



COUNCIL MEETING MINUTES

Monday 20 July 2026
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
20 July 2026

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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. The audio/visual recording of Council Meetings will be published for 12 months and will be retained for 2 years.

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 43 of the Local Government (Meeting Procedures) Regulations 2025, these audio files will be published on Council's website for 12 months and be retained for two (2) years. 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 & INTRODUCTION

The Mayor welcomed Councillors and staff and declared the meeting open at 10.00am.

This meeting is conducted in accordance with the Local Government Act 1993 and Local Government Meeting Procedures Regulations 2025. All Councillors are reminded of their obligation to act in the best interests of the community and to declare any interest in matters to be discussed.

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.

07/26.1.0 ATTENDANCE

07/26.1.1 Present

Mayor Mick Tucker
Councillor Ian Carter
Councillor Liz Johnstone
Councillor Vaughan Oldham
Councillor Lesa Whittaker
Councillor Kylie Wright

07/26.1.2 Apologies

Deputy Mayor Kristi Chapple
Councillor Barry LeFevre
Councillor Gary Barnes

07/26.1.3 Leave of Absence

07/26.1.4 Staff in Attendance

General Manager, John Brown
People & Safety Support Officer, Linda Singline
Manager Infrastructure and Development Services, David Jolly (*Item 26.1-26.18.3*)
Planning Officer, Alex McKinlay (*Item 26.1-26.9, 26.17.2-26.18*)
Corporate Services Coordinator, Angela Matthews (*Item 26.1-26.15*)
NRM Facilitator, Polly Buchhorn (*Item 26.14.6-26.17.1*)
Community Service Programs Officer, Jenna Barr (*Item 26.15-26.16*)
Community Wellbeing Officer, Renee Dunn (*Item 26.15-26.16*)

07/26.2.0 PUBLIC QUESTION TIME

In accordance with Regulations 33 - 38 of the Local Government (Meeting Procedures) Regulations 2025, questions—whether from members of the public or Councillors—must relate to the functions or activities of Council and must not be defamatory, offensive, or disrupt the orderly conduct of the meeting.

A question asked at a meeting is to:

*Be concise; and
Be clear; and
Not be a statement; and
Have minimal preamble*

General statements are not permitted during question time.

Members of the public and councillors may ask up to four (4) questions per meeting. The Chairperson reserves the right to refuse a question, in accordance with the Regulations. If a question is refused, the reason will be stated and recorded in the minutes.

31 people in the gallery.

In accordance with Section 38(1) of the Local Government (Meeting Procedures) Regulations 2025 the following questions were submitted in writing prior to the Council Meeting.

07/26.2.1 Parks and Wildlife Service (PWS) – Closure of beach access for the protection of Hooded Plovers – Janette Saunders & Ruth Graham

1. We have collected a Petition with 85 signatures from local Community members affected by the recent decision of Parks and Wildlife Service to closing access to properties in Peron and adjoining streets from the adjoining Crown Reserve. What is the best way for bringing this Petition to the attention of Parks and Wildlife Service and the State Government?

REPLY

It is Council's understanding that relevant correspondence and the petition have already been provided to the Minister of Parks, Nick Duigan MP.

2. Will Council support our concerns regarding the proposed closure of access to the firebreaks by seeking further clarification and Justification from Parks?

REPLY

Council officers have reached out to relevant PWS personnel to request further information and clarification for the community prior to undertaking any proposed works. Council cannot confirm its position in relation to these works until that information has been provided.

3. If so, can council assist in identifying alternative options for Parks to consider and/or provide community education to help explain why the proposed closure is considered necessary?

REPLY

As per answers above. Council has also expressed concerns around how these works were communicated with the community and emphasised the need for better communication on these matters moving forward.

07/26.2.2 6 Lot Subdivision at 70 Grant St, Falmouth, DA 2024 / 00134 – Graeme Wathen

It is apparent that this development application as presented for public review, and presumably acceptable to the Council's Planning Department (as it has been in the process of preparation for a number of years, at least from July 2024 until April 2026), contains "hidden" aspects not fully explained in the DA documentation.

Specifically, to overcome the requirement to dispose of all stormwater and wastewater on site it is proposed to provide a 600 mm diameter pipe from the Franks St roadside gutter under Grant St in

a westerly direction along the Franks St west extension and to empty into Devils Creek. This is to allow offsite disposal of stormwater. It is not disclosed who would pay for this exceptionally large drain, which will need to be quite deep underground, although the DA documentation suggests that it would become a Council asset, so Council should pay.

Further, the DA documentation does not appear to discuss the proposed drainage easement through the subdivision which would provide a similar drainage facility for adjacent land parcels in New St which may be sub-divided in the future. Both the 600 mm drain and the drainage easement actively assist the sub-division of unsuitable or marginal land where on-site disposal of water, whether storm or wastewater, is problematic.

My questions concern the existing natural drainage system on the site.

1.
 - a) Did any Council planning staff inspect or visit the site for purposes associated with the development proposal during the Council's involvements with the Applicant over the period, and
 - b) if so, did the planning staff observe the condition of the dam or pond at the north-west corner of the proposed development particularly whether the dam has been recently partially infilled, and
 - c) did the planning staff observe the recent and-filling on the site?

REPLY

Yes, Council planning staff have visited the site and noted the pond and filling.

2. Are Council planning staff aware of a previous subdivision proposal near the site at 70 Grant St, specifically the 11-Lot Subdivision at Franks St and 22464 Tasman Highway, DA 466-04, and the associated appeals to the Resource Management and Planning Appeal Tribunal and the subsequent Condition imposed concerning Threatened Species at that site?

REPLY

Yes

3. If so, has any planning staff member raised this specific matter concerning Threatened Species with the Applicant of DA 2024 / 00134?

REPLY

No, it was not considered to be relevant in relation to the specific proposal. The matters pertaining to threatened species are addressed via other legislation separate from the current Land Use Planning and Approvals Act and is further noted and detailed in the planners report included within the agenda.

07/26.2.3 Parks and Wildlife Service (PWS) – Closure of Access to Crown Reserve, Peron Street St Helens – Julie Iles

We have used and maintained the back entrance to our property for 55 years. Having used dual access over those years it is effectively a specific operational and safety aspect to all those landowners backing onto the firebreak

1. Why are the PWS are stopping access to back entrances of the blocks on Peron Street?

REPLY

The Crown Reserve is managed by the Parks and Wildlife Service, and the reasons for any proposed changes to access are therefore a matter for that agency to explain.

Council has raised residents' concerns with the Parks and Wildlife Service and has requested further information about its intentions for the reserve. Residents are also encouraged to continue directing specific enquiries to the Parks and Wildlife Service as the responsible land manager.

07/26.2.4 Parks and Wildlife Service (PWS) – Closure of Access to Crown Reserve, Peron Street St Helens – Allan Graham

1. Do residents have Council support?

REPLY

Yes. Council officers and the Mayor have been in contact with representatives of the Parks and Wildlife Service to convey the concerns raised by residents, including concerns about the way the matter has been communicated.

Council will continue to advocate for clear information and appropriate consultation with affected residents. Once further advice is received from the Parks and Wildlife Service, Council will consider how it can assist residents and support a practical pathway forward.

07/26.3.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil

07/26.4.0 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Regulation 34 of the Local Government (Meeting Procedures) Regulations 2025 specifies that in putting a Question Without Notice a Councillor must not offer an argument or opinion, draw any inference or make any imputations except so far as may be necessary to explain the question.

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

Nil

07/26.5.0 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.

Clr Lesa Whittaker declared a non-pecuniary interest in relation to Item 07/26.17.2.

07/26.6.0 CONFIRMATION OF MINUTES

07/26.6.1 Confirmation of Minutes – Council Meeting 15 June 2026

OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 15 June 2026 be confirmed.

COUNCIL DECISION:

07/26.6.1.802 Moved: Clr I Carter / Seconded: Clr V Oldham

That the minutes of the Council Meeting held on the 15 June 2026 be confirmed.

CARRIED UNANIMOUSLY

07/26.7.0 COUNCIL WORKSHOPS HELD SINCE 15 JUNE 2026 COUNCIL MEETING

There was a workshop held 6 July 2026 and the following items were listed for discussion:

- St Helens-Binalong Bay Liveability Strategy
- TasWater Presentation
- Pending Development Application Updates
- NRM Committee Meeting Record of Proceedings – 5 May 2026
- Preparedness for Avarian Influenza
- Animal Control Report
- Pollarding Elm Trees on the Northern Side of Tully Street
- Grant Street (St Marys) Flood Levee
- Policy review – AM13 Memorial Gardens Policy
- Policy review – AM18 Nature Strip Planting Policy
- Draft St Marys Parking Strategy 2026-2031
- Sponsorship request- MoodMission - Mental Health Comedy Roadshow
- St Helens Online Access Centre Funding

07/26.8.0 PLANNING AUTHORITY

Pursuant to Regulation 29 of the Local Government (Meeting Procedures) Regulations 2025 the Mayor to inform Council that it is now acting as a Planning Authority under the Land Use Planning and Approvals Act 1993.

07/26.8.1 DA 134-2024 – 70 Grant St, Falmouth - Subdivision – 6 Lot subdivision

FILE REFERENCE	DA 2024 / 00134
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OFFICER'S RECOMMENDATION:

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O'Day*, that the application for 6 Lot Subdivision on land situated at 70 Grant Street, Falmouth described in Certificate of Title 164048/100 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Geotechnical Site Investigation for Foundations and Wastewater	Nil	Enviro-Tech Consultants Pty. Ltd	07/05/2024
Onsite Wastewater Assessment	Nil	Geo-Environmental Solutions	July 2025
70 Grant Street, Falmouth Traffic Impact Assessment	Nil	Midson Traffic Pty Ltd	9/10/2024

Plans / Documents to be Amended			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposal Plan	1124-01DA	D.J. McCulloch & Associates	17/07/2024
Flood Study Report – Revision 5	54262MW	PDA Surveyors, Engineers & Planners	29/04/2026

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained at all times.

	approval, unless otherwise amended by conditions of this approval.	
2	Lots	
A	Approval is for Lots 1 - 6.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
3	Submission and Approval of Engineering Plans	
A	Detailed engineering drawings, Plan of Subdivision and specifications stamped 'For Construction' must be submitted to the Manager of Infrastructure and Development or their approved delegate, for approval. Such documentation must: a) Include all infrastructure works shown on the endorsed plans and specifications or otherwise specified by the conditions below, including but limited to: i. Crossovers and Raised Driveway Accesses for each lot. ii. A stormwater service connection from each lot to the adjacent road swale sufficient for the safe discharge of a 5% AEP rainfall ensemble including climate modelling for a projected SSP5-8.5 to the year 2100. iii. Revised flood modelling and reporting to validate the detailed design submitted 'for construction' complies with the endorsed documents within this Permit and Conditions imposed. Including: (i) Road swales utilising a Manning's N (or equivalent) roughness value of 0.05 consistent with Council's Level of Service. (ii) Defined 'No Building Area' for each lot suitable for application within a Section 71 Agreement under the	Prior to the commencement of any works.

	Land Use Planning and Approvals Act to: 1. limit allowable locations for development in accordance with the endorsed documentation 2. limit modification of designed earthworks and existing terrain such that it would impact the flood management solution provided for within endorsed documentation and approved detailed design, revised flood modelling and reporting.	
	iv. Formalisation of road swales adjacent to the proposed development. v. All recommendations provided by the endorsed Flood Report. vi. All new stormwater pipes are to be concrete and of minimum strength Class 4 vii. Energy dissipation and erosion control to stormwater outlets and inlets viii. Extension of the proposed stormwater pipe, intended to be transferred to Council to form part of the public stormwater system, to an outlet headwall at the end of the road casement adjacent to 71 Grant Street. Council may at their own discretion approve an extended swale from the outlet in lieu of a pipe. ix. Locating wastewater treatment areas beyond the ground water level.	

B	Be prepared in accordance with the Tasmanian Subdivision Guidelines and LGAT Standard Drawings applicable at the date of approval of the plans. These Guidelines are available at www.lgat.tas.gov .	Prior to the commencement of any works.
C	All subdivision plans and associated engineering documentation must be reviewed and certified by a Certifying Civil Engineer prior to submission to Council for assessment, approval, or sealing. For the purposes of this requirement, a <i>Certifying Civil Engineer</i> means a person who: - holds qualifications in civil engineering appropriate to the works being certified; - is a Registered Professional Engineer in the area of civil engineering under the <i>Professional Engineers Registration Act 2021 (Tas)</i>, or any successor legislation; and - has demonstrated experience in the design, construction, and certification of subdivision and civil infrastructure works.	Prior to the commencement of any works.
D	All new infrastructure is to be fully integrated with existing infrastructure networks within reasonable distance to the development	Prior to the commencement of any works.
E	Be accompanied by an estimate of the construction cost of future public works with an associated schedule of components (bill of quantities).	Prior to the commencement of any works.
F	In all instances where deviation from detailed design is necessary from the standards identified above, approval must be sought from Councils Manager. Any such request for approval must be accompanied by supporting evidence prepared by a suitably qualified engineer.	Prior to the commencement of any works.
G	Once engineering drawings and specifications are approved by Council they remain valid for a period of five (5) years from the date of such approval, following which they will automatically lapse if they have not been carried into effect via works. Where any engineering design drawings have lapsed, Council may require the re-submission and review of the relevant engineering design drawings, any associated calculations and any	Prior to the commencement of any works.

	other relevant information to ensure compliance with current infrastructure standards and applicable legislation.	
4	Earthworks	
A	Earthworks must comply with the provisions of AS3798 Guidelines on earthworks for commercial and residential developments and the Tasmanian Subdivision Guidelines current at the time of the application.	Prior to the commencement of any works.
B	Earthworks must be designed by a suitability qualified and experienced engineer to resist all probable flood forces as described within endorsed documents and varied by designs approved by Council's Manager of Infrastructure and Development.	Prior to the commencement of any works.
C	An accredited Civil Engineer or Geotechnical Engineer must certify that all earthworks have been carried out in accordance with all Permit conditions, endorsed documents, approved 'For Construction' documentation and detailed designs.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
5	General Manager Consent Pursuant to Section 14 of the Urban Drainage Act 2013	
A	The applicant must apply for, and be issued with, a General Manager's consent to undertake works affecting the public stormwater system pursuant to section 14 of the Urban Drainage Act 2013.	Prior to the commencement of any works.
6	Part 5 Agreement	
A	Prior to the sealing of the Final Plan of Subdivision, the landowner, under section 71 of the <i>Land Use Planning and Approvals Act 1993</i>, must prepare and enter into an agreement with the Break O'Day Council, to the satisfaction of the General Manager, establishing: a) a 'No Build Area' over all lots consistent with the 'No Build Area' necessary for flood management as required by Condition 2 and described in endorsed documentation. Restrictions for the 'No Build Area' are to prohibit buildings, structures, earthworks or infrastructure, including vehicle access ways being constructed within the 'No Build Area' unless otherwise approved in writing by Council.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

	b) that the landowner of a lot is responsible for the ongoing operation and maintenance of all portions of the lot necessary for flood management. c) that the landowner must maintain the area in accordance with the Operation and Maintenance Manual following its submission and approval by Council's Manager of Infrastructure and Development. d) that the landowner must rectify any nuisance from overland stormwater flow or flooding caused by the modification of areas within the 'No Building Area', to Council's requirements and at the owner's expense, within 14 days of Council giving notice of the requirement to do so. e) That the failure by the landowner to comply with a term or condition set out in the agreement allows the Council to undertake that work, with the costs of doing so to be a debt due and payable by the landowner to the Council.	
B	The developer is to pay all costs associated with the preparation and registration of the agreement.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
7	Covenants	
A	Any restrictive covenants created by this subdivision are not to preclude the use/development of this land for State, Commonwealth or Local Government purpose.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
8	Stormwater Works	
A	The developer is to apply and receive a permit to undertake Works & Development for the proposed concentrated discharge to Crown land managed by the Tasmania Parks and Wildlife Service. A copy of the permit must be provided to Council with the submission stipulated in Condition 2.	Prior to commencement of any works

9	Infrastructure Repair	
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A	The owner must, at their expense, repair any Council services (e.g. pipes, drains) and any road, crossover, footpath or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council. If the owner does not undertake the required repair works within the timeframe specified by Council, the Council may arrange for the works to be carried out at the owner's expense.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
10	New Works & Infrastructure Construction	
A	All works, where relevant, must be in accordance with Council Policy No. AM08: Subdivision New Works and Infrastructure Construction	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
11	Works in Council Road Reserve	
A	Works must not be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by Council's Works Department.	Prior to undertaking any works within the Council Road Reserve.
B	Twenty-four (24) hours notice must be given to the Works Department to inspect works within road reserve, and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.	Prior to undertaking any works within the Council Road Reserve.
12	Temporary Exclusion Barrier	
A	Delineate areas where vegetation is proposed to be retained with exclusion fencing/barriers/means of identification, to prevent accidental felling.	During site works.
13	Demolition of Outbuildings	
A	The Developer must: a) protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary. b) not undertake any burning of waste materials on site. c) remove all rubbish from the site for disposal at a licensed refuse disposal site.	During demolition works and prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

	d) dispose of any asbestos found during demolition in accordance with the WorkSafe Tasmania's 'How to safely remove asbestos: Code of practice'	
14	Payment in Lieu of Public Open Space	
A	The developer must make payment to the Break O'Day Council in lieu of providing public open space in accordance with <i>Policy No AM02 Public Open Space Contributions Policy</i> as amended.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
15	Final Plan of Survey	
A	A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. Advice: The plan will not be sealed until such time as all conditions on this permit have been complied with.	On completion and satisfaction of all conditions on this permit.

ADVICE

1. 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.
2. 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

3. TasNetwork's Advice:

'Based on the information provided, the development is likely to adversely affect TasNetworks' operations.

TasNetworks has a deemed (statutory) easement over the distribution HV and LV line between pole 293270 and 293271 as shown in the below screenshot which will affect the proposed lot 1. No structure can be built within our easement corridor. Further information regarding Easements can be found on the TasNetworks website : [Electricity easements - TasNetworks](#)

As with any subdivision of this magnitude, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot'.

To understand what these requirements may entail, it is recommended you advise the proponent to contact TasNetworks on 1300 137 008 or submit an application via our website connections

portal <https://connections.tasnetworks.com.au/Identity/Account/Login> at their earliest convenience’.

- B. That all external Referral Agencies for the development application be provided with a copy of the Council’s decision (Permit).

	Applicable Y/NA	Referral Agency
That all external Referral Agencies for the development application be provided with a copy of the Council’s decision (Permit)	N/A	N/A

- C. That the following information be included in the Permit.

Development Permit Information	Details
<i>Development Description</i>	Subdivision - 6 Lot Subdivision
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Works Permit
<i>Attachments</i>	Nil
<i>Representations</i>	Three (3)

INTRODUCTION:

The applicant is seeking approval for a 6-lot subdivision for the subject site at 70 Grant Street, Falmouth (CT 164048/100).

COUNCIL DECISION:

07/26.8.1.803 Moved: Clr V Oldham/ Seconded: Clr I Carter

- A. After due consideration of the application received and pursuant to Section 57 of *the Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for 6 Lot Subdivision on land situated at 70 Grant Street, Falmouth described in Certificate of Title 164048/100 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Geotechnical Site Investigation for Foundations and Wastewater	Nil	Enviro-Tech Consultants Pty. Ltd	07/05/2024
Onsite Wastewater Assessment	Nil	Geo-Environmental Solutions	July 2025
70 Grant Street, Falmouth	Nil	Midson Traffic Pty Ltd	9/10/2024

Traffic Impact Assessment			
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Plans / Documents to be Amended			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposal Plan	1124-01DA	D.J. McCulloch & Associates	17/07/2024
Flood Study Report – Revision 5	54262MW	PDA Surveyors, Engineers & Planners	29/04/2026

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
A	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 submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained at all times.
2	Lots	
A	Approval is for Lots 1 - 6.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
3	Submission and Approval of Engineering Plans	
A	Detailed engineering drawings, Plan of Subdivision and specifications stamped 'For Construction' must be submitted to the Manager of Infrastructure and Development or their approved delegate, for approval. Such documentation must: a) Include all infrastructure works shown on the endorsed plans and specifications or otherwise specified by the conditions below, including but limited to: i. Crossovers and Raised Driveway Accesses for each lot. ii. A stormwater service connection from each lot to the adjacent road swale sufficient for the safe discharge of a 5% AEP rainfall ensemble including climate modelling for a projected SSP5-8.5 to the year 2100.	Prior to the commencement of any works.

	iii. Revised flood modelling and reporting to validate the detailed design submitted 'for construction' complies with the endorsed documents within this Permit and Conditions imposed. Including: (i) Road swales utilising a Manning's N (or equivalent) roughness value of 0.05 consistent with Council's Level of Service. (ii) Defined 'No Building Area' for each lot suitable for application within a Section 71 Agreement under the Land Use Planning and Approvals Act to: 1. limit allowable locations for development in accordance with the endorsed documentation 2. limit modification of designed earthworks and existing terrain such that it would impact the flood management solution provided for within endorsed documentation and approved detailed design, revised flood modelling and reporting. iv. Formalisation of road swales adjacent to the proposed development. v. All recommendations provided by the endorsed Flood Report. vi. All new stormwater pipes are to be concrete and of minimum strength Class 4	
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	vii. Energy dissipation and erosion control to stormwater outlets and inlets viii. Extension of the proposed stormwater pipe, intended to be transferred to Council to form part of the public stormwater system, to an outlet headwall at the end of the road casement adjacent to 71 Grant Street. Council may at their own discretion approve an extended swale from the outlet in lieu of a pipe. ix. Locating wastewater treatment areas beyond the ground water level.	
B	Be prepared in accordance with the Tasmanian Subdivision Guidelines and LGAT Standard Drawings applicable at the date of approval of the plans. These Guidelines are available at www.lgat.tas.gov .	Prior to the commencement of any works.
C	All subdivision plans and associated engineering documentation must be reviewed and certified by a Certifying Civil Engineer prior to submission to Council for assessment, approval, or sealing. For the purposes of this requirement, a <i>Certifying Civil Engineer</i> means a person who: - holds qualifications in civil engineering appropriate to the works being certified; - is a Registered Professional Engineer in the area of civil engineering under the <i>Professional Engineers Registration Act 2021 (Tas)</i>, or any successor legislation; and - has demonstrated experience in the design, construction, and certification of subdivision and civil infrastructure works.	Prior to the commencement of any works.
D	All new infrastructure is to be fully integrated with existing infrastructure networks within reasonable distance to the development	Prior to the commencement of any works.
E	Be accompanied by an estimate of the construction cost of future public works with an associated schedule of components (bill of quantities).	Prior to the commencement of any works.

F	In all instances where deviation from detailed design is necessary from the standards identified above, approval must be sought from Councils Manager. Any such request for approval must be accompanied by supporting evidence prepared by a suitably qualified engineer.	Prior to the commencement of any works.
G	Once engineering drawings and specifications are approved by Council they remain valid for a period of five (5) years from the date of such approval, following which they will automatically lapse if they have not been carried into effect via works. Where any engineering design drawings have lapsed, Council may require the re-submission and review of the relevant engineering design drawings, any associated calculations and any other relevant information to ensure compliance with current infrastructure standards and applicable legislation.	Prior to the commencement of any works.
4	Earthworks	
A	Earthworks must comply with the provisions of AS3798 Guidelines on earthworks for commercial and residential developments and the Tasmanian Subdivision Guidelines current at the time of the application.	Prior to the commencement of any works.
B	Earthworks must be designed by a suitability qualified and experienced engineer to resist all probable flood forces as described within endorsed documents and varied by designs approved by Council's Manager of Infrastructure and Development.	Prior to the commencement of any works.
C	An accredited Civil Engineer or Geotechnical Engineer must certify that all earthworks have been carried out in accordance with all Permit conditions, endorsed documents, approved 'For Construction' documentation and detailed designs.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
5	General Manager Consent Pursuant to Section 14 of the Urban Drainage Act 2013	
A	The applicant must apply for, and be issued with, a General Manager's consent to undertake works affecting the public stormwater system pursuant to section 14 of the Urban Drainage Act 2013.	Prior to the commencement of any works.
6	Part 5 Agreement	

A	Prior to the sealing of the Final Plan of Subdivision, the landowner, under section 71 of the <i>Land Use Planning and Approvals Act 1993</i>, must prepare and enter into an agreement with the Break O’Day Council, to the satisfaction of the General Manager, establishing: a) a ‘No Build Area’ over all lots consistent with the ‘No Build Area’ necessary for flood management as required by Condition 2 and described in endorsed documentation. Restrictions for the ‘No Build Area’ are to prohibit buildings, structures, earthworks or infrastructure, including vehicle access ways being constructed within the ‘No Build Area’ unless otherwise approved in writing by Council. b) that the landowner of a lot is responsible for the ongoing operation and maintenance of all portions of the lot necessary for flood management. c) that the landowner must maintain the area in accordance with the Operation and Maintenance Manual following its submission and approval by Council’s Manager of Infrastructure and Development. d) that the landowner must rectify any nuisance from overland stormwater flow or flooding caused by the modification of areas within the ‘No Building Area’, to Council’s requirements and at the owner’s expense, within 14 days of Council giving notice of the requirement to do so. e) That the failure by the landowner to comply with a term or condition set out in the agreement allows the Council to undertake that work, with the costs of doing so to be a debt due and payable by the landowner to the Council.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	The developer is to pay all costs associated with the preparation and registration of the agreement.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

7	Covenants	
A	Any restrictive covenants created by this subdivision are not to preclude the use/development of this land for State, Commonwealth or Local Government purpose.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
8	Stormwater Works	
A	The developer is to apply and receive a permit to undertake Works & Development for the proposed concentrated discharge to Crown land managed by the Tasmania Parks and Wildlife Service. A copy of the permit must be provided to Council with the submission stipulated in Condition 2.	Prior to commencement of any works
9	Infrastructure Repair	
A	The owner must, at their expense, repair any Council services (e.g. pipes, drains) and any road, crossover, footpath or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council. If the owner does not undertake the required repair works within the timeframe specified by Council, the Council may arrange for the works to be carried out at the owner's expense.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
10	New Works & Infrastructure Construction	
A	All works, where relevant, must be in accordance with Council Policy No. AM08: Subdivision New Works and Infrastructure Construction	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
11	Works in Council Road Reserve	
A	Works must not be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by Council's Works Department.	Prior to undertaking any works within the Council Road Reserve.
B	Twenty-four (24) hours notice must be given to the Works Department to inspect works within road reserve, and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.	Prior to undertaking any works within the Council Road Reserve.
12	Temporary Exclusion Barrier	
A	Delineate areas where vegetation is proposed to be retained with exclusion	During site works.

	fencing/barriers/means of identification, to prevent accidental felling.	
13	Demolition of Outbuildings	
A	The Developer must: a) protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary. b) not undertake any burning of waste materials on site. c) remove all rubbish from the site for disposal at a licensed refuse disposal site. d) dispose of any asbestos found during demolition in accordance with the WorkSafe Tasmania's 'How to safely remove asbestos: Code of practice'	During demolition works and prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
14	Payment in Lieu of Public Open Space	
A	The developer must make payment to the Break O'Day Council in lieu of providing public open space in accordance with <i>Policy No AM02 Public Open Space Contributions Policy</i> as amended.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
15	Final Plan of Survey	
A	A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. Advice: The plan will not be sealed until such time as all conditions on this permit have been complied with.	On completion and satisfaction of all conditions on this permit.

ADVICE

1. 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.
2. 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

3. TasNetwork's Advice:

'Based on the information provided, the development is likely to adversely affect TasNetworks' operations.

TasNetworks has a deemed (statutory) easement over the distribution HV and LV line between pole 293270 and 293271 as shown in the below screenshot which will affect the proposed lot 1. No structure can be built within our easement corridor. Further information regarding Easements can be found on the TasNetworks website : [Electricity easements - TasNetworks](#)

As with any subdivision of this magnitude, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot'.

To understand what these requirements may entail, it is recommended you advise the proponent to contact TasNetworks on 1300 137 008 or submit an application via our website connections portal <https://connections.tasnetworks.com.au/Identity/Account/Login> at their earliest convenience'.

- B. That all external Referral Agencies for the development application be provided with a copy of the Council's decision (Permit).

	Applicable Y/NA	Referral Agency
That all external Referral Agencies for the development application be provided with a copy of the Council's decision (Permit)	N/A	N/A

- C. That the following information be included in the Permit.

Development Permit Information	Details
<i>Development Description</i>	Subdivision - 6 Lot Subdivision
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Works Permit
<i>Attachments</i>	Nil
<i>Representations</i>	Three (3)

FOR – Cllr I Carter, Cllr V Oldham, Mayor M Tucker

AGAINST – Cllr L Johnstone, Cllr K Wright, Cllr L Whittaker

No decision has been made.

The item was adjourned for the Planning Officer to enquire with the Applicant whether an extension of time would be granted.

COUNCIL DECISION:

See continuation of this item following Item 07/26.17.2

The Mayor advised Council that it has now concluded its meeting as a Planning Authority under Regulation 29 of the Local Government (Meeting Procedures) Regulations 2025.

07/26.9.0 COUNCIL MEETING ACTIONS

07/26.9.1 Outstanding Matters

Clr I Carter – Requested an update on the pontoon installation at Scamander.

Clr I Carter – Requested an update on the old St Helens Hospital site.

Clr I Carter – Requested an update on the dual naming of St Patricks Head.

07/26.10.0 PETITIONS

Nil

07/26.11.0 NOTICES OF MOTION

A motion may be set aside by the Chairperson to be considered at a subsequent meeting, in accordance with Regulation 18 of the Local Government (Meeting Procedures) Regulations 2025

Nil

07/26.12.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

07/26.12.1 Mayor's Communications for Period Ending 20 July 2026

16.06.2026	St Helens	– Meeting with community members Janette Saunders and Ruth Graham regarding concerns about the Parks and Wildlife Service's decision to close access to properties in Peron and adjoining streets.
18.06.2026	St Marys	– Meeting with Dexter French regarding the St Marys Tip Shop.
18.06.2026	Launceston	– Northern Tasmania Development Corporation (NTDC), Farewell for CEO Chris Griffin.
19.06.2026	MS Teams	– NTDC, Member Representative Group (MRG) board meeting.
22-26. 06.2026	Canberra	– Australian Local Government Association (ALGA), attended the National General Assembly (NGA) with Deputy Mayor Chapple, participating in discussions on national local government priorities, funding advocacy and emerging issues affecting councils.
22.06.2026	Canberra	– Australian Local Government Association (ALGA) board meeting.
23.06.2026	Canberra	– Senator Jono Duniam, meeting involving the General Manager and Deputy Mayor Chapple, discussions focussed on the Georges Bay Foreshore Walking Track.
24.06.2026	Canberra	– ALGA, Emergency and Disaster Impacted Councils Group with Mayors.

24.06.2026	Canberra	– Tasmanian Cohort networking event hosted by Regional Development Australia Tasmania (RDAT) LGAT and NTDC, attended with the Tasmanian attendees of the 2026 NGA of Local Government.
25.06.2026	MS Teams	– TasWater, attended the General Meeting, endorsing the FY2027–31 Corporate Plan and participating in discussions on their Price and Services Plan 5 (PSP5) and the pricing determination approved by the Tasmanian Economic Regulator.
26.06.2026	Hobart	– Local Government Association of Tasmania (LGAT), meeting with CEO Dion Lester.
26.06.2026	MS Teams	– Audit Tasmania, auditee information session.
01.07.2026	St Helens	– Meeting with community member Matthew Fagan.
03.07.2026	Hobart	– LGAT, meeting with CEO Dion Lester.
06.07.2026	St Helens	– Council Workshop.
07.07.2026	MS Teams	– National Emergency Management Agency (NEMA), overview of the AusAlert warning system.
08.07.2026	MS Teams	– LGAT, General Management Committee meeting.
08.07.2026	MS Teams	– LGAT, Emergency Management Reform, meeting with Ms Kristy McBain, Minister for Emergency Management and LGAT CEO Dion Lester to discuss proposed emergency management reforms.
10.07.2026	St Helens	– Break O’Day Community Financial Services Limited, photo opportunity with the board members and Bendigo Bank Branch Manager regarding the renewal of a three year sponsorship agreement of the Bendigo Stadium.
13.07.2026	St Helens	– Meeting with community member Jean Rosevear to receive an update on the Mainly Maritime Inc.
20.07.2026	St Helens	– Council Meeting.

07/26.12.2 Councillor’s Reports for Period Ending 20 July 2026

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
Nil

- NRM Special Committee – Cllr Liz Johnstone
Cllr Johnstone advised that she has been away, but noted that there is an NRM report included in the agenda.

- East Coast Tasmania Tourism (ECTT) – Cllr Barry LeFevre
Nil

- Mental Health Action Group – Clr Barry LeFevre
Clr Carter advised that he attended the Wellness and Creativity program at Fingal Valley Neighbourhood House last week. There were over 20 organisations present and over 150 people in attendance, and great to see Renee Dunn, the BODC Community Wellbeing Officer in attendance. It was a great event and significant in the support of mental health in the community.
- Access and Inclusion Advisory Committee – Clr Kylie Wright
No meeting has been held.
- Bay of Fires Master Plan Steering Committee – Clr Ian Carter
No meeting has been held.
- St Marys Exhibition Building Committee - Clr Liz Johnstone
Clr Johnstone advised that although no meeting has been held, BODC Staff and committee volunteers have continued work on this.

07/26.13.0 BUSINESS AND CORPORATE SERVICES

07/26.13.1 Corporate Services Department Report

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

That the report be received.

INTRODUCTION:

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

COUNCIL DECISION:

07/26.13.1.804 Moved: Clr I Carter/ Seconded: Clr K Wright

That the report be received.

CARRIED UNANIMOUSLY

07/26.13.2 Monthly Financial Report

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

That the following reports for the month ending 30 June 2026 be received:

1. Profit and Loss Statement;
2. Balance Sheet;
3. Statement of Cash Flows; and
4. Capital Works 2025/26.

INTRODUCTION:

Presented to Council are the monthly financial statements for the month ending 30 June 2026.

COUNCIL DECISION:

07/26.13.2.805 Moved: Clr V Oldham/ Seconded: Clr L Johnstone

That the following reports for the month ending 30 June 2026 be received:

1. Profit and Loss Statement;
2. Balance Sheet;
3. Statement of Cash Flows; and
4. Capital Works 2025/26.

CARRIED UNANIMOUSLY

The meeting adjourned for morning tea at 11:05am and resumed at 11:15am.

07/26.14.0 WORKS AND INFRASTRUCTURE

07/26.14.1 Works and Infrastructure Report

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

That the report be received by Council.

INTRODUCTION:

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

COUNCIL DECISION:

07/26.14.1.806 Moved: Clr V Oldham/ Seconded: Clr I Carter

That the report be received by Council.

CARRIED UNANIMOUSLY

07/26.14.2 **Animal Control Report**

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

That the report be received by Council.

INTRODUCTION:

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

COUNCIL DECISION:

07/26.14.2.807 Moved: Clr L Whittaker/ Seconded: Clr V Oldham

That the report be received by Council.

CARRIED UNANIMOUSLY

07/26.14.3 **Policy review – AM13 Memorial Gardens Policy**

FILE REFERENCE	002\024\003\
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OFFICER'S RECOMMENDATION:

That Policy AM13 Memorial Gardens, be accepted without amendment.

INTRODUCTION:

Council has a schedule for regular review of Policies and this Policy is now due for revision.

COUNCIL DECISION:

07/26.14.3.808 Moved: Clr I Carter/ Seconded: Clr K Wright

That Policy AM13 Memorial Gardens, be accepted without amendment.

CARRIED UNANIMOUSLY

FILE REFERENCE	002\024\003\
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OFFICER'S RECOMMENDATION:

That Policy AM19 Nature Strip Planting, be accepted without amendment.

INTRODUCTION:

Council has a schedule for regular review of Policies and this Policy is now due for revision.

COUNCIL DECISION:

07/26.14.4.809 Moved: Clr K Wright/ Seconded: Clr V Oldham

That Policy AM19 Nature Strip Planting, be accepted without amendment.

CARRIED UNANIMOUSLY

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

That Council endorse the St Marys Parking Strategy 2026-2031.

INTRODUCTION:

The draft St Marys Parking Strategy 2026–2031 sets out a comprehensive framework for managing parking in the town centre. It prioritises optimising existing infrastructure before considering new developments, aiming to support local businesses, promote safe movement, accommodate visitor needs, and preserve the town's character. The strategy addresses key issues, including parking turnover, peak demand, long-vehicle parking, accessibility, and pedestrian safety, through a clear hierarchy. Short-stay parking is prioritised on Main and Story Streets, while longer-stay and staff parking are directed to off-street and peripheral areas.

COUNCIL DECISION:

07/26.14.5.810 Moved: Clr V Oldham/ Seconded: Clr L Whittaker

That Council endorse the St Marys Parking Strategy 2026-2031.

CARRIED UNANIMOUSLY

FILE REFERENCE	043\017\026\
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OFFICER'S RECOMMENDATION:

That Council receives the Tully Street Elm Avenue, St Helens — Arboricultural Assessment 2026 prepared by Maine Tree Care (MTC) and retains the northern side trees in their current form, managing these trees under a routine inspection program set out in the report.

INTRODUCTION:

Maine Tree Care (MTC) was engaged to provide arboricultural advice to Break O'Day Council regarding elm trees (*Ulmus* spp.) located within the road reserve on the northern side of Tully Street, St Helens, between Young Street and Cecilia Street. The advice responds to Notice of Motion 11/25.11.1 — Pollarding Trees on the Northern Side of Tully Street, raised by Mayor Tucker.

COUNCIL DECISION:**07/26.14.6.811**Moved: Clr L Whittaker/ Seconded: Clr L Johnstone

That Council receives the Tully Street Elm Avenue, St Helens — Arboricultural Assessment 2026 prepared by Maine Tree Care (MTC) and retains the northern side trees in their current form, managing these trees under a routine inspection program set out in the report.

CARRIED UNANIMOUSLY

FILE REFERENCE	011\034\006\
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OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

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

COUNCIL DECISION:**07/26.15.1.812**Moved: Clr K Wright/ Seconded: Clr L Whittaker

That the report be received.

CARRIED UNANIMOUSLY**07/26.15.2****Visitor Information Centre Report**

FILE REFERENCE	040\028\002\
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OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

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

COUNCIL DECISION:**07/26.15.2.813**Moved: Clr I Carter/ Seconded: Clr V Oldham

That the report be received.

CARRIED UNANIMOUSLY**07/26.15.3****Sponsorship request- MoodMission - Mental Health Comedy Roadshow**

FILE REFERENCE	005\017\004\
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OFFICER'S RECOMMENDATION:

That Council:

1. support this event by granting a full fee waiver for the hire of the Portland Hall.
2. support a \$1,000 financial sponsorship to Moodmission in delivering the Mental Health Comedy Roadshow.

INTRODUCTION:

A request has been received from MoodMission seeking Council support for the delivery of the Tassie Mental Health Comedy Roadshow in St Helens during Mental Health Week 2026 (3-11 October 2026)

COUNCIL DECISION:**07/26.15.3.814**Moved: Clr V Oldham/ Seconded: Clr I Carter

That Council:

1. support this event by granting a full fee waiver for the hire of the Portland Hall.
2. support a \$1,000 financial sponsorship to Moodmission in delivering the Mental Health Comedy Roadshow.

CARRIED UNANIMOUSLY**07/26.16.0 DEVELOPMENT SERVICES****07/26.16.1 Development Services Report**

FILE REFERENCE	031\013\003\
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OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

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

COUNCIL DECISION:**07/26.16.1.815**Moved: Clr L Whittaker/ Seconded: Clr L Johnstone

That the report be received.

CARRIED UNANIMOUSLY**07/26.16.2 Memorial Park Amenities Upgrade**

FILE REFERENCE	004\008\024\
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OFFICER'S RECOMMENDATION:

That Council:

1. Notes the proposed upgrade of the St Helens Memorial Park amenities block
2. Endorses the proposed community information approach, and
3. Approves the progression of the project to construction.

INTRODUCTION:

This report seeks Council endorsement to proceed with the upgrade of the Memorial Park toilet amenities block at St Helens, including the proposed approach to community communication.

COUNCIL DECISION:

07/26.16.2.816 Moved: Clr V Oldham/ Seconded: Clr K Wright

That Council:

1. Notes the proposed upgrade of the St Helens Memorial Park amenities block
2. Endorses the proposed community information approach, and
3. Approves the progression of the project to construction.

CARRIED UNANIMOUSLY

07/26.16.3 **NRM Committee Meeting Record of Proceedings – 5 May 2026**

FILE REFERENCE	010\028\003\
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OFFICER'S RECOMMENDATION:

That Council receive the Record of Proceedings of NRM Committee Meeting held on 5 May 2026 and consider any matters for further Council attention.

INTRODUCTION:

The Break O'Day Council NRM Special Committee met on Tuesday 5 May and is due to meet next on 4 August 2026.

COUNCIL DECISION:

07/26.16.3.817 Moved: Clr L Johnstone/ Seconded: Clr V Oldham

That Council receive the Record of Proceedings of NRM Committee Meeting held on 5 May 2026 and consider any matters for further Council attention.

CARRIED UNANIMOUSLY

07/26.17.0 GOVERNANCE

07/26.17.1 General Manager's Report

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

That the General Manager's report be received.

INTRODUCTION:

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

COUNCIL DECISION:

07/26.17.1.818 Moved: Clr V Oldham/ Seconded: Clr K Wright

That the General Manager's report be received.

CARRIED UNANIMOUSLY

Clr L Whittaker left the meeting 12:04pm.

07/26.17.2 St Helens Online Access Centre Funding

FILE REFERENCE	018\019\001\
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OFFICER'S RECOMMENDATION:

That Council:

1. Receive the report regarding the St Helens Online Access Centre noting the analysis of the service offerings by the St Helens Online Access Centre and Libraries Tasmania through the St Helens Library;
2. Note the response from Minister Palmer dated 3 July 2026;
3. Monitor the effectiveness of the Libraries Tasmania digital inclusion service in meeting community needs and advocate on behalf of the community when needs are not being met to the level required;
4. Not provide annual operational funding to the St Helens Online Access Centre

INTRODUCTION:

The purpose of this report is to provide Council with information regarding the St Helens Online Access Centre following a Notice of Motion from Councillor Kylie Wright requesting that a report be provided to Council.

The report outlines the information currently available in relation to State Government funding arrangements, the temporary occupancy support provided by Council, the proposed Libraries Tasmania digital inclusion service model, and areas of service crossover, potential duplication and risk.

COUNCIL DECISION:

07/26.17.2.819

Moved: Clr I Carter/ Seconded: Clr L Johnstone

That Council:

1. Receive the report regarding the St Helens Online Access Centre noting the analysis of the service offerings by the St Helens Online Access Centre and Libraries Tasmania through the St Helens Library;
2. Note the response from Minister Palmer dated 3 July 2026;
3. Monitor the effectiveness of the Libraries Tasmania digital inclusion service in meeting community needs and advocate on behalf of the community when needs are not being met to the level required;
4. Not provide annual operational funding to the St Helens Online Access Centre

CARRIED UNANIMOUSLY

Clr L Whittaker returned to the meeting at 12:25pm

07/26.8.0 PLANNING AUTHORITY

Pursuant to Regulation 29 of the Local Government (Meeting Procedures) Regulations 2025 the Mayor to inform Council that it is now acting as a Planning Authority under the Land Use Planning and Approvals Act 1993.

07/26.8.1

DA 134-2024 – 70 Grant St, Falmouth - Subdivision – 6 Lot subdivision

The Planning Officer advised that the proponent has agreed in writing to an extension of time until the 24 August 2026.

COUNCIL DECISION:

Procedural Motion

Moved: Clr I Carter/ Seconded Clr V Oldham

That Council defer consideration to the August Council Meeting

CARRIED UNANIMOUSLY

The Mayor to advise Council that it has now concluded its meeting as a Planning Authority under Regulation 29 of the Local Government (Meeting Procedures) Regulations 2025.

Pursuant to Regulation 17(1) of the Local Government (Meeting Procedures) Regulations 2025 Council will move into Closed Council.

Moved: Clr L Whittaker / Seconded: Clr V Oldham

IN CONFIDENCE

07/26.18.0 CLOSED COUNCIL

In accordance with Regulation 43 of the Local Government (Meeting Procedures) Regulations 2025, audio recordings of **Closed Council meetings** must be made but are **not to be published**. These recordings will be stored securely and kept separate from public recordings, in line with confidentiality requirements.

07/26.18.1 Confirmation of Closed Council Minutes – Council Meeting 15 June 2026

OFFICER’S RECOMMENDATION:

That the minutes of the Closed Council Meeting held on the 15 June 2026 be confirmed.

COUNCIL DECISION:

07/26.18.1.CC Moved: Clr V Oldham/ Seconded: Clr K Wright

That the minutes of the Closed Council Meeting held on the 15 June 2026 be confirmed.

CARRIED UNANIMOUSLY

07/26.18.2 Outstanding Actions List for Closed Council

Nil

07/26.18.3 Closed Council Item Pursuant to Section 17(2)(g) of the Local Government (Meeting Procedures) Regulations 2025 - Grant Street (St Marys) Flood Levee

FILE REFERENCE	016\012\003\
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COUNCIL DECISION:

07/26.18.3.CC Moved: Clr L Johnstone / Seconded: Clr L Whittaker

DECISION TO APPEAR IN OPEN COUNCIL:

Council resolved that:

- a. pursuant to section 176 of the *Local Government Act 1993*, Council acquire easement interests over the properties in accordance with Part 2 of the *Land Acquisition Act 1993*, for the prescribed purpose of undertaking work, or providing access for work, for the prevention, control or mitigation of flooding under regulation 44(g) of the *Local Government (General) Regulations 2025*;
- b. pursuant to section 22 of the *Local Government Act 1993*, Council delegate to the General Manager all relevant functions and powers under that Act and the *Land Acquisition Act 1993* as acquiring authority for the acquisition process;
- c. the General Manager be authorised to finalise the terms of the Deeds of Acquisition and any associated *Land Titles Act* dealing or *Land Acquisition Act 1993* form required to complete the acquisition process; and
- d. the Deeds of Acquisition and any other document necessary to complete the acquisition process be executed and sealed by the General Manager and the Mayor.

CARRIED UNANIMOUSLY

Clr L Whittaker departed the meeting at 12:46pm.

Pursuant to Regulation 17(1) of the Local Government (Meeting Procedures) Regulations 2025 Council will move out of Closed Council.

Moved: Clr I Carter/ Seconded: Clr V Oldham

07/26.19.0 MEETING CLOSED

Mayor Tucker thanks everyone for their attendance and declared the meeting closed at 12:54pm.

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MAYOR

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DATE