



# COUNCIL MEETING MINUTES

Monday 15 November 2021  
Council Chambers, St Helens

John Brown, General Manager  
Break O'Day Council  
15 November 2021

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## AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

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

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

## OPENING

*The Mayor 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.*

### 11/21.1.0 ATTENDANCE

#### 11/21.1.1 Present

Mayor Mick Tucker  
Deputy Mayor John McGiveron  
Councillor Kristi Chapple  
Councillor Janet Drummond  
Councillor Barry LeFevre  
Councillor Glenn McGuinness  
Councillor Margaret Osborne OAM  
Councillor Kylie Wright

#### 11/21.1.2 Apologies

Councillor Lesa Whittaker

### 11/21.1.3 Leave of Absence

Nil

### 11/21.1.4 Staff in Attendance

General Manager, John Brown  
Executive Assistant, Angela Matthews  
Manager Corporate Services, Bob Hoogland (*Item 1.0 – 14.1*)  
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 18.2*)  
Manager Community Services, Chris Hughes (*Item 1.0 – 11.0 / 12.1 – 17.4*)  
Development Services Coordinator, Jake Ihnen (*Item 1.0 – 7.1 / 13.6 – 17.4*)  
Senior Town Planner, Deb Szekely (*Item 1.0 – 7.1*)  
Planning Consultant, Duncan Payton (*Item 1.0 – 7.1*)  
Communications Coordinator, Jayne Richardson (*Item 1.0 – 17.4*)  
Trails Project Manager, Ben Pettman (*Item 1.0 – 7.1*)  
Economic Development Officer, Anna Williams (*Item 1.0 – 13.1 / 13.3 – 17.4*)

### 11/21.2.0 PUBLIC QUESTION TIME

Nil (0) people in the gallery.

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

#### 11/21.2.1 Fingal Waste Transfer Station – Mr M Schulz, Fingal

I went recently to the waste transfer station in Fingal to get rid of some metal and cardboard.

After I removed the metal I asked where the cardboard goes and the lady pointed at the large container.

I had a look and noticed it was all mixed up general waste, cardboards and even recyclable plastic. I asked what this is and she said it's all for general waste but I have to throw my cardboards in as they don't have a cardboard or recycling plastic container.

The funny thing was I wouldn't have to pay for this even if it ends up in landfill but on the other hand if I would have brought some general waste they would have charged me for it.

So I would like to ask does this make any sense to you?

Both cardboards and general waste go in the same bin to end up as landfill, for one I pay for the other I don't.

I think it's a shame that this system is happening there especially when you see other councils even weighing their general waste to keep exact track of how much goes into landfill.

This is an absolute unnecessary arrangement and can be easily solved by adding a small Cardboard and recycling container to the tip in Fingal.

The lady who works there has tried this a few times but always got denied because of reasons like it's not enough cardboards coming to be worthwhile for a container.

Well I think that's nonsense as a small container would do and the truck only takes it to empty once it's full, does it matter if this takes a few months?

I would hereby please you to bring this up in your next meeting and find an appropriate solution which will not have anymore impact in landfill and climate change then necessary.

Keep Tassie green and beautiful

### **Reply**

Cardboard bins are provided at St Helens, Scamander and St Marys Waste Transfer Stations and where the predominant demand for the placement of cardboard and a broader range of recyclables exists.

Waste services provided to the community are done so after due consideration is given to demand generation for a service, waste quantity and type and within the framework of affordability, given the fees and charges that are involved in collecting, transporting and the sorting of recyclable materials and all of which are borne by rate payers.

## **11/21.3.0                      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.*

The following notifications were made in relation to Agenda Item number 11/21.13.6 –Council’s Operational Banking Activities: Clr’s McGuinness, Drummond and Tucker advised that they were all shareholders of Bendigo Community Bank St Helens/St Marys.

Clr Drummond declared that she had a perceived possible interest for agenda item 11/21.14.3 – Waste Transfer Station Fee Waiver – St Marys School Association Op Shop as she is the coordinator of the St Marys School Association Op Shop in St Marys.

## **11/21.4.0 CONFIRMATION OF MINUTES**

### **11/21.4.1 Confirmation of Minutes – Council Meeting 18 October 2021**

#### **OFFICER’S RECOMMENDATION:**

That the minutes of the Council Meeting held on the 18 October 2021 be confirmed.

#### **DISCUSSION:**

No discussion took place on this item.

#### **COUNCIL DECISION:**

**11/21.4.1.234** Moved: Clr J McGiveron / Seconded: Clr J Drummond

That the minutes of the Council Meeting held on the 18 October 2021 be confirmed.

**CARRIED UNANIMOUSLY**

## **11/21.5.0 COUNCIL WORKSHOPS HELD SINCE 18 OCTOBER 2021 COUNCIL MEETING**

There was a Workshop held on Wednesday 3 November 2021 and the following items were listed for discussion.

- Annual Plan 2021 – 2022 – Quarterly Review as at 30 September 2021
- 2022 – 2023 State Budget Consultation
- Council’s Operational Budget Consultation
- Financial Assistance Grants (FAGs)
- Policy Review – EP09 – Public Health Warnings (Sewage Spill)
- Animal Control Report
- Request for Waste Transfer Station Fee Waiver – St Helens District High School Op Shop
- Request for Waste Transfer Station Fee Waiver – St Marys School Association Op Shop
- Reallocation of Funds – Plant & Equipment
- Terry Hills Road, Goshen
- Shared Pathway: St Helens – Binalong Bay
- Potential Projects: Local Roads and Community Infrastructure (LRCI) Program – Phase 3
- Strata Title
- Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report
- Festival of Wellbeing



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.

## 11/21.6.1

### DA214-21 – Two (2) Lot Subdivision 7-11 Freshwater Street, Beaumaris

FILE REFERENCE	DA 214-2021
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#### OFFICER'S RECOMMENDATION:

After due consideration of the representations received pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Council Interim Planning Scheme 2013* that the application for **Two (2) Lot Subdivision** on land situated at **7-11 Freshwater Street, Beaumaris** described in Certificate of Title CT 155447/8 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
Plan of Subdivision	210103-Proposal	Woolcott Surveys	14 May 2021
Planning Supporting Report	200103	Michell Schleiger, Woolcott Surveys	22 July 2021, Version 3
Bushfire Hazard Report		James Stewart, BFP-157	1 June 2021
Traffic Impact Assessment		Midson Traffic Pty Ltd	10 September 2021
Onsite Waste Water Assessment – Proposed 2 Lot Residential Subdivision	039-2021	JD Consulting	21 July 2021

2. The crossover/apron to proposed Lot 1 from the road to the property boundary must be constructed to LGAT standard in accordance with standard drawing TSD-R09-v3.

Notes in relation to Condition 2:

*All work must be financed by the developer associated with the installations of driveways and for the replacement of any existing kerb and channel and footpath infrastructure that may be damaged during construction*

*A works permit must be obtained prior to undertaking any work within the Council Road Reservation (fees apply).*

3. In accordance with the *Urban Drainage Act*, surface stormwater flow must not be directed from the subdivision to Lots 2, 4, 6, 8 & 10 on Lade Court.
4. Stormwater soakage pits must not be constructed for the purpose of receiving stormwater on the land at 7-11 Freshwater Street.

5. The stormwater pipe located in the drainage easement along the eastern boundary of 7-11 Freshwater Street is a Council asset – a 100mm subsoil drain. The drain must be replaced by a suitably sized municipal drain discharging into Freshwater Creek. Drain design and certification by a qualified engineer must be in accordance with ARR2016 as amended and submitted to Council's Civil Engineer for review prior to construction.

Notes in relation to Condition 5:

*Council is prepared to contribute to the cost of establishing a new drainage line as per previous commitment to the developer.*

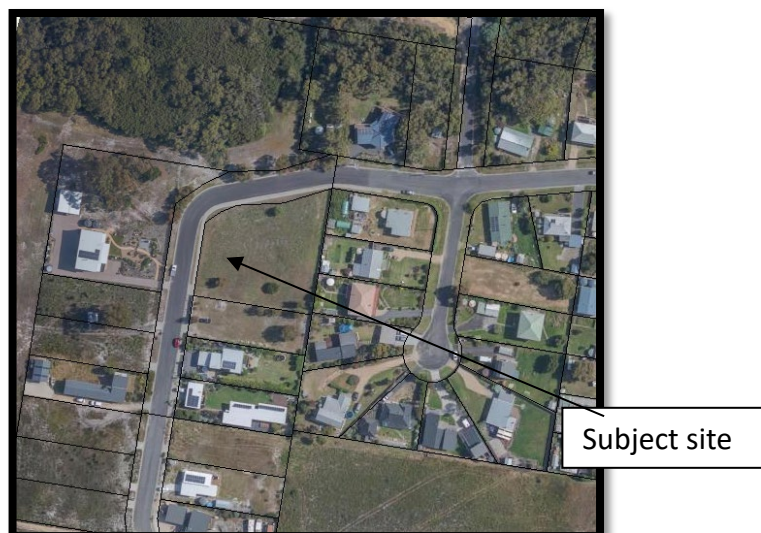
6. All works must be in accordance with Council Policy No. AM08: Subdivision New Works & Infrastructure Construction.
7. The developer shall be required to contribute an amount in cash, being \$1,200 (for the creation of 1 additional lot), in lieu of the provision of open space, prior to the sealing of the Final Plan.
8. Any restrictive covenants created by this subdivision are not to preclude the use/development of this land for State, Commonwealth or Local Government purposes.
9. A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. The plan will not be sealed until such time as all conditions on this permit have been complied with.

Advice

1. *TasNetworks Advice- Lot 1 will not have a supply available and the developer will need to register the project with TasNetworks to install a new turret and conduit to Lot 1, and with the full cost of this to go to the developer.*

**PROPOSAL SUMMARY:**

Application is made for the development of a two-lot subdivision at 7-11 Freshwater Street, Beaumaris. The subject land is a 2644m<sup>2</sup> vacant lot.



## Site Photographs







## DISCUSSION:

- The Senior Town Planner advised that this application had four (4) performance criteria to address.
- The Senior Town Planner stated that a Traffic Impact Assessment (TIA) accompanied the application and following further refinement it was determined to be adequate.
- Clr LeFevre stated that he supports the application noting the conditions and the sizes of the blocks.
- Clr McGiveron stated that he agreed with Clr LeFevre.

## COUNCIL DECISION:

**11/21.6.1.235**      Moved: Clr B LeFevre / Seconded: Clr J McGiveron

After due consideration of the representations received pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Council Interim Planning Scheme 2013* that the application for **Two (2) Lot Subdivision** on land situated at **7-11 Freshwater Street, Beaumaris** described in Certificate of Title CT 155447/8 be **APPROVED** subject to the following conditions:

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2. The crossover/apron to proposed Lot 1 from the road to the property boundary must be constructed to LGAT standard in accordance with standard drawing TSD-R09-v3.

Notes in relation to Condition 2:

*All work must be financed by the developer associated with the installations of driveways and for the replacement of any existing kerb and channel and footpath infrastructure that may be damaged during construction*

*A works permit must be obtained prior to undertaking any work within the Council Road Reservation (fees apply).*

3. In accordance with the *Urban Drainage Act*, surface stormwater flow must not be directed from the subdivision to Lots 2, 4, 6, 8 & 10 on Lade Court.
4. Stormwater soakage pits must not be constructed for the purpose of receiving stormwater on the land at 7-11 Freshwater Street.

5. The stormwater pipe located in the drainage easement along the eastern boundary of 7-11 Freshwater Street is a Council asset – a 100mm subsoil drain. The drain must be replaced by a suitably sized municipal drain discharging into Freshwater Creek. Drain design and certification by a qualified engineer must be in accordance with ARR2016 as amended and submitted to Council's Civil Engineer for review prior to construction.

Notes in relation to Condition 5:

*Council is prepared to contribute to the cost of establishing a new drainage line as per previous commitment to the developer.*

6. All works must be in accordance with Council Policy No. AM08: Subdivision New Works & Infrastructure Construction.
7. The developer shall be required to contribute an amount in cash, being \$1,200 (for the creation of 1 additional lot), in lieu of the provision of open space, prior to the sealing of the Final Plan.
8. Any restrictive covenants created by this subdivision are not to preclude the use/development of this land for State, Commonwealth or Local Government purposes.
9. A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. The plan will not be sealed until such time as all conditions on this permit have been complied with.

Advice

1. *TasNetworks Advice- Lot 1 will not have a supply available and the developer will need to register the project with TasNetworks to install a new turret and conduit to Lot 1, and with the full cost of this to go to the developer.*

**CARRIED UNANIMOUSLY**

**11/21.6.2                      DA044-21 - Shared Pathway – Foreshore Possum Tom – Talbot Street Jetty to O'Connors Beach**

<b>FILE REFERENCE</b>	DA 044-21
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**OFFICER'S RECOMMENDATION:**

After due consideration of the representations 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 SHARED PATHWAY - FORESHORE POSSUM TOM - TALBOT STREET JETTY TO O'CONNERS BEACH on land situated at POSSUM TOM, ST HELENS 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
Proposal Plans	CG505 – 10B, 11, 13 & 14	Break O' Day Council	September 2020
Ecological Assessment of Proposed Georges Bay Multi User Track Infrastructures Project		ECOtas	9 July 2019
Unanticipated Discovery Plan		Aboriginal Heritage Tasmania	26 July 2017
Traffic Impact Assessment		Traffic & Civil Services	June 2021
Construction Environmental Management Plan		Break O' Day Council	Undated

2. Use of the development must not create a nuisance as defined by the *Environmental Management and Pollution Control Act 1994*.
3. A *Soil and Water Management Plan*, prepared in accordance with *Guidelines for Soil and Water Management*, published by Hobart City Council and available on Council's website ([http://www.bodc.tas.gov.au/webdata/resources/files/Guidelines for Soil and Water Management.pdf](http://www.bodc.tas.gov.au/webdata/resources/files/Guidelines%20for%20Soil%20and%20Water%20Management.pdf)) must be submitted to Council for approval prior to the commencement of works. All works associated with the development must be conducted in accordance with the approved *Soil and Water Management Plan*. All worked areas not covered by structures must be promptly and progressively stabilised (eg revegetated) so that they will not erode and/or act as a source of sediment transfer.
4. All works must be conducted in accordance with *Environmental Best Practice Guidelines for Undertaking Works in Waterways and Wetlands in Tasmania* as outlined in the Department of Primary Industries, Parks, Water and Environment publication 'Waterways and Wetlands Works Manual 2003'.
5. 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.
6. 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.
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.



8. 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.
9. 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.
10. 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:

	APPLICABLE	NOTES
<b>ENVIRONMENTAL MANAGEMENT ZONE</b>	<b>YES</b>	<b>Utilities that are not minor utilities are discretionary within the zone.</b> <b>The proposal relies on performance criteria at:</b> <ul style="list-style-type: none"> <li>• <b>Clause 29.4.1 P3 – setbacks</b></li> <li>• <b>Clause 29.4.2 P1 and P2 - landscaping</b></li> </ul>

	CODES	TRIGGER
E1 BUSHFIRE		
E2 CONTAMINATED LAND		
E3 LANDSLIP		
E4 ROAD + RAILWAY		
E5 FLOOD PRONE	E5.2.1	Code applies to use or development of land potentially subject to flooding at a 1% annual exceedance probability.
E6 CAR PARKING + _ TRANSPORT	E6.2.1	Code applies to all use and development of land.
E7 SCENIC MANAGEMENT		
E8 BIODIVERSITY	E8.2.1	Code applies to use or development within an area identified as priority vegetation or for the removal of native vegetation.
E9 WATER QUALITY	E9.2.1	Code applies to land within 50m of a wetland or watercourse
E10 RECREATION + OPEN SPACE		
E11 ATTENUATION IMPACTS		
E12 AIRPORTS IMPACT		
E13 HERITAGE		
E14 COASTAL		Note: Proposal exempt pursuant to clause E14.4.1 (b)
E15 SIGNS		



	<b>CODES</b>	<b>TRIGGER</b>
E16 WASTE WATER	E16.2.1	Code applies to use and development for which reticulated sewerage services are not available or capable of being connected.

### **Proposal**

The applicant is seeking to construct a shared pathway on the foreshore around Possum Tom to link the existing jetty at Talbot Street with the existing jetty on the western end of O'Connor's Beach.

The proposed pathway will have a total length of some 480m and be raised to a level of 1.7m AHD to provide a freeboard of some 0.8m above the highest astronomical tide (HAT). It will be some 2.5m wide to provide sufficient width for pedestrians, cyclists and those in wheelchairs to share the path.

The proposed pathway will be constructed:

- As a raised timber deck for the first 50m from the Talbot Street jetty to traverse over the horizontal trunk of an existing mature eucalypt.
- A gravel pathway on rock fill for some 410m.
- A gravel pathway on a sea wall for the final 20m to join with the pathway at the western jetty at O'Connor's Beach.

Whilst some of the existing trees will need to be pruned for safety and access, no trees will be removed as part of this proposal. Other vegetation removal because of the works will be minimised.

### **Site Background and History**

Council has previously initiated the Georges Bay multi-user track infrastructure project. This is an ongoing project intended to provide a safe pathway for pedestrians and cyclists and avoiding potential conflict with the vehicular traffic on the adjacent roadway.

The Peach trees Point to Golden Fleece Bridge stage of the project has been completed.

Council has lodged an application for the next stage of the multi-user track, being the Possum Tom Foreshore Shared Walkway.

### **Description of the Site and Surrounds**

<b>Direction</b>	<b>Planning Scheme Zone</b>	<b>Current Land Use</b>
<b>North</b>	Environmental Management	St Georges Bay
<b>South</b>	General Residential	Caravan Park, single dwellings
<b>East</b>	Environmental Management	St Georges Bay
<b>West</b>	Environmental Management	St Georges Bay

The application has relied on the following performance criteria of the planning scheme in seeking approval:-

<b>Performance Criteria</b>	29.4.1 P3 – setbacks 29.4.2 P1 & P2 – landscaping E5.6.1 P1 – Flooding and Coastal Inundation E8.6.1 P2 – Habitat and Vegetation management E9.6.1 P1 – Construction Practices and Riparian Vegetation E9.6.4 P1 – Access
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#### DISCUSSION:

- The Planning Consultant stated that it was a fairly simple application adding to the pathways that Council has been working on over the years. It will be constructed similar to the one constructed last year with a wooden bridge in a section around a tree of significance.
- The Planning Consultant stated that two (2) representations were received raising fairly standard issues noting vegetation around the foreshore and an ecological report was provided by EcoTas. From the EcoTas Report a particular tree has been noted and marked.
- Clr LeFevre stated that he supports the recommendation and notes that the proposal has a tremendous amount of support within the community.
- Clr Osborne stated that she agrees.

#### COUNCIL DECISION:

**11/21.6.2.236**      Moved: Clr B LeFevre / Seconded: Clr M Osborne

After due consideration of the representations 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 SHARED PATHWAY - FORESHORE POSSUM TOM - TALBOT STREET JETTY TO O'CONNERS BEACH on land situated at POSSUM TOM, ST HELENS 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
Proposal Plans	CG505 – 10B, 11, 13 & 14	Break O' Day Council	September 2020
Ecological Assessment of Proposed Georges Bay Multi User Track Infrastructures Project		EcoTas	9 July 2019
Unanticipated Discovery Plan		Aboriginal Heritage Tasmania	26 July 2017
Traffic Impact Assessment		Traffic & Civil Services	June 2021

Plan / Document Name	Reference Number	Prepared By	Dated
Construction Environmental Management Plan		Break O' Day Council	Undated

2. Use of the development must not create a nuisance as defined by the *Environmental Management and Pollution Control Act 1994*.
3. A *Soil and Water Management Plan*, prepared in accordance with *Guidelines for Soil and Water Management*, published by Hobart City Council and available on Council's website ([http://www.bodc.tas.gov.au/webdata/resources/files/Guidelines for Soil and Water Management.pdf](http://www.bodc.tas.gov.au/webdata/resources/files/Guidelines%20for%20Soil%20and%20Water%20Management.pdf)) must be submitted to Council for approval prior to the commencement of works. All works associated with the development must be conducted in accordance with the approved *Soil and Water Management Plan*. All worked areas not covered by structures must be promptly and progressively stabilised (eg revegetated) so that they will not erode and/or act as a source of sediment transfer.
4. All works must be conducted in accordance with *Environmental Best Practice Guidelines for Undertaking Works in Waterways and Wetlands in Tasmania* as outlined in the Department of Primary Industries, Parks, Water and Environment publication 'Waterways and Wetlands Works Manual 2003'.
5. 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.
6. 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.
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.
8. 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.
9. 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.

10. 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**

**11/21.6.3 DA148-21 – Wrinklers Lagoon Car Park Upgrade – Tasman Highway, Beaumaris**

FILE REFERENCE	DA 148-21
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**OFFICER'S RECOMMENDATION:**

After due consideration of the representations 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 CARPARK UPGRADE on land situated at TASMAN HIGHWAY, BEAUMARIS and known as Wrinklers Lagoon Car Park 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
Site Plan	BODC/5 – A03	Jon Pugh Home Design	12 August 2021
Ecological Values Assessment		ECOtas	13 June 2019
Traffic Impact Assessment		Midson Traffic	September 2021
Unanticipated Discovery Plan		Aboriginal Heritage Tasmania	26 July 2017

2. The proposed car parking areas must be constructed in accordance with water sensitive urban design principles. Measures such as bioretention swales and porous pavement or turf cells should be considered to provide on-site stormwater infiltration and treatment. Stormwater management is not to result in a concentration of flow onto other property or cause other stormwater nuisance.
3. The vehicle crossover from the carriageway to the property boundary must be constructed in accordance with the vehicular crossing requirements of the Department of State Growth, Tasmania.
4. 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 construction/upgrade.
5. Use of the development must not create a nuisance as defined by the *Environmental Management and Pollution Control Act 1994*.

6. A *Soil and Water Management Plan* must be submitted to Council for approval prior to the commencement of works, prepared in accordance with *Guidelines for Soil and Water Management*, published by Hobart City Council and available on Council's website ([http://www.bodc.tas.gov.au/webdata/resources/files/Guidelines for Soil and Water Management.pdf](http://www.bodc.tas.gov.au/webdata/resources/files/Guidelines%20for%20Soil%20and%20Water%20Management.pdf)). All works associated with the development must be conducted in accordance with the approved *Soil and Water Management Plan*. All worked areas not covered by structures must be promptly and progressively stabilised (eg revegetated) so that they will not erode and/or act as a source of sediment transfer.
7. 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.
8. 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.
9. 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.
10. 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.
11. All construction wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.
12. 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.
13. The introduction of non-native plant species and plant species not of local provenance must be avoided and environmental weeds should be regularly monitored and targeted for removal.
14. 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:

	APPLICABLE	NOTES
<b>ENVIRONMENTAL MANAGEMENT ZONE</b>	<b>YES</b>	Passive recreation use is no permit required. Discretion is invoked as the proposal relies on P2 at clause 29.4.2 Landscaping.

	CODES	TRIGGER
E1 BUSHFIRE		
E2 CONTAMINATED LAND		
E3 LANDSLIP		
E4 ROAD + RAILWAY	E4.2.1	Code applies to development that requires a new access or intensifies the use of an existing access.
E5 FLOOD PRONE		
E6 CAR PARKING +_ TRANSPORT	E6.2.1	Code applies to all use and development of land.
E7 SCENIC MANAGEMENT	E7.2.1	Code applies to use or development of land within the scenic management – tourist road corridor.
E8 BIODIVERSITY	E8.2.1	Code applies to use or development of land for the removal of native vegetation.
E9 WATER QUALITY		
E10 RECREATION + OPEN SPACE		
E11 ATTENUATION IMPACTS		
E12 AIRPORTS IMPACT		
E13 HERITAGE		
E14 COASTAL		Note: Proposal exempt pursuant to clause E14.4.1 (b)
E15 SIGNS		
E16 WASTE WATER		

### Proposal

The applicant is seeking approval to upgrade the car park and provide safe access to and from the Tasman Highway by:

- Reconstructing the existing carpark with an appropriate sealed surface and drainage to the public stormwater infrastructure;
- Changing the access points from two way to one way, with the northern access being entry only and the southern access being exit only;
- Vegetation removal at the southern end of the car park to provide for improved sight lines and exit alignment to the Tasman Highway; and
- Line marking of car parking spaces, including accessible parking, and appropriate walkways between the parking spaces, the new amenities and the existing bus shelter.

The Break O'Day council has a long-term proposal plan for the redevelopment of the Wrinklers Lagoon car park and day area, at the northern end of Scamander. Stage one deals with the car park area adjacent to the Tasman Highway, whilst stage two addresses the balance of the car park area to the north-east. The current proposal is for stage one only and is brought about at this time as the recently replaced bridge over Wrinklers Lagoon is higher than the previous bridge and this has resulted in safety concerns from the reduced sight lines, particularly for vehicles exiting the existing car park via the northern access.



Direction	Planning Scheme Zone	Current Land Use
North	Environmental Management	Surrounding reserve
South	Environmental Management	Surrounding reserve and residential use
East	Environmental Management	Surrounding reserve
West	Utilities, General Residential	Residential use and take away coffee shop on western side of Tasman Highway.



The subject site is that part of the Wrinklers Lagoon Car Park that is situated parallel to the eastern side of the Tasman Highway. The site has two accesses to the Tasman Highway and each currently provide both entry and exit. The surface of the car park and its access to the Highway is currently in poor condition.

The car park, whilst catering for day users of the beach and lagoon, also includes an amenities building and a bus shelter. The recent demolition and replacement of the amenities building, whilst part of the overall redevelopment of the day area, is exempt from the need for planning approval by virtue of clause 5.2.10 of the scheme and does not form part of this application. No works to the bus shelter are proposed.

The car park is located at the northern end of Scamander and is surrounded by a mix of reserved land and of residential land predominately developed for single dwellings.

The application has relied on the following performance criteria of the planning scheme in seeking approval:-

<b>Performance Criteria</b>	29.4.2 - Landscaping. E 4.6.1 P2 - Use [of] road or rail infrastructure. E6.7.2 P1 - Design and Layout of Car Parking. E 7.6.1 P1 - Scenic Management - tourist Road Corridor. E 8.6.1 P1 and P2 - Habitat and Vegetation Management.
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#### DISCUSSION:

- The Planning Consultant stated that the amenities building is exempt from planning approval so this application only relates to the car parking area.
- The Planning Consultant stated that there will be landscaping to soften the look of the car park.
- Clr McGuinness stated that he was just reiterating the words we have just heard – it is a solution to a long term problem and it has really been an eyesore for the northern entrance to Scamander for quite some time.
- Clr Osborne stated that she supports the application.

#### COUNCIL DECISION:

**11/21.6.3.237**      Moved: Clr G McGuinness / Seconded: Clr M Osborne

After due consideration of the representations 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 CARPARK UPGRADE on land situated at TASMAN HIGHWAY, BEAUMARIS and known as Wrinklers Lagoon Car Park 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
Site Plan	BODC/5 – A03	Jon Pugh Home Design	12 August 2021
Ecological Values Assessment		ECOtas	13 June 2019
Traffic Impact Assessment		Midson Traffic	September 2021
Unanticipated Discovery Plan		Aboriginal Heritage Tasmania	26 July 2017

2. The proposed car parking areas must be constructed in accordance with water sensitive urban design principles. Measures such as bioretention swales and porous pavement or turf cells should be considered to provide on-site stormwater infiltration and treatment. Stormwater management is not to result in a concentration of flow onto other property or cause other stormwater nuisance.
3. The vehicle crossover from the carriageway to the property boundary must be constructed in accordance with the vehicular crossing requirements of the Department of State Growth, Tasmania.
4. 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 construction/upgrade.
5. Use of the development must not create a nuisance as defined by the *Environmental Management and Pollution Control Act 1994*.
6. A *Soil and Water Management Plan* must be submitted to Council for approval prior to the commencement of works, prepared in accordance with *Guidelines for Soil and Water Management*, published by Hobart City Council and available on Council's website ([http://www.bodc.tas.gov.au/webdata/resources/files/Guidelines for Soil and Water Management.pdf](http://www.bodc.tas.gov.au/webdata/resources/files/Guidelines%20for%20Soil%20and%20Water%20Management.pdf)). All works associated with the development must be conducted in accordance with the approved *Soil and Water Management Plan*. All worked areas not covered by structures must be promptly and progressively stabilised (eg revegetated) so that they will not erode and/or act as a source of sediment transfer.
7. 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.
8. 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.

9. 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.
10. 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.
11. All construction wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.
12. 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.
13. The introduction of non-native plant species and plant species not of local provenance must be avoided and environmental weeds should be regularly monitored and targeted for removal.
14. 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**

**11/21.6.4                      DA285-21 – Construction of Mountain Bike Trail – Realignment of Approximately 4.7km of Stage 7 – East of Ansons Bay Road, St Helens**

FILE REFERENCE	DA 285-21
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**OFFICER'S RECOMMENDATION:**

After due consideration of the representations 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 CONSTRUCTION OF MOUNTAIN BIKE TRAIL - REALIGNMENT OF APPROXIMATELY 4.7KM OF STAGE 7 (EAST OF ANSONS BAY ROAD) on land situated east of Ansons Bay Road, ST HELENS 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>Prepared By</b>	<b>Dated</b>
Poimena (Blue Tier) to Binalong Bay (Swimcart Beach) Trail – Proposed new section near Ansons Bay Road	World Trail Pty Ltd	28 April 2020
Ecological Assessment of Proposed Mountain Bike Track	ECOtas	18 April 2020
Epic Trail Planning Application Notes – Water Quality Code	ECOtas	28 July 2021

2. All works associated with the development must be conducted in accordance with a soil and water management plan, Guidelines for Soil and Water Management, Hobart City Council. Material must not be burnt on site and all trade waste must be disposed of in a licensed waste disposal facility.
3. All works must be conducted in accordance with Environmental Best Practice Guidelines for Undertaking Works in Waterways and Wetlands in Tasmania as outlined in the Department of Primary Industries, Parks, Water and Environment publication 'Waterways and Wetlands Works Manual 2003'.
4. Site benching through cut and fill must be in keeping with the physical and environmental capabilities of the site.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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:

	APPLICABLE	NOTES
ENVIRONMENTAL MANAGEMENT ZONE	YES	Passive Recreation is a No Permit Required use class in the zone. The proposal is discretionary as it relies on performance criteria at 29.4.2 P2 – Landscaping and 29.4.4 P1 and P2 – Provision of Infrastructure.

	CODES	TRIGGER
E1 BUSHFIRE		
E2 CONTAMINATED LAND		
E3 LANDSLIP		
E4 ROAD + RAILWAY		
E5 FLOOD PRONE		
E6 CAR PARKING + TRANSPORT	E6.2.1	Code applies to all use and development of land.
E7 SCENIC MANAGEMENT	E7.2.1	Code applies to use or development of land within the scenic management – tourist road corridor.
E8 BIODIVERSITY	E8.2.1	Code applies to use or development of land for the removal of native vegetation.
E9 WATER QUALITY	E9.2.1	E9.2.1 Code applies to use or development of land within 50m of a wetland or watercourse.
E10 RECREATION + OPEN SPACE		
E11 ATTENUATION IMPACTS		
E12 AIRPORTS IMPACT		
E13 HERITAGE		
E14 COASTAL		
E15 SIGNS		
E16 WASTE WATER	E16.2.1	Code applies to use and development for which reticulated sewerage services are not available or capable of being connected.

### **Proposal**

The applicant is seeking to develop and use a new 4.7km single track mountain bike trail adjacent to and replacing a 4km length of Section 7 of the Bay of Fires Trail, east of its crossing with Ansons Bay Road.

### **Site Background and History**

In 2018, Council approved DA128-2018 for the development and use of a 46km mountain bike trail from Poimena to Swimcart Beach, known as the Bay of Fires Trail, to address the rapidly growing demand for such trails. The start-point, at Poimena on the Blue Tier, also provides the start point for another trail heading to Weldborough.

The Bay of Fires Trail was designed by World Trail and is predominately new single track, with some sections of existing logging and access tracks and a disused water race. However, the Trail does not achieve the required 80% single track to achieve the 'Epic' designation of the International Mountain Biking Association, of which there is currently only one trail in Australia so designated.

Consequently, in 2020 Council commissioned World Trail to design a 4.7km section of new single track, adjacent to and to replace, an existing 4km section of the Trail that currently follows an existing vehicle track. This section is apparently not considered appropriately interesting or challenging by most riders. The new section of single track will enable the Trail to gain 'Epic' status and further enhance the St Helens area as a destination for mountain bike tourism.

The start of the proposed new alignment is immediately east of Ansons Bay Road where there is an existing vehicular access and wash down facility, for use by cyclists both mid-way through the Trail or starting from this point.

**The application has relied on the following performance criteria of the planning scheme in seeking approval:-**

Performance Criteria	29.4.2 P2 – Landscaping 29.4.4 P1 & P2 – Provision of Infrastructure E7.6.1 P1 – Scenic Management – Tourist Road Corridor E8.6.1 P2 – Habitat and Vegetation Management E9.6.1 P1 – Development and Construction Practices and Riparian Vegetation E9.6.4 P1 & P2 - Access
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## DISCUSSION:

- The Planning Consultant noted that a section of this original track is on an existing woodcutters track. A realignment of this track will allow an upgraded status of this trail to an EPIC.
- The Planning Consultant stated that the 4.7km is replacing a 4km existing vehicle track and there is no adverse environmental impacts in this area. To minimise any environmental impacts EcoTas have provided a report as well as an Aboriginal Heritage Report has been received.
- Cllr LeFevre stated that this project will be epic for the businesses and local businesses alike.
- Cllr McGiveron stated that this will take riders off a vehicle track which is really important for safety.
- Cllr Drummond stated that she is concerned that we have an existing track and she has looked at the Biodiversity Code 8.6.1 P2.1 and feels uncomfortable that we have an existing trail and we are building almost parallel to this as she has concerns about removing further vegetation, it talks about not being compliant for what was already put forward to Parks & Wildlife Services that has already been given permission to build that trail, so that is her concern. The Planning Consultant stated there are two (2) aspects about building a parallel trail and removing vegetation but the reality is Parks & Wildlife Services are the assessor of that not Council, there is no provision in the Planning Scheme except to say the assessment has been done and they are happy with that. With regard to running the parallel trail we need to consider this as a section of trail, we need to assess the development of 4.7km of MTB trail. The scheme envisages that there will be some removal of vegetation that is why it tries to minimise this as there would always be some impact. The trail has been mapped out and plotted to have minimum impact on the terrain and the environment.

- Clr Wright stated that she has concerns that mirror Clr Drummond's, the original proposal was approved because of the minimisation of vegetation removal and it concerns her that we are going back on that. The Planning Consultant stated that it is quite common for something to be constructed and then changed. Other applications come in for improvements as needs and expectations change so we modify to go with the needs and provide a higher standard.
- Clr Chapple stated that if this is passed and put in place will all bikes be taken off the other trail. The General Manager stated that the signage and the trail will direct people to follow the new trail.

## COUNCIL DECISION:

**11/21.6.4.238**      Moved: Clr B LeFevre / Seconded: Clr J McGiveron

After due consideration of the representations 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 CONSTRUCTION OF MOUNTAIN BIKE TRAIL - REALIGNMENT OF APPROXIMATELY 4.7KM OF STAGE 7 (EAST OF ANSONS BAY ROAD) on land situated east of Ansons Bay Road, ST HELENS 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	Prepared By	Dated
Poimena (Blue Tier) to Binalong Bay (Swimcart Beach) Trail – Proposed new section near Ansons Bay Road	World Trail Pty Ltd	28 April 2020
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2. All works associated with the development must be conducted in accordance with a soil and water management plan, Guidelines for Soil and Water Management, Hobart City Council. Material must not be burnt on site and all trade waste must be disposed of in a licensed waste disposal facility.
3. All works must be conducted in accordance with Environmental Best Practice Guidelines for Undertaking Works in Waterways and Wetlands in Tasmania as outlined in the Department of Primary Industries, Parks, Water and Environment publication 'Waterways and Wetlands Works Manual 2003'.
4. Site benching through cut and fill must be in keeping with the physical and environmental capabilities of the site.
5. 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.

6. 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.
7. 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.
8. 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.
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<b>FOR</b>	Clr J McGiveron, Clr K Chapple, Clr M Osborne, Clr G McGuinness, Clr B LeFevre, Clr M Tucker
<b>AGAINST</b>	Clr J Drummond, Clr K Wright
<b>CARRIED</b>	

*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.*

## **11/21.7.0 COUNCIL MEETING ACTIONS**

### **11/21.7.1 Outstanding Matters**

The report was received.

## **11/21.8.0 PETITIONS**

Nil.

## 11/21.9.0

## NOTICES OF MOTION

Nil.

## 11/21.10.0

## COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

## 11/21.11.0

## 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.*

### 11/21.11.1

### Local Government Association of Tasmania (LGAT) – General Meetings and Local Government Climate Change Showcase – Cllr J Drummond

- (i) Previously we had agreed that agendas would be distributed prior to the meeting and discussion would occur on any relevant motions that were being raised. Could you please ensure that this happens into the future?
- (ii) Local Government Climate Change Showcase in November 2021 - Are we putting anything forward that we have done in this community?

### Reply

- (i) Yes, noted and officers will ensure that this occurs wherever possible. It is noted that on some occasions there has been no opportunity for this to occur due to timing. The recent special General Meeting had a single page Agenda and there were no additional papers available for discussion.
- (ii) The Local Government Climate Change Showcase event foreshadowed by the Local Government Association of Tasmania (LGAT) earlier in the year for November has been deferred to 2022. Instead, LGAT joined with the Planning Institute of Australia to hold a climate change event recently that focused on the built environment.



- (i) This has been raised within the community a lot of late, following on from the Recreational Trails Strategy Drop In Sessions, could Council indicate where we are at with this potential development?
- (ii) Page 494 of the agenda today talks about upgrades to the Railway Station and this was originally part of the included works of the Master Plan to develop this area, as per a 2014 Report commissioned by Council on page 40. Does this indicate that further works are going to be undertaken in this area with reference back to that Master Plan?

**Reply**

- (i) Council undertook community consultation on the conceptual design in October 2015. Feedback from the consultation was mixed with a number not fully in support of the project. It was discussed at a workshop and some Councillors indicated that the project would need to be community driven and that external funding would be required. A couple of applications were made through external agencies for this project to be considered for funding - but we were not successful. Council officers are not aware of any significant push within the community to proceed with this project.
- (ii) The Development Services Coordinator stated the works have nothing to do with the Master Plan it is repainting and fixing some leaking windows, it is just prolonging the life of the building

What sort of commitments have we made to the St Helens Neighbourhood House to shift the Community Garden?

**Reply**

The General Manager advised that we did make commitments to assist with the relocation of the community garden, most of the works now are complete except for a few smaller things including a little bit of building work to be completed. We work with the Manager of the St Helens Neighbourhood House and there is an agreed list that we are working on but there wouldn't be much outstanding from Council.

## 11/21.12.0

## MAYOR'S & COUNCILLOR'S COMMUNICATIONS

### 11/21.12.1

### Mayor's Communications for Period Ending 15 November 2021

19.10.2021	St Helens	– Citizenship Ceremony
29.10.2021	Hobart	– Meeting with the Minister for Local Government
29.10.2021	Hobart	– Local Government Association of Tasmania (LGAT) – General Management Committee (GMC) – Future of Local Government Reform
02.11.2021	Launceston	– Northern Tasmania Development Corporation (NTDC) – Annual General Meeting (AGM)
03.11.2021	St Marys	– Council Workshop
04.11.2021	Devonport	– Local Government Association of Tasmania (LGAT) Special General Meeting – Local Government Reform
04.11.2021	Devonport	– Local Government Association of Tasmania (LGAT) – Post General Meeting General Management Committee (GMC) – Future of Local Government Reform
10.11.2021	Launceston	– TasWater – Owner Representatives Group – General Meeting
11.11.2021	St Helens	– Remembrance Day Service
12.11.2021	Via Web St Helens	– Australian Local Government Association (ALGA) - Board Meeting – Meeting with Minister Jaensch
15.11.2021	St Helens	– Council Meeting

### 11/21.12.2

### Councillor's Reports for Period Ending 15 November 2021

*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 –Clr Margaret Osborne OAM

- Clr Osborne stated that she reported on the things that come out of the last meeting including raised the concerns with AirBnB's and looking at differential rating.
- The Chamber thanked Glenn McGuinness for all of his work over the years on the Chamber.

#### NRM Special Committee – Clr Janet Drummond

- Last meeting was postponed and there is a meeting tomorrow (Tuesday 16 November).

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

- No meeting as yet – one scheduled for early December.

#### Mental Health Action Group – Clr Barry LeFevre

- Thursday the Mayor and Clr LeFevre attended a Mens Mental Health Forum at the football club and listened to presenters, however it was disappointing there were only six (6) people in attendance.

#### Disability Access Committee – Clr Janet Drummond

- Meeting tomorrow morning (Tuesday 16 November).

Bay of Fires Master Plan Steering Committee – Clr Glenn McGuinness

- The Brief is progressing slowly and is currently sitting with Aboriginal Land Council Tasmania as Parks & Wildlife Services requested this.

**11/21.13.0 BUSINESS AND CORPORATE SERVICES**

**11/21.13.1 Corporate Services Department Report**

<b>FILE REFERENCE</b>	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 of various issues which have been dealt with in the Business and Corporate Service Department since the previous Council Meeting.

**DISCUSSION:**

- The Manager Corporate Services stated that he has received the external audit for the last financial year.

**COUNCIL DECISION:**

**11/21.13.1.239** Moved: Clr M Osborne / Seconded: Clr B LeFevre

That the report be received.

**CARRIED UNANIMOUSLY**

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

That the following reports for the month ending 31 October 2021 be received:

1. Trading Account Summary
2. Income Statement
3. Profit and Loss Statements
4. Financial Position
5. Cash Flow
6. Capital Expenditure

**INTRODUCTION:**

Presented to Council are the monthly financial statements.

**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

**11/21.13.2.240**

Moved: Cllr K Wright / Seconded: Cllr M Osborne

That the following reports for the month ending 31 October 2021 be received:

1. Trading Account Summary
2. Income Statement
3. Profit and Loss Statements
4. Financial Position
5. Cash Flow
6. Capital Expenditure

**CARRIED UNANIMOUSLY**

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 of various issues which are being dealt with by the Visitor Information Centre.

## DISCUSSION:

Nothing further to add.

## COUNCIL DECISION:

**11/21.13.3.241** Moved: Clr J McGiveron / Seconded: Clr K Chapple

That the report be received.

**CARRIED UNANIMOUSLY**

## 11/21.13.4      Audit Panel – Receipt of Minutes

FILE REFERENCE	018\005\024\
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## OFFICER'S RECOMMENDATION:

That Council receive the minutes of the Audit Panel 25 October 2021.

## INTRODUCTION:

Council's Audit Panel meets every three (3) months and the minutes of each meeting are required to be provided to Council.

## DISCUSSION:

- The Manager Corporate Services advised that the Audit Panel had a good phone hook up with the Tasmanian Audit Office (TAO) representative.

## COUNCIL DECISION:

**11/21.13.4.242** Moved: Clr K Wright / Seconded: Clr J Drummond

That Council receive the minutes of the Audit Panel 25 October 2021.

**CARRIED UNANIMOUSLY**

FILE REFERENCE	002\024\006\
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**OFFICER'S RECOMMENDATION:**

That Policy – EP09 Public Health Warnings (Sewage Spill) be deleted.

**INTRODUCTION:**

Council has a schedule for regular review of Policies. This Policy is now overdue for review.

**DISCUSSION:**

- The Manager Corporate Services stated that the policy isn't realistically achieving anything as all actions align with legislation.

**COUNCIL DECISION:****11/21.13.5.243**Moved: Cllr M Osborne / Seconded: Cllr K Wright

That Policy – EP09 Public Health Warnings (Sewage Spill) be deleted.

**CARRIED UNANIMOUSLY**

FILE REFERENCE	018\006\002\
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**OFFICER'S RECOMMENDATION:**

That Council authorise management to transfer banking operations from Commonwealth Bank to Community Bank St Helens – St Marys.

**INTRODUCTION:**

Council's operational banking activities were notionally based with the St Marys branch of the Commonwealth Bank (CBA). With the closure of this branch, activities were automatically transferred to the St Helens branch. The Commonwealth Bank St Helens branch has recently reduced customer face-to-face contact hours. On that basis, management considers it appropriate for Council to consider options for operational banking.

**DISCUSSION:**

- The Manager Corporate Services stated that he has no idea on long term retention for either bank in Break O'Day.

- Clr McGuinness raised that he is a shareholder in the Bendigo Bank and sought clarification of relevance in dealing with this matter. Mayor Tucker stated that he appreciated Clr McGuinness had raised this as he is also a shareholder and hadn't thought about it, Clr Drummond stated that she is also a shareholder. Clr McGuinness stated that there is no financial gain for him personally. The General Manager stated that this is similar to the setting of rates it is a generic impact. Yes there is potential for an indirect type of interest but Council is being open and transparent but we look at as comparable to the setting Council rates type situation. Most people sitting here may be in that situation. We need to treat it as the fact that it is a broader type operational situation.

#### **COUNCIL DECISION:**

**11/21.13.6.244**

Moved: Clr B LeFevre / Seconded: Clr J McGiveron

That Council authorise management to transfer banking operations from Commonwealth Bank to Community Bank St Helens – St Marys.

**CARRIED UNANIMOUSLY**

## **11/21.14.0 WORKS AND INFRASTRUCTURE**

### **11/21.14.1 Works and Infrastructure Report**

<b>FILE REFERENCE</b>	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 commented in relation to capital works items – Beauty Bay jetty is starting today and this will take approximately four (4) weeks for completion; footpath activity from Winifred Drive to Winifred Curtis Reserve at Scamander will finish tomorrow and then start work on Binalong Bay foreshore track; and the big one is road sealing at Falmouth which will start next week.
- Clr LeFevre provided some good feedback with regard to when he has been walking around the walking track when the Council staff are whipper snipping etc they are using exceptional WH&S standards with regard to the courtesy of walkers where they have been stopping waiting until the people pass before commencing again.

#### **COUNCIL DECISION:**

**11/21.14.1.245** Moved: Clr B LeFevre / Seconded: Clr M Osborne

That the report be received by Council.

**CARRIED UNANIMOUSLY**

#### **11/21.14.2      Animal Control Report**

<b>FILE REFERENCE</b>	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:**

- The Manager Infrastructure and Development Services stated that they are doing additional beach patrols and plan to do eight (8) for the period up until March. Parks and Wildlife Services also have five (5) officers patrolling beaches routinely.
- Clr Osborne asked, could we have someone walking around the main street on a Saturday morning over Christmas it is getting horrific.

#### **COUNCIL DECISION:**

**11/21.14.2.246** Moved: Clr J Drummond / Seconded: Clr K Chapple

That the report be received by Council.

**CARRIED UNANIMOUSLY**

*Clr Drummond left the meeting at 10.49am*

#### **11/21.14.3      Waste Transfer Station Fee Waiver – St Marys School Association Op Shop**

<b>FILE REFERENCE</b>	033\046\001\
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#### **OFFICER'S RECOMMENDATION:**

That Council approve a waste transfer station fee waiver for St Marys School Association Op Shop to dispose of non-useable clothing and household items.



## INTRODUCTION:

St Marys School Association Op Shop Coordinator has written to Council requesting a waiver on tip fees for non-saleable donated items.

## DISCUSSION:

- Cllr Osborne asked that with the household items she would like to make sure that they check with the tip shop before they put them in landfill. The General Manager stated that we will take that operationally and ask them to do that.

## COUNCIL DECISION:

**11/21.14.3.247**

Moved: Cllr M Osborne / Seconded: Cllr J McGivern

That Council approve a waste transfer station fee waiver for St Marys School Association Op Shop to dispose of non-useable clothing and household items.

**CARRIED UNANIMOUSLY**

*Cllr Drummond returned to the meeting at 10.50am*

## 11/21.14.4 Waste Transfer Station Fee Waiver – St Helens District High School

FILE REFERENCE	033\046\001\
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## OFFICER'S RECOMMENDATION:

That Council approve a waste transfer station fee waiver for St Helens District High School Op Shop to dispose of non-useable clothing and household items.

## INTRODUCTION:

St Helens District High School's Business Manager has written to Council requesting an exemption or reduction of tip fees for non-saleable donated items received at the school Op Shop.

## DISCUSSION:

- Cllr Osborne asked that with the household items she would like to make sure that they check with the tip shop before they put them in landfill. The General Manager stated that we will take that operationally and ask them to do that.

#### COUNCIL DECISION:

**11/21.14.4.248**

Moved: Clr G McGuinness / Seconded: Clr K Wright

That Council approve a waste transfer station fee waiver for St Helens District High School Op Shop to dispose of non-useable clothing and household items.

**CARRIED UNANIMOUSLY**

#### 11/21.14.5 Terrys Hill Road, Goshen

FILE REFERENCE	032\005\003\
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#### OFFICER'S RECOMMENDATION:

This report is provided for discussion only.

#### INTRODUCTION:

The purpose of this report is to provide information for discussion to Council in response to a Notice of Motion from Clr M Osborne at the September 2021 Council Meeting.

#### DISCUSSION:

- Clr LeFevre stated that he doesn't think we should take over the road as it sets a big precedent for the rest of the municipality and it is not our road however he does like the two (2) options provided in the agenda.
- Clr Osborne and Clr Chapple agreed with Clr LeFevre.
- Clr McGuinness stated that he supports the motion as he knows of a number of properties on roads that are not maintained by this Council eg Upper Scamander Road, etc.

#### COUNCIL DECISION:

**11/21.14.5.249**

Moved: Clr M Osborne / Seconded: Clr B LeFevre

Council pursue DPIPWE to fulfil their maintenance responsibilities on Terry Hills Road and that Council approach the State Government with the view of potentially providing the State a road maintenance service paid for by the State Government.

**CARRIED UNANIMOUSLY**

## 11/21.14.6 Reallocation of Funds – Road Reconstruction / Dig Outs

FILE REFERENCE	018\008\001\
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### OFFICER'S RECOMMENDATION:

That Council authorise the re-allocation of \$50,000 from the 2021/2022 Capital Budget from "Mathinna Road multiple dig outs" to address multiple pavement defects on Ansons Bay Road, Priory (new project).

### INTRODUCTION:

Multiple pavement defects have been identified on Ansons Bay Road, Priory that require urgent attention. There is no allocation of funds in the current capital budget.

### DISCUSSION:

- Clr Drummond asked, when will the Mathinna Road be done if this reallocation of funds happens. The Manager Infrastructure and Development Services stated that we are only reallocating \$50,000 from Mathinna so there is still money there, the water damage is far less up there than it is on Ansons Bay Road.
- Clr Chapple asked if she should leave as this is right in front of her house. The General Manager advised that was not necessary as it is a maintenance issue on the road, there are not any new proposed works.

### COUNCIL DECISION:

**11/21.14.6.250**

Moved: Clr G McGuinness / Seconded: Clr B LeFevre

That Council authorise the re-allocation of \$50,000 from the 2021/2022 Capital Budget from "Mathinna Road multiple dig outs" to address multiple pavement defects on Ansons Bay Road, Priory (new project).

**CARRIED UNANIMOUSLY**

*Meeting adjourned for morning tea at 10.59am*

*Clr McGuinness left the meeting at 10.59am*

*Meeting resumed at 11.12am*

## 11/21.14.7 Potential Projects - Local Roads & Community Infrastructure Program (LRCI) – Phase 3

<b>FILE REFERENCE</b>	018\019\068\
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### OFFICER'S RECOMMENDATION:

That Council endorse the projects tabled in this report for nomination for funding under the Australian Governments Local Roads & Community Infrastructure Program – Phase 3.

Project	Description	Estimate	Plausible timeframe
1	North Ansons Bay Road Sealing – (from the end of existing sealed road segment by a further 1000m to the west of the township).	\$539,000	November 2022 to February 2023
2	Cecilia Street – Streetscape (eastern side of Cecilia Street from Circassian Street to Georges Bay Esplanade and includes the realignment of the Georges Bay Esplanade/Cecilia Street intersection.	\$320,000	September to October 2022
3	St Marys Footpath between IGA and Newman Street – includes renewal of footpath, kerb and channel and parking lane.	\$200,000	February to March 2022, alternatively October to November 2022
4	Medeas Cove Esplanade Footpath – connecting Heather Place to Community Garden (Eagle Street).	\$110,000	January to March 2022
5	Mount Paris Dam Road Sealing from Tasman Highway to Chainage 295m.	\$50,000	February 2023
	<b>Sub-Total</b>	<b>\$1,219,000</b>	
	<b>Unallocated funding *</b>	<b>\$75,812</b>	TBA
	<b>TOTAL</b>	<b>\$1,294,812</b>	

### INTRODUCTION:

The purpose of this report is to seek Council's endorsement of projects tabled in this report for nomination for funding under the Australian Governments Local Roads & Community Infrastructure Program – Phase 3.

### DISCUSSION:

- The Manager Infrastructure and Development Services stated that these projects came out of discussions with Councillors at the November workshop.
- The Manager Infrastructure and Development Services stated that we have until July 2022 to finalise all projects.

**COUNCIL DECISION:****11/21.14.7.251**Moved: Clr J McGiveron / Seconded: Clr K Wright

That Council endorse the projects tabled in this report for nomination for funding under the Australian Governments Local Roads & Community Infrastructure Program – Phase 3.

Project	Description	Estimate	Plausible timeframe
1	North Ansons Bay Road Sealing – (from the end of existing sealed road segment by a further 1000m to the west of the township).	\$539,000	November 2022 to February 2023
2	Cecilia Street – Streetscape (eastern side of Cecilia Street from Circassian Street to Georges Bay Esplanade and includes the realignment of the Georges Bay Esplanade/Cecilia Street intersection.	\$320,000	September to October 2022
3	St Marys Footpath between IGA and Newman Street – includes renewal of footpath, kerb and channel and parking lane.	\$200,000	February to March 2022, alternatively October to November 2022
4	Medeas Cove Esplanade Footpath – connecting Heather Place to Community Garden (Eagle Street).	\$110,000	January to March 2022
5	Mount Paris Dam Road Sealing from Tasman Highway to Chainage 295m.	\$50,000	February 2023
	<b>Sub-Total</b>	<b>\$1,219,000</b>	
	<b>Unallocated funding *</b>	<b>\$75,812</b>	TBA
	<b>TOTAL</b>	<b>\$1,294,812</b>	

**CARRIED UNANIMOUSLY****11/21.14.8 Reallocation of Funds – Plant and Equipment**

<b>FILE REFERENCE</b>	025\008\001\
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**OFFICER'S RECOMMENDATION:**

That Council:

1. Defer the replacement of Asset – 1318 Toyota Hilux two-(2) door flat tray to the 2022/2023 financial year.
2. Authorise the re-allocation of \$22,000 from the 2021/2022 Capital Budget from “1318 Toyota Hilux two-door flat tray” to “8T Excavator (second hand)”.
3. Reallocate remaining \$18,000 to purchase an additional mower and authorise the purchase of a new ride on mower.
4. Authorise the purchase of current model second hand 8T Komatsu excavator.

## INTRODUCTION:

There is a shortfall in budget allocation for the capital works budget item – 8T Excavator (second hand), due to current market prices for second hand machinery.

There is a requirement for an additional mower.

## DISCUSSION:

No discussion took place on this item.

## COUNCIL DECISION:

**11/21.14.8.252**                      Moved: Clr M Osborne / Seconded: Clr J McGivern

That Council:

1. Defer the replacement of Asset – 1318 Toyota Hilux two-(2) door flat tray to the 2022/2023 financial year.
2. Authorise the re-allocation of \$22,000 from the 2021/2022 Capital Budget from “1318 Toyota Hilux two-door flat tray” to “8T Excavator (second hand)”.
3. Reallocate remaining \$18,000 to purchase an additional mower and authorise the purchase of a new ride on mower.
4. Authorise the purchase of current model second hand 8T Komatsu excavator.

**CARRIED UNANIMOUSLY**

## 11/21.15.0                      COMMUNITY DEVELOPMENT

### 11/21.15.1                      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 issues which are being dealt with by the Community Services Department.

## DISCUSSION:

- The Manager Community Services provided advice in relation to the project the “Story of the bridges at Scamander”. This project has been nearly completely run (with a little input from Council staff) by the community and the community members are consulting the rest of the community using survey monkey which they have set up themselves. This is a long term project not a short term project and it will come back to Council.

## COUNCIL DECISION:

**11/21.15.1.253**

Moved: Clr J Drummond / Seconded: Clr K Chapple

That the report be received.

**CARRIED UNANIMOUSLY**

**11/21.15.2**

**Mannalargenna Day 2021**

<b>FILE REFERENCE</b>	005\017\004\
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## OFFICER’S RECOMMENDATION:

That Council provide the sum of \$2,500.00 towards the Mannalargenna event which is being held in December 2021.

## INTRODUCTION:

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

## DISCUSSION:

- The Manager Community Services stated that this is inline with previous years.
- Clr Drummond stated that it would be good if this comes up as an annual thing through the budget. The Manager Community Services stated that she has it listed for the budget.

## COUNCIL DECISION:

**11/21.15.2.254**

Moved: Clr M Osborne / Seconded: Clr K Chapple

That Council provide the sum of \$2,500.00 towards the Mannalargenna event which is being held in December 2021.

**CARRIED UNANIMOUSLY**

## 11/21.16.0 DEVELOPMENT SERVICES

### 11/21.16.1 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 issues which have been dealt with by the Development Services Department since the previous Council meeting.

#### DISCUSSION:

- The Development Services Coordinator advised that the matter of the St Marys Community Space missed the workshop agenda therefore it is listed today. Cllr Osborne stated that she would like the toilet to be a bit higher and a right hand transfer, the other toilet in St Marys is too low and is left handed transfer. The Development Services Coordinator advised that he will take this on board but we have to build to Australian Standards. Cllr Drummond stated that there is great excitement with this toilet block in the community. The Development Services Coordinator stated that a key thing is the trial of a childrens pan, unfortunately these do not yet come in stainless so if it is vandalised too often we may have to revisit options.
- Cllr Drummond asked in relation to works to be done on the St Marys Railway Station - what is looking at being done there, does it work with the plan. The Development Services Coordinator stated that it has nothing to do with the plan it is repainting and fixing some leaking windows, it is just prolonging the life of the building.
- Cllr Osborne asked in relation to the extension on the Marine Rescue building and the big grey wall as you drive into town.. The Development Services Coordinator stated that we were concerned with the visual bulk of that work, Marine Rescue are planning to look at the visual impact of that wall and we are working with them on that.

#### COUNCIL DECISION:

**11/21.16.1.255** Moved: Cllr M Osborne / Seconded: Cllr K Chapple

That the report be received.

**CARRIED UNANIMOUSLY**



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 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 Minister Jaensch last Friday which was a very positive meeting. There was good discussion on a range of issues identified. It is the first general meeting we have had with the Minister as the Local Government and Planning Minister. We did spend a fair bit of time discussing Strata Titles Act and Subdivisions and he did see what our concerns were so we will continue to pursue this.
- The General Manager stated that we have the ongoing situation with Local Government Reform and the process we are heading into with this. Looking at the process it is pleasing to see that the process is on function – roles and responsibilities of Local Government and also the potential for State Government activities for transfer, it is a starting point. The process has a pretty ambitious timeframe given that it is proposed to start at the beginning of January 2022 when the Board hasn't been appointed yet and the terms of reference will be prepared by the Board. The General Manager stated that he believes that it will be March before it really gets started. Local Government elections has come up and the Minister has agreed to go ahead with the existing election timeframe. These processes can be quite unsettling and quite resource hungry when collating information, it will become a key part of our lives for the next couple of years.
- The General Manager raised the matter of the deterioration of State road infrastructure. He took a photo yesterday of works east of Fingal which were completed about three (3) weeks ago and are now falling apart, he sent this to the General Manager of State Roads. Clr McGiveron stated that the road stuff is getting serious. Clr LeFevre stated that the state of the roads is a problem for us but it is going to have a huge impression on tourists as the borders open.

**COUNCIL DECISION:****11/21.17.1.256**Moved: Clr J McGiveron / Seconded: Clr M Osborne

That the General Manager's report be received.

**CARRIED UNANIMOUSLY**

FILE REFERENCE	039\011\003\
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**OFFICER'S RECOMMENDATION:**

That Council receive the quarterly report of the Northern Tasmania Development Corporation (NTDC).

**INTRODUCTION:**

The Northern Tasmania Development Corporation (NTDC) has been formed as an enterprise under the Local Government Act. Accordingly, NTDC provides quarterly reports to its shareholders including Break O'Day Council.

**DISCUSSION:**

- The General Manager stated that he does note that the Gastronomy Project was successful and he will be interested to see how this flows more broadly into the region.
- Cllr Chapple asked, is Dorset part of Northern Tasmania Development Corporation (NTDC). The General Manager advised that they are not however within the NTDC projects there is the option for Councils to buy in for a particular project, so if you are not a member of NTDC you will pay more to participate in projects.

**COUNCIL DECISION:****11/21.17.2.257**Moved: Cllr K Chapple / Seconded: Cllr K Wright

That Council receive the quarterly report of the Northern Tasmania Development Corporation (NTDC).

**CARRIED UNANIMOUSLY**

FILE REFERENCE	018\033\007\
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**OFFICER'S RECOMMENDATION:**

That Council receive the Review as at the 30 September 2021 of the Break O'Day Council Annual Plan 2021 - 2022.

## INTRODUCTION:

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 presented the report in relation to the first quarter. Traditionally we sit around approximately 22% in the first quarter, but we have had a number of items that were completed early in the year resulting in a higher percentage completion.
- The General Manager made specific comments in relation to the following:
  - Community and communications – quite a focus in previous years – good progress.
  - Community capacity – volunteering side of things is an ongoing challenge, we have seen a decline over a number of years which continues to be a trend. This is a challenge that we continue to work on. There is potential that we can draw some new volunteers through a sprinkling of new events.
  - Engagement – the Community Engagement Framework had been a challenge as we waited for the Local Government Act review which is potentially going on hold pending the Local Government Reform process so we have moved forward the best we can and we are close to going out for the community engagement process.
  - Economy – population has been a focal point in recent times and may become a Key Focus Area in the strategic plan review. Housing is also another matter we are progressing.
  - Employment – this is very much focussed around the Break O'Day Employment Connent (BODEC) program and the employment partnership agreement. With regard to Jobs Tasmania the General Manager stated that the situation with the Trade Training Centres (TTC) is very much at the Ministers attention state wide.
  - Environment – a reasonable amount of progress has been made in some areas. Land Use and Tasmanian Planning items are ticking along, could be finalised this financial year depending on the hearing with the Commission following the consultation phase.
  - Climate Change – think this will feature as part of our Strategic Plan review.
  - Waste management – this is ongoing and a source of frustration at various levels eg the level of contamination we receive in our recycling scheme and the loss within our waste stream, this is a challenge but we will keep working on.
  - Water - there has been quite an amount of work the NRM Officer has on in relation to water and Georges River moving forward.

- Infrastructure – good solid progress in community facilities, telecommunications (whilst we will never have perfect coverage there are plans in place to improve coverage including Mangana). There are a whole range of road and other activities, some yet to occur but most of the time it is in relation to resourcing, this is the practicalities of what we face and we engage resources when it is necessary to get things done.
- Recreational Trails Strategy and the Bay of Fires Master Plan are important so we will continue to facilitate these through to completion.
- The General Manager stated that this is a good solid start to the year.

#### **COUNCIL DECISION:**

**11/21.17.3.258**

Moved: Cllr B LeFevre / Seconded: Cllr M Osborne

That Council receive the Review as at the 30 September 2021 of the Break O'Day Council Annual Plan 2021 - 2022.

**CARRIED UNANIMOUSLY**

**11/21.17.4**

**2022 – 2023 State Budget Consultation**

<b>FILE REFERENCE</b>	018\019\001\
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#### **OFFICER'S RECOMMENDATION:**

For discussion.

#### **INTRODUCTION:**

The State Government has commenced the consultation process as part of developing the 2022-2023 State Budget, this provides an opportunity for Council to provide a submission advocating for projects, services, activities or policy changes. Submissions close on 10 December 2021.

#### **DISCUSSION:**

- The General Manager stated that this is the opportunity to provide items for the State Budget consultation.
- The General Manager stated that he has listed some items from the past as well as included some from Councillors discussion at the last workshop.

- Clr LeFevre commented in relation to the proposed school relocation, this is something we need to have in the back of our minds, like other infrastructure the school has a finite time. The future of a pool would become more feasible with the co-location. At the current site there is 500+ kids and half an oval to play on. Places like Poss'm'agic and Medea Park could both expand into the old school. There are a huge number of benefits for this to happen when the school is up for a major upgrade. Clr Osborne stated that we need to think about fixing the problem with the sewerage up there before a school is put up there. The General Manager stated that it is very much about doing investigations and sowing the seed, it gets it on the radar and signals a broader interest. Clr Drummond asked, is this something we need to discuss further while we are consulting with the community on the Sports Complex Master Plan. The General Manager stated that at this point in time it is very much in its infancy and there is nothing of substance, it is an idea, there will probably be another Recreation Ground Plan updated in another five (5) years time.
- Clr Drummond commented in regards to Clr Whittaker's comments at the last workshop relating to climate risk assessment and climate change action. Could we ask that the Climate Resilient Councils be extended to those who didn't get it last time, funding to review the Climate Action Plan. This would allow us to look at ours thoroughly. Clr Drummond will flesh this idea out a bit more so we can get the detail for the submission which needs to be done before the next workshop to enable Council to consider this as a priority to submit.

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

Moved: Clr J McGiveron / Seconded: Clr K Chapple

**CARRIED UNANIMOUSLY**

# IN CONFIDENCE

**11/21.18.0**      **CLOSED COUNCIL**

**11/21.18.1**      **Confirmation of Closed Council Minutes – Council Meeting 18 October 2021**

**11/21.18.2**      **Outstanding Actions List for Closed Council**

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

Moved: Cllr J McGivern / Seconded: Cllr K Wright

**CARRIED UNANIMOUSLY**

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 11.58am.

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**MAYOR**

.....  
**DATE**