



COUNCIL MEETING MINUTES

Monday 15 July 2024
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
15 July 2024

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AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

All ordinary meetings, special meetings and annual general meetings will be live streamed using audio/visual technology. A link to the audio/visual recordings will be made available to the public post the meeting on Council's website (within seven (7) days post the meeting in line with the uploading of the minutes from the meeting). The audio/visual recording of Council Meetings will only be retained for six (6) months.

Other than an official Council recording, no video or audio recording of proceedings of Council Meetings shall be permitted without specific approval by resolution of the Meeting.

The streaming platform utilised for recording and streaming is setup specifically for Break O'Day Council and Council has full control of which meetings are streamed or uploaded for viewing. There is no ability for the public to comment, edit or download recordings in anyway. They can only be viewed via the Council link.

Participation in person at the Council Meeting is considered as providing your consent to livestreaming of that meeting.

In accordance with the Local Government Act 1993 and Regulation 33 of the Local Government (Meeting Procedures) Regulations 2015, these audio files will be retained by Council for at least six (6) months and made available for listening online within seven (7) days of the scheduled meeting. The written minutes of a meeting, once confirmed, prevail over the audio recording of the meeting and a transcript of the recording will not be prepared.

OPENING

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

ACKNOWLEDGEMENT OF COUNTRY

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

LIVE AUDIO/VISUAL STREAMING OF COUNCIL MEETINGS

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

07/24.1.0 ATTENDANCE

07/24.1.1 Present

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

07/24.1.2 Apologies

Councillor Gary Barnes
Councillor Janet Drummond

07/24.1.3 Leave of Absence

Nil

07/24.1.4 Staff in Attendance

General Manager, John Brown	
Manager Community Services, Chris Hughes	(Item 07/24.1.1 to 07/24.15.1)
Manager Infrastructure and Development Services, David Jolly	(Item 07/24.15.1 to 07/24.18.3)
Executive Officer, Jayne Richardson	(Item 07/24.15.1 to 07/24.18.4)
Senior Town Planner, Deb Szekely	(Item 07/24.15.1 to 07/24.6.1)
Corporate Services Coordinator, Angela Williams	(Item 7/24.15.1 to 07/24.13.5)
Corporate Officer, Wanita Wells	

07/24.2.0 PUBLIC QUESTION TIME

One (1) person in the gallery.

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

07/24.2.1

Nil

07/24.3.0 DECLARATION OF INTERESTS OF A COUNCILLOR OR CLOSE ASSOCIATE

Section 48 or 55 of the Local Government Act 1993 requires that a Councillor or Officer who has an interest in any matter to be discussed at a Council Meeting that will be attended by the Councillor or Officer must disclose the nature of the interest in a written notice given to the General Manager before the meeting; or at the meeting before the matter is discussed.

A Councillor or Officer who makes a disclosure under Section 48 or 55 must not preside at the part of the meeting relating to the matter; or participate in; or be present during any discussion or decision making procedure relating to the matter, unless allowed by the Council.

Nil

07/24.4.0 CONFIRMATION OF MINUTES

07/24.4.1 Confirmation of Minutes – Council Meeting 24 June 2024

OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 24 June 2024 be confirmed.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

07/24.4.1.399 Moved: Clr Oldham/ Seconded: Clr LeFevre

That the minutes of the Council Meeting held on the 24 June 2024 be confirmed.

CARRIED UNANIMOUSLY

07/24.5.0 COUNCIL WORKSHOPS HELD SINCE 24 JUNE 2024 COUNCIL MEETING

There was a workshop held on 8 July 2024 and the following items were listed for discussion.

- Presentation – Aboriginal Elders
- Presentation – Police Inspector Luke Manhood
- Pending Development Application Updates
- Proposed Options for St Marys Exhibition Building
- Consideration of Submissions - Review of Dog Management Policy
- Request for General Rate Remission and Service Rate Remission – PID 6414634 - 4 Dunn Street, Mathinna

- Animal Control Report
- Policy review – AM03 Street Lighting Policy
- Policy review – AM06 Footpath Construction Policy
- Policy review – AM08 Subdivision New Works & Infrastructure Construction Policy
- Policy review – AM10 Reserves Management Policy
- Policy review – AM14 Mowing Policy
- Ansons Bay Waste Transfer Station
- Evercreech Bridge #422 – Fire Damage Assessment
- Tree maintenance report – Falmouth
- Future use for the old Council offices, 29 Talbot Street, Fingal
- Local Government Association of Tasmania (LGAT) – Motions for Discussion at July General Meeting
- Overnight Stay Area at the recreation precinct, in particular visitors staying for lengthy periods of time. – Clr LeFevre

07/24.6.0 PLANNING AUTHORITY

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

07/24.6.1 DA 065-2024 - Installation of Demountable Building & Storage Containers (3) - 21-23 Rex Court, St Helens

FILE REFERENCE	DA 2024 / 00065
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OFFICER'S RECOMMENDATION:

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for Installation of Demountable Building & Storage Containers (3) on land situated at 21-23 Rex Court, St Helens described in Certificate of Title 107563/10 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposed Site Plan	A00 No.A.2	Spectura Studio	10/05/2024
Proposed Elevations 1	A01 No. A.2	Spectura Studio	10/05/2024
Proposed Elevations 2	A02 No. A.2	Spectura Studio	10/05/2024
Flood Hazard Overlay Plan	A03 No. A.1	Spectura Studio	18/04/2024
Drainage Plan	A04 No.A.2	Spectura Studio	10/05/2024

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2	Erosion and Sediment Control	
A	The developer must ensure that pollutants such as mud, silt or chemicals are not released from the site.	Maintained at all times.
B	Methods must be employed to ensure material or debris is not transported onto the road reserve (including nature strip, footpath and road pavement). Should Council be required to clean or carry out works on any of their infrastructure	Prior to the commencement of works and maintained at all times.
3	Infrastructure Repair	
A	The owner must, at their expense, repair any Council services (e.g. pipes, drains) and any road, crossover, footpath or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council. If the owner does not undertake the required repair works within the timeframe specified by Council, the Council may arrange for the works to be carried out at the owner's expense.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
3	Stockpiles of Construction and Landscaping Materials	
	Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed onto any footpath, nature strip, roadway or into any drain or watercourse.	During site works.
4	Industrial Car Parking	
	The areas shown to be set aside for vehicle access and car parking must be / must: a. readily identifiable; b. constructed so that they are useable in all weather conditions; c. constructed in a manner that ensures sediment is neither tracked nor eroded across the property boundary; d. provided with space for access turning and manoeuvring of vehicles on-site to enable	Prior to use and maintained at all times.

CONDITION		TIMING
	<p>them to enter and leave the site in a forward direction;</p> <p>e. provided with a dust free surface and drained to Council's stormwater drainage system.</p> <p>f. Comply with <i>Australian Standard AS 2890 – Parking facilities, Parts 1 & 2.</i></p>	
5	Nuisance	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
B	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.	During site works and prior to use.
6	Stormwater	
A	Stormwater must be collected from all buildings onsite, including shipping containers (x 3 – Class 10 buildings) with stormwater and any overflow, if utilizing stormwater collection tanks, directed to the stormwater connection point located within the property boundaries.	Prior to use and maintained at all times.
B	Stormwater connection must be in accordance with Standard Drawing TSD-SW27-V3 and completed by a licenced plumber.	Prior to use and maintained at all times.
C	An application for permission to connect to the public storm water system must be submitted to the Break O'Day Council.	Prior to use and maintained at all times.
D	Works must not commence until written notification has been received from council and a permit number received.	Prior to use and maintained at all times.
E	The development, including all structures, must not impede the flow of or re-direct stormwater overland flow paths for major events (1% AEP).	Prior to use and maintained at all times.
F	Any filling of land must not cause stormwater to be directed to adjoining properties.	During site works and maintained at all times.
7	Access - Crossover	
A	The vehicle crossover from the carriageway to the property boundary must be upgraded and maintained in accordance with Standard Drawing TSD-R09-V3. The construction of a standard duty vehicular crossover will provide effective, safe and nuisance-free vehicle access in connection with the proposed development and must be financed by the applicant.	Prior to use and maintained at all times.
B	No works are to commence on the crossover until a permit to undertake works in the road	Prior to works commencing.

CONDITION	TIMING
reservation has been issued by Council's Works Operations Manager for the crossover.	

ADVICE

1. The development site has an existing approval for the Use Class Storage and development including a shed, accessible toilet facilities and signage (DA222-2021). The permit associated with DA222-2021 was conditioned and conditions relating to upgrading the vehicle crossover, landscaping (as indicated on approved plans) and driveway construction ensuring sediment is not tracked across the property boundary remain outstanding.
2. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works, then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
3. Activities associated with construction works are not to be performed outside the permissible time frames listed:

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

4. Be advised that in accordance with the *Building Act 2016* assessment for building approval cannot commence until such time as Council is provided with full Building Design Plans and Specifications prepared by a Tasmanian Licenced designer.

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

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

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

Development Permit Information	Details
<i>Development Description</i>	Installation of Demountable Building & Storage Containers (3)
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Works Permit
<i>Attachments</i>	Nil
<i>Representations</i>	One (1)

INTRODUCTION:

Approval is being sought for development including:

1. Demountable office building (24 m²);
2. 1 x shipping container (14.4 m²); and
3. 2 x shipping containers (28.8 m² each).

The site has existing approval for the Use Class Storage and development including a 12m x12m shed and accessible toilet facilities (DA222-2021). The development site has been assigned the Use Class Storage due to operations describing a contractor's yard (excavation). This application seeks to extend the development on the site to include the above.

DISCUSSION:

The Senior Town Planner advised that application has been made for a demountable building to operate as an office building for existing operations at 21 – 23 Rex Court, St Helens. Additionally application is made for three shipping containers.

The site has an existing development approval for a 12m x 12m shed and was assigned the use class "Storage". The current development application supports this use. The site is used by an excavation company and intends on continuing to use the site for the storage of vehicles and materials associated with the excavation company with off-site excavation and earth moving activities.

The application relied on satisfying three performance criteria, two of which related to the Parking and Sustainable Transport Code and one of which relates to the Flood-prone areas Code. In terms of parking, the discretions relate to not providing an impervious surface for internal accessways and car parking and instead rely on compacted gravel. The application has been conditioned accordingly in terms of usable in all weather conditions etc.

The site is affected by Council's mapping for flood prone areas in terms of overland flow. The shipping containers are exempt from the Flood Prone Areas code and the proposed office building is located within an area designated hazard level H1 which is generally safe for people, vehicles and buildings. Finished floor levels will be further considered at the Building stage as will levels for the shipping containers to not impede overland flow – taking into consideration ground levels, depth and freeboard.

The application received one representation in relation to stormwater and reporting and was concerned generally with stormwater management in the industrial estate. There are some ongoing compliance matters separate to this DA process occurring at the moment on the site with Council's Works Department considering matters relating to stormwater infrastructure generally. A recommendation for approval with conditions has been made.

Clr Wright asked about the location of one of the stormwater drains within the confines of one of the existing approved buildings. The Senior Town Planner advised there is a stormwater outlet at the front of the property that wasn't on the plan, and that all stormwater is directed to another collection point at the rear of the property on the south western corner.

Clr Johnstone said that developments in flood prone areas are an ongoing concern but understands, in this case, that the development has been conditioned accordingly.

COUNCIL DECISION:

07/24.6.1.400 Moved: Clr Chapple / Seconded: Clr LeFevre

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for Installation of Demountable Building & Storage Containers (3) on land situated at 21-23 Rex Court, St Helens described in Certificate of Title 107563/10 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposed Site Plan	A00 No.A.2	Spectura Studio	10/05/2024
Proposed Elevations 1	A01 No. A.2	Spectura Studio	10/05/2024
Proposed Elevations 2	A02 No. A.2	Spectura Studio	10/05/2024
Flood Hazard Overlay Plan	A03 No. A.1	Spectura Studio	18/04/2024
Drainage Plan	A04 No.A.2	Spectura Studio	10/05/2024

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2	Erosion and Sediment Control	
A	The developer must ensure that pollutants such as mud, silt or chemicals are not released from the site.	Maintained at all times.
B	Methods must be employed to ensure material or debris is not transported onto the road reserve (including nature strip, footpath and road pavement). Should Council be required to clean or carry out works on any of their infrastructure	Prior to the commencement of works and maintained at all times.
3	Infrastructure Repair	
A	The owner must, at their expense, repair any Council services (e.g. pipes, drains) and any road, crossover, footpath or other Council infrastructure that is damaged as a result of any works carried out	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

CONDITION		TIMING
	<p>by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council.</p> <p>If the owner does not undertake the required repair works within the timeframe specified by Council, the Council may arrange for the works to be carried out at the owner's expense.</p>	
3	Stockpiles of Construction and Landscaping Materials	
	Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed onto any footpath, nature strip, roadway or into any drain or watercourse.	During site works.
4	Industrial Car Parking	
	<p>The areas shown to be set aside for vehicle access and car parking must be / must:</p> <ul style="list-style-type: none"> g. readily identifiable; h. constructed so that they are useable in all weather conditions; i. constructed in a manner that ensures sediment is neither tracked nor eroded across the property boundary; j. provided with space for access turning and manoeuvring of vehicles on-site to enable them to enter and leave the site in a forward direction; k. provided with a dust free surface and drained to Council's stormwater drainage system. l. Comply with <i>Australian Standard AS 2890 – Parking facilities, Parts 1 & 2.</i> 	Prior to use and maintained at all times.
5	Nuisance	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
B	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.	During site works and prior to use.
6	Stormwater	
A	Stormwater must be collected from all buildings onsite, including shipping containers (x 3 – Class 10 buildings) with stormwater and any overflow, if utilizing stormwater collection tanks, directed to the stormwater connection point located within the property boundaries.	Prior to use and maintained at all times.

CONDITION		TIMING
B	Stormwater connection must be in accordance with Standard Drawing TSD-SW27-V3 and completed by a licenced plumber.	Prior to use and maintained at all times.
C	An application for permission to connect to the public storm water system must be submitted to the Break O' Day Council.	Prior to use and maintained at all times.
D	Works must not commence until written notification has been received from council and a permit number received.	Prior to use and maintained at all times.
E	The development, including all structures, must not impede the flow of or re-direct stormwater overland flow paths for major events (1% AEP).	Prior to use and maintained at all times.
F	Any filling of land must not cause stormwater to be directed to adjoining properties.	During site works and maintained at all times.
7	Access - Crossover	
A	The vehicle crossover from the carriageway to the property boundary must be upgraded and maintained in accordance with Standard Drawing TSD-R09-V3. The construction of a standard duty vehicular crossover will provide effective, safe and nuisance-free vehicle access in connection with the proposed development and must be financed by the applicant.	Prior to use and maintained at all times.
B	No works are to commence on the crossover until a permit to undertake works in the road reservation has been issued by Council's Works Operations Manager for the crossover.	Prior to works commencing.

ADVICE

1. The development site has an existing approval for the Use Class Storage and development including a shed, accessible toilet facilities and signage (DA222-2021). The permit associated with DA222-2021 was conditioned and conditions relating to upgrading the vehicle crossover, landscaping (as indicated on approved plans) and driveway construction ensuring sediment is not tracked across the property boundary remain outstanding.
2. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works, then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
3. Activities associated with construction works are not to be performed outside the permissible time frames listed:

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

4. Be advised that in accordance with the *Building Act 2016* assessment for building approval cannot commence until such time as Council is provided with full Building Design Plans and Specifications prepared by a Tasmanian Licenced designer.

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

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

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

Development Permit Information	Details
<i>Development Description</i>	Installation of Demountable Building & Storage Containers (3)
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Works Permit
<i>Attachments</i>	Nil
<i>Representations</i>	One (1)

CARRIED UNANIMOUSLY

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

07/24.7.0 COUNCIL MEETING ACTIONS

07/24.7.1 Outstanding Matters

DISCUSSION:

On behalf of a member of the Scamander Golf Club, Clr Wright sought clarification on a decision by Council regarding the Scamander Golf Club proposal. The General Manager advised that a decision has not been made regarding the Golf Club's request and that information is being gathered to enable Council to make an informed decision.

07/24.8.0 PETITIONS

Nil

07/24.9.0 NOTICES OF MOTION

07/24.9.1 Lease/ management agreement for the front garden of the old hospital site at St Helens – Clr 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 immediately pursue a lease/ management agreement for the front garden of the old hospital site at St Helens, from the State Government, and open it up as public open space.

SUBMISSION IN SUPPORT OF MOTION:

While the long-term goal of Council should be the acquisition of the entire footprint of the old hospital, negotiations with the State Government will likely be slow. Meanwhile, the green space is being neglected and could serve as a wonderful space for ratepayers and the visiting public. Long-term locals greatly appreciate the history of this space and should be able to enjoy its serenity for quiet reminiscing or simply to find a shady spot.

Security fencing could be erected to separate the green space from the building, and providing access, seating and maintenance is achievable within Council's resources. Establishing a 'Friends of the Old Hospital' group could contribute to any revitalization program and perhaps assist with maintenance into the future.

In my view Council should prioritize purchasing the entire site from the State. The site could then be transformed into a vibrant hub providing essential opportunities to support community:

- Imagine dedicated meeting areas
- Consider relocating the OAC (Online Access Centre) to support life-long learning and essential accreditations
- Creating a space to celebrate local AFL (Australian Football League) history

DISCUSSION:

Clr Carter said he wishes to consider options for progressing the community's public access to the site.

Clr Chapple said she supports the motion as it's important for people to be able to use the space particularly over the summer time.

COUNCIL DECISION:

07/24.9.1.401 Moved: Clr Carter / Seconded: Clr Chapple

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

That Council immediately pursue a lease/ management agreement for the front garden of the old hospital site at St Helens, from the State Government, and open it up as public open space.

CARRIED UNANIMOUSLY

07/24.10.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil

07/24.11.0 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.

Nil

07/24.12.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

07/24.12.1 Mayor's Communications for Period Ending 15 July 2024

25.06.2024	St Helens	– Reconciliation Action Plan Working Group initial meeting with the people from Reconciliation Tasmania to discuss the process and how to deliver this Plan to community.
27.06.2024	MS Online	– TasWater General Meeting
01.07.2024	Canberra	– Michael Sukkar MP for Deakin meeting with General Manager John Brown and Deputy Mayor Krisit Chapple.
02-05.07.2024	Canberra	– Australian Local Government Association - National General Assembly.
12.07.2024	St Helens	– Meeting with Jeannie from the Lighthouse Café.
15.07.2024	St Helens	– Council Meeting.

07/24.12.2 Councillor's Reports for Period Ending 15 July 2024

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

- Break O'Day Chamber of Commerce and Tourism – Clr Chapple did not attend this meeting and referred to Clr LeFevre who advised the discussion included the production of up to 60,000 visitor maps, mental health and counselling for the aged.

- NRM Special Committee – Clr Johnstone attended the meeting which included a site visit at Binalong Bay and thanked the NRM Facilitator for organising the visit and noted the support from Todd Dudley regarding weed management and erosion. A guest forestry spokesperson from Timberlands also attended. Site visits help members better understand the issues.
- East Coast Tasmania Tourism (ECTT) – Clr LeFevre advised discussion included the Positive Impact Plan and the Triabunna Tomorrow Plan. ECTT ran a successful famil trip to Bicheno Beams from Launceston and Hobart which 50 people attended visiting 21 operators.
- Mental Health Action Group – Nil
- Access and Inclusion Advisory Committee – Nil
- Bay of Fires Master Plan Steering Committee – Clr Carter advised the Expressions of Interest for the consultancy will close on 26 July.

07/24.13.0 BUSINESS AND CORPORATE SERVICES

07/24.13.1 Corporate Services Department Report

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

That the report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update on activities of the Business and Corporate Service Department since the previous Council Meeting.

DISCUSSION:

The Corporate Services Coordinator advised that rates notices will be sent out this week and that talking points have been distributed to customer service staff and Councillors to enable a consistent response to questions. Finance staff are closing off end of financial year tasks.

Clr Chapple asked if the Federal Assistance Grants were received during the last financial year as intended. The Corporate Services Coordinator advised that 85% of the grant funds were received during the last week of 2023/24.

COUNCIL DECISION:

07/24.13.1.402 Moved: Clr Johnstone / Seconded: Clr Carter

That the report be received.

CARRIED UNANIMOUSLY

07/24.13.2 Monthly Financial Report

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

That the following reports for the month ending 30 June 2024 be received:

- 1. Profit and Loss Statements
- 2. Balance Sheet
- 3. Statement of Cash Flows
- 4. Capital Works 2023-2024

INTRODUCTION:

Presented to Council are the monthly financial statements.

DISCUSSION:

The Corporate Services Coordinator advised that the Financial Assistance Grants are included in the Profit and Loss Statements. She noted the figures are preliminary figures and are likely to change as year-end adjustments are made.

COUNCIL DECISION:

07/24.13.2.403 Moved: Clr Chapple/ Seconded: Clr Wright

That the following reports for the month ending 30 June 2024 be received:

- 1. Profit and Loss Statements
- 2. Balance Sheet
- 3. Statement of Cash Flows
- 4. Capital Works 2023-2024

CARRIED UNANIMOUSLY

07/24.13.3 Visitor Information Centre Report

FILE REFERENCE	040\028\002\
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OFFICER’S RECOMMENDATION:

That the report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update on the activities and services the delivered by the Visitor Information Centre since the previous Council Meeting.

DISCUSSION:

Clr Carter, Clr Johnstone and Clr LeFevre acknowledged the great work being done by Visitor Information Centre staff and noted the increase in visitation during the last financial year.

COUNCIL DECISION:

07/24.13.3.404 Moved: Clr Carter / Seconded: Clr Johnstone

That the report be received.

CARRIED UNANIMOUSLY

07/24.13.4 **Request for General Rate Remission and Service Rate Remission – PID 6414634 - 4 Dunn Street, Mathinna**

FILE REFERENCE	PID 6414634 - 24/11628
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OFFICER'S RECOMMENDATION:

That in accordance with the provisions of s.129 of the *Local Government Act 1993* and Council's *Rating Exemptions and Remission Policy no LG11*, Council **approves a General Rate remission and a 50% Service Charge Remission to the total value of \$939.00** 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.

DISCUSSION:

The Corporate Services Coordinator explained this is an annual request for the general rate and service charge remission from Mathinna Landcare Group who manage the church at Mathinna on behalf of the community.

COUNCIL DECISION:

07/24.13.4.405 Moved: Clr LeFevre/ Seconded: Clr Carter

That in accordance with the provisions of s.129 of the *Local Government Act 1993* and Council's *Rating Exemptions and Remission Policy no LG11*, Council **approves a General Rate remission and a**

50% Service Charge Remission to the total value of \$939.00 as requested for the property known as 4 Dunn Street, Mathinna identified as PID 6414634.

CARRIED UNANIMOUSLY

07/24.13.5 Amended Schedule of Fees and Charges

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

That Council adopt the following amendments to the Fees and Charges to be included in Councils Schedule of Fees & Charges 2024/2025.

Development Charges

- New Development (Subdivision/Adjustment) Section - Subdivision Application Fee - \$620.00 + \$170.00 per lot
- Building Services – Plumbing – Commercial Section - Commercial Certificate of Likely Compliance Plumbing – Plumbing Permit/Assessment - Greater than 151m2 - \$1,500
- Environmental Health - Nuisance - Abatement Costs Associated with Non-Compliance – Cost of Works + \$175.00

INTRODUCTION:

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

DISCUSSION:

The Corporate Services Coordinator advised a couple of administrative errors were made within the Fees and Charges 2024/2025 which require amendment.

COUNCIL DECISION:

07/24.13.5.406 Moved: Clr LeFevre / Seconded: Clr Carter

That Council adopt the following amendments to the Fees and Charges to be included in Councils Schedule of Fees & Charges 2024/2025.

Development Charges

- New Development (Subdivision/Adjustment) Section - Subdivision Application Fee - \$620.00 + \$170.00 per lot
- Building Services – Plumbing – Commercial Section - Commercial Certificate of Likely Compliance Plumbing – Plumbing Permit/Assessment - Greater than 151m2 - \$1,500
- Environmental Health - Nuisance - Abatement Costs Associated with Non-Compliance – Cost of Works + \$175.00

CARRIED UNANIMOUSLY

07/24.14.0 WORKS AND INFRASTRUCTURE

07/24.14.1 Works and Infrastructure Report

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

That the report be received by Council.

INTRODUCTION:

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

DISCUSSION:

The Manager Infrastructure and Development Services advised:

- That Worksafe Tasmania has lifted the Prohibition Notice at the Ansons Bay Waste Transfer Station regarding asbestos contamination. The Improvement Notice has not been lifted and discussions are occurring with Worksafe Tasmania to resolve this.
- There is a 22% reduction in kerbside recyclables collected compared to previous years. Staff are investigating this to see why collection numbers have decreased.
- The General Manager has received a corrected funding offer for the Open Space Grant program in response to Council's application for solar lighting at Georges Bay. An offer has been made for \$350,000 which leaves Council with a shortfall of \$54,500. The project is not listed in the 2024/25 budget. A report will be prepared and provided to Council at a later meeting with a recommendation regarding the shortfall.
- A hazardous household waste collection was held in May 2024 however material collected for disposal was low. The next collection dates are scheduled for November 2024 and March 2025 and will be advertised widely once dates are confirmed.

Clr Carter asked about weed management along the foreshore area of Binalong Bay, noting this is an icon area, and queried what activity is planned during the next 12 months. The Manager Infrastructure and Development Services advised there was an allocation in the 2023/24 operational budget and weeding occurred during this time by spraying and manual digging. The weeds in this area continue to be a challenge. There is a smaller allocation of funds for Binalong Bay weed management in the 2024/25 budget.

The General Manager advised that the Parks and Wildlife Service (PWS) also have responsibility for weed management in this area and the effort is cooperative between Council and PWS. The weed

management plan will be implemented over future years which will assist in gaining control of the invasion.

COUNCIL DECISION:

07/24.14.1.407 Moved: Clr Carter/ Seconded: Clr LeFevre

That the report be received by Council.

CARRIED UNANIMOUSLY

07/24.14.2 **Animal Control Report**

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

That the report be received by Council.

INTRODUCTION:

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

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

07/24.14.2.408 Moved: Clr Wright / Seconded: Clr Oldham

That the report be received by Council.

CARRIED UNANIMOUSLY

07/24.14.3 **Policy review – AM03 Street Lighting Policy**

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

That Policy AM03 Street Lighting Policy be accepted without amendment.

INTRODUCTION:

Council has a schedule for regular review of Policies and this Policy is now due for revision.

DISCUSSION:

The Manager Infrastructure and Development Services advised that amendment to the policy is not required.

COUNCIL DECISION:

07/24.14.3.409 Moved: Clr Oldham/ Seconded: Clr Chapple

That Policy AM03 Street Lighting Policy be accepted without amendment.

CARRIED UNANIMOUSLY

07/24.14.4 **Policy review – AM06 Footpath Construction Policy**

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

That Policy AM06 Footpath Construction Policy be accepted without amendment.

INTRODUCTION:

Council has a schedule for regular review of Policies and this Policy is now due for revision.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

07/24.14.4.410 Moved: Clr LeFevre/ Seconded: Clr Carter

That Policy AM06 Footpath Construction Policy be accepted without amendment.

CARRIED UNANIMOUSLY

07/24.14.5 **Policy review – AM07 Playground Management Policy**

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

That Policy AM07 Playground Management Policy be accepted with minor amendment.

INTRODUCTION:

Council has a schedule for regular review of Policies and this Policy is now due for revision.

DISCUSSION:

The Manager Infrastructure and Development Services said a minor amendment was made to this policy which was grammatical in nature.

Clr Carter acknowledged the community consultation that was undertaken as part of this policy review and said it was a great effort.

COUNCIL DECISION:

07/24.14.5.411 Moved: Clr LeFevre/ Seconded: Clr Johnstone

That Policy AM07 Playground Management Policy be accepted with minor amendment.

CARRIED UNANIMOUSLY

07/24.14.6 **Policy review – AM08 Subdivision New Works & Infrastructure Construction Policy**

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

That Policy AM08 Subdivision New Works & Infrastructure Construction Policy be accepted without amendment.

INTRODUCTION:

Council has a schedule for regular review of Policies and this Policy is now due for revision.

DISCUSSION:

The Manager Infrastructure and Development Services advised that amendment to the policy is not required.

COUNCIL DECISION:

07/24.14.6.412 Moved: Clr Chapple / Seconded: Clr Oldham

That Policy AM08 Subdivision New Works & Infrastructure Construction Policy be accepted without amendment.

CARRIED UNANIMOUSLY

07/24.14.7 Policy review – AM10 Reserves Management Policy

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

That Policy AM10 Reserves Management Policy be accepted without amendment.

INTRODUCTION:

Council has a schedule for regular review of Policies and this Policy is now due for revision.

DISCUSSION:

The Manager Infrastructure and Development Services advised that amendment to the policy is not required.

COUNCIL DECISION:

07/24.14.7.413 Moved: Clr Carter/ Seconded: Clr Johnstone

That Policy AM10 Reserves Management Policy be accepted without amendment.

CARRIED UNANIMOUSLY

07/24.14.8 Policy review – AM14 Mowing Policy

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

That Policy AM14 Mowing Policy be accepted without amendment.

INTRODUCTION:

Council has a schedule for regular review of Policies and this Policy is now due for revision.

DISCUSSION:

The Manager Infrastructure and Development Services advised that amendment to the policy is not required at this time. He said that Councillors will be updated in coming months regarding mowing zones and respective maps. There are occasional mowing requests or complaints received from members of the public in peripheral areas.

COUNCIL DECISION:

07/24.14.8.414 Moved: Clr LeFevre/ Seconded: Clr Oldham

That Policy AM14 Mowing Policy be accepted without amendment.

CARRIED UNANIMOUSLY

07/24.15.0 **COMMUNITY DEVELOPMENT**

07/24.15.1 **Community Services Report**

FILE REFERENCE	011\034\006\
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OFFICER’S RECOMMENDATION:

That the report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various activities which are being dealt with by the Community Services Department.

DISCUSSION:

The Manager Community Services advised that:

- Councillors will have already received an invitation to a session regarding the Reconciliation Action Plan after the next Council Workshop.
- The Fingal Park redevelopment (half court and pump track) is out for tender and closes in two weeks’ time.

Clr Carter noted his ongoing concern regarding listed programs and initiatives over the next financial year and the need to activate such or find others to fund. The Mayor asked Clr Carter to bring his concerns to a Council workshop for discussion.

Clr Johnstone thanked BODRA (Break O’Day Regional Arts) for organising the very successful winter solstice event on 21 June 2024 and acknowledged the work of locals, volunteers and Council’s support.

COUNCIL DECISION:

07/24.15.1.415 Moved: Clr LeFevre / Seconded: Clr Johnstone

That the report be received.

CARRIED UNANIMOUSLY

07/24.16.0 DEVELOPMENT SERVICES

07/24.16.1 Development Services Report

FILE REFERENCE	031\013\003\
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OFFICER’S RECOMMENDATION:

That the report be received.

INTRODUCTION:

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

DISCUSSION:

The General Manager advised that statistics for Land Use Planning have decreased and that the number of applications are 20% less than previous years. It was hoped that changes made to the Planning Scheme would result in fewer discretionary applications but this hasn’t materialised as yet. The number of applications receiving representations has increased which has a significant result on staff workloads.

COUNCIL DECISION:

07/24.16.1.416 Moved: Clr LeFevre / Seconded: Clr Carter

That the report be received.

CARRIED UNANIMOUSLY

**07/24.16.2 Naming of Road (Lynda Place) – “St Helens Fields” 46 Lot Subdivision
P2382 Tully Street, St Helens**

FILE REFERENCE	DA159-2020
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OFFICER’S RECOMMENDATION:

That Council approve the use of the name “Lynda Place” for the cul de sac currently un-named off Annabel Drive, St Helens (Subdivision Reference – DA159-2020)

INTRODUCTION:

The provision of official street names and property numbering is important to ensure quick and correct property identification for private, commercial and emergency purposes and enable connections to be made to reticulated service systems.

DISCUSSION:

The General Manager advised that checks have been made with the Nomenclature Board and the name is confirmed as being acceptable.

COUNCIL DECISION:

07/24.16.2.417 Moved: Clr Chapple/ Seconded: Clr Wright

That Council approve the use of the name “Lynda Place” for the cul de sac currently un-named off Annabel Drive, St Helens (Subdivision Reference – DA159-2020)

CARRIED UNANIMOUSLY

07/24.16.3 **Revised Dog Management Policy 2024**

FILE REFERENCE	003\003\014\
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OFFICER’S RECOMMENDATION:

That Council adopt the revised *Dog Management Policy 2024* including dog zones (Declared areas), having considered public submissions on a draft and noting the Declared areas it identifies are subject to the Parks and Wildlife Service agreeing to authorise the same on Reserves they manage.

INTRODUCTION:

The *Dog Management Act* requires Council to consider all submissions before deciding on a revised Policy and making Declared areas. Council has reviewed and considered input received in 77 submissions from the community and stakeholders on its Draft Revised Dog Management Policy.

DISCUSSION:

The Executive Officer advised that Council is required to wait for the Parks and Wildlife Service’s approval before the Declared areas can formally be made known by public notice and that this will take some time.

Many of the submissions thanked Council for the way the survey was presented.

Clr Wright said comments from some community members indicate opposition to dogs being allowed to be taken to the football ground at St Helens. The Executive Officer and General Manager explained that the Dog Control Act specifies that dogs are not allowed on sport playing fields, i.e. on the playing surface. The part of the discussion open for debate is whether dogs are allowed in the surrounding areas or in cars at the facility. The General Manager confirmed that at the St Helens complex, excluding the dog off lead area, dogs are not currently not allowed nor allowed in vehicles.

Clr Carter asked whether the potential dog swimming area at Moulting Bay could be noted following the discussion at the July workshop. The General Manager advised that this matter has not been researched or formally considered through community consultation. He said the location could be

noted as a potential dog-swim area by a notice of motion recommending that Council investigate this location during the next round of policy review consultation.

Clr LeFevre and Clr Carter acknowledged the efforts undertaken by the NRM Facilitator and Executive Officer and the body of work undertaken to see the review reach this point.

COUNCIL DECISION:

07/24.16.3.418 Moved: Clr Chapple/ Seconded: Clr LeFevre

That Council adopt the revised *Dog Management Policy 2024* including dog zones (Declared areas), having considered public submissions on a draft and noting the Declared areas it identifies are subject to the Parks and Wildlife Service agreeing to authorise the same on Reserves they manage.

CARRIED UNANIMOUSLY

07/24.17.0 **GOVERNANCE**

07/24.17.1 **General Manager's Report**

FILE REFERENCE	002\012\001\
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OFFICER'S RECOMMENDATION:

That the General Manager's report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various matters which are being dealt with by the General Manager and with other Council Officers where required.

DISCUSSION:

The General Manager advised he met with Rotorlift to discuss a temporary helipad on Council's property towards the back end of the hospital. Discussions are ongoing.

Regarding the Regional Study Hub consultancy, The General Manager noted that there are two key elements:

- A Focus on understanding the nature and extent of need for tertiary level of education support at a regional level. It is anticipated that Federal funding will open imminently and close quickly. A steering group will include Education and Jobs Tasmania.
- The second element relates to barriers to full participation and education outcomes for younger groups including a focus on 8 – 19 year old students and the transition from school to career pathways. This will align with the State Government's Youth Jobs Strategy and will include working with schools and other stakeholders in the region to identify barriers and find solutions.

Councillors discussed education challenges in the area. The General Manager advised the State Government will be doing a review regarding education attainment levels and outcomes, and the Study Hub investigations will help inform community and regional needs.

Clr Carter asked about the Circular North Steering Committee meeting. The General Manager advised the committee is working towards finalising the waste management strategy and communications, which will link to the State Government's waste management strategy, this will inform Council's approach to waste management. There is a sizeable funding opportunity for community groups interested in innovation.

Clr Carter asked for an update regarding the Break O'Day population review. The General Manager advised he will arrange for Dr Lisa Denny, demographer, to provide a briefing to Councillors and run an online presentation for the wider community.

COUNCIL DECISION:

07/24.17.1.419 Moved: Clr Chapple/ Seconded: Clr Oldham

That the General Manager's report be received.

CARRIED UNANIMOUSLY

The meeting adjourned at 11.02am and resumed at 11.30am.

07/24.17.2 Local Government Association of Tasmania (LGAT) – Motions for Discussion at July General Meeting

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

For noting

INTRODUCTION:

The next General Meeting for LGAT is scheduled to be held on the 26 July 2024 and the attached motions have been submitted for consideration at this meeting.

DISCUSSION:

The General Manager advised that LGAT's motion is reasonably simple and relates to pensioner rate remission guidelines. The item is for noting

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

Moved: Clr Oldham/Seconded: Clr Wright

IN CONFIDENCE

07/24.18.0 **CLOSED COUNCIL**

07/24.18.1 **Confirmation of Closed Council Minutes – Council Meeting 24 June 2024**

07/24.18.2 **Outstanding Actions List for Closed Council**

07/24.18.3 **Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015 - Evercreech Bridge #422**

COUNCIL DECISION:

07/24.18.3.CC Moved: Clr Johnstone/ Seconded: Clr LeFevre

That Council accept the BridgePro quotation for the repair of Bridge #422.

CARRIED UNANIMOUSLY

07/24.18.4 **Closed Council Item Pursuant to Section 15(2)(h) of the Local Government (Meeting Procedures) Regulation 2015 – Clr Gary Barnes Leave of Absence**

COUNCIL DECISION:

07/24.18.4.CC Moved: Clr LeFevre/ Seconded: Clr Wright

That Leave of Absence be granted to Clr Gary Barnes.

CARRIED UNANIMOUSLY

07/24.18.5 **General Manager Performance Review and CPI increase**

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

Moved: Clr Chapple / Seconded: Clr LeFevre

07/24.19.0 **MEETING CLOSED**

Mayor Tucker thanks everyone for their attendance and declared the meeting closed at 12.05pm.