



COUNCIL MEETING MINUTES

Monday 17 August 2026
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
17 August 2026

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AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

All ordinary meetings, special meetings and annual general meetings will be live streamed using audio/visual technology. The audio/visual recording of Council Meetings will be published for 12 months and will be retained for 2 years.

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

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

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

In accordance with the Local Government Act 1993 and Regulation 43 of the Local Government (Meeting Procedures) Regulations 2025, these audio files will be published on Council's website for 12 months and be retained for two (2) years. The written minutes of a meeting, once confirmed, prevail over the audio recording of the meeting and a transcript of the recording will not be prepared.

OPENING & INTRODUCTION

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

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

ACKNOWLEDGEMENT OF COUNTRY

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

LIVE AUDIO/VISUAL STREAMING OF COUNCIL MEETINGS

Ladies and gentlemen, I would like to advise you that today's Council Meeting will only be recorded as we have an issue with the live streaming. This means that members of the public who are unable to attend in person can still listen to the proceedings. By remaining in this chamber, you are consenting to being recorded. Please be mindful of your actions and contributions as they will be visible to the public. Thank you for your cooperation.

08/26.1.0 ATTENDANCE

08/26.1.1 Present

Mayor Mick Tucker
Deputy Mayor Kristi Chapple
Councillor Ian Carter
Councillor Liz Johnstone
Councillor Barry LeFevre
Councillor Vaughan Oldham
Councillor Lesa Whittaker
Councillor Kylie Wright

08/26.1.2 Apologies

Councillor Gary Barnes

08/26.1.3 Leave of Absence

Nil

08/26.1.4 Staff in Attendance

General Manager, John Brown
People & Safety Support Officer, Linda Singline
Manager Infrastructure and Development Services, David Jolly (*Item 26.1-26.18.4*)
Development Services Coordinator, Jake Ihnen (*Item 26.1-26.18.4*)
Manager Business Services, Raoul Harper (*Item 26.1-26.16*)
Planning Officer, Alex McKinlay (*Item 26.1-26.9*)
Planning Officer, April Coulson (*Item 26.1-26.9*)
Corporate Services Coordinator, Angela Matthews (*Item 26.1-26.18.4*)
NRM Facilitator, Polly Buchhorn (*Item 26.14.2-26.17*)
Community Service Programs Officer, Jenna Barr (*Item 26.13.1-26.16*)
Executive Officer, Jayne Richardson (*Item 26.1-26.18.4*)
People & Culture Coordinator, Erica McKinnell (*26.16.4-26.19*)

08/26.2.0 PUBLIC QUESTION TIME

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

A question asked at a meeting is to:

Be concise; and

Be clear; and

Not be a statement; and

Have minimal preamble

General statements are not permitted during question time.

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

22 people in the gallery.

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

08/26.2.1 Heavy Vehicle Road St Marys Escarpment to Tasman Highway – Sandra French

Has the BOD Council received any advice of had any further communication with the Minister for Infrastructure and Transport with regard to an outcome for an option for a heavy vehicle road from the St Marys escarpment to the Tasman Highway?

I have written to the Premier having experienced an awfully close shave with two very large, heavy long trucks on the pass. My letter was passed onto Minister Kerry Vincent and I received a pretty standard reply.

In the letter it was stated that findings would be released by mid 2026.

I ask the Council to follow up with the Minister and an option be released so that the next stage can be achieved, that is, a more detailed planning and design be refined to confirm a final preferred route.

REPLY

The State Government advised Council on 11 August 2026 that it intended to release the St Marys Pass Options Assessment during August 2026, as identified as a priority in its “Our 2030 Strong Plan for Tasmanian’s Future – The Next 100 Days 21 June-29 September 2026”. Council had not received a either a copy of the assessment or a briefing at the time of writing this public question response.

08/26.2.2 St Helens Point – Merv Gower

My name is Merv Gower, I am a previous member of the Tasmanian Aboriginal Heritage Council and frequently part of the St Helens community, I have concerns regarding the beach access at Stieglitz and Akaroa. Has there been any thought of the repercussions to the blocking of the access to the baches in relation to the need for residents and visitors in the event of emergencies/evacuations. I realise there is a nominated access track that is open, but if an emergency evacuation is in force

what will the procedure be that will be applied if the nominated track is also inaccessible, people not only residents but tourists will be trapped with no safe ways to escape a disaster.

Question:

During my 4.5 years on the Tasmanian Aboriginal Heritage Council there was always a track being closed somewhere, I question on a Aboriginal heritage and conservation point, why block off a track with no recorded Aboriginal sites and that has been regularly used for many years that will encourage users to find a new way to access the beach for recreational and emergency purposes, by the regular usage of the tracks means that they are at an acceptable level of maintenance and I'm sure that all emergency services will appreciate the availability of such an access as well. We all know the new tracks will happen and the destruction of more vegetation etc will be on the people that close the original track.

REPLY

The land and tracks referred to are managed by the Parks and Wildlife Service and Council did not make the decision to restrict access.

Council has written to Parks seeking clarification about the proposed access changes and requesting community engagement. Council will also seek clarification regarding emergency access and evacuation considerations. It is Council's intention to keep community informed as this matter progresses.

08/26.2.3 Closure of Tracks and Access Points, behind Parnella Drive to Peron Dunes – Clinton Sheridan

My name is Clinton Sheridan. I am a part-time local, and I am writing on behalf of local people and shack owners who have concerns regarding the closure of tracks and access points along the area behind Parnella Drive, extending through to Peron Dunes.

It appears that a number of these tracks are being closed off by the placement of large rocks. My question is whether Council could please follow this matter up with Parks and obtain an explanation as to why these tracks are being closed.

Many of these tracks have been in existence for more than 100 years and have traditionally provided access to the beach and surrounding areas. By placing rocks across these tracks, it appears that vehicles and other users are simply being forced to drive around the obstacles, which can potentially create more erosion and further environmental damage, rather than solving the problem.

I am also concerned about the money being spent on placing rocks across established access tracks when these areas have historically been used to access the beaches and surrounding areas.

More importantly, I have serious concerns about emergency and bushfire access. We have experienced a major bushfire in the area the last year, and closing established access points without clear notification to local people and shack owners creates a significant safety issue.

If another bushfire or other emergency were to occur, people may attempt to use these established tracks to evacuate, only to find that they have been blocked or are no longer accessible. This could potentially put lives and property at risk.

I would therefore appreciate Council investigating this matter with Parks and providing some clarification on:

- Why these long-established tracks are being closed?
- Who has made the decision to place rocks across them?

- Whether an assessment has been made of the additional erosion that may be caused by people driving around the rocks?
- What consideration has been given to emergency and bushfire evacuation access?
- Whether local people and shack owners are being adequately notified before access tracks are closed?
- What plans are in place to ensure adequate emergency access remains available?

I am not opposed to sensible environmental management, but I believe there needs to be a balance between protecting the environment and maintaining safe, established access for local people, shack owners, visitors and emergency services.

I would appreciate Council looking into this matter with Parks and providing a response as to why these closures are occurring and what consideration has been given to the potential safety and environmental consequences.

REPLY

The land and tracks referred to are managed by the Parks and Wildlife Service and Council did not make the decision to close or restrict access.

Council has written to Parks requesting further information and community engagement regarding the changes. This includes clarification around the reasons for the closures, environmental impacts, emergency access and how affected residents will be informed. It is Council's intention to keep community informed as this matter progresses.

08/26.3.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil

08/26.4.0 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

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

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

Nil

08/26.5.0 DECLARATION OF INTERESTS OF A COUNCILLOR OR CLOSE ASSOCIATE

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

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

Nil

08/26.6.0 CONFIRMATION OF MINUTES

08/26.6.1 Confirmation of Minutes – Council Meeting 20 July 2026

OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 20 July 2026 be confirmed.

COUNCIL DECISION:

08/26.6.1.820 Moved: Clr V Oldham/ Seconded: Clr L Whittaker

That the minutes of the Council Meeting held on the 20 July 2026 be confirmed.

CARRIED UNANIMOUSLY

08/26.7.0 COUNCIL WORKSHOPS HELD SINCE 20 JULY 2026 COUNCIL MEETING

There was a workshop held 3 August 2026 and the following items were listed for discussion:

- Presentation – REMPLAN – Chris Kelly
- Pending Development Application Updates
- Demolition of the Gazebo, Wombat Walk, St Marys
- Demolition of Old Toilet Facility, Fingal Swimming Hole
- St Marys Tip Shop – Proposed Shipping Containers and Future Site Development
- Endorsement of Concept Plan - St Marys Exhibition Building
- Scamander Beaumaris Structure Plan
- Industrial Land Use Study adoption
- Review of the Charter for the NRM Special Committee
- Request to Remove Historical Waste and Infrastructure Duplicate Charges for 2021/2022, 2022/2023, 2023/2024, 2024/2025, 2025/2026 and 2026/2027 and Bin Collection Fees
- Request to Remove Historical Waste and Infrastructure Duplicate Charges for 2021/2022, 2022/2023, 2023/2024, 2024/2025, 2025/2026 and 2026/2027
- Animal Control Report
- Cecilia Street St Helens – 40km/hr Shopping Zone
- 2025-2026 Annual Plan Year End Review as at 30 June 2026
- Draft Economic Diversification and Investment Strategy
- Local Government Association of Tasmania (LGAT) – Motions for Discussion at August General Meeting
- Policy No LG 55 – Local Government Election - Caretaker Policy Review
- Annie/Medea St vacant land
- Draft St Helens – Binalong Bay Strategic Liveability Framework
- Aboriginal Art and Support for Local Aboriginal Artists

08/26.8.0 PLANNING AUTHORITY

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

08/26.8.1 DA 134-2024 – 70 Grant St, Falmouth - Subdivision – 6 Lot subdivision

FILE REFERENCE	DA 2024 / 00134
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OFFICER'S RECOMMENDATION:

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

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

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

CONDITIONS

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

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

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

	ix. Locating wastewater treatment areas (secondary treatment systems) beyond the ground water level for proposed lots 1,2,3,4 and 6.	
B	Be prepared in accordance with the Tasmanian Subdivision Guidelines and LGAT Standard Drawings applicable at the date of approval of the plans. These Guidelines are available at www.lgat.tas.gov .	Prior to the commencement of any works.
C	All subdivision plans and associated engineering documentation must be reviewed and certified by a Certifying Civil Engineer prior to submission to Council for assessment, approval, or sealing. For the purposes of this requirement, a <i>Certifying Civil Engineer</i> means a person who: - holds qualifications in civil engineering appropriate to the works being certified; - is a Registered Professional Engineer in the area of civil engineering under the <i>Professional Engineers Registration Act 2021 (Tas)</i>, or any successor legislation; and - has demonstrated experience in the design, construction, and certification of subdivision and civil infrastructure works.	Prior to the commencement of any works.
D	All new infrastructure is to be fully integrated with existing infrastructure networks within reasonable distance to the development	Prior to the commencement of any works.
E	Be accompanied by an estimate of the construction cost of future public works with an associated schedule of components (bill of quantities).	Prior to the commencement of any works.
F	In all instances where deviation from detailed design is necessary from the standards identified above, approval must be sought from Councils Manager. Any such request for approval must be accompanied by supporting evidence prepared by a suitably qualified engineer.	Prior to the commencement of any works.
G	Once engineering drawings and specifications are approved by Council they remain valid for a period of five (5) years from the date of such approval, following which they will automatically lapse if they have not been	Prior to the commencement of any works.

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

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

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

	d) dispose of any asbestos found during demolition in accordance with the WorkSafe Tasmania's 'How to safely remove asbestos: Code of practice'	
14	Payment in Lieu of Public Open Space	
A	The developer must make payment to the Break O'Day Council in lieu of providing public open space in accordance with <i>Policy No AM02 Public Open Space Contributions Policy</i> as amended.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
15	Final Plan Endorsement	
A	The final plan is to be endorsed to the effect that TasWater cannot provide a supply of water nor a means of sewage disposal to the lots on the plan.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
16	Final Plan of Survey	
A	A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. Advice: The plan will not be sealed until such time as all conditions on this permit have been complied with.	On completion and satisfaction of all conditions on this permit.

ADVICE

1. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
2. Activities associated with construction works are not to be performed outside the permissible time frames listed:
Mon-Friday 7 am to 6 pm
Saturday 9 am to 6 pm
Sunday and public holidays 10 am to 6 pm

3. TasNetwork's Advice:

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

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

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

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

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

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

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

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

INTRODUCTION:

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

COUNCIL DECISION:

08/26.8.1.821 Moved: Clr B LeFevre/ Seconded: Clr V Oldham

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

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

70 Grant Street, Falmouth Traffic Impact Assessment	Nil	Midson Traffic Pty Ltd	9/10/2024
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Plans / Documents to be Amended			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposal Plan	1124-01DA	D.J. McCulloch & Associates	17/07/2024
Flood Study Report – Revision 5	54262MW	PDA Surveyors, Engineers & Planners	29/04/2026

CONDITIONS

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

	a projected SSP5-8.5 to the year 2100. xii. Revised flood modelling and reporting to validate the detailed design submitted 'for construction' complies with the endorsed documents within this Permit and Conditions imposed. Including: (iii) Road swales utilising a Manning's N (or equivalent) roughness value of 0.05 consistent with Council's Level of Service. (iv) Defined 'No Building Area' for each lot suitable for application within a Section 71 Agreement under the Land Use Planning and Approvals Act to: 3. limit allowable locations for development including associated works and infrastructure, in accordance with the endorsed documentation. 4. limit modification of designed earthworks and existing terrain such that it would impact the flood management solution provided for within endorsed documentation and approved detailed design, revised flood modelling and reporting.	
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	xiii. Formalisation of road swales adjacent to the proposed development. xiv. All recommendations provided by the endorsed Flood Report. xv. All new stormwater pipes are to be concrete and of minimum strength Class 4 xvi. Energy dissipation and erosion control to stormwater outlets and inlets xvii. Extension of the proposed stormwater pipe, intended to be transferred to Council to form part of the public stormwater system, to an outlet headwall at the end of the road casement adjacent to 71 Grant Street. Council may at their own discretion approve an extended swale from the outlet in lieu of a pipe. xviii. Locating wastewater treatment areas (secondary treatment systems) beyond the ground water level for proposed lots 1,2,3,4 and 6.	
B	Be prepared in accordance with the Tasmanian Subdivision Guidelines and LGAT Standard Drawings applicable at the date of approval of the plans. These Guidelines are available at www.lgat.tas.gov .	Prior to the commencement of any works.
C	All subdivision plans and associated engineering documentation must be reviewed and certified by a Certifying Civil Engineer prior to submission to Council for assessment, approval, or sealing. For the purposes of this requirement, a <i>Certifying Civil Engineer</i> means a person who: - holds qualifications in civil engineering appropriate to the works being certified; - is a Registered Professional Engineer in the area of civil engineering under the <i>Professional Engineers Registration Act 2021 (Tas)</i>, or any successor legislation; and	Prior to the commencement of any works.

	has demonstrated experience in the design, construction, and certification of subdivision and civil infrastructure works.	
D	All new infrastructure is to be fully integrated with existing infrastructure networks within reasonable distance to the development	Prior to the commencement of any works.
E	Be accompanied by an estimate of the construction cost of future public works with an associated schedule of components (bill of quantities).	Prior to the commencement of any works.
F	In all instances where deviation from detailed design is necessary from the standards identified above, approval must be sought from Councils Manager. Any such request for approval must be accompanied by supporting evidence prepared by a suitably qualified engineer.	Prior to the commencement of any works.
G	Once engineering drawings and specifications are approved by Council they remain valid for a period of five (5) years from the date of such approval, following which they will automatically lapse if they have not been carried into effect via works. Where any engineering design drawings have lapsed, Council may require the re-submission and review of the relevant engineering design drawings, any associated calculations and any other relevant information to ensure compliance with current infrastructure standards and applicable legislation.	Prior to the commencement of any works.
4	Earthworks	
A	Earthworks must comply with the provisions of AS3798 Guidelines on earthworks for commercial and residential developments and the Tasmanian Subdivision Guidelines current at the time of the application.	Prior to the commencement of any works.
B	Earthworks must be designed by a suitability qualified and experienced engineer to resist all probable flood forces as described within endorsed documents and varied by designs approved by Council's Manager of Infrastructure and Development.	Prior to the commencement of any works.
C	An accredited Civil Engineer or Geotechnical Engineer must certify that all earthworks have been carried out in accordance with all Permit conditions, endorsed documents, approved	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

	'For Construction' documentation and detailed designs.	
5	General Manager Consent Pursuant to Section 14 of the Urban Drainage Act 2013	
A	The applicant must apply for, and be issued with, a General Manager's consent to undertake works affecting the public stormwater system pursuant to section 14 of the Urban Drainage Act 2013.	Prior to the commencement of any works.
6	Part 5 Agreement	
A	Prior to the sealing of the Final Plan of Subdivision, the landowner, under section 71 of the <i>Land Use Planning and Approvals Act 1993</i>, must prepare and enter into an agreement with the Break O'Day Council, to the satisfaction of the General Manager, establishing: f) a 'No Build Area' over all lots consistent with the 'No Build Area' necessary for flood management as required by Condition 2 and described in endorsed documentation. Restrictions for the 'No Build Area' are to prohibit buildings, structures, earthworks or infrastructure, including vehicle access ways being constructed within the 'No Build Area' unless otherwise approved in writing by Council. g) that the landowner of a lot is responsible for the ongoing operation and maintenance of all portions of the lot necessary for flood management. h) that the landowner must maintain the area in accordance with the Operation and Maintenance Manual following its submission and approval by Council's Manager of Infrastructure and Development. i) that the landowner must rectify any nuisance from overland stormwater flow or flooding caused by the modification of areas within the 'No Building Area', to Council's requirements and at the owner's expense, within 14 days of Council giving notice of the requirement to do so.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

	j) That the failure by the landowner to comply with a term or condition set out in the agreement allows the Council to undertake that work, with the costs of doing so to be a debt due and payable by the landowner to the Council.	
B	The developer is to pay all costs associated with the preparation and registration of the agreement.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
7	Covenants	
A	Any restrictive covenants created by this subdivision are not to preclude the use/development of this land for State, Commonwealth or Local Government purpose.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
8	Stormwater Works	
A	The developer is to apply and receive a permit to undertake Works & Development for the proposed concentrated discharge to Crown land managed by the Tasmania Parks and Wildlife Service. A copy of the permit must be provided to Council with the submission stipulated in Condition 2.	Prior to commencement of any works
9	Infrastructure Repair	
A	The owner must, at their expense, repair any Council services (e.g. pipes, drains) and any road, crossover, footpath or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council. If the owner does not undertake the required repair works within the timeframe specified by Council, the Council may arrange for the works to be carried out at the owner's expense.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
10	New Works & Infrastructure Construction	
A	All works, where relevant, must be in accordance with Council Policy No. AM08: Subdivision New Works and Infrastructure Construction	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
11	Works in Council Road Reserve	
A	Works must not be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior	Prior to undertaking any works within the Council Road Reserve.

	approval for the works by Council's Works Department.	
B	Twenty-four (24) hours notice must be given to the Works Department to inspect works within road reserve, and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.	Prior to undertaking any works within the Council Road Reserve.
12	Temporary Exclusion Barrier	
A	Delineate areas where vegetation is proposed to be retained with exclusion fencing/barriers/means of identification, to prevent accidental felling.	During site works.
13	Demolition of Outbuildings	
A	The Developer must: e) protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary. f) not undertake any burning of waste materials on site. g) remove all rubbish from the site for disposal at a licensed refuse disposal site. h) dispose of any asbestos found during demolition in accordance with the WorkSafe Tasmania's 'How to safely remove asbestos: Code of practice'	During demolition works and prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
14	Payment in Lieu of Public Open Space	
A	The developer must make payment to the Break O'Day Council in lieu of providing public open space in accordance with <i>Policy No AM02 Public Open Space Contributions Policy</i> as amended.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
15	Final Plan Endorsement	
A	The final plan is to be endorsed to the effect that TasWater cannot provide a supply of water nor a means of sewage disposal to the lots on the plan.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
16	Final Plan of Survey	
A	A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. Advice: The plan will not be sealed until such time as all conditions on this permit have been complied with.	On completion and satisfaction of all conditions on this permit.

ADVICE

1. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
2. Activities associated with construction works are not to be performed outside the permissible time frames listed:
Mon-Friday 7 am to 6 pm
Saturday 9 am to 6 pm
Sunday and public holidays 10 am to 6 pm
3. TasNetwork's Advice:

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

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

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

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

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

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

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

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

Representations	Three (3)
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CARRIED

FOR – Mayor M Tucker, Clr K Chapple, Clr L Whittaker, Clr I Carter, Clr V Oldham, Clr B LeFevre
AGAINST Clr K Wright, Clr L Johnstone

08/26.8.2 DA 054 – 2026 - 302 Gardens Road, Binalong Bay - Resource Development - Pepper Berry Cultivation

FILE REFERENCE	DA 2026 / 00054
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OFFICER'S RECOMMENDATION:

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for Resource Development - Pepper Berry Cultivation on land situated at 302 Gardens Road, Binalong Bay described in Certificate of Title 80866/3 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Agricultural Assessment and Compliance Report	Nil	Pinion Advisory	29/05/2026

Plans / Documents to be Amended			
Plan / Document Name	Reference Number	Prepared By	Dated
Crop Layout Plan	A01	Peter Angus	30/04/2026

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2	Resource Development – Tasmanian Pepper Berry Trees	
A	No more than 200 Tasmanian Pepper Berry Trees are permitted for cultivation of the approved Resource Development Use.	To Be Maintained At All Times.

B	Vegetation removal is not permitted to occur on the subject site in relation to the approved Resource Development Use.	To Be Maintained At All Times.
C	Irrigation of the Tasmanian Pepper Berry Trees must be undertaken with water captured and stored on the subject site. Use of water imported to the site for irrigation is not permitted to occur.	Prior to Commencement of Use and To be Maintained At All Times.
3	Soil Nutrient Management and Crop Layout	
A	Soil testing in addition to agronomist or horticulturalist advice on soil nutrient management must be submitted to the satisfaction of Council. The documentation and advice must demonstrate and further specify the maximum quantities of nutrient inputs that can be utilised without significantly impacting or harming existing native vegetation over time (particularly N, P and pH- Ca/Mg) ensuring regard is given to the threatened native vegetation community ' <i>Eucalyptus viminalis</i> - <i>Eucalyptus globulus</i> '.	Prior to Commencement of Use and To be Maintained At All Times.
B	A copy of the crop/farm layout plan must be submitted to Council which reflects the advice from the agronomist or horticulturalist that has been accepted by Council regarding the above-mentioned condition. Not limited to the following items, the plan should clearly demonstrate the approximate planting locations, number of plants per zone and location of the surface laid dripper lines.	Prior to Commencement of Use and To be Maintained At All Times.
4	Nuisance	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.

ADVICE

1. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
2. Should further rain-water tanks be required for onsite capture and storage to support the proposal, it is recommended that the requirements from exemption [4.6.14 rain-water tanks in Rural Living Zone, Rural Zone, Agriculture Zone or Landscape Conservation Zone \(Planning Scheme Viewer\)](#) are considered. If the additional rain-water tank/s are unable to satisfy the aforementioned exemption requirements, please contact Council for further advice.
3. The introduction of non-native plant species should be avoided and environmental weeds regularly monitored and targeted for removal.

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

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

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

Development Permit Information	Details
<i>Development Description</i>	Resource Development - Pepper Berry Cultivation
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Nil
<i>Attachments</i>	Nil
<i>Representations</i>	One (1)

INTRODUCTION:

The applicant is seeking approval for the establishment of a resource development operation and subsequent cultivation of 200 Tasmanian Pepper Berry trees.

COUNCIL DECISION:

08/26.8.2.822 Moved: Clr B LeFevre/ Seconded: Clr K Chapple

- 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 Resource Development - Pepper Berry Cultivation on land situated at 302 Gardens Road, Binalong Bay described in Certificate of Title 80866/3 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Agricultural Assessment and Compliance Report	Nil	Pinion Advisory	29/05/2026

Plans / Documents to be Amended			
Plan / Document Name	Reference Number	Prepared By	Dated
Crop Layout Plan	A01	Peter Angus	30/04/2026

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2	Resource Development – Tasmanian Pepper Berry Trees	
A	No more than 200 Tasmanian Pepper Berry Trees are permitted for cultivation of the approved Resource Development Use.	To Be Maintained At All Times.
B	Vegetation removal is not permitted to occur on the subject site in relation to the approved Resource Development Use.	To Be Maintained At All Times.
C	Irrigation of the Tasmanian Pepper Berry Trees must be undertaken with water captured and stored on the subject site. Use of water imported to the site for irrigation is not permitted to occur.	Prior to Commencement of Use and To be Maintained At All Times.
3	Soil Nutrient Management and Crop Layout	
A	Soil testing in addition to agronomist or horticulturalist advice on soil nutrient management must be submitted to the satisfaction of Council. The documentation and advice must demonstrate and further specify the maximum quantities of nutrient inputs that can be utilised without significantly impacting or harming existing native vegetation over time (particularly N, P and pH- Ca/Mg) ensuring regard is given to the threatened native vegetation community ' <i>Eucalyptus viminalis</i> - <i>Eucalyptus globulus</i> '.	Prior to Commencement of Use and To be Maintained At All Times.
B	A copy of the crop/farm layout plan must be submitted to Council which reflects the advice from the agronomist or horticulturalist that has been accepted by Council regarding the above-mentioned condition. Not limited to the following items, the plan should clearly demonstrate the approximate planting locations, number of plants per zone and location of the surface laid dripper lines.	Prior to Commencement of Use and To be Maintained At All Times.
4	Nuisance	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.

ADVICE

1. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
2. Should further rain-water tanks be required for onsite capture and storage to support the proposal, it is recommended that the requirements from exemption 4.6.14 rain-water tanks in Rural Living Zone, Rural Zone, Agriculture Zone or Landscape Conservation Zone ([Planning Scheme Viewer](#)) are considered. If the additional rain-water tank/s are unable to satisfy the aforementioned exemption requirements, please contact Council for further advice.
3. The introduction of non-native plant species should be avoided and environmental weeds regularly monitored and targeted for removal.

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

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

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

Development Permit Information	Details
<i>Development Description</i>	Resource Development - Pepper Berry Cultivation
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Nil
<i>Attachments</i>	Nil
<i>Representations</i>	One (1)

CARRIED UNANIMOUSLY

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

08/26.9.0 COUNCIL MEETING ACTIONS

08/26.9.1 Outstanding Matters

Clr K Chapple – St Helens Memorial Park amenities upgrade update requested.

08/26.10.0 PETITIONS

Nil

08/26.11.0

NOTICES OF MOTION

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

Nil

08/26.12.0

MAYOR'S & COUNCILLOR'S COMMUNICATIONS

08/26.12.1

Mayor's Communications for Period Ending 17 August 2026

24.07.2026	St Helens	St Helens Neighbourhood House, chaired the Special General Meeting of members to consider motions regarding the Board situation and to discuss the situation. Assisted by providing information from the SHNH Constitution.
24.07.2026	St Helens	Northern Tasmania Development Corporation (NTDC), initial meeting involving the General Manager and NTDC CEO, Michael Bailey, to provide Michael with an overview of priorities and opportunities within the Break O'Day area and to receive updates on NTDC activities and regional priorities.
24.07.2026	MS Teams	Local Government Association of Tasmania (LGAT), meeting with CEO Dion Lester and Kerry Vincent, Minister for Local Government to discuss strategic planning implementation.
30.07.2026	St Helens	Meeting with community members Fiona and Shane Voorham (Planning Application: DA 24/00134).
30.07.2026	MS Teams	Australian Local Government Association (ALGA), attended Board Meeting, which included consideration of motions arising from the National General Assembly (NGA).
31.07.2026	MS Teams	LGAT, meeting with CEO Dion Lester and Kerry Vincent, Minister for Local Government, to discuss planning matters and provide a general business update.
03.08.2026	St Helens	Council Workshop.
04.08.2026	St Helens	Premier of Tasmania, meeting with Jeremy Rockliff MP.
05.08.2026	Hobart	LGAT, attended Review Committee meeting prior to the General Management Committee (GMC) meeting.
05.08.2026	Hobart	LGAT, General Management Committee meeting.
06.08.2026	St Helens	Royal Flying Doctor Service (RFDS), meeting involving the General Manager, RFDS CEO Nicole Henty and Philanthropy and Communications Manager Corey Martin to discuss RFDS services, regional health initiatives and opportunities for collaboration within Break O'Day.
06.08.2026	St Helens	RFDS Networking Event, attended the RFDS networking event in St Helens, providing an opportunity to connect with local services and organisations and discuss the work they are undertaking across Break O'Day.
07.08.2026	St Helens	Tasmania Police, coffee meeting with Danny Jackson St Helens Police Inspector.
08.08.2026	St Helens	St Helens RSL, attended celebrations marking the St Helens RSL's 70th anniversary.
12.08.2026	Fingal	Fingal Valley Neighbourhood House, attended the Eating with Friends community lunch in Fingal.
17.08.2026	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
The next meeting is scheduled for Tuesday 1 September.

- NRM Special Committee – Clr Liz Johnstone

A meeting has been held and a quorum was in attendance. It was an excellent meeting, with the opportunity to review the Charter and had good discussion around this. There have been two working groups set up for Cat Policy and Volunteering Policy. She thanked all committee members and staff, they now have a committed group. It was a very productive meeting.

- East Coast Tasmania Tourism (ECTT) – Clr Barry LeFevre

At the most recent East Coast Tourism meeting the Board determined it was time to undertake a new Board recruitment process. Interested people who care deeply about our area and bring skills and knowledge to the organization are urged to think about applying. Small changes are being made to the PIP draft and ECTT is developing a sponsorship prospectus.

The Great Community Experience is coming to Easy Tiger on Tuesday 25th August. Run by Hospitality Tasmania, it is a practical session focused on strengthening customer experience and service delivery. This is an ideal time to offer advice as we lead into the busy summer period. The session runs from 4-6 pm at Easy Tiger and bookings can be made through ECTT.

The next Board meeting is at Little Swanport on Thursday 27th August.

- Mental Health Action Group – Clr Barry LeFevre
Nil

- Access and Inclusion Advisory Committee – Clr Kylie Wright
No meeting has been held.

- Bay of Fires Master Plan Steering Committee – Clr Ian Carter

No meeting has been held, the community consultation period closed end of May. Committee oversight hasn't been very significant over the past four years. There is the possibility that Parks and Wildlife Service will allocate funding towards the BOFMP.

- St Marys Exhibition Building Committee - Clr Liz Johnstone

The committee will meet in the near future once information has been received from the engineer information and Council approval of draft concept plans, which is on the Agenda today.

08/26.13.0 BUSINESS AND CORPORATE SERVICES

08/26.13.1 Corporate Services Department Report

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

That the report be received.

INTRODUCTION:

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

COUNCIL DECISION:

08/26.13.1.823 Moved: Clr L Johnstone/ Seconded: Clr V Oldham

That the report be received.

CARRIED UNANIMOUSLY

08/26.13.2 Monthly Financial Report

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

That the following reports for the month ending 31 July 2026 be received:

1. Profit and Loss Statement;
2. Balance Sheet;
3. Statement of Cash Flows; and
4. Capital Works 2026/27.

INTRODUCTION:

Presented to Council are the monthly financial statements for the month ending 31 July 2026, being the first reporting period of the 2026/27 financial year.

COUNCIL DECISION:

08/26.13.2.824

Moved: Clr V Oldham/ Seconded: Clr K Wright

That the following reports for the month ending 31 July 2026 be received:

- A. Profit and Loss Statement;
- B. Balance Sheet;
- C. Statement of Cash Flows; and
- D. Capital Works 2026/27.

CARRIED UNANIMOUSLY

08/26.14.0 **WORKS AND INFRASTRUCTURE**

08/26.14.1 **Works and Infrastructure Report**

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

That the report be received by Council.

INTRODUCTION:

This report provides an overview of Works Operations and Capital Projects undertaken in July 2026, along with details of scheduled activities for the coming month.

COUNCIL DECISION:

08/26.14.1.825

Moved: Clr K Wright/ Seconded: Clr V Oldham

That the report be received by Council.

CARRIED UNANIMOUSLY

08/26.14.2 **Animal Control Report**

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

That the report be received by Council.

INTRODUCTION:

This report provides an informational update and year to date Animal Control metrics.

COUNCIL DECISION:

08/26.14.2.826

Moved: Clr K Chapple/ Seconded: Clr V Oldham

That the report be received by Council.

CARRIED UNANIMOUSLY

08/26.14.3

Cecilia Street St Helens – 40km/hr Shopping Zone

FILE REFERENCE	032\005\013
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OFFICER'S RECOMMENDATION:

That Council endorse the establishment of a 40 km/h Shopping Zone in St Helens, comprising approximately 570 metres of Cecilia Street between Georges Bay Esplanade and Mill Court, and approximately 330 metres of Quail Street between Bowen Street and Cameron Street, as recommended by Traffic & Civil Services, and apply to the Tasmanian Transport Commissioner for approval.

INTRODUCTION:

In response to Clr. K, Chapple's Notice of Motion of the February 2026 Council meeting, Traffic & Civil Services was engaged to provide advice on the proposed 40km/h Shopping Zone through the St Helens CBD.

The attached report supports a 40 km/h Shopping Zone in the St Helens CBD based on pedestrian safety, high seasonal tourist activity, community demand, compliance with speed zone guidelines, and consistency with similar Tasmanian towns. It recommends Council seek a formal review from the State Government

COUNCIL DECISION:

08/26.14.3.827

Moved: Clr K Chapple / Seconded: Clr V Oldham

That Council endorse the establishment of a 40 km/h Shopping Zone in St Helens, comprising approximately 570 metres of Cecilia Street between Georges Bay Esplanade and Mill Court, and approximately 330 metres of Quail Street between Bowen Street and Cameron Street, as recommended by Traffic & Civil Services, and apply to the Tasmanian Transport Commissioner for approval.

CARRIED UNANIMOUSLY

08/26.15.0 COMMUNITY DEVELOPMENT

08/26.15.1 Community Services Report

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

That the report be received.

INTRODUCTION:

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

COUNCIL DECISION:

08/26.15.1.828 Moved: Clr B LeFevre/ Seconded: Clr I Carter

That the report be received.

CARRIED UNANIMOUSLY

08/26.15.2 Visitor Information Centre Report

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

That the report be received.

INTRODUCTION:

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

COUNCIL DECISION:

08/26.15.2.829 Moved: Clr I Carter/ Seconded: Clr K Chapple

That the report be received.

CARRIED UNANIMOUSLY

The meeting adjourned for morning tea at 10:57am and the meeting resumed at 11:05am.

08/26.16.0 DEVELOPMENT SERVICES

08/26.16.1 Development Services Report

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

That the report be received.

INTRODUCTION:

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

COUNCIL DECISION:

08/26.16.1.830 Moved: Clr L Whittaker/ Seconded: Clr K Wright

That the report be received.

CARRIED UNANIMOUSLY

08/26.16.2 Demolition of the Gazebo, Wombat Walk, St Marys

FILE REFERENCE	004\018\005
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OFFICERS RECOMMENDATION:

That Council:

1. To proceed with the demolition of the existing gazebo in the interests of public safety and responsible asset management located at the Wombat Walk, St Marys, and
2. Seek community input to consider the community need for a new structure in the same location to be considered for future budget allocations.

INTRODUCTION:

To advise Council of the condition of the gazebo located at the St Marys Wombat Walk and seek endorsement to proceed with demolition due to the structure having reached the end of its useful life.

COUNCIL DECISION:

08/26.16.2.831 Moved: Clr L Johnstone/ Seconded: Clr K Wright

That Council:

1. To proceed with the demolition of the existing gazebo in the interests of public safety and responsible asset management located at the Wombat Walk, St Marys, and

2. Seek community input to consider the community need for a new structure in the same location to be considered for future budget allocations.

CARRIED UNANIMOUSLY

08/26.16.3 Demolition of Old Toilet Facility, Fingal Swimming Hole

FILE REFERENCE	004\018\005
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OFFICERS RECOMMENDATION:

That Council proceed with the demolition of the Old Public Toilet facility located at Fingal Swimming Hole (Short Street, Fingal) due to the asset reaching the end of its useful life.

INTRODUCTION:

To inform Council of the intention to demolish the public toilet facility which has reached the end of its useful life.

COUNCIL DECISION:

08/26.16.3.832 Moved: Clr I Carter/ Seconded: Clr B LeFevre

That Council proceed with the demolition of the Old Public Toilet facility located at Fingal Swimming Hole (Short Street, Fingal) due to the asset reaching the end of its useful life.

CARRIED UNANIMOUSLY

08/26.16.4 Endorsement of Concept Plan - St Marys Exhibition Building

FILE REFERENCE	027\030\002
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OFFICER'S RECOMMENDATION:

That Council:

1. Endorses the attached concept plans for the proposed extension and structural remediation of the St Marys Exhibition Building for the purposes of lodging a Development Application.
2. Authorises the General Manager to lodge the necessary Development Application under the *Land Use Planning and Approvals Act 1993*.
3. Notes that the concept plans represent the preferred design developed through the community consultation and Working Committee process and may be refined through the planning assessment and detailed engineering design process.
4. Notes that detailed structural engineering, certification and associated documentation will continue concurrently with the planning approval process.
5. Notes that endorsement of the concept plans does not commit Council to construction, with a further report to be presented upon completion of detailed design, engineering and project costing.

INTRODUCTION:

The purpose of this report is to seek Council's endorsement of the attached concept plans to enable a Development Application to be lodged for the proposed extension and structural remediation of the St Marys Exhibition Building.

COUNCIL DECISION:

08/26.16.4.833

Moved: Clr V Oldham/ Seconded: Clr K Chapple

That Council:

1. Endorses the attached concept plans for the proposed extension and structural remediation of the St Marys Exhibition Building for the purposes of lodging a Development Application.
2. Authorises the General Manager to lodge the necessary Development Application under the *Land Use Planning and Approvals Act 1993*.
3. Notes that the concept plans represent the preferred design developed through the community consultation and Working Committee process and may be refined through the planning assessment and detailed engineering design process.
4. Notes that detailed structural engineering, certification and associated documentation will continue concurrently with the planning approval process.
5. Notes that endorsement of the concept plans does not commit Council to construction, with a further report to be presented upon completion of detailed design, engineering and project costing.

CARRIED UNANIMOUSLY

08/26.16.5

St Marys Tip Shop – Proposed Shipping Containers and Future Site Development

FILE REFERENCE	033\038\002
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OFFICERS RECOMMENDATION:

That Council:

1. Approve the St Marys Hospital Auxiliary for the installation of two shipping containers at the St Marys Tip Shop as per attached project proposal;
2. Approve the progression of a Development Application;
3. Provide strategic direction regarding the future development of the Tip Shop precinct.
4. Progress the revised Memorandum of Understanding to be provided under a separate report to Council.

INTRODUCTION:

Council has received a Project Proposal from the St Marys Hospital Auxiliary seeking approval to install two shipping containers adjacent to the existing Tip Shop.

COUNCIL DECISION:

08/26.16.5.834

Moved: Clr K Chapple/ Seconded: Clr K Wright

That Council:

1. Approve the St Marys Hospital Auxiliary for the installation of two shipping containers at the St Marys Tip Shop as per attached project proposal;
2. Approve the progression of a Development Application;
3. Provide strategic direction regarding the future development of the Tip Shop precinct.
4. Progress the revised Memorandum of Understanding to be provided under a separate report to Council.

CARRIED UNANIMOUSLY

08/26.16.6

Industrial Land Use Study adoption

FILE REFERENCE	031\010\000
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OFFICER'S RECOMMENDATION:

That Council:

1. Adopt the Break O'Day Industrial Land Study as Council's strategic evidence base to guide future industrial land planning across the municipality, and
2. Note that the recommendations contained within the Study will be considered and progressed through future strategic planning projects, infrastructure investigations, budget processes and, where required, separate reports to Council.

INTRODUCTION:

The preparation of an Industrial Land Study was identified as a Key Annual Plan deliverable to establish a strategic evidence base to guide future industrial land planning and support economic growth within the Break O'Day municipality.

COUNCIL DECISION:

08/26.16.6.835

Moved: Clr K Wright/ Seconded: Clr B LeFevre

That Council:

1. Adopt the Break O'Day Industrial Land Study as Council's strategic evidence base to guide future industrial land planning across the municipality, and
2. Note that the recommendations contained within the Study will be considered and progressed through future strategic planning projects, infrastructure investigations, budget processes and, where required, separate reports to Council.

CARRIED UNANIMOUSLY

FILE REFERENCE	031\005\005\
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OFFICER'S RECOMMENDATION:

That Council:

1. Endorse the Scamander–Beaumaris Structure Plan prepared by ERA Advisory dated February 2026; and,
2. Note that the Structure Plan will be used as a strategic planning document to inform future land use planning, infrastructure planning and potential amendments to the Tasmanian Planning Scheme – Break O'Day Local Provisions Schedule.

INTRODUCTION:

The Structure Plan provides a strategic framework to guide the sustainable growth, land use planning and future development of Scamander and Beaumaris over the next 15 years which formed part of Councils Annual Plan deliverables.

COUNCIL DECISION:

08/26.16.7.836

Moved: Clr I Carter/ Seconded: Clr K Chapple

That Council:

1. Endorse the Scamander–Beaumaris Structure Plan prepared by ERA Advisory dated February 2026; and,
2. Note that the Structure Plan will be used as a strategic planning document to inform future land use planning, infrastructure planning and potential amendments to the Tasmanian Planning Scheme – Break O'Day Local Provisions Schedule.

CARRIED UNANIMOUSLY

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

Council adopt the revised Charter for the Break O'Day Council Natural Resource Management Committee to support the role of the Committee further in engaging the community and stakeholders and Council in environmental and natural resource management issues facing the municipality.

INTRODUCTION:

The Environment is a major field of issues and challenges for the municipality. Council values highly the contribution made by its Natural Resource Management (NRM) Committee to the shared responsibility of balancing our use of the natural environment to ensure that it is available for future generations to enjoy as we do.

Council's Charter for the Break O Day Council Natural Resource Management Committee provides for the NRM Committee – comprising community and stakeholder representatives – to advise and work with Council on significant matters for the natural environment and resource management in Break O'Day.

COUNCIL DECISION:

08/26.16.7.837 Moved: Clr L Johnstone/ Seconded: Clr K Wright

Council adopt the revised Charter for the Break O'Day Council Natural Resource Management Committee to support the role of the Committee further in engaging the community and stakeholders and Council in environmental and natural resource management issues facing the municipality.

CARRIED UNANIMOUSLY

08/26.17.0 **GOVERNANCE**

08/26.17.1 **General Manager's Report**

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

That the General Manager's report be received.

INTRODUCTION:

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

COUNCIL DECISION:

08/26.17.1.838 Moved: Clr B LeFevre/ Seconded: Clr V Oldham

That the General Manager's report be received.

CARRIED UNANIMOUSLY

08/26.17.2 2025-2026 Annual Plan Year End Review as at 30 June 2026

FILE REFERENCE	002\036\002\
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OFFICER'S RECOMMENDATION:

That Council receive the Year End Review as at 30 June 2026 of the 2025-2026 Break O'Day Council Annual Plan.

INTRODUCTION:

Council's management team prepared the 2025 – 2026 Annual Plan based on discussions, which occurred through Council workshops and the normal budget/planning process. The Annual Plan was prepared to take into account broader factors which are impacting Council; and reflecting continuity of existing projects, and activities where this exists.

COUNCIL DECISION:

08/26.17.2.839 Moved: Clr B LeFevre/ Seconded: Clr V Oldham

That Council receive the Year End Review as at 30 June 2026 of the 2025-2026 Break O'Day Council Annual Plan.

CARRIED UNANIMOUSLY

08/26.17.3 Policy No LG 55 – Local Government Election - Caretaker Policy Review

FILE REFERENCE	002\024\007
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OFFICER'S RECOMMENDATION:

That Council adopts the revised LG55 – Local Government Election – Caretaker Period Policy.

INTRODUCTION:

The purpose of this report is to present the reviewed LG55 – Local Government Election – Caretaker Period Policy for Council adoption.

The policy has been reviewed ahead of the 2026 local government election to ensure it reflects the current legislative framework, provides clear guidance to councillors and employees and remains appropriate for contemporary Council operations and communication practices.

COUNCIL DECISION:

08/26.17.3.840 Moved: Clr I Carter/ Seconded: Clr B LeFevre

That Council adopts the revised LG55 – Local Government Election – Caretaker Period Policy.

CARRIED UNANIMOUSLY

08/26.17.4 St Helens – Binalong Bay Strategic Liveability Framework

FILE REFERENCE	039\022\002
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OFFICER'S RECOMMENDATION:

That Council:

1. Notes the progress made in developing the Strategic Liveability Framework;
2. Endorses the proposed community survey and engagement approach as the next stage of developing a Liveability Framework
3. Notes that the findings will be used to further test and refine the Liveability Framework and inform the St Helens – Binalong Bay Liveability Strategy as well as other future Council strategic planning and place-based work.

INTRODUCTION:

Council is progressing the development of the St Helens–Binalong Bay Liveability Strategy. An important first step has been the development of a Strategic Liveability Framework to provide a shared understanding of what liveability means and the conditions that influence people's ability to live well.

Liveability is broader than individual services, facilities or infrastructure. It considers the combination of physical, social, economic, environmental and cultural conditions that influence people's wellbeing and quality of life.

The Framework is intended to provide Council with a practical way of understanding these connections and considering how its decisions, projects, services, partnerships, support and advocacy can contribute to improved liveability.

The next stage is to test this work with the community through targeted survey engagement.

COUNCIL DECISION:

08/26.17.4.841 Moved: Clr I Carter/ Seconded: Clr K Wright

That Council:

1. Notes the progress made in developing the Strategic Liveability Framework;
2. Endorses the proposed community survey and engagement approach as the next stage of developing a Liveability Framework
3. Notes that the findings will be used to further test and refine the Liveability Framework and inform the St Helens – Binalong Bay Liveability Strategy as well as other future Council strategic planning and place-based work.

CARRIED UNANIMOUSLY

08/26.17.5 Draft Economic Diversification and Investment Strategy

FILE REFERENCE	039\004\018
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OFFICER'S RECOMMENDATION:

That Council authorise the General Manager to prepare and lodge a submission regarding the Economic Diversification and Investment Strategy.

INTRODUCTION:

The Tasmanian Government has released the draft Economic Diversification and Investment Strategy for public consultation.

The draft Strategy sets out a long-term direction for supporting a stronger and more diverse Tasmanian economy over the coming decade, with a focus on private investment, productivity, skills, regional development and enabling infrastructure.

This report provides Council with an opportunity to consider the draft Strategy and identify matters to be included in a submission on behalf of Break O'Day Council.

COUNCIL DECISION:

08/26.17.5.842 Moved: Clr L Whittaker/ Seconded: Clr K Chapple

That Council authorise the General Manager to prepare and lodge a submission regarding the Economic Diversification and Investment Strategy.

CARRIED UNANIMOUSLY

08/26.17.6 Local Government Association of Tasmania (LGAT) – Motions for Discussion at August General Meeting

FILE REFERENCE	039\002\008\
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OFFICER'S RECOMMENDATION:

That Council receive and note the motions for consideration at the Local Government Association of Tasmania (LGAT) August General Meeting.

INTRODUCTION:

The next General Meeting for LGAT is scheduled to be held on the 19 August 2026 and the attached motions have been submitted for consideration at this meeting.

COUNCIL DECISION:

08/26.17.6.843

Moved: Cllr B LeFevre/ Seconded: Cllr V Oldham

That Council receive and note the motions for consideration at the Local Government Association of Tasmania (LGAT) August General Meeting.

CARRIED UNANIMOUSLY

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

Moved: Clr K Wright / Seconded: Clr B LeFevre

IN CONFIDENCE

08/26.18.0 CLOSED COUNCIL

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

08/26.18.1 Confirmation of Closed Council Minutes – Council Meeting 20 July 2026

OFFICER’S RECOMMENDATION:

That the minutes of the Closed Council Meeting held on the 20 July 2026 be confirmed.

COUNCIL DECISION:

08/26.18.1.CC Moved: Clr L Whittaker/ Seconded: Clr K Wright

That the minutes of the Closed Council Meeting held on the 20 July 2026 be confirmed.

CARRIED UNANIMOUSLY

08/26.18.2 Outstanding Actions List for Closed Council

Noted.

08/26.18.3 Closed Council Item Pursuant to Section 17(2)(h) of the Local Government (Meeting Procedures) Regulations 2025 - Request to Remove Historical Waste and Infrastructure Duplicate Charges and Bin Collection Fees– Bayvista Rise, St Helens

FILE REFERENCE	PID 9215186 CM 26/16712
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COUNCIL DECISION:

08/26.18.3.CC Moved: Clr I Carter/ Seconded: Clr K Chapple

DECISION TO APPEAR IN THE PUBLIC MINUTES:

That Council:

1. Approves the remission of incorrectly levied Infrastructure Charges on the property at Bayvista Rise, St Helens, resulting from an historical administrative error.
2. Approves a remission of the additional **240L Waste Service Charge** for the **2026/2027 financial year**.

CARRIED UNANIMOUSLY

08/26.18.4 **Closed Council Item Pursuant to Section 17(2)(h) of the Local Government (Meeting Procedures) Regulations 2025 - Request to Remove Historical Waste and Infrastructure Duplicate Charges – Bayvista Rise, St Helens**

FILE REFERENCE	PID 9215185 CM 26/16842
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COUNCIL DECISION:

08/26.18.4.CC Moved: Clr K Chapple/ Seconded: Clr I Carter

DECISION TO APPEAR IN THE PUBLIC MINUTES:

That Council:

1. Approves the remission of incorrectly levied Waste Infrastructure Charges on the property at Bayvista Drive, St Helens resulting from an historical administrative error.

CARRIED UNANIMOUSLY

08/26.18.5 **Closed Council Item Pursuant to Section 17(2)(a) of the Local Government (Meeting Procedures) Regulations 2025 – General Manager Review**

FILE REFERENCE	N/A
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COUNCIL DECISION:

08/26.18.5.CC Moved: Clr I Carter / Seconded: Clr K Wright

DECISION TO APPEAR IN THE PUBLIC MINUTES

No part of this decision is to appear in the Public Minutes

CARRIED UNANIMOUSLY

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

Moved: Clr B LeFevre/ Seconded: Clr V Oldham

08/26.19.0 MEETING CLOSED

Mayor Tucker thanks everyone for their attendance and declared the meeting closed at 12.46pm.

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MAYOR

.....
DATE