



COUNCIL MEETING MINUTES

Monday 16 September 2019
Council Chambers, St Helens

Bob Hoogland, Acting General Manager
Break O'Day Council
16 September 2019

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OPENING

The Mayor to welcome Councillors, staff and members of the public and declare the meeting open at 10.01am.

ACKNOWLEDGEMENT OF COUNTRY

We would like to acknowledge the Tasmanian Aboriginals as the traditional custodians of the land on which we meet today, and pay respect to the elders past and present.

09/19.1.0 ATTENDANCE

09/19.1.1 Present

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

09/19.1.2 Apologies

Councillor Janet Drummond

09/19.1.3 Leave of Absence

Nil.

09/19.1.4 Staff in Attendance

Acting General Manager, Bob Hoogland
Executive Assistant, Angela Matthews
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 14.1 / 15.7 – 17.2*)
Manager Community Services, Chris Hughes (*Item 1.0 – 15.1*)
Planning Consultant, Rebecca Green (*Item 1.0 – 7.0*)
Communications Coordinator, Jayne Richardson (*Item 1.0 – 15.1 / 15.5 – 16.1*)
Planning Services Coordinator, Geraldine O'Connor (*Item 1.0 – 11.2 / 14.3 – 15.6*)
Building Services Coordinator, Jake Ihnen (*Item 1.0 – 11.2 / 13.4 – 14.1 / 14.2 – 15.6*)
NRM Facilitator, Polly Buchhorn (*Item 14.2 – 16.1*)

09/19.2.0 PUBLIC QUESTION TIME

Five (5) people in the gallery.

09/19.2.1 Kings Park – Mr T Dudley, President North East Bioregional Network, St Helens

The North East Bioregional Network has been working with the Break O’Day Council since the early 2000’s to maintain and improve natural values in Kings Park (and before that with the now defunct St Helens Landcare Group whom I was also involved with).

We have undertaken botanical surveys, removed weeds, picked up rubbish, conducted environmental education events, collaborated with the Council Weed Officer to produce the Kings Park Weed Management Plan and installed interpretive signage amongst other things. Why is our groups long term involvement in the management of Kings Park not acknowledged or mentioned in the Officers Report (p.209 Council Agenda)?

Kings Park is a valuable natural area with threatened forest communities and important Swift Parrot habitat and is most suited to continued use as a natural passive recreation area.

We request Council continue to collaborate and consult with us on the management of this area including in relation to the best practice management of native flora and fauna values, fire management, track maintenance, etc.

Reply

The Council agenda item related to the future use of Kings Park. Accordingly, the Officer’s report was based on the community consultation that was undertaken rather than detailing historical use/maintenance.

As per the Council agenda item, all necessary flora and fauna environmental studies will be undertaken as well as Aboriginal Heritage assessments prior to any planning of walking trails being developed within Kings Park. Appropriate consultation will be undertaken and professional expertise sought as required by the different phases of this project.

09/19.2.2 Customer Service Charter – Mr G Chippindale, Scamander

If Council Officers or Councillors are found failing the “Customer Service Charter Policy” (CSCP) what action can be taken to prevent this substandard service occurring in the future?

Reply

Any specific complaint of a Customer Service Charter failure would be investigated and appropriate action undertaken to prevent a recurrence. Compliance with the Customer Service Charter is specifically subject to Internal Audit.

The Customer Service Charter is a policy of Council rather than a state based law and therefore breaches of the Customer Service Charter would be managed through Council's Disciplinary Policy (LG19)

09/19.3.0 DECLARATION OF PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE

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

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

Nil.

09/19.4.0 CONFIRMATION OF MINUTES

09/19.4.1 Confirmation of Minutes – Council Meeting 19 August 2019

OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 19 August 2019 be confirmed.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

09/19.4.1.214 Moved: Clr L Whittaker / Seconded: Clr K Chapple

That the minutes of the Council Meeting held on the 19 August 2019 be confirmed.

CARRIED UNANIMOUSLY

09/19.5.0 COUNCIL WORKSHOPS HELD SINCE 19 AUGUST 2019 COUNCIL MEETING

There was a Workshop held on Monday 2 September 2019 – the following items were listed for discussion.

- LGAT Feasibility Study into a Statewide Waste Management Arrangement, Part B – Delivery and Implementation Study
- Draft State Waste Action Plan
- Kings Park
- NAIDOC Week
- Proposed Shelter - Fingal Park
- NRM Committee Meeting Minutes and Items for Attention
- Draft Revised NRM Strategy Plans
- Draft Local Provisions Schedule (LPS) Project September
- Tiny Houses
- Northern Tasmania Development Corporation Ltd (NTDC) – Finalised Draft of the Regional Economic Development Plan (REDP)
- Local Government Act Review – Directions Paper Phase 2

09/19.6.0 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.

09/19.6.1 DA 110-2019 – Removal of Vegetation and Placement of Additional Water Tank – 298 Gardens Road, Binalong Bay

FILE REFERENCE	DA 110-2019
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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 **Removal of vegetation** on land situated at **298 Gardens Road, Binalong Bay** described in Certificate of Title CT 50458/42 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 110-2019 received by Council 5 July 2019, together with all submitted documentation received and forming part of the development application, except as varied by conditions of this Planning Permit.
2. Native vegetation must not be removed outside that outlined in the supporting documents to this application. This includes the clearing of vegetation to retain or expand views or vistas unless consented to by Council.

3. 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.
4. 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 Manager Infrastructure and Development Services.

ADVICE

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.

Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered or suspected during works, cease works immediately and contact Aboriginal Heritage Tasmania for advice on how to proceed. An Unanticipated Discovery Plan should be provided and must be on-hand and available to all contractors during ground disturbing works.

Activities associated with 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

DISCUSSION:

- Cllr LeFevre stated that this is very straight forward, particularly with the conditions.

COUNCIL DECISION:

09/19.6.1.215 Moved: Cllr B LeFevre / Seconded: Cllr M Osborne

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 **Removal of vegetation** on land situated at **298 Gardens Road, Binalong Bay** described in Certificate of Title CT 50458/42 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 110-2019 received by Council 5 July 2019, together with all submitted documentation received and forming part of the development application, except as varied by conditions of this Planning Permit.

2. Native vegetation must not be removed outside that outlined in the supporting documents to this application. This includes the clearing of vegetation to retain or expand views or vistas unless consented to by Council.
3. 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.
4. 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 Manager Infrastructure and Development Services.

ADVICE

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.

Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered or suspected during works, cease works immediately and contact Aboriginal Heritage Tasmania for advice on how to proceed. An Unanticipated Discovery Plan should be provided and must be on-hand and available to all contractors during ground disturbing works.

Activities associated with 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

FILE REFERENCE	DA 020-2019
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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 a **dwelling and studio** on land situated at **21444 Tasman Highway, Four Mile Creek** described in Certificate of Title CT 148967/2 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 020-2019 received by Council 22 January 2019, together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.
2. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
3. Use of the development must not create a nuisance as defined by the *Environmental Management and Pollution Control Act 1994*.
4. 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, new point source discharges or other stormwater nuisances. Soakage drains must be of sufficient size to absorb stormwater runoff.
5. The existing crossover (from the edge of the highway back to the property boundary) will need to be re-sealed to Department of State Growth requirements. Prior to any construction works on the access, the applicant must apply for, and be issued, an Access Works Permit from the Department. Further details of this process and the application form can be found at <https://www.transport.tas.gov.au/road/permits/road-access>.
6. The driveway must be constructed in a manner that ensures sediment is neither tracked nor eroded across the property boundary.
7. In accordance with 14.4.2 P3 of the Planning Scheme, landscaping is to be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site. If there is insufficient available, the seeds or rootstock must be used from other lots within the municipal area.
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. Any necessary exterior building lighting must be located under eaves and limited to that essential to allow the safe and secure movement of pedestrians at night in accordance with 14.4.1 A10 of the *Break O'Day Interim Planning Scheme 2013*.
11. Reflective materials must not be used as visible external elements in the building and the colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements in accordance with 14.4.1 Building Design and Siting A6 and A7 of the *Break O'Day Interim Planning Scheme 2013*.
12. All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Infrastructure and Development Services.
13. 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

- This Planning Permit approves the use of the property for Residential Use only and does not include short-term Visitor Accommodation.
- The property, CT 148967/2 will have the following address:
 - 21444 Tasman Highway, Four Mile Creek
- Tasmanian Parks and Wildlife Service has advised that this allotment of land adjoins the Little Beach Conservation Area. The Little Beach Conservation Area is reserved to protect the natural and cultural values within the area. Any vegetation clearing within the Little Beach Conservation Area and Reserved Road boundary is illegal and the owners are encouraged to avoid any vegetation interference within these reserve boundaries. It is noted there are threatened flora and fauna species found 500m within the proposed area. As this is on private land it will fall under the Break O'Day Council direction if they require onsite flora/fauna surveys to confirm protection.
- 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 the processes outlined in the Aboriginal Heritage Assessment Report dated 31 07 2019 by Stuart Huys and Vernon Graham should be followed. Recommendation 2 of this report states it is assessed that there is generally very low potential for undetected Aboriginal heritage sites to occur within the footprint of the house site development. However, if, during the course of the proposed construction works, previously undetected archaeological sites or objects are located, the processes outlined in the Unanticipated Discovery Plan should be followed (see section 10 of report). A copy of the Unanticipated Discovery Plan (UDP) should be kept on site during all ground disturbance and construction

work. All construction personnel should be made aware of the Unanticipated Discovery Plan and their obligations under the *Aboriginal Heritage Act 1975* (the Act).

- All works associated with the development should be conducted in accordance with *Guidelines for Soil and Water Management*, Hobart City Council, 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 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.
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- Activities associated with construction works are not to be performed outside the permissible time frames listed:
 - *Mon-Friday 7 am to 6 pm*
 - *Saturday 9 am to 6 pm*
 - *Sunday and public holidays 10 am to 6 pm*

DISCUSSION:

- Clr McGuinness stated that he believes this property is within a corridor where there are a number of other properties and believes it is a sensible proposition.
- Clr McGiveron stated that he agrees with Clr McGuinness however the requirements for the application seems to be way over the top as there is a hell of a lot of work and cost involved in this application.

COUNCIL DECISION:

09/19.6.2.216 Moved: Clr G McGuinness / 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 a **dwelling and studio** on land situated at **21444 Tasman Highway, Four Mile Creek** described in Certificate of Title CT 148967/2 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 020-2019 received by Council 22 January 2019, together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.
2. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
3. Use of the development must not create a nuisance as defined by the *Environmental Management and Pollution Control Act 1994*.

4. 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, new point source discharges or other stormwater nuisances. Soakage drains must be of sufficient size to absorb stormwater runoff.
5. The existing crossover (from the edge of the highway back to the property boundary) will need to be re-sealed to Department of State Growth requirements. Prior to any construction works on the access, the applicant must apply for, and be issued, an Access Works Permit from the Department. Further details of this process and the application form can be found at <https://www.transport.tas.gov.au/road/permits/road-access>.
6. The driveway must be constructed in a manner that ensures sediment is neither tracked nor eroded across the property boundary.
7. In accordance with 14.4.2 P3 of the Planning Scheme, landscaping is to be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site. If there is insufficient available, the seeds or rootstock must be used from other lots within the municipal area.
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. Any necessary exterior building lighting must be located under eaves and limited to that essential to allow the safe and secure movement of pedestrians at night in accordance with 14.4.1 A10 of the *Break O'Day Interim Planning Scheme 2013*.
11. Reflective materials must not be used as visible external elements in the building and the colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements in accordance with 14.4.1 Building Design and Siting A6 and A7 of the *Break O'Day Interim Planning Scheme 2013*.
12. All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Infrastructure and Development Services.
13. 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

- This Planning Permit approves the use of the property for Residential Use only and does not include short-term Visitor Accommodation.
- The property, CT 148967/2 will have the following address:
 - 21444 Tasman Highway, Four Mile Creek
- Tasmanian Parks and Wildlife Service has advised that this allotment of land adjoins the Little Beach Conservation Area. The Little Beach Conservation Area is reserved to protect the natural and cultural values within the area. Any vegetation clearing within the Little Beach Conservation Area and Reserved Road boundary is illegal and the owners are encouraged to avoid any vegetation interference within these reserve boundaries. It is noted there are threatened flora and fauna species found 500m within the proposed area. As this is on private land it will fall under the Break O'Day Council direction if they require onsite flora/fauna surveys to confirm protection.
- 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 the processes outlined in the Aboriginal Heritage Assessment Report dated 31 07 2019 by Stuart Huys and Vernon Graham should be followed. Recommendation 2 of this report states it is assessed that there is generally very low potential for undetected Aboriginal heritage sites to occur within the footprint of the house site development. However, if, during the course of the proposed construction works, previously undetected archaeological sites or objects are located, the processes outlined in the Unanticipated Discovery Plan should be followed (see section 10 of report). A copy of the Unanticipated Discovery Plan (UDP) should be kept on site during all ground disturbance and construction work. All construction personnel should be made aware of the Unanticipated Discovery Plan and their obligations under the *Aboriginal Heritage Act 1975* (the Act).
- All works associated with the development should be conducted in accordance with *Guidelines for Soil and Water Management*, Hobart City Council, 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 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.
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- Activities associated with construction works are not to be performed outside the permissible time frames listed:
 - Mon-Friday 7 am to 6 pm
 - Saturday 9 am to 6 pm
 - Sunday and public holidays 10 am to 6 pm

CARRIED UNANIMOUSLY

FILE REFERENCE	DA 062-2019
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OFFICER'S RECOMMENDATION:

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 **ANCILLARY DWELLING** on land situated at 38 MORRISON STREET, FALMOUTH described in Certificate of Title 104343/3 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 062-2019 received by Council 18 April 2019, and amended plans dated 6 August 2019 showing the southern kitchen window sill at 1.8m together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.
2. All stormwater runoff from the proposed development must be detained by on-site water storage systems and overflow disposed of via a new pipe through the drainage easement benefitting the subject site along the rear boundaries of 24 and 22 Stieglitz Street. The new pipe is to extend to the open swale drain in Legge Street. The discharge location is to be confirmed in consultation with Council's Works Department prior to any works commencing. The proponent must also liaise with the owners of 24 and 22 Stieglitz Street prior to commencing any work within the drainage easement.
3. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
4. 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.
5. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer.

ADVICE

All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and/or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.

Activities associated with construction works are not to be performed outside the permissible time frame listed:

Monday-Friday 7am to 6pm
Saturday 9am to 6pm
Sunday and public holidays 10am to 6pm

DISCUSSION:

- The Planning Consultant advised that there were seven (7) discretions, five (5) of which were in relation to waste water systems.
- The Planning Consultant advised that concerns were raised in the representation in regards to the use of the development.
- Clr LeFevre stated that the report is relatively straight forward with the conditions. Clr LeFevre also stated that he thinks it is a good outcome when the neighbours' concerns are considered and met where possible.
- Clr McGiveron stated that he agrees with Clr LeFevre.

COUNCIL DECISION:

09/19.6.3.217 Moved: Clr B LeFevre / Seconded: Clr J McGiveron

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 **ANCILLARY DWELLING** on land situated at 38 MORRISON STREET, FALMOUTH described in Certificate of Title 104343/3 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 062-2019 received by Council 18 April 2019, and amended plans dated 6 August 2019 showing the southern kitchen window sill at 1.8m together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.
2. All stormwater runoff from the proposed development must be detained by on-site water storage systems and overflow disposed of via a new pipe through the drainage easement benefitting the subject site along the rear boundaries of 24 and 22 Stieglitz Street. The new pipe is to extend to the open swale drain in Legge Street. The discharge location is to be confirmed in consultation with Council's Works Department prior to any works commencing. The proponent must also liaise with the owners of 24 and 22 Stieglitz Street prior to commencing any work within the drainage easement.
3. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
4. 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.
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ADVICE

All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and/or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.

Activities associated with construction works are not to be performed outside the permissible time frame listed:

Monday-Friday 7am to 6pm

Saturday 9am to 6pm

Sunday and public holidays 10am to 6pm

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.

09/19.7.0 PETITIONS

Nil.

09/19.8.0 NOTICES OF MOTION

09/19.8.1 Notice of Motion – TerraCycle and BIC Pen Recycling Program – Cllr J Drummond

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 join the TerraCycle and BIC pen recycling program.

SUBMISSION IN SUPPORT OF MOTION:

Pens are a commonly misplaced item, but Tasmanian schools, businesses and organisations have been challenged to collect used pens, markers and highlighters to help build new gardens and playgrounds.

Council could join this program by visiting terracycle.com/en-AU and start collecting used writing instruments in a cardboard box which could be situated in the front foyer.

DISCUSSION:

Nil.

COUNCIL DECISION:

Motion withdrawn until October Council Meeting as Cllr Drummond was an apology.

09/19.9.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

09/19.10.0 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.

09/19.11.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

09/19.11.1 Mayor's Communications for Period Ending 16 September 2019

21.08.2019	Bicheno	– Local Government Review Consultation
23.08.2019	Fingal	– Eating with Friends, Final Valley Neighbourhood House
24.08.2019	St Helens	– St Helens Game Fishing Club Annual Dinner
26.08.2019	St Helens	– Councillor Workshop – Draft Local Provisions Schedule (LPS)
10.09.2019	St Helens	– St Helens Neighbourhood House Annual General Meeting
13.09.2019	Launceston	– Local Government Association of Tasmania (LGAT) General Meeting
14.09.2019	Launceston	– Local Government Association of Tasmania (LGAT) Local Government Legislation Review
16.09.2019	St Helens	– Council Meeting

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

St Helens and Districts Chamber of Commerce and Tourism – Clr K Chapple obo Clr Margaret Osborne OAM

- There was mention of the upcoming TCCI conference which will feature a speaker from New Zealand Tourism Industry and thought that a Council representative would be good to have attend as well as Chamber Members.
- Eddystone Point Lighthouse group are now incorporated. They are looking for grants for the provision of an information board or sign board about the area. Parking is an issue at the site and there are issues with the toilet. They will be seeking Council support to help rectify these issues.
- The Chamber are very concerned about lack of facilities that will be available at Swimcart Beach with the opening of the mountain bike trails. They feel that Parks & Wildlife Services' response is not good enough, this has been passed on to Council's Manager Community Services to respond.
- The Chamber are keen to investigate the option of Titley Shack being the suitable place for snack food in Binalong Bay, the Manager Community Services will respond to their concerns.

NRM Special Committee – Clr Janet Drummond

- No report due to Clr Drummond being an apology.

Barway Committee – Clr John McGiveron

- The EOI has been extended for a week.
- The inside end of the wall has deteriorated very badly and is closing up and some of the big boats are unable to get through the channel. MAST have indicated they will be dealing with this asap.

Regional Tourism Organisation (RTO) – Clr Glenn McGuinness

- Chris Dewar has recently won an award for her service to the area in tourism and her work should be acknowledged.

09/19.12.1.218

Moved: Clr G McGuinness / Seconded: Clr K Wright

That Council write to Chris Dewar and congratulate her on her service to tourism.

CARRIED UNANIMOUSLY

Update from East Coast Tourism Board meeting – 29th August 2019

- The Board welcomes Rhonda Taylor who commenced her new role as CEO for East Coast Tourism on the 19th August. Rhonda has a long history and love of working in regional tourism and is looking forward to representing and supporting our local industry.
- Two new Directors have commenced with the Board. Mathew Routley, Coles Bay Ice creamery and The Whaler Hotel in Salamanca Place, joined the Board as at 27 June filling the position vacated by Justin King. Annette Hughes, Sandpiper Cottages at Bicheno, commenced at the August meeting, replacing retiring Director, David Logie.
- Work is progressing well on the new **Great Eastern Drive Holiday Guide** with the content of the guide now finalised and final quotes for printing and distribution underway. The launch of the guide is anticipated to be in November.
- The **Winter Campaign** was launched online the week of 15 July producing encouraging levels of social media engagement. An online competition offered sixteen prizes offered and 20 operators have provided special winter deals that are available through winter-spring and advertised through the website.
- The **2019 Great Eastern Tourism Awards** have been scheduled for June 20, 2020 at Freycinet Lodge. A review of the award categories and entry requirements will be undertaken in the new year and will consider the results of the industry survey undertaken following the awards.
- The terms of 3x Directors conclude at the AGM in October 2019. The recruitment for these skills-based, volunteer Board vacancies will start in September, with the new terms to commence in November at the first Board meeting following the AGM.
- East Coast Tourism continues to work closely with the Destination Action Plan groups in Bicheno, Spring Bay, Swansea, Freycinet, Greater Esk (shared with TNT), Wine DAP and the newly formed St Helens group. The next collaborative meeting of the DAP groups, the Super DAP, is scheduled for 11th September.
- East Coast Tourism is working with Tourism Tasmania as it commences engagement with the local industry for a number of key projects from October – the new T21 - the development of a collaborative vision and strategy for the tourism industry through to 2030; and the rollout of Tourism Tasmania's new brand and creative strategy. The first Tourism Tasmania Industry engagement session will be held in St Helens on Thursday 17 October.
- We continue to support the showcase events that drive visitation in our region through the winter and shoulder months, including the Festival of Voices, Unplugged in late June and the Great Eastern Wine Weekend in early September. The promotion and organisation of the Bicheno Food & Wine Festival is well underway, with the Committee reporting another early sell-out of the event likely, with over half the tickets already sold within a week of ticket sales opening. East Coast Tourism will have an information stall at the Bicheno Food & Wine Festival this year.
- The upcoming launch of the St Helens Mountain Bike Trails in November is an exciting addition to the experiences available in our region and establishes the north-east as an iconic mountain biking destination in Tasmania.
- **Next Board meeting and AGM will be held in on Thursday October 17 in the north of the region.**

Alison Stubbs, Chair
East Coast Tourism

Mental Health Action Group – Clr Barry LeFevre

- Nothing to report.

Disability Access Committee – Clr Janet Drummond

- No report due to Clr Drummond being an apology.

09/19.12.0 BUSINESS AND CORPORATE SERVICES

09/19.12.1 Corporate Services Department Report

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

That the report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update 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 advised that he has nothing further to add.
- Clr LeFevre asked in relation to the vandalism listed. Is the information with regard to the locksmith and handyman at \$500.00 correct. The Manager Corporate Services stated that it is hard to tell exactly what was involved with the limited information provided.

COUNCIL DECISION:

09/19.12.1.219 Moved: Clr J McGiveron / Seconded: Clr L Whittaker

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 August 2019 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:

- The Manager Corporate Services advised that we are now two (2) months into the new financial year and everything seems to be on track.
- Cllr Whittaker asked in relation to the item listed as addition to tip shop \$45,000 and asked whether this could be put into other options at the tip eg recycling. The Manager Corporate Services advised that this came as a request from the Tip Shop it is not fully discretionary Council funds and we would have our own plans in place for plan and layout to maximise the Waste Transfer Stations, this is part of a longer term plan for St Helens.

COUNCIL DECISION:

09/19.12.2.220

Moved: Cllr K Chapple / Seconded: Cllr K Wright

That the following reports for the month ending 31 August 2019 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:

- The Manager Corporate Services advised that it is still very quiet, however we do expect things will start to warm up a bit now.
- Cllr Osborne stated that she hopes that we never get rid of our VIC as while visiting on the mainland don't have them anymore and it was very difficult to find information, so we need to keep this.

COUNCIL DECISION:

09/19.12.3.221

Moved: Cllr K Chapple / Seconded: Cllr G McGuinness

That the report be received.

CARRIED UNANIMOUSLY

09/19.13.0 WORKS AND INFRASTRUCTURE**09/19.13.1 Works and Infrastructure Report**

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

That the report be received by Council.

INTRODUCTION:

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

DISCUSSION:

- The Manager Infrastructure and Development Services provided an update in relation to the Drought Community Programmes - the work on Gray Mares Tail will be finished by the end of the week and then Mathinna Falls, start the Fingal Streetscape today and the St Marys Cemetery roads are being prepared for sealing as well as re-aligning some roads within the cemetery and relocating the entrance from the “blind” corner.

COUNCIL DECISION:

09/19.13.1.222

Moved: Clr J McGiveron / Seconded: Clr M Osborne

That the report be received by Council.

CARRIED UNANIMOUSLY

09/19.13.2 Animal Control Report

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

That the report be received by Council.

INTRODUCTION:

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

DISCUSSION:

- The Manager Infrastructure and Development Services advised that we have the same dog issues that we have continuously.
- The Manager Infrastructure and Development Services advised that we have been working with the RSPCA to resolve a dog hoarding issue at St Marys. It is expected that this will be resolved in the next week or two.
- Clr McGiveron stated there are so many dogs in St Marys and although the Animal Control Officer is dealing with these appropriately there may be a longer term issue to be addressed.
- Clr LeFevre stated that he thought we were going to use more of the Animal Control Officers time in peak periods, can we get a timeframe as to when this is going to happen. There is a huge problem at the moment with dogs and he needs to be here 2/3 days a week where he is available. The Manager Infrastructure and Development Services advised that the Animal Control Officer did do extra days last year and he has met with the Animal Control Officer to talk about the upcoming season and looking at options.

COUNCIL DECISION:

09/19.13.2.223

Moved: Clr J McGiveron / Seconded: Clr K Wright

That the report be received by Council.

CARRIED UNANIMOUSLY

09/19.13.3 LGAT Feasibility Study into a Statewide Waste Management Arrangement, Part B – Delivery and Implementation Study

FILE REFERENCE	033\030\004\
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OFFICER'S RECOMMENDATION:

That Council support the decision sought by LGAT to agree in principle to the recommendations contained in the Feasibility Study into a Statewide Waste Management Arrangement, Part B Delivery & implementation study.

INTRODUCTION:

Executive Summary Extract - Feasibility Study into a Statewide Waste Management Arrangement

Part B report – Delivery & implementation study

“The Local Government Association of Tasmania (LGAT) engaged Urban EP to conduct a feasibility study for a Statewide Waste Management Arrangement. This arrangement would cover the planning, co-ordination and delivery of waste policies, strategies, programs and services to support better waste management across Tasmania, and address market failures evident in how waste is managed across the state.

The study would be delivered in two parts:

Part A: *Collate evidence and present findings on the needs for and benefits of a Statewide Waste Management Arrangement (‘statewide arrangement’).*

Part B: *Develop the purpose, role, functions and governance apparatus of this statewide arrangement as necessary for planning, co-ordinating and delivering statewide waste policies, strategies, programs and services.*

This report is primarily concerned with Part B of the feasibility study, with LGAT having approved commencement and delivery of this part of the study in response to recommendations set out in the Part A report. Key findings of the Part A report are re-stated in the Part B Introduction.

Drivers for this study include the view that waste management service levels and outcomes in Tasmania have lagged behind those of the mainland states and behind the intents articulated in the most recent national waste policy. Consequentially, a broad spectrum of benefits that stem from better waste management remain unrealised in Tasmania.

At the beginning of this work (January 2019), local government stakeholders were also uncertain of the timing, scope and ambition of a Tasmanian Waste Action Plan that had been under development by the Tasmanian Government at the time. Through this study, local government stakeholders therefore sought to lead the agenda on some areas that are most relevant to their responsibilities and interests. However, between delivery of the draft and final Part B reports, the Tasmanian Government released its draft Waste Action Plan (June 2019). This release shifts the drivers for the project somewhat. That is, the project additionally provides opportunity for state and local government sectors to consider the proposed statewide waste management arrangement as integral to the delivery of a final Waste Action Plan for Tasmania”.

Council’s Manager Infrastructure & Development Services Manager attended and participated in project workshops run by Urban EP (Consultant) and presented this agenda report to Councillors for information and discussion at the 2 September 2019 Councillor Workshop.

DISCUSSION:

- Clr McGiveron stated that this was raised at the workshop and it was agreed that it needs to be supported.

COUNCIL DECISION:

09/19.13.3.224

Moved: Clr J McGiveron / Seconded: Clr M Osborne

That Council support the decision sought by LGAT to agree in principle to the recommendations contained in the Feasibility Study into a Statewide Waste Management Arrangement, Part B Delivery & Implementation Study.

CARRIED UNANIMOUSLY

09/19.13.4 Draft State Waste Action Plan

FILE REFERENCE	033\030\004\
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OFFICER’S RECOMMENDATION:

That Council endorse Councillor feed-back comments provided in this report on the Draft State Waste Action Plan to inform LGAT’s submission to the Tasmanian State Government.

INTRODUCTION:

Extract from LGAT Website

"In January 2019 LGAT engaged Urban EP to conduct a feasibility study for a Statewide Waste Management Arrangement. This arrangement would cover the planning, co-ordination and delivery of waste policies, strategies, programs and services to support better waste management across Tasmania, and address market failures evident in how waste is managed across the state. This work is complete and available on the LGAT website under [Media and Publications > Reports and Submissions](#).

In June 2019 the State Government released the long awaited Draft Waste Action Plan (WAP). The WAP draws heavily on the position presented by Local Government, as articulated in the LGAT Waste and Resource Management Strategy, which is also available on the LGAT website under [Media and Publications > Reports and Submissions](#) under 2017. The Government is consulting on the WAP up until the 7 October".

To inform LGAT's submission, a regional drop in session for staff and elected members was scheduled for 22 August 2019, 2:00-3:30PM at the City Park Grand, Launceston. The intent of the workshop was for LGAT's Policy Director, Dion Lester, to present the main findings from the feasibility study, the key draft actions in the WAP and outline the opportunities for Local Government associated with both processes; and to seek Feedback from workshop participants to inform LGAT's response to the WAP and LGAT's ongoing advocacy.

General Managers have been requested to also provide feedback to LGAT by 30 September 2019.

DISCUSSION:

- The Manager Infrastructure and Development Services advised that Councillors are invited to make comment.
- The Manager Infrastructure and Development Services advised that this was workshopped and he received input from two (2) Councillors.
- Cllr Whittaker state that she fully supports and we need to embrace this.
- Mayor Tucker stated that it is very important that people understand that we don't let the government use this to raise money for consolidated revenue. There is a risk, as in Victoria where it is \$60 tonne, \$40 tonne goes to consolidated revenue. The Local Government Association of Tasmania (LGAT) is all over this and working very strongly to reinforce our Local Government position and we need to look at staying in a partnership and continue working hard to make a good working relationship with the government to ensure that the money raised is for the waste.

COUNCIL DECISION:

09/19.13.4.225

Moved: Cllr L Whittaker / Seconded: Cllr K Wright

That Council endorse Councillor feed-back comments provided in this report on the Draft State Waste Action Plan to inform LGAT's submission to the Tasmanian State Government.

CARRIED UNANIMOUSLY

09/19.13.5 Northern Tasmanian Waste Management Group (NTWMG) – Draft State Waste Action Plan Submission

FILE REFERENCE	033\030\004\
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OFFICER’S RECOMMENDATION:

That Council review and provide feedback to the NTWMG on the Tasmanian Governments Draft Waste Action Plan and subsequently endorse the NTWMG submission to the State Government in accordance with the provided timeline.

INTRODUCTION:

The Northern Tasmanian Waste Management Group (NTWMG) is seeking comment and endorsement from member councils on its draft NTWMG submission on the Tasmanian Government’s *“Draft Waste Action Plan”*

The submission (attached) is being prepared on behalf of its member Councils: Break O’Day, George Town, Launceston, Northern Midlands and West Tamar.

Break O’Day Council is also providing its own comment to support LGAT’s submission in addition to being signatories to the NTWMG submission.

This report provides detail of the current NTWMG draft submission and an action timeline.

DISCUSSION:

- If Councillors have any comments they need to email them to the Executive Assistant or the Manager Infrastructure and Development Services for a report to be presented to the October workshop.

COUNCIL DECISION:

09/19.13.5.226 Moved: Clr K Wright / Seconded: Clr B LeFevre

That Council review and provide feedback to the NTWMG on the Tasmanian Governments Draft Waste Action Plan and subsequently endorse the NTWMG submission to the State Government in accordance with the provided timeline.

CARRIED UNANIMOUSLY

09/19.14.0 COMMUNITY DEVELOPMENT

09/19.14.1 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 advised that there is a "Love Your Sister" event on Thursday night with Samuel Johnson at the Big4 Caravan Park as a fundraiser, food and refreshments will be available for sale. Mayor Tucker stated that this is a great well worth cause if people can attend. The Manager Community Services stated that it is very much a community driven project.

COUNCIL DECISION:

09/19.14.1.227 Moved: Clr K Chapple / Seconded: Clr G McGuinness

That the report be received.

CARRIED UNANIMOUSLY

09/19.14.2 NAIDOC Week

FILE REFERENCE	011\002\002\
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OFFICER'S RECOMMENDATION:

That Council continue to work with local organisations by supporting them in the planning and delivery of a community event in celebration of NAIDOC week.

INTRODUCTION:

That Break O'Day Council support our indigenous community, to introduce, as from 2020 an annual celebration of NAIDOC week, inviting other community groups to participate. Along the lines of a community BBQ or picnic on the foreshore, including address from local Aboriginal elders, guest speaker, and some traditional dance or other visual display from either local group, school group, or an invited performers.

DISCUSSION:

- Clr LeFevre asked in relation to the Reconciliation presentation – what happens to this now. The Manager Community Services advised that she has received a quote and she will bring an item to the October workshop.

COUNCIL DECISION:

09/19.14.2.228

Moved: Clr J McGiveron / Seconded: Clr M Osborne

That Council continue to work with local organisations by supporting them in the planning and delivery of a community event in celebration of NAIDOC week.

CARRIED UNANIMOUSLY

09/19.14.3

Kings Park

FILE REFERENCE	004\008\022\
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OFFICER'S RECOMMENDATION:

That Council:

1. Replace the fence and fix the steps on the Medea Cove side of Kings Park;
2. Work with Tasmania Fire Service to undertake an assessment as to whether Kings Park is currently a fire risk to adjoining properties;
3. Commence the process to develop some walking trails and interpretative signage that helps to create a narrative that acts to generate a positive user experience within the Kings Park area.

INTRODUCTION:

At a previous workshop correspondence received from the Lions Club of St Helens Inc asking what Council's short and long term plans for Kings Park was discussed by Council. The Lions Club of St Helens advised Council that they would be willing to be part of any future discussions for Kings Park. It was decided that the community be asked as to how they saw the future of Kings Park – this was undertaken as part of the St Helens Drop in Session – community conversations.

DISCUSSION:

- Clr Wright stated, going back to Mr Dudley's questions this morning with regard to Management of the Park. The NE Bioregional Network have in the past had a very big role in the maintenance of the park. The Manager Community Services advised that she went back through Council records and there is no formal or informal agreement with them with regard to this. Mr Dudley has been consulted in regards to what is proposed. The Manager Community Services stated that there are a number of ideas that have been put forward by the community, before any decision is made with regard to walking trails a flora and fauna report will need to be undertaken.

- Clr LeFevre stated, that if we tidy it up and make some nice open areas it will be fantastic.
- Clr Osborne stated that she thinks it's great and we need to keep moving forward with it.
- Clr Whittaker asked, should we consult with Councils NRM Committee for comments. The Manager Community Services advised that this would be done once the reports are done.

COUNCIL DECISION:

09/19.14.3.229

Moved: Clr K Wright / Seconded: Clr M Osborne

That Council:

1. Replace the fence and fix the steps on the Medea Cove side of Kings Park;
2. Work with Tasmania Fire Service to undertake an assessment as to whether Kings Park is currently a fire risk to adjoining properties;
3. Commence the process to develop some walking trails and interpretative signage that helps to create a narrative that acts to generate a positive user experience within the Kings Park area.

CARRIED UNANIMOUSLY

09/19.15.0 DEVELOPMENT SERVICES

09/19.15.1 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:

- Clr LeFevre commented in relation to the snack food item at Binalong Bay from the last Council Meeting as there is nothing in the comments column for outstanding action. The Building Services Coordinator advised that he will get the Environmental Health Officer to provide an update. Clr LeFevre stated that there needs to be something there by the long weekend in November.

COUNCIL DECISION:

09/19.15.1.230

Moved: Clr M Osborne / Seconded: Clr L Whittaker

That the report be received.

CARRIED UNANIMOUSLY

09/19.15.2

Planning Approvals Issued

Received.

09/19.15.3

Planning Approvals

Received.

09/19.15.4

Building Services Approvals

Received.

09/19.15.5

Proposed Shelter - Fingal Park

FILE REFERENCE	004\009\004\
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OFFICER'S RECOMMENDATION:

That Council approve the proposed design for the Fingal Park Shelter as per proposed plan (see attached).

INTRODUCTION:

Council officers and the community identified the need for a covered area adjacent to the playground area at Fingal Park, the structure is proposed to be constructed as part of the Fingal drought communities funding.

DISCUSSION:

- The Building Services Coordinator advised that the shelter is to complement the facilities that are already there and is part of the Drought Communities Program.
- Clr Chapple asked in relation to the water fountain that was mentioned at the workshop. The Building Services Coordinator advised that a policy is being prepared on this with regard to Break O'Day generally.

COUNCIL DECISION:

09/19.15.5.231

Moved: Clr J McGlveron / Seconded: Clr G McGuinness

That Council approve the proposed design for the Fingal Park Shelter as per proposed plan (see attached).

CARRIED UNANIMOUSLY

09/19.15.6

Tiny Homes

FILE REFERENCE	031\011\015\
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OFFICER'S RECOMMENDATION:

That Council accept the report for information purposes.

INTRODUCTION:

A report was sought by Council seeking ways in which 'Tiny Houses' can be regulated within the new planning scheme. This report provides a general reply to the request and also provided broader advice in relation to Building, Plumbing and Council's Bi-Law requirements.

DISCUSSION:

- The Building Services Coordinator advised that there are a couple of actions coming from this, it is a work in progress and is an area that we are closely looking at.

COUNCIL DECISION:

09/19.15.6.232

Moved: Clr K Chapple / Seconded: Clr B LeFevre

That Council accept the report for information purposes.

CARRIED UNANIMOUSLY

Meeting adjourned for morning tea at 10.58am

Meeting resumed at 11.06am

FILE REFERENCE

039\020\001\

OFFICER'S RECOMMENDATION:

Council receive and adopt the final 'Environment and NRM Strategy 2019' and 'Environment and NRM Action Plan 2018–2023'.

INTRODUCTION:

Council's Natural Resource Management (NRM) Committee has considered public submissions received on the draft 'Environment and NRM Strategy' and 'Environment and NRM Action Plan' (v2.2) and prepared final Plans for Council.

DISCUSSION:

- Mayor Tucker made a comment in relation to whether the plans should just be received by Council and not adopted as the adoption by Council may give the perception that Council is going to undertake all of the recommendations within the plans.
- The NRM Officer advised that these plans are not Council plans hence no Council logo and burden for priorities is spread across the whole community and Council will play its part where required, it is not intended that Council will fund each and every action within the plans.
- Cllr Osborne stated that the plan came to the NRM Committee from the General Manager and they were told to come up with the plans therefore she would say that they should be adopted.
- Cllr LeFevre stated that he doesn't want to adopt a plan that says that we will never open up barways. The NRM Officer stated that particular action was simply because Parks & Wildlife Services run a protocol process to undertake these openings and it will be a joint approach with Parks & Wildlife Services to look at these issues.

COUNCIL DECISION:**09/19.15.7.233**Moved: Cllr M Osborne / Seconded: Cllr K Chapple

Council receive and adopt the final 'Environment and NRM Strategy 2019' and 'Environment and NRM Action Plan 2018–2023'.

CARRIED UNANIMOUSLY

FILE REFERENCE	039\020\001\
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OFFICER'S RECOMMENDATION:

That Council receive the Minutes of NRM Committee Meetings of 7 August 2019, acknowledging any advice and considering recommendations from the Committee for further Council attention.

INTRODUCTION:

The Break O'Day NRM Special Committee met on 7 August 2019, kindly hosted by St Helens Marine Rescue in their meeting room.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:**09/19.15.8.234**Moved: Clr K Wright / Seconded: Clr K Chapple

That Council receive the Minutes of NRM Committee Meetings of 7 August 2019, acknowledging any advice and considering recommendations from the Committee for further Council attention.

CARRIED UNANIMOUSLY

FILE REFERENCE	003\001\002\
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OFFICER'S RECOMMENDATION:

That Council consider changes proposed in the draft Bill to amend the Cat Management Act 2009.

INTRODUCTION:

Council has been invited to comment on the draft Cat Management Amendment Bill 2019, with submissions due on 4 October 2019, before its next Council Workshop and Meeting in October.

DISCUSSION:

- The NRM Officer did enquire about seeking an extension of time for this but was unsuccessful with the request.
- Mayor Tucker stated that front and foremost is as long as it is not going to come down to Council to implement the management plan with no financial assistance to go along with it. Council could end up incurring quite a bit of cost.

- The NRM Officer stated that it is important that we send the message that we are apprehensive.

COUNCIL DECISION:

09/19.15.9.235

Moved: Clr K Wright / Seconded: Clr K Chapple

That Council consider changes proposed in the draft Bill to amend the Cat Management Act 2009 and note the following:

- Council receive and support the changes but note Council's concerns around any financial implications on Council arising.

CARRIED UNANIMOUSLY

09/19.16.0

GOVERNANCE

09/19.16.1

General Manager's Report

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

That the General Manager's report be received.

INTRODUCTION:

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

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

09/19.16.1.236

Moved: Clr J McGiveron / Seconded: Clr L Whittaker

That the General Manager's report be received.

CARRIED UNANIMOUSLY

09/19.16.2 Northern Tasmania Development Corporation Ltd (NTDC) – Finalised Draft of the Regional Economic Development Plan (REDP)

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

That Council note the revised Draft REDP as provided by Northern Tasmania Development Corporation (NTDC) prior to its formal release for consultation to the wider Northern Tasmanian community.

INTRODUCTION:

Council has previously reviewed the draft Regional Economic Development Plan prepared by NTDC earlier in 2019. After feedback from the Tasmanian Government requesting that detailed measures are removed from the original Draft REDP, the document has been revised.

The Tasmanian Government indicated they would not be willing to workshop their involvement and participation in the REDP if measures were already set and could not be negotiated through the workshop process.

The Draft REDP is now primarily a strategic document that outlines where the priority actions will occur without detailed measures attached. The expectation is that more detailed measures and KPI's will be negotiated with the Tasmanian Government as part of developing the Three (3) Year Implementation Plan as a supporting document to the REDP. It should be noted that NTDC have advised that the aspirational regional targets set in 2016 as part of the Regional Futures Framework are still highlighted in the new Draft of the REDP, and the strategic intent of the document has not changed from original version previously considered by Council.

DISCUSSION:

No discussion took place on this item.

COUNCIL DECISION:

09/19.16.2.237 Moved: Clr K Wright / Seconded: Clr K Chapple

That Council note the revised Draft REDP as provided by Northern Tasmania Development Corporation (NTDC) prior to its formal release for consultation to the wider Northern Tasmanian community.

CARRIED UNANIMOUSLY

09/19.16.3 Local Government Act Review – Directions Paper Phase 2

FILE REFERENCE	001\006\017\
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OFFICER'S RECOMMENDATION:

That Council endorse the proposed submission for the Local Government Act Review – Directions Paper Phase 2.

INTRODUCTION:

The major review of Tasmania's Local Government legislation has progressed to the next stage of sector and community engagement with the release of the Reforms Directions Paper with comment required by 30 September 2019.

DISCUSSION:

- The Acting General Manager advised that Council went through the draft submission in a fair amount of detail at the workshop and amendments were made in accordance with the discussion held at the workshop.

COUNCIL DECISION:

09/19.16.3.238 Moved: Clr J McGiveron / Seconded: Clr M Osborne

That Council endorse the proposed submission for the Local Government Act Review – Directions Paper Phase 2.

CARRIED UNANIMOUSLY

09/19.16.4 Review as at 30 June 2019 – Break O'Day Council Annual Plan 2018/2019

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

That Council endorse the Review as at the 30 June 2019 of the Break O'Day Council Annual Plan 2018 / 2019.

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:

No discussion took place on this item.

COUNCIL DECISION:

09/19.16.4.239

Moved: Clr M Osborne / Seconded: Clr B LeFevre

That Council endorse the Review as at the 30 June 2019 of the Break O'Day Council Annual Plan 2018 / 2019.

CARRIED UNANIMOUSLY

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

Moved: Clr G McGuinness / Seconded: Clr M Osborne move into Closed Council.

CARRIED UNANIMOUSLY

IN CONFIDENCE

09/19.17.0 **CLOSED COUNCIL**

09/19.17.1 **Confirmation of Closed Council Minutes – Council Meeting 19 August 2019**

09/19.17.2 **Outstanding Actions List for Closed Council**

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

Moved: Clr J McGiveron / Seconded: Clr L Whittaker: That Council move out of Closed Council.

CARRIED UNANIMOUSLY

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 11.37am.

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MAYOR

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DATE