- Only local **NOT-FOR-PROFIT** community groups will be given consideration for funding assistance.

Review July, 2023 V 1





## Break O'Day Council – Community Funding Program

- Preference will be given to incorporated organisations with proven capacity to administer grants and deliver projects.
- Community Groups who have not acquitted previous grants provided by Council, will not be eligible to apply.

|   |                   |
|---|-------------------|
| Name of group:  |                   |
| Title of project:   | Amount requested: |
| Are you prepared to accept partial funding? <input type="checkbox"/> YES <input type="checkbox"/> NO                              |                   |
| In highly competitive rounds, Council may offer less than the amount requested.   |                   |
| Applicant Details   |                   |
| Contact name:   | Position:         |
| Postal address:   |                   |
| Postcode:   |                   |
| Daytime Phone:  | Mobile phone:     |
| Email:  | Website:          |
| Is your organisation not-for-profit? <input type="checkbox"/> YES <input type="checkbox"/> NO, your organisation is not eligible  |                   |
| Is your organisation incorporated? <input type="checkbox"/> YES <input type="checkbox"/> NO, you require an auspicng organisation |                   |
| Name and address of auspicng organisation   |                   |
| Is your organisation registered for GST? <input type="checkbox"/> YES <input type="checkbox"/> NO                                 |                   |
| What is your organisation's or auspicng organisation's ABN?:  |                   |

Review July, 2023 V 1



## Break O'Day Council - Community Funding Program

The submission must address the following criteria:

**1. Description of the project/activity**

Applicants need to provide a clear plan of their project inclusive of site plans and/or pictures, a delivery schedule and a statement addressing the grant criteria.

**2. Benefit of the proposal to the local community**

Applicants must clearly explain how the project or activity will benefit their community. Applicants are encouraged to provide as much relevant information as possible to explain the benefit of the proposal to the assessment panel.

**3. Sustainable outcomes**

If the project involves the improvement of a recreational facility, applicants are required to demonstrate how these improvements will be maintained or further enhanced over the long term.

**4. Support for the project/activity**

Applicants should demonstrate strong support for their project, including possible financial and in-kind support from the community and other organisations.

**5. Organisational, financial and project management**

Applicants must provide a budget and costings for their project and also outline how the proposal is to be implemented.

If you need additional space when providing the requested information

\*\*\*\*\*

Review July, 2023 V1



## Break O'Day Council – Community Funding Program

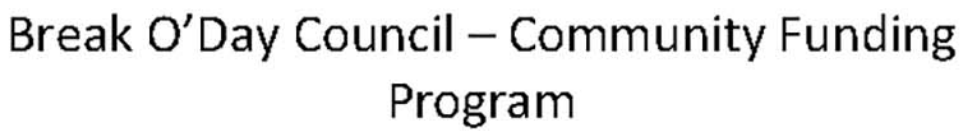
Applications can be made under the Community Funding Program up until \*\*\*\*\*

For further information contact Jenna Barr or Chris Hughes at the Council Office on

6376 7900, [jenna.barr@bodc.tas.gov.au](mailto:jenna.barr@bodc.tas.gov.au) or [chris.hughes@bodc.tas.gov.au](mailto:chris.hughes@bodc.tas.gov.au) or

download from Council's website [www.bodc.tas.gov.au](http://www.bodc.tas.gov.au)

Review July, 2023 V 1

[illegible]

| 08/23.15.3



## Break O'Day Council – Community Funding Program

| Benefit of the proposal to the local community |
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Review July, 2023 V 1





## Break O'Day Council – Community Funding Program

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| Sustainable Outcomes |
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| Support for the project |
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Review July, 2023 V 1



## Break O'Day Council - Community Funding Program

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| Organisation, financial and project management |
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### PROJECT BUDGET

|   | Amount | Confirmed or Unconfirmed |
|---|--------|--------------------------|
| <b>Total Cost of Project (a)</b>        | \$     |                          |
| Amount sought from Council              | \$     |                          |
| Amount contributed by your organisation | \$     |                          |
| Other Funding Sources:                  |        |                          |
|   | \$     |                          |

Review July, 2023 V I



## Break O'Day Council – Community Funding Program

|                      |    |  |
|----------------------|----|--|
|                      | \$ |  |
|                      | \$ |  |
| Total of Funding (b) | \$ |  |

**Note: (a) should equal (b)**

### Declaration

This declaration must be signed by a person authorised to sign on behalf of your organisation.

- I certify to the best of my knowledge that the information given on this form is complete and correct.
- I understand that approval of the grant is subject to mutual agreement between Break O'Day Council and the applicant.
- I understand that if Break O'Day Council approves a grant, I will be required to accept the conditions of the grant in accordance with Break O'Day Council requirements.
- I agree to ensure all necessary approvals/permits are obtained prior to the project/program/event taking place.
- I understand that Break O'Day Council does not accept any liability or responsibility for the proposal in this application and that it is the responsibility of the applicant or their sponsor to provide the appropriate insurance cover.
- I will abide by all relevant health and safety standards.
- I agree that if funded, funds will be used only for the project described on this application.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Review July, 2023 V 1

#### 08/23.15.4 Bay of Fires Master Plan

| ACTION                           | DISCUSSION                               |
|----------------------------------|--|
| PROPONENT                        | Council Officer                          |
| OFFICER                          | Chris Hughes, Community Services Manager |
| FILE REFERENCE                   | 002\017\017\                             |
| ASSOCIATED REPORTS AND DOCUMENTS | Nil                                      |

#### OFFICER'S RECOMMENDATION:

1. That Council does not proceed with the development of the Bay of Fires Master Plan due to additional funding not being received from the State Government.
2. That Council as part of the State Election process lobby for a commitment from both the Liberal and Labor parties for funding of \$150,000 for the development of a Bay of Fires Master Plan. .

#### INTRODUCTION:

Council sought additional funding from the State Government through the budget process this year and was not successful in receiving the requested \$50,000.

#### PREVIOUS COUNCIL CONSIDERATION:

##### Notice of Motion – Clr G McGuinness – 20 May, 2019

**05/19.8.1.104**      Moved: Clr G McGuinness / Seconded: Clr B LeFevre

*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:*

To invite the State Government to join a conversation with Break O'Day Council to commence a Bay of Fires Master Plan.

Ultimately, this is to include but not exclusive to....

- Parks and Wildlife Service
- Break O' Day Council
- Department Of State Growth
- Tas. Aboriginal Community
- Heritage Tasmania
- Friends of Eddystone Point
- John Tucker MHA and Mhari Tucker, as owners of The Gardens pastoral property
- Residents of BOF settlements
- CMCA
- Taswater

- East Coast Tourism

Major items for discussion....

- Parking at pressure points - Binalong Bay, The Gardens and Larapuna
- Provision of further infrastructure, eg. Boat ramps, interpretation sites, designated coastal walks, further access etc.
- Provision of more food outlets
- The future of reticulated water and sewerage
- Provision of more interpretation sites
- Protection of historical sites, both European and Aboriginal
- A discussion of the roles of Mt William National Park, Mt Pearson State Reserve, Humbug Point State Reserve, various coastal state reserves and the conservation area north of The Gardens
- Maintenance of the highly popular free camping sites along the BOF precinct
- Bushfire management
- Flood management
- Accommodation
- Pressure on The Gardens Road from the Reids Road Intersection
- Any other valid points

**CARRIED UNANIMOUSLY**

**Council Meeting 15 February, 2021**

**02/21.14.2.41**      Moved: Clr G McGuinness / Seconded: Clr K Chapple

That Council in conjunction with Parks & Wildlife (PWS) establish a Steering Committee to undertake the Bay of Fires Master Plan project with priority given to the finalisation of the Project Scope and development of Terms of Reference for the Steering Committee.

**CARRIED UNANIMOUSLY**

**Council Meeting 19 – April, 2021**

**04/21.15.4.95**      Moved: Clr B LeFevre / Seconded: Clr M Osborne

That Council appoint Clr G McGuinness to sit on the Steering Committee to represent Council's interests in the development of the Bay of Fires Master Plan.

**CARRIED UNANIMOUSLY**

#### **OFFICER'S REPORT:**

Council wrote to Treasury in November 2022, asking for additional funding to develop the Bay of Fires Master Plan. The request was on the basis that when expressions of interest were called for the project, it was identified that additional funds were required to develop the plan. We were invited to do so by the State Government and it was implied that the Government would give



consideration to our submission when developing the 2023 – 2024 budget.

The Mayor wrote to Minister Jaensch on 6 June 2023 seeking formal advice as to whether Council was successful in receiving additional funding for this project. The Mayor in his correspondence expressed his concerns that we didn't want to see the Bay of Fires 'loved to death' or experiencing the same issues as what occurred at Freycinet. While the State Government continue to push greater visitation, they also need to ensure these natural areas that visitors travel to experience, are not compromised or destroyed by over visitation. The development of the Bay of Fires Master Plan would ensure that any proposed developments are in keeping with the environmental, economic and social aspects of the area and will also reduce the amount of degeneration to the environment that is currently occurring.

Council further advised that if no additional funding was provided by the State Government, we would seek confirmation from Council that we would be withdrawing our financial contribution of \$50,000 for this project. This would mean that the Bay of Fires Master Plan would not be developed and the area will continue to be negatively impacted until it is no-longer the natural environmental draw-card that the Government continues to promote.

Minister Jaensch advised that the State Government is unable to contribute further funds at this stage. He further advised that if the project did not go ahead, the funds that had been provided by Parks & Wildlife will be used to progress infrastructure improvements in the Bay of Fires Conservation Area.

Council staff have since written to the Steering Committee advising them of where this project currently is and seeking their input. They were provided with two options and asked to advise which option they supported:

1. Reduce the scope of the project - we see this as not a good option as limiting the amount of engagement with stakeholders and the aboriginal community would not ensure that the Plan may not cover everything that we had identified as important in the Brief. Reducing the area that had originally been agreed upon by the Steering Committee - would mean that we would only be doing half the job of what the committee had agreed upon in the development of the Brief. These are two things which I think would need to be cut to lower the fee for service for the development of the Plan.
2. Not go ahead with the project.

Feedback from the Steering Committee is below – eight (8) members of the Steering Committee responded – one (1) we did not hear from but believe they may be on leave.

I think best to not go ahead at this point, if we can't do the project justice best to put any existing resource back to Parks to manage as it sounds as though they already have plans for the most urgent infrastructure issues.

It is probably best not to proceed any further at this point because there is most likely insufficient funds to properly fulfil the project brief. If that is the rest of the Committees view then I also think the \$50,000 dollars which came out of Parks budget for upgrading campsites in the area should be returned and could be used to assist with maintaining and or improving some campground infrastructure.

|  |
|--|
| I believe we should put the project on hold until adequate funding is available. No deal is better than a bad deal.  |
| Disappointing news re decline of required funding. At this stage I don't think we should proceed with a reduced version of current project plan.   |
| I feel we should not go ahead at this stage, as we do not have the funding.  |
| I would prefer some activity rather than none.   |
| The funding deficit is very disappointing. The development of the Master Plan is important work which requires an appropriately robust approach and scope-- the current funding cannot deliver this. |
| Disappointing news. Probably best not to go ahead.   |

All members of the Steering Committee agreed that it was disappointing that the additional funding was not provided by the State Government, as they believe that the development of this document would have ensured that any proposed development in this area would have been in keeping with protecting the environment within the Bay of Fires.

The eight (8) members of the Steering Committee who responded – seven (7) agreed to not go ahead at this time, as they did not feel that the funding that was available would deliver the project in accordance with the Brief that had been developed. One (1) member of the committee stated they would prefer some activity than none.

A number of members of the Steering Committee have advised that they are still interested in seeing this project come to fruition and believe that as a group we should still push a Government to fund this project.

#### **STRATEGIC PLAN & ANNUAL PLAN:**

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

##### Goal

Environment - To balance our use of the natural environment to ensure that it is available for future generations to enjoy as we do.

##### Strategy

Undertake and support activities which restore, protect and access the natural environment which enables us to care for, celebrate and enjoy it.

##### Annual Plan 2023 – 2024

##### *Actions:*

2.1.1.12 - Bay of Fires Master Plan - Support and participate in the process to develop a Master Plan for the Bay of Fires area.

#### **LEGISLATION & POLICIES:**

N/A

#### **BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

Council does not have sufficient funding in the current budget to complete this project.

**VOTING REQUIREMENTS:**

Simple Majority

| ACTION                           | DISCUSSION                     |
|----------------------------------|--------------------------------|
| PROPONENT                        | Council Officer                |
| OFFICER                          | Jenna Barr, Community Services |
| FILE REFERENCE                   | 005\017\004\                   |
| ASSOCIATED REPORTS AND DOCUMENTS | Nil                            |

**OFFICER'S RECOMMENDATION:**

That Council waive all fees associated with the use of the eight (8) banner poles located in St Helens in support of the Festival Called George which is being held in October 2023.

**INTRODUCTION:**

The organisers of A Festival Called George has requested Council's assistance in erecting eight (8) banners on the banner poles in Cecilia Street, St Helens one (1) month before October 7 2023.

**PREVIOUS COUNCIL CONSIDERATION:**

Nil

**OFFICER'S REPORT:**

Council has received a request from Tasmanian Event Collective (TEC), a local St Helens event management company requesting assistance from Council to waive the cost of hiring the eight (8) banner poles located in Cecilia Street, St Helens.

In October 2022, TEC held the inaugural 'A Festival Called George' at Morty's Car Park, corner of Cecilia and Quail Street, St Helens. The event attracted 750 people, who were provided with five (5) bands complimented by multiple craft beer brewers and distillers.

In October 2023, the TEC group decided they would like to try to attract larger numbers of interstate visitors, so the festival is now spread over three (3) days.

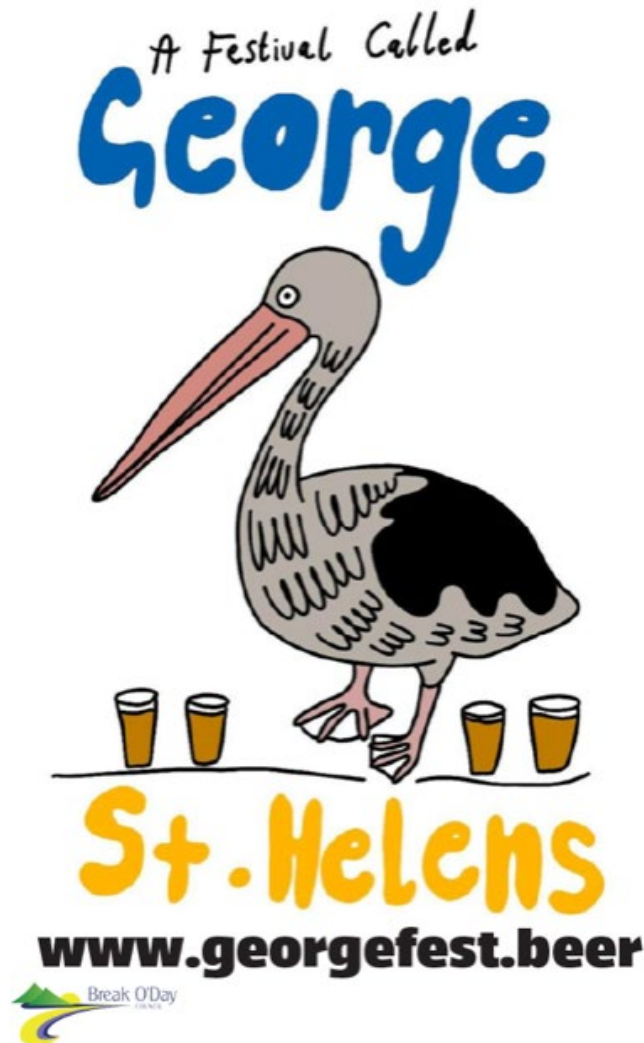
- Friday 6 October - there will be a series of curated food and beer/whiskey events across three (3) local venues.
- Saturday 7 October – the main event will be held on the St Helens foreshore (Percy Steel Reserve) 2pm – midnight there will be 15 brewers, distillers, and food vendors showcasing their products.
- Sunday 8 October - a family-focused picnic on the St Helens foreshore with a further three (3) bands.

TEC are hoping for 1500 attendees for the three (3) day festival, with attendees visiting for two (2) – three (3) nights.

TEC has request Council provide in-kind support by way of sponsorship for the hire of eight (8) banner poles for a period of one (1) month. This is to advertise the 2023 (and possibly following years) “A Festival Called George”.

The banners will not only promote the event but also create a more festive atmosphere in the central business district of St Helens.

If Council were to support this request, the Festival Called George would be amenable to the Council’s logo appearing on all eight (8) banners as a supporting partner. A mock-up design can be found below.



#### 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

Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge.

### Break O Day Annual Plan 2023 – 2024

#### *Actions:*

1.2.1.2 Community Event Support – Assist the community with event delivery by providing support and assistance with planning, approvals processes, compliance and arrangements for Council assistance and resources.

1.2.1.3 Event Attraction – Actively promote the Break O’Day Municipality as an event destination and work with event organisers and organisations to develop and attract new events to the area.

### **LEGISLATION & POLICIES:**

CB05 – Banner Infrastructure Hire Policy

### **BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

The cost to Council would be \$500 for each banner pole hire, which includes \$100.00 per pole for erection and removal cost, as well as the time for two (2) employees and the cost of the required plant/equipment whilst in use.

### **VOTING REQUIREMENTS:**

Absolute Majority

| ACTION                           | DISCUSSION                               |
|----------------------------------|--|
| PROPONENT                        | Council Officer                          |
| OFFICER                          | Chris Hughes, Community Services Manager |
| FILE REFERENCE                   | 011\002\002\                             |
| ASSOCIATED REPORTS AND DOCUMENTS | Nil                                      |

**OFFICER'S RECOMMENDATION:**

That Council accept the quote of \$11,750.00 + GST as quoted by Reconciliation Tasmania (RT) to develop a Reconciliation Action Plan (RAP) for the Break O'Day Community. This cost excludes the cost of professional graphic art for RAP format, layout, artwork and photography, professional printing of the RAP document and associated promotional pieces – banners, flyers etc. as well as staff costs who will be working on the project.

**INTRODUCTION:**

Reconciliation Tasmania seeks to assist the many Tasmanians seeking truth and reconciliation in order to make our State more welcoming and informed for all.

**PREVIOUS COUNCIL CONSIDERATION:**

Council meeting April 2023

04/23.15.2 Moved: Clr J Drummond/ Seconded: Clr L Johnstone

1. That Council seek a quote from Reconciliation Tasmania to develop a Reconciliation Action Plan for the Break O'Day Municipality.
2. That the cost of developing a Reconciliation Plan be included in the 2023 – 2024 Budget.

**CARRIED UNANIMOUSLY****OFFICER'S REPORT:**

In summary, Reconciliation Tasmania will:

- Prepare and facilitate six (6) Reconciliation Action Plan Working Group (RAPWG) workshops – three in person and three via teams and with Aboriginal stakeholders as required.
- Liaise with the Break O'Day Council RAPWG to consider and collate all potential RAP commitments and prepare a Reflect RAP to the stage of Final Endorsement.

Break O'Day Council will:

- Register their RAP with Reconciliation Australia (RA) on the RAP Registration Portal with payment of the RA registration fee.

- Establish a RAP Working Group (or delegated group of responsible members/staff)
- Provide meeting venue(s) for workshops, communication with members/staff regarding workshop attendance and schedule such workshops in consultation with RT.
- Record meeting discussion regarding potential RAP commitments and relevant discussion points.
- Provide input into the RAP draft in respect to the required organisational material (i.e.: Our Business, Our Partnerships, Selection of Aboriginal artwork etc.).
- Delegate staff responsibility for implementation of RAP commitments and provide appropriate timelines for each commitment.
- Provide timely feedback to the draft RAP(s) as required by RT in the development of draft documents prior to and following each review process from RA.
- Prepare final print ready documentation for final endorsement as required by RA.

As you can see from the above, Council staff will play a large role in the development of this plan where we will need to set aside a number of staff hours to assist with this project. For this reason, we have requested that the commencement of this project does not commence until later or early 2024 when we will have more staff hours to spend on this project. We have written to Reconciliation Tasmania requesting the above period for the project.

As identified in the recommendation, there will be additional costs for this project, which are not included in the quote provided by Reconciliation Tasmania. Those being:

- Professional graphic art for RAP format, layout, artwork and photography; and
- Professional printing of the RAP document and associated promotional pieces – banners, flyers etc.

We are unable at this stage of the project to identify what these costs will be but they will need to be covered by Council as part of the project. We believe an estimate of these costs may be approximately \$8,000. Staff hours for the project could range between 75 – 100 hours for the length of the project. The estimate of these hours are for preparation time before the six sessions that have been planned, typing up reports and minutes after the sessions and any other issues that may come from these planned sessions.

## **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

Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge.

## **LEGISLATION & POLICIES:**

N/A

#### **BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

The cost of this project to be incorporated into the 2023 - 2024 Budget. An estimate cost of this project could be approximately \$25,000, which also includes staff time.

#### **VOTING REQUIREMENTS:**

Absolute Majority

| ACTION                           | INFORMATION          |
|----------------------------------|----------------------|
| PROPONENT                        | Department           |
| OFFICER                          | Development Services |
| FILE REFERENCE                   | 031\013\003\         |
| ASSOCIATED REPORTS AND DOCUMENTS | Nil                  |

**OFFICER'S RECOMMENDATION:**

That the report be received.

**INTRODUCTION:**

The purpose of this report is to provide Councillors with an update of various matters which have been dealt with by the Development Services Department since the previous Council meeting.

**PREVIOUS COUNCIL CONSIDERATION:**

Provided as a monthly report – Council consideration at previous meetings.

**OFFICER'S REPORT:****KEY DEPARTMENT STRATEGIC OR OPERATIONAL MATTERS**

1. Development Services team members attended continuing professional development training.
2. Completed Consultation Phase of Strata Policy and completed final draft ready for Council decision, and
3. Tasmanian Planning Scheme now in force, modifications underway as instructed by the Tasmanian Planning Commission.



## PLANNING REPORT

The following table provides data on the number of applications approved for the month including statistical information on the average days to approve and the type of approval that was issued under the *Land Use Planning and Approvals Act 1993*:

|                                      | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | YTD | EOFY 2022/2023 |
|--------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|----------------|
| <b>NPR</b>                           | 1   |     |     |     |     |     |     |     |     |     |     |     | 1   |                |
| <b>Permitted</b>                     | 0   |     |     |     |     |     |     |     |     |     |     |     | 0   |                |
| <b>Discretionary</b>                 | 12  |     |     |     |     |     |     |     |     |     |     |     | 12  |                |
| <b>Amendment</b>                     | 3   |     |     |     |     |     |     |     |     |     |     |     | 3   |                |
| <b>Strata</b>                        |     |     |     |     |     |     |     |     |     |     |     |     |     |                |
| <b>Final Plan</b>                    | 3   |     |     |     |     |     |     |     |     |     |     |     | 3   |                |
| <b>Adhesion</b>                      |     |     |     |     |     |     |     |     |     |     |     |     |     |                |
| <b>Petition to Amend Sealed Plan</b> |     |     |     |     |     |     |     |     |     |     |     |     |     |                |
| <b>Boundary Rectification</b>        |     |     |     |     |     |     |     |     |     |     |     |     |     |                |
| <b>Exemption</b>                     |     |     |     |     |     |     |     |     |     |     |     |     |     |                |
| <b>Total applications</b>            | 19  |     |     |     |     |     |     |     |     |     |     |     | 19  | 284            |

|                                   |    |  |  |  |  |  |  |  |  |  |  |  |    |
|-----------------------------------|----|--|--|--|--|--|--|--|--|--|--|--|----|
| <b>Ave Days to Approve Nett *</b> | 30 |  |  |  |  |  |  |  |  |  |  |  | 30 |
|-----------------------------------|----|--|--|--|--|--|--|--|--|--|--|--|----|

\* Calculated as Monthly Combined Nett Days to Approve/Total Applications

The following table provides specific detail in relation to the planning approvals issued for the month:

### July 2023

| DA NO.           | LOCATION       | DESCRIPTION                    | SECTION | Day to Approve Gross | Days to Approve Nett |
|------------------|----------------|--------------------------------|---------|----------------------|----------------------|
| 322-2022         | Goulds Country | Sawmill & Café                 | S57     | 81                   | 80                   |
| 266-2005 FINAL 4 | St Helens      | Final Plan of Survey - Stage 4 | FINAL   | 40                   | 14                   |

|                  |           |   |       |     |    |
|------------------|-----------|---|-------|-----|----|
| 117-2023         | St Helens | Shed with Amenities   | S57   | 42  | 41 |
| 070-2023         | Goshen    | Replacement of Existing Septic with Aerated Wastewater Treatment System (AWTS)  | S57   | 43  | 42 |
| 105-2023         | Stieglitz | Deck Extension  | S57   | 45  | 28 |
| 088-2018 AMEND   | Akaroa    | Minor Amendment - Approved Prefab Steel Frame Carport Changed to Lock up Garage   | S56   | 14  | 14 |
| 125-2023         | St Helens | Forecourt Structure & Facade  | S57   | 31  | 26 |
| 432-2003 FINAL 7 | Scamander | Final Plan of Survey - Stage 7  | FINAL | 30  | 30 |
| 093-2023         | St Helens | Shed & Hobby Workshop   | S57   | 43  | 42 |
| 215-2021 AMEND   | Beaumaris | Minor Amendment - Change in building material from Zincalume cladding to rammed earth wall (lower storey walls) and fibre cement sheet to Colorbond cladding (upper storey walls) | S56   | 9   | 9  |
| 119-2023         | St Helens | Demolition of Shed & New Shed   | S57   | 52  | 29 |
| 076-2023         | St Marys  | Construction of New Visitor Accommodation Unit  | S57   | 43  | 42 |
| 270-2022 AMEND   | St Helens | Minor Amendment - 2 x Tilt Up Doors (Southern Face) & Landscape Strip Reduced to 1m Width   | S56   | 1   | 1  |
| 078-2023         | Beaumaris | Shipping Container  | S57   | 42  | 41 |
| 108-2023         | St Helens | Police Station  | S57   | 64  | 45 |
| 116-2023         | Scamander | Shed with Amenities   | S57   | 47  | 41 |
| 049-2023         | Falmouth  | Demolish Dwelling & Shed, Construct New Dwelling, Deck & Carport  | S57   | 127 | 32 |
| 187-2022 FINAL   | St Helens | Final Plan of Survey – 2 Lot Subdivision  | FINAL | 8   | 0  |
| 083-2023         | St Helens | Shed  | NPR   | 14  | 13 |

**TOTAL 19**

## BUILDING PROJECTS REPORT

### Projects Completed in the 2023/2024 financial year

| Description | Location | Updates |
|-------------|----------|---------|
| NIL         | NIL      |         |

### Projects ongoing – Capital Works Program (Includes carried over projects previous financial years)

| Description                               | Location                                 | Updates   |
|---|--|---|
| New Lighting Towers                       | St Helens Sports Complex – Football Oval | <ul style="list-style-type: none"> <li>Lights now operational, final adjustments still to be completed.</li> </ul>  |
| Kitchen Upgrades & Renovations            | Scamander Sports Complex                 | <ul style="list-style-type: none"> <li>Works Commenced.</li> </ul>  |
| St Marys Waste Transfer Station Additions | St Marys Waste Transfer Station          | <ul style="list-style-type: none"> <li>Nearing Completion;</li> <li>Final earthworks to be completed.</li> </ul>  |
| Sports Floor Replacement & New Backboard  | Bendigo Bank Community Stadium           | <ul style="list-style-type: none"> <li>Insurance Claim approved;</li> <li>Backboard now replaced;</li> <li>Flooring contractor booked to commence in October 2023.</li> </ul> |
| Building upgrades                         | St Marys Railway Station                 | <ul style="list-style-type: none"> <li>Repainting identified as priority which has now commenced.</li> </ul>  |

### Approved Capital Works Program – Current Financial Year - not yet started

| Description                                   | Location                 | Updates  |
|---|--------------------------|--|
| Old Tasmanian Hotel Site – New Community Shed | 20 Talbot Street, Fingal | <ul style="list-style-type: none"> <li>Planning approval obtained;</li> <li>Edwards + Simpson awarded contract for preparation of tender and building approval documentation.</li> </ul> |
| St Marys Indoor Recreation Facility           | St Marys Sports Complex  | <ul style="list-style-type: none"> <li>Planning approval obtained;</li> <li>Edwards + Simpson awarded contract for preparation of tender and building approval documentation.</li> </ul> |
| Audio Visual Improvements                     | Portland Hall            | <ul style="list-style-type: none"> <li>Needs further consideration.</li> </ul>   |
| External Repainting                           | Council Chambers         | <ul style="list-style-type: none"> <li>Consideration of colour scheme under way;</li> <li>Works not yet scheduled.</li> </ul>  |
| Replacement of Carpet & Repainting            | Service Tasmania         | <ul style="list-style-type: none"> <li>Quotations sourced</li> </ul>   |

|   |                          |   |
|---|--------------------------|---|
| Re-Roof and Weatherproofing of athletics building | St Helens Sports Complex | <ul style="list-style-type: none"> <li>Next phase of works pending outcomes of St Helens Sports Complex Masterplan consultation.</li> </ul> |
|---|--------------------------|---|

The below table provides a summary of the building approval issued for the month including comparisons to the previous financial year.

## Building Services Approvals Report

### July 2023

| No. | BA No.                 | Town         | Development                                     | Value        |
|-----|------------------------|--------------|---|--------------|
| 1.  | 2022 / 00310 - Unit 1  | St Helens    | New Visitor Accommodation, Deck & Carport       | \$160,000.00 |
| 2.  | 2022 / 00310 - Unit 2  | St Helens    | New Visitor Accommodation, Deck & Carport       | \$160,000.00 |
| 3.  | 2022 / 00310 - Unit 3  | St Helens    | New Visitor Accommodation, Deck & Carport       | \$160,000.00 |
| 4.  | 2022 / 00210 - STAGE 2 | Stieglitz    | New Cabins (Pod 3, 4 & 5)                       | \$785,000.00 |
| 5.  | 2022 / 00082           | Ansons Bay   | Demolition & New Shed with amenities            | \$10,100.00  |
| 6.  | 2023 / 00094           | St Helens    | Alterations & Additions - Dwelling & Deck       | \$75,000.00  |
| 7.  | 2023 / 00035 - UNIT 1  | St Helens    | New Dwelling & Deck                             | \$375,000.00 |
| 8.  | 2023 / 00035 - UNIT 2  | St Helens    | New Dwelling & Deck                             | \$375,000.00 |
| 9.  | 2023 / 00027           | St Helens    | New Dwelling, Garage & Retaining wall           | \$468,000.00 |
| 10. | 2023 / 00133           | Fingal       | Demolition & New Shed                           | \$19,000.00  |
| 11. | 2023 / 00077           | Scamander    | Internal Alterations (Dwelling) & Deck Addition | \$56,000.00  |
| 12. | 2022 / 00027           | Stieglitz    | New Shed  | \$60,000.00  |
| 13. | 2023 / 00073           | Fingal       | New Shed  | \$29,000.00  |
| 14. | 2021 / 00088           | St Helens    | New Dwelling, Deck & Retaining Wall             | \$257,000.00 |
| 15. | 2023 / 00115           | Scamander    | New Shed with attached Carport                  | \$65,000.00  |
| 16. | 2023 / 00070           | Goshen       | Plumbing only – onsite wastewater upgrade       | N/A          |
| 17. | 2023 / 00146           | Binalong Bay | Plumbing only – shed – sink                     | N/A          |


| ESTIMATED VALUE OF BUILDING APPROVALS FINANCIAL YEAR TO DATE | 2022/2023      | 2023/2024      |
|--|----------------|----------------|
|  | \$2,566,383.00 | \$3,054,100.00 |

|  | MONTH | 2023 | 2023 |
|--|-------|------|------|
|--|-------|------|------|

|  |      |                |                |
|--|------|----------------|----------------|
| ESTIMATED VALUE OF BUILDING APPROVALS<br>FOR THE MONTH | July | \$2,566,383.00 | \$3,054,100.00 |
|--|------|----------------|----------------|

| NUMBER BUILDING APPROVALS FOR FINANCIAL<br>YEAR TO DATE | MONTH | 2022/2023 | 2023/2024 |
|---|-------|-----------|-----------|
|   | July  | 16        | 17        |

## ENVIRONMENTAL REPORT

| Description                        | Updates  |
|------------------------------------|--|
| Community Awareness and Engagement | <p>The <i>Hands on Learning</i> class at St Helens District High School is being supported to plan a National Tree Day planting project and plant native tussocks at the St Helens dog exercise park.</p> <p>The first beach clean-up for the <i>Irapuna Community Weekend</i> saw around 4000 sea spurge and 10kg of marine debris cleared from the Policemans Point–Gardens coastline. A further four beach clean-ups north and south of Eddystone Point are scheduled for 18–20 August.</p>  |
| Weed management                    | <p>Focus of support and requests for weeds on private land has been with Spanish heath, gorse and spiny rush at Seymour and Denison Rivulet (Council control work undertaken) and gorse at St Marys and Fingal. Activities for serrated tussock eradication this spring are being organised, as are final control works for the Break O'Day Drought Weeds project (Spanish heath and Patersons curse).</p>   |
| Dog Management                     | <p>The Break O'Day Shorebird Working Group met to consider recent activity, the coming breeding season and priorities and actions, such as review of Council's Dog Management Policy this year. The group includes the Parks and Wildlife Service, Council, NRM North and shorebird volunteers and advocates including North East Bioregional Network members.</p>   |
| Flood Risk Management              | <p>Work to assess the consequences of likely river-breakout scenarios on the lower George River floodplain has been planned and a service provider is being engaged to undertake the impact assessment with stakeholders and the community.</p>  |



The *Scamander Coastal Hazards and Flood Risks Pathways Planning* project funding agreement has been finalised to access a grant via Tasmania SES from Australian Government's *Coastal and Estuarine Risk Mitigation Program*. The first step in the project will be to recruit specialist expertise in coastal hazards and flood risk management and adaptation that can also engage the community in the project's risk assessment and mitigation planning work.

### Recreational Water Quality

The *Public Health Act 1997* requires that Councils monitor recreational waters (including public pools and spars) using the Tasmanian Recreational Water Quality Guidelines. Monitoring is conducted monthly during the warmer months to test for faecal contamination.

Water sampling results over the 2022-23 season indicated conditions at the ten waters monitored were safe for swimming according to the Tasmanian Recreational Water Quality Guidelines. All natural waters may be subject to local poorer water quality from time to time due to weather or other conditions.

### Immunisations

The *Public Health Act 1997* requires that Councils offer immunisations against a number of diseases. The following table provides details of the rate of immunisations provided by Council through its school immunisation program.

| MONTH           | 2023/2024 |              | 2022/2023  |              |
|-----------------|-----------|--------------|------------|--------------|
|                 | Persons   | Vaccinations | Persons    | Vaccinations |
| July - December | 0         | 0            | 60         | 64           |
| January - June  | 0         | 0            | 54         | 54           |
| <b>TOTAL</b>    | <b>0</b>  | <b>0</b>     | <b>114</b> | <b>118</b>   |

### Sharps Container Exchange Program as at 9 August 2023

| Current Year  | Previous Year |
|---------------|---------------|
| YTD 2023/2024 | YTD 2022/2023 |
| <b>10</b>     | <b>8</b>      |

### STRATEGIC PLAN & ANNUAL PLAN:

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

#### Goal

Environment – To balance our use of the natural environment to ensure that it is available for future generations to enjoy as we do.

### Strategy

- Ensure the necessary regulations and information is in place to enable appropriate use and address inappropriate actions.
- Undertake and support activities which restore, protect and access the natural environment which enables us to care for, celebrate and enjoy it.

### **LEGISLATION & POLICIES:**

N/A

### **BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

N/A

### **VOTING REQUIREMENTS:**

Simple Majority

| <b>ACTION</b>                           | <b>DECISION</b>  |
|---|--|
| <b>PROPONENT</b>                        | Council Officer  |
| <b>OFFICER</b>                          | Deb Szekely, Senior Town Planner   |
| <b>FILE REFERENCE</b>                   | P23/3  |
| <b>ASSOCIATED REPORTS AND DOCUMENTS</b> | 1. Draft Strata Development Policy –Post Consultation / Post Legal Counsel Review;<br>2. Representation – Andrew Butler, East Coast Surveying<br>3. Representation – Sally Bevis, Terrace. |

**OFFICER’S RECOMMENDATION:**

Endorse the draft Strata Development Policy (Policy No EP11) which has undergone targeted consultation within the development community and legal counsel review.

**INTRODUCTION:**

The draft Strata Development Policy has been released for targeted consultation in accordance with the targeted consultation Communications Strategy. Invitations to comment on the draft policy were sent out to relevant organisations identified in the Communications Strategy, on 6 June 2023. Comment was invited until close of business on 3 July 2023. During this period, two (2) submissions were received:

1. Andrew Butler on behalf of East Coast Surveying and Woolcott Surveys (Land Development & Surveying);
2. Sally Bevis on behalf of Terrace (Strata Manager and Real Estate).

**PREVIOUS COUNCIL CONSIDERATION:**

1. October 2021 Workshop Report;
2. March 2022 – Council Response to LGAT – Targeted Feedback – Review;
3. August 2022 – Council Workshop Notes 9.2 Draft Strata Title Policy – prepare draft policy;
4. May 2023 - Council Workshop – presentation of Draft Policy and proposed targeted consultation plan.
5. August 2023 – Council Workshop – Draft Strata Policy post consultation

**OFFICER’S REPORT:**

The development of the Draft Strata Development Policy has occurred over a period of time during which the policy has been discussed at Council Workshops and released for targeted consultation within the Break O’Day development community.

Two submissions were received in response to the request for submissions on the Draft Strata Development Strategy. These submissions were reviewed and recommendations made in response to the submission. Only minor changes have been recommended by Development Services and these have been reviewed by Council’s Legal Counsel in readiness for Council consideration. Tabulated information below addressed matters raised by representors and the response by Development Services. The recommendations made by Development Services have been reviewed by Council’s legal counsel.

## 1. WOOLCOTT SURVEYS / EAST COAST SURVEYING

| REPRESENTATION   | RESPONSE  | AMENDMENT TO POLICY POST LEGAL COUNSEL REVIEW  |
|--|---|--|
| Paragraph 1  | General commentary – no recommended change  | Nil  |
| Paragraph 2 – Definitions<br>No need to duplicate definitions found in Act<br>Vacant land is not defined in STA – difficulty in using term vacant land | The term has been included and reviewed by legal counsel. The term helps clarify expectations of building requirements for strata lots. The term should remain unless advised by Council's Legal Counsel.   | Amendment to vacant land definition.<br>Further clarification given to Common Property definition. |
| Include the qualification "In the case of a Staged Development Scheme".  | Agree. The inclusion of the term "In the case of a Staged Development Scheme..." provides greater clarity of the application of the subparagraph.<br>Recommendation: Include the term and request legal counsel to review.  | "In the case of a Staged Development Scheme..." has been inserted where required.                  |
| Paragraph 4.2 – queries reference made to separate occupancy.  | The policy attempts to ensure that when a request is made for a strata development, each strata lot created relates to: <ul style="list-style-type: none"> <li>• A development permit - approved use and development.</li> <li>• The term separate occupancy ensures the development permit for use and development continues to be observed.</li> </ul> Recommendation: No change. | No change has been made.   |
| Paragraph 4.3  | The respondent makes a statement and refers to a Tribunal Decision.<br>The connection is not made.<br>Recommendation: No Change.<br>Refer to Legal Counsel for advice.  | No change has been made  |
| Paragraph 4.4<br>Should be removed – in conflict with S31AA and S38 of the Act   | Section 31AA allows Council to refuse a certificate of approval for a strata development when it includes vacant land. The  | No changes have been made.<br>This aspect of the policy does not                                   |

|   |   |  |
|---|---|--|
|   | <p>grounds of refusal are that an application for a staged development scheme (S38) should be made.</p> <p>A strata development may be a Strata Plan or a Staged Development Scheme.</p> <p>Application for a staged development scheme should only be made when the intention is to stage a strata scheme and it relates to a development permit for use and development. The permit will identify whether a staged development scheme is applicable.</p> <p>Recommendation: No change.</p> <p>Refer to legal counsel for clarification.</p> | <p>contradict any legislative requirement of the Act, it simply states Council do not intend to approve vacant lots, other than balance land in SDS.</p> |
| Para 4.5<br>Statement   | <p>Statement.</p> <p>Recommendation: No change.</p>   | No changes have been made.   |
| Part 5<br>Relies on RMPAT decision: Blow J (as he then was) in Dorset Council v Resource Management and Planning Appeal Tribunal [2011] TASSC7. | <p>Statement.</p> <p>Recommendation: Review by legal counsel.</p>   | No changes have been made.   |
| Part 6<br>Doesn't need to be included.  | <p>Inclusion has been recommended with legal counsel review.</p> <p>Recommendation: No change.</p>  | No changes have been made.   |
| Part 7<br>Statement of acceptance   | <p>Statement.</p> <p>Recommendation: No change.</p>   | No changes have been made.   |
| East Coast Surveying mainly recommend the removal of Paragraph 4.4.   | <p>Development Services maintain the position that the role of creating Strata Development is not to create vacant lots except in the case of a Staged Strata Scheme and a balance lot is created that relates to a master plan.</p>  | No changes have been made.   |

## **2. TERRACE.**

| <b>REPRESENTATION</b>  | <b>RESPONSE</b>  |  |
|--|--|--|
| 4.1(a) Appears to make it compulsory to have shared amenities.   | Section 4.1(a) attempts to describe how an application for strata development can demonstrate how a proposed strata development differentiates from a subdivision (S31(6)). It does not make aspects of a development compulsory.<br>Recommendation: No change.  | Section 4.1(a) has been amended to provide more clarity. |
| 4.1(c) Require Body Corporate to be managed by an external strata manager.   | The Act provides for the establishment of a body corporate to manage and hold in trust common property. S5 requires a strata plan the form a body corporate. Whether or not a body corporate elects to use the services of an external strata manager is a matter for the body corporate and does not require inclusion in the proposed draft policy.<br>Recommendation: No change.  | No change has been made.                                 |
| 4.1(e) Disclosure statements should include special unit entitlements.   | Not a matter for inclusion in the policy. The policy does not attempt to include matters relating to unit entitlements.<br>Recommendation: No change.  | No change has been made.                                 |
| 4.4 Remove this section. Vacant lots are not a concern for strata development. Permit expiry can be dealt with by the by-laws. | The requirement for a strata development to not create vacant strata lots is an attempt to ensure: <ul style="list-style-type: none"><li>- Strata development relates to an existing development permit;</li><li>- Strata development relates to an approved use and development;</li><li>- Development on strata lots (non-vacant land) ensure the strata lot relates to a valid permit by establishing and continuation of commencement;</li></ul> | No change has been made.                                 |



|   |  |   |
|---|--|---|
|   | <p>The creation of vacant strata lots creates strata lots to which no permit may relate.</p> <p>By-laws are not able to deal with the issuing or expiry of a permit under the <i>Land Use Planning and Approvals Act 1993</i>.</p> <p>Recommendation: No change.</p> |   |
| <p>5.1 querying whether this section means Council will consider exemption of requiring approval of subsequent stages if all conditions are met in Stage 1.</p> | <p>A staged development scheme will require approval of all stages.</p> <p>Recommendation: No change.</p>  | <p>Following legal counsel review, changes have been made to Section 5.1 to provide greater guidance as to how Council are likely to proceed.</p> |

The amended draft Strata Development Policy is attached for Council consideration and a recommendation for endorsement of the same is given.

#### **STRATEGIC PLAN & ANNUAL PLAN:**

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

##### Goal

Environment - To balance our use of the natural environment to ensure that it is available for future generations to enjoy as we do.

##### Strategy

Ensure the necessary regulations and information is in place to enable appropriate use and address inappropriate actions.

##### *Key Focus Areas:*

Encourage sensible and sustainable development through sound land use planning, building and design.

#### **LEGISLATION & POLICIES:**

*Land Use Planning and Approvals Act 1993*

*Local Government (Building and Miscellaneous Provisions) Act 1993*

*Strata Titles Act 1998*

*Local Government Act 1993*

#### **BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

N/A

#### **VOTING REQUIREMENTS:**

Simple Majority

## POLICY NO EP11 STRATA DEVELOPMENT POLICY

|                                     |   |
|-------------------------------------|---|
| <b>DEPARTMENT:</b>                  | Development Services  |
| <b>RESPONSIBLE OFFICER:</b>         | Development Services Coordinator  |
| <b>LINK TO STRATEGIC PLAN:</b>      | Appropriate Development   |
| <b>Strategic Plan – 2017 – 2027</b> | Encourage sensible and sustainable development through sound land use planning, building and design   |
| <b>Revised March 2022</b>           |   |
| <b>STATUTORY AUTHORITY:</b>         | <i>Strata Titles Act 1998</i>   |
| <b>OBJECTIVE:</b>                   | To satisfy Break O'Day Council responsibilities when determining applications for a Strata Scheme or a Staged Development Scheme made pursuant to the <i>Strata Titles Act 1998</i> . |
| <b>POLICY INFORMATION:</b>          | Adopted 21 August 2023 – Minute No XX/XX  |

### POLICY

#### 1. PURPOSE AND BACKGROUND

- 1.1. The purpose of this Policy is to provide guidance and consistency for the consideration of applications and requests for approval made pursuant to the *Strata Titles Act 1998*.
- 1.2. This Policy provides requirements that the Council must consider when exercising its discretion under the *Strata Titles Act 1998*.
- 1.3. This policy should be read in conjunction with the legislative requirements of the *Strata Titles Act 1998*.

#### 2. APPLICATION

- 2.1. This Policy applies to all request for approval by the Council pursuant to the *Strata Titles Act 1998*, including applications for a certificate of approval in relation to the creation of a Strata Scheme or Staged Development Scheme as well as a stage of a Staged Development Scheme or any cancellation of or amendment to a Strata Scheme or a Stage Development Scheme.

#### 3. DEFINITIONS & INTERPRETATION

|                            |  |
|----------------------------|--|
| Common Property            | in this policy has the meaning as set out within section 3A of the <i>Strata Titles Act 1998</i> and for the purposes of clarity Common Property can include (but is not limited to):  |
| Service infrastructure:    | <ul style="list-style-type: none"> <li>(a) Property areas above and below designated horizontal and vertical lot boundaries;</li> <li>(b) Common service Infrastructure;</li> </ul> <p>means cables, wires, pipes, sewers, drains, ducts, plant and equipment connecting a utility to a lot or common property shown on a strata scheme as defined in the <i>Strata Titles Act 1998</i>.</p> |
| Staged Development Scheme: | means a scheme for development of land by the registration of a series of strata plans as defined in the <i>Strata Titles Act 1998</i> .   |
| Strata Scheme:             | means the complex of lots and common property as defined in the <i>Strata Titles Act 1998</i> .  |
| Vacant land:               | Any vacant lot within a strata scheme intended to be used for future development, including any land which contains only outbuilding(s), agricultural shed(s) or similar building(s) but excluding any vacant lot set aside as Common Property within the scheme..   |

#### 4. POLICY STATEMENT

4.1. A certificate of approval for the creation, alteration or amendment of a Strata Scheme or a Staged Development Scheme will only be issued where the application has clearly distinguished the proposed division of land by strata plan from division of land by subdivision, in accordance with section 31(6) of the *Strata Titles Act 1998*. This will be achieved where necessary by demonstrating that the scheme contains :

- (a) meaningful provision of common property addressing open space, areas set aside for shared amenities and/or shared services and strata lots maintaining characteristics responding to approved use and development;
- (b) strata lot boundaries respond to the extent of the approved use and development;
- (c) establishment of a Body Corporate with a meaningful role to play clearly articulated in

submitted by-laws, including how common property is to be managed;

- (d) In the case of a Staged Development Scheme, a master plan which:
  - (i) identifies the site by reference to the relevant folio of the Register and delineates the site; and
  - (ii) contains a plan for each proposed stage of the development (identifying its specific location by reference to the site);
  - (iii) shows the location of existing and proposed buildings;
  - (iv) identifies the boundaries of the proposed lots and common property; and
  - (v) indicates proposed construction zones, access zones and the nature of the use to be made of them.
- (e) In the case of a Staged Development Scheme, the inclusion of a Disclosure Statement that provides information concerning:
  - (i) stages of the scheme;
  - (ii) commencement and completion dates;
  - (iii) common property for each stage;
  - (iv) location of shared infrastructure;
  - (v) responsibilities of the body corporate; and
  - (vi) responsibilities of tenants and lot owners.

4.2. A certificate of approval for a Strata Scheme or a Staged Development Scheme will only be issued where:

- (a) a planning permit has been granted under the *Land Use Planning and Approvals Act 1993* for a development and use that provides separate occupancy of individual buildings or parts of building(s), or
- (b) a site has existing use rights pursuant to section 12 of the *Land Use Planning and Approvals Act 1993* for a development that provides separate occupancy or individual buildings or parts of building(s).

4.3. A Strata Scheme or a Staged Development Scheme will only be approved where, in addition to the requirements of the *Building Act 2016* and the *Land Use Planning and Approvals Act*



1993, all infrastructure and buildings on the subject land satisfy relevant Council policy, by-laws and engineering standards. This includes issue of relevant certificates of completion for new building work or issue of a building report from a building surveyor for lots which contain existing buildings.

- 4.4. A Strata Scheme or a stage within a Staged Development Scheme, other than a balance lot set aside for a future stage of a Staged Development Scheme, will not be approved if any lot on the Strata Scheme contains Vacant land.
- 4.5. A Strata Scheme or a Staged Development Scheme will only be approved where the documentation submitted to the Council includes a system of administration and management of the scheme.

## **5. Staged Development Scheme – Further Considerations**

- 5.1. Applicants are required to obtain approval in principle for a Staged Development Scheme in accordance with section 37 of the *Strata Titles Act 1998*. For the purposes of clarity Council advises that it will, other than in exceptional circumstances as to which it retains full discretion, require an applicant to obtain approval of all stages of a Staged Development Scheme.
- 5.2. Prior to Council issuing a certificate of approval for any stage of an approved Staged Development Scheme, the following work must be completed:
  - (a) all building works as approved by that stage with all relevant certificates of completion and approval issued;
  - (b) all common areas within the vicinity of each stage, including all adjacent driveways, car parking, landscaping and retaining walls;
  - (c) all service infrastructure for that stage; and
  - (d) any fencing between any stage and the remainder of the site, comprised of any necessary private open space and temporary fencing around construction works.

## **6. PROCEDURES**

- 6.1. All applications or requests for approval will be determined in accordance with the *Strata Titles Act 1998* and Council delegations.

## **7. MONITORING AND REVIEW**

- 7.1. This Policy will be reviewed every three (3) years in line with the Council's Policy Framework or earlier in the event of major changes to legislation or related policies, procedures or if



deemed necessary by the General Manager.

DRAFT



3<sup>rd</sup> July 2023

Break O'Day Council  
Attention: Planning Department  
32-34 Georges Bay Esplanade  
ST HELENS TAS 7216

Dear Sir/Madam,

Thank you for offering our firm the opportunity to comment on councils draft Strata Development Policy. We have reviewed the policy internally within our firm and externally with our legal council. Please find below our response to the Draft Strata Development Policy.

1. The policy is not a legal document, i.e. it has no standing at law (e.g. it is not required to be prepared by, say, the *Local Government Act 1993*) and is purely a means of guiding the Council in terms of decision making under the *Strata Titles Act 1998 (Act)*.
2. Turning to the definitions, three of the four duplicate definitions found in s 3 of the Act and only one is unique – 'Vacant land'. The policy could simply state words to the effect that 'terms used in this policy which are defined in the *Strata Titles Act 1998* have the same meaning given in that act'. The definition of 'Vacant land' is inclusive (as opposed to exhaustive) and a somewhat odd inclusion seeing as the only reference to 'vacant land' in the Act is found in s 31AA. Further, common property is commonly 'vacant land', and Council should consider excluding common property from the definition to avoid problems when assessing applications for approval under s 31 of the Act.

The document should consider explaining the definition of common property to the councillors and staff. Common property is not just horizontal common property that can be seen on a plan. Common service infrastructure is defined as common property, such as common sewerage pipes and common power infrastructure etc. Also, a strata lot is defined vertically and areas outside these vertical lot boundaries are defined as common property. A good example is a 2 lot residential strata subdivision on a corner block where each unit has separate driveways, private open space etc. There would be no (horizontal) common property shown on the strata sheets. But under the act the common sewer connection, common water meter, power supply are considered common property thus satisfying the requirements for a strata subdivision. It is often frustrating for surveyors to include 'token' horizontal common property to satisfy councils misunderstanding of the act. Also, the land outside the vertical definition of the strata lots is common property.

3. Para 4.1 appears intended to assist with the application of s 31(6) of the Act. Sub-paragraph 4.1 (d) should be qualified by the words "In the case of a Staged Development Scheme."

**LAUNCESTON**

10 Goodman Crt, Invermay  
PO Box 593, Mowbray TAS 7248  
P 03 6332 3760

**ST HELENS**

48 Cecilia St, St Helens  
PO Box 430, St Helens TAS 7216  
P 03 6376 1972

**HOBART**

Rear Studio, 132 Davey St,  
Hobart TAS 7000  
P 03 6227 7968

**DEVONPORT**

2 Piping Lane,  
East Devonport TAS 7310  
P 03 6332 3760

ABN 63 159 760 479

4. Para 4.2 overlaps with s 31(3)(a) of the Act; but I do not know why reference is made to separate occupancy.
5. Para 4.3 overlaps with s 31(3)(b) and (c) of the Act, but appears to go beyond those requirement in a manner that, potentially, relies upon the discretion identified by Blow J (as he then was) in *Dorset Council v Resource Management and Planning Appeal Tribunal* [2011] TASSC 7 at paras 22 and 23.
6. Para 4.4 essentially reflects s 31AA of the Act, except it proclaims that Council will never approve schemes containing vacant lots (other than balance lots in future stages). This paragraph is unnecessary in light of s 31AA of the Act, and indeed it improperly fetters the discretion afforded by S 31AA. It should be removed. S 31AA allows strata schemes with vacant land to be considered and approved under section 38 (staged development scheme). This conflicts councils policy directly with the governing act, thus opening up avenues for legal challenge, something good policy should avoid.
7. Para 4.5 appears intended to assist with the application of s 31(6) of the Act.
8. Part 5 essentially reflects s 31 of the Act and, again, potentially, relies upon the discretion identified by Blow J (as he then was) in *Dorset Council v Resource Management and Planning Appeal Tribunal* [2011] TASSC 7.
9. Part 6 states the obvious, and need not be included.
10. Part 7 is a standard review clause, no issue.
11. There are some typos in terms of consistency with the Act – e.g. masterplan vs master plan.

In summary:

The only aspect of the Policy I consider inappropriate is Para 4.4; (see 6 above)

1. the definitions section could be simplified, and the 'Vacant land' definition improved to exclude common property; and
2. otherwise the Policy largely reflects provisions in the Act, and is largely intended to assist with the assessment of the tests found in s 31 of the Act.

Please don't hesitate to contact me should you have any queries.

Yours faithfully

East Coast Surveying



Andrew Butler  
Registered Land Surveyor

**LAUNCESTON**  
10 Goodman Crt, Invermay  
PO Box 593, Mowbray TAS 7248  
P 03 6332 3760

**ST HELENS**  
48 Cecilia St, St Helens  
PO Box 430, St Helens TAS 7216  
P 03 6376 1972

**HOBART**  
Rear Studio, 132 Davey St,  
Hobart TAS 7000  
P 03 6227 7968

**DEVONPORT**  
2 Piping Lane,  
East Devonport TAS 7310  
P 03 6332 3760

ABN 63 159 760 479



4.1 (a) appears to make it compulsory to have shared amenities, which I assume means facilities. We encourage developers to include BBQ areas or other amenities to provide for community but its not always viable.

4.1 (c) is it possible to require the body corporate to be managed by an external strata manager or to have this section complied with by a strata consultant? A body corporate is automatically created when the strata plan is registered, but the vast majority are inactive and unmanaged. It is the inactive and unmanaged bodies corporate that have issues such as disputes or failure to maintain common property. I established Terrace to overcome this by working as a consultant to developers to set their bodies corporate up ready for purchasers to move into a scheme with:

- Strata insurance to cover the entire site including the units and the common property and public liability cover for the body corporate with respect to the common property. This is a critically important step – when missed, owners usually take out standalone insurance which creates risk of units being uninsured and/or underinsured.
- an established body corporate with a strata manager, with the creation of a harmonious culture to promote community
- fair and equitable unit entitlements (this is especially important when lots are different)
- custom by-laws (the schedule 1 model by-laws which otherwise apply are deficient)
- funds for expected expenses (the first year's levies are paid at settlement)
- the beginning of a sinking fund for future capital maintenance of the common property
- one point of contact for anything that comes up

#### **Functions of a strata manager:**

##### **Accounting**

- Establish and operate a bank account(s) in the name of the Body Corporate
- Keep books of account covering all income and expenditure and assets and liabilities of the Body Corporate;
- Prepare annual financial statements of all income and expenditure and assets and liabilities of the Body Corporate (the annual accounts);
- Issue notices for fees set and special fees levied by the Body Corporate;
- Pay invoices and insurance premiums on behalf of the Body Corporate (provided reasonable funds are held by the Body Corporate);
- Reconcile the bank account(s).

##### **Insurance**

- Arrange strata insurance or renewal;
- Prepare and lodge routine insurance claims with insurers/brokers (max 15 minutes);
- Provide any other insurance services in respect of insurance products required by the Body Corporate.

##### **Documentation**

- Maintain roll of owners' names and addresses;
- Issue all Body Corporate certificates and answer reasonable enquiries at the cost of the applicant/enquirer;





# TERRACE

- Deal with routine reasonable inwards and outward correspondence;
- Keep and supervise the use of the common seal;
- Keep the records of the Body Corporate including minutes and postal ballots.

## Annual General Meeting

- Chair Annual General Meetings held during office hours at the Manager's office or at another place and time agreed between the Body Corporate and the Manager;
- Convene, chair, submit a budget and financial statement to and record minutes of the Annual General Meeting;
- Submit a report of the Manager's activities to each Annual General Meeting;
- Meetings exceeding 1 hour duration may be charged at the Hourly Rate;
- Any meeting held outside the Manager's office may attract a fee for travel time as set out in Annexure B.

## Maintenance

- Arrange for minor (less than \$2,000 or 15 minutes) repairs and maintenance of Body Corporate Property.

## Guidance

- Provide guidance to the Body Corporate to enable the Body Corporate to carry out and perform its duties and functions as set out in this clause.

## General

- Generally implement the decisions and instructions of the Body Corporate with respect to its duties and functions as set out in this clause.

## Additional services

| Services to be produced on hourly rate or fixed basis          | Amount                        |
|--|-------------------------------|
| ABN or GST registration/de-registration or alteration          | \$82.50                       |
| Project management   | 10% of project value          |
| Insurance claim greater than 1 hour                            | \$165.00 per hour (min 1 hr)  |
| Repairs and maintenance (greater than \$2,000 or 15 minutes)   | 10% of project value          |
| Dealings with the Recorder of Titles or TOLD                   | \$165.00 per hour (min 2 hrs) |
| Legal matters  | \$165.00 per hour (min 2 hrs) |
| RMPAT dealings   | \$165.00 per hour (min 2 hrs) |
| Requests for Body Corporate approval (email ballots) - simple  | \$82.50                       |
| Requests for Body Corporate approval (email ballots) - complex | \$165.00                      |
| Site visits  | \$165.00 plus travel > 30 min |
| Attendance at committee meetings                               | \$165.00 plus travel > 30 min |
| Attendance at general meetings other than AGM                  | \$165.00 plus travel > 30 min |
| Re-convene meeting/follow up votes if quorum not achieved      | \$165.00                      |
| Any other activity not included in Annexure A                  | \$165.00 per hour             |



4.1 (e) the disclosure statement should also include unit entitlements and special unit entitlements. For example, when the units are different sizes, there should be a special unit entitlement for apportionment of the insurance premium.

4.4 I would like to see this section omitted. In my experience, there are no issues with schemes with vacant lots, and the option provides greater opportunity for much needed strata development. It is my understanding that you have experienced issues with permits expiring, but we can deal with this with the by-laws.

Do you think that the phrase “contains” vacant land could be interpreted to mean a lot with a unit with vacant land as defined?  
“any land that contains an outbuilding(s), agricultural shed(s) or similar building(s) only”

4.5 this appears to be the answer to my question regarding 4.1 (c) and is extremely progressive and proactive.

5.1 noting section 37(6) of the Act, does this mean that Council will consider exemption of requiring approval of subsequent stages if all conditions are met in stage 1?

| ACTION                           | INFORMATION                 |
|----------------------------------|-----------------------------|
| PROPONENT                        | Council Officer             |
| OFFICER                          | John Brown, General Manager |
| FILE REFERENCE                   | 002\012\001\                |
| ASSOCIATED REPORTS AND DOCUMENTS | Nil                         |

**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.

**PREVIOUS COUNCIL CONSIDERATION:**

Provided as a monthly report – Council consideration at previous meetings.

**OFFICER'S REPORT:****Meeting and Events attended:**

|              |                   |  |
|--------------|-------------------|--|
| 19.07.2023   | <b>St Helens</b>  | – Hon John Tucker MP, meeting involving the Mayor to discuss a couple of matters raised with John Tucker by members of the community and provide him with background.  |
| 20.07.2023   | <b>Fingal</b>     | – Fingal Youth Park, community engagement activity for this project with residents at Fingal Valley Neighbourhood House.   |
| 21.07.2023   | <b>MS Office</b>  | – Tasmanian Housing Strategy discussion with Local Councils to create an Action Plan.  |
| 27.07.2023   | <b>MS Teams</b>   | – Caravan and Camping Review, meeting with consultants engaged by Tourism Tasmania as part of the investigation they are undertaking in relation to camping and caravan site availability in the lead up to the new Spirit of Tasmania vessels commencing. |
| 28.07.2023   | <b>Launceston</b> | – Northern Region GMs meeting, key topics discussed included NTDC activities, Climate Change Action project, Future of Local Government Review and Planning Panel proposal.  |
| 1-11.08.2023 |                   | – Annual Leave   |
| 14.08.2023   | <b>St Helens</b>  | – Week in the Life of Break O'Day Council Program.   |



|            |                   |   |
|------------|-------------------|---|
| 14.08.2023 | <b>Scottsdale</b> | – Future of Local Government Review, presentation to the Board involving the Mayor and key Council officers |
|------------|-------------------|---|

### Meetings & Events Not Yet Attended:

|            |                  |   |
|------------|------------------|---|
| 16.08.2023 | <b>St Helens</b> | – Grace Keath from East Coast Tourism Tasmania.         |
| 17.08.2023 | <b>St Helens</b> | – Week in the Life of BODC.                             |
| 18.08.2023 | <b>St Helens</b> | – Final Day of Week in the Life of BODC.                |
| 18.08.2023 | <b>MS Teams</b>  | – Governance Group Councillor Learning and Development. |
| 21.08.2023 | <b>St Helens</b> | – Council Meeting.                                      |

General – The General Manager held regular meetings with Departmental Managers and individual staff when required addressing operational issues and project development. Meetings with community members included Scott Jones & Dale Richards (Surf Angling Club)

### Brief Updates:

#### Future of Local Government Review

The Board are currently conducting public hearings relating to the Stage 2 – Options Paper that they released in April 2023, the Mayor and Council officers attended a hearing on Monday 14 August 2023 to present Council's position. The presentation covered the key elements in the submission and Council's position in relation to a future East Coast Council investigation as well as the outcomes from the community engagement process. It was a positive discussion with the Board with a number of questions focussed on our submission as well as matters previously raised on areas for future reform such as Community Impact statements where Council had said we required more information before reaching a position.

### Communications Report

| TOPIC                | ACTIVITY                          | PROGRESS   |
|----------------------|-----------------------------------|--|
| <b>GENERAL COMMS</b> | BODC Newsletter                   | Sent out 2 weeks ago. Included stories on: <ul style="list-style-type: none"> <li>• Irapuna Community Weekend</li> <li>• Landcare Conference Sponsorships</li> <li>• Rates information</li> <li>• GetIn2Gear program grant approved</li> </ul> |
| <b>Social Media</b>  | St Helens History Room            | Free entry to St Helens History Room as part of 'The Off Season' Campaign.   |
|                      | Tasmanian Planning Scheme         | Break O'Day's transition to the Tasmanian Planning Scheme and access to further information.   |
|                      | Future of Local Government Review | Promotion of consultation opportunities  |
|                      | Tasmanian PWS                     | Vandalism and closure of Burns Bay toilets.  |
|                      | St Helens High                    | No dogs on the school recreation ground  |
|                      | Volunteering Grants               | Brian Mitchell promotion of grants for community organisations   |

|                             |  |  |
|-----------------------------|--|--|
|                             | Homelessness week  | Awareness  |
| <b>EMAIL DATABASES</b>      | Continuing to develop  | Continuing to collect email addresses for the newsletter and township databases. This has been going well with all the consultation underway which is used as an opportunity to promote our EDMs.  |
| <b>Community Engagement</b> | Developing Plans and Promoting Community Engagement Projects | The communications coordinator has been working on the following Community Engagement Plans: <ul style="list-style-type: none"> <li>Fingal Youth Park Project community meeting</li> <li>Your Voice, Your Council community consultations over the Break O' Day area.</li> </ul> |
| <b>Surveys</b>              | Several surveys have been developed and promoted             | The following surveys have now closed and Reports are being developed so we can report back to the community for: <ul style="list-style-type: none"> <li>Future of Local Government submission</li> <li>Fingal Youth Park Project</li> </ul>                                     |

#### Actions Approved under Delegation:

| NAME/DETAILS                                    | DESCRIPTION OF USE OF DELEGATION | DESCRIPTION          | DELEGATION NO / ACT   |
|---|----------------------------------|----------------------|---|
| Scamander Sanctuary – Tasman Highway, Scamander | Affixing Common Seal             | Final Plan of Survey | Number 21 – Miscellaneous Powers and Functions to the General Manager |
| Learner Drivers Mentor Program                  | Affixing Common Seal             | Grant Deed           | Number 21 – Miscellaneous Powers and Functions to the General Manager |
| 265A Medeas Cove Esplanade, St Helens           | Affixing Common Seal             | Final Plan of Survey | Number 21 – Miscellaneous Powers and Functions to the General Manager |

#### General Manager's Signature Used Under Delegation for Development Services:

| DATE       | DOCUMENT        | ADDRESS                        | PID OR DA |
|------------|-----------------|--------------------------------|-----------|
| 04.07.2023 | 337 Certificate | 14 Gray Road, St Marys         | 2295359   |
| 07.07.2023 | 337 Certificate | 8 Bayvista Rise, St Helens     | 2661945   |
| 07.07.2023 | 337 Certificate | 35a Coffey Drive, Binalong Bay | 3269005   |
| 13.07.2023 | 337 Certificate | 2/1 Heather Place, St Helens   | 2680599   |
| 13.07.2023 | 337 Certificate | 88 Main Street, St Marys       | 6404153   |
| 17.07.2023 | 337 Certificate | 10A Palm Court, St Helens      | 3020859   |

|            |                 |                                       |         |
|------------|-----------------|---------------------------------------|---------|
| 17.07.2023 | 337 Certificate | 19 Susan Court, St Helens             | 2282742 |
| 17.07.2023 | 337 Certificate | 10 Pelican Court, Scamander           | 2535965 |
| 18.07.2023 | 337 Certificate | 85 Grant Street, Falmouth             | 6400785 |
| 19.07.2023 | 337 Certificate | 10 Stieglitz Street, Falmouth         | 2125499 |
| 20.07.2023 | 337 Certificate | 614 Elephant Pass Road, St Marys      | 6408613 |
| 20.07.2023 | 337 Certificate | 23-25 Gray Road, St Marys             | 6403089 |
| 25.07.2023 | 337 Certificate | 310 Davis Gully Road, Four Mile Creek | 7514557 |

#### **Tenders and Contracts Awarded:**

Nil

#### **STRATEGIC PLAN & ANNUAL PLAN**

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

##### Goal

Services - To have access to quality services that are responsive to the changing needs of the community and lead to improved health, education and employment outcomes.

##### Strategy

- Work collaboratively to ensure services and service providers are coordinated and meeting the actual and changing needs of the community.
- Ensure Council services support the betterment of the community while balancing statutory requirements with community and customer needs.

#### **LEGISLATION & POLICIES:**

N/A

#### **BUDGET AND FINANCIAL IMPLICATIONS:**

N/A

#### **VOTING REQUIREMENTS:**

Simple Majority

|   |                             |
|---|-----------------------------|
| <b>ACTION</b>                           | <b>DECISION</b>             |
| <b>PROPONENT</b>                        | Council Officer             |
| <b>OFFICER</b>                          | John Brown, General Manager |
| <b>FILE REFERENCE</b>                   | 018\019\001\                |
| <b>ASSOCIATED REPORTS AND DOCUMENTS</b> | Nil                         |

**OFFICER'S RECOMMENDATION:**

That Council provide a submission to the 2024-2025 State Budget community consultation process covering the following items:

1. St Helens District High School investigation of replacement & upgrading options
2. St Helens Wharf repairs
3. St Marys Childcare Centre – investigation into options
4. St Marys Pass – investigation & business case

**INTRODUCTION:**

The State Government will shortly commence the community consultation process as part of developing the 2024 -2025 State Budget, this provides an opportunity for Council to provide a submission advocating for projects, services, activities or policy changes. The closing date for submissions has not been notified yet but could be in October 2023.

**PREVIOUS COUNCIL CONSIDERATION:**

Nil

**OFFICER'S REPORT:**

Council's General Manager expects that the Department of Treasury and Finance will shortly commence their consultation process for the 2024-2025 State Budget. For the last few years, the Department of Treasury and Finance have not notified Council of this process or the timeframes.

Council focussed on the following items for its submission to the 2023-2024 Budget Consultation process and the progress with these items is noted in italics:

1. Bay of Fires Master Plan – need to argue for an increased funding allocation to be made in the 2023-2024 Budget. *(This was rejected, potentially we should argue for funding as part of the State Election priorities)*
2. Housing Needs Assessment –advocate for the Tasmanian Government to complete a housing needs assessment for the East Coast. *(From the recent Housing Strategy discussion it looks like this might occur though there is no detail yet available)*

3. St Helens District High School – investigation of future replacement or upgrading options *(No response received)*
4. Climate Resilient Councils – extension of program. *(No response received but there has been substantial progress at the northern region which may shape this)*
5. St Helens Wharf – funding for assessment of asset condition and maintenance works on the disputed section. *(The assessment work is being undertaken by the State Government)*
6. St Marys Childcare Centre – investigation into options for a new purpose built centre to service St Marys and surrounding areas *(No response received)*

*The Department of Treasury and Finance have not yet provided guidance on issues which Council may like to address in the submission. In the 2023-24 process, the focus was on:*

*To better align submissions with current Government Budget priorities, the Treasurer has endorsed a targeted community consultation process. It is requested that your submissions focus on the following areas:*

- *Supporting Tasmanians with the rising cost of living;*
- *Improvements that could be made to existing Government services or processes, including grant application and/or management processes; and*
- *Opportunities to improve services that are directed towards vulnerable people.*

As a starting point for Council's submission to the 2024-2025 State Budget the following items from our previous submission could be included:

1. St Helens District High School – investigation of future replacement or upgrading options
2. St Helens Wharf – funding for assessment of asset condition and maintenance works on the disputed section.
3. St Marys Childcare Centre – investigation into options for a new purpose built centre to service St Marys and surrounding areas

Since Council provided the submission last year, it is worth considering the following item:

1. St Marys Pass – funding to undertake investigation into alternative routes to bypass this piece of infrastructure and funding to develop the business case.

Councillors are asked to consider additional items for inclusion. The 2024-2025 Budget submission will need to provide sufficient detail on matters raised to enable the Tasmanian Government agencies to properly consider the information and formulate a position.

## **STRATEGIC PLAN & ANNUAL PLAN:**

### 2023-2024 Annual Plan

Corporate

State Budget - Provide a submission to the 2024 - 2025 State Budget community consultation process advocating for local priorities.

#### **LEGISLATION & POLICIES:**

Nil

#### **BUDGET AND FINANCIAL IMPLICATIONS:**

Yet to be identified.

#### **VOTING REQUIREMENTS**

Simple Majority

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



# IN CONFIDENCE

**08/23.18.0**      **CLOSED COUNCIL**

**08/23.18.1**      **Confirmation of Closed Council Minutes – Council Meeting 17 July 2023**

**08/23.18.3**      **Old St Helens Hospital - Closed Council Item Pursuant To Section 15(2)F of the Local Government (Meeting Procedures) Regulations 2005**

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