

COUNCIL MEETING AGENDA

Monday 14 April 2025
Council Chambers, St Helens

Raoul Harper, Acting General Manager
Break O'Day Council
9 April 2025

NOTICE OF MEETING

Notice is hereby given that the next meeting of the Break O'Day Council will be held at the St Helens Council Chambers on Monday 14 April 2025 commencing at 10.00am.

CERTIFICATION

Pursuant to the provisions of Section 65 of the *Local Government Act 1993*, I hereby certify that the advice, information and recommendations contained within this Agenda have been given by a person who has the qualifications and / or experience necessary to give such advice, information and recommendations or such advice was obtained and taken into account in providing the general advice contained within the Agenda.



RAOUL HARPER

ACTING GENERAL MANAGER

Date: 9 April 2025

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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 to welcome Councillors and staff and declare 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.

04/25.1.0 ATTENDANCE

04/25.1.1 Present

Mayor Mick Tucker
Deputy Mayor Kristi Chapple

Councillor Ian Carter
Councillor Janet Drummond
Councillor Liz Johnstone
Councillor Barry LeFevre
Councillor Vaughan Oldham
Councillor Kylie Wright

04/25.1.2 Apologies

Nil

04/25.1.3 Leave of Absence

Councillor Gary Barnes

04/25.1.4 Staff in Attendance

Acting General Manager, Raoul Harper
Administration & Governance Support Officer, Linda Singline

04/25.2.0 PUBLIC QUESTION TIME

Nil

04/25.3.0 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.

04/25.4.0 CONFIRMATION OF MINUTES

04/25.4.1 Confirmation of Minutes – Council Meeting 17 March 2025

OFFICER’S RECOMMENDATION:

That the minutes of the Council Meeting held on the 17 March 2025 be confirmed.

04/25.5.0 COUNCIL WORKSHOPS HELD SINCE 17 MARCH 2025 COUNCIL MEETING

There was a workshop held 7 April 2025 and the following items were listed for discussion.

- Presentation – East Coast Tourism Tasmania - Damian Mather at 10am
- Pending Development Application Updates
- Revised Land Use Planning and Approvals (Development Assessment Panel) Bill 2025
- Draft Industrial Land Study – Submissions
- Draft Scamander / Beaumaris Structure Plan – Submissions
- Schedule of Fees & Charges 2025/2026
- Request to Refund Waste Collection Charges – 1484 Upper Esk Road, Upper Esk
- Animal Control Report
- Draft Community Park and Landscape Policy
- Kerbside Waste Collection Schedule
- Tasman Highway St Helens – speed limits
- Reconciliation Action Plan Artwork
- Memorandum of Understanding – State Emergency Service
- St Marys Exhibition Building – Community Submissions
- Purpose Built Early Learning Centre for St Marys – Cl Drummond

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.

04/25.6.1

DA 2024 / 00239 - Demolition of Dwelling & Carport and New Building comprising one (1) Dwelling & Two (2) Visitor Accommodation Units - 74 Main Road, Binalong Bay

ACTION	DECISION
COUNCIL MEETING DATE	14 April 2025
PROPONENT	Jennifer Binns
OFFICER	Planning Officer
FILE REFERENCE	DA 2024 / 00239
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none"> 1. Plans (version dated 18 March 2025) 2. Scheme Response 3. Traffic Impact Assessment (18 March 2025) 4. On-site Wastewater Report 5. Representations (3) 6. Responsible Officer Assessment

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 Demolition of Dwelling & Carport and New Building comprising one (1) Dwelling & Two (2) Visitor Accommodation Units on land situated at 74 Main Road, Binalong Bay described in Certificate of Title 168931/105 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Cover Sheet	-	Jennifer Binns	-
Site Plan and Demolition Plan	A03	Jennifer Binns	18/03/2025
Proposed Ground Floor	A04	Jennifer Binns	18/03/2025
Proposed First Floor	A05	Jennifer Binns	18/03/2025
Elevations (2 sheets)	A06, A07	Jennifer Binns	18/03/2025
Visuals	A09	Jennifer Binns	18/03/2025
Parking Section	A10	Jennifer Binns	18/03/2025
Shadow Diagrams	A11	Jennifer Binns	18/03/2025
Traffic Impact Assessment (Amended)		Richard Burk Traffic & Civil Services	18 March 2025

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 commencement of use and to be maintained at all times.
2	Visitor Accommodation	
A	<p>The Applicant is to provide to the satisfaction of the Council or its delegate, a Visitor Accommodation Management Plan which sets out the rules and requirements which will apply to the use of the accommodation. The Plan must include the following minimum information:</p> <ul style="list-style-type: none"> • Manager contact information • Maximum permitted occupancy • Guest parking rules • Guest behaviour expectation 	Prior to the commencement of the visitor accommodation use and maintained at all times
B	The Visitor Accommodation Management Plan approved by the Council or its delegate is to remain updated at all times and be made available upon request by the Council or its delegate.	At all times.
3	Stormwater	
A	<p>Stormwater overflow from the tank must be discharged (piped) to the street. The connection point is the grated pit located in the road reserve in front of 76 Main Road (see picture below) The connection at the pit must be completed by a licenced plumber.</p> <p>The applicant must obtain a works permit before undertaking any work in the road reservation.</p>	Prior to commencement of use and maintained at all times.
B	Concentrated stormwater must not be discharged into neighbouring properties.	At all times.
4	Access and Car Parking	
A	The proposed access to Main Road must be constructed in accordance with standard drawings TSD-R04-v3 without the culvert. The crossover must be asphalt or concrete and join	Prior to commencement of use and maintained at all times.

CONDITION		TIMING
	seamlessly with the edge of the road. (Concrete and asphalt details can be found in standard drawing TSD-R09-v3). The applicant must obtain a works permit before undertaking any work to construct the new crossover.	
B	The parking spaces/driveways for the visitor accommodation units must be sealed or concrete and a cut off drain (full width) is required at the boundary (located on the property) to prevent flows down the crossover. The cut off drain must be piped to connect into the proposed pipe from the tank.	Prior to commencement of use and maintained at all times.
C	Parking, access ways, manoeuvring and circulation spaces must comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i> .	Prior to commencement of use and maintained at all times.
5	Effluent Disposal	
	Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's Plumbing Permit Authority.	Prior to building approval
6	Nuisance	
	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
7	Demolition	
	During demolition all existing materials must be checked for the presence of asbestos and if found, handling, protection and disposal must be carried out in accordance with the requirements of Work Safe Tasmania and Safe Work Australia "How to Safely Remove Asbestos Code of Practice (2018)".	At all times.
8	Waste Management	
	All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	At all times.

ADVICE

1. TasNetworks Advises the following:

I would like to highlight the ground stay wire off pole ID 200361 and its proximity to the proposed retaining wall. Information about works occurring near our assets should be observed by your contractors and this information is found on our website here. [Digging around power poles - TasNetworks](#)

Should the proximity be too close and the stay wire need to be adjusted this will be at the requestors cost.

It is recommended that the customer or their electrician contact TasNetworks on 1300 137008 if they have any questions regarding any upgrades they may require to their electricity supply due to this development.

2. 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.
3. 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

- 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)	NA	e.g. Property Services

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

Development Permit Information	Details
<i>Development Description</i>	Demolition of Dwelling & Carport and New Building comprising one (1) Dwelling & Two (2) Visitor Accommodation Units
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Work Permit
<i>Attachments</i>	Planning Approval Plans
<i>Representations</i>	Three (3)

INTRODUCTION:

The applicant is seeking approval for the demolition of an existing dwelling and carport and the construction of a building comprising a dwelling and two (2) visitor accommodation units, at 74 Main Road, Binalong Bay.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

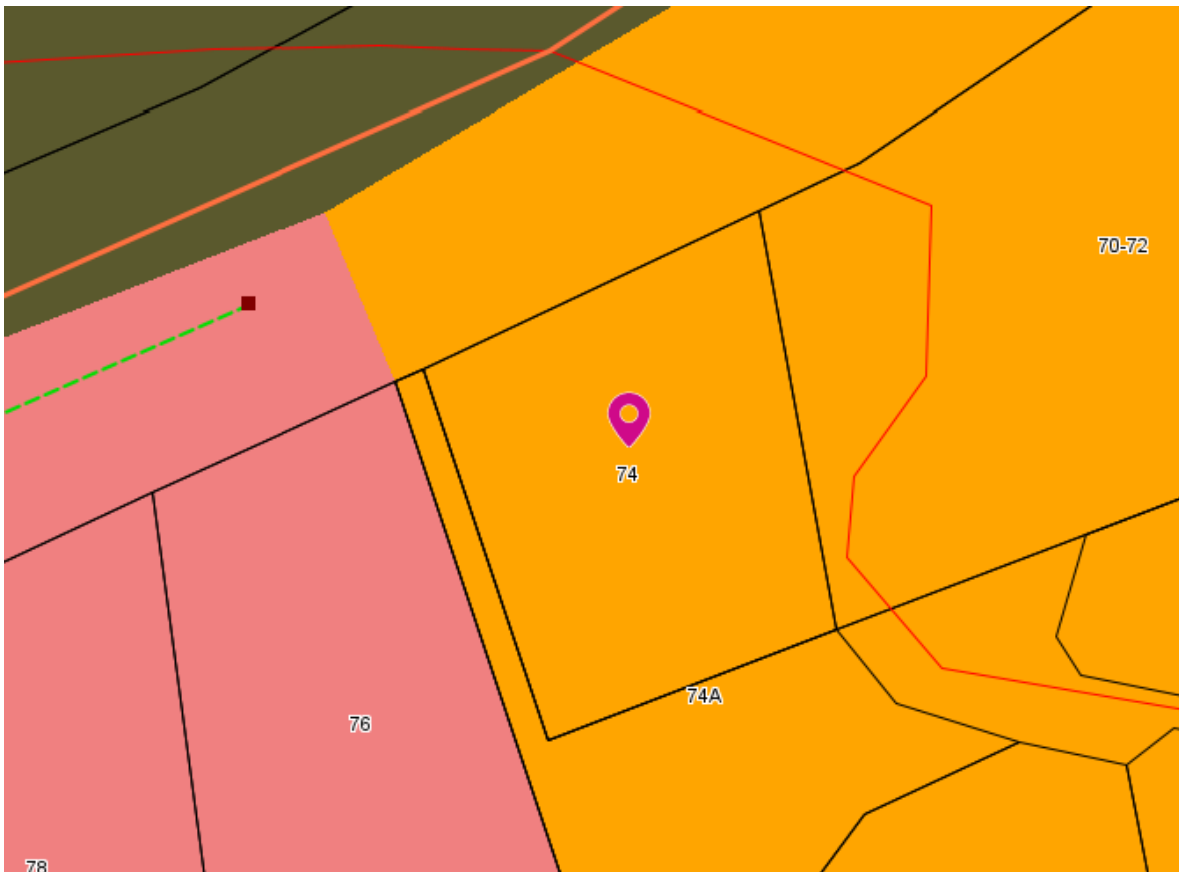
1. The Proposal

The proposal is for the demolition of an existing dwelling and carport and the construction of a building comprising a dwelling and two (2) visitor accommodation units, at 74 Main Road, Binalong Bay.

The subject land is an existing residential lot located on the southern side of Main Road at Binalong Bay. The lot is regular in shape with a land area of 448m² and is together with a right of way (private) for access. The land slopes from the rear down to the road and is not serviced for water and sewerage. A stormwater connection is available to the public system.



Locality Plan/Aerial Photograph



Subject zoning (Village) – Adjacent zoning (Low Density Residential)

The proposed building will be a two-storey structure, with a two-bedroom dwelling and attached single garage located on the first floor, and two (2) bed-sit visitor accommodation units located below the dwelling at ground level.

The proposal is not for multiple dwellings because the units do not include a laundry and therefore do not satisfy the Planning Scheme definition of a dwelling being:

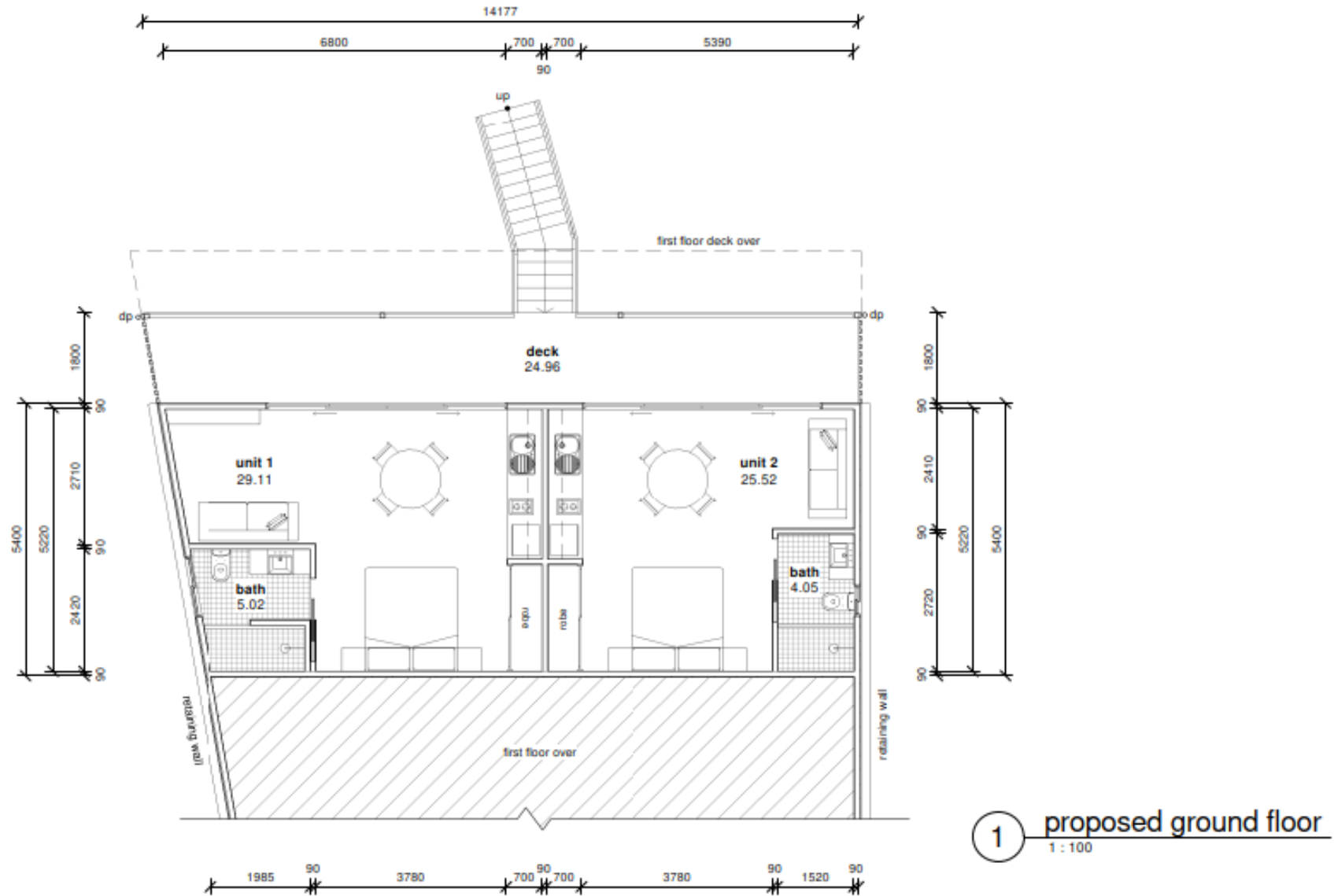
‘a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling’.

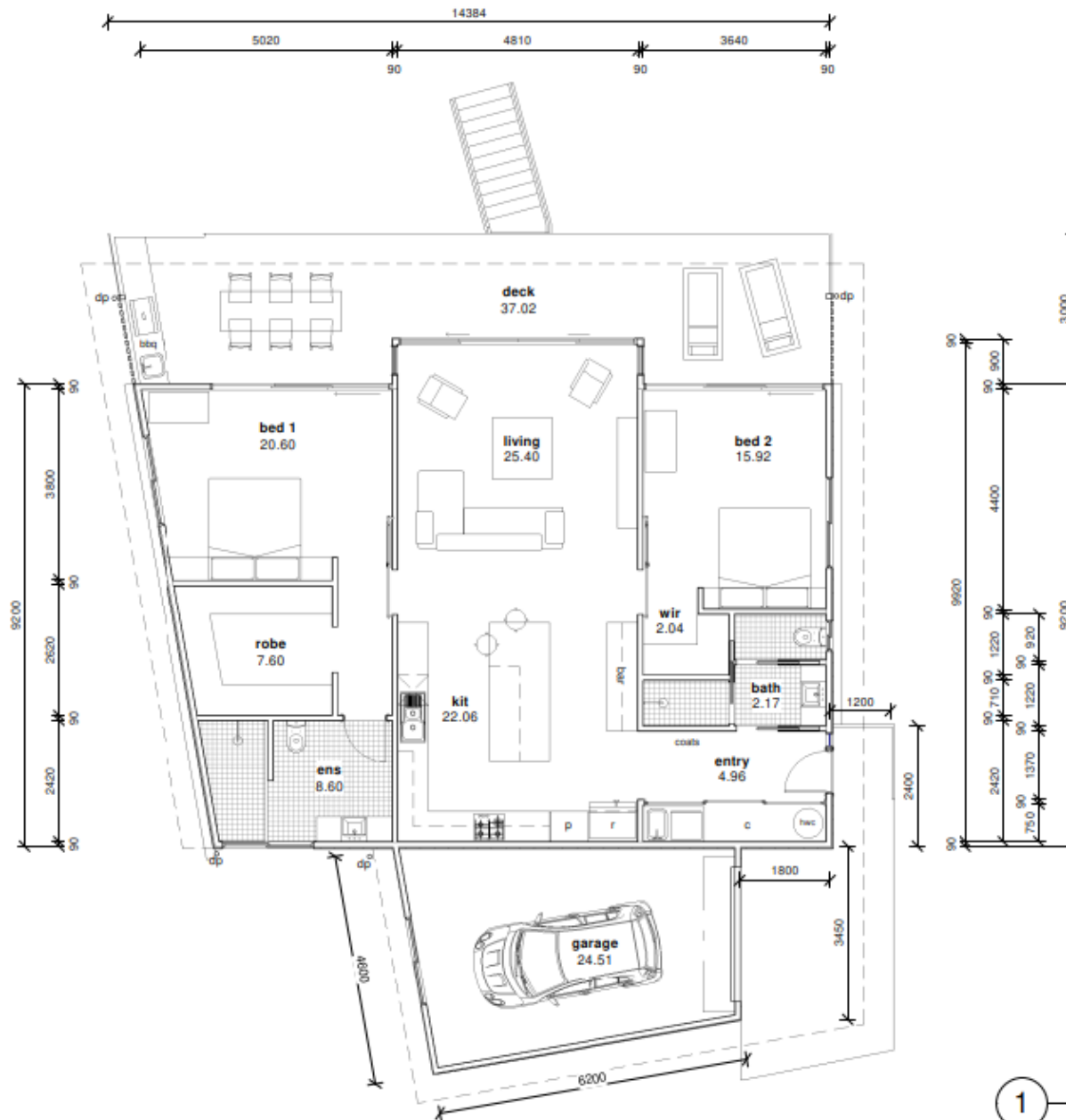
If approved, the units may only be used for short or medium-term accommodation for persons away from their normal place of residence.

The dwelling will use the existing driveway located at the rear of the site which is accessed from the private right of way. Some modification of the driveway is proposed to allow sufficient space for vehicles to manoeuvre within the right of way boundary and achieve forward entry and exit movements. The driveway will include drainage to ensure that stormwater does not enter the right of way.

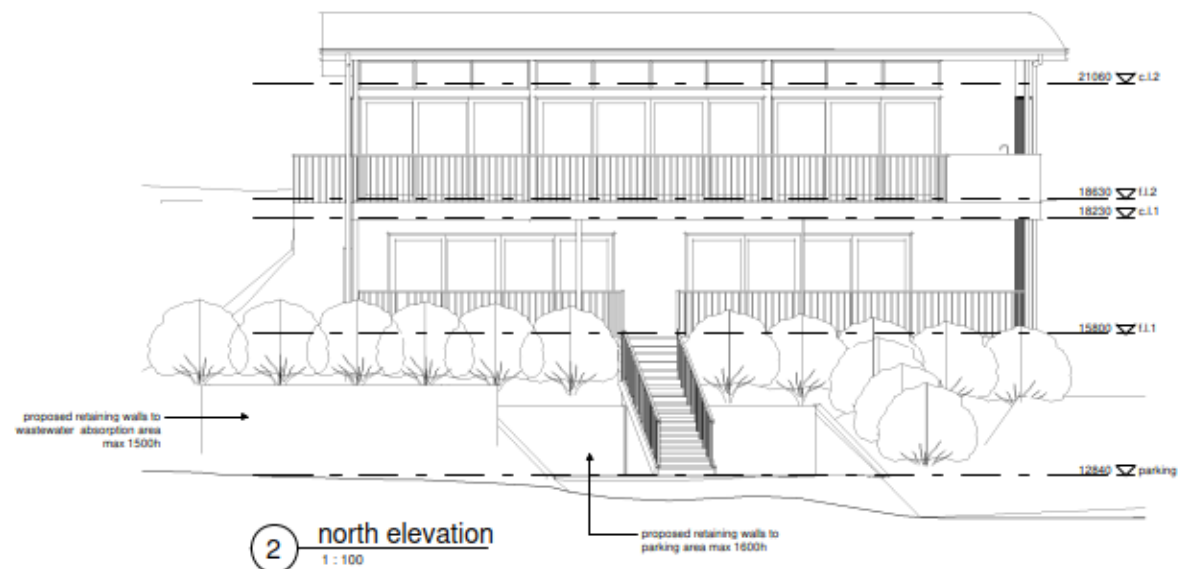
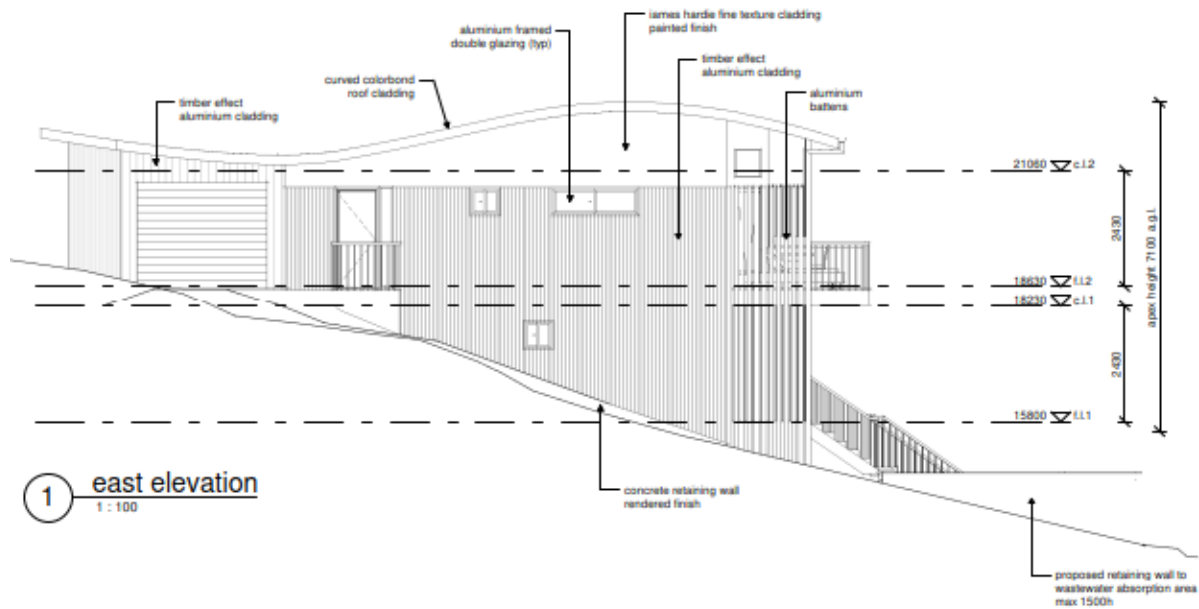
A new double width access from Main Road is proposed for the visitor accommodation units, and one uncovered car parking space for each unit is provided in front of the building.

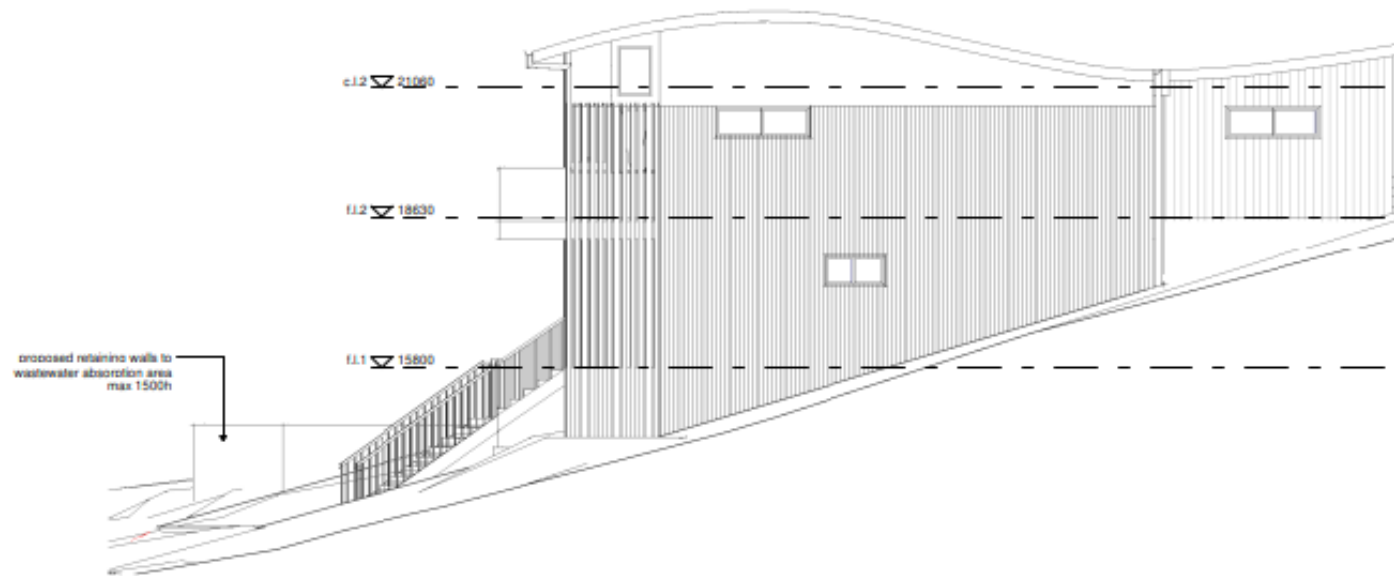
A new on-site wastewater disposal system has been designed for the building and will undergo a technical assessment at the building approval stage. The plans show the proposed location of the associated wastewater infrastructure.





1 **proposed first floor**
1 : 100



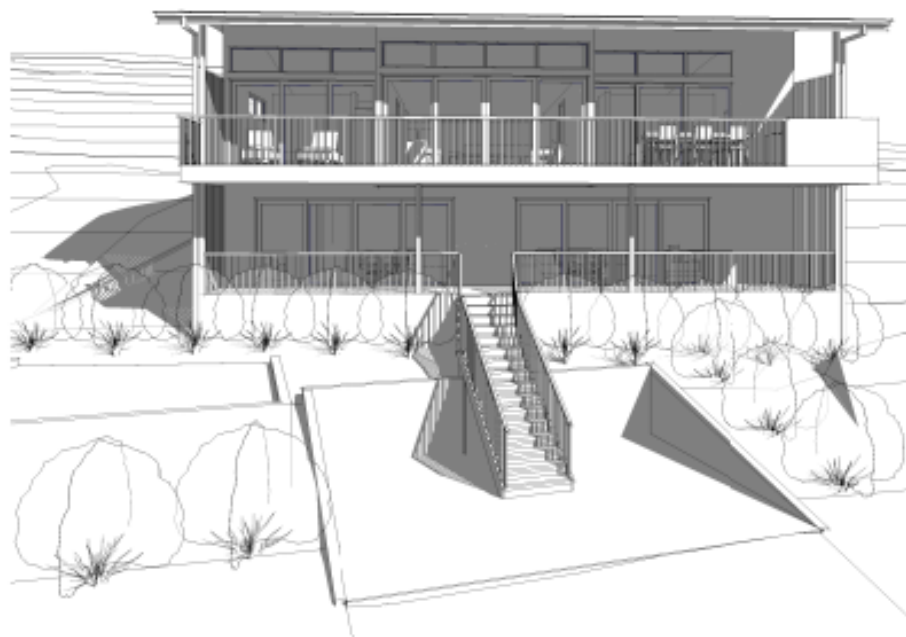


① **west elevation**
1 : 100



② **south elevation**
1 : 100

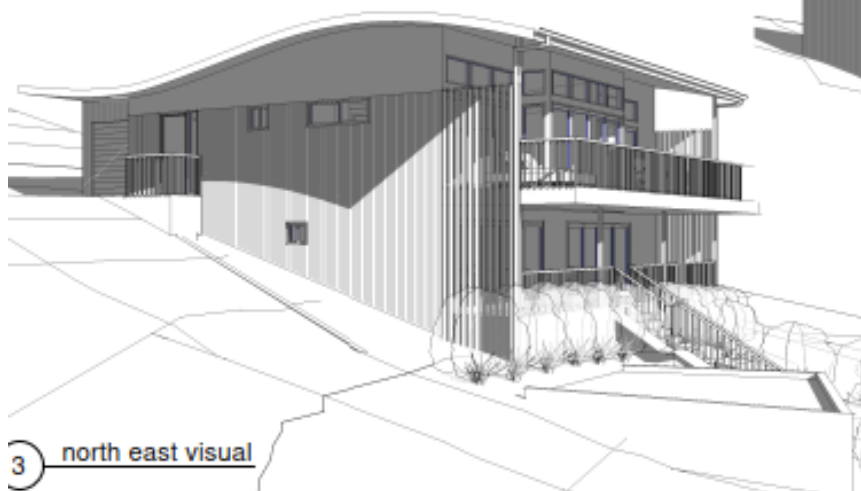
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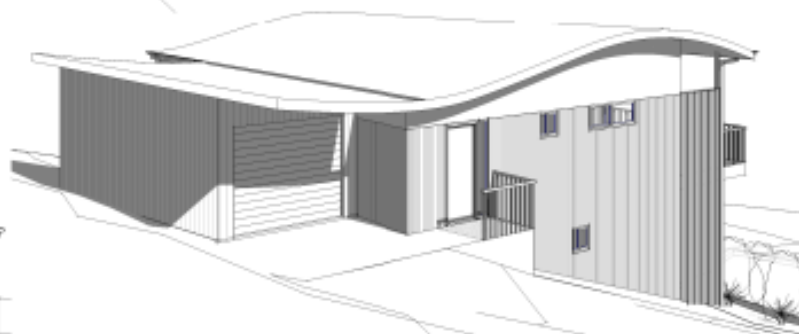
1 north visual




2 east visual

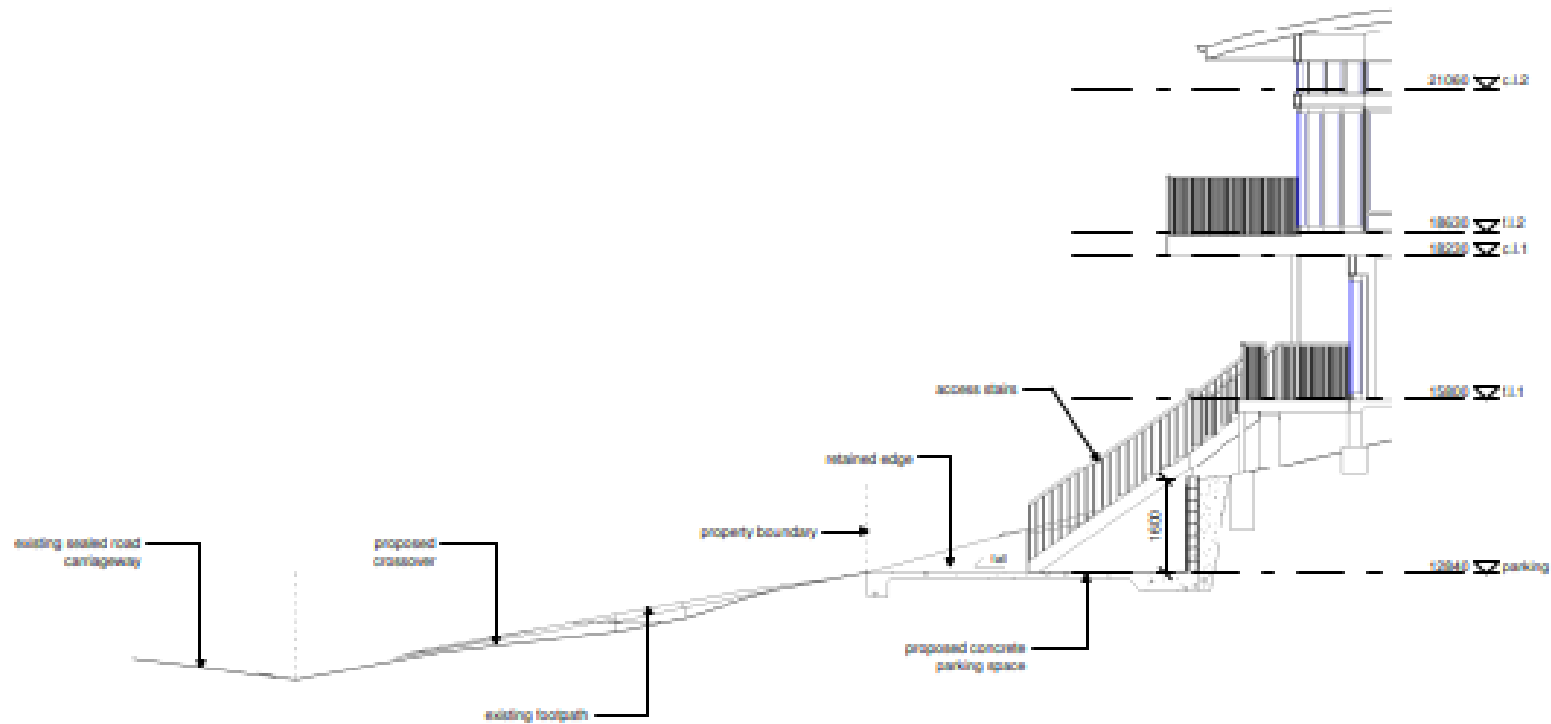


3 north east visual

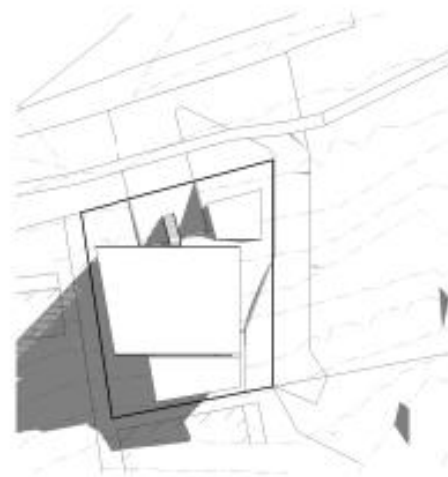


4 south east visual

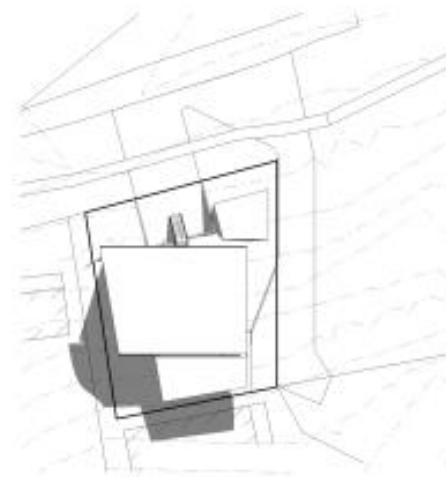
REV	DESCRIPTION
PROJECT: proposed dwelling + 2 x u	
FOR: lisa tait 74 main road binalong bay tas 7216	
DRAWING TITLE: visuals	
DRAWING NO: a09	DRAWN BY: JB
	DATE: 18.03.25
SCALE:	PROJECT: 0715
 jennifer bin www.jenniferbindesign.com.au 0438 765 452 : mail @ jenniferbindesign.com 13 north street of binalong bay tasmania 7216	



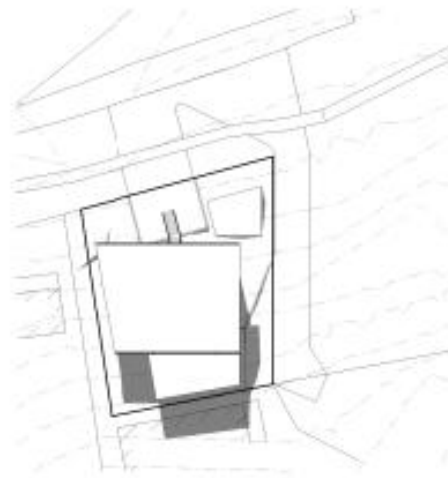
1 parking section
1 : 100



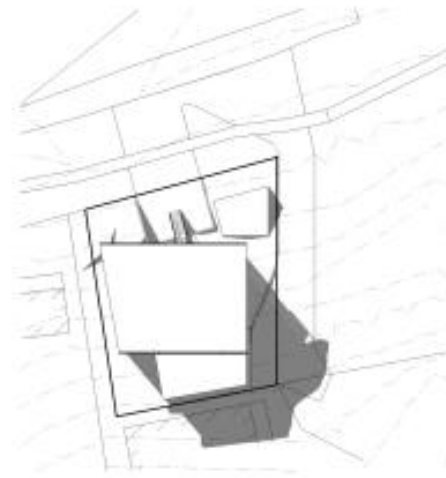
1 shadow diagram june 21 9am
1 : 500



2 shadow diagram june 21 11am
1 : 500



3 shadow diagram june 21 1pm
1 : 500



4 shadow diagram june 21 3pm
1 : 500

2. Applicable Planning Assessment

- Village Zone
- Code Overlays affecting the property are listed below:

STATE PLANNING PROVISIONS	CODES	TRIGGER	APPLICATION
C2.0 Parking and Sustainable Transport Code	C2.2	All use and development	Applies Relevant to all use and development
C3.0 Road and Railway Assets Code	C3.2	Use and development which requires a new access or increases the use of an existing access	Applies The proposal will require a new access to Main Road.
C15.0 Landslip Hazard Code	C15.2	Use or development of land within a landslip hazard area	Exempt The land is only affected by a low landslip hazard band and is exempt under C15.4.1 a) and d) because the use is not a critical, hazardous, or vulnerable use and the development requires approval under the Building Act

3. Referrals

- **Council Works Department – advice received 24/01/2025**

Access/TIA

The TIA meets the expected standard and the recommendations are noted.

The proposed second access is acceptable and should be constructed in accordance with standard drawings TSD-R04-v3 without the culvert. The crossover must be asphalt or concrete and join seamlessly with the edge of the road. (Concrete and asphalt details can be found in standard drawing TSD-R09-v3). The applicant must obtain a works permit before undertaking any work to construct the new crossover.

Driveways

The parking spaces/driveways for the units must be sealed or concrete and a cut off drain (full width) is required at the boundary (located on the property) to prevent flows down the crossover. The cut off drain must be piped to connect into the proposed pipe from the tank.

Stormwater

Stormwater overflow from the tank may be discharged (piped) to the street. The connection point is the grated pit located in the road reserve in front of 76 Main Road (see picture below) The connection at the pit must be completed by a licenced plumber. The applicant must obtain a works permit before undertaking any work in the road reservation

- **TasNetworks – advice received 24/12/2024**

I would like to highlight the ground stay wire off pole ID 200361 and its proximity to the proposed retaining wall. Information about works occurring near our assets should be observed by your contractors and this information is found on our website here. Digging around power poles - TasNetworks

Should the proximity be too close and the stay wire need to be adjusted this will be at the requestors cost.

It is recommended that the customer or their electrician contact TasNetworks on 1300 137008 if they have any questions regarding any upgrades, they may require to their electricity supply due to this development.

4. Assessment

The application met the acceptable solutions for all issues except for reliance upon the performance criteria detailed below:

Tasmanian Planning Scheme – Break O’Day State Planning Provisions Version 8:

- **12.3.2 P1 – Village Zone – Use Standards** – Visitor Accommodation
- **12.4.3 P1 and P2 – Village Zone - Development Standards - Setback**
- **C2.6.8 P1 - Parking and Sustainable Transport Code - Development Standards - Siting of parking and turning areas**
- **C3.5.1 P1 - Road and Railway Assets Code - Use Standards - Traffic Generation at a vehicle crossing, level crossing or new junction**

Detailed assessment against the provisions of the *Tasmanian Planning Scheme – Break O’Day* (version 6), where the proposal was reliant on satisfying the performance criteria, is provided below.

The proposal is deemed to comply with the performance criteria applicable.

Planning Assessment

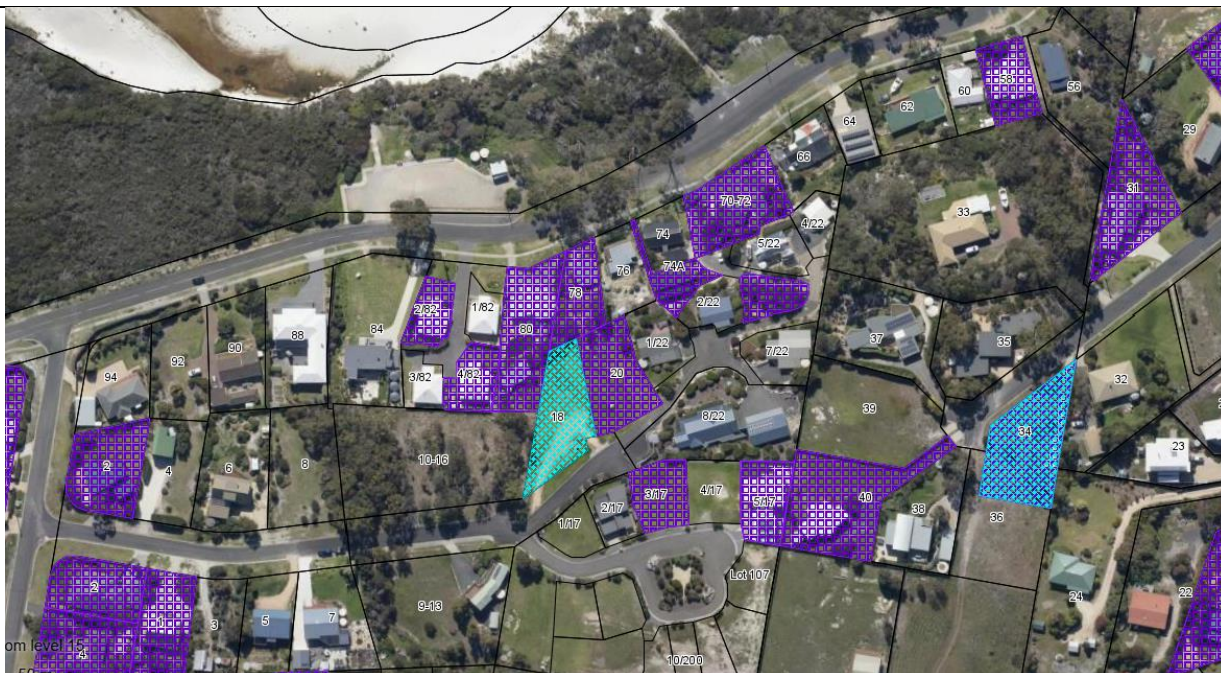
12.0 Village Zone

12.3 Use Standards

12.3.2 Visitor Accommodation

Objective: That Visitor Accommodation: (a) is compatible with the character and use of the area; (b) does not cause an unreasonable loss of residential amenity; and (c) does not impact the safety and efficiency of local roads or rights of way.	
Acceptable Solutions	Performance Criteria
A1 Visitor Accommodation must: (a) accommodate guests in existing habitable buildings; and (b) have a gross floor area of not more than 200m ² per lot.	P1 Visitor Accommodation must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to: (a) the privacy of adjoining properties;

	<p>(b) any likely increase in noise to adjoining properties;</p> <p>(c) the scale of the use and its compatibility with the surrounding character and uses within the area;</p> <p>(d) retaining the primary residential function of an area;</p> <p>(e) the impact on the safety and efficiency of the local road network; and</p> <p>(f) any impact on the owners and users rights of way.</p>
<p>Performance Criteria Assessment</p> <p>The proposal for two (2) visitor accommodation units is not within an existing building. The following assessment against P1 is provided.</p> <ul style="list-style-type: none">a) The units are positioned at the front of the building at ground level. They face the public realm and include a 1.9m wide deck area (24.96m²) shared between the units. The deck includes side screening. The privacy of adjoining dwellings will not be compromised.b) The property is located on Main Road and is one property removed from an existing restaurant/café which has outdoor seating. The units have small floor areas (30m² and 34m²) and share a small deck facing Main Road and the public realm. It is unlikely that units of this size and in this location would generate any significant or unreasonable noise levels exceeding the ambient noise of the surrounding uses, traffic and the beach.c) The aerial photo below shows the visitor accommodation overlay (purple hatched), which illustrates the number of existing visitor accommodation uses in the locality. Some of these would be dual residential and visitor accommodation uses while other would be exclusively visitor accommodation. The Village Zone is intended to provide for a mix of uses, including residential, community services and commercial activities. The proposed mix of uses on this site is compatible with this objective and the existing mix of uses in the area.	



Aerial Photo showing the extent of existing visitor accommodation uses in the locality (purple hatch)

- d) The proposal is for a mix of residential and visitor accommodation, with the main dwelling on the upper level and accommodation units below. Although the units are exclusively for visitor accommodation, the use does not convert the existing residential function of the site. Although visitor accommodation activity in the area is increasing, it is often additional to the primary use of the land for residential use and occurs within residential buildings. In this regard, the proposal will retain the primary residential function of the area.
- e) The proposal is supported by a Traffic Impact Assessment, which has been accepted by Council as the relevant road authority. The safety and efficiency of the local road network is assessed in the report as being acceptable.
- f) The visitor accommodation units do not rely on the subject right of way (they have their own access off Main Road), therefore there should be no impact on the owners and the users of this right of way.

It is considered that the performance criteria is satisfied.

12.4 Development Standards

12.4.3 Setback

Objective:

That building setback is compatible with the streetscape and does not result in an unreasonable impact on amenity of adjoining properties.

Acceptable Solutions

A1

Buildings must have a setback from a frontage of:

- (a) not less than 4.5m;
- (b) not less than existing buildings on the site; or
- (c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.

Performance Criteria

P1

Buildings must be sited to be compatible with the streetscape and character of development existing on established properties in the area, having regard to:

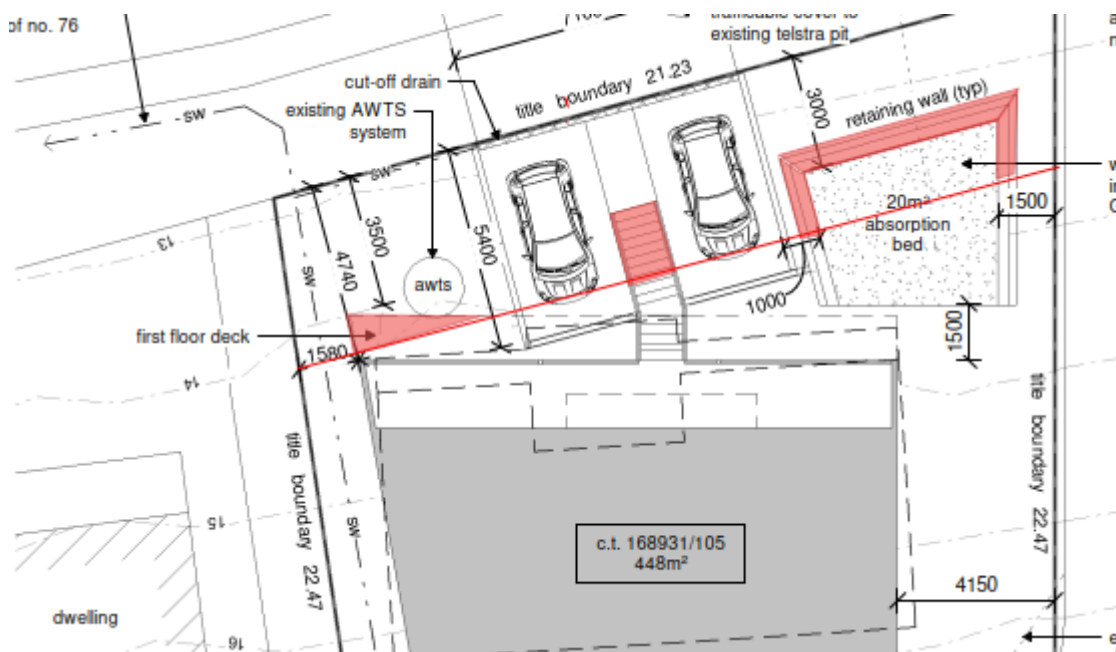
- (a) the topography of the site;
- (b) the setbacks of buildings on adjoining properties;

- (c) the height, bulk and form of existing and proposed buildings;
- (d) the appearance of proposed buildings when viewed from roads and public places adjoining the site; and
- (e) the safety of road users.

Performance Criteria Assessment

The diagram below indicates by the red shading, the parts of the proposed building which are setback less than 4.5m from the frontage. They include:

- part of the cantilevered upper-level deck (set back 3.5m at the closest point)
- part of the front steps (set back 2.8m approx)
- part of the wastewater absorption bed retaining wall (set back 2.5m approx)



The following assessment against P1 is provided.

- a) The site is sloping, and the building has been designed to maximise views of the water. The sloping topography within the area has influenced the existing character which includes examples of high set buildings with decks and stairs protruding into frontages (the restaurant at 66 Main Road being a close example). The topography has also influenced the siting of the wastewater absorption area at the front of the site on a lower land contour level.
- b) The frontage setbacks of adjoining properties are:
 - 76 Main Road = between 5.5m and 6m approximately to the upper-level balcony but has steps and boulder retaining structures close to the frontage (less 4.5m)
 - 70 – 72 Main Road = 8m approximately to the dwelling but has fencing covered with vegetation close to the frontage (less than 4.5m)

The proposed steps and retaining wall within the 4.5m setback are similar structures to neighbouring structures which are also within the 4.5m setback distance. Currently, the existing dwelling on the subject land sits closer to the road than its neighbours, so it is not considered that the small portion of the upper-level deck within the 4.5m acceptable

solution setback distance is incompatible or out of character with existing development in the area.

- c) The height, bulk and form of existing buildings on the subject and surrounding land varies, but most are either two storey or have significantly raised floor levels, to contend with the sloping topography and to take advantage of sea views. While the proposed height and bulk of the proposed building is greater than the height and bulk of the existing dwelling on the subject land, it is not dissimilar to other two storey buildings within the locality. The curved roof form does differ from the mostly skillion roof forms, however, has a similar low profile which reduces its prominence.
- d) The extent of 'structure' associated with the steps and the retaining wall is minimal in the overall design and unlikely to be overly prominent within the streetscape where there are numerous examples of similar structures close to frontages. The small portion of the upper-level deck which is less than 4.5m from the frontage is unlikely to make any appreciable difference to the appearance of the proposed building when viewed from the street and public places.

It is considered that the performance criteria is satisfied.

Acceptable Solutions	Performance Criteria
<p>A2</p> <p>Buildings must have a setback from side and rear boundaries of not less than:</p> <ul style="list-style-type: none"> (a) 3m; or (b) half the wall height of the building, whichever is the greater. 	<p>P2</p> <p>Buildings must be sited so that there is no unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space areas on the site; (f) sunlight to private open space and windows of habitable rooms on adjoining properties; and (g) the character of development existing on established properties in the area.

Assessment against the Performance Criteria is required.

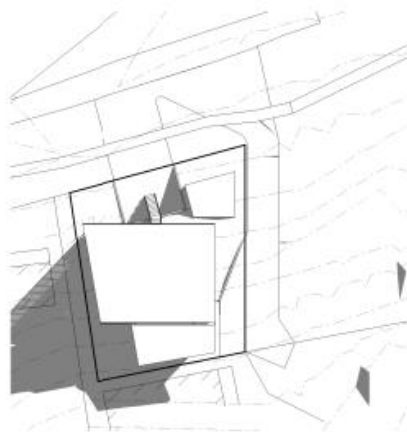
Performance Criteria Assessment

The wall height varies between 3.7m and 7.1m due to the slope but the average calculation of half of the wall height based on this variation is 2.7m, therefore the 3m setback applies (because it is greater than 2.7m)

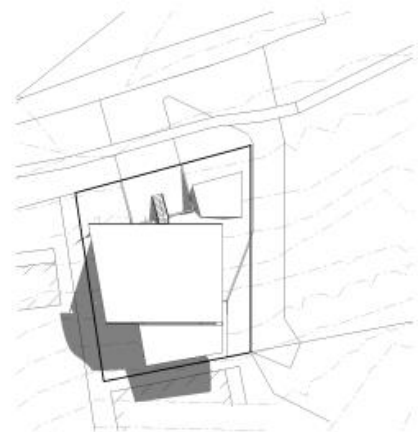
- the side setback of the dwelling from the western boundary is less than 3m (1.58m)
- the rear setback of the dwelling (garage component) is less than 3m (1.16m)
- the side setback of the retaining wall for the on-site wastewater absorption area from the eastern boundary is less than 3m (1.5m).

The following assessment against P2 is provided.

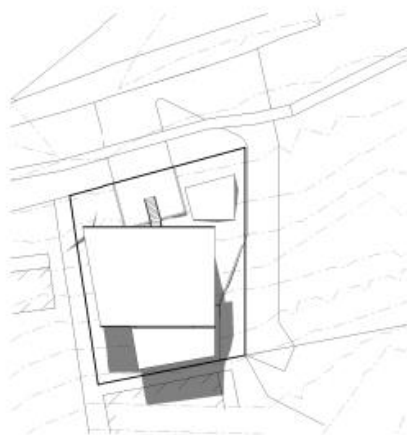
- a) The topography of the site and surrounding land generally slopes towards the coast and Main Road. Surrounding buildings are mostly orientated to face coastal views to the north. This includes the neighbouring property to the west, which has a side boundary affected by the lesser side setback of the proposed building. The neighbouring dwelling appears to have smaller windows facing this boundary, with the main (larger windows) facing north towards the coast.
- b) The site is one of several smaller lots located along this section of Main Road and has a site area of 448m². The side setback of the existing and proposed buildings is closer on the western side to provide a greater setback and vehicle manoeuvring area on the western side. The dimensions of the lot would make it difficult to achieve all setback distances within the acceptable solutions requirements.
- c) The side and rear setbacks of surrounding buildings vary – the dwelling to the west has side setback of 2m, which less than the acceptable solution. The dwelling to the rear (south) has a setback of less than 3m from the common boundary with the subject land. Examples of buildings with lesser side and rear setbacks include 64, 74A, 78, 80 and 82 Main Road. The somewhat irregular subdivision pattern contributes to this variation.
- d) The height, bulk and form of existing buildings on the subject and surrounding land varies, but most are either two storey or have significantly raised floor levels, to contend with the sloping topography and to take advantage of sea views. The proposed height, bulk and form of the new building is not dissimilar to other buildings within the locality. The property to the rear (74A Main Road) has a two-storey dwelling and sits higher than the subject land. The rear section of the proposed building is designed to be single-storey and should not unreasonably obstruct views or overshadow this dwelling. The property to the west (76 Main Road) will experience some shadowing of the dwelling and private open space but only in the morning. Views from the windows on the eastern (side) elevation may be impacted more than currently impacted, however, the main views to the north and the coast will be largely unaffected. The property to the east (70-72 Main Road) will be largely unaffected by the proposed height, bulk and form of the building.
- e) The existing buildings and private open space on the subject land will not be affected as the development will remove the existing conditions.
- f) Consideration of the impact on access to sunlight for private open space and the habitable room windows on adjoining properties is assisted by the shadow diagrams below.



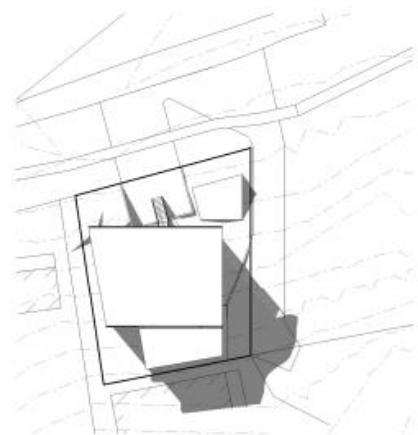
① shadow diagram june 21 9am
1 : 500



② shadow diagram june 21 11am
1 : 500



③ shadow diagram june 21 1pm
1 : 500



④ shadow diagram june 21 3pm
1 : 500

- 76 Main Road (east of subject land) will experience some overshadowing of private open space and side windows on the eastern wall (assumed to be habitable rooms) during the morning only. This level of impact is not considered unreasonable and will ensure that at least 3 hours of direct sunlight is maintained during the winter months. The impact of shadowing will decrease into the summer months.
- 70-72 Main Road (west of the subject land) will not be affected by overshadowing.
- 74A Main Road sits to the south of the subject land but on a higher land contour than the subject site. The plan view of the shadowing indicates the extent of ground level affected by shadow but does not show the vertical height of this shadow. The ground floor of this dwelling comprises non-habitable space (garage and entry stairs) and overshadowing of these areas is not a consideration of this performance criteria. The upper level has a bedroom, living area and deck facing north, however, these rooms would be mostly level with, or above, the roof of the proposed building. Due to the level change between the properties, it is unlikely that the overshadowing would extend vertically to the upper level of the dwelling in any significant way. The part of the shadow extending into this property depicts the single storey component of the building and will not cast a vertical shadow high enough to affect the upper (habitable) level of the neighbouring building.

- g) The character of development of established properties in the area comprises a mix of mostly residential buildings of various sizes and scale. Although the proposed building comprises both residential and visitor accommodation components, the size and scale is like some of the larger residential constructions in the area which contain four or more bedrooms and multiple bathrooms.

It is considered that the performance criteria is satisfied.

C2.0 Parking and Sustainable Transport Code

C2.6 Development Standards

C2.6.8 Siting of parking and turning areas

Objective:

That the siting of vehicle parking and access facilities in an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone or Central Business Zone does not cause an unreasonable visual impact on streetscape character or loss of amenity to adjoining properties.

Acceptable Solutions

A1

Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.

Performance Criteria

P1

Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas, may be located in front of the building line where this is the only practical solution and does not cause an unreasonable loss of amenity to adjoining properties, having regard to:

- (a) topographical or other site constraints;
- (b) availability of space behind the building line;
- (c) availability of space for vehicle access to the side or rear of the property;
- (d) the gradient between the front and the rear of existing or proposed buildings;
- (e) the length of access or shared access required to service the car parking;
- (f) the location of the access driveway at least 2.5m from a window of a habitable room of a dwelling;
- (g) the visual impact of the vehicle parking and access on the site;
- (h) the streetscape character and amenity;
- (i) the nature of the zone in which the site is located and its preferred uses; and
- (j) opportunities for passive surveillance of the road.

Assessment against the Performance Criteria is required.

Performance Criteria Assessment

The proposal includes two (2) open carparking spaces in front of the building line and there is no existing similar arrangement.

- a) The zone allows for mixed and dual use development within the zone. The proposal is for two separate uses, each with separate carparking requirements. The visitor accommodation units are designed with front entrances only and cannot be accessed from the rear of the building. Due to the slope of the land and the distance to the rear of the building it would be impractical to locate these spaces behind the building line.
- b) There is no available space behind the building line for the visitor accommodation parking to be located.
- c) Historically, the site has relied on a private right of way for vehicle access, which is currently provided behind the existing building line. The small size of the lot limits the ability to provide parking to the side of the building as demonstrated by the existing parking arrangement for the dwelling. The proposal will continue parking behind the building line for the dwelling, however, there is not sufficient space for additional parking at the rear of the site.
- d) The gradient of the land is steep making vehicle access within the lot from front to rear not practical or achievable.
- e) The site currently relies on a relatively steep private right of way which extends from Main Road to the rear and services other properties behind. It would not be practical to add additional vehicular traffic to this arrangement.
- f) The location of the access driveway is at least 2.5m from a window of a habitable room of a dwelling.
- g) The vehicle access and spaces will be visible from the street. The double width access is like other vehicle accesses along the Main Road frontage. There are other examples of car parking areas forward of the building line along the Main Road frontage including at 62, 64, 78 and 80 Main Road.
- h) The streetscape character and amenity are influenced by its proximity to the public beach access, nearby public carparking adjacent to the street, and parking and traffic associated with the food services business located nearby at 66 Main Road. It is a common sight to see vehicles parked along the road and in front of buildings.
- i) The Village Zone provides for a mix of permitted uses, including business uses, visitor accommodation and residential uses.
- j) The location of the parking areas in front of the building does not reduce opportunity for passive surveillance of the road due to the siting of the spaces at a lower land contour than the frontages of the units and the dwelling.

It is considered that the performance criteria is satisfied.

C3.0 Road and Railway Assets Code

C3.5 Use Standards

C3.5.1 Traffic Generation at a vehicle crossing, level crossing or new junction

Objective:

To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.

Acceptable Solutions	Performance Criteria
<p>A1.5</p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<p>P1</p> <p>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and (h) any advice received from the rail or road authority.
<p>Assessment against the Performance Criteria is required.</p> <p>Performance Criteria Assessment</p> <p>Vehicles associated with the visitor accommodation use will be required to reverse onto the main road. The applicant has provided a Traffic Impact Assessment which does not raise any safety or efficiency concerns in relation to vehicles reversing into or out of the car parking spaces associated with the visitor accommodation units. The advice of the traffic engineer is that the performance criteria is satisfied. The road authority (Council) has not raised any concerns with the proposal.</p> <p>It is considered that the performance criteria is satisfied.</p>	

5. Representations

The application was advertised 15 February 2025 to 3 March 2025 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining landowners. Three (3) representations were received prior to the closing date and time. The issues raised within the representation are as follows:-

Issue	Response
<p>Representations 1 and 2</p> <p>Dwelling classification - multiple dwellings</p>	<p>The application is not proposing multiple dwellings. The units have very small floor areas (30m² and 34m²) and do not include a laundry. The Planning Scheme definition of a 'dwelling' The permit will condition the use of the units for short term visitor accommodation only.</p>
<p>Shadow diagrams not provided – overshadowing concerns</p>	<p>Shadow diagrams were not requested under the formal request for further information, given the sloping topography, orientation, and the design of the building which is single</p>

As building is at maximum height, limits should be placed on adding solar installations to the roof	storey at the rear. In response to the concern raised, the applicant has provided shadow diagrams which illustrate the impact on neighbouring properties. This is discussed in a previous section of the report.
Capacity of the proposed wastewater system	It is not appropriate to include conditions which limit future proposals. Any future proposal will be assessed against the Planning Scheme in place at that time. Under the current Planning Scheme, roof-mounted solar installations are exempt in most cases.
Building height should not be altered through construction process	The wastewater report provided will undergo technical assessment at the building approval stage.
Concern that stormwater from the top driveway will not be contained and affect right of way	Building height is defined as the vertical distance above existing ground level. The heights shown on the planning drawings are relative to the existing ground levels. If changes to the existing ground levels are proposed at the construction stage, then further planning assessment may be required.
Concern regarding excavation during building work – impact on surrounding properties	The plans have been amended to include a cut off drain at the boundary to prevent entry of water into the right of way.
Representation 3 <i>*Note: submission received after closing date for submissions but within the extended period provided due to plans not being available on the website until 2 days after the start of the notification period (technical failure).</i> Concern regarding density of development and impact on the coastal environment from wastewater and stormwater.	Excavation during building work is a building assessment consideration.
	Density is not a consideration – the proposal is not for subdivision or multiple dwellings. Connection to Council’s public stormwater infrastructure is proposed and accepted by Council’s Works Department. Wastewater will undergo a technical assessment at the building assessment stage.

The recommendation for approval has been made following due consideration of the representation and comments.

6. Mediations

Nil

7. Conclusion

In accordance with 6.10 of the *State Planning Provisions (Tasmanian Planning Scheme – Break O’Day)*, the application has been assessed against the objectives of the Scheme, in particular the Village Zone and all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and five (5) Performance Criterion. The received representations have been considered.

It is recommended for approval with conditions normally set to this type of development.

STRATEGIC PLAN & ANNUAL PLAN:

Break O’Day Strategic Plan 2017-2027 (Revised March 2022)

Goal

Environment - To balance our use of the natural environment to ensure that it is available for future generations to enjoy as we do.

Key Focus Area

Appropriate Development - Encourage sensible and sustainable development through sound land use planning, building and design.

LEGISLATION & POLICIES:

Tasmanian Planning Scheme – Break O’Day

Land Use Planning and Approvals Act 1993

Local Government (Building and Miscellaneous Provisions) Act 1993

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

Not applicable, all costs of the development are the responsibility of the developer.

VOTING REQUIREMENTS:

Simple Majority

DA 2024 / 00183 - Visitor Accommodation and Food Services - Additional Restaurant Use and Retrospective Approval of a Verandah, Carpark, Four (4) Accommodation Pods and Associated Works - 21040 Tasman Highway, Chain Of Lagoons

ACTION	DECISION
COUNCIL MEETING DATE	14 April 2025
PROPONENT	Jennifer Binns
OFFICER	Planning Officer
FILE REFERENCE	DA 2024 / 00183
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none"> 1. Plans 2. Natural Values Assessment (Flora and Fauna Report) 3. Traffic Impact Assessment 4. Wastewater Capacity Information 5. Representations (3) 6. Applicant Response to Representations 7. RO Assessment

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 Visitor Accommodation and Food Services - Additional Restaurant Use and Retrospective Approval of a Verandah, Carpark, Four (4) Accommodation Pods and Associated Works on land situated at 21040 Tasman Highway, Chain Of Lagoons described in Certificate of Title 42626/1 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Cover Sheet	-	Jennifer Binns	-
Site Plan	A01 REV 1	Jennifer Binns	18/03/2025
Restaurant Parking	A02 REV 1	Jennifer Binns	18/03/2025
Restaurant Floor Plan	A03 REV 1	Jennifer Binns	18/03/2025
Restaurant Elevations	A04 REV 1	Jennifer Binns	18/03/2025
Villa Elevation and Plan	BA 4/18	Gillian van der Schans	2/06/2021
Villa Elevations	A05 REV 1	Jennifer Binns	18/03/2025
Flora and Fauna Report		Mark Wapstra ECOtas	6 September 2024
Traffic Impact Assessment	REV 2	Keith Midson Midson Traffic Pty Ltd	16 December 2024

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 commencement of use and to be maintained at all times.
B	Exterior building finishes must have a light reflectance value not more than 40%, in dark natural tones of grey, green or brown.	To be maintained at all times.
2	Nuisance	
A	The use and development must not cause an environmental nuisance to the owners or occupiers of adjoining land by reason of noise, dust or other pollutants emanating from the site	At all times
3	Outdoor Dining	
A	Outdoor seating associated with the restaurant use is to be limited to the northern and eastern verandah areas of the kitchen barn building	At all times
B	Speakers for amplified music associated with the restaurant use shall not be placed in any outdoor areas, unless approved in relation to a special event	At all times
4	Outdoor lighting	
A	Outdoor lighting, where provided, must be located, designed and baffled to ensure that no direct light is emitted outside the boundaries of the site.	Prior to the commencement of the use and maintained at all times
5	Standard Operating Procedures	
A	The current Standard Operating Procedures document must be updated to the satisfaction of the Council or its delegate, to include additional procedures for the Food Services use.	Prior to the commencement of the use and maintained at all times
6	Access and Car Parking	
A	Parking, access ways, manoeuvring and circulation spaces must comply with	Prior to use and maintained at all times.

CONDITION		TIMING
	<i>Australian Standard AS 2890- Parking facilities, Parts 1-6.</i>	
B	Car parking spaces must be provided on-site prior to the commencement of the use. Each space, including disabled parking, must be clearly marked and used solely for parking purposes.	Prior to commencement of use
C	Areas set aside for the parking of vehicles together with the aisles and access lanes must be paved with crushed rock or gravel of adequate thickness as necessary to prevent the formation of potholes and depressions according to the nature of the subgrade and vehicles which will use the areas. The areas must be constructed, drained and maintained in a condition suitable for use by two-wheel drive vehicles to the satisfaction of the General Manager.	Prior to use and maintained at all times.
D	Ensure vehicular access is limited to the vehicle entry point on the approved plans.	At all times
7	Stormwater	
A	All runoff from the proposed buildings must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance. Soakage drains must be of sufficient size to absorb stormwater runoff.	Prior to commencement of use and to be maintained at all times.
B	Concentrated stormwater must not be discharged into neighbouring properties.	To be maintained at all times.
8	Vegetation Management	
A	Standard <i>Phytophthora</i> hygiene measures must be implemented for the construction and maintenance of works in accordance with and using the <i>Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania</i> (DPIPWE 2015, Eds. K. Stewart & M. Askey-Doran. DPIPWE, Hobart, TAS).	During construction.
B	The location of the threatened plant species <i>Desmodium gunnii</i> (southern ticktrefoil) must not be disturbed by any works or construction activity associated with the approved development. <i>*The Applicant is advised that a permit under Section 51 of the Tasmanian Threatened</i>	During construction and at all times

CONDITION		TIMING
	<i>Species Protection Act 1995 may be a requirement where disturbance of this threatened species occurs.</i>	
C	Native vegetation must not be removed outside that necessitated by the proposed development (this includes the clearing of vegetation to retain or expand views or vistas).	At all times
D	Delineate areas where vegetation is proposed to be retained with exclusion fencing or similar barriers and devices to prevent accidental felling and in accordance with Australian Standard 4970 Protection of Trees on Development Sites to Protect Existing Trees.	Prior to works commencing on site
E	Chip, shred or tub grind cleared native vegetation and spread as mulch or dispose of at an authorised waste facility. Any hollows observed in cleared vegetation must be salvaged and installed as nest boxes in trees within the property.	During works associated with the development
F	Ongoing weed management should continue with an emphasis on hygiene to prevent the spread of <i>Erica lusitanica</i> (Spanish heath) to other areas.	Ongoing
9	Construction	
A	Adequate vehicle wash down facilities must be provided on the site and no vehicle must leave the site until mud and other debris is first hosed from the wheels.	Prior to the commencement of construction
B	Measures must be in place to prevent the escape of soil and sediments beyond site boundaries.	Prior to the commencement of construction
C	Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed onto any roadway, drain, wetland or watercourse.	During construction
D	All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	At all times.
10	Storage/loading facilities	

CONDITION		TIMING
A	Suitable waste storage facilities must be provided on site and screened from view from outside the boundaries of the lot.	Prior to use and maintained at all times.
B	Screen all loading / unloading facilities, refuse storage and other outdoor storage facilities on the site from direct view from any adjoining road or public space.	Prior to use and maintained at all times.
11	Effluent Disposal	
A	Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's Plumbing Permit Authority.	Prior to use and maintained at all times.

ADVICE

1. 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.
2. 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.
3. 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.
4. 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

- 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)	Yes	DSG, Property Services

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

Development Permit Information	Details
<i>Development Description</i>	Visitor Accommodation and Food Services - Additional Restaurant Use and Retrospective Approval of a Verandah; Carpark, Four (4) Accommodation Pods and Associated Works.
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	DSG Permit
<i>Attachments</i>	Approved Plans
<i>Representations</i>	Three (3)

INTRODUCTION:

The subject property currently operates as Little Beach Co. Resort and provides visitor accommodation in the form of glamping tents, villas and associated infrastructure, including a separate amenities and guest kitchen/dining/lounge buildings. The property also has an existing dwelling which has dual use for residential and visitor accommodation.

The applicant is seeking to:

- increase the number of visitor accommodation units with the addition of four (4) new villas.
- introduce a new Food Services use (restaurant) within the existing kitchen/dining/lounge building (kitchen barn).
- retrospectively approve a verandah attached to the kitchen barn building which was constructed larger than originally approved.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

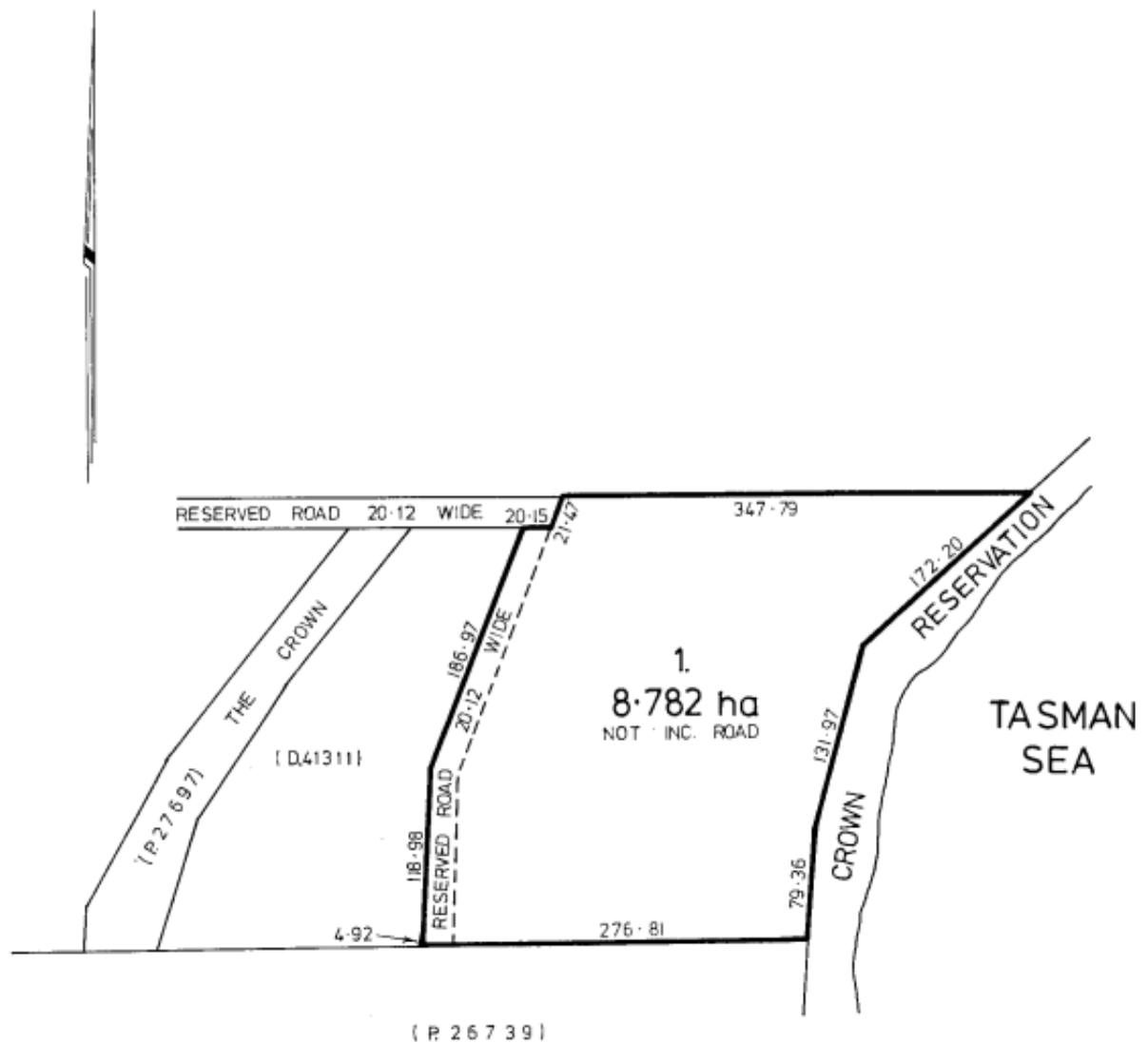
1. Background

The subject is located at 21040 Tasman Highway, Chain of Lagoons, on the eastern side of the Tasman Highway, between the highway and the coast. The site has a land area of 8.782ha and is accessed via a reserved road which has an existing access off the Tasman Highway.

The land has the following development approvals:

- DA 139-2017 – Dwelling for Visitor Accommodation Use, Carport & Farm Shed – approved under delegation on 8 December 2017.
- DA 060-2020 – Visitor Accommodation – 4 Pods, 8 Glamping Tents, Shed & Amenities – approved by the Council at its meeting on 21 September 2020. This approval was subsequently upheld in a decision by the Resource Management and Planning Appeal Tribunal dated 16 April 2021.

The Folio Plan below shows the arrangement of land, noting the reserved road running through the property. The site area of the land is exclusive of the area of the road reserve.



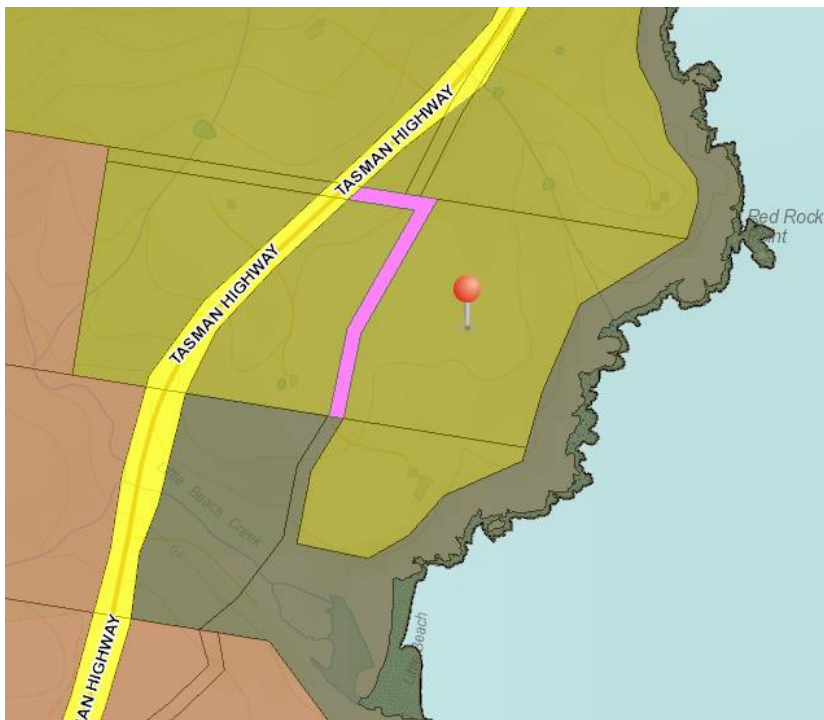
Folio Plan

The subject land is within the Landscape Conservation Zone and has an existing residential and visitor accommodation use, currently operating as the Little Beach Co Resort. It includes glamping tents, villa accommodation and associated facilities, including a commercial kitchen and dining facility for guests. The existing dwelling has additional visitor accommodation use but is generally used as the owner/manager's residence. The site has two operational on-site wastewater systems – one for the dwelling and another for the accommodation business. The property has two dams (approved), and internal driveways and carparking areas serving the glamping, villas and residence. The land is former grazing land and since this time, the owners have actively engaged in weed control, and natural and assisted revegetation of native vegetation. The aerial photographs below illustrate the levels of vegetation cover in 2004 and today.



Aerial photos – 2004 (left) current (right) – boundaries are not shown in 2014, but the pointer is in approximately the same location on both photos. In 2004, most vegetation was limited to the north-eastern part of the site.

The property is bordered to the east by the Little Beach Conservation Area within the Environmental Management Zone. On other sides, the property is bordered by lots within private ownership to the north (9.986ha), south (3.441ha) and west (4.478ha). All are within the Landscape Conservation Zone and have existing residential use. Other surrounding uses include the Little Beach camping area to the south, and other residential and agricultural uses to the west and north.



Locality and zoning (Crown licence road reserve highlighted pink)

2. The Proposal

Original Proposal (pre-advertising)

The application was lodged in September 2024 and originally proposed the additional restaurant use, four (4) accommodation villas, twelve (12) RV sites and the associated works and car park. The

The amended proposal is seeking to introduce a new 'Food Services' use (restaurant) within an existing building and increase the existing 'Visitor Accommodation' use through the addition of four accommodation villas. The proposal is detailed below:

Food Services

'Food Services' use is listed as a discretionary use in the Landscape Conservation Zone, with qualification that the gross floor area should not exceed 200m². Beyond 200m² floor area size, the use is prohibited.

The proposal is to use the existing kitchen barn building located in the north-western part of the site as a restaurant open to the public. This introduces the 'Food Services' use. Currently the building is used as a subservient and associated part of the approved 'Visitor Accommodation' use, and provides reception, food preparation, dining and lounge facilities for accommodation guests. Occasionally, the building is used for private functions. The intention is that the use of the facility for guest dining will continue (and have priority) but the new use will provide flexibility to extend dining options to the public, especially at times of the year when the guest occupancy rate is lower.

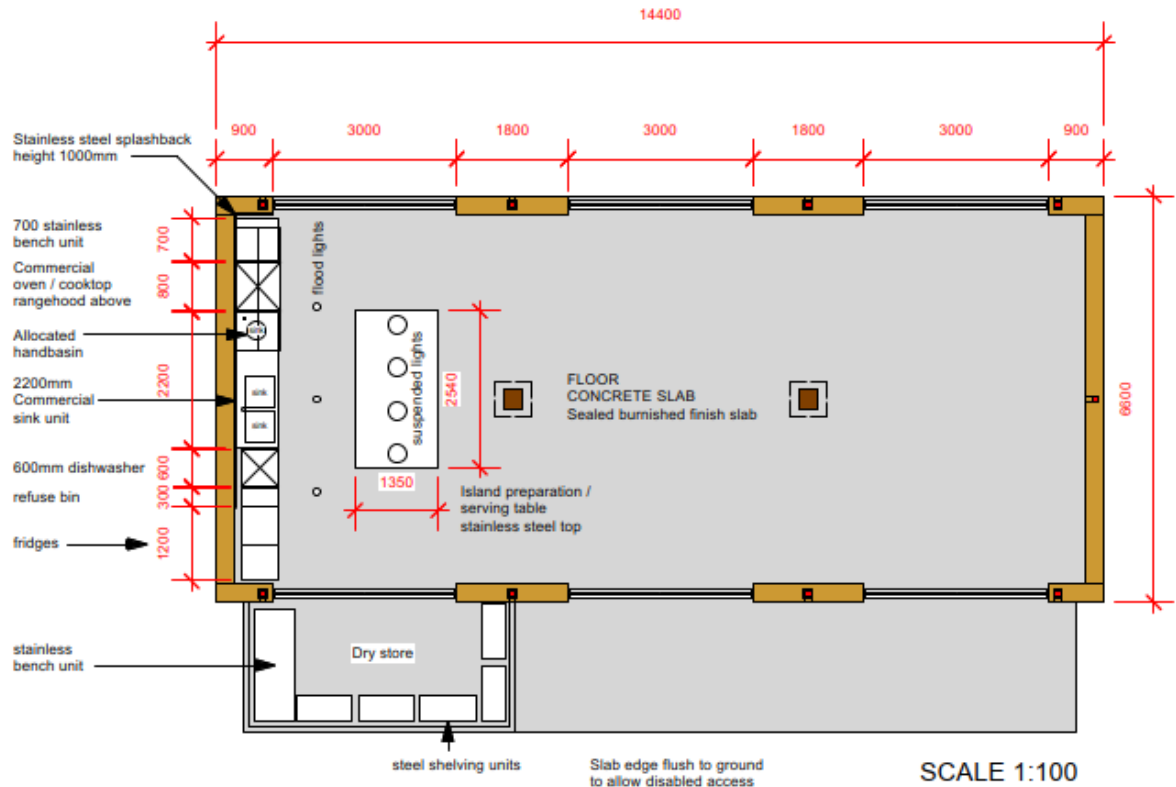
The proposed restaurant use will have a floor area of 166m² (including the indoor and outdoor seating areas), which maintains the 'food services' use within the discretionary floor area limit.

The retrospective aspect of this application relates to the 'as constructed' verandah attached to the kitchen barn building, which is larger than originally approved in DA 060-2020. The approved verandah was only to be constructed on one side of the building. The 'as constructed' verandah wraps around the building and has a total roofed area of 141m².

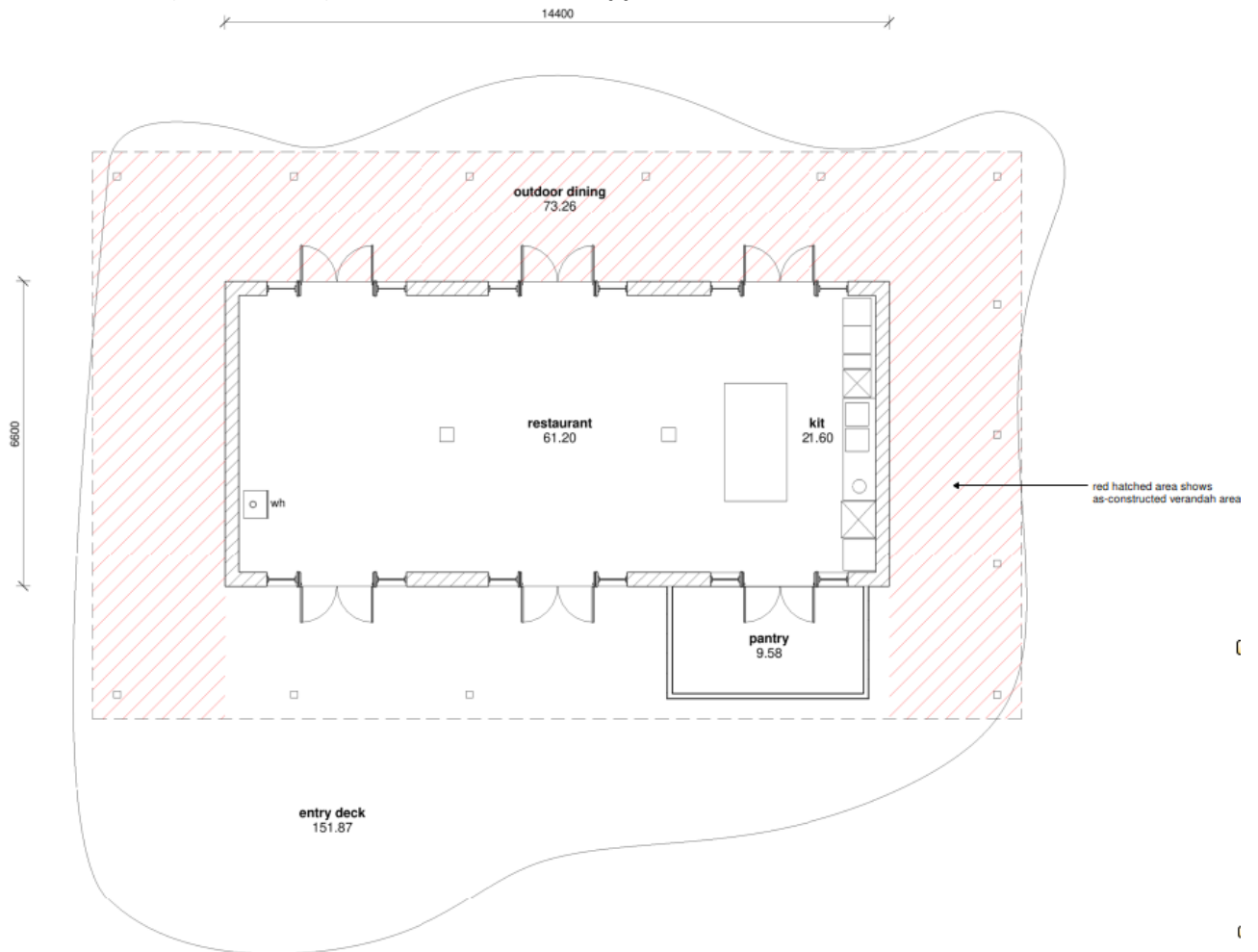
The following provides the breakdown of floor area associated with the kitchen barn:

- dining/lounge area = 61.20m²
- kitchen area = 21.60m²
- pantry area = 9.58m²
- verandah area (total area as constructed) = 141.48m²

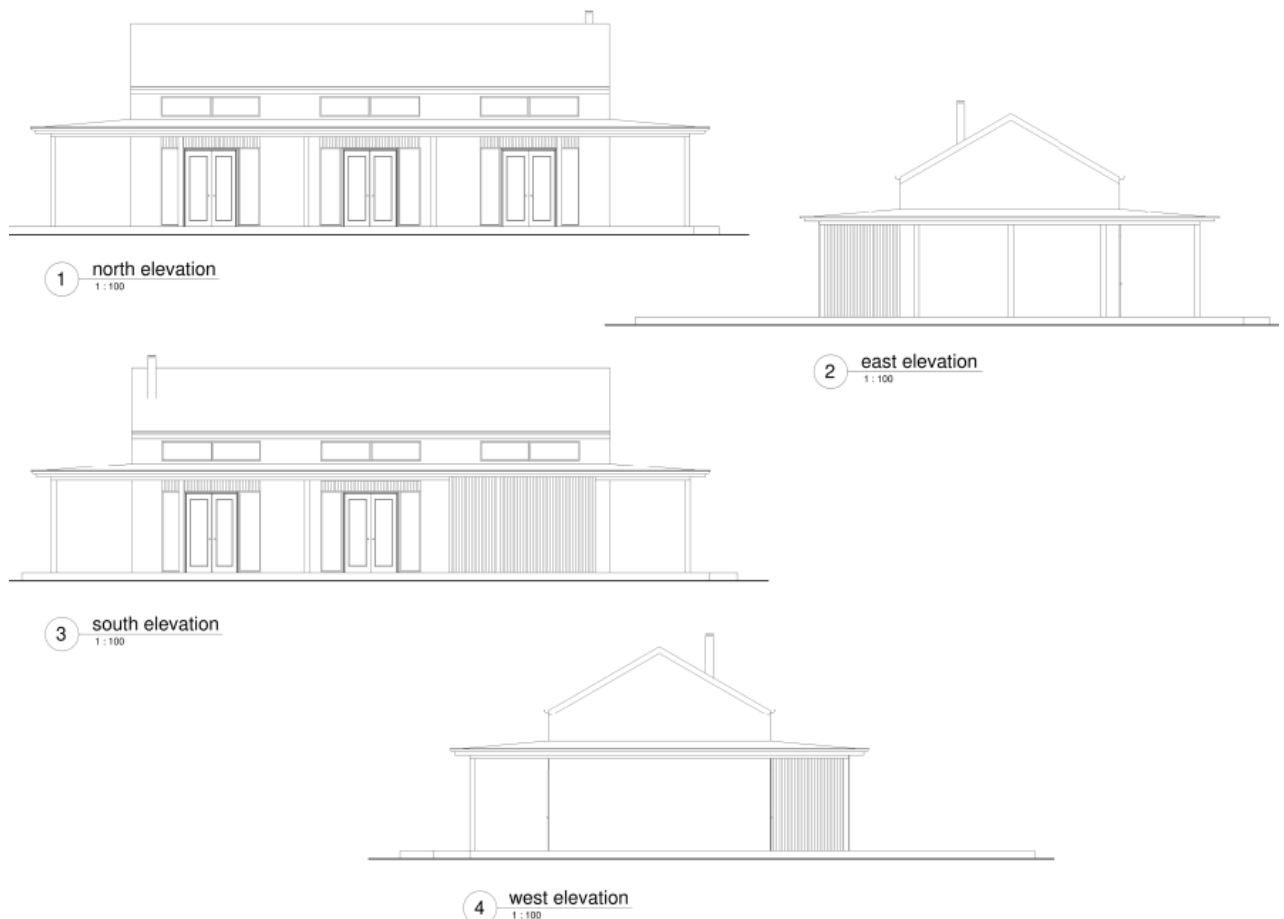
Seating arrangements are not required to be shown but will be limited by the available space, noting that food services use is prohibited above 200m². Building Code requirements will determine occupancy numbers based on the available floor area and wastewater capacity.



Approved Floor Plan (kitchen barn) - shows extent of the approved verandah



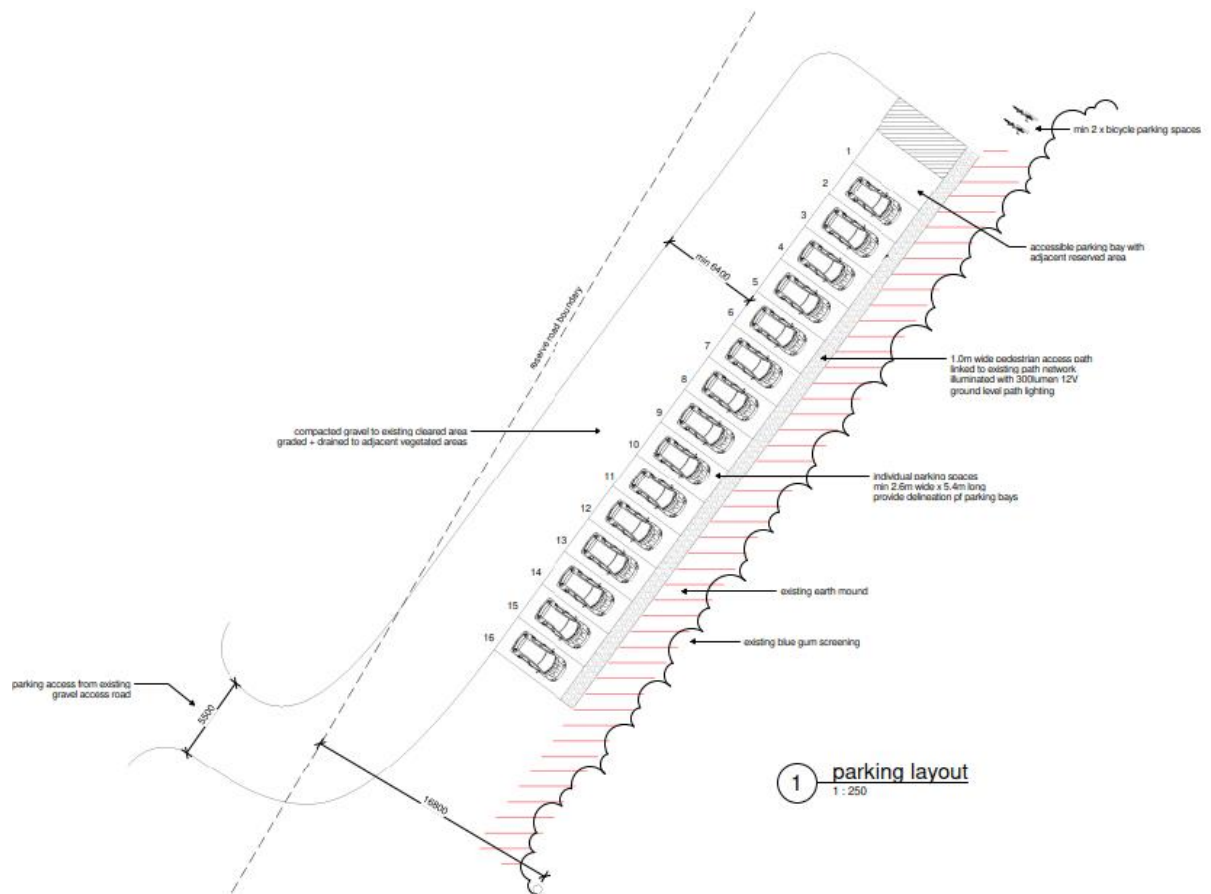
Existing Floor Plan (kitchen barn) – red hatched indicates additional ‘as constructed’ verandah



Existing elevations (Kitchen Barn) including the 'as constructed' verandah

The proposal also includes a new restaurant parking area for sixteen (16) vehicles and two (2) bicycle spaces and is separate from the existing glamping guest parking. A new access from the road reserve is proposed and will ensure that guest and public parking remains separate. The area is shown in the photograph below and is mostly cleared of vegetation and is currently used for the storage of maintenance equipment and some building materials. The vegetated mound in the left of the photo will not be disturbed.

The calculation of carparking numbers is based on the proposed floor area (including any proposed outdoor seating areas) at a rate of 1 space per 15m². Based on the proposed floor area of 165.64m², there is a requirement for eleven (11) car parking spaces.



Area for the proposed new restaurant carpark. The existing glamping carpark is located to the left of this area on the other side of the vegetated mound.

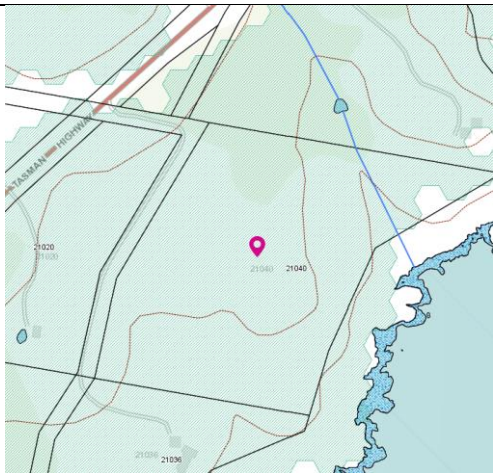


Visitor Accommodation




The proposed expansion of the existing visitor accommodation use is for the construction of four (4) additional accommodation villas and associated driveway. The villas replicate the design of the existing four (4) villas, and have an open-plan bedroom, lounge and kitchenette, and separate bathroom. Each has a floor area of 46m². The siting of the villas will extend the development footprint of the existing villas further north on a similar contour line. A new driveway will run adjacent to the northern boundary of the site, where some (exempt) vegetation clearing associated with new boundary fencing has already occurred. The driveway will then run through the bushfire hazard management areas of the villas to further limit the extent of vegetation removal.


The villas will be connected to the existing on-site wastewater management system. Preliminary qualified advice has been received from GES Geo-Environmental Solutions that the capacity of the existing system is able to accommodate the additional wastewater load from the villas (in addition to the restaurant use). This advice has been included in the attachments for information only and will be subject to a full technical assessment at the building assessment stage.



Partial site plan showing the proposed location of the new villas and respective bushfire hazard management areas, and the new driveway

			 <p>N/A for waterway and coastal protection because the site of the proposed development is outside of the mapped band (purple band)</p> 
C8.0 Scenic Protection Code	C8.2	Development on land within a scenic road corridor	<p>N/A The areas of proposed development are outside of the scenic band (purple band)</p> 
C10.0 Coastal Erosion Hazard Code	C10.2	Use and development on land within a coastal erosion hazard area	<p>N/A The areas of proposed development are outside of the coastal erosion band (yellow band)</p>

				
C11.0 Coastal Inundation Hazard Code	C11.2	Use and development on land within a coastal inundation hazard area	N/A The areas of proposed development are outside of the coastal erosion band (yellow band)	
C12.0 Flood-Prone Areas Hazard Code	C12.2	Use or development of land within a flood prone hazard area	N/A The areas of the proposed development are outside of the mapped H1 area (blue) – H1 being the lowest level of identified risk, being generally safe for people, vehicles and buildings	
C13.0 Bushfire-Prone Areas Code	C13.2	Subdivision or use of land for	N/A	

		a vulnerable or hazardous use within a bushfire hazard area	The entire site is mapped as bushfire prone – the use is not hazardous or vulnerable as defined within this Code and therefore the Code is not applied at the planning stage (will be assessed at the building approval stage)
C15.0 Landslip Hazard Code	C15.2	Use or development of land within a landslip hazard area	N/A The areas of proposed development are outside of the landslip hazard area (yellow) 

3. Referrals

No internal referrals were required for this application.

The application was referred to the Department of State Growth (the relevant road authority). It reviewed the Traffic Impact Assessment and accepted the findings of the report, subject to the included recommendation that the driveway access to the Tasman Highway be widened to accommodate the increase in vehicle movements.

4. Assessment

The application met the acceptable solutions for all issues except for reliance upon the performance criteria listed below:

Tasmanian Planning Scheme – Break O’Day State Planning Provisions Version 8:

- **22.3.1 P1 - Landscape Conservation Zone** – Use Standards – Community Meeting and Entertainment, Food Services, and General Retail and Hire Uses
- **22.3.2 P1 - Landscape Conservation Zone** – Use Standards – Visitor Accommodation
- **22.3.3 P1 - Landscape Conservation Zone** – Use Standards – Discretionary Use
- **22.4.1 P1 – Landscape Conservation Zone** – Development Standards – Site Coverage
- **22.4.2. P1 – Landscape Conservation Zone** – Development Standards – Building Height, Siting and Exterior Finishes
- **22.4.4. P1, P2.1, P2.2 – Landscape Conservation Zone** – Landscape Protection
- **C7.6.2 P1.1 and P1.2 – Natural Assets Code** – Development Standards – Clearance within a Priority Vegetation Area
- **C3.5.1 P1 – Road and Railway Assets Code** – Use Standards – Traffic Generation at a Vehicle Crossing, Level Crossing or New Junction

Detailed assessment against the provisions of the *Tasmanian Planning Scheme – Break O’Day* version 6 where the proposal was reliant on satisfying the performance criteria, is provided below.

The proposal is deemed to comply with the performance criteria applicable.

Planning Assessment

22.0 Landscape Conservation Zone

22.3 Use Standards

22.3.1 Community Meeting and Entertainment, Food Services, and General Retail and Hire Uses

Objective <i>That Community Meeting and Entertainment, Food Services, and General Retail and Hire uses operate at a scale and in a manner that does not cause an unreasonable impact on landscape values.</i>	
Acceptable Solutions	Performance Criteria
A1 Hours of operation for Community Meeting and Entertainment, Food Services, and General Retail and Hire must be within the hours of 8.00am to 6.00pm.	P1 Hours of operation for Community Meeting and Entertainment, Food Services, and General Retail and Hire must not cause an unreasonable impact on the landscape values having regard to: (a) the duration or extent of vehicle movements; and (b) noise, lighting or other emissions.
Performance Criteria Assessment The hours of operation for the proposed restaurant use will be between 8am and 10pm daily. This extends two (2) hours beyond the acceptable solution finish time of 6pm therefore assessment against P1 is required. This assessment only relates to the ‘food services’ component, which proposes to extend the current use of the kitchen barn (associated and subservient to the visitor accommodation use) for public dining. No physical changes to the existing kitchen barn building are proposed, except in relation to the retrospective approval of the ‘as constructed’ verandah. Currently, the Kitchen Barn is open to guests every day for breakfast and dinner. The Standard Operation Procedures (SOP) which forms part of the existing Planning Permit for the use includes the following hours of operation: Breakfast – 7.30am – 9.30am Dinner – 6pm – 10pm Lounge open – 6am – 11pm The proposed restaurant use will offer breakfast and dinner within the same operating hours but would allow the inclusion of a lunch service. Dining is to be by appointment only, with booking priority for accommodation guests. The owner has advised that the current guest use operates at peak during summer with 65% - 95% of guests dining on-site. The proposal will provide the	

opportunity to extend the use of the facility, especially during the winter months when the glamping accommodation is shut down and the occupancy rates are lower.

The objective of this provision relates to the scale of the use and how it operates outside of the acceptable solution hours of operation being 8am to 6pm. The performance criteria requires that the use must not cause an unreasonable impact on 'landscape values' having regard to **vehicle** movements, noise, lighting or other emissions. Regarding the scale of the use, the building to be used is existing and includes areas for indoor and outdoor dining, and recreating for guests, between the hours of 7.30am and 11pm. The floor area allocated for seating is unchanged at approximately 166m² (indoor and outdoor). In this regard, the scale of the use in terms of the number of diners on site at any given time is like that which can occur under the existing approval.

The main impact will be activity associated with the coming and going of external diners in vehicles, in contrast to accommodation guest diners who are already on site. This is likely to increase the current levels of activity, noise and nighttime light emissions. The formalisation of the associated restaurant carpark will also have some physical impact on the landscape. The test is whether these aspects of the proposal will have an unreasonable impact on landscape values.

Landscape values are not defined in the planning scheme or legislation, however, some reference is made in the Zone Application Guidelines issued by the Tasmanian Planning Commission in 2018 (to assist Councils in transitioning zoning to the Tasmanian Planning Scheme) to include:

- *large areas of bushland or native vegetation which contain threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation*
- *land with significant constraints on development through the application of the Natural Assets Code (relating to mapped priority vegetation, waterway and coastal protection areas) or Scenic Protection Code.*

In this context, the consideration of landscape values for a site or area must rely heavily on the findings of any natural values assessment undertaken for the land and assessment against the Natural Assets Code and Scenic Code. Council does not have any areas of locally or regionally significant native vegetation or scenic areas documented in its Local Provisions Schedule. Additional consideration of landscape values might extend to the broader environmental qualities of an area which affect how people and wildlife experience the landscape. In this regard, consideration of environmental disturbance – noise, lighting, vehicle movements and human activity is important.

Regarding the Natural Assets Code, the entire site is mapped as priority vegetation, which is defined under the Code as:

Native vegetation where any of the following apply:

- (a) it forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the Nature Conservation Act 2002;*
- (b) is a threatened flora species;*
- (c) it forms a significant habitat for a threatened fauna species; or*
- (d) it has been identified as native vegetation of local importance.*

The Applicant has provided a natural values assessment which challenges the priority vegetation status of the land based on the above definition. The findings are summarised below:

- One (1) example of a threatened flora species (*desmodium gunnii*) was identified near the northern boundary of the study area within roadside gravel. The proposed areas for development do not impact this location.

- No threatened fauna was identified within the study area.
- The study area supports potential habitat of several fauna species but does not support significant habitat for a threatened fauna species.
- The study area does not support any threatened native vegetation or ecological communities under the State and Commonwealth Acts.
- Native vegetation communities have been re-mapped within the study area. The proposed areas of development are outside of any re-mapped threatened vegetation communities.
- No native vegetation of local importance is documented through any Council endorsed studies.

Regarding the Scenic Protection Code, the Code applies to land within 100m either side of the Tasman Highway. The area of the site to be used for the restaurant and associated carparking sits outside of this band so does not trigger assessment under this Code.

Regarding the broader environmental qualities of the site and area, the proposed restaurant use will be contained within existing buildings and use existing pathways and driveways. The proposed new carpark will be located within an already cleared area of the site, where human activity already occurs. In this regard, the use will not significantly alter the physical landscape.

Human activity associated with the restaurant will potentially increase environmental disturbance with additional vehicle movements, noise and lights, outside of the acceptable solution hours of operation being 8am to 6pm. The Traffic Impact Assessment states a daily trip generation of 41 vehicles per day for the restaurant, with a peak of four (4) vehicles per hour. These figures are based on a 50% split between guests and public diners, but realistically, would fluctuate seasonally. The closest dwelling to the kitchen barn and new carpark is located approximately 180m to the southwest, between the Tasman Highway and the road reserve. Vegetation coverage between the neighbouring dwelling, road reserve and kitchen barn provide visual buffering and will continue to mature over time. The proposed access to the restaurant carpark and kitchen barn will not require foot or vehicle traffic to travel further south down the road reserve past the neighbouring dwelling as there is no access to Tasman Highway or Little Beach campground. In this regard, it is not considered that the predicted volume of traffic (four (4) vehicles per hour at peak) is likely to cause unreasonable noise or headlight disturbance to the occupants of the closest dwelling, or the dwelling located further south at the end of the road reserve. The neighbour to the north of the subject land is unlikely to be affected.

Regarding restaurant noise, the outdoor dining component has the potential to be more noisy than indoor dining. The plans do not indicate specifically where the outdoor dining will occur and given that the entire verandah is larger than the area proposed for outdoor dining area, it is reasonable to restrict the area of the verandah to be used for outdoor dining. In this case, limiting it to the northern and eastern sides will ensure the building itself provides some noise barrier between the use and the residential properties to the south and southwest. To this end, a condition of approval is included in the draft permit which limits the location of outdoor seating to the northern and eastern verandah areas. Amplified music noise also has the potential to create noise nuisance if not properly managed. In this regard, it is considered appropriate to also include a condition which limits amplified music to the indoor area only. A condition of approval is included in the draft permit to this effect.

Regarding disturbance to wildlife, the pathways and driveways are clearly designated and sign posted, with an internal speed limit of 10km per hour. Most public diners would arrive and leave in daylight hours during summer months so there would be less danger to wildlife. During winter

months, people are less likely to book dinner options which require travelling to and from a more remote location in the dark. In any case, the predicted volume of traffic (four (4) vehicles per hour at peak) is unlikely to have any significant impact on wildlife. External dining guests will also only have access to the restaurant, carpark and amenities block, so will be unable to wander around the property and possibly disturb wildlife and neighbours.

Based on the findings of the natural values assessment and consideration of the Scenic Code, and further consideration of the broader environmental qualities of the site and area, it is not considered that the proposed food services use, outside of the acceptable solution hours of operation (8am to 6pm daily), will be of a scale at which the associated vehicle movements, noise and lighting, will have an unreasonable impact on the landscape values.

It is considered that the performance criteria is satisfied.

22.3 Use Standards

22.3.2 Visitor Accommodation

Objective:

That Visitor Accommodation is of a scale that is:

- (a) compatible with the landscape values of the site and surrounding area; and*
- (b) does not impact the safety and efficiency of local roads or private rights of way.*

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Visitor Accommodation:</p> <ul style="list-style-type: none"> (a) guests are accommodated in existing buildings; and (b) has a gross floor area of no more than 300m². 	<p>P1</p> <p>Visitor Accommodation must:</p> <ul style="list-style-type: none"> (a) be of a scale that respects the character of use in the area; (b) not cause an unreasonable impact on the landscape values of the site; and (c) not adversely impact the safety and efficiency of the local road network or unreasonably disadvantage owners and users of rights of carriageway.

Assessment against the Performance Criteria is required.

Performance Criteria Assessment

The proposal includes the addition of four (4) new visitor accommodation pods which are not 'within existing buildings', therefore assessment of the use against P1 is required.

- a) Visitor Accommodation must be of a scale that respects the character and use of the area
For this assessment, the area is generally the land within a 500m radius of the property and including the property. This includes six (6) properties in the Landscape Conservation Zone, the Tasman Highway (dissecting the area), the sea and coast, and the Little Beach Conservation area. Existing uses within this area are residential, visitor accommodation and passive recreation. The visitor accommodation uses include glamping and villa accommodation on the subject land, and free camping within the Little Beach Conservation Area. The dwelling to the south also has an historical approval for additional visitor accommodation use.

The characteristics of these uses could be generally described as being residential and tourism related and designed to enjoy the benefits of the natural environment – vegetated settings, coastal and bushland views, interactions with wildlife, proximity to the Little Beach Conservation area, and a degree of seclusion with limited environmental disturbance (noise, lights, pollution etc). Although the existing non-residential uses generally would involve a greater level of human activity than the surrounding residential uses, all the uses are considered to have a relatively low impact on the surrounds.

Visitor accommodation use is part of the existing character and so, at the current scale, is acceptable. The four (4) additional villas are small, discreet structures and will be mostly screened by existing vegetation. Although there will be some additional vehicle movements and human activity associated with the villas, it is not considered that the increased use will have a discernible impact beyond the boundaries of the site.

b) Visitor Accommodation must not cause an unreasonable impact on the landscape values of the site.

The criterion relates to the subject land only and not the broader area. As discussed previously, landscape values relate to the scenic, natural and environmental qualities of the land. For this site, the Natural Values Assessment has concluded that there are no threatened or important qualities of the site that require specific protection, other than ensuring that the location of one (1) threatened flora species is not disturbed, and that native vegetation removal is minimised beyond the areas proposed for development and bushfire management.

The siting of the villas will extend the development footprint of the existing villas further north on a similar contour line. A new driveway will run adjacent to the northern boundary of the site, where some (exempt) vegetation clearing associated with new boundary fencing has occurred. The driveway will then run through the bushfire hazard management areas to further limit the extent of vegetation removal.

In terms of the scenic qualities of the site, other than consideration of any development within the 100m band of the Scenic Road Corridor, there is no other Council endorsed assessment of important scenic attributes. In this context, the area proposed for the additional accommodation villas are outside of the Scenic Road Corridor band and will not be visible from the Tasman Highway.

Having regard to the Natural Values Assessment and the scenic qualities of the site, it is not considered that the proposed visitor accommodation use will have an unreasonable impact on the landscape values of the site.

c) The visitor accommodation use should not adversely impact the safety and efficiency of the local road network or disadvantage owners and users of a right of way

A Traffic Impact Assessment has been provided which supports the proposal, subject to the Tasman Highway driveway access being widened to accommodate the additional traffic movements. The Department of State Growth (the road authority) supports the findings of the report. The development is accessed via a Crown Road reserve and the licencing authority has consented to the making of the application with no conditions. There is only one (1) other licenced user of the road reserve. This property is located at the southern end of the road reserve and south of the subject land. The additional traffic

associated with the accommodation villas will have little impact on the other user of the road reserve. The owner of this property did not make representation on this application, so it is assumed that this owner does not feel disadvantaged by the proposal.

It is considered that the performance criteria is satisfied.

22.3 Use Standards

22.3.3 Discretionary Use

Objective:

That the location, scale and extent of a use listed as Discretionary is compatible with landscape values

Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 Use listed as Discretionary must be compatible with landscape values, having regard to: (a) the nature, scale and extent of the use; (b) the characteristics and type of the use; (c) the landscape values of the site; (d) the landscape value of the surrounding area; and (e) measures to minimise or mitigate impacts.

Assessment against the Performance Criteria is required.

Performance Criteria Assessment

Both proposed uses – Food Services and Visitor Accommodation - are listed as discretionary uses therefore assessment against P1 is required.

As discussed previously in this report, the assessment of landscape values for a site or area must rely heavily on the findings of any natural values assessment undertaken for the land and assessment against the Natural Assets Code and Scenic Code. Although it is difficult to extend assessment beyond these parameters, additional consideration of landscape values might include broader environmental qualities that affect how people and wildlife experience the landscape are relevant. In this regard, consideration of environmental disturbance – noise, lighting, vehicle movements and human activity is important.

Consideration of these matters has been discussed in previous sections of the report, and it has been concluded that the development will not be incompatible with the landscape values. Much of the potential impact relates to human activity rather than physical changes to the land. The site already supports an approved commercial activity, and Council records do not indicate any history of complaints regarding nuisance on or off the site.

It is expected that the additional activity associated with the increase in visitor accommodation use and the new restaurant use can be managed in a way to ensure that the existing landscape values of the site and surrounds are maintained.

The existing business has a set of Standard Operating Procedures, which will be updated to include the restaurant business and additional accommodation units. Procedures for bookings, check-in/out times, use of facilities, access limitations within and around the site, noise and other behavioural standards are already included in the document and will be updated.

The owners actively pursue weed management and revegetation projects across the site, which will continue to improve the landscape qualities of the site.

It is considered that the performance criteria is satisfied.

22.4 Development Standards

22.4.1 Site Coverage

Objective:

That the site coverage is compatible with the protection, conservation and management of the landscape values of the site and surrounding area.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Site coverage must be not more than 400m².</p>	<p>P1</p> <p>Site coverage must be compatible with the landscape values of the site and surrounding area, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the capacity of the site to absorb run-off; (c) the size and shape of the site; (d) the existing buildings and any constraints imposed by existing development; (e) the need to remove vegetation; (f) the location of development in relation to cleared areas; and (g) the location of development in relation to natural hazards.

Assessment against the Performance Criteria is required.

Performance Criteria Assessment

The site coverage (roofed areas) associated with the existing development already exceeds the acceptable solution of 400m². The existing site coverage equates to approximately 1% of the total site area (8.8ha approximately). The additional site coverage proposed in the application is approximately 266m², bringing the total site coverage up to approximately 1,165m². This equates to approximately 1.3% of the site area.

The following assessment against P1 is provided.

- a) The topography of the site has no bearing on the proposed additional site coverage.
- b) The site has sufficient area to absorb run-off from buildings via natural soakage and all buildings are located well away from lot boundaries (20m at the closest point to the northern most villa) to not cause stormwater nuisance. Additionally, all buildings have rainwater tanks installed for use of water within the buildings, which minimises the amount of run-off.

- c) The site has an area of 8.8ha approximately. The additional site coverage ($266\text{m}^2 = 0.25\%$) is considered minimal relative to the size of the lot.
- d) Part of the additional site coverage component (the 'as constructed' verandah) has been built to improve the amenity of the existing Kitchen barn by improving weather protection on all sides. The existing buildings on the site are all relatively small in scale (the dwelling having the greatest floor area). The additional site coverage does not affect the individual scale of each building.
- e) Some vegetation removal will be required for the four (4) villas, which will occur in the part of the site mapped in the Natural Values Assessment as Kunzea Regrowth Scrub (SKA). The assessment supports the level of clearing required on the basis that it does not impact on areas which meet the definition of priority vegetation under the Natural Assets Code.
- f) The clearing required for the four (4) villas will extend the existing development footprint of the existing villas. Vegetation clearance within the existing footprint of the villas has been limited to that required for bushfire management and has retained a reasonable level of vegetation coverage. It is anticipated that the same approach will be adopted for the new villas to provide a level of privacy screening between villas.
- g) Other than bushfire hazard, the area of the villas is clear of any mapped natural hazards.

It is considered that the performance criteria is satisfied.

22.4 Development Standards

22.4.2 Building height, siting and exterior finishes

Objective:

That building height, siting and exterior finishes:

(a) protects the amenity of adjoining properties;

(b) minimises the impact on the landscape values of the area; and

(c) minimises the impact on adjoining agricultural uses

Acceptable Solutions

A1

Building height must be not more than 6m.

Performance Criteria

P1

height must be compatible with the landscape values of the site, having regard to:

(a) the height, bulk and form of proposed buildings;

(b) the height, bulk and form of existing buildings;

(c) the topography of the site;

(d) the visual impact of the buildings when viewed from roads and public places; and

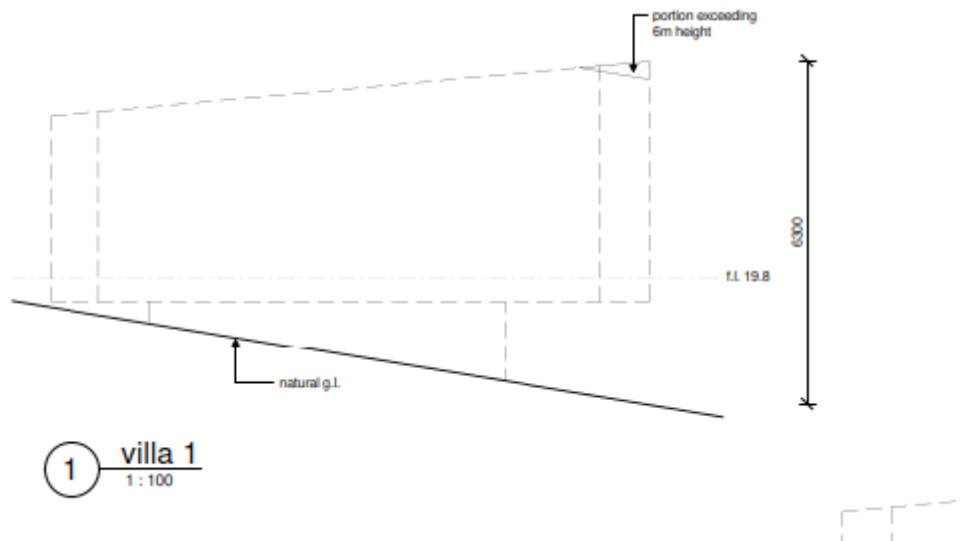
(e) the landscape values of the surrounding area.

Assessment against the Performance Criteria is required.

Performance Criteria Assessment

The height of proposed Villa 1 exceeds 6m from natural ground level due to the slope, therefore assessment against P1 is required.

The proposed villas are designed to replicate the existing villas. The villas are designed to sit above ground level with no change to the existing ground levels. Due to the topography of the site this alters the height that each sits above existing ground level, with all except Villa 1, below the 6m acceptable solution. Villa 1 has a very small portion of the skillion roof which has a height of 6.3m above existing ground level, as shown below in the elevation.



The additional height of Villa 1 is not considered to have any impact on the landscape values of the site and area, or any additional visual impact from roads and public places.

It is considered that the performance criteria is satisfied.

22.4 Development Standards

22.4.4 Landscape Protection

<p>Objective: <i>That the landscape values of the site and surrounding area are protected or managed to minimise adverse impacts.</i></p>	
Acceptable Solutions	Performance Criteria
<p>A1 Building and works must be located within a building area, if shown on a sealed plan.</p>	<p>P1 Building and works must be located to minimise native vegetation removal and the impact on landscape values, having regard to:</p> <ul style="list-style-type: none"> (a) the extent of the area from which vegetation has been removed; (b) the extent of native vegetation to be removed; (c) any remedial or mitigation measures or revegetation requirements; (d) provision for native habitat for native fauna; (e) the management and treatment of the balance of the site or native vegetation areas; (f) the type, size, and design of development; and

(g) the landscape values of the site and surrounding area.

Assessment against the Performance Criteria is required.

Performance Criteria Assessment

The proposed buildings and works are not located within a building area on a sealed plan therefore assessment against P2.1 is required.

- a) The subject land was formerly grazing land and has undergone various stages of change since then with the development of the dwelling, visitor accommodation structures, and the various works associated with supporting the approved uses of the land. During this time, the owners of the land have been actively involved in weed management and natural and assisted revegetation. This has occurred across the site and has provided vegetated buffers between development on the site, and screening of the development from neighbouring properties and the Tasman Highway. Although the site has been developed, the extent of vegetation removal is not significant and overall, the level of vegetation coverage has improved over the years.
- b) The extent of vegetation to be removed relates to the proposed new villas. This will occur within the area that has been mapped as Kunzea Regrowth Scrub (SKA) located in the northern portion of the property. The Natural Values Assessment supports the level of clearing associated with the villas on the basis that the vegetation does not meet the definition of priority vegetation under the Natural Assets Code. The map below highlights the approximate location of the villas within this vegetated area.



From this imagery, you can see that the existing villas maintain a level of vegetation coverage within the bushfire management areas, so the extent of clearance is not likely to be as dramatic as indicated on the planning drawings which highlight the entirety of the required hazard management areas. It is expected that a similar approach will be taken for the proposed villas (blue markers) whereby a level of vegetation coverage will be maintained within the hazard management areas to provide privacy screening between villas. The owners also continue active tree planting and weed management on the land.

Works relating to the new carpark for the restaurant will occur within an already cleared area of the land.

- a) It is not considered that any remedial or mitigation measures are required other than the inclusion of standard conditions relating to weed and hygiene management, and vegetation removal outside of approved areas.
- b) The Natural Values Assessment makes no specific recommendations regarding provision for native habitat for native fauna, other than to minimise the clearance and disturbance of native vegetation and ensure the protection of the one (1) species of threatened vegetation. Standard conditions are included in the draft permit.
- c) The Natural Values Assessment makes no recommendations regarding the balance of the site or areas of native vegetation other than recommending that disturbance be limited to that which is necessary for the development and bushfire management. The owners are undertaking active weed management and regeneration projects. Standard conditions are included in the draft permit.
- d) The type, size and design of the development relating to the additional villas and the restaurant car park has been previously discussed as being acceptable in the context of the landscape values.
- e) The landscape values of the site and the area have been previously discussed as relating to the scenic and natural aspects of the site and the area. It is not considered that the scenic qualities will be unreasonably impacted as the development will not be highly visible in the landscape from surrounding properties, the Tasman Highway and public places. The Natural Values Assessment has considered the impacts of the proposed vegetation removal in the context of the Natural Assets Code and supports the development. The impact on inhabitants and users of the area – wildlife, residents, tourists and visitors has been considered and deemed acceptable.

It is considered that the performance criteria is satisfied.

Acceptable Solutions	Performance Criteria
<p>A2</p> <p>Buildings and works must:</p> <ul style="list-style-type: none"> (a) be located within a building area, if shown on a sealed plan; or (b) be an alteration or extension to an existing building providing it is not more than the existing building height; and (c) not include cut and fill greater than 1m; and (d) be not less than 10m in elevation below a skyline or ridgeline. 	<p>P2.1</p> <p>Buildings and works must be located to minimise impacts on landscape values, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size and shape of the site; (c) the proposed building height, size and bulk; (d) any constraints imposed by existing development;

	<p>(e) visual impact when viewed from roads and public places; and</p> <p>(f) any screening vegetation.</p> <p>P2.2</p> <p>If the building and works are less than 10m in elevation below a skyline or ridgeline, there are no other suitable building areas.</p>
<p>Assessment against the Performance Criteria is required.</p> <p>Performance Criteria Assessment</p> <p>The proposed building and works are not located within a building area on a sealed plan, therefore assessment against P2.1 and P2.2.</p> <p>a) The villas are to be located to take advantage of sea views. As previously discussed, they will be built above ground level and due to the topography, Villa 1 will marginally exceed the acceptable solution building height of 6m, which is considered to be acceptable.</p> <p>b) The site is 8.8ha approximately and all buildings will achieve the acceptable solution boundary setbacks. Works associated with the restaurant carpark will be in an area which is already clear of vegetation. The villas will be in a part of the site where some vegetation clearance is required, however, the natural values assessment supports the extent proposed. This part of the site is not visible from the neighbouring residences, Tasman Highway or other public places so will minimise impact on the landscape values.</p> <p>c) The proposed height, size and bulk of the villas has been previously discussed as being acceptable in the context of landscape values.</p> <p>d) There are no constraints imposed by existing development.</p> <p>e) There will be little to no visual impact when viewed from roads and public places.</p> <p>f) The development will be mostly screened by vegetation.</p> <p>P2.2</p> <p>The buildings and works will not be visible when viewing skylines and ridgelines in the general area.</p> <p>It is considered that the performance criteria is satisfied.</p>	

C 7.0 Natural Assets Code

C7. 6 Development Standards

C7.6.2 Clearance within a Priority Vegetation Area

<p>Objective:</p> <p><i>That clearance of native vegetation within a priority vegetation area:</i></p> <p><i>(a) does not result in unreasonable loss of priority vegetation;</i></p> <p><i>(b) is appropriately managed to adequately protect identified priority vegetation; and</i></p> <p><i>(c) minimises and appropriately manages impacts from construction and development activities.</i></p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Clearance of native vegetation within a priority vegetation area must be within a building area</p>	<p>P1.1</p> <p>Clearance of native vegetation within a priority vegetation area must be for:</p>

<p>on a sealed plan approved under this planning scheme.</p>	<ul style="list-style-type: none"> (a) an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person; (b) buildings and works associated with the construction of a single dwelling or an associated outbuilding; (c) subdivision in the General Residential Zone or Low Density Residential Zone; (d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design; (e) clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or (f) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site. <p>P1.2 Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <ul style="list-style-type: none"> (a) the design and location of buildings and works and any constraints such as topography or land hazards; (b) any particular requirements for the buildings and works; (c) minimising impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings; (d) any mitigation measures implemented to minimise the residual impacts on priority vegetation; (e) any on-site biodiversity offsets; and (f) any existing cleared areas on the site.
<p>Assessment against the Performance Criteria is required. Performance Criteria Assessment</p>	

The proposal will involve the clearance of native vegetation within the mapped priority vegetation area, therefore assessment against P1.1 and P1.2 is required.

P1.1 allows consideration of either criterion a) to e) or criterion f) being that the clearance is of limited scale relative to the extent of priority vegetation on the site. In this case, the following assessment against criterion f) is provided.

The extended development footprint associated with the new villas is relatively small and it is expected that some vegetation will be retained within the proposed bushfire hazard management areas to provide screening between villas. The driveway construction associated with the villas will use a partially cleared fence line along the northern boundary which reduces the amount of vegetation clearance.

Overall, it is considered that the scale of clearance proposed, or required, is limited regarding the extent of mapped priority vegetation which covers the entire site.

It is considered that the performance criteria P1.1 is satisfied.

P1.2

As previously discussed in this report the Natural Assets assessment has concluded that the vegetation does not satisfy the definition of priority vegetation under the Natural Assets Code. No specific recommendations regarding the protection, mitigation or biodiversity offsets have been provided beyond standard provision to minimise native vegetation clearance beyond that which is required for the development and bushfire management. It is recognised that the owners are active in ongoing weed management and natural and assisted revegetation.

It is considered that the performance criteria is satisfied.

C3 Road and Railway Assets Code

C3.5 Use Standards

C3.5.1 Traffic Generation at a vehicle crossing, level crossing or new junction

Objective:

To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction

Acceptable Solutions	Performance Criteria
<p>A1.4</p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road. 	<p>P1</p> <p>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road;

	<ul style="list-style-type: none"> (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and (h) any advice received from the rail or road authority.
<p>Assessment against the Performance Criteria is required.</p> <p>Performance Criteria Assessment</p> <p>The proposal will increase the use of the existing vehicle crossing onto the Tasman Highway by more than the amounts in Table C3.1 (10% or 10 vehicle movements per day) whichever is the greater), therefore assessment against P1 is required.</p> <p>The Traffic Impact Assessment (TIA) provides a summary of traffic generation for the existing and proposed uses. It should be noted that the TIA is based on the original proposal which included the 12 RV sites, which are now been deleted from the proposal.</p> <p>The existing daily trip generation is stated as being 47 trips split between the accommodation, glamping and dwelling. Based on the figures in the TIA, the proposed additional uses will generate 53 trips split between the Villas (12), and Restaurant (41).</p> <p>The assessment concludes that the increase in traffic generation will have no adverse impacts on the safety and efficiency of the road network, subject to the access (see street view below) being widened to 6m at the connection with the Tasman Highway. The findings of this report were supported by the Department of State Growth as the road authority.</p> <p>Based on the findings of the TIA, it is considered that the performance criteria is satisfied.</p>	

5. Representations

The application was advertised 21 December 2024 to 13 January 2025 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining landowners. Three (3) representation was received prior to the closing date and time. The issues raised within the representation are as follows:-

Issue	Response
<p><u>Traffic and Safety Concerns:</u></p> <ul style="list-style-type: none"> Tasman Highway has no dedicated turning lane for this property and the increase in traffic from the proposal will create safety risks Lack of visibility and signage may result in driveways of nearby properties will be used as turning areas The shared unsealed road (Crown road reserve) is not adequate to cater for additional traffic and may cause congestion and block access to neighbouring properties <p><u>Environmental Impact</u></p>	<p><u>Traffic and Safety Concerns:</u></p> <ul style="list-style-type: none"> The applicant has provided a Traffic Impact Assessment which concludes that the traffic and safety aspects are acceptable. The Department of State Growth (the road authority) has accepted the findings of the report, including the recommendation that the access width at the junction with Tasman Highway be widened to 6m. The site plan includes the required widening, and a draft permit condition is included. The applicant has abandoned the proposal for 12 RV sites which reduces the number of vehicle movements assumed in the report.

<ul style="list-style-type: none"> • The proposal will have significant environmental degradation • Overdevelopment of the land will increase waste and pollution and affect local flora and fauna • Noise and disturbance to the local community • The additional restaurant hours and RV sites will generate higher levels of noise and activity for surrounding properties • Increased car and foot traffic around properties will impact privacy and security • Impact on local infrastructure and services • Additional strain on road, wastewater supply and emergency services • Overdevelopment and aesthetic concerns • Out of scale with the surrounding area and does not fit the character • Highly commercialised environment is inconsistent with the established residential area • Detracts from the natural beauty of the area, which attracts international and local visitors. 	<ul style="list-style-type: none"> • There is only one other licensed user of the road reserve – this user made no representation on the application. • The proposed new carpark provides the required number of spaces for the restaurant use (based on the proposed floor area) and provides sufficient manoeuvring space for vehicles to enter and exit the site in a forward manner. • There is no foreseeable reason why vehicles would cause congestion and block access to neighbouring properties. <p><u>Environmental Impact</u></p> <ul style="list-style-type: none"> • The proposal is supported by a Natural Values Assessment, Traffic Impact Assessment and wastewater advice which provides comment on the capacity of the existing system. • The restaurant hours reflect the current operating hours of the facility for accommodation guests. Issues around noise and increased foot and vehicle traffic are discussed as being acceptable in the assessment sections of the report. • The RV component has been abandoned. • The subject land currently has approval for a commercial operation and is part of the established character. The nearby Little Beach camping area also provides unmanaged visitor accommodation use, which contributes to the established character. • The development is on private property and will not be visible from public places. It is a tourism-based business which attracts international and local visitors.
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The recommendation for approval has been made following due consideration of the representation and comments.

6. Mediations

No formal mediation was conducted.

7. Conclusion

In accordance with 6.10 of the *State Planning Provisions (Tasmanian Planning Scheme – Break O’Day)*, the application has been assessed against the objectives of the Scheme, in particular the Landscape Conservation Zone all relevant Codes and issues. The application has demonstrated compliance with the

Acceptable Solutions and eleven (11) Performance Criterion. The received representations have been considered with recommended conditions proposed in response to concerns.

It is recommended for approval with conditions normally set to this type of development.

STRATEGIC PLAN & ANNUAL PLAN:

Break O'Day Strategic Plan 2017-2027 (Revised March 2022)

Goal

Environment - To balance our use of the natural environment to ensure that it is available for future generations to enjoy as we do.

Key Focus Area

Appropriate Development - Encourage sensible and sustainable development through sound land use planning, building and design.

Break O'Day Annual Plan 2023 -2024

Actions:

LEGISLATION & POLICIES:

Tasmanian Planning Scheme – Break O'Day

Land Use Planning and Approvals Act 1993

Local Government (Building and Miscellaneous Provisions) Act 1993

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

Not applicable, all costs of the development are the responsibility of the developer.

VOTING REQUIREMENTS:

Simple Majority

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.



COUNCIL RESOLUTIONS - MEETINGS - PUBLIC
08/04/2025



COUNCIL RESOLUTIONS PLAN

COUNCIL RESOLUTIONS - MARCH 2025

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
100%	17/03/2025	14/04/2025	03/25.6.1.553 DA 2023/00147 - Residential – Multiple Dwellings (13) - 18 BayVista Rise, St Helens	1. After due consideration of the application received and pursuant to Section 57 of the Land Use Planning & Approvals Act 1993 and the Break O'Day Interim Planning Scheme 2013, that the application for 13 x Dwellings on land situated at 18 BayVista Rise, St Helens described in Certificate of Title 174171/11 be APPROVED subject to the following plans / documents and conditions:	Approved. Planning Permit released to applicant and representors 24/03/2025.	Senior Town Planner
100%	17/03/2025	14/04/2025	03/25.6.2.554 DA 2024 / 00245 - Telecommunications Facility -- 14 Bowen Street, St Helens	1. 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 Telecommunications Facility on land situated at 14 Bowen Street, St Helens described in Certificate of Title 32105/1 be REFUSED.	Application Refused. Applicant and Representor advised 24/03/2025.	Senior Town Planner
100%	17/03/2025	14/04/2025	03/25.13.4.558 Policy Review - LG51 Related Party Disclosure Policy & Procedure	The Council adopt the revised LG51 Related Party Disclosure Policy and associated Procedure.	Policy updated on website and Councils records system.	Corporate Services Coordinator
100%	17/03/2025	14/04/2025	03/25.15.2.562 Hub4Health – Management Plan	That Council adopt the Management Plan that has been developed for the existing Hub4Health facility located at Portland Court, St Helens.	Council adopted the Management Plan for the Hub4Health as presented by the consultant who was engaged to undertake the project.	Manager Community Services

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
100%	17/03/2025	14/04/2025	03/25.15.3.559 Community Funding Program 2024 - 2025	<p>That Council note the quality and diversity of applications to this year's community grants program. Council set an annual budget for this program of \$30,000 In order to fund the Community Funding Program. The total value of grants requested came in at over \$100,000. Council seek to provide as much funding as possible to support our community group and events through this grant process. To that end Council agree to reallocate the follow approved funding in the 2024 – 2025 operating budget across to the Community Funding Program:</p> <ul style="list-style-type: none"> Fingal Coal Shovelling event - \$2,000 (this event will not be occurring this financial year); Australia Day Event - \$10,000 – (under spend funds from the vent for reallocation); and Venue Hire - \$1,120 <p>Council confirm that the total funds now available for distribution are \$43,120.</p> <p>That Council allocate funds to following projects through the Community Grants Program 2024 – 2025:</p>	All successful applicants of the Community Funding program 2024-2025 have been notified and funding is being processed.	Manager Community Services
100%	17/03/2025	30/04/2025	03/25.16.2.565 Angasi oyster reefs – proposed listing as threatened	That Council make a submission to the Threatened Species Scientific Committee's on its Draft Conservation Advice and assessment for the <i>Ostrea angasi</i> oyster reefs of southern Australia ecological community, providing qualified support for the tentative listing assessment of the marine community as threatened and sharing water quality data from Council's past estuary monitoring program in Georges Bay.	Council decided at its Meeting to make a submission on the Draft Conservation Advice and assessment for the <i>Ostrea angasi</i> oyster reefs of southern Australia ecological community. The submission was sent to the federal Department of Climate Change, Energy, the Environment and Water, providing qualified support for the tentative listing assessment of the marine community as threatened and sharing water quality data from Council's past estuary monitoring program in Georges Bay. Copies of the submission were shared with other Department staff and the Department of Natural Resources and Environment Tasmania. Information has also been made publicly available on Council's New webpage.	NRM Facilitator
95%	17/03/2025	30/04/2025	03/25.17.3.568 Election of Committee Members of the General Management Committee (GMC) and President of the Local Government Association of Tasmania (LGAT) 2025	That Council nominate Mayor Mick Tucker for the 2025 election of committee members of the General Management Committee (GMC) and President of the Local Government Association of Tasmania (LGAT).	Nomination form has been lodged with the Tas Electoral Commission.	General Manager
100%	17/03/2025	30/04/2025	03/25.17.4.569 Local Government Priority Reform Program 2024-26, Local Government Act 1993 Amendments	That the updated submission be endorsed subject to final comments.	Council discussed at the March Council Meeting and our submission was submitted to the Office of Local Government on 20 March 2025.	General Manager
100%	17/03/2025	30/04/2025	03/25.17.5.570 Local Government Electoral Bill Discussion Paper	That Council provide a submission to the State Government on the Local Government Electoral Bill based on the comments in this report and final comments at the Council Meeting.	Council discussed at the March Council Meeting and submitted to the Office of Local Government on 25 March 2025.	General Manager

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
100%	17/03/2025	30/04/2025	03/25.17.6.571 Local Government Regulations and Local Government (Meeting Procedures) Regulations remake 2025	That Council provide feedback to the State Government on the Discussion Paper: Local Government Regulations and Discussion Paper: Local Government (Meeting Procedures) Regulations.	Council discussed at the March Council Meeting and response submitted to the Office of Local Government on 25 March 2025.	General Manager
100%	17/03/2025	30/04/2025	03/25.17.7.571 Australian Local Government Association (ALGA) – 2024 National General Assembly of Local Government – Call for Motions	That Council submit motions which have been agreed at the March Council Meeting to the National General Assembly 2025.	The motion agreed to at the March Council Meeting " Strengthening Local Government capacity to address climate change and expand renewable energy solutions" was submitted to ALGA on 25 March 2025.	General Manager
100%	17/03/2025	30/04/2025	03/25.17.8.573 Australian Local Government Association (ALGA) - 2025 Federal Election Priorities	That Council: 1. Supports the national federal election funding priorities identified by the Australian Local Government Association (ALGA); and 2. Supports and participates in the Put Our Communities First federal election campaign; and 3. Writes to the local federal member(s) of Parliament for Lyons, all known election candidates in the Lyons electorate and the President of the Australian Local Government Association expressing support for ALGA's federal election funding priorities.	ALGA have submitted their election priorities.	General Manager

COUNCIL RESOLUTIONS - JANUARY 2025

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
90%	20/01/2025	30/05/2025	01/25.16.2.533 Industrial Land Study – Project Brief	Development Services release the Project Brief – Industrial Land Study publicly to obtain expressions of interest after consideration and feedback from Council.	Development Services has made a recommendation that the Industrial Land Study be awarded to REMPLAN. A workshop report for 7/04 has been prepared and a memorandum to the Acting GM has been prepared detailing the recommendation. It is expected that the project will be awarded in the near future.	Senior Town Planner
90%	20/01/2025	30/04/2025	01/25.16.3.534 Scamander/ Beaumaris Structure Plan – Project Brief	Development Services release the brief publicly to attract quotations for services specified in the brief. CARRIED UNANIMOUSLY	Development Services has recommended that the project be awarded to ERA Planning and Environment. A report has been prepared for Councillors for the 7/04 and a memorandum to the acting GM detailing the recommendation. It is expected the project will be awarded in the near future.	Senior Town Planner

COUNCIL RESOLUTIONS 2024

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
90%	15/01/2024	05/02/2024	01/24.9.2.290 Binalong Bay Parking, Traffic and Pedestrian Safety – Mayor Tucker	<p><i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i></p> <p>Council Officers review the existing Binalong Bay Foreshore Master Plan and develop a project scope that can be used to engage an expert to provide a report on the following:</p> <ol style="list-style-type: none"> 1. Improved Parking Accessibility 2. Assessment of Additional Parking Areas, traffic calming and pedestrian safety improvements. 	Binalong Bay Master Plan has been reviewed and a draft consulting services brief prepared.	Manager Infrastructure and Development Services
75%	04/03/2024	30/04/2024	03/24.9.1.323 Speed limit reduction – Cllr Le Fevre	<p><i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i></p> <p>The Break O'Day Council petition the Department of State Growth for a speed limit reduction (60kmh-50kmh) from the Golden Fleece Bridge in St. Helens to the intersection of the Tasman Highway and St. Helens Point Rd.</p>	<p>During January 20225, the Department of State Growth has advised the following: That; i) The department has reviewed the speed limit and considers that the existing 60 km/h speed limit is appropriate for the road's characteristics. Due to the lack of evidence for a reduction in speed, and in the absence of demonstrated support for a reduction from the broader community, it is not intended to consult with the community about the speed limit at the present time. ii)The Department agrees that it may be appropriate to extend the existing 60 km/h zone by some 300 metres to cover the Warrens Way junction and the St Helens Concrete access. The departments traffic engineering assessment has indicated that there is no need to extend the 60 km/h zone all the way to Reservoir Road. The level of roadside development along this section of the Tasman Highway is not sufficient to justify a lower speed limit and it is noted that there have only been two reported crashes, both resulting in property damage only, on this section of the highway during the last five years. The department therefore intend to apply to the Commissioner for Transport for formally adjust the speed limit as noted above, and signage will be updated accordingly if and when approved.</p> <p>Information has been provided to Councillors. This item will remain open for the time being.</p>	Manager Infrastructure and Development Services

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
75%	20/05/2024	24/06/2024	05/24.9.1.358 Developing walking trails around and within the Scamander Complex precinct – Cllr Carter	A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation: That Council considers options to develop walking trails around and within the Scamander Complex precinct.	n-progress. AHT desktop assessment completed. Items requiring follow-up are: • Assess and review matters related to flora and fauna at the site. • Approach the Department of Natural Resources and Environment in relation to upgrading part of the short track segment located on Crown • Identify grant funding opportunities. • Report outcomes to the Council. Activity on this initiative are currently hindered due to resource availability	Manager Infrastructure and Development Services
99%	24/06/2024	31/07/2024	06/24.14.3.391 Speed Limits – North Ansons Bay Road and Ansons Bay	That Council adopt the recommendations made by Traffic & Civil Services as stated in this report.	All required documentation to support the proposal for speed limit reductions have been submitted to the Transport Commission - Closure of the item is pending a decision from the Commission.	Manager Infrastructure and Development Services
25%	15/07/2024	31/08/2024	07/24.9.1.401 Lease/ management agreement for the front garden of the old hospital site at St Helens – Cllr Carter	<i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i> That Council immediately pursue a lease/ management agreement for the front garden of the old hospital site at St Helens, from the State Government, and open it up as public open space.	Discussions with the owner of the site have recommenced and Council's interest in securing this piece of land has been reinforced. Follow up contact made on 8/10/24 with Homes Tasmania regarding Council's request and again following the February 2025 Council meeting	General Manager
75%	16/09/2024	30/05/2025	09/24.16.2.456 Proposed Options for St Marys Exhibition Building	1. That Council develop a community engagement strategy which informs the community in relation to the asset conditions and limitations of the building in its current form; 2. That the community engagement is targeted to inform Council regarding the communities proposed uses; 3. Develop initial estimates based on the outcomes of the consultation to enable Council to make a fully informed decision in relation to the future of the building,	A report has been prepared summarising the community feedback to be presented at a Future Meeting with associated recommendations.	Development Services Coordinator
65%	21/10/2024	16/12/2024	10/24.15.2.470 Future use of the old Council offices – 29 Talbot Street, Fingal	1. That Council call for Expressions of Interest for the use of the building located at 29 Talbot Street, Fingal which more recently was leased to Integrated Living. 2. That Council allow the SES response vehicle to be parked in the garage located on the property at 29 Talbot Street, Fingal to ensure quick response to incidents in the Fingal Valley.	Council staff working on the EOI after comments received from first review	Manager Community Services

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
75%	21/10/2024	30/06/2025	10/24.16.2.472 Proposed new electronic scoreboard	<ol style="list-style-type: none"> 1. That Council grant permission, as landowner for the lodgement of planning and building approvals (if required) on Council owned land, 117 Tully Street, St Helens (St Helens Sports Complex), and 2. Subject to Planning and Building approval being obtained that Council grant permission to carry out the proposed installation of a new electronic scoreboard, and 3. That the Lease between the St Helens Football Club and Break O' Day Council be amended to ensure that all ongoing maintenance and insurance requirements are the sole responsibility of the St Helens Football Club as it relates to the Electronic Scoreboard. 	<p>The proposal has been considered as exempt from requiring a planning permit. The proposal as been considered as low risk building work and therefore a building approval is not required to be obtained.</p> <p>The East Coast Swans have been advised of Council decisions and the manufacturing is complete and installation is underway.</p> <p>The amended lease has been drafted will be amended upon completion.</p>	Development Services Coordinator

COUNCIL RESOLUTIONS 2023

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
50%	20/03/2023	30/06/2023	03/23.15.7 St Helens Sports Complex	<ol style="list-style-type: none"> 1. That Council engage a landscape architect to design connectivity between the various areas of the St Helens Sports Complex identifying what amenities are required to service the area and its users as well as ensuring green spaces and vegetation management are addressed as part of the project. 2. That funds from Public Open Space – St Helens be used to engage a landscape architect to undertake this project. 	A draft Brief has been developed for this project. This project will now be incorporated into the St Helens and Binalong Bay Liveability Strategy which is currently being developed.	Manager Community Services
75%	26/06/2023	31/07/2023	06/23.9.2.131 Online Access Centre Funding – Clr Carter	<p>That Council write to the State Government requesting:</p> <ol style="list-style-type: none"> 1. A definitive answer about the future funding of Online Access Centres in the Break O'Day area beyond the completion of the current funding contract expiring on 30 June 2024. 2. An explanation of the Hub approach that the Minister mentioned in a meeting with the Mayor and Acting General Manager in February 2023. 3. Clear articulation to the affected communities and relevant service providers of the State Government's plans for the future delivery of services currently delivered by Online Access Centres at St Helens, St Marys and Fingal including how and who will be delivering these services and what services may be lost under the new approach. The articulation should include the financial consequences of establishing Hubs and the efforts that will be undertaken to seek ratepayer and service provider input 	As reported at the February 2025, Libraries Tasmania and the Consultants undertaking the review process failed to ensure that the views of Council were obtained. Correspondence has been sent to the Minister on the matter expressing our disappointment with the engagement process including the engagement being framed as a survey on Digital Inclusion. Advice has been received through the St Helens OAC that funding has been extended to 30 June 2026 at current levels.	General Manager
20%	18/12/2023	29/02/2024	12/23.9.1.265 Indigenous name for St Patricks Head – Clr J Drummond	<p><i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i></p> <p>That Council support the Indigenous name for St Patricks Head, which is lumeragenena wuggelena according to the Department of Natural Resources and Environment Tasmania.</p>	Initial response received from PWS. Council's approach to dual naming has been raised as part of the Reconciliation Action Plan process with the discussion being about an all encompassing approach rather than adhoc naming	General Manager

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
95%	18/12/2023	31/01/2024	12/23.9.3.267 Community landscape plan or policy for our townships– Deputy Mayor K Chapple	<p>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</p> <p>That Council develop a community park / garden landscape plan / and or policy for our townships.</p>	Draft policy to be workshopped at the April 2025 Councillor Workshop.	Manager Infrastructure and Development Services

COUNCIL RESOLUTIONS 2022

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
35%	21/02/2022	01/05/2025	02/22.16.5.39 - Management of Freshwater Resources and Water Quality	Council show leadership on freshwater management arrangements and seek input and advice from state water managers and independent experts on freshwater management arrangements and development initiatives in Tasmania, and their adequacy for ensuring the ecologically sustainable use and development of freshwater systems and resources in Break O'Day.	<p>This issue was brought to Council's attention through Council's NRM Committee in 2022 when questions were raised statewide about the adequacy of freshwater management arrangements and development initiatives in Tasmania and ecologically sustainable use and development of freshwater systems. Freshwater water resources and water quality management issues in the state and for Break O'Day are an on-going topic for Council's NRM Committee.</p> <p>The Department of Natural Resources and Environment Tasmania is generally responsible for freshwater resources regulation and management and has had several initiatives responding to concerns raise a few years ago. Plans for this outstanding item are to arrange a briefing in the first half of 2025 for Council on developments in management of freshwater resources, involving Tasmanian Government agencies and/or other bodies.</p>	NRM Facilitator
77%	27/06/2022	31/10/2022	06/22.15.3.123 - Outdoor Exercise Equipment - Scamander	That Council seek external funding to cover the cost of this project.	Council at their meeting in June, 2024, in consultation with the community changed the location of the proposed exercise gym equipment to the eastern side of the bridge	Manager Community Services

04/25.8.0 PETITIONS

Nil

04/25.9.0 NOTICES OF MOTION

04/25.9.1 Local Government Association of Tasmania - Lift the Tone Campaign - Mayor Tucker

MOTION:

Council resolves to challenge the normalisation of abuse against elected members and officers and uphold exemplary standards of public and political debate in all it does.

Council further resolves to pledge support for the Local Government Association of Tasmania's Lift the Tone campaign. In supporting the pledge Council commits to:

- Promoting civility in public debate.
- Refraining from abusive language and behaviour online or in person.
- Encouraging others to engage respectfully.

MAYOR SUPPORTING STATEMENT:

Our council and many others are experiencing increasing levels of toxicity in public and political discourse. While ensuring that everyone has a voice, including engaging in debate, is a vital part of democracy, when comments and actions shift from honest and respectful to abusive, they become harmful.

This intimidation of councillors, in person or otherwise, undermines democracy; preventing elected members from representing the communities they serve and deterring individuals from standing for election.

In late 2024 the Local Government Association of Tasmania (LGAT) conducted a survey of elected representatives to seek a better understanding of their experiences of bullying, harassment and intimidation.

The survey found that 78% of respondents had experienced abuse or intimidation from members of the community during the last two years. It was identified that the most common place for this to occur was social media (47%), followed by verbally in public (37%).

LGAT has now developed the Lift the Tone campaign, which aims to raise public awareness of this issue and reduce harassment and abuse directed towards elected representatives and council staff by encouraging constructive and solution-oriented public debate.

OFFICER'S REPORT:

Introduction

This report formally outlines Break O'Day Council's strong endorsement of the Local Government Association of Tasmania's (LGAT) "Lift the Tone" campaign, aimed at addressing and reducing harassment and abusive behaviour towards elected representatives and council employees.

Background

Over recent years, Tasmania has witnessed an alarming increase in the frequency and severity of abusive behaviour targeted at local government officials and staff. This includes persistent social media harassment, disruptive conduct at council meetings, and sustained attacks intended to erode the credibility and integrity of council representatives and employees.

These are not isolated occurrences but reflect a disturbing global trend, observed across Australian jurisdictions and internationally. Society has reached a troubling point where incivility, aggression, and personal attacks in public discourse have become commonplace, with significant implications for democratic governance and community cohesion.

Nature of Recent Incidents

Specific incidents within Tasmania clearly illustrate the critical need for this campaign:

- **Social Media Abuse:** Persistent online harassment directed at elected officials and staff has become widespread, involving defamatory posts, threats, deliberate misinformation, and highly personal attacks.
- **Disruption of Council Meetings:** Public meetings have occasionally become environments of hostility, where verbal abuse, intimidation tactics, and even threats necessitate intervention from security or police to maintain order and safety.
- **Organised Attacks on Credibility:** Coordinated smear campaigns, frequently driven by small but vocal groups, target individuals and councils with the aim of undermining public confidence in local government institutions and personnel.

Mental Health and Workplace Impact

The detrimental effects on mental health arising from sustained harassment cannot be overstated. Individuals serving in council roles—both elected members and employees—are exposed to stress, anxiety, depression, and burnout as a direct result of continuous hostility. The emotional strain often extends beyond the workplace, affecting family life, interpersonal relationships, and overall personal wellbeing.

Council representatives and staff typically lack effective means to publicly counteract these attacks due to professional standards and responsibilities requiring them to maintain decorum. This sense of vulnerability and isolation can exacerbate psychological distress, negatively affecting workplace morale, employee retention, and productivity.

Importance of Constructive Dialogue

At its core, the "Lift the Tone" campaign calls for civility, respect, and empathy in public engagement. Criticism and accountability are fundamental aspects of democracy; however, they must occur in a constructive, solution-oriented manner. Elected members and council staff, who dedicate themselves to serving the community, deserve a safe, respectful working environment free from intimidation and abuse.

Constructive public discourse ensures effective governance, encourages greater civic participation, and improves community outcomes. It reinforces trust, allowing for robust debate and open dialogue without personal attacks or destructive tactics.

Recommendations and Council Commitments

Break O'Day Council fully supports the principles and objectives of the “Lift the Tone” campaign and commits to supporting the following actions:

Public Endorsement: Actively promoting the campaign’s objectives through our communications channels, including media statements, council website, and community forums.

Awareness and Education: Supporting community education initiatives to highlight the importance of respectful, productive dialogue and the detrimental effects of abusive behaviour.

Mental Health Support: Continuing our existing focus on staff wellbeing initiatives and committing to further strengthening internal support structures and enhancing access to professional mental health resources for councillors and staff experiencing harassment or stress due to their roles

Policy Reinforcement: Reviewing and reinforcing guidelines and policies on public interactions during council meetings and on council-managed social media platforms to ensure civility and respect are consistently maintained.

Conclusion

Addressing the serious issue of abusive behaviour toward elected representatives and council staff is a priority for the integrity and effectiveness of local governance. The “Lift the Tone” campaign provides an essential platform to challenge and change the culture of public discourse. Break O'Day Council is dedicated to promoting a culture of respect, empathy, and constructive dialogue within our community, reinforcing that everyone has a role in fostering a safer, healthier, and more effective local democracy.

OFFICER’S RECOMMENDATION:

The Notice of Motion is supported.

VOTING REQUIREMENTS:

Simple Majority

ACTION	DECISION
PROPONENT	Mayor Mick Tucker
OFFICER	Raoul Harper, Acting General Manager
FILE REFERENCE	004\010\004\
ASSOCIATED REPORTS AND DOCUMENTS	<ul style="list-style-type: none"> • Updated Engineering Report – Collective Consulting – June 2024 • Dale P Luck and Associates – Engineering Report – April 2007 • St Marys Sports Complex Report – Future Development – 23 October 2006 • St Marys Exhibition FAQ

MOTION:

That Council:

1. Thanks the community for having their say on the future of the St Marys Exhibition Hall, and notes the clear message that locals want to see the Hall kept for community use.
2. Agrees to keep the Hall and get on with the job of making it safe and usable again by doing the structural repairs and basic maintenance that are needed.
3. Sets aside \$100,000 in the 2025/2026 budget to get those safety and maintenance jobs done, and gives the go-ahead for Council staff to follow the process required to bring in the right engineers and builders to get the work underway as soon as possible in the new financial year.
4. Acknowledges the Expression of Interest process and thanks everyone who put forward a proposal. A decision about the future use or management of the Hall will be put on hold until the building works are finished.
5. Reconfirms Council's commitment to balancing responsible spending with delivering real value to the community. By backing this motion, we're taking a practical approach—keeping costs down while getting a good outcome that lines up with what the community's asked for.

MAYOR SUPPORTING STATEMENT:

This motion has come about because we've listened. The people of St Marys have told us loud and clear—they want to keep their Hall. It's an important part of the town, and it means a lot to the community. I'm proud to put my full support behind this. We've had solid engagement and honest feedback, and this recommendation reflects that local voice. It also gives us a practical, affordable way forward.

We're not talking about any gold-plated fix here—just doing what needs to be done to get the Hall safe, usable, and open again for the community. By locking in the funding now Council, the

community, and our staff can get on with the job—no more sitting in limbo, no more back and forth. It gives us the breathing space to do the work properly, and once that’s sorted, we can all come back around the table and keep working with the community to get the best outcome for its use in the future.

And I just want to say—I’ve got a lot of trust in the councillors around this table. We might not always agree on every detail, but I reckon we’re all here for the right reasons—doing our best to support what matters to our communities. This is the sort of decision that lets us move forward, together, in a way that makes sense for the people we’re here to serve.

OFFICER’S RECOMMENDATION:

The Notice of Motion is supported.

INTRODUCTION:

The following report has been developed by Council Officers in response to a notice of motion from Mayor Tucker. It also responds to recent consultation feedback, and public questions regarding the future of the St Marys Exhibition Hall. It outlines a recommended course of action that reflects community desire to retain the Hall, presents support for a cost-effective structural solution to make the building safe for use combined with an allocation for required basic maintenance, and proposes that Council allocate funding for these works in the 2025/2026 financial year. The report seeks a formal decision from Council to confirm its position on retention and a budget allocation to proceed with the required works.

PREVIOUS COUNCIL CONSIDERATION:

Council Workshop 2 October 2023

Council Meeting 18 March 2024

03/24.9.3.325 Moved: Clr J Drummond/ Seconded: Clr K Wright

A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:

That Council rescind any former decision to demolish the Exhibition Hall at St Marys Recreation Ground and provide an assurance that the Exhibition Hall will not be demolished.

CARRIED UNANIMOUSLY

Council Meeting 16 September 2024

09/24.16.2.456 Moved: Clr L Johnstone / Seconded: Clr J Drummond

1. That Council develop a community engagement strategy which informs the community in relation to the asset conditions and limitations of the building in its current form;
2. That the community engagement is targeted to inform Council regarding the communities proposed uses;
3. Develop initial estimates based on the outcomes of the consultation to enable Council to make a fully informed decision in relation to the future of the building,

CARRIED UNANIMOUSLY

Council Meeting 20 January 2025

01/25.9.1.525 Clr J Drummond /Clr K Chapple

A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:

That council accept all St Mary's Exhibition Building FAQ submissions received as valid whether or not a submission covers all 14 points asked by Council in the FAQ.

That the closing date for submissions to be received be extended to February 10, 2025.

CARRIED UNANIMOUSLY

Council Workshop 7 April 2025

OFFICER'S REPORT:

Background

In 2021, Break O'Day Council secured funding under the Black Summer Bushfire Recovery program to construct a new multi-purpose facility in St Marys. This new building was intended to replace the aging St Marys Exhibition Hall (also known as the Exhibition Building) at the Recreation Ground, which had been serving as a community gym and occasional event space. As part of the project plan, Council resolved to demolish the old Exhibition Hall on the basis that it was no longer fit-for-purpose and had significant structural shortcomings requiring substantial funding to make it safe for future use. The Hall was deemed surplus to needs once the new facility opened, and demolition was seen as a way to avoid ongoing maintenance and financial burden on Council.

From late 2022 through 2024, local residents began lobbying Council and Councillors to keep the Exhibition Hall for community purposes. In response, Council initiated community engagement process to ensure any final decision was well-informed by public input. This included distribution of a detailed *St Marys Exhibition Building FAQ* outlining possible options, and a formal consultation survey which closed on 10 February 2025. Council encouraged all interested community members to submit their ideas and concerns regarding the Hall's future. Throughout this period, the issue remained prominent – public questions about the Hall were raised at multiple Council meetings (January, February, and March 2025), reflecting the high level of community interest and involvement in the decision-making process.

Community Feedback

The community feedback over recent months has favoured retaining the St Marys Exhibition Hall in some form. Council's submission process attracted responses from a broad cross-section of the community, with many respondents advocating against demolition and in support of continued community use of the Hall. Residents emphasised the Hall's historical and social value – even in its current condition – and proposed ideas to repurpose or reactivate the venue. During the consultation, community members put forward various ideas for the Hall's future use – such as an arts space, boxing gym, storage, workshops and a range of other community activities - providing that the building's safety and compliance issues can be addressed. In summary, the feedback indicates that the community is willing to work with Council to find a viable future for the Hall, and that simple demolition (even with material salvage) is widely viewed as an unacceptable outcome.

It should be noted that Council's engagement efforts were aimed at making sure the community understood the challenges and costs associated with keeping the Hall. Even with that information, the public response has consistently leaned toward finding a way to retain and remediate the building rather than remove it. Council has acknowledged this public sentiment; at the March 2025 Council meeting, staff confirmed that all community suggestions – including low-cost alternatives – would be considered in the decision-making process for the Hall. This report now takes that feedback into account.

Structural Considerations

The St Marys Exhibition Hall is an older structure that has undergone multiple engineering assessments to determine its condition and the feasibility of continued use. Council commissioned structural reports have identified several deficiencies in the building's framework. Notably, a 2024 assessment by Collective Consulting (reviewing an earlier 2007 report by Dale Luck & Associates) found that the Hall's existing timber framing is not adequate to support wall claddings or ceiling linings, and the structure lacks sufficient lateral stability. In effect, the official advice to Council was that in its current form the building is unsuitable for occupation or public use, and could only be repurposed for basic storage purposes (with no public access) if certain reinforcements were made.

Based on these findings, Council had scoped out an option to “make safe” the Hall for storage-only use, which would entail structural modifications (e.g. installing steel rods or internal frames to brace the walls). The estimated cost for this minimal upgrade was approximately \$87,000 (ex GST). While such works would extend the building's life by approximately 20 years for storage, they would not render the Hall suitable for community gatherings or regular public occupancy, as the building would still not meet code requirements for habitable or conditioned space. For comparison, Council also estimated the cost to demolish the Hall at around \$25,000 (ex GST) and explored concepts for a full rebuild which ranged from \$675,000 to \$810,000. Given the high costs, Council's options continued to include demolition or, at most, a storage-only solution.

A community-sourced alternative structural solution to demolition of the building has been proposed as part of the community survey responses to address the Hall's key structural weakness – its lateral bracing (wind stability). Specifically, the proposal which has included initial qualified feedback put forward by MV Consulting Pty Ltd, a licensed structural engineering firm involves adding external bracing or buttressing to stabilise the walls against wind loads, rather than installing more expensive internal portal frames. The engineer has offered to provide Council with a certified

structural plan for this solution. That said, the cost of delivering this solution has not yet been verified at the time of writing this report.

This alternate engineering solution directly targets the Hall's structural shortcomings and would, according to the engineer's advice, make the building safe. Furthermore independent advice from a licenced Building Surveyor will likely to be required to ensure the building is fit for public use (not just storage) by resolving the lateral stability issue. To date, Council staff had not commissioned a detailed review of this alternate approach, partly because it was deemed "premature" to do so before knowing Council's final decision on the Hall's future. If Council were to decide to keep the Hall for ongoing use it is a significant consideration worthy of cost analysis.

In summary:

- Council's Assessment: The building in its current state is only suitable for storage with substantial reinforcement (\$87k), and not fit for public occupation without a major rebuild.
- Alternate Assessment: A simpler reinforcement strategy (external lateral bracing). This approach has been offered by a licenced structural engineer within the community network
- Use Assessment: Council will seek the advice of an independent Building Surveyor to determine the suitability for the proposed community uses put forward through the community survey.

Given these facts, two viable structural solutions are available that would allow Council to retain the Hall safely. It should be noted that any structural work will still need to comply with necessary building regulations; however, because this solution avoids triggering major redevelopment or change of building class, it may not be required to bring the entire building up to modern code (for example, it would not introduce a requirement for full insulation or air-conditioning if the Hall continues to be used in a basic form). Detailed compliance implications will be addressed at the design stage, but at this point the engineering advice indicates the Hall's core safety issue can be rectified.

Financial and operational implications

From a financial perspective, the option of retaining the Exhibition Hall comes at a cost. The direct cost of the proposed bracing solution is likely to be on or around a similar cost to the \$87,000 required just to make the building usable for storage only. Further detailed analysis is required. Once made structurally safe, the Hall also requires maintenance such as improved drainage around the building, subfloor ventilation and mandatory safety equipment. By preserving the building, Council avoids the potential indirect costs of demolition such as site restoration and the loss of an asset that might still have usable life and community value.

Balancing financial sustainability with community benefit is paramount. Council's responsibility is to ensure that ratepayer funds are used effectively, which means that the Hall, if kept, should be put to productive use and not simply left to deteriorate. This is where community partnership becomes critical.

While there remains strong community interest in the Hall's future, will this materialise in to direct community involvement in its future use and management? There are local groups or enterprises willing to contribute resources or labour towards the Hall's upkeep or to operate activities from the Hall (reducing Council's direct costs). For example, a community-led committee might manage the facility (such as the Fingal Neighbourhood house has previously), or a tenant organisation could

lease the space for events or a social enterprise, covering day-to-day costs. Such arrangements could offset Council's operational burden. These possibilities will become clearer once Council reviews proposals from the Expressions of Interest process.

In summary, the financial implications of the recommended course (retain and repair) are considered reasonable in the near term, and manageable in the long term if coupled with an effective community use strategy. The structural remedy means the initial investment will need to be absorbed in Council's budget for the coming financial year. The key consideration moving forward will be ensuring that the Hall delivers ongoing value to the community commensurate with its maintenance costs. Given the community's strong advocacy, there is good reason to expect that the Hall will be actively used and valued, justifying its preservation. Moreover, by taking this route, Council demonstrates responsiveness to community feedback, which has its own benefits in terms of public goodwill and trust.

Proposal

The Motion proposes that Council resolves to retain the St Marys Exhibition Hall and proceed with a structural upgrade to make the building safe for use, funded in the upcoming budget, and to finalise the Expression of Interest process to determine the Hall's future use. This approach responds to the community's preference to save the Hall, while addressing the safety concerns identified in engineering reports.

In implementing this proposal, Council will continue to engage with the community. Given the consultation process is now complete, a statement confirming that Council has heard the community's views and is acting to save the Hall, while also being transparent about the need for the community to remain involved in making the Hall a success. This collaborative approach is in line with Council's strategic goal of fostering community partnerships and ensures that the solution for the Exhibition Hall is not only structurally sound but also socially and economically sound.

STRATEGIC PLAN & ANNUAL PLAN:

Break O'Day Strategic Plan 2017-2027 (Revised March 2022)

Goal

Community - To strengthen our sense of community and lifestyle through opportunities for people to connect and feel valued.

Strategy

- Foster a range of community facilities and programs, which strengthen the capacity, wellbeing and cultural identity of our community.

Goal

Economy - To foster innovation and develop vibrant and growing local economies which offer opportunities for employment and development of businesses across a range of industry sectors.

Strategy

- Support and encourage innovation and growth in the economy through local leadership; infrastructure provision; support services and customer focussed service delivery.

Goal

Infrastructure - To provide quality infrastructure which enhances the liveability and viability of our communities for residents and visitors.

Strategy

- Be proactive infrastructure managers by anticipating and responding to the growing and changing needs of the community and the area.
- Work with stakeholders to ensure the community can access the infrastructure necessary to maintain their lifestyle.
- Develop and maintain infrastructure assets in line with affordable long-term strategies.

LEGISLATION & POLICIES:

Local Government Act 1993

Building Act 2016

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

\$100,000 Capital Expenditure in the 2025/2026 financial year plus ongoing depreciation and operational costs. (This includes a contingency cost above the known Council cost for basic rectification).

VOTING REQUIREMENTS:

Absolute Majority

Our Ref: 244026 L24-06-24 Rev.A

24th June 2024

Break O'Day Council
32-34 Georges Bay Esplanade
St Helens TAS 7216

ATTENTION: J IHNEN

Dear Jake

BODC – STRUCTURAL ASSESSMENT – ST MARYS RECREATION GROUND – HAREFIELD RD, ST MARYS

Collective Consulting carried out a structural inspection and brief photographic survey of the Pavilion Building at St Marys Recreation Ground on the afternoon of the 6th May 2024. We have carried out a limited structural assessment with a view to establishing the extent of structural damage along with potential causes. Our recommendations have been made to assist council in their decision making regarding this building.

1 // INSPECTION NOTES

Typical damage observed was as follows:

- Major displacement and outward bowing of external walls between steel tie rods.
- Deflection of roof sheet.
- External downpipe cut off right at building corner resulting in ponding water.
- Water stains to end wall interior cladding, due to potential water ingress or roof condensation.

Wall and roof damage has largely been caused by long term timber sagging related to the age of the material, and wind load damage due to insufficient bracing.

Due to the age of the building and past repairs, we expect further movement to continue slowly with the exception of the end walls. End walls show minimal signs of displacement.

Generally, the floor, external claddings, and foundations are in good condition given the age of structure, however ongoing maintenance should be expected.

2 // RECOMMENDATIONS

After considering the above and discussions in conjunction with yourself, our findings and general recommendations are as follows:

It is our view that the structure has exceeded its design life and that works to extend the life of the building will not be economically rational. We expect the building will exhibit further movement and deflection with or without minor modifications. The building is not suitable as a habitable or conditioned space, and modifications to the building will not make it compliant. The National Construction Code (NCC), defines conditioned space as *a space within a building, including a ceiling or under-floor supply air plenum or return air plenum, where the environment is likely, by the intended use of the space, to have its temperature controlled by air-conditioning.*

We recommend the following options:

Option 1: Demolish and construct a new portal frame structure.

Option 2: The building may be used for storage purposes without modifications. This being the case, it is unlikely that structural failure would result in injury or death, however damage to stored items may occur in this scenario.

Should the council elect to retain the building, we recommend the following works are completed to prolong the building life.

Foundations:

- Install air drain to perimeter of wall to prevent rising damp and vent sub-floor to atmosphere.
- All roof water is to be directed to an underground drainage system and dispersed away from the building. New gutter and stormwater infrastructure may be required.
- Currently there is no subfloor ventilation for existing timber floor. Vents should be cut into blockwork to allow air circulation.

Walls / Roof:

- Given the outward bowing of the external walls, the roof structure in current condition would not be capable of supporting any additional ceiling, insulation or services.
- Reinstate top plate in accordance with AS1684.
- Install additional proprietary 16mm Reidbraces in between existing steel tie rods to limit displacement.
- Bird proof.

If you wish for Collective to prepare a design for a replacement structure, we would be happy to submit a fee proposal to you.

We have included with this assessment a record of the condition survey conducted as part of the process of preparing this assessment. This survey details the issues noted throughout the building and provides a photographic record of the condition of the building at that time.

Yours faithfully,



John Hayes

Graduate Engineer
B.E.Hons (Civil) // GradIEAust



Matthew Peart

Director // Senior Structural & Civil Engineer
B.E.Hons (Civil) // M.E.M // MIEAust // CPEng // NER

PHOTOGRAPHIC SURVEY



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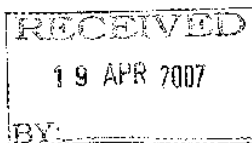
A.C.N 061 127 366 Pty Ltd T/A
Dale P Luck & Associates



CONSULTING ENGINEERS

19 Canning Street, Launceston 7250
Phone: (03) 6331 7933 Fax: (03) 6334 2583
E-mail: admin@daleluck.net.au

Our ref: 14891 RG



18th April, 2007

Break O'Day Council
PO Box 21
ST HELENS TAS 7216

Attention: Jennifer Russell

Dear Jennifer,

RE: PAVILION BUILDING - ST MARYS RECREATION GROUND

I carried out an inspection of the above building on Tuesday 3rd April 2007 in your presence.

PURPOSE OF INSPECTION

- To report on whether the existing timber structure is capable of being re-roofed and having a new plaster board ceiling installed in the building
- To report on the adequacy of bracing of the building
- To make comment on the condition of the timber floor
- To point out any deficiencies in the structure of the building

EXISTING CONDITIONS

The existing structure is of timber construction throughout.

- Roof framing consists of 125 x 50mm hard wood rafters @ 600 cns with collar ties. However the rafters have bent at the collar tie location and steel tie rods have been placed at wall top plate level in 6 locations along the building. This is not very satisfactory
- There is no ceiling and in fact the existing structure will not support a ceiling
- Roof bracing is not sufficient. It does not comply with today's Wind Code. Roof bracing is being provided by the corrugated iron cladding
- Walls are of timber stud construction and clad on the outside with vertical hardwood boards in fair condition. Internal linings are hard board. There is no way of checking the extent of any wall bracing without removing all the internal linings

Specialising In:

- CIVIL
- MUNICIPAL
- STRUCTURAL
- HYDRAULIC
- QUALITY CONTROL
- RISK ASSESSMENT

- The timber floor appears to be in very good condition. There is no detectable spring in the floor. Some deterioration of external wall cladding has occurred where concrete ramps have been built adjacent to the wall cladding

REMEDIAL WORK REQUIRED

- Clear out drains along the east and west sides of the building where silt and debris have built up
- Replace roof cladding with new custom orb Colorbond complete with flashings and eaves gutter and down pipes
- The existing external cladding of vertical timber boards is generally sound for its age. There is no need to replace the cladding. Replace individual rotten and split boards. Repaint exterior
- The need to put in a ceiling, and address the problem of a lack of bracing may be overcome with the addition of some steel portal frames. These would be placed inside the building at approximately 4.0 metre centres.

They will perform the dual purpose of supporting a new ceiling and the lack of lateral bracing in the building. Installing portal frames will mean that the outside building appearance will remain the same

Should you wish us to prepare a design of the portal frame with associated footings and bracing etc we would be pleased to submit a quotation to you.

I trust that the above fulfills your requirements at this time.

If you have any queries, please ring me.

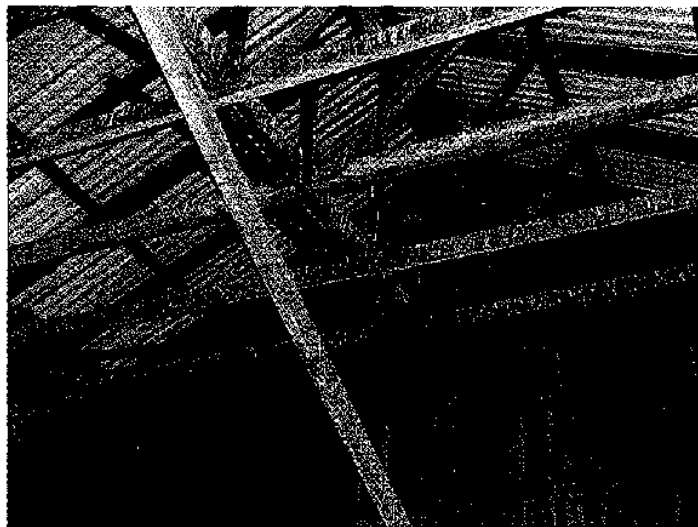
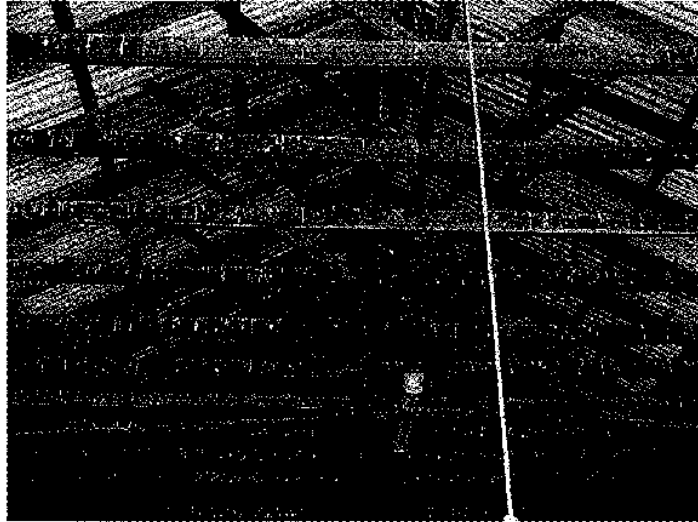
Yours faithfully,

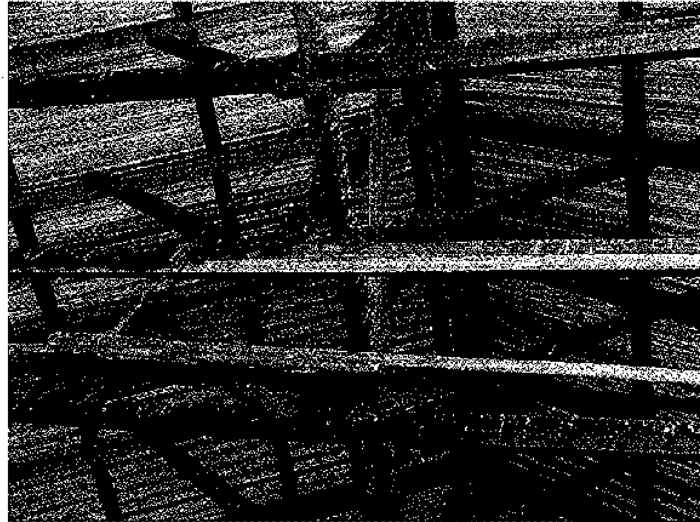
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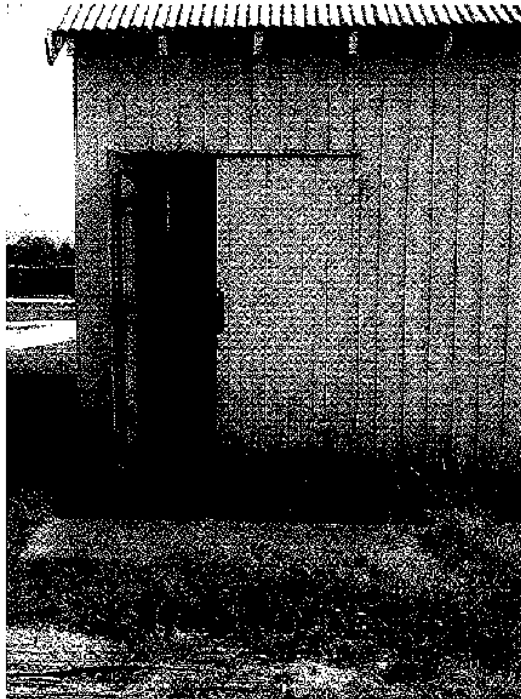


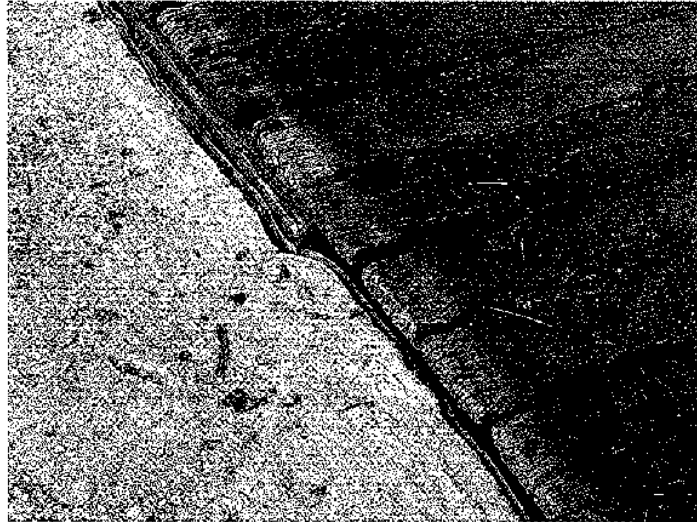
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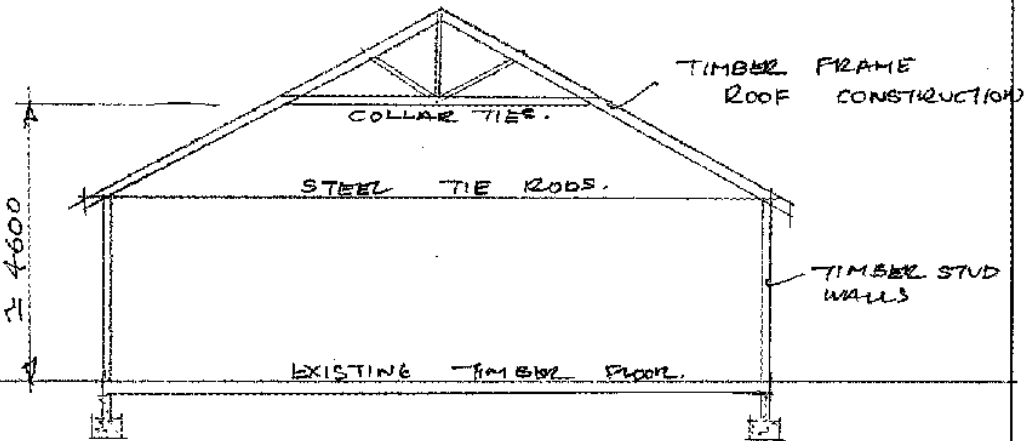




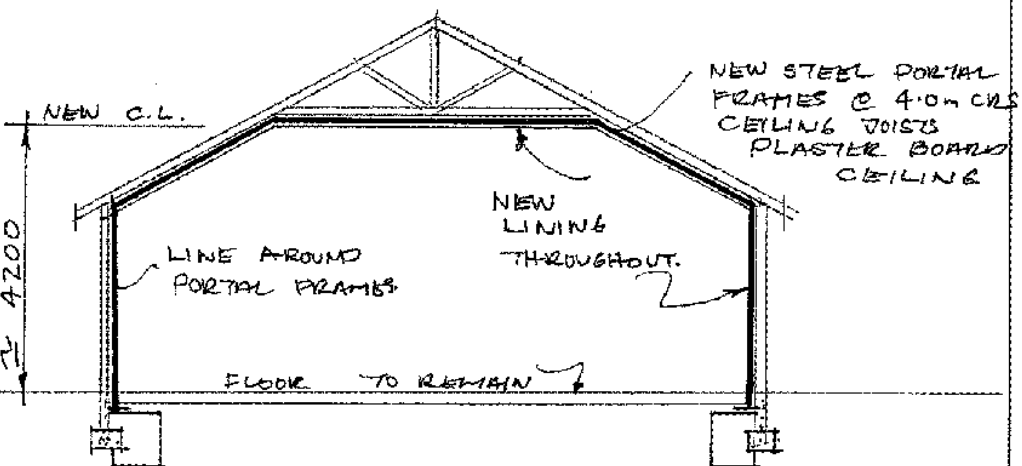




Client BREAK O' DAY COUNCIL CONSULTING ENGINEERS
Project ST. MARYS REG GROUND PAULION
Prepared by ROD GOWLAND Date 18.4.07 Sheet 1 of 1
Reference Drawings File No. 14891



EXISTING CROSS SECTION



PROPOSED CROSS SECTION.

Ref: 156785 18/04/07



**ST MARYS
RECREATIONAL GROUND
FACILITATION COMMITTEE
- REPORT -
23RD OCTOBER 2006**



ST MARYS RECREATIONAL GROUND FACILITATION COMMITTEE REPORT - 23rd OCTOBER 2006

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1. BACKGROUND AND HISTORY

1.1 Community Involvement

Over the past eight years there have been a number of community meetings to look at the development and upgrading of the St Marys Recreation Ground.

At least three of these meetings indicated there was full agreement from the community on the need for a new toilet/shower block at the ground with a view to providing facilities for camping and campervans/caravans.

In November 2005 at the Break O'Day Council AGM the following motion was passed.

1. Given

- (a) the absence in the St Marys area of any formal site or facilities for caravans, camper vans, mobile homes, camping and the like.*
- (b) the potential benefit to the St Marys economy of such tourist infrastructure which would encourage and enable visitors to make St Marys a stop over point while visiting the attractions of the surrounding region, council will carry out the necessary planning to provide a site and facilities at the St Marys recreation ground for caravans, camper vans, mobile homes and camping on a short term stay basis, such facilities to include water, power, waste disposal, toilets and showers.*

2. Recognising

- (a) the St Marys recreation ground is a major asset of the community,*
- (b) this asset is capable of many different uses (including (a) above), providing social, recreational, cultural and economic benefits to the community of St Marys and the surrounding District,*
- (c) there exists, at present, no master plan or strategy providing direction for current and future use of the asset, council obtain a report from an Architect and Planner*
 - (i) to be the basis of a master plan for the St Marys recreation ground*
 - (ii) to identify existing and potential uses (including (a) above),*
 - (iii) to consider the relationship and potential impact of these varying uses on each other*

- (iv) *to provide a concept plan for how the varying space and infrastructure requirements of the different uses can be achieved on a complementary integrated and harmonious basis.*

That the report be completed by 30th September 2006 and be presented for discussion to a public meeting at St. Marys within 40 days of its receipt by council."

This was carried unanimously and further agreed to by the council with \$5,000 being set aside to employ a consultant.

Subsequently a public meeting was called by the Mayor on 21st July at which twenty six interested individuals and representatives from community groups attended.

(see Appendix (i) - Minutes of the Public Meeting 21 July 2006).

It was clear from the meeting that there was considerable community support and interest for the entire area to be upgraded and maintained for the continuing and increased use which will benefit the whole community.

From the meeting on the 21st July a steering committee was elected. There was general agreement that the Mayor appoint, as soon as possible, a consultant to compile a master plan in consultation with the committee to reflect the needs of the community.

Subsequently the St Marys Recreation Ground Facilitation Committee (herein called the Committee) was formed comprising of Julia Weston (Chairperson), Peter Troode (Consultant), Deidre Panton, Dave Evelyn, Eric Bean, Rod McGiveron, Liz Dean, Reon Johns and later Matthew Bennell was co-opted from St Marys District High School to join the Committee.

1.2 Present Use and Condition of Recreation Ground

Apart from the major users, the Golf, Bowling and the Pacing Clubs, a number of other groups and individuals are using the area at present including aerobics, line dancing, auskick, cricket, weight lifting, and walking of dogs. Upgrading of the present facilities will undoubtedly attract other users to the area.

Grassy Bottom Regional Arts, for instance, holds the annual Winter Solstice on the recreation ground. A stage for performances cost the group \$1,700 to hire for the 2005 festival.

The Girl Guides are also looking for a base, as well as youth groups seeking a venue for meetings, entertainment and indoor recreational activities, including table tennis, weight programs etc. The existing infrastructure favourably lends itself for such activities as well potentially providing a high standard indoor/outdoor Market (*refer 2.3.7 – Projects on page 18*).

The Volunteer Fire Fighters also have the fire station situated within the complex. The future of this building is unknown at this stage although as it is understood that a new Facility will be built in the town to replace it. Should this be the case, the present Fire Station building and area could be utilised for further recreational activities such as a weights gym or a home for Girl Guides.

In November 2002 a report from Building Surveyor David Murfet of Murfet Harriss Building Consultants Pty. Ltd. was commissioned by Council to ascertain the standard of the buildings and what if any maintenance was required.

Although some improvements have been made according to the suggestions in the report, there are some buildings that are in various states of disrepair that need to be addressed and brought up to standard for community use.

The building known as the "Lions Pavilion" or the "Pigeon Loft" will be described, for the benefit of this report, as the **Exhibition Building**. Building Surveyor, David Murfet described it as a large open building that structurally needed repairs and used in the past for indoor sports. In his report, he went on to say that *"it may be difficult to justify spending large amounts of money on this building unless it does have a reasonable usage to justify expenditure"*.

The toilet block on the eastern end of the grandstand was found to be in such a state of disrepair that demolition was strongly **recommended**. In the interim a metal bar has been added across the back wall of the building to hold it together.

The men's urinal on the western side, near the food stands, was reported as not complying with any of today's standards either structurally or health wise. It was also strongly **recommended** in the report to be demolished and the urinals be incorporated in a new public facility.

The report also highlighted numerous faults in the Football Clubrooms. This building is indeed still in need of major maintenance.

The rest of the buildings on the complex, apart from the secretary's office and drivers' room, were given a reasonable bill of health. However some considerable improvements have been made since the Murfet Report.

1.3 Major Users of the Recreation Ground

These are, and have been for many years - the Pacing Club, Golf and Bowling Clubs.

1.3.1 Pacing Club

The following brief history of the club is from Eric Bean, Secretary of the St Marys Pacing Club:

"St Marys has held horse racing for about 120 years. The earliest results published in the Examiner Newspaper were January 1st 1886.

Early racing took place somewhere between Cornwall and Mt. Nicholas and also at Woodlawn. It moved to the present area around 1903 although not in the same position as it is now.

Early racing was mainly hack racing and the club was known as the St Marys Amateur Turf Club which was changed later to the St Marys Hack and Trotting Club. Another change was made in 1962 to the St Marys Trotting Club and then in 1989 it was renamed St Marys Pacing Club and remains so today.

The club used to race twice a year on January 1st and then again in March. Due to financial constraints the March meeting was last run in 1965.

The last gallop races were held in 1960 except when one gallop was held at our centenary meeting on 1st January 1986. At this meeting Melbourne Cup winner Piping Lane was paraded.

Since 1960, only pacing has been conducted at the club.

For many years the club has looked after the facilities at the ground and completed all renovations without outside help. However, the golf club has been very helpful with the mowing of the track as well as in many other ways.

All the work carried out every year has been by volunteers and luckily we still have quite a few of those available."

1.3.2 Golf Club and Bowling Club

The following is a history of the Sports Centre from the secretary, Rodney McGiveron:

"Originally the golf course comprised of six holes, but after the relocation of the new football/cricket ground in the early 1950's the club requested and acquired the remaining unused land around its perimeter to construct a nine hole course as per the current layout.

According to some sparse minutes and anecdotal recollections of the time, over many years all the work was carried out by the members with additional assistance from local contractors and suppliers. Funds were raised in various ways to purchase the necessary soil, seed, sand and implements to complete the course.

Around 1961/62 a bowling green was constructed adjacent to the clubhouse using a composite material but was later converted to the conventional grass surface. This was achieved by dedicated volunteers and keen members of the club.

Both golfers and bowlers were using the same building but in many ways acted as two clubs. During the late 1970's and early 80's the clubs began to merge into one with a central committee to oversee the facility which now works well. The initial committee comprised of 15 members. Eventually the club incorporated and adopted model rules to form the current constitution.

The length of golf course is just less than 2,500 metres for the nine holes but features 18 different tee beds which is the only one of its type in the municipality.

The bowling green is a complete 8 x 7 rink structure 40m x 35m.

The club operates three hundred and sixty five days of the year providing an easily accessible facility to golfers and bowlers.

There are also employees of the club with the potential for further employment opportunities, particularly with future re-development of irrigation, landscaping, machinery and club house renovations which is a priority in our planning."

2. PROJECTS

2.1 Identified Priorities

From the initial stages of this development and throughout the consultative process, the committee have identified three major projects as 'priority works'. This is not to say, however, that other identified projects cannot be developed concurrently as funding, volunteer contributions and community interest allow.

The following three priorities are not seen as discrete entities as each overlaps and/or contributes to the functioning of the other two.

2.1.1. Toilet / Shower Facility (in conjunction with the Camping Ground)

This has been recognised as a very important priority by the community for a number of years now. The current eastern Toilet facility is in a bad state of repair and the Murfet Report recommended it should be demolished and a new block constructed to Australian Standards.

The Committee **recommended** that the existing public use Eastern Toilet facility be demolished and replaced with a new quality designed Toilet/Shower facility and be shared between users of the proposed Camping Ground site, Caravan/Mobile Home site and the General Public.

The new Toilet/Shower facility needs to be designed to facilitate large events held on the Recreation Ground. These include the Pacing Club's annual race day, the Grassy Bottom Regional Arts Winter Solstice Festival and for future Market days.

It is envisaged that the new facility will compliment and encourage the growth of such events and in turn will contribute to the economy of St Marys and surrounds.

The Committee **recommended** that new Toilet/Shower facility be located in a new central location (as indicated on the Master Plan) which allows for convenient public access on large event days and contribute to acting as a wind break for the Caravan/Camping area, similar to the westerly wind protection for the Camping Ground offered by the Exhibition Hall.

The Committee emphasised that the design of the new Toilet/Shower facility be compatible with a similar architectural style of the Exhibition Hall. It was suggested that an aesthetic double gable type roof construction would be appropriate and **recommended** that material specifications such as paving, tiling, plumbing, fittings and lighting be of high quality.

The Committee looked at the requirements for the number of toilets, hand basins, urinals and showers for Caravan & Camping sites and accessed from the most

currently available documentation from the NSW Local Government Act 1993, updated as at the 1st May 2006, i.e. Local Government Regulation 2005 (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings).

The following table from Regulation 2005 – Reg 107 indicates the number of showers and toilets to be provided for a Camping Ground or Caravan Park.

No. of Sites	Toilets		Urinals	Showers		Hand Basins	
	<i>Female</i>	<i>Male</i>		<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>
1 – 25	3	2	2	2	2	2	2
26 – 50	5	3	3	3	3	3	3

However as the new Shower/Toilet facility will also be required to accommodate the general public for at least two major annual events and possible future market events, then additional toilets in excess of the above will be required.

Based on the number of existing toilets that will be lost with the demolition of the eastern Toilet block:

The Committee **recommended** the following requirements set out in the table below, based on occupancy of up to 50 sites.

No. of Sites	Toilets		Urinals	Showers		Hand Basins	
	<i>Female</i>	<i>Male</i>		<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>
1 – 50	8	3	6	3	3	3	3

Recommended Shower & Toilet facility requirements. Plus, a Unisex facility, for people with disabilities as per AS 1428.1-2001 is also required.

In addition to the table above, requirements for people with disabilities is to include separately at least one (1) shower, toilet and associated facilities, designed in accordance with AS 1428.1-2001, *design for access and mobility Part 1: general requirements for access – New building work*, as in force on 1 September 2005. Refer to Regulation 2005 – Reg 108

2.1.2 Camping Ground/ Caravan Park

Provision for a small Camping Ground/Caravan short stay facility has been incorporated in the overall planning. This facility will not only provide a camping area for tents but also include a small site for Caravans/Mobile Homes which will incorporate a quality Toilet/Shower facility and sheltered BBQ.

It is expected that this amenity will generate a small financial return in the way of fees collected but more importantly, touring campers are more likely to stay longer than one night because of the quality facilities, thus businesses in St Marys are likely to benefit, which in turn flows on the whole community.



Site for proposed Camping Ground and new Toilet/Shower Facility

The Committee **recommended** that a new Toilet/Shower facility, a sheltered BBQ, a defined levelled area for 4 x Caravan/Mobile Home sites (metered and watered) and a Black Water dump be constructed as shown on the Master Plan.

If required, future development of the area for Caravans/Mobile Homes may possibly be approved in the space nearer to the Volunteer Fire Brigade building. This location has a number of good screening Blackwood trees on the boundary with the golf course.

The Committee **recommended** that before any extension of the proposed Camping Ground area is implemented, that landscape screening and/or protective fencing be constructed along the golf course boundary of the 8th fairway to provide protection from wayward golf balls.

The old pine trees would require a professional assessment as to their safety and replaced with appropriate trees and shrubs if necessary.

Following a brief consultation between the Chairperson and Council employee Scott Park it was suggested that the large pine trees should be removed if assessed as dangerous. The young pine trees, especially those that have self sown under the

single eucalypt and the one in the middle of the proposed camping ground adjacent to the Exhibition Hall should be removed.

The Committee **recommended** that landscaping to define the area of the Camping Ground and Golf Course be programmed utilising fast growing natives.

It is anticipated that the landscaping could be designed and carried out by local Volunteers in consultation with the Golf Club.

The Committee **recommended** that a BBQ with a covered shelter be constructed as part of the landscaping of the Camping Ground project, with the BBQ facility to be shared by campers and the local community.

Although the Lions' BBQ is well utilised, it was felt that a new site at the recreation ground will not have an adverse affect on its use but simply provide another option at a different location.

2.1.3 Exhibition Hall (also known as Lions Pavilion or Pigeon Loft)

This hall arouses great passion amongst the community of St Marys.

In the late 1940's and 1950's, the Agricultural Annual Show was a huge event for the whole area. With the decline of small farms and the closing of the Cheese Factory, the shows gradually diminished. What had been an annual event became bi-annual and then finally ceasing around 1960.

Apart from the usual exhibiting of farm animals; cattle, sheep, pigs and poultry, events such as wood chopping, equestrian and side shows provided entertainment for the show spectators.

In the 1950's the Shows were huge events for the community. Marquees were used for housing the various displays but were often unsuitable when strong winds and inclement weather prevailed. The Country Women's Association marquees were very popular with their vast displays of jams, preserves, vegetables, fruit and cakes. Competition was fierce as it was between cheese makers, when St Marys boasted a cheese factory.

In 1954, they decided to build a hall for their displays and exhibits. Ken Lohrey, the then President of the Show Committee designed an 80 feet x 40 feet (24m x 12m) structure and with his group of volunteer supporters, built the Exhibition Hall.



The Exhibition Hall as it stands in October 2006

In the 2002 Murfet Report it was stated that it may be difficult to justify spending large amounts of money on the hall, but there are many reasons socially, culturally and historically why this building should be restored to its former glory and even expanded upon for current and future use.

Firstly, it is a significant historical importance to the township of St Marys. Even though it is only 52 years old and by no means in the same category as many heritage buildings, it does represent an important phase in the history of St Marys.

Secondly, it appears to be in relatively good repair and this was confirmed with a site visit conducted by Julia Weston, Peter Troode and Andrew Lohrey, son of Ken Lohrey, the original builder. The outside of the building is somewhat run down and even derelict in appearance with peeling paint, partly rusted roof sheeting, broken windows, doors and some vertical cladding rotted at the base.



Andrew Lohrey, son of original builder Ken Lohrey and Julia Weston, inspecting the roof structure and flooring of the Hall

On inspection of the inside of the building it was found to be very sound. The wood flooring is in excellent condition - very solid and stable. There appears to have been a little movement on the east wall but the roof structure is sound, probably a little over designed, but the size and proportions of the Hall make it an extremely practical and aesthetic building.

The metal ties spanning the interior of the Hall at various intervals appear to be structurally ineffective and removal of same would enhance the appearance of the ceiling.

The Committee **recommended** that a structural engineer be employed to assess the design of the Exhibition Hall and report on the effect of the possible removal of the metal ties and the effect of adding 2 x utility rooms, a foyer entry and an indoor/outdoor stage.

The Committee **recommended** that the following maintenance be implemented:-

- the roller door be removed and replaced with the construction a new foyer entry area,
- the electrical supply be upgraded to reflect current standards,
- the floor be repaired near the roller door entrance, sanded back its original condition and sealed
- the doors be replaced and a new fire door installed
- the rusted roof sheeting and some vertical cladding be replaced
- wood lining or plaster/gyprock board to the walls and ceiling be installed
- the interior and exterior be repainted

Note: Andrew Lohrey, son of the original builder Ken Lohrey and Benjamin Dean, grandson of Ken, are both residents at Falmouth and have expressed an interest in managing the renovations of the Hall with help from volunteers.

Thirdly, with the above repairs undertaken, there would be renewed interest in using this spacious facility. Two of the more immediate uses could be for an indoor market or a concert facility for the Winter Solstice Festival. The High School also has expressed an interest in sharing the hall for a variety of school activities.

It is envisaged the above maintenance to the Hall would be the first stage of works and that future improvements would follow subject to continued community involvement and funding.

Such future improvements for the Exhibition Hall include:

- An indoor/outdoor stage at the southern end being constructed to open with large doors onto the outdoor stage.
- A grassed area for spectator space in front of the outdoor stage

- The construction of 2 utility rooms (8m x 4m), one adjacent to either side of the Hall at the north end. The rooms to provide facilities for a kitchen, meeting room and storage space for various activities as well as providing additional stability to the existing walls.

While these suggested future improvements may appear excessive, community involvement and motivation can ensure their viability. The Winter Solstice project is an example of what can be achieved by a small number of volunteers. As the original Exhibition Hall was constructed with community involvement then the proposed future improvements can similarly be achieved.

A very strong consensus in the community is that this building must be retained at all costs. It is an excellent recreational amenity, and it symbolises the spirit of St Marys' volunteers.

The Committee **recommended** that the maintenance to the Exhibition Hall be carried out as described above, with the future improvements followed up subject to continued community involvement and funding.

Early commencement of the Shower Toilet facility, the Camping Ground Area and the Exhibition Hall are the nucleus for the rejuvenation of the Recreation Ground. These three projects have been identified as a priority and the model for which further projects can proceed.

2.2 Youth Involvement

The Committee felt that because the planning and development of the Recreation Ground impacted significantly on the Town's youth it was essential to engage our youth in the planning process.

Following consultation and support from St Marys District High School, Acting Assistant Principal Matthew Bennell selected a group of 6 representative students consisting of Brad McDonald, Ella Cooke, Nicole Evelyn, James Douglas, Elise Wright and Stuart Wright who met with Committee Members Julia Weston (Chair), Peter Troode (Consultant) and Liz Dean.

The Committee Members were encouraged with the enthusiasm of the students and the number of their ideas, concerns and suggestions were forthcoming:

- Concern regarding the condition of the practice cricket wicket pitch was expressed and indications were that it would be used more often if it was not so dangerous.
- Access to a good long jump pit, a 400m athletics track (because the School Oval can only support a 300m track)
- A skate park / bike track.
- Request to cover the swimming pool for all year use.
- Upgrading of the netball courts.
- A ground for soccer to erect permanent goals.
- Establishing a Drive-In Movie Theatre

The size of the Recreation Ground Oval is similarly too small to support a 400m track and because is not practical to extend its length due to the fencing, car and spectator access and the pacing track, the alternative was to extend the School Oval.

The situation emphasised the need for a community partnership with Break O'Day Council, whereby the Council could assist in extending the length of the School oval and create a multipurpose ground that could accommodate all sporting codes at various times of the year for either Football, Athletics, Cricket, Soccer or Hockey.

In return the School oval could be used on the weekend to support either a future Little Athletics Club, or Junior Football, Cricket, Hockey or Soccer activities.

Improving and maintaining the standard of the ground surface would then be shared between the Council and the School.

The Committee **recommended** that a Recreation, Education & Community Health (RECH) partnership consisting of Break O'Day Council, St Marys District High School and the Community Health Centre be charged with the common goal of sharing resources for the benefit of the community of St Marys and its surrounds.

A Skate Park was high on the wish list and the Committee **recommended** setting aside an area for this facility. With fund raising, volunteer labour, grant advice and assistance from say the "Recreation, Education & Community Health" partnership, could see a well designed project similar to that currently under construction in the Town of Burnie, due for completion by Christmas 2006.

Out of the discussion relating to the Drive-In Theatre and its practicality in St Marys, came a spontaneous rush of fond memories relating to Todd's Hall and the importance it held for them. There were many stories recalled with excitement and considerable nostalgia of the events that had been staged in the hall and their involvement in them. There were suggestions that if the Exhibition Hall were to be improved it could serve, in many ways, as a part substitute for Todd's Hall.

What the students had revealed in the course of discussion suggested that there is a good deal of unresolved community grief over the loss of Todd's Hall. Involvement in the renovations to the Exhibition Building by young and old alike could go a long way to healing this loss and creating closer community ties.

The necessity to encourage involvement of our young people in this project is seen as a major priority. Not only will they feel a sense of ownership and pride in their community by participation, but they also will learn considerable skills along the way.

2.3 Other Major Projects

It must be emphasised that the following areas identified below are not to be regarded as secondary to the previous three priorities mentioned, as they represent a diversity of recreational activities that are of equal importance.

2.3.1 Standard Practice Cricket Wicket

This was identified as being utilised during the week but is in need of major maintenance and brought up to standard with new nets, new surfacing and possibly constructing a new adjacent pitch.

The Committee **recommended** that a standard double Practice Cricket Wicket be constructed and complimented with grassed approaches.

2.3.2 Football / Cricket Clubrooms and Oval

The Football Clubroom is a valuable facility, used regularly by line dancers, twice weekly for a number of years. The oval and clubrooms are well utilised in winter by Auskick and in summer for Cricket. There is also a possibility this could be used for Soccer or Hockey.

The building has been identified as requiring refurbishing and in need of maintenance and care. The Clubrooms have had some minor maintenance and upkeep by groups using the facility, but with a common vision, it has potential to be a very useful and valuable asset.

The Committee **recommended** that the Clubrooms undergo a major maintenance program to bring the facility up to standard.



Football and Cricket Oval with Clubrooms – October 2006

The Oval is in an unsafe condition with poor grass coverage and uneven surface. This is a sorry state of affairs as the oval lends itself to being an excellent recreation facility for the community and St Marys District High School.

The Committee **recommended** that appropriate action be taken to rejuvenate the Football/Cricket Oval and ensure the surface is maintained in a safe and acceptable condition.

2.3.3 Signage

This is of high importance for the whole Township and the need for standardisation within the Town as recommended in the September 1995 St Marys Townscape Project cannot be overemphasised. Rationalisation of all Town signage is a significant priority for establishing not only clear direction for the Community and its visitors it contributes to the character and pride of the Town.

The Committee **recommended** that standard directional signs identifying the location of the Recreation Ground and the associated facilities within the ground be erected. For example, one of the Camping Ground signs could include information relating to camping regulations.

2.3.4 Skate Park / Bike Track



Proposed Area for Skate Park

A Skate Park was high on the wish list of the youth group. At present, backyards, streets and an old quarry are used for cycling and skate boarding which at best is ad hoc and at worst unsuitable and potentially dangerous.

The Committee **recommended** setting aside an area for a Skate Park to be situated adjacent to the existing practice cricket wicket as shown on the master plan.

With fund raising, volunteer labour, grant advice and assistance from say the recommended "Recreation, Education & Community Health" partnership, could well see a quality designed project similar to that currently under construction in the Town of Bernie, which is due for completion by Christmas 2006.

2.3.5 Horse Riding / Equestrian Area

Interest was expressed by the community and students requesting a riding area. Suggestions included holding a once or twice yearly gymkhana, special events, riding for the disabled and a riding for adults program.

Further discussions to refine these ideas will be undertaken regarding the availability of the trotting track, the oval and with St Marys District High School.

2.3.6 Outdoor Stage

Events run by Grassy Bottom Regional Arts such as Winter Solstice require a stage for entertainment. In 2005 the cost of hiring a stage was \$1,700. The advantage of having a permanent stage opens opportunities for other productions and further entertainment to be staged at St Marys.



Existing Exhibition Hall – southern end, October 2006

The Committee **recommended** that, at the southern end of the Exhibition Hall, an Outdoor Stage be constructed in conjunction with the proposed Indoor Stage and that a grassed area in front of the Outdoor Stage is upgraded and formalised for spectators.

2.3.7 Establishment of a Quality Market Place

It was suggested that in conjunction with the proposed refurbishment of the Exhibition Hall and its surrounds, that the existing historic horse stables be converted to provide undercover Quality Market Stalls.



Existing Horse Pacing Stables / Future Market Stalls

The Committee **recommended** that the earth floor of each horse stable be upgraded to have a concrete foundation and that heritage signs be erected above each stable to depict the name & year of past winning horses of the St Marys Cup, or other names as recommended by the Pacing Club. The Committee also **recommended** that painting the stables with the use of heritage colours would add to the theme of the facilities.



Existing Horse Racing Stables / Future Market Stalls in conjunction with the Exhibition Hall in the background

Further reinforcement regarding the above additional projects are not to be seen as secondary to the three identified priorities as they form a part of the whole concept.

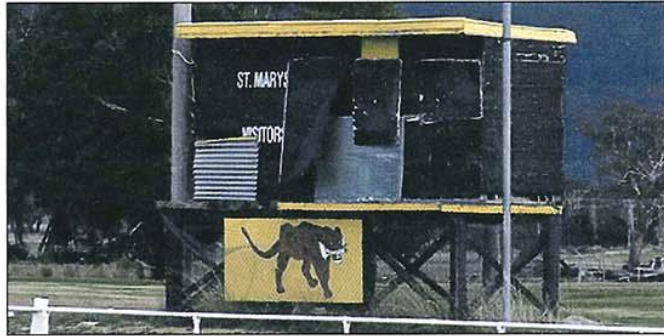
There is no reason why any of the above projects cannot be started and completed before or during the development of the three identified priorities.

As with all of the projects, the need, interest, commitment and funding underpin the action and progress.

2.4 Further Suggestions/Ideas

- Venue for drama club
- Youth access space
- Areas for entertainment, music dance etc. either outside or inside
- Archery club
- Croquet club
- Model aircraft club
- Kite flying club

- Scoreboard – upgrade or replace



Existing Scoreboard – October 2006

- Re-establish St Marys Football Club
Important social implications for the Town



Existing Football/Cricket Clubrooms – October 2006

3. COMMUNITY PARTNERSHIPS

In any community, partnerships with major organisations such as Councils, Schools, Departments, Mining companies, Stores, etc result in positive outcomes to unite the community and maximise the use of resources.

St Marys has two major employers - St Marys District High School and St Marys Community Health Centre.

Over the years there have been inroads into Community and Educational Bodies in establishing partnerships to share infrastructure and resources.

Partnerships involving the Community Health Centre, the Education Department and Break O'Day Council would result in exciting outcomes for the community and although is not a new concept, it is a commonsense approach to providing an efficient use of capital investment without duplication and at the same time enhancing community links and a pride in their facilities.

The community currently shares the School facilities with the swimming pool, involvement with the Soccer Association, Community Garden, Arts Groups, Motor Cycle Training and Volleyball. Netball, Athletics and the Pony Club are also suggestions for further community involvement where contributions to upgrading or creating new facilities can benefit all concerned.

Similarly, the School is keen to share sporting and educational facilities on the Recreation Ground oval and in the Exhibition Hall for classes in drama, meetings, workshops or indoor recreation.

An initial talk with Karen O'Shea, Manager of St Marys Community Health Centre has indicated a willingness to be involved with the development.

In partnership with the Community Health Centre a development project could receive vital assistance from Health grants. Regular updates as to what health funding is available are received by the Community Health Centre.

The Committee **recommended** that a Recreation, Education & Community Health (RECH) partnership consisting of Break O'Day Council, St Marys District High School and the St Marys Community Health Centre be forged to benefit all stakeholders and interest groups of the Town of St Marys.

(See Appendix (ii) - supporting documentation from the St Marys Community Health Centre, St Marys District High School and St Marys District High School Association)

4. RESPONSIBILITIES AND EXPECTATIONS OF COUNCIL

Upon presentation of this Report and Master Plan to Council, ***it is expected*** that within 40 days of receipt, Council will present same for discussion to a public meeting at St Marys. (as adopted by Council at the AGM in November 2005)

Following any additional community input and possible amendments to the Master Plan ***it is expected*** that the plan will be endorsed and/or adopted by the Break O' Day Council, paving the way for community groups to register their intention to proceed and develop their particular area of interest within the Recreation Ground or at a Community Partnership facility

In order to enhance the health, social and educational aspects for the St Marys community and its surrounding districts, ***it is expected*** that the Break O'Day Council will provide an annual budget allocation for initial and future projects, including future maintenance of the St Marys Recreation Ground facilities.

As discussed previously under the heading of "3. Community Partnerships", ***The Committee recommends*** that the Break O'Day Council initiates a Recreation, Education & Community Health (RECH) partnership with St Marys District High School and the Community Health Centre for the benefit of all stakeholders and interest groups in the Town of St Marys and surrounds.

The Committee recommends that Council implement a management plan for ground and facility allocations. For example, with respect to the proposed camping facility, allocation and responsibility for maintaining and cleaning the grounds, toilets, BBQ, including the allocation of keys for the various facilities and the possible collection of camp fees.

The Committee recommends a continuation of the present St Marys Recreational Ground Facilitation Committee to assist stakeholders oversee/monitor the development of current and future projects in St Marys and assist in securing volunteer support. The committee to meet as required, but not less than four times a year to review ongoing projects.

5. FUNDING

It has been emphasised and highlighted throughout this report that there will be significant “in kind” contributions to the development of the recreation ground facilities.

This can be seen not only in offers and assurances of work and community support, but looking at past experience, the community of St Marys has been able to support and execute projects. The integrity of the St Marys community is evidenced by the volunteer support behind the development of the St Marys Pacing Club and St Marys Golf and Bowling Clubs. The original example of the Exhibition Hall being built by volunteers highlights the unique culture of the St Marys Community with its ability to work together to achieve a common goal.

(see Appendix (iii) – Declarations of Support from Local groups/ Individuals)

Direct offers have come from several groups including the son and grandson of Ken Lohrey, the original builder of the Exhibition Hall expressing their willingness to take part in the renovation of the building with the assistance of volunteer labour.

Many other individuals have expressed a desire to assist. There is an understanding that Council has insurance cover for volunteer workers so there is every expectation that help will be forthcoming from many sources.

Nevertheless, cash injection will also be required, as already outlined under the heading “Responsibilities and Expectations of Council”. It is envisaged that initial and ongoing funding/grants will come from many sources.

There is also the possibility of acquiring funding from the Federal and State Governments as well as non government organisations who annually advertise many opportunities.

Funding for this project could be derived from either of the following bodies:

- Health funding, (childhood obesity, mental health, adult health issues),
- Community Development funding (for instance to unite and bring together a community that was devastated over the loss of Todd’s Hall, as well as development of social cohesiveness and social outlets in a rural township),
- Gambling grants – (such funds to prevent addictions for which sport and physical exercise are great antidotes in both a physical and social sense)
- Sport and Recreation funding – (speaks for itself.)

The above bodies can be directly linked to the funding area of sports and recreation.

However, there are other types of grants that may be appropriate:

- Arts Tasmania – under this there is money for capital investment
- National Bank – various grant programs for community organisations
- Coca-Cola Australia Foundation Grants – Youth – supports the development of young people through physical, artistic, cultural and other pursuits
- Boeing Contributions Program – provides financial and in-kind contributions in four major areas: education, health and human services, arts and culture, civic and environment
- Stronger Families and Communities Strategy – to help strengthen Australian families and communities – individuals, community groups and organisations may apply.
- Rural and Regional Renewal Funding.

A very useful resource is the Tasmanian Government Office which assists Tasmanians in navigating the numerous Federal Government websites in the search for funding. To this end the Tasmanian Government Office in Canberra has built up a database of information on approximately 400 Federal funding programs.

With “in kind” contributions from volunteers, group fundraising and acquisition of State and Federal grants, this overall development plan has the hallmarks of fulfilling all the projects outlined by the Committee.

6. OBSERVATIONS AND CONCLUSIONS

This report brings together the ideas, dreams and plans of the community of St Marys for the enhancement and development of their recreation ground and surrounding facilities.

The Committee apologises if any group or individual has been overlooked in the preparation of this report. It is expected to incorporate any oversights when this report and the master plan is finalised following public scrutiny.

Throughout this report and within the context of each subject matter or project, the recommendations of the committee have been highlighted in ***bold italics*** representing the actions required by either the Break O'Day Council and/or each relevant interest group.

Particular emphasis has been made throughout the report on the ability of the St Marys community to achieve what would seem at times to be impossible outcomes. Ever since settlement in the St Marys area, a culture of community cooperation has evolved from people of different backgrounds, skills and abilities, who have joined together to support different activities and realise their common goals.

However, over more recent years we have seen various social and economic losses & other factors affecting the Town's community which unfortunately has flowed on into the recreation crisis that confronts St Marys today. Local sporting and interest groups find themselves banging their heads against brick walls and struggling to maintain, let alone expand upon the excellent work and achievements of their previous hard working volunteers.

"RECH", representing a Recreation, Education and Community Health partnership (yes! another acronym) is recommended to be created between the Break O'Day Council, St Marys District High School and the St Marys Community Health Centre and this important partnership stands to maximise the use of community facilities as well as human and financial resources.

The whole community of St Marys stands to benefit from the ongoing development of the recreation ground not only in the physical, mental and health aspects of recreation but also through social and economic outcomes.

APPENDIX (i)

**MINUTES OF MEETING HELD FRIDAY 21 JULY 2006
ST MARYS RECREATION GROUND - USERS**

PRESENT:

Mayor Robert (Bob) Legge (Chairman)
John McGiveron, Margaret Osborne, David Clement
Ruth McGiveron, Charlie Hersey
Deidre Panton
Dave Evelyn
Murray Bennett, Don Woods
Reon Johns
Hannah Runenach
Leigh Spilsbury
Kelly Farrel
John McColl
Sue Fisher
Liz Dean, Fran Andrews, Elaine Sullivan
Rodney McGiveron
Julia Weston, Frank Giles, Rod Corfe, Arthur Progley
Jeff Woods
Tanya Green

REPRESENTING:

Break O'Day Council
Break O'Day Council Crs
Lions Club
Exercise Group, Aerobics
Pony Club
Pacing Club
SMACD
Bike/Skate Parks
Auskick
Guides
Grassy Bottom Regional Arts
Line Dancing
Rate Payers
Sports Centre
Tourism Operators
Cricket & Have a Go Group
Soccer Club

Meeting commenced 7pm, chaired by Bob Legge.

- BL** Thanked all for attending, talked about past and not having or getting a committee together to work out exactly what the people wanted. All organisations and groups need to come together in determining what the ground was going to be used for. Asked each person in turn to give their name and representations, along with their reasons for wanting to use the recreation grounds and, how it was going to benefit the community.
- RJ** Suggested a caravan park or camping stopovers
- DE** Horse events, special events, disabled children and adult's riding programmes, organising with other clubs to come here, as they feel St Marys is too remote to hold events without amenities for staying. Would like to have canteen facilities.
- BL** What sort of facilities is needed, like Football Club Rooms or Lions Shed (pigeon loft)?

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- DE Are there then going to be maintenance issues on the part of the users? Who maintains if sharing facilities like kitchens/grounds?
- LS Have 65 children attending Auskick each Sunday on average 12 times per year, May through to August. Use clubrooms and kiosk, do own upkeep. Bar area is only used for storage of equipment at this time.
- MB Representing Eric Bean for the Pacing Club in his absence. Want all of their facilities to
- DW be kept intact and continue the use of same. Pacing Club is established and, along with the Sports Centre has done more work to date than anyone.
- JMcC Holds Winter Solstice event every year, uses all facilities available. Would like to see ground used more as an "event site", there is potential for a permanent stage to be erected, plus would like to see more facilities made available, like showers?
- JWe Needs proper planning of Recreation Ground, excellent place for camping with showers and toilets. Would like to see the area landscaped.
- FA Stated this was the 3rd or 4th time there had been a meeting about the site, to develop it further, failing to ever get anywhere and nothing being done. Believes an outdoor stage plus more lighting would be good and maybe putting in Arts and Sculptures? Really develop it into an area people will want to go to.
- RMc The Sports Centre would be one hundred percent behind development of the ground, enhancing what they already provide, golf and bowls. They have a tree planting programme planned, maybe that could be incorporated with any landscaping development?
- JWo Uses grounds twice a week in cricket season, wish to continue this access. Believes football sheds are very sound, they just need "tender loving maintenance", no need to pull them down and rebuild. Shame the whole facility can't be replanned, but realises this is impractical - all present in agreement with this statement.
- ES Wants to see camping in the area with caravan bays, also an area for bikes and a skate park for the children.
- MO Stated that it needs a committee set up first and foremost.
- RC Wants to see more people staying in the area. The Recreation Ground can provide everything. Maybe we can develop other uses for it too.
- FG Would like to see a toilet block erected with shower facilities. Power points and a "dumping point". Overnight stays mean that people will visit things in this area.

- TG Put goalposts in for Soccer allowing the kids to practice and "muck around". Cygnet has an overnight camping site, whilst once a year having a big event in the town allowing people to camp. It has worked well and is very popular. The Soccer group wants to continue playing their games on the school ground though, so would not envisage game level use at this time. Would like to see additional use of the ground.
- LD Visitors coming in to the shop and asking where they can stay in the area, lots of things to see in this area if people can stay. Would like to see the Lions Club Shed utilised more.
- HR Three years ago tried to get a BMX bike track and skate park going, there are funds available for this, due to ill health this idea was put on hold but Hannah would like it reinvestigated. What about the Fire Brigade Station being used for something in the future, if the new development goes ahead it will be left vacant?
- SF The Line Dancers have used the hall twice a week for the past 4-5 years, would like to continue doing so and see toilets done up and heating if possible.
- DP Would like to continue using the "pigeon loft" (known as Lions shed). This is used by 8-10 people, twice weekly at nights, more amenities and updating for this is needed, but they are happy to continue as is. Commented there are men that also use the facility for weight training.
- CH Would like to see the Lions Shed remain, too good to be pulled down, lots of possibilities.
- RMc The Lions Club would like to still use this shed for special projects. Would like to see it upgraded, it needs work done on it now.
- KF The Guides need their own space once a week, would like to have a place they can call their own, with the ability to camp outdoors (which is really what Guides is about), this can't be done at their current location.
- BL Asked Kelly what is needed for the club, example a lockable cupboard, kitchen facilities?
- KF Yes exactly what we need.
- AP Would like to see a caravan park and market place, believes this could be huge.
- BL It is obvious that there is a need for the facilities that we have to be upgraded and this will be done, when we know what the people need and want. Piece in the paper is required asking for community input after the views of various groups are prepared.
There is grant money available, more work must be done and a committee is needed with NO RESTRICTIONS from Council. There will be no material work

required by the people, proposals of what is needed, then Council will look at all proposals. There was a meeting 18 months ago on the ground, but it collapsed because there was too much Council control. In Fingal Council days there was a committee that worked very well.

Need approximately 7-8 people on the committee, no more, that will be workable. Council is prepared to listen to any and every suggestion put forward. Guarantee a turnaround time of three weeks, will come back to committee with decisions. Must form a committee here and now at this meeting.

Asked for persons prepared to be a part of the committee to put their names forward:

COMMITTEE Julia Weston, Dave Evelyn, Diedre Panton, Rodney McGiveron, Eric Bean (by proxy), Liz Dean.
(David Clement put his name forward, but this was rescinded as Bob Legge informed meeting that NO COUNCILLORS could be on this committee. That was the problem previously, council had to be devoid of any interference for this to work).

LD This is not going to be a "special committee" is it?

BL Council will honestly look at all recommendations, reiterated there will be no council control of the committee, it will be run by the people concerned outlining what the people require. We want to get on with it.

DC It needs a Steering Committee. \$5,000 available for a Consultant, needs to be done by 30th September, then 40 days discussion with the people! Motions put forward at Council at present. You need to determine a master plan, input will be valuable to put in process only, should be an Advisory Committee to Consultant.

BL It may not be necessary to spend \$5,000. Will find out how much is available.

TG Asked if a Consultant had already been appointed?

BL No. Go ahead with Consultant, it is very clear what is required and wanted by the people, a caravan park / camping ground.

JWo Yes go ahead with the Consultant. All in agreement

- DC Facilities – we have to take into account what is recommended by a Consultant, he can determine potential users and uses of the ground. A Volunteer Workers Programme has been put forward, people want to work as volunteers on the ground (landscaping?) this will be encouraged.
David also spoke on behalf of Louise Williams who had asked if a sign could be put up, a directional sign – Recreation Ground – (this way). Has had a lot of people stop at her house and ask for directions. All in agreement this was needed.
- JWe Has someone been appointed like an Urban Planner?
- DC An Urban Planner will have knowledge of how to utilise the space better. A local committee would not have enough skills to form opinions!
- TG Don't we know what is available?
Addendum: Tanya would like to represent the Netball Committee as well as Soccer
- Jwe Needs to be a diverse group, which will provide different views.
- RC \$5,000 is not a lot of money, should go ahead with a Consultant.
- RJ Believes as the ground is improved more people will want to use it.
- DC Committee - should be advisory? Takeover after recommendations made, committee then carries on with more development ideas.
- BL The Committee that has been formed here tonight need to go and have a look at the ground, come back and tell Council what has been put forward as your ideas and suggestions.
- AP Suggested a Landscaper be spoken to, they will come up with ideas and drawings, locations, a committee will steer that prior to Consultant being appointed, then present to Council.
- BL Committee needs to give advice. Concerned with buildings on ground, are they to be utilised and upgraded, or pulled down? Example, there are only a few using the hall, but it is being used, there is not a bottomless pit of money. Need to get the priorities right, which hall – pigeon loft or footy sheds to put the most money into. These are the sort of things that need to be decided.
- JMcG The Lions Shed just needs improvement, it is a sound building. Windows fixed, seal around bottom of building etc.

- DC Now we are talking about general maintenance issues. There are about 28 people present, come up with some views, integrate on harmonious basis – no conflict. Urban Planner is needed. Put suggestions in and this will be better looked at as a 2-3 year plan, with Budget allocations.
- DE Preliminary maintenance is needed now
- MO Speaking from experience, has stood on Council Committee that put in a recreation ground. A plan was started then they came back to meeting of the group with ideas. You must combine two things – the person drawing the plan – and what the people want.
- BL What is required?
- DP Isn't that what we have done or are doing at this meeting?
- MO What the community wants is your starting point
- RC Has already been out to the ground and believes he has identified a potential site for camping. May involve area close to one of golf club's greens?
- DC This is where Consultant or a Facilitation Committee is needed
- CH Can't encroach on already existing use of ground, like Golf Club
- RMcG Could there be a liability issue if in close proximity to Golf course, with stray balls?
- JWe Everyone is looking at what is their own perspective, their own interests, needs to be combined.
- TG Agrees that people have their own activities in mind, but we should work together
- RC Suggests a meeting out at the ground of the committee next week – Agreed, time needs to be made.
- RMc Put forward that a candidate for the Consultant could be Peter Troode, has extensive background working for the City of Melville in Western Australia as an Engineering Design Draftsman, in the fields of Road Design, Parks and Recreation, Local Area Traffic Management and Planning.
- DC Move that meeting advise Council to request that Peter Troode be asked to look at concept.
- RC Elect committee spokesperson – was committee selected?
- BL Yes

CH If Peter approached by Council, reasonable for him to be paid, he is also a Tourism Operator?

RC Yes pay him, he has invested in the town, let's invest in him.

JMcG He will know what to do because of his background, find out first if he is interested

BL Organise the committee, needs to be formed as a committee so Council can get grant monies right away. Can't ask for grants without duly formed and named committee.

MO Move forward now – had interest before which went nowhere

DC With the committee formed, you can put forward motions and have the power to call meetings. Liaison Panel can then meet with Peter Troode or chosen Consultant.

MO Contact is then needed with the Mayor to see what he has done, to keep the momentum going.

BL No Councillors allowed on committee – must be apart from Council with no interference, what the people want, not the Council who will make ultimate decisions on recommendations. Must elect Chairperson now!

Committee Members: Julia Weston (volunteered and elected Chairperson)
(seconded by David Clement, who cannot be a committee member)

Plus new volunteers: All committee in agreement with Julia as spokesperson
Eric Bean, Dave Evelyn, Reon Johns, Rod Corfe, Deidre Panton, Rodney McGiveron, Jeff Woods, Frank Giles.
Nine elected members to form new committee.

Addendum: To be called **St Marys Recreational Ground Facilitation Committee**

DC They must liaise with Planner

DE Need input from rest of committee and the community?

BL Where will we start? It will be Monday or Tuesday before he is able to see what money is available to offer a Consultant then, he will personally contact Peter Troode to ascertain his interest.
The committee hopes that it will work.
Bob assures them that there will be NO Council control, Council can run "amok"

MO Agrees, got to be run by people (each group has own interest). Council will be there to guide, fund and discuss.

- DC** Committee to work together first and foremost, then come to Council. Use Council Asset Funds?
- MO** People will do something if it is needed and wanted enough. Council has money, can get grants and, in-kind support. Everyone needs to be involved, ask what is wanted?
- BL** More to discuss, must get moving on this now. Let Julia know what is happening, work as a team.
- RC** Should have a meeting at site to discuss.
- This was already decided by committee, early next week
- BL** It is up to the committee to organise its meetings
- CH** Cleaning? Who will be responsible, each group or will there be a person hired by Council to perform cleaning tasks. Have seen firsthand at St Helens how different users leave a mess for next group to clean up.
- DC** There could be a Multi Purpose Lease as at present with four different groups, they are each partly responsible for Energy, a nominal fee divided by four and cleaning up after use.
- FG** Suggestion – nothing to do with sporting buildings or ground. The St Marys precinct, all new buildings to be in keeping with character of town, just floating idea re building fronts, don't want to go way of St Helens and lose character of town!
- BL** Not appropriate question for this forum (agreed by most that wrong time and place)
If nothing more to discuss the committee can set up the next meeting.
- LS** Not on the committee, but will individual groups consult with the committee and do the committee consult with everyone?
- JWe** Yes. Small number to consult and will represent all people (everybody who is interested)
- BL** Thanked all present for input and presence.

Meeting closed 7.55pm – next meeting to be advised

APPENDIX (ii) SUPPORTING DOCUMENTATION

(ii).1 St Marys District High School



ABN 50 734 956 179

13 Gray Road, St. Marys, Tasmania 7215
Telephone: (03) 6372 3900 Fax: (03) 6372 2543
Email: stmarydh@postoffice.tas.edu.au

ST MARYS DISTRICT HIGH SCHOOL RECREATION PRECINCT SUBMISSION

St Marys District High school is a Kinder to grade 12 school, with approximately 340 enrolments. Accordingly, the school community is made up of diverse interests and backgrounds. We believe that this is to be highly valued and we encourage and foster this diversity. Provision to foster diversity requires us to provide a wide range of opportunities for this to occur. This includes sporting, cultural and social events in both our local setting and beyond.

The school community understands the importance of contributing to the wider community, over and above the realms of traditional teaching and learning. We are committed to providing quality facilities for students in our care. We recognise the role of the school in providing these facilities in 'out of school' hours encouraging the school to be a place of community renewal, not limited to the 'traditional' role of the school.

We are supportive of providing a 'seamless' partnership with the community, as evidenced by the current arrangement we have with our on campus pool. This partnership provides of a community resource on Department of Education property.

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Currently, a number of community groups access the school on a regular basis, including:

- St Marys Soccer Association
- Motorcycle training
- Arts groups
- St Marys Volleyball Association

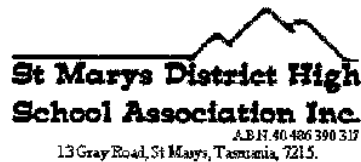
We are interested in pursuing additional ways of providing alternative forms of recreation in this area, some of which may not be appropriate on Department of Education owned property. We are excited by the possibility of students and staff being involved in the planning of this site. School involvement should help to ensure that resources are successfully allocated which would prevent duplication of facilities.

The St Marys District High School community supports the notion of a planning document which will underpin the development of the recreation precinct at St Marys. We are committed to renewal of the area and look forward to working with the organising committee into the future.

Matthew Bennell
Assistant Principal (Acting)

Charlotte Marshall
Principal

(ii).2 St Marys District High School Association Inc.



Mr. Peter Trood
19 Gray Road
St Marys
Tasmania 7215

23rd October, 2006

Dear Mr. Trood,

On behalf of the St Marys District High School Association, I would like to extend our support for the proposed improvements in the Recreation Ground located at St Marys. The Association is proactive in ensuring and complementing new and existing partnerships between the school and the wider community. As the parent body representative the association is extremely excited about the forthcoming venture and will not hesitate to offer its support as needed.

Currently the Association has implemented partnerships involving the Community Garden located within the grounds of the school, but run by volunteers. Its aim is to involve students in suggesting ideas for ongoing improvements and supporting the new curriculum by engaging students, support the canteen by providing fresh and organically grown produce, selling of the same produce to the broader community and ultimately attaining a self sufficient venture for everyone to use. The Association also oversees the running of the local op-shop by providing a building to be leased, supporting the volunteers from the community to run it and providing equipment to meet the needs of the people and the business. The Swimming Pool is a community owned pool, which I believe to be quite unique in Tasmania. The pool which is located in the grounds of the District High School, is owned by the community. The money required to construct it was raised by the community. The Association acts as the community representative to liaise with the school to best utilise the facility. As part of the responsibilities of the Association, the body organises Learn to Swim and Fitness Programmes as well as improving the infrastructure by constructing buildings and amenities as well as maintaining them.

These examples best illustrate how the Association sees partnerships as being vital to the community's identity. The Association is very excited about the proposals suggested to improve a vital part of the township and we look forward to meeting with you again to discuss ways in which we can be of further support.

Yours sincerely

Sandra Cook
Secretary

(ii).3 St Marys Community Health Centre



ST.MARYS COMMUNITY HEALTH CENTRE	
GARDINERS CREEK ROAD	PO Box 125 St.Marys
ST.MARYS, TAS. 7215	Telephone : (03) 63722111
	Fax : (03) 63722559

10/10/2006

Julia Weston
Chair
St. Marys Recreation Ground Committee
ST.MARYS, Tas. 7215

Dear Julia

On behalf of St. Marys Community Health Centre I would like to offer our support in refurbishing the St. Marys Recreation Ground and facilities. A upgraded ground and facilities would support our primary health aim of improved and sustained health and wellbeing of the community.

We look forward to hearing from you as this project unfolds.

Yours sincerely

A handwritten signature in black ink, appearing to read "K O'Shea".

Karen O'Shea DON

APPENDIX (iii) DECLARATIONS OF SUPPORT - LOCAL GROUPS

(iii).1 LIONS CLUB OF ST MARYS

Lions Club of St. Marys - 201 T1



P.O. BOX 101
ST. MARYS
TASMANIA 7215

4th October 2006

Break O Day Council.
PO Box 21
St.Helens 7216

Re: Industrial Pavilion St Marys Recreation Ground.

The St Marys Lions Club would like to register their support for the retention and improvements to the large Industrial Pavilion (Lions Shed) at the St Marys Recreation Ground.

Over the past 30 years Lions have used the building for storage of goods, charity auctions, car boot sales etc.

Lions were the last users to paint the building and installed the roller door in the Northern end of the building for easier access.

This type of building is unique in the area and has the potential to provide a multitude of benefits to the Community and should be retained.

A handwritten signature in black ink, appearing to read 'John McGiveron', with a horizontal line extending to the right.

John McGiveron
Secretary

(iii).2 GRASSEY BOTTOM REGIONAL ARTS



15th October 2006

Break O'Day Council
Georges Bay Esplanade
St Helens TAS 7216

To Whom It May Concern:

RE: St Marys Recreation Ground

Grassy Bottom Regional Arts would like to express our interest in the future development and upgrade of facilities within the St Marys Recreation Ground in Harefield Road St Marys.

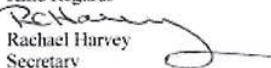
As a Regional Arts Branch our main focus within the community is to create the opportunity for people to experience a diverse range of artistic endeavours. This we have found to be well accepted and appreciated by the residents and visitors of our community. To accomplish many projects we find that the issue to give us most complications is the one of facilities. Even though our community is nestled in a cold climate region it by no means makes us want to restrict festivities and entertainment to the indoors, hence the St Marys Winter Solstice and Maypole celebrations being outdoor events. Of course with the cost of sound & lighting equipment being so expensive and prone to water damage (from even the finest mist) it is necessary to have cover over our staging.

Grassy Bottom Regional Arts have many times in the past expressed an interest in the building at the recreation grounds known as the Exhibition Hall or the Lions Club Hall. The interest stems from the fact that there is space around the building that would be ideal for outdoor entertainment and activities, and the hall being a perfect 'wet weather plan' or even a place for activities needing shelter from the sun. Our branch just recently spent \$1700 to hire a covered stage for the 2006 Winter Solstice and we have all agreed that if we could build a stage anywhere it would be at the St Marys Recreation Grounds. It would be a useful addition to the site that could be used by the whole community with great rewards to the town.

We propose to the Break O'Day councillors that if development and upgrades were to be allowed at this facility, Grassy Bottom Regional Arts would contribute to the building of a stage by seeking appropriate granting bodies to assist with finances and by contributing volunteer time and labour to the project. We understand that a number of other community groups may also be interested in the development of this site and we would be willing to work in unison with these groups.

We would appreciate your views on the above mentioned and hope for a reply in the near future.

Kind Regards


Rachael Harvey
Secretary

P.O. Box 207, St Marys 7215, Tasmania gbra@dodo.com.au

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(iii).3 PACING CLUB OF ST MARYS – Gray Road St Marys 7215 Phone 6372 2136

A new toilet and shower block would be most welcomed by our own club, golf club, winter solstice, campers, walkers and a number of others.

We think that this building is very essential and very much overdue.

Eric Bean, Secretary

(iii).4 LINE DANCING

We are a group of ladies who use the recreation ground facilities for two and half hours twice weekly for Line Dancing.

It would be a shame to see these facilities go to waste.

S. I. Fisher Line Dancing Instructor

(iii).5 BIKE PARK

In 1999, whilst running a youth group, a number of children/young people approached me about the need for recreational facilities for youth in St. Marys.

They suggested that a BMX Bike Park was needed and a skate park. The bike park idea was determined to be a priority, with the possibility of developing a skate park later.

Since then, over a number of years, the bike park progressed slowly. A site was chosen and the track marked out. Dirt was carted to the site and a barrier fence was semi-constructed, all by volunteers doing working bees. By 2003 this had come to a standstill. I had become unwell and could not find anyone to take over the coordination of the project.

Currently we have about \$1,000 in the bank for expenses. The site is still vacant, needing to be tidied up. And a lot of work needs to be done to get the track constructed and ready for use. The original intention was to build the bike park and a small shelter, then apply for funding to construct a skate park possibly in the centre of the bike track.

Hannah Rubenach

(iii).6 THE ST MARYS SPORTS CENTRE

With the potential re-development concept of the Recreation Ground precinct of St. Marys, the Sports Centre Inc. formerly St. Marys Golf Club and St. Marys Bowls Club wish to become directly involved and be a major component of such a unique facility.

We now have over a hundred members who enjoy that which we have today.

The St. Marys Sports Centre, like the St. Marys Pacing Club, has already invested over at least half a century large amounts of money and human resources and are keen to be a major contributor to this project.

This proposed development is a genuine, affordable chance to provide a growing vibrant community with important recreational and social opportunities combined with the facilities on site such as the St. Marys Sports Centre and St. Marys Pacing Club.

Obesity linked to diminishing physical exercise is a real concern everywhere and is detrimental to overall health and lifestyle of a community.

In St. Marys we have lost football which not only is an important sport it is also a social outlet for winter months.

We are now in a prime position to provide a marvellous venue to reinvent some of those values and by providing camping for short term visitor giving an economic boost for businesses in the area.

There are perhaps not too many places anywhere that would be able to provide such a close-knit, self contained and largely self funded facility all within extremely easy access and within the boundary of a regional town like St. Marys.

We are optimistic that with careful planning and with the resources available in the St. Marys Sports Centre that many other keen groups and users will be able to partake in the aims and objectives of this valuable facility in partnership with local council, education and health departments.

If all groups who wish to be involved can work together, this project has every chance of becoming a resounding success.

Rodney McGiveron
Secretary, St. Marys Sports Centre

(iii).7 SUN COAST PONY & RIDING CLUB

The Sun Coast Pony & Riding Club have riding members living in the St. Marys area who are actively involved in horse riding activities such as trail riding and practice sessions/lessons etc.

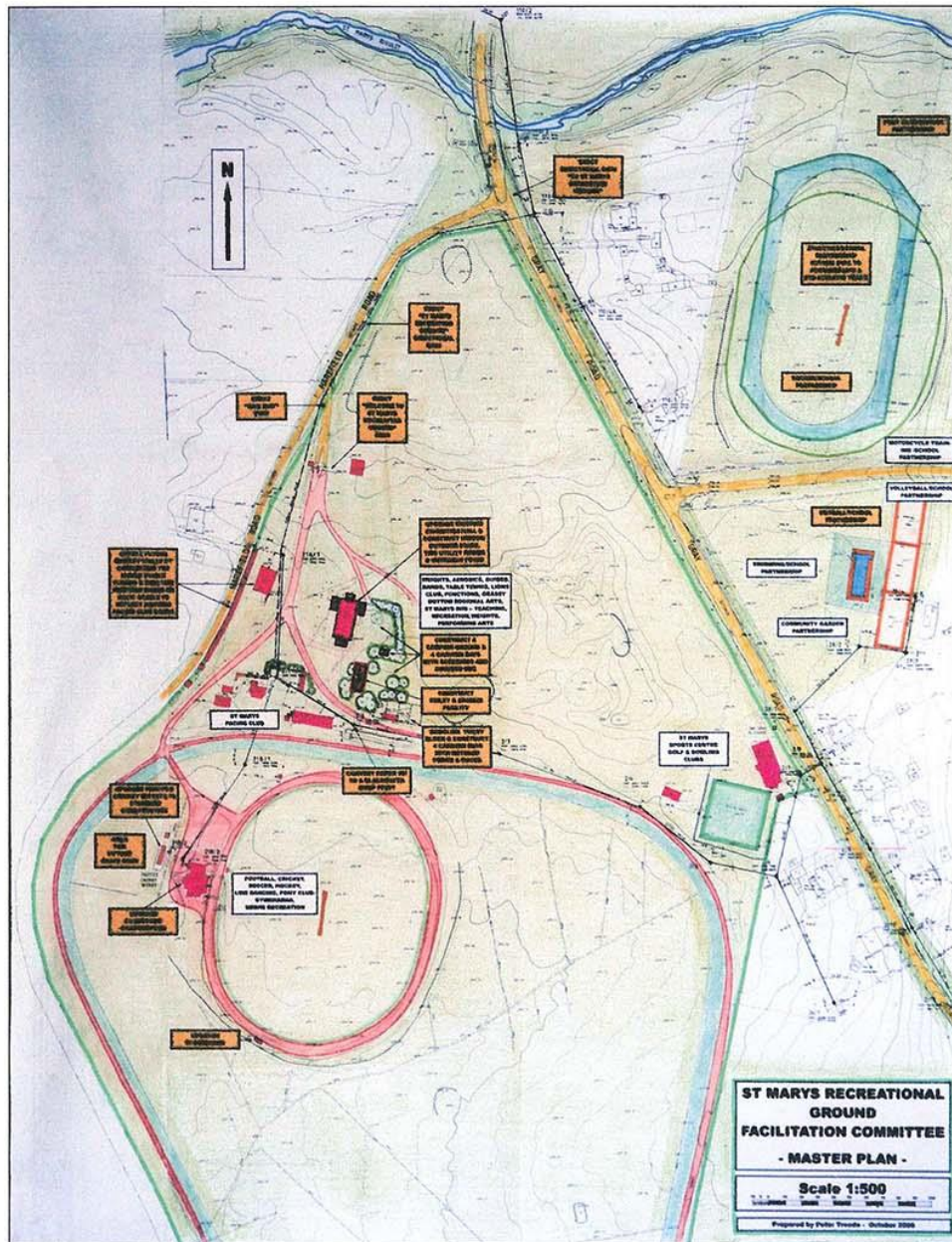
As there is currently research and planning being put forward to upgrade the St. Marys Sports Centre complex to accommodate a diverse range of different sporting and cultural activities including the possibility of extra equestrian events, the Sun Coast Pony & Riding Club would like to express its interest and support for the whole upgrade project.

Members from the club would also support volunteer labour from time to time as required for working bees, etc.

Yours sincerely, David Evelyn

President Sun Coast Pony and Riding Club

**APPENDIX (iv) PHOTOGRAPHIC REDUCTION OF
ORIGINAL 1:500 MASTER PLAN**



- Summary -
St Marys Recreational Ground Facilitation Committee
Report and Master Plan - Presented 26 October 2006

Following the formation of the St Marys Recreational Ground Facilitation Committee at a public meeting on 21st July 2006, the Committee formally presented the Master Plan and Report on St Marys Recreation Ground facilities to Mayor Robert Legge at a function conducted at the e.ScApe Café Gallery on Thursday 26th October 2006.

The Report and Master Plan bring together the ideas, dreams and plans of the community of St Marys in the development of their recreation ground and surrounding facilities.

A large coloured Master Plan has been set up for public display at the **e.ScApe Café Gallery** and is available for viewing until Friday 17th November 2006. Each Councillor has been given a bound copy of the Report and Master Plan.

During the consultation process the Committee was mindful not to overlook any group or individual. Following public assessment and scrutiny (which will close on 17th November 2006) it is anticipated to rectify these oversights.

Youth involvement/ St Marys District High School

The Committee was keen to involve the future users of the Recreation Ground and sought to engage our youth in the planning and development of the site.

With the support of Charlotte Marshall, Principal of St Marys District High School, the Acting Assistant Principal Matthew Bennell and a group of student representatives comprising of Brad McDonald, Ella Cooke, Nicole Evelyn, James Douglas, Elise Wright and Stuart Wright met with Committee Members Julia Weston (Chair), Peter Troode (Consultant) and Liz Dean.

The Committee was buoyed by the enthusiasm of the students and a number of ideas, concerns and the following suggestions were forthcoming:

- Concern regarding the condition of the practice cricket wicket, indicating it would be used more if it was not so dangerous.
- Access to a good long jump pit, a 400m athletics track (the School Oval will only support a 300m track)
- A skate park / bike track.
- Request to cover the swimming pool for all year use.
- Upgrading of the netball courts.
- A ground for soccer to enable the erection of permanent goals.
- Establishing a Drive-In Movie Theatre

Current as at 26/10/2006

The above requests emphasised the need for a community partnership with the Break O'Day Council. The Council could assist in extending the length of the School oval to create a multipurpose ground which could be used for all sporting codes (Football, Athletics, Cricket, Soccer or Hockey etc) throughout the year.

In return the School oval could be utilised at weekends to support either a future Little Athletics Club, Junior Football, Cricket, Hockey or Soccer activities.

Improving and maintaining the standard of the ground surface would then be shared between the Council and the School.

School partnerships already exist with Swimming, Soccer, Community Garden, Op Shop, Arts Groups, Motor Cycle Training and Volleyball. It is suggested that further partnerships involving Netball, Athletics and the Pony Club be developed.

Similarly, the School is keen to share sporting and educational facilities on the Recreation Ground oval and in the Exhibition Hall for meetings, drama, workshops and indoor recreation.

St Marys District High School Association Inc

Secretary, Sandra Cook, on behalf of the Association has expressed support for existing and future community partnerships.

Referring to partnerships listed above, Sandra said that "These examples best illustrate how the Association sees partnerships as being vital to the community' identity. The Association is very excited about the proposals suggested to improve a vital part of the township...."

St Marys Community Health Centre

Manager Karen O'Shea, representing the St Marys Community Health Centre has indicated the Centre's support for the upgrading of the Recreation Ground facilities.

"An upgraded ground and facilities would support our primary health aim of improved and sustained health and wellbeing of the community" she said.

Identified Priorities

From the initial stages of development and throughout the consultative process, the Committee identified three major projects as "priority works", however these projects do not preclude other identified projects being developed.

The three priority projects consist of constructing:

- a new Toilet/Shower Facility
- a Camping Ground/Caravan short stay facility and
- upgrading of the Exhibition Hall (also known as the Lions Pavilion)

These were not seen as stand alone projects because each one overlaps and/or contributes to the functioning of the other two.

Other projects recommended for action:

- converting the pacing stables into quality under cover Market Stalls
- providing an area for a Skate Park
- upgrading the Football/Cricket Clubrooms
- upgrading and maintaining the surface of the Football/Cricket Oval
- upgrading the Practice Cricket Wickets
- constructing an Outdoor/Indoor Stage at the southern end of the Exhibition Hall including a grassed viewing area in front of the Outdoor Stage
- constructing two Utility Rooms adjacent to either side of the Hall at the northern end for either a kitchen, storage and/or meeting room facilities
- constructing a new Entrance/Foyer at the northern end of the Hall

Other suggestions from interested groups:

- Drama Club
- Youth access space
- An area for Music, Entertainment, Dance etc
- Archery Club
- Croquet Club
- Model Aircraft Club
- Kite Flying Club

Particular emphasis is made throughout the report on the ability of the St Marys community to achieve what would seem at times to be impossible outcomes. Since settlement in the St Marys area, a culture of community cooperation has evolved from people of different backgrounds, skills and abilities, who have joined together to support different activities and realise common goals.

Current as at 26/10/2006

However, over more recent years we have seen various social and economic losses and other factors affecting the Town's community which unfortunately has resulted in a recreation crisis that confronts St Marys today. Local sporting and interest groups are struggling to maintain, let alone expand upon the excellent work and achievements of their previous hard working volunteers.

"RECH", representing a Recreation, Education and Community Health partnership (yes! another acronym) is recommended between the Break O'Day Council, St Marys District High School and the St Marys Community Health Centre and this important partnership stands to maximise the use of community facilities as well as human and financial resources.

The whole community of St Marys stands to benefit from the ongoing development of the Recreation Ground not only in the physical, mental and health aspects of recreation but also through social and economic outcomes.

The community is urged to view the Master Plan (at e.ScApe Café Gallery up until 17th November 2006). The detailed Report can be accessed via either a Councillor or consultant Peter Troode. Please forward your ideas or recommendations to Peter before the above date. His contact details are as follows:

Peter Troode
Address: 19 Gray Road, St Marys 7215
Email: addlestone@bigpond.com
Tele Hm: 6372 2783
Mobile: 0412 425 666

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Murfet Harriss Building Consultants Pty. Ltd.

ABN 35 088 285 527

ACN 088 285 527



General Manager
Break O'Day Council

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Mobiles
David: 0419 009 412
Alison: 0419 009 218
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St. Mary's Recreation Ground

In conjunction with Mr. Russell Montgomery I have undertaken an inspection of buildings to ascertain the standard and what if any maintenance is required.

In compiling this report I have considered that the facilities other than the football facilities are only used once a year and that being New Years Day races. Apparently on race day the buildings and the area does have a fairly high occupancy rate.

My main concern is for the health and safety of occupants in an emergency.

GRANDSTAND

Area under the stand is used mainly for occasional committee meeting and storage of equipment. There is also a small bar adjacent the committee room.

The lunch room is on the eastern end and in fair condition.

An additional exit door should be installed out of the lunch room plus upgrading the existing door and a window fitted to provide light and ventilation.

A splash back should be installed over the sink.

Fire extinguishers are required.

Bars should be removed from doors and lever type handles fitted.

Illuminated exit signs should be fitted over doors but due to the small usage and only day time use I would recommend that self luminous ones would suffice.

SEATING AREA of STAND

Condition is reasonable.

Many seats require refixing and or replacing, I recommend that they be sanded and given a coat of sealer and good quality varnish to extend the life.

BUILDING SURVEYING • ARCHITECTURAL DESIGN & DRAFTING • PLANNING
BUILDING INSPECTION • PRE PURCHASE INSPECTION • REGULATION ADVICE
CONSTRUCTION SUPERVISION • DISPUTE RESOLUTION

Glazing at the front of the stand is of some concern, normally windows in this position should have Human Impact Safety Glass but we could not detect any indication of such.

It appears that the windows may only be of residential standard and to ensure that the safety aspects are covered I believe that council should have a glazier check all windows for compliance.

Access stairs at the front are in poor condition and should be replaced.

Generally the stand is in reasonable structural condition, the majority of the exterior work being aesthetic such as cleaning old paint off walls etc and repainting. Some weather boards do need replacing on the lunch room.

TOWER WEST END of GRANDSTAND

Structurally sound.

A gap in stair tread on lower landing should be rectified.

STEWARDS STANDS

These are located in three locations around the ground.

They are small steel structures approx. 3 metres high with an access ladder.

I have concerns with safety issues as there is nothing to stop children climbing these towers.

I believe that some effort should be made to child proof these structures, possibly by removing the access ladders and only being accessible on race day and wrapping the structures in a mesh with small openings that may stop youngsters from climbing.

TOILET BLOCK EASTERN END OF GRANDSTAND

This facility has been built of masonry blocks.

The structure has many large cracks in the walls and floor and is structurally unsound.

I strongly recommend that the structure be demolished.

If new ones are erected they should comply with the Australian Standards and provide Disabled Facilities.

Apparently these toilets are a public facility and open 24 hours a day.

I would suggest that discussions be held with user groups to ascertain proposed long term usage and the economic viability .

If maintenance is not to be undertaken it should be demolished.

FOOTBALL CLUB ROOMS & SURROUNDS

Many of the seat around the ground (fitches of timber) have badly rotted and should be replaced or removed.

Coaches boxes need new roofs.

CLUB ROOMS

There is a lack of subfloor ventilation and floors are indicating that dry rot has penetrated into the floor and possibly the structural timber. Ventilation should be installed but allowances will have to be made to replace large sections of flooring in the near future. Floors are quite close to ground and it may be more economical to replace with concrete.

A disabled toilet should also be installed in this area.

Light and ventilation is poor in the change rooms and needs to be upgraded by roof lights and rotary vents.

The wood heater in the middle of the floor is a barrel type heater does not comply with standards and I believe is dangerous.

It appears to only have a double flue, the hearth around the flue does not extend to the required distance around the heater as a consequence when the door is opened any coals fall on the floor.

This type of heater does not appear to have a compliance plate, the club should as a consequence seek a compliance certificate from the manufacturer and installer upgrade the flue and hearth or remove the heater.

It should be borne in mind that the building is council owned as I am led to believe and council does carry the risk and in this situation it is considerable.

Illuminated exit signs must be installed on exit doors and complying door furniture installed in lieu of chains and bolts currently installed.

Conclusion

To upgrade all buildings at the site in one year would obviously be economically difficult as the costs will be considerable.

To stage the works over a period may not be feasible as majority of work is reasonably urgent.

If councils Environmental Health Officer and Licensing are prepared to accept the building then we do so in the short term.

I believe the building should be upgraded or considered in with the rationalisation of buildings at the ground.

SOFT DRINK & CANTEEN BUILDING

This building is in good condition and only in need of minor bird proofing.

Is it possible to extend this building with adequate screening etc to accommodate the bar area.?

I would recommend that discussions be held with committee in relation to demolition of the bar and upgrading this building to include a bar.

ROOFED AREA BEHIND BAR

This area has seats and tables and is basically an out door eating area.

The tables are ex HEC reels and in poor condition should be replaced.

Roofing iron on roof needs replacing.

Many patrons these days have there own umbrellas etc.

Should the structure be repaired and retained?

LIONS PAVILLION

This is a large open building that has obviously been used in the past for indoor sports etc.

We did not have access to the inside of this building.

It appears that it may be being used for gym training.

Structurally the building needs repairs, the bottom plates have rotted and must be replaced, the vertical board cladding has not been maintained for many years and are rotting. The floors are also probably in poor condition due to lack of ventilation but this could not be accurately ascertained.

It may be difficult to justify spending large amounts of money on this building unless it does have a reasonable usage to justify expenditure.

LADIES TOILET BLOCK

This building is in reasonable condition with no major maintenance required.
It does not have a disabled toilet.

The problem with this facility is that the access is not screened from the adjacent urinal area, this could be rectified by installing a screen wall.

URINAL BUILDING

This is a lean to structure erected at rear of Drivers and Secretaries Room.

The building is many years old, has a concrete type urinal 7 metres long and does not comply with any of today's standards structurally or health wise.

I would recommend that it be demolished and additional urinals be incorporated in a new public facility.

SECRETARIES OFFICE & DRIVERS ROOM

As previously mentioned this adjoins the urinals.

The rooms are quite dilapidated with cracks in the walls and roof in poor condition and in need of replacing.

The committee has materials on site to do some improvements.

I would question why money is being spent on these buildings when structurally they are not good and only have a short term future.

It may be better to put the monies into a new structure or be considered further when considering the long term future of building on the ground.

Is it possible to hire two small site offices for one day a year? It may be more economical.

Should the area under the grand stand be upgraded to accommodate the secretary and drivers for one day a year?

MAIN BAR

Structurally sound.

The interior is unlined and would be extremely difficult to keep clean.

In view of the urgency of some of this work plus the costs involved I would recommend that council facilitate a meeting with all user groups to arrive at a detailed maintenance program and a priority list.

To rationalise the use of all buildings on the site.

In my view there is a great deal repetition in relation to building use(i.e. three lots of public toilets)perhaps user groups can identify the need?

Perhaps additional toilets and other offices can be hired for one day a year?

Whatever the outcome there must be a long term strategy for the future viability of the complex.

Yours faithfully



David C. Murfet
Building Surveyor
18th. November 2002

ST MARYS EXHIBITION BUILDING FAQ



Council has heard from some members of the St Marys Community that they would like Council to consider keeping the Exhibition building at the St Marys Recreation Ground.

To ensure that the community fully understands what options we have and what will be included, we have developed this FAQ and proposal questions. The proposal questions at the end of this FAQ have been developed so that you can formally share with Council your vision and ideas as well as your thoughts on how the proposed management of the building may look like. We would encourage anyone who has expressed that they do not want this building demolished to share their ideas with us by answering these questions.

It is important to Council that whatever is decided is an informed decision and your input will assist in the decision making process.

INTRODUCTION

In 2021 Break O'Day Council received funding through the Black Summer Bushfire program to build a multi-purpose and Evacuation Centre in St Marys. This new build aimed to;

- Replace the current St Marys Football Clubrooms.
- Replace the existing Exhibition Building and re-house the St Marys Gym in a new, fit-for-purpose space.
- Provide for an indoor space which is multi-use for various community needs such as the community gym, indoor activities, meeting space, evacuation centre, change facilities for sports ground and catering.
- Enhance community wellbeing and community connections.
- Reinvigorate existing sporting clubs.

As part of this project, Council decided it would demolish the old Exhibition building as it was considered no longer fit-for-purpose and had structural shortcomings and failures that would require significant Council funding to make the building safe for future use. As this building was currently only being used as the gym by the community, which would be relocated to the new, purpose-built building, it was considered surplus to community needs and an unnecessary cost burden

BACKGROUND

in terms of maintenance, depreciation etc for Council. The conceptual plans for the new St Marys Multi-purpose and Evacuation Centre were developed from community input which was gathered at a targeted Community consultation workshop held at the St Marys Sports Complex held on 3 June 2022.

Once construction of the new building started and the community began to understand that the Exhibition building was to be demolished, the community started petitioning Council and Councillors to keep the building for community purposes.

Before a final decision is made, Council want to ensure the community fully understands what will be required, what the true condition of the building is, the costs associated with any works as well as what potential works may be required if the building was to be kept.

**INFORMATION ON THIS PROJECT
CAN BE FOUND ON OUR WEBSITE
UNDER COMMUNITY ENGAGEMENT.**

ST MARYS EXHIBITION BUILDING FAQ



OPTIONS

Council and the community have three options to consider for the future of the Exhibition building: These options include:

1. Upgrade the building for storage purposes

This means that the building will not be suitable for community activities and be suitable for storage only.

Based on the current engineering report recommendations to 'make safe' and extend the life of the building for 20 years for storage purposes only, the following estimates are provided:

- Design engineering for 'make safe' and structural remediation = \$8, 000
- Project Management Costs = \$2, 000
- Contractor Costs (Materials and Labour) = \$72, 000
- Contingency: \$5, 000

TOTAL = \$87,000 EX GST

The estimates above include structural modifications only due to the existing structural deficiencies of the building. These costs have been provided as an initial estimate only and do not include any further improvements to the building.

2. Demolish the building

The cost to demolish the building is;

TOTAL = \$25,000 EX GST

The community have asked Council whether the materials for the building could be repurposed if we demolish the building. Council will consider repurposing materials but this will have to be done through a formal Expression of Interest. If this is the option Council decides on, we will release a formal EOI process.

3. Undertake a full rebuild of the building

This option could be considered in two ways.

3A. A full rebuild of the building could be considered however this option would likely require the existing building to be demolished to floor level and rebuilt from the floor level up with adequate new timber framing, cladding, insulation, electrical etc. This is required to ensure the building is a legally, fully compliant workplace. This includes heating and cooling provision which is legally required for accommodating other uses beyond that of storage.

3B. Installation of new, steel portal frames within the existing building's framework. Reframing and relining the building would also need to include internal lining, electrical and insulation, the same as option 3A.

COSTS for Option 3A and B

Typically, a commercial building of this type will be in the range of \$2,500 to \$3, 000 per square metre. The existing building size is 24.45m X 11.05m equating to approx. 270m² in area and therefore results in a potential provisional budget as below;

TOTAL \$675, 000 to \$810,000.

Associated annual depreciation and maintenance costs of a full reconstruction would be in the vicinity of \$8,500 to \$10, 000 per annum.

ST MARYS EXHIBITION BUILDING FAQ



WHERE WOULD THE FUNDING COME FROM?

Council will have to make a budget allocation next financial year to undertake any of the options mentioned above. A full rebuild (Option 3A or 3B) will require Council to seek external funding and would involve design, consultation and regulatory approval phases.

WHAT DO THE ENGINEER'S REPORTS SAY?

There have been several engineering reports completed in relation to this building.

An engineering report was prepared by Dale Luck & Associates dated 18 April 2007. The report was requested due to community concern at the time in relation to the structural viability of the building and requests for maintenance upgrades to extend the life of the building. Remedial works were recommended, and all works were completed by Council subsequent to the report.

Collective Consulting reviewed the Luck report provided in 2007 in conjunction with an onsite inspection on 6 May 2024. This report provides clear direction to Council that the existing framing is not suitable to support wall or ceiling linings. This renders the building unsuitable as any form of workplace and restricts the buildings use to storage purposes only in its current form subject to carrying out Option 1 above.

The community also commissioned Graeme Wathan to develop reports on the status of the building, unfortunately, these reports cannot be relied on as professional advice by Council.

You can find copies of these reports on our website under Community Engagement.

NEXT STEPS

Once community has reviewed the options presented in this FAQ, if they still want Council to consider keeping the building for a specific purpose, they will need to make a formal submission. Details on how to make a submission and the information that Council will need to consider your request are included here.

Submissions will be open until 27 January 2025.

Once all submissions have been received, they will be presented to the Council who will then consider what the community has said and make a formal decision on the future of the building.

HAVE A QUESTION? GET IN TOUCH WITH US

EMAIL: admin@bodc.tas.gov.au

PHONE: 6376 7900

OR

CHECK OUR WEBSITE:
www.bodc.tas.gov.au

ST MARYS EXHIBITION BUILDING FAQ



If you are making a submission to Council please ensure your submission covers the below:

1. Name
2. Township
3. What are you proposing for the building?
4. What is your activity, how would you go about it? Who will be involved and any other details.
5. Are you making this submission on behalf of a community group? If yes, please answer the following questions. If you are an individual, please leave blank.
 - Name of Community Group
 - Number of members
 - How long the group has been established?
 - Is the group incorporated? If so, please provide details
6. Do you operate under another organisation?
7. Why do you think this building is suitable for your purposes?
8. Provide details on how the building meets the needs of your activity/idea.
9. Have you considered other locations and why are these not suitable for your purpose?
10. Provide details explaining why you think this building will meet your needs.
11. Provide details of how you would manage this on an ongoing basis.
12. Provide details of your proposal including bookings, access, insurance, maintenance, cleaning etc.
13. Do you have any plans on how your idea could be funded?
14. What would you require of Council?

SUBMISSIONS CLOSE 10 FEBRUARY 2025 AT 5PM
SEND YOUR SUBMISSION TO ADMIN@BODC.TAS.GOV.AU

Nil

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.

18.03.2025	St Helens	– Meeting with Deputy Premier Guy Barnett to announce funding for medical equipment at St Helens District Hospital and Community Centre
18.03.2025	MS Teams	– Scamander Sports Complex - Election Promise to fund a new synthetic green for the Scamander Bowls Club as well as CCTV for several locations around Break O'Day
18.03.2025	St Helens	– Meeting with Sandra French and David Burnett in regards to the Bay of Fires Arts Prize MoU
18.03.2025	Dorset	– Event in Dorset to meet the mayoral candidates
24.03.2025	MS Teams	– Tasmanian Audit Office - Auditee Information Sessions – Local Government
25.03.2025	MS Teams	– Consultation - Land Use Planning and Approvals Amendment (Development Assessment Panel) Bill 2025
25.03.2025	St Helens	– Bendigo Bank Community Stadium Committee Meeting
26.03.2025	Hobart	– Local Government Association of Tasmania (LGAT) - Lift the Tone Launch / Meeting CEO
26.03.2025	MS Teams	– Northern Tasmania Development Corporation Members Representative Group Meeting
28.03.2025	MS Teams	– Communities of Practice for Mayors: Psychological Safety 2
02.04.2025	Hobart	– LGAT General Meeting
03.04.2025	Hobart	– Mayor and Deputy Mayors Workshop
04.04.2025	MS Teams	– Northern Tasmania Regional Land Use Study Steering Meeting
07.04.2025	St Helens	– Council Workshop
09.04.2025	St Helens	– Live4Life Launch Event
11.04.2025	MS Teams	– Development Assessment Panels Meeting with Minister Felix Ellis
11.04.2025	Derby	– Tuxedos and Trails Event
14.04.2025	St Helens	– Council Meeting

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

- Break O'Day Chamber of Commerce and Tourism – Deputy Mayor Kristi Chapple
- NRM Special Committee – Clr Janet Drummond
- East Coast Tasmania Tourism (ECTT) – Clr Barry LeFevre
- Mental Health Action Group – Clr Barry LeFevre
- Access and Inclusion Advisory Committee – Clr Janet Drummond
- Bay of Fires Master Plan Steering Committee – Clr Ian Carter

04/25.13.0 BUSINESS AND CORPORATE SERVICES

04/25.13.1 Corporate Services Department Report

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Raoul Harper, Manager Business Services
FILE REFERENCE	018\018\001\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

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.

PREVIOUS COUNCIL CONSIDERATION:

Provided as a monthly report – Council consideration at previous meetings.

OFFICER'S REPORT:

Rates

The 4th rates instalment was issued on the 7 April and due on the 30 April.

Economic Development Strategy

The strategy is now complete and will be presented to Council at a future meeting.

Break O'Day Aquatic Centre Feasibility Study

A draft report from the consultants is currently under internal review.

Municipal Revaluation

Staff met with the Valuer General to discuss the tender process and consideration of the selected valuation service for the upcoming municipal revaluation. A final decision is yet to be made.

Budget Preparation

Operational and Capital budget reviews are underway with managers and staff. Rates modelling for the next financial year is in development and refinements to the long term financial plan are progressing.

Tas Audit Office

Terms of engagement for the 2024/2025 financial year audit are now complete and signed off.

Flagstaff Pumptrack

The Flagstaff Pump Track grant was submitted for final approval by the State Government. The project is now complete and all acquittals finalised.

Black Summer Bushfire Grant

All projects under this grant are now complete having delivered valuable upgrades and new community assets:

- **St Marys Multi-Purpose and Evacuation Centre:** A new, purpose-built facility and evacuation centre during emergencies. Designed with community input to house a gym, cricket club rooms, kitchen, and additional storage.
- **Fingal Community Shed:** Development of a community space to support local activities and initiatives.
- **Mangana Network Telecommunications Tower:** Installation of a telecommunications tower to improve connectivity and communication in the Mangana area.
- **Fingal Youth Park:** A new pump track, half-court basketball and climbing wall combined with a revitalised park for the community.

Acquittal of these grants is now underway.

Disaster Recovery Funding Arrangements

Council currently has two (2) claims being reviewed by the Tasmanian Audit Office currently under the Natural Disaster Relief and Recovery Arrangements (NDRRA) and the Disaster Recovery Funding Arrangements (DRFA). The claims currently being audited relate to the October 2022 Severe Weather event and February 2024 Weather event.

Investments

Short-term Term Deposits 2024 2025 - Matured

Date Rolled Over	Maturing	Term (Months)	Principle Amount	Interest	Total Amount	Interest Rate	Bank
01.02.2024	01.07.2024	5	1,000,000.00	20,188.49	\$ 1,020,188.49	4.88%	CBA
02.04.2024	01.08.2024	4	1,000,000.00	15,779.73	\$ 1,015,779.73	4.76%	CBA
21.09.2023	20.09.2024	12	2,000,000.00	106,200.00	\$ 2,106,200.00	5.31%	CBA
20.03.2024	21.10.2024	7	1,000,000.00	28,568.49	\$ 1,028,568.49	4.85%	CBA
10.11.2023	08.11.2024	12	1,000,000.00	53,951.78	\$ 1,053,951.78	5.41%	CBA
19.04.2024	19.12.2024	8	1,000,000.00	32,555.62	\$ 1,032,555.62	4.87%	CBA
09.05.2024	09.01.2025	8	1,000,000.00	34,232.88	\$ 1,034,232.88	5.10%	Bendigo
30.08.2024	29.01.2025	5	1,000,000.00	20,738.63	\$ 1,020,738.63	4.98%	Westpac
09.05.2024	07.02.2025	9	1,500,000.00	57,652.60	\$ 1,557,652.60	5.12%	Bendigo
26.08.2024	26.02.2025	6	3,000,000.00	73,196.71	\$ 3,073,196.71	4.84%	Bendigo
01.07.2024	01.03.2025	8	1,000,000.00	34,904.11	\$ 1,034,904.11	5.20%	Bendigo
11.09.2024	11.03.2025	6	1,000,000.00	24,582.47	\$ 1,024,582.47	4.93%	Bendigo
01.07.2024	01.04.2025	9	1,000,000.00	39,146.64	\$ 1,039,146.64	5.20%	Bendigo
04.10.2024	03.04.2025	6	1,500,000.00	37,043.01	\$ 1,537,043.01	4.98%	Bendigo
				\$ 578,741.16			

Short-term Term Deposits 2024 2025 – Current

Date Rolled Over	Maturing	Term (Months)	Principle Amount	Interest	Total Amount	Interest Rate	Bank
02.08.2024	02.05.2025	9	1,500,000.00	56,812.50	\$ 1,556,812.50	5.05%	Bendigo
07.03.2025	05.06.2025	3	1,500,000.00	17,287.50	\$ 1,517,287.50	4.61%	CBA
07.03.2025	06.06.2025	3	1,500,000.00	17,287.50	\$ 1,517,287.50	4.61%	Westpac
19.12.2024	23.06.2025	6	1,500,000.00	37,875.00	\$ 1,537,875.00	5.05%	Bendigo
07.03.2025	07.09.2025	6	1,000,000.00	23,250.00	\$ 1,023,250.00	4.65%	BB
				\$ 152,512.50			

Long-Term Term Deposits - Current

Date Rolled Over	Maturing	Term (Years)	Principle Amount	Interest Per Year	Total Amount	Interest Rate	Bank
14.02.24	13.02.30	5	2,000,000	94,000	\$2,470,000	4.70%	West
				\$470,000			

Rates Summary – 2 April 2025

	2024/2025		2023/2024	
	%	\$	%	\$
Rates Brought Forward				
Outstanding Rate Debtors		813,964.84		695,682.00
Less Rates in Credit		-296,603.81		-271,007.13
Net Rates Outstanding at 30 June 2024	3.60	517,361.03	3.38	424,674.87
Rates and Charges Levied	95.55	13,713,760.01	95.86	12,045,545.01
Interest and Penalty Charged	0.84	120,954.60	0.76	95,673.52
Total Rates and Charges Demanded	100.00	13,834,714.61	100.00	12,141,218.53
Less Rates and Charges Collected	77.24	11,086,161.79	84.83	10,659,272.98
Less Credit Journals and Supp Credits	1.69	242,412.59	1.31	164,674.08
Remissions and Discount	4.49	644,261.96	4.87	611,964.62
Unpaid Rates and Charges at 2 April 2025	16.58	2,379,239.30	8.99	1,129,981.72

Remissions and Discounts

2024/2025

2023/2024

Early Payment Discount	120,115.78	116,854.39
Pensioner Rebates	524,146.18	495,110.23
	644,261.96	611,964.62

Number Rateable Properties	6,901	6,879
Number Unpaid Rateable Properties	3,349	1,499
% Not fully paid	48.53	21.79
		<i>Instalment date was 31 March</i>

Right to Information (RTI) Requests

Nil

132 and 337 Certificates

	132	337
March 2025	60	37
February 2025	49	20
March 2024	71	31

Debtors/Creditors as at 4 April 2025

DEBTORS INFORMATION

Invoices Raised

Current			Previous Year	
Month	Mth Value	YTD 24/25	Month	YTD 23/24
47	\$ 22,963.09	558	44	664

CREDITORS INFORMATION

Payments Made

Current			Previous Year	
Month	Mth Value	YTD 24/25	Month	YTD 23/24
372	\$ 1,709,689.81	2658	336	2537

STRATEGIC PLAN & ANNUAL PLAN:

Break O'Day Strategic Plan 2017-2027 (Revised March 2022)

Goal

Services – To have access to quality services that are responsive to the changing needs of the community and lead to improved health, education and employment outcomes.

Strategy

- Work collaboratively to ensure services and service providers are coordinated and meeting the actual and changing needs of the community.
- Ensure Council services support the betterment of the community while balancing statutory requirements with community and customer needs.

LEGISLATION & POLICIES:

N/A

BUDGET AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Raoul Harper, Manager Business Services
FILE REFERENCE	018\018\001\
ASSOCIATED REPORTS AND DOCUMENTS	Financial Reports

OFFICER'S RECOMMENDATION:

That the following reports for the month ending 31 March 2025 be received:

1. Profit and Loss Statements
2. Balance Sheet
3. Statement of Cash Flows
4. Capital Works 2024-2025

INTRODUCTION:

Presented to Council are the monthly financial statements.

PREVIOUS COUNCIL CONSIDERATION:

Council considers financial reports on a monthly basis.

OFFICER'S REPORT:

The financial statements provide a summary of Council's financial position as at 31 March 2025. Notes on items of specific variance or interest are provided at the base of the Profit and Loss Statement.

LEGISLATION & POLICIES:

Local Government Act 1993

BUDGET AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

Profit and Loss

Break O'Day Council

For the 9 months ended 31 March 2025

Account	Actual YTD	Budget YTD	Budget Variance YTD	Budget Variance % YTD	Annual Budget	Notes
Trading Income						
Rates	13,564,567	13,385,406	179,161	1%	13,385,406	
User Fees	1,045,834	1,086,324	(40,490)	-4%	1,481,549	
Operating Grants	933,566	1,989,087	(1,055,521)	-53%	4,335,240	1
Interest & Investment Income	818,580	597,000	221,580	37%	1,133,512	2
Contributions	51,457	8,073	43,384	537%	10,765	
Other Revenue	95,860	70,430	25,430	36%	93,907	
Total Trading Income	16,509,864	17,136,320	(626,456)	-4%	20,440,379	
Gross Profit	16,509,864	17,136,320	(626,456)	-4%	20,440,379	
Capital Grants						
Grants - Commonwealth Capital	149,837	150,000	(163)	0%	1,495,767	
Grants - Roads to Recovery	529,122	569,720	(40,598)	-7%	854,579	
Grants - State Capital	863,023	150,000	713,023	475%	720,000	
Total Capital Grants	1,541,982	869,720	672,262	77%	3,070,346	3
Other Non Operating Income						
Net Gain/Loss on Disposal of Assets	13,293	0	13,293	0%	100,000	
Total Other Non Operating Income	13,293	0	13,293	0%	100,000	
Total Non Operating Revenue	1,555,275	869,720	685,555	79%	3,170,346	
Operating Expenses						
Employee Costs	4,764,030	4,904,381	(140,351)	-3%	6,511,003	
Materials & Services	5,622,857	6,708,043	(1,085,186)	-16%	8,689,785	4
Interest	78,276	76,481	1,795	2%	143,732	
Depreciation	3,664,321	3,608,929	55,392	2%	4,811,927	
Other Expenses	284,163	220,661	63,502	29%	294,210	5
Total Operating Expenses	14,413,647	15,518,495	(1,104,848)	-7%	20,450,657	
Operating Net Profit	2,096,217	1,617,825	478,392	30%	(10,278)	
Net Profit (Including Non Operating Revenue)	3,651,492	2,487,545	1,163,947	47%	3,160,068	
Work in Progress						
Capital Work in Progress	4,542,739	0	4,542,739	0%	0	
Total Work in Progress	4,542,739	0	4,542,739	0%	0	

Notes

- Operating grants are down \$1.06m (53%) on budget YTD, which primarily relates to receiving of the 24/25 Financial Assistance Grants in the prior financial year.
- Interest & Investment Income is \$222k higher than budget YTD, which is due to timing of matured investments.
- Capital grants are \$672k higher than budget YTD, which is predominantly due to grant funds carried forward from the prior year.
- Materials and services are \$1.09m (16%) below budget YTD, which relates to a combination of timing of some payments and some areas currently recording a lower level of spending than forecast for the YTD, primarily related to strategic and grant funded projects.
- Other expenses are \$64k (29%) above budget YTD, which is due to the balance paid to Telstra for \$69k relating to the Mangana Cell Tower as part of the Black Sunday Bushfire Recovery Program.

Balance Sheet
Break O'Day Council
As at 31 March 2025

Account	31-Mar-25	30 June 2024
Assets		
Current Assets		
Cash & Cash Equivalents	2,247,994	4,725,768
Investments	11,500,000	9,500,000
Trade & Other Receivables	2,996,829	1,206,440
Inventory	88,602	78,421
Other Assets	2,838	2,838
Total Current Assets	16,836,263	15,513,467
Non-current Assets		
Trade and Other Receivables	14,392	14,392
Property, Plant & Equipment	225,035,843	228,698,313
Right of Use Asset	760,143	760,143
Intangible Assets	1,996	20,918
Investment in Water Corporation	35,744,578	35,744,578
Other Investments	30,000	30,000
Mineral Resources Bond	151,500	0
Total Non-current Assets	261,738,451	265,268,344
Total Assets	278,574,714	280,781,811
Liabilities		
Current Liabilities		
Trade & Other Payables	989,793	1,114,574
Contract Liabilities	0	1,029,936
Lease Liability	58,498	58,498
Interest Bearing Loans & Borrowings	2,435,241	2,605,557
Provisions	885,062	885,062
Trust Funds and Deposits	570,236	561,053
Total Current Liabilities	4,938,831	6,254,681
Non-current Liabilities		
Lease Liabilities	701,645	701,645
Interest Bearing Loans & Borrowings	993,986	993,986
Provisions	871,026	871,026
Total Non-current Liabilities	2,566,656	2,566,656
Total Liabilities	7,505,487	8,821,338
Net Assets	271,069,227	271,960,473
Equity		
Accumulated Surplus	44,321,157	45,212,403
Reserves	226,748,070	226,748,070
Total Equity	271,069,227	271,960,473

Statement of Cash Flows

Break O'Day Council

For the 9 months ended 31 March 2025

Account	YTD	2024
Operating Activities		
Receipts from customers	1,302,458	1,412,395
Receipts from rates	11,673,063	11,824,140
Receipts from Operational Grants	940,743	3,566,931
Contributions	54,118	264,095
Interest received	527,580	947,098
Dividends received	291,000	465,600
Payments to employees	(4,894,297)	(6,005,239)
Payments to suppliers	(6,242,618)	(7,577,566)
Finance Costs	(92,461)	(252,112)
Cash receipts from other operating activities	881,113	391,066
Cash payments from other operating activities	33	(2)
Net Cash Flows from Operating Activities	4,440,730	5,036,406
Investing Activities		
Payment for property, plant and equipment	(4,802,505)	(5,019,611)
Payment for investments	(2,000,000)	(884,134)
Capital Grants received	196,738	2,255,298
Mineral Resources Bond	(151,500)	0
Net Cash Flows from Investing Activities	(6,757,266)	(3,648,447)
Financing Activities		
Proceeds of trust funds and deposits	9,078	(171,476)
Repayment of loans	(170,316)	(2,267,279)
Repayment of lease liabilities	0	(42,522)
Net Cash Flows from Financing Activities	(161,238)	(2,481,276)
Net Cash Flows	(2,477,774)	(1,093,318)
Cash and Cash Equivalents		
Cash and cash equivalents at beginning of period	4,725,768	5,819,086
Net change in cash for period	(2,477,774)	(1,093,318)
Cash and cash equivalents at end of period	2,247,994	4,725,768

Break O'Day Council		
Capital Works 2024-2025		
For the 9 months ended 31 March 2025		
	YTD @ 31/3/2025	Revised Budget 2024/2025
Project Details		
Plant & Equipment		
Replace 1358 H66ZW - Kia Sportage	37,519	40,000
Replace 1404 - K70GB Works Operations Manager	50,112	50,000
Replace 1374 - I65JH Animal Control Vehicle	40,271	40,000
Replace 1269 - Coastal Crew truck	-	170,000
Replace 1099 - Mack truck	-	-
Vehicle Management Tracking System	-	30,000
Small Plant - VARIOUS	31,619	45,000
Replace 1360 - Dmax 4x4 Crew Cab with HIHAB lift	-	60,000
Replace 1226 - WTS Ute	-	35,000
Replace 1022 - Small tipper truck	-	140,000
Replace Turf mower	24,959	27,000
Emergency Evacuation Generator & Trailer	15,644	15,342
Waste collection truck	-	550,000
Total Plant & Equipment	200,124	1,202,342
Furniture & IT		
CCTV - additional cameras and installation		100,000
Total Furniture & IT	-	100,000

Project Details	YTD @ 31/3/2025	Revised Budget 2024/2025
Buildings		
Fingal Community Shed (Old Tas Hotel)	156,306	156,837
St Marys Indoor & Evacuation Centre	896,853	967,144
Portland Hall Upgrades	-	20,000
Scamander Sports Complex	83,033	80,000
Council Chambers additions and improvements	16,754	39,324
Falmouth - New Toilet design	8,352	10,000
Falmouth Community Centre - Internal Alterations	-	5,000
Pyengana Recreation Ground Improvements	-	-
Binalong Bay - Village Green BBQ Replacements	3,688	60,000
Memorial Park Toilet Block Replacement	-	15,000
Water Fountains (memorial Park plus other locations)	12,553	15,000
Marine Rescue Building Renovations	-	-
Police Station & Health Building Upgrade - 1 Annie Street	4,519	-
Service Tasmania Replace Carpet & Repaint	16,480	-
St Marys Sports Complex (Bowls Club) - Small Shed & Security System	36,946	40,000
St Helens Sports Complex - Athletics Building	-	48,589
Emergency Security System Works Depot	41,582	
History Room Upgrades	14,116	12,000
Total Buildings	1,291,180	1,468,894

Project Details	YTD @ 31/3/2025	Revised Budget 2024/2025
		-
Parks, Reserves & Other		-
Special Project: Scamander Coastal Hazards Project	4,213	220,292
Rec trails strategy implementation - stage 1	-	100,000
Fingal Youth Playground/recreation hub	427,897	386,184
Pump Track/s	626,609	496,099
Playground equipment replacement program	-	60,000
Dog exercise area St Helens Improvements	-	5,000
St Marys Dog Park	-	20,000
St Helens Cemetery Master Plan improvements	194	50,000
Feasibility Study Aquatic Centre & Hydro Pool	-	-
St Helens Walkway Lighting Project (FUNDED)	134,604	
St Helens Rec Ground water meters	-	20,000
Totals Parks, Reserves & Other	1,193,517	1,357,575
Roads - Streetscapes		
Cecilia Street/Georges Bay Esplanade junction	13,863	35,409
Quail St Parking Bay	-	50,000
Total Streetscapes	13,863	85,409
		-
Roads - Footpaths		-
Footpath - segment replacement various locations	15,476	30,000
Parkside Foreshore Footpath	12,192	-
Lindsay Parade to Sunny Bank Close	-	30,000
Binalong Bay Footpaths internal thoroughfares	-	100,000
Total Footpaths	27,668	160,000
		-

Project Details	YTD @ 31/3/2025	Revised Budget 2024/2025
Roads - Resheeting		-
24/25 Road Resheeting to be confirmed- various	123,530	510,000
Loila Tier Road - Resheeting	26,739	
Total Resheeting	150,269	510,000
Roads - Reseals		
St Marys - Story Street Esk Main Road to Groom Street	-	55,084
Boronia Street Reseal		2,404
24/25 Reseals TBC- Various	248,377	800,000
Totals Reseals	248,377	857,488
Roads - Construction, Digouts & Other		
Digouts and road edge remediation to be allocated	25,698	250,000
Circassian/Medeas Sts Intersection	180,204	185,000
Road Network - Sign Replacement	12,183	25,000
LRCI Program - Phase 4 Projects	-	-
- LRCI 4: St Columba Falls Road, Pyengana	15,060	27,193
- LRCI 4: Scamander Avenue - Pedestrian footpath improvements	5,813	14,632
- LRCI 4: Rehabilitation of Alexander Street - Cornwall	42,328	300,000
- LRCI 4: Ansons Bay Road Sealing	211,600	350,000
- LRCI 4: Gray Road - Pathway Extension	2,872	50,000
- LRCI 4: Sealing of Tasman Highway, Seymour	205	
Upper Scamander Road, Scamander (Flood Oct 2022)	675	-
Mangana Road - Rehabilitation/reconstruction	251,009	300,000
Totals - Roads Construction, Digouts & Other	747,647	1,501,825
Totals Roads & Footpaths	1,187,825	3,114,722

Project Details	YTD @ 31/3/2025	Revised Budget 2024/2025
Bridges		
B2293 - Cecilia St	138,752	167,379
B7027 - Mathina Plains Road	-	90,000
Culvert 5539 - Mathinna Road	6,611	40,000
Lower Germantown Road B1675	65,196	158,190
B1243 Binns Road	3,947	28,328
B1245 Clelands Road	3,777	29,128
St Columba Falls Road (B1605)	394	17,000
Argyle St Bridge (B2809)	323,527	350,000
Total Bridges	542,203	880,025
Stormwater		
Minor stormwater Jobs	56,025	150,000
Treloggens Track Stormwater	95	-
Osprey Drive	9,968	10,000
Beaumaris Ave to Tasman Highway SW pipe	-	30,000

Project Details	YTD @ 31/3/2025	Revised Budget 2024/2025
Penelope Street	39,535	119,031
Aulichs Lane, St Marys	-	84,220
Tully Street / Northern end of Cecilia St Stormwater System Upgrade	3,600	70,000
SD Victoria Street, Fingal	- 21,658	-
Total Stormwater	87,565	463,251
Waste Management		
Ansons Bay WTS - Bulk Bin Loading Ramp Upgrade	-	30,000
Scamander WTS - Waste Paint Container Station		10,242
Scamander WTS - Replace sump pit & pump		7,170
Scamander WTS - Waste Compactor	5,466	60,000
Scamander WTS - Inert Landfill study	34,859	163,982
Total Waste Management	40,325	271,394
	-	
Total Capital	4,542,739	8,858,203

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Raoul Harper, Manager Business Services
FILE REFERENCE	040\028\002\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

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.

PREVIOUS COUNCIL CONSIDERATION:

Provided as a monthly report – Council consideration at previous meetings.

OFFICER'S REPORT:**Visitor Information Report:**

- Main tourists this month were from VIC, QLD & SA and a few overseas from the UK & NZ
- Staff member attended quarterly TVIN meeting held at George Town and met with other Information Centre employees from the North. The next meeting to be held in May will be a statewide meeting with a presentation from Pete Middleton from Tas Fire Service.
- Lots of queries regarding St Columba Falls. Mainly when will it reopen? Emailed Parks for clarification but they are unsure of when it will reopen.

The History Room Curator Report:

- **Winifred Curtis Scamander Reserve:** This local exhibition is now complete. Working on the official opening now with members of the Trust.
- **St Helens History Room website:** The home page of the website has been revamped as a result of the marketing session held with Digital Dandy.
- **The Off Season:** This campaign is now launched and our annual offer of free access during the month of August is again part of that. In addition, there are two new events on offer. They are Yarning Circles where the museum will host a local Aboriginal Elder relating local stories from the North East whilst undertaking cultural arts.
- **Volunteer Film Festival:** Looking at submitting a short movie again this year.
- **The Chinese Experience:** There has been a couple of suggestions from the public regarding sub-titles on the movie, both for Chinese visitors and those with hearing impairments, however the cost was deemed to be prohibitive when explored previously.
- **Stats:** Takings were the fourth highest since 2009 with visitation comparable to some of the best years since 2009, so March 2025 has been very busy and productive.

Statistics:**Door Counts**

Month/Year	Visitor Numbers	Daily Average	History Room
March 2013	4,360	140.64	146
March 2014	5,578	179.94	146
March 2015	6,810	219.68	208
March 2016	5,080	169.33	212
March 2017	5,124	165.29	177
March 2018	4,492	149.73	216
March 2019	4,318	139.29	266
March 2020	2,936	117.44	196
March 2021	3,196	103.10	164
March 2022	3,286	106.00	128
March 2023	4,483	144.61	240
March 2024	4,226	136.32	189
March 2025	4,410	142.25	224

Revenue 2023/2024

Month	VIC Sales	HR Entry	HR Donations/Sales
July	3,108.79	174.00	149.50
August	4,459.92	0	131.05
September	5,654.13	311.00	85.20
October	6,891.47	356.00	162.80
November	8,255.03	519.00	127.50
December	7,284.50	369.00	51.00
January	8,438.70	518.00	157.75
February	9,845.73	565.00	272.90
March	8,884.98	661.00	215.90
April	4,440.14	397.00	164.35
May	2,922.06	185.00	165.50
June	1,766.86	133.00	211.30

Revenue 2024/2025

Month	VIC Sales	HR Entry	HR Donations/Sales
July	3,418.19	150.00	91.20
August	3,740.70	0	177.55
September	4,581.03	288.00	412.25
October	7,359.22	338.00	390.25
November	8,828.24	546.85	335.30
December	8,093.19	302	89.85
January	9,869.20	459.00	172.55
February	10,101.96	435.45	171.55
March	11,789.02	844.00	208.55

STRATEGIC PLAN & ANNUAL PLAN:

Break O'Day Strategic Plan 2017-2027 (Revised March 2022)

Goal

Economy - To foster innovation and develop vibrant and growing local economies which offer opportunities for employment and development of businesses across a range of industry sectors.

Strategy

Create a positive brand which draws on the attractiveness of the area and lifestyle to entice people and businesses' to live and work in BOD.

LEGISLATION & POLICIES:

N/A

BUDGET AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	Angela Matthews, Corporate Services Coordinator Raoul Harper, Manager Business Services
FILE REFERENCE	018\017\004\
ASSOCIATED REPORTS AND DOCUMENTS	Schedule of Fees & Charges 2025/2026

OFFICER'S RECOMMENDATION:

That Council adopt the Schedule of Fees & Charges 2025/2026 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.

PREVIOUS COUNCIL CONSIDERATION:

The Schedule of Fees & Charges is reviewed and adopted annually.

OFFICER'S REPORT:

Council continues to be committed to the implementation of user pays principle. From a merit viewpoint, this approach is correct in that it recognises the situation where certain services are consumed by a discrete part of the community.

The approach of user pay does not necessarily mean that every service or function is subject to this principle, nor does it constrain council from exempting some sectors of the community from paying for the service where it deems the service to be a community service obligation, or it is uneconomic to provide the service to a given area or cohort.

When determining the level of fees and charges, Council will have regard to the user pays principle and where possible recover the full cost of operating or providing the goods and services in accordance with National Competition Policy guidelines.

Council maintains a register of fees and charges in accordance with section 206 of the *Local Government Act 1993*. The fees and charges contained in the register are reviewed each year as part of the annual budget deliberations. Fees and charges increase annually by a minimum of the Consumer Price Index (CPI) except those categorised as Legislated, Government Agency or Council which are set independently. Officers also undertake an annual review of the cost to deliver services that fall under the 'Fees and Charges'. This review informs increases above CPI where service delivery costs exceed this index.

Below is a summary of changes for 2025/2026

Fee Units will be updated once information is gazetted from The Department of Treasury and Finance around April 2025.

Development Charges

- The proposed 30% increase in building surveying fees is necessary to maintain competitiveness with the private sector. Additionally, it is important to note that all charges will be inclusive of GST, in line with current regulatory requirements.
- The minimum number of inspections for Class 1-9 buildings will increase from five (5) to six (6), reflecting the additional requirement for a mandated waterproofing inspection.
- Permit Authority fees will increase by 10-12%, with amounts rounded to the nearest \$10.00. This adjustment reflects the additional administrative responsibilities arising from the increased requirements of the Building Act.
- A new fee has been introduced for the change from Notifiable to Permit work. This fee typically applies when a development transitions from engaging a licensed builder to an Owner/Builder. The fee reflects the administrative work required to process this change.
- An Administration Fee has been introduced for Plumbing Only applications that are not associated with building work. This fee covers the administrative costs involved in processing these applications.
- The Planning Mediation fee has been revised to be charged at cost, as the expenses incurred vary depending on the complexity of the issues requiring mediation.
- Additional costs for advertising have been introduced, reflecting the increased expenses associated with publishing articles in the Examiner.
- Private water supply licenses are no longer required, and as a result, the associated fee has been removed.

Animal Control

- Increases to Dog Fees of 5 %.

Waste Transfer Fees

- Increase to all fees of a minimum of 5% rounded to the nearest 10c.
- To recover the costs associated with de-gassing the fridges and freezers, disposal fees will increase by 6%.

Facilities Hire

- Fees for community services have been increased by 5%, with adjustments rounded to the lowest 50 cents.
- All bond amounts remain unchanged.
- A new half-day fee has been introduced for the St Helens Sports Complex building, including amenities.
- The camera and sound recording equipment has been removed, as it is no longer in service due to its outdated condition and will not be replaced.

- At the April 2024 Special Committee of Council – Stadium meeting, it was agreed that a new fee schedule for the Kiosk at the Bendigo Bank Community Stadium would be proposed for Council adoption. Since the Stadium opened in 2018, no fee schedule has been in place for kiosk hire. The user fee is set at the same rate as the kitchen hire fees for the St Marys and Portland Hall, with a 25% increase for each category eg regular users, casual users or one-off events. This approach aligns with the matrix used for Stadium court hire.
- The fee structure for the new St Marys Multipurpose and Evacuation Centre will be introduced in alignment with the existing fee structure for the Portland and St Marys halls.

STRATEGIC PLAN & ANNUAL PLAN:

Break O'Day Strategic Plan 2017 – 2027 (Revised March 2022)

Goal

Services - To have access to quality services that are responsive to the changing needs of the community and lead to improved health, education and employment outcomes.

Strategy

Ensure Council services support the betterment of the community while balancing statutory requirements with community and customer needs.

LEGISLATION & POLICIES:

Section 205 of the *Local Government Act 1993*.

Break O'Day Council Financial Management Strategy.

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

Fees and charges directly relate to service provision. When setting fees and charges for any given year, Council will have regard to the user pays principle and where possible recover the full cost of operating or providing the goods and services in accordance with National Competition Policy guidelines. The Schedule of Fees and Charges presented for Council consideration includes increases where the cost of service delivery has occurred.

VOTING REQUIREMENTS:

Absolute Majority

Fees & Charges 2025/2026



Adopted DATE TBA

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ADMINISTRATION

(All fees listed below are inclusive of GST where applicable, *Indicates GST free/exempt items)

Photocopying

		2025/2026
Black & White	Per A4 page	\$0.75
	Per A4 page double sided	\$0.95
	Per A3 page	\$1.20
	Per A3 page double sided	\$1.45
Bulk Runs	Copies in excess of 500 (per A4 sheet)	\$0.50
	Copies in excess of 500 (per A4 sheet double sided)	\$0.60
	Copies in excess of 500 (per A3 sheet)	\$0.70
Binding	1 Plastic Sheet + Comb (bound by Council staff) per copy	POA
Colour Photocopying	Per A4 page	\$4.10
	Per A3 page	\$5.90
Laminating	Per A4 page	\$5.30
	Per A3 page	\$6.50
Council Agenda & Minutes	Printed copy	Free of Charge
Planning	Planning Scheme Ordinance	\$73.50

Note: Photocopy charges apply to all organisations and individuals, unless they have prior approval from Council for such in-kind support. This must be requested on at least an annual basis. Coloured paper is not available for purchase, and if required is to be supplied by the individual/organisations.

Right to Information

<i>Fees are set as per the Right to Information Act 2009, these fees are listed as a reference only. The Right to Information Act 2009 replaces the Freedom of Information Act 1991 and therefore the associated fees have altered accordingly. There is now one (1) flat fee for these requests and no other expenses are incurred as with the Freedom of Information requests.</i>	2025/2026
Per application (except where excluded under the Act). The fee is based on 25 fee units @ \$1.87 at the 1 July 2024	THIS FEE IS LEGISLATED AND WILL BE CALCULATED BY 2025/2026 FEE UNIT

Search of Public Information

		2025/2026
S.132 Certificates	Application fee - 30 fee units @ \$1.87 at the 1 July 2024	THIS FEE IS LEGISLATED AND WILL BE CALCULATED BY 2025/2026 FEE UNIT
S.337 Certificates	Application fee - 132.5 fee units @ \$1.87 at the 1 July 2024	THIS FEE IS LEGISLATED AND WILL BE CALCULATED BY 2025/2026 FEE UNIT

Goods left on Council Controlled Land

	2025/2026
Collection Fee	\$23.65*
Storage Fee – per week or part there of	\$23.65*

Note: Additional costs associated with transport or handling to be recovered at cost.

Visitor Information Centre

	2025/2026
Brochure Display for Business outside Break O'Day Municipality	DL Size
	\$54.00
	A4/A5 Size
	\$64.50
Light Box (Local Businesses)	\$269.00

FACILITIES HIRE

FACILITY HIRE BOOKING FEE - \$25.

This fee is a non-waiver/non-refundable booking fee that is to be paid on ALL bookings (fee waivers may be requested, however, this fee is still payable).

Bonds – All Facilities

	2025/2026
Portland Hall – General Use	\$210.00*
Portland Hall – Where liquor is consumed	\$315.00*
St Marys Hall – General Use	\$210.00*
St Marys Hall – Where liquor is consumed	\$315.00*
St Marys Hall & Kitchen	\$400.00*
Sports & Recreation Grounds – All Facilities	\$315.00*
Bendigo Bank Community Stadium	\$315.00*
St Helens Foreshore	\$400.00*
St Helens Council Chambers	\$315.00*
Fingal Recreation Ground – General Use	\$210.00*
Fingal Recreation Ground – Where liquor is consumed	\$315.00*

Note: Hirers are required to set up the facility including chairs as they see fit. Setup is not included in the charges listed below.

Not for Profit Organisations

	Full Day 2025/2026	Half Day 2025/2026	Per Hour 2025/2026
Hall Only – Day	\$73.50	\$45.00	\$22.50
Hall Only – Night	\$123.50	\$90.00	\$22.50
Hall Only – Day AND Night	\$180.00	N/A	N/A
Portland Hall Kitchen – Day AND Night	\$50.00	\$28.00	N/A
St Marys Hall Kitchen – Day AND Night	\$50.00	\$28.00	N/A
Fingal Recreation Building - Kitchen – Day AND Night	\$50.00	\$28.00	N/A
Memorial Services - NIL			Nil
Projector and Screen Hire – St Marys			\$26.00

Private Functions and Other Non-Commercially Trading Organisations

	Full Day 2025/2026	Half Day 2025/2026
Hall Only – Day	\$203.00	\$95.00
Hall Only – Night	\$248.00	\$118.00
Hall Only – Day AND Night	\$408.50	N/A
Portland Hall Kitchen – Day AND Night	\$84.50	\$78.00
St Marys Hall Kitchen – Day AND Night	\$84.50	\$78.00
Fingal Recreation Building - Kitchen – Day AND Night	\$84.50	\$78.00

Commercially Trading Organisations (Sale of Goods)

	Full Day 2025/2026	Half Day 2025/2026
Hall Only – Day	\$3386.00	\$1693.00
Hall Only – Night	\$2483.00	\$1241.00

FACILITIES HIRE CONT....

Miscellaneous

	2025/2026
Public Liability – see hirers agreement (if required)	\$25.00 per day

St Helens Council Chambers (Day use ONLY)

		2025/2026
Court Sitings		\$394.00
Other Organisations		\$259.00
Community Groups	Per Day	\$73.50
	Half Day	\$42.00

Sport/Recreation Grounds

		2025/2026
Bulk Camping Fees – by arrangement with Council (more than 10 users)		POA
Hire of Sports Grounds (ovals, fields, etc.)	Per hour	\$14.00
Kitchen	Per day	\$39.00
Foreshore	Per day	\$129.00
	Half Day	\$67.00
Foreshore/Sports Ground Power	Per day/Per site	\$18.00

St Helens Sports Complex only

Note: The fees listed below apply to the St Helens Sports Centre Only (Bulk Users Excluded)

		2025/2026
Toilets Only	Per day	\$39.00
Showers and Toilets Only	Per day	\$78.00
Sports Complex Building (no amenities)	Per day	\$22.50
Sports Complex Building (including amenities)	Per day	\$101.00
New - Sports Complex building (including amenities)	Half Day	\$50.50

Community Hire Equipment

		2025/2026
Community BBQ Trailer – Community Groups	Daily usage	\$50.50
	Bond	\$300.00*
Community BBQ Trailer – Commercial/Private Hire	Daily usage	\$169.00
	Bond	\$300.00*
Sand Chair Hire	Bond	\$22.50
Projector and Screen hire – St Marys		\$26.00

FACILITIES HIRE CONT....

Multipurpose Stadium

HOURLY RATE HIRE FEES					
		Day Rate		Night Rate	
		1 Court	2 Court	1 Court	2 Court
Sports (Team)					
	Casual Hire	\$33.50	\$55.50	\$41.50	\$69.00
	Regular User	\$30.00	\$50.00	\$37.50	\$63.00
	Key User Hire	\$26.00	\$44.50	\$33.50	\$55.50
Sports (Individual/Doubles)					
	Casual Hire	\$16.50	\$27.50	\$21.00	\$35.00
	Regular User	\$14.50	\$25.00	\$18.50	\$31.50
	Key User Hire	\$13.50	\$22.00	\$16.50	\$27.50
Community Activities					
	Casual Hire	\$26.50	\$44.50	\$33.00	\$55.50
	Regular User	\$24.00	\$39.50	\$30.00	\$50.00
	Key User Hire	\$21.50	\$35.50	\$26.50	\$44.50
Events					
	Casual Hire	\$66.50	\$111.50	\$83.50	\$139.50
Day Rate (8 Hours)					\$586.50
FACILITY HIRE FEES					
Change Rooms and Showers/toilets					\$75.00

NEW – Bendigo Bank Community Stadium – Kiosk

Key Users	Per day	\$50.00
Regular User	Per day	\$63.00
Casual User	Per day	\$78.50
One off event	Per day	\$98.00

*The key user amount is set out at the same price, as it is to hire the kitchen at the St Marys and Portland Hall and increases by 25 percent with each classification. Which is similar to the matrix that is used for the court hire of the Stadium.

Hub4Health Building

		2025/2026
Local Service Provider	Full Day	\$63.00
	Half Day	\$31.50
Out of Town Service Provider	Full Day	\$84.00
	Half Day	\$42.00

NEW St Marys Multipurpose and Evacuation Centre

Not for Profit Organisations

	Full Day 2025/2026	Half Day 2025/2026	Per Hour 2025/2026
Function Room – Day	\$73.50	\$45.00	\$22.50
Function Room – Night	\$123.00	\$90.00	\$22.50
Kitchen	\$50.00	\$50.00	
Meeting room / changerooms	\$40.00	N/A	
Toilets Only	37.50		
Showers & Toilets	\$75.00		

Private Functions and Other Non-Commercially Trading Organisations

	Full Day 2025/2026	Half Day 2025/2026 (4 Hours or Less)
Function Room – Day	\$203.00	\$95.00
Function Room – Night	\$248.00	\$118.00
Kitchen	84.50	
Meeting room/ changerooms	\$80.00	N/A
Toilets Only	\$75.00	N/A
Showers & Toilets	\$150.00	N/A

Open Space at Flagstaff Trail Head

	2025/2026
Non-Waiverable and Non-Refundable Administration Fee:	\$26.25
Bond <i>The Bond is the same for all bookings no matter what the time frame and will be refunded following an inspection of the area after completion of the event/activity</i>	\$315.00
Unpowered Site	Per hour \$11.30
	½ Day (4 hours) \$33.60
	Full Day (8 hours) \$67.80
Powered Site	Per hour \$13.65
	½ Day (4 hours) \$40.95
	Full Day (8 hours) \$81.40
Skills Training/Activation Area	Per hour \$16.80
	½ Day (4 hours) \$50.95
	Full Day (8 hours) \$101.35

ENGINEERING SERVICES

Waste Transfer Stations

DOMESTIC		2025/2026
General Household Garbage	Garbage Bag	\$4.20
	140L Wheelie Bin (max. 2 bags)	\$8.40
	240L Wheelie Bin (max. 3 bags)	\$12.60
	Car Boot	\$12.60
	Station Wagon, Trailer without cage or Utility	\$14.70
	Trailer with Cage	\$19.40
	Tandem Trailer or small Truck	\$23.60
All Clean Green Waste – Domestic & Commercial	Car Boot	\$4.90
	Station Wagon, Trailer without cage or Utility	\$10.00
	Trailer With Cage	\$12.10
	Tandem Trailer or small Truck	\$17.80
	Tree lopping material requiring chipping (greater than 400mm diameter)	\$16.30
	Heavy stumps and oversized timber (greater than 1500mm diameter)	\$29.40
COMMERCIAL		
Commercial Business Waste		\$38.30 m ³
Bulk Waste Scamander WTS – Scamander Only		\$216.80 per tonne
Asbestos Scamander WTS – Scamander Only		\$77.30 m ³
TYRES		
Motorcycle and car tyres		\$10.00 each
Light truck/4WD tyres		\$18.90 each
Truck and larger tyres		\$41.50 each
Tractor tyres		\$204.70 each
GENERAL BUILDING WASTE & RUBBLE		
Bricks, gravel, treated & untreated timber gyprock etc.		\$47.20 m ³
Clean Fill Material		\$10.50 m ³
Unsecured loads (additional charge)		\$8.40 each
MATTRESSES		
Mattresses Double/Queen/King Accepted free of charge if stripped down (e.g. separated material, timber, and steel springs)		\$25.70 each
Mattresses Single Accepted free of charge if stripped down (e.g. separated material, timber, and steel springs)		\$13.10 each
FURNITURE		
Sofa	Single Seat	\$12.10
	2 or 3 Seat	\$25.70
	Large Modular	\$38.30
Laminated Furniture (desks, wardrobes, bathroom/kitchen cabinets)		\$38.30

ENGINEERING SERVICES – CONT...

Waste Transfer Stations - Cont

	2025/2026
RECYCLABLE MATERIAL	
Separated Recycling Material (which are normally accepted in Council Kerbside Recycling Bins)	FREE
Triple Rinsed Chemical Containers (Drum/Muster Endorsed)	FREE
Car Batteries	FREE
E Waste (TV's, computers, printers, game stations, etc.)	FREE
Car Bodies/Scrap Steel – St Marys, Scamander & St Helens	FREE
White Goods (Except Fridges and Freezers)	FREE
Cardboard	FREE
Glass	FREE
Paint	FREE
Scrap Metals	FREE
Aluminium & Steel Cans	FREE
OTHER	
Gas Cylinders LPG Only (Must be fully degassed to be accepted)	\$12.10
Fridges & Freezers	\$23.70
Fuel Disposal (Petrol, Diesel, Coolant)	\$2.10 per litre
Waste Oil	\$1.30 per litre
Replacement Wheelie Bin – 140L	\$81.90 each
Replacement Wheelie Bin – 240L	\$94.50 each
Delivery fee for change of bin requirements including replacement of lost or stolen bins	\$35.20

Mulch Fees – St Helens WTS

GREEN WASTE MULCH	2025/2026
Double shredded green waste mulch available for sale	\$26.20m3
Single shredded green waste mulch available for sale	\$12.60m3

ENGINEERING SERVICES – CONT...

Engineering Services – Stormwater Connections

	2025/2026
Stormwater connection to kerb and gutter	POA
Stormwater connection to piped drain	POA
All other stormwater connections	POA

mEngineering Services – Assessment of Public Works

	2025/2026
Assessment of Engineering Plans & Approval for Construction (excludes inspections)	\$997.50
Works /Engineering Inspections (per Inspection)	\$189.00

Note: Public works are defined as any works that council is obliged to maintain for the community and include roads, footpaths, drainage (both underground and surface), landscaping, parks and public buildings

Engineering Services – Other Fees

	2025/2026
Supply of Traffic Counts, per count, if current data is already available	\$59.00
Supply of Traffic Counts, per count, if data must be obtained	POA
Works Permit / New Crossover Application Fee / Application to Open Road (Includes post inspection fee)	\$258.30
Additional Inspection Fees	\$129.15
Location Charges (during business hours)	\$129.15

Road Work

	2025/2026
Road & Footpath Reinstatement	POA
Footpath and Driveway Construction	POA
Stormwater Works	POA

Aerodrome Landing Fees

	2025/2026
To apply to General Aviation (GA) landings	\$13.10
Non General Aviation (GA) landings	No charge
Airport Hangar Hire/Lease	POA depending on size

Cemeteries - Site & Reservation Fees

	2025/2026
Land Lawn Cemetery	\$219.50*
Graveyard Land 2.4m x 1.2m	\$219.50*
Land – Child (Birth to 5 years)	Nil
Columbarium Wall	\$99.30*

ENGINEERING SERVICES – CONT...

Cemeteries - Grave Digging

		2025/2026
Lawn Cemetery	Monday to Friday	\$1365.00
	Saturday, Sunday and Public Holidays	POA
	All days (including public holidays) – Children Birth to 5 years	Nil
Ashes Burial	Monday to Friday	\$375.00
	Saturday, Sunday and Public Holidays	POA
	All days (including public holidays) – Children Birth to 5 years	Nil
Other Cemeteries (including old sites requiring manual excavation)	Monday to Friday	\$1512.00
	Saturday, Sunday and Public Holidays	POA
	All days (including public holidays) – Children Birth to 5 years	Nil

Cemeteries - Miscellaneous

	2025/2026
Exhumation	POA
Re-interment	POA
Fee for re-opening grave	POA
Fee for constructing cement layer	POA
Relocation of Ashes	\$95.50*

DEVELOPMENT SERVICES – PLANNING

New Development (Buildings)

		2025/2026
Review of application where No Permit Required	Administration Fee	\$190.00*
Advertising Fee	If applicable	\$500.00*
Permitted Use/Discretionary Use	Use and/or Development (Class 7 and Class 10 Buildings, Signs, Demolition)	\$315.00*
	Use and/or Development (Other excluding subdivision)	\$3.75 per \$1,000 of assessment value Min \$390.00, Max \$30,000 Note: Development Exceeding a Fee Value in excess of \$30, 000 will be quoted by Council upon application *
ILLEGAL WORKS – RETROSPECTIVE PLANNING APPROVAL		Double the relevant application fee
Development Proposed Within Flood Hazard Category 1 & 2		Double the relevant application fee
Development Proposed Within Flood Hazard Category 3 and above		Double the relevant application fee + Associated Cost of Peer Review

New Development (Subdivision/Adjustment)

	2025/2026
SUBDIVISION Application Fee	\$650.00*+ \$180.00* per lot
BOUNDARY ADJUSTMENT Application Fee	\$325.00*
Development Proposed Within Flood Hazard Category 1 & 2	Double the relevant application fee
Development Proposed Within Flood Hazard Category 3 and above	Double the relevant application fee + Associated Cost of Peer Review

New Development (Other)

		2025/2026
Level 1 Activity <i>EMPCA 1993</i>		\$1525.00*
Level 2 Activity <i>EMPCA 1993</i>		\$1785.00*
Fence (Where not exempt)		\$190.00*
Application where buildings do not form a major part of the Development	Up to \$25,000	\$190.00*
	\$25,001 to \$100,000	\$380.00*
	\$100,001 to \$250,000	\$525.00*
	\$250,001 to \$499,999	\$920.00*
	Where project cost exceeds \$500,000	\$1,785.00* plus \$3.75 per \$1,000 over \$500,000 to a max \$30,000 Note: Development Exceeding a Fee Value in excess of \$30,000 will be quoted by Council upon application
CHANGE OF USE (for all classes of building or use of site)	Plus, fee for any new work associated with application.	\$250.00* Fee set by State Government
Development Proposed Within Flood Hazard Category 3 and above		Double the relevant application fee + Associated cost of peer review

DEVELOPMENT SERVICES – PLANNING CONT...

Plan – Examination & Sealing

	2025/2026
Examination and sealing of final plan of Survey	\$620.00* + \$180.00* per lot
Application Fee for New Strata Scheme	\$600.00*
Application Fee for Staging of Strata Scheme (fee applies per stage subsequent to approved of Master Scheme)	\$450.00* per stage
Petition to amend a Sealed Plan – (All parties signed petition)	\$1785.00*
Additional Fee where a petition is required to progress to a hearing.	\$1785.00* + Councils Legal Fees at Cost

Sundry Planning Fees

		2025/2026
Extension - application for permit extension		\$190.00*
Minor amendment - application to amend a Section 58 Permit		\$190.00*
Minor amendment – application to amend a Section 57 Permit		\$435.00*
Minor amendment – application to amend a Section 57 Permit with 1-5 Representations		\$870.00
Minor amendment – application to amend a Section 57 Permit with 6 or more Representations		\$1870*
Minor amendment – application to amend a Section 57/Section 58 requiring RMPAT decision		At cost + associated legal fees incurred by council
Adhesion order - application for issue of an adhesion order		\$295.00*
Part 5 agreement – processing and sealing of a Part 5 agreement - s. 70 of LUPAA		\$475.00*
Scheme amendment - application for amendment to Break O'Day planning scheme and processing fee after council approval to proceed		Cost to be negotiated with Applicant upon receipt of Valid Application*
Mediation - organising mediation in accordance with s.57a of LUPAA or any other mediation required by the council in order to determine a planning application		At cost + associated legal fees incurred by council*
Cash in Lieu of car parking – per car parking space		\$6780.00*
Collection of impounded sign	s48(a) of the Land Use Planning & Approvals Act 1993	\$145.00* Per Sign

Statutory Advertising & Administration

		2025/2026
Advertising	Level 2 Activity Application	At Cost
	Application for amendment to the Break O'Day Planning Scheme two adverts required	At Cost

Refunds/Remissions – Application withdrawn

		2025/2026
Planning Fees	Requests for additional information have not been made	75%
	Requests for additional information have been made	25%
Advertising Fees	Not commenced	100% less \$25.00 Admin Fee
Application Fee	Project of Regional Significance <u>WHEN</u> declared by Minister	50%
Applications for development by a Community Group on Land Owned or Managed by Council		100%

DEVELOPMENT SERVICES – BUILDING

Building Surveying Charges – Category 3 and 4 Buildings

CLASS 1A Structures (new dwelling/dwelling additions & alterations, change of use (garage to dwelling and dwelling to B&B))		2025/2026
Certificate of Likely Compliance – NOT INCLUDING INSPECTIONS	Up to 150m ² & internal alterations & demolition	\$585.00
	Greater than 151m ²	\$1560.00
CLASS 10A Structures (garage/carport/deck/ pergola/retaining wall/mast/fence/pool)		
Certificate of Likely Compliance – NOT INCLUDING INSPECTIONS	Up to 150m ² including minor structures and pools	\$455.00
	Greater than 151m ²	\$975.00
Prefabricated Kit shed - Certificate of Likely Compliance – NOT INCLUDING INSPECTIONS	All Sizes	\$500.00
Solar Panel Applications	All Sizes	\$780.00
Other Classes up to 2000m ² (shop, office, warehouse, industrial buildings, assembly buildings schools, etc.)		
Certificate of Likely Compliance – NOT INCLUDING INSPECTIONS	Up to 150m ² (includes internal alterations and Change of Use)	\$1170.00
	Greater than 150m ²	\$2340.00
LEGISLATION OF ILLEGAL STRUCTURES – DOUBLE THE ASSESSMENT FEE AS PERSCRIBED		

DEVELOPMENT SERVICES – BUILDING CONT...

Inspections

Class 1A - Change of Use (Minimum of two (2) inspections)	2025/2026
Class 1A & 10A - Building Inspections (Minimum of five (5) for class 1-9) (Minimum of two (2) for Class 10A)	\$235.00 per inspection
Additional inspections required will be charged prior to issue of Completion Certificates	

Miscellaneous

		2025/2026
Search for property information (Non-Refundable)		\$65.00
Staged Building Permit Fee		\$190.00*+ Associated Administration fee per stage
Temporary Occupancy Permit	Annually to maximum of 3 years	\$190.00*+ Associated Administration fee per stage
Re-activation of file (expired building/plumbing permit)	Reassessment required	Assessment and inspection fees as per fee schedule + \$75.00 for each certificate required
	Reassessment not required	\$750.00+ \$75.00 for each certificate required & any required inspections

Extension to Building Permit – All Classes

		2025/2026
1 st Year		\$250.00*
Subsequent Years		Increase of \$50.00* per year over previous year Capped at \$500.00

Building Certificates

		2025/2026
Class 10A Structures (Includes Inspection & Administration Costs)		\$245.00
Class 1A Structures (Includes Inspection & Administration Costs)		\$370.00
Commercial Occupancy Permit & Schedule of Health and Safety Features		\$780.00

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State Government Levies

		2025/2026
Industry Training Levy	Over \$20,000	0.20%* of project cost
Building Administration Fee Levy	Over \$20,000	0.10%* of project cost

Amendments

		2025/2026
Minor Amendment	Not requiring a reassessment	\$190.00
Amendment to Building Permit & Certificate of Likely Compliance		Fees applicable to Certificate type (eg. Certificate of Likely Compliance) + Applicable Administration Fee
Amendment to approval for Change from Notifiable Works to Permit Works		Administration Fee of \$190.00* + Permit Authority Assessment Fee

Administration and Notifiable Works and Lodgment fee

	2025/2026
Administration – Category 1	Nil
Administration – Category 2	Nil
Administration – Category 3	\$190.00*
Administration – Category 4	Administration Fee of \$190.00* + Permit Authority Charges

Administration – Privately Certified Applications Only

	2025/2026
Administration – Category 1	Nil
Administration – Category 2	Nil
Administration – Category 3	\$190.00*
Administration – Category 4	\$190.00*

BUILDING SERVICES – PLUMBING – DOMESTIC & WASTEWATER

Domestic Certificate of Likely Compliance Plumbing (Category 3 & 4 plumbing works)

		2025/2026
Plumbing Permit/Assessment – ALL PRICES INCLUDE INSPECTIONS	Up to \$151 ² & Class 10 & Demolition	\$315.00*
	Greater than 151m ²	\$790.00
Waste Water Assessment and Approvals (Septic Tanks, AWTS etc.)	All Sizes	\$200.00*
Administration Fee – Plumbing Only (Fee applies where not in connection to building work)	All Works	\$190.00*
LEGALISATION OF ILLEGAL STRUCTURES – DOUBLE THE ASSESSMENT FEE AS PRESCRIBED ABOVE.		

BUILDING SERVICES – PLUMBING – COMMERCIAL

Commercial Certificate of Likely Compliance Plumbing (Category 3 & 4 plumbing works)

		2025/2026
Plumbing Permit/Assessment – ALL PRICES INCLUDE INSPECTIONS	Up to 151m ²	\$685.00*
	Greater than 151m ²	\$1575.00*
LEGALISATION OF ILLEGAL STRUCTURES – DOUBLE THE ASSESSMENT FEE AS PRESCRIBED ABOVE.		

BUILDING SERVICES – PERMIT AUTHORITY

Permit Authority Charges – Building & Plumbing Only (Category 4 only)

		2025/2026
LEGALISATION OF ILLEGAL STRUCTURES – DOUBLE THE FEE FOR AN ILLEGAL STRUCTURE, THAT IS, THE CHARGE IDENTIFIED BELOW PLUS 100%		
CLASS 1A Structures (new dwelling/dwelling additions & alterations, change of use (garage to dwelling and dwelling to B&B)		
Building & Plumbing Permit	All sizes	\$415.00
CLASS 10A Structures (garage/carport/deck/ pergola/retaining wall/mast/fence/pool & demolition works)		
Building & Demolition Permit	All sizes	\$200.00
Other Classes up to 2000m ² (shop, office, warehouse, industrial buildings, assembly buildings schools, etc.)		
Building & Plumbing Permit	All sizes	\$500.00

ENVIRONMENTAL HEALTH

Licences, Certificates, Permits

		2025/2026
Food Business (Mobile or Premises)	High Risk – P1	\$450.00*
	Medium Risk – P2	\$265.00*
	Low Risk – P3	\$135.00*
	Notifiable – P3N & P4	\$40.00*
Food Business – Not for Profit Community Group	All levels	Nil
Temporary Food Registration	Period not exceeding ten consecutive (10) days	\$40.00*
	Period not exceeding ten consecutive (10) days – not for profit community groups	NIL
Food Sampling		\$65.00 + Cost of Analysis if Applicable*
Assessment of Plans for Commercial Kitchen (Form 49)		\$135.00*
Occupancy Permit for Commercial Kitchen (Form 50)		\$135.00*
Place of Assembly	Licence application for a mass outdoor public event	\$80.00*
	Not for profit organisations	Nil
Sampling of Swimming Pools/Spa Baths	Public	\$80.00 + Cost of Analysis if Applicable*
	Public – Resamples	\$135.00 + Cost of Analysis if applicable*
	Public not for profit organisations	Cost of Analysis
Water Cartage	Application/Renewal	\$45.00*
Public Health Risk Activities	Licence	\$135.00*
	Renewal	\$135.00*
Caravan Licence		156 fee units per financial year or 12 fee units per month (inclusive of month of application) *
Nuisance	Abatement costs associated with non-compliance	Cost of Works + \$190.00*
	Administration costs associated with non-compliance	\$190.00 first hour (minimum fee); \$100.00 per hour or part thereof thereafter, plus compliance costs*
Permit for Burial of Human Remains on Private Land		\$240.00*
Environmental Protection Notices	Investigation, issuing and management charges	\$190.00* per hour or part thereof

ANIMAL CONTROL

Registration Type

	IF PAID PRIOR TO 30 JUNE 2025	IF PAID AFTER 30 JUNE 2025
Entire Dog	\$54.60*	\$78.70*
Entire Dog – Pensioner**	\$24.10*	\$36.20*
De-sexed Dog	\$30.40*	\$42.50*
De-sexed Dog – Pensioner**	\$14.20*	\$18.40*
Newly Registered Dog	As above	
Approved Assistance Dogs - Guide/Hearing	Nil	Nil
Registered Breeding Dog	\$37.30*	\$45.10*
Approved Working Dog	\$24.10*	\$43.00*
Declared Dangerous Dog	\$302.40*	\$363.30*

NOTE: **One (1) dog per property on Pensioner Rate.
(Pension and Health Care card)

Impounding

		2025/2026
First Impoundment		\$59.80*
Subsequent Impoundment		Previous impoundment fee +\$59.80*
Daily keeping fee		\$30.40*
Purchase of unclaimed dog **		\$30.40* + registration fee
Microchip implanting of impounded/unclaimed dog (if not already chipped)		At cost
Out of hours release fee ***	Original owner	\$302.40*

NOTE: ** Refundable if returned within two (2) weeks.

ALL FEES MUST BE PAID IN FULL PRIOR TO RELEASE OF ANY DOG

Kennel Licence

		2025/2026
Kennel licence application fee	More than 2 dogs or 4 working dogs	\$85.00*
Kennel licence renewal fee (Applies to working and non-working dogs)		\$59.80*

Miscellaneous

		2025/2026
Replacement Registration Tag		\$6.30*
Dangerous Dog	Collar	\$30.40
	Sign	Cost price
Dog Waste Bags	Roll	\$18.90

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	David Jolly, Manager Infrastructure and Development Services
FILE REFERENCE	014\002\001\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That the report be received by Council.

INTRODUCTION:

This report provides a summary of details relating to Works Operations and Capital Projects for the reporting period March 2025.

PREVIOUS COUNCIL CONSIDERATION:

Provided as a monthly report – Council consideration at previous meetings.

OFFICER'S REPORT:**Works Operations – General**

	March	April - Scheduled
Town Maintenance	<ul style="list-style-type: none"> Mowing/ground maintenance Garden/tree maintenance and weeding Footpath maintenance and repairs Routine playground inspections 	<ul style="list-style-type: none"> Town maintenance crews undertaking tree maintenance and mowing as required General building maintenance. Playground maintenance – upgrading soft fall
Road Network	<ul style="list-style-type: none"> Maintenance grading of Curtis Road St Marys and streets in Cornwall Guidepost and traffic signs replaced 	<ul style="list-style-type: none"> Crew undertaking Capital Work projects
MTB	<ul style="list-style-type: none"> Routine track maintenance 	<ul style="list-style-type: none"> Routine track maintenance Trail inspections

Weed Management	<ul style="list-style-type: none"> Fingal - Patterson's Curse, broadleaf, Spanish heath, gorse, thistles, broom, hemlock, capeweed St Helens - Spanish heath, thistles, broom Binalong Bay – mirror bush Scamander - broadleaf, Spanish heath Cornwall - Weed survey Spanish heath, blackberry All Waste Transfer Stations - Weed survey Council Cemeteries – Weed survey 	<ul style="list-style-type: none"> Aerodrome – Spanish heath St Marys – multiple weed varieties Binalong Bay – multiple weed varieties St Helens – multiple weed varieties Fingal – multiple weed varieties
Asset Management	<ul style="list-style-type: none"> Class 1 footpath inspections Routine playground inspections Traffic counters in the Mathinna area Building maintenance inspections 	<ul style="list-style-type: none"> Playground inspections Traffic counters on Mathinna Plains Road Capital work investigation – marking up stormwater locations, recording re-sheeting measurements. Building inspections

Waste Management – General Information

General/Commercial & Industrial Waste (MSW) to Copping Landfill													
Year	Jul	A	S	O	N	D	J	F	M	A	M	Jun	YTD
2024/25 (T)	222	224	167	240	224	282	352	221	TBA				1,932
2023/24 (T)	187	232	224	214	240	274	361	233	228	301	222	185	2,901
Difference	35	-8	-57	36	-16	8	-9	-12					

TBA: Service invoices for stated months unavailable at time of preparing this report.

Kerbside Comingled Recyclables Collection – JJ's Waste													
Year	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD
2024/25 (T)	43	41	40	56	48	56	73	51	48				456
2023/24 (T)	49	45	49	38	45	58	55	50	57	47	54	50	597
Difference	-6	-4	-9	18	3	-2	18	1	-9				

St Helens Waste Transfer Station:

- Green waste mulch (coarse and fine grade material) is available for purchase Monday – Friday, opening hours.

CAPITAL WORKS

Activity	Update
Alexander Street Rehabilitation - Cornwall	In-progress: The project is a part funded Local Road and Community Infrastructure Program project. The project includes stormwater improvements and rehabilitation of existing sections of road pavement and resealing. Onsite works commenced during March 2025.
St Marys Footpath extension	In-progress: The project is funded Local Road and Community Infrastructure Program project. The project includes the extension of the existing concrete pathway on Grey Road from the High School to opposite the Recreation Ground. .
Ansons Bay Road - Sealing	Completed: The project is a part funded Local Road and Community Infrastructure Program project. The project scope included pavement rehabilitation, storm water drainage improvements, and sealing over 1,500m of road from the end of seal (north of Priory) just beyond Charlies Marsh.
Storm water – Penelope Street	Installation of new stormwater main rescheduled to Apr/May 2025.
Bridge 2293 – Cecilia Street	In-progress – New bridge installed and trafficable. Minor road works and approach traffic barrier installation to occur over the next few weeks.
Bridge 1675 – Lower German Town Road	Design completed and precast superstructure components have been manufactured. Notification of pending works to be advised to affected residents with works to follow in April/May.
Scamander WTS – Waste Compactor	In-progress.
Scamander Inert Landfill Development	In-progress.
2024-2025 Road Resealing	In-progress. Contractor Delays have been experienced, with tendered reseal works to be completed prior to Easter.
Georges Bay – shared pathway solar lighting	In-progress – material have been sourced. Installation is pending NRE authority.
North Ansons Bay Road Re-sheeting	In-progress.

STRATEGIC PLAN & ANNUAL PLAN:

Break O'Day Strategic Plan 2017-2027 (Revised March 2022)

Goal

Infrastructure - To provide quality infrastructure which enhances the liveability and viability of our communities for residents and visitors.

Strategy

- Be proactive infrastructure managers by anticipating and responding to the growing and changing needs of the community and the area.
- Work with stakeholders to ensure the community can access the infrastructure necessary to maintain their lifestyle.
- Develop and maintain infrastructure assets in line with affordable long-term strategies.

LEGISLATION & POLICIES:

N/A

BUDGET AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority.

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Municipal Inspector
FILE REFERENCE	003\003\018\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That the report be received by Council.

INTRODUCTION:

This report aims to provide Councillors with summary activity statistics for the reporting period March 2025 and financial year to date.

PREVIOUS COUNCIL CONSIDERATION:

Provided as a monthly report – Council consideration at previous meetings.

OFFICER'S REPORT:**Summary Statistics Reporting Period - March 2025**

Category/Area	Binalong Bay, The Gardens, Ansons	Fingal, Mathinna	Falmouth, 4 Mile	Seymour, Denison	Beaumaris, Diana B	Scamander	St Helens, Stieglitz Pyengana	St Marys, Cornwall	REPORTING PERIOD TOTAL	2024- 2025 YTD
Dog - Attack on a person (Serious)						1			1	3
Dog - Attack on another animal (Serious)									0	1
Dog – Attack on another animal (Minor)									0	2
Dog – Attack on a person (Minor)							1		1	4
Dog - Declared Dangerous									0	2
Dog - Dangerous Dogs Euthanized									0	0
Dog - Barking							3		3	27
Dog - Chasing a person							1		1	4
Dog - Impounded									0	7
Dog - in Prohibited Area									0	2
Dog - Lost Dogs Reported									0	2
Dog - Rehomed/kennel for rehoming									0	2
Dog - Wandering/at large									0	12
Verbal Warnings							1		1	20

Notice Issued - Unregistered Dog							1		1	8
Notice Issued - Caution Notice		1					2		3	11
Notice Issued - Infringement Notice									0	4
Infringement Notice - Disputes									0	4
Infringement Notice - Revoked									0	0
Written Letter - Various matters to Dog							2		2	29
Patrols - Township/Urban Areas							2		2	40
Patrols - Beaches/Foreshore	1					1	2		4	69
Kennel Licence - Issued									0	2
Other - Cat complaints							1		1	1
Other - Livestock									0	2
Other - Poultry									0	2
Other - RSPCA intervention									0	2
TOTAL	1	1	0	0	0	2	16	0	20	262

Dog registrations: 2024/2025 - Registered to date: 1368 (97.7%). Pending: 32 (2.2%)

STRATEGIC PLAN & ANNUAL PLAN:

Break O'Day Strategic Plan 2017-2027 (Revised March 2022)

Goal

Environment - To balance our use of the natural environment to ensure that it is available for future generations to enjoy as we do.

Strategy

Ensure the necessary regulations and information is in place to enable appropriate use and address inappropriate actions.

LEGISLATION & POLICIES:

- *Dog Control Act 2000*
- *EP05 Dog Management Policy*

BUDGET AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	David Jolly, Manager Infrastructure & Development Services
FILE REFERENCE	033\046\001\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER’S RECOMMENDATION:

That Council introduce free green waste Sundays at the Ansons Bay Waste Transfer Station for residential customers only - November to February as currently exists at St Helens, Scamander and St Marys in accordance with Council policy, “EP04 – Waste Management Policy”.

INTRODUCTION:

The purpose of this report is twofold:

1. To provide the Council with cost estimates associated with handling green disposed at the Ansons Bay Waste Transfer Station and the forecast financial impact of introducing “Free-green” Waste Sundays at the site for residential customers only, November to February as exists at St Helens, Scamander and St Marys under Councils EP04 – Waste Management Policy.
2. To recommend that the Council introduce free green waste Sundays at the Ansons Bay Waste Transfer Station for residential customers only - November to February as currently exists at St Helens, Scamander and St Marys in accordance with Council policy, “EP04 – Waste Management Policy”.

PREVIOUS COUNCIL CONSIDERATION:

Councillor Workshop 3 March 2025

Council Meeting 16 December 2024

Public Question Time:

12/24.2.7 Free Local Green Waste Program to include Ansons Bay Waste Transfer Station – Cllr Oldham OBH Graeme Le Brocq, President Ansons Bay Community Group Inc

Would Council be able to consider a report into the feasibility of Ansons Bay being added to the list of towns that have a free local green waste program over summer. I mention the following reasons:

- To help reduce fire hazards, as many properties border National Parks.
- To prevent illegal dumping.

Reply

The Council's Infrastructure & Development Services Manager will prepare a report for the Council on the feasibility of introducing free green waste days at the Ansons Bay Waste Transfer Station.

OFFICER'S REPORT:

Council accepts green waste at the Ansons Bay Waste Transfer Station. For several years green waste at the site has been incinerated. As an outcome of the green waste asbestos contamination incident in 2024, green waste can no longer be incinerated at the site. Green waste is now transported to the St Helens Waste Transfer Station for mulching in 40 cubic meter loads. The mulching contractor will not mulch green waste given the low volume of material disposed of at the site.

Transporting green waste requires the floating of a loader to the site and the hire of a truck and trailer to transport the material. Cost estimates based on 2024-2025 YTD and forecast volume of green waste disposal at the site are tabled.

Cost Estimates

	2024-2025 Estimate No free green waste Sundays (Nov-Feb)	2025-2026 Estimate With Free green waste Sundays (Nov-Feb)
Annual Green Waste Volume	80m3	106m3
Rate: Transport Cost to St Helens WTS	\$18/m3	\$19/m3
Rate: Mulching Cost – loose green waste	<u>\$4/m3</u>	<u>\$5/m3</u>
Total rate	22/m3	\$24/m3
Cost estimate	\$1,760	\$2,544
Revenue (green waste gate fee)	\$507	\$522
Sale of mulched green waste at St Helens – offset cost	<u>\$100</u> \$607	<u>\$133</u> \$655
Operating loss	\$(1,153)	\$(1,889)

Note: 2025-2026 costs are CPI adjusted and rounded to the nearest whole dollar.

Residential green waste by volume is not expected to increase significantly by introducing free green waste Sundays over the period November to February. This was verified in the 2022-2023 summer period where “free green waste Sundays” were trialled with marginal increase in waste volume being observed. In addition, from August 2024 to end February 2025, approximately 40m3 of green waste was received at the site.

It is not known how much green waste is illegally dumped in bushland in the Ansons Bay area nor the costs associated with control of weed infestations as the outcome of this practice.

Given the small cost of transporting green waste to St Helens and subsequent mulching and to encourage disposal of green waste in a proper manner it is recommended that consideration be given to introducing free green waste Sundays (November to February) at the Ansons Bay Waste Transfer Station as exists at St Helens, Scamander and St Marys under Councils EP04 – Waste Management Policy.

STRATEGIC PLAN & ANNUAL PLAN:

Break O'Day Strategic Plan 2017-2027 (Revised March 2022)

Goal

Infrastructure - To provide quality infrastructure which enhances the liveability and viability of our communities for residents and visitors.

Strategy

1. Be proactive infrastructure managers by anticipating and responding to the growing and changing needs of the community and the area.
2. Work with stakeholders to ensure the community can access the infrastructure necessary to maintain their lifestyle.
3. Develop and maintain infrastructure assets in line with affordable long-term strategies.

Key Focus Area:

Waste Management - provide access to affordable services and facilities that foster a circular economy approach to Waste management.

LEGISLATION & POLICIES:

N/A

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

Operational budget to note cost variations estimated in this report should Council endorse a decision to introduce free green waste Sundays at the Ansons Bay Waste Transfer station.

VOTING REQUIREMENTS:

Simple Majority

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	David Jolly, Manager Infrastructure & Development Services
FILE REFERENCE	002\024\003\
ASSOCIATED REPORTS AND DOCUMENTS	Draft Community Park and Landscape Policy

OFFICER'S RECOMMENDATION:

That the Council receive and adopt the Community Park and Landscape Policy as a new policy.

INTRODUCTION:

The purpose of this report is to seek Council endorsement of the newly written Community Park and Landscape Policy.

PREVIOUS COUNCIL CONSIDERATION:

Council Workshop 7 April 2025

Council Meeting 16 December 2023

12/23.4.1.267 Moved: Clr K. Chapple / Seconded: Clr B. Lefevre

A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:

That Council develop a community park/garden landscape plan / and or policy for our townships.

CARRIED UNANIMOUSLY

OFFICER'S REPORT:

The attached Draft Policy adopts five guiding principles for the development of township landscaping plans, ensuring effective design and a lasting impact on residents and visitors.

- a) Environmental Sustainability
- b) Aesthetic Appeal
- c) Liveability and Functionality
- d) Community Involvement
- e) Maintenance Planning

The Council's Management Team and Clr Chapple have reviewed the draft document. It is now presented to the Council for discussion and to seek the necessary amendments to finalise the draft.

STRATEGIC PLAN & ANNUAL PLAN:

Goal

Infrastructure - To provide quality infrastructure which enhances the liveability and viability of our communities for residents and visitors.

Strategy

1. Be proactive infrastructure managers by anticipating and responding to the growing and changing needs of the community and the area.
2. Work with stakeholders to ensure the community can access the infrastructure necessary to maintain their lifestyle.
3. Develop and maintain infrastructure assets in line with affordable long-term strategies.

Key Focus Area:

Towns - townships that are vibrant and welcoming through improvements to infrastructure such as, streetscapes, parking, safety and signage.

LEGISLATION & POLICIES:

N/A

BUDGET, FUNDING AND FINANCIAL IMPLICATIONS:

Funding must be allocated to the Council budget to support developing and implementing landscape plans for township parks and gardens.

The funding allocation has yet to be determined.

VOTING REQUIREMENTS:

Simple Majority

POLICY NO AMXX COMMUNITY PARK AND LANDSCAPE PLAN POLICY

DEPARTMENT:	Works & Infrastructure
RESPONSIBLE OFFICER:	Manager Infrastructure and Development Services
LINK TO STRATEGIC PLAN:	To provide quality infrastructure which enhances the liveability and viability of our communities for residents and visitors.
STATUTORY AUTHORITY:	N/A
OBJECTIVE:	Council's objective is to develop a comprehensive Community Park and Garden Landscape Plan for each township within the Break O' Day Municipality to enable the creation of vibrant and sustainable community spaces that reflect the needs and preferences of residents.
POLICY INFORMATION:	Adopted <date>

POLICY

1. INTRODUCTION

The Council is dedicated to enhancing the quality of life within its townships by developing a comprehensive Community Park and Garden Landscape Plan (that includes nature strips within each township) aiming to create vibrant and sustainable community spaces that reflect residents' needs and preferences.

In developing plans, the Council will prioritise environmental sustainability, aesthetic appeal, liveability, functionality, and community involvement, ensuring our township parks and gardens are beautiful, functional, and accessible. By fostering local engagement in the planning and maintenance processes, we will cultivate a sense of ownership and pride in our community landscapes, ultimately enhancing the well-being and connection of all residents.

2. GUIDING PRINCIPLES

We will develop landscape plans that adhere to the following guiding principles, ensuring effective design and lasting impact.

a. Environmental Sustainability

Promoting diversity, sustainability and resilience, considering:

- *Plant selection, including other native plant species, to be climate change ready and drought resistant landscaping to reduce water consumption.*
- *Design, construction and maintenance practices that support local biodiversity, soils, and waterways and manage biosecurity risks.*

POLICY NO AMXX COMMUNITY PARK AND LANDSCAPE PLAN POLICY

DEPARTMENT:	Works & Infrastructure
RESPONSIBLE OFFICER:	Manager Infrastructure and Development Services
LINK TO STRATEGIC PLAN:	To provide quality infrastructure which enhances the liveability and viability of our communities for residents and visitors.
STATUTORY AUTHORITY:	N/A
OBJECTIVE:	Council's objective is to develop a comprehensive Community Park and Garden Landscape Plan for each township within the Break O' Day Municipality to enable the creation of vibrant and sustainable community spaces that reflect the needs and preferences of residents.
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- *Design, construction and maintenance practices that support local biodiversity, soils, and waterways and manage biosecurity risks.*

[POLICY No and TITLE]

Page 1 of 3

- *Efficient and reduced use of water, materials, energy and waste.*

b. Aesthetic Appeal:

Create visually appealing and cohesive community landscapes, by:

- Ensuring that elements complement townships' natural and built environment and landscape character.
- Using a variety of vegetation types and plant species with foliage, flowers and structure for year-round effects and features to create dynamic and engaging spaces.
- Incorporating public art and cultural elements that reflect the community's identity and heritage.

c. Liveability and Functionality

Ensure that landscape plans are practical and meet community needs by:

- Providing for people's comfort, health and safety, community wellbeing and connection.
- Designing pedestrian pathways, open green spaces, and recreational areas that are accessible to all residents.
- Providing amenities such as seating, lighting, and signage to enhance the usability and safety of public spaces.
- Creating flexible spaces accommodating various activities and events fosters community interaction and engagement.

d. Community Involvement

Promote and encourage community involvement, ownership and pride in developing landscape plans to ensure they reflect the preferences and needs of residents by:

- Facilitating community engagement opportunities through public consultations, surveys and significant project workshops to enable people to share their skills and knowledge throughout the planning and implementation process.
- Foster collaboration and empowerment where communities mobilise to lead initiatives and support community volunteer programs for landscape plans.
- Educational programs to promote extending the benefits of green spaces and tree cover across townships and raise awareness about sustainable landscaping practices and environmental stewardship.

e. Maintenance Planning

- Development of a clear and comprehensive strategy including budget considerations for the ongoing maintenance and management of the landscape to ensure its long-term viability and appeal.



- Outline specific maintenance tasks, schedules, and responsibilities to ensure consistent care, incorporating sustainable maintenance practices, such as integrated pest management and water and nutrient conservation.
- Ensure that maintenance plans are affordable and adaptable to changing environmental conditions and community needs.

3. APPROVAL PROCESS

The Council will review and endorse Community Park and Landscape Plans as they are developed and which only align to policy guidelines, applicable regulations, and the fiscal constraints outlined in the Council's Long-Term Financial Plan.

4. MONITORING AND REVIEW

This Policy will be reviewed every three (3) years by the Council's Policy Framework or earlier if significant changes to legislation or related policies or procedures occur or the General Manager deems it necessary.

DRAFT

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	David Jolly, Manager Infrastructure & Development Services
FILE REFERENCE	032\005\004\
ASSOCIATED REPORTS AND DOCUMENTS	Letter – State Growth to Manager Infrastructure & Development Services dated 27 March 2025.

OFFICER’S RECOMMENDATION:

That the Council support the reduction in speed limit to 50km/hr along the Tasman Highway between St Helens Point Road and the Golden Fleece Bridge, south of the St Helens town centre.

INTRODUCTION:

Councils Manager Infrastructure & Development Services has received correspondence dated 27 March 2025 from the Department of State Growth regarding the speed limit along the Tasman Highway between St Helens Point Road and the Golden Fleece Bridge, south of the St Helens town centre.

The Department has advised that there is now a significantly stronger justification for reducing the speed limit along this section of road to 50km/h. Based on several community concerns raised, the Department is seeking formal confirmation of the Council’s support for this speed limit reduction via letter or email.

Upon receipt Upon receipt of that confirmation, an application by State Roads will be made to the Commissioner for Transport for a speed limit reduction on this section of road.

PREVIOUS COUNCIL CONSIDERATION:

Council Workshop 6 March 2025

Council Meeting 17 February 2025

02/25.14.3.545 Moved: Clr L Johnstone/ Seconded: Clr K Chapple

That Council receive this report for information and discussion.

CARRIED UNANIMOUSLY

Council Workshop 3 February 2025

Council Workshop 6 November 2024

Council Meeting 18 March 2024

03/24.9.1.323

Moved: Clr B LeFevre / Seconded: Clr V Oldham

A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:

The Break O'Day Council petition the Department of State Growth for a speed limit reduction (60kmh-50kmh) from the Golden Fleece Bridge in St. Helens to the intersection of the Tasman Highway and St. Helens Point Rd.

CARRIED UNANIMOUSLY

OFFICER'S REPORT:

Attached is the letter from State Growth, dated 27 March 2025, to the Manager of Infrastructure & Development Services.

With reasons outlined, the Department has stated that there is now a much stronger justification for lowering the speed limit along this section of road to 50km/h. The Department is requesting formal confirmation of the Council's support for this speed limit reduction via letter or email.

Apart from stated community concerns, the Department has not disclosed the extent of correspondence from the community and elected representatives of the Break O'Day Council; therefore, it cannot be included in this report.

It is envisaged that, subject to workshop discussion, an agenda report will be prepared for the Ordinary meeting of the Council (April 2025).

STRATEGIC PLAN & ANNUAL PLAN:

Break O'Day Strategic Plan 2017-2027 (Revised March 2022)

Goal

Infrastructure - To provide quality infrastructure which enhances the liveability and viability of our communities for residents and visitors.

Strategy

1. Be proactive infrastructure managers by anticipating and responding to the growing and changing needs of the community and the area.
2. Work with stakeholders to ensure the community can access the infrastructure necessary to maintain their lifestyle.
3. Develop and maintain infrastructure assets in line with affordable long-term strategies.

Key Focus Area:

Roads and Streets - Develop a well-maintained road network that recognises the changing demands and requirements of residents and visitors.

LEGISLATION & POLICIES:

N/A

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

Department of State Growth

STATE ROADS DIVISION

Salamanca Building Parliament Square
4 Salamanca Place, Hobart TAS
GPO Box 536, Hobart TAS 7001 Australia
Ph (03) 6166 3360
Email GMSR@stategrowth.tas.gov.au Web www.stategrowth.tas.gov.au
Our Ref: D24/299895



David Jolly
Manager Infrastructure & Development Services
Break O'Day Council
By email: admin@bodc.tas.gov.au

Tasman Highway, St Helens – speed limits

Dear Mr Jolly

I am writing regarding the speed limit along the Tasman Highway between St Helens Point Road and the Golden Fleece Bridge, to the south of the St Helens town centre.

The Department of State Growth's initial review of this 2.6 km long section of the highway found that the road's characteristics and historic crash statistics were broadly consistent with the existing 60 km/h speed limit, and there wasn't strong justification for a reduction.

However, since that time I acknowledge that this outcome has been disappointing to many in the community, and we have subsequently received correspondence from both the community and elected representatives of Break O'Day Council with further information on near misses and challenges some road users encounter on this section of road. Of particular note is concern with vehicles crossing the centreline, as well as pedestrians and cyclists crossing the highway to access the shared path that runs along the foreshore and connects to the mountain bike paths to the south of St Helens.

Based on this information, there is now a significantly stronger justification for reducing the speed limit along this section to road 50km/h. In turn, I would appreciate if Council could formally confirm its support for this speed limit reduction via letter or email to myself, based on these community concerns.

Upon receipt of this confirmation, as the road owner I will then proceed with an application to the Commissioner for Transport for a speed limit reduction on this section of road.

If you have any queries, please do not hesitate to contact me on 0455 437 863 or via email at elspeth.moroni@stategrowth.tas.gov.au. I look forward to resolving this issue with Council and the broader community.

Yours sincerely

Elspeth Moroni
A/GENERAL MANAGER STATE ROADS

27 March 2025

Salamanca Building Parliament Square - 4 Salamanca Place, Hobart - GPO Box 536 HOBART TAS 7001

04/25.15.0 COMMUNITY DEVELOPMENT

04/25.15.1 Community Services Report

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Chris Hughes, Manager Community Services
FILE REFERENCE	011\034\006\
ASSOCIATED REPORT AND DOCUMENTS	Nil

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.

PREVIOUS COUNCIL CONSIDERATION:

Provided as a monthly report – Council consideration at previous meetings.

OFFICER'S REPORT:

The Community Services team approaches all our work through a lens of access and inclusion and we advocate for this in the networks and meetings that we participate in both internally and externally.

2024 – 2025 Community, Council Events, Programs and Initiatives

Items listed below are supported by a Council decision or have been approved through the yearly budget process.

	2024-2025 Budget	Funds expended on project or forwarded to community group
Community Services		
Community Grants	30,000	
Youth Services	8,000	
Misc Donations & Events	7,500	
School Prizes	1,000	\$1,000
Community Event Funding		
Seniors Day	3,000	\$2,400
Australia Day Event	5,000	Council event -

		5,000€
Swimcart	1,000	
St Helens Athletic Carnival	2,500	Sponsorship - \$2,500
Carols by Candlelight	1,600	
Australia Day Event (including Woodchopping)	15,000	Sponsorship of event - 1,500.00 \$10,000 transferred to community grants for the 2024 – 2025 budget – as per Council decision
Fingal Valley Coal Festival	2,000	Funds transferred to Community Grants for this budget period – as per Council decision
Pyengana Endurance Ride -	500	
St Helens Game Fishing Comp	2,000	Council Sponsorship \$2,000
Wellbeing Festival	3,500	Council event - \$3,500
Marketing Valley Tourism	2,500	
Volunteer Week	2,500	
Bay of Fires Art Prize	10,000	Council sponsorship of event \$10,000
Bay of Fires Winter Arts Market –	4,000	Council sponsorship of event \$10,000
St Marys Community Car & Bike Show	2,000	

East Coast Masters Golf Tournament	2,500	Sponsorship of event - \$2,500
International Disability Day Events	1,000	Council event - \$1,000
Mental Health Week	500	
BODRA Winter Lights – name change from Barn Dance	2,000	
Suicide Prevention	1,000	Sponsorship of Golf Day - 1,000.00
Pyengana Easter Carnival	1,000	Council Sponsorship 1,000
Mannalargenna Day	2,500	Sponsorship of event - 2,500.00
Christmas Donations – Lights – St Marys and St Helens	6,000	Council project - 2,349.09
Council Sponsorship		
Funding for BEC Directory	2,000	
St Helens Marine Rescue	3,000	Council Sponsorship \$3,000
Business Enterprise Centre (BEC)	28,000	Council Sponsorship - 28,000.00
Neighbourhood House Tasmania – Conference Sponsorship		Council decision to sponsorship NHT event - 5,000.00
Welcome to Town Christmas Signs	1,500	Council project - \$1,090.76

Below are updates on current projects being managed by Community Services:

Reconciliation Action Plan (RAP)

Council staff are continuing to work with Reconciliation Tasmania in developing a Reconciliation Action Plan. Reconciliation Tasmania will present to Councillors after the May workshop as to progress of the development of the Reconciliation Action Plan.

Bay of Fires Master Plan

The working group are working with the consultants to firm up face to face community engagement sessions in relation to this project. Unfortunately, dates had been set but there was a cross over with the community engagement that ECTT are undertaking – so discussions will occur with both organisations to see how we may be able to work together and then look at a different time for the consultants undertaking the Bay of Fires Master Plan to visit our community.

Expression of Interest – 29 Talbot Street, Fingal

This Expression of Interest period has now closed and Council staff are assessing the application received.

Scope of works – Rail trail – Cornwall to St Marys

Council staff are currently working on a scope of works for the above project. Once complete, we will call for tenders to cost the project.

Community Events/Activities

Community Services staff have been working with community members in ensuring that all the great events listed below are able to go ahead. We thank the volunteers who put a lot of their time into organising these events so that the community and visitors to our area can enjoy what we have in our municipality.

April 2025

9 – Live4Life launch – Bendigo Bank Community Stadium
12-13 – AgFest Sheep Dog Club – Fingal Recreation Grounds
17-20 – Break O’Day Stitchers – Portland Hall
19-20 – Pyengana Easter Carnival – Pyengana Recreation Grounds
26 – 2 May – Pre Polling – Portland Hall

May 2025

3 – Pyengana Heritage football Game – Pyengana Recreation Grounds
3 - Polling Day – Portland Hall
3 – Polling Day – St Marys Hall
7-9 – Ochre Medical Centre – Flu Clinic – Bendigo Bank Community Stadium
12 – Break O’Day Volunteer Film Festival – Portland Hall
14 – Break O’Day Volunteer Film Festival – St Marys Hall

Learner Driver Mentor Program

The Get in2 Gear programs hours are slightly down this month due to two Mentors taking some leave. The program coordinator is in the process of applying for the next round of funding which will be for a two year period.

Total on-road hours – 46 Hours
Total Mentors - 2
Learner in car - 15
Waiting list – 4
Graduated – 1

The learner driver car is currently off the road and we are unsure at the time of writing this report for how long.

Community Wellbeing Project

A series of positive podcast stories from the Wellbeing Project is under production. It will be hosted on the Wellbeing action website to inspire us to continue to strive to create good things together. Wonderful heart led actions are already emerging from this year's wellbeing certificate. The Wellbeing Certificate local training team are reaching out to past participants of the certificate and summit offering support to develop and commence community actions before the end of the project in June.

Youth

Council participated in the youth event, Pride in the Garden, on Saturday 22 March. The day was a celebration of diversity and inclusion and was filled with fun activities, including pet parade, relay race, face painting, gratitude tree and more. It was a joyful way to connect and for everyone to enjoy just being themselves.

A staff member attended the Beacon Foundation 'Prepare Program' at St Marys School on 25 March to support young people to think about their career skills and possibilities.

Council is an active member of the Live4Life Partnership Group. The Live4Life 2024 Impact Report is now available. <https://www.live4life.org.au/2024-impact-report> This program is delivering opportunities for young people and their supporters in our community to be better equipped to identify and provide appropriate support for mental health issues in young people. Break O'Day is featured on page 12.

Health and Wellbeing

The Health and Social Services Network held our Autumn (March) meeting on Monday 24 March and the e-news is pending and will be available on Council's website once released. The network continues to be a wonderful forum for sharing good news, stories updates and opportunities and identifying ways we might collaborate.

STRATEGIC PLAN & ANNUAL PLAN:

Break O'Day Strategic Plan 2017-2027 (Revised March 2022)

Goal

Community - To strengthen our sense of community and lifestyle through opportunities for people to connect and feel valued.

Strategy

- Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge.
- Foster a range of community facilities and programs which strengthen the capacity, wellbeing and cultural identity of our community.

LEGISLATION & POLICIES:

N/A

BUDGET AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	Chris Hughes, Manager Community Services
FILE REFERENCE	16\005\005\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

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. The current MOU expires on 30 June 2025

PREVIOUS COUNCIL CONSIDERATION:**Council Meeting 15 April 2024**

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**OFFICER’S REPORT:**

In July 2023 when Council first discussed the issue of renewing the Memorandum of Understanding, the then Tasmanian Government were undertaking a review of the Fire Service Act where it was proposed that under a new Act, Fire and Emergency Services Act the Tasmania Fire Service (TFS) and the State Emergency Service (SES) would combine but still retain their own individual identities.

In February 2024 the Local Government Association of Tasmania wrote to all General Managers asking that since the TFES reform has paused and it is unclear if, when and in what form it will recommence, discussions had been held with the State Emergency Service Executive Director to discuss working and financial arrangements between SES and Local Government.

Given the uncertainty around timeframes and the need to continue the operations of the Break O’Day SES Unit, we recommend that Council enter into a Memorandum of Understanding with the

Department of Police, Fire and Emergency Management (DPFEM) for one (1) year 1 July 2025 – 30 June, 2026 to fund the Break O’Day SES Unit in the sum of \$18,500.

STRATEGIC PLAN & ANNUAL PLAN:

Break O’Day Strategic Plan 2017-2027 (Revised March 2022)

Goal

Community – To strengthen our sense of community and lifestyle through opportunities for people to connect and feel valued.

Strategy

- Foster and support leadership within the community to share the responsibility for securing the future we desire.

Break O Day Annual Plan 2023 – 2024

Actions:

5.2.2.1 Foster Opportunities - Provide leadership and work in partnership with community and service providers to create inclusive and equitable opportunities for everyone to feel valued and contribute meaningfully to their community.

LEGISLATION & POLICIES:

N/A

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

Council has allocated \$18,500 to fund the local SES Unit in the proposed 2025 – 2026 budget. This decision will provide formal direction to include the funding in the 2025/2026 Budget.

VOTING REQUIREMENTS:

Absolute Majority

ACTION	INFORMATION
PROPONENT	Department
OFFICER	Development Services Coordinator
FILE REFERENCE	031\013\003\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

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.

PREVIOUS COUNCIL CONSIDERATION:

Provided as a monthly report – Council consideration at previous meetings.

OFFICER'S REPORT:**KEY DEPARTMENT STRATEGIC OR OPERATIONAL MATTERS**

1. Recruitment process currently being finalised for Development Services Administration Officer
2. Pre-Abatement Notices and Auditing are nearing completion and achieving good results. One (1) formal abatement notice has been required to be issued at the time of writing this report;
3. Falmouth Community Centre & Falmouth Toilet Replacement community consultation phase nearing completion and a report is being prepared for Council direction.;
4. Council officers have increased activity in compliance and enforcement with various matters progressing.
5. Strategic Planning Projects have progressed and nearing appointment of successful consultants.

PLANNING REPORT

The following table provides data on the number of applications approved for the month including statistical information on the average days to approve and the type of approval that was issued under the *Land Use Planning and Approvals Act 1993*:

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD	EOFY 2023 / 2024
NPR	4	5	4	6	2	1	1	2	6				30	
Permitted	1	4	1	8	1	1	6		4				20	
Discretionary	14	6	8	5	9	10	9	8	11				71	
Amendment	4	2	2	3	1	2	1	2	2				18	
Strata	1					2	1						3	
Final Plan		2	1			2		1	1				7	
Adhesion														
Petition to Amend Sealed Plan			1		1								2	
Boundary Rectification														
Exemption														
Total applications	24	19	17	22	14	18	18	13	24				151	242

Ave Days to Approve Nett *	21.8 7	20.21	22.94	17.18	46	22.1 6	32.61	34	24.62				26.84
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* Calculated as Monthly Combined Nett Days to Approve/Total Applications

The following table provides specific detail in relation to the planning approvals issued for the month:

March 2025

DA NO.	LOCATION	DESCRIPTION	SECTION	Day to Approve Gross	Days to Approve Nett
062-2024 FINAL	Pyengana	Final Plan of Survey - Boundary Adjustment	FINAL	14	14
115-2024	Four Mile Creek	Construction of a Dwelling	S57	43	42
238-2024	Beaumaris	Change of Use for the Existing Garage to a Dwelling AND Construction of an Attached Outdoor Area and a Frontage Fence	S57	43	42
240-2024	Scamander	Alteration to Dwelling, Demolition of Existing Garden Structure and New Outdoor Patio Area	NPR	18	17
165-2024	Stieglitz	Shed	NPR	178	35
244-2024	Lottah	Dwelling, Amenities, Shed, Laundry Shed & 22.7Kl Rainwater Tank	S57	83	40
013-2025	St Helens	Alterations to a Dwelling and Shed and Partial Change of Use (Shed to Dwelling) and Two Outbuildings (One Retrospective)	S57	36	36
003-2025	Ansons Bay	Freestanding Carport	S57	30	30
009-2025	Scamander	Shed	NPR	42	5
032-2025	Fingal	Additional Use for Visitor Accommodation	S58	4	4
020-2025	Scamander	Shed	NPR	4	3
019-2025	Falmouth	Dwelling	S57	22	21
004-2020 AMEND	St Helens	Various Amendments to Planning Permit	S56	6	6
236-2024	St Helens	Awning	NPR	45	1
024-2025	St Helens	Construction of Access Ramp and Coloured Concrete Pathway with a Shade Sail Structure	S58	26	26
205-2024 AMEND	St Helens	Relocation of Dwelling South of the Previously approved Location	S56	28	28
147-2023	St Helens	13 x Dwellings	S57	614	98
129-2024	Scamander	Dwelling, Shipping Container and Extension to Secondary Residence Including	S57	28	23

		Retrospective Approval for Secondary Residence			
034-2025	Akaroa	Spa	NPR	8	8
021-2025	St Helens	Additional Use for Visitor Accommodation	S58	37	21
015-2025	St Marys	Additional Use for Visitor Accommodation	S58	32	2
017-2025	St Helens	Retrospective Approval for Existing Carport	S57	42	42
010-2025	Fingal	Construction of a Carport	S57	33	32
033-2025	St Helens	Change of Use for the Upper Floor of the Existing Building into a Country Universities Centre	S57	15	15



245-2024	St Helens	Telecommunications Tower – REFUSAL	S57	REFUSAL	REFUSAL
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Strategic Planning Projects in the 2024/2025 financial year

Description	Percentage Complete	Current Update
Scamander/Beaumaris Township Structure Plans - Develop Project Brief and engage consultancy to undertake the work.	100%	ERA Planning & Environment have been engaged to complete this Project work. This action is now complete with the consultancy work scheduled to be completed prior to 30 December 2025.
Break O'Day Council Land Use Strategy 2015 - Project Brief to be developed for implementation	15%	Review of the Land Use Strategy has been completed. Review of Low Density Residential and Rural Living land has commenced. Currently on hold as we progress the Structure Plan and Industrial Land use study.
Regional Land Use Strategy - Actively participate in and support the review of the Northern Tasmania Regional Land Use Strategy.	75%	Break O'Day is actively participating in the review of the Northern Tasmania Regional Land Use Strategy (NTRLUS) through the Regional Planning Group (RPG). Feedback to consultants has occurred and the consultants are progressing the document.
Industrial Land Use Study - Complete the 'Scoping Study' and progress the study to identify future demand, land analysis, constraints and opportunities.	60%	The project has been awarded to REMPLAN and aim to have the project work completed by 30 June 2025. Its likely this project may roll into 2025/2026 financial year.

BUILDING PROJECTS REPORT

Projects Completed in the 2024/2025 financial year

Description	Location	Updates
Old Tasmanian Hotel Site – New Community Shed	20 Talbot Street, Fingal	Completed November 2024  
St Marys Indoor & evacuation Centre	St Marys Sports Complex	Completed March 2025
New Water Refill Station	Memorial Park, St Helens	Completed January 2025
New Water Refill Station	Lions Park, St Helens	Completed February 2025 
New Toilet Addition & Further Design work	Scamander Sports Complex	Completed February 2025
Small storage shed & Security System installation	St Marys Sports Centre	Completed March 2025

Projects ongoing – Capital Works Program (Includes carried over projects previous financial years)

Description	Location	Updates
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Building upgrades	St Marys Railway Station	<ul style="list-style-type: none"> Repainting identified as priority which has commenced; Scheduled for Completion with contractor during March & April 2025.
Air-conditioning upgrades & completion of external painting	Council Office	<ul style="list-style-type: none"> External Signage & Repainting Upgrades complete; Pending expert advice in relation to required air-conditioning upgrades. Internal lighting upgrades currently being quoted.

Approved Capital Works Program – Current & Previous Financial Year - not yet started

Description	Location	Updates
Repair Render & Repaint Front Facade	Portland Hall, St Helens	<ul style="list-style-type: none"> Works scoping to be conducted in conjunction with design work for Memorial Park toilet.
Re-Roof and Weatherproofing of athletics building	St Helens Sports Complex	<ul style="list-style-type: none"> Next phase of works pending outcomes of St Helens Sports Complex Masterplan consultation.
Community Consultation, Design & Development Approval Phase – Public Toilet	Falmouth Township	<ul style="list-style-type: none"> Falmouth Community Centre & Falmouth Toilet Replacement initial design consultation completed and a report is being prepared for Council direction.
Internal Alterations – Design only.	Falmouth Community Centre	<ul style="list-style-type: none"> Falmouth Community Centre & Falmouth Toilet Replacement initial design consultation completed and a report is being prepared for Council direction.
Demolition & Construction of New Public BBQ Facility and Associated work	Village Green, Binalong Bay	<ul style="list-style-type: none"> Approved location determined by Council at November Council Meeting. Property Services/Crown Consent to proceed now obtained; Works scheduled to commence post Easter break 2025.
Community Consultation, Design & Development	Memorial Park, St Helens	<ul style="list-style-type: none"> Community engagement phase to commence as priority in

Approval Phase – Public Toilet Replacement		conjunction with consultant designer who has now been appointed; • Consultation phase to occur subsequent to Falmouth projects.
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The below table provides a summary of the building approval issued for the month including comparisons to the previous financial year.



Building Services Approvals Report March 2025

No.	BA No.	Town	Development	Value
1.	2025/00030	Four Mile Creek	New Solar Installation	\$12,000.00
2.	2020/00104-STAGE 2	Binalong Bay	Alteration & Addition to Dwelling	\$80,000.00
3.	2021/00195-Stage 2	St Helens	New & Alterations - Dwelling, Deck & Porch	\$313,000.00
4.	2022/00106-AMEND	Akaroa	Amended ceiling height & change storage to habitable use (Dwelling)	N/A
5.	2024/00231	Scamander	New Dwelling, Deck & Carport	\$200,000.00
6.	2023/00130	Stieglitz	New (2 x Units) Dwelling, Visitor Accommodation & Carport	\$900,000.00
7.	2024/00225	Akaroa	New Dwelling, Patio & Garage	\$253,000.00
8.	2025/00039	St Helens	New Solar Installation	\$10,000.00
9.	2023/00153	St Marys	New Dwelling, Veranda & retaining wall	\$450,000.00
10.	2025/00043	Four Mile Creek	New Solar Panel Installation	\$37,000.00
11.	2024/186	Scamander	Change of Use – Ancillary to Dwelling	N/A

ESTIMATED VALUE OF BUILDING APPROVALS FINANCIAL YEAR TO DATE	2023/2024	2024/2025
	\$21,155,209.00	\$24,236,642.00

ESTIMATED VALUE OF BUILDING APPROVALS FOR THE MONTH	MONTH	2024	2025
	March	\$2,487,400.00	\$2,225,000.00

NUMBER BUILDING APPROVALS FOR FINANCIAL YEAR TO DATE	MONTH	2023/2024	2024/2025
	March	126	109

Description	Updates
Dog Management	<p>The Break O'Day Shorebird Working Group met and discussed Response Plans for colony nesters like fairy terns, continuing schools and Discovery Ranger activities and dog policy amongst other issues.</p>  <p>Parks and Wildlife Service representatives indicated a response on consistent dog zones was expected before long now, which would enable Council and PWS to work jointly on installing new signage for Council's revised dog zones.</p>
Climate Change	<p>The Local Government Association of Tasmania, through its program for local government capacity on climate action, invited Council to join a grant application for a statewide Coastal Hazard management project focused on development in areas at risk of coastal erosion and inundation and improving existing the planning controls. In principle support is being given to participation, with contributions over three years subject to Council confirmation if the application for federally funding for the \$900,000 in the project is successful.</p>
Scamander Flood and Coastal Hazards project	<p>The Scamander Coastal Hazards and Flood Risks Pathways Planning project is progressing with an invitation to consultant services to quote provision of coastal hazards and flood management expertise, to deliver the project with the community and Council consultants to Scamander.</p>  <p>Planning for a May start to community engagement and risk assessment activities is underway. Completion of mitigation works for 'immediate risks' and 'pathways' planning for coastal and flood risks at the river mouth is</p>

		expected to take 12 months. The project is funded by the Australian Government's Coastal and Estuarine Risk Mitigation Program via Tasmania SES.
Water - Marine Environment	-	Council made a submission to the Federal Department of Climate Change, Energy, the Environment and Water on the Draft Conservation Advice and assessment for the <i>Ostrea angasi</i> oyster reefs of southern Australia ecological community. It qualified support for the tentative listing assessment of the marine community as threatened with a need to provide for existing uses in the Bay to continue and a call for state and federal investment. Copy of the submission and other information is available on Council's News webpage.

PUBLIC HEALTH REPORT

Recreation Water Quality

The *Public Health Act 1997* requires that Councils to monitor recreational waters (including public pools and spars) using the Tasmanian Recreational Water Quality Guidelines. Monitoring is conducted monthly during the warmer months to test faecal contamination.

The 2024-2025 sampling season has now ended. Results for water samples last season indicated conditions at the ten waters monitored were safe for swimming according to the Tasmanian Recreational Water Quality Guidelines.

All natural waters may be subject to local poorer water quality from time to time due to weather or other conditions.

Recreational water	10 December 2024		20 January 2025		24 February 2025	17 March 2025	
	Ente *(cfu/100ml)	Rec. WQ#	Ente *(cfu/100ml)	Rec. WQ#	Ente *(cfu/100ml)	Ente *(cfu/100ml)	Rec. WQ#
Grants Lagoon mouth B	<10	Good	~20	Good	~10	~50	Good
Grants Lagoon footbridge	<10	Good	<10	Good	<10	<10	Good
Grants Lagoon (camp grd)	<10	Good	<10	Good	<10	<10	Good
Beauty Bay	<10	Good	<10	Good	<10	<10	Good
Yarmouth Creek	~10	Good	~50	Good	~50	~40	Good
Wrinklers Lagoon	~10	Good	~20	Good	<10	~20	Good
Scamander River mouth	10	Good	<10	Good	<10	<10	Good
Henderson Lagoon	~30	Good	~20	Good	~10	<10	Good
Denison Rivulet	~10	Good	~20	Good	~60	~70	Good

Immunisations

The *Public Health Act 1997* requires that Councils offer immunisations against a number of diseases. The following table provides details of the rate of immunisations provided by Council through its school immunisation program.

MONTH	2024/2025		2023/2024	
	Persons	Vaccinations	Persons	Vaccinations
July - December	5	5	19	20
January - June	91	91	52	52
TOTAL	96	96	71	72

Sharps Container Exchange Program as at 4 April 2025

Current Year	Previous Year
YTD 2024/2025	YTD 2023/2024
58	57

STRATEGIC PLAN & ANNUAL PLAN:

Break O'Day Strategic Plan 2017-2027 (Revised March 2022)

Goal

Environment – To balance our use of the natural environment to ensure that it is available for future generations to enjoy as we do.

Strategy

- Ensure the necessary regulations and information is in place to enable appropriate use and address inappropriate actions.
- Undertake and support activities which restore, protect and access the natural environment which enables us to care for, celebrate and enjoy it.

LEGISLATION & POLICIES:

N/A

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

ACTION	DECISION
COUNCIL WORKSHOP DATE	14 April 2025
OFFICER	D. Szekely, Senior Town Planner
FILE REFERENCE	23/5310
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none"> 1. Draft Break O'Day Council Submission on revised LUPAA (DAP) Bill 2025 2. Background Report for Consultation (Revised) 3. Draft Land Use Planning and Approvals Amendment (DAP) Bill 2025

OFFICER'S RECOMMENDATION:

Council send the proposed submission on the draft Bill to the State Planning Office with a copy also sent to Local Government Association Tasmania.

INTRODUCTION:

In November 2024 the Break O'Day Council made a submission on the initial draft LUPAA (DAP) Bill. Following this session of consultation, the State Planning Office has released a modified version of the proposed Draft Bill that responds to the 542 submissions received from the public and later parliamentary events.

This report provides Council with a draft submission to the Bill for consideration. Any Council directed edits to the proposed submission will be incorporated prior to lodging with the State Planning Office prior to the deadline for submissions.

The draft Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025 is open for consultation from **26 February to 24 April 2025** (8-week consultation period).

PREVIOUS COUNCIL CONSIDERATION:

Council Workshop 7 April 2025

Council Meeting 20 November 2023

11/23.16.2.256 Moved: Clr L Johnstone / Seconded: Clr K Chapple

The proposed draft submission, with any required amendment by the Break O'Day Council, be forwarded to the State Planning Office and a copy sent to the Local Government Association of Tasmania in response to their request for comment on the Position Paper – DAP Framework.

CARRIED UNANIMOUSLY

Council Meeting 21 October 2024

10/24.16.6.476 Moved: Clr B LeFevre / Seconded: Clr L Johnstone

For the information of Council and preliminary discussion with the intent of further consideration and discussion to occur at Council Workshop 6 November 2024.

CARRIED UNANIMOUSLY

Council Meeting 18 November 2024

11/24.16.5.495 Moved: Clr B LeFevre/ Seconded: Clr V Oldham

Council ratifies the submission made on behalf of the Break O'Day Council on the draft Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2024.

CARRIED UNANIMOUSLY

OFFICER'S REPORT:

Attachments 2 and 3 relate to the current round of consultation for the proposed amendment to the Land Use Planning and Approvals Act 1993 for the inclusion of Development Assessment Panels as an alternative pathway for development assessment in Tasmania.

BRIEF OVERVIEW / REVISION

The proposed Development Assessment Panel is an alternative pathway for assessing development in Tasmania and is not a mandatory pathway. Any application for development that is assessed by the Development Assessment Panel is assessed against the Tasmanian Planning Scheme, including the relevant Local Provisions Schedule for that municipality.

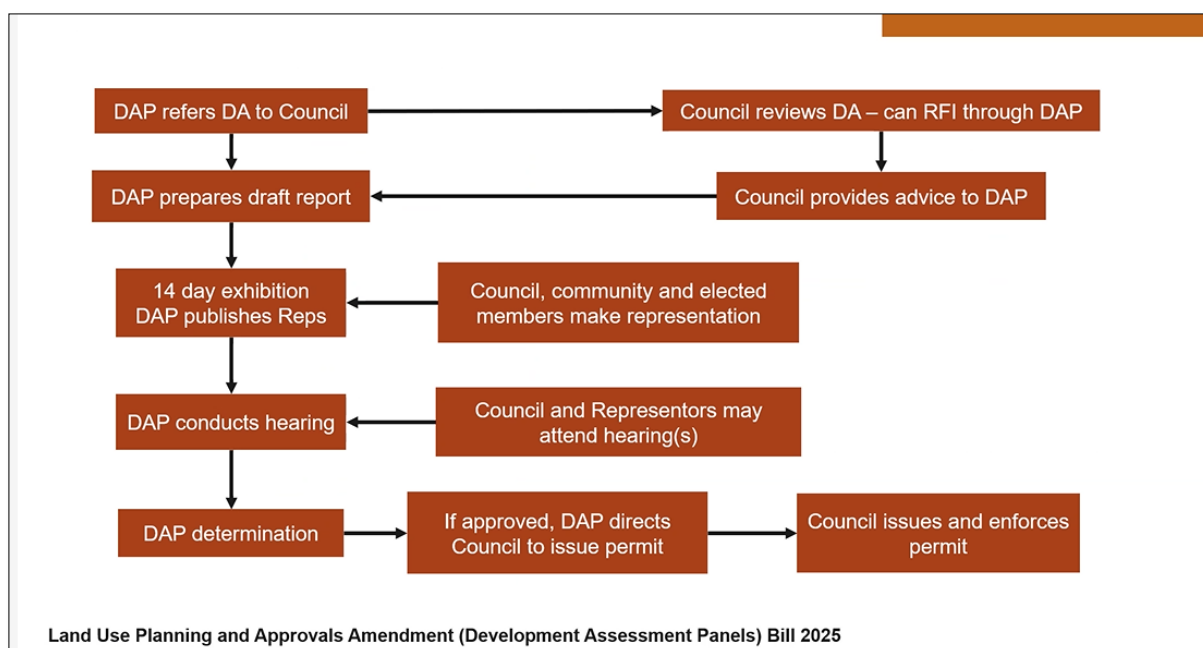
The process is still confined to Discretionary development applications that satisfy certain criteria (discussed below) and will not include Level 2 Activities that are assessed by the Environment Protection Authority. Proposed changes to the draft Bill relate to the referral pathways mainly.

The DAP pathway proposes to incorporate into the notification period a public consultation process that includes public exhibition of the development application and public hearings convened by the Tasmanian Planning Commission.

Public Exhibition of the development application includes making publicly available:

- Application materials
- Draft assessment report
- Draft permit.

The Tasmanian Planning Commission proposes to conduct Hearings within the relevant municipality that is convened by the members of the Development Assessment Panel and open to attendance by the applicant, reviewing entities and members of the public who have made a representation. Following the public hearing, the DAP will make a decision. Below is a summary of the DAP Process.



Community members, applicant and reviewing entities can make a representation to the DAP. Representations become public document and are published prior to the hearing. All representors are able to review published representations and prepare for hearings.

Following the Hearing, the DAP considers representations, submissions made at the hearing and advice from reviewing entities and makes a determination on the application against the planning scheme.

The relevant local government will be responsible for issuing and enforcing any Permit.

DEVELOPMENT ASSESSMENT PANELS VERSION 2.0

The proposed changes between the 2024 Bill and 2025 draft Bill include:

- Eligibility criteria have been tightened;
- Value thresholds have been increased;
- Entering the DAP process part-way through a council assessment is no longer possible;
- Commission is to issue guidelines to assist Minister in determining whether to refer an application to a DAP;
- Clarification has been made that the DAP can use dispute resolution; and
- Clarification has been made regarding the advice provided by the Heritage Council.

REFERRAL TO DAP - ELEGIBILITY CRITERIA

In the first instance a development application must be Discretionary and not subject to the *Environmental and Pollution Control Act (EMPCA) 1994*.

- A. Criteria for Referral – Applicant or Planning Authority with consent of Applicant – Referred to TPC for consideration of DAP.
 - a. Application relates to Social or affordable housing or subdivision for the same by Homes Tasmania or a registered community housing provider.
 - b. Application relates to development exceeding value thresholds:
 - i. \$10M (City) – increased from \$5M;

- ii. \$5M (other areas) – increased from \$2M;
 - iii. \$1M if council is both the applicant and planning authority.
- c. A class of application prescribed in regulations.
- B. Criterial for Referral – Request by Applicant or the Planning Authority to the Minister to refer an application to the Commission to be determined by a DAP.
 - a. Social or affordable housing or subdivision for social and/or affordable housing;
 - b. Application is for development that has local or state significance;
 - c. Of the view that the planning authority does not have the technical expertise;
 - d. Class of application prescribed in regulations.

In regard to criteria for referral identified in B above, the Commission proposes to develop guidelines for the Minister when determining whether or not to refer an application to the DAP on request by either the applicant or planning authority. The State Planning Office has advised that there will be consultation around the guidelines developed for the Minister by the Commission.

MINISTERIAL ROLE TO DIRECT AN LPS AMENDMENT

The state still proposes to enable the Minister to direct a council to prepare a draft amendment to its LPS where the review process under section 40B of the Act has been exhausted. Section 40B provides an avenue for the applicant to request the Commission to review the planning authority's decision to refuse an application to amend the planning scheme. The Commission can direct the planning authority to reconsider its decision but cannot direct the outcome of that process. The amendment proposes to provide an avenue for the Minister to intervene, subject to being satisfied that the LPS criteria is met. This would cause the draft amendment to be drafted and exhibited, report to be prepared for the Commission and for the Commission to hold hearings and assess the same. Essentially no change to what was proposed.

SUBMISSION MATTERS

Suggested matters for submission consideration.

1. Social and affordable housing development proposals by or on behalf of Homes Tasmania – qualifying the DAP pathway;
2. Commission Guidelines for assisting the Minister in deciding whether or not to refer an application to the Commission for assessment by the DAP when requested by the applicant or planning authority. This relates to decisions made by the Minister in relation to matters of 'state or local significance' or 'technical expertise'. It is important that appropriate guiding parameters are placed around these concepts.
3. Cost recovery for local government and how this is provided for in the drafting of the Regulations.
4. Eligibility for attending hearings is to be clear, particularly for Councillors. Do they need to make a representation in order to attend Hearings? This is related to our previous submission with concerns of loss of local context and consideration. It is important Councillors are able to attend the Hearings and whether this needs to be as a result of a representation needs to be considered.
5. Loss of Appeal Rights. This is a matter that remains within the proposed DAP framework. The State Planning Office continues to present this matter in the context that the DAP process contains public consultation as central to the process by public exhibition of all documents and public hearings where concerns of representors, applicants or reviewing

entities can be heard and considered. Council's position on the loss of appeal rights needs to be considered again.

DAP PROCESS – ROUGH OUTLINE

Below is a rough outline of the process prepared for Councillors:

1. Determine / confirm the application is eligible for the DAP
2. Within 7 days request further information from either party to the application;
3. Establish an Assessment Panel
4. Refer the DA as soon as practical to reviewing entities
5. Within 28 days the planning authority MUST provide advice on matters relating to LGBMPA + issues and concerns including engineering concerns or impacts on assets or infrastructure + suggested conditions and reasons for the conditions + any other relevant matter. May also provide advice on the application of the planning scheme to the DA;
6. Within 14 days of receiving a copy of the application, reviewing entity may make a request for further information to the DAP; No extension of time.
 - a. Planning authority can only make a RFI for impact on council infrastructure or relevant matter – info is required to provide advice to the DAP; matters to assist in the preparation of recommended conditions. Any matters to consider under LGBMPA
 - b. The DAP can notify the planning authority (or any other reviewing entity) the RFI is not relevant, the reasons why and that the further information will not be sought.
7. At the expiry of 21 days after providing copies of an application, the DAP must make the request for further information – planning authority will receive a copy.
8. Further information received is to be provided to the planning authority and planning authority must notify the DAP if request for further information is satisfied or not; This will be limited time due to DAP only having 7 days.
9. DAP must within 7 days determine if further info requested has been provided or reasonably able to be provided and is satisfied or not satisfied.
10. After the 28-day period: Within 14 days the DAP must:
 - a. Prepare draft assessment report
 - b. Exhibition notice is published
 - c. Provide notice to adjoining landowners
 - d. Exhibit the documents and information including RFI material, draft assessment report, draft permit and date of hearing
 - e. Exhibition period – 14 days
 - f. Hearing to occur within 28 days after close of exhibition period.
 - g. Mediation may occur as part of the Hearing
 - h. Hearing may be cancelled if reviewing entity requested a hearing be held, or no representations were made or representor stated they did not want to be heard
11. Legislation provides for frivolous or vexatious representations including the representation not being a representation for the purposes of the process;
12. Within 28 days after the close of the exhibition period a decision is to be made.
13. Extension of time is provided for – one extension only and not more than 21 days – request to Minister

For discussion and direction on the Break O'Day submission on the Revised Land Use Planning and Approvals (Development Assessment Panel) Bill 2025.

STRATEGIC PLAN & ANNUAL PLAN:

Break O'Day Strategic Plan 2017-2027 (Revised March 2022)

Goal

Environment - To balance our use of the natural environment to ensure that it is available for future generations to enjoy as we do.

Strategy

- Ensure the necessary regulations and information is in place to enable appropriate use and address inappropriate actions.

Key Focus Area:

Appropriate Development - Encourage sensible and sustainable development through sound land use planning, building and design.

LEGISLATION & POLICIES:

Tasmanian Planning Scheme – Break O'Day

Land Use Planning and Approvals Act 1993

Local Government (Building and Miscellaneous Provisions) Act 1993

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

Our Reference: 23/5310

Enquiries: Deb Szekely

XX April 2025

Mr. Anthony Ried
Director
State Planning Office
Department of Premier and Cabinet
GPO Box 123,
HOBART TAS 7001
E: haveyoursay@stateplanning.tas.gov.au
E: ben.morris@lgat.tas.gov.au

Dear Anthony,

LUPA Amendment (Development Assessment Panels) Bill 2024

Thank you for the opportunity to provide comments on the revised draft **LUPA Amendment (Development Assessment Panels) Bill 2025**.

The proposal to introduce an alternative pathway for Development Assessment continues to represent a significant departure from the current framework. The period afforded for public consultation is a welcomed deviation to the past management of this process. Meaningful consultation when attempting to introduce an amendment to the Tasmanian planning system, with potentially far reaching implications, is a requirement that will always be closely guarded.

Firstly, and foremost, Council wishes to remain open-minded to the proposed regulatory reform. It is important we remain engaged within the process to ensure we continue to manage any impacts to Council as the planning authority and advocate for a system that is fair, equitable and robust. Council's position on the revised Land Use Planning and Approvals (Development Assessment Panel) Bill 2025 remains restricted to three primary areas.

The first being support for a referral trigger to a Development Assessment Panel in matters of social and affordable housing but restricts this support to development applications being lodged by Homes Tasmania. It is imperative that the State is able to deliver social and affordable housing. Qualifying the referral of development applications for social and affordable housing by or on behalf of Homes Tasmania only, ensures any deviation from the existing DA process is justified and appropriate for a statutory body tasked with providing housing and housing assistance to eligible Tasmanians. The governance structure of Homes Tasmania ensures the additional development assessment pathway will be utilized appropriately to deliver on their core task.

Secondly, Council again reiterates its support for a planning authority to be able to refer applications for which it is the applicant and the planning authority, to a Development Assessment Panel. This support continues to be grounded in the desire to ensure the development assessment process is open, transparent and in accordance with planning instruments.

Finally, there remains overwhelming concern regarding the loss of appeal rights through the DAP process. Council continues to oppose any loss of appeal rights despite understanding the reasoning provided in information materials to date.

Ministerial direction to prepare a draft amendment to an LPS also continues to be a concern to Council. Similar to any other aspect of the proposed amendment that requires direction from the

Minister, the detail within any Commission Guidelines to assist the Minister in decision-making, must be part of a further community consultation process.

Break O'Day Council is also interested in further edits that address full cost recovery for the role of local government within the process and ensuring the eligibility for Councilors to choose to attend the Hearings irrespective of whether or not they have made a representation on the development application.

The Break O'Day Council maintains an open mind about the proposal and looks forward to continuing to be a part of the conversation around regulatory reform to Tasmania's planning system.

Yours sincerely,

Raoul Harper

A / GENERAL MANAGER



Revised Land Use Planning and Approvals (Development Assessment Panel) Bill 2025

Background Report for Consultation

February 2025

State Planning Office
Department of State Growth



We acknowledge and pay our respects to all Aboriginal people in Tasmania; their identity and culture.

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State Planning Office, Department of State Growth
Level 6 – 144 Macquarie Street | GPO Box 536, Hobart TAS 7001
Phone: 1300 703 977
Email: spo@stateplanning.tas.gov.au

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1.0 Background

In July 2023, the Premier of Tasmania, the Honourable Jeremy Rockliff MP, announced the preparation of new legislation to introduce independent Development Assessment Panels (DAPs) to provide an alternative planning pathway for certain development applications.

The stated intent for introducing DAPs was 'to take the politics out of planning' by providing an alternate approval pathway for more complex or contentious development applications.

The State Planning Office (SPO) prepared a [Development Assessment Panel \(DAP\) Framework Position Paper](#) (the Position Paper) to explore these matters. The Position Paper included a draft DAP framework, based on statements made in the Premier's announcement and initial consultation with key stakeholders. Submissions were invited on matters raised in the Position Paper and on the draft framework. There were 542 submissions received during the consultation period on the Position Paper which are published on the SPO [website](#).

A [Report on Consultation - DAP Framework Position Paper](#) (Report on Consultation) was published in October 2024. The Report on Consultation summarised the issues raised in the submissions, provided a response to those issues and outlined a revised DAP framework and model for the Minister to direct a planning authority to prepare a draft amendment to its LPS.

The findings from the Report on Consultation were used to inform the drafting of the [draft Land Use Planning and Approvals Amendment \(Development Assessment Panels\) Bill 2024](#) (DAP Bill 2024) which was open for a 5 week public consultation period, closing on 12 November 2024. A total of 461 submissions were received which are also available for viewing on the SPO [website](#). The draft DAP Bill 2024 underwent some modifications following consultation feedback prior to being tabled in Parliament on 19 November 2024.

A copy of the tabled DAP Bill 2024, related documents and results of debate in the House of Assembly and the Legislative Council, including access to Hansard records, can be found on the [Parliament website](#).

2.0 Summary of DAP Bill 2024

2.1 DAP assessment pathway

The DAP Bill 2024 provided an option for certain discretionary development applications to be determined by an independent DAP, established by the Commission, subject to the application satisfying one or more of the following criteria:

- being for social or affordable housing, including subdivision to facilitate social or affordable housing, proposed by or on behalf of Homes Tasmania or a registered community housing provider;

- where the applicant, or the planning authority with the consent of the applicant, requests a DAP to determine the application and the application is for development valued at over \$5M in metropolitan areas or over \$2M in non-metropolitan areas;
- where the council is both the applicant and planning authority, and the development is valued at over \$1M;
- it falls within a class of application prescribed by regulations; or
- an application that, upon request by the applicant or planning authority is deemed, by the Minister, to be suitable for DAP determination if:
 - it is for the provision of social or affordable housing, including subdivision to facilitate social or affordable housing, proposed by a developer other than Homes Tasmania or a registered community housing provider;
 - the development is significant or important to the local area or the State;
 - it requires a level of technical expertise that the planning authority is unable to provide;
 - it is controversial;
 - there is a real perceived conflict of interest or bias involving the planning authority; or
 - it falls within a class of application prescribed by regulations.

The DAP Bill 2024 allowed eligible applications to be lodged directly with a DAP or for applications to be transferred to a DAP by the Minister partway through the planning authority's assessment process.

Applications lodged directly with a DAP were subject to set statutory timeframes for the completion of assessment tasks. The time taken for the DAP to determine an application to a permit issued is 98 days or 112 days with a possible extension being granted. Applications referred to a DAP partway through the planning authority's assessment had their assessment process and timeframes determined by the DAP on an individual basis.

The requirement for the DAP to assess the application against the provisions of the planning scheme were strengthened in the draft Bill following submissions received during consultation that it was unclear.

The DAP was required to undertake public exhibition of the application, invite representations and hold public hearings. The decision of the DAP was final with no right of appeal based on planning merit.

2.2 Ministerial direction to prepare a draft amendment

The DAP Bill 2024 also enabled the Minister to direct a council to prepare a draft amendment to its LPS where the review process under section 40B of the Act had been exhausted.

The Ministerial direction can only occur if the Commission requests the council to reconsider its rejection of a draft amendment. A draft amendment prepared under the

Minister's direction only commences the Commission's assessment process rather than any approval or making of an amendment to the LPS.

3.0 Summary of changes - revised draft DAP Bill 2025

The following table provides a summary of the main changes made to the revised draft DAP Bill 2025 and the reasons for those changes.

Modification	Reason
Removal of the option for an applicant or planning authority to request the Minister to transfer an application to a DAP for determination partway through a council assessment process.	This pathway was removed because it was overly complex and provided uncertainty to both the applicant and planning authority in the assessment process. It also causes the assessment process to take longer and potentially duplicating assessment tasks performed by the DAP and planning authority.
Modifying the criteria for when the Minister can refer a new application to a DAP for determination by removing certain statements, such as where an application is likely to be 'controversial'.	The removal of ambiguous or subjective criteria helps provide certainty regarding the eligibility of applications to enter the DAP assessment process. This matter is also helped by the requirement of the Commission to prepare guidelines for the Minister to use when making a determination to refer an application (see below for further details).
Increasing the value thresholds for an application to be referred to a DAP from \$5 million to \$10 million in a city, and from \$2 million to \$5 million in other areas.	In response to concerns that the threshold values are too low and that it would allow too many applications to enter the DAP process.
Allowing the Commission to issue guidelines to assist the Minister in determining whether to refer an application to a DAP and a requirement for the Minister to take these guidelines into account when making that determination.	To provide greater certainty and accountability regarding what applications are eligible for referral to a DAP for determination.
Clarifying that the DAP can use alternate dispute resolution techniques when making a determination and trying to resolve issues between parties.	Although dispute resolution and mediation processes are implicit in the Commission's proceeding, the proposed inclusion of explicit provisions gives greater certainty to aggrieved parties.

Modification	Reason
Clarifying that the DAP can modify hearing dates and times subject to giving notice and that hearings can occur during an agreed extension of time.	Modification made to provide greater flexibility for conducting hearings to account for availability of the parties to attend hearings, or the need to add additional hearings days to consider the issues raised in the submissions.
Including provisions that allow the Commission to appoint a substitute panel member should a previously appointed member become unavailable.	Modification made to allow flexibility in the Panel membership in case a member becomes unavailable so that it does not hold up the assessment process.
Clarifying that the Heritage Council, in providing its advice to the DAP, are to have regard to the relevant matters that it would normally for an application under s.39(2) of the <i>Historic Cultural Heritage Act 1995</i> .	Modification made to clarify the extent of advice provided by the Heritage Council to the DAP.
Clarifying that the Heritage Council retains its normal enforcement functions following the issuing of a permit approved by the DAP.	Modification to clarify that the Heritage Council retains its enforcement function regarding any heritage conditions it may have recommended be imposed on the permit consistent with post approval functions under other assessment pathways.

The most significant changes to the revised draft Bill 2025 have been made to the scope of eligibility for applications to enter the DAP process.

The following provides a summary of the revised eligibility criteria:

A development application may be eligible for DAP determination if it is for a discretionary permit and is not subject to the *Environmental Management and Pollution Control Act 1994*.

An applicant, or the relevant planning authority with the consent of the applicant, can apply to the Commission for a development application to be determined by a DAP subject to satisfying one or more of the following:

1. The application relates to development that includes social or affordable housing or a subdivision to facilitate social and affordable housing, made by, or on behalf of, Homes Tasmania or a registered community housing provider.

2. The application relates to development that exceeds the following value thresholds:
 - a) over \$10 Million or such other amount prescribed, if all, or any part of the development, is located in a city;
 - b) over \$5 Million or such other amount prescribed, where the development is located elsewhere ;
 - c) over \$1 Million if council is the applicant and the planning authority, or such other amount prescribed in Regulations; or
 - d) a class of application prescribed in Regulations.

The applicant or the relevant planning authority may request the Minister to refer an application to the Commission to be determined by a DAP subject to the Minister being satisfied that one or more of the following criteria are met. In making this decision, the Minister must have regard to the guidelines prepared by the Commission:

1. The application relates to development that includes social or affordable housing, or a subdivision to facilitate social and affordable housing, for persons who may otherwise be unable to access suitable accommodation in the private rental or property market;
2. the application is for development that is considered to be of significance to the local area or State;
3. the applicant or planning authority is of the view that the planning authority does not have the technical expertise to assess the application;
4. the planning authority has, or is likely to have a conflict of interest, or there is perceived bias on the part of the planning authority; or
5. a class of application prescribed in Regulations.

4.0 Next Steps

A copy of the draft Bill 2025 is available for viewing and download on the SPO website.

The draft Bill will undergo a 8 week consultation period during which time submissions are invited through the SPO's [Have your say](#) platform.

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TASMANIA

**LAND USE PLANNING AND APPROVALS
AMENDMENT (DEVELOPMENT ASSESSMENT
PANELS) BILL 2025**

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40BA. Minister may review certain decisions
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PART 3 – HISTORIC CULTURAL HERITAGE ACT 1995 AMENDED

10. Principal Act
11. Section 33 substituted
33. Application of Planning Act to heritage works is subject to this Part

**LAND USE PLANNING AND APPROVALS
AMENDMENT (DEVELOPMENT ASSESSMENT
PANELS) BILL 2025**

*(Brought in by the Minister for Housing, Planning and
Consumer Affairs, the Honourable Felix Ashton Ellis)*

A BILL FOR

An Act to amend the *Land Use Planning and Approvals Act 1993* and to consequentially amend the *Historic Cultural Heritage Act 1995*

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Land Use Planning and Approvals Amendment (Development Assessment Panels) Act 2025*.

2. Commencement

The provisions of this Act commence on a day or days to be proclaimed.

*Land Use Planning and Approvals Amendment (Development
Assessment Panels) Act 2025
Act No. of 2025*

s. 3

Part 1 – Preliminary

3. Repeal of Act

This Act is repealed on the first anniversary of the day on which the last uncommenced provision of this Act commenced.

Consultation Draft

*Land Use Planning and Approvals Amendment (Development
Assessment Panels) Act 2025*
Act No. of 2025

Part 2 – Land Use Planning and Approvals Act 1993 Amended

s. 4

**PART 2 – LAND USE PLANNING AND APPROVALS
ACT 1993 AMENDED**

4. Principal Act

In this Part, the *Land Use Planning and Approvals Act 1993** is referred to as the Principal Act.

5. Section 3 amended (Interpretation)

Section 3(1) of the Principal Act is amended by omitting the definition of *discretionary permit* and substituting the following definition:

discretionary permit means a permit to which –

- (a) section 57 applies or to which, but for section 40Y(5), section 57 would apply; or
- (b) Division 2AA of Part 4 applies;

6. Section 8A amended

Section 8A of the Principal Act is amended as follows:

- (a) by renumbering the section as subsection (1);

*No. 70 of 1993

*Land Use Planning and Approvals Amendment (Development
Assessment Panels) Act 2025*
Act No. of 2025

s. 6

Part 2 – Land Use Planning and Approvals Act 1993 Amended

(b) by inserting the following subsection after subsection (1):

(2) For the purposes of Division 2AA of Part 4, the Commission may issue guidelines for the purpose of assisting the Minister in determining whether –

(a) a development includes –

(i) social or affordable housing; or

(ii) a subdivision, within the meaning of Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, that includes social or affordable housing; or

(b) an application to the Minister under that Division should be referred to the Commission for the purpose of establishing an

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Assessment Panel under
that Division.

7. Section 40BA inserted

After section 40B of the Principal Act, the following section is inserted in Division 2:

40BA. Minister may review certain decisions

- (1) If a person has received notice from the planning authority under section 40B(6)(b) that the planning authority does not intend to prepare a draft amendment to the LPS, the person may apply to the Minister for a review of that decision of the planning authority (the *reviewable decision*).
- (2) An application to the Minister under subsection (1), in respect of a reviewable decision –
 - (a) is to be in a form approved by the Minister; and
 - (b) is to contain the information prescribed for the purposes of the application; and
 - (c) is to include a copy of the following documents:
 - (i) the notification given by the planning authority under section 40B(6)(b)

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in respect of the
reviewable decision;

(ii) the notice of the
Commission given to the
applicant under
section 40B(5) in respect
of the reviewable
decision;

(iii) the notice under
section 38(3) to which the
reviewable decision
relates;

(iv) the request under
section 37(1) to which the
reviewable decision
relates;

(v) any other prescribed
document.

(3) If an application is made to the Minister
under subsection (1), in respect of a
reviewable decision –

(a) the Minister is to provide a copy
of the application to the relevant
planning authority and the
Commission; and

(b) within 7 days after receiving the
copy of the application –

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- (i) the relevant planning authority is to provide the Minister, in writing, with its reasons for making the decision under section 40B(6) in respect of the reviewable decision and its opinion as to the merits of the reviewable decision; and
 - (ii) the Commission may provide the Minister, in writing, with any further information that the Commission considers relevant in respect of the reviewable decision.
- (4) After receiving an application under subsection (1) and reviewing the information provided in respect of the application under subsection (3), the Minister may –
 - (a) in accordance with section 40C, direct the relevant planning authority to prepare a draft amendment on an LPS in relation to the request made under section 37(1) to which the relevant reviewable decision relates; or

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-
- (b) refuse to take any action in respect of the application.
- (5) The Minister may only make a direction under subsection (4)(a) if, in the opinion of the Minister, the draft amendment meets the  criteria.
- (6) Before making a decision under subsection (4) in respect of an application, the Minister may inform himself or herself, in the manner the Minister thinks appropriate, in relation to any matter that is relevant to the application. 
- (7) As soon as practicable after making a decision under subsection (4) in respect of an application, the Minister is to give written notice of the decision, and the reasons for the decision, to the relevant planning authority, the Commission and the applicant. 
- (8) For the avoidance of doubt, an application may be made under this section in respect of a request under section 40B(1), whether or not an application has also been made under section 40T(1) that relates to the request.

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8. Section 40C amended (Direction to prepare draft amendments of LPS)

Section 40C(1) of the Principal Act is amended by inserting after paragraph (d) the following paragraph:

- (da) to implement a decision of the Minister under section 40BA(4) to prepare a draft amendment;

9. Part 4, Division 2AA inserted

After section 60A of the Principal Act, the following Division is inserted in Part 4:

***Division 2AA – Development Assessment Panels
Subdivision 1 – General***

60AA. Interpretation of Division

- (1) In this Division –

Assessment Panel, in relation to an application under this Division, means the Development Assessment Panel that –

- (a) is constituted in accordance with section 60AB; and
- (b) is established, in respect of the application, by the

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Commission under
section 60AE;

city has the same meaning as in section
16A of the *Local Government Act*
1993;

exhibition period, in relation to an
application under this Division,
means the 14-day period
commencing on the day specified
in the notice published under
section 60AH(1)(b) in respect of
the application;

Homes Tasmania has the same
meaning as in the *Homes*
Tasmania Act 2022;

party, in relation to an application,
includes –

- (a) the proponent for the
development to which the
application relates; and
- (b) the relevant planning
authority;

*registered community housing
provider* has the same meaning as
it has in the Community Housing
Providers National Law
(Tasmania);

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reviewing entity, in relation to an application under this Division, includes –

- (a) the planning authority for each relevant municipal area to which the application relates; and
- (b) the relevant regulated entity, within the meaning of Division 2A; and
- (c) the Heritage Council, within the meaning of the *Historic Cultural Heritage Act 1995*, if the application relates to a development that includes heritage works within the meaning of Part 6 of that Act; and
- (d) a pipeline licensee, within the meaning of Division 2A, if the application relates to land that is wholly or partly within a gas infrastructure planning corridor, within the meaning of the *Gas Industry Act 2019*;

subdivision, in relation to a development, has the same

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meaning as in Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

- (2) For the avoidance of doubt, the *Tasmanian Planning Commission Act 1997* applies to this Division as if a reference in this Division to an Assessment Panel were a reference to the Commission.

60AB. Constitution of Assessment Panel

- (1) In establishing an Assessment Panel under this Division, the Commission is to appoint 3 persons as members of the Assessment Panel.
- (2) Despite subsection (1), the Commission may appoint more than 3 persons, but no more than 5 persons, as members of an Assessment Panel, in respect of a permit application, if the Commission –
- (a) is of the opinion that the scale, specialist nature or complexity of the development to which the application relates requires the Assessment Panel to include persons with particular qualifications or experience to assist in the assessment of the application; and

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- (b) the Commission is satisfied, on reasonable grounds, that more than 3 persons are required as members of the Assessment Panel to ensure that the Assessment Panel has those qualifications and experience.
- (3) If a position on an Assessment Panel established under this Division is vacated, the Commission may appoint a person under this section to fill the vacancy.
- (4) For the avoidance of doubt, the performance of a function or the exercise of a power of an Assessment Panel, under this Division, is not invalid solely on the basis that the function is performed, or the power is exercised, while –
 - (a) a member of the Assessment Panel is absent; or
 - (b) a position on the Assessment Panel is vacant.

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***Subdivision 2 – Certain applications may be determined by
Assessment Panel***

**60AC. Certain permit applications may be made to
Commission**

- (1) A person may apply to the Commission for an application for a discretionary permit to be determined by an Assessment Panel if –
 - (a) the application –
 - (i) is being made by, or on behalf of, Homes Tasmania or a registered community housing provider; and
 - (ii) relates to a development that includes social or affordable housing or a subdivision that includes social or affordable housing; or
 - (b) the application relates to a development that is valued in excess of –
 - (i) \$10 000 000 or such other amount as may be prescribed – if all, or any part, of the development

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is to be located in a city;
or

(ii) \$5 000 000 or such other
amount as may be
prescribed – in any other
case; or

(c) the council is both parties in
relation to the application, and the
application relates to a
development that is valued in
excess of \$1 000 000 or such
other amount as may be
prescribed; or

(d) the application falls within a class
of applications prescribed for the
purpose of this section. 

(2) An application under subsection (1) –

(a) may only be made by –

(i) the applicant for the
discretionary permit; or

(ii) the relevant planning
authority, with the
consent of the applicant
for the discretionary
permit; and

(b) is to –

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- (i) be in a form approved by the Commission; and
 - (ii) contain the prescribed information; and
 - (iii) be accompanied by evidence that the application meets one or more of the requirements specified in subsection (1).
- (3) An application may not be made under subsection (1) if the application is an application to which section 25 of the *Environmental Management and Pollution Control Act 1994* applies.
- (4) If the Commission requires further information in respect of whether an application falls under subsection (3), the Commission may seek further information from the Board, within the meaning of the *Environmental Management and Pollution Control Act 1994*.
- (5) Within 7 days after receiving an application under this section, the Commission is to do one or more of the following:
 - (a) request further information from either party to the application;

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- (b) return the application to the applicant if, in the opinion of the Commission –
 - (i) the application is an application to which section 25 of the *Environmental Management and Pollution Control Act 1994* applies; or
 - (ii) the purported application does not meet the requirements for an application under this section;
- (c) establish an Assessment Panel under section 60AE in respect of the application.

60AD. Minister may refer certain permit applications to Commission

- (1) A party to an application for a discretionary permit may request that the Minister direct the Commission to establish an Assessment Panel in respect of the application if –
 - (a) the application relates to a development that includes social or affordable housing, or a subdivision that includes social or

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affordable housing, for persons who may otherwise be unable to access suitable accommodation in the private rental or property market; or

- (b) the application relates to a development that may be considered significant, or important, to –

(i) the area in which the development is to be located; or

(ii) the State; or

- (c) either party to the application believes that the relevant planning authority does not have the technical expertise to assess the application; or

- (d) the relevant planning authority may have, in respect of the proponent or development –

(i) a conflict of interest or a perceived conflict of interest; or

(ii) a real or perceived bias, whether for or against the proponent or development; or

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- (e) the application falls within a class of applications prescribed for the purpose of this section.
- (2) An application for a discretionary permit, that is the subject of a request under subsection (1) –
 - (a) is to be in a form approved by the Commission; and
 - (b) must include a statement as to why the party to the application is making the request that the Minister refer the application to the Commission; and
 - (c) must be accompanied by evidence that the application meets one or more of the requirements specified in subsection (1); and
 - (d) must contain the prescribed information.
- (3) If the Minister receives a request under subsection (1), in relation to an application for a discretionary permit, that is only made by one party to the application, the Minister is to ensure that each other party to the application is –
 - (a) provided with a copy of the request and the application; and

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- (b) notified that the party has a right to respond to the Minister, in respect of the request, within 7 days after the party is provided with a copy of the request under paragraph (a).
- (4) The Minister may refer an application for a discretionary permit to the Commission if, in the opinion of the Minister after considering any relevant guidelines issued under section 8A(2) –
 - (a) the application meets one or more of the requirements specified in subsection (1); and
 - (b) the application is not an application to which section 25 of the *Environmental Management and Pollution Control Act 1994* applies.
- (5) Before the Minister refers an application for a discretionary permit under subsection (4), the Minister is to consult with such part of the Department, that is responsible for the administration of this Act, in respect of the application.
- (6) The Minister may refuse to refer an application for a discretionary permit to the Commission, under this section, for any reason.

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- (7) Within 7 days after receiving an application referred by the Minister under this section, the Commission may –
- (a) return the application to the applicant if, in the opinion of the Commission –
 - (i) the application is an application to which section 25 of the *Environmental Management and Pollution Control Act 1994* applies; or
 - (ii) the purported application does not meet the relevant requirements under this Division for such an application; or
 - (b) establish an Assessment Panel under section 60AE in respect of the application.

60AE. Commission to establish Assessment Panel – new applications

- (1) The Commission is to establish an Assessment Panel to undertake an assessment of an application made under section 60AC, or an application referred to the Commission under section 60AD,

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if the Commission is satisfied, on reasonable grounds, that –

- (a) the application is not an application to which section 25 of the *Environmental Management and Pollution Control Act 1994* applies; and
 - (b) the application meets the relevant requirements of this Division for such an application.
- (2) If an Assessment Panel is established under this section in respect of an application, the *Historic Cultural Heritage Act 1995* does not apply in respect of the assessment of the application under this Division.

***Subdivision 3 – Assessment of applications by Assessment
Panel***

60AF. Applications for permits to be provided to certain entities

- (1) As soon as practical after the Commission establishes an Assessment Panel under section 60AE in respect of an application, the Assessment Panel is to provide a copy of the application to each reviewing entity for that application.

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(2) Within 28 days after being provided a copy of an application under subsection (1) –

(a) each planning authority **must** provide advice, to the Assessment Panel, relating to the application on the following matters:

(i) any matters that the planning authority would consider, in respect of the application, under the *Local Government (Building and Miscellaneous Provisions) Act 1993*;

(ii) issues and concerns that the planning authority has in respect of the matter to which the application relates including, but not limited to, **engineering concerns or the impacts on assets or infrastructure** owned or operated by the planning authority;

(iii) suggested terms and conditions that should be imposed on a permit if it is granted under the application and the

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reasons for those terms
and conditions;

(iv) any other matter that the
planning authority
considers relevant to the
application; and

(b) each planning authority may
provide advice, to the Assessment
Panel, relating to the application
of the relevant planning scheme
to the application; and

(c) each other reviewing entity for
the application is to provide
advice, to the Assessment Panel
relating to the application, on any
matter that the reviewing entity
considers relevant to the
application including, but not
limited to, suggested terms and
conditions that should be imposed
on a permit if it is granted under
the application and the reasons
for those terms and conditions.

(3) If the Heritage Council is provided with a
copy of an application under
subsection (1), the Heritage Council is to
have regard to the following matters
before providing advice in respect of the
application in accordance with
subsection (2):

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- (a) the likely impact of work performed under a permit, if granted under the application, on the historic cultural heritage significance, within the meaning of the *Historic Cultural Heritage Act 1995*, of –
 - (i) the place or area on which the work is to be performed under the permit; and
 - (ii) any place or area adjoining the place or area on which the work is to be performed under the permit;
 - (b) any relevant works guidelines, within the meaning of the *Historic Cultural Heritage Act 1995*, or matters prescribed for the purposes of section 39 of that Act;
 - (c) any matters prescribed for the purposes of this subsection.
- (4) For the purposes of Division 5B of Part 3 of the *Electricity Supply Industry Act 1995* –
- (a) an application under this Division is taken to be an application for a

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permit within the meaning of that
Division of that Act; and

- (b) if an Assessment Panel is established in respect of an application under this Division, a reference to a planning authority in respect of an application, in that Division of that Act, is taken to be a reference to the Assessment Panel established in respect of the application.

60AG. Additional information may be required

- (1) Within 14 days after receiving a copy of an application under section 60AF(1), a reviewing entity may make a request to the Assessment Panel for further information in respect of the application to enable the reviewing entity to provide advice on the application under section 60AF.
- (2) A planning authority may only request further information under subsection (1) in relation to the following matters:
 - (a) for the purpose of determining the impact of the use and development on the infrastructure of the council in the relevant municipal area if the application were to be approved and the permit issued;

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- (b) any matter that the planning authority considers relevant for the purpose of preparing advice, to the Assessment Panel, relating to the application of the relevant planning scheme to the application;
- (c) to assist in the preparation of recommended conditions to be imposed on the permit in respect of the impact of the use and development on the infrastructure of the council;
- (d) any matters that the planning authority is entitled to consider, in respect of the application, under the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

(3) If a reviewing entity makes a request for further information under subsection (1) in respect of an application, the Assessment Panel may notify the reviewing entity, in writing –

- (a) that the Assessment Panel believes that the requested information is not relevant to the application; and
- (b) the reasons for that belief; and

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- (c) that the requested information is not information that will be provided under this section.
- (4) At the expiry of 21 days after providing copies of an application under section 60AF(1), the Assessment Panel is to –
 - (a) make a request, in writing, that the applicant provide the further information requested under subsection (1), or such further information requested by the Assessment Panel, in respect of the application, as the Assessment Panel is satisfied that –
 - (i) the information is relevant to the application; and
 - (ii) the Assessment Panel does not already have the information; and
 - (b) send a copy of the written request to the reviewing entities for the application.
- (5) If an applicant provides further information to the Assessment Panel as the result of a request made under subsection (4) –

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- (a) the Assessment Panel is to provide a copy of the further information to all the reviewing entities for the application; and
 - (b) each reviewing entity is to notify the Assessment Panel if –
 - (i) the reviewing entity is satisfied that the additional information provided meets the requests so made; or
 - (ii) in the opinion of the reviewing entity, further information was requested and has not been provided by the applicant.
- (6) Within 7 days after receiving further information as a result of a request under subsection (4), the Assessment Panel must –
- (a) determine that –
 - (i) all further information so requested has been provided by the applicant; or
 - (ii) the applicant has provided all the further information so requested that is reasonably able to be

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provided by the applicant;
or

- (b) notify the applicant that the Assessment Panel is not satisfied that the applicant has complied with all requests under subsection (4) in respect of the application.
- (7) If an Assessment Panel makes a request to an applicant under subsection (4) for further information, all relevant time periods under this Act do not run in respect of the application until, in the opinion of the Assessment Panel, all requests for further information have been answered.
- (8) For the avoidance of doubt, nothing in this section entitles a reviewing entity to request new information, in respect of an application under section 60AF(1), if more than 14 days have passed since the Assessment Panel provided the reviewing entity with a copy of the application as required under this section.

60AH. Exhibition of applications

- (1) Within 14 days after the expiry of the period specified in section 60AF(2) in respect of an application, the Assessment Panel is to –

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- (a) prepare a draft assessment report in relation to the application; and
- (b) ensure that an exhibition notice is published that specifies, in relation to the documents and information specified in paragraph (d) –
 - (i) the day on which the exhibition of the documents and information is to commence; and
 - (ii) that the documents and information are or will be available for viewing by the public during the exhibition period at the premises specified in the notice; and
 - (iii) that the documents and information may be downloaded by the public from the website specified in the notice; and
- (c) provide a copy of a notice under paragraph (b) to all property owners who own land adjoining the land to which the application relates; and

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- (d) exhibit the following documents and information, in respect of the application, in accordance with the exhibition notice published under paragraph (b):
 - (i) the application;
 - (ii) each document, or piece of information, provided by a reviewing entity under section 60AF in respect of the application;
 - (iii) any further information provided by the applicant under this Act in accordance with section 60AG;
 - (iv) the draft assessment report;
 - (v) if the draft assessment report recommends that a permit be granted, a draft permit, including each proposed condition to be imposed in respect of the permit;
 - (vi) the date on which, and the location at which, a hearing under section 60AI may be held in respect of the

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application, being a date
that is not less than 10
days after the close of the
exhibition;

(vii) a statement that the
hearing may be cancelled
in accordance with
section 60AJ.

- (2) An exhibition notice under
subsection (1)(b) is to be published as
prescribed.
- (3) An exhibition under subsection (1)(d) is
to be held for a period of 14 days from
the day specified in the notice published
under subsection (1)(b), excluding any
days on which the premises, where the
exhibition is occurring, are closed to the
public during normal business hours.
- (4) A person may make comments, and
provide feedback, to the Assessment
Panel in respect of an application during
the exhibition period for the application.
- (5) If the Assessment Panel has exhibited,
under subsection (1)(d), the date and
location of a hearing under section 60AI,
the Assessment Panel may do either or
both of the following by giving notice in
accordance with subsection (6):

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- (a) alter the date on which the hearing may be held to a later date specified in the notice;
 - (b) alter the location at which the hearing may be held to a location specified in the notice.
- (6) As soon as practicable after an Assessment Panel gives notice, under subsection (5), to alter a hearing under section 60AI in respect of an application, the Assessment Panel must ensure that a copy of the notice –
 - (a) is published in the manner prescribed under subsection (2); and
 - (b) is exhibited with the documents and information exhibited under subsection (1)(d) in respect of the application; and
 - (c) is given to –
 - (i) each party to the application; and
 - (ii) each reviewing entity; and
 - (iii) all persons who made a representation, in respect of the application, who have provided contact

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details to the Assessment
Panel.

60AI. Hearings in respect of applications

- (1) The Assessment Panel is to hold a hearing in respect of an application, as specified in the notice published under section 60AH(1)(b) in respect of the application, except where the hearing is cancelled in accordance with section 60AJ.
- (2) A hearing under this section, in respect of an application, is to be open to –
 - (a) each party to the application; and
 - (b) each reviewing entity; and
 - (c) all persons who made a representation in respect of the application.
- (3) A hearing under this section in respect of an application, if not cancelled in accordance with section 60AJ, must be completed –
 - (a) within 28 days after the close of the exhibition period in respect of the application or such further period as agreed under section 60AM; and

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- (b) before the Assessment Panel takes an action specified in section 60AL(1) in respect of the application.
- (4) Without limiting the ability of the Assessment Panel to regulate the proceedings of a hearing in respect of an application, the Assessment Panel may use such dispute resolution techniques including, but not limited to, mediation as part of a hearing under this section, if the Assessment Panel considers it appropriate in the circumstances.

60AJ. Hearing may be cancelled in certain circumstances

- (1) The Assessment Panel for an application under this Division may cancel a proposed hearing to be held under section 60AI in respect of the application if –
 - (a) during the assessment of the application, no reviewing entity requested that a hearing be held, under section 60AI, in respect of the application; and
 - (b) during the exhibition period for the application –

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- (i) no representations were made in respect of the application; or
 - (ii) the representations that were made in respect of the application were in support of the application or specified that the person making the representation does not wish to be heard at a hearing under section 60AI.
- (2) If a hearing in respect of an application is cancelled in accordance with subsection (1), the Assessment Panel may direct the relevant planning authority to issue a permit in accordance with the draft assessment report prepared under this Division in respect of the application.
- (3) If the Assessment Panel cancels a hearing under subsection (1) in respect of an application, the Assessment Panel is to give written notice that –
 - (a) the hearing is not to be held, under section 60AI, in respect of the application; and
 - (b) the relevant planning authority has been directed to issue a

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permit in respect of the
application.

- (4) A written notice under subsection (3) that relates to the cancellation of a hearing in respect of an application must be given to –
- (a) each party to the application; and
 - (b) each reviewing entity for the application; and
 - (c) each person who made a representation in respect of the application.
- (5) For the avoidance of doubt, nothing in this section requires the Assessment Panel to cancel a hearing under subsection (1).

60AK. Frivolous or vexatious representations

If, in the opinion of the Assessment Panel for an application, a representation that is frivolous or vexatious has been made during the exhibition period for the application –

- (a) as soon as practical after forming the opinion, the Assessment Panel is to notify the person who made the representation –

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- (i) that the Assessment Panel is of the opinion that the representation is frivolous or vexatious; and
 - (ii) of the grounds on which the Assessment Panel has formed that opinion; and
- (b) the representation is not a representation for the purposes of this Subdivision.

60AL. Determination of application by Assessment Panel

- (1) Within 28 days after the close of the exhibition period in respect of an application, the Assessment Panel must –
 - (a) refuse the application and notify the following persons of that decision:
 - (i) each party to the application;
 - (ii) each reviewing entity for the application;
 - (iii) each person who made a representation in respect of the application; or

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- (b) subject to subsection (3), approve the application and subsequently –
 - (i) notify the following persons of that decision:
 - (A) each party to the application;
 - (B) each reviewing entity for the application;
 - (C) each person who made a representation in respect of the application; and
 - (ii) direct the relevant planning authority to issue a permit as specified by the Assessment Panel in the direction.
- (2) In making a decision under subsection (1) in respect of an application, the Assessment Panel must –
 - (a) apply the provisions of the relevant planning scheme, as in effect on the day on which the application was made; and

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- (b) seek to further the objectives set out in Schedule 1; and
- (c) have regard to any advice provided by a reviewing entity under section 60AF in respect of the application; and
- (d) take into consideration –
 - (i) such of the prescribed matters as are relevant to the development to which the application relates; and
 - (ii) the matters set out in representations made to the Assessment Panel, under this Division, in respect of the application; and
 - (iii) the submissions made at any hearing held under section 60AI in respect of the application; and
- (e) accept a relevant bushfire hazard management plan, or other prescribed management plan relating to environmental hazards or natural hazards, that has been certified as acceptable by an accredited person or a State Service Agency; and

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- (f) if the application relates to any land within Wellington Park, as defined in the *Wellington Park Act 1993*, take into account the standards, values and conditions set out in each management plan, within the meaning of that Act, in force as at the date of the application.
- (3) An Assessment Panel must not make a decision under subsection (1) in respect of an application if, had the application been made to a planning authority under section 51, the planning authority would have been unable to make the same decision in respect of the application under that section.
- (4) If a permit is granted under this section, section 53 applies to the permit as if a reference in that section to the planning authority were a reference to the Assessment Panel.

60AM. Extension of certain time periods

- (1) If an Assessment Panel needs an extension of the period specified in section 60AL(1), including for the purpose of extending the period specified in section 60AI(3), the Assessment Panel may make a request to the Minister that

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the period be extended in accordance with subsection (2).

- (2) At the request of the Assessment Panel under subsection (1), the Minister may grant one extension, of not more than 21 days, of the period specified in section 60AL(1) if the Minister considers the extension reasonable in the circumstances.
- (3) Subsections (1) and (2) do not apply to an Assessment Panel if the Assessment Panel and the applicant agree to –
 - (a) an extension of the period specified in section 60AL(1) in respect of an application; and
 - (b) the duration of that extension.
- (4) If an extension is granted under subsection (2) or agreed under subsection (3) in respect of an application, the Assessment Panel is to notify the following persons that the extension has been granted, or agreed, and the duration of that extension:
 - (a) each party to the application;
 - (b) each reviewing entity for the application;

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- (c) each person who made a representation in respect of the application.

Subdivision 4 – Miscellaneous

60AN. Application may be withdrawn by applicant

- (1) At any stage before an Assessment Panel gives a direction under section 60AJ(2) or section 60AL(1)(b) in respect of an application, the applicant may withdraw the application by written notice to the Assessment Panel.
- (2) If an application has been withdrawn under subsection (1), the Assessment Panel is to notify the following persons that the application has been withdrawn:
 - (a) each reviewing entity who has been provided with the application under section 60AF;
 - (b) if the application was exhibited in accordance with section 60AH, each person who made a representation under that section in respect of the application.

60AO. Effect of issuing permit in respect of certain applications

- (1) If a planning authority issues a permit at the direction of an Assessment Panel

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under section 60AJ(2) or
section 60AL(1)(b) –

- (a) the planning authority must issue the permit within 7 days after receiving the direction of the Assessment Panel; and
 - (b) the planning authority may only issue the permit as directed and may not impose any further conditions on the permit; and
 - (c) the permit comes into effect on the day on which it is issued or such later day as is specified by the Assessment Panel; and
 - (d) there is no right of appeal under this Act, in respect of the permit, on merit grounds; and
 - (e) the provisions of this Act relating to enforcement and minor amendments apply to the permit.
- (2) If a planning authority issues a permit at the direction of an Assessment Panel under section 60AJ(2) or section 60AL(1)(b) in relation to a subdivision, a reference in that Part to the council, in respect of a prescribed function or prescribed power of the council under that Part, includes a reference to the Assessment Panel.

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- (3) If a planning authority issues a permit at the direction of an Assessment Panel under section 60AJ(2) or section 60AL(1)(b) in relation to a heritage works within the meaning of Part 6 of the *Historic Cultural Heritage Act 1995*, that Act applies to the permit as if that Part had been complied with in respect of the application for the permit.

60AP. Fees under this Division

- (1) For the purposes of this Division, the regulations may prescribe one or more of the following:
- (a) the fees payable in respect of an application, matter or assessment under this Division;
 - (b) the maximum fees that may be payable in respect of an application, matter or assessment performed under this Division by an Assessment Panel or a planning authority;
 - (c) the method of calculating a fee that may be payable under this Division.
- (2) Nothing in this section limits or restricts a power to make regulations under section 87 in respect of this Division including, but not limited to, making

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provision for or with respect to a matter specified in section 87(2)(b).

- (3) The Commission may waive or remit all or any part of a fee that is payable under this Division.
- (4) A planning authority, or reviewing entity, may only charge a fee prescribed under this Act in respect of an application, matter or assessment under this Division.

60AQ. Review of Division

- (1) The Minister is to cause a review of the operation of this Division to be carried out as soon as practicable after the fifth anniversary of its commencement.
- (2) A review under subsection (1) may include, but is not limited to, the operation of any time period specified in this Division.
- (3) The persons who carry out the review under subsection (1) are to give the Minister a written report on the outcome of the review.
- (4) The Minister is to cause a copy of the report, given to the Minister under subsection (3), to be tabled in each House of Parliament within 10 sitting-days of that House after the report is given to the Minister.

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Part 3 – Historic Cultural Heritage Act 1995 Amended

**PART 3 – HISTORIC CULTURAL HERITAGE ACT
1995 AMENDED**

10. Principal Act

In this Part, the *Historic Cultural Heritage Act 1995** is referred to as the Principal Act.

11. Section 33 substituted

Section 33 of the Principal Act is repealed and the following section is substituted:

33. Application of Planning Act to heritage works is subject to this Part

- (1) Subject to subsection (2), the provisions of this Part prevail, to the extent of any inconsistency, over the provisions of the Planning Act and any planning scheme or special planning order or planning directive in force under that Act.
- (2) This Part does not apply to –
 - (a) a permit application that is to be determined by an Assessment Panel under Division 2AA of Part 4 of the Planning Act; and
 - (b) heritage works that are to be performed under a discretionary permit that is issued as a result of

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a permit application referred to in
paragraph (a).

Consultation Draft

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	John Brown, General Manager
FILE REFERENCE	002\012\001\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

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.

PREVIOUS COUNCIL CONSIDERATION:

Provided as a monthly report – Council consideration at previous meetings.

OFFICER'S REPORT:**Meeting and Events attended:**

17.03.2025	St Helens	– Meeting with CEO Grace Keath and Interim CEO Damian Mathers of East Coast Tourism Tasmania (ECTT)
18.03.2025	Hobart	– Meeting with Ricard Gilmour from Homes Tasmania in regards to the former St Helens District Hospital
19.03.2025	Hobart	– Meeting with Department of Premier and Cabinet
19.03.2025	Hobart	– Eastern Strategic Regional Partnership - Steering Committee Workshop
21.03.2025	N/A	– The General Manger is currently on leave

General – The General Manager held regular meetings with Departmental Managers and individual staff when required addressing operational issues and project development. Meetings with community members included Gary Barnes and Lara Gebka.

Communications Report

TOPIC	ACTIVITY	PROGRESS
GENERAL COMMS	BODC Newsletter	Sent out 1 week ago. Included stories on: <ul style="list-style-type: none"> New community spaces open in the heart of Fingal Valley

		<ul style="list-style-type: none"> • New young crew members join Break O'Day's Live4Life program • Wellbeing Project – Opportunities to get involved before it wraps up • George's Bay's osterea angasi oyster reefs
	Valley Voice: Five minutes with the Mayor	Mayor's piece about: Fingal Youth Park project Recent relocation of the Fingal RV parking area
	Website	Medibank Free mini health check BODRA – Winter Lights Festival
SOCIAL MEDIA	Break O'Day Council	<i>Get in2 Gear</i> Learner drivers wanted <i>FeralScan App</i> Report feral animals <i>Volunteer Film Festival</i> Register for festival <i>Fingal Valley Neighbourhood House</i> Autumn harvest festival <i>Garage Sale Trail</i> Results from campaign <i>Federal Election 2025</i> BODC's priority projects
	Shared Social Media Posts	Pyengana Easter Carnival <i>National Awards for Local Government</i> Vote for 2024 Volunteer Film Festival <i>Circular North</i> Waste NoT Awards nominations are now open <i>LGAT</i> Pathways to politics for women 2025 program applications now open <i>St Helens Library</i> Gaming for youth
COMMUNITY ENGAGEMENT	Fingal Valley Neighbourhood House	Have your say on the future of health in Tassie
GRANTS	ABC	Heywire's grant program
EMAIL DATABASES	Continuing to develop	Continuing to collect email addresses for the newsletter and township databases. This has been going well with all the consultation underway, which is used as an opportunity to promote our EDMs.

Actions Approved under Delegation:

Nil

General Manager's Signature Used Under Delegation for Development Services:

DATE	DOCUMENT	ADDRESS	PID OR DA
03.03.2025	337 Certificate	6 Parnella Drive, Steiglitz	7184471
03.03.2025	337 Certificate	Unit 2, 6 Mill Court, St Helens	9454586
03.03.2025	337 Certificate	11 Cooper Street, Seymour	6406597
03.03.2025	337 Certificate	9 Main Street, St Marys	6406597
03.03.2025	337 Certificate	34 Beaulieu Street, St Helens	9411382
03.03.2025	337 Certificate	32 Heritage Road, St Helens	1484326
03.03.2025	337 Certificate	31 Felmingham Street, Binalong Bay	2663000
04.03.2025	337 Certificate	724 Tyne Road, Mathinna	7720182
04.03.2025	337 Certificate	10 Atlas Drive (CT10638-18), St Helens	6779510
04.03.2025	337 Certificate	34 Mount Elephant Road, Gray	3457954
05.03.2025	337 Certificate	28 Atlas Drive, St Helens	6779609
05.03.2025	337 Certificate	26 Clive Street, St Marys	6401833
05.03.2025	337 Certificate	18 Boobyalla Drive, Ansons Bay	6802549
05.03.2025	337 Certificate	1 Lindsay Parade, St Helens	7731607
05.03.2025	337 Certificate	68 Main Street, St Marys	6404057
05.03.2025	337 Certificate	124 St Helens Point Road, Stieglitz	6788994
06.03.2025	337 Certificate	18 Bayview Avenue, Binalong Bay	2761989
06.03.2025	337 Certificate	2A Mill court, St Helens	9693298
07.03.2025	337 Certificate	74 Canhams Road, St Helens	3217854
11.03.2025	337 Certificate	1 Main Street, St Marys	6404823
11.03.2025	337 Certificate	Unit 3, 9 Kismet Place, St Helens	7689824
12.03.2025	337 Certificate	96 McManus Drive, Falmouth	2824919
12.03.2025	337 Certificate	Mount Paris Dam Road (CT183498-2), Weldborough	9023629
12.03.2025	337 Certificate	238 Gardens Road, Binalong Bay	6807489
13.03.2025	337 Certificate	2336 Tasman Highway, Scamander	6409069
13.03.2025	337 Certificate	25672 Tasman Highway, St Helens	6792600
13.03.2025	337 Certificate	1 Steel Street, Scamander	3508870
24.03.2025	337 Certificate	5 Archie Court, St Helens	9748291
31.03.2025	337 Certificate	Falmouth Street (CT7835-1), St Helens	9069328
31.03.2025	337 Certificate	121 High Street, Mathinna	2926245
31.03.2025	337 Certificate	4 Cameron Street, St Marys	6401665
31.03.2025	337 Certificate	38 Osprey Drive (CT187284-2), Stieglitz	7688821
31.03.2025	337 Certificate	4 Short Street (CT182783-1), Fingal	6412022
31.03.2025	337 Certificate	11 Mill Court, St Helens	2988761
31.03.2025	337 Certificate	50 Scamander Avenue, Scamander	6783579
31.03.2025	337 Certificate	4 Ti-Tree Drive, Ansons Bay	6810311
31.03.2025	337 Certificate	Tasman Highway (CT208035-1), Seymour	6408883

Tenders and Contracts Awarded:

Tender Closing Date	Description of Tender	Awarded To
Friday 28 March 2025 at 5pm	Expression of Interest – Leasing of 29 Talbot St, Fingal	Currently under review
Friday 7 March 2025 at 12pm	St Marys and East Coast Childcare Needs Analysis	Ninety Mile Consulting

STRATEGIC PLAN & ANNUAL PLAN:

Break O'Day Strategic Plan 2017-2027 (Revised March 2022)

Goal

Services - To have access to quality services that are responsive to the changing needs of the community and lead to improved health, education and employment outcomes.

Strategy

- Work collaboratively to ensure services and service providers are coordinated and meeting the actual and changing needs of the community.
- Ensure Council services support the betterment of the community while balancing statutory requirements with community and customer needs.

LEGISLATION & POLICIES:

N/A

BUDGET AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

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

IN CONFIDENCE

04/25.18.0 CLOSED COUNCIL

04/25.18.1 Confirmation of Closed Council Minutes – Council Meeting 17 March 2025

04/25.18.2 Outstanding Actions List for Closed Council

04/25.18.3 Closed Council Item Pursuant to Section 15(2)G of the Local Government (Meeting Procedures) Regulations 2015 - Request to Refund Waste Collection Charges – 1484 Upper Esk Road, Upper Esk

04/25.18.4 Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015 – Refund Point Agreement for Stand Alone RVM Container Refund Points

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

04/25.19.0 MEETING CLOSED

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

.....
MAYOR

.....
DATE