



# COUNCIL MEETING MINUTES

Monday 21 September 2020  
Council Chambers, St Helens

John Brown, General Manager  
Break O'Day Council  
21 September 2020

This page left blank  
intentionally

## CONTENTS

CONTENTS .....	3
AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL .....	5
OPENING .....	5
ACKNOWLEDGEMENT OF COUNTRY.....	5
09/20.1.0 ATTENDANCE .....	5
09/20.1.1 Present .....	5
09/20.1.2 Apologies.....	5
09/20.1.3 Leave of Absence .....	6
09/20.1.4 Staff in Attendance .....	6
09/20.2.0 PUBLIC QUESTION TIME.....	6
09/20.2.1 Honesty Box at Fingal Camping Area – Mr P Hall, Fingal.....	6
09/20.2.2 Interpretation Board, Fingal Park – Mr P Hall, Fingal .....	6
09/20.3.0 DECLARATION OF PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE.....	7
09/20.4.0 CONFIRMATION OF MINUTES.....	7
09/20.4.1 Confirmation of Minutes – Council Meeting 17 August 2020 .....	7
09/20.5.0 COUNCIL WORKSHOPS HELD SINCE 17 AUGUST 2020 COUNCIL MEETING .....	8
09/20.6.0 PLANNING AUTHORITY .....	8
09/20.6.1 DA 147-2020 – Dwelling and Shed – 25 Maori Place, Akaroa .....	8
09/20.6.2 DA 141-2020 – Dwelling Alterations and Additions – 8 Barrack Street, Akaroa .....	12
09/20.6.3 DA 060-2020 – Visitor Accommodation – Four (4) Pods, Eight (8) Glamping Tents, Shed and Amenities – 21040 Tasman Highway, Chain of Lagoons .....	19
09/20.6.4 DA 098-2020 – Change of Use (Existing Dwelling), Dwelling Alterations and Additions and New Visitor Accommodation Pod – 64-68 Tasman Highway, St Helens.....	27
09/20.6.5 DA 104-2020 – Dwelling Addition, Additions and Alterations to Shed and Replace Onsite Wastewater System – 266 Gardens Road, Binalong Bay .....	32
09/20.7.0 PETITIONS.....	35
09/20.8.0 NOTICES OF MOTION .....	35
09/20.9.0 COUNCILLOR’S QUESTIONS ON NOTICE .....	35
09/20.10.0 COUNCILLOR’S QUESTIONS WITHOUT NOTICE .....	35
09/20.10.1 Covered Tree Hollows – Cllr L Whittaker .....	35
09/20.10.2 Swift Parrot Habitat – Cllr K Wright .....	36
09/20.11.0 MAYOR’S & COUNCILLOR’S COMMUNICATIONS.....	36
09/20.11.1 Mayor’s Communications for Period Ending 21 September 2020 .....	36
09/20.11.2 Councillor’s Reports for Period Ending 21 September 2020 .....	37
09/20.12.0 BUSINESS AND CORPORATE SERVICES.....	37

09/20.12.1	Corporate Services Department Report .....	37
09/20.12.2	Monthly Financial Report.....	38
09/20.12.3	Visitor Information Centre Report .....	39
09/20.12.4	Policy – LG12 Fit for Work (Alcohol & Drug) Policy .....	39
09/20.13.0	WORKS AND INFRASTRUCTURE .....	40
09/20.13.1	Works and Infrastructure Report.....	40
09/20.13.2	Animal Control Report .....	40
09/20.13.3	Wheelie Bin Surrounds .....	41
09/20.13.4	Local Roads and Community Infrastructure Program (LRCIP) .....	41
09/20.14.0	COMMUNITY DEVELOPMENT .....	43
09/20.14.1	Community Services Report.....	43
09/20.14.2	Policy CB06 – Community Grants/Assistance Policy .....	43
09/20.14.3	Policy CB08 – Council Fee Remission of Building and Development Fees for Community Groups Policy.....	44
09/20.15.0	DEVELOPMENT SERVICES.....	45
09/20.15.1	Development Services Report.....	45
09/20.15.2	Dog Management Enforcement Campaign with PWS.....	45
09/20.16.0	GOVERNANCE.....	46
09/20.16.1	General Manager’s Report.....	46
09/20.16.2	Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report.....	47
09/20.16.3	Policy Review – AM12 – Council Vehicles Policy .....	48
09/20.16.4	Community Care and Recovery Package – COVID-19 – Update .....	48
09/20.17.0	CLOSED COUNCIL .....	49
09/20.17.1	Confirmation of Closed Council Minutes – Council Meeting 17 August 2020 .....	49
09/20.17.2	Outstanding Actions List for Closed Council .....	49
09/20.17.3	Request for Council Sponsorship - Closed Council Item Pursuant to Section 15(2)C of the Local Government (Meeting Procedures) Regulations 2015 .....	49
09/20.17.4	Sale of Properties for Non-Payment of Rates - Closed Council Item Pursuant to Section 15(2)F of the Local Government (Meeting Procedures) Regulations 2015 ..	50
09/20.17.5	Tender – 2020/2021 Bituminous Surfacing Program - Closed Council Item Pursuant To Section 15(2)D Of The Local Government (Meeting Procedures) Regulations 2015.....	50
09/20.17.6	General Manager’s Annual Leave and Appointment of Acting General Manager – Closed Council Item Pursuant To Section 15(2)A Of The Local Government (Meeting Procedures) Regulations 2015 .....	50
09/20.17.7	NTDC Membership – Meander Valley Council – Closed Council Item Pursuant To Section 15(2)B Of The Local Government (Meeting Procedures) Regulations 2015	51

## 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.*

### 09/20.1.0 ATTENDANCE

#### 09/20.1.1 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

#### 09/20.1.2 Apologies

Councillor Janet Drummond

### 09/20.1.3 Leave of Absence

Nil

### 09/20.1.4 Staff in Attendance

General Manager, John Brown  
Records Officer, Carol Joyce  
Manager Corporate Services, Bob Hoogland (*Item 6.4 – 15.2, 17.2 – 17.5*)  
Manager Community Services, Chris Hughes (*Item 1.0 – 17.4*)  
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 17.5*)  
Communications Coordinator, Jayne Richardson (*Item 1.0 – 17.0*)  
Development Services Coordinator, Jake Ihnen (*Item 1.0 – 16.0*)  
Planning Coordinator, Nick Cooper (*Item 1.0 - 7.0*)  
Planning Officer, Deb Szekely (*Item 1.0 - 7.0*)  
NRM Facilitator, Polly Buchhorn (*Item 13.4 – 16.0*)  
Planning Consultant, Rebecca Green (*Item 3.0 - 6.2*)

### 09/20.2.0 PUBLIC QUESTION TIME

There were no people in the gallery due to the COVID-19 situation and the public being unable to attend.

*In accordance with Section 31(1) of the Local Government (Meeting Procedures) Regulations 2005 the following question was submitted in writing prior to the Council Meeting.*

#### 09/20.2.1 Honesty Box at Fingal Camping Area – Mr P Hall, Fingal

Will the honesty box in the Fingal camping area be replaced? If so, how soon can we expect this to happen, as many people are asking how they can make a contribution for camping. A suggestion would be that to protect from theft, that a slot be built into the side of the building with a safe or secure box attached with the toilet block building, so it can only be accessed from within the storage area of the toilet block, and will not be able to be stolen.

#### Reply

The donation box was installed this week.

#### 09/20.2.2 Interpretation Board, Fingal Park – Mr P Hall, Fingal

Is there a plan to put an interpretation board in place at the brick structure at the rear of the Fingal park, to explain the history and previous use of this structure, as many people are interested to know its history.

## Reply

Some members of the Fingal Community have undertaken a project with regard to historical plaques being placed in locations around Fingal. Council Officers could ask them if they had planned to do one for the area in Fingal Park.

### 09/20.3.0 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.*

Clr Kristi Chapple declared a Pecuniary Interest for agenda item 09/20.17.4 – Sale of Properties for Non-Payment of Rates – Closed Council Item Pursuant to Section 15(2)F of the Local Government (Meeting Procedures) Regulations 2015.

### 09/20.4.0 CONFIRMATION OF MINUTES

#### 09/20.4.1 Confirmation of Minutes – Council Meeting 17 August 2020

##### OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 17 August 2020 be confirmed.

##### DISCUSSION:

No discussion took place on this item.

##### COUNCIL DECISION:

**09/20.4.1.155** Moved: Clr L Whittaker/ Seconded: Clr K Chapple

That the minutes of the Council Meeting held on the 17 August 2020 be confirmed.

**CARRIED UNANIMOUSLY**

## 09/20.5.0 COUNCIL WORKSHOPS HELD SINCE 17 AUGUST 2020 COUNCIL MEETING

There was a Workshop held on Monday 7 September 2020 – the following items were listed for discussion as well as a Presentation from Parks & Wildlife Service.

- 2021-2022 State Budget Consultation
- Policy – LG12 Fit for Work (Alcohol & Drug) Policy
- Sale of Properties for Non Payment of Rates
- Capital Budget 2020-2021 Footpaths: St Helens Existing Sub-Division
- Wheelie Bin Surrounds
- Local Roads and Community Infrastructure Program (LRCI Program)
- Animal Control Update
- Policy CB08 – Council Fee Remission of Building and Development Fees for Community Groups Policy
- Request for Council Sponsorship – Ten Days on the Island 2021
- Break O’Day Drought Weeds Grants 2020
- Family and Domestic Violence
- Policy CB06 – Community Grants/Assistance Policy
- Park Snack & Chat
- Climate Change Action Plan 2020
- Policy Review – AM12 – Council Vehicles Policy
- Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report
- Mental Health and Wellbeing Draft Plan
- Pedestrian Bridge Balustrade Design

## 09/20.6.0 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.*

### 09/20.6.1 DA 147-2020 – Dwelling and Shed – 25 Maori Place, Akaroa

FILE REFERENCE	DA 147-2020
----------------	-------------

#### 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 **Dwelling and Shed** on land situated at **25 Maori Place, Akaroa** described in Certificate of Title CT 141769/112 be **APPROVED** subject to the following conditions:



1. Development must accord with the Development Application DA 147-20 received by Council 14 July 2020, 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 buildings must be detained by on-site water storage systems and overflow disposed of by means to Council's reticulated network via one point of discharge only for the subject land that will not result in soil erosion or other stormwater nuisance. The connection must be completed by a licensed plumber to the end of one of the soakage pipes within the easement. The end of the pipe must be exposed and suitable proprietary fittings used to connect a 100mm pipe to the pipe within the easement.
3. No native vegetation removal/modification is permitted outside the title boundaries of 25 Maori Place, Akaroa as part of this approval.
4. Plants listed in Appendix 3 of the *Break O'Day Interim Planning Scheme 2013* must not be used in landscaping.
5. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.
6. Any damage that may occur to any Council infrastructure during the construction of the proposed dwelling and shed must be reinstated to the satisfaction of Council and at the cost of the developer.

#### ADVICE

- 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.
- 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 Manager.
- 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*

#### PROPOSAL SUMMARY:

Application is made for the use and construction of a single dwelling and shed at 25 Maori Place, Akaroa.



#### DISCUSSION:

- The Planning Consultant Rebecca Green advised that the applicant and representor have been liaising to come to a resolution.
- Clr McGuinness advised that this was a satisfactory outcome.
- Clr LeFevre agreed with Clr McGuinness.
- Clr Wright had concerns with Aboriginal midens. The Planning Consultant advised there was an advisory note added as part of the conditions.

## COUNCIL DECISION:

09/20.6.1.156

Moved: Clr G McGuinness/ Seconded: Clr B LeFevre

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 **Dwelling and Shed** on land situated at **25 Maori Place, Akaroa** described in Certificate of Title CT 141769/112 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 147-20 received by Council 14 July 2020, 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 buildings must be detained by on-site water storage systems and overflow disposed of by means to Council's reticulated network via one point of discharge only for the subject land that will not result in soil erosion or other stormwater nuisance. The connection must be completed by a licensed plumber to the end of one of the soakage pipes within the easement. The end of the pipe must be exposed and suitable proprietary fittings used to connect a 100mm pipe to the pipe within the easement.
3. No native vegetation removal/modification is permitted outside the title boundaries of 25 Maori Place, Akaroa as part of this approval.
4. Plants listed in Appendix 3 of the *Break O'Day Interim Planning Scheme 2013* must not be used in landscaping.
5. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.
6. Any damage that may occur to any Council infrastructure during the construction of the proposed dwelling and shed must be reinstated to the satisfaction of Council and at the cost of the developer.

## ADVICE

- 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.
- 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 Manager.
- 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 141-2020
----------------	-------------

**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 **DWELLING ALTERATIONS AND ADDITIONS** on land situated at **8 BARRACK STREET, AKAROA** described in Certificate of Title 58094/8 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 141-2020 received by Council 21 July 2020, 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 building must be detained by on-site water storage systems and overflow disposed of by means that will not result in soil erosion or other stormwater nuisance. Absorption drains must be of sufficient size to absorb stormwater runoff.
3. All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
4. The external building materials of the dwelling addition must be of types and colours that will blend rather than contrast with the surrounding environment. Colour and material type details must be provided to the satisfaction of the Development Services Coordinator prior to the commencement of works. Unpainted/ untreated metal surfaces will not be approved.
5. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.
6. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer.

**ADVICE**

- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and/or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Works Manager.
- 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. Such relics are to be immediately reported to Aboriginal Heritage Tasmania and guided by the Unanticipated Discovery Plan.
- 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 frame listed:  
*Monday-Friday 7am to 6pm*  
*Saturday 9am to 6pm*  
*Sunday and public holidays 10am to 6pm*

#### PROPOSAL SUMMARY:

Application is made for the construction of alterations and additions to an existing multiple dwelling at 8 Barrack Street, Akaroa.

The site is one of several strata title lots located off Barrack Street. The strata scheme is established on a lot of approximately 5575m<sup>2</sup>, with 9 dwellings. The subject site is a regular shaped strata lot with a 408m<sup>2</sup> footprint, the site is flat, and has an existing cluster of trees along the shared boundary to the southeast.

















#### DISCUSSION:

No discussion took place on this item.

#### COUNCIL DECISION:

**09/20.6.2.157**      Moved: Clr M Osborne/ Seconded: Clr G McGuinness

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 **DWELLING ALTERATIONS AND ADDITIONS** on land situated at **8 BARRACK STREET, AKAROA** described in Certificate of Title 58094/8 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 141-2020 received by Council 21 July 2020, 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 building must be detained by on-site water storage systems and overflow disposed of by means that will not result in soil erosion or other stormwater nuisance. Absorption drains must be of sufficient size to absorb stormwater runoff.
3. All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
4. The external building materials of the dwelling addition must be of types and colours that will blend rather than contrast with the surrounding environment. Colour and material type details must be provided to the satisfaction of the Development Services Coordinator prior to the commencement of works. Unpainted/ untreated metal surfaces will not be approved.

5. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.
6. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer.

## ADVICE

- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and/or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Works Manager.
- 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. Such relics are to be immediately reported to Aboriginal Heritage Tasmania and guided by the Unanticipated Discovery Plan.
- 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 frame listed:
  - Monday-Friday 7am to 6pm*
  - Saturday 9am to 6pm*
  - Sunday and public holidays 10am to 6pm*

## CARRIED UNANIMOUSLY

### 09/20.6.3 DA 060-2020 – Visitor Accommodation – Four (4) Pods, Eight (8) Glamping Tents, Shed and Amenities – 21040 Tasman Highway, Chain of Lagoons

FILE REFERENCE	DA 060-2020
----------------	-------------

## OFFICER'S RECOMMENDATION:

After due consideration of the application received and Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **VISITOR ACCOMMODATION – FOUR (4) PODS, EIGHT (8) GLAMPING TENTS, SHED AND AMENITIES** on land situated at **21040 TASMAN HIGHWAY, CHAIN OF LAGOONS** described in Certificate of Title 42626/1 be **APPROVED** subject to the following plans, documents and conditions:



1. Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.

<b>Approved Plans</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Aerial Photography Site Plan	A03	Gillian van der Schans	26/08/2020
Site Plan Vegetation areas existing and proposed	A01	Gillian van der Schans	26/08/2020
Aerial photograph vegetation areas existing and proposed	A02	Gillian van der Schans	26/08/2020
Existing Rammed Earth Store Plan	A04	Gillian van der Schans	Undated
Tent Plan Elevation and Image	A05	Gillian van der Schans	Undated
Pre-fabricated Shed Elevations and Floor Plan	B01	TNG Engineering	Undated
Pre-fabricated Shed Dimensions	B02	TNG Engineering	Undated
Signage	-	Gillian van der Schans	11/06/2020
Barn Elevations	6/10	Gillian van der Schans	Undated
Barn Sections	7/10	Gillian van der Schans	Undated
Barn Plan	3/10	Gillian van der Schans	Undated
Bathrooms Plan & Elevations	DA 4/5	Gillian van der Schans	Undated
Cover Page	DA -01	Gillian van der Schans	Undated
Plan & Elevations Accommodation Pods	DA 3/8	Gillian van der Schans	Undated
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
ECOtas Report 21040 Tasman Highway Chain of Lagoons	-	ECOtas, Mark Wapstra	14/08/2017
Attenuation Impact at 21040 Tasman Highway Chain of Lagoons	-	SEAM Environmental Jamie Wood Principal Consultant	7/08/2020
Bushfire Hazard Assessment Report and Bushfire Hazard Management Plan	Job No: RGA- B1401 Version 2	Rebecca Green and Associates	8/09/2020
Geo-Environmental Assessment	-	G. McDonald	June 2020
Standard Operating Procedures	Version 5	Lynne Wilton	7/09/2020
Traffic Impact Assessment	Revision 1	Keith Midson Midson Traffic Pty Ltd	21/02/2020

2. The use is not to cause an environmental nuisance to the owners or occupiers of land in the surrounding area by reason of noise, dust or other pollutants emanating from the site.
3. Outdoor lighting, where provided, must be located, designed and baffled to ensure that no direct light is emitted outside the boundaries of the site.
4. Car parking spaces must be provided on-site prior to the commencement of the use. Each space, including disabled parking, must be clearly marked and used solely for parking purposes.
5. No works are to be undertaken, including changes in the topography of the site or the removal, destruction or lopping of trees other than in accordance with the approved plans, without the

- consent of Council. Adequate steps must be taken to prevent the damage and/or removal of any other vegetation during any works.
6. Screen all loading / unloading facilities, refuse storage and other outdoor storage facilities on the site from direct view from any adjoining road or public space.
  7. The approved sign must be located wholly within the boundaries of the lot and maintained in good repair and in a clean, tidy and safe condition at all times.
  8. Suitable garbage storage facilities must be provided onsite and screened from view from outside the boundaries of the lot.
  9. Suitable site management measures must be taken during the stages of construction and at access points to prevent damage to native vegetation to be retained and areas undergoing regeneration.
  10. Ensure that colours of predominant surfaces harmonise with the colours of adjacent bushland vegetation and should include natural tones.
  11. The following landscaping conditions apply to the development and to be maintained at all times:
    - a. Provide landscaping on site generally in accordance with the approved landscape plan. The objective of the landscape treatment is to ensure that the development is not visually intrusive by screening and softening buildings, glamping tents, driveways and car parking areas. Substantial establishment of landscaping must be evidential within the first twelve (12) months of commencement of use on site.
    - b. The outer edge of landscaping when viewed from a south and south west perspective, must achieve a height of 3m and a width such that the transparency of the use and development is no greater than 50%.
  12. Ensure the extent of all development on site is contained within the approved development footprint, unless variations are approved in writing by Council.
  13. Clearing of native vegetation must be limited to that which is necessary for the development.
  14. Chip, shred or tub grind cleared native vegetation and spread as mulch or dispose of at an authorised waste facility. Any hollows observed in cleared vegetation must be salvaged and installed as nest boxes in trees within the property.
  15. Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed onto any roadway, drain, wetland or watercourse.
  16. Existing vegetation to be retained on the subject land must not be damaged, removed, destroyed or lopped without the written consent of the General Manager. Delineate areas where vegetation is proposed to be retained with exclusion fencing or similar barriers and devices to prevent accidental felling and in accordance with *Australian Standard 4970 Protection of Trees on Development Sites to Protect Existing Trees*.
  17. Implement the requirements and recommendations of the approved Bushfire Hazard Management Plan prepared by Rebecca Green and Associates, Version 2 and dated 8 September 2020.
  18. Carry out the development to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of any works undertaken.
  19. Provide an all-weather accessible pavement to the unsealed car parking area in accordance with the approved plans and documents of development. Areas set aside for the parking of vehicles together with the aisles and access lanes must be paved with crushed rock or gravel of adequate thickness as necessary to prevent the formation of potholes and depressions according to the nature of the subgrade and vehicles which will use the areas. The areas must be constructed, drained and maintained in a condition suitable for use by two wheel drive vehicles to the

satisfaction of the General Manager. The car parking area is to be constructed and maintained to avoid dust or noise impacts and include suitable drainage and water quality treatment so as to prevent any loss of amenity to the neighbourhood.

20. Ensure vehicular access is limited to the vehicle entry points on the approved plans.
21. The approved standard operating procedures document must detail rules and matters such as emergency responses, minimum acceptable behaviour, acceptable hours for machinery use, no pets' policy, access to Little Beach through identified public access areas and made available to all guests. This document must also provide advice and assistance to guests on the natural values of the area and how they may avoid impacting such values including the use of designated pathways.
22. Prior to the commencement of construction / works, adequate vehicle wash down facilities must be provided on the site and no vehicle must leave the site until mud and other debris is first hosed from the wheels.
23. Prior to the commencement of construction/works, measures must be in place to prevent the escape of soil and sediments beyond site boundaries.
24. On-site wastewater management and infrastructure is to be constructed and maintained in accordance with the approved report prepared by Geo-Environmental Solutions Pty Ltd Site Assessment and dated June 2020. Visitor numbers are not to exceed the wastewater loading specifications contained within the report (32 persons).

## ADVICE

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

## INTRODUCTION:

The applicant is seeking approval for Visitor Accommodation, comprising four (4) Pods, eight (8) Glamping Tents, two (2) outbuildings, amenities building and a change of use within the existing outbuilding previously approved under (DA139-2017).

The site currently supports a dwelling and associated outbuildings with dual Use Class Approval for Residential and Visitor Accommodation Use. The site is zoned Environmental Living and was previously utilised for grazing purposes. Since the site was removed of stock, the current owners

have actively engaged in weed control, natural regeneration and assisted regeneration of native vegetation on site.



Historic Photo



Photo 2020

The land area of the site is 8.782 hectares and is serviced by reserved road over which the applicant has a Crown Licence for access.



Subject Site Crown Licence

The site supports two (2) dams, both of which have been assessed by the Department of Primary Industries, Parks, Water and Environment, Water and Marine Division, and do not require a permit.

#### DISCUSSION:

- Clr LeFevre congratulates this proposed development as it provides a unique opportunity for tourist passing through the area and value adds to the Break O'Day experience and given the proponents concern for the environment which is clearly demonstrated by their assisting the regeneration of this block the comprehensive list of conditions proposed and the depth and quality of the application I look forward to the development.
- Clr McGiveron also supported what Clr LeFevre had said and advised it was a very well thought out application and they have really spent a lot of time on this and is well aware of the area and is really impressed. He also thanked the Planning Officer for her thorough

assessment of this application as she had done a lot of work on this and feels very comfortable as this is a well thought out development application.

- Clr Wright advised it would have been hard to address the level of concerns from the residents that this is setting a precedence and there maybe ongoing concerns but the application does clearly demonstrate compliance.
- Clr Whittaker stated that the Bushfire Management report was prepared by Rebecca Green and as she is a consultant to Council is this a conflict of interest.
- The General Manager responded that Rebecca Green always makes Council aware of what she does as a Consultant and is very careful as to the level of work she does in this area. The work she does as a bushfire consultant is completely separate to her work as a planning consultant and she declares any interest. She prepares reports on bushfire in this area and others.

## COUNCIL DECISION:

**09/20.6.3.158**

Moved: Clr B LeFevre/ Seconded: Clr J McGiveron

After due consideration of the application received and Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **VISITOR ACCOMMODATION – FOUR (4) PODS, EIGHT (8) GLAMPING TENTS, SHED AND AMENITIES** on land situated at **21040 TASMAN HIGHWAY, CHAIN OF LAGOONS** described in Certificate of Title 42626/1 be **APPROVED** subject to the following plans, documents and conditions:

1. Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.

Approved Plans			
Plan / Document Name	Reference Number	Prepared By	Dated
Aerial Photography Site Plan	A03	Gillian van der Schans	26/08/2020
Site Plan Vegetation areas existing and proposed	A01	Gillian van der Schans	26/08/2020
Aerial photograph vegetation areas existing and proposed	A02	Gillian van der Schans	26/08/2020
Existing Rammed Earth Store Plan	A04	Gillian van der Schans	Undated
Tent Plan Elevation and Image	A05	Gillian van der Schans	Undated
Pre-fabricated Shed Elevations and Floor Plan	B01	TNG Engineering	Undated
Pre-fabricated Shed Dimensions	B02	TNG Engineering	Undated
Signage	-	Gillian van der Schans	11/06/2020
Barn Elevations	6/10	Gillian van der Schans	Undated
Barn Sections	7/10	Gillian van der Schans	Undated
Barn Plan	3/10	Gillian van der Schans	Undated
Bathrooms Plan & Elevations	DA 4/5	Gillian van der Schans	Undated
Cover Page	DA -01	Gillian van der Schans	Undated
Plan & Elevations Accommodation Pods	DA 3/8	Gillian van der Schans	Undated
Plan / Document Name	Reference Number	Prepared By	Dated



ECOtas Report 21040 Tasman Highway Chain of Lagoons	-	ECOtas, Mark Wapstra	14/08/2017
Attenuation Impact at 21040 Tasman Highway Chain of Lagoons	-	SEAM Environmental Jamie Wood Principal Consultant	7/08/2020
Bushfire Hazard Assessment Report and Bushfire Hazard Management Plan	Job No: RGA- B1401 Version 2	Rebecca Green and Associates	8/09/2020
Geo-Environmental Assessment	-	G. McDonald	June 2020
Standard Operating Procedures	Version 5	Lynne Wilton	7/09/2020
Traffic Impact Assessment	Revision 1	Keith Midson Midson Traffic Pty Ltd	21/02/2020

2. The use is not to cause an environmental nuisance to the owners or occupiers of land in the surrounding area by reason of noise, dust or other pollutants emanating from the site.
3. Outdoor lighting, where provided, must be located, designed and baffled to ensure that no direct light is emitted outside the boundaries of the site.
4. Car parking spaces must be provided on-site prior to the commencement of the use. Each space, including disabled parking, must be clearly marked and used solely for parking purposes.
5. No works are to be undertaken, including changes in the topography of the site or the removal, destruction or lopping of trees other than in accordance with the approved plans, without the consent of Council. Adequate steps must be taken to prevent the damage and/or removal of any other vegetation during any works.
6. Screen all loading / unloading facilities, refuse storage and other outdoor storage facilities on the site from direct view from any adjoining road or public space.
7. The approved sign must be located wholly within the boundaries of the lot and maintained in good repair and in a clean, tidy and safe condition at all times.
8. Suitable garbage storage facilities must be provided onsite and screened from view from outside the boundaries of the lot.
9. Suitable site management measures must be taken during the stages of construction and at access points to prevent damage to native vegetation to be retained and areas undergoing regeneration.
10. Ensure that colours of predominant surfaces harmonise with the colours of adjacent bushland vegetation and should include natural tones.
11. The following landscaping conditions apply to the development and to be maintained at all times:
  - a. Provide landscaping on site generally in accordance with the approved landscape plan. The objective of the landscape treatment is to ensure that the development is not visually intrusive by screening and softening buildings, glamping tents, driveways and car parking areas. Substantial establishment of landscaping must be evidential within the first twelve (12) months of commencement of use on site.
  - b. The outer edge of landscaping when viewed from a south and south west perspective, must achieve a height of 3m and a width such that the transparency of the use and development is no greater than 50%.
12. Ensure the extent of all development on site is contained within the approved development footprint, unless variations are approved in writing by Council.
13. Clearing of native vegetation must be limited to that which is necessary for the development.

14. Chip, shred or tub grind cleared native vegetation and spread as mulch or dispose of at an authorised waste facility. Any hollows observed in cleared vegetation must be salvaged and installed as nest boxes in trees within the property.
15. Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed onto any roadway, drain, wetland or watercourse.
16. Existing vegetation to be retained on the subject land must not be damaged, removed, destroyed or lopped without the written consent of the General Manager. Delineate areas where vegetation is proposed to be retained with exclusion fencing or similar barriers and devices to prevent accidental felling and in accordance with *Australian Standard 4970 Protection of Trees on Development Sites to Protect Existing Trees*.
17. Implement the requirements and recommendations of the approved Bushfire Hazard Management Plan prepared by Rebecca Green and Associates, Version 2 and dated 8 September 2020.
18. Carry out the development to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of any works undertaken.
19. Provide an all-weather accessible pavement to the unsealed car parking area in accordance with the approved plans and documents of development. Areas set aside for the parking of vehicles together with the aisles and access lanes must be paved with crushed rock or gravel of adequate thickness as necessary to prevent the formation of potholes and depressions according to the nature of the subgrade and vehicles which will use the areas. The areas must be constructed, drained and maintained in a condition suitable for use by two wheel drive vehicles to the satisfaction of the General Manager. The car parking area is to be constructed and maintained to avoid dust or noise impacts and include suitable drainage and water quality treatment so as to prevent any loss of amenity to the neighbourhood.
20. Ensure vehicular access is limited to the vehicle entry points on the approved plans.
21. The approved standard operating procedures document must detail rules and matters such as emergency responses, minimum acceptable behaviour, acceptable hours for machinery use, no pets' policy, access to Little Beach through identified public access areas and made available to all guests. This document must also provide advice and assistance to guests on the natural values of the area and how they may avoid impacting such values including the use of designated pathways.
22. Prior to the commencement of construction / works, adequate vehicle wash down facilities must be provided on the site and no vehicle must leave the site until mud and other debris is first hosed from the wheels.
23. Prior to the commencement of construction/works, measures must be in place to prevent the escape of soil and sediments beyond site boundaries.
24. On-site wastewater management and infrastructure is to be constructed and maintained in accordance with the approved report prepared by Geo-Environmental Solutions Pty Ltd Site Assessment and dated June 2020. Visitor numbers are not to exceed the wastewater loading specifications contained within the report (32 persons).

## ADVICE

- 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.

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

#### CARRIED UNANIMOUSLY

#### 09/20.6.4 DA 098-2020 – Change of Use (Existing Dwelling), Dwelling Alterations and Additions and New Visitor Accommodation Pod – 64-68 Tasman Highway, St Helens

FILE REFERENCE	DA 098-2020
----------------	-------------

#### OFFICER'S RECOMMENDATION:

After due consideration of the application received and Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **CHANGE OF USE TO VISITOR ACCOMMODATION (EXISTING DWELLING), DWELLING ALTERATIONS AND ADDITIONS AND NEW VISITOR ACCOMMODATION** on land situated at **64-66 TASMAN HIGHWAY, ST HELENS** described in Certificate of Title 247348/1 be **APPROVED** subject to the following conditions:

1. Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.

Approved Plans			
Plan / Document Name	Reference Number	Prepared By	Dated
Title Page	-	Jennifer Binns Design	Undated
Site Plan	A04 Rev 4	Jennifer Binns Design	7/08/2020
Existing Floor Plan	A05 Rev 4	Jennifer Binns Design	7/08/2020
Proposed Floor Plan	A06 Rev 4	Jennifer Binns Design	7/08/2020
Elevations	A07 Rev 4	Jennifer Binns Design	7/08/2020
Elevations	A08 Rev4	Jennifer Binns Design	7/08/2020
Visuals	A11 Rev 4	Jennifer Binns Design	7/08/2020
Proposed Pod	A12 Rev 4	Jennifer Binns Design	7/08/2020
Further Information- Vegetation Management for Bushfire purposes	-	Jennifer Binns Design	7/08/2020

ECOtas Report	Biodiversity Code: 64-66 Tasman Highway	Mark Wapstra ECOtas	14 July 2020
Traffic Impact Statement	Murray Street access to #64 Tasman Highway St Helens	Richard Burk Traffic and Civil Services	23/06/2020

2. The use is not to cause an environmental nuisance to the owners or occupiers of land in the surrounding area by reason of noise, dust or other pollutants emanating from the site.
3. Outdoor lighting, where provided, must be located, designed and baffled to ensure that no direct light is emitted outside the boundaries of the site.
4. Car parking spaces must be provided on-site prior to the commencement of the use. Each space must be clearly marked and used solely for parking purposes.
5. No works are to be undertaken, including changes in the topography of the site or the removal, destruction or lopping of trees other than in accordance with the approved plans, without the consent of Council. Adequate steps must be taken to prevent the damage and/or removal of any other vegetation during any works.
6. Clearing of native vegetation must be limited to that which is necessary for the development.
7. Chip, shred or tub grind cleared native vegetation and spread as mulch or dispose of at an authorised waste facility. Any hollows observed in cleared vegetation must be salvaged and installed as nest boxes in trees within the property.
8. Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed onto any roadway, drain, wetland or watercourse.
9. Existing vegetation to be retained on the subject land must be retained and must not be damaged, removed, destroyed or lopped without the written consent of the General Manager. Delineate areas where vegetation is proposed to be retained with exclusion fencing or similar barriers and devices to prevent accidental felling and in accordance with *Australian Standard 4970 Protection of Trees on Development Sites to Protect Existing Trees*.
10. Carry out the development to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of the development.
11. Provide an all-weather accessible pavement to the unsealed car parking area in accordance with the approved plans and documents of development. Areas set aside for the parking of vehicles together with the aisles and access lanes must be paved with crushed rock or gravel of adequate thickness as necessary to prevent the formation of potholes and depressions according to the nature of the subgrade and vehicles which will use the areas. The areas must be constructed, drained and maintained in a condition suitable for use by two wheel drive vehicles to the satisfaction of the General Manager. The car parking area is to be constructed and maintained to avoid dust or noise impacts and include suitable drainage and water quality treatment so as to prevent any loss of amenity to the neighbourhood.
12. Prior to the commencement of construction / works, adequate vehicle wash down facilities must be provided on the site and no vehicle must leave the site until mud and other debris is first hosed from the wheels.
13. Prior to the commencement of construction/works, measures must be in place to prevent the escape of soil and sediments beyond site boundaries.
14. Provide a landscaping plan, prior to building approval that demonstrates the treatment of stormwater shedding, soil erosion and sediment control. In particular, the submitted landscaping plan will demonstrate the protection of the adjacent watercourse and riparian vegetation from sediment pollution. The landscaping plan is to be submitted for approval by Council's Development Services Coordinator, prior to works commencing onsite.

15. The Murray Street access is to be upgraded with a reinforced concrete driveway to a width of 3.6m with the Typical Driveway Profile shown in LGAT Urban Road Driveway standard drawings TSD-R09-v1. Kerb and channel and footpath are not required.

#### ADVICE

- 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.
- 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*
- Be advised that in accordance with the *Building Act 2016* assessment for building approval cannot commence until such time as Council is provided with full Building Design Plans and Specifications prepared by an accredited designer.
- This permit allows for the dual Residential Use and Visitor Accommodation Use of the existing dwelling (only) at CT247348/1, 64-66 TASMAN HIGHWAY, ST. HELENS.

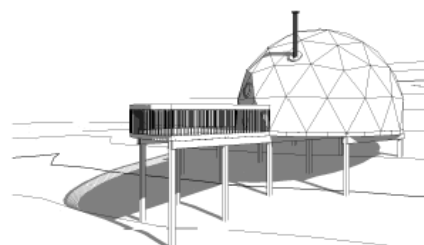
#### INTRODUCTION:

The applicant is seeking approval for dwelling additions and alterations to the existing dwelling on site as well as a change of use to the existing dwelling to include visitor accommodation. Additionally, the applicant is seeking approval for a new structure to accommodate additional visitor accommodation use. The development site is located at 64-66 Tasman Highway, St Helens and is zoned General Residential. The site is affected by the Bushfire Prone Areas overlay and Flood Prone Areas overlay, including Council's most recent flood mapping. The applicant is seeking an additional access from Murray Street to service the additional visitor accommodation (Pod).

## Dwelling Additions



## New Visitor Accommodation (Pod)



The site has a land area of 21,516 m<sup>2</sup> and has a watercourse (LISTmap mapping) extending onto the site along the south-eastern boundary.

### DISCUSSION:

No discussion took place on this item.

### COUNCIL DECISION:

**09/20.6.4.159**      Moved: Clr K Wright/ Seconded: Clr M Osborne

After due consideration of the application received and Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **CHANGE OF USE TO VISITOR ACCOMMODATION (EXISTING DWELLING), DWELLING ALTERATIONS AND ADDITIONS AND NEW VISITOR ACCOMMODATION** on land situated at **64-66 TASMAN HIGHWAY, ST HELENS** described in Certificate of Title 247348/1 be **APPROVED** subject to the following conditions:

1. Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.

Approved Plans			
Plan / Document Name	Reference Number	Prepared By	Dated
Title Page	-	Jennifer Binns Design	Undated
Site Plan	A04 Rev 4	Jennifer Binns Design	7/08/2020
Existing Floor Plan	A05 Rev 4	Jennifer Binns Design	7/08/2020
Proposed Floor Plan	A06 Rev 4	Jennifer Binns Design	7/08/2020
Elevations	A07 Rev 4	Jennifer Binns Design	7/08/2020
Elevations	A08 Rev4	Jennifer Binns Design	7/08/2020
Visuals	A11 Rev 4	Jennifer Binns Design	7/08/2020



Proposed Pod	A12 Rev 4	Jennifer Binns Design	7/08/2020
Further Information- Vegetation Management for Bushfire purposes	-	Jennifer Binns Design	7/08/2020
ECOtas Report	Biodiversity Code: 64-66 Tasman Highway	Mark Wapstra ECOtas	14 July 2020
Traffic Impact Statement	Murray Street access to #64 Tasman Highway St Helens	Richard Burk Traffic and Civil Services	23/06/2020

2. The use is not to cause an environmental nuisance to the owners or occupiers of land in the surrounding area by reason of noise, dust or other pollutants emanating from the site.
3. Outdoor lighting, where provided, must be located, designed and baffled to ensure that no direct light is emitted outside the boundaries of the site.
4. Car parking spaces must be provided on-site prior to the commencement of the use. Each space must be clearly marked and used solely for parking purposes.
5. No works are to be undertaken, including changes in the topography of the site or the removal, destruction or lopping of trees other than in accordance with the approved plans, without the consent of Council. Adequate steps must be taken to prevent the damage and/or removal of any other vegetation during any works.
6. Clearing of native vegetation must be limited to that which is necessary for the development.
7. Chip, shred or tub grind cleared native vegetation and spread as mulch or dispose of at an authorised waste facility. Any hollows observed in cleared vegetation must be salvaged and installed as nest boxes in trees within the property.
8. Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed onto any roadway, drain, wetland or watercourse.
9. Existing vegetation to be retained on the subject land must be retained and must not be damaged, removed, destroyed or lopped without the written consent of the General Manager. Delineate areas where vegetation is proposed to be retained with exclusion fencing or similar barriers and devices to prevent accidental felling and in accordance with *Australian Standard 4970 Protection of Trees on Development Sites to Protect Existing Trees*.
10. Carry out the development to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of the development.
11. Provide an all-weather accessible pavement to the unsealed car parking area in accordance with the approved plans and documents of development. Areas set aside for the parking of vehicles together with the aisles and access lanes must be paved with crushed rock or gravel of adequate thickness as necessary to prevent the formation of potholes and depressions according to the nature of the subgrade and vehicles which will use the areas. The areas must be constructed, drained and maintained in a condition suitable for use by two wheel drive vehicles to the satisfaction of the General Manager. The car parking area is to be constructed and maintained to avoid dust or noise impacts and include suitable drainage and water quality treatment so as to prevent any loss of amenity to the neighbourhood.
12. Prior to the commencement of construction / works, adequate vehicle wash down facilities must be provided on the site and no vehicle must leave the site until mud and other debris is first hosed from the wheels.
13. Prior to the commencement of construction/works, measures must be in place to prevent the escape of soil and sediments beyond site boundaries.

14. Provide a landscaping plan, prior to building approval that demonstrates the treatment of stormwater shedding, soil erosion and sediment control. In particular, the submitted landscaping plan will demonstrate the protection of the adjacent watercourse and riparian vegetation from sediment pollution. The landscaping plan is to be submitted for approval by Council's Development Services Coordinator, prior to works commencing onsite.
15. The Murray Street access is to be upgraded with a reinforced concrete driveway to a width of 3.6m with the Typical Driveway Profile shown in LGAT Urban Road Driveway standard drawings TSD-R09-v1. Kerb and channel and footpath are not required.

#### ADVICE

- 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.
- 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
- Be advised that in accordance with the *Building Act 2016* assessment for building approval cannot commence until such time as Council is provided with full Building Design Plans and Specifications prepared by an accredited designer.
- This permit allows for the dual Residential Use and Visitor Accommodation Use of the existing dwelling (only) at CT247348/1, 64-66 TASMAN HIGHWAY, ST. HELENS.

#### CARRIED UNANIMOUSLY

#### 09/20.6.5 DA 104-2020 – Dwelling Addition, Additions and Alterations to Shed and Replace Onsite Wastewater System – 266 Gardens Road, Binalong Bay

FILE REFERENCE	DA 104-2020
----------------	-------------

#### OFFICER'S RECOMMENDATION:

After due consideration of the application received and Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **DWELLING ADDITION, ADDITIONS & ALTERATIONS TO SHED & REPLACE ONSITE WASTEWATER SYSTEM** on land situated at **266 GARDENS ROAD, BINALONG BAY** described in Certificate of Title 33910/1 be **APPROVED** subject to the following conditions:



1. Development must accord with the Development Application DA 104-2020 received by Council 15 July 2020, 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 building must be detained by on-site water storage systems and overflow disposed of by means to Council's reticulated network via one point of discharge only for the subject land that will not result in soil erosion or other stormwater nuisance.
3. 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*.
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. No clearing of native trees is permitted as part of this application.
6. Any damage that may occur to any Council infrastructure during the construction of the proposed dwelling must be reinstated to the satisfaction of Council and at the cost of the developer.
7. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.

## 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 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*

## INTRODUCTION:

The application is for a Dwelling additions, additions & alterations to a shed and replacement of the onsite waste water system at 266 Gardens Road, The Gardens. The application relies on the following one (1) performance criteria. A detailed assessment against the provisions of the *Break O'Day Interim Planning Scheme 2013* is provided herein this report.

## DISCUSSION:

- Senior Planning Officer spoke to Council and advised of an error in condition 2 of his recommendation. He further clarified to Council details of the error whereby the requirement to discharge to Council infrastructure was incorrect and that retention was to occur on site and drew to Councillors attention the corrected condition.

## COUNCIL DECISION:

09/20.6.5.160

Moved: Clr G McGuinness/ Seconded: Clr M Osborne

After due consideration of the application received and Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **DWELLING ADDITION, ADDITIONS & ALTERATIONS TO SHED & REPLACE ONSITE WASTEWATER SYSTEM** on land situated at **266 GARDENS ROAD, BINALONG BAY** described in Certificate of Title 33910/1 be **APPROVED** subject to the following conditions:

1. Development must accord with the Development Application DA 104-2020 received by Council 15 July 2020, 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 building must be detained by on-site water storage systems and overflow disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. Soakage drains must be of sufficient size to absorb stormwater runoff.
3. 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*.
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. No clearing of native trees is permitted as part of this application.
6. Any damage that may occur to any Council infrastructure during the construction of the proposed dwelling must be reinstated to the satisfaction of Council and at the cost of the developer.
7. Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.

## 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 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.*

## 09/20.7.0 PETITIONS

Nil.

## 09/20.8.0 NOTICES OF MOTION

Nil.

## 09/20.9.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

## 09/20.10.0 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.*

### 09/20.10.1 Covered Tree Hollows – Cllr L Whittaker

Per ABC Northern Tasmania Facebook post by April McLennan.

State Growth have covered tree hollows in a potential breeding habitat for Swift Parrots, which are Australia's most endangered birds that only breed in Tasmania.

A State Growth spokesperson confirmed it had undertaken some initial tree treatment works in preparation for the proposed upgrades between Basin Creek & St Helens.

Are Council aware of this work and the potential harm to Swift Parrots?

#### **Reply**

No, Council was not aware of this work until media reports.

Are Council happy to have this on their conscience, for the sake of saving a few minutes or the inconvenience of travelling behind a caravan?

**Reply**

Council are not in a position to respond to this question. Council will need to exercise their powers as a Planning Authority in due course to consider the Development Application and providing an opinion at this stage could potentially impact on their capacity to consider the Application.

**09/20.10.2 Swift Parrot Habitat – Cllr K Wright**

In relation to question by Councillor Whittaker, relating to the blockage of swift parrot habitat, to enable a road upgrade on the Tasman Hwy, south of St Helens, do Council have the power to cause this work of blocking off Swift Parrot habitat to be ceased and reversed.?

Council's powers in this respect may or may not exist, legal advice would need to be taken to ascertain the situation.

Are we as a council, able to prevent any further works of this nature from occurring?

**Reply**

Council's powers in this respect may or may not exist, legal advice would need to be taken to ascertain the situation.

And further, why were we not notified of the decision to undertake this work, which is largely viewed as action which equates to environmental vandalism?

**Reply**

Council officers are unaware of any requirement to notify Council of this work.

**09/20.11.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS**

**09/20.11.1 Mayor's Communications for Period Ending 21 September 2020**

19.08.2020	<b>St Helens</b>	– Citizenship Ceremony
02.09.2020	<b>Launceston</b>	– Northern Tasmania Development Corporation Ltd (NTDC) Quarterly Meeting
02.09.2020	<b>St Helens</b>	– Athletics Meeting
03.09.2020	<b>St Helens</b>	– Meeting with Mark Shelton MP
03.09.2020	<b>St Helens</b>	– Mountain Bike Trail Information Session
07.09.2020	<b>St Helens</b>	– Council Workshop
10.09.2020	<b>Launceston</b>	– Local Government Association of Tasmania (LGAT) Mayors Workshop
11.09.2020	<b>Launceston</b>	– Local Government Association of Tasmania (LGAT) General Management Committee
21.09.2020	<b>St Helens</b>	– 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 Margaret Osborne OAM

- The Annual General meeting was held with the President remaining the same, Peter Paulsen, Vice President Garry Pannan and Secretary Tim Gowans. A very good meeting.

NRM Special Committee – Clr Janet Drummond

- Clr Drummond was absent from the Council meeting.

Barway Committee – Clr John McGiveron

- No changes.

East Coast Tasmania Tourism (ECTT) – Clr Glenn McGuinness

- No report as the next meeting is scheduled for October 2020.

Mental Health Action Group – Clr Barry LeFevre

- No report.

Disability Access Committee – Clr Janet Drummond

- Clr Drummond was absent from the Council meeting.

## 09/20.12.0

## BUSINESS AND CORPORATE SERVICES

## 09/20.12.1

## Corporate Services Department Report

FILE REFERENCE	018\018\001\
----------------	--------------

**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:**

No discussion took place on this item.

**COUNCIL DECISION:**

**09/20.12.1.161** Moved: Clr B LeFevre/ Seconded: Clr M Osborne

That the report be received.

**CARRIED UNANIMOUSLY**

**09/20.12.2** **Monthly Financial Report**

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

**OFFICER'S RECOMMENDATION:**

That the following reports for the month ending 31 August 2020 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:**

**09/20.12.2.162** Moved: Clr J McGiveron/ Seconded: Clr K Chapple

That the following reports for the month ending 31 August 2020 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\
----------------	--------------

**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:**

No discussion took place on this item.

**COUNCIL DECISION:**

**09/20.12.3.163** Moved: Clr J McGiveron/ Seconded: Clr M Osborne

That the report be received.

**CARRIED UNANIMOUSLY**

**09/20.12.4 Policy – LG12 Fit for Work (Alcohol & Drug) Policy**

FILE REFERENCE	002\024\001\
----------------	--------------

**OFFICER'S RECOMMENDATION:**

That Policy LG12 Fit for Work (Alcohol and Drug) Policy be amended as recommended.

**INTRODUCTION:**

Council has a schedule for regular review of Policies. This Policy is now due for review being over three (3) years since the previous review.

**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

**09/20.12.4.164** Moved: Clr L Whittaker/ Seconded: Clr G McGuinness

That Policy LG12 Fit for Work (Alcohol and Drug) Policy be amended as recommended.

**CARRIED UNANIMOUSLY**

## 09/20.13.0 WORKS AND INFRASTRUCTURE

### 09/20.13.1 Works and Infrastructure Report

FILE REFERENCE	014\002\001\
----------------	--------------

#### 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:

- Clr Wright advised it was a good job done on the bridge at Four Mile Creek.

#### COUNCIL DECISION:

09/20.13.1.165 Moved: Clr B LeFevre/ Seconded: Clr M Osborne

That the report be received by Council.

**CARRIED UNANIMOUSLY**

### 09/20.13.2 Animal Control Report

FILE REFERENCE	003\003\018\
----------------	--------------

#### OFFICER'S RECOMMENDATION:

That the report be received by Council.

#### INTRODUCTION:

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

#### DISCUSSION:

No discussion took place on this item.



**COUNCIL DECISION:****09/20.13.2.166**Moved: Clr L Whittaker/ Seconded: Clr K Wright

That the report be received by Council.

**CARRIED UNANIMOUSLY****09/20.13.3****Wheelie Bin Surrounds**

<b>FILE REFERENCE</b>	033\046\001\
-----------------------	--------------

**OFFICER'S RECOMMENDATION:**

That Council approve a budget variation of \$22,000 (incl. GST) to cover the manufacture of twenty 140 litre wheelie bin surrounds for the St Helens shopping area.

**INTRODUCTION:**

Quotes have been received from local businesses for the manufacture of wheelie bin surrounds for the St Helens shopping area.

**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:****09/20.13.3.167**Moved: Clr J McGiveron/ Seconded: Clr B LeFevre

That Council approve a budget variation of \$22,000 (incl. GST) to cover the manufacture of twenty 140 litre wheelie bin surrounds for the St Helens shopping area.

**CARRIED UNANIMOUSLY****09/20.13.4****Local Roads and Community Infrastructure Program (LRCIP)**

<b>FILE REFERENCE</b>	032\005\027\
-----------------------	--------------

**OFFICER'S RECOMMENDATION:**

That Council endorse the proposed Local Roads and Community Infrastructure Program (LRCIP) candidate projects for nomination to the Australian Government.

## INTRODUCTION:

### The LRCI Program

On 22 May 2020, the Australian Government announced a new \$500 million Local Roads and Community Infrastructure Program (LRCI Program).

The purpose of the program is support local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

The LRCIP is part of the Government's \$1.8 billion boost for road and community projects through local governments across Australia, including the bringing forward of \$1.3 billion of the 2020-21 Financial Assistance Grant payment.

### Funding allocations

Break O Day Council's funding allocations are:

- Local Roads and Community Infrastructure Funding Allocation = \$647,406
- 2020-21 Financial Assistance Grant Forward Funding Allocation = \$1,486,557

### Project Nomination

This report only addresses LRCIP projects.

Eligible Funding Recipients are required to nominate project(s) they plan to undertake with LRCI Program funding by completing a Work Schedule - Project Nomination form.

Eligible Funding Recipients can submit the project nomination form(s) to the Department when they return the signed Grant Agreement, or after the signed Grant Agreement has been provided to the Department.

Eligible projects must be completed by 30 June 2021.

## DISCUSSION:

- Clr McGuinness asked what actual aspect of St Helens Point Road area will the \$100,000 effect.
- Manager Infrastructure and Development Services replied what it means is we won't do so much of the extensive remediation of the road pavement instead we will look at alternatives such as stabilisation so rather than digging out 350-400mm depth we will look at stabilising the base with some sort of cement stabiliser and reinstate the road over the top.

## COUNCIL DECISION:

**09/20.13.4.168**

Moved: Clr J McGiveron/ Seconded: Clr B LeFevre

That Council endorse the proposed Local Roads and Community Infrastructure Program (LRCIP) candidate projects for nomination to the Australian Government.

**CARRIED UNANIMOUSLY**

## 09/20.14.0 COMMUNITY DEVELOPMENT

### 09/20.14.1 Community Services Report

FILE REFERENCE	011\034\006\
----------------	--------------

#### OFFICER'S RECOMMENDATION:

That the report be received.

#### INTRODUCTION:

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

#### DISCUSSION:

- Clr Chapple asked if there was any indication of maybe something happening with the driver revive program.
- Manager Community Services replied due to Covid 19 this was still on hold and not sure when it will be happening.

#### COUNCIL DECISION:

09/20.14.1.169 Moved: Clr K Wright/ Seconded: Clr M Osborne

That the report be received.

**CARRIED UNANIMOUSLY**

## 09/20.14.2 Policy CB06 – Community Grants/Assistance Policy

FILE REFERENCE	002\025\001\
----------------	--------------

#### OFFICER'S RECOMMENDATION:

That Policy CB06 – Community Grants/Assistance Policy, as amended, be adopted.

#### INTRODUCTION:

Council has a schedule for regular review of Policies. This Policy is now due for review according to that schedule, being three (3) years since the last review.

**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

**09/20.14.2.170** Moved: Clr K Chapple/ Seconded: Clr K Wright

That Policy CB06 – Community Grants/Assistance Policy, as amended, be adopted.

**CARRIED UNANIMOUSLY**

**09/20.14.3 Policy CB08 – Council Fee Remission of Building and Development Fees for Community Groups Policy**

<b>FILE REFERENCE</b>	002\025\001\
-----------------------	--------------

**OFFICER'S RECOMMENDATION:**

That Policy CB08 – Council Fee Remission of Building and Development Fees for Community Groups Policy, as amended, be adopted.

**INTRODUCTION:**

Council has a schedule for regular review of Policies. This Policy is now due for review according to that schedule, being three (3) years since the last review.

**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:**

**09/20.14.3.171** Moved: Clr M Osborne/ Seconded: Clr K Chapple

That Policy CB08 – Council Fee Remission of Building and Development Fees for Community Groups Policy, as amended, be adopted.

**CARRIED UNANIMOUSLY**

## 09/20.15.0 DEVELOPMENT SERVICES

### 09/20.15.1 Development Services Report

FILE REFERENCE	031\013\003\
----------------	--------------

#### OFFICER'S RECOMMENDATION:

That the report be received.

#### INTRODUCTION:

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

#### DISCUSSION:

No discussion took place on this item.

#### COUNCIL DECISION:

**09/20.15.1.172** Moved: Cllr M Osborne/ Seconded: Cllr K Chapple

That the report be received.

**CARRIED UNANIMOUSLY**

## 09/20.15.2 Dog Management Enforcement Campaign with PWS

FILE REFERENCE	01/19.8.3.6
----------------	-------------

#### OFFICER'S RECOMMENDATION:

That Council notes a joint animal control enforcement campaign is being planned with the Parks and Wildlife Service for the October school holiday period, targeting dog access to beaches in Break O'Day.

#### INTRODUCTION:

Council has been working more closely with the Parks and Wildlife Service (PWS) on implementation of dog management since 2018, including coordinating enforcement, signage and education and communication efforts. Better cooperation and implementation was called for by many community submissions at the last Policy review.

#### DISCUSSION:

No discussion took place on this item.

## COUNCIL DECISION:

09/20.15.2.173

Moved: Clr Chapple/ Seconded: Clr Wright

That Council notes a joint animal control enforcement campaign is being planned with the Parks and Wildlife Service for the October school holiday period, targeting dog access to beaches in Break O'Day.

**CARRIED UNANIMOUSLY**

## 09/20.16.0 GOVERNANCE

### 09/20.16.1 General Manager's Report

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

## OFFICER'S RECOMMENDATION:

That the General Manager's report be received.

## INTRODUCTION:

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

## DISCUSSION:

- Clr Whittaker asked how the Break O'Day Employment Connect project program differs from existing services in the area. General Manager responded that it is different to Job Actives and much broader in that it deals with the under employed and those who are not in the Centrelink system which Job Actives deal with. There is a focus around youth as well as ensuring that the skills and training necessary can be accessed by employers and employees. There is a bit of an overlap which is unavoidable.
- Clr Wright asked if this will encourages all the job networks to work together instead of against each other as there is no connectivity or communications between the organisations which leaves massive holes in the system.
- General Manager replied that there is a focus on collaboration and addressing the holes in the system. Part of the approach is to work with schools on vocational education and training pathways which connect with where the jobs are. This will be a better platform to tackle the deficiencies in the current system.
- Clr McGuinness how did the meeting with Parks & Wildlife go in relation to the Bay of Fires Masterplan.
- General Manager responded the meeting was good and positive and talked about how the process can look moving forward and a good collaborative with Parks & Wildlife taking the lead role and Council a supportive role.

- Manager Community Services spoke and advised that maybe Parks & Wildlife might be able put in funds from another area which still fits into the masterplan. They are keen to work with Council and have seen the benefits.
- Clr LeFevre asked if there was any word as to what is happening with the old hospital site and slipway.
- General Manager replied he hasn't heard anything about the old hospital site and the process for the slipway didn't get the outcome they wanted.

#### **COUNCIL DECISION:**

**09/20.16.1.174**

Moved: Clr B Lefevre/ Seconded: Clr L Whittaker

That the General Manager's report be received.

**CARRIED UNANIMOUSLY**

*Meeting adjourned for morning tea at 11.00am*

*Meeting resumed at 11.11am*

#### **09/20.16.2 Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report**

<b>FILE REFERENCE</b>	039\011\003\
-----------------------	--------------

#### **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:**

- Mayor Tucker advised this is seeing good media coverage and take up with community participation and the first time a long time NTDC is really doing something good and moving in the right direction.

**COUNCIL DECISION:****09/20.16.2.175**Moved: Clr J McGiveron/ Seconded: Clr K Chapple

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

**CARRIED UNANIMOUSLY****09/20.16.3 Policy Review – AM12 – Council Vehicles Policy**

<b>FILE REFERENCE</b>	002\024\007\
-----------------------	--------------

**OFFICER'S RECOMMENDATION:**

That Policy AM12 – Council Vehicles Policy be amended as recommended.

**INTRODUCTION:**

Council has a schedule for regular review of Policies. This Policy is now due for review being three (3) years since the previous review.

**DISCUSSION:**

No discussion took place on this item.

**COUNCIL DECISION:****09/20.16.3.176**Moved: Clr M Osborne/ Seconded: Clr K Chapple

That Policy AM12 – Council Vehicles Policy be amended as recommended.

**CARRIED UNANIMOUSLY****09/20.16.4 Community Care and Recovery Package – COVID-19 – Update**

<b>FILE REFERENCE</b>	020\002\005\
-----------------------	--------------

**OFFICER'S RECOMMENDATION:**

That Council receive the latest Community Care and Recovery Package Update.

**INTRODUCTION:**

During the COVID-19 Pandemic Break O'Day Council is working with Tasmanian Councils and other levels of Government to address the impact of this Pandemic with one area of focus being a



Community Care and Recovery Package. With an evolving situation, it is important that Council continually review the package to address the emerging needs in the community where possible.

#### **DISCUSSION:**

No discussion took place on this item.

#### **COUNCIL DECISION:**

**09/20.16.4.177** Moved: Clr B LeFevre/ Seconded: Clr M Osborne

That Council receive the latest Community Care and Recovery Package Update.

#### **CARRIED UNANIMOUSLY**

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

Moved: Clr K Chapple / Seconded: Clr M Osborne That Council move into of Closed Council.

#### **CARRIED UNANIMOUSLY**

## **IN CONFIDENCE**

**09/20.17.0** **CLOSED COUNCIL**

**09/20.17.1** **Confirmation of Closed Council Minutes – Council Meeting 17 August 2020**

**09/20.17.2** **Outstanding Actions List for Closed Council**

**09/20.17.3** **Request for Council Sponsorship - Closed Council Item Pursuant to Section 15(2)C of the Local Government (Meeting Procedures) Regulations 2015**

#### **COUNCIL DECISION:**

#### **PUBLISH IN PUBLIC MINUTES:**

Moved: Clr G McGuinness/ Seconded: Clr K Wright

That Council support Ten Days on the Island by providing \$3,000 towards the cost of this event scheduled for 2021.

#### **CARRIED UNANIMOUSLY**

**09/20.17.4      Sale of Properties for Non-Payment of Rates - Closed Council Item Pursuant to Section 15(2)F of the Local Government (Meeting Procedures) Regulations 2015**

**COUNCIL DECISION:**

**PUBLISH IN PUBLIC MINUTES:**

Moved: Clr M Osborne/ Seconded: Clr J McGiveron

That the properties, as listed, be approved for sale for non-payment of rates under Section 137 of the Local Government Act (1993), if and as soon as, they reach the three (3) year arrears of rates threshold, during 2020/2021.

**CARRIED UNANIMOUSLY**

**09/20.17.5      Tender – 2020/2021 Bituminous Surfacing Program - Closed Council Item Pursuant To Section 15(2)D Of The Local Government (Meeting Procedures) Regulations 2015**

**COUNCIL DECISION:**

**PUBLISH IN PUBLIC MINUTES:**

Moved: Clr K Chapple/ Seconded: Clr J McGiveron

That Council award Contract 030\001\125\ "2020/2021 Bituminous Surfacing Program" to Fulton Hogan.

**CARRIED UNANIMOUSLY**

**09/20.17.6      General Manager's Annual Leave and Appointment of Acting General Manager –Closed Council Item Pursuant To Section 15(2)A Of The Local Government (Meeting Procedures) Regulations 2015**

**COUNCIL DECISION:**

**PUBLISH IN PUBLIC MINUTES:**

Moved: Clr M Osborne/ Seconded: Clr L Whittaker

That the General Manager's annual leave be noted and that the Corporate Services Manager, Bob Hoogland, be appointed as Acting General Manager.

**CARRIED UNANIMOUSLY**

**09/20.17.7 NTDC Membership – Meander Valley Council – Closed Council Item  
Pursuant To Section 15(2)B Of The Local Government (Meeting Procedures)  
Regulations 2015**

**PUBLISH IN PUBLIC MINUTES:**

Moved: Clr J McGiveron/ Seconded: Clr K Wright

That Council gave consideration to whether any part of the motion could be released in open Council and decided that there was no part that could be released.

**CARRIED UNANIMOUSLY**

*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 M Osborne That Council move out of Closed Council.

**CARRIED UNANIMOUSLY**

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 11:35am.

.....  
**MAYOR**

.....  
**DATE**