

# COUNCIL MEETING MINUTES

Monday 15 May 2023  
Council Chambers, St Helens

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

**This page left blank intentionally**

## CONTENTS

### CONTENTS 3

AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL .....	5
OPENING 5	
ACKNOWLEDGEMENT OF COUNTRY.....	5
05/23.1.0 ATTENDANCE .....	6
05/23.1.1 Present .....	6
05/23.1.2 Apologies.....	6
05/23.1.3 Leave of Absence .....	6
05/23.1.4 Staff in Attendance .....	6
05/23.2.0 PUBLIC QUESTION TIME.....	7
05/23.3.0 DECLARATION OF INTERESTS OF A COUNCILLOR OR CLOSE ASSOCIATE .....	7
05/23.4.0 CONFIRMATION OF MINUTES.....	7
05/23.4.1 Confirmation of Minutes – Council Meeting 17 April 2023.....	7
05/23.5.0 COUNCIL WORKSHOPS HELD SINCE 17 APRIL 2023 COUNCIL MEETING.....	8
05/23.5.1 Workshop 1 May 2023 .....	8
05/23.6.0 PLANNING AUTHORITY .....	9
05/23.6.1 DA 005-23 - Residential - Dwelling Additions, Carport, Veranda & Boundary Fence Wall (up to 2.1m high) .....	9
05/23.6.2 DA 029-2023 – Extractive Industry – Gravel Pit.....	12
05/23.7.0 COUNCIL MEETING ACTIONS .....	18
05/23.7.1 Outstanding Matters.....	18
05/23.8.0 PETITIONS.....	18
05/23.9.0 NOTICES OF MOTION .....	18
05/23.9.1 Submission from St Helens Online Access Centre – Clr Carter.....	18
05/23.10.0 COUNCILLOR’S QUESTIONS ON NOTICE .....	20
05/23.11.0 COUNCILLOR’S QUESTIONS WITHOUT NOTICE .....	20
05/23.12.0 MAYOR’S & COUNCILLOR’S COMMUNICATIONS.....	20
05/23.12.1 Mayor’s Communications for Period Ending 15 May 2023 .....	20
05/23.12.2 Councillor’s Reports for Period Ending 15 May 2023 .....	21
05/23.13.0 BUSINESS AND CORPORATE SERVICES.....	22
05/23.13.1 Corporate Services Department Report .....	22
05/23.13.2 Monthly Financial Report.....	23
05/23.13.3 Visitor Information Centre Report.....	24
05/23.13.4 Audit Panel Meeting Minutes – 20 March 2023.....	24
05/23.14.0 WORKS AND INFRASTRUCTURE .....	25
05/23.14.1 Works and Infrastructure Report.....	25

05/23.14.2	Animal Control Report .....	25
05/23.15.0	COMMUNITY DEVELOPMENT .....	26
05/23.15.1	Community Services Report.....	26
05/23.15.2	Mathinna – Local Township Plan .....	27
05/23.15.3	Cornwall – Local Township Plan.....	27
05/23.15.4	Fingal – Local Township Plan .....	28
05/23.15.5	Change of Committee name from Access Advisory Committee to Access and Inclusion Advisory Committee .....	29
05/23.15.6	Lease of Public Land under S.178 Local Government Act – Elizabeth Street, Mangana Pending Development Application Updates.....	29
05/23.15.7	A Further Request for Financial Support – St Helens Online Access Centre .....	30
05/23.16.0	DEVELOPMENT SERVICES.....	32
05/23.16.1	Development Services Report.....	32
05/23.17.0	GOVERNANCE.....	33
05/23.17.1	General Manager’s Report.....	33
05/23.17.2	2022-2023 Annual Plan Review .....	34
05/23.17.3	Future of Local Government Review – Stage 2 Interim Report.....	35
05/23.17.4	Northern Tasmania Development Corporation Governance .....	38
05/23.17.6	Economic Development Strategy Review .....	39
05/23.18.0	CLOSED COUNCIL .....	41
05/23.18.1	Confirmation of Closed Council Minutes – Council Meeting 17 April 2023 .....	41
05/23.18.2	Outstanding Actions List for Closed Council .....	41
05/23.18.3	Clr Janet Drummond Leave of Absence - Closed Council Item Pursuant to Section 15(2)(h) of the Local Government (Meeting Procedures) Regulations 2015 .....	41
05/23.18.4	2023 Election of Committee Member of the General Management Committee (GMC) and President of the Local Government Association of Tasmania (LGAT - Closed Council Item Pursuant to Section 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015 .....	42

## 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 welcomed Councillors, staff and community members and declared the meeting open at 10.01am.*

## 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.*

**05/23.1.0 ATTENDANCE**

**05/23.1.1 Present**

Mayor Mick Tucker (until 12:32pm)  
Deputy Mayor Kristi Chapple  
Councillor Gary Barnes  
Councillor Ian Carter  
Councillor Janet Drummond  
Councillor Liz Johnstone  
Councillor Barry LeFevre  
Councillor Vaughan Oldham  
Councillor Kylie Wright

**05/23.1.2 Apologies**

Nil

**05/23.1.3 Leave of Absence**

Nil

**05/23.1.4 Staff in Attendance**

General Manager, John Brown  
Corporate Services Officer, Bec Wood  
Manager Community Services, Chris Hughes (1.0-16.1)  
Manager Infrastructure and Development Services, David Jolly (1.0-17.2)  
Executive Officer, Jayne Richardson (1.0-18.4)  
Corporate Services Coordinator, Angela Matthews (1.0-18.4)  
Manager Business Services, Raoul Harper (1.0-17.6)  
Development Services Coordinator, Jake Ihnen (1.0-16.1)  
Planning Officer, Kathryn Clausen (1.0-6.2)  
Economic Development Officer, Anna Williams (1.0-6.2)

## 05/23.2.0 PUBLIC QUESTION TIME

One (1) person in the gallery.

Nil

## 05/23.3.0 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.*

Councillor Drummond declared an interest in Closed Council item number 05/23.18.3 – Councillor Drummond Leave of Absence.

Mayor Tucker declared an interest in Closed Council item number 05/23.18.4 – 2023 Election of Committee Member of the General Management Committee (GMC) and President of the Local Government Association of Tasmania (LGAT).

## 05/23.4.0 CONFIRMATION OF MINUTES

### 05/23.4.1 Confirmation of Minutes – Council Meeting 17 April 2023

#### OFFICER'S RECOMMENDATION:

That the Minutes of the Council Meeting held on the 17 April 2023 be confirmed.

#### DISCUSSION:

- Councillor Drummond requested an amendment to item number 04/23.17.4, she advised we need to amend the officers recommendation because that is not what we discussed. The General Manager clarified that the recommendation was made at the time the Agenda was prepared and published and cannot be amended. He noted that in the agenda it is a recommendation only and that the motion that came from Clr LeFevre was different to the recommendation reflecting the change in the situation following the publication of the Agenda. Councillor Drummond was still concerned that this is not her recollection of the events.

#### COUNCIL DECISION:

**05/23.4.1.105** Moved: Clr K Chapple/ Seconded: Clr I Carter

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

**FOR** Councillor Chapple, Councillor Barnes, Councillor Carter, Councillor Oldham,  
Councillor LeFevre  
**AGAINST** Councillor Drummond, Councillor Wright, Councillor Johnstone, Councillor Tucker  
(Abstained as Mayor Tucker was not in the room for the item which is being disputed)  
**CARRIED**

## 05/23.5.0 COUNCIL WORKSHOPS HELD SINCE 17 APRIL 2023 COUNCIL MEETING

### 05/23.5.1 Workshop 1 May 2023

There was a Workshop held on Monday 1 May 2023 and the following items were listed for discussion.

- 2022-2023 Annual Plan Review
- 2023-2024 Annual Plan
- Future of Local Government Review – Stage 2 Interim Report
- Animal Control Report April 2023
- Cecilia Street (Streetscape Project) – Upgrade of Georges Bay Esplanade/Cecilia Street junction
- Briefing Notes – St Marys Pass Alternative Route
- Cornwall – Local Township Plan
- Fingal – Local Township Plan
- Change of committee name from Access Advisory Committee to Access and Inclusion Advisory Committee
- Lease of Public Land under S.178 Local Government Act – Elizabeth Street, Mangana Pending Development Application Updates
- A Further Request for Financial Support – St Helens Online Access Centre
- Pending Development Application Updates
- Draft Policy No EP11 – Strata Development Policy
- Land Use Studies Review – Strategic Planning
- Short Stay Accommodation (STA) – Short term Rental Accommodation (NSW Term) – Visitor Accommodation – Break O Day Local Government
- Economic Development Strategy Review
- Northern Tasmania Development Corporation Governance
- Community Engagement Framework
- Wellbeing Project



## 05/23.6.0 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.

### 05/23.6.1 DA 005-23 - Residential - Dwelling Additions, Carport, Veranda & Boundary Fence Wall (up to 2.1m high)

<b>FILE REFERENCE</b>	DA 005-23
-----------------------	-----------

#### OFFICER'S RECOMMENDATION:

After due consideration of the application received and Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for RESIDENTIAL - DWELLING ADDITIONS, CARPORT, VERANDA & BOUNDARY FENCE WALL (UP TO 2.1M HIGH) on land situated at 189 ST HELENS POINT ROAD, STIEGLITZ described in Certificate of Title 242348/1 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
Cover Sheet	1/9 Rev 4	Design To Live	10/01/2023
Site Plan	2/9 Rev 4	Design To Live	10/01/2023
Demolition Floor Plan	3/9 Rev 4	Design To Live	10/01/2023
Proposed Floor Plan	4/9 Rev 4	Design To Live	10/01/2023
External Services	5/9 Rev 4	Design To Live	10/01/2023
Elevations (x2)	6/9, 7/9 Rev 4	Design To Live	10/01/2023
Proposed Carport	8/9 Rev 4	Design To Live	10/01/2023
Perspectives	9/9 Rev 4	Design To Live	10/01/2023
Stormwater Assessment	22/23 TAS 141	RK Consulting Engineers	23 February 2023

2. A plan showing the section detail of the stormwater soakage trench is required to be submitted as part of the Building application.
3. All runoff from the proposed buildings must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. Soakage drains must be of sufficient size to absorb stormwater runoff.
4. Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.

5. During the period of construction, works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.
6. 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 2 metres of any Council owned infrastructure must be done in consultation with Council's Works Operations Manager.
7. 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.

#### ADVICE

8. 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

#### INTRODUCTION:

The Applicant is seeking approval for dwelling additions, a carport and verandah extension to an existing shed, and a 2.1m high double brick side boundary wall, at 189 St Helens Point Road, Stieglitz.

A copy of the plans and associated documentation is contained in **Attachment A**.

#### DISCUSSION:

- The Planning Officer advised:
  - That the application is for residential use at 189 St Helens Point Road, Stieglitz.
  - That it is discretionary on three (3) conditions including setbacks, the height of the side boundary wall and onsite storm water disposal.
  - There was one (1) representation regarding the impact on the value of surrounding properties, the reduction of current views for neighbours on the opposite side of the road and the height and brick construction of the side wall being out of character for the area.
  - The impact on property values and views cannot be considered under the planning scheme.
  - The wall is exempt under the planning scheme except that the height is above 1.2 metres for the first 4.5metres from the front boundary.
  - The application is recommended for approval.

#### COUNCIL DECISION:

**05/23.6.1.106**

Moved: Clr B Lefevre/ Seconded: Clr V Oldham

After due consideration of the application received and Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O’Day Interim Planning Scheme 2013* that the application for RESIDENTIAL - DWELLING ADDITIONS, CARPORT, VERANDA & BOUNDARY FENCE WALL (UP TO 2.1M HIGH) on land situated at 189 ST HELENS POINT ROAD, STIEGLITZ described in Certificate of Title 242348/1 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.

<b>Approved Plans / Documents</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Cover Sheet	1/9 Rev 4	Design To Live	10/01/2023
Site Plan	2/9 Rev 4	Design To Live	10/01/2023
Demolition Floor Plan	3/9 Rev 4	Design To Live	10/01/2023
Proposed Floor Plan	4/9 Rev 4	Design To Live	10/01/2023
External Services	5/9 Rev 4	Design To Live	10/01/2023
Elevations (x2)	6/9, 7/9 Rev 4	Design To Live	10/01/2023
Proposed Carport	8/9 Rev 4	Design To Live	10/01/2023
Perspectives	9/9 Rev 4	Design To Live	10/01/2023
Stormwater Assessment	22/23 TAS 141	RK Consulting Engineers	23 February 2023

2. A plan showing the section detail of the stormwater soakage trench is required to be submitted as part of the Building application.
3. All runoff from the proposed buildings must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. Soakage drains must be of sufficient size to absorb stormwater runoff.
4. Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.
5. During the period of construction, works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.
6. 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 2 metres of any Council owned infrastructure must be done in consultation with Council’s Works Operations Manager.
7. 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.

## ADVICE

8. 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

## CARRIED UNANIMOUSLY

### 05/23.6.2

### DA 029-2023 – Extractive Industry – Gravel Pit

FILE REFERENCE	DA 029-2023
----------------	-------------

## OFFICER'S RECOMMENDATION:

After due consideration of the application received and Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for EXTRACTIVE INDUSTRY – GRAVEL PIT on land situated at TASMAN HIGHWAY, ST HELENS described in Certificate of Title 235820/1 and 229499/1 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
Location of the Healey Gravel Pit (Mining Lease 2131 P/M)	Figure 1	Van Diemen Consulting	3/01/2023
Detailed Location of the Land (Healey Gravel Pit ML 2131 P/M) with access road	Figure 2	Van Diemen Consulting	3/01/2023
Natural Drainage and Sediment Control Systems	Figure 3	Van Diemen Consulting	3/01/2023
Mining Plan (1 Year)	Figure 4A	Van Diemen Consulting	3/01/2023
Mining Plan (4 Years)	Figure 4B	Van Diemen Consulting	3/01/2023
Mining Plan (12 Years)	Figure 4C	Van Diemen Consulting	3/01/2023
Maximum Extraction Area	Figure 4D	Van Diemen Consulting	3/01/2023

Planning Information and Environmental Effects Report	Healey Gravel Pit, Tasman Highway, St Helens Version 2	Van Diemen Consulting	25/02/2023
Traffic Impact Assessment	Healey Gravel Pit, Tasman Highway, St Helens	Van Diemen Consulting	February 2023
Flora and Fauna Report	Healey Gravel Pit, Tasman Highway, St Helens Revision 2	Van Diemen Consulting	8/03/2023

2. The activity must not exceed the annual extraction of rock or gravel limited to a Level 1 activity as defined in *Environmental Management and Pollution Control Act 1994*, at all times.
3. Extractive Industry development is limited to land area defined in approved Figures 4A – 4C at all times. Further Extractive activities outside of the approved area will require further planning approval in accordance with relevant legislation and relevant planning instruments.
4. The extractive activity and associated works and infrastructure, including access and internal tracks and site management is to be designed and operated strictly in accordance with the recommendations of the *Quarry Code of Practice 2017* or as amended by the Environment Protection Authority, Tasmania or its State Government equivalent.
5. The developer shall comply with the following operating hour limits at all times:
  - 0700 to 1900 hrs Monday to Friday;
  - 0800 to 1600 hrs Saturday; and
  - Closed Sunday and Public holidays (gazetted state wide).
6. Vehicles carrying loads containing material must be equipped with effective control devices to prevent the escape of materials from vehicles when leaving the site or travelling on public roads, at all times.
7. The vehicle crossover from the carriageway to the property boundary must be upgraded in accordance with the vehicular crossing requirements of the Department of State Growth, Tasmania and must be financed by the applicant. Specifically, the access is to be sealed from the edge of the road seal to the property boundary in accordance with the requirements of the Department of State Growth.

No works are to commence on the crossover until an Access Works Permit has been issued by the Department of State Growth, Tasmania for the crossover upgrade.
8. All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
9. Use of the development must not create a nuisance as defined by the *Environmental Management and Pollution Control Act 1994*.

10. The driveway / internal tracks must be constructed in a manner that ensures sediment is neither tracked nor eroded across the property boundary.
11. Drainage, associated with the access track in proximity to the quarrying operations (Figures 4A – 4C) must drain to a sediment trap and not rely on direction from road surface to vegetation, at all times.
12. Standard *Phytophthora* hygiene measures must be implemented for the construction and maintenance of works in accordance with and using the *Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania* (DPIPWE 2015, Eds. K. Stewart & M. Askey-Doran. DPIPWE, Hobart, TAS). A copy of the Weed and Disease Management Plan prepared from these Guidelines is to be provided to Council prior to works beginning, including commissioning of the work site.
13. Native vegetation must not be removed outside that necessitated by the proposed development (this includes the clearing of vegetation to retain or expand views or vistas) unless consented to by Council.
14. Clearing of the site is only permissible in respect of the area identified for each stage of the development as such development is undertaken, and must be the minimum amount to permit that particular stage to proceed.
15. If utilised, chemical toilet waste is to be disposed of within an approved waste water facility.
16. Any grey water generated in association with the quarry activities, is to be disposed of in a manner that does not cause an environmental nuisance on-site or to adjoining properties.
17. A copy of any conditions imposed by the Mineral Resources Tasmania, relating to Extractive Industries on Mining Lease 2131 P/M is to be forwarded to the Break O’Day Council within 30 days of receipt of the same and will form part of the Approved Plans and Documents listed in Condition 1.

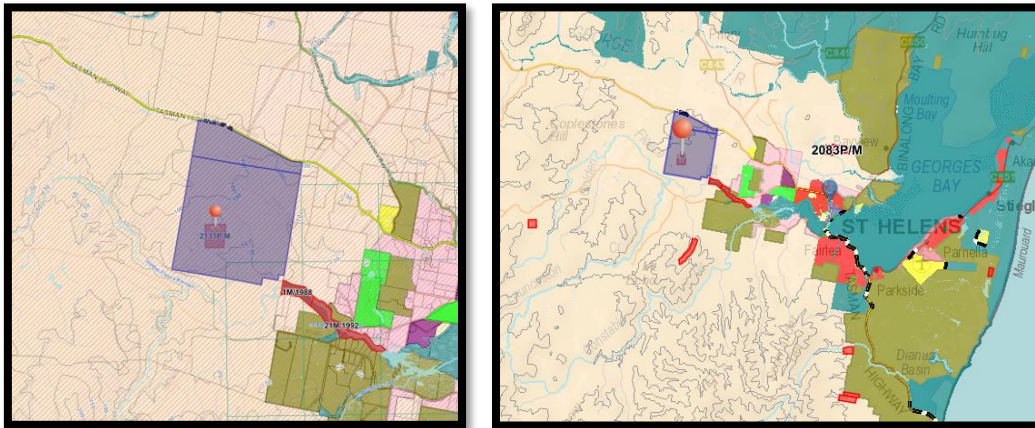
## ADVICE

18. 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.
19. 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.

## INTRODUCTION:

The applicant is seeking approval for a Gravel Pit (Extractive Industry) within Mining Lease (ML 2131 P/M) on private land situated at Tasman Highway, St Helens and described as CT229499/1 and CT235820/1. The proposed development includes the extraction of up to 4,999 cubic metres per annum of resource (gravel) from operations within the mining lease area depicted in approved Figures 4A to 4C and contained within a mining lease with a land area of approximately 7.65ha. The

mining lease is contained within CT 229499/1; however, the development includes the access track situated within both titles.



**Development Site**

**DISCUSSION:**

- The Planning Officer advised:
  - The application is for extractive industry use at a location south of the Tasman Highway and north west of St Helens.
  - The application is discretionary on five items.
  - Council received one (1) representation with concerns about the accuracy of the Traffic Impact Assessment report (TIA) and safety concerns regarding access. The Department of State Growth was provided with the report, they are satisfied with the report and have imposed conditions regarding access which form part of the conditions of the permit.
  - The development must conform with the quarry code of practice.
  - It is recommended for approval with 17 conditions.
- Councillor LeFevre said very comprehensive report and with 17 conditions plus advice everything seems to be well covered.
- Councillor Drummond noted on page 3 of the flora and fauna report it refers to Dorset Council. The Planning Officer said there appears to be a typo and in the same sentence as it mentions the Dorset Council it then goes on to correctly identify the location.
- Mayor Tucker said it is very clear that the report is for St Helens as it is part of the title.
- Councillor Drummond said can we ask that it be remedied. The Planning Officer said we can ask the applicant to have the planning consultant adjust it so that we have the correction on file or ask for an email confirming it is a typo.

**COUNCIL DECISION:**

**05/23.6.2.107**      Moved: Clr B LeFevre/ Seconded: Clr V Oldham

After due consideration of the application received and Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for EXTRACTIVE INDUSTRY – GRAVEL PIT on land situated at TASMAN HIGHWAY, ST



HELENS described in Certificate of Title 235820/1 and 229499/1 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.

<b>APPROVED PLANS &amp; DOCUMENTS</b>			
<b>PLAN / DOCUMENT NAME</b>	<b>REFERENCE NUMBER</b>	<b>PREPARED BY</b>	<b>DATED</b>
Location of the Healey Gravel Pit (Mining Lease 2131 P/M)	Figure 1	Van Diemen Consulting	3/01/2023
Detailed Location of the Land (Healey Gravel Pit ML 2131 P/M) with access road	Figure 2	Van Diemen Consulting	3/01/2023
Natural Drainage and Sediment Control Systems	Figure 3	Van Diemen Consulting	3/01/2023
Mining Plan (1 Year)	Figure 4A	Van Diemen Consulting	3/01/2023
Mining Plan (4 Years)	Figure 4B	Van Diemen Consulting	3/01/2023
Mining Plan (12 Years)	Figure 4C	Van Diemen Consulting	3/01/2023
Maximum Extraction Area	Figure 4D	Van Diemen Consulting	3/01/2023
Planning Information and Environmental Effects Report	Healey Gravel Pit, Tasman Highway, St Helens Version 2	Van Diemen Consulting	25/02/2023
Traffic Impact Assessment	Healey Gravel Pit, Tasman Highway, St Helens	Van Diemen Consulting	February 2023
Flora and Fauna Report	Healey Gravel Pit, Tasman Highway, St Helens Revision 2	Van Diemen Consulting	8/03/2023

2. The activity must not exceed the annual extraction of rock or gravel limited to a Level 1 activity as defined in *Environmental Management and Pollution Control Act 1994*, at all times.
3. Extractive Industry development is limited to land area defined in approved Figures 4A – 4C at all times. Further Extractive activities outside of the approved area will require further planning approval in accordance with relevant legislation and relevant planning instruments.
4. The extractive activity and associated works and infrastructure, including access and internal tracks and site management is to be designed and operated strictly in accordance with the recommendations of the *Quarry Code of Practice 2017* or as amended by the Environment Protection Authority, Tasmania or its State Government equivalent.



5. The developer shall comply with the following operating hour limits at all times:  
0700 to 1900 hrs Monday to Friday;  
0800 to 1600 hrs Saturday; and  
Closed Sunday and Public holidays (gazetted state wide).
6. Vehicles carrying loads containing material must be equipped with effective control devices to prevent the escape of materials from vehicles when leaving the site or travelling on public roads, at all times.
7. The vehicle crossover from the carriageway to the property boundary must be upgraded in accordance with the vehicular crossing requirements of the Department of State Growth, Tasmania and must be financed by the applicant. Specifically, the access is to be sealed from the edge of the road seal to the property boundary in accordance with the requirements of the Department of State Growth.  
  
No works are to commence on the crossover until an Access Works Permit has been issued by the Department of State Growth, Tasmania for the crossover upgrade.
8. All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
9. Use of the development must not create a nuisance as defined by the *Environmental Management and Pollution Control Act 1994*.
10. The driveway / internal tracks must be constructed in a manner that ensures sediment is neither tracked nor eroded across the property boundary.
11. Drainage, associated with the access track in proximity to the quarrying operations (Figures 4A – 4C) must drain to a sediment trap and not rely on direction from road surface to vegetation, at all times.
12. Standard *Phytophthora* hygiene measures must be implemented for the construction and maintenance of works in accordance with and using the *Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania* (DPIPWE 2015, Eds. K. Stewart & M. Askey-Doran. DPIPWE, Hobart, TAS). A copy of the Weed and Disease Management Plan prepared from these Guidelines is to be provided to Council prior to works beginning, including commissioning of the work site.
13. Native vegetation must not be removed outside that necessitated by the proposed development (this includes the clearing of vegetation to retain or expand views or vistas) unless consented to by Council.
14. Clearing of the site is only permissible in respect of the area identified for each stage of the development as such development is undertaken, and must be the minimum amount to permit that particular stage to proceed.
15. If utilised, chemical toilet waste is to be disposed of within an approved waste water facility.

16. Any grey water generated in association with the quarry activities, is to be disposed of in a manner that does not cause an environmental nuisance on-site or to adjoining properties.
17. A copy of any conditions imposed by the Mineral Resources Tasmania, relating to Extractive Industries on Mining Lease 2131 P/M is to be forwarded to the Break O’Day Council within 30 days of receipt of the same and will form part of the Approved Plans and Documents listed in Condition 1.

## ADVICE

18. 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.
19. 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.

## 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*

### 05/23.7.0 COUNCIL MEETING ACTIONS

#### 05/23.7.1 Outstanding Matters

### 05/23.8.0 PETITIONS

Nil

### 05/23.9.0 NOTICES OF MOTION

#### 05/23.9.1 Submission from St Helens Online Access Centre – 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 review its decision to provide the St Helens Online Access Centre with \$3,000 from the recent Community Grants Program rather than the requested \$5,000.

## **SUBMISSION IN SUPPORT OF MOTION:**

The application intention is to provide vital support to our broader community, particularly the elderly and disadvantaged. These people need face to face contact and patient guidance.

We are all experiencing challenge when using technology and particularly so with cyber security such an issue. The whole community can benefit.

An original factor when considering the application was council providing financial support to a State funded program. Council supporting this application would not create a precedent.

Potentially volunteers from the other two OAC's could access the training support.

## **DISCUSSION:**

- Councillor Carter said the original reason for not supporting the motion was the belief that the Council was not supporting other State Government organisations. He noted the importance of the centre to the community and would like to pursue the re-granting of the \$5000 and hopes that the training would be shared with staff and volunteers of our other Online Access Centres.
- Councillor Drummond would like to support this motion to help the vulnerable people within the community to help with cyber security.
- Councillor LeFevre wanted to clarify whether the same organisation can apply for multiple funding grants.
- Mayor Tucker noted that the motion requests a report, the report will be quite extensive to look at all the rationale behind it.
- Councillor Carter said that his understanding is that the STEM grant has nothing to do with the other Online Access Centre requests.

## **COUNCIL DECISION:**

**05/239.1.108**      Moved: Clr I Carter/ Seconded: Clr J Drummond

*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 review its decision to provide the St Helens Online Access Centre with \$3,000 from the recent Community Grants Program rather than the requested \$5,000.

**CARRIED UNANIMOUSLY**

## 05/23.10.0

## COUNCILLOR'S QUESTIONS ON NOTICE

Nil

## 05/23.11.0

## 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.*

Nil

## 05/23.12.0

## MAYOR'S & COUNCILLOR'S COMMUNICATIONS

### 05/23.12.1

### Mayor's Communications for Period Ending 15 May 2023

17.04.2023	<b>St Helens</b>	– Council Meeting/Citizenship Ceremony
18.04.2023	<b>St Helens</b>	– Briefing on Future of Local Government Review Interim Report 2 Meeting
24.04.2023	<b>St Helens</b>	– ABC - Mayoral Moments
25.04.2023	<b>St Helens</b>	– ANZAC Day Service and Wreath Laying
26.04.2023	<b>Fingal</b>	– Fingal Housing Project Community Meeting
26.04.2023	<b>St Helens</b>	– TICT Tourism Ambassador Launch
27.04.2023	<b>Longford</b>	– Northern Flood Recovery Advisory Group
28.04.2023	<b>Devonport</b>	– LGAT Planning Authority and Managing Growth Professional Development
28.04.2023	<b>St Helens</b>	– Client Information Session - Local Government
01.05.2023	<b>St Helens</b>	– Council Workshop
02.05.2023	<b>St Helens</b>	– Meeting with John Tucker regarding Alternate Route to St Marys Pass
03.05.2023	<b>Launceston</b>	– Northern Tasmania Development Corporation - Regional Collaboration Forum
04.05.2023	<b>St Helens</b>	– Meeting with Mayor Cheryl Arnol - LG Review
09.05.2023	<b>St Helens</b>	– Break O'Day Gastronomy Table
08.05.2023	<b>Scottsdale</b>	– Meeting with Mayor Greg Howard and GM John Marik – LG Review
14.05.2023	<b>Mathinna</b>	– Opening of the Mathinna Church
15.05.2023	<b>St Helens</b>	– Council Meeting

- Mayor Tucker noted the following:
  - He was unable to attend the Break O'Day Gastronomy meeting as he had other time sensitive meetings regarding the Future of Local Government.
  - The opening of the Mathinna church was attended by Councillor LeFevre on his behalf as he was working.

*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

- Councillor Chapple advised their next meeting is scheduled for 23 May 2023.

#### NRM Special Committee – Clr Janet Drummond

- Councillor Drummond advised their next meeting is scheduled for Tuesday 16 May 2023.

#### East Coast Tasmania Tourism (ECTT) – Clr Barry LeFevre

Councillor LeFevre provided the following update:

The board has appointed three new members;

Theresa Lord - Director (Essence Media com.)

Born and bred in Tasmania Theresa has spent much of her life at Bicheno. For the last decade she has specialized in tourism and destination marketing and management. This includes overseeing marketing and visitor services management at local and state Govt. level across Qld., NSW. and Tas.

Paul McDonald – Director (Tas. Walking Co.)

Paul entered the Tourism Industry out of a desire to travel, explore and protect wilderness areas. His career spans sales, marketing, technology and guest experiences. He relocated with his young family to Tasmania during the pandemic with an opportunity to support the Tas. Walking Company's growth. He loves the East Coast, visiting regularly. Paul volunteers as President of Great Walks Of Tasmania.

Lisa Punshon – Director (City of Hobart)

Lisa's professional background includes management roles at both State and local Govt. level, private industry and not for profits. The core focus of her roles has consistently been the development of programs and projects that support businesses in the tourism, hospitality and retail industries. The East Coast is a special place for Lisa having lived at Spring Beach for 15 years.

General info.

1. The Premier's luncheon went very well with high achievers in tourism locally being acknowledged. The Serpentine and Beaumaris Beach Guest House were celebrated from BOD. Guests spoke highly of this approach-commending high achievers locally.
2. The new Tas. Tourism Awards coaching program has commenced with 10 businesses participating from the East Coast.
3. The decision was made to employ a second full time Industry Support Officer for ECTT. with their role being based in the Southern East Coast region.
4. Parks is working with the Landscape Recovery Foundation to facilitate the Great Eastern Clean Up event.

5. Camp grounds are undergoing toilet pump outs.
6. The Red Panda Property Group have major plans for development in Swansea.

Mental Health Action Group – Clr Barry LeFevre

Councillor LeFevre advised that the last community champions session will be run on May 29 2023. He will send out the flyer for anyone who is interested in participating.

Disability Access Committee – Clr Janet Drummond

- Councillor Drummond advised:
  - That the last meeting was held on May 8 and the next meeting will not be held until October 16.
  - The committee is trying to decide whether to review the current plan or rewrite the action plan for the next period of time.
  - The committee are very supportive of the change of name which is up for debate later in the meeting.
  - There has been some discussion about having two International Disability Day events this year – one in the Valley and one in St Helens.

Bay of Fires Master Plan Steering Committee – Clr Ian Carter

Councillor Carter advised that a bus tour has been planned for Friday June 2 to visit a number of sites in Break O’Day.

**05/23.13.0 BUSINESS AND CORPORATE SERVICES**

**05/23.13.1 Corporate Services Department Report**

<b>FILE REFERENCE</b>	018\018\001\
-----------------------	--------------

**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 Manager Business Services advised that this is an overview of what is a very busy time of year in particular with regards to budgets and a four day visit by the Tasmanian Audit Office.

- Councillor Carter asked about the unpaid rates and charges. The Manager Business Services said this is running at the same level as the year. The General Manager noted that the last rates instalment was due after this date and this may have impacted on these figures.

#### **COUNCIL DECISION:**

**05/23.13.1.109**                      Moved: Clr K Wright/ Seconded: Clr L Johnstone

That the report be received.

**CARRIED UNANIMOUSLY**

#### **05/23.13.2                      Monthly Financial Report**

<b>FILE REFERENCE</b>	018\018\001\
-----------------------	--------------

#### **OFFICER'S RECOMMENDATION:**

That the following reports for the month ending 30 April 2023 be received:

1. Profit and Loss Statements
2. Balance Sheet
3. Capital Works 2022-2023

#### **INTRODUCTION:**

Presented to Council are the monthly financial statements.

#### **DISCUSSION:**

- The Manager Business Services advised that staff have started to journal a lot of the flood costs that we had over into the capital which has made a material change to our net position at the end of the month.

#### **COUNCIL DECISION:**

**05/23.13.2.110**                      Moved: Clr L Johnstone/ Seconded: Clr I Carter

That the following reports for the month ending 30 April 2023 be received:

1. Profit and Loss Statements
2. Balance Sheet
3. Capital Works 2022-2023

**CARRIED UNANIMOUSLY**

### 05/23.13.3 Visitor Information Centre Report

FILE REFERENCE	040\028\002\
----------------	--------------

#### 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:

- The Manager Business Services noted the Ships of St Helens exhibit currently on display and encouraged Councillors to visit. The number of visitors has started to drop off which is normal for this time of year.

#### COUNCIL DECISION:

05/23.13.3.111                      Moved: Clr I Carter/ Seconded: Clr K Wright

That the report be received.

**CARRIED UNANIMOUSLY**

### 05/23.13.4 Audit Panel Meeting Minutes – 20 March 2023

FILE REFERENCE	018\005\024\
----------------	--------------

#### OFFICER'S RECOMMENDATION:

That Council receive the minutes of the Audit Panel meeting of the 20 March 2023.

#### INTRODUCTION:

The Council Audit Panel meets every three months and the minutes of each meeting are provided to Council.

#### DISCUSSION:

- The Manager Business Services advised that the audit panel plays an important role because it allows an independent review by an expert. Most of the items listed in the minutes have already been passed by Council.
- Mayor Tucker commented that it is really good to see the panel has endorsed the financial management strategy.



**COUNCIL DECISION:**

**05/23.13.4.112** Moved: Clr I Carter/ Seconded: Clr L Johnstone

That Council receive the minutes of the Audit Panel meeting of the 20 March 2023.

**CARRIED UNANIMOUSLY**

**05/23.14.0 WORKS AND INFRASTRUCTURE**

**05/23.14.1 Works and Infrastructure Report**

<b>FILE REFERENCE</b>	014\002\001\
-----------------------	--------------

**OFFICER'S RECOMMENDATION:**

That the report be received by Council.

**INTRODUCTION:**

This report provides summary detail relating to Asset Maintenance, Weed Control, Waste Management, Capital Project updates and other general activity for the reporting period April 2023.

**DISCUSSION:**

- The Manager Infrastructure and Development Services advised:
  - That they are now accelerating the capital works program and there is lots of activity happening
  - That we have worked through most of the flood remediation works and this will be complete in 4-5 months.
  - Work at St Marys cemetery was started last Tuesday and this will take a couple of weeks, it will be finished after June with planting and landscaping works. Councillor Drummond noted that there was lots of discussion on ANZAC day about the memorial wall at the cemetery and it is really good to know that work has started.

**COUNCIL DECISION:**

**05/23.14.1.113** Moved: Clr K Wright/ Seconded: Clr J Drummond

That the report be received by Council.

**CARRIED UNANIMOUSLY**

**05/23.14.2 Animal Control Report**

<b>FILE REFERENCE</b>	003\003\018\
-----------------------	--------------

**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:**

- Councillor LeFevre noted he has received feedback that the level of professionalism of the new Animal Control Officer is outstanding.

**COUNCIL DECISION:**

**05/23.14.2.114**                      Moved: Clr B Lefevre/ Seconded: Clr I Carter

That the report be received by Council.

**CARRIED UNANIMOUSLY**

**05/23.15.0                      COMMUNITY DEVELOPMENT**

**05/23.15.1                      Community Services Report**

<b>FILE REFERENCE</b>	011\034\006\
-----------------------	--------------

**OFFICER’S RECOMMENDATION:**

That the report be received.

**INTRODUCTION:**

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

**DISCUSSION:**

- The Manager Community Services advised Councillors that a new officer at Parks and Wildlife Service has been assigned to the Burns Bay boat ramp project and they are currently reviewing it. She also advised that Council received feedback regarding the lack of Christmas decorations on display last year so they have called for volunteers for a Christmas committee, the meeting will be held in a fortnight.

- Councillor Drummond mentioned a group of community members who would like to construct a craypot Christmas tree. The Manager Community Services said she has been in contact with this group.
- Councillor Drummond commended the St Marys and Mathinna community for the activities they held on the weekend, they were lovely events with a great turnout.

**COUNCIL DECISION:**

**05/23.15.1.115**                      Moved: Clr G Barnes/ Seconded: Clr K Chapple

That the report be received.

**CARRIED UNANIMOUSLY**

**05/23.15.2**                      **Mathinna – Local Township Plan**

<b>FILE REFERENCE</b>	002\017\016\
-----------------------	--------------

**OFFICER’S RECOMMENDATION:**

That Council adopt the second Mathinna Township Plan, which has been developed with the community listing actions/projects that the community can work with Council to develop.

**INTRODUCTION:**

The purpose of the township plan is to provide a framework for how members of the Mathinna community can work with Council on projects.

**DISCUSSION:**

Nil.

**COUNCIL DECISION:**

**05/23.15.2.116**                      Moved: Clr G Barnes/ Seconded: Clr K Chapple

That Council adopt the second Mathinna Township Plan, which has been developed with the community listing actions/projects that the community can work with Council to develop.

**CARRIED UNANIMOUSLY**

**05/23.15.3**                      **Cornwall – Local Township Plan**

<b>FILE REFERENCE</b>	002\017\016\
-----------------------	--------------

**OFFICER’S RECOMMENDATION:**

That Council adopt the second Cornwall Township Plan, which has been developed with the community listing actions/projects that the community can work with Council to develop.

**INTRODUCTION:**

The purpose of the township plan is to provide a framework for how members of the Cornwall community can work with Council on projects.

**DISCUSSION:**

Nil.

**COUNCIL DECISION:**

**05/23.15.3.117** Moved: Clr L Johnstone/ Seconded: Clr K Wright

That Council adopt the second Cornwall Township Plan, which has been developed with the community listing actions/projects that the community can work with Council to develop.

**CARRIED UNANIMOUSLY**

**05/23.15.4** **Fingal – Local Township Plan**

<b>FILE REFERENCE</b>	002\017\016\
-----------------------	--------------

**OFFICER’S RECOMMENDATION:**

That Council adopt the second Fingal Township Plan, which has been developed with the community listing actions/projects that the community can work with Council to develop.

**INTRODUCTION:**

The purpose of the township plans is to provide a framework for how members of the Fingal community can work with Council on projects.

**DISCUSSION:**

- The Manager Community Services advised that we only received one piece of feedback and that was a thank you.

**COUNCIL DECISION:**

**05/23.15.4.118** Moved: Clr G Barnes/ Seconded: Clr K Wright

That Council adopt the second Fingal Township Plan, which has been developed with the community listing actions/projects that the community can work with Council to develop.

**CARRIED UNANIMOUSLY**

**05/23.15.5**                    **Change of Committee name from Access Advisory Committee to Access and Inclusion Advisory Committee**

<b>FILE REFERENCE</b>	011\011\002\
-----------------------	--------------

**OFFICER’S RECOMMENDATION:**

That Council approve a change of name of a Council committee from:

Access Advisory Committee to Access and Inclusion Advisory Committee.

**INTRODUCTION:**

The formation of an Access and Inclusion Advisory Committee would fulfill the requirements of the *Local Government Act 1993 – Sect. 20 (1)(a)(b)* with regard to providing for the health, safety and welfare of the community and *Local Government Act 1993 – Sect. 20 (2)*.

**DISCUSSION:**

- The Manager Community Services advised that we are adding the words ‘and inclusion’ to the name of the committee as we are finding that the issues that are being brought to the committee included both access and inclusion.

**COUNCIL DECISION:**

**05/23.15.5.119**                    Moved: Clr L Johnstone/ Seconded: Clr K Wright

That Council approve a change of name of a Council committee from:

Access Advisory Committee to Access and Inclusion Advisory Committee.

**CARRIED UNANIMOUSLY**

**05/23.15.6**                    **Lease of Public Land under S.178 Local Government Act – Elizabeth Street, Mangana Pending Development Application Updates**

<b>FILE REFERENCE</b>	018\029\004\
-----------------------	--------------

**OFFICER’S RECOMMENDATION:**

That pursuant to Section 178 of the *Local Government Act 1993* the Council:

1. Gives notice of its intention 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.

2. Authorise the General Manager to proceed with giving notification of this intention in accordance with the requirements of section 178 of the *Local Government Act 1993*.

#### INTRODUCTION:

Council was successful in obtaining funding through the Black Summer Bushfire Recovery Fund and one of the projects that was successful was the installation of a small cell mobile tower at Mangana.

#### DISCUSSION:

- The Manager Community Services advised that through the Black Summer Bushfire Recovery Fund we received funds for a cell tower at Mangana. Telstra have now approached Council for a lease of the land to allow this to occur.

#### COUNCIL DECISION:

**05/23.15.6.120**

Moved: Clr B LeFevre/ Seconded: Clr K Chapple

That pursuant to Section 178 of the *Local Government Act 1993* the Council:

1. Gives notice of its intention 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.
2. Authorise the General Manager to proceed with giving notification of this intention in accordance with the requirements of section 178 of the *Local Government Act 1993*.

#### CARRIED UNANIMOUSLY

**05/23.15.7**

**A Further Request for Financial Support – St Helens Online Access Centre**

<b>FILE REFERENCE</b>	018\019\078\
<b>ASSOCIATED REPORTS AND DOCUMENTS</b>	

#### OFFICER'S RECOMMENDATION:

That Council discuss the request.

#### INTRODUCTION:

Council has again received a written request from the President of the St Helens Online Access Committee seeking Council's support in providing funding to support the St Helens Online Access Centre.

#### DISCUSSION:

- Councillor Carter said he appreciates that it has been put back on the table, he noted that it is an outstanding community asset and the community needs this support. He noted that it is also a little challenging as we are uncertain about the future of the service, he advocated that we should provide support in the short term and then do very diligent research.
- Mayor Tucker indicated that as a Council we need a formal report to come back to make a decision, this report should include information about what is going to happen at the end of June 2024 and this needs to encompass all the Online Access Centres (OACs). He noted that after meeting with the Minister we know there will be no more funding for this model after June 2024 and he feels we need to contact the Minister to get some surety of what is going to happen in the future.
- Councillor LeFevre said he would value being able to see the figures for the 2022/23 financial year.
- Councillor Barnes asked if as part of the report we could explore a model that suits Break O'Day rather than waiting to the end of 2024. Mayor Tucker said that when they spoke to the Minister they encouraged us to be on the front foot about what would be suitable as a stand alone Break O'Day model.
- Councillor Chapple noted that she feels overwhelmed for this to come back to Council with more information today and would appreciate it if we could get everything more organised, she feels Council can't make a decision on this today without more information. Mayor Tucker reiterated that a new report needs to be prepared so Councillors have the information required to make a decision.
- Councillor Wright indicated that she feels that it is very important for Council to support this.
- Councillor Drummond indicated she would like to provide support in the short term as it is a vital community service and then do our diligent research.
- Councillor Johnstone agrees it is a vital service, she also agreed with Councillor Chapple and would like the information to be consolidated so Council can make a decision.
- Councillor Carter agreed with the need to be more diligent in gathering information but notes the urgent issue in regards to support for the short term.
- Councillor LeFevre said it seems that all Councillors feel the centre is great and needs to continue but we need more information.
- Councillor Chapple asked will time sensitivity be factored into the report because it seem as though it is a two part process? The General Manager responded yes the report will be prepared as soon as practicable. Councillor Johnstone clarified what was meant by a two step process. Councillor Chapple explained that the first part is the time sensitive request for short term funding and the second part is about the future of the centre.
- Councillor Drummond indicated that she fears that we will lose the centre in the meantime while we are waiting for the report. Her preference would be to provide funding and then get the report.
- Councillor Chapple reiterated that a decision cannot be made regarding short term funding without more information.

- The General Manager suggested to add an s in brackets to the motion so that we have the option to prepare two reports if it can't be prepared quickly enough.
- Councillor LeFevre asked can we break it up into two reports with one brought back in June regarding the current financial situation of the centre and then a later report with research.

**COUNCIL DECISION:**

**05/23.15.7.121** Moved: Clr B Lefevre/ Seconded: Clr K Chapple

That Council officers prepare a report(s) taking into account the comments made by Councillors at the meeting including requests for further information.

**FOR** Councillor Chapple, Councillor Barnes, Councillor Carter, Councillor Oldham,  
Councillor Johnstone, Councillor LeFevre, Councillor Tucker  
**AGAINST** Councillor Wright, Councillor Drummond  
**CARRIED**

**05/23.16.0 DEVELOPMENT SERVICES**

**05/23.16.1 Development Services Report**

<b>FILE REFERENCE</b>	031\013\003\
-----------------------	--------------

**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.

**DISCUSSION:**

- The Development Services Coordinator advised that we are struggling to get the engineering assessment completed at the moment for the indoor evacuation centre and community shed which has pushed out the construction schedule a little

**COUNCIL DECISION:**

**05/23.16.1.122** Moved: Clr G Barnes/ Seconded: Clr V Oldham

That the report be received.

**CARRIED UNANIMOUSLY**



## 05/23.17.0 GOVERNANCE

### 05/23.17.1 General Manager's Report

FILE REFERENCE	002\012\001\
----------------	--------------

#### 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 issues which are being dealt with by the General Manager and with other Council Officers where required.

#### DISCUSSION:

- The General Manager advised that he and the Mayor had a meeting with Dorset Council regarding the community catchments for the Future of Local Government Review (FoLGR). They also don't see strong connections within the various communities, we both acknowledged there is some crossover but not a strong connection.
- Councillor Drummond asked if anybody attended the meeting regarding the FoLGR on the same afternoon as the presidential candidates forum. She was told there was some discussion about the amalgamations but the recording equipment failed and there was no transcript. The General Manager advised that he did not attend. Mayor Tucker advised that he did attend but very little was said outside of what we already know. He noted that an information package would be coming, hopefully by May 22, which will have alternative options to explore.
- The General Manager highlighted the section about the elected members Learning and Development Framework. He noted that after the last elections the Office of Local Government contacted Councillors to let them know how to complete the modules and encouraged all Councillors to complete them. They will be now be writing to Mayors to encourage their fellow Councillors to do this.
- Councillor Drummond said that she completed them as part of a pilot program and the training was great. The General Manager advised that there have now been more modules added which Councillors can complete. Mayor Tucker encouraged everyone to complete them to help maintain professionalism and upskill. He said he has completed the modules and they are very informative.
- The General Manager highlighted that we have recently had a community information session in Fingal with Centacare Evolve Housing and we are getting mixed feedback. He emphasised that there will be a focus on over 55s for this housing and that Centacare very actively manage their properties with a tenancy officer.
- The General Manager noted that Councillor LeFevre attended a local meeting regarding recreational fishing and thought that Council should make a submission regarding local concerns. – Councillor LeFevre noted that the cutbacks being proposed are extreme.

Many fishermen are concerned noting that it will cost them \$100 for fuel just to catch two of some types of fish so they wouldn't even bother. Councillor LeFevre is concerned this would have a flow on effect to lots of businesses in town and that if the proposed changes go ahead it will be devastating for our local area.

- Councillor Johnstone clarified if it is more recreational or commercial. It is both.
- Councillor Johnstone asked where the submissions need to go to? Councillor LeFevre advised that submissions need to be in by May 29 to Fisheries Tasmania.
- The General Manager advised that we will forward the details to Councillors and that Council will put in a broad submission raising concerns.

#### **COUNCIL DECISION:**

**05/23.17.1.123**

Moved: Clr B Lefevre/ Seconded: Clr I Carter

That the General Manager's report be received.

**CARRIED UNANIMOUSLY**

**05/23.17.2**

**2022-2023 Annual Plan Review**

<b>FILE REFERENCE</b>	002\036\002\
-----------------------	--------------

#### **OFFICER'S RECOMMENDATION:**

That Council receive the Review as at the 31 March 2023 of the Break O'Day Council Annual Plan the 2022 – 2023.

#### **INTRODUCTION:**

Council's management team prepared the 2022 - 2023 Annual Plan based on discussions which occurred through Council workshops and the normal budget/planning process. The Annual Plan was prepared to take into account the matters identified during the recent Strategic Plan review process; broader factors which are impacting Council; and reflecting continuity of existing projects and activities where this exists.

The Annual Plan is a requirement of Section 71 of the *Local Government Act 1993* as follows:

*An Annual Plan is to –*

- (a) be consistent with the strategic plan; and*
- (b) include a statement of the manner in which the Council is to meet the goals and objectives of the strategic plan; and*
- (c) include a summary of the estimates adopted under section 82; and*
- (d) include a summary of the major strategies to be used in relation to the Council's public health goals and objectives.*

#### **DISCUSSION:**

- The General manager advised the following:
  - This is a summary through to March 31 2023. The overall percentage of completion is 68% versus a target of 75% which is line with what was expected heading for an overall percentage at the end of the year around 92%.
  - The Brand Key Focus Area is waiting on finalisation of the township plans.
  - The Population Key Focus Area has seen a delay due to Australian Bureau of Statistics information coming through, will need to address the Break O’Day aging population.
  - The Infrastructure goal has a few items relating to resources and flood damage.
  - The Communication Key Focus Area has moved along quite well.
  - The number of community events is building even in the off season.
  - The Arts and Cultural strategy activity is slightly behind as we are still trying to get membership for the committee, there has been a great response from the Valley but we need more members from the Coast to ensure balance.
  - As part of the Housing Key Focus Area we are pushing for local solutions and this is linked to the State Housing Strategy so we are participating in that process.
  - Many things in the Environment goal rely on external processes and some projects fall over more than one year.
  - In the Land and Water Management Key Focus Area the Lower George activity is a little behind and the St Marys activity hasn’t quite been completed but is close.
  - Climate change is a new area of focus, the NRM Officer will have an item for the June workshop.
  - The Marine Facilities Strategy has been completed and the St Helens Foreshore Master Plan is next on the list.
  - As part of the Roads and Streets Key Focus Area we are advocating for an alternate route to the St Marys Pass.
  - The Waste Management Key Focus Area is mostly on track, this is a large area of activity (almost \$3 million). We are still waiting on the container deposit scheme and it has been slow to find out from the State Government about how the waste levy is being spent.

**COUNCIL DECISION:**

**05/23.17.2.124**

Moved: Clr B Lefevre/ Seconded: Clr J Drummond

That Council receive the Review as at the 31 March 2023 of the Break O’Day Council Annual Plan the 2022 – 2023.

**CARRIED UNANIMOUSLY**

**05/23.17.3**

**Future of Local Government Review – Stage 2 Interim Report**

<b>FILE REFERENCE</b>	014\006\001\
-----------------------	--------------

## OFFICER'S RECOMMENDATION:

For discussion

## INTRODUCTION:

The Future of Local Government Review is now entering the third phase of activity following the release by the Local Government Board of its Stage 2 Interim Report of the Review. The Report has been developed by the Board following research and engagement to identify, develop and test a package of reform options.

The formal consultation period on the Report is open until 21 June 2023 and apart from Council preparing a submission it is important that we do all we can to encourage the community to provide their thoughts.

## DISCUSSION:

- The General Manager advised that we need to prepare a submission by June 21 but one of the critical things we are still waiting on is the information package from the State Government with information about how community consultation will occur.
- Mayor Tucker advised that the General Management Committee (GMC) of LGAT had a meeting and the Local Government Association of Tasmania (LGAT) have sent a letter to the Minister requesting an extension of nine weeks. They have asked for nine weeks as we were originally expected to have this time to review the documentation and consult with neighbouring Councils. We have received a strong indication that we will get the extension but it has not been confirmed in writing what that length will be.
- The General Manager noted that the lack of information around the process for community engagement is concerning and he is concerned that Councils will now be expected to do this because the Board seem unable to undertake extensive community engagement and have handballed it to Councils. The University of Newcastle (UON) conducted a sentiment survey and of the 1000 people involved only 22 responses were from Break O'Day – this is 0.3 percent of our population.
- The General Manager advise that we need guidance from the Council as to the nature of our submission. Following the submission Council will be expected to make a presentation to the B. He noted that the lack of background information provided means that it is very hard for Councils to make a considered decision. In our case we are looking at our past history which is with the east coast not the north east.
- Mayor Tucker said he hopes our Council can be on the front foot and can put forward a submission which is best for our Council – if we don't we will have to spend Council resources on fighting against something which is being pushed onto us. If we as a Council put forward a strong position for what we believe is a preferred option then they will have to use their resources trying to push back against it.
- Councillor Carter suggested a meeting outside the workshop and Council Meeting to really deep dive into this area as it is extremely important.

- Councillor LeFevre said something obviously has to happen, if we get onto the front foot for example with Glamorgan-Spring Bay and the community supports it then it will be hard for the Government to turn it over.
- Mayor Tucker indicated he has already spoken with the Mayor of Glamorgan-Spring Bay Council who said that our ratepayers and communities come first and their best interests are front and foremost.
- Councillor Drummond asked at what point do we engage with the community about this, she is concerned that we don't have enough opportunity to consult with the community that this is what they feel is right. The General Manager completely agreed that we are talking in high level theory and what we need is more information. The information we currently have is old and only gives us an indication – we need detailed consideration of an option, then time to provide the community with this information so they can make an informed response. The community engagement process cannot be done with existing resources, at this point our submission would be what we think this should be considered but needs further research.
- Councillor Wright asked how do we make a broad decision to encompass everyone and keep everyone happy as we have some communities which will be better connected with different areas.
- Councillor Drummond noted that she heard that there has been discussions about the Northern Midlands Council being split and Break O'Day taking some of this area.
- Mayor Tucker noted that only 4000 people have been engaged from the Tasmania adult population of 380,000 people – this means not many people have been involved in this process. In no part of this review has anyone ever stated that people will have savings on their rates it is about making Councils more sustainable and delivering better services. Of the 4000 engaged, 1000 were only engaged by the UON survey which was heavily weighted towards the Devonport and more urban areas.
- Councillor Johnstone thanked the Mayor and General Manager for being proactive and agreed that it is about what the community needs, she asked how is Glamorgan- Spring Bay feeling about the potential of Break O'Day encompassing some of that area. The General Manager said we need to get that sense of where they are sitting and a meeting scheduled for Friday 19 May should help us with this.
- The General Manager said we also need to look at connections with Dorset, Georgetown, Flinders - What is logical or illogical about these connections? Do these connections even exist? We will also need a detailed consideration of the east coast and what this would look like.
- The General Manager said we will also need to address the extent of community engagement undertaken by the Board or lack thereof – in making our statement we need to make it clear that this is what Council thinks and is not reflective of the community.
- Councillor Johnstone wondered if we should make sure we include forward thinking information to show what is sustainable, not rely only on previous information. The General Manager agreed but said at the moment the only information available to us is historical.

- Councillor Drummond said that particularly for new Councillors who were not involved in the previous process that she agrees with Councillor Carter’s request for a separate meeting and that it will be a good refresh for other Councillors. The General Manager and Mayor Tucker agreed this can be done as an additional workshop.
- Councillor Carter said he mindful of the amount of resources that would need to go into this and asked do we have other people we can bring in to help. The General Manager said that for community engagement yes we do. The submission itself will be prepared by a team inside Council.
- The General Manager noted that the workshop will need to be arranged as soon as practically possible given the timeframe.
- Mayor Tucker advised that LGAT is trying to get funding from the Government for community engagement, this would be for each Council to engage independent facilitators.
- Councillor LeFevre asked what community engagement would look like, he is concerned about only having four weeks to do this as it is very important to get this right.
- Councillor Oldham asked are we getting any feedback from the community. The General Manager advised that the only feedback has been from the mention of it in the newsletter, they asked for pros and cons around the options.

**COUNCIL DECISION:**

**05/23.17.3.125**

Moved: Clr J Drummond/ Seconded: Clr I Carter

For discussion

**CARRIED UNANIMOUSLY**

**05/23.17.4**

**Northern Tasmania Development Corporation Governance**

<b>FILE REFERENCE</b>	004\019\001\
-----------------------	--------------

**OFFICER’S RECOMMENDATION:**

It is recommended that the Council endorse the following documents:

1. The draft Northern Tasmanian Development Corporation (NTDC) Members' Letter of Expectation;
2. The revised NTDC Constitution; and
3. The draft NTDC Member Agreement 2023-2026

**INTRODUCTION:**

Council currently supports NTDC through the Members Agreement 2020-23 which committed Council to participation in NTDC for three years which will conclude on 30 June 2023. Following the resignation of the Chairperson in May 2022 the opportunity was taken to examine the Board structure and connection to member Councils to ensure that the structure and approach is ‘fit for

purpose' moving forward. There have been some occasions over the last few years where the connection of the Board to member Councils has been questioned and adjustments to the relationship mooted.

#### DISCUSSION:

- The General Manager advised the following:
  - There have previously been a number concerns around the operation of NTDC including the connection between Councils and the Board itself.
  - A workshop was held in July 2022 to help identify opportunities to fix this and it was decided some tweaks were required to the governance arrangements and the connection with Councils.
  - Alterations to the Constitution were required to make these changes and to incorporate a Members Representatives group similar to Taswater.
  - In September 2022 Council agreed to changes including the Members Representatives group and a letter of expectations. This has now been developed and sent to Council's for review and to endorse the documents.
- Mayor Tucker said that if we have a successful northern region then we will have a successful overflow to Break O'Day. If we are not a part of this then we can't benefit from it.

#### COUNCIL DECISION:

05/23.17.4.126

Moved: Clr B Lefevre/ Seconded: Clr I Carter

It is recommended that the Council endorse the following documents:

1. The draft Northern Tasmanian Development Corporation (NTDC) Members' Letter of Expectation;
2. The revised NTDC Constitution; and
3. The draft NTDC Member Agreement 2023-2026

**CARRIED UNANIMOUSLY**

05/23.17.6

**Economic Development Strategy Review**

FILE REFERENCE	002\038\002\
----------------	--------------

#### OFFICER'S RECOMMENDATION:

That Council

1. Allocate funding within the 2023-2024 budget for the development of an Economic Development Strategy
2. Undertake an Expression of Interest (EOI) for a consultant to develop the Economic Development Strategy

## INTRODUCTION:

The Break O’Day Economic Development Strategy was developed in 2013 and has provided strategic direction for economic development within the municipality. A review of Section 5 of the existing Economic Development has been produced and attached.

The Officer Report provides a recommendation to steer the direction of a new Economic Development Strategy to a more inclusive and holistic approach. The community is at the centre of its development. Importantly, broader considerations such as fostering community wellbeing and a sustainable environment are viewed as critical links to economic development.

## DISCUSSION:

- The Economic Development Officer advised that this was a review of the existing strategy from 2013. The review looks at what happened from the previous strategy and proposes how the new economic strategy may look to be more holistic. The recommendation is for funding to develop the new strategy.
- Councillor Johnstone said she thinks it is excellent and fully supports it, she thanked the Economic Development Officer for their work.
- Councillor Carter asked could we change tourism is important for St Helens to tourism is important for Break O’Day. The Economic Development Officer advised that is part of the existing existing strategy so cannot be changed.
- Councillor Drummond indicated she was very pleased to see community wellbeing at the forefront and liked seeing sustainability included. She asked what sort of funding we are looking at because that is not clear. The General Manager said it depends on the extent of the engagement that goes on but he would be expecting \$30,000-50,000.
- Councillor LeFevre indicated that some ratepayers may ask if it is the right time to develop an Economic Strategy when we don’t know what is happening in the future. Mayor Tucker said you have made a good point but that is going to happen with all our policies if there is an amalgamation. We have to continue in our present state until something happens.
- The General Manager said it is a valid point but at the end of the day any information we have will be presented to the new Council and they may not have the resources to develop an Economic Strategy for a number of years as there will be many other things that need to be addressed first.
- Councillor Drummond asked will that level of funding come back to Council before it is approved in the budget. The General Manager clarified that this is confirming that council would like us to allow for this in the budget. The actual figure will be part of the budget considerations.

## COUNCIL DECISION:

05/23.17.5.127

Moved: Clr L Johnstone/ Seconded: Clr I Carter

That Council



1. Allocate funding within the 2023-2024 budget for the development of an Economic Development Strategy
2. Undertake an Expression of Interest (EOI) for a consultant to develop the Economic Development Strategy

**CARRIED UNANIMOUSLY**

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

Moved: Clr K Wright/ Seconded: Clr L Johnstone

**CARRIED UNANIMOUSLY**

**IN CONFIDENCE**

**05/23.18.0**

**CLOSED COUNCIL**

**05/23.18.1**

**Confirmation of Closed Council Minutes – Council Meeting 17 April 2023**

**05/23.18.2**

**Outstanding Actions List for Closed Council**

**05/23.18.3**

**Clr Janet Drummond Leave of Absence - Closed Council Item Pursuant to Section 15(2)(h) of the Local Government (Meeting Procedures) Regulations 2015**

**COUNCIL DECISION:**

**04/23.18.3.CC**

Moved: Clr G Barnes/ Seconded: Clr K Chapple

**TO BE PUBLISHED IN THE PUBLIC MINUTES:**

That Leave of Absence be granted to Clr Janet Drummond.

**CARRIED UNANIMOUSLY**

Mayor Tucker left the room at 12.32pm and did not return to the meeting. Deputy Mayor Chapple assumed the Chair.

**05/23.18.4**                    **2023 Election of Committee Member of the General Management Committee (GMC) and President of the Local Government Association of Tasmania (LGAT - Closed Council Item Pursuant to Section 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015**

**COUNCIL DECISION:**

**04/23.18.4.CC**                    Moved: Clr B Lefevre/ Seconded: Clr I Carter

**TO BE PUBLISHED IN THE PUBLIC MINUTES:**

That Council provide direction on its voting preferences for the three (3) positions.

**CARRIED UNANIMOUSLY**

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

Moved: Clr L Johnstone/ Seconded: Clr J Drummond

**CARRIED UNANIMOUSLY**

Deputy Mayor Chapple thanked everyone for their attendance and declared the meeting closed at 12.51pm.

.....  
**MAYOR**

.....  
**DATE**