

# COUNCIL MEETING AGENDA

Monday 20 November 2023  
Council Chambers, St Helens

John Brown, General Manager  
Break O'Day Council  
14 November 2023

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## 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 20 November 2023 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.



**JOHN BROWN**

**GENERAL MANAGER**

Date: 14 November 2023

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## AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

As determined by Break O'Day Council in March 2019 all Ordinary, Special and Annual General Meetings of Council are to be audio recorded and a link will be available on the Break O'Day Council website where the public can listen to audio recordings of previous Council Meetings.

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

## OPENING

*The Mayor 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.*

### 11/23.1.0 ATTENDANCE

#### 11/23.1.1 Present

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

#### 11/23.1.2 Apologies

Nil

### 11/23.1.3 Leave of Absence

### 11/23.1.4 Staff in Attendance

General Manager, John Brown  
Executive Assistant, Angela Matthews

## 11/23.2.0 PUBLIC QUESTION TIME

### 11/23.2.1

## 11/23.3.0 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.*

## 11/23.4.0 CONFIRMATION OF MINUTES

### 11/23.4.1 Confirmation of Minutes – Council Meeting 16 October 2023

#### OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 16 October 2023 be confirmed.

## **11/23.5.0 COUNCIL WORKSHOPS HELD SINCE 16 OCTOBER 2023 COUNCIL MEETING**

There was a Workshop held on Wednesday 8 November 2023 and the following items were listed for discussion.

- Audit Panel Meeting Minutes – 16 October 2023
- Break O’Day Digital Transformation
- Animal Control Report
- Proposed Environmental Health By-Law
- Outside St Helens Court lighting upgrade
- Draft Land Use Planning and Approval (Development Assessment Panel) Amendment Bill 2023
- Scamander Golf Club
- 1Councillors role in Community Engagement
- 2023-2024 Annual Plan Quarterly Review
- Tasmania Fire and Emergency Service Bill
- Development Application Guidelines – Cllr Ian Carter
- Replacement of heritage trees in St Helens– Deputy Mayor K Chapple
- Discuss main streetscapes and developing a plan for our townships that provide drought resistance, colour and themes etc. – Deputy Mayor K Chapple

*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.*

*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

14/11/2023

23

GOALS

61%

GOAL COMPLETION

## COUNCIL RESOLUTIONS PLAN

## COUNCIL RESOLUTIONS - OCTOBER 2023

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
100%	16/10/2023	31/10/2023	10/23.14.3.237 Transport Services - Road Management Legislation Review	That Council provide a submission to the legislative review based on the comments received from Councillors and key matters identified by Council officers.	Feedback submitted to State Growth on 6th November 2023.	Manager Infrastructure and Development Services
0%	16/10/2023	31/10/2023	10/23.15.2.239 Youth Strategy 2023	That Council change the Annual Plan Action 5.1.1.2 Youth Strategy - Co-Design a Youth Strategy with community for Break O'Day in our Annual Plan to, Co-design a shared vision for supporting youth in Break O'Day with youth stakeholders that facilitates working together towards a shared vision.		Corporate Services Coordinator
100%	16/10/2023	31/10/2023	10/23.15.3.240 Waiver of Fees for Hire of Portland Hall – Free2B Girls	That Council waive the hire fees associated with hiring the St Helens Portland Hall to the value of \$70.00 in support of the Free 2B Girls to hold a "Glow Party" which will be held on 8 December 2023.	Council decision was to support this event with a waiver. Event holders have been advised of the decision	Community Services Officer
0%	16/10/2023	31/10/2023	10/23.16.2.242 Public Open Space Contributions Policy	A \$25.00 non-waivable admin fee is still applicable  Public Open Space Contributions Policy AM02 be amended to recognise that the Break O'Day Council has transitioned from the Break O'Day Interim Planning Scheme 2013 to the Tasmanian Planning Scheme, including the Break O'Day Local Provisions Schedule.  The amendment removes references to the Interim Scheme.		Corporate Services Coordinator

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
100%	16/10/2023	31/10/2023	<b>10/23.16.3.243 Tasmanian Sustainability Strategy – Ratify Submission</b>	Council ratify the submission to the Tasmanian Government on development of its Tasmanian Sustainability Strategy.	Council ratified the submission to the Tasmanian Government on development of its Tasmanian Sustainability Strategy at its October Meeting.	NRM Facilitator
40%	16/10/2023	31/12/2023	<b>10/23.17.3.246 State Election Priorities</b>	That the following priorities form the basis of Council's lobbying activities for the next State Election 1. St Marys Pass 2. Bay of Fires Master Plan 3. Georges Bay Foreshore Trackt 4. St Helens District High School 5. St Marys Childcare Centre 6. St Marys Community Health Centre	Priority document under preparation drawing on information from State Budget Community consultation response	General Manager
100%	16/10/2023	31/10/2023	<b>10/23.17.4.247 Office Closure – Christmas to New Year</b>	That Council authorise the General Manager to close the Council Office and the Works Depot for the Christmas Break from 12.30pm on Friday 22 December 2023 and reopen on Tuesday 2 January 2024.	Closure process actioned, communications scheduled	General Manager



## COUNCIL RESOLUTIONS - SEPTEMBER 2023

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
50%	18/09/2023	31/12/2023	<b>09/23.17.4.228 The Lease of a portion of 29 Talbot Street, Fingal to Centacare Evolve Housing</b>	commence proceedings to offer for lease the identified section of 29 Talbot Street, Fingal.	Advertising period completed as required by S178 of the Local Government Act. Submissions received being analysed and will be presented to Council for consideration at a future meeting.	General Manager

## COUNCIL RESOLUTIONS - AUGUST 2023

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
25%	21/08/2023	31/12/2023	<b>08/23.15.4.200 Bay of Fires Master Plan</b>	That Council does not proceed with the development of the Bay of Fires Master Plan due to additional funding not being received from the State Government.  That Council as part of the State Election process lobby for a commitment from both the Liberal and Labor parties for funding of \$150,000 for the development of a Bay of Fires Master Plan.	Following Council's decision, an opportunity presented itself to raise the matter with Minister Jaensch during a recent meeting and discuss in detail Council's position. As part of lobbying activities for future elections the project is being submitted through the NTDC Priority Projects review process. It will also be included in the State Election Priorities	Manager Community Services
20%	21/08/2023	31/12/2023	<b>08/23.15.6.202 Reconciliation Action Plan</b>	That Council accept the quote of \$11,750.00 + GST as quoted by Reconciliation Tasmania (RT) to develop a Reconciliation Action Plan (RAP) for the Break O'Day Community. This cost excludes the cost of professional graphic art for RAP format, layout, artwork and photography, professional printing of the RAP document and associated promotional pieces – banners, flyers etc. as well as staff costs who will be working on the project.	Council approved the funding to undertake a Reconciliation Plan. Council will work with Reconciliation Tasmania to develop the plan for our community	Manager Community Services
90%	21/08/2023	30/11/2023	<b>08/23.17.2.206 2024 – 2025 State Budget Community Consultation</b>	That Council provide a submission to the 2024-2025 State Budget community consultation process covering the following items: 1. St Helens District High School investigation of replacement & upgrading options 2. St Helens Wharf repairs 3. St Marys Childcare Centre – investigation into options 4. St Marys Pass – investigation & business case	Draft submission prepared for review and on track for submission by due date	General Manager

## COUNCIL RESOLUTIONS - JULY 2023

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
100%	17/07/2023	31/08/2023	<b>07/23.15.4.175 Lease of Public Land under S.178 Local Government Act – Elizabeth Street, Mangana</b>	That in making this resolution, Council has considered all objections lodged against this lease and that Council under Section 178 of the <i>Local Government Act 1993</i> authorise the General Manager to lease part of Certificate of Title Volume 203723 Folio 5 being land situate in Elizabeth Street, Mangana for the purpose of the construction of a small cell mobile tower.	Representor advised of Council's decision and lease has been signed with Telstra for the location of a small cell tower	Community Services Officer

## COUNCIL RESOLUTIONS - JUNE 2023

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
50%	26/06/2023	31/07/2023	<b>06/23.9.2.131 Online Access Centre Funding – Cllr Carter</b>	That Council write to the State Government requesting: 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	Follow up letter sent to Minister on 26/10/23 raising concerns. No response received as at 14/11/23.	General Manager
90%	26/06/2023	29/02/2024	<b>06/23.16.3.154 Draft Municipal By-Law &amp; Regulatory Impact Statement</b>	1. In accordance with section 156 of the Local Government Act 1993, Council resolves to make a by-law for the regulation of refuse disposal sites, household refuse disposal, animal control, caravans and control of burning, certification, and 2. Proceed to forward decision and draft documents to the Director of Local Government for certification under Section 156A(6) of the Local Government Act, and 3. Subsequent to the director of the office of local government certification, proceed to notification and seek community submissions for consideration.	New Council Report prepared for November 2023 Council Meeting to consider public submissions. If approved and endorsed by Council the By-Law can proceed to final	Development Services Coordinator

## COUNCIL RESOLUTION MAY 2023

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
50%	15/05/2023	30/06/2023	<b>05/23.17.6 Economic Development Strategy Review</b>	That Council 1. Allocate funding within the 2023-2024 budget for the development of an Economic Development Strategy 2. Undertake an Expression of Interest (EOI) for a consultant to develop the Economic Development Strategy	Funding allocation included within draft 2023-24 Budget. Draft Consultants Brief has been prepared.	General Manager

## COUNCIL RESOLUTIONS APRIL 2023

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
100%	17/04/2023	30/04/2023	<b>04/23.15.3 Review of the Community Facility Hire Policy – CB07</b>	That Council nominate Councillors Drummond, Oldham, Johnstone, Carter, Wright to work with Community Services staff to review Policy CB07 – Section 2 – Hirer Categories & Concessions.	Review undertaken by Councillors and supported by Council at the August, 2023 meeting.	Manager Community Services

## COUNCIL RESOLUTIONS - MARCH 2023

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
36%	20/03/2023	30/06/2023	03/23.15.7 St Helens Sports Complex	<ol style="list-style-type: none"> <li>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.</li> <li>2. That funds from Public Open Space – St Helens be used to engage a landscape architect to undertake this project.</li> </ol>	Meeting has been organised with staff to start developing a Brief for this project so that Expressions of Interest can be obtained in line with community feedback and usage.	Manager Community Services



## COUNCIL RESOLUTIONS FEBRUARY 2023

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
100%	20/02/2023	31/03/2023	<b>02/23.15.6 Policy AM21 – Single Use Plastics Policy</b>	<ol style="list-style-type: none"> <li>1. That a longer time frame be considered for community members who are participating in events and activities to implement the Single Use Plastic Policy.</li> <li>2. That Council undertaking more extensive community engagement with community groups as to what options are available for them to use when replacing current single use plastics.</li> </ol>	Council staff have included the single use plastic policy in all hire paperwork and ensure that we advise potential hirers of Council's policy as to use of single plastics at events.	Manager Community Services
50%	20/02/2023	30/06/2023	<b>02/23.17.5 Live Streaming of Council Meetings</b>	<ol style="list-style-type: none"> <li>1. That Council resolve to implement Live Streaming of Council Meetings; and</li> <li>2. That the cost for the implementation for associated hardware and software be considered as part of the 2023-2024 budget deliberations.</li> </ol>	Equipment ordered and waiting for arrival and then the date for installation and training will be set.	Corporate Services Coordinator



## COUNCIL RESOLUTIONS 2022

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
65%	21/02/2022	31/03/2022	<b>02/22.16.5.39 - Management of Freshwater Resources and Water Quality</b>	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.	<b>Polly Buchhorn:</b> Work to bring information on state freshwater water resources and water quality management concerns for Break O'Day through Council continues to be delayed. Concerns remain for critical reviews and claims of poor freshwater and river management by the Tasmanian Government agencies and bodies and their response.	NRM Facilitator
75%	27/06/2022	31/10/2022	<b>06/22.15.3.123 - Outdoor Exercise Equipment - Scamander</b>	That Council seek external funding to cover the cost of this project.	A grant opportunity has been identified and will be finalised at the September 2023 Council meeting with Council seeking \$50k. The location of the equipment will be finalised through a community engagement process.	Manager Community Services
50%	21/11/2022	30/06/2023	<b>11/22.16.6 Community Communications support for Off Road Vehicle Management</b>	That Council provide public information and education support to the efforts being made by the Parks and Wildlife Service, private landholders and NRM North to control illegal off road vehicles on St Helens Point.	Council's NRM Facilitator and Communications Coordinator are yet to develop public communications on Off Road Vehicle issues, in collaboration with the Parks and Wildlife Service and other stakeholders. Progress is being made by PWS to install access controls.	NRM Facilitator

## COUNCIL RESOLUTIONS 2021

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
10%	15/02/2021	31/08/2021	<b>02/21.16.4.50 - Draft Policy LG55 – Use of Conferencing Technology to Attend Council Meetings and Workshops Policy</b>	That Council note the draft Policy LG55 – Use of Conferencing Technology to Attend Council Meetings and Workshops Policy and await the outcome of the Local Government Act review.	On hold until the Local Government Act Review is completed.	Executive Officer

## 11/23.8.0 PETITIONS

Nil.

## 11/23.9.0 NOTICES OF MOTION

### MOTION:

*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:*

### SUBMISSION IN SUPPORT OF MOTION:

## 11/23.10.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

## 11/23.11.0 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

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

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

**11/23.12.0****MAYOR'S & COUNCILLOR'S COMMUNICATIONS****11/23.12.1****Mayor's Communications for Period Ending 20 November 2023**

18.10.2023	<b>St Helens</b>	– Judging of School Christmas Artwork competition
01 - 02. 11.2023	<b>Devonport</b>	– Local Government Association of Tasmania (LGAT) –General Meeting and Annual Conference
08.11.2023	<b>St Helens</b>	– Council Workshop
09.11.2023	<b>St Helens</b>	– Break O'Day Municipal Emergency Management Committee Meeting
13.11.2023	<b>St Helens</b>	– Meeting with Geoff Mountney
16.11.2023	<b>St Helens</b>	– Future of Local Government Review Report
17.11.2023	<b>St Helens</b>	– Australian Local Government Association Board Meeting
20.11.2023	<b>St Helens</b>	– Council Meeting

**11/23.12.2****Councillor's Reports for Period Ending 20 November 2023**

*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

## 11/23.13.0 BUSINESS AND CORPORATE SERVICES

### 11/23.13.1 Corporate Services Department Report

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Raoul Harper, Business Services Manager
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:

##### Systems Upgrades

The process of upgrading Council's property management system took place last week. Data was migrated across in to the new system and staff training was undertaken to support the implementation.

##### Investments

Below is a list Council's investments for the 2023 – 2024 financial year. Council Officer's are continually monitoring interest rates to achieve the best return for Council.

There are two (2) Term Deposits with CBA that are due to expire on the 10 November and Councils cash flow position will be reviewed and re-investing will take place as necessary.

Maturing/ Matured	Term (Months)	Principle Amount	Interest	Total Amount	Interest Rate	Bank	Status
18.09.2023	3	1,000,000.00	12,876.71	\$ 1,012,876.71	5.00%	Bendigo	Matured
10.11.2023	12	1,007,022.43	42,882.05	\$ 1,049,904.48	4.27%	CBA	Current
10.11.2023	12	1,008,843.21	42,959.58	\$ 1,051,802.79	4.27%	CBA	Current
29.11.2023	12	1,500,000.00	64,921.64	\$ 1,564,921.64	4.34%	CBA	Current
18.12.2023	6	1,000,000.00	26,863.01	\$ 1,026,863.01	5.30%	Bendigo	Current
24.01.2024	12	1,100,000.00	49,912.88	\$ 1,149,912.88	4.55%	Bendigo	Current
05.02.2024	5	1,000,000.00	20,375.00	\$ 1,020,375.00	4.89%	CBA	Current
19.03.2024	9	1,000,000.00	40,912.33	\$ 1,040,912.33	5.45%	Bendigo	Current

02.04.2024	9	1,500,000.00	62,325.00	\$ 1,562,325.00	5.54%	CBA	Current
09.05.2024	9	3,000,000.00	123,075.00	\$ 3,123,075.00	5.47%	CBA	Current
05.06.2024	9	2,000,000.00	76,200.00	\$ 2,076,200.00	5.08%	CBA	Current
16.06.2024	12	1,000,000.00	54,295.89	\$ 1,054,295.89	5.40%	Bendigo	Current
20.09.2024	12	2,000,000.00	106,200.00	\$ 2,106,200.00	5.31%	CBA	Current
		<b>\$ 18,115,865.64</b>	<b>\$723,799.09</b>	<b>\$18,839,664.73</b>			

### Digital Transformation Journey

As briefed at the Council Workshop, Council is embarking on the Digital Transformation Journey.

This journey started with an email from the General Manager saying that Devonport City Council had reduced their photocopying from 35,000+ copies a month to 6,000 copies a month. Knowing that there must be more to this than just reducing printing and photocopying the General Manager arranged a contact with Devonport City Council where discussions commenced as to how they got to this point with their printing and copying. The story that followed was quite mind blowing and exciting and now we are on a path of Digital Transformation. In stating the above Devonport started this journey in 2018 and it is still going with continuous improvement – it will never end ....

A draft overarching Digital Transformation Operational Plan 2023 – 2025 has been prepared which is a living document and will be updated as items are undertaken and added to as more things come to light. The plan outlines the strategic direction and key initiatives to achieve the organisation's digital transformation goals.

The Digital Transformation journey doesn't have an expiry date it is a journey of continuous improvement and the Operational Plan seeks to create mobility, flexibility and simplification for both Council and the Community by creating efficiencies through digital transformation.

The Plan's objective is high level and sets clear direction for the organisation communicating the potential benefits of achieving efficiencies in various aspects of Council's operations to not only Council but also the community we serve. The following points provide high-level strategies for us to aim for.

1. Mobility – make operations and services more mobile, which is in line with modern trends where accessibility from anywhere is increasingly important.
2. Flexibility – adaptability to changing circumstances, which is crucial in a digital environment.
3. Simplification – lead to streamlined processes and improved user experiences, both of which are key objectives in digital transformation.
4. Efficiency – creating efficiencies, which align with the goal of reducing costs and improving resource utilisation.

### Goals

The Plan lists four (4) overarching goals that serve as the primary objectives of the digital transformation initiative. These goals focus on customer service excellence, innovation, optimisation of digital solutions and organisational improvement using cloud and mobility enabled solutions.

### **Initiatives**

The initiatives details specific actions or projects that the organisation will undertake to achieve its goals. Each initiative is aligned with a goal and is designed to drive the transformation process. Initiatives include but are not limited to, enhancing the customer experience, investing in cost reducing digital solutions, improving staff productivity and ensuring data security and compliance.

### **Projects & Actions**

Specific projects are highlighted and ongoing business activities relate to the digital transformation plan. It includes a mix of initiatives such as leveraging Office 365, automating processes, implementing a chatbot, enhancing customer service portals and streamlining approval processes. These are all essential components of the overall plan.

Council are currently undertaking a full review of hardware and software for all staff whilst working with appropriately skilled and knowledgeable people within Local Government to get an understanding of what we can do with the software we already have and identify any potential software/hardware that we have that we may not need if we were utilising what we already have to its full capacity.

Some specific actions that we will be undertaking in the initial stages are as follows:

1. Implementation of a cloud based phone system – this will enable staff to make and receive calls from where ever they may be located eg working from home, working in remote locations. This will also enable calls to be transferred to staff at the time of the call from customer service rather than messages being always taken due to people working remotely.
2. Automate processes which are repetitive – an example of this is with the admin emails – automation can be set up by using key words/phrases and they will automatically be trimmed through Council's records management system and assigned to the relevant person/department to be actioned without any human intervention.

Automation can also be used in many ways such as creating processes, templates, forms that can be completed and with a workflow set up in the background once one person has completed their component it will then be actioned to the next appropriate person in the workflow and so on right through to completion of the process where it will end up with the appropriate person/department this will be with minimal human intervention as far as re-assigning or re-actioning this will be done automatically once a step is completed.

3. Moving Council's main operating servers (which we call S Drive) to the Cloud through an Office 365 application called Sharepoint.

### **Costs**

At the end of the day this journey is about cost savings, however it is more about the efficiencies that can be realised by our organisations rather than fully focussing on cost savings.

As an organisation when we get fully immersed in this journey over time things such as the implementation of automations for workflows, forms automation among hundreds of other things we could do will create more efficiencies in workloads and enable staff to focus on continuous improvement of other customer service activities that add value.

By moving our operations to the Cloud will also reduce the risk of potential downtime with power outages, servers breaking down etc.

**At the end of the day this is a journey which never ends.**

## 2023/2024 Rates Summary - 7 November 2023

	2023/2024		2022/2023	
	%	\$	%	\$
<b>Rates Brought Forward</b>				
Outstanding Rate Debtors		695,682.00		470,736.59
Less Rates in Credit		-271,007.13		-280,014.02
<b>Net Rates Outstanding at 30 June 2023</b>	<b>3.40</b>	<b>424,674.87</b>	<b>1.72</b>	<b>190,722.57</b>
Rates and Charges Levied	96.29	12,016,302.55	97.48	10,824,324.40
Interest and Penalty Charged	0.30	37,717.58	0.80	89,060.18
<b>Total Rates and Charges Demanded</b>	<b>100.00</b>	<b>12,054,020.13</b>	<b>100.00</b>	<b>10,913,384.58</b>
Less Rates and Charges Collected	65.71	8,199,171.51	64.12	7,119,489.88
Less Credit Journals and Supp Credits	1.00	125,232.28	0.11	12,357.11
Remissions and Discount	4.89	610,446.11	5.04	560,083.63
<b>Unpaid Rates and Charges 7 November</b>	<b>28.40</b>	<b>3,543,845.10</b>	<b>30.73</b>	<b>3,412,176.53</b>

## Remissions and Discounts

	2023/2024	2022/2023
Early Payment Discount	116,978.15	105,757.87
Pensioner Rebates	493,467.96	454,325.76
	<b>610,446.11</b>	<b>560,083.63</b>

## Number Rateable Properties

## Number Unpaid Rateable Properties

## % Not fully paid

*Changeover to new property system CouncilWise – data will be made available next month*



## Right to Information (RTI) Requests

Nil

## 132 and 337 Certificates

	132	337
October 2023	51	32
September 2023	34	25
October 2022	46	27

## Debtors/Creditors @ 9 November 2023

### DEBTORS INFORMATION

#### Invoices Raised

Current			Previous Year	
Month	Mth Value	YTD 23/24	Month	YTD 21/22
73	\$353,045.56	331	74	316

### CREDITORS INFORMATION

#### Payments Made

Current			Previous Year	
Month	Mth Value	YTD 23/24	Month	YTD 22/23
338	\$832,401.08	1252	203	868

## 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, Business Services Manager
FILE REFERENCE	018\018\001\
ASSOCIATED REPORTS AND DOCUMENTS	Financial Reports

**OFFICER'S RECOMMENDATION:**

That the following reports for the month ending 31 October 2023 be received:

1. Profit and Loss Statements
2. Balance Sheet
3. Statement of Cash Flows
4. Capital Works 2022-2023

**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 as shown below show the financial position of Council as at 31 October 2023

## Profit and Loss

Break O'Day Council

For the 4 months ended 31 October 2023

Account	Actual YTD	Budget YTD	Budget	Annual	Notes
<b>Trading Income</b>					
Rates	11,926,407	11,845,314	1%	11,845,314	
User Fees	455,446	439,924	4%	1,383,879	
Operating Grants	296,316	1,196,553	-75%	3,897,036	1
Interest & Investment Income	71,986	349,652	-79%	816,457	2
Contributions	32,291	5,300	509%	15,900	
Other Revenue	6,433	29,520	-78%	88,550	
<b>Total Trading Income</b>	<b>12,788,879</b>	<b>13,866,263</b>	<b>-8%</b>	<b>18,047,136</b>	
<b>Gross Profit</b>	<b>12,788,879</b>	<b>13,866,263</b>	<b>-8%</b>	<b>18,047,136</b>	
<b>Capital Grants</b>					
Grants - Commonwealth Capital	1,586,307	1,553,244	2%	3,106,489	
Grants - Roads to Recovery	49,270	323,500	-85%	647,000	
Grants - State Capital	107,544	492,500	-78%	985,000	
<b>Total Capital Grants</b>	<b>1,743,121</b>	<b>2,369,244</b>	<b>-26%</b>	<b>4,738,489</b>	3
<b>Other Non Operating Income</b>					
Net Gain/Loss on Disposal of Assets	67,669	40,000	69%	120,000	
<b>Total Other Non Operating Income</b>	<b>67,669</b>	<b>40,000</b>	<b>69%</b>	<b>120,000</b>	
<b>Total Non Operating Revenue</b>	<b>1,810,790</b>	<b>2,409,244</b>	<b>-25%</b>	<b>4,858,489</b>	
<b>Operating Expenses</b>					
Employee Costs	1,999,294	2,064,628	-3%	6,114,089	
Materials & Services	2,440,847	2,838,583	-14%	7,026,009	4
Interest Expense	(2,348)	82,636	-103%	247,910	5
Depreciation	1,552,250	1,552,596	0%	4,657,790	
Other Expenses	92,487	89,668	3%	269,008	
<b>Total Operating Expenses</b>	<b>6,082,530</b>	<b>6,628,111</b>	<b>-8%</b>	<b>18,314,806</b>	
<b>Operating Net Profit</b>	<b>6,706,348</b>	<b>7,238,152</b>	<b>-7%</b>	<b>(267,670)</b>	
<b>Net Profit (Including Non Operating Rev</b>	<b>8,517,138</b>	<b>9,647,396</b>	<b>-12%</b>	<b>4,590,819</b>	
<b>Work in Progress</b>					
Capital Work in Progress	847,932	0	0%	0	
<b>Total Work in Progress</b>	<b>847,932</b>	<b>0</b>	<b>0%</b>	<b>0</b>	

### Notes

1. Operating grants are down \$900k on budget YTD, which primarily relates to receiving of the 23/24 Financial Assistance Grants in the prior financial year.
2. Interest and Investment income is down \$277k on budget YTD which primarily relates to the timing of maturity of
3. Capital Grant income is down \$626k on budget YTD, which primarily relates to the timing of grant payments in relation to project milestones being met.
4. Materials and services are down \$398k (14%) on budget YTD which relates to a combination of timing of some payments such, as the Fire Levy, and some areas currently recording a lower level of spending than forecast for the YTD.
5. Interest expense is down \$85k on budget which is due to the timing of loan payments.

**Balance Sheet**  
Break O'Day Council  
As at 31 October 2023

Account	31 Oct 2023	30 Jun 2023
<b>Assets</b>		
<b>Current Assets</b>		
Cash & Cash Equivalents	19,336,999	14,434,952
Trade & Other Receivables	4,104,480	1,056,053
Inventory	210,109	242,538
Other Assets	2,838	2,838
<b>Total Current Assets</b>	<b>23,654,426</b>	<b>15,736,380</b>
<b>Non-current Assets</b>		
Trade and Other Receivables	14,392	14,392
Property, Plant & Equipment	191,573,546	193,139,070
Right of Use Asset	792,141	792,141
Intangible Assets	37,738	46,147
Investment in Water Corporation	33,959,804	33,959,804
Other Investments	30,000	30,000
<b>Total Non-current Assets</b>	<b>226,407,620</b>	<b>227,981,554</b>
<b>Total Assets</b>	<b>250,062,046</b>	<b>243,717,934</b>
<b>Liabilities</b>		
<b>Current Liabilities</b>		
Trade & Other Payables	624,851	902,701
Contract Liabilities	0	1,021,755
Lease Liability	60,783	60,783
Interest Bearing Loans & Borrowings	375,587	407,685
Provisions	947,362	947,362
Trust Funds and Deposits	741,750	742,459
Break O'Day Christmas Festivities - Clearing Account	7,317	0
<b>Total Current Liabilities</b>	<b>2,757,651</b>	<b>4,082,745</b>
<b>Non-current Liabilities</b>		
Lease Liabilities	741,882	741,882
Interest Bearing Loans & Borrowings	5,459,137	5,459,137
Provisions	766,323	766,323
<b>Total Non-current Liabilities</b>	<b>6,967,342</b>	<b>6,967,342</b>
<b>Total Liabilities</b>	<b>9,724,992</b>	<b>11,050,087</b>
<b>Net Assets</b>	<b>240,337,054</b>	<b>232,667,847</b>
<b>Equity</b>		
Accumulated Surplus	51,334,240	43,665,033
Reserves	189,002,814	189,002,814
<b>Total Equity</b>	<b>240,337,054</b>	<b>232,667,847</b>

## Statement of Cash Flows

Break O'Day Council

For the 4 months ended 31 October 2023

Account	YTD	2023
<b>Operating Activities</b>		
Receipts from customers	612,418	1,409,618
Receipts from rates	8,655,163	10,670,679
Receipts from Operational Grants	107,691	4,840,072
Contributions	7,774	155,057
Interest received	(25,014)	546,447
Dividends received	97,000	465,600
Payments to employees	(2,091,252)	(5,738,665)
Payments to suppliers	(2,573,533)	(6,976,112)
Finance Costs	(19,784)	(343,938)
Cash receipts from other operating activities	435,758	232,623
Cash payments from other operating activities	93	421
<b>Net Cash Flows from Operating Activities</b>	<b>5,206,313</b>	<b>5,261,801</b>
<b>Investing Activities</b>		
Payment for property, plant and equipment	(1,097,217)	(4,394,745)
Proceeds from sale of property, plant & equipment	89,045	86,000
Capital Grants received	719,466	1,987,754
<b>Net Cash Flows from Investing Activities</b>	<b>(288,706)</b>	<b>(2,320,991)</b>
<b>Financing Activities</b>		
Proceeds of trust funds and deposits	9,220	57,599
Repayment of loans	(32,097)	(389,024)
Repayment of lease liabilities	0	12,131
Other cash items from financing activities	7,317	0
<b>Net Cash Flows from Financing Activities</b>	<b>(15,560)</b>	<b>(319,294)</b>
<b>Net Cash Flows</b>	<b>4,902,048</b>	<b>2,621,516</b>
<b>Cash and Cash Equivalents</b>		
Cash and cash equivalents at beginning of period	14,434,952	11,813,436
Net change in cash for period	4,902,048	2,621,516
Cash and cash equivalents at end of period	19,336,999	14,434,952

# Break O'Day Council

Capital Works 2022-2023

for the period ending 30 September 2023

Project Details	YTD	Estimated Carried Forward @ 30/06/2023	New Budget Items 2023/2024	Estimated Carry Forward + Budget 2024
<b>Plant &amp; Equipment</b>				
Replace 1358 H66ZW - Kia Sportage - Building Surveying	-	40,000		40,000
Small Plant - VARIOUS	27,063		40,000	40,000
Replace 1050 - Crown LPG Forklift	-		25,000	25,000
Replace 1061 - John Deere 570B Grader	-		350,000	350,000
Replace 1223 - Hitachi EX7SUR-3 Excavator	-		150,000	150,000
Replace 1291 - Toro Mower	-		40,000	40,000
Replace 1329 -Toro Groundmaster 7200	-		30,000	30,000
Replace 1340 - Ferris IS3200 61" Mower	-		30,000	30,000
Replace 1360 - Dmax 4x4 Crew Cab	-		45,000	45,000
Replace 1361 - Kia Sportage H40ZN - Corporate Services	40,936		40,000	40,000
Replace 1363 - Toro Groundmaster 360	-		40,000	40,000
Replace 1364 - Ferris IS3200Z Mower	23,090		30,000	30,000
Replace 1379 - Toro G3 Z-Master 48"	19,090		17,148	17,148



Fuso Fighter (replace 1321)	17,060			-
All terrain Beach Wheelchair	2,843			-
<b>Total Plant &amp; Equipment</b>	<b>130,081</b>	<b>40,000</b>	<b>837,148</b>	<b>877,148</b>
<b>Furniture &amp; IT</b>				
Desktop replacements 2022/23	11,730		14,400	14,400
Firewall	-		14,000	14,000
Livestream Equipment	-		8,000	8,000
Server Replacement	-		20,000	20,000
Phone system	-		25,000	25,000
<b>Total Furniture &amp; IT</b>	<b>11,730</b>	<b>-</b>	<b>81,400</b>	<b>81,400</b>
<b>Buildings</b>				
Fingal Community Shed (Old Tas Hotel)	-	350,000		350,000
St Marys Indoor Recreation Facility	42,063	1,000,000		1,000,000
Portland Hall Upgrades	-	6,288	3,712	10,000
Scamander Sports Complex	3,370	50,000		50,000
St Marys Hall Upgrades	-			-
Stadium repaint of floors and replace damaged equipment	40,746	95,074		95,074
Council Chambers additions and improvements	3,235	47,735	10,000	57,735
Falmouth Community Centre - New Toilet, Demolish Old, Internal Alterations	-			-



Pyengana Recreation Ground Improvements	-			-
Binalong Bay - Village Green BBQ Replacements	-			-
Memorial Park Toilet Block Replacement	-			-
Service Tasmania	-		20,000	20,000
Marine Rescue Building Renovations	4,773			-
St Marys WTS Tip Shop Additions	486	-	-	-
<b>Total Buildings</b>	<b>94,672</b>	<b>1,549,097</b>	<b>33,712</b>	<b>1,582,809</b>
<b>Parks, Reserves &amp; Other</b>				
Special Project - Land Use Review Projects	-			-
Special Project - St Helens Wharf Foreshore Master Plan	- 70	50,000		50,000
Special Project - Feasibility Study Aquatic Centre & Hydrotherapy Pool	-	40,000	50,000	90,000
Special Project - Tas Police Project	9,453		200,000	200,000
Special Project - Parking Strategy St Helens and St Marys	-		20,000	20,000
Special Project: Scamander Coastal Hazards Project	1,368	30,000	70,865	100,865
Fingal Youth Playground/recreation hub	19,162	345,767		345,767
Pump Track/s	730	500,000		500,000
Playground equipment replacement program	5,489	64,261		64,261
Dog exercise area St Helens Improvements	5,890	7,803		7,803
St Marys Dog Park	8	6,554		6,554
Cornwall Soldiers Park - Track upgrade and SW works	1,399	20,000		20,000

St Marys Cemetery Master Plan - Columbarium Wall & garden	27,109		5,000	5,000
St Helens Cemetery Master Plan improvements	-			-
Secret Sculpture Trail	7,000			
<b>Totals Parks, Reserves &amp; Other</b>	<b>77,539</b>	<b>1,064,385</b>	<b>345,865</b>	<b>1,410,250</b>
<b>Roads - Streetscapes</b>				
LRCI Phase 4 - Cecilia St/ Georges Bay Esp Junction	24,291		130,000	130,000
Cecilia Street/Georges Bay Esplanade junction	-		30,000	30,000
Cecilia St - Northern End	-		15,000	15,000
Quail St Parking Bay	-	50,000	-	50,000
<b>Total Streetscapes</b>	<b>24,291</b>	<b>50,000</b>	<b>175,000</b>	<b>225,000</b>
<b>Roads - Footpaths</b>				
Main St Mathinna (Wilson St to Community Hall)	-	8,500		8,500
Parkside Foreshore Footpath	4,892	30,000		30,000
Grant Street Pathway, Falmouth	42,417		47,303	47,303
Young St, St Helens, Footpath	(1,219)			-
Maori Place, Akaroa	48			-
Irishtown Road	2,331			-
<b>Total Footpaths</b>	<b>48,469</b>	<b>38,500</b>	<b>47,303</b>	<b>85,803</b>
<b>Roads - Kerb &amp; Channel</b>				
Penelope St St Helens	-			-
<b>Total Kerb &amp; Channel</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

<b>Roads - Resheeting</b>				
999 - Victoria St Part C	-	1,400		1,400
998 - Victoria St Part C	-	360		360
997 - Victoria St Part C	-	2,100		2,100
2138 - Franks St Fingal	-	3,795		3,795
1024 - Franks St Fingal	-	3,400		3,400
1081 - Sorell St	-	6,700		6,700
1053 - Louisa St	-	2,800		2,800
Fingal Streets	-	6,500		6,500
Canhams Road	3,815		39,250	39,250
Evercreech Road	-		64,160	64,160
Mathinna Plains Road	16,242		96,250	96,250
North Ansons Road	-		253,732	253,732
Macquarie Street	11,357		12,558	12,558
Champ St, Seymour	12,175		13,650	13,650
Davis Gully Road	-		38,800	38,800
Lyne Court	-		19,656	19,656
St Marys Area Resheeting	3,899			-
<b>Total Resheeting</b>	<b>47,487</b>	<b>27,055</b>	<b>538,056</b>	<b>565,111</b>
<b>Roads - Reseals</b>				

St Marys - Story Street Esk Main Road to Groom Street	-	55,084		55,084
794-Boronia St	-		6,730	6,730
656-Football Entry Rd	-		2,293	2,293
1036-Talbot St West C/W	-		5,328	5,328
1035-Talbot St West C/W	-		4,688	4,688
1004-Victoria St Part A	-		4,870	4,870
616-Charlotte Crt	-		29,250	29,250
621-Four Mile Creek Rd	-		18,206	18,206
644-Mangana Rd	-		30,108	30,108
307-Mangana Rd	-		39,597	39,597
306-Mangana Rd	-		10,051	10,051
305-Mangana Rd	-		33,069	33,069
636-Chapman St	-		3,574	3,574
623-Fonthill St	-		4,071	4,071
614-High St Mathinna	-		12,127	12,127
613-High St Mathinna	-		9,531	9,531
631-High St Mathinna	-		9,611	9,611
630-High St Mathinna	-		8,849	8,849
629-High St Mathinna	-		13,280	13,280
628-High St Mathinna	-		3,366	3,366

626-High St Mathinna	-		2,872	2,872
638-Wilson St	-		4,011	4,011
194-Mathinna Rd	-		14,942	14,942
572-Cherrywood Dve	-		5,420	5,420
543-Scamander Ave	-		18,121	18,121
565-Silver St	-		7,978	7,978
923-Ansons Bay Rd (Priory Rd)	-		53,861	53,861
432-Circassian St	-		11,935	11,935
439-Depot Rd	-		5,036	5,036
485-Netball Rd	-		6,525	6,525
484-Netball Rd	-		4,887	4,887
689-St Helens Point Rd	-		31,993	31,993
688-St Helens Point Rd	-		23,223	23,223
Quail Street - off traffic lane resealing	-	50,000		50,000
<b>Totals Reseals</b>	-	<b>105,084</b>	<b>439,403</b>	<b>544,487</b>
<b>Roads - Construction, Digouts &amp; Other</b>				
Aerodrome ring road - Erosion mitigation	-		30,000	30,000
Digouts and road edge remediation to be allocated	-	25,000	250,000	275,000
218 - Mathina Plains Road	79,187	185,000		185,000

Medeas St/Circassian St intersection upgrade	-	195	200,000	200,195
LRCI Phase 3 North Ansons Bay Sealing	4,902	139,000		139,000
Road Network - Sign Replacement	26,137		25,000	25,000
LRCI Program - Phase 4 Projects	-		890,844	890,844
Flood damage remediation works	53,436		300,000	300,000
Gardens Road - STAGE ONE	3,270			-
St Helens Point Road - Parkside	19,590			-
Digouts and Edge Remediation	122,036			-
<b>Totals - Roads Construction, Digouts &amp; Other</b>	<b>298,755</b>	<b>349,195</b>	<b>1,695,844</b>	<b>2,045,039</b>
<b>Totals Roads &amp; Footpaths</b>	<b>419,002</b>	<b>569,834</b>	<b>2,895,606</b>	<b>3,465,440</b>
<b>Bridges</b>				
B2293 - Cecilia St	3,990	216,499	5,000	221,499
B7027 - Mathina Plains Road	-	30,000	30,000	60,000
B1243 - Binns Road	-		28,600	28,600
B1245 - Clellands Road	117		29,400	29,400
B1675 - Lower Germantown Road	4,874		220,000	220,000
B1605 - St Columba Falls Road	46,562		-	-
B7010 - Rattrays Road	1,140		-	-

<b>Total Bridges</b>	<b>56,683</b>	<b>246,499</b>	<b>313,000</b>	<b>559,499</b>
<b>Stormwater</b>				
Minor stormwater Jobs	2,523		58,000	58,000
Osprey Drive	-	9,006		9,006
Falmouth Street	-	10,000		10,000
Penelope Street	3,544	113,521		113,521
Victoria Street, Fingal	1,575		108,000	108,000
Aulichs Lane, St Marys	-		10,000	10,000
Freswater St / Lade Court Beaumnaris	6,382		-	-
Treloggens Track	44,367		-	-
<b>Total Stormwater</b>	<b>58,391</b>	<b>132,527</b>	<b>176,000</b>	<b>308,527</b>
<b>Waste Management</b>				
Scamander WTS - Waste Paint Container Station	-	14,283		14,283
Scamander WTS - Replace sump pit & pump	-		20,000	20,000
Scamander WTS - Waste Compactor	-		20,000	20,000
<b>Total Waste Management</b>	<b>-</b>	<b>14,283</b>	<b>40,000</b>	<b>54,283</b>
<b>Total Capital</b>	<b>848,098</b>	<b>3,616,625</b>	<b>4,722,731</b>	<b>8,339,356</b>

Check

847931.54  
167

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Raoul Harper, Business Services Manager
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, NSW.
- Starting to get phone enquiries about free camp site availability over Christmas and can they book.
- Have had quite a few people come in for maps as their GPS' seem to be sending them on back dirt roads.

**The History Room Curator Report:**

- **Curator on Leave:** Dates were Saturday 9 September – Monday 9 October 2023. Thank you to all the volunteers who continue to come in for duty – the continuing support of the St Helens History Room is greatly appreciated.
- **Medea Park Visit:** This occurred on Wednesday 20 September with nine residents visiting. This was a first as part of their activity program and I believe all were very pleased with the trip.
- 'Ships of St Helens' exhibition is still on display.
- August was free entry into the museum with 401 taking advantage of this campaign.
- **Arts Tasmania Grant:** This was submitted in September 2023 and if successful, this will upgrade the Historical bollards around St Helens.
- **Award:** St Helens History Room received an Accessibility and Inclusivity Award from East Coast Tasmania Tourism.
- Several displays have been shown in the foyer cabinet at the centre – 'Family Histories'; 'Historic School Days'; 'Tools of Trade'.



- **Tasmanian Aviation Historical Society:** Met with their President, Mr Andrew Johnson at the QVMAG – Inveresk site on Tuesday 17 October 2023 to see their exhibition ‘Flying From the Seat of their Pants’ currently on display. We met to explore options for this exhibition to be mounted at the St Helens History Room. Content and images are now being collated to produce local panel content to augment the already existing exhibition. This could later be incorporated into the general exhibition.
- **Museum Displays:** The Hurst Collection was rotated and the other display cabinet was revamped which is now displaying ‘The Homemaker’.
- **New Volunteers:** There are two new volunteers waiting to start. One yet to go through volunteer induction.
- **St Helens District High School Reference book 1939-1956:** This has been compiled by a former resident of St Helens, in collaboration with two current residents. The St Helens History Room has received one for its reference section and one was delivered to the local school at request of the authors. This is a publicly accessible resource that is available through the St Helens History Room. Copies can be purchased through the St Helens History Room.
- **Request from Derwent Valley Council:** For a range of documents relating to managing a museum. This was part of that Council incorporating their local Historical Society and Museum under their jurisdiction. They are currently working through Arts Tasmania, the Roving Curator program. These documents were emailed through to them.

## Statistics:

### Door Counts

Month/Year	Visitor Numbers	Daily Average	History Room
October 2012	2,408	77.68	99
October 2013	2,774	89.48	85
October 2014	2,725	87.90	135
October 2015	2,870	92.58	108
October 2016	2,400	77.42	148
October 2017	2,799	90.29	111
October 2018	2,625	84.68	104
October 2019	2,560	82.58	106
October 2020	1,024	33.03	94
October 2021	1,084	34.97	57
October 2022	2,584	83.35	134
October 2023	2,504	80.77	88

## Revenue 2022/2023

Month	VIC Sales	HR Entry	HR Donations
July	2,838.51	188.00	80.90
August	2,518.86	0	197.35
September	4,865.29	331.00	58.50
October	6,847.24	532.00	138.80
November	8,437.20	601.00	107.75
December	7,698.94	415.00	148.05
January	9,745.80	647.00	190.60
February	10,381.03	668.00	296.85
March	11,971.72	872.00	176.95
April	4,265.51	333.00	105.65
May	3,805.27	309.00	110.00
June	2,187.51	179.00	69.20

## Revenue 2023/2024

Month	VIC Sales	HR Entry	HR Donations
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

## 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

<b>ACTION</b>	<b>DECISION</b>
<b>PROPONENT</b>	Secretary to the Audit Panel
<b>OFFICER</b>	Raoul Harper, Business Services Manager
<b>FILE REFERENCE</b>	018\005\024\
<b>ASSOCIATED REPORTS AND DOCUMENTS</b>	Minutes of the Audit Panel Meeting 16 October 2023

**OFFICER'S RECOMMENDATION:**

That Council receive the minutes of the Audit Panel meeting of the 16 October 2023.

**INTRODUCTION:**

The Council Audit Panel meets every three (3) months and the minutes of each meeting are provided to Council.

**PREVIOUS COUNCIL CONSIDERATION:**

Provided as an agenda report after each meeting.

**OFFICER'S REPORT:**

As per the minutes, the Audit Panel received and reviewed various elements of Council's financial performance, internal and external audit activities, management of risk and review of policies. Legislation requires these minutes to be provided to Council.

Significant matters from the minutes include:

- 1) Review of the 2022 – 2023 Annual Plan
- 2) Noted the 2023 – 2024 Annual Plan
- 3) Noted the Review of the Long Term Strategic Asset Management Plan, Strategy and Policy
- 4) Noted the policies and procedures register
- 5) Noted the Assessment of Governance and Operating Processes Integration with Financial Management Practices of the Council
- 6) Noted the Financial Reports
- 7) Noted the Annual Financial Report for FY 2023
- 8) Noted the Review of Managements Implementation of Audit Recommendations
- 9) Noted the Material Risk Management Reports

**STRATEGIC PLAN & ANNUAL PLAN:**

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

#### **LEGISLATION & POLICIES:**

*Local Government (Audit Panels) Order 2014*  
*Division 4 – Audit Panels of Local Government Act 1993*

#### **BUDGET AND FINANCIAL IMPLICATIONS:**

N/A

#### **VOTING REQUIREMENTS:**

Simple Majority



# AUDIT PANEL MINUTES

Monday 16 October, 2023  
Council Chambers, St Helens

from the **mountains** to the **sea** | [www.bodc.tas.gov.au](http://www.bodc.tas.gov.au)

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## **10/23.1.0 ATTENDANCE**

### **10/23.1.1 Present**

Mr A Gray (Chair)  
Clr B LeFevre  
Mick Tucker

### **10/23.1.2 Others in Attendance**

General Manager, John Brown  
Manager Business Services, Raoul Harper  
Coordinator of Corporate Services, Angela Matthews  
Corporate Services Administration Officer, Samantha Child  
Tasmanian Audit Office, David Bond via Teams

### **10/23.1.3 Apologies**

Clr Kylie Wright  
Consultant Accountant, Marissa Walters via Teams

## **10/23.2.0 DECLARATION OF PECUNIARY INTERESTS / CONFLICT OF INTEREST**

Nil

## **10/23.3.0 ADOPTION OF PREVIOUS MINUTES**

### **10/23.3.1 Adoption of June 2023 Audit Panel Minutes**

Minutes of June 2023 received by Council. Resolution in the June 2023 Council Meeting minutes to receive the Audit Panel minutes. Minute No. 06/23.13.6.136

## **10/23.4.0 BUSINESS ARISING**

Nil

## **10/23.5.0 OUTSTANDING FROM PREVIOUS MEETING – ACTION SHEET**

### **10/23.5.1 Action Sheet June 2023 Audit Panel**

1. Report to Council Regarding Execution of Duties and Responsibilities by the Audit Panel – Minute No. 06/23.13.5.135;
2. Review of Audit Panel Charter – Minute No. 06/23.13.4.134;
3. Long-Term Financial Plan Review – Minute No. 06/23.13.7.137;
4. 2023-2024 Budget Estimates – Minute No. 06/23.13.8.138;
5. 2023-2024 Rates Resolution – Minute No. 06/23.13.9.139;
6. Review of Conservation Covenant Support Policy (EP03) – Minute No. 06/23.13.11.141.

The Audit Panel noted the delivery of the actions

## **10/23.6.0 GOVERNANCE AND STRATEGY**

### **10/23.6.1 Review of Strategic Plan**

General Manager, John Brown and Manager Business Services, Raoul Harper provided a verbal update on the status of Strategic Planning.

Noted.

### **10/23.6.2 Review of Annual Plan 2022 - 2023**

The Audit Panel reviewed the Annual Plan 2022-2023.

General Manager, John Brown provided verbal update – In summary: it has gone to workshop and is going to the Council meeting today. The Chair stated that the delivery of the Annual Plan actions have been completed to a reasonable level and congratulated Council on a strong performance.

Noted.

### **10/23.6.3 Annual Plan 2023 - 2024**

The Audit Panel reviewed the Annual Plan 2023-2024.  
General Manager, John Brown provided a verbal report.

The Audit Panel noted the report.

### **10/23.6.4 Review of Long-Term Strategic Asset Management Plan, Strategy and Policy**

Manager Business Services, Raoul Harper provided verbal update.



The Audit Panel noted the report.

#### **10/23.6.5      Review Policies and Procedures**

Manager Business Services, Raoul Harper – discussed how staff undertake reviews of policies that go to the Annual Plan.

Andrew Gray – outlined that higher-level financial impact and risk focus should go to the Annual Plan.

The Audit Panel noted the report.

#### **10/23.6.6      Assessment of Governance and Operating Processes Integration with Financial Management Practices of the Council**

Manager Business Services, Raoul Harper provided verbal update.

The Audit Panel noted the report.

### **10/23.7.0      FINANCIAL AND MANAGEMENT REPORTING**

#### **10/23.7.1      Financial Reports**

The Audit Panel reviewed the Financial Report for the Quarter.  
General Manager, John Brown and Manager Business Services, Raoul Harper provided verbal update.

The Audit Panel noted the report.

#### **10/23.7.2      Review any Special Reports**

Nil.

#### **10/23.7.3      Annual Financial Report FY 2023**

The Audit Panel reviewed the Annual Financial Statement.  
General Manager, John Brown and Manager Business Services, Raoul Harper provided a verbal update.

The Chair noted the solid financial performance for the FY.

**10/23.7.4            Review any Annual Audit Reports or Representation Letters**

Nil.

Noted.

**10/23.8.0            INTERNAL AUDIT**

**10/23.8.1            Internal Audit Reports**

Nil.

Noted.

**10/23.8.2            Review Managements Implementation of Audit Recommendations**

Verbal update provided.

Noted.

**10/23.9.0            EXTERNAL AUDIT**

**10/23.9.1            External Audit Reports**

Nil.

Noted.

**10/23.9.2            Any Performance Audit Reports**

Nil.

Noted.

**10/23.10.0          RISK MANAGEMENT AND COMPLIANCE**

**10/23.10.1          Receive Material Risk Management Reports**

Circulate updated risk report out of session.

Update on mental health and psychosocial policy and procedures.

Noted.

**10/23.10.2      Any Major Claims, Law Suits or Incidents of Fraud**

Nil.

**10/23.10.3      Oversee the Investigation of any Instances of Suspected Cases of Fraud  
or Other Illegal and Unethical Behaviour**

Nil

**10/23.11.0      OTHER BUSINESS**

Nil.

**10/23.12.0      MEETING CLOSE / NEXT MEETING DATE**

The next meeting of the Audit Panel is scheduled for Monday 18<sup>th</sup> December

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	David Jolly, Infrastructure and Development Services Manager
FILE REFERENCE	014\002\001\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

**OFFICER'S RECOMMENDATION:**

That the report be received by Council.

**INTRODUCTION:**


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

**PREVIOUS COUNCIL CONSIDERATION:**

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

**OFFICER'S REPORT:**

<b>Facilities</b>	<ul style="list-style-type: none"> <li>Preventative Maintenance Inspections (PMI) of Council owned buildings and playgrounds.</li> </ul>
<b>Town &amp; Parks</b>	<ul style="list-style-type: none"> <li>Mowing/ground maintenance.</li> <li>Garden/tree maintenance and weeding.</li> <li>Footpath maintenance and repairs.</li> <li>Boat Ramp – monthly inspections and cleaning undertaken.</li> <li>Routine playground inspections completed and ongoing.</li> <li>Footpath edging program in progress.</li> <li>Crews kept busy with Community events.</li> </ul>
<b>Roads</b>	<ul style="list-style-type: none"> <li>Sealed road patching – all areas.</li> <li>Stormwater system pit cleaning and pipe unblocking.</li> <li>Kerb cleaning/sweeping where required.</li> <li>Upper Scamander Road grading completed.</li> <li>Boat ramp carpark at Scamander graded.</li> </ul>
<b>MTB</b>	<ul style="list-style-type: none"> <li>Routine track maintenance.</li> </ul>

Weed Management for October 2023	
St Helens	<ul style="list-style-type: none"> <li>Spanish heath, thistles, blackberry, capeweed</li> </ul>
Ansons Bay	<ul style="list-style-type: none"> <li>Spanish heath, mignonette, broom, mullein</li> </ul>
Falmouth	<ul style="list-style-type: none"> <li>Gorse, thistles</li> </ul>
Stieglitz	<ul style="list-style-type: none"> <li>Spanish heath, broom, gorse, caper spurge</li> </ul>
St Marys WTS	<ul style="list-style-type: none"> <li>Spanish heath, broom, gorse, caper spurge, mullein, periwinkle, hemlock</li> </ul>
	<p>Brooms are declared weeds, and the seeds can last for a long time in the soil, making it a tricky weed to stop. Broom flowers profusely in spring. Pods ripen and eject the seed over summer. Seeds germinate with the autumn rains and plants grown throughout the year under favourable conditions. Plants do not set seed until they are at least three years old. A 10m weed-free boundary along fence lines will stop broom from spreading to your neighbour's property. Thoroughly cleaning any mowers, slashers, or earth-moving machinery that has been used in a broom-infested area will also help prevent this weed from spreading.</p>

## Waste Management – General Information

General Waste to Copping Landfill													
Year	Jul	A	S	O	N	D	J	F	M	A	M	Jun	Total
2023/24 (T)	187	232	224	TBA									643
2022/23 (T)	194	243	226	206	250	262	388	197	267	246	199	234	2,912

Kerbside Recyclables Collection – JJ's Waste service													
Year	Jul	A	S	O	N	D	J	F	M	A	M	Jun	Total
2023/24 (T)	49	45	49	38									181
2022/23 (T)	53	56	66	64	67	65	81	63	69	61	50	61	756

## CAPITAL WORKS

Activity	Update
Mt Paris Dam Road – William Street urban area sealing	Pavement upgrade completed. Sealing to occur in 2 <sup>nd</sup> quarter of 23/24.
North Ansons Road	Stage 1 sealing completed 1.8km. Stage 2 to pavement upgrade completed, sealing to occur in 2 <sup>nd</sup> quarter of 23/24.
St Marys Cemetery Masterplan	New columbarium and remembrance wall. Minor works to complete project.
Cornwall Soldiers Memorial Park	Storm water and footpath renewal works completed. Garden works yet to occur.
<b>Canhams Road resheeting</b>	<b>Completed</b>
2023/2024 Bituminous Surfacing Works Tender	Tender has been awarded - reseal prep works have commenced.
Old Highway Seymour (LRCl stage 4)	Works in progress in preparation for sealing
MTB Trail Repairs – works ex October 22 flood event	In-progress
Upper Scamander Road – embankment erosion works ex October 22 flood event	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.

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

**PREVIOUS COUNCIL CONSIDERATION:**

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

**OFFICER'S REPORT:**

Dog control – activity summary – 4 October – 31 October 2023

Category/Area	Ansons Bay	Binalong Bay, The Gardens	Cornwall	Fingal, Manganna	Falmouth	Four Mile Ck	Upper Esk, Mathinna, Evercreech	Beaumaris	Scamander	Seymour, Denison	Panella, Stieglitz, Akarora	Goshen, Pyengana, Weldborough	St Helens	St Marys	Reporting Period Total	2023- 2024
Dog - Attack on a person (Serious)															0	0
Dog - Attack on another animal (Serious)													1		1	2
Dog - Attack/Harassment - on another animal (Minor)															0	1
Dog - Attack/Harassment on a person (Minor)															0	1
Dog - Declared Dangerous															0	0
Dog - Dangerous Dogs Euthanised													1		1	1
Dog - Barking															0	4
Dog - Chasing a person							1	1							2	10
Dog - Impounded		1													1	10
Dog - in Prohibited Area															0	0
Dog - Lost Dogs Reported															0	2
Dog - Rehomed/kennel for rehoming															0	3
Dog - Wandering/at large		1													1	13
Verbal Warnings given to dog owners			1			1		1							3	20
Notice Issued - Unregistered Dog															0	0
Notice Issued - Bark Abatement Notice															0	0
Notice Issued - Caution Notice								1		1					2	6
Notice Issued - Infringement Notice															0	7
Infringement Notice - Disputes															0	0
Infringement Notice - Time Extension Request															0	0
Infringement Notice - Revoked															0	0
Written Letter - Various matters to Dog owners.			1			2	1			1					5	20
Patrols - Township/Urban Areas			1		1		1				2		3	2	10	29
Patrols - Beaches/Foreshore		1			2	2		3	3		2		3		16	52
Unregistered Dog - Notice to Register															0	0
Kennel Licence - No licence held															0	0
Kennel Licence - Issued														1	1	4
Other - Cat complaints															0	1
Other - Livestock															0	2
Other - Poultry															0	0
Other - Animal Welfare, RSPCA intervention														1	1	1
TOTAL	0	3	3	0	3	5	3	6	3	2	4	0	8	4	44	189
Registered 2023-2024 YTD		1,367														
Pending 2023-2024		105														



## **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.

## **BUDGET AND FINANCIAL IMPLICATIONS:**

N/A

## **VOTING REQUIREMENTS:**

Simple Majority

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Chris Hughes, Leah Page & Jenna Barr, 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:****2023 - 2024 Programs and Initiatives**

<b>Community Services</b>	
Community Grants	30,000
Youth Services	8,000
Misc Donations & Events	7,500
School Prizes	1,000

<b>Community Event Funding</b>	
Seniors Day	3,000
Australia Day Event	5,000
Swimcart	1,000
St Helens Athletic Carnival	2,500
Carols by Candlelight	1,600
Australia Day Event (including Woodchopping)	15,000
Fingal Valley Coal Festival	2,000
Pyengana Endurance Ride -	500
St Helens Game Fishing Comp	2,000
Wellbeing Festival	3,500
Marketing Valley Tourism	2,500

Volunteer Week	2,500
Bay of Fires Art Prize	10,000
Bay of Fires Winter Arts Market	4,000
St Marys Community Car & Bike Show	2,000
East Coast Masters Golf Tournament	2,500
International Disability Day Event	1,000
Mental Health Week	500
Barn Dance	2,000
Suicide Prevention	1,000
Pyengana Easter Carnival	1,000
Mannalargenna Day	2,500

<b>Council Sponsorship</b>	
Funding for BEC Directory	2,000
St Helens Marine Rescue	3,000
Business Enterprise Centre (BEC)	28,000
Welcome to Town Christmas Signs	1,000

Updates on current projects being managed by Community Services:

### **Pump Track Project**

Tenders for the Flagstaff Pumptrack have now closed and were opened on the 8 November 2023. We will now work through the applications with the intent of awarding a contract late in 2023 or early 2024.

### **Community Events/Activities**

#### **NOVEMBER 2023**

- 3 – Sand Enduro Display – St Helens Foreshore
- 12 – Scooter Jam – St Marys
- 28 – Bushfire Ready Neighbourhood Session – St Helens
- 30- Day of People with Disability – St Helens

#### **DECEMBER 2023**

- 1 – Day of People with Disability – St Marys
- 8 – Youth Disco – Portland Hall St Helens
- 9 – Christmas Carols – Memorial Park (next to Portland Hall)
- 24 – St Helens Christmas Parade – Main Street, St Helens
- 24- St Marys Christmas Parade/party – St Marys Community Space
- 24 December -2 January 2024 – Collins Entertainment – St Helens Foreshore

### **Learner Driver Mentor Program**

The Program Coordinator would like to welcome two new mentors to the program. One mentor will be working out of the Final Valley Neighbourhood house and servicing the Fingal/St Marys Area. The other mentor will be servicing the St Helens Area. This is a great success for the program. A Massive Thank you to the Fingal Valley Neighbourhood House and its volunteers for supporting this program.

On-Road Hours: 69.5

Learners in the car: 19

Learners on the waiting list: 11

Mentors: 5

### **Break O'Day Christmas Festivities Committee:**

This committee has been working hard to ensure that the Break O'Day Area has a more festive vibe to it this year. The St Helens Christmas Parade has been signed off and all permits have been issued. A massive congratulations to the committee members on getting this off the ground. The Council has collaborated with this group to hold the Carols event, which will be held in the St Helens Memorial Park (next to Portland Hall) on December 9. The old Hospital site will be decorated with Christmas cheer and the Beaumaris and Scamander Business have been approached to decorate their shops.

### **Community Wellbeing Project**

No further update from previous month - Planning for 2024 Wellbeing Certificate Program underway. Evaluation report from UTAS due in December which will help inform any adjustments. Aiming for two rounds of 8 weeks April-May 2024 and Jul-Aug 2024. There is interest from a 2023 participant in co-facilitating next year's program. Community actions from the 2023 program are in various stages of design and implementation. The participants continue to connect and support each other through online and face-to-face catch ups.

### **Festival of Wellbeing**

Festival was well received by community. The event was quieter this year and more spread out with both indoor and outdoor activities. We had approximately 350 people on the day including 48 contributors. Some were coming along for the first time. Weather was challenging for outdoor spaces. Some things to learn about connecting indoor and outdoor spaces and with programming of activities. Highlights included reinventing the Octo mascot as a pebble sculpture, the Royal Flying Doctor's Service bringing their bus, and a small group following the choir around as they moved about the festival! We have received some wonderful positive feedback, and overall the success of this day is about bringing our community together to share and to see each other, and there is no doubt this event is creating new connections and sparking conversations that matter.

### **Youth**

Community Services staff continue our stakeholder engagement to develop a shared vision and statements about supporting young people in Break O'Day. Our ongoing involvement in the partnership Group for the Live4Life project is providing a valuable resource for the project. Staff were involved in the assessment of applications for Mental Health First Aid Instructor positions.

## Health and Wellbeing

Social Services Network meetings are progressing well. New members joining. A survey is currently underway seeking feedback about the meetings. Next meeting is 11 December.

Staff participated in a regional Health and Wellbeing Local Government Network on 24 October. Council has a Lift Local Grant (\$20,000) for Health and Wellbeing planning and staff are preparing a concept plan to consult with key stakeholders in our community, including current users, the two neighbourhood houses and our health and wellbeing network.

## Access and Inclusion

The Disability Access and Inclusion Committee are currently revising the Action Plan for 2024. Two events are also being organised to celebrate International Disability Day – one in St Marys and the other in St Helens. The two events each have their own focus – St Marys will support vulnerable people to develop a plan that will assist them if and when an emergency event occurs and St Helens is focused on the arts and what we can make.

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.

## 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.

## BUDGET AND FINANCIAL IMPLICATIONS:

N/A

## VOTING REQUIREMENTS:

Simple Majority

ACTION	INFORMATION
PROPONENT	Development Services
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. Public Exhibition phase now completed for Substantial Modifications in relation to Tasmanian Planning Scheme and Local Provisions Schedule as directed by Tasmanian Planning Commission;
2. Proposed Municipal (Environmental) By-Law public Consultation now completed, a separate agenda item is presented within this agenda.
3. Tender negotiations underway for Fingal Community Shed and awarding of contract being finalised;
4. Tender negotiations underway for St Marys Indoor & Evacuation Centre and awarding of contract being finalised;

## 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 2022 / 2023
<b>NPR</b>	1	5	2	2									10	
<b>Permitted</b>	0	1	7	6									14	
<b>Discretionary</b>	12	8	22	13									55	
<b>Amendment</b>	3	2	3	5									13	
<b>Strata</b>		1											1	
<b>Final Plan</b>	3	2	1										6	
<b>Adhesion</b>														
<b>Petition to Amend Sealed Plan</b>														
<b>Boundary Rectification</b>														
<b>Exemption</b>														
<b>Total applications</b>	19	19	35	26									99	284

<b>Ave Days to Approve Nett *</b>	19	19	24.33	24.75									24.75
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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:

**October 2023**

DA NO.	LOCATION	DESCRIPTION	SECTION	Day to Approve Gross	Days to Approve Nett
186-2023	The Gardens	Construction of Dwelling	S57	40	32
187-2023	St Marys	Construction of Shed & Front Fence	S57	41	30
208-2023	St Helens	Dwelling & Shed with Amenities	NPR	22	7
276-2022	Binalong Bay	Construction of Dwelling Additions & Alterations, Garage, Deck and Additional Crossover	S57	338	179
153-2023	St Marys	Construction of a Dwelling & Retaining Wall	S57	55	41
197-2023	St Helens	Dwelling & Shed	S57	34	34
199-2023	Scamander	Construction of Shed/Workshop and Alterations and Additions to Existing Dwelling	S57	36	29
189-2023	St Helens	Dwelling Additions & Alterations & Legalisation	S58	42	15
216-2023	Stieglitz	Additional Use for Visitor Accommodation	S58	19	16
084-2023 AMEND	Scamander	Increase in Floor Area (Living/Dining), Balustrading Replaced with Steps	S56	16	16
056-2023	Falmouth	2 Lot Subdivision	S57	185	54
057-2023	Falmouth	2 Lot Subdivision	S57	130	55
010-2022 AMEND	Weldborough	Altered Dwelling Design – Apex Rook In Lieu of Skillion Roof	S56	13	13
212-2023	Falmouth	Additional use for Visitor Accommodation	S58	16	9
192-2023	Stieglitz	Dwelling Addition	S57	32	31
087-2021 AMEND	St Helens	Amendment to Crossovers & Structures	S56	18	18
137-2023 AMEND	Scamander	Deck Design Changes	S56	20	20
211-2023	St Helens	Additions & Alterations	S58	36	3
203-2023	St Helens	Change of Use, Shed to Dwelling	NPR	10	9



167-2023	Fingal	Construction of a Dwelling & Shed, Retrospective Approval for 2 x Shipping Containers & Demolition of Roofed Structure	S57	83	42
194-2023	St Helens	Seafood Retail Outlet	S57	36	35
175-2023	Scamander	Dwelling, Shed & BBQ Area	S57	60	47
213-2023	Falmouth	Additional use for Visitor Accommodation	S58	23	22
215-2023	St Helens	Dwelling	S57	34	33
180-2023	St Marys	Additional use for Visitor Accommodation	S58	5	4
053-2015 AMEND	Falmouth	Roof Over Existing Deck	S56	1	1

**TOTAL 26**

## Strategic Planning Projects in the 2023/2024 financial year

Description	Percentage Complete	Current Update
Low Density Residential Review - Review land area within the Low Density Residential Zone and quantify impact of State Planning Policy in relation to minimum lot size on supply.	30%	Vacant residential land within the Low Density Residential Zone has been investigated for the St Helens area and surrounds. An overlay has been incorporated into Council mapping software showing vacant residential land in St Helens, Binalong Bay, Stieglitz, Akaroa, Beaumaris, Scamander, St Marys, Falmouth and Fingal. This will be further refined and scrutinised.
Scamander/Beaumaris Township Structure Plans - Commence process for a detailed examination of the structure of this area to address growth which is occurring.	25%	A report was prepared and presented to Council at its Workshop on Monday 2 October 2023. Council instructed Development Services to progress the preparation of a Project Brief to further this body of work and to discuss with the State Planning Office opportunities for funding contributions. The State Planning Office and Council staff are working towards a final brief.
Break O'Day Council Land Use Strategy 2015 - Review Strategy including progression of recommendations applicable to the Low Density Residential and Rural Living Zones.	25%	Review of the Land Use Strategy has been completed. Review of Low Density Residential land has commenced. Review of Rural Living Zone has not yet commenced as there are substantial modifications to the LPS within this zone. Any review will need to consider these zone changes.
Vacant Residential Land - Complete a comprehensive review to gain an understanding of life cycle of current lots and development trends.	25%	This project work aims to take the vacant residential land investigation one step further to understand how vacant land is being held in the municipality in order to consider the true availability of residential land in the municipality for development. Some data collection has commenced and is scheduled for further work in early 2024.
State Planning Policy - Participate in review of State Planning Policy by providing comments associated with the review of Regional Land Use Strategy (RLUS), State Planning Provisions and State Planning Policies	25%	Council Staff have volunteered to participate of several working groups which aim to conduct review of higher priority State Planning Policy. Council staff are also actively involved in the review of the Regional Land Use Strategy which has key linkages to Council's strategic priorities.
Regional Land Use Strategy - Actively participate in and support the review of the	25%	Participation in the review of the Regional Land Use Strategies continues. The strategic work being undertaken, including a proposed Scamander/Beaumaris Structure Plan, will feed

Northern Tasmania Regional Land Use Strategy.		<p>into this process. A report on the Scamander Beaumaris Structure Plan has been presented to a Council Workshop (October) and Council has directed Development Services to progress this work.</p> <p>The State Planning Office has progressed the review of the framework with the release of Regional Planning Framework Consultation Report – Summary of submissions. A report is presented to Council separately. At the same time or shortly after the State Government will commence the review of the existing regional land use strategies. The work we are doing will feed into this process.</p> <p>This work continues.</p>
Local Provisions Schedule (LPS) - Progress the Approval of the LPS in accordance with requirements of the Tasmanian Planning Commission, and subsequent implementation actions once approved. The Approval of the LPS in accordance with requirements of the Tasmanian Planning Commission, and subsequent implementation actions once approved.	25%	<p>Having received agreement from the Minister for Planning under section 35L(1) of the <i>Land Use Planning and Approvals Act 1993</i> (the Act), the Commission gave notice on 14 August, 2023 that the Break O'Day LPS is approved under section 35M(1)(a) of the Act. Notice of approval was also published in the Gazette on 23 August 2023 specifying that the State Planning Provisions, also came into effect for the Break O'Day municipal area under section 30(1) of the Act on 23 August 2023.</p> <p><b>DRAFT AMENDMENTS TO THE LPS:</b></p> <p>The Tasmanian Planning Commission directed Council on the 12 September 2023 to publicly exhibit the draft amendments (substantial modifications) to the LPS under section 35KB(4)(b)(i).</p> <p>The Break O' Day will be exhibiting draft amendments to the LPS during the period 9 October - 7 November 2023.</p>
Industrial Land Use Strategy	50%	Data capture exercise and Initial draft report has been completed. Council Officers will prepare a report for Council consideration in a future meeting.

## BUILDING PROJECTS REPORT

### Projects Completed in the 2023/2024 financial year

Description	Location	Updates
New Lighting Towers	St Helens Sports Complex – Football Oval	Completed September 2023
Kitchen Upgrades & Renovations	Scamander Sports Complex	Completed September 2023
St Marys Waste Transfer Station Additions	St Marys Waste Transfer Station	Completed September 2023
Sports Floor Replacement & New Backboard	Bendigo Bank Community Stadium	Completed October 2023

### Projects ongoing – Capital Works Program (Includes carried over projects previous financial years)

Description	Location	Updates
Building upgrades	St Marys Railway Station	<ul style="list-style-type: none"> <li>Repainting identified as priority which has now commenced.</li> </ul>
Replacement of Signage & Repainting	Service Tasmania	<ul style="list-style-type: none"> <li>Works underway.</li> </ul>

### Approved Capital Works Program – Current Financial Year - not yet started

Description	Location	Updates
Old Tasmanian Hotel Site – New Community Shed	20 Talbot Street, Fingal	<ul style="list-style-type: none"> <li>Tender Documentation completed;</li> <li>Tender Phase underway and closing 2pm, 5<sup>th</sup> October 2023.</li> </ul>
St Marys Indoor Recreation Facility	St Marys Sports Complex	<ul style="list-style-type: none"> <li>Tender negotiations underway for project and awarding of contract being finalised</li> </ul>
Audio Visual Improvements	Portland Hall	<ul style="list-style-type: none"> <li>Needs further consideration.</li> </ul>
External Repainting	Council Chambers	<ul style="list-style-type: none"> <li>Consideration of colour scheme under way;</li> <li>Works not yet scheduled.</li> </ul>
Re-Roof and Weatherproofing of athletics building	St Helens Sports Complex	<ul style="list-style-type: none"> <li>Next phase of works pending outcomes of St Helens Sports Complex Masterplan consultation.</li> </ul>

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

### October 2023


No.	BA No.	Town	Development	Value
1.	2022 / 00305	St Helens	New Dwelling	\$850,000.00
2.	2023 / 00088	St Helens	New Shed	\$56,000.00
3.	2023 / 00040	St Marys	New Shed & Carport	\$65,000.00
4.	2023 / 00112	Beaumaris	New Outbuilding & Existing Composting toilet	\$15,400.00
5.	2022 / 00119	Binalong Bay	Alterations & Additions Short Term Visitor Accommodation	\$120,000.00
6.	2022 / 00240	Mathinna	Legalisation & Alterations/additions - Dwelling	\$81,600.00
7.	2023 / 00163	St Helens	New Carport	\$14,000.00
8.	2023 / 00207 - STAGE 1	St Helens	New Domestic Storage Shed with Amenities	\$45,000.00
9.	2023 / 00208 - STAGE 1	St Helens	New Domestic Storage Shed with Amenities	\$45,000.00
10.	2022 / 00010	Weldborough	New Dwelling & Deck	\$106,000.00
11.	2023 / 00102	Binalong Bay	Demolition & New Dwelling, Deck, Shed with Amenities & Retaining walls	\$396,000.00
12.	2021 / 00259	Scamander	New Shed	\$40,000.00
13.	2021 / 00087 - AMEND	St Helens	Amended approval - Fuel Station	\$0.00

ESTIMATED VALUE OF BUILDING APPROVALS FINANCIAL YEAR TO DATE	2022/2023	2023/2024
	\$15,159,646.00	\$7,629,409.00

ESTIMATED VALUE OF BUILDING APPROVALS FOR THE MONTH	MONTH	2022	2023
	October	\$6,438,600.00	\$1,834,000.00

NUMBER BUILDING APPROVALS FOR FINANCIAL YEAR TO DATE	MONTH	2022/2023	2023/2024
	October	78	56

## ENVIRONMENTAL REPORT

Description	Updates
Climate Change Action	<p>The Program Manager for the Northern Tasmania Alliance for Resilient Councils (NTARC) visited Council to support various teams of staff working on Council priorities in its Climate Action Plan, for example, emissions accounting, risk and liability, asset management and community support.</p> <p>Council's NRM Facilitator attended the first meeting of the NTARC steering committee. Two workshops for local government projects by NTARC – on coastal hazards and public health and climate change - will be hosted by Council in November.</p>
Natural Hazards Risks and Management	<p>Stakeholder and community consultation for a socioeconomic impact assessment of possible river channel break-out scenarios across the lower George River floodplain is planned in coming months.</p> <p>A community information session has been organised to introduce the <i>Scamander Coastal Hazards and Flood Risks Pathways Planning</i> project, joined by a scientist attached to the national CoastAdapt online support service, visiting Break O'Day for a NTARC coastal adaptation workshop for east coast councils.</p>
Weed management	<p>'Fonzie' the serrated tussock detection dog spent a week helping find, remove and map this serious agricultural threat to Break O'Day. 1500 serrated tussock plants were found, less than half the number he helped find last year. The two infestation sites in Break O'Day are now largely controlled, but will need follow-up and vigilance for many years.</p> 
Dog Management	<p>The Break O'Day Shorebird Working Group met to consider recent activity, including a fairy tern nesting colony at Scamander, successful education activities with our schools, cooperation with organisers of the <i>TAS Sand Enduro</i> event at Peron Dunes, and priorities during the shorebird breeding season.</p>

Planning and preparation has started for the review of Council's Dog Management Policy and community consultation early in 2024.
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## Recreational Water Quality

The *Public Health Act 1997* requires that Councils 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 for faecal contamination. The 2023/24 monitoring program will begin in December.

Water sampling results over the 2022-23 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.

## 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	2023/2024		2022/2023	
	Persons	Vaccinations	Persons	Vaccinations
July - December	19	20	60	64
January - June	0	0	54	54
<b>TOTAL</b>	<b>19</b>	<b>20</b>	<b>114</b>	<b>118</b>

## Sharps Container Exchange Program as at 9 November 2023

Current Year	Previous Year
YTD 2023/2024	YTD 2022/2023
24	22

## 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	DISCUSSION
OFFICER	Deb Szekely, Senior Town Planner
FILE REFERENCE	23/5310
ASSOCIATED REPORTS AND DOCUMENTS	Attachment 1 - Proposed draft submission to State Planning Office & LGAT Attachment 2 – Position Paper – Development Assessment Panel Framework – October 2023

**OFFICER’S RECOMMENDATION:**

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.

**INTRODUCTION:**

In July 2023, the State Government advised of its intention to develop legislation to allow certain development applications to be determined by independent Development Assessment Panels (DAPs). The reasoning behind this approach by the State Government was reported as intending to take the politics out of planning by providing an alternate approval pathway and this was mainly directed at complex or contentious development applications.

*“Minister for Planning, Michael Ferguson, said this will ensure that politics is taken out of planning decisions and much needed projects are properly assessed and approved where appropriate in a timely way.”*

Press release by Michael Ferguson, Minister for Infrastructure and Transport, 19 October 2023.

The State Government has now released a Position Paper that proposes a framework that provides an alternative legislative pathway for certain development applications. Those identified development applications utilising the alternative pathway, are proposed to be determined by an independent Development Assessment Panel. The State Government is seeking comment on the proposal prior to the consultation period closing 5pm on Thursday 30 November 2023.

The Break O’Day Council, as a planning authority, is directly affected by the proposal. The attached submission is proposed to be sent to the State Planning Office as a response by the Break O’Day Council.

**PREVIOUS COUNCIL CONSIDERATION:**

Nil

## OFFICER'S REPORT:

### **Current Planning System**

In considering the proposed role of Development Assessment Panels (DAPs) it is important to understand the existing model for determining development applications within Tasmania. Overarching the Tasmanian Planning System is the framework called the Resource Management and Planning System (RMPS). The *Land Use Planning and Approvals Act 1993* (LUPAA) is one of the core pieces of legislation within the RMPS. Please refer to the attachment "Tasmanian Planning System at a Glance" to further understand other key pieces of legislation that make up the RMPS.

### **Development Control**

The LUPAA defines the planning authority to mean a council (same meaning as in the *Local Government Act 1993*) and places the responsibility of development control (requirement for a permit) on the planning authority which administers the scheme (s51). The planning system also provides for permits issued by the Commission or Tribunal where relevant.

Where Council is the planning authority, it is incumbent on the elected Council to decide development applications. This is varied by identifying a delegate to which its functions or powers under the LUPAA in deciding development applications is transferred. Currently delegation for LUPAA is extended to the:

- General Manager;
- Manager Infrastructure and Development Services;
- Development Services Coordinator; and
- Senior Town Planner; under varying circumstances.

The circumstances under which delegation is assigned to Council officers, across the state and within Local Government, varies considerably and is at the determination of each local authority. There is very little consistency to the same.

### **Amendments to Local Provisions Schedules (LPS)**

As we now perform our functions as a planning authority by assessing development applications against the Tasmanian Planning Scheme, what was previously referred to as a planning scheme amendment is now referred to as an amendment to the LPS. The procedure to amend a LPS also includes a pathway to consider a combined permit and amendment process (S40T). An example would be, a combined application to amend the LPS by altering the zoning of a development site in combination with an application for use and development on that site in accordance with the proposed zoning. Any person may make application to amend the LPS (S37). Additionally a planning authority may of its own motion prepare a draft amendment of an LPS. LUPAA also provides for the Minister directing a planning authority to amend an LPS with identified purposes (S40C).

The approval process for an amendment to the LPS (see attached flowchart) or a combined permit and amendment to the LPS culminates in a decision made by the Tasmanian Planning Commission to either approve or reject an amendment to the LPS e.g. zone change.

## **Proposed Amendment to LUPAA**

The State Government is now considering an amendment to the LUPAA to include:

- Development assessment panels as an alternate approval pathway for decision making of more complex or contentious development applications; and
- Consideration of whether under certain circumstances there is a role for the Minister to direct a Council to initiate a planning scheme amendment.

The position paper has been released by the State Government and is open for consultation until **30 November 2023**.

## **Development Assessment Panels**

Development Assessment Panels (DAPs) are an alternative pathway for determining development applications. DAPs are utilised in other states and territories as an alternative pathway for specific types of development applications, but take on a different format in different jurisdictions limiting ability to compare.

The Tasmanian Planning Office has released a position paper on the introduction of DAPs in Tasmania. The DAP is proposed to take the form of the delegate panel already established within the Tasmanian Planning Commission. The DAP is expected to travel to the local government areas to conduct hearings with the final decision delivered by the DAP.

## **RECOMMENDATION**

The proposed draft submission, with any required amendment by the Break O'Day Council, be forwarded to the State Planning Office in response to their request for comment on the Position Paper – DAP Framework.

## **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.

### **Break O Day Annual Plan 2023 – 2024**

#### ***Actions:***

Participate in planning reforms.

**LEGISLATION & POLICIES:**

*Land Use Planning and Approvals Act 1993*

**BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

N/A

**VOTING REQUIREMENTS:**

Simple Majority

Our Reference: 23/5310  
Enquiries: Deb Szekely

8 November, 2023

State Planning Office  
Department of Premier and Cabinet  
GPO Box 123,  
HOBART TAS 7001  
E: [yoursay.planning@dpac.tas.gov.au](mailto:yoursay.planning@dpac.tas.gov.au)

Dear Brian,

#### Position Paper – Development Assessment Panel (DAP) Framework

Thank you for the opportunity to provide comment on the draft Development Assessment Panel (DAP) Framework. Council became aware of the Position Paper on 19 October, 2023 through the State Planning Officer and Local Government Association Tasmania.

The proposal to introduce an alternative pathway for Development Assessment represents a significant departure from the current framework. Following a recent Workshop, the Council conveyed a resolute message to the State Government, expressing commitment to respectful and purposeful engagement in the ongoing process. This commitment was evident as the Council promptly considered the matter during its first available workshop on November 8, highlighting its importance.

The Council deems the current consultation period as disrespectful and inadequate, lacking an understanding of Council processes and meaningful local government participation in reforming the development assessment process. To address this, the Council urges the State Government to extend the consultation period until mid-2024. This extension would provide local government with the necessary time to thoroughly assess the proposal, engage meaningfully, and contribute to the much-needed reform in the Tasmanian planning system.

The position paper outlines the State Planning Office's expectation of the next consultation phase in early 2024, with a Bill tabled in Parliament later that year. The Council finds this timeframe unacceptable, given the significant impact on local government as a planning authority. An extension until mid-2024 is advocated to allow local government to engage responsibly and meaningfully, respecting the complexity of the process and community expectations in development assessment.

Having expressed our concerns regarding the inadequacy of the consultation period, Council wishes to remain open-minded to ensure the proposal is considered in its entirety. The Break O'Day Council is proud of how it has fulfilled its role as a planning authority and like any Council understands there are complexities in the decision making. This planning authority, like many others, has managed to keep the politics out of the process and observe its role as a decision maker. We would like the State to observe the same and consider that if a development application requires mandatory referral due to the type of application e.g. Social and affordable housing, then this should be considered further within existing decision making frameworks i.e.



Major Infrastructure or Projects of State Significance. Additionally, Ministerial referrals of DAs to the DAP and Ministerial direction to initiate a planning scheme amendment provides public perception of increased political interference in decision making.

It is important that any proposed decision making framework doesn't introduce new uncertainty within the process. The range of referral avenues has the potential to introduce greater uncertainty with respect to time frames, ability to appeal a decision and likely conditions. Assessment of discretionary matters have consistency within local government and are informed by Tribunal decisions. There is opportunity within the proposal for increased uncertainty within the process. The proposed DAP framework will introduce extraordinary increases in time frames for the development assessment process which appear to be unnecessary as –

- only a very small percentage of applications are decided in the TASCAT;
- Council has procedures in place to ensure transparency in decision making of Council projects and is not aware of any issues in that regard;
- Is proud of its time frames for decision making and seeks to continually improve the same;
- Ensures every decision on development applications is based on the relevant planning instruments;
- Council seeks to mediate meaningfully with the public with regard to development conflicts.

Further consideration needs to be given to:

- how matters of state interest are best handled and perhaps pathways for Projects of State Significance and Major Infrastructure Development, need to be explored more. An amendment to the pathways and eligibility requirements for matters of state interest should be explored further;
- removing the ability for DAP decisions to be appealed is concerning and consideration needs to be given to consistency in decisions based on interpretation. The introduction of a new decision making entity may introduce conflicting interpretation of use standards and development standards. There appears the possibility of procedural unfairness when those applications that do not meet the criteria for referral to the DAP must exercise appeal through the TASCAT, whilst more complex applications avoid appeal through the DAP;
- The eligibility of applications to be referred to the DAP needs to be clearly articulated and if a proposal meets the eligibility requirements, the DAP should not have the ability to reject the application for assessment through the DAP;
- State interference in the request for further information process is not supported. There is clear information available to assist a planning authority in preparing a request for further information in relation to a development application;
- Any new Ministerial direction in the development assessment process or the amendment of planning schemes, must not be an avenue for political interference;
- The role of PlanBuild must be incorporated into any new pathway and the urgency of furthering PlanBuild needs to be realised and acted upon to ensure all planning reform progresses together.

Once the State Government has provided a more realistic, considered and respectful consultation time frame, the Break O'Day Council intends to conduct further discussion and consideration with both staff and elected members, in order to provide more targeted and helpful response to the proposal.

I trust you will consider the response by the Break O'Day Council and further consider the need for extending the consultation period to mid-2024 prior to drafting amendments to the Act. The Break O'Day Council maintains an open mind about the proposal and looks forward to contributing meaningfully.

Yours sincerely,

John Brown

**GENERAL MANAGER**

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# Development Assessment Panel (DAP) Framework

## Position Paper



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Department of Premier and Cabinet





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## ATTACHMENT I - Draft DAP Framework



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## 1. Introduction

The Tasmanian Government has announced the preparation of new legislation to introduce independent Development Assessment Panels (DAPs) to take over some of councils' decision-making functions on certain development applications.

The stated intent for introducing DAPs is 'to take the politics out of planning' by providing an alternate approval pathway for more complex or contentious development applications.

Any DAP determined applications will still be assessed against the current planning rules and use and development standards in existing planning schemes. It is intended that, where possible, the DAP framework will utilise existing processes and incorporate local knowledge into the decision-making process.

The project also consider whether there should be an enhanced role for the Minister to direct a council to initiate a planning scheme amendment under certain circumstances.

The purpose of this Position Paper is to explore these matters by providing some background context on the role of council, identifying the current issues associated with determining development applications, seeking input on what applications might be suitable to be determined by a DAP, options for what a DAP framework might look like and how it might be integrated into the planning system.

Throughout the Position Paper 'Consultation issues' are identified and followed by text boxes containing specific questions that are intended initiate conversations for the purpose of consultation. In addition, to help explain what a DAP framework might look like, an outline of a draft framework is provided in **Attachment I** for comment.

## 2. Background

### 2.1 Role of planning authorities

In Tasmania, councils are 'planning authorities' with defined responsibilities to determine development applications in accordance with the *Land Use Planning and Approvals Act 1993* (LUPAA). Section 48 of the LUPAA requires that:

*'where a planning scheme is in force, the planning authority must, within the ambit of its power, observe, and enforce the observance of, that planning scheme in respect of all use and development undertaken within the areas to which the planning scheme relates.'*

A council is required to act as a planning authority when it is determining development applications, irrespective of the personal or political views of individual Councillors and the constituents they represent. This presents a degree of conflict for those elected to represent their constituents under the *Local Government Act 1993* and perform the planning authority function. This conflicted role of Councillors has been identified in the Future of Local Government Review Stage 2 Interim Report (the Interim Report) (released in May 2023).

The Interim Report identified that there was strong division between those who believe Councillors have a legitimate role in making planning decisions on development applications,



and those who believe the role should relate primarily to strategic land use planning where they can legitimately represent community views in planning processes leaving decisions on applications to local professional planners, or in the case of complex applications, by independent planning panels. Indeed, some councils specifically requested that planning decisions be totally removed from elected councils.

Following the publication of the Interim Report, the Minister for Local Government amended the terms of reference for the Future of Local Government Review by removing councils' development assessment role, and referred this to the Minister for Planning for further consideration.

The Interim Report identified eight reform outcomes with some applicable reform options to consider. Of relevance to the Planning portfolio, Reform outcome 5 – "Regulatory frameworks, systems and processes are streamlined, simplified, and standardised" identifies the following options:

- *Deconflict the role of councillors and planning authorities*
  - *Refer complex planning development applications to independent assessment panels appointed by the Tasmanian Government*
  - *Remove councillors' responsibility for determining development applications*
  - *Develop guidelines for the consistent delegation of development applications to council staff.*

Typically, planning authorities don't consider many amendments to planning schemes, however they still have the potential to raise similar issues of conflict between planning considerations and the preferences of some constituents, to those experienced when determining development applications. Although the initiation process only signifies the commencement of the assessment of the planning scheme amendment, refusing to initiate is effectively a refusal of the application to amend the planning scheme and it does not progress to exhibition and assessment by the Council and final determination by the Commission.

As part of seeking feedback on a legislative framework for DAPs, the scope of this Position Paper has been broadened so that where Councillors are, or perceived to be, conflicted or compromised, or making a decision based not on planning considerations, whether it may be appropriate for the Minister to have the power to direct a Council to initiate in certain circumstances.

If there is support for an alternate planning scheme amendment initiation pathway, it would seem logical to include it as part of this project and incorporate any amendments to the Act in a single draft Bill. Any recommendations to include an alternate initiation pathway that is informed by the outcomes of this consultation process will be further consulted on early next year.

## 2.2 Planning system

Since 2014, the Government has been implementing significant reforms to the Tasmanian planning system, including delivery of the Tasmanian Planning Scheme, the development of





the Tasmanian Planning Policies and a comprehensive review of the three regional land use strategies.

The results of these reforms are now becoming apparent. The Tasmanian Planning Scheme is in effect in 23 local government areas and the most recent consolidated data from 2021-22 shows that discretionary applications are being determined in a median timeframe of 38 days (40 average) and permitted in 21 days (21 average). Where the 'clock is stopped' to request further information, discretionary applications are being determined across the State in a median of 46 days (53 average) including those 'clock stopped' days.

By way of comparison, noting the differences in assessment processes and classifications, in the June 2023 'Improving the Performance of Land Zoning, Planning and Land Release System' report prepared for the Australian Government Treasury, average approval times in South Australia were around 46 days, Northern Territory 55 days, Australian Capital Territory 61 days, New South Wales 83 days, Queensland 86 days and Victoria a median of 81 days and an average of 129 days. There were no figures for Western Australia, but the statutory time frame for the equivalent of permitted developments is 60 days and for discretionary is 90 days (as opposed to 28 days and 42 days in Tasmania).

Tasmanian councils are also determining more applications than ever before, with annual totals rising from around 6,500 in 2016-17 to over 12,000 in 2021-22. In 2021-22 there were also over 1,750 single dwellings signed off in a matter of days as no permit required.

These statistics indicate that overall, our planning system is already among the fastest, if not the fastest, in the country when it comes to determining development applications.

However, the broad rights of appeal provided under Tasmanian legislation mean that these very timely outcomes are sometimes extended by an appeal process by many months resulting in an overall approval timeframe of perhaps 9-12 months. The appeal process provides a very important check and review of the initial decision of the planning authority by an independent panel of experts with the opportunity for all parties including those that made representations, to speak to their issues and test the evidence of other parties.

A review of the use of panels to determine development applications in other planning jurisdiction reveals that most States have an alternate pathway to local councils for determining certain developments. Although the nature of each DAP framework differs according to the underlying planning system, typically each model relies on meeting certain application criteria to be suitable for referring an application to a panel for determination with the assessment and determination functions of other development applications remaining with local government. Additionally, many of these other jurisdictions do not have the broad third party appeal rights that apply in Tasmania, meaning the DAP process and decision is more aligned to the appeal or review process.

Development Assessment Panels, or their equivalent, are already used in the determination of certain developments in the Tasmanian planning system including major and state significant projects and those which are dependent on a concurrent planning scheme amendment.



The Tasmanian Planning Commission (the Commission) is an independent statutory authority that reviews, advises on, and determines a range of land use planning matters. In performing these functions, it delegates tasks to expert panels.

The current proposal to develop a DAP framework is based on the principle of utilising existing parts of the planning system that are working well, including the existing and highly regarded independence and expertise of the Commission, in establishing DAPs to determine applications.

With respect to the proposal to introduce a role for the Minister to direct that a planning scheme amendment should be initiated, this too will retain the current process with Panels established by the Commission determining planning scheme amendments.

The table below identifies where Panels are currently used to determine development applications in the State's planning system<sup>1</sup>. While these types of developments are not determined by the planning authority, they are informed by, and rely heavily on, the information and understanding of local issues received from it through submission, reporting or recommendations including a draft permit and conditions.

Legislation	Type of Assessment	Panel established by:
LUPAA	Major Project	Tasmanian Planning Commission
LUPAA	Combined planning scheme amendment and permit application	Tasmanian Planning Commission
<i>Major Infrastructure Development Approval Act 1999</i>	Linear infrastructure proposals across multiple municipalities	Tasmanian Planning Commission or decision made by a Combined Planning Authority
<i>State Policies and Projects Act 1993</i> -	Projects of State Significance	Tasmanian Planning Commission

**Table 1.** *Types of applications determined by independent expert panels.*

The types of developments that are currently determined by a Panel are often complex, large in scale, time consuming, expensive and resource intensive assessment processes or involve changes to the planning scheme rules. To be eligible for these alternate assessment pathways, applications are required to meet eligibility requirements specified in the respective Acts.

<sup>1</sup> Expert DAPs are also used to determine discretionary development applications where the decision has been appealed to TasCAT





### 3. Identification of Issues

#### 3.1 Conflicting role of Councillors

Despite the statistical evidence, there remains a perception that some Councils are less supportive of new development than others and that on occasion the personal views of elected councillors in relation to a proposed development, such as large-scale apartments, or social housing, may influence their decision-making despite being outside of the relevant planning scheme considerations they are bound to administer as part of the obligations of a planning authority.

The State Government has committed to delivering 10,000 new social and affordable houses by 2032. As identified in the Interim Report, where a development is controversial, there can be a tension between councillors' role as community advocates and as members of a statutory planning authority. The proposed DAP framework is intended to remove this tension and to deliver appropriate and timely assessments of housing projects undertaken by Homes Tasmania and registered Community Housing Providers.

Currently, only a small proportion of all development applications actually come before the elected members for decision with between 85 and 90 percent being routinely determined under delegation by council officers. These development applications are assessed by council planners against the requirements of the relevant planning scheme in accordance with the established processes defined in LUPAA. Many planning authorities delegate the determination of development applications to senior officers, and to sub committees. While only a small percentage of applications are determined by the full elected council, these applications typically involve a significant number of representations and are therefore subject to higher levels of local political interest. In some circumstances the full elected council will determine any application that has been recommended by council planners for refusal or where the application is actually proposed by council.

Because the evidence is that the inappropriate political determination of applications is limited to isolated, but well publicised, cases, the response should be proportional, so it does not undermine the integrity and success of the existing reforms, or the planning system itself. Changes should only be proposed where an issue has been identified. Additionally, any proposed changes should seek to utilise those parts of the assessment process that are operating efficiently.

Based on the discussion so far the following issues have been identified for feedback:



**Consultation issue 1 – Types of development applications suitable for referral to a DAP for determination**

- a) What types of development applications are problematic, or perceived to be problematic, for Councils to determine and would therefore benefit from being determined by a DAP?

Options

- i. Applications for social and affordable housing which often attract considerable opposition within the local community based on social stigma rather than planning matters;
- ii. Critical infrastructure;
- iii. Applications where the Council is the applicant and the decision maker;
- iv. Applications where Councillors express a conflict of interest in a matter and a quorum to make a decision cannot be reached;
- v. Contentious applications where Councillors may wish to act as elected representatives supporting the views of their constituents which might be at odds with their role as a member of a planning authority;
- vi. Where an applicant considers there is bias, or perceived bias, on the part of a Council or Councillors;
- vii. Complex applications where the Council may not have access to appropriate skills or resources;
- viii. Application over a certain value;
- ix. Other?

- b) Who should be allowed to nominate referral of a development application to a DAP for determination?

Options

- i. Applicant
- ii. Applicant with consent of the planning authority;
- iii. Planning authority
- iv. Planning authority with consent of the applicant
- v. Minister

- c) Given the need for a referral of an application to a DAP might not be known until an application has progressed through certain stages of consideration (such as those set out in a) above) have been carried out, is it reasonable to have a range of referral points?

Options

- i. At the beginning for prescribed proposals;
- ii. Following consultation where it is identified that the proposal is especially contentious;
- iii. At the approval stage, where it is identified that Councillors are conflicted.



**Consultation issue 2 – Provision of an enhanced role for the Minister to direct a council to initiate a planning scheme amendment under certain circumstances.**

- a) Under what circumstances should the Minister have a power to direct the initiation of a planning scheme amendment by a Council?
- b) Is it appropriate for the Minister to exercise that power where the Council has refused a request from an applicant and its decision has been reviewed by the Tasmanian Planning Commission?

For example:

Section 40B allows for the Commission to review the planning authority's decision to refuse to initiate a planning scheme amendment and can direct the planning authority to reconsider the request. Where that has occurred, and the planning authority still does not agree to initiate an amendment, is that sufficient reason to allow Ministerial intervention to direct the planning authority to initiate the planning scheme amendment, subject to the Minister being satisfied that the LPS criteria is met?

- c) Are there other threshold tests or criteria that might justify a direction being given, such as it aligns to a changed regional land use strategy, it is identified to support a key growth strategy, or it would maximise available or planned infrastructure provision?

### 3.2 Retaining local input

One of the concerns of a DAP framework is that it relies on decisions being made by experts that do not necessarily have the local knowledge that would otherwise be available within a local council and considered and applied when determining a development application.

The proposed DAP framework can utilise and benefit from this local knowledge. By way of example the current assessment process for a combined planning scheme amendment and permit application (s. 40T of LUPAA or s.43A under the former provisions of LUPAA) is undertaken by both the planning authority and the Commission, with the Commission being the final decision maker. For the development application component of a s43A or s40T application, it is the planning authority that assesses the proposal against the amended provisions of the planning scheme, issues a draft permit, undertakes the notification procedures in accordance with the LUPAA, it receives representations and addresses the issues raised by the representations. All these matters are presented in a report prepared by the council officers and provided to the Commission. Then all parties including those that made representations are invited to attend a hearing and present their issues before the final determination is made by the panel.



This is a tried and tested process that ensures valuable local input into the assessment and allows all parties to present their case and be heard directly by the decision maker. Being an established process that is understood by planners it has been identified as the preferred basis for the preliminary draft DAP framework as presented in Attachment 1.

**Consultation issue 3 –**

- i. **Incorporating local knowledge in DAP decision making.**
- ii. **DAP framework to complement existing processes and avoid duplication of administrative processes.**

- a) To allow DAP determined applications to be informed by local knowledge, should a Council continue to be:
  - the primary contact for applicants;
  - engage in pre-lodgement discussions;
  - receive applications and check for validity;
  - review application and request additional information if required;
  - assess the application against the planning scheme requirements and make recommendations to the DAP.
- b) Is the current s43A (former provisions of the Act) and s40T of the Act processes for referral of a development application to the Commission, initial assessment by Council and hearing procedures suitable for being adapted and used in the proposed DAP framework?

### 3.3 Request for further information

There have also been concerns raised by both Council and the development industry regarding request for further information stalling the determination of development applications.

Application requirements are specified under clause 6.1 of the State Planning Provisions. The application requirements are intended to give applicants certainty as to the range of matters and level of detail needed in their application to allow the planning authority to undertake its assessment against the provisions of the planning scheme.

Once the planning authority receives a valid application the assessment 'clock' commences against either the timeframe of 28 days for the assessment of a permitted application or 42 days for a discretionary application. Section 54 of LUPAA allows the planning authority to request additional information from the applicant where the application lacks the necessary information for the planning authority to undertake an assessment. The time taken for the





applicant to respond to the planning authority's request does not count towards the assessment timeframe as the 'clock is stopped'. The assessment clock recommences once the planning authority is satisfied that the information provided addresses the matters raised in the request for additional information.

There is anecdotal evidence that with some contentious proposals (particularly social housing) the additional information process is being used to delay or frustrate the timely assessment of a proposal. While a request for further information can be appealed to the Tasmanian Civil and Administrative Tribunal (TasCAT) the associated costs and uncertainty regarding the timeframe for resolution is a deterrent.

Sections 40A and 40V allows an applicant to request the Commission to review the planning authority's request for additional information for an amendment to an LPS and a combined amendment and planning permit (respectively). Similar provisions, sections 33B and 43EA, apply under the former provisions of LUPAA.

These sections of LUPAA provide an opportunity for the applicant to test the requirement for, and content of, requests for further information from the planning authority. The Commission can direct the planning authority to revoke the request for additional information, issue a new notice requesting additional information or determine that the request for additional information was appropriate.

This raises questions around what the appropriate process is for resolving contended additional information requests where the proposed DAP process is being used.

**Consultation issue 4 – Resolving issues associated with requests for, and responses to, further information.**

- a) Should a framework for DAP determined development applications adopt a process to review further information requests similar to the requirements of section 40A and 40V of LUPAA?
- b) Are there any changes that could be made to the Act or planning scheme to improve requests for, and responses to, additional information?

### 3.4 Timeframes for assessment and appeal rights

The proposed DAP framework incorporates both the review of the application by the council (in forming advice) and the DAP (as the decision-maker) and the coordination of hearings into representations to provide representors with the opportunity to address the panel and final determination by a DAP. This, in effect, combines the initial stage of the current process (consideration by the Planning Authority) and a possible subsequent appeals process (currently unconstrained by time). The existing statutory 42 day timeframe for determining discretionary applications is, therefore, not adequate for this process.



A DAP framework, utilising the Commission to establish the panel, would be subject to the requirements of the *Tasmanian Planning Commission Act 1997*. A panel established by the Commission is required to determine matters following the rules of natural justice and providing for procedural fairness similar to other LUPAA processes that are undertaken by the Commission. This involves hearings where the parties can make submissions and be heard by the decision maker in much the same way as a TasCAT appeal hearing.

The purpose of appealing a planning authority's decision to TasCAT is to provide for an independent review of the process, in a public forum and without political interference. By using the Commission to establish the DAP, the independent review function will be built into the DAP framework. This removes uncertainty, delays and costs associated with determining contested applications through TasCAT.

Legislation	Type of Assessment	Decision maker	Subject to merit Review	Judicial Review
LUPAA	S 58 development application (permitted)	Planning authority	Yes (applicant on permit conditions only)	Yes
LUPAA	S 57 development application (discretionary)	Planning authority	Yes	Yes
LUPAA	Major Project	TPC	No	Yes
LUPAA	Combined planning scheme amendment and permit application	TPC	No	Yes
<i>Major Infrastructure Development Approval Act 1999</i>	Linear infrastructure proposals across multiple municipalities	Combined Planning Authority or TPC panel	Yes	Yes
<i>State Policies and Projects Act 1993</i> -	Projects of State Significance	TPC	No	Yes

**Table 2.** Development application processes that are subject to appeal

Table 2 shows that the only process that allows a TPC decision to be subject to a merit appeal to TasCAT is under the *Major Infrastructure Development Approval Act 1999* (MIDA). An application under MIDA is considered a section 57 application under LUPAA. The application is determined by a panel established by the TPC or a Combined Planning Authority. In determining the application there is no requirement under MIDA for the decision maker to hold a public hearing before making a decision. The appeal rights for





MIDA applications are a consequence of not being guaranteed a public hearing in the initial determination of the application.

**Consultation issue 5 – Appeal rights and assessment timeframes for DAP determined applications.**

- a) Is it reasonable that decisions on DAP determined applications are not subject to TasCAT appeals where the TPC holds hearings and provides all parties the opportunity to make submissions and test evidence?
- b) Given the integrated nature of the assessment, what are reasonable timeframes for DAP determined applications?

**OPTIONS**

Lodging and referrals, including referral to DAP	7 days	Running total
DAP confirms referral	7	14
Further information period (can occur within the timeframes above, commencing from time of lodgement)	7	21
Council assesses development application and makes recommendation whether or not to grant a permit	14	35
Development application, draft assessment report and recommendation on permit exhibited for consultation	14	49
Council provide documents to DAP, including a statement of its opinion on the merits of representations and whether there are any modifications to its original recommendation	14	63
DAP hold hearing, determine application and give notice to Council of decision	35	98
If directed by the DAP, Council to issue a permit to the applicant	7	105 max

### 3.5 Post determination roles of Council

Planning authorities are responsible for enforcing permit conditions and considering any proposed amendments to permits that have been issued by them.

It is necessary to explore how these roles and functions might be impacted by the development application being determined by a DAP.



It is anticipated that the DAP will engage extensively with the planning authority in preparing the permit and conditions of approval. Any legislative framework for a DAP model will be required to establish the post determination functions of the planning authority.

Under both State significant and major project processes, there is a role for the planning authority as the normal compliance body for administering the permit. Consistent with the principle of the DAP framework utilising current parts of the planning system that are operating effectively, it is proposed to parallel the process of TasCAT determinations whereby the planning authority is required to administer the planning permit.

**Consultation issue 6 – Roles of the planning authority post DAP determination of a development application.**

- a) Should the planning authority remain the custodian of planning permits and be required to issue permits in accordance with a direction from a DAP?
- b) Is it appropriate for planning permits associated with a DAP determined application to be enforced the Council?
- c) Is it appropriate for minor amendments (in accordance with s56 of LUPAA) to DAP determined permits to be made by the planning authority?

#### **4. Draft DAP framework**

Based on initial consultation with key stakeholders, commitments made in the Premier's announcement and the identification of issues as discussed above, the following DAP framework has been drafted as a starting point for discussion.

The draft DAP framework is provided in **Attachment 1**. The draft framework is cross referenced with the Consultation Issues that have been raised in the text boxes in the body of this Position Paper. Comments are invited on any other matter that the draft DAP framework raises.

#### **5. Next Steps**

Following the consultation period on the Position Paper the submissions received will be reviewed and inform modifications to the DAP framework. Based on the revised framework, the Government will prepare a draft amendment to the Act which will be further consulted early next year.

It is proposed that the Bill will be tabled in Parliament in early 2024.



## ATTACHMENT I - Draft DAP Framework



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## Draft Development Assessment Panel (DAP) Framework

Ref	Stage of assessment process	Responsible person/ authority	Proposed Framework	Comments and additional Questions for consultation
1	Pre-lodgement discussion between applicant and planning authority	Planning Authority and applicant	No change to current process.	Existing informal processes undertaken on an as needs basis.  Discussions may include whether or not the development application is eligible for DAP referral.
2	Lodge Development Application	Applicant lodges with Planning Authority	No change to current process	Existing process for the lodgement of development applications.
3	Determination of valid application and referral to other entities	Planning Authority	Planning Authority reviews application and determines if the application is valid in accordance with the existing provisions of the Act.  Refers application to TasWater, Tasmanian Heritage Council or EPA as required.	Existing process for determining that a development application is valid <sup>7</sup> .  See section 24 and 25 of this section for information regarding application fees.

<sup>7</sup> must comply with 51(IAC) and (IAB) and 51A;

*(IAC) For the purpose of subsection (IAB), a valid application is an application that contains all relevant information required by the planning scheme applying to the land that is the subject of the application.*

*(IAB) A planning authority must not refuse to accept a valid application for a permit, unless the application does not include a declaration that the applicant has-*

- a) notified the owner of the intention to make the application; or*
- b) obtained the written permission of the owner under section 52*

Section 51A refers to the payment of application fee.



4A	<p>Planning Authority reviews Development Application and decides if it is to be determined by a DAP.</p> <p><b>Discretionary referral</b></p>	<p>Planning Authority</p>	<p>Planning Authority to determine if the Development Application should be referred to a DAP for determination.</p> <p>The Planning Authority <b>may</b> determine that the development application meets the criteria for DAP referral and, if so, notifies, and seeks endorsement from the applicant, to refer the development application to the DAP for determination, within 7 days of the Planning Authority receiving a valid application.</p> <p>The applicant <b>may</b> also make a request to the Planning Authority for it to consider referring the application to a DAP for determination subject to the Planning Authority being satisfied that the application meets the criteria for DAP referral.</p> <p><b>DAP Criteria</b> An application <b>may</b> be suitable for referring to a DAP if it is a discretionary application and the referral is endorsed by both the Planning Authority and the applicant, provided one or more of the following criteria for DAP referral is satisfied:</p> <ul style="list-style-type: none"> <li>• where the council is the proponent and the planning authority;</li> <li>• the application is for a development over \$10 million in value, or \$5 million in value and proposed in a non-metropolitan municipality;</li> </ul>	<p>Refer to Consultation issue 1 in the Position Paper.</p> <p>Additional considerations:</p> <p><i>Is 7 days a reasonable timeframe for this function to be undertaken by the Planning Authority? Could it be delegated to senior planning staff?</i></p> <p><i>Where a dispute arises between the Applicant and the Planning Authority over a development application being referred to a DAP for determination, is it appropriate for the Minister to have a role in resolving, subject to being satisfied that the development application meets the DAP criteria?</i></p> <p><i>If not the Minister, who should be responsible for resolving the matter?</i></p> <p><i>Is it appropriate to consider the value of a development as a criteria for referral to a DAP for determination? If so, what should the stated value be?</i></p> <p>Note: See sections 21 and 22 of this table which provides options for development applications to be referred at later stages of the assessment process as issues become apparent, such as after exhibition.</p>
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			<ul style="list-style-type: none"> <li>the application is of a complex nature and council supports the application being determined by a DAP;</li> <li></li> <li>the application is potentially contentious, where Councillors may wish to act politically, representing the views of their constituents, rather than as a planning authority; or</li> <li>Where there is a case of bias, or perceived bias, established on the part of the Planning Authority.</li> </ul>	
48	Planning Authority reviews Development Application and decides if it is to be referred to DAP <b>Mandatory Referral</b>		<p>The Planning Authority <b>must</b> determine to refer the development application to a DAP for determination, within 7 days of the Planning Authority receiving a valid application, if the development application is a discretionary application and for a prescribed purpose:</p> <p><b>Prescribed purpose:</b></p> <ul style="list-style-type: none"> <li>An application over \$1 million where the council is the proponent and the planning authority;</li> <li>An application from Homes Tas for subdivision for social or affordable housing or development of dwellings for social and affordable;</li> <li>An application for critical infrastructure;</li> <li>Other(?)</li> </ul>	<p>Refer to Consultation issue 1 in the Position Paper.</p> <p>Additional considerations:</p> <p><i>Is 7 days a reasonable timeframe for this function to be undertaken by the Planning Authority? Could it be delegated to senior planning staff?</i></p> <p><i>Are there any other examples of development applications under the prescribed purposes that might be suitable for referral to a DAP for determination?</i></p> <p><i>Is it appropriate to consider the value of a development for DAP referral where council is the applicant? If so, what value is reasonable?</i></p> <p><i>What might be considered as 'critical infrastructure'?</i></p>

5	PA requests referral of DA to DAP for determination.	Planning Authority and DAP	<p>Planning Authority requests referral of the development application to the DAP within 7 days of the Planning Authority determining that the development application is suitable for DAP referral in accordance with section 4A and 4B above.</p> <p>The Planning Authority's written referral request includes all the material that comprises the development application (at this stage).</p> <p>If the DAP does not agree that the development application meets the DAP criteria or is for a prescribed purpose, the DAP must give notice to the Planning Authority and applicant of its decision.</p> <p>If the DAP does not agree that the development application meets the DAP criteria, the assessment of the development application continues in accordance with the existing LUPAA provisions.</p> <p>If the DAP accepts the Planning Authority's request that the development application meets the criteria for DAP referral or is for a prescribed purpose, the DAP must give notice, within 7 days of receiving the Planning Authority's request, to the Planning Authority and applicant of its decision.</p>	<p><i>Should the time taken for an application that has been referred to a DAP for determination that, in the opinion of the DAP, does not satisfy the relevant referral criteria or is not for a prescribed purpose, count towards the relevant period referred to in s57(6)(b) of the Act given the assessment will continue in accordance with a s57 application if it is not eligible for DAP referral?</i></p>
6	Review of DA to determine if further information is required to	Planning Authority	Where the DAP has accepted the Planning Authority's request to refer the development application to the DAP for determination, the Planning Authority reviews the development application to determine if additional information is	Additional information request can occur simultaneously with the Planning Authority's request for DAP determination. Regardless of the outcome of the request to refer the development application to the DAP, the Planning Authority is required to ensure it has the

	undertake the assessment		<p>required and, if so, must make a request within 21 days of receiving a valid application.</p> <p>Clock stops while waiting for the applicant to provide additional information to the satisfaction of the Planning Authority.</p>	<p>necessary information it needs to undertake the assessment.</p> <p>The 21 day timeframe and 'stopping the clock' is consistent with section 54 of the Act.</p>
7	Review of further information requests	Applicant	<p>Within 14 days after being served a request for further information in accordance with 6 above, the applicant may request the DAP to review the Planning Authority's additional information request.</p> <p>The DAP, within 14 days of receiving a request to review the PA's additional information requirement must:</p> <ul style="list-style-type: none"> <li>• Support the Planning Authority's request for additional information;</li> <li>• Revoke the Planning Authority's request for additional information; or</li> <li>• Issue a new notice to the applicant requesting additional information.</li> </ul> <p>The DAP must give notice of its decision to the Planning Authority and applicant.</p>	<p>Refer to Consultation issue 4 in the Position Paper.</p> <p>Because the DAP has agreed that the DA will be DAP determined, it already has a copy of the development application.</p> <p>The review of a Planning Authority's request for additional information is similar to the existing provisions under s40V of the Act.</p>
8	Provision and review of additional information.	Applicant and Planning Authority	<p>Once the applicant provides the additional information and, in the opinion of the planning authority, it satisfies either the original request or one that has been modified by the DAP, the assessment clock recommences.</p> <p>If the additional information does not satisfy the original request or one that has been modified by</p>	<p>This part of the framework is similar to existing processes.</p>



			the DAP, the Planning Authority advises the applicant of the outstanding matters and the clock remains stopped.	
9	Planning Authority assesses DA	Planning Authority	Planning Authority assesses the application against the requirements of the planning scheme and recommends either: <ul style="list-style-type: none"> <li>• granting a permit; or</li> <li>• refusing to grant a permit.</li> </ul>	Refer to Consultation Issue 3 in the Position Paper. Note: The proposed framework has adopted a process that is similar to the section 40T of the Act process where council assesses the application and then places the application and the Planning Authority's report on exhibition (as below).
10	Public notification of application and Planning Authority recommendations	Planning Authority	Planning Authority to advertise the development application, its assessment report and recommendations, including a draft permit (if recommended for approval), for a period of 14 days (and in accordance with section 9 of the LUPAA Regulations) during which time representations are received.	
11	Planning Authority to review representations	Planning Authority	Planning Authority to review representations and prepare a statement of its opinion as to the merits of each representation and the need for any modification to its recommendation on the development application, including the draft permit and conditions.	This part of the proposed framework is similar to the existing provisions of section 42 of the Act.
12	Provision of all documents to the DAP	Planning Authority	The Planning Authority provides DAP with: <ul style="list-style-type: none"> <li>• a copy of the application (although they should already have it) and any further information received;</li> <li>• a copy of the recommendation report and any draft permit;</li> </ul>	This part of the proposed framework is similar to existing processes for a section 40T(1) application

			<ul style="list-style-type: none"> <li>• a copy of all the representations; and</li> <li>• a statement of its opinion as to the merits of each representation and any modifications to its original recommendations on the DA as a consequence of reviewing the representations;</li> <li>• DAP fee (refer to section 25)</li> </ul> <p>within 14 days of the completion of the exhibition period.</p>	
13	DAP review and publication of information and hearing determination	DAP	<p>DAP reviews and publishes all the information provided by the Planning Authority (as listed in 12 above) and notifies all parties advising that they have received the relevant documents from the Planning Authority, where those documents can be viewed and requesting advice regarding which parties would like to attend a hearing.</p> <p>If there are no representations or no parties that wish to attend a hearing, the DAP may dispense with the requirement to hold a hearing.</p> <p>The DAP must notify the Planning Authority, applicant and representors of their determination to hold, or dispense with holding, a hearing.</p>	An option is given to dispense with the requirement for a DAP to hold a hearing in situation where there are no representations, all representations are in support, representations have been revoked or there are no representations that want to attend a hearing.
14	DAP hearing into representations	DAP	<p>Representors, applicant and Planning Authority invited to attend hearing and make submissions to the DAP on the development application.</p> <p>Parties to the proceedings must be given at least one weeks' notice before the hearing is scheduled.</p>	The draft permit conditions are subject to contemplation by the parties at the hearing. It is anticipated that this will resolve issues around the future enforcement of those conditions by council or other issues that would otherwise arise and be subject to appeal through TasCAT.

			<p>Natural justice and procedural fairness for conduct of hearings consistent with <i>Tasmanian Planning Commission Act 1997</i>.</p> <p>DAP hearings are encouraged to be held locally.</p>	
15	DAP determination	DAP	<p>DAP undertakes the assessment considering all the information and evidence presented at the hearing and determines the development application.</p> <p>DAP must determine application within 35 days from receiving documents from Planning Authority (under section 12 above)</p> <p>DAP may request an extension of time from the Minister.</p>	Refer to Consultation Issue 5 in the Position Paper for questions regarding assessment timeframes.
16	Notification of DAP decision	DAP	Within 7 days of the DAP determining the development application it must give notice of its decision to the Planning Authority, applicant and representors.	Similar to existing notification provisions under section 57(7).
17	Issuing of Permit	DAP/ Planning Authority	<p>If the decision of the DAP is to grant a permit, the DAP must, in its notice to the Planning Authority (under section 16 above), direct it to issue a permit in accordance with its decision within 7 days from receiving the notice from the DAP.</p> <p>The permit becomes effective 1 week from the day it is issued by the Planning Authority.</p>	
18	Enforcement	Planning Authority	The Planning Authority is responsible for enforcing the permit.	Refer to Consultation Issue 6 in the Position Paper. This is the same process for permits issued by TasCAT.

19	Appeal rights	All parties	There is no right of appeal on the grounds of planning merit as the decision has been made by an independent panel with all parties engaged in the process.	Refer to Consultation Issue 5 in the Position Paper for questions regarding appeal rights. While the draft framework proposes that DAP determined development applications are not subject to a merit appeal, the decision of the DAP is subject to judicial review by virtue of the <i>Judicial Review Act 1997</i> .
20	Minor amendment to permits	Planning Authority	A Planning Authority can receive a request for a minor amendment to a permit involving an application that has been determined by a DAP.	Refer to Consultation Issue 6 in the Position Paper. Minor amendments to permits are assessed by the Planning Authority against the existing provisions of section 56 of the Act.

#### Other opportunities for a development application to be referred to a DAP

Ref	Stage of assessment process	Responsible person/ authority	Proposed Framework	Comment
21	Ministerial Call in Powers	Planning Authority or applicant	At any stage of the assessment process the applicant or Planning Authority may make a request to the Minister that a development application be referred to a DAP for determination.  The Minister may refer the application to a DAP provided the Minister is satisfied that the development application meets the DAP criteria.	This provides an opportunity for referral when issues only become apparent at the later stages of the assessment process.  <i>Is it appropriate for the Minister to have the power to call in a development application in these circumstances?</i>  <i>In this scenario, is it necessary for the applicant and Planning Authority to agree to the request?</i>
22	Ministerial referral of DA to DAP	Minister	Where the Minister refers the DA to a DAP for determination (in accordance with 21 above), the Minister must, by notice to the DAP and Planning Authority (if required), direct the DAP and Planning Authority (if required) to	Because this type of referral can occur at any stage, there needs to be a direction to specify those parts of the assessment process that still needs to be completed. These processes will include elements that need to be undertaken by the DAP and may include

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DAP Framework  
Position Paper



			undertake an assessment of the development application and specify the process and timeframes for the DAP and Planning Authority (if required) to follow. The Minister can also specify that the Planning Authority must provide all relevant documents relating to the application and its assessment to the DAP within a timeframe.	elements that need to be undertaken by the Planning Authority. The Planning Authority is required to provide all relevant documents to the DAP
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#### DAP membership

Ref	Stage of assessment process	Responsible person/ authority	Proposed Framework	Comment
23	Establishment of Panel	Tasmanian Planning Commission (Commission)	No change to existing Commission processes.	The framework adopts the Commission's well established processes for delegating assessment functions to panels.

#### Development application fees

Ref	Stage of assessment process	Responsible person/ authority	Proposed Framework	Comment
24	Lodging DA	Planning Authority	Planning Authority charges applicant normal application fees.	Planning Authority doing the same amount of work, just not making the determination so is entitled to the application fee.
25	DAs referred to DAP for determination	Planning Authority and DAP	A DAP determined development application will incur an additional application fee.  The Planning Authority is to charge the applicant an additional fee at the time the DAP	Additional fee is to cover some of the costs incurred by the Commission.

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DAP Framework  
Position Paper

			<p>notifies the Planning Authority that they have accepted the Planning Authority's request to refer the development application.</p> <p>The DAP application fee is to be included in the information provided to the DAP following the exhibition of the development application (section 12 above).</p> <p>No order for costs can be awarded by the DAP.</p>	<p>The additional application fee is going to be cheaper than the cost of going to a full tribunal hearing.</p>
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**Tasmanian  
Government**

**Department of Premier and Cabinet**  
State Planning Office

**Phone:**  
1300 703 977

**Email:**  
[stateplanning@dpac.tas.gov.au](mailto:stateplanning@dpac.tas.gov.au)

**[www.planningreform.tas.gov.au](http://www.planningreform.tas.gov.au)**

ACTION	DECISION
PROPONENT	Development Services Coordinator
OFFICER	Development Services Coordinator
FILE REFERENCE	008\004\009\
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none"> <li>1. Submissions 1-7</li> <li>2. Draft Environmental Health By-Law, including schedules 1-3 – track changes version</li> <li>3. Environmental Health By-Law, including schedules 1-3 – final</li> <li>4. Regulatory Impact Statement</li> </ol>

**OFFICER'S RECOMMENDATION:**

1. In accordance with section 159 of the *Local Government Act 1993* (LGA), Council consider all submissions made in relation to the proposed Environmental Health By Law;
2. That Council resolve by absolute majority to:
  - a. adopt the recommended alterations to the proposed by-law as outlined in this report and the draft by-law attached; and
  - b. Authorise the affixing of the Council's Common Seal to the Break O' Day Council Environmental Health By-Law No.1 of 2023, as attachment 3 to the agenda of 20/11/2023, and its subsequent certification by the General Manager and a legal practitioner.

**INTRODUCTION:**

Council has provided previous endorsement to proceed with the office of local government certification including seeking of community submissions.

The certification was provided by the Office of Local Government and the advertising period for the By-Law was held between 13 September and 6 October 2023.

Seven (7) submissions were received and the report provides Council with the officers recommended actions in relation to the submissions.

**PREVIOUS COUNCIL CONSIDERATION:****Council Meeting 26 June 2023**

**06/23.16.3.154**      Moved: Clr K Chapple / Seconded: Clr K Wright

1. In accordance with section 156 of the *Local Government Act 1993*, Council resolves to make a by-law for the regulation of refuse disposal sites, household refuse disposal, animal control, caravans and control of burning, and
2. Proceed to forward decision and draft documents to the Director of Local Government for certification under Section 156A(6) of the Local Government Act, and

3. Subsequent to the director of the office of local government certification, proceed to notification and seek community submissions for consideration.

**CARRIED UNANIMOUSLY**

**Council Meeting 20 September 2021**

**09/21.16.5.208**

Moved: Clr J McGiveron / Seconded: Clr B LeFevre

In accordance with section 156 of the *Local Government Act 1993*, Council resolves to make a by-law for the regulation of keeping roosters and other animals.

**CARRIED UNANIMOUSLY**

**OFFICER'S REPORT:**

Council officers have considered the submissions made and provided in the table below a summary of the concerns raised and Council officers recommended actions in relation to the submissions.

Submission No.	Summary of Issue	Relevant By-Law Clause	Officers Response
1, 2, 3, 5, 7	Concerns in relation to A) stray cats and dogs and associated behaviours; B) The absence of exclusion of Dogs and Cats from the application of the By-Law; C) Lack of Policy & Action by Break O Day Council in relation to stray cats and dogs; D) Other related matters.	Part 4 – Animal Control Section 19(6)	The purpose of the Environmental Health By-Law is to provide a head of power to Council officers to deal with various matters where no other legal mechanisms are available to Council officers. Clause 20 (6) a. of the By-Law is required to prevent conflict and confusion with existing Tasmania laws for the seizing of cats and dogs in the <i>Cat Management Act 2009</i> and <i>Dog Control Act 2000</i> . Council is working, through a northern regional cat management strategy with other councils, stakeholders and a Tasmanian government Action Plan, to implement recently extended regulatory tools and controls of the <i>Cat Management Act</i> for responsible ownership of cats. Council has for many years now applied provisions of the <i>Dog Control Act</i> and will be reviewing this year the Policy the Act requires Council to have.

			The removal of the exemption is therefore refuted as it is necessary that the By-Law specifically excludes these matters where other legislatively provisions are provided for.
2	Concerns that the number of beehives is excessive based on honeybees competing with Native Birds and Insects for nectar. Suggestions that bees can displace native wildlife from tree hollows.	Part 4 – Animal Control Section 21.	A Code of Practice <i>for Urban Beekeeping Tasmania</i> has been developed by the Tasmanian Beekeepers Association which includes Hive Density recommendations. As part of the development of the by-law Council has ensured our proposal is consistent with the Code as well as other similar by-laws within Tasmania.
3, 4,5	Concerns in relation to Concise and Clear instruction in relation to placement of kerbside rubbish bins & weather events causing environmental harm.	Part 3 – Household Refusal Disposal	The location of waste and recycling bins are permitted to be placed on the footpath in some circumstances depending upon the kerb location. Council officers will clean up any spill onto Council road reserves where required due to weather events. A Waste education program, which includes bin etiquette is ongoing.
6	Administrative in nature relating to Regulatory Impact Statement	RIS	No change required. Comments noted
7	Concerns in relation to limitation of 6 Poultry.	Part 4 Section 17 (2)	The proposed limit of 6 poultry is consistent with other by-laws which currently exist in local government in Tasmania. The officer proposes to extend the applicable clause to include <i>"Consent may be obtained by obtaining the written authorisation of the General Manager and without complying with any direction given in writing by the General Manager"</i> . This allows Council officers to apply discretion where a nuisance is not being caused and reasonable efforts are being made to avoid

			any nuisance to adjoining land owners.
--	--	--	--

Having considered each submission made, Council officers have made minor edits to the original draft by-law in line with the suggested recommendations including some administrative corrections and reduction in penalties in some areas as a result of further consideration. A revised draft, with suggested changes shown in 'track changes' is attached. Amendments to the proposed by-law are to be resolved by Council by absolute majority (section 160(1) LGA).

Council has received legal advice that the proposed amendments do not substantially change the purpose or effect on the public of the proposed by-law and, in accordance with section 160(b) of the LGA, it is not necessary for the Council to give further public notice.

If the alterations to the By-Law are endorsed by the Council by absolute majority, the By-Law is then to be made by the Council resolving to affix its common seal to the by-law (section 161 LGA). A final version of the proposed by-law to be made (with all proposed changes accepted) is attached.

On approval from Council, officers will proceed with the final steps in the approval process which are:

#### Step 4 – Certification

Following the notification process and the consideration of any submission, pursuant to section 162 of the LGA, each by-law must be certified by:

- (a) a legal practitioner, that its provisions are in accordance with the law; and
- (b) the General Manager of the Council, that it is made in accordance with the LGA.

#### Step 5 – Gazette

Pursuant to section 153 of the LGA, the by-law is to be published in the Government Gazette. The day of publication is the day on which the by-law will commence.

#### Final Steps

Council officers will then:

- provide necessary documents to the Director of Local Government as required by section 164 of the LGA; and
- arrange for tabling of the by-law before both Houses of Parliament, as required by section 47(3)(c) of the *Acts Interpretation Act 1931*.

### **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.

*Section 199 of the Local Government Act 1993.*

**LEGISLATION & POLICIES:**

*Local Government Act 1993*

**BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

N/A

**VOTING REQUIREMENTS:**

Absolute Majority



## Submission No .1

Jake Ihnen

---

From:  
Sent: Friday, 6 October 2023 4:56 PM  
To: Break O Day Office Admin  
Subject: RE: By Laws - BODC

**CAUTION:** Do not click links or attachments unless you recognize the sender and know the content is safe

The change in bylaws make no reference to the problems caused by cats to both native wildlife, livestock and most importantly, human health. These problems could be minimised by laws requiring the containment of cats to their owners property at all times and properly policing of the laws. Residents of Break O' Day municipality are unable to protect themselves against cats straying onto their property and creating a health risk. Even if cats are humanely trapped, there is no cat facility within the local municipality to take the cat to and the nearest one is unreasonably too far away for most people. Therefore, the problem is ignored or the cat dealt with inhumanely.

Sent from [Mail](#) for Windows

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Sent: Thursday, 5 October 2023 11:51 PM  
To:  
Subject: By Laws - BODC  
  
<https://www.bodc.tas.gov.au/council/by-laws/>  
Sent from [Mail](#) for Windows

## Submission No. 2

Jake Ihnen

---

From:  
Sent: Friday, 6 October 2023 3:28 PM  
To: Break O Day Office Admin  
Subject: Environmental By Law 1/2023

**CAUTION:** Do not click links or attachments unless you recognize the sender and know the content is safe

We wish to comment on the above draft document.

Our main concern is the exemption of domestic dogs and cats in section 20.(8).  
Without question uncontrolled/unmanaged dogs and cats pose a multitude of threats to the environment and people.

In the case of dogs

- \* health threats associated with dog faeces
- \* killing, injuring and disturbing native wildlife, farm animals and domestic pets
- \* Attacking, maiming and in some cases killing humans

In the case of cats

- \* Killing and maiming native wildlife
- \* Toxoplasmosis associated with cat faeces

As such in Part 4 Animal Control 11. INTERPRETATION Clause 1, the By Law should include and consider uncontrolled, roaming, unmanaged domestic dogs and cats as pest animals.. The exemption for domestic dogs and cats under clause 20.section 8. (a) should be removed

In relation to bee hives we think that the number of hives permitted is excessive

We would suggest no bee hives for properties less than 1,000m<sup>2</sup> and a maximum of two hives for any larger land holding apart from commercial operations.. We say this because honey bees compete with native birds and insects for nectar. In addition they often go feral and displace native wildlife from tree hollows.

### The feral flying under the radar: why we need to rethink ...



The Conversation

<https://theconversation.com/the-feral-flying-under-the-...>

Regards

## Submission No. 9

Jake Ihnen

---

From:  
Sent: Friday, 6 October 2023 3:15 PM  
To: Break C Day Office Admin  
Subject: By Laws

**CAUTION:** Do not click links or attachments unless you recognize the sender and know the content is safe

Hi Jake , Thanks for the opportunity to give some views on The Proposed Enviromental By-Laws .

Part 3 Item 12 g

Predominately Air B@ Bs , weekend shack owners and also generals households are placing their bins roadside deys and two weeks before collection. Wind gusts and animals spill them constantly .And tourists top them up even mcre . This significant problem needs concise and clear instruction to mirimise the Enviromental Hazard to the ocean , wildlife and clean image of out area . Action on non-compliance is also paramount in the Proposed By -Laws .

Part 4

Why not extend the by-Law , 'animals not being allowed to stray on to neighbouring properties' to Cats and Dogs . I see a huge amount of cats killing and chasing wildlife outside of their owners residents . As a gardener being subjected to the defecating in a clients garden from cats and dogs from another property has gone on too long. Others states have put a cat curfew on with great results and support. Thank you

#### Submission No. 4

Jake Ihnen

---

From: Friday, 6 October 2023 12:02 PM  
Sent: Break C Day Office Admin  
To: notice of proposec by law  
Subject:

Follow Up Flag: Follow up  
Flag Status: Flagged

**CAUTION:** Do not click links or attachments unless you recognize the sender and know the content is safe

Hi i submit the following submission concerning councils kerbside household waste  
Attach a recent photo of Scamander ave with 3 bins taken after collection  
Observation- these bins as are many in bodc are placed on the footpath  
Creating a nuisance and a potential hazard  
These nuisances and hazards are increased after collection when they are left in middle of footpath and also fall over  
Which they can fall over on footpath at any time when windy  
This is a weekly occurrence and in holidays rubbish bins are collected weekly  
I consider the collection via placement of bins on footpaths  
Is not effective in that it impinges on the safety of footpath users  
And creates a nuisance and potential hazard  
Council refers to collection as kertside  
Why then are bins placed on footpaths  
Which are in fact a nuisance due to poor management  
The regulatory impact statement states  
It is the responsibility of council to provide suitable controls and measures that ensure acceptable community safety and amenity standards



Sent from Mail for Windows

## Submission No. 5

Jake Ihnen

From:  
Sent: Friday, 6 October 2023 9:32 AM  
To: Break C Day Office Admin  
Subject: Proposed Environmental Health By-law

**CAUTION:** Do not click links or attachments unless you recognize the sender and know the content is safe

Thank you for the opportunity to provide feedback in relation to the proposed Environmental Health By-law.

Part 3 - item 12 (g)

Needs clear instruction on when bins can be put out for collection and strict enforcement on non-compliance. A growing amount of full bins are being put out a day or two before the scheduled collection. Windy conditions and animals are causing rubbish from these bins to become strewn around, causing a health hazard and a general mess.

Part 4

A Parliamentary inquiry in 2020 called for a heightened, more effective, multi-pronged and co-ordinated policy, management and research response to the issue of feral and domestic cats.

We need to include cat registration and containment in these changes, or at the very least, cat curfews. Domestic cats decimate wildlife (research estimates that each pet cat kills around 186 mammals, birds, reptiles and frogs each per year, amounting to 340 million native animals per year in Australia - ABC 16.2.23).

Roaming domestic cats cause considerable nuisance and health issues by defecating in neighbouring gardens and on public land, spreading toxoplasmosis. This is far more serious than being woken at dawn by a neighbour's rooster.

One third of Australian pet cat owners already keep their cats contained all the time, keeping their pets safe and potentially extending their lifespan.

Council could follow the lead of Kingborough Council which has implemented a strict by-law across Bruny Island requiring compulsory desexing and microchipping of domestic cats, keeping cats within an owner's property boundaries, a limit of 2 cats without a permit and the prohibition of feeding stray cats.

The by-law requires animals (other than cats and dogs) not to be allowed to stray onto neighbouring properties. Why not extend this to include cats and dogs?

Thanks for considering my suggestions.

Kind regards,



## Submission No. 6

Jake Ihnen

---

From: Thursday, 21 September 2023 4:41 PM  
To: Break O Day Office Admin  
Cc:  
Subject: RE: Break O'Day Council Notice of Proposed Environmental Health By-law 2023

**CAUTION:** Do not click links or attachments unless you recognize the sender and know the content is safe

Dear General Manager,

Thank you for the opportunity to comment on Break O'Day Council's proposed *Environmental Health By-law 2023*.

Page 9 of the supporting Regulatory Impact Statement states, 'Copies of the By-law will be sent to relevant State Government Departments for their review - including the Environment Protection Authority (Department of Primary Industries, Parks, Water and the Environment), Department of Police and Emergency Management, Department of Justice and Department of Health.'

Please note that on 1 December 2021, the Environment Protection Authority (EPA) separated from the (now) Department of Natural Resources and Environment Tasmania (NRE Tas) and became a State Authority under the *State Service Act 2000*. The appropriate EPA contact is below:

EPA Tas  
Coordinator Local Government Engagement  
Phone: 03 6165 4539  
Email: [LGE@epa.tas.gov.au](mailto:LGE@epa.tas.gov.au)

NRE Tas has no further comments regarding the proposed by-law.

If you wish to contact NRE Tas in the future on similar matters, please use the following email address:  
[policyteamnre@nre.tas.gov.au](mailto:policyteamnre@nre.tas.gov.au)

Kind regards,



## Submission No. 7

Jake Ihnen

---

From: Break O Day Office Admin  
Sent: Monday, 18 September 2023 9:14 AM  
To: Cathy Bailey  
Subject: FW: Submission on Proposed Environmental Health By-law No. 1/2023

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Sent: Friday, 15 September 2023 7:39 PM  
To: Break O Day Office Admin <admin@bodc.tas.gov.au>  
Subject: Submission on Proposed Environmental Health By-law No. 1/2023

**CAUTION:** Do not click links or attachments unless you recognize the sender and know the content is safe

Dear Council,

with regards to:

18 (2) A person must not keep more than 6 poultry on a property within or partly within a residential zone as defined in a planning scheme applying to the area.

I note there is already the requirement for poultry to be "housed in a clean and sanitary environment". Given this I believe the limit of 6 birds per block is overly restrictive. 12 birds can be kept on many residential blocks over 600m<sup>2</sup>.

Why would there be restrictions on poultry but not on cats and dogs?

Kind regards



**Proposed**

***Environmental Health By-law***

**By-law No. 1/2023**

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## BREAK O'DAY COUNCIL ENVIRONMENTAL HEALTH BY-LAW

### By-Law No. 1 of 2023

A BY-LAW of the Break O'Day Council made under Section 145 of the *Local Government Act 1993* (Tas) for the purposes of regulating and controlling matters of environmental health.

#### PART 1 – PRELIMINARY

##### 1. Short Title

This By-Law may be cited as the Environmental Health By-Law No 1 of 2023

##### 2. Application

- (1) This By-law applies to the municipal area of the Break O'Day Council.
- (2) This By-law does not apply to a councillor or an employee of the Councillor a contractor or agent of the Council where such person is carrying out activities in or on any Council land or waste facility in the course of their duties for and on behalf of the Council.

##### 3. Interpretation

In this By-law:

**Act** means the *Local Government Act 1993* (Tas);

**animal** means an animal as defined in the Animal Welfare Act 1993;

**Authorised Officer** means an employee of the Council appointed by the Council or General Manager as an authorised officer for the purpose of this By-Law;

**beehive** means a modular framed housing for a honey bee colony, which normally contains either a nucleus colony or a standard size colony;

**By-Law** is a reference to this Environmental Health By-Law No 1 of 2023;

**Caravan** means any object or structure having the general characteristics of a caravan, a house on wheels, a covered van or trailer, and any vehicle used or adapted for human habitation or occupation, whether the wheels or axles are removed or not and whether it is resting directly on the ground or is placed on blocks or other supports, and any structure, awning, veranda, lean-to, carport or other enclosed or partly enclosed area used or capable of being used in connection with or appurtenant to any caravan but does not include a building or temporary structure for which a permit is required under the *Building Act 2016* (Tas);



**Caravan Licence** means a valid and current licence to occupy a caravan issued by an Authorised Officer in accordance with Form 2 in Schedule 2-3 to this By- Law;

**Council** means the Break O'Day Council (ABN 96 017 131 248) constituted pursuant to the Act;

**Environmental Health Officer** means a person employed by Council from time to time holding the position of Environmental Health Officer;

**Fee unit** means the sum as prescribed under the provisions of the *Fee Unit Act 1997 (Tas)*;

**General Residential Zone** means the General Residential Zone defined in a planning scheme applicable to the Municipal Area;

**General Manager** means the General Manager appointed by the Council pursuant to section 61 of ~~the~~ *the Act*.

**Infringement Notice** means a notice complying with section 149 of the Act;

**mobile garbage bins** mean mobile bins as approved and supplied by the Council for the collection of one of the following:

- (a) Domestic waste
- (b) Recyclables
- (c) Green waste; and
- (d) Any other waste as notified by the Council

**Municipal Area** means the municipal area of the Break O'Day Council defined in accordance with section 16 of the Act.

**nuisance** means as defined by section 199 of the Act;

**penalty units** means the amount of money set under the provisions of the *Penalty Units and Other Penalties Act 1987 (Tas)*;

**Person** means an individual, corporation or other legal entity (other than the Crown);

**proprietor** includes the owner, occupier or any person having the control or management of land;

**public land** means land within the Municipal Area which is owned, vested in or managed by Council and includes any public place and any local highway;

**public place** has the meaning given to that term in section 3(1) of the *Police Offences Act 1935 (Tas)*;

**Refuse** means rubbish, waste and other similar articles or things including recyclable materials but does not include Trade Waste;

**Refuse Disposal Attendant** means a person who is employed by Council to work at one or more Refuse Disposal Sites;

**Refuse Disposal Site** means any land designated by Council for the disposal of Refuse and includes:



- (a) refuse disposal areas (i.e. tips);
- (b) waste transfer stations;
- (c) resource recovery facilities, and
- (d) recycling centres

**residential zone** means the General Residential Zone, Low Density Residential Zone, and Village Zone defined in a planning scheme applicable to the ~~municipal area~~ Municipal Area;

**Trade Waste** means liquid or solid waste produced or generated on commercial premises or as a result of commercial activities; and

**Waste** means as defined by section 3(1) of the *Environmental Management and Pollution Control Act 1994*.

## PART 2 - REFUSE DISPOSAL SITES

### 4. Depositing Refuse

A person must not deposit, or cause to be deposited, any Refuse at a Refuse Disposal Site other than in accordance with the directions set out in any signage or notice located at the Refuse Disposal Site or given by a Refuse Disposal Attendant or Authorised Officer.

**Penalty:** Fine not exceeding 2 penalty units.

### 5. Hours of operation

A person must not, without the permission of an Authorised Officer or Refuse Disposal Attendant, deposit or cause to be deposited any Refuse at a Refuse Disposal Site other than during the operating hours of that Refuse Disposal Site as designated either by signage displayed at the entrance to the Refuse Disposal Site or on Council's website.

**Penalty:** Fine not exceeding 2 penalty units.

### 6. Fire safety

A person must not:

- (a) deposit any hot or incendiary materials including ashes, embers, or coals; or
- (b) light any fire,

at a Refuse Disposal Site.

**Penalty:** Fine not exceeding 2 penalty units.

### 7. Scavenging

A person must not, without the consent of an Authorised Officer or Refuse Disposal Attendant, remove any article or thing deposited at a Refuse Disposal Site or interfere with any material, plant or equipment located at a Refuse

Disposal Site.

**Penalty:** Fine not exceeding 2 penalty units.

#### 8. Disposal of loose materials

A person must not deposit any loose paper, cardboard, plastic or similar materials at a Refuse Disposal Site other than by depositing such materials in disposal bins or area designated for that purpose.

**Penalty:** Fine not exceeding 2 penalty units.

#### 9. Direction of Authorised Officer

- (1) Where a person (or persons) seeks to dispose of any item or material at a Refuse Disposal Site and an Authorised Officer or Refuse Disposal Attendant form the opinion that the relevant item or material:
  - (a) may pose a risk to the health or safety of Council employees, members of the public, or the environment if it were deposited at a Refuse Disposal Site; or
  - (b) is prohibited from being deposited at a Refuse Disposal Site,the Authorised Officer or Refuse Disposal Attendant (as applicable) may direct that person (or persons):
  - (c) not to deposit the relevant item or material at the Refuse Disposal Site; or
  - (d) to deposit the relevant item or material in a specific manner.
- (2) A person ~~or person~~ must not fail to comply with a direction given by an Authorised Officer or Refuse Disposal Attendant under clause 9(1) of this By-Law.

**Penalty:** Fine not exceeding 2 penalty units.

### PART 3 - HOUSEHOLD REFUSE DISPOSAL

#### 10. Interpretation

In this Part 3 -

**Kerbside Collection Service** means a service provided by Council consisting of:

- (a) the provision of mobile garbage bins for the separate disposal of recyclable and non-recyclable domestic Refuse; and
- (b) the periodic collection of Refuse from those mobile garbage bins; and

**Notice** means a public Council notice displayed in a daily newspaper circulated in the Municipal Area and provided by Council to persons to whom Council supplies domestic kerbside collection services.

#### 11. Kerbside Collection Service

- (1) The General Manager may determine by Notice the classes of materials deemed to be recyclable ~~and non-recyclable~~ for the purpose of the Kerbside Collection Service.
- (2) A person must not collect Refuse stored in mobile garbage bins that form part of the Kerbside Collection Service unless they are authorised to do so by ~~Council~~ the General Manager.

**Penalty:** Fine not exceeding 2 penalty units.

#### 12. Use of mobile garbage bins

- (1) The proprietor (or proprietors) of land serviced by the Kerbside Collection Service must:
  - (a) store ~~the~~ mobile garbage bins wholly within the boundaries of their land unless authorised by an Authorised Officer, excepting when placed on the kerbside for collection;
  - (b) only deposit in the recyclable mobile garbage bin recyclable Refuse as determined by ~~Council~~ the General Manager in accordance with clause 11(1);
  - (c) only deposit in the non-recyclable mobile garbage bin non-recyclable Refuse as determined by the General Manager in accordance with clause 11(1) ~~Council~~;
  - (d) keep all mobile garbage bins in good repair and in a clean and sanitary condition;
  - (e) clean and disinfect ~~the~~ mobile garbage bins if directed to do so by an Authorised Officer;
  - (f) keep the lid of ~~the~~ mobile garbage bins closed except when waste is being deposited in them;
  - (g) put ~~the~~ mobile garbage bins out for collection only at the times and in the manner and location notified by Council or as directed by an Authorised Officer;
  - (h) ensure that the contents of any mobile garbage bin do not exceed fifty (50)

kilograms;

- (i) remove ~~the~~ mobile garbage bins from the kerbside as soon as practicable following each collection;
  - (j) ~~shall not~~ deposit Trade Waste in any mobile garbage bins;
- and
- (k) not deposit in any mobile garbage bins ~~any~~ material, item or substance which:
    - i. is hot, or is likely to become hot;
    - ii. may, or is likely to explode;
    - iii. may interact with other substances in the bin and generate toxic or poisonous gases or fumes;
    - iv. is corrosive or may otherwise damage the bin; ~~or~~
    - v. contains sharps, hazardous waste or potentially infectious waste; ~~or~~
    - vi. ~~is~~ controlled waste as defined by the *Environmental Management and Pollution Control Act 1994*.

Penalty: Fine not exceeding 2 penalty units.

#### PART 4 – ANIMAL CONTROL

##### 13. Interpretation

(1) In this Part 4 -

**domestic animal** includes an animal or bird that is:

- (a) kept by an owner or some other person who has charge of the animal; and
- (b) reliant upon human contact to satisfy its welfare requirements;

**farm animal** means a horse, livestock or any other animal that is commonly being farmed or grazed but excludes poultry;

**poultry** includes chickens (including hens and roosters), ducks, fowl, geese, guinea fowl, peacocks, pheasants, pigeons and domestic birds including caged birds and any other domesticated bird that is kept for eggs or meat, or for display;

**pest animal** means a feral animal, vermin or vectors;

**prepared food** includes:

- (a) a product manufactured altered or modified for the purpose of consumption by animals; or



~~(b)~~ commercial products or household scraps used for the purpose of animal consumption,

~~(4)~~ but does not include hay or straw of any type;

**stock** includes cattle, goats, deer, sheep, pigs, or a combination of two or more of them; and

**vermin** includes rats, mice, flies, fleas, lice, or any other animal or insect pest.

#### 14. Maintenance of premises used by animals

(1) The proprietor of any land must:

- (a) keep any structures, buildings, enclosures or areas on that land to which an animal has access in a clean and sanitary condition;
- (b) keep any bedding or floor coverings used by an animal, or to which an animal has access on that land, in a clean and sanitary condition;
- (c) regularly empty any container used for the keeping of animal waste, animal food or manure on that land and keep such container in a clean and sanitary condition;
- (d) ~~Not~~ allow ~~the~~ an animal to cause any nuisance, including through smell, noise, or the attraction of rodents or flies;
- (e) ~~Take~~ take all the necessary steps to abate any nuisance that may arise as a result of keeping ~~the~~ an animal.

Penalty: Fine not exceeding 2 penalty units.

(2) A person must not discharge, deposit, or allow or permit to be discharged or deposited, any animal waste including but not limited to faeces:

- (a) on to any property excepting the property on which the relevant waste is produced; or
- (b) into any water course or drain.

Penalty: Fine not exceeding 2 penalty units.

#### 15. Pest animals

(1) An Authorised Officer may direct a proprietor of land where any pest animal ~~is~~ are present to take steps to remove or eradicate the relevant pest animals.

(2) A person must not fail to comply with a direction given by an Authorised Officer pursuant to clause ~~15.1~~ 15.1(1).

**Penalty:** Fine not exceeding 2 penalty units.

#### 16. Storage of animal food

A person must not keep, store or allow to be kept or stored on any land, prepared animal food unless it is stored in a sealed receptacle constructed of a material that is resistant to access by pest animals.

**Penalty:** Fine not exceeding 2 penalty units.

#### 17. Keeping of poultry

- (1) A person must not keep any poultry within 5 metres of any dwelling house or 2 metres of a property boundary without the written authorisation of the General Manager and without complying with any direction given in writing by the General Manager.

**Penalty:** Fine not exceeding 2 penalty units.

- (2) A person must not keep more than 6 poultry on a property within or partly within a residential zone as defined in a planning scheme applying to the area without the written authorisation of the General Manager and without complying with any direction given in writing by the General Manager.

**Penalty:** Fine not exceeding 2 penalty units.

- (3) A person must not keep a rooster on a property within or partly within a residential zone without the written authorisation of the General Manager and without complying with any direction given in writing by the General Manager.

**Penalty:** Fine not exceeding 2 penalty units.

- (4) If a person keeps a rooster on a property in accordance with the requirements of this By-law, the rooster must be kept and housed in such a manner to ensure it does not create a nuisance.

**Penalty:** Fine not exceeding 2 penalty units.

#### 18. Prohibition on farm animals in General Residential Zone

A person must not keep, or allow to be kept, any farm animal on any land less than 1000 m<sup>2</sup> situated within the General Residential Zone ~~as presented by the maps that form part of the planning scheme applying to the area~~ without the written authorisation of the General Manager and without complying with any direction given in writing by the General Manager.



Penalty: Fine not exceeding 2 penalty units.

#### 19. Control of animals

- (1) An ~~A~~uthorised ~~O~~fficer may seize, detain and impound an animal where the ~~A~~uthorised ~~O~~fficer believes an offence against this By-law has been committed.
- (2) If an animal is seized and its owner is identifiable, the ~~A~~uthorised ~~O~~fficer is to notify in writing the owner of the animal that:
  - ~~(a)~~ the animal has been seized and detained; and
  - ~~(+a)~~ (b) the owner may reclaim the animal.
- (3) If, after five (5) working days after the notice has been given to the owner, the owner does not reclaim the animal, the General Manager may sell, destroy or otherwise dispose of the animal.
- (4) If an animal is seized and its owner is not identifiable, the General Manager, not less than 3 working days after its seizure, may sell, destroy or otherwise dispose of the animal.
- (5) The Council may recover from the owner of the animal the costs of any action taken under this clause and any costs incurred by the Council in moving, maintaining, selling, destroying or disposing of the animal as a debt due to it.
- (6) ~~This Clause-clause 20-19~~ of this By-law does not apply to:
  - ~~(a)~~ domestic cats or domestic dogs; or
  - ~~(+a)~~ (b) a situation where ~~(has been a farm animal is)~~ on a public road and ~~are is~~ under the supervision of a competent person.

#### 20. Maximum number of bee hives

- (1) Unless authorised by a permit to do so, a person may keep a maximum number of bee hives specified in column 2, on land of size specified in column 1:

Column 1	Column 2
Land Size (m <sup>2</sup> )	Maximum Number of Bee Hives
Less than 400	0
400 to 1,000	2
1,000 to 2,000	5
2,000 to 4,000	10

- (2) A person must not keep more than the maximum number of beehives specified in sub-clause (1) without a permit to do so.

**Penalty:** Fine not exceeding 2 penalty units.

#### 21. Keeping of bee hives

~~+++~~ A person keeping bee hives must ensure:

~~(1)~~ the provision of a good and sufficient water supply on the land which is readily accessible by the bees on the land ~~----~~

**Penalty:** Fine not exceeding 2 penalty units.

#### 22. Location of bee hives

A person must not keep bee hives within 3 metres of a property boundary unless a solid fence or impenetrable plant barrier, not less than two metres high, forms the property boundary or written authorisation of the General Manager has been obtained.

**Penalty:** Fine not exceeding 2 penalty units.

### PART 5 - CARAVANS

#### 23. Interpretation

(1) In this Part 5 -

**development** has the meaning given to that term in section 3(1) of the *Land Use Planning and Approvals Act 1993* (Tas);

**occupy** includes to reside or live in for the purposes of shelter, entertainment, sleeping, resting, cooking, eating, or for any other similar use whether on a temporary or permanent basis;

**permit** has the meaning given to that term in section 3(1) of the *Land Use Planning and Approvals Act 1993* (Tas);

**planning scheme** has the meaning given to that term in section 3(1) of the *Land Use Planning and Approvals Act 1993* (Tas); and

**use** has the meaning given to that term in section 3(1) of the *Land Use Planning and Approvals Act 1993* (Tas).

~~(2)~~ This Part 5 does not apply to any Caravan (or Caravans);

- (a) Located on an authorised caravan or RV park;
- (b) involved with, or forming part of, any use or development (or both) of land for which:
  - i. a permit has been issued under the *Land Use Planning and Approvals Act 1993* (Tas), including without limitation a permit issued for the operation of a caravan park; or
  - ii. a permit under the *Land Use Planning and Approvals Act 1993* (Tas) is required in order to secure compliance with any planning scheme applicable in the Municipal Area;
- (c) used on a temporary basis by persons engaged in a travelling show, including but not limited to a circus or some other form of public performance;
- (d) occupied for thirty (30) days or less in a calendar year;
- (e) used by work gangs or contractors involved in construction work authorised by Council.

#### 24. Caravan Licence

- (1) A person must not have a caravan situated on private land within the Municipal Area for a period exceeding thirty (30) days (consecutive or otherwise) in each financial year without a current Caravan Licence issued by Council unless the caravan is situated at the person's principal place of residence solely for the purpose of storage.

~~Penalty: Fine not exceeding 2 penalty units.~~

- (2) A person may apply for a Caravan Licence by submitting to Council:
  - (a) an application made in accordance with Form 1 in Schedule 2 of this By-Law; and
  - (b) ~~the relevant application-prescribed fee per application, if any, specified in Schedule 2 to this By-Law, determined by Council.~~
- (3) Upon receipt of an application made in accordance with clause 2.4.5(2), an Authorised Officer may request that the applicant supply additional information for the purpose of assessing the application. If an applicant fails to comply with a request made pursuant to this clause 2.4.5(2) the relevant application ~~will~~ may be refused.
- (4) Subject to sub-clause 2.4.5(5) of this By-Law, an Authorised Officer may grant or refuse an application made in accordance with sub-clause 2.4.5(2) and if an application is granted the Authorised Officer may impose reasonable terms and conditions upon a Caravan Licence, including but not limited to the siting of the Caravan on the relevant site.
- (5) A Caravan Licence will not to be granted unless an Authorised Officer has approved

of the proposed method (or methods) for the disposal of refuse and wastewater during the period of occupancy.

- (6) When considering whether to grant an application made in accordance with sub-clause 2.4.5(2), the Authorised Officer must take into consideration the following matters:

- (a) restricted to a maximum of 2 caravan licences per lot under 1000m<sup>2</sup> in the General Residential Zone; ~~and~~
- (b) the current and future appearance of the site where the Caravan is to be located as viewed from adjoining land, public roads and any other public place;
- (c) whether the Caravan will have a negative visual impact on the relevant streetscape;
- (d) whether the proposed occupancy of the Caravan will negatively impact upon the amenity of the users of land in the vicinity of the site where the Caravan is to be located;
- (e) whether there is sufficient vehicular access to the site where the Caravan is to be located;
- (f) whether the site where the Caravan is to be located is subject to natural hazards including but not limited to flooding and bushfire;
- (g) the number of existing caravans on the site where the Caravan is to be located;
- (h) the need for the provision of smoke alarms and fire extinguishers; ~~and~~
- (i) any policy adopted by Council for the purposes of this By-Law.

#### 25. Disallowance of occupation in exchange for rent

An owner or occupier of land must not approve or permit any person to occupy a caravan situated on that land in exchange for the payment of rent whether the rent ~~is~~ paid to the owner or occupier of that land or to some other person unless a planning permit has been ~~issued~~ for the use or development under the *Land Use Planning and Approvals Act 1993* (Tas).

**Penalty:** Fine not exceeding 2 penalty units.

#### 26. Term of Caravan Licence

Once granted, a Caravan Licence will remain current up to and including the day falling on 30 June next occurring following the date on which the Caravan Licence was issued.

#### 27. Non-compliance with Caravan Licence

The person to whom a Caravan Licence is granted must comply with the terms and conditions of that Caravan Licence.

**Penalty:** Fine not exceeding 2 penalty units.



#### 28. No occupancy without Caravan Licence

- (1) A person ~~(or persons)~~ must not occupy a Caravan for a period exceeding thirty (30) days (consecutive or otherwise) in each calendar year on privately owned land without a Caravan Licence.

**Penalty:** Fine not exceeding 2 penalty units.

- (2) The ~~proprietor-owner~~ of any land within the Municipal Area must not authorise, allow or otherwise permit any person to occupy a Caravan upon their land for a period exceeding thirty (30) days (consecutive or otherwise) in each calendar year unless such occupancy is authorised by a Caravan Licence.

**Penalty:** Fine not exceeding 2 penalty units.

#### 29. No occupancy on public land

A person must not occupy a Caravan situated on any public land unless such land is authorised for that purpose.

**Penalty:** Fine not exceeding 2 penalty units.

#### 30. Storage of caravans

A ~~person must not occupy a~~ caravan being stored at a "~~principle-principal~~ place of residence" within the Municipal Area ~~must not be occupied~~ without a Caravan current Licence.

**Penalty:** Fine not exceeding 2 penalty units.

### PART 6 – CONTROL OF BURNING

#### 31. Control of burning

- (1) An Authorised Officer may direct an owner or occupier of land, or any other person, to extinguish a fire which has been lit for the burning of waste or fuel or for any other purpose.
- (2) A person who receives a direction from an Authorised Officer to extinguish a fire pursuant to sub-clause 3~~1~~<sup>2</sup>(1) must not fail to comply with that direction.

**Penalty:** Fine not exceeding 2 penalty units

- (3) A person must not burn any matter or allow any waste, material or substance to be burned in a manner or to an extent which causes a nuisance.

**Penalty:** Fine not exceeding 2 penalty units

- (4) If an owner or occupier of land or a person who has lit a fire does not comply with a direction to extinguish the fire pursuant to sub-clause 3~~1~~<sup>2</sup>(1) an Authorised Officer may

extinguish the fire or instruct the Tasmania Fire Service to extinguish ~~the~~ fire.

- (5) Council may recover all costs incurred by it as a result of any action taken pursuant to sub-clause 31~~2~~(4) from the person who failed to comply with the direction given pursuant to sub-clause 31~~2~~(1).

### 32. Access to water supply

A person must not light an open-air fire or allow an open-air fire to be lit or to remain alight unless:

water supply, or another suitable means of fire extinguishment, is provided

**Penalty:** Fine not exceeding 2 penalty units

## PART 7 – INFRINGEMENT NOTICES & ENFORCEMENT

### 33. Interpretation of Part 7

In this Part 7, 'specified offence' means an offence against the clause of this By-Law specified in Column 1 of Schedule 1 to this By-Law.

### 34. Infringement notices - breach of By-Law

- (1) An Infringement Notice may be issued in respect of a specified offence and the monetary penalty set out adjacent to the offence in Column 3 of Schedule 1 to this By-Law is the penalty payable under the Infringement Notice issued in respect of that offence.
- (2) An Authorised Officer may:
- (a) Issue an Infringement Notice to a person that the Authorised Officer has reason to believe is guilty of a specified offence; and
  - (b) Issue one Infringement Notice in respect of more than one specified offence; and
  - (c) Issue a monetary penalty for the specified offence in respect of which the Infringement Notice is issued.
- (3) In addition to any other method of service, an Infringement Notice alleging that a vehicle has been used in relation to a specified offence may be served by affixing it to that vehicle.

(4) A person who is served with an infringement notice must, within 28 days of the date of service, do one or more of the following:

- (a) pay the monetary penalty in full to the Council;



- (b) apply to the General Manager for withdrawal of the infringement notice;
- (c) apply to the General Manager for a variation of payment conditions; or
- (d) lodge with the General Manager a notice of election to have the offence or offences set out in the infringement notice heard and determined by a court.
- (5) If a person who has been served with an infringement notice fails to take one or more of the actions required by sub-clause 4 within the prescribed time, the infringement may be referred to the Director, Monetary Penalties Enforcement Service.
- (4) Payment of an Infringement Notice issued under this By Law must be made to the General Manager within 28 days of the issue of the Infringement Notice to avoid the Infringement Notice being referred to the Director, Monetary Penalties Enforcement Service.

~~(5)(6)~~ <sup>T</sup> he *Monetary Penalties Enforcement Act 2005* (Tas) applies to an Infringement Notice issued under this By-Law.

### 35. Recovery of expenses

In addition to a penalty imposed in relation to a failure to comply with or a contravention of this By-Law, an expense incurred by Council in consequence of that failure or contravention is recoverable by Council as a debt payable by the person so failing to comply or contravening.

### 36. Obstruction, threats and intimidation

- (1) A person must not obstruct or hinder an Authorised Officer or a Refuse Disposal Attendant engaged in the exercise of any of the powers conferred by this By-Law.

**Penalty:** Fine not exceeding 5 penalty units.

- (2) A person must not intimidate, threaten or abuse an Authorised Officer or a Refuse Disposal Attendance engaged in the exercise of any of the powers conferred by this By-Law.

**Penalty:** Fine not exceeding 5 penalty units.

### 37. Power of entry

For the purposes of this By-Law, an Authorised Officer may enter and remain on land after giving the proprietor of the land notice of their intention to do so in accordance with s.20A of the Act other than where such notice is not required pursuant to s.20A(3) of the Act.

Environmental Health By-law No. 1 of 2023

SCHEDULE 1  
INFRINGEMENT NOTICES-PENALTIES

Column 1 CLAUSE	Column 2 OFFENCE	Column 3 PENALTY (Penalty not to exceed)  (Penalty units)
4	Depositing Refuse	2
5	Hours of operation	2
6	Fire safety	2
7	Scavenging	2
8	Disposal of loose materials	2
9(2)	Failure to comply with direction	2
11(2)	Collection of refuse from mobile bins without authority	2
12(1)	<del>Failure to comply with sub-clause 12(a), (b), (c), (d), (f), (g), (h), or (i), of this By- Law Improper or incorrect use of mobile garbage bin</del>	2
14(1)	<del>Maintenance of premises used by animals animals of premises used by</del>	2
14(2)	<del>Improper discharge of animal waste Maintenance animals discharge of waste of premises used by</del>	2
15(2)	Pest Animals	2
16	Storage of animal food	2

17 (1)	Keeping of Poultry	2
17 (2)	<del>Keeping Number</del> of poultry	2
17 (3)	Keeping of roosters	2
17 (4)	<del>Keeping Proper housing</del> of roosters	2
18	<del>Prohibition on</del> Keeping of farm animals in general residential zone	2
20 (2)	Maximum number of beehives	2
21	Keeping of beehives	2
22	Location of beehives	2
<del>24 (1)</del>	<del>Caravan on private land without a Caravan Licence</del>	<del>2</del>
27	Non-compliance with Caravan Licence	2
25	Disallowance of occupancy in exchange for rent	2
28 (1)	No occupancy without Caravan Licence – occupier	2
28 (2)	No occupancy without Caravan Licence – proprietor	2
29	No occupancy on public land	2
30	Storage of Caravans	2
31 (2)	<del>Control of burning</del> Non-compliance with <del>direction to extinguish fire</del>	2
31 (3)	Control of burning	2
32	Access to water supply	2
36 (1)	Obstruct or hinder an Authorised Officer or Refuse Disposal Attendant	5

36 (2)	Intimidate, threat or abuse an Authorised Officer of Refuse Disposal Attendant	5
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SCHEDULE 2  
SCHEDULE OF FEES

<u>Column 1</u> <u>CLAUSE</u>	<u>Column 2</u> <u>Description</u>	<u>Column 3</u> <u>Fee</u> <u>(Fee units)</u>
<u>24(2)(b)</u>	<u>Caravan Licence – full year (1 July to 30 June)</u>	<u>156</u>
<u>24(2)(b)</u>	<u>Caravan Licence – part year, from date of application to 30 June</u>	<u>13 per month (inclusive of month of application)</u>

**SCHEDULE 3  
FORM 1 – CARAVAN LICENCE APPLICATION**



For office use  
PID:  
TRIM REF:

## Application for Caravan Licence

### Occupation of a caravan – information and advice

We understand that numerous ratepayers in Break O'Day use caravans on private lots for short-term stays or while constructing a home. This practice is integral to the community's culture, and we support it when appropriate.

The council acknowledges that caravans can sometimes create problems for neighbours. Concerns often raised include the devaluation of properties and the negative impact on visual aesthetics. Additionally, it may cause noise disturbances, especially with multiple caravans or extra guests. Poor management of wastewater and greywater can also have environmental consequences.

To minimise potential impacts, Council expects that:

- Your caravan and lot will be maintained in good order and at all times. There will be no waste or items stored externally that are visible from the street, and
- Your caravan will be positioned away from the street. When viewed from the street it must be partially screened by 1.5m high boundary fencing, landscaping or garden walls. Noting that a solid front boundary fence above 1.2m high requires a planning application;

### ADDRESS – where caravan is located

Street No.		Street	
Town			

### APPLICANT DETAILS – all correspondence will be sent to applicant

Name:		Phone No:	
Postal Address			Mobile No.
Email Preferred:	Yes	No	Email address:

### OWNER'S AUTHORISATION – Required if owner is not the applicant

Name:		Phone No:	
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SIGNATURE OF OWNER:	DATE:
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#### CARAVAN DETAILS

Make	
Colour	
Length	
Year of Manufacture	
Registration	
Purpose of Use	
Number of people to occupy	
How regular will occupancy be	

#### WASTE WATER RETENTION & DISPOSAL METHOD & SAFETY

Black Water	
Grey Water	
Method of Water Supply	
Method of Rubbish Disposal	

Does the caravan have a smoke alarm and fire extinguisher

YES	
NO	

#### CARAVAN SITING AND IMPACT

1. All applications MUST include a photo of the caravan (external) and photos of all internal amenities and fixtures.
2. All applications MUST include a site plan showing:
  - a. The outline of the property, the siting of the caravan (including distances to boundaries) and all existing buildings;
  - b. The location of screening vegetation or fences.

It is the responsibility of the applicant to ensure your waste is disposed of in a safe & compliant manner, by signing this application you are agreeing to these terms.  
Plumbing Works must not be conducted on the property without first obtaining a Plumbing Permit.

SIGNATURE OF APPLICANT:	DATE:
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**PRIVACY STATEMENT**  
Personal information will be used solely by Council for that primary purpose or directly related purpose. Council may disclose the information to other regulatory organisations where required to by law; officers of Break O'Day Council; data service providers engaged by Council from time to time; and any other agent to Council. If you cannot provide or do not wish to provide the information sought, Break O'Day Council will be unable to process your application. You may make application for access or amendment to information held by Council. Enquiries concerning the matter can be addressed to: Information Officer Break O'Day Council, 32-34 Georges Bay Esplanade, St Helens TAS 7216. Or email: [admin@bocd.tas.gov.au](mailto:admin@bocd.tas.gov.au).

**SCHEDULE 3  
FORM 2 – CARAVAN LICENCE**

Break O'Day Council - Environmental Health By-Law No. 1 of 2023



For office use <b>PID:</b> <b>TRIM Ref:</b>
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## Caravan Licence

A licence to occupy a caravan with the registration \_\_\_\_\_ located at \_\_\_\_\_  
\_\_\_\_\_ for the approved period expiring on \_\_\_\_\_  
\_\_\_\_\_ is hereby granted subject to the following:

**Standard condition list**

Condition	When to apply
<b>General Amenity</b>	
Rubbish and solid waste must be appropriately contained on site and removed to a waste transfer station on a regular basis	For all
The caravan must be partially screened by solid side and rear boundary fencing at least 1.5m high	If the lot is in a residential zone and is not fenced
The caravan must be partially screened by other buildings, plantings, garden walls or fencing between the street and the caravan	If the lot abuts a major road and the caravan may detract from the streetscape if not screened
The site must be maintained at all times in good order to not detract from the amenity of appearance of the street	For all
At any time, no more than two tents, campers, RV's or the like are to be on the lot in addition to the licensed caravan	If the lot is on a major road
Access must be surfaced with a pervious dust-free surface and drained in a manner that does not cause a stormwater nuisance.	For all
No form of hard annexe is permitted to be erected unless permission has been obstructed by Council	For all
<b>Greywater / Wastewater &amp; Safety</b>	
Greywater may be disposed of on-site but must not cause a nuisance either by its volume or quantity.	For all

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Kitchen scraps and similar materials are to be separated and composted or removed to a wastewater station	
Wastewater must be disposed of off-site at an authorised dump point.	For all
A working smoke alarm must be installed in the caravan	For all
Occupation of the caravan must not cause excessive or unreasonable levels of noise either by use of generators or the actions of licensee or their guest.	For all
<b>General</b>	
This caravan licence is not transferable to any person.	For all
This caravan licence will remain current up to and including the day falling on 30 June next occurring following the date on which the Caravan Licence was issued.	For all

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Environmental Health Officer/Authorised Officer  
**Break O'Day Council**

Date:    /    /



Proposed

*Environmental Health By-law*

By-law No. 1/2023

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## BREAK O'DAY COUNCIL ENVIRONMENTAL HEALTH BY-LAW

### By-Law No. 1 of 2023

A BY-LAW of the Break O'Day Council made under Section 145 of the *Local Government Act 1993* (Tas) for the purposes of regulating and controlling matters of environmental health.

#### PART 1 – PRELIMINARY

##### 1. Short Title

This By-Law may be cited as the Environmental Health By-Law No 1 of 2023

##### 2. Application

- (1) This By-law applies to the municipal area of the Break O'Day Council.
- (2) This By-law does not apply to a councillor or an employee of the Councillor a contractor or agent of the Council where such person is carrying out activities in or on any Council land or waste facility in the course of their duties for and on behalf of the Council.

##### 3. Interpretation

In this By-law:

**Act** means the *Local Government Act 1993* (Tas);

**animal** means an animal as defined in the *Animal Welfare Act 1993*;

**Authorised Officer** means an employee of the Council appointed by the Council or General Manager as an authorised officer for the purpose of this By-Law;

**beehive** means a modular framed housing for a honey bee colony, which normally contains either a nucleus colony or a standard size colony;

**By-Law** is a reference to this Environmental Health By-Law No 1 of 2023;

**Caravan** means any object or structure having the general characteristics of a caravan, a house on wheels, a covered van or trailer, and any vehicle used or adapted for human habitation or occupation, whether the wheels or axles are removed or not and whether it is resting directly on the ground or is placed on blocks or other supports, and any structure, awning, veranda, lean-to, carport or other enclosed or partly enclosed area used or capable of being used in connection with or appurtenant to any caravan but does not include a building or temporary structure for which a permit is required under the *Building Act 2016* (Tas);

**Caravan Licence** means a valid and current licence to occupy a caravan

issued by an Authorised Officer in accordance with Form 2 in Schedule 3 to this By-Law;

**Council** means the Break O'Day Council (ABN 96 017 131 248) constituted pursuant to the Act;

**Environmental Health Officer** means a person employed by Council from time to time holding the position of Environmental Health Officer;

**Fee unit** means the sum as prescribed under the provisions of the *Fee Unit Act* 1997 (Tas);

**General Residential Zone** means the General Residential Zone defined in a planning scheme applicable to the Municipal Area;

**General Manager** means the General Manager appointed by the Council pursuant to section 61 of the Act.

**Infringement Notice** means a notice complying with section 149 of the Act;

**mobile garbage bins** mean mobile bins as approved and supplied by the Council for the collection of one of the following:

- (a) Domestic waste
- (b) Recyclables
- (c) Green waste; and
- (d) Any other waste as notified by the Council

**Municipal Area** means the municipal area of the Break O'Day Council defined in accordance with section 16 of the Act.

**nuisance** means as defined by section 199 of the Act;

**penalty units** means the amount of money set under the provisions of the *Penalty Units and Other Penalties Act* 1987 (Tas);

**Person** means an individual, corporation or other legal entity (other than the Crown);

**proprietor** includes the owner, occupier or any person having the control or management of land;

**public land** means land within the Municipal Area which is owned, vested in or managed by Council and includes any public place and any local highway;

**public place** has the meaning given to that term in section 3(1) of the *Police Offences Act* 1935 (Tas);

**Refuse** means rubbish, waste and other similar articles or things including recyclable materials but does not include Trade Waste;

**Refuse Disposal Attendant** means a person who is employed by Council to work at one or more Refuse Disposal Sites;

**Refuse Disposal Site** means any land designated by Council for the disposal of Refuse and includes:

- (a) refuse disposal areas (i.e. tips);
- (b) waste transfer stations;
- (c) resource recovery facilities, and
- (d) recycling centres

**residential zone** means the General Residential Zone, Low Density Residential Zone, and Village Zone defined in a planning scheme applicable to the Municipal Area;

**Trade Waste** means liquid or solid waste produced or generated on commercial premises or as a result of commercial activities; and

**Waste** means as defined by section 3(1) of the *Environmental Management and Pollution Control Act 1994*.

## **PART 2 - REFUSE DISPOSAL SITES**

### **4. Depositing Refuse**

A person must not deposit, or cause to be deposited, any Refuse at a Refuse Disposal Site other than in accordance with the directions set out in any signage or notice located at the Refuse Disposal Site or given by a Refuse Disposal Attendant or Authorised Officer.

**Penalty:** Fine not exceeding 2 penalty units.

### **5. Hours of operation**

A person must not, without the permission of an Authorised Officer or Refuse Disposal Attendant, deposit or cause to be deposited any Refuse at a Refuse Disposal Site other than during the operating hours of that Refuse Disposal Site as designated either by signage displayed at the entrance to the Refuse Disposal Site or on Council's website.

**Penalty:** Fine not exceeding 2 penalty units.

### **6. Fire safety**

A person must not:

- (a) deposit any hot or incendiary materials including ashes, embers, or coals;
- or
- (b) light any fire,

at a Refuse Disposal Site.

**Penalty:** Fine not exceeding 2 penalty units.

### **7. Scavenging**

A person must not, without the consent of an Authorised Officer or Refuse Disposal Attendant, remove any article or thing deposited at a Refuse Disposal Site or interfere with any material, plant or equipment located at a Refuse



Disposal Site.

Penalty: Fine not exceeding 2 penalty units.

#### 8. Disposal of loose materials

A person must not deposit any loose paper, cardboard, plastic or similar materials at a Refuse Disposal Site other than by depositing such materials in disposal bins or area designated for that purpose.

Penalty: Fine not exceeding 2 penalty units.

#### 9. Direction of Authorised Officer

- (1) Where a person (or persons) seeks to dispose of any item or material at a Refuse Disposal Site and an Authorised Officer or Refuse Disposal Attendant form the opinion that the relevant item or material:
  - (a) may pose a risk to the health or safety of Council employees, members of the public, or the environment if it were deposited at a Refuse Disposal Site; or
  - (b) is prohibited from being deposited at a Refuse Disposal Site,the Authorised Officer or Refuse Disposal Attendant (as applicable) may direct that person (or persons):
  - (c) not to deposit the relevant item or material at the Refuse Disposal Site; or
  - (d) to deposit the relevant item or material in a specific manner.
- (2) A person must not fail to comply with a direction given by an Authorised Officer or Refuse Disposal Attendant under clause 9(1) of this By-Law.

Penalty: Fine not exceeding 2 penalty units.

### PART 3 - HOUSEHOLD REFUSE DISPOSAL

#### 10. Interpretation

In this Part 3 -

**Kerbside Collection Service** means a service provided by Council consisting of:

- (a) the provision of mobile garbage bins for the separate disposal of

recyclable and non-recyclable domestic Refuse; and

- (b) the periodic collection of Refuse from those mobile garbage bins; and

Notice means a public Council notice displayed in a daily newspaper circulated in the Municipal Area and provided by Council to persons to whom Council supplies domestic kerbside collection services.

#### 11. Kerbside Collection Service

- (1) The General Manager may determine by Notice the classes of materials deemed to be recyclable and non-recyclable for the purpose of the Kerbside Collection Service.
- (2) A person must not collect Refuse stored in mobile garbage bins that form part of the Kerbside Collection Service unless they are authorised to do so by the General Manager.

Penalty: Fine not exceeding 2 penalty units.

#### 12. Use of mobile garbage bins

- (1) The proprietor (or proprietors) of land serviced by the Kerbside Collection Service must:
- (a) store mobile garbage bins wholly within the boundaries of their land unless authorised by an Authorised Officer, excepting when placed on the kerbside for collection;
  - (b) only deposit in the recyclable mobile garbage bin recyclable Refuse as determined by the General Manager in accordance with clause 11(1);
  - (c) only deposit in the non-recyclable mobile garbage bin non-recyclable Refuse as determined by the General Manager in accordance with clause 11(1);
  - (d) keep all mobile garbage bins in good repair and in a clean and sanitary condition;
  - (e) clean and disinfect mobile garbage bins if directed to do so by an Authorised Officer;
  - (f) keep the lid of mobile garbage bins closed except when waste is being deposited in them;
  - (g) put mobile garbage bins out for collection only at the times and in the manner and location notified by Council or as directed by an Authorised Officer;
  - (h) ensure that the contents of any mobile garbage bin do not exceed fifty (50) kilograms;

- (i) remove mobile garbage bins from the kerbside as soon as practicable following each collection;
- (j) not deposit Trade Waste in any mobile garbage bins;  
and
- (k) not deposit in any mobile garbage bins any material, item or substance which:
  - i. is hot, or is likely to become hot;
  - ii. may, or is likely to explode;
  - iii. may interact with other substances in the bin and generate toxic or poisonous gases or fumes;
  - iv. is corrosive or may otherwise damage the bin;
  - v. contains sharps, hazardous waste or potentially infectious waste; or
  - vi. is controlled waste as defined by the *Environmental Management and Pollution Control Act 1994*.

Penalty: Fine not exceeding 2 penalty units.

## PART 4 – ANIMAL CONTROL

### 13. Interpretation

(1) In this Part 4 -

**domestic animal** includes an animal or bird that is:

- (a) kept by an owner or some other person who has charge of the animal;  
and
- (b) reliant upon human contact to satisfy its welfare requirements;

**farm animal** means a horse, livestock or any other animal that is commonly being farmed or grazed but excludes poultry;

**poultry** includes chickens (including hens and roosters), ducks, fowl, geese, guinea fowl, peacocks, pheasants, pigeons and domestic birds including caged birds and any other domesticated bird that is kept for eggs or meat, or for display;

**pest animal** means a feral animal, vermin or vectors;

**prepared food** includes:

- (a) a product manufactured altered or modified for the purpose of consumption by animals; or
- (b) commercial products or household scraps used for the purpose of animal consumption,



but does not include hay or straw of any type;

**stock** includes cattle, goats, deer, sheep, pigs, or a combination of two or more of them; and

**vermin** includes rats, mice, flies, fleas, lice, or any other animal or insect pest.

#### **14. Maintenance of premises used by animals**

(1) The proprietor of any land must:

- (a) keep any structures, buildings, enclosures or areas on that land to which an animal has access in a clean and sanitary condition;
- (b) keep any bedding or floor coverings used by an animal, or to which an animal has access on that land, in a clean and sanitary condition;
- (c) regularly empty any container used for the keeping of animal waste, animal food or manure on that land and keep such container in a clean and sanitary condition;
- (d) not allow an animal to cause any nuisance, including through smell, noise, or the attraction of rodents or flies;
- (e) take all the necessary steps to abate any nuisance that may arise as a result of keeping an animal.

**Penalty:** Fine not exceeding 2 penalty units.

(2) A person must not discharge, deposit, or allow or permit to be discharged or deposited, any animal waste including but not limited to faeces:

- (a) onto any property excepting the property on which the relevant waste is produced; or
- (b) into any water course or drain.

**Penalty:** Fine not exceeding 2 penalty units.

#### **15. Pest animals**

(1) An Authorised Officer may direct a proprietor of land where any pest animal is present to take steps to remove or eradicate the relevant pest animals.

(2) A person must not fail to comply with a direction given by an Authorised Officer pursuant to clause 15(1).

**Penalty:** Fine not exceeding 2 penalty units.

#### **16. Storage of animal food**

A person must not keep, store or allow to be kept or stored on any land, prepared animal food unless it is stored in a sealed receptacle constructed of a material that is resistant to access by pest animals.

**Penalty:** Fine not exceeding 2 penalty units.

#### **17. Keeping of poultry**

- (1) A person must not keep any poultry within 5 metres of any dwelling house or 2 metres of a property boundary without the written authorisation of the General Manager and without complying with any direction given in writing by the General Manager.

**Penalty:** Fine not exceeding 2 penalty units.

- (2) A person must not keep more than 6 poultry on a property within or partly within a residential zone as defined in a planning scheme applying to the area without the written authorisation of the General Manager and without complying with any direction given in writing by the General Manager.

**Penalty:** Fine not exceeding 2 penalty units.

- (3) A person must not keep a rooster on a property within or partly within a residential zone without the written authorisation of the General Manager and without complying with any direction given in writing by the General Manager.

**Penalty:** Fine not exceeding 2 penalty units.

- (4) If a person keeps a rooster on a property in accordance with the requirements of this By-law, the rooster must be kept and housed in such a manner to ensure it does not create a nuisance.

**Penalty:** Fine not exceeding 2 penalty units.

#### **18. Prohibition on farm animals in General Residential Zone**

A person must not keep, or allow to be kept, any farm animal on any land less than 1000 m<sup>2</sup> situated within the General Residential Zone without the written authorisation of the General Manager and without complying with any direction given in writing by the General Manager.

**Penalty:** Fine not exceeding 2 penalty units.

## 19. Control of animals

- (1) An Authorised Officer may seize, detain and impound an animal where the Authorised Officer believes an offence against this By-law has been committed.
- (2) If an animal is seized and its owner is identifiable, the Authorised Officer is to notify in writing the owner of the animal that:
  - (a) the animal has been seized and detained; and
  - (b) the owner may reclaim the animal.
- (3) If, after five (5) working days after the notice has been given to the owner, the owner does not reclaim the animal, the General Manager may sell, destroy or otherwise dispose of the animal.
- (4) If an animal is seized and its owner is not identifiable, the General Manager, not less than 3 working days after its seizure, may sell, destroy or otherwise dispose of the animal.
- (5) The Council may recover from the owner of the animal the costs of any action taken under this clause and any costs incurred by the Council in moving, maintaining, selling, destroying or disposing of the animal as a debt due to it.
- (6) This clause 19 of this By-law does not apply to:
  - (a) domestic cats or domestic dogs; or
  - (b) a situation where a farm animal is on a public road and is under the supervision of a competent person.

## 20. Maximum number of bee hives

- (1) Unless authorised by a permit to do so, a person may keep a maximum number of bee hives specified in column 2, on land of size specified in column 1:

Column 1	Column 2
Land Size (m <sup>2</sup> )	Maximum Number of Bee Hives
Less than 400	0
400 to 1,000	2
1,000 to 2,000	5
2,000 to 4,000	10

- (2) A person must not keep more than the maximum number of beehives

specified in sub-clause (1) without a permit to do so.

**Penalty:** Fine not exceeding 2 penalty units.

## **21. Keeping of bee hives**

(1) A person keeping bee hives must ensure the provision of a good and sufficient water supply on the land which is readily accessible by the bees on the land.

**Penalty:** Fine not exceeding 2 penalty units.

## **22. Location of bee hives**

A person must not keep bee hives within 3 metres of a property boundary unless a solid fence or impenetrable plant barrier, not less than two metres high, forms the property boundary or written authorisation of the General Manager has been obtained.

**Penalty:** Fine not exceeding 2 penalty units.

## **PART 5 - CARAVANS**

### **23. Interpretation**

(1) In this Part 5 -

**development** has the meaning given to that term in section 3(1) of the *Land Use Planning and Approvals Act 1993* (Tas);

**occupy** includes to reside or live in for the purposes of shelter, entertainment, sleeping, resting, cooking, eating, or for any other similar use whether on a temporary or permanent basis;

**permit** has the meaning given to that term in section 3(1) of the *Land Use Planning and Approvals Act 1993* (Tas);

**planning scheme** has the meaning given to that term in section 3(1) of the *Land Use Planning and Approvals Act 1993* (Tas); and

**use** has the meaning given to that term in section 3(1) of the *Land Use Planning and Approvals Act 1993* (Tas).

(2) This Part 5 does not apply to any Caravan (or Caravans):

- (a) Located on an authorised caravan or RV park;
- (b) involved with, or forming part of, any use or development (or both) of



land for which:

- i. a permit has been issued under the *Land Use Planning and Approvals Act 1993* (Tas), including without limitation a permit issued for the operation of a caravan park; or
  - ii. a permit under the *Land Use Planning and Approvals Act 1993* (Tas) is required in order to secure compliance with any planning scheme applicable in the Municipal Area;
- (c) used on a temporary basis by persons engaged in a travelling show, including but not limited to a circus or some other form of public performance;
  - (d) occupied for thirty (30) days or less in a calendar year;
  - (e) used by work gangs or contractors involved in construction work authorised by Council.

#### 24. Caravan Licence

- (1) A person must not have a caravan situated on private land within the Municipal Area for a period exceeding thirty (30) days (consecutive or otherwise) in each financial year without a current Caravan Licence issued by Council unless the caravan is situated at the person's principal place of residence solely for the purpose of storage.

**Penalty:** Fine not exceeding 2 penalty units.

- (2) A person may apply for a Caravan Licence by submitting to Council:
  - (a) an application made in accordance with Form 1 in Schedule 2 of this By-Law; and
  - (b) the relevant prescribed fee per application, if any, specified in Schedule 2 to this By-Law.
- (3) Upon receipt of an application made in accordance with clause 24(2), an Authorised Officer may request that the applicant supply additional information for the purpose of assessing the application. If an applicant fails to comply with a request made pursuant to this clause 24(2) the relevant application may be refused.
- (4) Subject to sub-clause 24(5) of this By-Law, an Authorised Officer may grant or refuse an application made in accordance with sub-clause 24(2) and if an application is granted the Authorised Officer may impose reasonable terms and conditions upon a Caravan Licence, including but not limited to the siting of the Caravan on the relevant site.
- (5) A Caravan Licence will not to be granted unless an Authorised Officer has approved of the proposed method (or methods) for the disposal of refuse and wastewater during the period of occupancy.

(6) When considering whether to grant an application made in accordance with sub-clause 24(2), the Authorised Officer must take into consideration the following matters:

- (a) restricted to a maximum of 2 caravan licences per lot under 1000m<sup>2</sup> in the General Residential Zone;
- (b) the current and future appearance of the site where the Caravan is to be located as viewed from adjoining land, public roads and any other public place;
- (c) whether the Caravan will have a negative visual impact on the relevant streetscape;
- (d) whether the proposed occupancy of the Caravan will negatively impact upon the amenity of the users of land in the vicinity of the site where the Caravan is to be located;
- (e) whether there is sufficient vehicular access to the site where the Caravan is to be located;
- (f) whether the site where the Caravan is to be located is subject to natural hazards including but not limited to flooding and bushfire;
- (g) the number of existing caravans on the site where the Caravan is to be located;
- (h) the need for the provision of smoke alarms and fire extinguishers; and
- (i) any policy adopted by Council for the purposes of this By-Law.

#### **25. Disallowance of occupation in exchange for rent**

An owner or occupier of land must not approve or permit any person to occupy a caravan situated on that land in exchange for the payment of rent whether the rent is paid to the owner or occupier of that land or to some other person unless a planning permit has been issued for the use or development under the *Land Use Planning and Approvals Act 1993* (Tas).

**Penalty:** Fine not exceeding 2 penalty units.

#### **26. Term of Caravan Licence**

Once granted, a Caravan Licence will remain current up to and including the day falling on 30 June next occurring following the date on which the Caravan Licence was issued.

#### **27. Non-compliance with Caravan Licence**

The person to whom a Caravan Licence is granted must comply with the terms and conditions of that Caravan Licence.

**Penalty:** Fine not exceeding 2 penalty units.

#### **28. No occupancy without Caravan Licence**



- (1) A person must not occupy a Caravan for a period exceeding thirty (30) days (consecutive or otherwise) in each calendar year on privately owned land without a Caravan Licence.

**Penalty:** Fine not exceeding 2 penalty units.

- (2) The owner of any land within the Municipal Area must not authorise, allow or otherwise permit any person to occupy a Caravan upon their land for a period exceeding thirty (30) days (consecutive or otherwise) in each calendar year unless such occupancy is authorised by a Caravan Licence.

**Penalty:** Fine not exceeding 2 penalty units.

#### **29. No occupancy on public land**

A person must not occupy a Caravan situated on any public land unless such land is authorised for that purpose.

**Penalty:** Fine not exceeding 2 penalty units.

#### **30. Storage of caravans**

A person must not occupy a caravan being stored at a "principal place of residence" within the Municipal Area without a Caravan Licence.

**Penalty:** Fine not exceeding 2 penalty units.

### **PART 6 – CONTROL OF BURNING**

#### **31. Control of burning**

- (1) An Authorised Officer may direct an owner or occupier of land, or any other person, to extinguish a fire which has been lit for the burning of waste or fuel or for any other purpose.
- (2) A person who receives a direction from an Authorised Officer to extinguish a fire pursuant to sub-clause 31(1) must not fail to comply with that direction.

**Penalty:** Fine not exceeding 2 penalty units

- (3) A person must not burn any matter or allow any waste, material or substance to be burned in a manner or to an extent which causes a nuisance.

**Penalty:** Fine not exceeding 2 penalty units

- (4) If an owner or occupier of land or a person who has lit a fire does not comply with a direction to extinguish the fire pursuant to sub-clause 31(1) an Authorised Officer may extinguish the fire or instruct the Tasmania Fire Service to extinguish the fire.

- (5) Council may recover all costs incurred by it as a result of any action taken pursuant to

sub-clause 31(4) from the person who failed to comply with the direction given pursuant to sub-clause 31(1).

### **32. Access to water supply**

A person must not light an open-air fire or allow an open-air fire to be lit or to remain alight unless a water supply, or another suitable means of fire extinguishment, is provided

**Penalty:** Fine not exceeding 2 penalty units

## **PART 7 – INFRINGEMENT NOTICES & ENFORCEMENT**

### **33. Interpretation of Part 7**

In this Part 7, 'specified offence' means an offence against the clause of this By-Law specified in Column 1 of Schedule 1 to this By-Law.

### **34. Infringement notices - breach of By-Law**

- (1) An Infringement Notice may be issued in respect of a specified offence and the monetary penalty set out adjacent to the offence in Column 3 of Schedule 1 to this By-Law is the penalty payable under the Infringement Notice issued in respect of that offence.
- (2) An Authorised Officer may:
  - (a) Issue an Infringement Notice to a person that the Authorised Officer has reason to believe is guilty of a specified offence; and
  - (b) Issue one Infringement Notice in respect of more than one specified offence; and
  - (c) Issue a monetary penalty for the specified offence in respect of which the Infringement Notice is issued.
- (3) In addition to any other method of service, an Infringement Notice alleging that a vehicle has been used in relation to a specified offence may be served by affixing it to that vehicle.
- (4) A person who is served with an infringement notice must, within 28 days of the date of service, do one or more of the following:
  - (a) pay the monetary penalty in full to the Council;
  - (b) apply to the General Manager for withdrawal of the infringement notice;
  - (c) apply to the General Manager for a variation of payment conditions; or
  - (d) lodge with the General Manager a notice of election to have the offence or offences set out in the infringement notice heard and determined by a court.
- (5) If a person who has been served with an infringement notice fails to take one or more of the actions required by sub-clause 4 within the prescribed time, the infringement may be referred to the Director, Monetary Penalties Enforcement Service.

- (6) The *Monetary Penalties Enforcement Act 2005* (Tas) applies to an Infringement Notice issued under this By-Law.

**35. Recovery of expenses**

In addition to a penalty imposed in relation to a failure to comply with or a contravention of this By-Law, an expense incurred by Council in consequence of that failure or contravention is recoverable by Council as a debt payable by the person so failing to comply or contravening.

**36. Obstruction, threats and intimidation**

- (1) A person must not obstruct or hinder an Authorised Officer or a Refuse Disposal Attendant engaged in the exercise of any of the powers conferred by this By-Law.

Penalty: Fine not exceeding 5 penalty units.

- (2) A person must not intimidate, threaten or abuse an Authorised Officer or a Refuse Disposal Attendance engaged in the exercise of any of the powers conferred by this By-Law.

Penalty: Fine not exceeding 5 penalty units.

**37. Power of entry**

For the purposes of this By-Law, an Authorised Officer may enter and remain on land after giving the proprietor of the land notice of their intention to do so in accordance with s.20A of the Act other than where such notice is not required pursuant to s.20A(3) of the Act.

**Environmental Health By-law No. 1 of 2023****SCHEDULE 1  
INFRINGEMENT NOTICES-PENALTIES**

<b>Column 1 CLAUSE</b>	<b>Column 2 OFFENCE</b>	<b>Column 3 PENALTY (Penalty not to exceed)  (Penalty units)</b>
4	Depositing Refuse	2
5	Hours of operation	2
6	Fire safety	2
7	Scavenging	2
8	Disposal of loose materials	2
9 (2)	Failure to comply with direction	2
11 (2)	Collection of refuse from mobile bins without authority	2
12 (1)	Improper or incorrect use of mobile garbage bin	2
14 (1)	Maintenance of premises used by animals	2
14 (2)	Improper discharge of animal waste	2
15 (2)	Pest Animals	2
16	Storage of animal food	2
17 (1)	Keeping of Poultry	2
17 (2)	Number of poultry	2



17 (3)	Keeping of roosters	2
17 (4)	Proper housing of roosters	2
18	Keeping of farm animals in general residential zone	2
20 (2)	Maximum number of beehives	2
21	Keeping of beehives	2
22	Location of beehives	2
24(1)	Caravan on private land without a Caravan Licence	2
27	Non-compliance with Caravan Licence	2
25	Disallowance of occupancy in exchange for rent	2
28 (1)	No occupancy without Caravan Licence – occupier	2
28 (2)	No occupancy without Caravan Licence – proprietor	2
29	No occupancy on public land	2
30	Storage of Caravans	2
31 (2)	Non-compliance with direction to extinguish fire	2
31 (3)	Control of burning	2
32	Access to water supply	2
36 (1)	Obstruct or hinder an Authorised Officer or Refuse Disposal Attendant	5
36 (2)	Intimidate, threat or abuse an Authorised Officer or Refuse Disposal Attendant	5

**SCHEDULE 2**

<b>SCHEDULE OF FEES</b> <b>Column 1</b> <b>CLAUSE</b>	<b>Column 2</b> <b>Description</b>	<b>Column 3</b> <b>Fee</b> <b>(Fee units)</b>
24(2)(b)	Caravan Licence – full year (1 July to 30 June)	156
24(2)(b)	Caravan Licence – part year, from date of application to 30 June	13 per month (inclusive of month of application)



**SCHEDULE 3**  
**FORM 1 – CARAVAN LICENCE APPLICATION**



For office use  
PID: \_\_\_\_\_  
TRIM REF: \_\_\_\_\_

## Application for Caravan Licence

### Occupation of a caravan – information and advice

We understand that numerous ratepayers in Break O'Day use caravans on private lots for short-term stays or while constructing a home. This practice is integral to the community's culture, and we support it when appropriate.

The council acknowledges that caravans can sometimes create problems for neighbours. Concerns often raised include the devaluation of properties and the negative impact on visual aesthetics. Additionally, it may cause noise disturbances, especially with multiple caravans or extra guests. Poor management of wastewater and greywater can also have environmental consequences.

To minimise potential impacts, Council expects that:

- Your caravan and lot will be maintained in good order and at all times. There will be no waste or items stored externally that are visible from the street, and
- Your caravan will be positioned away from the street. When viewed from the street it must be partially screened by 1.5m high boundary fencing, landscaping or garden walls. Noting that a solid front boundary fence above 1.2m high requires a planning application;

### ADDRESS - where caravan is located

Street No.		Street	
Town			

### APPLICANT DETAILS – all correspondence will be sent to applicant

Name:		Phone No:	
Postal Address			Mobile No.
Email Preferred:	Yes	No	Email address:

### OWNER'S AUTHORISATION - Required if owner is not the applicant

Name:		Phone No:	
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<b>SIGNATURE OF OWNER:</b>	<b>DATE:</b>
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**CARAVAN DETAILS**

Make	
Colour	
Length	
Year of Manufacture	
Registration	
Purpose of Use	
Number of people to occupy	
How regular will occupancy be	

**WASTE WATER RETENTION & DISPOSAL METHOD & SAFETY**

Black Water	
Grey Water	
Method of Water Supply	
Method of Rubbish Disposal	

Does the caravan have a smoke alarm and fire extinguisher

YES	
NO	

**CARAVAN SITING AND IMPACT**

1. All applications MUST include a photo of the caravan (external) and photos of all internal amenities and fixtures.
2. All applications MUST include a site plan showing:

- a. The outline of the property, the siting of the caravan (including distances to boundaries) and all existing buildings;
- b. The location of screening vegetation or fences.

It is the responsibility of the applicant to ensure your waste is disposed of in a safe & compliant manner, by signing this application you are agreeing to these terms.

Plumbing Works must not be conducted on the property without first obtaining a Plumbing Permit.

<b>SIGNATURE OF APPLICANT:</b>	<b>DATE:</b>
--------------------------------	--------------

**PRIVACY STATEMENT**

Personal information will be used solely by Council for that primary purpose or directly related purpose. Council may disclose the information to other regulatory organisations where required to by law; officers of Break O'Day Council; data service providers engaged by Council from time to time; and any other agent to Council. If you cannot provide or do not wish to provide the information sought, Break O'Day Council will be unable to process your application. You may make application for access or amendment to information held by Council. Enquiries concerning the matter can be addressed to: Information Officer Break O'Day Council, 32-34 Georges Bay Esplanade, St Helens TAS 7216. Or email: [admin@bodc.tas.gov.au](mailto:admin@bodc.tas.gov.au)

**SCHEDULE 3  
FORM 2 – CARAVAN LICENCE**

Break O'Day Council - Environmental Health By-Law No. 1 of 2023



For office use  
PID: \_\_\_\_\_  
TRIM Ref: \_\_\_\_\_

# Caravan Licence

A licence to occupy a caravan with the registration \_\_\_\_\_ located at \_\_\_\_\_  
\_\_\_\_\_ for the approved period expiring on \_\_\_\_\_  
\_\_\_\_\_ is hereby granted subject to the following:

**Standard condition list**

Condition	When to apply
<b>General Amenity</b>	
Rubbish and solid waste must be appropriately contained on site and removed to a waste transfer station on a regular basis	For all
The caravan must be partially screened by solid side and rear boundary fencing at least 1.5m high	If the lot is in a residential zone and is not fenced
The caravan must be partially screened by other buildings, plantings, garden walls or fencing between the street and the caravan	If the lot abuts a major road and the caravan may detract from the streetscape if not screened
The site must be maintained at all times in good order to not detract from the amenity of appearance of the street	For all
At any time, no more than two tents, campers, RV's or the like are to be on the lot in addition to the licensed caravan	If the lot is on a major road
Access must be surfaced with a pervious dust-free surface and drained in a manner that does not cause a stormwater nuisance.	For all
No form of hard annexe is permitted to be erected unless permission has been obstructed by Council	For all
<b>Greywater / Wastewater &amp; Safety</b>	
Greywater may be disposed of on-site but must not cause a nuisance either by its volume or quantity.	For all

24

Kitchen scraps and similar materials are to be separated and composted or removed to a wastewater station	
Wastewater must be disposed of off-site at an authorised dump point.	For all
A working smoke alarm must be installed in the caravan	For all
Occupation of the caravan must not cause excessive or unreasonable levels of noise either by use of generators or the actions of licensee or their guest.	For all
<b>General</b>	
This caravan licence is not transferable to any person.	For all
This caravan licence will remain current up to and including the day falling on 30 June next occurring following the date on which the Caravan Licence was issued.	For all

\_\_\_\_\_  
Environmental Health Officer/Authorised Officer

**Break O'Day Council**

Date:     /     /

<b>SIGNATURE OF OWNER:</b>	<b>DATE:</b>
----------------------------	--------------

**CARAVAN DETAILS**

Make	
Colour	
Length	
Year of Manufacture	
Registration	
Purpose of Use	
Number of people to occupy	
How regular will occupancy be	

**WASTE WATER RETENTION & DISPOSAL METHOD & SAFETY**

Black Water	
Grey Water	
Method of Water Supply	
Method of Rubbish Disposal	

Does the caravan have a smoke alarm and fire extinguisher YES ☐

NO ☐

**CARAVAN SITING AND IMPACT**

1. All applications MUST include a photo of the caravan (external) and photos of all internal amenities and fixtures.
2. All applications MUST include a site plan showing:
  - a. The outline of the property, the siting of the caravan (including distances to boundaries) and all existing buildings;
  - b. The location of screening vegetation or fences.

It is the responsibility of the applicant to ensure your waste is disposed of in a safe & compliant manner, by signing this application you are agreeing to these terms.

Plumbing Works must not be conducted on the property without first obtaining a Plumbing Permit.

<b>SIGNATURE OF APPLICANT:</b>	<b>DATE:</b>
--------------------------------	--------------

**PRIVACY STATEMENT**

Personal information will be used solely by Council for that primary purpose or directly related purpose. Council may disclose the information to other regulatory organisations where required to by law; officers of Break O'Day Council; data service providers engaged by Council from time to time; and any other agent to Council. If you cannot provide or do not wish to provide the information sought, Break O'Day Council will be unable to process your application. You may make application for access or amendment to information held by Council. Enquiries concerning the matter can be addressed to: Information Officer Break O'Day Council, 32-34 Georges Bay Esplanade, St Helens TAS 7216. Or email: [admin@bods.tas.gov.au](mailto:admin@bods.tas.gov.au).



**SCHEDULE 3  
FORM 2 – CARAVAN LICENCE**

Break O'Day Council - Environmental Health By-Law No. 1 of 2023



For office use  
PID: \_\_\_\_\_  
TRIM Ref: \_\_\_\_\_

# Caravan Licence

A licence to occupy a caravan with the registration \_\_\_\_\_ located at \_\_\_\_\_  
\_\_\_\_\_ for the approved period expiring on \_\_\_\_\_  
\_\_\_\_\_ is hereby granted subject to the following:

**Standard condition list**

Condition	When to apply
<b>General Amenity</b>	
Rubbish and solid waste must be appropriately contained on site and removed to a waste transfer station on a regular basis	For all
The caravan must be partially screened by solid side and rear boundary fencing at least 1.5m high	If the lot is in a residential zone and is not fenced
The caravan must be partially screened by other buildings, plantings, garden walls or fencing between the street and the caravan	If the lot abuts a major road and the caravan may detract from the streetscape if not screened
The site must be maintained at all times in good order to not detract from the amenity of appearance of the street	For all
At any time, no more than two tents, campers, RV's or the like are to be on the lot in addition to the licensed caravan	If the lot is on a major road
Access must be surfaced with a pervious dust-free surface and drained in a manner that does not cause a stormwater nuisance.	For all
No form of hard annexe is permitted to be erected unless permission has been obstructed by Council	For all
<b>Greywater / Wastewater &amp; Safety</b>	
Greywater may be disposed of on-site but must not cause a nuisance either by its volume or quantity.	For all

24

Kitchen scraps and similar materials are to be separated and composted or removed to a wastewater station	
Wastewater must be disposed of off-site at an authorised dump point.	For all
A working smoke alarm must be installed in the caravan	For all
Occupation of the caravan must not cause excessive or unreasonable levels of noise either by use of generators or the actions of licensee or their guest.	For all
<b>General</b>	
This caravan licence is not transferable to any person.	For all
This caravan licence will remain current up to and including the day falling on 30 June next occurring following the date on which the Caravan Licence was issued.	For all

Environmental Health Officer/Authorised Officer

**Break O'Day Council**

Date:     /     /



## Regulatory Impact Statement

### *Environmental Health By-law*

By-law No. 1/2023

*Environmental Health By-law 2023  
Regulatory Impact Statement*

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*Environmental Health By-law 2023  
Regulatory Impact Statement*

## 1. Purpose and process of Regulatory Impact Statement

When a Council seeks to make a new or significant By-law amendment, the Local Government Act 1993 (the Act), requires that a Regulatory Impact Statement (RIS) be prepared.

The preparation of an RIS requires Council to analyse the most efficient and effective options available to address a particular issue. The RIS is also required to identify whether the benefits provided by the new By-law outweigh the costs of any restrictions on competition or the potential adverse impacts on business. This requires an assessment of direct and indirect social, economic and environmental impacts of the proposed By-law and the alternatives considered.

The Act, under Section 156A, requires that, once the RIS has been prepared, Council must submit it to the Director of Local Government, Department of Premier and Cabinet for assessment. If the Director is satisfied that the RIS meets the statutory requirements, they will issue a certificate to that effect and Council may then commence the public consultation process.

Pursuant to Section 158 of the Act, copies of the By-law and the RIS are available by contacting Council by any of the following means:

Telephone:	(03) 6376 7900
E-mail:	<a href="mailto:admin@bodc.tas.gov.au">admin@bodc.tas.gov.au</a>
Website:	<a href="https://www.bodc.tas.gov.au/">https://www.bodc.tas.gov.au/</a>
In person:	Break O' Day Council
Mail:	32-34 Georges Bay Esplanade ST HELENS TAS 7216
Office hours	Monday to Friday - 9.00am to 5.00pm

Copies of the documents are available upon request or may be viewed at the Council's office.

## 2. By-law objectives

The Health and Environmental Services By-law is designed to act as a mechanism for ensuring that Council can provide protection for the community in matters relating to public and environmental health.

Under Section 156A(2)(a) of the Act Councils are specifically required to outline the objectives of the By-law and the means of achieving those objectives.

The following table summarises the various issues being addressed by the By-law, what the By-law will do to address these issues (the objectives) and how the By-law will achieve these objectives.



*Environmental Health By-law 2023*  
*Regulatory Impact Statement*

Issue	Objective	Means to achieve Objective
Use of Council's waste disposal facilities	To ensure that materials delivered to Council's waste disposal facilities are disposed of correctly.	The By-law includes provisions ensuring that persons must dispose of waste correctly by setting of operational times, the ability to prohibit the disposal of certain articles and protection of the disposal facilities by prohibiting fires.
Disposal of household refuse and/or recyclable materials.	To ensure that Council's kerbside household waste and recycling services operate in an effective manner and residents do not create a nuisance through improper usage of mobile garbage and recycling bins.	The By-law includes provisions for the placement of bins at the kerbside and the materials that may be placed in the respective wheelie bins.
Animal control	To ensure that animals and poultry are not kept whereby they create a nuisance and that the animals and poultry are housed correctly.	<p>The By-law requires farm animals only to be kept on properties that have an area greater than 1000 square metres within the General Residential Zone.</p> <p>Also, the number of poultry kept is restricted within the residential zone and poultry must be a minimum distance from neighbouring properties.</p> <p>The By-law requires animals (other than cats and dogs) must not be allowed to stray onto neighbouring properties.</p> <p>The By-law prohibits the keeping of roosters in residential zones and requires the keeper of animals and poultry to ensure that they are housed</p>

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Regulatory Impact Statement*

		<p>in a clean and sanitary environment.</p> <p>The By-law also limits the number of beehives that can be kept on a property with respect to the size of the lot.</p>
Control of habitation of caravans outside caravan parks	<p>To ensure that where caravans are being occupied for extended periods that there is no impact on local amenity, public health or the environment.</p> <p>Where occupancy is permitted there are minimum standards of sanitation.</p>	<p>The By-law provides for the issuing of permits for the occupation of caravans provided that minimum standards of sanitation are met and that there are minimal impacts on local amenity.</p> <p>Caravans are not to be occupied for more than 30 days without a permit.</p>
Control of burning	<p>To protect the health of the community and ensure fires do not cause nuisance from smoke emissions.</p> <p>The By-law provides clarity on what type of burning is prohibited and allows for easier enforcement rather than relying on proving that a fire is creating a nuisance.</p>	<p>Allow an Authorised Officer to direct a person to extinguish a fire that is creating a nuisance.</p> <p>If a person refuses to put out a fire an authorised officer may use water, soil and materials on the property to extinguish the fire.</p> <p>The authorised officer may request the fire brigade to extinguish the fire at the owner's expense.</p> <p>This Part does not apply to fire hazard reduction burning.</p>
Infringement Notices and Enforcement	To provide for the enforcement of the By-law and setting penalties for breaches of the By-law provisions	The By-law sets out that an infringement notice may be issued for breaches of specified offences in the By-law.

### 3. Background

The purpose of the by-law is for the regulation and control of matters of environmental health so acceptable levels of health, amenity and environmental quality are maintained in the Break O'Day Municipal Area. The By-law ensures that there are additional powers relating to the protection of public and environmental health that are not addressed in existing legislation.

In addition to current State legislation, Break O'Day Council currently controls Caravan License matters via the existing Caravan By-Law No. 1 of 2012. This existing By-law expires in April 2023 and a new By-law is required prior to the expiration of the current By-law to ensure continuity of Caravan licenses within the municipality.

The development of this By-law has come about through consultation with stakeholders and feedback from the community. The By-law reflects areas where Council has identified opportunity for improvement or to create more consistency with other Tasmanian Councils in order to provide better outcomes for the community and the environment.

For example, the By-law would provide Council with an ability to control circumstances such as:

- Preventing the disposal of hazardous wastes at Council's waste transfer station and in Council's kerbside waste collection service.
- Minimising nuisance from livestock and roosters by ensuring they are not kept in residential areas.
- Ensuring that the occupation of caravans outside caravan parks does not impact on local amenity or cause public health risks.

It is essential that sufficient controls are in place to ensure the public's general safety and well-being. Without the By-law there is limited existing State legislation that effectively enables the regulation and control of activities relating to public and environmental health.

### 4. Potential restriction on competition

The By-law creates minimal restrictions on competition of business. Whilst there are no restrictions on market entry (eg. licencing or registration requirements), competitive conduct, product/service innovation or administrative discretion, the By-law does create potential impacts on business through restrictions on waste management, animal management, occupation of caravans outside of caravan parks and waste management. These potential impacts are assessed in section 5.

### 5. Assessment of costs/benefits of restriction on competition and conduct

Issue	Costs	Benefits
Limitation of times for disposal at waste facilities.	The limitation does not place any restriction on competition as waste	The restriction of hours reduces the operational costs for Council, which has

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	facilities are operated under an environmental licence.	a direct benefit to business through lower waste disposal fees.
Use of mobile household waste & recycling bins.	The limitations on the size of household refuse and recycling bins means that some businesses need to utilise private contractors (eg. skip bin contracts).	The regulation of usage of mobile bins reduces the cost of collection thus providing a service at a lower annual cost to business.
Control of livestock, poultry and other animals.	The limitations on keeping of livestock and other animals has no direct cost to business	There are no direct benefits as a result of the limitations.
Limitation on number of beehives that can be kept on a property.	The By-law may limit the number of hives that a commercial honey producer can keep on a property. However the By-law provisions have been drafted in line with advice from the Tasmanian Beekeepers Association to ensure that there would be no impediment on beekeeping on large rural properties.	The By-law provisions will ensure that the business is suitably scaled to fit within the local neighbourhood and will ensure that bees from the beehives do not cause a nuisance to neighbouring properties, protecting the brand of the business.
Use of caravans outside caravan parks.	The restriction of use of caravans outside caravan parks may have a small cost through the potential reduction in tourism numbers.	The limitation on use of caravans outside caravan parks has a direct benefit to business by ensuring that only commercial facilities are used.

The above costs and benefits have not been quantified as it is difficult to determine the exact nature of the potential impacts on the conduct of business. Nevertheless, an analysis of the abovementioned costs and benefits indicates that the benefits outweigh the costs associated with any potential impact on the conduct of business.

## 6. Assessment of economic, environmental or social impacts

		Direct Impacts	Indirect Impacts
Economic	Benefits	<ul style="list-style-type: none"> <li>Provision of waste collection and disposal services reduces cost of collection of dumped wastes.</li> </ul>	<ul style="list-style-type: none"> <li>Improved regulatory controls allow for more efficient enforcement by Council.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Reduce administrative costs to Council by more efficient response and action to complaints.</li> </ul>	<ul style="list-style-type: none"> <li>• Protection of amenity maintains property value and attraction.</li> </ul>
	<b>Cost</b>	<ul style="list-style-type: none"> <li>• Caravan controls may impact on tourism numbers due to insufficient space in caravan parks.</li> <li>• 'Upfront' administrative costs of receiving and issuing licenses</li> </ul>	<ul style="list-style-type: none"> <li>• Increased enforcement costs for Council in following up more complaints and responding to higher community expectations.</li> </ul>
<b>Environmental</b>	<b>Benefits</b>	<ul style="list-style-type: none"> <li>• A reduction in rubbish dumping and potentially polluting activities through provision of waste collection and disposal services.</li> <li>• Reduced burning of waste and noise from animals.</li> <li>• Better air and water quality</li> <li>• Improved health outcomes for residents impacted from waste burning</li> <li>• Controls to promote responsible waste disposal.</li> <li>• Human effluent disposed appropriately through regulation of occupation of caravans</li> </ul>	<ul style="list-style-type: none"> <li>• Fewer odour/noise complaints</li> <li>• Fewer public amenity complaints.</li> <li>• Encourages improvement of local amenity.</li> </ul>
	<b>Cost</b>	Nil	Nil
<b>Social</b>	<b>Benefit</b>	<ul style="list-style-type: none"> <li>• A reduction in risks to public health and safety through control of animals and nuisance</li> <li>• Reduces the potential for conflict between neighbouring residents because of nuisance complaints.</li> <li>• Reduces the risk of lower amenity of areas through influx of caravans being used for occupation.</li> </ul>	<ul style="list-style-type: none"> <li>• Discourages inappropriate behaviour from occurring in the first place.</li> <li>• Improved waste management controls result in cleaner public/private spaces.</li> </ul>
	<b>Cost</b>	Nil	Nil

## 7. Discussion of alternatives

Rather than preparing an Environmental By-law, there are other alternatives.



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*Regulatory Impact Statement*

Council could do nothing, although this is not considered a viable option. Council has an obligation to ensure that appropriate health and environmental controls are provided in support of State legislation.

It is the responsibility of Council to provide suitable controls and measures that ensure acceptable community safety and amenity standards. It is also the responsibility of Council to maintain these standards and ensure that the controls are enforced.

In the instance of no regulatory controls, individuals determine their own standards and this will progress to an immediate or cumulative reduction in both public health and environmental health standards.

Another alternative is to rely on existing legislation. This is not sought for a number of reasons.

Examples of legislation in this regard include enforcement of environmental nuisance provisions (Environmental Management and Pollution Control Act 1993), or issuing of abatement notices (under the Local Government Act 1993). Abatement Notices are issued in circumstances when a person is required to abate a nuisance – such as carrying out the necessary work to remove the nuisance.

The existing regulatory alternatives are not adequate to address the purpose of the By-law in controlling particular uses and activities that ensure acceptable community safety and amenity standards. There are clear benefits in defining the specific activities (within the By-law) that are to be controlled as indicators of community standards. Relying upon very general provisions within other legislation does not outline to users what is expected or acceptable. Identifying these activities and standards (within the By-law) reduces arguments and conflicts. It provides the clarity required for effective enforcement.

## 8. Assessment of public costs and benefits

The outcome of preparing an Environmental Health By-law is to minimise nuisance and risks to both public and environmental health.

Without a By-law, the reduction of community standards will increase costs to the community in various ways including Council's rates and charges. A likely increased damage to the environment and other negative public health impacts will also result in an increase in State Government costs and charges.

The most feasible option to achieve the By-law's objective is regulation. This By-law has endeavoured to minimise the regulation burden on the community. The potential costs on the community that would be required to manage uncontrolled activities that adversely impact the environment and broader community standards offset the direct cost related to the implementation of regulatory control.

## 9. Proposed public consultation process

The proposed future public consultation is to occur following certification by the Director of Local Government, in accordance with Section 156A(6) of the Local Government Act 1993.

This public consultation will entail:

- Copies of the By-law will be sent to relevant State Government Departments for their review - including the Environment Protection Authority (Department of Primary Industries, Parks,

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Water and the Environment), Department of Police and Emergency Management,  
Department of Justice and Department of Health;

- Advertisements will be placed in the Mercury and Examiner newspaper advising of Council's intention and seeking public comment;
- An article will be published in a local Break O'Day newspaper — such as the Valley Voice and The Coastal Column
- Council will display the proposal on its website, social media and at the Council office at St Helens
- Any person may make a submission to Council regarding the proposed new By-law; and
- Council will consider each submission as part of the consultation process

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 issues 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:**

16.10.2023	St Helens	– Break O'Day Council Audit Panel Meeting
18.10.2023	St Helens	– Break O'Day Employment Connect Board meeting
19.10.2023	MS Teams	– Draft Tasmania Fire and Emergency Service Bill, Briefing session with Jeremy Smith - A/G Chief Fire Officer, Mick Lowe – Director SES, Matt Healey – A/G Deputy Secretary, Policy and Delivery, Department of Premier and Cabinet and Todd Crawford – Executive Director, Resilience and Recovery Tasmania to discuss the draft Bill, along with two land classification proposals for the reformed property-based levy.
20.10.23	Launceston	– Northern GMs meeting, key matters covered included discussion on workforce shortages with Jobs Tasmania; NTDC regional priority projects and State Election lobbying; Regional Climate Change project and connection to statewide project;
26.10.2023	St Helens	– Worksafe Session – Leadership is the difference maker, excellent session run as part of the Worksafe month attended by a number of Council officers

31.10.2023	<b>St Helens</b>	– Regional Council Climate Change project, session to discuss risk/liability and asset management and regional collaboration.
1&2.11.23	<b>Devonport</b>	– Local Government of Tasmania (LGAT) General Meeting and Annual Conference
3.11.2023	<b>MS Teams</b>	– Councillor Learning & Development Framework, meeting of the Governance Group, key focus areas included encouraging Councillor completion of modules; ongoing budget to deliver the Framework, consultation processes, and development of a model Policy
8.11.2023	<b>St Helens</b>	– Council Workshop
		–
9&10.11.23	<b>Hobart</b>	– LGAT GMs workshop, includes presentations from Office of Local Government, Parks & Wildlife, Strategic Procurement, Residential demand & supply

#### **Meetings & Events Not Yet Attended:**

13.11.2023	<b>St Helens</b>	– Aquatic Centre Working Group meeting
15.11.2023	<b>St Helens</b>	– Coastal Hazards and Climate Change Adaptation Workshop
15.11.2023	<b>St Helens</b>	– Break O'Day Employment Connect Board meeting
15.11.2023	<b>Scamander</b>	– Scamander Rivermouth Project, community meeting
16.11.2023	<b>St Helens</b>	– East Coast Tasmania Tourism, Grace Keath CEO

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 Dr Cyril Latt, Geoff Mountney, and Lawrie Donaldson.

#### **Brief Updates:**

##### LGAT Awards for Excellence

Following on from the delivery of the Week in the Life of Council project being delivered and the very positive feedback which was received, it was decided to share the project with the sector by entering WITLOC in the Local Government Awards for Excellence program. The project can be readily adapted by other Tasmanian Councils using the program format and the material we have developed. The work that was done was recognised by the judging team and we won the Smaller Council Award for Excellence.

## Communications Report

TOPIC	ACTIVITY	PROGRESS
GENERAL COMMS	BODC Newsletter	Sent out 2 weeks ago. Included stories on: <ul style="list-style-type: none"> <li>BODC wins Award for Excellence</li> <li>Fairy Tern nesting season</li> <li>Off road vehicle recreation in our area</li> <li>Australia Day nominations now open</li> <li>Community grant applications available</li> </ul>
	Mayor's Op to North Eastern Advertiser	Focused on BODC winning award, Nominations and grant opportunities with BODC. Off road vehicle recreation.
	Five minutes with the Mayor	Advice and tips in fire emergencies and how to best prepare for fire season
Social Media	New Residential Packs	Information packs for new residents are currently being updated.
	Mental Health First Aid	Free instructor training
	Seniors Week	Bus trip was advertised for free tour around Ross for Seniors.
	Services Australia	Mobile service centres available in Break O'Day.
	Biosecurity Tasmania	Fruit fly awareness
	Citizenship Ceremony	Welcoming a new Australian citizen
	Scooter Jam	Advertising for the recent Scooter Jam event in St Marys.
	Local Provisions Schedule	Submissions were welcomed during public exhibition period.
	Tasmania Fire Service	Information on fire permits in Northern Tasmania.
	Parks and Wildlife	Campfire restrictions.
	Fairy Terns Nesting Season	Nesting season awareness at Scamander River Mouth.
	Australia Day Awards	Nominations are now being accepted for the awards next year.
	St Helens Library	Can you spot a scam sessions.
	Local Government Association of Tasmania	BODC wins Award for Excellence for A Week in the Life of Council program.
	Asbestos Awareness	National Asbestos Awareness Month 2023.
	Read Aloud to your Child Everyday	Campaign to encourage reading amongst children.
	Bushfire Ready Neighbourhoods Roadshow	Session on bushfire ready in St Helens.
	Fisheries Tasmania	Recreational rock lobster access.



	St Helens Library	Quiz and cake sessions.
	BODC Community Grants	Applications now being accepted. Submissions close February 2024.
	Access and Inclusion Advisory Committee	International Day of People with Disability events.
	DeerScan App	Report deer sightings due to increase in sightings in Break O'Day.
	Scamander River mouth Project	Session being held to discuss coastal and flood forces and future risks.
<b>GRANTS</b>	Community Grants From BODC	Community grant opportunities from BODC. Submissions close February 2024.
<b>EMAIL DATABASES</b>	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.
<b>Community Engagement Strategy</b>	Community Engagement Framework	Community Engagement Framework for Councillors working with community.
<b>Survey</b>	<b>New Resident Survey</b>	The new resident survey is currently being updated to acquire more data for our area
	<b>Musculoskeletal Australia –MSK</b>	Survey available on our Facebook page.

**Actions Approved under Delegation:**

NAME/DETAILS	DESCRIPTION OF USE OF DELEGATION	DESCRIPTION	DELEGATION NO / ACT
Sustainable Timber Tasmania – Lease No. 1378 – Pyengana Waste Transfer Station	Affixing Common Seal	Lease Agreement	Number 21 – Miscellaneous Powers and Functions to the General Manager

**General Manager's Signature Used Under Delegation for Development Services:**

DATE	DOCUMENT	ADDRESS	PID OR DA
04.10.2023	337 Certificate	Annabel Drive (CT1852140-49), St Helens	9806680
04.10.2023	337 Certificate	39 Stieglitz Street, Falmouth	3009588
04.10.2023	337 Certificate	6 Osprey Drive, Stieglitz	7320007
04.10.2023	337 Certificate	7381 Esk Main Road, St Marys	2722429
05.10.2023	337 Certificate	8 Luck Court, Akaroa	7440770
05.10.2023	337 Certificate	12 Mitchells Road, St Marys	7558402
06.10.2023	337 Certificate	156 Harefield Road, St Marys	6403396
06.10.2023	337 Certificate	25672 Tasman Highway, St Helens	6792600
06.10.2023	337 Certificate	24 Cobrooga Drive, St Helens	7551075
06.10.2023	337 Certificate	43 Erythos Grove, St Helens	9972623
06.10.2023	337 Certificate	41-43 Beaulieu Street (CT160833/22), St Helens	3078890
06.10.2023	337 Certificate	41-43 Beaulieu Street (CT160833/19), St Helens	3078890
09.10.2023	337 Certificate	41-43 Beaulieu Street (CT160833/23, CT160833/24) St Helens	3078890
09.10.2023	337 Certificate	92 Emu Flat Road, Weldborough	6805045
09.10.2023	337 Certificate	Unit 2-484 Binalong Bay Road, St Helens	2809380
10.10.2023	337 Certificate	24 Cobrooga Drive, St Helens	7551075
10.10.2023	337 Certificate	24 Medeas Cove Esplanade, St Helens	3598124
16.10.2023	337 Certificate	22 Gillies Road, St Marys	7669903
17.10.2023	337 Certificate	26920 Tasman Highway, Goshen	7384393
17.10.2023	337 Certificate	40 Peron Street, Stieglitz	6785312
18.10.2023	337 Certificate	130 Tully Street, St Helens	1498875
19.10.2023	337 Certificate	7 Ti-Tree Drive, Ansons Bay	6810397
19.10.2023	337 Certificate	7A The Flat, St Marys	2633135
20.10.2023	337 Certificate	114 Tully Street, St Helens	1555438
20.10.2023	337 Certificate	24 Medeas Cove Esplanade, St Helens	3598124
24.10.2023	337 Certificate	320 St Helens Point Road, Stieglitz	6786446
26.10.2023	337 Certificate	22 Halcyon Grove, St Helens	9853142
26.10.2023	337 Certificate	40 Beaulieu Street (House Lot Only), St Helens	6779705
26.10.2023	337 Certificate	2 Reedy Road, Beaumaris	6788214
30.10.2023	337 Certificate	9 Ti-Tree Drive, Ansons Bay	6810389
30.10.2023	337 Certificate	Section C - Lot 17 Elizabeth Street, Mangana	2679571
30.10.2023	337 Certificate	24752 Tasman Highway, St Helens	9804566
31.10.2023	337 Certificate	Argyle Street, Mangana	3224907

## **Tenders and Contracts Awarded:**

Nil

## **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.

## **BUDGET AND FINANCIAL IMPLICATIONS:**

N/A

## **VOTING REQUIREMENTS:**

Simple Majority

<b>ACTION</b>	<b>DECISION</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	John Brown, General Manager
<b>FILE REFERENCE</b>	014\001\022\
<b>ASSOCIATED REPORTS AND DOCUMENTS</b>	Nil

**OFFICER'S RECOMMENDATION:**

That the following dates and times be approved for Council Meetings and Workshops to be held in 2024.

**INTRODUCTION:**

It is necessary to determine Council meeting dates prior to the commencement of the New Year. The above dates are submitted for Council's consideration.

**PREVIOUS COUNCIL CONSIDERATION:**

Setting Council meeting dates is an annual requirement.

**OFFICER'S REPORT:**

<b>Council Meetings Commencing at 10.00am</b>	<b>Council Workshops Commencing at 10.00am</b>
Monday 15 January	
Monday 19 February	Monday 5 February
Monday 18 March	Monday 4 March
Monday 15 April	Wednesday 3 April
Monday 20 May	Monday 6 May
Monday 24 June	Monday 3 June
Monday 15 July	Monday 1 July
Monday 19 August	Monday 5 August
Monday 16 September	Monday 2 September
Monday 21 October	Monday 7 October
Monday 18 November	Wednesday 6 November
Monday 16 December	Monday 2 December

Once the meeting dates have been established they will be published on the Council website, Council does have the opportunity to amend these dates if issues arise during the year.

In regards to the dates set above, I highlight the following variations from what would be the normal 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month.

April – The workshop will be held Wednesday 3 April due to the 1<sup>st</sup> and 2<sup>nd</sup> being Easter Monday and Tuesday.

June – The Council meeting will be held one (1) week later on Monday 24 June due to the Australian Local Government Association (ALGA) National General Assembly normally being held the previous week on what would be the 3<sup>rd</sup> Monday of the month.

November – The workshop will be held on Wednesday 6 November due to the 1<sup>st</sup> Monday (4 November) falling on a public holiday and Tuesday 5 November is Melbourne Cup Day.

#### **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.

#### **LEGISLATION & POLICIES:**

Local Government (Meeting Procedures) Regulations 2015 – Part 2, Division 1 - Dates must be established to enable appropriate notification of meeting dates as required under Legislation.

#### **BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

There are no budget implications to Council.

#### **VOTING REQUIREMENTS:**

Absolute Majority



<b>ACTION</b>	<b>DECISION</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	John Brown, General Manager
<b>FILE REFERENCE</b>	002\036\002\
<b>ASSOCIATED REPORTS AND DOCUMENTS</b>	2023 - 2024 Annual Plan Update at 30 September 2023

**OFFICER'S RECOMMENDATION:**

That Council receive the Review as at 30 September 2023 of the 2023-2024 Break O'Day Council Annual Plan.

**INTRODUCTION:**

Council's management team prepared the 2023 - 2024 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.

**PREVIOUS COUNCIL CONSIDERATION:**

The Annual Plan was adopted at the 26 June 2023 Council Meeting.

**OFFICER'S REPORT:**

This plan is generally based on the 10 Year Strategic Plan 2017 – 2027 (Revised March 2022).

This Report provides a quarterly update on progress with the activities detailed in the 2023-2024 Annual Plan as at 30 September 2023. As to be expected, there is variability in progress with some items but overall progress for the start of the year remains solid. From an overall perspective, we are at 24% completion vs a target of 25%. Looking at individual Key Focus Areas, progress sits at:

**GOAL- Community**

Communication	19% (Short deferral of Website review)
Events & Activities	29%
Volunteering	25%
Community & Council Collaboration	28%
Wellbeing	33% (Activity focussed in early part of the year)

**GOAL – Economy**

Opportunities	25%
Brand	5% (Activity not scheduled to start until early 2024)
Population	0% (Resources focussed on other activities currently)
Housing	20%

#### GOAL - Environment

Appropriate Development	42% (Completion of LPS)
Land & Water Management	20% (Climate Change     25%)

#### GOAL - Infrastructure

Community Facilities	21%
Towns	8% (Slower progress with projects than anticipated)
Recreational Facilities	29%
Roads & Streets	16% (Transport Master Plan review not commenced)
Waste Management	20%

#### GOAL - Services

Youth	27%
Health & Mental Health	27%
Education, Skills and Training	20%
Access & Inclusion	17%

Councils are required each financial year, under Section 71 of the *Local Government Act 1993*, to prepare an Annual Plan.

#### **STRATEGIC PLAN & ANNUAL PLAN:**

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

#### **LEGISLATION & POLICIES:**

The Annual Plan is a requirement of Section 71 of the *Local Government Act 1993* as follows:

*An Annual Plan is to –*

- (a) be consistent with the strategic plan; and*
- (b) include a statement of the manner in which the Council is to meet the goals and objectives of the strategic plan; and*
- (c) include a summary of the estimates adopted under section 82; and*
- (d) include a summary of the major strategies to be used in relation to the Council's public health goals and objectives.*

#### **BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

N/A

#### **VOTING REQUIREMENTS:**

Simple Majority

194

GOALS

24%

GOAL COMPLETION

● Draft ● Not started ● Behind ● On Track ● Overdue ● Complete → Direct Alignment → Indirect Alignment

## BREAK O'DAY COUNCIL PLAN

### COMMUNITY

Current...	Start ...	Du...	Goal	Update	Owner	Co-own...
19%	01/07/2023	30/06/24	Strategy 1.1 Create an informed and involved community by developing channels of communication. : 30% to 100%		John Brown	-
19%	01/07/2023	30/06/24	→ Key Focus Area 1.1.1 Communication: Improve and develop communication processes that lead to the community feeling more informed and involved.	John Brown: Communications activities are ticking along as planned. The key activity this year is a major review of Council's website which we are delaying for a short while as we look at a broader approach to how we need to transform digitally. 27/10/2023	John Brown	-
25%	01/07/2023	30/06/24	→ 1.1.1.1 Community Engagement Strategy - Ensure that the Community Engagement strategy is embedded into Council activities, understood by the community and review for efficiencies.	Jayne Richardson: The Community Engagement Strategy is now being used when ever we undertake community engagement. The internal templates created are being utilised by staff and is resulting in a consistent approach to our engagement. The Community Engagement page on the website is being used to not only promote opportunities for engagement but also to provide updates on where we are at with our engagement activities. 18/10/2023	Jayne Richardson	Chris Hughes

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	→ 1.1.1.2 Communications - Review communication methods to ensure they are diverse so as to reach a broad range of community members.	<b>Jayne Richardson:</b> The implementation of the Community Engagement Strategy does help ensure that a variety of communication methods are used. Templates used by staff when developing their engagement plan provide a list of potential platforms for communication to prompt this. We continue to promote our email databases and newsletter as a way that community can stay abreast of Council activities. 18/10/2023	Jayne Richardson	-
6%	01/11/2023	30/04/24	→ 1.1.1.3 Website - Undertake a review of the entire Break O'Day Council website to look for improvements that will lead to a more accessible and easy to navigate website.	<b>Jayne Richardson:</b> As an organisation we will be embarking on a Digital Transformation project and we have flagged the website to be a consideration through this process. To undertake the review, a cross-departmental working group will be established to ensure that each department has the opportunity to consider improvements to their relevant sections of the website. 18/10/2023	Jayne Richardson	Anna Williams
27%	01/07/2023	30/06/24	<b>Strategy 1.2 Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge. : 30 to 100</b>		John Brown	-
29%	01/07/2023	30/06/24	→ <b>Key Focus Area 1.2.1 Events and Activities: Create a culture of volunteering and support to enable vibrant and sustainable events, activities and community groups.</b>	<b>John Brown:</b> The focus of activity in the first quarter has been the Festival of Wellbeing which is occurring in October. Other activities are generally ongoing throughout the year. 27/10/2023	Chris Hughes	-

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/2024	<p>→ 1.2.1.1 Environmental Awareness – Encourage and improve the sustainable enjoyment, use and care of the natural environment with communications and support for activities.</p>	<p><b>Polly Buchhorn:</b> Council communications and engagement are raising environmental awareness, management skills and action in the community and with our partners.</p> <p>We collaborate with others such as the Parks and Wildlife Service, Department of Natural Resources and Environment, local community groups and NRM North. Recent examples include</p> <ul style="list-style-type: none"> <li>· sponsoring Break O'Day volunteers to attend the 2023 Landcare Tasmania Conference</li> <li>· working with the <i>Hands on Learning</i> students at St Helens District High School to plan and then implement a National Trees Day native understory project at the St Helens dog park</li> <li>· Collaborating in the Irapuna Community Weekend, a National Science Week event, which saw over 100 volunteers walk over 50km of the Irapuna coastline help keep it free of sea spurge and marine debris during five clean-up beach walks in August.</li> </ul> <p>We provide important and relevant environmental news and management information for our community in different ways, including posts and articles, activities and landholder advice and support.</p> <ul style="list-style-type: none"> <li>· Information on beach-nesting shorebirds and taking dogs to the beach safely, including signage and information with dog registration renewals</li> <li>· Waste management, including reducing contamination in co-mingled recyclables</li> <li>· On weeds and controlling them, including Weed of the Month (garden escapees and the 'Unknown Weed'), council's control efforts, serrated tussock and invasive grasses and information and advice to landholders concerned or with weed problems</li> <li>· Drought resilience measures, such as the Farm Forecaster grazing management tool</li> </ul> <p>09/10/2023</p>	Jayne Richardson	Polly Buchhorn



Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	→1.2.1.2 Community Event Support - Assist the community with event delivery by providing support and assistance with planning, approvals processes, compliance and arrangements for Council assistance and resources.	<b>Chris Hughes:</b> Council staff provide assistance to event organisers by having a pre event meeting where the relevant paper work is provided, we also assist the event organisers with risk assessment plans. Council staff have assisted with the planning of larger events, Festival of George, Wellbeing Festival and the Bay of Fires Arts Market. In some instances, daily contact is made with the event organisers prior to the event occurring. 23/10/2023	Chris Hughes	Jenna Barr
25%	01/07/2023	30/06/24	→1.2.1.3 Event Attraction - Actively promote the Break O'Day Municipality as an event destination and work with event organisers and organisations to develop and attract new events to the area.	<b>Erica McKinnell:</b> Council's HR Coordinator and Economic Development Officer have met to discuss the potential for development of an Event attraction prospectus. 04/10/2023	Erica McKinnell	Anna Williams
25%	01/07/2023	30/06/24	→1.2.1.4 Sustainable Events - Promote and support best practice sustainable events and implementation of the Soft Plastics policy on Council land.	<b>Chris Hughes:</b> Council staff as part of the pre event meetings that they have with event organisers ensure that they are aware of Council's Single Plastic Use Policy. The Event Guide which refers to this policy is part of the pre event paperwork which is required to be completed by any event organiser. Council staff have made the relevant changes to our paper work to also include the options for recycle and waste bins that event organisers can request. 23/10/2023	Chris Hughes	Jayne Richardson
50%	01/07/2023	30/06/24	→1.2.1.5 Festival of Wellbeing - Support the development and delivery of the Festival of Wellbeing, designed with our community to meet shared aims.	<b>Leah Page:</b> The Festival of Wellbeing will take place on Saturday 14 October 2023. The day continues to provide a space and opportunity for connection and community participation. A review of the 2023 event to inform planning for 2024 will occur after the event. 23/10/2023	Leah Page	-
25%	01/07/2023	30/06/24	→1.2.1.6 Mountain Bike Events - Work with interested organisations to develop a sustainable Mountain Bike event for the St Helens Network.	<b>Erica McKinnell:</b> Council is providing support to the Directors of Geocentric Outdoors in the planning for 2025 Dragon Trail MTB event. 28/09/2023	Erica McKinnell	-

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	→ <b>Key Focus Area 1.2.2 Volunteering - Build community sustainability and inclusion through a culture of volunteering and support within our community.</b>	<b>John Brown:</b> A small but important area of focus. It is expected that our Emergency Services volunteers will have a busy period during the next six months 27/10/2023	Chris Hughes	-
25%	01/07/2023	30/06/24	→ <b>1.2.2.1 Strategy Implementation - Implement the Volunteer Strategy and build the volunteer base through promoting opportunities to volunteer.</b>	<b>Chris Hughes:</b> Volunteers have been engaged to assist event organisers in providing assistance with the running of an event. An example of this is the Wellbeing Festival where a call was put out for people to volunteer with the event. 23/10/2023	Chris Hughes	Jenna Barr
25%	01/11/2023	30/04/24	→ <b>1.2.2.2 Emergency Management Volunteers - Develop Council's base of volunteers to provide support in an emergency situation including provision of training.</b>	<b>Chris Hughes:</b> Council over the years has developed a list of community members who have undertaken Red Cross training in being part of an evacuation centre. Recently Council staff enlisted the volunteers help in the Valley in relation to a bushfire located in that area by placing them on standby in the event was not brought under control and may have impacted on communities. 23/10/2023	Chris Hughes	Angela Matthews
28%	01/07/2023	30/06/24	<b>Strategy 1.3 Foster and support leadership within the community to share the responsibility for securing the future we desire. : 30 to 100</b>		John Brown	-
28%	01/07/2023	30/06/24	→ <b>Key Focus Area 1.3.1 Community and Council Collaboration: Work within a community engagement framework which defines the relationship between the community and Council in decision making and project delivery.</b>	<b>John Brown:</b> Developing and finalising the future use of the former Hub 4 Health building in Portland Court is important to complete this year as is the Arts & Cultural Strategy. 27/10/2023	John Brown	-

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
30%	01/07/2023	30/06/2	→1.3.1.1 Customer Feedback - Develop and promote methods for easy customer feedback and contact with Council.	<p><b>Jayne Richardson:</b> Relevant Officers will develop a campaign for the newsletter and social media to promote our Customer Feedback pages.</p> <p>They will also consider other ways to promote ways to engage with us including:</p> <ul style="list-style-type: none"> <li>• Email databases</li> <li>• New Resident kits</li> <li>• Use and validity of the Customer Feedback Postcards</li> <li>• Digital Transformation - what digital tools can be used to assist with Customer Service?</li> </ul> <p>18/10/2023</p>	Jayne Richardson	-
25%	01/07/2023	30/06/2	→1.3.1.2 Local Township Plans - Finalise Plans and implement the activities from the Township Plans, report back to the community on progress.	<p><b>Chris Hughes:</b> Nine local Township Plans have been completed and signed off by Council. Council staff have been asked to provide an update on the projects which will be reported in the next quarter of the current Annual Plan</p> <p>23/10/2023</p>	Chris Hughes	-
25%	01/07/2023	26/04/2	→1.3.1.3 Arts & Cultural Strategy - Work with the community group to review the Strategy and reflect changes in an update of the document.	<p><b>Chris Hughes:</b> A number of community members have shown their support in reviewing this document. The review of this project will commence early 2024.</p> <p>23/10/2023</p>	Chris Hughes	Leah Page
40%	01/07/2023	30/06/2	→1.3.1.4 Portland Court Building - Develop the use of the former Hub 4 Health building through a co-design process with the community.	<p><b>Leah Page:</b> Council continues to participate in Local Government of Tasmania planning and reporting workshops about the Lift Local Grant for Health and Wellbeing planning. Council continues to grow and nurture a Health and Social Services Network of 80 stakeholders. The network meets quarterly and then receives an electronic newsletter. This network is a good forum for identifying health and wellbeing needs, gaps and opportunities.</p> <p>23/10/2023</p>	Chris Hughes	Leah Page
33%	01/07/2023	30/06/2	Strategy 1.4 Foster a range of community facilities and programs which strengthen the capacity, wellbeing and cultural identity of our community. : 30 to 100		John Brown	-



Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
33%	01/07/2023	30/06/24	→ Key Focus Area 1.4.1 Wellbeing - Support and enhance community wellbeing through shared understandings, and opportunities for people to get involved, connect, build on strengths, and feel a sense of belonging in Break O'Day.	<b>John Brown:</b> Activity in this KFA is very much focussed in the front end of the year with the delivery of the Wellbeing Certificate. The redesigned approach has been very successful and provides a blueprint for the future. 27/10/2023	John Brown	-
33%	01/07/2023	30/06/24	→ 1.4.1.1 Wellbeing Pilot Project - Refine the project delivery approach to reflect participant feedback and support the implementation of the Break O'Day Community Wellbeing Pilot Project and related project activities.	<b>Leah Page:</b> Past participants helped review and redesign the Wellbeing Certificate for 2023. This included changing to a face-to-face 8 week program with less content and the development of a wellbeing website to support the sharing of information. The refinements include more focus on co creating wellbeing wisdom together and planning for community actions. 23/10/2023	Leah Page	-
33%	01/07/2023	30/06/24	→ 1.4.1.2 Wellbeing - Partner with the community to identify, design and deliver wellbeing actions and activities.	<b>Leah Page:</b> Projects are underway from the 2022 Wellbeing Certificate participants including a Women's surfing group, wellness directory, mindfulness workshops, play it forward cards, gratitude tree, and positive psychology messaging being included in a youth outdoor experience. 23/10/2023	Leah Page	-

## ECONOMY

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	<b>Strategy 2.1 Develop and highlight opportunities which exist and can be realised in a manner that respects the natural environment and lifestyle of the Break O'Day area. : 30 to 100</b>		John Brown	-
25%	01/07/2023	30/06/24	→ <b>Key Focus Area 2.1.1 Opportunities - Identify and realise opportunities that develop and support the Break O'Day economy in a sustainable manner.</b>	<b>John Brown:</b> Large area of activity for the year ahead. Completion of the Tourism Strategy review was a good task to complete with a lot of the coming work focussed on the Economic Development Strategy Review. 27/10/2023	John Brown	-
25%	01/07/2023	30/06/24	→ <b>2.1.1.1 Opportunity Promotion - Identify platforms to promote Break O'Day as a desirable location for economic development.</b>	<b>John Brown:</b> Updated prospectus has been loaded onto Council's website. Opportunities for further promotion are ongoing with NTDC and RDA Tas 26/10/2023	Anna Williams	-
0%	01/07/2023	30/06/24	→ <b>2.1.1.3 Business Opportunities - Research and examine opportunities that could create jobs in Break O'Day (BOD).</b>	<b>John Brown:</b> No specific action in this space. A greater focus will follow the completion of the new Economic Development Strategy 26/10/2023	Anna Williams	Jayne Richardson
25%	01/07/2023	30/06/24	→ <b>2.1.1.4 Economic Leadership - Nurture and support development of local leadership and participation in projects which support this including the Gastronomy project.</b>	<b>Anna Williams:</b> Working with Van Diemen Project to deliver a Business Workshop for local businesses. The event is expected to be delivered Oct/Nov 2023 07/09/2023	Anna Williams	-
0%	01/07/2023	30/12/24	→ <b>2.1.1.5 Understanding Local Business - Assess the usefulness of a regular business survey regarding the needs of businesses and local economic trends and decide whether to continue.</b>	<b>John Brown:</b> No action on this activity 26/10/2023	Anna Williams	-



Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	→2.1.1.6 Circular Economy - Examine opportunities to participate in projects focused on developing the Circular Economy at the regional and local level.	<p><b>David Jolly:</b> The Council is currently promoting and supporting the Circular Economy by recycling various items including scrap steel, car batteries, and co-mingled recyclables. Additionally, under the product stewardship program, e-waste, tyres, oils and fuels, and paint are also being recycled.</p> <p>At the regional level, activities will be in line with the Northern Tasmanian Waste Management Partnership Strategic Plan for 2023-2028. The drafting of this plan is currently underway.</p> <p>New opportunities that are identified will be assessed. 25/10/2023</p>	Anna Williams	David Jolly
25%	01/07/2023	30/03/24	→2.1.1.7 Employment Barriers - Support the activities of Break O'Day Employment Connect (BODEC) Regional Jobs Hub Board which focusses on facilitating employment outcomes and addressing the barriers to employment.	<p><b>Erica McKinnell:</b> In the first quarter Break O'Day Employment Connect (BODEC) team have matched more than 20 local Job Seekers into local trades and services, retail, manufacturing and hospitality industries.</p> <p>The inaccessibility to Childcare and Transport continue to be the main barriers to employment in Break O'Day.</p> <p>BODEC are a stakeholder in the State Government Free Child Care Policy implementation for 0-32 year olds, with St Helens having been selected as a trial site.</p> <p>20/10/2023</p>	John Brown	Erica McKinnell
30%	01/07/2023	30/03/24	→2.1.1.8 Industrial Land Use Study - Complete Industrial Land Use Strategy which identifies Demand, Needs, Limitations and Opportunities for Industrial Expansion for Break O'Day Council.	<p><b>Deb Szekely:</b> This body of work is not to complete a strategy. Instead this project was to commence a scoping study exercise that reviewed the existing Industrial land in the Break O'Day local government area. The scoping study would identify further work to be completed to ensure available industrial land is sufficient to meet future needs.</p> <p>The Scoping Study is largely complete with final edits required. The study will be presented to a Workshop prior to end of 2023. 04/10/2023</p>	Deb Szekely	Anna Williams

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	→2.1.1.9 Marketing - Work with East Coast Tourism, Tourism agencies and Break O'Day Chamber of Commerce and Tourism to promote our area as a desirable tourism destination.	<p><b>Jayne Richardson:</b> This will be an ongoing activity through out the Financial Year.</p> <p>This Financial Year the Chamber of Commerce Executive Committee has changed. This is a big change for the Chamber and ECTT and ourselves will be watching the space carefully looking for opportunities to collaborate and support Chamber's activities moving forward.</p> <p>For this quarter staff activity in this space includes:</p> <ul style="list-style-type: none"> <li>• Regular meetings with ECTT CEO</li> <li>• Promotion of Business related workshops etc</li> <li>• Development of a Business Survey</li> </ul> <p>18/10/2023</p>	Jayne Richardson	Anna Williams
5%	01/07/2023	30/06/24	→2.1.1.10 Visitor Information Provision - Work with East Coast Tasmania Tourism (ECTT) to complete a review of the St Helens Visitor Information Services having regard to the review initiated by the Tasmanian Government.	<p><b>Jayne Richardson:</b> Officers are still waiting for this review to start as it needs to be driven by East Coast Tourism.</p> <p>In the meantime, Council continues to relay to ECTT the door figures of our VIC which have continued to trend upward showing how important the centres are to the visitor economy.</p> <p>18/10/2023</p>	John Brown	Jayne Richardson
25%	01/07/2023	30/06/24	→2.1.1.11 Bay of Fires Master Plan - Support and participate in the process to develop a Master Plan for the Bay of Fires area, lobby for increased funding.	<p><b>John Brown:</b> This project is currently on hold due to insufficient funding from the State Government to move further with the development of this document. Council has included the funding requirement in its State Election priorities and NTDC Regional Priority Projects process.</p> <p>27/10/2023</p>	Chris Hughes	-
15%	01/07/2023	30/06/24	→2.1.1.2 Economic Strategy - Develop new Strategy based on the review completed in 2022 - 2023 and the process agreed by Council.	<p><b>John Brown:</b> An Expression of Interest has been finalised and will be circulated later this calendar year</p> <p>26/10/2023</p>	Anna Williams	-

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
100%	01/07/2023	30/12/2	→ 2.1.1.12 Tourism Strategy - Undertake a review of the existing Tourism Strategy for Council consideration.	<b>John Brown:</b> A review was provided to the September Council workshop for consideration with a recommendation to remove the Tourism Strategy as a strategic document and ensure tourism is considered within Economic Development Strategy which is being developed.  26/10/2023	Anna Williams	-
0%	01/07/2023	30/06/2	Strategy 2.2 Provision of relevant training and skills development programs to create a workforce for the future that meets the changing needs of business. : 30 to 100		John Brown	-
5%	01/07/2023	30/06/2	Strategy 2.3 Create a positive brand which draws on the attractiveness of the area and lifestyle to entice people and businesses to live and work in Break O'Day. : 30 to 100		John Brown	-
0%	01/07/2023	30/06/2	→ Key Focus Area 2.3.1 Brand - Understand and communicate the unique characteristics and differences of our communities and the Break O'Day area to foster a sense of pride and authenticity.	<b>John Brown:</b> Activity in this KFA is not scheduled to start until early 2024  27/10/2023	John Brown	Jayne Richardson
10%	01/01/2023	30/06/2	→ 2.3.1.1 Township Brand - Engage with Township communities in order to understand the uniqueness of their communities and develop a brand identity.	<b>Jayne Richardson:</b> During the development of our township plans we included survey questions that allowed us to develop a vision and legacy statement for each township. We then released the Township Plan including these statements in draft form for community input.  Later in the Financial year these vision and legacy statements will be used as a starting point and tested.  Understanding a township's individual identity will allow us to not only understand the community's sentiment, it will help us in forward planning as well as promotion of our area.  Once determined, the township brands will be shared with relevant organisations including ECTT.  18/10/2023	Jayne Richardson	Anna Williams
0%	01/01/2023	30/06/2	→ 2.3.1.2 Communications - Communicate individual township identities to Tourism bodies and other stakeholders.	<b>Jayne Richardson:</b> Once Township brands are understood they will be communicated to ECTT and other relevant agencies.  18/10/2023	Jayne Richardson	Anna Williams



Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
10%	01/07/2023	30/06/24	Strategy 2.4 Support and encourage innovation and growth in the economy through local leadership; infrastructure provision; support services and customer focused service delivery. : 30 to 100		John Brown	-
0%	01/07/2023	30/06/24	→Key Focus Area 2.4.1 Population - Monitor changes in an ageing population in order to understand and address challenges and opportunities this creates.	<b>John Brown:</b> Resources which would normally work on this KFA have been focussed on Housing and Strategy review processes. Activity will be commenced later this year. 27/10/2023	John Brown	-
0%	01/07/2023	30/09/24	→2.4.1.1 Population Analysis - Complete review of information from 2021 Census with presentation to Council, stakeholders and the community.	<b>John Brown:</b> Activity yet to be progressed with Dr Lisa Denny. 26/10/2023	John Brown	-
0%	01/07/2023	31/03/24	→2.4.1.2 Population Strategy - Develop Strategy to address Break O'Day Council's Ageing Population.	<b>John Brown:</b> Activity yet to be progressed, focus has been on broader Economic Development activities and Housing challenges 26/10/2023	John Brown	Anna Williams
20%	01/07/2023	30/06/24	→Key Focus Area 2.4.2 Housing - Develop an understanding of housing needs; advocate for and facilitate the construction of a range of housing solutions.	<b>John Brown:</b> Affordable housing project is progressing through the process and this has been a key focus of activity and resources required have been very substantial. 27/10/2023	John Brown	-
25%	01/07/2023	30/06/24	→2.4.2.1 Housing Needs Assessment - Advocate for the Tasmanian Government to complete a housing needs assessment for the East Coast which feeds into developing a housing strategy.	<b>John Brown:</b> Development of localised regional Housing needs analysis forms part of the State Housing Strategy. The development of an East Coast Housing Needs Analysis will form part of the Strategic Regional partnership. It will also be raised as part of the examination of worker accommodation requirements which Jobs Tasmania are pursuing with key stakeholders 26/10/2023	John Brown	Anna Williams
25%	01/07/2023	30/03/24	→2.4.2.2 State Housing Strategy - Participate in the development of the Tasmanian Government's Housing Strategy.	<b>John Brown:</b> The State Housing Strategy is due to be released in October 2023. 26/10/2023	Anna Williams	-
0%	01/07/2023	30/03/24	→2.4.2.3 Aged Housing - Pursue investment in construction of Independent Living Units in the area.	<b>John Brown:</b> No action has occurred on this item 26/10/2023	Anna Williams	-

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/03/24	→2.4.2.4 Council Investment - Examine and pursue opportunities for greater Council involvement in the provision of housing.	<b>John Brown:</b> Work has been progressing with the Fingal Housing project. Lease of Public Land process will be occurring in October 2023. <i>26/10/2023</i>	Anna Williams	-
25%	01/07/2023	30/06/24	→2.4.2.5 Public and Emergency Housing - Lobby and work with the State Government and housing providers to build new affordable housing and emergency housing.	<b>John Brown:</b> Affordable housing projects are being pursued at Fingal with CentaCare Evolve and at St Marys with Homes Tasmania <i>26/10/2023</i>	John Brown	Anna Williams



## ENVIRONMENT

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
42%	01/07/2023	30/06/24	Strategy 3.1 Ensure the necessary regulations and information is in place to enable appropriate use and address inappropriate actions. : 30 to 100		John Brown	-
42%	01/07/2023	30/06/24	→ Key Focus Area 3.1.1 Appropriate Development: Encourage sensible and sustainable development through sound land use planning, building and design.	<p><b>John Brown:</b> A very large area of activity which is occurring predominately through inhouse resources which is a credit to the Planning team. Completion and commencement of the LPS was a highlight during the period.</p> <p>27/10/2023</p>	Jake Ihnen	-
25%	01/07/2023	30/06/24	→ 3.1.1.2 Regional Land Use Strategy – Actively participate in and support the review of the Northern Tasmania Regional Land Use Strategy.	<p><b>Deb Szekely:</b> Participation in the review of the Regional Land Use Strategies continues. The strategic work being undertaken, including a proposed Scamander Beaumaris Structure Plan, will feed into this process. A report on the Scamander Beaumaris Structure Plan has been presented to a Council Workshop (October) and Council has directed Development Services to progress this work.</p> <p>The State Planning Office has progressed the review of the framework with the release of <b>Regional Planning Framework Consultation Report – Summary of submissions</b>. The next step is the preparation of draft legislative or regulatory amendments to the LUPA Act to improve the regional planning framework. At the same time or shortly after the State Government will commence the review of the existing regional land use strategies. The work we are doing will feed into this process.</p> <p>This work continues.</p> <p>04/10/2023</p>	Deb Szekely	Jake Ihnen

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
100%	01/07/2023	31/12/23	→3.1.1.3 Local Provisions Schedule (LPS) - Progress the Approval of the LPS in accordance with requirements of the Tasmanian Planning Commission, and subsequent implementation actions once approved.	<p><b>Deb Szekely:</b> Having received agreement from the Minister for Planning under section 35L(1) of the <i>Land Use Planning and Approvals Act 1993</i> (the Act), the Commission gave notice on 14 August, 2023 that the Break O'Day LPS is approved under section 35M(1)(a) of the Act. Notice of approval was also published in the Gazette on 23 August 2023 specifying that the State Planning Provisions, also came into effect for the Break O'Day municipal area under section 30(1) of the Act on 23 August 2023.</p> <p>Notice of the approval of the LPS was given by placing a notice in The Examiner on Saturday 2 September 2023.</p> <p><b>DRAFT AMENDMENTS TO THE LPS:</b> The Tasmanian Planning Commission directed Council on the 12 September 2023 to publicly exhibit the draft amendments (substantial modifications) to the LPS under section 35KB(4) (b)(i).</p> <p>The Break O'Day will be exhibiting draft amendments to the LPS during the period 9 October - 7 November 2023.</p> <p>04/10/2023</p>	Deb Szekely	Jake Ihnen
100%	01/07/2023	30/11/23	→3.1.1.4 Strata Policy - Implement a Strata Policy including Communication Strategy which provides inclusion of appropriate development controls.	<p><b>Deb Szekely:</b> The Strata Policy No EP11 was approved by Council at its meeting on 21 August 2023.</p> <p><b>COUNCIL DECISION:</b> 08/23.16.2.204 Moved: Cllr K Chapple / Seconded: Cllr K Wright Endorse the draft Strata Development Policy (Policy No EP11) which has undergone targeted consultation within the development community and legal counsel review. CARRIED UNANIMOUSLY.</p> <p>04/10/2023</p>	Deb Szekely	Jake Ihnen

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
30%	01/07/2023	30/04/2	→3.1.1.5 Low Density Residential Review - Review land area within the Low Density Residential Zone and quantify impact of State Planning Policy in relation to minimum lot size on supply.	<b>Deb Szekely:</b> Vacant residential land within the Low Density Residential Zone has been investigated for the St Helens area and surrounds. An overlay has been incorporated into Spectrum showing vacant residential land in St Helens, Binalong Bay, Stieglitz and Akaroa, Beaumaris, Scamander, St Marys, Falmouth and Fingal. This will be further refined and scrutinised.  04/10/2023	Deb Szekely	Jake Ihnen
26%	01/07/2023	30/06/2	→3.1.1.6 Scamander/Beaumaris Township Structure Plans - Commence process for a detailed examination of the structure of this area to address growth which is occurring.	<b>Deb Szekely:</b> A report was prepared and presented to Council at its Workshop on Monday 2 October 2023. Council instructed Development Services to progress the preparation of a Project Brief to further this body of work and to discuss with the State Planning Office opportunities for funding contributions. The State Planning Office will be discussing the matter of funding with the Senior Town Planner on Thursday 5/10/2023.  04/10/2023	Deb Szekely	Jake Ihnen
25%	01/07/2023	30/04/2	→3.1.1.7 Break O'Day Council Land Use Strategy 2015 - Review Strategy including progression of recommendations applicable to the Low Density Residential and Rural Living Zones.	<b>Deb Szekely:</b> Review of the Land Use Strategy has been completed.  Review of Low Density Residential land has commenced. Review of Rural Living Zone has not yet commenced as there are substantial modifications to the LPS within this zone. Any review will need to consider these zone changes.  04/10/2023	Deb Szekely	Jake Ihnen
25%	01/07/2023	30/06/2	→3.1.1.8 Vacant Residential Land - Complete a comprehensive review to gain an understanding of life cycle of current lots and development trends.	<b>Deb Szekely:</b> This project work aims to take the vacant residential land investigation one step further to understand how vacant land is being held in the municipality in order to consider the true availability of residential land in the municipality for development. This work has not yet commenced.  04/10/2023	Deb Szekely	Jake Ihnen



Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	→ 3.1.1.9 State Planning Policy - Participate in review of State Planning Policy by providing comments associated with the review of Regional Land Use Strategy (RLUS), State Planning Provisions and State Planning Policies.	<b>Jake Ihnen:</b> Council Staff have volunteered to participate of several working groups which aim to conduct review of higher priority State Planning Policy. Council staff are also actively involved in the review of the Regional Land Use Strategy which has key linkages to Council's strategic priorities. 17/10/2023	Deb Szekeley	Jake Ihnen
25%	01/07/2023	30/06/24	→ 3.1.1.1 Flood Prone Area Procedures - Work with the State Emergency Service to improve flood risk mapping for land use development and incorporate in strategy, controls and associated procedures to ensure flood-prone hazard areas are developed and used appropriately.	<b>Polly Buchhorn:</b> Further work will follow the new Local Provisions and Tasmanian Planning Schemes as their operation becomes better known, to improve flood risk information and strategic controls and procedures to ensure flood-prone hazard areas are developed and used appropriately. 09/10/2023	Jake Ihnen	David Jolly Deb Szekeley Polly Buchhorn
0%	01/07/2023	30/06/24	Strategy 3.2 Increase the community's awareness of the natural environment, the pressures it faces and actions we can take to sustain it and what it provides. : 30 to 100		John Brown	-
22%	01/07/2023	30/06/24	Strategy 3.3 Undertake and support activities which restore, protect and access the natural environment which enables us to care for, celebrate and enjoy it. : 30 to 100		John Brown	-
22%	01/07/2023	30/06/24	→ Key Focus Area 3.3.1 Land and Water Management - Develop and implement strategies and activities that prevent land degradation and improve water quality within our rivers, estuaries and coastal areas.	<b>John Brown:</b> All activities are occurring as scheduled with a couple of activities scheduled for later in the year or early next year. 27/10/2023	Jake Ihnen	-

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	→3.3.1.1 Land and Water Management Activities – Secure financial and human resources for projects to repair land, water and coastal resources and safeguard their health and productivity.	<b>Polly Buchhorn:</b> Opportunities for resources and capacity pursued include the national funding programs for <i>Forestry Industry Support Plantation Establishment, Families and Communities 2023–24 Volunteer Grants 2023–24</i> and partnering with a NRM North application to the <i>Saving Native Species</i> program for a regional hooded plover project. Council will also support local delivery of a project controlling the weed bridal creeper funded by the Weed Action Fund (WAF) in 2023/24. Existing grant funded projects with council include the WAF funded Drought Weeds and Eradication of Serrated Tussock projects, Jubilees trees project and flood/coastal hazard risk management projects on the George River floodplain and at Scamander river mouth, worth around \$300,000. <i>09/10/2023</i>	Polly Buchhorn	-
25%	01/07/2023	30/06/24	→3.3.1.2 Weed Management and Biosecurity – Undertake priority weed control on Council properties; coordinating with other land managers; providing weed and biosecurity advice, education, communication and compliance services and support.	<b>Polly Buchhorn:</b> Strategic control of Council's weeds along our roads and in townships across the municipality is underway through the peak growing season. Treating gorse, holly, Spanish heath, blackberry and herbaceous weeds on roadsides, at waste transfer stations, quarries, old tip sites and on parks and reserves. Some locations are Mangana Road, Fingal, St Marys, Scamander waste transfer station, Binalong Bay foreshore, Goshen and St Helens Town Link. Weed control and restoration work was undertaken with PWS for the Binalong Bay foreshore Weed Management Plan. Landholders were engaged and provided advice and support for their obligations to the control of Spanish heath, gorse and Patersons curse. We provided biosecurity and weed information to the community answering enquiries and requests and with our <i>Weed of the Month</i> in Council's Newsletter - including 'garden escapes' and weed hygiene and prevention. <i>09/10/2023</i>	Polly Buchhorn	Jayne Richardson



Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	→3.3.1.3 Weed Action Plan - Update and review weed priorities and strategies for Break O'Day and the community and deliver programs such as the serrated tussock control project.	<b>Polly Buchhorn:</b> Weed control works to finalize the Break O'Day Drought Weeds project are being undertaken. Spring activities for the final year of the Break O'Day serrated tussock eradication project are planned, including a invasive grasses workshop. Review of the Weed Action Plan for Break O'Day will be delayed until later in the financial year. <i>09/10/2023</i>	Polly Buchhorn	-
25%	01/07/2023	30/06/24	→3.3.1.4 Cat Management - Implement local priorities with community and regional partners to achieve Responsible Cat Ownership outcomes using the Northern Tasmania Regional Cat Management Strategy.	<b>Polly Buchhorn:</b> Plans to address a cat colony at Weldborough with cat management action involving the RSPCA and a mobile response van during winter was not possible due to RSPCA capacity being exceeded dealing with cat colonies in the Tamar area all season.  The cat colony problem was a focus of discussion at a Northern Regional Cat Management working group meeting. <i>09/10/2023</i>	Polly Buchhorn	-
25%	01/07/2023	30/06/24	→3.3.1.5 Dog Management - Review Dog Management Policy collaboratively with Parks & Wildlife Service, interest groups and the community and continue implementation.	<b>Polly Buchhorn:</b> Planning is underway for review of the Dog management Policy and Declared areas including engagement with key organisations, interest groups and the community. <i>09/10/2023</i>	Polly Buchhorn	-
15%	01/01/2024	30/06/24	→3.3.1.6 Catchment and River Management - Identify priorities and facilitate action in catchments, including for Georges Bay, to improve water quality, rivercare, soil management and landholder involvement and action.	<b>Polly Buchhorn:</b> Through Council's NRM Committee, the significance and management of Georges Bay's remnant native oyster reefs, and water quality concerns in the Break O'Day River are being investigated. The Tasmanian Dairy Industry Authority (TIDA) engaged Council in management of dairy effluent, which affects our dairy farms at Pyengana in the George catchment, to better coordinate Environment Protection Authority, TIDA and local government regulatory roles. <i>27/10/2023</i>	Polly Buchhorn	-

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	31/12/23	→3.3.1.7 Lower George Flood Risks - Complete Impact Assessment Project with community to identify consequences and management options for likely changes in river course over the floodplain.	<b>Polly Buchhorn:</b> A consultant has been selected to appraise the impacts of different scenarios of river channel breakouts on the lower George River floodplain. Likely scenarios for river course changing have been identified and this work will involve stakeholder and community consultation to assess consequences and help identify risk management options <i>09/10/2023</i>	Polly Buchhorn	-
25%	01/07/2023	30/06/24	→3.3.1.8 Natural Resource Management Committee - Support activities of Committee to address objectives and priorities of the Environment and NRM Strategy and five (5) Year Action Plan.	<b>Polly Buchhorn:</b> Break O'Day Council NRM Special Committee meetings were held in June and September, including a field trip to investigate issues around the Scamander River mouth. <i>09/10/2023</i>	Polly Buchhorn	-
10%	01/11/2023	30/04/24	→3.3.1.9 Coastal Management - Work with community and government agencies on coastal issues such as shorebird conservation and off road vehicle management.	<b>Polly Buchhorn:</b> In the lead up to the summer season Council started working with community volunteers, PWS and others on shorebird breeding issues, such as a possible fairy tern nesting colony at Scamander and off road vehicle management, by coordinating their public education activities, breeding area protection and enforcement activities. <i>27/10/2023</i>	Polly Buchhorn	-
25%	01/07/2023	30/06/24	Strategy 3.4 Recognise and alleviate the issues and risks to the environment from our use and the risk to us from a changing environment (for example flood and fire). : 30 to 100		John Brown	-
25%	01/07/2023	30/06/24	→Key Focus Area 3.4.1 Climate Change - Understand, address and evaluate the challenges of climate change in Break O'Day and develop and implement mitigation strategies.	<b>John Brown:</b> Much of the activity in this KFA is linked to the northern region Councils project NTARC which is taking a regional approach and securing significant resources to progress activities. <i>27/10/2023</i>	Jake Ihnen	Polly Buchhorn



Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	→3.4.1.1 Climate Change Action Plan - Coordinate implementation of mitigation and adaptation priorities, including carbon emissions accounting, corporate risk and liability review, climate ready asset management and flood-safe land development.	<b>John Brown:</b> NTARC - Northern Tasmanian Alliance for Resilient Councils - has been launched and has a regional Program manager.  Activity by the new northern Councils climate action partnership, the Northern Tasmanian Alliance for Resilient Councils (NTARC), is increasing with a number activities in Break O'Day being organised for latter in 2023, including support from the regional initiative on priorities in Council's climate change Action Plan.  27/10/2023	Polly Buchhorn	Jake Ihnen
25%	01/07/2023	30/06/24	→3.4.1.2 Scamander Coastal Hazard and Flood Management - Implement first stage of coastal adaptation and flood risk mitigation and pathways planning project with community.	<b>David Jolly:</b> This project remains in its early stages, with to recruit coastal hazards / flood management expertise and initiate community engagement. This will be supported in November by an east coast workshop on coastal hazard strategy for local government, with CoastAdapt and NTARC (Northern Tasmanian Alliance for Resilient Councils) and looking at Scamander as a case study.  22/10/2023	Polly Buchhorn	David Jolly Jake Ihnen
25%	01/10/2023	30/06/24	→3.4.1.3 Activating Break O'Day - Communicate with the community, industry and governments to raise awareness of Climate Change challenges facing everyone and the strategies, cooperation needed and shared risks.	<b>Polly Buchhorn:</b> This activity is supported through a priority in Council's Climate Action Plan (3.4.1.1). Calls in the community to declare a 'climate emergency' have been addressed and are on-going.  09/10/2023	Polly Buchhorn	Jayne Richardson Jake Ihnen
25%	01/07/2023	30/06/24	→3.4.1.4 Responding to Climate Change - Participate in the Northern Councils Climate Change Action Partnership to develop local priorities and opportunities for climate change mitigation and adaptation projects locally and regionally.	<b>Polly Buchhorn:</b> A east coast workshop is being organised for the grant funded Climate Change / Community Health project being delivered state participated in the Tasmanian Government's Climate Change Risk Assessment northern workshop with other regional representatives.  09/10/2023	Polly Buchhorn	-

## INFRASTRUCTURE

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
21%	01/07/2023	31/07/23	Strategy 4.1 Be proactive infrastructure managers by anticipating and responding to the growing and changing needs of the community and the area. : 30 to 100		John Brown	-
21%	01/07/2023	30/06/24	<p>→ Key Focus Area 4.1.1 Community Facilities: Provide community facilities that encourage participation and supports the lifestyle of residents and growing visitor numbers.</p>	<p><b>David Jolly:</b> During the quarter, progress was made under the Key Focus Area (KFA). The initial review for the St Helens Foreshore Activation Plan has started, which involves a detailed examination of the existing Master Plans. These will be consolidated based on the outcomes from the Georges Bay Activation Strategy. Council officers are expected to continue this task in the next quarter.</p> <p>A Brief is being prepared to hire a landscape architect to develop a Master Plan for the St Helens Sports Complex. The Brief aims to address issues such as improving the visual appeal of the complex through paving, landscaping, and street furniture, and enhancing its attractiveness for the community and visitors. The plan is to retain existing vegetation where suitable and incorporate as many natural features as possible.</p> <p>A preliminary review of the Georges Bay Activation Strategy has also begun, with all relevant documents being collected.</p> <p>25/10/2023</p>	David Jolly	-
25%	01/07/2023	26/04/24	<p>→ 4.1.1.1 St Helens Sports Complex Master Plan - Engage a landscape architect to design connectivity between all users identifying what amenities are required to service this area and to address vegetation management.</p>	<p><b>Chris Hughes:</b> A Brief is currently being drafted to engage a landscape architect to develop a Master Plan for the St Helens Sports Complex by members of the Management Team. Issues that need to be addressed through the Brief but not limited to are improve the visual amenity of the St Helens Sports Complex such as paving, landscaping and street furniture and improve the attractiveness of the Complex for the community and visitors, whilst retaining the existing vegetation where appropriate and include as many natural features.</p> <p>23/10/2023</p>	Chris Hughes	David Jolly Jake Ihnen



Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	→4.1.1.2 Georges Bay Activation Strategy - Commence implementation of the Strategy in line with identified priorities.	<b>Chris Hughes:</b> We have commenced a preliminary review of this project sourcing all relevant documents. <i>24/10/2023</i>	Chris Hughes	David Jolly Jake Ihnen
10%	01/09/2023	30/06/24	→4.1.1.3 St Helens Foreshore Activation Plan - Complete a review of existing St Helens Foreshore Master Plans and consolidate taking into account the outcome of the Georges Bay Activation Strategy.	<b>David Jolly:</b> The initial review for the St Helens Foreshore Activation Plan, under item 4.1.1.3, has commenced. This review involves a thorough examination of existing St Helens Foreshore Master Plans, which will be consolidated in light of the outcomes from the Georges Bay Activation Strategy. Council officers responsible for this action are set to carry forward this task in the upcoming quarter.  <i>23/10/2023</i>	David Jolly	Chris Hughes
25%	01/07/2023	30/06/24	→4.1.1.4 Black Summer Bushfire Recovery (BSBR) Program: New Community Shed, Fingal - Undertake procurement processes and complete construction.	<b>Jake Ihnen:</b> Tender Package Developed and Tender Advertised. Scheduled for Project Commencement in November 2023 <i>09/10/2023</i>	Jake Ihnen	-
8%	01/07/2023	30/06/24	Strategy 4.2 Work with stakeholders to ensure the community can access the infrastructure necessary to maintain their lifestyle. : 30 to 100		John Brown	-
8%	01/07/2023	30/06/24	→Key Focus Area 4.2.1 Towns: Create townships that are vibrant and welcoming through improvements to infrastructure such as streetscapes, parking, safety and signage.	<b>John Brown:</b> Progress in this KFA has been slower than expected, partly due to a delay with the Cecilia Street project due to unanticipated issues. Other activities are moving slowly. <i>27/10/2023</i>	John Brown	-
10%	01/10/2023	30/11/24	→4.2.1.1 St Helens Streetscape - Undertake construction of the next stage of the St Helens Streetscape Project, the upgrade of The Esplanade / Cecilia Street road junction.	<b>David Jolly:</b> The project is to be fully funded under the Local Roads and Community Infrastructure Program - Phase 4. and involves the realignment of the current road junction, the provision of a pedestrian refuge island and footpath connectivity between the foreshore pathway and the new path in front of the Bayside Hotel. The project is scheduled to commence in the April - June quarter of 2024.  <i>23/10/2023</i>	David Jolly	-



Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
0%	01/07/2023	31/12/2	→4.2.1.2 Streetscape Design - Develop a streetscape design and costing for the northern end of Cecilia Street, St Helens.	<b>David Jolly:</b> The project was not started during the quarter ending September 2023 and will be progressed from late October. 22/10/2023	David Jolly	-
10%	01/07/2023	31/03/2	→4.2.1.3 St Marys Parking Strategy - Develop a car parking strategy for St Marys providing a long term plan for off-street parking.	<b>David Jolly:</b> A Base Parking Plan has been developed that highlights existing and potential future sites for off-street parking. The plan will be used to create the town's parking strategy. 22/10/2023	David Jolly	-
10%	01/07/2023	31/03/2	→4.2.1.4 St Helens Parking Strategy - Develop a car parking strategy for St Helens providing a long term plan for off-street parking.	<b>David Jolly:</b> A Base Parking Plan has been developed that highlights existing and potential future sites for off-street parking. The plan will be used to create the town's parking strategy. 22/10/2023	David Jolly	-
23%	01/07/2023	30/06/2	<b>Strategy 4.3 Develop and maintain infrastructure assets in line with affordable long-term strategies. : 30 to 100</b>		John Brown	-
31%	01/07/2023	30/06/2	→Key Focus Area 4.3.3 Recreational Facilities: Support an outdoor, active and healthy lifestyle for residents and visitors through a range of recreational facilities including walking trails, bike trails and other identified infrastructure.	<b>John Brown:</b> A large area of focus with progress being variable depending on timing of the activity. Critically progress is being made with the Flagstaff Pumptrack and the Binalong to St Helens pathway projects. 27/10/2023	John Brown	-
75%	01/07/2023	31/10/2	→4.3.3.1 St Helens to Binalong Bay Link - Update project cost estimates completing the project to a shovel ready stage and pursue funding opportunities to enable construction.	<b>David Jolly:</b> Project costs have been reviewed and updated to reflect 2023-2024 construction costs. The Management Team will review the revised Project cost before being provided to Councillors for information and discussion at the December 2023 Councillor workshop. 22/10/2023	David Jolly	-

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	→4.3.3.2 St Helens MTB Network - Work with The Collective and key stakeholders to examine opportunities to evolve the network to enhance its attractiveness.	<b>Raoul Harper:</b> A number of trail development projects have been proposed by the Trails Collective and other stakeholders.  No capital funding has been provided in the 2024FY for these works and the projects will require refinement this year for consideration by Council in the next budget estimates process.  04/10/2023	Raoul Harper	-
25%	01/07/2023	31/12/24	→4.3.3.3 St Helens MTB Flagstaff Pump Track - Undertake design and construct a pump track at the Flagstaff Trailhead.	<b>Raoul Harper:</b> A brief for the Flagstaff Pumptrack was developed with a MTB Industry Working Group.  This has now been included in our Tender documents which has been advertised and will close on 3 November 2023.  02/10/2023	Jayne Richardson	Raoul Harper
25%	01/07/2023	30/06/24	→4.3.3.4 Black Summer Bushfire Recovery (BSBR) Program: St Marys Recreation & Evacuation Building - Undertake procurement process and complete construction.	<b>Jake Ihnen:</b> Tender Package Developed and Tender Advertised. Scheduled for Project Commencement in November 2023  09/10/2023	Jake Ihnen	-
15%	01/07/2023	30/06/24	→4.3.3.5 Recreational Trails Strategy - Commence implementation of the outcomes of the Strategy including seeking external grant funding to commence activities listed in the Recreational Trails Strategy identified as a high priority.	<b>Chris Hughes:</b> Currently no funding has been applied for in relation to the projects identified in the Recreational Trails Strategy,  23/10/2023	Chris Hughes	Jayne Richardson
25%	01/08/2023	30/06/24	→4.3.3.6 Aquatic Facility - Develop a feasibility analysis of the potential project including community engagement and a review of the options for the establishment of a centre incorporating a swimming pool and hydratherapy pool	<b>Raoul Harper:</b> The first meeting is complete.  26/10/2023	Raoul Harper	-

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2022	30/12/22	→4.3.3.7 St Helens Pump Track - Complete engagement process for the siting and design of a pump track in St Helens, progress with design and construction.	<p><b>Jayne Richardson:</b> Community Consultation regarding this project has been completed.</p> <p>A community working group was established to support Council officers to determine a location and features of a pumptrack for St Helens.</p> <p>Together the working group and staff visited both the St Helens and St Marys Schools where they surveyed students. We also had the survey open online for approximately a month where it received 123 responses.</p> <p>These responses were then used to formulate a brief and determine a location. As the St Helens Foreshore was named up as a preferred location from community we have now paused this project while we undertake a Foreshore Master Plan.</p> <p>18/10/2023</p>	Raoul Harper	Jayne Richardson
19%	01/07/2023	30/06/24	→Key Focus Area 4.3.1 Roads and Streets: Develop a well-maintained road network that recognises the changing demands and requirements of residents and visitors.	<p><b>John Brown:</b> The focus on the St Marys Pass replacement has been an important area of attention as Council lobbies for this replacement. The Transport master Plan updating has not commenced.</p> <p>27/10/2023</p>	John Brown	-
25%	01/07/2023	30/06/24	→4.3.1.1 State Road Network - Pursue upgrades to State Government road infrastructure assets (Tasman Highway, Esk Main Road & Binalong Bay Road) to improve safety and reliability.	<p><b>David Jolly:</b> St Marys Pass - Feasibility Study: In August, the Department of State Growth advised that funding had been received to complete a feasibility study. A consultancy project brief was also drafted by the Department with Council Officers afforded the opportunity to review and comment. This advice was received post a meeting held in Hobart between the Department and Council Officers in March 2023, where a proposed greenfield route was presented by Councils Project Engineer. The study will investigate several route options and include a mix of existing State and Council Roads, and greenfield alignments. Draft and final feasibility reports are expected to be available to the Council by mid-2024.</p> <p>23/10/2023</p>	David Jolly	-



Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
15%	01/02/2023	30/04/2	→4.3.1.2 Blackspot Projects - Complete funded project at Circassian Street / Medea Street, St Helens, prepare submissions for funding where opportunities exist.	<b>David Jolly:</b> The project has been scheduled to commence in the April - June quarter of 2024. Originally planned to begin in Feb 2024, the project has been moved to the last quarter to align activity with the Georges Bay Esplanade/Cecilia Street junction upgrade and to create efficiencies for contractors. The planning activity has begun. 22/10/2023	David Jolly	-
0%	01/07/2023	30/04/2	→4.3.1.3 Transport Master Plan - Update the Transport Master Plan 2013-2018.	<b>David Jolly:</b> Activity has not started. 23/10/2023	David Jolly	-
35%	01/09/2023	30/06/2	→4.3.1.4 Road Asset Management Plan - Update the Plan based on new condition data and information.	<b>David Jolly:</b> Updated condition data for Councils sealed roads has been received and entered into the road asset database. The information will be used to establish revised maintenance and renewal priorities and the Road Asset Management Plan to be subsequently updated. 23/10/2023	David Jolly	Raoul Harper
20%	01/07/2023	30/06/2	→Key Focus Area 4.3.2 Waste Management - Provide access to affordable services and facilities that foster a circular economy approach to Waste Management.	<b>John Brown:</b> A key activity for the year ahead is the development of a Waste Management Strategy, initial steps have been taken and it will accelerate in the coming months. Scamander Inert Landfill activity is not scheduled to commence until early 2024. 27/10/2023	John Brown	-
25%	01/07/2023	30/06/2	→4.3.2.1 Waste Education - Undertake communication activities that foster the principles of Reduce, Reuse and Recycle.	<b>Jayne Richardson:</b> This will be an ongoing activity. Communications in this space to date include continued awareness about our single use plastics policy when groups hire council facilities. This year we launched the Week In The Life Of Council (WITLOC) which included taking the student participants to the St Marys Waste Transfer station where they learned what happens to our waste. 18/10/2023	Jayne Richardson	David Jolly

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	31/03/24	→4.3.2.2 Re-Use and Recycling Options – Investigate the feasibility and cost effectiveness to recover bulk rubble and clean materials and re-use in civil construction activity.	<b>David Jolly:</b> Activity is in progress. Concrete ex-building foundation and old kerb and channel are currently being stockpiled at the St Helens WTS for future crushing and re-use as pavement material. A similar volume of concrete is required to be viable and compete with quarrying and crushing gravel. It is expected that at the current rate of disposal at the WTS, the Council may undertake a crushing run every 5 to 7 years. 22/10/2023	David Jolly	-
25%	01/07/2023	31/12/24	→4.3.2.3 Northern Tasmania Waste Management Group - Participate at a regional level to develop and implement the Northern Tasmanian Waste Management Group five (5) year strategic plan.	<b>David Jolly:</b> The Council-Manager Infrastructure and Development Services Manager attends each NTWMP and strategy meeting chaired by NRM-North and provides input and review of the strategy development as required. The strategy is currently being drafted. 22/10/2023 22/10/2023	John Brown	David Jolly
25%	01/07/2023	30/06/24	→4.3.2.4 State Waste Action Plan – Participate at a regional level to progress resource recovery initiatives that support and drive a Circular Economy.	<b>David Jolly:</b> The council collects and participates in the product stewardship program for e-waste, paint buy-back and waste oil. We are assessing the collection process and cost of placing small battery collection bins at each WTS and the reintroduction of the Drum Muster Program for the collection of chemical containers from farm operations. 22/10/2023	David Jolly	-
0%	01/04/2023	30/06/24	→4.3.2.5 Scamander Inert Waste Landfill - Complete development of the Scamander Waste Transfer Station as an Inert Landfill Site and commence operations.	<b>David Jolly:</b> This activity is scheduled to commence in April 2024. 22/10/2023	David Jolly	-



Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	→4.3.2.6 Container Deposit Scheme – Partner with State Government endorsed CSR Network operators for the establishment of a receiving site at St Helens.	<p><b>David Jolly:</b> The Tasmanian Government has announced it will deliver a Container Refund Scheme in 2024, an initiative to increase recycling, reduce landfills and reward Tasmanians for participating. The council has yet to receive advice on how the scheme would operate in the BoD municipality.</p> <p>22/10/2023</p>	David Jolly	-
25%	01/07/2023	31/03/25	→4.3.2.7 Scamander Waste Compactor - Prepare a funding submission for the replacement of the Scamander WTS waste compactor in 2024 / 2025.	<p><b>David Jolly:</b> Options associated with replacing the waste compactor at the Scamander WTS have been considered in discussion with Southern Waste Solutions (the owner of the compactor and the Copping landfill operator).</p> <p>The compactor is approaching the end of its operating life. It is a critical plant item needed to compact waste for transport to the Copping landfill and minimise transport costs.</p> <p>Future options are being assessed from an operational and cost-benefit perspective, and the funding quantum needed to progress the replacement. This is a high-priority project for the Council.</p> <p>22/10/2023</p>	David Jolly	-

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
10%	01/07/2023	31/05/24	<p>4.3.2.8 Waste Management Strategy - Develop a Waste Management Strategy to guide Council's operations and overall direction including infrastructure, service delivery and circular economy approach.</p>	<p><b>David Jolly:</b> The development of a Municipal Waste Management Strategy in part relies along the finalization of the regional waste strategy that is aligned with the State Waste Strategy. During the June-September quarter, Council's Manager Infrastructure &amp; Development Services has participated in the development of the Northern Tasmanian Waste Management Partnership Strategic Plan 2023-2028. The plan under development will align with the State "Tasmanian Waste and Resource Recovery Strategy 2022-2025". The current draft of regional plan is built upon five priority areas, Resource Management, regional Planning, Circularity, Partnerships and Education and is expected to be finalised in the next quarter with regional actions to cascade into individual Council strategies.</p> <p>Aside from the regional activity, Council has identified waste management challenges at a local level and is currently investigating affordable options in relation to the replacement of the waste compactor at Scamander, waste transport efficiencies and future needs associated with the collection and disposal/recovery of kerb-side waste streams.</p> <p>23/10/2023</p>	David Jolly	-

## SERVICES

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
0%	01/07/2020	01/07/2023	Strategy 5.1 Improve accessibility to a range of quality services and programs by advocating and pursuing for local delivery. : 30 to 100		John Brown	-
27%	01/07/2020	30/06/23	→Key Focus Area 5.1.1 Youth - Understand the needs of Break O'Day young people to better support and advocate for them.	<p><b>John Brown:</b> Good solid progress has been occurring in this area, flexibility in approach has been needed due to other activities and processes happening in the community which Council staff are participating in but do not have any degree of control.</p> <p>27/10/2023</p>	Chris Hughes	-
25%	01/07/2020	30/06/23	→5.1.1.1 YCNECT & Council – Establish a youth voice to Council, learning the functions of Local Government and how to influence Council decisions. Work in partnership with YCNECT and support youth network meetings in Break O'Day.	<p><b>Leah Page:</b> The Week in the Life program gave a small group of students from St Marys District School a chance to learn more about how Council functions.</p> <p>Council continues to co-host quarterly meetings with YCNECT to understand the needs of and opportunities to engage with young people.</p> <p>Council is currently participating in forums to understand the Child and Youth Safe Organisations Framework to inform our work with young people.</p> <p>23/10/2023</p>	Leah Page	Jenna Barr
30%	01/07/2020	30/05/23	→5.1.1.2 Youth Strategy - Co-Design a Youth Strategy with the community for Break O'Day.	<p><b>Leah Page:</b> Council agreed to adjust the goal to develop a community youth strategy to a goal of developing a community vision or commitment statement together with youth stakeholders. Council does not have the resources or capacity to develop and implement a youth strategy informed by youth engagement at this time. Council has been working well with youth stakeholders and understands that there are new frameworks and programs for youth in Break O'Day. Now is a good time for all youth stakeholders to work together to ensure the ways we work with young people are clear, and where beneficial coordinated, to ensure stakeholders can provide opportunities and support for youth that work best for Break O'Day. Council continues to meet with youth stakeholders to progress this revised outcome.</p> <p>23/10/2023</p>	Chris Hughes	Leah Page



Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/2	→5.1.1.3 THRIVE - Work with the community to reform THRIVE to deliver activities which benefit the community.	<b>Chris Hughes:</b> There have been no meetings of the committee of THRIVE to date. 23/10/2023	Chris Hughes	Leah Page
27%	01/07/2023	30/06/2	→Key Focus Area 5.1.2 Health and Mental Health - Improve health and mental health outcomes by ensuring programs reflect community needs and are accessible and inclusive.	<b>John Brown:</b> The reinvigoration of the Health Service Provider network has been a standout activity which is greatly appreciated by stakeholders and service providers. 27/10/2023	John Brown	-
25%	01/07/2023	26/04/2	→5.1.2.1 Local Services - Strengthen relations with Royal Flying Doctor Service (RFDS) to ensure the number of services to be delivered within our community continues to grow.	<b>Chris Hughes:</b> Council staff continue to engage with Royal Flying Doctors Service workers to ensure that services are continuing to be delivered within our community and where possible partner with them at events for the community. 23/10/2023	Chris Hughes	-
30%	01/07/2023	30/06/2	→5.1.2.2 Mental Health - Participate in networks and activities to advocate for, and support delivery of, mental health initiatives and outcomes for our community.	<b>Leah Page:</b> Council is represented on the Live4Life partnership group and attends monthly meetings. Council is presented on the Mental Health Week Planning Committee of the Mental Health Council of Tasmania. Council is a member of the Mental Health Professionals Network. 23/10/2023	Leah Page	Chris Hughes
25%	01/07/2023	30/06/2	→5.1.2.3 Leadership and Advocacy - Provide local leadership, advocacy and connection for service providers and community on health, mental health and wellbeing to ensure provision of services reflects community needs.	<b>Leah Page:</b> The Health and Social Services Network meets quarterly and then receives an electronic newsletter. This network is providing connection and identifying health and wellbeing needs, gaps and opportunities. 23/10/2023	Chris Hughes	Leah Page Jenna Barr
0%	01/07/2023	01/07/2	Strategy 5.2 Work collaboratively to ensure services and service providers are coordinated and meeting the actual and changing needs of the community. : 30 to 100		John Brown	-
20%	01/07/2023	30/06/2	→Key Focus Area 5.2.1 Education Skills and Training - Improve employment pathways and outcomes and greater personal development through delivery of programs locally which meet the needs of Industry and the community.	<b>John Brown:</b> Activity in this area is primarily linked to BODEC. The investigation of a Study hub concept is an increasing focus in a few different areas and is likely to appear as an activity as the year progresses. 27/10/2023	John Brown	-

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	→5.2.1.1 Skills Delivery - Work with Break O'Day Employment Connect (BODEC) in relation to the delivery of skills training needed to support job seekers and industry.	<b>Erica McKinnell:</b> In the first quarter Break O'Day Employment Connect (BODEC) facilitated a Work & Training information session in conjunction with Council's Environmental Health Officer, promoting the new training requirements for Food Safety Supervision to local food businesses.  The BODEC team have also been working hard in supporting training organisations with delivering industry specific training in Break O'Day. 20/10/2023	John Brown	Erica McKinnell
15%	01/07/2023	30/06/24	→5.2.1.2 Trade Training Centre - Work with stakeholders and local High Schools to establish a range of Vocational Education & Training (VET) programs and other training delivery in line with the intended purposes of this Centre.	<b>John Brown:</b> Work with the Trade Training Centre has been limited to connection through BODEC. A larger conversation is likely relating to a Study Hub concept which will incorporate the TTC activities. 26/10/2023	John Brown	-
17%	01/07/2023	30/06/24	→Key Focus Area 5.2.2 Access and Inclusion - Foster a culture of inclusion within our community by facilitating equitable access to opportunities, information and services.	<b>John Brown:</b> The key activity in this KFA is the development of a Reconciliation Action Plan which will be occurring early in 2024. Other activities are occurring as planned. 27/10/2023	John Brown	-
25%	01/07/2023	30/06/24	→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.	<b>Leah Page:</b> The Health and Social Services Network and e-news, and the Festival of Wellbeing create spaces and opportunities for community and service providers to be seen and feel valued. Council continues to support and partner with other programs and opportunities as they arise too. The Live Well Live Long program is one example of supporting services and community to connect. Council continues to support the development of programs and activities in our community by our community as capacity allows. 23/10/2023	Chris Hughes	Leah Page Jenna Barr



Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	→ 5.2.2.2 Equitable Access - Advocate for, support, and facilitate to improve access to services, information and opportunities.	<p><b>Leah Page:</b> Council continues to advocate for accessible, inclusive opportunities. This includes taking an access and inclusion lens to our work and supporting others to do the same. We recently welcomed representatives of the Access and Inclusion Committee to our Health and Social Services Network.</p> <p>The community services pages of Council's website were reviewed and updated to improve information accessibility.</p> <p>A how to find information in Break O'Day booklet was produced in easy read format and was distributed at the Festival of Wellbeing and is available to new residents.</p> <p>23/10/2023</p>	Chris Hughes	Leah Page Jenna Barr
0%	01/07/2023	30/06/24	→ 5.2.2.3 Reconciliation Action Plan - Work with Reconciliation Tasmania to develop a Local Reconciliation Action Plan for Break O'Day.	<p><b>Chris Hughes:</b> Council has approved funding for the development of a Reconciliation Action Plan. This is proposed to commence in early 2024.</p> <p>23/10/2023</p>	Chris Hughes	Leah Page Jenna Barr
0%	01/07/2023	30/06/24	Strategy 5.3 Ensure Council services support the betterment of the community while balancing statutory requirements with community and customer needs. : 30 to 100		John Brown	-

## 2023 - 2024 CORPORATE PLANNING ACTIVITIES PLAN

### FINANCIAL ACCOUNTABILITY

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
28%	01/07/2023	30/06/24	<b>Financial Management</b>		Raoul Harper	-
25%	01/07/2023	30/06/24	→ <b>Audit Panel</b> - Meetings facilitated in accordance with legislative requirements, responding to all recommendations of the Panel.	<b>Raoul Harper:</b> First Audit Panel meeting complete. 24/10/2023	Raoul Harper	-
15%	01/02/2023	30/04/24	→ <b>Long Term Financial Plan (LTFP)</b> - Refine the Long Term Financial Plan (LTFP) and the four (4) year Capital Works & Projects Budget.	<b>Raoul Harper:</b> Data has now been received from IMG. Detailed review of this data will inform the refinement of asset management plans, capital works programs and the LTFP. 26/10/2023	Raoul Harper	David Jolly
10%	01/07/2023	30/06/24	→ <b>Internal Audit</b> - System audits scheduled are completed, recorded, reported and implemented for Cyber Security, Risk Management and IT.	<b>Raoul Harper:</b> Risk management audit is in the scoping stage. 26/10/2023	Raoul Harper	Angela Matthews
5%	01/07/2023	30/06/24	→ <b>Contracts and Service Level Agreements</b> - Review existing contractual arrangements and establish where necessary Contracts and Service Level Agreements for all key contractors including Financial and IT Services.	<b>Angela Matthews:</b> Information currently being collated for SLA's for financial services and IT. 23/10/2023	Angela Matthews	Raoul Harper
100%	01/07/2023	31/10/24	→ <b>Community Grants Program</b> - Undertake a review of the Community Grants Program and Guidelines.	<b>Raoul Harper:</b> Review complete. 02/10/2023	Chris Hughes	Raoul Harper
15%	01/07/2023	30/06/24	→ <b>Depreciable Lives</b> - Undertake a review of depreciable lives for all assets and report as required to Audit Panel and General Manager.	<b>Raoul Harper:</b> IMG data has now been received and a briefing session on the data is complete. The functionality of the data to refine useful lives and depreciation will be further explored in the period ahead. 27/10/2023	Angela Matthews	Raoul Harper
21%	01/07/2023	31/07/24	<b>Financial Sustainability</b>		Raoul Harper	-

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
9%	01/07/2023	30/06/24	→ Grant Funding- Secure grant funding through competitive processes totaling \$250,000 which assists Council to achieve its identified priorities with an overall success rate of 75%.	<b>John Brown:</b> Grant funding secured for the 2023 - 2024 financial year to date is as follows: • Mental Health Week - \$1,800 • Learner Driver Mentor Program - \$19,640 26/10/2023	Angela Matthews	-
25%	01/07/2023	30/11/24	→ Revenue Generation - Identify opportunities to generate alternative revenue sources and secure a better return on the Cash holdings of Council.	<b>Raoul Harper:</b> Investment returns continue to be high. The restructured approach to term deposit investment is on target to deliver the estimated budget target. 27/10/2023	Raoul Harper	-
20%	01/07/2023	30/06/24	→ Value for Money Reviews - Undertake reviews of operational activities to identify revenue opportunities, cost savings of \$40,000.	<b>Raoul Harper:</b> Value for money reviews are discussed at each management meeting. 27/10/2023	Raoul Harper	-
33%	01/02/2023	30/03/24	→ Urban Stormwater Charge - Undertake modelling and report to Council on the introduction of an urban stormwater charge.	<b>Raoul Harper:</b> Urban storm water districts are mapped and further modelling is being completed. 27/10/2023	Raoul Harper	-
15%	10/01/2024	30/03/24	→ Rates and Charges - Undertake a detailed review of the Rates and Charges Policy.	<b>Raoul Harper:</b> A revised Rates and Charges Policy was approved in 2022. A further review will occur in January 2024. 27/10/2023	Raoul Harper	-
25%	01/07/2023	30/11/24	→ Waste Transfer Station (WTS) Operational Analysis - Undertake an analysis of the operation of Council's WTS including costs and extent of cost recovery.	<b>David Jolly:</b> Preliminary analysis commenced. 13/10/2023	David Jolly	-



## HUMAN RESOURCES / TRAINING/ WORK HEALTH & SAFETY

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	Elected Members		John Brown	-
25%	01/07/2023	30/06/24	Professional Development - Facilitate participation of Councillors in Professional Development through the program being developed by the Local Government Division and the development of a training plan for individual Councillors.	<p><b>John Brown:</b> General Manager participates in the working group developing the Councillor Learning and Development Framework. Councillors are being encouraged to complete the modules as they are released.</p> <p>Policy in relation to Councillor Professional Development is currently being reviewed to bring into line with the direction which is being developed at the State level</p> <p>26/10/2023</p>	John Brown	Molli Brown
65%	01/07/2023	31/07/24	Council Advocacy		John Brown	-
90%	01/07/2023	31/12/24	State Budget - Provide a submission to the 2024 - 2025 State Budget community consultation process advocating for local priorities.	<p><b>John Brown:</b> Priorities for the 2024-25 have been developed and finalised with Council. Submission preparation well advanced.</p> <p>26/10/2023</p>	John Brown	-
40%	01/07/2023	30/06/24	Federal and State Elections - Identify and develop list of projects which will be lobbied for in forthcoming election campaigns.	<p><b>John Brown:</b> State Election priorities have been developed in draft form for consideration by Council at the October Council meeting. Federal Election priorities are being developed into a draft form for Council consideration</p> <p>26/10/2023</p>	John Brown	-
63%	01/07/2023	30/06/24	Wellbeing Program		Leah Page	-
100%	01/07/2023	30/06/24	Workplace Wellbeing - Finalise and implement a Mental Health and Wellbeing Plan for Council staff that creates a mentally safe workplace.	<p><b>Leah Page:</b> Council's Mental Health and Wellbeing Plan has been adopted.</p> <p>23/10/2023</p>	Leah Page	Erica McKinnell Simone Ewald-Rist

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/2024	Employee Wellbeing – Consult with workers to identify and implement actions to support wellbeing and a mentally safe workplace in accordance with the Mental Health and Wellbeing Plan and the People Matter Survey.	<p><b>Erica McKinnell:</b></p> <p>In 2022 Council implemented a People Matter Survey (an employee perception survey that is conducted annually across Break O'Day Council). The survey process provides people with a safe space to make suggestions, which could contribute to a better workplace, culture, teamwork, communication, work practices and environment. It also provides Council with important information and insights on workplace experiences, employee satisfaction and engagement.</p> <p>From the survey process, a report was generated which included people's voices, themed in to recommended actions for Council to implement.</p> <ul style="list-style-type: none"> <li>• Implementation of Performance Review and Management system,</li> <li>• Recruit younger people,</li> <li>• Future roles might need to evolve,</li> <li>• Structural Reshuffling and Service Delivery Standards, and</li> <li>• Continuously improve on our relationship with the community to increase awareness of what we do.</li> </ul> <p>In the first quarter for 2023/2024 financial year, a reporting back document was sent to all staff letting everyone know where Council has made improvements in planning for training and development, changing the strategy of recruitment by looking within our team first, designing an Employee Review and Development system and creating an annual project called a Week in the Life of Council (WITLOC) where School students spent a week with Council promoting who we are, what we do, careers that exist locally and what Council is responsible for.</p> <p>05/10/2023</p>	Leah Page	Erica McKinnell Simone Ewald-Rist
25%	01/07/2023	30/06/2024	Workforce Development		John Brown	-



Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	→ <b>Employee Development</b> - Develop and implement departmental programs that support employee development through the people matter survey process.	<b>John Brown:</b> In the first quarter for 2023/2024 financial year the following training programs have been delivered or scheduled: <ul style="list-style-type: none"> <li>• Communication and Conflict workshop with Caroline Dean</li> <li>• Cyber Security - TasTafe</li> <li>• Influential Leadership - SCALA</li> <li>• Mental Health First Aid</li> </ul> 26/10/2023	Erica McKinnell	-
25%	01/07/2023	30/06/24	→ <b>Review Processes</b> - Develop and implement an Employee Review & Development system for Council's workforce.	<b>Erica McKinnell:</b> Employee Review and Development Plan template has been drafted and is currently being tested, prior to implementation. 05/10/2023	Erica McKinnell	-
25%	01/07/2023	31/12/24	→ <b>Psychosocial Safety</b> - Develop and build our approach within the workplace responding to this change to Work Health and Safety (WHS).	<b>Erica McKinnell:</b> Current advice is Psychosocial risk factors and mitigation are to be integrated in to current WHS forms and procedures for physical injuries. 05/10/2023	Erica McKinnell	-

## CORPORATE RISK

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
12%	01/07/2023	30/06/24	<b>Risk Management/Work Health &amp; Safety</b>		Raoul Harper	-
20%	01/07/2023	30/06/24	→ <b>Risk Register Review - Review risk register twice a year for high risks, annually for all others.</b>	<b>Simone Ewald-Rist:</b> The Risk Register is reviewed on an ongoing monthly basis by the Goal/Risk Owners. As of 1 September 2023, all goals were updated. 379 Goals are now listed on the risk register, and 99% of Goal completion was achieved.  Reviews are scheduled next for 29 September 2023. <i>12/09/2023</i>	Simone Ewald-Rist	-
10%	01/07/2023	30/06/24	→ <b>Workplace Safety - Ensure that Risk Management processes identify and manage psychological risk.</b>	<b>Simone Ewald-Rist:</b> Amendment of existing Policy and Procedure to develop new guidelines and framework. Ongoing process. <i>12/09/2023</i>	Simone Ewald-Rist	-
5%	01/10/2023	31/02/24	→ <b>Risk Management Framework - Undertake an external review of Risk Management.</b>	<b>Raoul Harper:</b> An assessment of previous proposals is complete. Quotations will be sought in the coming period. <i>27/10/2023</i>	Raoul Harper	-

## ORGANISATIONAL EFFICIENCY

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	30/06/24	<b>Local Government Reform</b>		John Brown	-
25%	01/07/2023	30/06/24	→ <b>Local Government Reform - Participate actively in the Future of Local Government Review process with a focus on achieving the best outcome for the Break O'Day area.</b>	<b>John Brown:</b> Extensive community consultation was undertaken in July 2023 and included with Council's submission which articulated an argument for an East coast council to be considered 26/10/2023	John Brown	-
25%	01/07/2023	30/06/24	→ <b>Northern Region Shared Services - Pursue joint procurement opportunities involving Northern Region Councils.</b>	<b>John Brown:</b> Legal Services arrangements are ongoing and due for review in the near future. Discussions are occurring in relation to Asset Management and areas of workforce shortage 26/10/2023	John Brown	-
15%	01/07/2023	30/06/24	<b>Break O'Day Organisation</b>		John Brown	-
5%	01/07/2023	31/12/23	→ <b>Service Delivery Review Development Services - examine the opportunity to undertake a service delivery review focused on development related systems and processes following implementation of PlanBuild.</b>	<b>Erica McKinnell:</b> Awaiting learnings and outcomes from the Works Services Delivery Review 05/10/2023	Jake Ihnen	Erica McKinnell
25%	01/07/2023	31/03/24	→ <b>Works Department Service Delivery Review - Review and implement the outcomes of the Review with a focus on addressing succession requirements and an ageing workforce.</b>	<b>David Jolly:</b> The Services Review is presently centered on addressing the recommendations made in two key areas. The first is Team Structures, with a focus on optimising them for improved service delivery. The second area is Plant Replacement, where the aim is to ensure that the replacements are fit for purpose. These targeted efforts are crucial in enhancing the efficiency and effectiveness of the services provided. 23/10/2023	David Jolly	Erica McKinnell
18%	01/07/2023	31/07/24	<b>Management Systems</b>		John Brown	-
0%	01/07/2023	30/06/24	→ <b>Cascade - Progress with implementation of the Project Management Plan within Cascade.</b>	<b>Angela Matthews:</b> The implementation of Project Management within Cascade has not yet commenced due to conflicting priorities and lack of time. 26/10/2023	Angela Matthews	-



Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/07/2023	31/03/24	→ PlanBuild - Carry out live testing and implementation of State Government PlanBuild Project.	<b>Jake Ihnen:</b> As the Tasmanian Planning Scheme is now in place for Break O Day, PlanBuild functionality is now available to the public for general enquiries. Council is currently undertaking some testing in relation to the rollout for further functionality such as online submission of development applications, tracking and assessments. 26/10/2023	Jake Ihnen	-
30%	01/09/2023	31/11/24	→ Software Systems - Transition from PropertyWise to CouncilWise and implement improvements to rating and property related procedures and processes.	<b>Raoul Harper:</b> Purchase Order in place, implementation schedule agreed and training sessions scheduled. 02/10/2023	Raoul Harper	Angela Matthews
0%	01/07/2023	30/06/24	<b>Customer Service</b>		Raoul Harper	-
0%	01/07/2023	30/06/24	→ Access to Information - Ensure staff understand where they and customers can access Council information.		Jayne Richardson	-
10%	01/07/2023	30/06/24	→ Customer Service - Implement, monitor and report on "Closing the Loop" process to guide processes and options for improving customer service.	<b>Angela Matthews:</b> Processes have been implemented for the 'Closing of Loop' and follow up calls and emails have commenced. Unfortunately this has been a little slower than expected due to staff being required for other tasks/training, etc. 23/10/2023	Angela Matthews	Rebecca Wood
17%	01/07/2023	31/07/24	<b>Asset Management</b>		David Jolly	-
0%	01/07/2023	30/06/24	→ System Refinement - Develop and Refine Asset Management System including integration of all Council assets.	<b>David Jolly:</b> Activity has not commenced. 13/10/2023	David Jolly	Raoul Harper

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
25%	01/11/2023	31/03/24	→ Asset Management Plan - Review the Asset Management Plan and revise where required to align with the parameters of the Long Term Financial Plan (LTFP) and the Financial Management Strategy.	<p><b>David Jolly:</b> The Council is currently prioritizing the update of its Roads &amp; Footpaths and Stormwater Asset Management Plans. This update is a prerequisite to the revision of the Strategic Asset Management Plan, which will be aligned with the Council's Long Term Financial Management Plan.</p> <p>The team assigned to this task has already initiated the update process for the Storm Water Asset Management Plan. Following this, they will proceed with the update of the Road asset management plan, incorporating the review of condition data provided by an external consultant.</p> <p>Furthermore, AusSpan was engaged during the quarter to conduct the annual inspection of bridge assets and to refresh our Bridge Management System. The updated asset information derived from this process will be factored into the next revision of the Long-Term Financial Plan.</p> <p>23/10/2023</p>	Raoul Harper	David Jolly
25%	01/09/2023	30/06/24	→ Stormwater System Management Plan - Review the 2019 Plan and integrate urban drainage into Plan providing a five (5) year investment and renewal program.	<p><b>David Jolly:</b> Significant progress was made in the last quarter. The stormwater asset register has been reviewed and updated by Council officers. This update included the addition of newly developed stormwater assets, which are linked to recent subdivision projects and the Council's capital works program. Currently, financial data is being updated to reflect these changes. This process involves careful error checking before the finalisation of the asset plan. This approach will ensure the accuracy and reliability of the asset register, which is crucial for effective planning and decision-making.</p> <p>23/10/2023</p>	David Jolly	Raoul Harper
25%	01/07/2023	30/06/24	Public & Environmental Health		Jake Ihnen	-



Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
50%	01/07/2023	31/12/2	→New Municipal By-Law - Progress development and implementation of Municipal By-Law which controls animals, waste disposal site controls and caravans within the Municipality.	<b>Jake Ihnen:</b> The Public Exhibition of the Draft By-Law is currently underway and closes on Friday 6th October 2023 for public submissions. A report will be presented at a future Council meeting which provides a response to the submissions received prior to final adoption. <i>26/10/2023</i>	Jake Ihnen	Anna Williams
0%	01/07/2023	30/06/2	→Food Premises - Deliver a regular program of Food Premises inspections.	<b>Jake Ihnen:</b> Council's Newly Appointed Environmental Health Officer has commenced, and we are now rolling out scheduled inspections across the municipality. <i>26/10/2023</i>	Jake Ihnen	-
25%	01/10/2023	30/04/2	→Water Quality Monitoring - Undertake monitoring and reporting in recreational waters.	<b>Jake Ihnen:</b> Water Quality testing will commence shortly through the swimming period and reported within Council Public Meeting agenda. <i>26/10/2023</i>	Jake Ihnen	-
25%	01/07/2023	31/07/2	Stakeholder Management		John Brown	-
25%	01/07/2023	30/06/2	→Local Government Association of Tasmania (LGAT) and Australian Local Government Association (ALGA) - Participate actively at the State and National level in Local Government matters including policy development.	<b>John Brown:</b> Participation in LGAT and ALGA activities is significant with Mayor Tucker being the LGAT President resulting in him participating in a range of activities and groups at the State and national level. Motion submitted to the November General Meeting of LGAT <i>26/10/2023</i>	John Brown	-
25%	01/07/2023	30/06/2	→Northern Tasmania Development Corporation (NTDC) - Participate in NTDC activities focused on developing the regional economy.	<b>John Brown:</b> Participation in NTDC activities has been led by the Mayor and general Manager; specific actions have included submitting projects to the Regional Priority Projects process and attendance at the Regional Collaboration Forum on 20/9/23. <i>26/10/2023</i>	John Brown	-
25%	01/07/2023	30/06/2	→Legislative Reviews - Participate in reviews of legislation affecting Local Government.	<b>John Brown:</b> Participation in Legislative reviews has included the following: <i>26/10/2023</i>	John Brown	-
100%	01/07/2023	31/07/2	Emergency Management		John Brown	-

Curre...	Start ...	Du...	Goal	Update	Owner	Co-own...
100%	01/07/2023	31/08/23	Municipal Emergency Management Plan - Adopt the Plan in line with the Tasmanian Emergency Management Plan.	<b>Chris Hughes:</b> The Break O'Day Municipal Emergency Management Plan has been adopted by the Commissioner of Police and is current for a two year period. 23/10/2023	Chris Hughes	-

ACTION	DISCUSSION
PROPONENT	Council Officer
OFFICER	John Brown, General Manager
FILE REFERENCE	039\002\008\
ASSOCIATED REPORTS AND DOCUMENTS	Consultation Paper – Tasmania Fire and Emergency Service Bill

**OFFICER'S RECOMMENDATION:**

That Council provide feedback to the draft *Tasmania Fire and Emergency Service Bill* based on the points identified below.

**INTRODUCTION:**

The Tasmanian Government has released the draft *Tasmania Fire and Emergency Service Bill* which amongst other things, establishes the Tasmanian Fire and Emergency Service (TFES). The Bill also includes a new funding model which is the focus of this discussion.

**PREVIOUS COUNCIL CONSIDERATION:**

Nil

**OFFICER'S REPORT:**

On 28 September 2023, the State Government released the draft *Tasmania Fire and Emergency Services Bill*, which included a new funding model. The funding model proposes a “simple, fair and sustainable model” to fund the fire and emergency services in accordance with the recommendation from The Blake Review, and feedback on the Treasury Options Paper.

The proposed funding model in the TFES Bill:

- abolishes the Insurance Fire Levy,
- simplifies the **property-based levy** (currently known as the Fire Service Contribution, which is collected via council rates), and
- continues the existing **Motor Levy** in its current form but extends it to include motorcycles.

The new Fire and Emergency Service Levy will be calculated using a property's Assessed Annual Value (AAV) multiplied by the relevant land classification rate and will continue to be collected via Council rates just like the current Fire Levy.

Section 50 of the Bill determines the Treasurer will publish the AAV rate determination for each land classification by 31 May for the financial year starting 1 July in that year.

The Consultation Paper released by the State Government provides two options:

- Option 1 – set a single rate across Tasmania, or

- Option 2 – set a two-tiered rate across Tasmania depending on whether you live in a rural or urban area.

Council officers have reviewed the information which has been provided and participated in the online presentation provided by the Department of Premier and Cabinet. The following points are noted:

#### Overall Approach

1. Fully support an appropriately funded and resourced TFS and SES
2. There seems to be a focus on rural communities paying for large fires which are occurring on Crown Land and Forestry Plantations – what contribution is the State Government making?
3. Volunteer Brigade communities are different to Urban Brigade communities, the response time is quite different and the quality and level of equipment is also quite different – there needs to be a differential in the Levy.
4. What's the value proposition for ratepayers? If costs are to increase, then the State needs to explain how service standards will be improved in line with the cost increases proposed.
5. Under the two models, what specific benefits would our community receive from each one? It appears it's not about service levels, far more focused on achieving a given amount of revenue. So regardless of the model and revenue raised, service standards remain much the same.
6. Clarification that full responsibility for SES resourcing will now shift to the State Government and local Councils will no longer be responsible for funding and providing infrastructure to local SES Units.
7. What is the State Government going to do to communicate and sell these changes to the Tasmanian community? Once again Local Government is going to be attacked by the community over this and wear the brunt of dealing with the complaints. The State Government agencies have an extremely poor track record of dealing with this situation.
8. How will the State Government ensure that Insurance companies provide a premium reduction reflective of the Fire Levy appearing on Insurance policies?

#### Funding Model

1. Lack of information on the Total Revenue take under the different models compared to current situation.
2. We support a differential model reflecting the Rural and Urban distinction.
3. Why don't the State Government use the same revenue raising powers as they use for Land Tax to levy this themselves.

#### Proposed Model Implementation

1. TFS maps defining the current levy model for the different fire levy types are outdated and difficult to obtain.
2. Relying on the Valuer-General land use codes to apply the correct levy – Break O'Day currently has ratepayers using the sheds erected on their blocks as part time sheds or residences – the Valuer-General applies a vacant land use code. The cost to defend these structures would be comparable to defending a residence but they would not be paying a levy that reflects this cost. The same will apply to vacant blocks with caravans with amenity sheds.

3. Council will be relying on the Valuer-General land use codes to identify the levy – not always up to date information and the only way to identify urban and rural is R1 = Urban  
- R5 = Rural.

Council officers have also taken the opportunity to examine what the impact of the two Models are in relation to a few sample properties.

#### **St Helens Residence**

Current	\$66.09	
Model 1	\$186.28	181.9% increase
Model 2	\$111.77	69.1% increase

#### **St Helens Commercial**

Current	\$194.16	
Model 1	\$1302.60	570.9% increase
Model 2	\$1422.85	632.8% increase

#### **Industrial – St Helens Industrial Estate**

Current	\$158.11	
Model 1	\$1,426.05	801.9% increase
Model 2	\$1,515.18	858.3% increase

As stated above, State Government agencies have a very poor record when it comes to communication in general and once a decision is made, it will be local Councils who will feel the brunt of the community's anger as it will be on our Notice of Rates & Charges. No matter the explanation provided, the State Government will not be dealing with the large number of complaints and queries from ratepayers, Council staff in the first instance will be dealing with this.

Council's response to the consultation process needs to be provided by 1 December 2023.

#### **STRATEGIC PLAN & ANNUAL PLAN:**

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

##### *Achieving the Vision*

##### **Leadership/Ownership – Council Role**

- We will be visionary and accountable leaders who advocate and represent the views of our community in a transparent way.
- We will make decisions for the greater good of Break O'Day by being accessible and listening to our community.

##### Break O'Day Annual Plan 2023-2024

##### *Management Team Objectives – Stakeholder Management*

Legislative Reviews - Participate in reviews of legislation affecting Local Government.



**LEGISLATION & POLICIES:**

N/A

**BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

Nil

**VOTING REQUIREMENTS:**

Simple Majority

## What is changing?

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**The new Tasmania Fire and Emergency Service Bill provides the flexibility and adaptability required for legislation to remain contemporary and more efficient to administer. This is critical for an emergency service organisation.**

### **The Bill enables the following reform:**

- The Tasmania Fire Service (TFS) and the State Emergency Service (SES) will formally unite to become the Tasmania Fire and Emergency Service (TFES).
- Importantly, our fire and emergency service workers will still be easily identifiable as they will continue to proudly wear their respective TFS and SES uniforms.
- The new TFES will be led by the Commissioner, Tasmania Fire and Emergency Service. The Commissioner, Tasmania Fire and Emergency Service will report directly to the Minister, for Police, Fire and Emergency Management and will be empowered to oversee the workforce and the budget for the TFES.
- The TFES will be one of two operational pillars of the Department of Police, Fire and Emergency Management (DPFEM).
- The authorities legislated for the current State Fire Commission (SFC) will be transferred to the new Commissioner. The SFC will become the State Fire and Emergency Service Committee.
- The State Fire and Emergency Service Committee will be Ministerially appointed and included in legislation and will report directly to and support the new Commissioner. The membership will grow and include representatives from SES and other emergency service providers.
- Our hard-working emergency services volunteers will be provided with greater protections under the new legislation.
- The Bill also includes an equitable, sustainable and fair funding model to support our TFES in the work they do to keep Tasmanians safe.

The world our fire and emergency services operate in has changed. We have to plan for the impact of climate change which will see more frequent and longer emergencies. The reviews of the *Fire Service Act 1979* have highlighted the need for a stable, predictable and fair funding model to support our emergency service leaders to plan, respond to and transition to recovery after an emergency.

**The following information will provide you with all you need to know about the new Funding model for the Tasmania Fire and Emergency Service that is legislated in the Bill, please take a moment to read the information and then visit our [have your say page](#) if you would like to provide a submission.**

### The new funding model

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The way our fire and emergency services are funded will be changing. The new Tasmania Fire and Emergency Service Bill will ensure our fire and emergency services are funded appropriately now, and into the future.

## WHY DO WE NEED A NEW FUNDING MODEL?

The existing arrangements are in accordance with a complicated and narrow funding model first introduced in 1979. These arrangements have not changed to reflect the current operation of our fire and emergency service functions, including greater mobility, technology changes, longer fire seasons, increased response duration, and the impact of climate change. The current arrangements do not include funding for the State Emergency Service, which is also not currently funded in an appropriate or sustainable way.

Our emergency services currently rely on seven different funding streams, including three levies: insurance fire levy, a property-based levy, and a motor vehicle levy.

The [Blake Review](#), and feedback on the [Treasury Options Paper](#), highlighted that the current funding arrangements are complex and not fit for purpose, with recommendations that the insurance fire levy should be replaced with a property-based levy.

Insurance based taxes are widely considered to be inefficient given the additional cost they apply to insurance premiums and how they distort behaviour by deterring businesses from taking out sufficient insurance. They are also an unstable funding stream as they only apply to certain insurance policies and it is not compulsory to have an insurance policy.

Under the current model the property-based levy (known as the fire service contribution, which is paid through your council rates) is based on the brigade classification system. This means if you own a property near a career brigade, you pay more than someone who lives near a volunteer brigade. There are also different rates depending on which council area you live in.

This is significantly outdated – our fire and emergency services (career or volunteer) respond to everyone in our community equally and without hesitation. They don't take any boundaries into consideration when they respond. Ultimately it means that some people pay less than others but receive the same high-quality service.

## WHAT IS THE NEW MODEL?

The draft TFES Bill proposes a simple, fair, and sustainable model to fund our fire and emergency services in accordance with the recommendations from [The Blake Review](#), and

feedback on the Treasury Options Paper. This model ensures both TFS and SES are funded appropriately now, and into the future.

The proposed funding model in the TFES Bill:

- abolishes the Insurance Fire Levy;
- simplifies the **property-based levy** (currently known as the Fire Service Contribution, which is paid through your council rates); and
- continues the existing **Motor Vehicle Levy** in its current form but extends it to include motorcycles.

## The Motor Vehicle Levy

The current Motor Vehicle Levy will become the Motor Vehicle Fire and Emergency Service Levy and will be extended to include motorcycles.

In 2023-24 the fee per registered vehicle is \$21, and this fee will continue to be indexed annually with movements in CPI. If you currently receive a concession on your Motor Vehicle Fire Levy, the concession will continue to apply to the Motor Vehicle Fire and Emergency Service Levy.

## Concession Rate Increase

The Tasmanian Government is proposing to increase the concession rate for the Fire and Emergency Service Levy and the Motor Vehicle Fire Levy from 20% to 30%.

The eligibility criteria for a concession will not change.

## HOW IS THE NEW VERSION OF THE PROPERTY-BASED LEVY CALCULATED?

The new fire and emergency service levy will be calculated using a property's Assessed Annual Value (AAV) (found on your council rates notice) multiplied by the relevant land classification rate. The land classifications are based on land usage.

Your levy = your AAV x your land classification rate (*refer to the Proposed land classification rates table*) – your concession\*

*\*if you are eligible for a government concession*

The **fire and emergency service levy** will replace the current Fire Contribution Levy on your council rates notice.

## WHAT IS THE CURRENT FIRE SERVICE CONTRIBUTION FUNDING MODEL?

# Current Fire Service Contribution Funding model

The *Fire Service Act 1979* prescribes the current funding arrangements for the State Fire Commission (SFC), which is the governing body for the TFS.

As noted in the Blake Review, these arrangements are extremely complex and highly prescriptive, with funding being provided from a range of sources.

This includes a property-based levy. Under this levy, where you live determines what you pay for the fire service. As a result, some households pay \$44 per annum, and some paying over \$400 per annum. This is because the rates are currently set according to the local government area where a property is, and whether it is supported by a career, volunteer or retained brigade.

However, our fire and emergency services do not operate this way and will regularly move in and out of local government boundaries to provide emergency response. For example, large regional fires often receive career brigades and aircraft response, or a motor vehicle accident will have the first crew available attend.

The following table demonstrates the inequities – this includes that there are inequities across local government areas, as well as inequities across urban and regional areas.

*Table 1 – Examples – Current Funding Model Inequities*

Location	Classification Rate	Cost for an average AAV
Burnie	1.4%	\$268
Devonport	1.2%	\$219
Hobart	0.89%	\$160
West Launceston	1.1%	\$208
Glenorchy	1.1%	\$206
Ulverstone	0.35%	\$64
New Norfolk	0.31%	\$44



St Helens

0.37%

\$52

To resolve these inequities, the Blake Review (2020) provided 16 recommendations for funding reform, and consultation on models was undertaken in 2022. As a result of the feedback from the consultation, the Government is proposing two models that are possible for implementation under the current draft Bill, which is also available for consultation.

The current model results in high levels of funding uncertainty and variability for the TFS and SES on a yearly basis. This means funding projections can vary significantly from future deficit (as per the 2021-22 Corporate Plan), to projected surplus (as per the 2022-23 Corporate Plan), which stifles service planning, restricts investment in facilities and equipment, reduces the support available for volunteers, and impacts on important work like fuel reduction activity.

Current arrangements are not sustainable or effective to support an emergency service that needs to grow and invest regularly in new equipment to provide lifesaving services and meet the needs of the future.

This is why Tasmania needs a fairer approach to funding its fire and emergency services to allow the TFES to effectively plan and deliver services for all Tasmanians.

We are proposing to:

- Remove the insurance-based levy
- Reform the property-based levy
- Keep the motor vehicle levy and include motorcycles in this levy

Property based levies are used extensively in most other jurisdictions. Tasmania's emergency response resourcing is therefore at significant risk in the future if action is not taken.

**To achieve this, we are proposing two options:**

- **Option 1 – set a single rate across Tasmania, or**
- **Option 2 – set a two-tiered rate across Tasmania depending on whether you live in a rural or urban area.**

These options are described in further detail in the next section of this webpage.

## NEW FUNDING MODEL RATE OPTION 1 – SET A SINGLE RATE ACROSS TASMANIA

To resolve the current situation where Tasmanians pay more than 29 different property rates (see table 1), the Government proposes that all residential properties pay a fixed amount – 1%.

This means no matter where you live in Tasmania, everyone is paying the same rate.

For a property with an average AAV, this would therefore be \$180. If you have a higher value AAV, you will pay more. If you have a lower value AAV, you will pay less.

In doing this we can be confident that Tasmania has a fair and sustainable funding model that is applied equitably across Tasmania.

As part of equalising the current payment model we are proposing there would be different rates for other land classifications. This is to recognise that the fire and emergency response at commercial or industrial premises are often of greater risk or complexity to respond to than residential property.

*Table 2 – Proposed Land Classifications – Option 1*

<b>Land Classification</b>	<b>Rate</b>
Commercial	2.4 %
Community Services	0.5 %
Industrial	3.2 %
Other	0.5 %
Primary Production	2.4 %
Residential	1.0 %

## NEW FUNDING MODEL RATE OPTION 2 – SET A TWO-TIERED RATE ACROSS TASMANIA

Option 2 proposes a two-tiered rate to be introduced across Tasmania with one rate for urban areas, and another for regional areas.

The outcome of Option 2 would be that urban areas continue to pay similar rates as they do now – but, the rate would be standardised removing inequities between cities.

For regional areas there will be a smaller increase than under Option 1, but the goal of equalisation for these areas would still be achieved meaning there is greater equity between rural areas.

In practice, this will result in regions paying less than a pensioner in an urban area.

The proposed two-tier system is in Table 3.

*Table 3 – Proposed Land Classifications – Option 2*

<b>Land Classification</b>	<b>Rate</b>
Commercial	2.6 %

Community Services	0.6 %
Industrial	3.4 %
Other	0.6 %
Primary Production	1.2 %
Residential (Urban)	1.2 %
Residential (Rural)	0.6%

### What comes next?

- Consultation on the draft Tasmania Fire and Emergency Service Bill is open to 11:59pm **Friday 1 December 2023**.
- The Minister for Police, Fire and Emergency Management and leaders from Tasmania Fire Service and State Emergency Service are continuing to work with key stakeholders including employees, volunteers, unions and volunteer associations, Local Government Association, State Fire Commission and State Fire Management Council in shaping the new Tasmania Fire and Emergency Service. This has included briefings from Mike Blake on his report findings.
- For further information email, [FES.Reform@dpfem.tas.gov.au](mailto:FES.Reform@dpfem.tas.gov.au)

# IN CONFIDENCE

## 11/23.18.0 CLOSED COUNCIL

11/23.18.1 Confirmation of Closed Council Minutes – Council Meeting 16 October 2023

11/23.18.2 Outstanding Actions List for Closed Council

11/23.18.3 Closed Council Item Pursuant to Section 15(2)A of the Local Government (Meeting Procedures) Regulations 2015 - Parnella Holdings Pty Ltd Vs Tasmanian Planning Commission

11/23.18.4 Closed Council Item Pursuant to Section 15(2)A of the Local Government (Meeting Procedures) Regulations 2015 – Purchase of replacement Grader

11/23.18.5 Closed Council Item Pursuant to Section 15(2)A of the Local Government (Meeting Procedures) Regulations 2015 - General Manager Review

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

## 11/23.19.0 MEETING CLOSED

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