



# AMENDED COUNCIL MEETING MINUTES

Monday 15 April 2024  
Council Chambers, St Helens

Raoul Harper, Acting General Manager  
Break O'Day Council  
15 April 2024

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## AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

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

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

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

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

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

## OPENING

*The Mayor welcomed Councillors, staff and community members and declared the meeting open at 10.00am.*

## ACKNOWLEDGEMENT OF COUNTRY

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

## LIVE AUDIO/VISUAL STREAMING OF COUNCIL MEETINGS

*Ladies and gentlemen, I would like to advise you that today's Council Meeting is being live streamed and recorded. This means that members of the public who are unable to attend in person can still observe the proceedings. By remaining in this chamber, you are consenting to being filmed and*

*recorded. Please be mindful of your actions and contributions as they will be visible to the public. Thank you for your cooperation.*

## **04/24.1.0 ATTENDANCE**

### **04/24.1.1 Present**

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

### **04/24.1.2 Apologies**

Nil

### **04/24.1.3 Leave of Absence**

Nil

### **04/24.1.4 Staff in Attendance**

Acting General Manager, Raoul Harper  
Corporate Services Officer, Bec Wood  
Corporate Services Officer, Wanita Wells (Item 1.0 - 18.1)  
Manager Infrastructure and Development Services, David Jolly (Item 1.0 – 18.1)  
Manager Community Services, Chris Hughes (Item 1.0 - 18.1)  
Executive Officer, Jayne Richardson (Item 1.0 – 18.1)  
Development Services Coordinator, Jake Ihnen (Item 1.0 – 16.4)  
NRM Facilitator, Polly Buchhorn (Item 16.0-16.4)  
Planning Officer, Kathryn Clausen (Item 1.0 – 6.1)

## **04/24.2.0 PUBLIC QUESTION TIME**

Three (3) people in the gallery.

Thank you to the Break O Day Council for advocating for reduced speed limits on the Tasman Highway between Scamander and St Helens and for State Growth for decreasing the speed limits.

However, the most dangerous section of the Tasman Highway where the most accidents occur is between Beaumaris and St Helens (including the upgraded section of highway) where the speed limit has only been reduced from 100kmh to 90kmh. In this area there are multiple beach accesses, several curves and numerous concealed private entrances.

In addition, it is an important wildlife corridor with it being adjacent to Parks Conservation Areas and private land with extensive native vegetation including land registered with Land For Wildlife and some conservation covenants. Research indicates that decreasing speed limits from 100kmh to 80kmh can reduce roadkill by 50% (see *Distribution and abundance of roadkill/1 on Tasmanian highways: human management options* Alistair J. Hobday A,B,D and Melinda L. Minstrel/). In the last week two Tasmanian Devils have been roadkill near Dianas Basin. The Council has installed signage along the Tasman Highway (see attached May 2021 Council Newsletter) in an attempt to reduce wildlife roadkill but more needs to be done with reducing speed limits one of the most effective mitigation strategies available.

Can Council please request State Growth lower the speed between Beaumaris and St Helens to 80kmh for road safety purposes and to reduce roadkill?

Note: Images of Tasmanian Devil Roadkill from 14 April 2024 and the May 2021 Newsletter were also provided.

**Reply:**

Council will write to the Department of State Growth and forward on your concerns regarding the speed limit of the Tasman Highway on your behalf.

The Department of State Growth will be opening community consultation regarding this section of the Tasman Highway corridor in the coming weeks. We strongly encourage you and the North East Bioregional Network to engage with the Department directly when this opportunity arises.

Regarding page 46 of today's the agenda  
04/24.13.1 Corporate Services Department Report  
Budget Development

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'Departmental Managers have all provided input in to the draft operational and capital budget process for the 24/25 financial year. The draft budget will be a primary focus when managers return from annual leave and for Council in the month(s) ahead.'

#### Questions

1. Does the draft operational and capital budget include the calculation of BOD property owner's rates in the 24/25 financial year?
2. Will any members of the BOD community (other than BODC Staff/Elected Members) be involved in the development of the BOOC 24/25 draft operational and capital budget? If yes, how are they involved?
3. How can other members of the BOD community, that are not currently involved and wish to be involved in the development of the 24/25 draft operational and capital budget do so?

#### Reply:

The report quoted is provided to Councillors on the functions and activities of the Corporate Services Department. These are operational matters. Councillors are elected to represent the community and the development, approval and monitoring of operational and capital budgets is a key role for elected members. In answer to the questions directly:

- 1) No.
- 2) These are operational matters for Council
- 3) These are operational matters for Council

### 04/24.2.3 Community Services Report – Cllr Carter OBO Nicola Stevens

Thank you for taking the time to answer my questions in the BODC March Minutes.

Can BODC clarify the following please?

Regarding page 90 and 91 of today's agenda  
04/24.15.1 Community Services Report

The table under 2023 - 2024 Programs and Initiatives is split into 3 sections with subheadings:

- Community Services
- Community Event Funding
- Council Sponsorship

#### Questions:

Under Community Event Funding

1. Does each event/item have an agreement detailing what the funds will be used for? If yes please confirm the type of agreement, for example written contract, letter of support, signed



application or other (if other please describe). If yes, please confirm the duration of the agreement and the end/renewal date.

**Under Council Sponsorship**

2. Does each event/item have an agreement detailing what the funds will be used for? If yes please confirm the type of agreement, for example written contract, letter of support, signed application or other (if other please describe). If yes, please confirm the duration of the agreement and the end/renewal date.

As a suggestion to answer these questions - could you please add 3 columns to the table, for clarity with the headings "agreement type", duration" and "end/renewal date"

Event/Item	23-24 Budget	23-24 Expended	Agreement Type Examples could include; written contract, letter of support, signed application or other - if other please describe.	Agreement Duration Number of years of funding agreed	Agreement End/renewal Date Date when agreement ceases or is up for renewal

On the 2023 - 2024 Programs and Initiatives table several items/events including Seniors Day, Australia Day Event (1) and Australia Day Event (incl Woodchopping) has not received the budgeted funds.

**Question:**

3. What is the process for reallocation of surplus budgeted monies not expended against the event/item?

**Reply:**

1. A number of annual events are provided financial support to assist the community groups with running their events. Council allocates funds to support Community events through formal decisions during the year and/or through the annual budget process. Community event funding may also be secured through grants.
2. Council provides a number of sponsorships during a financial year. These are based on Council decisions.
3. Unspent funds are not reallocated.

#### 04/24.2.4 Removal of Roadkill on Esk Highway – Clr Drummond OBO Rod Hunt

Would Council be willing to make contact with the Department of State Growth and advocate for more frequent inspection / removal of road kill along the Esk Highway. The carnage and the corpses littering the highway are quite concerning.

##### Reply:

Council will write to the Department of State Growth and forward on your concerns regarding road kill on your behalf.

Concerns regarding road kill on State owned roads can always be sent directly to the Department of State Growth.

#### 04/24.2.4 Speed Limits – Clr Johnstone OBO Fiona Perrins

Would it be possible for Council to approach State Growth and instead of having 70, 90, 70 which people have to remember, would it not be an idea to actually have it 80 from Scamander through to St Helens?

##### Reply:

Council will write to the Department of State Growth and forward on your concerns regarding the speed limit changes on the Tasman Hwy on your behalf.

The Department of State Growth will be opening community consultation regarding this section of the Tasman Hwy corridor in the coming weeks. We strongly encourage you to engage with the Department directly when this opportunity arises.

#### 04/24.3.0 DECLARATION OF INTERESTS OF A COUNCILLOR OR CLOSE ASSOCIATE

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

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

Nil

#### 04/24.4.0 CONFIRMATION OF MINUTES

##### 04/24.4.1 Confirmation of Minutes – Council Meeting 18 March 2024

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

That the minutes of the Council Meeting held on the 18 March 2024 be confirmed.

#### **DISCUSSION:**

Nil

#### **COUNCIL DECISION:**

**04/24.4.1.338**      Moved: Clr K Chapple/ Seconded: Clr V Oldham

That the minutes of the Council Meeting held on the 18 March 2024 be confirmed.

**CARRIED UNANIMOUSLY**

### **04/24.5.0 COUNCIL WORKSHOPS HELD SINCE 18 MARCH 2024**

There was a workshop held 3 April 2024 and the following items were listed for discussion.

- Schedule of Fees and Charges
- Animal Control Report
- Council Mining Lease 1589P/M – Basin Creek Road
- Memorandum of Understanding – State Emergency Service
- Street Bins – Photo Covers showcasing our Municipality
- Recreational Trail Strategy – Identify Projects
- Draft Portable Signs Policy
- Review of Dog Management Policy
- Tasmanian Reserve Activity Assessment Process Reform
- 'Restore Skyline Tier' Ecological Restoration Program in Scamander Forest
- Council Meeting Procedures Review
- Australian Local Government Association (ALGA) – 2024 National General Assembly of Local Government – Call for Motions
- Website Review and Redevelopment Plan

## 04/24.6.0 PLANNING AUTHORITY

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

### 04/24.6.1 DA 195-2023 – Residential and Visitor Accommodation - Construction of a Visitor Accommodation Unit

<b>FILE REFERENCE</b>	DA 2023 / 00195
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#### OFFICER'S RECOMMENDATION:

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O'Day*, that the application for **RESIDENTIAL AND VISITOR ACCOMMODATION - CONSTRUCTION OF A VISITOR ACCOMMODATION UNIT** on land situated at **24325 TASMAN HIGHWAY, ST HELENS** described in Certificate of Title 142955/2 be APPROVED subject to the following conditions:

1. Development must be carried out in accordance with the approved plans and documents listed as follows, except as varied by conditions on this Planning Permit.

APPROVED PLANS			
PLAN / DOCUMENT	REFERENCE NUMBER	PREPARED BY	DATED
Location/Site Plan	A02 Rev 1	Jennifer Binns Building Design	18/03/2024
Site/Drainage Plan	Sheet 4/9	Adams Building Design	18/09/2023
Floor Plan	Sheet 5/9	Adams Building Design	18/09/2023
Elevations (sheet 1)	Sheet 6/9	Adams Building Design	18/09/2023
Elevations (sheet 2)	Sheet 7/9	Adams Building Design	18/09/2023

#### CONDITIONS

CONDITION		TIMING
<b>1</b>	<b>Approved Plans and/or Document</b>	
	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
<b>2</b>	<b>Materials and finishes</b>	
	Exterior building finishes must have a light reflectance value of not more than 40%, in dark natural tones of grey, green or brown	At completion of construction and to be maintained at all times thereafter
<b>3</b>	<b>Carparking/Access ways</b>	
	Parking, access ways, manoeuvring and circulation spaces must comply with Australian Standard AS 2890- Parking facilities, Parts 1-6.	Prior to commencement of use and to be maintained at all times.
<b>4</b>	<b>Landscape Values/Vegetation Management</b>	

A	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).	During site works and construction
B	The clearing of native vegetation must be limited to that which is required for bushfire hazard management	At all times
C	Within the bushfire hazard management area, trees are to be retained where practicable and as noted on the site plan. At building approval stage, the Bushfire Hazard Management Plan should confirm those trees which are able to be retained and managed within the delineated area.	Building Approval stage
D	During site works, where vegetation is proposed to be retained within the bushfire hazard management area, temporary exclusion barriers/fencing should be constructed to prevent accidental felling/damage.	Prior to the commencement of, and during, site works
E	The area proposed for off-set planting must be established using species propagated from the site and under the guidance of a suitably qualified person with local knowledge of endemic vegetation.	Prior to the commencement of construction, the applicant must provide the Council with a planting proposal prepared by a suitably qualified person, including a species list, propagating/planting calendar.
F	Plants listed as weeds declared under the Weed Management Act 1999 and declared locally must not be planted (list included as permit attachment)	At all times

## ADVICE

2. 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/GuidelinesforSoilandWaterManagement.pdf>). All worked areas not covered by structures must be promptly and progressively stabilised (e.g. revegetated) so that they will not erode and/or act as a source of sediment transfer.
3. 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.
4. 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.
5. Activities associated with construction works are not to be performed outside the permissible time frames listed:  
Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm  
Sunday and public holidays 10 am to 6 pm

## INTRODUCTION:

The applicant is seeking planning approval for the construction of a new visitor accommodation at 24325 Tasman Highway.

## DISCUSSION:

- The Planning Officer advised the following:
  - The application is for construction of a visitor accommodation unit on an existing property in the Landscape Conservation Zone
  - It is a tiny home design with 30m<sup>2</sup> living space and a 25m<sup>2</sup> deck.
  - The application is discretionary on four (4) items.
  - Mapped priority vegetation area covers parts of the property which has previously been cleared.
  - One (1) representation was received regarding the zoning which allows tourist development outside of settlements, the visual impact of building and clearing of vegetation on the site.
  - The application is recommended for approval with conditions.
- Councillor LeFevre and Councillor Chapple both supported the Officer's recommendation.
- Councillor Drummond asked does this area fall into the scenic protection zone? The Planning Officer advised that it does not.
- Councillor Drummond asked how can we be sure that conditions are complied with? The Planning Officer advised that at the building stage they need to nominate what trees are going to be retained, they will also have to put up barriers and signage to protect the remaining trees. In terms of planting, the applicant will have to prepare and submit a report to council from a suitably qualified person. This is to be provided before occupation of the unit.
- Councillor Johnstone said that with regards to compliance there is a lot of vegetation that has already been removed, so how is the compliance for planting really met. The Planning Officer has asked for a planting report and then staff will need to follow this up. We can set a date in the calendar to inspect the planting before occupation of the unit.
- Councillor Drummond asked do we have enough staff to do the compliance? Mayor Tucker advised that this is getting away from the application and is more operational.
- Councillor LeFevre noted that the site is over 60 hectares and only a tiny home, he feels it is great that tiny homes are being introduced to the area.

**COUNCIL DECISION:****04/24.6.1.339**Moved: Clr B LeFevre/ Seconded: Clr K Chapple

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for **RESIDENTIAL AND VISITOR ACCOMMODATION - CONSTRUCTION OF A VISITOR ACCOMMODATION UNIT** on land situated at **24325 TASMAN HIGHWAY, ST HELENS** described in Certificate of Title 142955/2 be APPROVED subject to the following conditions:

1. Development must be carried out in accordance with the approved plans and documents listed as follows, except as varied by conditions on this Planning Permit.

<b>APPROVED PLANS</b>			
<b>PLAN / DOCUMENT</b>	<b>REFERENCE NUMBER</b>	<b>PREPARED BY</b>	<b>DATED</b>
Location/Site Plan	A02 Rev 1	Jennifer Binns Building Design	18/03/2024
Site/Drainage Plan	Sheet 4/9	Adams Building Design	18/09/2023
Floor Plan	Sheet 5/9	Adams Building Design	18/09/2023
Elevations (sheet 1)	Sheet 6/9	Adams Building Design	18/09/2023
Elevations (sheet 2)	Sheet 7/9	Adams Building Design	18/09/2023

**CONDITIONS**

<b>CONDITION</b>		<b>TIMING</b>
<b>1</b>	<b>Approved Plans and/or Document</b>	
	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
<b>2</b>	<b>Materials and finishes</b>	
	Exterior building finishes must have a light reflectance value of not more than 40%, in dark natural tones of grey, green or brown	At completion of construction and to be maintained at all times thereafter
<b>3</b>	<b>Carparking/Access ways</b>	
	Parking, access ways, manoeuvring and circulation spaces must comply with Australian Standard AS 2890- Parking facilities, Parts 1-6.	Prior to commencement of use and to be maintained at all times.
<b>4</b>	<b>Landscape Values/Vegetation Management</b>	
A	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).	During site works and construction

B	The clearing of native vegetation must be limited to that which is required for bushfire hazard management	At all times
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D	During site works, where vegetation is proposed to be retained within the bushfire hazard management area, temporary exclusion barriers/fencing should be constructed to prevent accidental felling/damage.	Prior to the commencement of, and during, site works
E	The area proposed for off-set planting must be established using species propagated from the site and under the guidance of a suitably qualified person with local knowledge of endemic vegetation.	Prior to the commencement of construction, the applicant must provide the Council with a planting proposal prepared by a suitably qualified person, including a species list, propagating/planting calendar.
F	Plants listed as weeds declared under the Weed Management Act 1999 and declared locally must not be planted (list included as permit attachment)	At all times

## ADVICE

2. 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/GuidelinesforSoilandWaterManagement.pdf>). All worked areas not covered by structures must be promptly and progressively stabilised (e.g. revegetated) so that they will not erode and/or act as a source of sediment transfer.
3. 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.
4. 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.
5. 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

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



## 04/24.7.0 COUNCIL MEETING ACTIONS

### 04/24.7.1 Outstanding Matters

The report was received.

## 04/24.8.0 PETITIONS

Nil

## 04/24.9.0 NOTICES OF MOTION

Nil.

## 04/24.10.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

## 04/24.11.0 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

*Regulation 29 of the Local Government (Meeting Procedures) Regulations 2005 specifies that in putting a Question Without Notice a Councillor must not offer an argument or opinion, draw any inference or make any imputations except so far as may be necessary to explain the question.*

*The Chairperson must not permit any debate of a Question without Notice or its answer.*

### 04/24.11.1 Request for a larger screen for the St Marys Hall – Clr L Johnstone

- Councillor Johnstone said she attended an excellent film night in St Marys on 6 April with 80 community members from the valley and beyond in attendance. The event was run and funded by the community for the community, 10 volunteers ran the event. She asked when can we as a council invest in an appropriate sized screen for our community for events such as this in the St Marys Hall?
- It is a time when people need connection and we have a wonderful venue, if we could make it fit for purpose for presenting digital things such as an appropriate size screen.
- Mayor Tucker advised that Councillor Johnstone will need to bring a motion to Council to consider an upgrade and this will have to be considered as part of budget allocations.

- Councillor Drummond asked has Council progressed the item to engage an architect for the St Helens Sports Complex?
- The Acting General Manager advised that with what we have on the table from the State Government, we are very hopeful that they will partially fund this and it will need to be considered as a collaborative approach instead of separate individual projects. This will delay the project for 6-12 months.

## 04/24.12.0

## MAYOR'S & COUNCILLOR'S COMMUNICATIONS

### 04/24.12.1

### Mayor's Communications for Period Ending 15 April 2024

21.03.2024	Canberra	– Australia Local Government Association board meeting
03.04.2024	St Marys	– Council Workshop
03.04.2024	St Helens	– Meeting with Federal Shadow Housing Minister - Michael Sukkar
04.04.2024	St Helens	– Meeting with MP Brian Mitchell and Ben Dudman
08.04.2024	St Helens	– Meeting with Medea Park CEO
15.04.2024	St Helens	– Council Meeting

### 04/24.12.2

### Councillor's Reports for Period Ending 15 April 2024

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

- Break O'Day Chamber of Commerce and Tourism – Deputy Mayor Kristi Chapple
  - The next meeting is scheduled for May 2024
- NRM Special Committee – Clr Janet Drummond
  - The next meeting is scheduled for 4 June 2024
- East Coast Tasmania Tourism (ECTT) – Clr Barry LeFevre
  - An online meeting was held on 8 April 2024
  - The Board welcomed Claire Atley from St Helens to the team
  - There was a presentation about the Hobart Airport expansion, they are investing over \$400 million into this project and the airport footprint will double.
  - The Positive Impact Plan was discussed.
  - Cultural awareness training for the Board will take place on 29 and 30 May 2024.
  - Best practice data collection was discussed.
  - The Tasmanian Government is discussing \$1.2 million of funding to be distributed between the four (4) regional tourism organisations.
  - Councillor Johnstone asked about the cultural awareness training. Councillor LeFevre advised that the Positive Impact Plan includes input from the Aboriginal community and that they need to have cultural awareness training for this to happen.

- Mental Health Action Group – Clr Barry LeFevre

Nil

- Access and Inclusion Advisory Committee – Clr Janet Drummond
  - A meeting was held on 10 April 2024
  - The policy review is not yet complete but we hope to have this completed at the next meeting on 29 May 2024
  - Guest speakers will be invited to attend future meetings and where possible we may open guest speakers to the general public
  - Councillor Drummond to prepare a blurb for the newsletter regarding the carers group
  
- Bay of Fires Master Plan Steering Committee – Clr Ian Carter
  - No meeting scheduled

**04/24.13.0 BUSINESS AND CORPORATE SERVICES**

**04/24.13.1 Corporate Services Department Report**

<b>FILE REFERENCE</b>	018\018\001\
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**OFFICER’S RECOMMENDATION:**

That the report be received.

**INTRODUCTION:**

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

**DISCUSSION:**

- The Acting General Manager advised the following:
  - We were very short staffed this month and it was challenging to keep everything ticking along. He thanked the Corporate Services team and other staff who have helped.
  - The Audit Panel minutes will be coming to the next Council meeting.
  - Budget development is underway with Department Managers.
  - The Capital Works program has again been impacted by a significant rain event.
  - We are currently working with the Tasmanian Audit Office and they have provided their audit strategy indicating what they will be looking at this year.
- Councillor Drummond thanked staff who stepped up to get us through challenging time.

**COUNCIL DECISION:**

**04/24.13.1.340**      Moved: Clr B LeFevre/ Seconded: Clr K Chapple

That the report be received.

**CARRIED UNANIMOUSLY**

**04/24.13.2**      **Monthly Financial Report**

<b>FILE REFERENCE</b>	018\018\001\
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**OFFICER’S RECOMMENDATION:**

That the following reports for the month ending 31 March 2024 be received:

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

**INTRODUCTION:**

Presented to Council are the monthly financial statements.

**DISCUSSION:**

- The Acting General Manager advised that we are tracking very close to the budget estimates. He noted we always knew that financial assistance grants were going to be problematic and it looks like we won’t get them this financial year. We are trying to absorb this and still look to break even though we miss out on these grants.
- Councillor Chapple noted that still being on track even though we didn’t received the grants is amazing. The Acting General Manager said that every council should be working towards a position where we don’t rely on grant funding.
- Councillor Carter noted the Mangana telecommunications tower being listed as not carried forward and asked does this mean it has been completed. The Acting General Manager advised that we are having trouble with Telstra. All approvals are in place and we are trying to work though this with Telstra as our funding agreement is due to expire in six (6) months.

**COUNCIL DECISION:**

**04/24.13.2.341**      Moved: Clr G Barnes / Seconded: Clr K Wright

That the report be received.

**CARRIED UNANIMOUSLY**

**04/24.13.3**            **Visitor Information Centre Report**

<b>FILE REFERENCE</b>	040\028\002\
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**OFFICER’S RECOMMENDATION:**

That the report be received.

**INTRODUCTION:**

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

**DISCUSSION:**

- The Acting General Manager advised the following:
  - Visitor numbers are down slightly on previous years.
  - We are again having trouble with the Chinese Experience and the possibility of replacing the equipment for this will need to be considered at budget time.
- Councillor Carter said it was great to see the Historic Houses Tour in the report.
- Councillor Drummond asked do we need to look at replacing that equipment at some point? Do we need to budget for that? The Acting General Manager advised that we already have a quote to replace the whole system and it will be brought forward as a budget item.

**COUNCIL DECISION:**

**04/24.13.3.342**            Moved: Clr I Carter / Seconded: Clr V Oldham

That the report be received.

**CARRIED UNANIMOUSLY**

**04/24.13.4**            **Schedule of Fees and Charges 2024-2025**

<b>FILE REFERENCE</b>	018\017\004\
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**OFFICER’S RECOMMENDATION:**

That Council adopt the Schedule of Fees & Charges 2024/2025 as presented.

## INTRODUCTION:

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

## DISCUSSION:

- The Acting General Manager advised the following:
  - We adopt a schedule of fees and charges every year around this time
  - We adopt a user pays principle where possible but this does not flow through to all items, for example disposal of asbestos. It is tailored as much as we can to reflect the cost of services.
  - A detailed review was done of Development Services fees and Building Surveying Fees are now in line with private suppliers.
- Councillor Johnstone noted the Acting General Manager stated that Council continues to be committed to a user pays principle where possible, and asked can those words 'where possible' be put into the document. She would like to see community groups not having to follow the user pays principle but be charged at a more appropriate level. The Acting General Manager advised that our fees for facilities are very reasonable and we need to remember that these groups can also access facilities in hotels etc. We need to be mindful that we need to abide by the National Competitive Neutrality Policies.
- Councillor Carter asked about mulch fees and asked would a percentage of it be made available to the public at all times. The Acting General Manager advised that this is operational.
- Councillor LeFevre said that we need to be very clear with fees for community groups and a lot work has already been done in this space.
- Councillor Wright advised that there is currently no mulch available at the moment and asked are we aiming to have it available all year round. The Manager Infrastructure and Development Services advised that there is 2500 tonnes available at St Helens however it may not be ready yet for sale to the community.
- Councillor Wright asked are we aiming to have available all year round. The Acting General manager said yes.
- Councillor Drummond asked are we going to look at getting the mulch up to the temperature required to kill weeds. The Acting General Manager advised that we currently don't have the funding to do this at that level but we do everything we can to get as much heat as possible into it. Councillor Drummond asked if we should discuss this leading into the budget and noted she would like to see the dollar value to implement this.
- Councillor Drummond agreed with Councillor Johnstone with regards to user pays and said it is not always appropriate and where possible is a good inclusion.

- Councillor Drummond asked where does the user pays principle sit with mountain bike riders, noting that we used to have tap and go machines. She asked if it is possible we could have them at the trail heads and at the campgrounds.
- The Acting General Manager advised that the Trails Collective has been restructured in the last couple of months and the new group are hoping to get tap and go back up and running. He noted that there is also a lot of sponsorship funding which goes towards maintaining the trails.

**COUNCIL DECISION:**

**04/24.13.4.343**      Moved: Clr B LeFevre/ Seconded: Clr K Wright

That Council adopt the Schedule of Fees & Charges 2024/2025 as presented.

**CARRIED UNANIMOUSLY**

**04/24.14.0**      **WORKS AND INFRASTRUCTURE**

**04/24.14.1**      **Works and Infrastructure Report**

<b>FILE REFERENCE</b>	014\002\001\
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**OFFICER’S RECOMMENDATION:**

That the report be received by Council.

**INTRODUCTION:**

This report provides summary detail relating to Works Operations and Capital Projects for the reporting period March 2024.

**DISCUSSION:**

- The Manager Infrastructure and Development Services capital advised the following:
- We are addressing flood related issues from the February rain events as a priority over the capital program.
- LRCIP round 4 community projects are currently being worked on.
- Councillor Carter noted there has been lots of positive feedback regarding efforts to upgrade the Scamander footpath area.

**COUNCIL DECISION:**

**04/24.14.1.344**      Moved: Clr B LeFevre/ Seconded: Clr I Carter



That the report be received by Council.

**CARRIED UNANIMOUSLY**

## 04/24.14.2      Animal Control Report

<b>FILE REFERENCE</b>	003\003\018\
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### **OFFICER'S RECOMMENDATION:**

That the report be received by Council.

### **INTRODUCTION:**

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

### **DISCUSSION:**

- The Manager Infrastructure and Development Services advised that we were light on with resources for this period, the Animal Control Officer was away for two and a half weeks so only high priority issues were dealt with, other day to day matters are currently being worked through.
- Councillor Carter said since we have just increased the resources of Animal Control Officer and the Dog Policy is under review, now is the time we need to be really proactive about some of the things we do, we seem to focus on the negative aspects instead of the positive.
- The Acting General Manager advised that the Executive Officer has been looking at this and we have been putting together more positive educational resources about dog ownership.
- Councillor Carter noted that we have around 1400 registered dogs, most are good dog owners and we are reacting to those that are not. He also noted that we are doing this seasonally which suggests they may not be registered dogs in our area.
- Councillor Johnstone said she thinks that what would be useful is when we get a report like this we should be getting reported to about some of the good things that are happening not just comments that they are being educated.
- Councillor Drummond said she still likes the idea of increasing the hours so that we have more time to educate the community and that she still wants to consider changing the terminology from Animal Control Officer to Animal Welfare Officer.
- The Acting General Manager advised that the potential increase in hours for the Animal Control Officer will be discussed at budget time. He noted that animal compliance and education is only a small part of the compliance activities that we need to have and we put a lot of resources into this that other areas of compliance do not get. We need to consider how much we can fund this without losing funding from other areas of compliance.

- Councillor Carter noted that his comments were not meant as a negative. He also raised concerns that we are largely managing a State Government land resource.
- Mayor Tucker said he has been pushing back at State Government, since he was elected as Mayor, about enforcing legislation on us that our ratepayers have to pay for to ensure compliance. We have a good relationship with the Parks and Wildlife Service but it comes at a cost and the State Government needs to pay their share.
- Councillor Chapple said she appreciated the reminder from the Acting General Manager regarding compliance costs and would like to explore this at a workshop.
- Councillor Drummond noted that the catio in the foyer has received very good reviews from people in the community. She reiterated that we do need to take the issue of cats on board and this was a very good educational tool.
- Councillor Johnstone said perhaps it would be prudent of us to be asking the State Government to put more resources into Parks and Wildlife Services so that they can look after their responsibilities. She notes that we have some really precious, special places here that we are responsible for and we can take the lead as a Council and request they put more resources into looking after these resources. Mayor Tucker said we have done this on numerous occasions and will continue to do this.
- Councillor LeFevre said one of the reasons the motion was moved to increase the hours of the Animal Control Officer is because he feels the balance was out for dog control, he said we used to have three (3) days per week for dog control and then this reduced to one (1) day per week. The Manager Development Services advised that it has been three (3) days per fortnight for at least the last four (4) years and that this increases to four (4) days per week over summer.

**COUNCIL DECISION:**

**04/24.14.2.345**      Moved: Clr G Barnes / Seconded: Clr K Chapple

That the report be received by Council.

**CARRIED UNANIMOUSLY**

Meeting adjourned at 11.13am.

Meeting resumes at 11.22am.

**04/24.15.0**      **COMMUNITY DEVELOPMENT**

**04/24.15.1**      **Community Services Report**

<b>FILE REFERENCE</b>	011\034\006\
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**OFFICER'S RECOMMENDATION:**

That the report be received.

## INTRODUCTION:

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

## DISCUSSION:

- The Manager Community Services advised the following:
  - The Scamander and Beaumaris survey will go out this week.
  - With regards to the bushfire ready projects, Telstra have changed their technology so we have asked for a funding extension for the Mangana cell tower.
  - We have engaged an architect for the Fingal park youth playground area.
  - We have two (2) great events coming up, the film festival for National Volunteer Week and the long table lunch being held at St Marys on 12 June 2024.
- Councillor Drummond noted the sponsorship of the Business Enterprise Centre (BEC) and the business directory, she asked we will continue with this funding indefinitely. The Manager Community Services advised that all the funding listed is related to council decisions and so to change them they would need to come back to council for a decision. She also advised that we have written to the BEC regarding the directory but have not received a response.
- The Acting General Manager advised that funding will be looked at during budget time.
- Councillor Drummond asked could we have a comments column next to the funding which could include information such as how long the funding agreement is in place for. The Manager Community services said yes we can add a column.
- Councillor Drummond noted the funding for marketing for valley tourism, she said we are through Covid and want to attract more visitors to the area and asked when this will be reinvigorated. She also noted that there are a number of new community members that would like to be a part of this. The Manager Community Services asked Councillor Drummond to please share her details with those who are interested so they can contact us and then set a meeting date.
- Councillor LeFevre advised that, with regards to the business directory, several years ago a Councillor brought up that it should be published by a Tasmanian publisher rather than one from the mainland which has made it a little more difficult but Nick Crawford from the BEC has a meeting to finalise the directory on Thursday.
- Councillor LeFevre read out the following statement from the BEC:

Dear Break O’Day community.

Over recent months your local Business Enterprise Centre has been trying to find a new operational model that will allow its ongoing service. Funding dollars from the Department of State Growth have been substantially reduced and so we have had to make significant adjustments. In the short term we have arranged for meeting

and office facilities at the rear of the Uniting Church at 60 Quail Street St Helens. I am still travelling regularly to all areas in Break O’Day including to our many clients in the valley and Pyengana. It is important that clients call me first on either 63762044 or 0407882610 so that I can work a time and location that best suits them.

The service is subsidised by the Break O’Day council and we very much appreciate this funding. Were it not for this funding your local BEC would have, like so many other BECs, closed. The council funding allows us to provide an unequalled uncapped service to clients that are either resident in or moving to Break O’Day.

This gives Break O’Day a significant advantage in the realm of small business.

This service continues as it has for three decades and you can be assured that I will do anything possible to maintain the service.

- Councillor Johnstone asked when is budget time? The Acting General Manager advised that with the General Manager away the budget process has been delayed by one workshop and will start at the next workshop.
- Councillor Johnstone asked if this could be raised this then. The Acting General Manager said that he would expect it would be at the third meeting about the budget that we get to that level of detail.
- Councillor Johnstone asked if the Reconciliation Action Plan will start in May. The Manager Community Services clarified that the first meeting will be held in May and hopefully we will have a timeline after that.
- Councillor Johnstone noted that community engagement would be part of this process and would like to know what type of community engagement we actually get through the sources listed in the report. She said she thinks it is important that we access other local social media community groups. The Manager Community Services advised that we do ask other groups to tag our posts so that it is shared but until we have the meeting in May we won’t know exactly how we are able to do this.

**COUNCIL DECISION:**

**04/24.15.1.346**      Moved: Clr B LeFevre / Seconded: Clr G Barnes

That the report be received

**CARRIED UNANIMOUSLY**

**04/24.15.2**              **Memorandum of Understanding – State Emergency Service**

<b>FILE REFERENCE</b>	016\005\006\
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**OFFICER’S RECOMMENDATION:**

That Council provide the sum of \$18,500 to assist with the running costs of the Break O’Day SES Unit payable to the Department of Police, Fire and Emergency Management (DPFEM) paid in two six monthly instalments.

**INTRODUCTION:**

In the past, Council has provided funds to assist the local volunteer SES Units to undertake their duties in relation to road crash rescue and any other emergency events.

**DISCUSSION:**

- The Manager Community Services advised that this was discussed at workshop and has been amended to include two (2) six (6) monthly payments.
- Councillor Drummond clarified that the first six (6) months will take us through to the end of December. The Manager Community Services advised yes that is correct.

**COUNCIL DECISION:**

**04/24.15.2.347**      Moved: Clr J Drummond/ Seconded: Clr I Carter

That Council provide the sum of \$18,500 to assist with the running costs of the Break O’Day SES Unit payable to the Department of Police, Fire and Emergency Management (DPFEM) paid in two six monthly instalments.

**CARRIED UNANIMOUSLY**

**04/24.15.3**      **Street Bins – Photo Covers showcasing our Municipality**

<b>FILE REFERENCE</b>	033\021\002\
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**OFFICER’S RECOMMENDATION:**

1. That Council support the use photos of local features showcasing our municipality as covers for our street bins throughout the municipality.
2. That funding be considered as part of the 2024/2025 Budget deliberations.

**INTRODUCTION:**

Council staff have come across street bins that were being used to promote activities and places of interest. There were various photographs of features of the area, activities that could be undertaken whilst visiting the township etc.

**DISCUSSION:**

- The Manager Community Services advised that following the workshop she spoke to the Works Manager regarding points raised about recycling by Councillor Drummond and Councillor Johnstone, a report will be prepared on this.
- Councillor Drummond noted that in 2015 when the streetscape was done in St Marys a survey was done asking the community what they wanted things to look like and then they wanted a more natural look so she is not supportive of this.
- Councillor LeFevre said he is very supportive of this
- Councillor Carter said he is supportive of this but also understands the concerns regarding preserving a natural look. He indicated that he feels that this may mean people take a more responsible approach to what they do.
- Councillor Drummond clarified that this is no longer about community photos. The Manager Community services advised that it still is but we will also look at the educational options for recycling.
- Councillor Drummond said she feels a full audit would be beneficial.
- Councillor Johnstone said she doesn't feel we need this, people live here and visit for these natural features and she wondered if we really need to do this now. If we are really looking at our bin infrastructure and people using it correctly she does not feel that we need to start with stickers of things that people already know.
- Mayor Tucker noted that there is no budget for this and it will still need to be considered in the budget.
- The Manager Community Services referred to the 2015 community engagement and advised that was a long time ago and is no longer current.

**COUNCIL DECISION:**

**04/24.15.3.348**      Moved: Clr B LeFevre/ Seconded: Clr K Chapple

1. That Council support the use photos of local features showcasing our municipality as covers for our street bins throughout the municipality.
2. That funding be considered as part of the 2024/2025 Budget deliberations.

**CARRIED**

**FOR**              Clr Chapple, Clr Barnes, , Clr Carter, Clr Oldham, CLr LeFevre, Clr Tucker

**AGAINST**        Clr Drummond, Clr Johsntone, Clr Wright

**04/24.16.0**              **DEVELOPMENT SERVICES**

**04/24.16.1**              **Development Services Report**

<b>FILE REFERENCE</b>	031\013\003\
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**OFFICER'S RECOMMENDATION:**

That the report be received.

#### INTRODUCTION:

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

#### DISCUSSION:

- The Development Services Coordinator provided an update on water quality testing, he advised that the most recent test results for the Denison Rivulet were good and signage has been removed.
- Councillor LeFevre asked if there are any patterns relating to new builds. The Development Services Coordinator advised there has been a decline in new applications coming through but builders are still struggling to keep up with the work, he noted this may drop off a little in 12 months time.
- Councillor Johnstone asked how well the cat management information sessions were attended. The NRM Facilitator advised they were only attended by a handful of people. He noted that at the Valley session mainly cat owners attended but that at St Helens more people came from a conservation viewpoint. He also noted that the catio in the foyer has generated lots of interest.
- Councillor Johnstone asked how did we promote these events as this is an important issue. The NRM Facilitator advise that we promoted the events through social media and the council database.

#### COUNCIL DECISION:

**04/24.16.1.349**      Moved: Clr G Barnes/ Seconded: Clr K Wright

That the report be received.

**CARRIED UNANIMOUSLY**

#### 04/24.16.2      Review of Dog Management Policy

FILE REFERENCE	008\002\003\
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#### OFFICER'S RECOMMENDATION:

Council adopt the draft *Revised Dog Management Policy 2024*, including intended Declared areas, and invite community comment and submissions on the draft.

#### INTRODUCTION:

Council has started its five yearly review of its current Dog Management Policy (EP05 - 2018), including declared areas for dog access. Council's policy objective is to balance the needs of people,

dogs and wildlife. Council must consult the community on its intended revised Dog Management Policy and works closely with the Tasmanian Parks and Wildlife Service (PWS), who regulates dog access to the reserves they manage.

## DISCUSSION:

- The NRM Facilitator advised that the amendments discussed at the Council Workshop have been made.
- Councillor Carter asked for clarification of what the 2 metre rule is. The NRM Facilitator advised that the dog must be on lead no further than 2 metres away from the owner in the dogs on lead area.
- Councillor Drummond noted that she has already received calls from community members regarding this policy as many of them thought that Councillors were finalising the policy. One of the questions asked was regarding page 245, she asked are we going to install fencing on the St Marys railway precinct land as this is a historical precinct. The NRM Facilitator responded that is correct and the off lead area will not be declared until the appropriate infrastructure is in place.
- Councillor Drummond asked do we need to go through any process to get approval to do this in a historical precinct? The NRM Facilitator responded that we would need to consider infrastructure, planning requirements and access to water and other utilities.
- Councillor Carter asked if after public consultation does this come back to us as a draft policy. The NRM Facilitator clarified that council must consider all submissions and consult appropriate bodies. This will then be brought to a workshop and a draft revised policy brought to Councillors.
- Councillor Johnstone said she has also had representations from people thinking this is the end of the process. She also noted that it is very important for us to contact stakeholders in the best way and that Councillors need to make sure that we are getting that to the people that ask the questions so they are aware it is up and there is a process.
- The Acting General Manager read out part of the Officer's report which details where this policy goes from here.
- Councillor Johnstone said she feels hesitant regarding the Seymour wetlands dog on lead area. She noted that area has been worked on by the community for years and years and is now part of the Seymour conservation area. She feels that dogs on lead in that area does not work with the efforts of the community to put that into a conservation area.
- Councillor Drummond asked how soon after today's meeting this will this go to the public? The NRM Facilitator advised that we have a required number of business days this needs to be available to the public and this will be plenty if advertised from this weekend.
- The NRM Facilitator noted there is an off lead area marked north of Seymour that should not be there and asked Councillors to consider making an amendment to correct this.
- The NRM Facilitator noted a provision in the policy regarding dogs being able to swim in on lead areas. He advised that Parks and Wildlife Services do not support this and that Birdlife Tasmania and North East Bioregional Network have also raised concerns regarding this. He



also noted that the data collected by Birdlife Tasmania indicates that shore birds are nesting earlier in the spring season. He suspects that these issues and the Seymour Wetlands may come up during the consultation process.

- The NRM Facilitator reiterated that he urges Council to make an amendment to correct the error with regards to Templestone Beach north of Seymour.
- An amendment was moved.

#### **COUNCIL DECISION:**

**04/24.16.2.350**      Moved: Clr K Chapple / Seconded: Clr K Wright

Council adopt the draft *Revised Dog Management Policy 2024*, including intended Declared areas, and invite community comment and submissions on the draft.

#### **An amendment was moved:**

**04/24.16.2.351**      Moved: Clr L Johnstone / Seconded: Clr J Drummond

Council adopt the draft *Revised Dog Management Policy 2024*, including intended Declared areas, and invite community comment and submissions on the draft, with an amendment to include Templestone Beach, Seymour as an on lead area.

#### **CARRIED UNANIMOUSLY**

**The amendment becomes the motion**

#### **CARRIED UNANIMOUSLY**

### **04/24.16.3      Tasmanian Reserve Activity Assessment Process Reform**

<b>FILE REFERENCE</b>	031\010\000\
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#### **OFFICER'S RECOMMENDATION:**

That Council submit its concerns and feedback on reform proposals by the Tasmanian Government for their Reserve Activity Assessment processes for assessing and approving development in reserves.

#### **INTRODUCTION:**

The Department of Natural Resources and Environment Tasmania is seeking comments on proposals it has released to change its Reserve Activity Assessment (RAA) processes.

“Implemented in 2005, the current RAA process is underpinned by an extensive policy-based framework and is used to assess potential environmental impacts of use or developments on reserves managed by the Tasmania Parks and Wildlife Service (PWS).”

Submissions were due by 28 March, however Council has been offered an extension to 19 April 2024, after its April Meeting.

**DISCUSSION:**

- The NRM Facilitator advised that since being considered at the April workshop the following key point has been added to the report: The need for reform is across all levels of activities, for a system of assessment and approvals for use and development in NPRMA Reserves. It is not adequate that the RAA reforms are only for 'eligible' level 3 activities.
- Councillor Drummond asked what are we approving here, there was no submission attached, is that correct? The NRM Facilitator said that is correct, the report has been drafted and makes the exact same points that are here.
- Councillor Drummond will we get to see the submission? Will this go to the May meeting? The NRM Facilitator said no, if Councillors are happy with these points the submission will be put forward.
- The Acting General Manager indicated that he can understand Councillor Drummond's concerns. Councillor Drummond said she does not feel comfortable saying yes to something that she has not seen.
- The Acting General Manager advised that we will circulate the submission to Councillors for feedback before it is sent.
- Councillor Chapple noted that is there a deadline of 19 April for when that submission is due, which is in four (4) days time. The Acting General Manager advised that this will need to be a quick consultation.

**COUNCIL DECISION:**

**04/24.16.3.352**      Moved: Clr K Chapple / Seconded: Clr J Drummond

That Council submit its concerns and feedback on reform proposals by the Tasmanian Government for their Reserve Activity Assessment processes for assessing and approving development in reserves.

**CARRIED UNANIMOUSLY**

**04/24.16.4**      **Native Forest Restoration in Skyline Tier/Scamander Forest**

<b>FILE REFERENCE</b>	017\010\003\
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**OFFICER'S RECOMMENDATION:**

That Council provide a statement of support for the work being done for ecological restoration and native forest regeneration on the Skyline Tier on areas of pine plantation harvested in the past.

## INTRODUCTION:

North East Bioregional Network recently launched a public campaign challenging a decision by Timberlands Pacific Pty. Ltd. to replant pines on part of the 'Scamander Forest' (pine plantations area), that they manage, for New Forests Advisory Pty. Ltd., the holder of the state Forest Right over the Forest.

## DISCUSSION:

- Councillor Drummond said she would like to move her original motion as she feels that this recommendation does not support her original motion and there is not enough evidence in the report provided. She read out her original motion.
- Mayor Tucker asked Councillors if they would like to speak against the item and then took it to a vote. Councillor Wright noted that there had not yet been any discussion on this item and that Councillor Drummond had not yet been asked to speak in support of her motion.
- Mayor Tucker asked if Councillor Drummond would like to speak any further to her motion.
- Councillor Drummond noted that this project has been internationally recognised and describes it as an example of how ecological restoration can be done. She noted that the project has provided employment and training, there is a letter of support from our MLC Tania Rattray and she feels that as a Council a letter of support is a very simple thing to do.
- Councillor Johnstone said that this report does not follow up on what was the original motion. The motion that we have in front of us is recognition of a lot of work that has gone on for approximately 15 years by the community. It has provided restoration of the forest and supports other important ecosystems into places such as Dianas Basin and Wrinklers Lagoon. It has ensured these areas are free from silt. Being able to thank or community for all their work is something we should be thrilled to do.
- Councillor Chapple said she struggling with this as she would have stepped out as this is not what was in the agenda. She also noted that she has not seen April workshop notes yet as she had not been provided access to these so she is unable to see what has been discussed. She clarified what is being different to what has been put forward today?
- Councillor Drummond noted that she does not understand where the Officer's recommendation was really going to go and described it as a statement in the air and indicated that she did not understand the purpose of it. She said she would like the North East Bioregional Network (NEBN) reintroduced as nothing in the report explained that there was anything untoward with showing support to a local community group.
- Councillor Carter noted that he does not like any renewed plantation activity on this tier but said he concerned about is that he believes that while we need to recognise the work the NEBN has done, the project could only have been done with the permission of the stakeholders. He agreed that the work of NEBN was outstanding and needs to be commended but the Officer's recommendation is more considerate of the fact that others have willingly participated in this and that was the intention of changing the original motion.

- Councillor LeFevre noted that when the original motion came from Councillor Drummond he thought he would abstain as it says we are favouring the environment over Timberlands and jobs. He noted that Councillors now have more information which clearly shows the company and NEBN are both supportive of restoration so he feels that the original motion on the agenda is very fair as it recognises the good work done by both parties and does not show any bias.
- Councillor Drummond noted that a vote had already taken place on this motion. Mayor Tucker advised that we went back and revisited the discussion as Councillors had shared concerns that they were not fully aware of what had been put forward.
- Councillor Chapple noted that Councillor Drummond original motion was not available in writing for Councillors to see before voting on it.
- The wording of the motion was provided for Councillors. This was also read out and clarified by the Acting General Manager and he advised that if Councillor Drummond's motion was lost then another Councillor can move the Officer's recommendation as an alternative.
- Councillor Johnstone raised concerns that the motion was not available when Councillors just had that discussion and said we are now about to vote on something that people were not sure they were discussing.
- Mayor Tucker asked if Councillors would like any further time to discuss the motion before it is taken to the vote. No Councillors asked for further discussion.
- Councillor Chapple advised that she would be abstaining from the vote as she had not been able to consider this or seen the notes from the workshop.
- The Council Officer's recommendation was moved.
- Councillor LeFevre fully supported the motion which recognises both parties and is good for the municipality.
- Councillor Carters said that there are stakeholders that contribute immensely and believes we need to maintain the goodwill of all stakeholders.
- Councillor Drummond said she is against this motion as she does not see anything in the report that contradicts the NEBN were the ones on the ground doing the work. She also noted that it is unclear as to where the Officer's recommendation statement is going to go and who is going to use it. Original motion was around a letter of support that thanked the people who actually did the work. She asked what purpose is this statement going to serve?
- Councillor Johnstone said as the council of Break O'Day, it is not our responsibility to thank private enterprise, our role here as Councillors was very simple it was about the work of a community organisation and thanking our community. Does not see why we need to thank private enterprise for something they are paid to do. She also indicated that she does not understand where the statement is going to go. To her it should go to our community and not to private enterprise.
- Mayor Tucker noted that private enterprise does not have to allow people to do restoration on their land and they do not have to fund it, which they do. He said he thinks it is quite neutral that we recognise all parties who were involved in allowing the restoration to occur,

if the land owners had said no the restoration would not have occurred. Onus is on us to thank everyone involved.

- The NRM Facilitator noted the following:
  - The idea of being neutral was raised at the workshop.
  - He recognised the work done by NEBN.
  - That during previous Council discussions the status of the land, it is granted to New Forest which is an investment company who then employed Timberlands Pacific as the manager. They do have a forest right to harvest forest products from all of that area.
  - When he contacted them to say that there was some controversy and asked how they felt they were not happy at all. They noted how much of this area is no longer pine and that they are managing it for native forest and NEBN are doing a lot of work on part of that as well.
  - They have been clear that they want to continue to work with NEBN and that is a really good thing.
  - We should acknowledge both Timberlands and NEBN for their work and encourage them to continue.
  - Timberlands Pacific has invited Councillors to be briefed at a workshop and to go and have a look at the forest itself.
- Councillor Drummond noted that her concern is that there is no communication strategy attached to this statement. She said that her understanding is that New Forest has retracted the desire to replant the area.
- Councillor Johnstone clarified that Timberland are not the land owners. Timberlands are the ones who have been contracted to do work for New Forest, so it actually New Forest not Timberlands that are the company that do restoration work. We need to be aware of who we are talking about when we are sending information.

#### **COUNCIL DECISION:**

**04/24.16.4.353**      Moved: Clr J Drummond/ Seconded: Clr L Johnstone

That Council provide a statement of support for the Ecological Restoration Program being conducted on the Skyline Tier by the North East Bioregional Network.

**LOST**

**FOR**              Councillor Drummond, Councillor Wright, Councillor Johnstone

**AGAINST**

Councillor Chapple, Councillor Barnes, Councillor Carter, Councillor Oldham, Councillor LeFevre, Councillor Tucker

**04/24.16.4.354**      Moved: Clr B LeFevre/ Seconded: Clr I Carter

That Council provide a statement of support for the work being done for ecological restoration and native forest regeneration on the Skyline Tier on areas of pine plantation harvested in the past.

**CARRIED**

**FOR** Councillor Chapple, Councillor Barnes, Councillor Carter, Councillor Oldham, Councillor LeFevre, Councillor Tucker

**AGAINST** Councillor Drummond, Councillor Wright, Councillor Johnstone

**04/24.17.0 GOVERNANCE**

**04/24.17.1 General Manager's Report**

<b>FILE REFERENCE</b>	002\012\001\
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**OFFICER'S RECOMMENDATION:**

That the Acting General Manager's report be received.

**INTRODUCTION:**

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

**DISCUSSION:**

- Councillor Carter asked what sort of conversation the Federal Shadow Minister offered. The Acting General Manager advised that his parents live in Break O'Day so the Federal Shadow Housing Minister reached out to have a general discussion about Break O'Day and housing and disability services in the area.

**COUNCIL DECISION:**

**04/24.17.1.355** Moved: Clr I Carter/ Seconded: Clr K Chapple

That the Acting General Manager's report be received.

**CARRIED UNANIMOUSLY**

FILE REFERENCE	039\001\001\
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**OFFICER’S RECOMMENDATION:**

At the time of publishing the agenda, no motions have been received from Break O’Day Council or other Tasmanian Councils for consideration. That Council agree not to submit any motions to the National General Assembly 2024.

**INTRODUCTION:**

The Call for Motions has been advertised for the National General Assembly (NGA) which will be held in July 2024.

**DISCUSSION:**

- The Acting General Manager advised that no motions had been received from Councillors.
- Councillor Drummond noted that some time ago she spoke about climate change and renewable energy, she said that with the circular economy there is a lot we can do in regards to funding to set up repair cafes and look at green waste programs. She noted that she also discussed housing.
- Councillor Johnstone would like to make sure green waste is more available.
- Mayor Tucker asked what the closing date is. The Acting General Manager advised it is 30 April 2024.
- Mayor Tucker asked that any Councillors please send in their proposals via email and as long as it meets the criteria we will submit the motion on Council’s behalf. He noted that there is no guarantee it will be accepted by ALGA.
- The Acting General manager reiterated that the onus is on Councillors to provide a detailed report to support the motion. He noted the limited timeframe and staff availability.
- Councillor Drummond indicated that she will prioritise this and noted a previous motion regarding the green army and it’s treatment in urban and regional areas. She wondered if we could raise that again. She noted that in rural and remote areas it was such a valuable program and she would like to see that reinstated.
- The Acting General Manager clarified the motion which had already been moved and reminded Councillors that they need to move an amendment to change this.
- An amendment was moved.

**COUNCIL DECISION:**

**04/24.17.2.356**      Moved: Clr J Drummond / Seconded: Clr L Johnstone

That Council agree not to submit any motions to the National General Assembly 2024.

**An amendment was moved:**

**04/24.17.2.357**      Moved: Clr K Chapple/ Seconded: Clr B LeFevre

That Council may submit a motion to the National General Assembly 2024.

**CARRIED UNANIMOUSLY**

**The amendment becomes the motion:**

**CARRIED UNANIMOUSLY**



# IN CONFIDENCE

*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 I Carter

## **04/24.18.0          CLOSED COUNCIL**

**04/24.18.1          Confirmation of Closed Council Minutes – Council Meeting 18 March 2024**

**04/24.18.2      Outstanding Actions List for Closed Council**

**04/24.18.3          General Manager’s Performance Review – Closed Council Item Pursuant to Section 15(2)A of the Local Government (Meeting Procedures) Regulations 2015**

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

Moved: Clr K Chapple / Seconded: Clr K Wright

## **04/24.19.0          MEETING CLOSED**

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 1.37pm.

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**MAYOR**

.....  
**DATE**