



COUNCIL MEETING AGENDA

Monday 15 April 2024
Council Chambers, St Helens

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

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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 15 April 2024 commencing at 10.00am.

CERTIFICATION

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



Raoul Harper
ACTING GENERAL MANAGER

Date: 9 April 2024

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AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

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

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

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

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

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

OPENING

The Mayor to welcome Councillors and staff and declare the meeting open at 10.00am.

ACKNOWLEDGEMENT OF COUNTRY

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

LIVE AUDIO/VISUAL STREAMING OF COUNCIL MEETINGS

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

04/24.1.0 ATTENDANCE

04/24.1.1 Present

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

04/24.1.2 Apologies

Nil

04/24.1.3 Leave of Absence

Nil

04/24.1.4 Staff in Attendance

Acting General Manager, Raoul Harper
Corporate Officer, Bec Wood

04/24.2.0 PUBLIC QUESTION TIME

Nil

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

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

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

04/24.4.0 CONFIRMATION OF MINUTES

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

OFFICER’S RECOMMENDATION:

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

04/24.5.0 COUNCIL WORKSHOPS HELD SINCE 18 MARCH 2024

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

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

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.

DA 195-2023 – Residential and Visitor Accommodation - Construction of a Visitor Accommodation Unit

ACTION	DECISION
PROPONENT	Leigh Adams
OFFICER	Planning Officer – Kathryn Clausen
FILE REFERENCE	DA 2023 / 00195
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none"> Plans Bushfire Report (for considering vegetation clearance only) Representation Applicant Response to Representation Vegetation Survey Planning Scheme Assessment by Responsible Officer
DATE	15 April 2024

OFFICER'S RECOMMENDATION:

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

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

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

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
	Undertake development in accordance with the approved plans and/or documents. These plans and/or	Prior to commencement of use and to be maintained at all times.

	documents will form part of the approval, unless otherwise amended by conditions of this approval.	
2	Materials and finishes	
	Exterior building finishes must have a light reflectance value of not more than 40%, in dark natural tones of grey, green or brown	At completion of construction and to be maintained at all times thereafter
3	Carparking/Access ways	
	Parking, access ways, manoeuvring and circulation spaces must comply with Australian Standard AS 2890- Parking facilities, Parts 1-6.	Prior to commencement of use and to be maintained at all times.
4	Landscape Values/Vegetation Management	
A	Standard Phytophthora hygiene measures must be implemented for the construction and maintenance of works in accordance with and using the Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania (DPIPWE 2015, Eds. K. Stewart & M. Askey-Doran. DPIPWE, Hobart, Tas).	During site works and construction
B	The clearing of native vegetation must be limited to that which is required for bushfire hazard management	At all times
C	Within the bushfire hazard management area, trees are to be retained where practicable and as noted on the site plan. At building approval stage, the Bushfire Hazard Management Plan should confirm those trees which are able to be retained and managed within the delineated area.	Building Approval stage
D	During site works, where vegetation is proposed to be retained within the bushfire hazard management area, temporary exclusion barriers/fencing should be constructed to prevent accidental felling/damage.	Prior to the commencement of, and during, site works
E	The area proposed for off-set planting must be established using species propagated from the site and under the guidance of a suitably qualified person with local knowledge of endemic vegetation.	Prior to the commencement of construction, the applicant must provide the Council with a planting proposal prepared by a suitably qualified person, including a species list, propagating/planting calendar.
F	Plants listed as weeds declared under the Weed Management Act 1999 and declared locally must not be planted (list included as permit attachment)	At all times

ADVICE

- All works associated with the development should be conducted in accordance with *Guidelines for Soil and Water Management*, Hobart City Council, available on Council's website (<http://www.bodc.tas.gov.au/webdata/resources/files/GuidelinesforSoilandWaterManagement.pdf>). All worked areas not covered by structures must be promptly and progressively stabilised (e.g. revegetated) so that they will not erode and/or act as a source of sediment transfer.
- Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works, then an

Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.

4. The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
5. Activities associated with construction works are not to be performed outside the permissible time frames listed:
Mon-Friday 7 am to 6 pm
Saturday 9 am to 6 pm
Sunday and public holidays 10 am to 6 pm

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

1. The Proposal

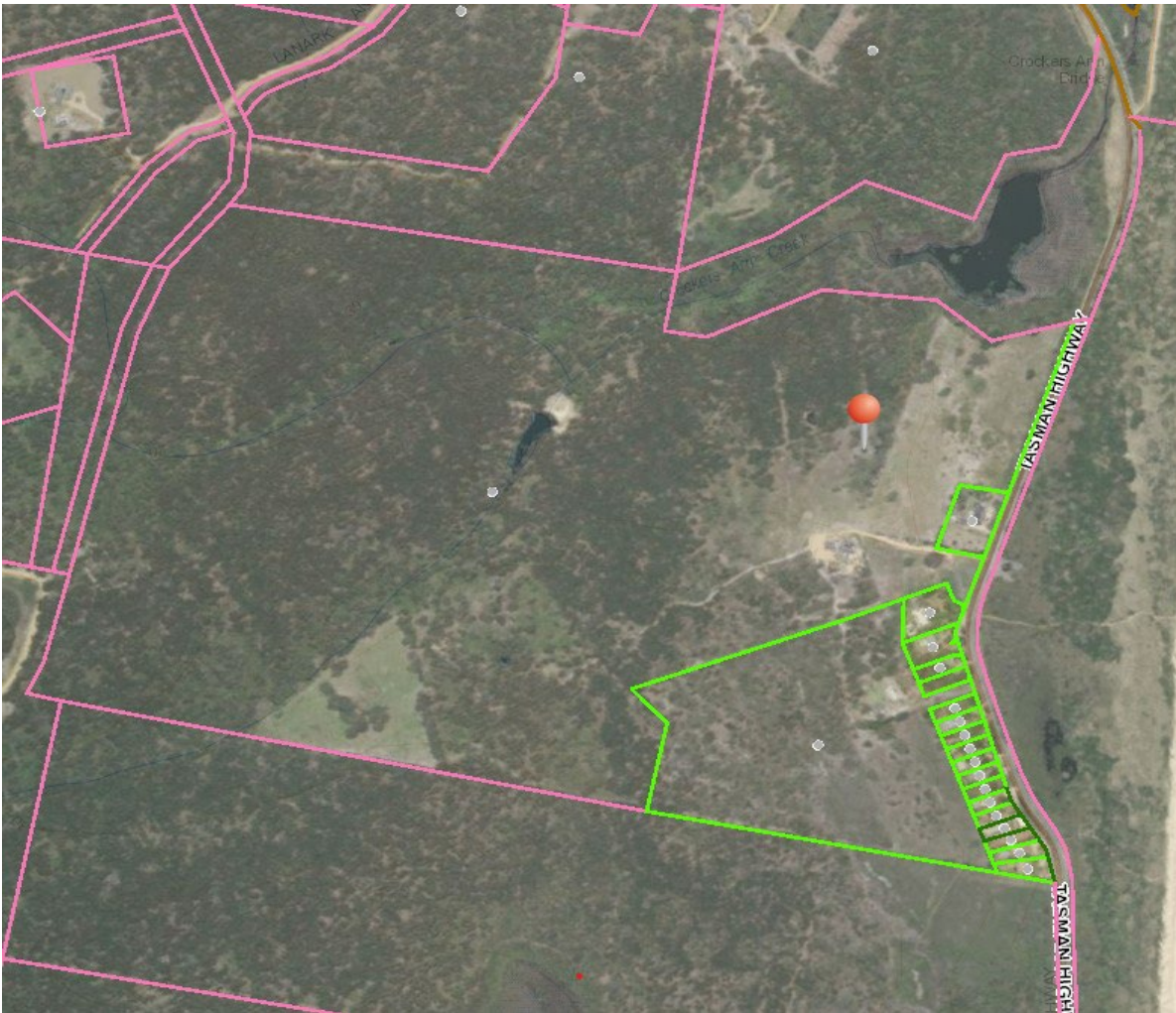
The proposal is for the construction of a new visitor accommodation unit on a large rural residential property (63.6ha) at 24325 Tasman Highway, St Helens. The property is located on the western side of the Tasman Highway just south of Diana's Basin. The existing dwelling on the land is approved for dual residential and visitor accommodation use and is accessed via a driveway situated between properties located at 24331 and 24323 Tasman Highway.

The property has a large area of mapped priority vegetation, commencing about 150m west from the Tasman Highway and extending back through much of the property. The area between the road and the mapped priority vegetation area is mostly cleared and was previously fenced for grazing. The existing dwelling on the site is located within the cleared area and is visible from the road. Some more recent clearing of the boundary fence line adjacent to the Tasman Highway and further within the property has increased views into the property.

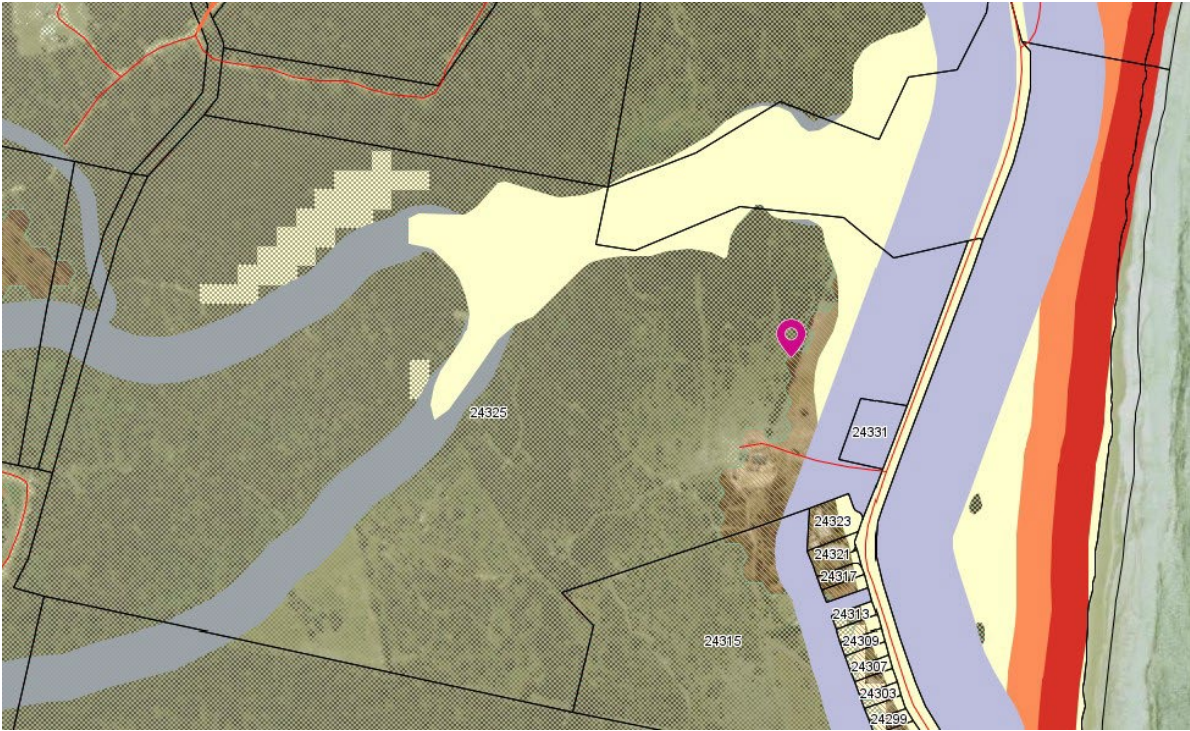
The site is bushfire-prone and has mapped areas of flooding, landslip, coastal inundation and priority vegetation. The proposed development site is outside of the mapped flood, landslip and scenic corridor areas, but is in close proximity to the mapped priority vegetation area. The existing access and part of the driveway traverse the mapped coastal inundation investigation area.



Locality Map



Aerial locality



Zoning and Overlays

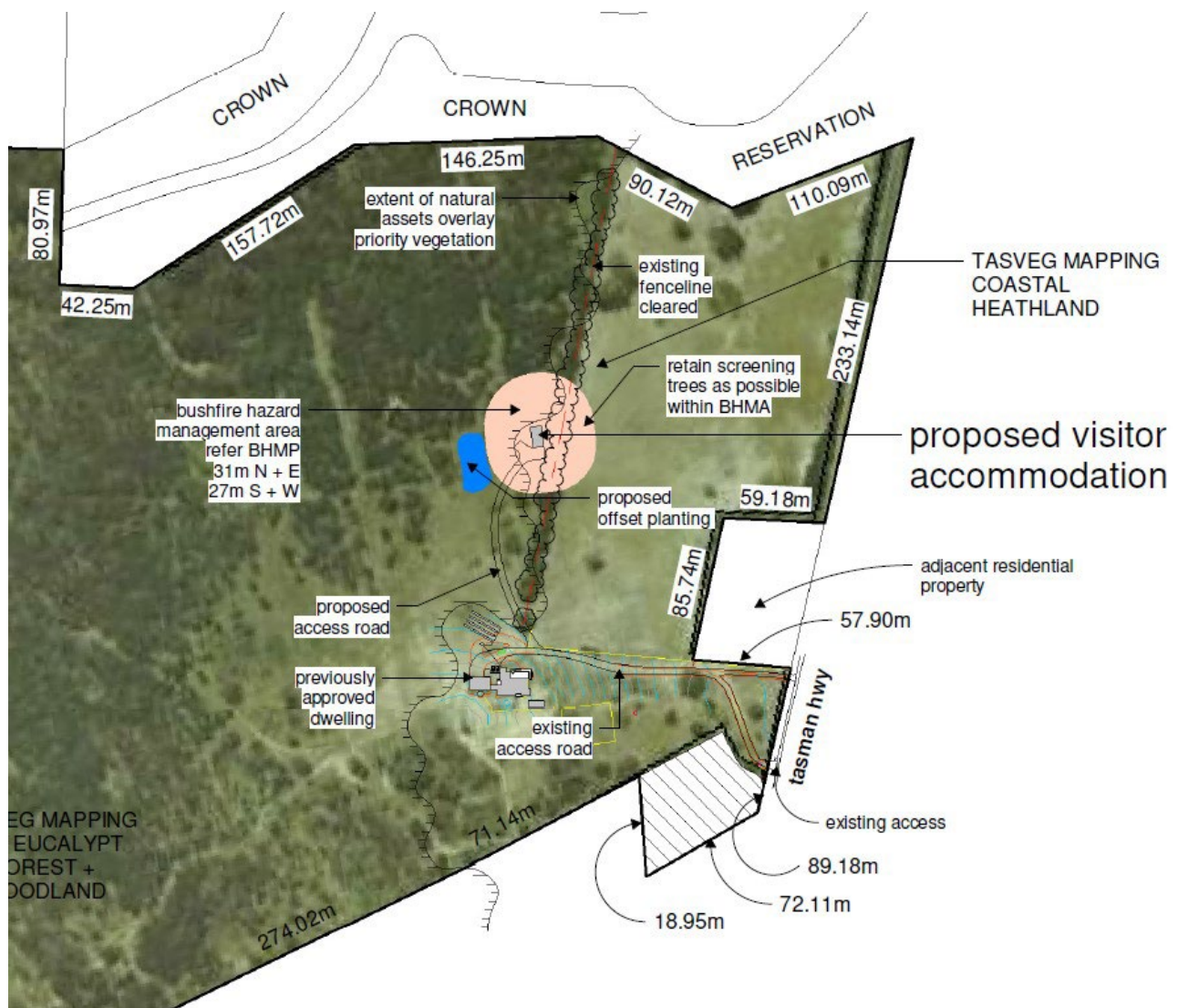


Aerial view of the proposed unit site (pink marker) and proximity to the mapped priority vegetation (green hatch) and existing dwelling (south of the marker)

The proposed unit is a ‘tiny home’ design comprising 29m² of living space and a 25m² deck. The unit will be elevated above ground level for ease of servicing and, at the highest point, has a total height of 4.5m above natural ground level. Access will be via a new driveway extension branching north from the existing driveway serving the dwelling.

The unit will have its own on-site wastewater management system which will be assessed at the building approval stage.

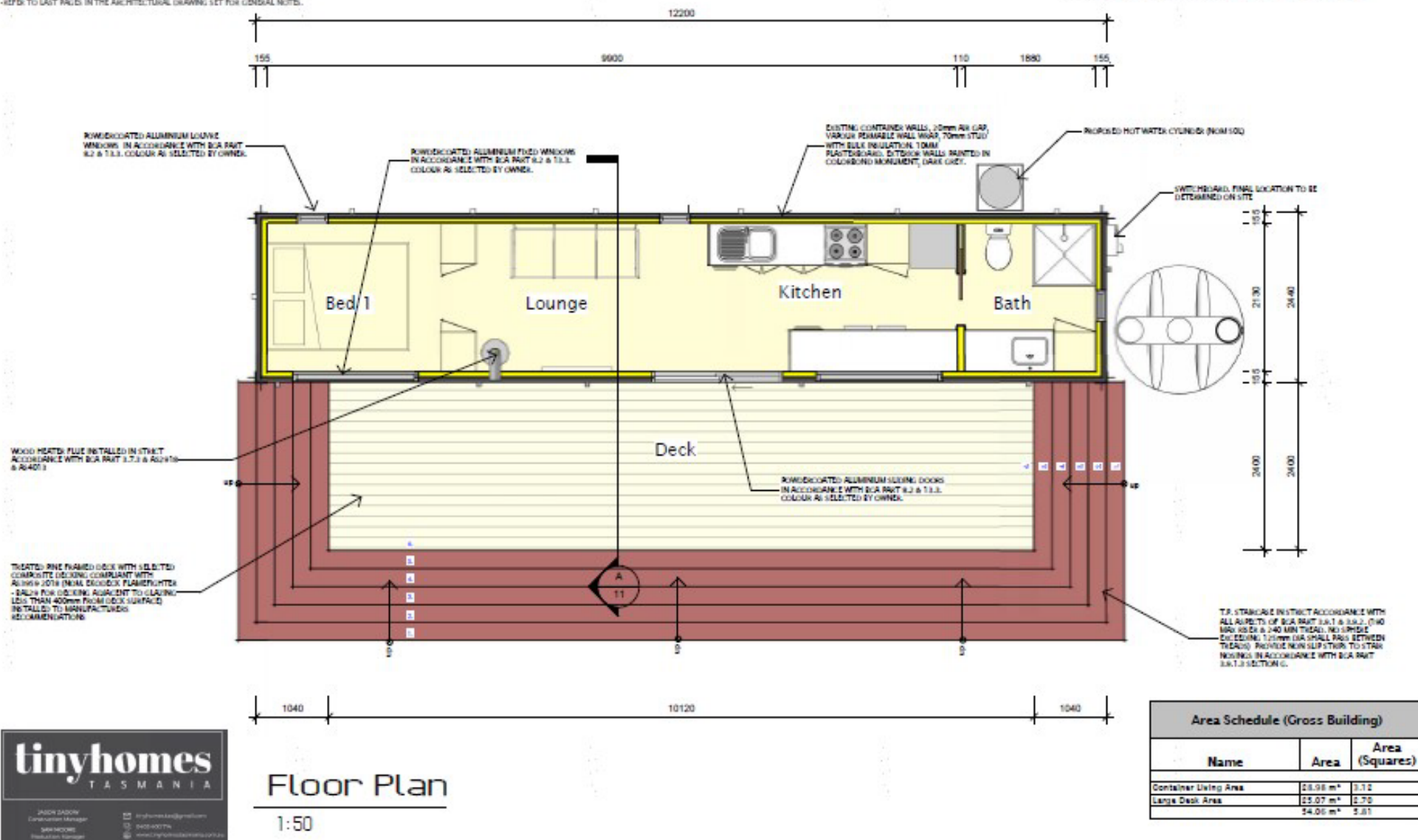
The unit is located within a mapped bushfire prone area and bushfire requirements will be assessed at the building approval stage. It is however relevant to consider potential vegetation removal requirements at the planning assessment stage given the objectives of the Landscape Conservation Zone and the Natural Assets overlay.

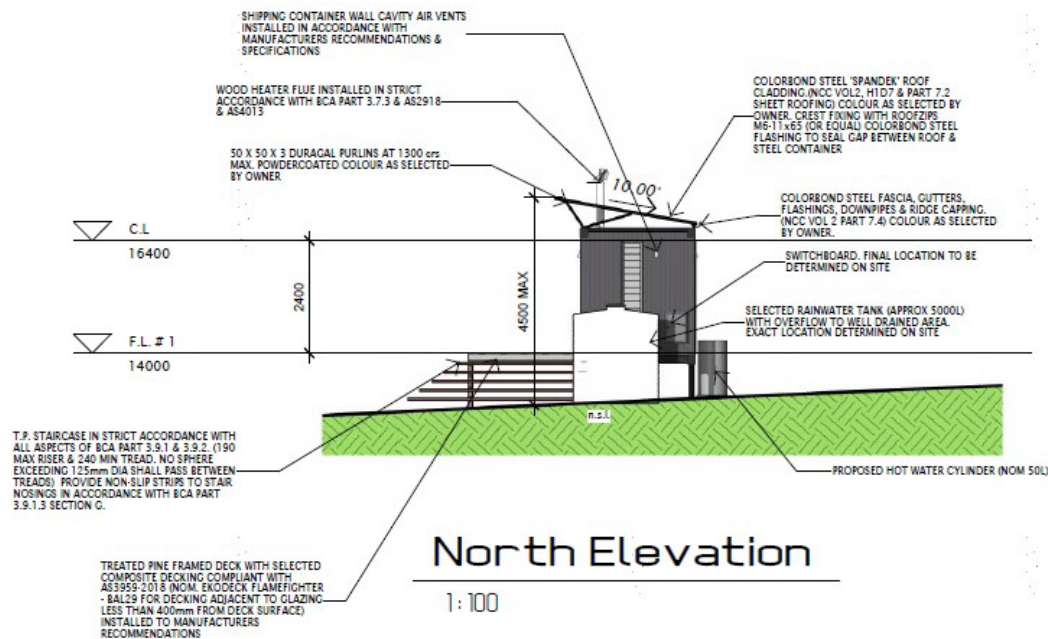
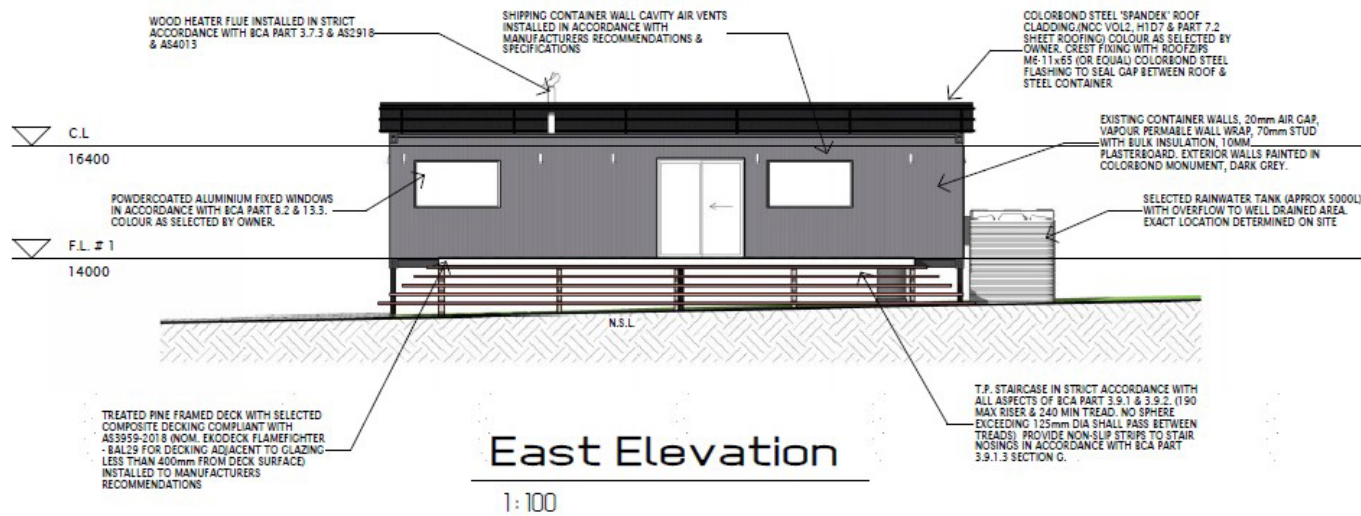


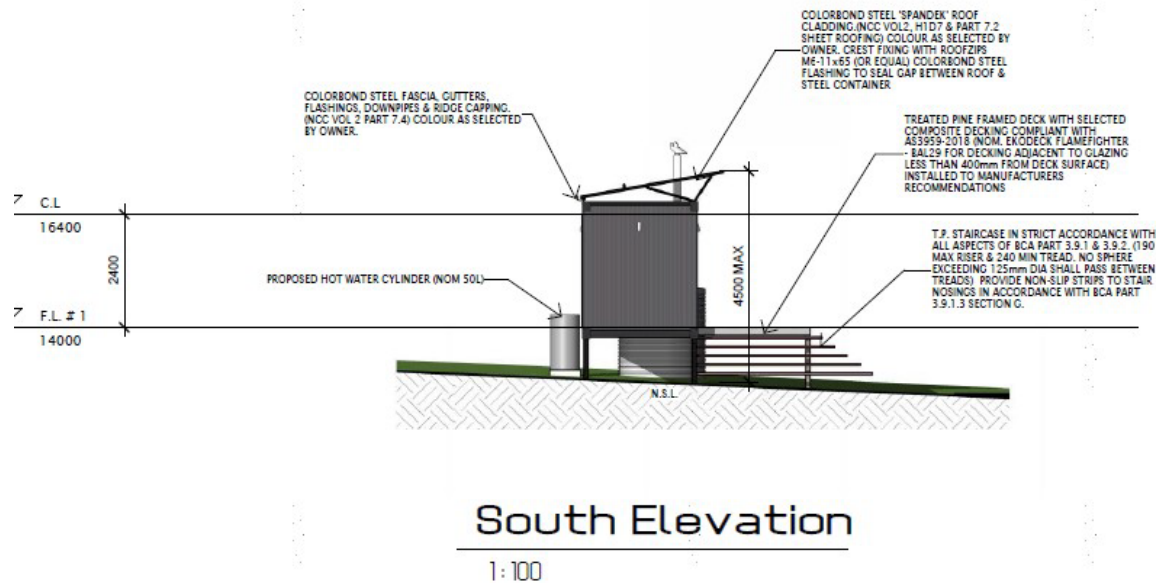
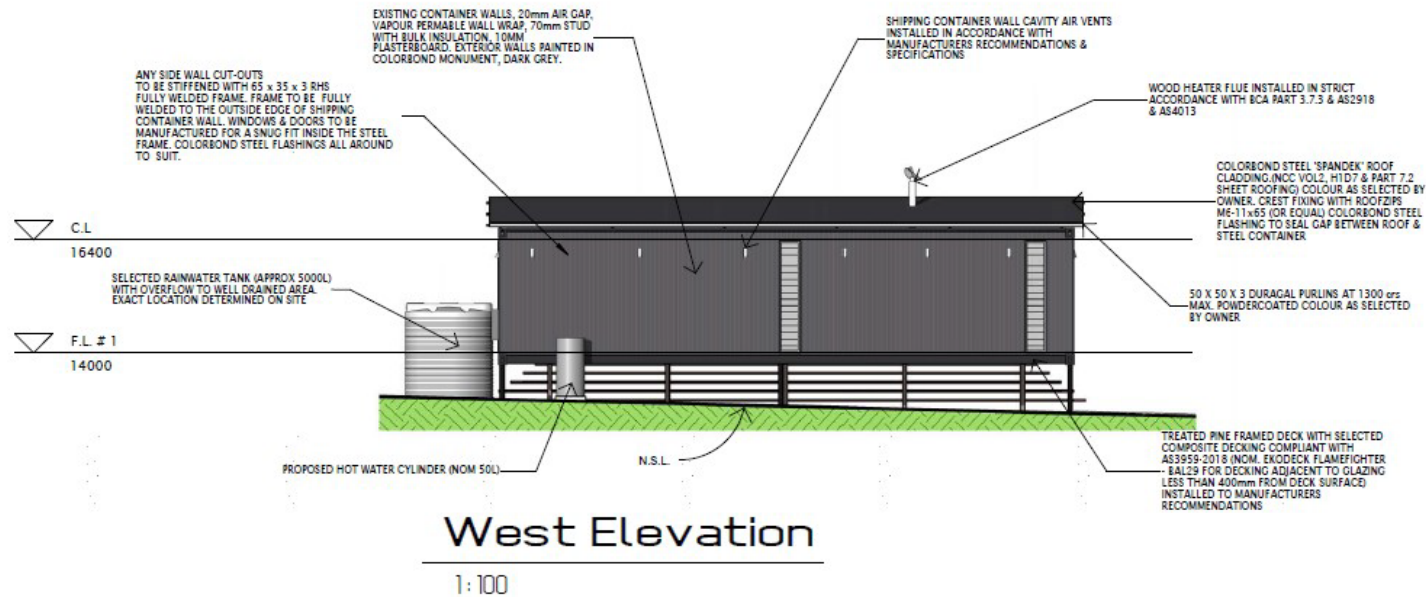
Part site plan

NOTES:
-REFER TO LAST PAGES IN THE ARCHITECTURAL DRAWING SET FOR GENERAL NOTES.

C:\Users\jg\OneDrive\Desktop\195-2023\Architectural\Drawings\Recovery.mxd







2. Applicable Planning Assessment

STATUTORY DETAILS	
Planning Legislation:	<i>Land Use Planning and Approvals Act 1993</i>
Planning Scheme:	<i>Tasmanian Planning Scheme</i> State Planning Provisions Version 5

LOCAL PROVISIONS SCHEDULE	APPLICABLE	NOTES
ZONE	YES	Landscape Conservation Zone
SPECIFIC AREA PLANS	NO	BRE-S1.0 SAFEGUARDING ST HELENS AERODROME
	NO – does not apply in the Landscape Conservation Zone	BRE-S2.0 STORMWATER MANAGEMENT

STATE PLANNING PROVISIONS	CODES	TRIGGER	APPLICATION
C2.0 Parking and Sustainable Transport Code	C2.2	All use and development	Applies - use and development. The proposal meets all the relevant use and development standard acceptable solutions for this Code
C3.0 Road and Railway Assets Code	C3.2	Use or development intensifying the use of an existing access	Applies – the addition of a visitor accommodation unit will intensify the use of the existing vehicle access. The proposal meets all the relevant use and development acceptable solution standards for this Code
C7.0 Natural Assets Code	C7.2	Development within: <ul style="list-style-type: none"> a mapped waterway/coastal protection area a mapped priority vegetation area 	N/A – about Waterway and Coastal Protection as the proposed unit is outside of the mapped waterway and coastal protection areas of the site. Applies – the proposed unit is sited in close proximity to the mapped priority vegetation boundary and the bushfire hazard management will encroach.
C8.0 Scenic Protection Code	C8.2	Development within a scenic road corridor	N/A – the location of the proposed unit is outside of the mapped scenic road corridor band (not within 100m of the highway)
C11.0 Coastal Inundation Hazard Code	C11.2	Development within coastal inundation investigation area	N/A – the location of the proposed unit is outside of the coastal inundation investigation area. The access and initial part of the driveway traverse the coastal inundation hazard area but are existing (serves the existing dwelling) and requires no change or upgrade for this proposal (see road authority referral)

C12.0 Flood-Prone Areas Hazard Code	C12.2	Use or development within flood-prone area	N/A - the location of the proposed unit and driveway is outside of the mapped flood-prone area.
C13.0 Bushfire-Prone Areas Code	C13.2	Use or development within a bushfire-prone area	N/A – the proposal is not for subdivision and the use (visitor accommodation) is not a vulnerable or hazardous use under this Code.
C15.0 Landslip Hazard Code	C15.2	Development within landslip hazard area	N/A – the location of the proposed unit is outside of the mapped landslip areas.

3. Referrals

- Department of State Growth (road authority) – response received 6 September 2023:
Following a review of the related documents, The Department has no objections to the proposed development.

4. Assessment

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

- 22.3.2 P1 - Landscape Conservation Zone – Use Standards – *Visitor Accommodation*
- 22.3.3 P1 - Landscape Conservation Zone – Use Standards - *Discretionary Use*
- 22.4.4 P1 – Landscape Conservation Zone – Development Standards – *Landscape Protection*
- 22.4.4 P2.1 and P2.2 – Landscape Conservation Zone – Development Standards – *Landscape Protection*
- C7.6.2 P1.1 and P1.2 – Natural Assets Code – Development Standards – *Clearance within a priority vegetation area*

Detailed assessment against the provisions of the *Tasmanian Planning Scheme* – State Planning Provisions Version 5 where the proposal was reliant on satisfying the performance criteria, is provided below.

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

Planning Assessment

22.0 Landscape Conservation Zone

22.3 Use Standards

22.3.2 Visitor Accommodation

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Visitor Accommodation:</p> <p>(a) guests are accommodated in existing buildings; and</p> <p>(b) has a gross floor area of no more than 300m².</p>	<p>P1</p> <p>Visitor Accommodation must:</p> <p>(a) be of a scale that respects the character of use in the area;</p>

	<p>(b) not cause an unreasonable impact on the landscape values of the site; and</p> <p>(c) not adversely impact the safety and efficiency of the local road network or unreasonably disadvantage owners and users of rights of carriageway.</p>
<p><u>Performance Criteria Assessment</u></p> <p>The proposal is for a new visitor accommodation unit which will be additional to the existing visitor accommodation use attached to the existing dwelling on the site. The proposal does not fully satisfy the acceptable solution as guests will not be accommodated entirely within existing buildings. The overall floor area of the existing dwelling and the proposed unit will not exceed 300m² so part (b) of the acceptable solution is satisfied. The following assessment of performance criteria P1 is provided:</p> <p>a) On this site, the visitor accommodation use will be carried out within the existing dwelling and the proposed new unit, which has a very small footprint (54m² in total). The character of use within the area includes a mix of small lot residential use, mostly within the adjoining coastal settlement zone, and rural residential use on larger landscape conservation zone lots. Some sites have dual residential and visitor accommodation use. In this regard, the scale of the use is considered small and respectful of the surrounding uses.</p> <p>b) The landscape values of the site are derived from the extensive area of native vegetation which covers a large part of the property. Parts of the site were historically used for grazing and these areas are distinct because they have been previously cleared and fenced off into paddocks. The mapped priority vegetation overlay extends into the cleared areas, resulting in some inconsistency between the mapping and what exists on the ground. Although the siting of the proposed unit is just outside of the mapped priority vegetation overlay, the bushfire hazard management area will extend into the overlay, albeit into areas previously cleared (see aerial image below).</p>	



Discussions with the applicant and owners have been about whether the unit should be moved to avoid any vegetation clearance for bushfire hazard management. As part of these discussions, the applicant engaged a local botanist to survey the vegetation within the proposed bushfire hazard management area. The botanist has described the vegetation as being a mix of forest and dry pasture, with an area between the two reverting to heathland-sedgeland. No vegetation listed as rare or threatened was noted by the botanist. During discussions, the owners advised that they wish to site the pod away from the main dwelling for privacy and to provide a vegetated setting for visitors. With regard to vegetation removal, they have advised that an old paddock fence-line which is indicated by the 'finger' of vegetation extending south towards the dwelling has been removed and some mowing and clearing of dead vegetation and debris has occurred within this area. It is their intention to retain as much vegetation as possible and they have amended the site plan to include a note stating that some screening trees within the bushfire hazard management area will be retained. An area to the west of the hazard management area has also now been included for off-set planting. Regarding the landscape values of the site, additional planting to the west on the 'edges' of the forested area could contribute positively to the habitat value, especially if propagation from the site was undertaken. Also, the retention of larger trees within the hazard management area will provide some screening of the building from the highway. If implemented (and conditioned), the additional planting and retention of larger trees would assist in reducing the impact on the landscape values.

- c) The use will not adversely impact the safety and efficiency of the local road network or unreasonably disadvantage owners and users of rights of carriageway. The application was referred to State Growth (the road authority) and it had no objection to the proposal and required no permit conditions.

Subject to the imposition of conditions regarding off-set planting and the retention of larger trees within the bushfire hazard management area, it is considered that the performance criteria is satisfied. Conditions are included in the draft permit to reflect this.

22.3.3 Discretionary Use

Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 Use listed as Discretionary must be compatible with landscape values, having regard to: (a) the nature, scale and extent of the use; (b) the characteristics and type of the use; (c) the landscape values of the site; (d) the landscape value of the surrounding area; and (e) measures to minimise or mitigate impacts.
Performance Criteria Assessment The following assessment against P1 is provided: <ul style="list-style-type: none"> a) The proposed visitor accommodation use is relatively small in nature and scale, being a 54m² building which is likely to be only for one or two people at any given time. b) The characteristics of this type of small scale visitor accommodation would be like a residential use with people utilising the building for habitation from time to time. c) As described previously, the landscape values of the site are derived from the extensive native vegetation which covers a large part of the subject land. Parts of the site were historically used for grazing and these areas are relatively distinct because they have been previously cleared and fenced off into paddocks. The site has established residential and visitor accommodation use and the existing dwelling is a visible part of the landscape. Because the most visible part of the site – that part which is adjacent to the highway – is former grazing land and mostly cleared, the landscape values of the site area more relevant to the extensive areas of priority vegetation further back into the property. The proposed visitor accommodation use will be undertaken on an area of the site which is partially cleared and very little disturbance of the majority of the priority vegetation will occur. d) The siting of the proposed unit has been discussed previously. The applicant is proposing to retain larger trees within the bushfire hazard management area where possible and is also proposing some off-set planting. Both measures will assist to minimise and mitigate any vegetation removal required for bushfire management purposes. <p>It is considered that the performance criteria is satisfied.</p>	

22.4.4 Landscape Protection

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building and works must be located within a building area, if shown on a sealed plan.</p>	<p>P1</p> <p>Building and works must be located to minimise native vegetation removal and the impact on landscape values, having regard to:</p> <ul style="list-style-type: none"> (a) the extent of the area from which vegetation has been removed; (b) the extent of native vegetation to be removed; (c) any remedial or mitigation measures or revegetation requirements; (d) provision for native habitat for native fauna; (e) the management and treatment of the balance of the site or native vegetation areas; (f) the type, size, and design of development; and (g) the landscape values of the site and surrounding area.
<p>Performance Criteria Assessment</p> <p>There is no building area nominated on the sealed plan for this property therefore the acceptable solution is unable to be satisfied. The following assessment against P1 is provided:</p> <ul style="list-style-type: none"> a) The front part of the property has been extensively cleared over the years for farming purposes. The proposed location of the unit is within an area that has been previously grazed and managed but has experienced a degree of regrowth. The reasons for not siting the unit further into the well cleared areas towards the highway and the existing dwelling are to: <ul style="list-style-type: none"> • provide the structure with some level of screening from the highway • to site the structure in a more natural setting to provide a better visitor experience • to maintain a level of privacy between the existing dwelling and the proposed unit. b) Some vegetation removal around the unit will be required for bushfire hazard management purposes, although the applicant has committed to retaining as many of the larger trees as is possible within the hazard management area. The extent of potential vegetation removal is mostly outside of the mapped priority vegetation layer and relatively small when considering the extent of vegetation coverage across the site. c) The applicant is proposing an area of off-set planting to the west of the unit site and has committed to retaining as many of the larger trees as possible within bushfire hazard management area. A draft condition of approval is included in the permit to enforce these aspects of the proposal. 	

- d) The location of the off-set planting at the fringe of the more heavily forested area of the site would potentially extend that area for native habitat and fauna. The area where most of the vegetation removal would be undertaken is already partially cleared and managed (mowed).
- e) The applicant is not proposing any vegetation clearance beyond that necessary for bushfire management purposes. The driveway access to the unit (from the main driveway) skirts around the back of the existing vegetation and should not require any vegetation removal.
- f) The development has a small building footprint and will only provide visitor accommodation at a very small scale.
- g) As described previously, the landscape values of the site are derived from the extensive native vegetation which covers a large part of the subject land. Parts of the site were historically used for grazing and these areas are relatively distinct because they have been previously cleared and fenced off into paddocks. The site has established residential and visitor accommodation use and the existing dwelling is a visible part of the landscape. Because the most visible part of the site – that part which is adjacent to the highway – is former grazing land and mostly cleared, the landscape values of the site area more relevant to the extensive areas of priority vegetation located further back into the property. The landscape values of the surrounding area include both visual and environmental aspects. Within the area this includes the unmodified scenic and environmental aspects of the coastal reserve between the road and the coast, and the more modified scenic and environmental aspects of the land to the west of the road. The modified aspects are more obvious on the land closer to the highway where land has been cleared and buildings (dwellings) constructed. This is particularly evident in the small stretch of Coastal Settlement Zone on the western side of the highway where the linear development of houses on small lots has occurred.

The proposed small development footprint and associated vegetation clearance for bushfire hazard management is unlikely to have any significant impact on the visual or environmental aspects of these landscape values.

It is considered that the performance criteria is satisfied.

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

	<p>P2.2</p> <p>If the building and works are less than 10m in elevation below a skyline or ridgeline, there are no other suitable building areas.</p>
<p><u>Performance Criteria Assessment</u></p> <p>There is no building area nominated on the sealed plan for this property and the unit is a new building, and the building may not be less than 10m in elevation below the skyline, therefore the acceptable solution is unable to be satisfied. The following assessment against P2.1 and P2.2 is provided:</p> <p><u>P2.1</u></p> <ul style="list-style-type: none"> a) The topography of the site slopes upwards from the Tasman Highway to the west. The front part of the site adjacent to the highway is former grazing land with some roadside vegetation. The more heavily forested area of the site is elevated and provides an elevated vegetated backdrop. The proposed unit will be sited beyond the cleared paddock behind a line of existing vegetation. While some of this vegetation may require removal for bushfire management purposes, the proposed siting should reduce its visibility in the landscape. b) The size and shape of the site have little bearing on the placement of the building. c) The building will have a small footprint, scale and height which assists in minimizing the impact on the landscape values. d) The siting of the proposed unit has been chosen to retain privacy between the existing dwelling and the unit. e) The visual impact of the building from the road will be minimised by screening vegetation and through the use of materials and finishes which blend with the natural environment. f) Some existing vegetation will be retained between the unit and the highway which will assist in reducing the visibility of the building. <p>It is considered that the performance criteria P2.1 is satisfied.</p> <p><u>P2.2</u></p> <p>Depending on the amount of screening vegetation retained, the structure is likely to be less than 10m in elevation below the skyline (tree line) when approached from the north along the Tasman Highway. The expanse of mapped priority vegetation and coastal inundation investigation area limit suitable building areas to a relatively narrow band of the property which would be at about the same elevation - see aerial below showing overlays - priority vegetation (green hatch) and coastal inundation (yellow hatch). Moving it to other locations would make it highly visible from the highway or nearer to the dwelling which is not preferred.</p>	



It is considered that the performance criteria P2.2 is satisfied.

C7.0 Natural Assets Code

C7.6 Development Standards

C7.6.2 Clearance within a priority vegetation area

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Clearance of native vegetation within a priority vegetation area must be within a building area on a sealed plan approved under this planning scheme.</p>	<p>P1.1</p> <p>Clearance of native vegetation within a priority vegetation area must be for:</p> <ul style="list-style-type: none">(a) an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person;(b) buildings and works associated with the construction of a single dwelling or an associated outbuilding;(c) subdivision in the General Residential Zone or Low Density Residential Zone;(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;(e) clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or(f) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site. <p>P1.2</p> <p>Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <ul style="list-style-type: none">(a) the design and location of buildings and works and any constraints such as topography or land hazards;(b) any particular requirements for the buildings and works;

	<p>(c) minimising impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;</p> <p>(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;</p> <p>(e) any on-site biodiversity offsets; and</p> <p>(f) any existing cleared areas on the site.</p>
<p><u>Performance Criteria Assessment</u></p> <p>As there is no allocated building area depicted on the sealed plan and some native vegetation within the mapped priority vegetation area is likely to be cleared for bushfire hazard management purposes, therefore the following assessment against P1.1 (f) and P1.2 is provided. It should be noted that assessment against P1.1. a) to e) is not required as the proposal only needs to satisfy 1 of the 6 parts (each criterion being 'or' not 'and').</p> <p><u>P1.1</u></p> <p>a) The subject land has an extensive area of mapped priority vegetation. The bushfire hazard management area will extend approximately 30m in each direction around the building and requires that the area be maintained in accordance with the Bushfire report. Generally, it is not required to remove all vegetation and trees are able to be retained providing they are pruned to achieve canopy separation and to ensure the understories are kept low. The extent of potential native vegetation removal will be minimal relative to the extent of priority vegetation on the site.</p> <p>It is considered that the performance criteria P1.1 is satisfied.</p> <p><u>P1.2</u></p> <p>a) The proposed unit is located on an area of the site between the mapped priority vegetation area and the coastal inundation hazard area. To locate the unit further towards the highway to avoid vegetation removal would place it on a steeper part of the site and make it highly visible due to the topography.</p> <p>b) The proposed unit is sited outside of the mapped priority vegetation, however, bushfire hazard management requirements will encroach into the mapped area.</p> <p>c) Siting in relation to bushfire hazard management has been considered for this proposal and the original position of the driveway has been moved to avoid the need for vegetation clearance. The BAL level (12.5) is unable to be reduced under the building code, because of the nature of the use (visitor accommodation)</p> <p>d) The applicant is proposing to retain as many trees as possible within the bushfire hazard management area. Priority vegetation outside of the bushfire hazard management area should not be affected by the proposal.</p>	

- e) The applicant has proposed an area for off-set planting to the west of the bushfire hazard management area, on the fringe of the more heavily forested areas.
- f) While some vegetation removal will be required for bushfire hazard management, the unit is to be located within the area of the property which has previously been farmed/grazed.

The siting of the unit has been discussed extensively with the applicant. While it would be possible to move the unit into areas where there would be less potential for vegetation clearance, these areas have other implications such as coastal inundation, visibility from the highway, privacy between the unit and the existing dwelling, and the siting of the unit for the best visitor experience. It is considered that the proposed siting, with a commitment to off-set planting and the retention of larger trees within the bushfire hazard management area, will not have a significant impact on the landscape values of the site and the surrounding area and is consistent with the following objective of the Code:

That clearance of native vegetation within a priority vegetation area:

- (a) does not result in unreasonable loss of priority vegetation;*
- (b) is appropriately managed to adequately protect identified priority vegetation; and*
- (c) minimises and appropriately manages impacts from construction and development activities.*

It is considered that the performance criteria P1.2 is satisfied.

5 Representations

The application was advertised to 30 September 2023 16 October 2023 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining landowners. One (1) representation was received prior to the closing date and time. The issues raised within the representation are as follows:

Issue	Response
<ul style="list-style-type: none"> • Broader issue of incremental urban sprawl/ribbon development outside of settlements for tourism development – the proposed Coastal SAP developed by Northeastern Bioregional Network was not adopted and would prohibit this type of development. 	<p>The property is within the Landscape Conservation Zone where visitor accommodation is listed as a 'discretionary' use. Subject to satisfying the relevant performance criteria for the use and any other relevant development standards, properties within this zone may support multiple structures for visitor accommodation. Issues around broader policy changes are not relevant to the assessment of this development application.</p>
<ul style="list-style-type: none"> • If the development is approved it is essential that the scenic impact of the building is as minimal as possible. 	<p>Conditions are included in the draft permit about colours and finishes and the planting/retention of screening vegetation.</p>
<ul style="list-style-type: none"> • Query recent vegetation clearance on the property 	<p>Some more recent vegetation clearing has occurred on this property in association with new boundary fencing, which is exempt under section 4.4.1 of the Scheme. With regard to vegetation clearance within the property boundaries, the applicant has also</p>

	<p>provided the following advice via email dated 24/10/2023:</p> <p><i>In response to your email yesterday, in regards to vegetation removal, explanation is as follows:</i></p> <p><i>The area highlighted in brown was overgrown with dead wood, weeds, rubbish and a broken and tangled barbed wire fence.</i></p> <p><i>We made the decision to remove the debris and clear under the existing trees (that we trimmed of any dangerous dead branches) as we deemed it a safety risk, not only for fire but wildlife getting trapped in the rusty barbed wire that was intertwined with fence posts as well as the rubbish (concrete, tyres, rusty old white goods, farming machinery etc) that the previous owners of the property had obviously dumped and then allowed the undergrowth to become entangled in the mess.</i></p> <p><i>We are aware of the importance of conservation and given we have around 130 acres of untouched land we felt it appropriate to maintain the safety of ourselves and others visiting our property in that very small area that is closest to the existing house.</i></p> <p><i>As I mentioned yesterday, our intention is to biodynamically regenerate our already cleared land in the near future without the use of pesticides or chemicals to achieve a self sustainable lifestyle. We are also committed to regenerating the native vegetation on our uncleared land to encourage a safe haven for native wildlife.</i></p> <p><i>I hope this explanation will suffice and that the council can see the sense and practicality in removing the underbrush, rubbish and the rusting barbed wire fence.</i></p> <p>Council staff accept the response provided and do not consider that compliance action is required in this instance.</p>
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The recommendation for approval has been made following due consideration of the representation and comments.

6. Mediations

Nil

7. Conclusion

In accordance with 6.10 of State Planning Provisions (Tasmanian Planning Scheme – Break O’Day), the application has been assessed against the objectives of the SPP, in particular the Landscape Conservation Zone, all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and seven (7) Performance Criterion. The received representation has been considered.

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

STRATEGIC PLAN & ANNUAL PLAN:

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

Goal

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

Key Focus Area

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

LEGISLATION & POLICIES:

Tasmanian Planning Scheme – Break O’Day

Land Use Planning and Approvals Act 1993

Local Government (Building and Miscellaneous Provisions) Act 1993

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

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

VOTING REQUIREMENTS:

Simple Majority

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
09/04/2024



COUNCIL RESOLUTIONS PLAN

COUNCIL RESOLUTIONS - MARCH 2024

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
0%	04/03/2024	30/04/2024	03/24.9.1.323 Speed limit reduction – GIr Le Fevre	<p>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</p> <p>The Break O'Day Council petition the Department of State Growth for a speed limit reduction (60kmh-50kmh) from the Golden Fleece Bridge in St. Helens to the intersection of the Tasman Highway and St. Helens Point Rd.</p>		Manager Infrastructure and Development Services
0%	04/03/2024	30/04/2024	03/24.9.2.324 Increased Animal Control Officers hours – GIr Le Fevre	<p>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</p> <p>The Break O'Day Council employ the dedicated Animal Control Officer for an additional day per week, commencing at the beginning of the new financial year.</p>		Manager Infrastructure and Development Services

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner														
0%	04/03/2024	30/04/2024	03/24.9.3.325 Decision to demolish the Exhibition Hall at St Marys Recreation Ground – Cllr Drummond	<p><i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i></p> <p>That Council rescind any former decision to demolish the Exhibition Hall at St Marys Recreation Ground and provide an assurance that the Exhibition Hall will not be demolished.</p>	Council officers will make arrangements for a further structural engineering report and provide a report to Council for consideration.	Development Services Coordinator														
100%	04/03/2024	03/04/2024	03/24.9.4.326 Ecological Restoration Program being conducted on the Skyline Tier by the North East Bioregional Network – Cllr Drummond	<p><i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i></p> <p>That Council bring this matter back to the April workshop for further information.</p>	Council discussed the Ecological Restoration work being conducted on the Skyline Tier in the Scamander Forest and supporting it, at its April Workshop.	NRM Facilitator														
100%	04/03/2024	30/04/2024	03/24.9.5.327 Reserve Activity Assessment Reform Process Submission - Cllr Drummond	That Council endorse the attached submission, to be provided by BODC, in response to a call for submissions to the Reserve Activity Assessment Process Reform.	Council determined it would, and it has, discussed at its April Council Workshop concerns and submission on proposals for Reserve Activity Assessment Process Reform.	NRM Facilitator														
0%	04/03/2024	30/04/2024	03/24.15.2.334 Policy CB02 – Break O’Day Council Awards Policy	That Policy CB02 – Break O’Day Council Awards Policy, as amended, be adopted.		Corporate Services Coordinator														
100%	04/03/2024	30/04/2024	03/24.15.3.335 Community Funding Program 2023-2024	<p>That Council fund the following projects through the Community Grants Program 2023 - 2024.</p> <table><thead><tr><th>Organisation or Group</th><th>Description of Project name</th></tr></thead><tbody><tr><td>Ansons Bay Community Group</td><td>Welcome to Ansons Bay</td></tr><tr><td>Fingal Valley Neighbourhood House</td><td>Establishing a community garden in St Marys</td></tr><tr><td>With One Voice Choir</td><td></td></tr><tr><td>North East Bioregional Network</td><td>Break O’Day Shorebird and Nature Education Program</td></tr><tr><td>Break O’Day Christmas Festivities Group</td><td>Christmas Decorations and Events</td></tr><tr><td>St Helens Destination Action Plan Group</td><td>Off the Track Sculpture Walk</td></tr></tbody></table>	Organisation or Group	Description of Project name	Ansons Bay Community Group	Welcome to Ansons Bay	Fingal Valley Neighbourhood House	Establishing a community garden in St Marys	With One Voice Choir		North East Bioregional Network	Break O’Day Shorebird and Nature Education Program	Break O’Day Christmas Festivities Group	Christmas Decorations and Events	St Helens Destination Action Plan Group	Off the Track Sculpture Walk	Notification of those successful and not successful for the current funding round have been notified and funds are have been paid to those successful applicants	Manager Community Services
Organisation or Group	Description of Project name																			
Ansons Bay Community Group	Welcome to Ansons Bay																			
Fingal Valley Neighbourhood House	Establishing a community garden in St Marys																			
With One Voice Choir																				
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Break O’Day Christmas Festivities Group	Christmas Decorations and Events																			
St Helens Destination Action Plan Group	Off the Track Sculpture Walk																			

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
100%	04/03/2024	30/04/2024	03/24.17.2.338 LG05 Social Media Policy Review	That Council receive the proposed changes to the Social Media Policy and discuss these changes with the view of updating the policy and including not just personal use of Social Media but Organisational as well.	Endorsed at the March Council Meeting	Executive Officer

COUNCIL RESOLUTIONS - FEBRUARY 2024

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
100%	19/02/2024	31/03/2024	02/24.13.4.307 Capital Works Budget Review	That Council adopt the revised Capital Works Budget 2023/2024.	Action is complete.	Business Services Manager
100%	19/02/2024	31/03/2024	02/24.14.3.309 Provision of a Road Name - Private Access Road off Aulichs Road	That Council does not assign a road name for the unnamed private access road off Aulichs Road given a low level of affected landowner support for naming the road.	Decision made at the ordinary meeting of the Council - February 2024.	Manager Infrastructure and Development Services
100%	19/02/2024	31/03/2024	02/24.14.5.310 Safer Australian Roads and Highways Inc - Partnership MOU	That Council consider entering a Partnership Memorandum of Understanding with the Safer Australian Roads and Highways Inc (SARAH).	The partnership MOU between SARAH Inc and Break O Day Council has been signed.	Manager Infrastructure and Development Services
100%	19/02/2024	31/03/2024	02/24.16.2.313 NRM Committee Meeting Minutes 5 September and 5 December 2023	That Council receive the Minutes of the NRM Committee Meetings held on 5 September 2023 and 5 December 2023 and consider any matters for further Council attention.	Council received the NRM Committee's Meeting Minutes for 5 September and 5 December 2023 at its February Meeting.	NRM Facilitator
100%	19/02/2024	31/03/2024	02/24.16.3.314 Appointmen tof Break O'Day Council Natural Resource Management Committee representatives	That Council appoint to its NRM Special Committee Mrs Fay Harding as Aboriginal community representative, Mrs Liese Fearman as Community representative (individual or local interest group) and Mr Brian French as Public Land Management representative (Parks and Wildlife Service).	Council considered at its February Meeting the recommendations of its NRM Special Committee and the appointed three new representatives for the Aboriginal community, Community and Public Land Management representative (Parks and Wildlife Service).	NRM Facilitator
100%	19/02/2024	31/03/2024	02/24.17.2.316 Review – LG02 – Councillor Learning and Development Policy	That Draft Policy LG02 – Councillor Learning and Development Policy be adopted replacing Policy LG02 Training and Development for the Mayor and Councillors.	Policy updated and placed on Council's website.	Corporate Services Coordinator
100%	19/02/2024	31/03/2024	02/24.17.3.317 Review Policy No LG50 – Gifts and Benefits Policy	That Draft Policy LG50 – Gifts and Benefits as amended be adopted.	Policy updated on Councils website.	Corporate Services Coordinator
100%	19/02/2024	31/03/2024	02/24.17.6.320 Future of Local Government Review – Final Report	That Council endorse the submission provided subject to any further comments at the Council meeting.	Submission provided to the Office of Local Government.	General Manager
100%	19/02/2024	31/03/2024	02/24.17.7.321 East Coast Strategic Regional Partnership Agreement	That the signing of the Memorandum of Understanding relating to the East Coast Strategic Regional Partnership be noted.	No action required from this item, now awaiting progress from the State Government.	General Manager

COUNCIL RESOLUTIONS - JANUARY 2024

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
100%	15/01/2024	05/02/2024	01/24.6.2.288 DA 2022 / 00109 – Boat Ramp and Groyne at White Sands Estate	A. Pursuant to Section 57 of the <i>Land Use Planning & Approvals Act 1993</i> and the <i>Tasmanian Planning Scheme – Break O'Day</i> , that the application for Reserve activity assessment (LVL 3) – boat ramp on land situated at CROWN LAND described in Certificate of Title 123961/3 and undefined Crown Land (Parks and Wildlife Service) and accessed via 125938/0 (Strata Corporation Number 125938) and 123961/2 be APPROVED subject to the following plans / documents and conditions:	The application was considered by Council at its meeting on 16 January 2024. 01/24.6.2 DA 2022 / 00109 – Boat Ramp and Groyne at White Sands Estate 01/24.6.2.288 Moved: Cllr B Le Fevre / Seconded: Cllr I Carter CARRIED UNANIMOUSLY The permit was issued on 22/01/2024	Senior Town Planner
5%	15/01/2024	05/02/2024	01/24.9.1.289 Speed Limit Reduction – Cllr Wright	<i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i> That council urgently petition State Government Department of State Growth for a speed limit reduction on the section of Tasman Hwy between St Helens and Scamander, from the current limit of 100KM P/H to 80KM P/H.	The Department of State Growth has not yet responded to a letter from the Manager Infrastructure & Development Services (December 2023) for the department to consider reviewing the Tasman Hwy through Dianna Basin that included the possibility of lowering the sign-posted speed limit, reviewing existing warning signage and the current road alignment. The planned community and LG engagement by the Department in preparing a Tasman Highway Corridor Strategy, which was to occur in late February has been deferred due to the State Government election taking place in March.	Manager Infrastructure and Development Services
10%	15/01/2024	05/02/2024	01/24.9.2.290 Binalong Bay Parking, Traffic and Pedestrian Safety – Mayor Tucker	<i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i> Council Officers review the existing Binalong Bay Foreshore Master Plan and develop a project scope that can be used to engage an expert to provide a report on the following: 1. Improved Parking Accessibility 2. Assessment of Additional Parking Areas, traffic calming and pedestrian safety improvements.	The MIDS has commenced a review the existing Binalong Bay Foreshore Master Plan with the view of developing a project scope that can be used to engage an expert to provide a report on the following: 1. Improved Parking Accessibility 2. Assessment of Additional Parking Areas, traffic calming and pedestrian safety improvements..	Manager Infrastructure and Development Services

COUNCIL RESOLUTIONS 2023

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
100%	20/02/2023	30/06/2023	02/23.17.5 Live Streaming of Council Meetings	<ol style="list-style-type: none"> 1. That Council resolve to implement Live Streaming of Council Meetings; and 2. That the cost for the implementation for associated hardware and software be considered as part of the 2023-2024 budget deliberations. 	Live Streaming installed and test took place at the Council Meeting on Monday 18 March.	Corporate Services Coordinator
50%	20/03/2023	30/06/2023	03/23.15.7 St Helens Sports Complex	<ol style="list-style-type: none"> 1. That Council engage a landscape architect to design connectivity between the various areas of the St Helens Sports Complex identifying what amenities are required to service the area and its users as well as ensuring green spaces and vegetation management are addressed as part of the project. 2. That funds from Public Open Space – St Helens be used to engage a landscape architect to undertake this project. 	A draft Brief has been developed for this project. This project will now be incorporated into the St Helens and Binalong Bay Liveability Strategy which is currently being developed.	Manager Community Services
90%	15/05/2023	31/03/2024	05/23.17.6 Economic Development Strategy Review	<p>That Council</p> <ol style="list-style-type: none"> 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 	Expression of Interest nearing completion with an item for the March Council meeting to be considered.	General Manager
50%	26/06/2023	31/07/2023	06/23.9.2.131 Online Access Centre Funding – Cllr Carter	<p>That Council write to the State Government requesting:</p> <ol style="list-style-type: none"> 1. A definitive answer about the future funding of Online Access Centres in the Break O'Day area beyond the completion of the current funding contract expiring on 30 June 2024. 2. An explanation of the Hub approach that the Minister mentioned in a meeting with the Mayor and Acting General Manager in February 2023. 3. Clear articulation to the affected communities and relevant service providers of the State Government's plans for the future delivery of services currently delivered by Online Access Centres at St Helens, St Marys and Fingal including how and who will be delivering these services and what services may be lost under the new approach. The articulation should include the financial consequences of establishing Hubs and the efforts that will be undertaken to seek ratepayer and service provider input 	Follow up letter sent to Minister on 26/10/23 raising concerns. No response received as at 14/11/23. Further letter sent to Minister on 3/1/24. Next step was to be a Question in Parliament and then a State election was called. It is noted that the OAC has been lobbying for future funding with a mixed response.	General Manager

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
50%	21/08/2023	31/12/2023	08/23.15.4.200 Bay of Fires Master Plan	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.	Additional funding has been provided by the State Government under the Strategic Regional Partnerships project to recommence and complete the development of the Bay of Fires Master Plan.	Manager Community Services
50%	21/08/2023	31/12/2023	08/23.15.6.202 Reconciliation Action Plan	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.	Due to staff issues - Reconciliation Tasmania have now set a date to commence the development of the Reconciliation Action Plan - it is proposed at this stage to have a first meeting with relevant staff mid May, 2024.	Manager Community Services
100%	16/10/2023	31/12/2023	10/23.17.3.246 State Election Priorities	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	Communication and lobbying activities in relation to the State Election Priorities has been occurring since the State election was called. A number of the priorities were picked up by the State Government through the Strategic Regional partnership. We are continuing to push the priorities through the last weeks of the election with major parties and other candidates where we can.	General Manager
90%	20/11/2023	31/03/2024	11/23.16.3.257 Proposed Environmental Health By-Law	1. In accordance with section 159 of the <i>Local Government Act 1993</i> (LGA), Council consider all submissions made in relation to the proposed Environmental Health By Law; 1. That Council resolve by absolute majority to: 1. adopt the recommended alterations to the proposed by-law as outlined in this report and the draft by-law attached; and 2. 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.	The Environmental by-Law is now certified and in operation. Final step is for the by-law to be tabled in Parliament, currently proposed to occur in March 2024	Development Services Coordinator
87%	18/12/2023	30/06/2024	12/23.16.2.278 Draft Amendments – Break O'Day Local Provisions Schedule	The Break O'Day Council, acting as the planning authority, submits the attached Section 40K Report to the Tasmanian Planning Commission in response to the exhibited substantial modifications to the Break O'Day Local Provisions Schedule.	The Hearing dates have been finalised by the Tasmanian Planning Commission and will be held in St Helens on 20 February and 21 February 2024. The Council Chambers have been booked and once formal advice is received, a Communications Plan will be developed.	Senior Town Planner
100%	18/12/2023	29/02/2024	12/23.17.4.282 Future of Local Government Review – Final Report	That Council provide a submission by the end of February as discussed in Council Meeting.	Item relisted for discussion at the January 2024 Council meeting	General Manager

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
100%	18/12/2023	08/01/2024	12/23.17.5.283 Review – LG01 – Elected Members Allowances and Support Policy	That Draft Policy LG01 – Councillors Allowances, Expenses and Support Policy as amended, be adopted.	Adopted policy included in Policy register for implementation	Corporate Services Coordinator
20%	18/12/2023	29/02/2024	12/23.9.1.265 Indigenous name for St Patricks Head – Cllr J Drummond	<p><i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i></p> <p>That Council support the Indigenous name for St Patricks Head, which is lumeragenena wuggelena according to the Department of Natural Resources and Environment Tasmania.</p>	The matter has been raised with Parks & Wildlife Service seeking their guidance on the request.	General Manager
100%	18/12/2023	31/01/2024	12/23.9.2.266 Break O'Day Council to partner with the Sarah Road Safety Group – Mayor M Tucker	<p><i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i></p> <p>That Council consider becoming a partner with the Sarah Road Safety Group.</p>	A Partnership MOU between SARAH INC and Council has been signed as a result of Council endorsing the officer's recommendation to do so at the February 2024 Council meeting.	Manager Infrastructure and Development Services
20%	18/12/2023	31/01/2024	12/23.9.3.267 Community landscape plan or policy for our townships – Deputy Mayor K Chapple	<p>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</p> <p>That Council develop a community park / garden landscape plan / and or policy for our townships.</p>	Councils existing Policy AM18 - Nature Strip Planting Policy is under review with a view of incorporating a policy position in how the Council develops a community park/garden landscape plan and associated criterion.	Manager Infrastructure and Development Services

COUNCIL RESOLUTIONS 2022

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
70%	21/02/2022	31/03/2022	02/22.16.5.39 - Management of Freshwater Resources and Water Quality	Council show leadership on freshwater management arrangements and seek input and advice from state water managers and independent experts on freshwater management arrangements and development initiatives in Tasmania, and their adequacy for ensuring the ecologically sustainable use and development of freshwater systems and resources in Break O'Day.	Issues around freshwater water resources and water quality management continue to be monitored and specific activities taken, for example on recreational water quality following the February storms. An opportunity to address with Council the broad issues of management of freshwater resources and rivers by the Tasmanian Government agencies and bodies in Break O'Day will continue to be sought.	NRM Facilitator
75%	27/06/2022	31/10/2022	06/22.15.3.123 - Outdoor Exercise Equipment - Scamander	That Council seek external funding to cover the cost of this project.	Unfortunately Council was not successful seeking grant funding for this project.	Manager Community Services

COUNCIL RESOLUTIONS 2021

Current Co...	Meeting ...	Due D...	Goal	Resolution / Action	Update	Owner
20%	15/02/2021	31/08/2021	02/21.16.4.50 - Draft Policy LG55 – Use of Conferencing Technology to Attend Council Meetings and Workshops Policy	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.	The LG Reform Rview has now been completed. Staff are still reviewing this document.	Executive Officer

04/24.8.0 PETITIONS

Nil.

04/24.9.0 NOTICES OF MOTION

Nil.

04/24.10.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

04/24.11.0 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

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

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

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

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

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

04/24.13.0 BUSINESS AND CORPORATE SERVICES

04/24.13.1 Corporate Services Department Report

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

OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

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

OFFICER'S REPORT:

Staffing

The reporting period has been one of interruptions with public holidays and a large part of our staff team on annual leave or unwell. I'd like to thank all staff for their efforts under difficult circumstances. Rachel Lewis (Senior Finance Officer) stepped up in to the Coordinator role for a period this month. Rachel has done a great job balancing the demands of her job and those of the Coordinator at challenging time of the year. We look forward to having a full complement of staff next month.

Audit Panel

The quarterly Audit Panel meeting was held on the 18th of March. Minutes of the meeting will be provided to Council at its May Council meeting for endorsement.

Budget Development

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

Tas Audit Office

The Audit Strategy has been provided to Management and staff continue to deliver information as requests come to hand.

Maturing	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	MATURED
10.11.2023	12	1,008,843.21	42,959.58	\$ 1,051,802.79	4.27%	CBA	MATURED
29.11.2023	12	1,500,000.00	64,921.64	\$ 1,564,921.64	4.34%	CBA	MATURED
18.12.2023	6	1,000,000.00	26,863.01	\$ 1,026,863.01	5.30%	Bendigo	MATURED
25.01.2024	12	1,100,000.00	50,050.00	\$ 1,150,050.00	4.55%	Bendigo	MATURED
05.02.2024	5	1,000,000.00	20,497.81	\$ 1,020,497.81	4.89%	CBA	MATURED
19.03.2024	9	1,000,000.00	40,912.33	\$ 1,040,912.33	5.45%	Bendigo	MATURED
02.04.2024	9	1,500,000.00	61,709.36	\$ 1,561,709.36	5.54%	CBA	MATURED
08.05.2024	6	1,500,000.00	39,375.00	\$ 1,539,375.00	5.25%	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
01.07.2024	5	1,000,000.00	16,266.00	\$ 1,016,266.00	4.88%	CBA	CURRENT
01.08.2024	4	1,000,000.00	15,866.67	\$ 1,015,866.67	4.76%	CBA	CURRENT
20.09.2024	12	2,000,000.00	106,200.00	\$ 2,106,200.00	5.31%	CBA	CURRENT
21.10.2024	7	1,000,000.00	24,250.00	\$ 1,024,250.00	4.85%	CBA	CURRENT
08.11.2024	12	1,000,000.00	54,100.00	\$ 1,054,100.00	5.41%	CBA	CURRENT
		\$23,615,865.64	\$873,301.05	\$24,489,166.69			

Rates Summary - 3 April 2024

	2023/2024		2022/2023	
	%	\$	%	\$
Rates Brought Forward				
Outstanding Rate Debtors		695,682.00		470,736.59
Less Rates in Credit		-271,007.13		-280,014.02
Net Rates Brought Forward	3.38	424,674.87	1.70	190,722.57
Rates and Charges Levied	95.86	12,045,545.01	97.48	10,919,903.46
Interest and Penalty Charged	0.76	95,673.52	0.81	91,215.89
Total Rates and Charges Demanded	100.00	12,141,218.53	100.00	11,011,119.35
Less Rates and Charges Collected	84.83	10,659,272.98	80.63	9,031,967.40
Less Credit Journals and Supp Credits	1.31	164,674.08	0.73	82,050.51
Remissions and Discount	4.87	611,964.62	5.02	562,740.87
Unpaid Rates and Charges 3 April 2024	8.99	1,129,981.72	13.61	1,334,360.57

Remissions and Discounts

Early Payment Discount

Pensioner Rebates

2023/2024

116,854.39

495,110.23

611,964.62**2022/2023**

105,900.43

456,840.44

562,740.87**Number Rateable Properties**

6,879

6,766

Number Unpaid Rateable Properties

1,499

3,397

% Properties Not fully paid**21.79****50.21****Right to Information (RTI) Requests**

Nil

132 and 337 Certificates

	132	337
March 2024	70	22
February 2024	48	22
March 2023	46	25

Debtors/Creditors @ 4 April 2024**DEBTORS INFORMATION****Invoices Raised****Current**

Month	Mth Value	YTD 23/24
44	\$ 467,890.57	664

Previous Year

Month	YTD 22/23
54	620

CREDITORS INFORMATION**Payments Made****Current**

Month	Mth Value	YTD 23/24
336	\$ 806,133.02	2537

Previous Year

Month	YTD 22/23
346	2141

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 March 2024 be received:

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

INTRODUCTION:

Presented to Council are the monthly financial statements.

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 March 2024

Profit and Loss

Break O'Day Council

For the 9 months ended 31 March 2024

Account	Actual YTD	Budget YTD	Budget Variance % YTD	Annual Budget	Notes
Trading Income					
Rates	11,920,727	11,845,314	1%	11,845,314	
User Fees	1,032,802	988,449	4%	1,383,879	
Operating Grants	402,633	1,646,633	-76%	3,897,036	1
Interest & Investment Income	638,312	612,342	4%	816,457	
Contributions	33,641	11,925	182%	15,900	
Other Revenue	206,129	66,417	210%	88,550	2
Total Trading Income	14,234,244	15,171,080	-6%	18,047,136	
Gross Profit	14,234,244	15,171,080	-6%	18,047,136	
Capital Grants					
Grants - Commonwealth Capital	1,994,645	2,329,866	-14%	3,106,489	
Grants - Roads to Recovery	221,991	485,250	-54%	647,000	
Grants - State Capital	507,544	738,750	-31%	985,000	
Total Capital Grants	2,724,180	3,553,866	-23%	4,738,489	3
Other Non Operating Income					
Net Gain/Loss on Disposal of Assets	67,669	90,000	-25%	120,000	
Total Other Non Operating Income	67,669	90,000	-25%	120,000	
Total Non Operating Revenue	2,791,849	3,643,866	-23%	4,858,489	
Operating Expenses					
Employee Costs	4,497,333	4,585,570	-2%	6,114,089	
Materials & Services	4,961,376	5,486,946	-10%	7,026,009	4
Interest Expense	132,222	185,931	-29%	247,910	5
Depreciation	3,483,910	3,493,341	0%	4,657,790	
Other Expenses	188,738	201,755	-6%	269,008	
Total Operating Expenses	13,263,579	13,953,543	-5%	18,314,806	
Operating Net Profit	970,665	1,217,537	-20%	(267,670)	
Net Profit (Including Non Operating Revenue)	3,762,514	4,861,403	-23%	4,590,819	
Work in Progress					
Capital Work in Progress	3,658,920	0	0%	0	
Total Work in Progress	3,658,920	0	0%	0	

Notes

- Operating grants are down \$1.244m on budget YTD, which primarily relates to receiving of the 23/24 Financial Assistance Grants in the prior financial year.
- Other revenue is up \$140k on budget YTD, which primarily relates to insurance recoveries.
- Capital grants are down \$830k on budget YTD, which primarily relates to the timing of grant payments in relation to project milestones.
- Materials and services are \$526k (10%) below budget YTD, which relates to a combination of timing of some payments and some areas currently recording a lower level of spending than forecast for the YTD.
- Interest expense is down \$54k on budget YTD, which is predominantly due to timing differences associated with loan repayments to TasCorp.

Balance Sheet

Break O'Day Council

As at 31 March 2024

Account	31-Mar-24	30 Jun 2023
Assets		
Current Assets		
Cash & Cash Equivalents	15,773,182	14,434,952
Trade & Other Receivables	2,047,767	1,056,053
Inventory	193,124	242,538
Other Assets	2,838	2,838
Total Current Assets	18,016,910	15,736,380
Non-current Assets		
Trade and Other Receivables	14,392	14,392
Property, Plant & Equipment	189,652,257	193,139,070
Right of Use Asset	792,141	792,141
Intangible Assets	27,225	46,147
Investment in Water Corporation	33,959,804	33,959,804
Other Investments	30,000	30,000
Total Non-current Assets	224,475,819	227,981,554
Total Assets	242,492,730	243,717,934
Liabilities		
Current Liabilities		
Trade & Other Payables	817,213	902,701
Contract Liabilities	0	1,021,755
Lease Liability	60,783	60,783
Interest Bearing Loans & Borrowings	180,259	407,685
Provisions	947,362	947,362
Trust Funds and Deposits	748,330	742,459
Total Current Liabilities	2,753,947	4,082,745
Non-current Liabilities		
Lease Liabilities	741,882	741,882
Interest Bearing Loans & Borrowings	5,459,137	5,459,137
Provisions	766,323	766,323
Total Non-current Liabilities	6,967,342	6,967,342
Total Liabilities	9,721,289	11,050,087
Net Assets	232,771,441	232,667,847
Equity		
Accumulated Surplus	43,768,628	43,665,033
Reserves	189,002,814	189,002,814
Total Equity	232,771,441	232,667,847

Statement of Cash Flows

Break O'Day Council

For the 9 months ended 31 March 2024

Account	YTD	2023
Operating Activities		
Receipts from customers	1,197,104	1,409,618
Receipts from rates	10,913,461	10,670,679
Receipts from Operational Grants	409,647	4,840,072
Contributions	39,993	155,057
Interest received	347,312	546,447
Dividends received	291,000	465,600
Payments to employees	(4,601,139)	(5,738,665)
Payments to suppliers	(5,334,466)	(6,976,112)
Finance Costs	(154,354)	(343,938)
Cash receipts from other operating activities	1,053,147	232,623
Cash payments from other operating activities	301	421
Net Cash Flows from Operating Activities	4,162,006	5,261,801
Investing Activities		
Payment for property, plant and equipment	(4,003,621)	(4,394,745)
Proceeds from sale of property, plant & equipment	89,045	86,000
Capital Grants received	1,302,615	1,987,754
Net Cash Flows from Investing Activities	(2,611,961)	(2,320,991)
Financing Activities		
Proceeds of trust funds and deposits	11,384	57,599
Repayment of loans	(227,426)	(389,024)
Repayment of lease liabilities	0	12,131
Other cash items from financing activities	4,226	0
Net Cash Flows from Financing Activities	(211,815)	(319,294)
Net Cash Flows	1,338,230	2,621,516
Cash and Cash Equivalents		
Cash and cash equivalents at beginning of period	14,434,952	11,813,436
Net change in cash for period	1,338,230	2,621,516
Cash and cash equivalents at end of period	15,773,182	14,434,952

Break O'Day Council			
Capital Works 2023-2024			
For the period ended 31 March 2024			
Project Details	YTD @ 31/3/2024	Updated Carried Forward Amount	Revised Budget 2024
Plant & Equipment			
Replace 1358 H66ZW - Kia Sportage	-	40,000	40,000
Vehicle Management Tracking System		30,000	30,000
Small Plant - VARIOUS	38,874		41,000
Replace 1050 - Crown LPG Forklift	198		35,000
Replace 1061 - John Deere 570B Grader	-		350,000
Replace 1223 - Hitachi EX7SUR-3 Excavator	-		-
Roller for replacement Grader			50,000
Woodchipper			130,000
Replace 1291 - Toro Mower	-		-
Replace 1329 -Toro Groundmaster 7200	-		-
Replace 1340 - Ferris IS3200 61" Mower	23,090		23,090
Replace 1360 - Dmax 4x4 Crew Cab	-		-
Replace 1361 - Kia Sportage H40ZN - Corporate Services	40,936		40,000
Replace 1363 - Toro Groundmaster 360	-		-
Replace 1364 - Ferris IS3200Z Mower	44,683		44,545
Replace 1379 - Toro G3 Z-Master 48"	19,288		17,148
Fuso Fighter (replace 1321)	26,860		17,060
All terrain Beach Wheelchair	2,843		2,843
Pavement Roller (replace 1097)	57,480		57,480
Total Plant & Equipment	254,251	70,000	878,166
Furniture & IT			
Desktop replacements 2022/23	-		14,400
Firewall	-		14,000
Livestream Equipment	15,340		8,000
Server Replacement	-		20,000
Phone system	-		25,000
Total Furniture & IT	15,340	-	81,400
Buildings			
Fingal Community Shed (Old Tas Hotel)	229,852	353,531	433,531
St Marys Indoor Recreation Facility	686,400	1,096,121	1,546,121
Portland Hall Upgrades	-	6,288	10,000
Scamander Sports Complex	17,071	31,982	16,000
Stadium repaint of floors and replace damaged equipment	40,746	-	140,000
St Helens Sports Complex new lighting towers	10,586	4,531	10,586
Council Chambers additions and improvements	12,077	46,592	56,592
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	11,589		30,000
Marine Rescue Building Renovations	4,773		5,000

Project Details	YTD @ 31/3/2024	Updated Carried Forward Amount	Revised Budget 2024
St Marys WTS Tip Shop Additions	486	23,160	23,160
Mangana Telecommunications Cell Tower	9,818		-
Total Buildings	1,023,398	1,562,205	2,270,990
Parks, Reserves & Other			
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	90,000
Special Project - Tas Police Project	156,911		200,000
Special Project - Parking Strategy St Helens and St Marys	1,450		20,000
Special Project: Scamander Coastal Hazards Project	2,516	24,709	95,574
Fingal Youth Playground/recreation hub	-	345,767	345,767
Pump Track/s	730	500,000	500,000
Playground equipment replacement program	15,446	49,867	49,867
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	34,660	34,660
St Marys Cemetery Master Plan - Columbarium Wall & garden	27,931	28,281	27,931
St Helens Cemetery Master Plan improvements	-		-
St Helens Sports Complex - Athletics Building		48,589	48,589
St Helens Football Grounds Fencing		15,000	15,000
Secret Sculpture Trail	7,000		7,000
Totals Parks, Reserves & Other	219,211	1,151,230	1,498,745
Roads - Streetscapes			
LRCI Phase 4 - Cecilia St/ Georges Bay Esp Junction			162,406
LCRI3 Cecilia St, Streetscape Southern End	24,966	19,070	24,404
Cecilia Street/Georges Bay Esplanade junction	-		37,500
Cecilia St - Northern End	-		15,000
Quail St Parking Bay	-	50,000	-
Total Streetscapes	24,966	69,070	239,310
Roads - Footpaths			
Main St Mathinna (Wilson St to Community Hall)	-	-	8,500
Parkside Foreshore Footpath	4,892	30,000	30,000
Grant Street Pathway, Falmouth	43,873		43,873
Young St, St Helens, Footpath	(1,219)		-
Maori Place, Akaroa	48		48
Irishtown Road	2,331		2,331
Akaroa Ave	13,146		-
Cannel Place	12,683		-
Jason Street, St Helens	10,805		-
Total Footpaths	86,559	30,000	84,752
Roads - Kerb & Channel			
Penelope St St Helens	-		-
Total Kerb & Channel	-		-
Roads - Resheeting			

Project Details	YTD @ 31/3/2024	Updated Carried Forward Amount	Revised Budget 2024
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
Canhams Road	30,405		30,405
Evercreech Road	-		64,160
Mathinna Plains Road	16,242		96,250
North Ansons Road	256,433		253,732
Macquarie Street	11,357		11,357
Champ St, Seymour	12,175		12,175
Davis Gully Road	22,559		38,800
Lyne Court	7,255		19,656
St Marys Area Resheeting	3,899		3,899
Total Resheeting	360,325	20,555	557,489
Roads - Reseals			
St Marys - Story Street Esk Main Road to Groom Street	-	55,084	55,084
794-Boronia St	4,326		6,730
656-Football Entry Rd	-		2,293
1036-Talbot St West C/W	8,319		5,328
1035-Talbot St West C/W	-		4,688
1004-Victoria St Part A	-		4,870
616-Charlotte Crt	50,416		29,250
621-Four Mile Creek Rd	50,995		18,206
644-Mangana Rd	104,137		30,108
307-Mangana Rd	-		39,597
306-Mangana Rd	-		10,051
305-Mangana Rd	-		33,069
636-Chapman St	1,788		3,574
623-Fonthill St	2,070		4,071
614-High St Mathinna	28,754		12,127
613-High St Mathinna	-		9,531
631-High St Mathinna	-		9,611
630-High St Mathinna	-		8,849
629-High St Mathinna	-		13,280
628-High St Mathinna	-		3,366
626-High St Mathinna	-		2,872
638-Wilson St	2,013		4,011
194-Mathinna Rd	14,677		14,942
572-Cherrywood Dve	1,542		5,420
543-Scamander Ave	-		18,121
565-Silver St	3,406		7,978
923-Ansons Bay Rd (Priory Rd)	11,013		53,861
432-Circassian St	-		11,935
439-Depot Rd	-		5,036
485-Netball Rd	-		6,525
484-Netball Rd	-		4,887
689-St Helens Point Rd	36,035		31,993
688-St Helens Point Rd	-		23,223
Quail Street - off traffic lane resealing	7,684	-	50,000
Totals Reseals	327,177	55,084	544,487
Roads - Construction, Digouts & Other			
Aerodrome ring road - Erosion mitigation	-		30,000
Digouts and road edge remediation to be allocated	266,337		250,000
218 - Mathina Plains Road	129,686		129,686
Medeas St/Circassian St intersection upgrade	10,061		200,000
LRCI Phase 3 North Ansons Bay Sealing	107,477	93,458	93,458
Road Network - Sign Replacement	27,179		27,179
LRCI Program - Phase 4 Projects			

Project Details	YTD @ 31/3/2024	Updated Carried Forward Amount	Revised Budget 2024
- LRCI 4: Rehabilitation of Alexander Street - Cornwall			-
- LRCI 4: St Columba Falls Road, Pyengana	97,146		150,000
- LRCI 4: Scamander Avenue - Pedestrian footpath improvement	41,475		70,000
- LRCI 4: Ansons Bay Road Sealing	-		223,438
- LRCI 4: Sealing of Tasman Highway, Seymour LRCI 4	77,835		150,000
- LRCI 4: Gray Road - Ptahway Extension			-
LRCIP Phase 3 Project - Mt Paris Dam Road	19,206	27,922	27,922
Flood damage remediation works	256,207		300,000
Upper Scamander Road (Oct22 Flood Event FUNDED)	62,060		-
Gardens Road - STAGE ONE	3,270		3,270
St Helens Point Road - Parkside	19,590	85,602	85,602
Totals - Roads Construction, Digouts & Other	1,117,530	206,982	1,740,555
Totals Roads & Footpaths	1,916,558	381,691	3,166,593
Bridges			
B2293 - Cecilia St	5,397	216,563	221,563
B7027 - Mathinna Plains Road	-		40,000
Culvert 5539 - Mathinna Road			40,000
B1243 - Binns Road	-		28,600
B1245 - Clellands Road	117		29,400
B1675 - Lower Germantown Road	5,661		220,000
B1605 - St Columba Falls Road	46,675		63,675
B7010 - Rattrays Road	1,140		1,140
Total Bridges	58,989	216,563	644,378
Stormwater			
Minor stormwater Jobs	25,686		58,000
Osprey Drive	-	10,000	10,000
Falmouth Street	-	-	-
Penelope Street	10,969	113,521	113,521
Victoria Street, Fingal	61,906		108,000
Aulichs Lane, St Marys	-		10,000
Freswater St / Lade Court Beaumnaris	6,382	6,382	6,382
Treloggens Track	46,027	26,907	46,027
Total Stormwater	150,969	156,810	351,930

Project Details	YTD @ 31/3/2024	Updated Carried Forward Amount	Revised Budget 2024
Waste Management			
Scamander WTS - Waste Paint Container Station	349	14,283	14,283
Scamander WTS - Replace sump pit & pump	12,830		20,000
Scamander WTS - Waste Compactor	-		20,000
Scamander WTS - Inert Landfill study	7,024		25,000
Total Waste Management	20,203	14,283	79,283
Total Capital	3,658,920	3,552,782	8,971,485

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

OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

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

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

- Main tourists this month were from VIC, QLD & WA and we also had a few overseas tourists mainly French and from NZ and the US
- Had a lot of phone calls with Parks & Wildlife queries, e.g. camping availability, campfire restriction clarifications, Musselroe Bay Camping,
- Assisted people with bus transport, mainly trying to work out bus timetables to Launceston and Hobart.

The History Room Curator Report:

- **School Visit:** 3 P/1 classes from St Helens District High School are visiting 9/10th April 2024
- **Heritage Tasmania Grant:** This was submitted on behalf of the Friends of St Helens History Room for proposed works at the Union Church, Goulds Country
- **Historic Houses Tour:** Had 28 attend this Friends' member event in St Helens visiting 4 of the oldest homes Very successful!
- **George Town History Festival:** Had 7 attend this event based at the Bass and Flinders Museum celebrating the birth of Matthew Flinders and his associated links with Tasmania.
- **The Chinese Experience:** Movie went down on Monday 4th March 2024. Upgrade urgently required for this installation.

- **New Volunteers:** We welcome Pip Buchanan and have formalised Peter Bell's voluntary input at the St Helens History Room
- **Volunteer Film Festival:** Have registered for this event through Community Services and currently working on a small movie of volunteers working at the St Helens History Room.

Statistics:

Door Counts

Month/Year	Visitor Numbers	Daily Average	History Room
March 2013	4,360	140.64	146
March 2014	5,578	179.94	146
March 2015	6,810	219.68	208
March 2016	5,080	169.33	212
March 2017	5,124	165.29	177
March 2018	4,492	149.73	216
March 2019	4,318	139.29	266
March 2020	2,936	117.44	196
March 2021	3,196	103.10	164
March 2022	3,286	109.53	128
March 2023	4,483	144.61	240
March 2024	4,226	136.32	189

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
November	8,255.03	519.00	127.50
December	7,284.50	369.00	51.00
January	8,438.70	518.00	157.75
February	9,845.73	565.00	272.90
March	8,884.98	661.00	215.90

STRATEGIC PLAN & ANNUAL PLAN:Break O'Day Strategic Plan 2017-2027 (Revised March 2022)Goal

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

Strategy

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

LEGISLATION & POLICIES:

N/A

BUDGET AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	Angela Matthews, Corporate Services Coordinator Raoul Harper, Business Services Manager
FILE REFERENCE	018\017\004\
ASSOCIATED REPORTS AND DOCUMENTS	Draft Schedule of Fees & Charges 2024/2025

OFFICER'S RECOMMENDATION:

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

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

The Schedule of Fees & Charges is reviewed and adopted annually; this draft for 2024/2025 was considered at a recent Council Workshop.

OFFICER'S REPORT:

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

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

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

Council maintains a register of fees and charges in accordance with section 206 of the *Local Government Act 1993*. The fees and charges contained in the register are reviewed each year as part of the annual budget deliberations. Fees and charges will be increased annually by a minimum of the Consumer Price Index (CPI) except those categorised as Legislated, Government Agency or Council which are set independently.

Below is a summary of changes for 2024/2025

Fee Units will be updated for 132,337 certificates etc. once the unit is set and gazetted from the Department of Treasury and Finance around the 1 April 2024.

Development Charges

- Generally, all fees have been increased by 5%;
- Additional increased above the 5% have been applied to Building Surveying Services and Inspection fees. This has been driven by the private sector and ensuring that our fees for building surveying services align where possible with the private market. A restructure of the building surveying fees has also been completed to simplify the fee structure.
- Issuing of Building Certificates have been increased significantly to be more reflective of the work involved and reporting to the General Manager.
- Caravan Licence fees are now set by the By-Law and associated with fee units in accordance with the By-Law.

Animal Control

- Increases to Dog Fees to support expanded hours in animal control measures.

Waste Transfer Fees

- Increase to all fees.
- Asbestos Fees are proposed at \$73.60. The actual cost for Council to dispose of this is \$1683.00m³.
- Proposal to accept stripped down mattress free of charge, if all materials are separated, scrap metal from this can be resold to the scrap metal recycler, timber can be chipped and the fabric is sent to landfill at a negligible cost.
- Polystyrene packaging will no longer be accepted as a recyclable due to contamination and storage.
- Introduction of fee to recover the cost for LPG fully degassed cylinders from the customer.
- A reduction to the mulch fees to make the product more attractive to buyers and to reduce stockpile material quantity as quickly as possible.

Facilities Hire

- Introduction of Hub for Health Building – Portland Court Fees:
 - Local Service Provider – Full Day \$60.00 - Half Day \$30.00;
 - Out of Town Service Provider – Full Day \$80.00 - Half Day \$40.00.
- Community Group hire fees for the Council Chambers introduced.

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.

Strategies

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

LEGISLATION & POLICIES:

Section 205 of the *Local Government Act 1993*.
Break O'Day Council Financial Management Strategy.

BUDGET AND FINANCIAL IMPLICATIONS:

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

VOTING REQUIREMENTS:

Absolute Majority

Fees & Charges

2024-2025



Adopted

from the **mountains** to the **sea** | www.bodc.tas.gov.au



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ADMINISTRATION

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

Photocopying

Black & White	Per A4 page 30c	\$0.70
	Per A4 page double sided	\$0.90
	Per A3 page 50c	\$1.15
	Per A3 page double sided	\$1.35
Bulk Runs	Copies in excess of 500 (per A4 sheet)	\$0.45
	Copies in excess of 500 (per A4 sheet double sided)	\$0.55
	Copies in excess of 500 (per A3 sheet)	\$0.65
Binding	1 Plastic Sheet + Comb (bound by Council staff) per copy	POA
Colour Photocopying	Per A4 page	\$3.90
	Per A3 page	\$5.60
Laminating	Per A4 page 2.75	\$5.05
	Per A3 page 3.30	\$6.15
Council Agenda & Minutes	Printed copy	Free of Charge
Planning	Planning Scheme Ordinance	\$70.00*

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

Right to Information

Fees are set as per the Right to Information Act 2009, these fees are listed as a reference only. The Right to Information Act 2009 replaces the Freedom of Information Act 1991 and therefore the associated fees have altered accordingly. There is now one (1) flat fee for these requests and no other expenses are incurred as with the Freedom of Information requests.

Application Fee will be updated once information is gazetted from The Department of Treasury and Finance.

Search of Public Information

S.132 Certificates	Application Fee will be updated once information is gazetted from The Department of Treasury and Finance.	*
S.337 Certificates	Application Fee will be updated once information is gazetted from The Department of Treasury and Finance.	

Goods left on Council Controlled Land

Collection Fee	\$22.50*
Storage Fee – per week or part there of	\$22.50*

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

Visitor Information Centre

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

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FACILITIES HIRE

FACILITY HIRE BOOKING FEE - \$25.

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

Bonds – All Facilities

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

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

Not for Profit Organisations

	Full Day	Half Day (Max. 4 hours)	Per Hour
Hall Only – Day	\$70.00	\$43.00	\$21.50
Hall Only – Night	\$118.00	\$86.00	\$21.50
Hall Only – Day AND Night	\$172.00	N/A	N/A
Portland Hall Kitchen – Day AND Night	\$48.00	\$27.00	N/A
St Marys Hall Kitchen – Day AND Night	\$48.00	\$27.00	N/A
Fingal Recreation Building - Kitchen – Day AND Night	\$48.00	\$27.00	N/A
Memorial Services		Nil	Nil

Private Functions and Other Non-Commercially Trading Organisations

	Full Day	Half Day (4 hours or less)
Hall Only – Day	\$193.50	\$91.00
Hall Only – Night	\$236.50	\$112.50
Hall Only – Day AND Night	\$408.50	N/A
Portland Hall Kitchen – Day AND Night	\$80.50	\$75.00
St Marys Hall Kitchen – Day AND Night	\$80.50	\$75.00
Fingal Recreation Building - Kitchen – Day AND Night	\$80.50	\$75.00

Commercially Trading Organisations (Sale of Goods)

	Full Day	Half Day (4 hours or less)
Hall Only – Day	\$3,225.00	\$1,612.50
Hall Only – Night	\$2,365.00	\$1,182.50

FACILITIES HIRE CONT....

Miscellaneous

Public Liability – see hirers agreement (if required)	\$21.50 per day
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St Helens Council Chambers (Day use ONLY)

Court Sitings		\$376.00
Other Organisations		\$247.00
Community Groups	Per Day	\$70.00
	Half Day	\$40.00

Sport/Recreation Grounds

Bulk Camping Fees – by arrangement with Council (more than 10 users)		POA
Hire of Sports Grounds (ovals, fields, etc)	Per hour	\$13.00
Kitchen	Per day	\$37.50
Foreshore	Per day	\$123.50
	Half Day	\$64.50
Foreshore/Sports Ground Power	Per day/Per site	\$17.00

St Helens Sports Complex only

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

Toilets Only	Per day	\$37.50
Showers and Toilets Only	Per day	\$75.00
Sports Complex Building (no amenities)	Per day	\$21.50
Sports Complex Building (including amenities)	Per day	\$97.00

Community Hire Equipment

Community BBQ Trailer – Community Groups	Daily usage	\$48.50
	Bond	\$300.00*
Community BBQ Trailer – Commercial/Private Hire	Daily usage	\$161.00
	Bond	\$300.00*
Camera and Sound Recording Equipment	Bond	\$500.00*
	All Day Hire	\$107.50
	Half Day Hire	\$53.50
Sand Chair Hire	Bond	\$21.50*
Projector and Screen hire – St Marys		\$25.000

FACILITIES HIRE CONT....

Multipurpose Stadium

HOURLY RATE HIRE FEES					
		Day Rate		Night Rate	
		1 Court	2 Court	1 Court	2 Court
Sports (Team)					
	Casual Hire	\$32.00	\$53.00	\$39.80	\$66.50
	Regular User	\$29.00	\$48.00	\$35.90	\$60.00
	Key User Hire	\$25.00	\$42.50	\$32.00	\$53.00
Sports (Individual/Doubles)					
	Casual Hire	\$16.00	\$26.50	\$20.00	\$33.50
	Regular User	\$14.00	\$24.00	\$17.95	\$30.00
	Key User Hire	\$13.00	\$21.00	\$16.00	\$26.50
Community Activities					
	Casual Hire	\$25.50	\$42.50	\$31.90	\$53.00
	Regular User	\$23.00	\$38.00	\$28.70	\$48.00
	Key User Hire	\$20.50	\$34.00	\$25.50	\$42.50
Events					
	Casual Hire	\$63.50	\$106.50	\$79.80	\$133.00
Day Rate (8 Hours)					\$559.00
Equipment	Tennant Walk Behind Scrubber Machine			\$120.90 per hour	
FACILITY HIRE FEES					
Change Rooms and Showers/toilets				\$75.00	

Hub4Health Building

Local Service Provider	Full Day	\$60.00
	Half Day	\$30.00
Out of Town Service Provider	Full Day	\$80.00
	Half Day	\$40.00

Open Space at Flagstaff Trail Head

Non-Waiverable and Non-Refundable Administration Fee:		\$25.00
Bond <i>The Bond is the same for all bookings no matter what the time frame and will be refunded following an inspection of the area after completion of the event/activity</i>		\$315.00
Unpowered Site	Per hour	\$10.75
	½ Day (4 hours)	\$32.00
	Full Day (8 hours)	\$64.50
Powered Site	Per hour	\$13.00
	½ Day (4 hours)	\$39.00
	Full Day (8 hours)	\$77.50
Skills Training/Activation Area	Per hour	\$16.00
	½ Day (4 hours)	\$48.50
	Full Day (8 hours)	\$96.50

ENGINEERING SERVICES

Waste Transfer Stations

DOMESTIC		
General Household Garbage	Garbage Bag	\$4.00
	140L Wheelie Bin (max. 2 bags)	8.00
	240L Wheelie Bin (max. 3 bags)	12.00
	Car Boot	\$12.00
	Station Wagon, Trailer without cage or Utility	\$14.00
	Trailer with Cage	\$18.50
	Tandem Trailer or small Truck	\$22.50
All Clean Green Waste – Domestic & Commercial	Car Boot	\$4.70
	Station Wagon, Trailer without cage or Utility	\$9.50
	Trailer With Cage	\$11.50
	Tandem Trailer or small Truck	\$17.00
	Tree lopping material requiring chipping (greater than 400mm diameter)	\$15.50
COMMERCIAL		
Commercial Business Waste		\$36.50 m ³
Bulk Waste Scamander WTS – Scamander Only		\$206.50 per tonne
Asbestos Removal Scamander WTS – Scamander Only		\$73.60 m ³
Need to discuss with Council due to actual cost being \$1,638/m3.		
TYRES		
Motorcycle and car tyres		\$9.50 each
Light truck/4WD tyres		\$18.00 each
Truck and larger tyres		\$39.50 each
Tractor tyres		\$195.00 each
GENERAL BUILDING WASTE & RUBBLE		
Bricks, gravel, treated & untreated timber gyprock etc		\$45.00 m ³
Clean Fill Material		\$10.00 m ³
Unsecured loads (additional charge)		\$8.00 each
MATTRESSES		
Mattresses Double/Queen/King		\$24.50 each
Propose: Accepted free of charge If stripped down (e.g. separated material, timber and steel springs)		
Mattresses Single		\$12.50 each
Propose: Accepted free of charge If stripped down (e.g. separated material, timber and steel springs)		
FURNITURE		
Sofa	Single Seat	\$11.50
	2 or 3 Seat	\$24.50
	Large Modular	\$36.50
Laminated Furniture (desks, wardrobes, bathroom/kitchen cabinets)		\$36.50
RECYCLABLE MATERIAL		

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Separated Recycling Material	FREE
Not being recycled due to contamination and storage problems. Included in domestic and commercial waste Charges	
Triple Rinsed Chemical Containers (Drum/Muster Endorsed)	FREE
Car Batteries	FREE
E Waste (TV's, computers, printers, game stations, etc)	FREE
Car Bodies/Scrap Steel – St Marys, Scamander & St Helens	FREE
White Goods (Except Fridges and Freezers)	FREE
Cardboard	FREE
Glass	FREE
Paint	FREE
Scrap Metals	FREE
Aluminium & Steel Cans	FREE
OTHER	
Gas Cylinders LPG Only (Must be fully degassed to be accepted)	\$11.50
Cost recovery – each cylinder regardless of size costs \$11.50 to dispose.	
Fridges & Freezers	\$22.40
Fuel Disposal (Petrol, Diesel, Coolant)	\$2.00
Waste Oil	
Replacement Wheelie Bin – 140L	\$78.00
Replacement Wheelie Bin – 240L	\$90.00
Delivery fee for change of bin requirements including replacement of lost or stolen bins	\$33.50

ENGINEERING SERVICES – CONT...

Mulch Fees – St Helens WTS

GREEN WASTE MULCH	
Double shredded green waste mulch available for sale	\$25.00m ³
Single shredded green waste mulch available for sale	\$12.00m ³

Engineering Services – Stormwater Connections

Stormwater connection to kerb and gutter	POA
Stormwater connection to piped drain	POA
All other stormwater connections	POA

Engineering Services – Assessment of Public Works

Assessment of Engineering Plans & Approval for Construction (excludes inspections)	\$950.00
Works /Engineering Inspections (per Inspection)	\$180.00

Note: Public works are defined as any works that council is obliged to maintain for the community and include roads, footpaths, drainage (both underground and surface), landscaping, parks and public buildings

Engineering Services – Other Fees

Supply of Traffic Counts, per count, if current data is already available	\$56.20
Supply of Traffic Counts, per count, if data must be obtained	POA
Works Permit / New Crossover Application Fee / Application to Open Road (Includes post inspection fee)	\$246.00
Additional Inspection Fees	\$123.00
Location Charges (during business hours)	\$123.00

Road Work

Road & Footpath Reinstatement	POA
Footpath and Driveway Construction	POA
Stormwater Works	POA

Aerodrome Landing Fees

To apply to General Aviation (GA) landings	\$12.50 per tonne
Non General Aviation (GA) landings	No charge
Airport Hangar Hire/Lease	POA depending on size

Cemeteries - Site & Reservation Fees

Land Lawn Cemetery	\$230.00
Graveyard Land 2.4m x 1.2m	\$230.00
Land – Child (Birth to 5 years)	Nil
Columbarium Wall	\$104.00

ENGINEERING SERVICES – CONT...

Cemeteries - Grave Digging

Lawn Cemetery	Monday to Friday	\$1300.00
	Saturday, Sunday and Public Holidays	POA
	All days (including public holidays) – Children Birth to 5 years	NIL
Ashes Burial	Monday to Friday	\$357.00
	Saturday, Sunday and Public Holidays	POA
	All days (including public holidays) – Children Birth to 5 years	NIL
Other Cemeteries (including old sites requiring manual excavation)	Monday to Friday	\$1440.00
	Saturday, Sunday and Public Holidays	POA
	All days (including public holidays) – Children Birth to 5 years	NIL

Cemeteries - Miscellaneous

Exhumation	POA
Re-interment	POA
Fee for re-opening grave	POA
Fee for constructing cement layer	POA

DEVELOPMENT SERVICES – PLANNING

New Development (Buildings)

Review of application where No Permit Required	Administration Fee	\$180.00
Advertising Fee	If applicable	\$450.00
Permitted Use/Discretionary Use	Use and/or Development (Class 7 and Class 10 Buildings, Signs, Demolition)	\$300.00*
	Use and/or Development (Other excluding subdivision)	\$3.50 per \$1,000 of assessment value Min \$370.00, Max \$30,000 Note: Development Exceeding a Fee Value in excess of \$30,000 will be quoted by Council upon application.
ILLEGAL WORKS – RETROSPECTIVE PLANNING APPROVAL		Double the relevant application fee
Development Proposed Within Flood Hazard Category 1 & 2		Double the relevant application fee
Development Proposed Within Flood Hazard Category 3 and Above		Double the relevant application fee + Associated Cost of Peer Review

New Development (Subdivision/Adjustment)

SUBDIVISION Application Fee	* + \$170.00* per lot
BOUNDARY ADJUSTMENT Application Fee	\$300.00*
Development Proposed Within Flood Hazard Category 1 & 2	Double the relevant application fee
Development Proposed Within Flood Hazard Category 3 and Above	Double the relevant application fee + Associated Cost of Peer Review

New Development (Other)

Level 1 Activity <i>EMPCA 1993</i>		\$1450.00*
Level 2 Activity <i>EMPCA 1993</i>		\$1700.00*
Fence (Where not exempt)		\$180.00*
Application where buildings do not form a major part of the Development	Up to \$25,000	\$180.00*
	\$25,001 to \$100,000	\$360.00*
	\$100,001 to \$250,000	\$500.00*
	\$250,001 to \$499,999	\$875.00*
	Where project cost exceeds \$500,000	\$1,700.00* plus \$3.50 per \$1,000 over \$500,000 to a max \$30,000 Note: Development Exceeding a Fee Value in excess of \$30,000 will be quoted by Council upon application.
CHANGE OF USE (for all classes of building or use of site)	Plus fee for any new work associated with application.	\$250.00* Fee set by State Government
Development Proposed Within Flood Hazard Category 3 and Above		Double the relevant application fee + Associated cost of peer review

DEVELOPMENT SERVICES – PLANNING CONT...

Plan – Examination & Sealing

Examination and sealing of final plan of Survey	\$565.00* + \$170.00* per lot
Application Fee for Each Stage (Staged Strata Scheme)	\$395.00* per stage
Petition to amend a Sealed Plan – (All parties signed petition)	\$1700.00*
Additional Fee where a petition is required to progress to a hearing.	\$1700.00* + Councils Legal Fees at Cost

Sundry Planning Fees

Extension - application for permit extension	\$180.00*
Minor amendment - application to amend a Section 58 Permit	\$180.00*
Minor amendment – application to amend a Section 57 Permit	\$395.00*
Minor amendment – application to amend a Section 57 Permit with 1-5 Representations	\$790.00*
Minor amendment – application to amend a Section 57 Permit with 6 or more Representations	\$1700.00*
Minor amendment – application to amend a Section 57/Section 58 requiring RMPAT decision	At cost + associated legal fees incurred by council
Adhesion order - application for issue of an adhesion order	\$280.00*
Part 5 agreement – processing and sealing of a Part 5 agreement - s. 70 of LUPAA	\$450.00*
Scheme amendment - application for amendment to Break O'Day planning scheme and processing fee after council approval to proceed	Cost to be negotiated with Applicant upon receipt of Valid Application*
Mediation - organising mediation in accordance with s.57a of LUPAA or any other mediation required by the council in order to determine a planning application	\$268.50* per mediation meeting
Cash in Lieu of car parking – per car parking space	\$6,450.00*
Collection of impounded sign	s48(a) of the Land Use Planning & Approvals Act 1993 \$135.00* per sign

Statutory Advertising & Administration

Advertising	Level 2 Activity Application	At cost
	Application for amendment to the Break O'Day Planning Scheme two adverts required	At cost

Refunds/Remissions – Application withdrawn

Planning Fees	Requests for additional information have not been made	75%
	Requests for additional information have been made	25%
Advertising Fees	Not commenced	100% less \$25.00 admin fee
Application Fee	Project of Regional Significance <u>WHEN</u> declared by Minister	50%
Applications for development by a Community Group on Land Owned or Managed by Council		100%

DEVELOPMENT SERVICES – BUILDING

Building Surveying Charges – Category 3 and 4 Buildings

CLASS 1A Structures (new dwelling/dwelling additions & alterations, change of use (garage to dwelling and dwelling to B&B))		
Certificate of Likely Compliance – NOT INCLUDING INSPECTIONS	Up to 150m ² & internal alterations & demolition	\$450.00
	Greater than 151m ²	\$1200.00
CLASS 10A Structures (garage/carport/deck/pergola/retaining wall/mast/fence/pool)		
Certificate of Likely Compliance – NOT INCLUDING INSPECTIONS	Up to 150m ² including minor structures and pools	\$350.00
	Greater than 151m ²	\$750.00
Prefabricated Kit shed -Certificate of Likely Compliance – NOT INCLUDING INSPECTIONS	All Sizes	\$350.00
Solar Panel Applications	All Sizes	\$600.00 includes assessment, any required inspections and administration charges
Other Classes up to 2000m² (shop, office, warehouse, industrial buildings, assembly buildings schools, etc)		
Certificate of Likely Compliance – NOT INCLUDING INSPECTIONS	Up to 150m ² (includes internal alterations and Change of Use)	\$900.00
	Greater than 150m ²	\$1800.00
LEGISLATION OF ILLEGAL STRUCTURES – DOUBLE THE ASSESSMENT FEE AS PERSCRIBED		

Inspections

Class 1A - Change of Use (Minimum of two (2) inspections)	\$180.00+ per inspection
Class 1A & 10A - Building Inspections (Minimum of five (5) for class 1-9) (Minimum of two (2) for Class 10A)	
Additional inspections required will be charged prior to issue of Completion Certificates	

DEVELOPMENT SERVICES – BUILDING CONT...

Miscellaneous

Search for property information (Non-Refundable)		\$50.00
Staged Building Permit Fee		\$180.00+ Associated Administration fee per stage
Temporary Occupancy Permit	Annually to maximum of 3 years	\$180.00*+ Associated Administration fee*
Re-activation of file (expired building/plumbing permit)	Reassessment required	Assessment and inspection fees as per fee schedule + \$50.00for each certificate required
	Reassessment not required	\$600.00+ \$50.00 for each certificate required & any required inspections

Extension to Building Permit – All Classes

1 st Year	\$200.00*
Subsequent Years	Increase of \$50.00* per year over previous year Capped at \$500.00

Building Certificates

Class 10A Structures (Includes Inspection & Administration Costs)	\$230.00
Class 1A Structures (Includes Inspection & Administration Costs)	\$350.00
Commercial Occupancy Permit & Schedule of Health and Safety Features	\$600.00

State Government Levies

Industry Training Levy	Over \$20,000	0.20%* of project cost
Building Administration Fee Levy	Over \$20,000	0.10%* of project cost

Amendments

Minor Amendment	Not requiring a reassessment	\$180.00
Amendment to Building Permit & Certificate of Likely Compliance		Fees applicable to Certificate type (eg. Certificate of Likely Compliance) + Applicable Administration Fee

Administration and Notifiable Works and Lodgment fee

Administration – Category 1	Nil
Administration – Category 2	Nil
Administration – Category 3	\$180.00*
Administration – Category 4	Administration Fee of \$180.00 + Permit Authority Charges

Administration – Privately Certified Applications Only

Administration – Category 1	Nil
Administration – Category 2	Nil
Administration – Category 3	\$180.00*
Administration – Category 4	\$180.00*

BUILDING SERVICES – PLUMBING – DOMESTIC & WASTE WATER

Domestic Certificate of Likely Compliance Plumbing (Category 3 & 4 plumbing works)

Plumbing Permit/Assessment – ALL PRICES INCLUDE INSPECTIONS	Up to \$151 ² & Class 10 & Demolition	\$300.00*
	Greater than 151m ²	\$750.00*
Waste Water Assessment and Approvals (Septic Tanks, AWTs etc)	All Sizes	\$180.00*
LEGALISATION OF ILLEGAL STRUCTURES – DOUBLE THE ASSESSMENT FEE AS PRESCRIBED ABOVE.		

BUILDING SERVICES – PLUMBING – COMMERCIAL

Commercial Certificate of Likely Compliance Plumbing (Category 3 & 4 plumbing works)

Plumbing Permit/Assessment – ALL PRICES INCLUDE INSPECTIONS	Up to 151m ²	\$650.00*
	Greater than 301m ²	\$1500.00
LEGALISATION OF ILLEGAL STRUCTURES – DOUBLE THE ASSESSMENT FEE AS PRESCRIBED ABOVE.		

BUILDING SERVICES – PERMIT AUTHORITY

Permit Authority Charges – Building & Plumbing Only (Category 4 only)

LEGALISATION OF ILLEGAL STRUCTURES – DOUBLE THE FEE FOR AN ILLEGAL STRUCTURE, THAT IS, THE CHARGE IDENTIFIED BELOW PLUS 100%		
CLASS 1A Structures (new dwelling/dwelling additions & alterations, change of use (garage to dwelling and dwelling to B&B))		
Building & Plumbing Permit	All sizes	\$375.00
CLASS 10A Structures (garage/carport/deck/pergola/retaining wall/mast/fence/pool & demolition works)		
Building & Demolition Permit	All sizes	\$180.00
Other Classes up to 2000m ² (shop, office, warehouse, industrial buildings, assembly buildings schools, etc)		
Building & Plumbing Permit	All sizes	\$450.00

ENVIRONMENTAL HEALTH

Licences, Certificates, Permits

Food Business (Mobile or Premises)	High Risk – P1	\$425.00*
	Medium Risk – P2	\$250.00*
	Low Risk – P3	\$125.00*
	Notifiable – P3N & P4	\$35.00*
Food Business – Not for Profit Community Group	All levels	Nil
Temporary Food Registration	Period not exceeding ten consecutive (10) days	\$35.00*
	Period not exceeding ten consecutive (10) days – not for profit community groups	Nil
Food Sampling		\$60.00 + Cost of Analysis if applicable
Assessment of Plans for Commercial Kitchen (Form 49)		\$125.00*
Occupancy Permit for Commercial Kitchen (Form 50)		\$125.00
Place of Assembly	Licence application for a mass outdoor public event	\$75.00*
	Not for profit organisations	Nil
Sampling of Swimming Pools/Spa Baths	Public	\$75.00 + Cost of Analysis if applicable
	Public – Resamples	\$125.00 + Cost of Analysis if applicable
	Public not for profit organisations	Cost of Analysis
Water Cartage	Application/Renewal	\$40.00*
Public Health Risk Activities	Licence	\$125.00*
	Renewal	\$125.00*
Private Water Suppliers Registration	Application / Renewal	\$35.00*
Caravan Licence		156 fee units per financial year or 12 fee units per month (inclusive of month of application)
Nuisance	Abatement costs associated with non-compliance	Cost of Works + \$161.00
	Administration costs associated with non-compliance	\$180.00 first hour (minimum fee); \$90.00 per hour or part thereof thereafter, plus compliance costs
Permit for Burial of Human Remains on Private Land		\$225.00*
Environmental Protection Notices	Investigation, issuing and management charges	\$180.00 per hour or part thereof

ANIMAL CONTROL

Registration Type

	IF PAID PRIOR TO 30 JUNE 2023	IF PAID AFTER 30 JUNE 2023
Entire Dog	\$52.00*	\$75.00*
Entire Dog – Pensioner**	\$23.00*	\$34.50*
De-sexed Dog	\$29.00*	\$40.50*
De-sexed Dog – Pensioner**	\$13.50*	\$17.50*
Newly Registered Dog	As above	Pro-rata of full rate
Approved Assistance Dogs - Guide/Hearing	Nil	Nil
Registered Breeding Dog	\$35.50*	\$43.00*
Approved Working Dog	\$23.00*	\$41.00*
Declared Dangerous Dog	\$288.00*	\$346.00*

NOTE: **One (1) dog per property on Pensioner Rate.
(Pension and Health Care card)

Impounding

First Impoundment	\$57.00*
Subsequent Impoundment	Previous impoundment fee +\$57.00*
Daily keeping fee	\$29.00*
Purchase of unclaimed dog **	\$29.00* + registration fee
Microchip implanting of impounded/unclaimed dog (if not already chipped)	At cost
Out of hours release fee ***	Original owner
	\$288.00*

NOTE: ** Refundable if returned within two (2) weeks.

ALL FEES MUST BE PAID IN FULL PRIOR TO RELEASE OF ANY DOG

Kennel Licence

Kennel licence application fee	More than 2 dogs or 4 working dogs	\$81.00*
Kennel licence renewal fee (Applies to working and non-working dogs)		\$57.00*

Miscellaneous

Replacement Registration Tag		\$6.00*
Dangerous Dog	Collar	\$29.00
	Sign	Cost Price
Dog Waste Bags	Roll	\$18.00

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

OFFICER'S RECOMMENDATION:

That the report be received by Council.

INTRODUCTION:

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


PREVIOUS COUNCIL CONSIDERATION:

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

OFFICER'S REPORT:

Asset Management	
Aerodrome	<ul style="list-style-type: none"> Aerodrome is inspected 3 times per week, maintenance items are addressed and aerodrome is serviceable to aircraft. The aerodrome is also inspected after each major weather event to check for ongoing serviceability No current NOTAM restricting operations.
Boat Ramps	<ul style="list-style-type: none"> All boat ramps have been cleaned prior to Easter. A contractor, on behalf of MAST, has undertaken Burns Bay jetty maintenance.
Road Network	<ul style="list-style-type: none"> Sealed and unsealed road patching. Drainage maintenance. Guidepost and sign replacement where required. Pavement damage on Lottah Road and Goulds Country Road completed.
Stormwater	<ul style="list-style-type: none"> All crews currently working on flood related issued from the February storm event. This will take several weeks to complete.
Town & Parks	<ul style="list-style-type: none"> Mowing/ground maintenance. Garden/tree maintenance and weeding. Footpath maintenance and repairs. Boat Ramp – monthly inspections and cleaning undertaken. Routine playground inspections. Community event support.

MTB	<ul style="list-style-type: none"> Routine track maintenance.
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Weed Management for March 2024	
Fingal	<ul style="list-style-type: none"> Gorse, Broom, Spanish heath
St Marys	<ul style="list-style-type: none"> Gorse, Broom, Spanish heath
Cornwall	<ul style="list-style-type: none"> Gorse, Broom, Spanish heath
 <p>Prickly Pear Cactus (Opuntoid cacti) Other names: Common pest pear, spiny pest pear, tiger pear, drooping tree pear, velvety tree pear, Westwood pear</p>	<p>Prickly pear is a general term used to describe the Opuntia species, members of the Cactaceae family and Declared Weeds of National Significance. Prickly pear is a spiny, drought-resistant succulent that rapidly invades natural areas. Originally from the Americas, they form dense impenetrable patches and can injure humans, wild animals and livestock. They also affect biodiversity by hindering the growth and regeneration of native plants, particularly small shrubs and ground-flora.</p> <p>Opuntia species have spines and glochids. Glochids are small hair-like sharp detachable spines with reverse barbs produced in dense clusters that penetrate skin and are virtually impossible to see or remove without the aid of a hand-lens. Glochids detached from plants on equipment, surfaces or clothes can also penetrate skin if brushed past.</p> <p>Opuntia species must be managed on private property and must not be given away, sold or released into the environment. For further information or help in identifying Opuntoid cacti, refer to the Commonwealth Department of the Environment Weeds in Australia - Opuntia spp. (Prickly Pears) website. You can also contact Biosecurity Tasmania on 03 6165 3777 for help.</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	214	240	274	361	233	TBA				1,965
2022/23 (T)	194	243	226	206	250	262	388	197	267	246	199	234	2,912
Difference (T)	-7	-11	-2	-8	-10	+12	-27	+36					

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	45	58	55	TBA	TBA				339
2022/23 (T)	53	56	66	64	67	65	81	63	69	61	50	61	756
Difference (T)	-4	-11	-17	-26	-22	-7	-26						

CAPITAL WORKS

Activity	Update
Bituminous Surfacing Works 2023-2024	In-progress.
Cecilia Street/Georges Bay Esplanade Junction Upgrade	Scheduled for May 2024.
Medea St/Circassian St Junction Upgrade	Roundabout design to be approved by State Growth. Works scheduled to commence in April 2024 and fully funded under the Road Blackspot Program.
St Columba Falls Road – shoulder widening and sealing	In-progress. The project is a Local Roads and Community Infrastructure- Phase 4 fully funded project.
Old Highway Seymour - sealing	The project is a Local Roads and Community Infrastructure - Phase 4 fully funded project. Project completed.
Upper Scamander/Germantown Road Flood Recovery October 2022 Final Work	Failed culvert crossings have been replaced. Asphalt pavement failure completed, resheeting scheduled for April on Upper Scamander and Germantown Road sections.
Storm water – Penelope Street, St Helens	Works deferred to early 2024/25 due to resources being reassigned to recent storm damage remediation.
Storm water – Victoria Street, Fingal	Works scheduled for April/May.
Storm water – Minor storm water jobs	Work completed.
Scamander Footpath LRCI Round 4	In progress.
Davis Gully Road & Lyne Court, Fourmile Creek	Resheeting completed.

STRATEGIC PLAN & ANNUAL PLAN:

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

Goal

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

Strategy

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

LEGISLATION & POLICIES:

N/A

BUDGET AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority.

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Municipal Inspector
FILE REFERENCE	003\003\018\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That the report be received by Council.

INTRODUCTION:

This 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

6th March 2024 - 4th April 2024															Reporting Period Total	2023- 2024
Category/Area	Ansons Bay	Binalong Bay, The Gardens	Cornwall	Fingal, Manganna	Falmouth	Four Mile Ck	Upper Esk, Mathinna, Evercreech	Beaumaris	Scamander	Seymour, Denison	Parnella, Stieglitz, Akarora	Goshen, Pyengana, Weldborough	St Helens	St Marys		
Dog - Attack on a person (Serious)															0	2
Dog - Attack on another animal (Serious)															0	5
Dog - Attack/Harassment - on another animal (Minor)															0	2
Dog - Attack/Harassment on a person (Minor)															0	3
Dog - Declared Dangerous															0	3
Dog - Dangerous Dogs Euthanised															0	3
Dog - Barking							1						2		3	14
Dog - Chasing a person															0	12
Dog - Impounded													1		1	13
Dog - in Prohibited Area															0	1
Dog - Lost Dogs Reported															0	4
Dog - Rehomed/kennel for rehoming															0	3
Dog - Wandering/at large													1		1	26
Verbal Warnings given to dog owners													2	1	3	42
Notice Issued - Unregistered Dog															0	1
Notice Issued - Bark Abatement Notice															0	0
Notice Issued - Caution Notice			1												1	10
Notice Issued - Infringement Notice														1	1	11
Infringement Notice - Disputes															0	1
Infringement Notice - Time Extension Request															0	0
Infringement Notice - Revoked															0	1
Written Letter - Various matters to Dog owners.				1											1	35
Patrols - Township/Urban Areas				1	1	1	1	1	1		1		2	2	11	82
Patrols - Beaches/Foreshore									2				2		4	109
Unregistered Dog - Notice to Register															0	0
Kennel Licence - No licence held															0	0
Kennel Licence - Issued															0	6
Other - Cat complaints															0	1
Other - Livestock															0	3
Other - Poultry															0	3
Other - Animal Welfare, RSPCA intervention															0	1
TOTAL	0	0	1	2	1	1	2	1	3	0	1	0	10	4	26	396
Registered 2023-2024 YTD	1,415															
Pending 2023-2024	29															

STRATEGIC PLAN & ANNUAL PLAN:

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

Goal

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

Strategy

Ensure the necessary regulations and information is in place to enable appropriate use and address inappropriate actions.

LEGISLATION & POLICIES:

- *Dog Control Act 2000*
- *EP05 Dog Management Policy*

BUDGET AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

04/24.15.0 COMMUNITY DEVELOPMENT

04/24.15.1 Community Services Report

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Chris Hughes, Community Services Manager
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

Community Services	2023-2024 Budget	2023-2024 – 4.4.24
Community Grants	30,000	\$29,800
Youth Services	8,000	300
Misc Donations & Events	7,500	
School Prizes	1,000	1,000

Community Event Funding		
Seniors Day	3,000	1,700
Australia Day Event	5,000	3,000
Swimcart	1,000	1,000
St Helens Athletic Carnival	2,500	2,500
Carols by Candlelight	1,600	1,600
Australia Day Event (including Woodchopping)	15,000	2,000
Fingal Valley Coal Festival	2,000	
Pyengana Endurance Ride -	500	
St Helens Game Fishing Comp	2,000	
Wellbeing Festival	3,500	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	2,500
International Disability Day Event	1,000	1,000
Mental Health Week	500	500
Barn Dance	2,000	
Suicide Prevention	1,000	1,000
Pyengana Easter Carnival	1,000	
Mannalargenna Day	2,500	2,500

Council Sponsorship		
Funding for BEC Directory	2,000	
St Helens Online Access Centre		5,000
St Helens Marine Rescue	3,000	3,000
Business Enterprise Centre (BEC)	28,000	28,000
Welcome to Town Christmas Signs	1,000	1,000

The above table shows what donations/sponsorships have been paid to the relevant committees up to and including 4 April 2024. The remaining events will be paid out prior to 30 June 2024 due to the scheduling of these events once requested by the community organisations.

Below are updates on current projects being managed by Community Services:

Reconciliation Action Plan

Plans are in place to commence the development of our Reconciliation Action Plan (RAP) in conjunction with Reconciliation Tasmania in early May 2024. There will be community engagement sessions scheduled as part of the development of the RAP – these will be advertised in Council's Newsletter, social media page and Council's website.

Pump Track Project

All approvals and permits have now been obtained and approved for the construction of the Flagstaff Pumptrack.

Contractors World Trail are now on site at the Flagstaff Trailhead where they have started the preliminary works for construction of the Pumptrack.

Scamander/Beaumaris Survey

Council staff are currently developing a survey which will focus on activities within the Scamander and Beaumaris communities. Information that we will be seeking from the survey but not limited to - the location of the proposed outdoor gym equipment, future use of Beaumaris Park and proposed plantings and proposed recreational use of land at Scamander.

Community Events/Activities

Community Services staff have been working with community members in ensuring that all the great events listed below are able to go ahead. We thank the volunteers who put a lot of their time into organising these events so that the community and visitors to our area can enjoy what we have in our municipality.

Staff have designed a Volunteer Film Festival Project to showcase and celebrate volunteering in Break O'Day for National Volunteer Week 20-16 May. Details on the volunteering page of Council's website. We have had a great number of community groups who are contributing to this event. Further details will be provided closer to the event.

Council staff are working in collaboration with COTA TAS and both Neighbourhood Houses for an event at St Marys on Wednesday 12 June 2024 – Long Table Lunch for Lifelong Respect. Watch out for the purple posters advertising this event.

April 2024

6 – BODRA- Film Night – St Marys Hall
12 – Youth Glow Party (Youth Connect North East Coast Tasmania (YCNECT) – Portland Hall
13 – East Coast Swans Pyengana Football Game – Pyengana Recreation Ground
13-14 – Sheep Dog Trials – Fingal Recreation Grounds
18 – LGBTQIA+ - Disability Forum – Portland Hall
19 – Autumn Festival – St Helens Community Garden Break O'Day Regional Arts
25 – ANZAC Service – St Helens Memorial Park
30- 2 May – Ochre Medical Centre – Flu Clinic – Bendigo Bank Community Stadium

May 2024

Nil

Learner Driver Mentor Program

One Learner Driver passed their Provisional Driving Test this month. The program hours are a little down this month due to sickness. The program continues to be delivered in St Helens, Fingal and St Marys.

Total road hours – 54.5 Hours

Total Mentors - 11

Learner in car - 24

Waiting list – 8

Graduated – 1

Community Wellbeing Project

The Wellbeing Collective met on 19 March to discuss project delivery and continue planning the Festival of Wellbeing and the Wellbeing Certificate for 2024.

Two rounds of the Wellbeing Certificate are to commence in July until early September. The festival of Wellbeing will be held on Thursday 10 October and a Summit is being planned for the following day to bring community together for a big conversation about Our Shared Future.

Two volunteer members of the Wellbeing Collective travelled to Longford with staff on 14 March to present project updates to the Tasmanian Community Fund Board.

Youth

Staff continue to meet with youth workers and youth stakeholders to support activities and plan events. This includes supporting YCNECT with an event in Youth Week (April).

The draft Youth Commitment Statement was tabled at the quarterly Health and Social Services Network Meeting for feedback and comment.

Council staff supported the development and finalisation of a youth resource for the Live4Life program that is being shared across the community and at the first Crew meet-up on 28 March.

Health and Wellbeing

The Health and Social Services Network continues to attract more members. The network has 51 organisations represented and more individuals. Our autumn meeting on 25 March was well attended and positive feedback about the value of the network and council's facilitation has been received informally. Next meeting is 17 June.

Conversations in the network about exploring ways to make it easier for everyone to connect and collaborate and easier for our community to see everything on offer continue.

Hub4Health management is ongoing and staff are seeking quotes from consultants to develop a Management Plan that is informed by community engagement and can revitalise the facility for the future.

STRATEGIC PLAN & ANNUAL PLAN:

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

Goal

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

Strategy

- Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge.
- Foster a range of community facilities and programs which strengthen the capacity, wellbeing and cultural identity of our community.

LEGISLATION & POLICIES:

N/A

BUDGET AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	Chris Hughes, Manager Community Services
FILE REFERENCE	016\005\006\
ASSOCIATED REPORTS AND DOCUMENTS	N/A

OFFICER'S RECOMMENDATION:

That Council enter into a Memorandum of Understanding with the Department of Police, Fire and Emergency Management (DPFEM) for one (1) year 1 July, 2024 – 30 June, 2025 to fund the Break O'Day SES Unit in the sum of \$18,500 (paid in two six monthly instalments) and that a further review be undertaken in early 2025 once a determination has been made as to whether a review of the Fire Service Act continues.

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:**Council Meeting 17 July 2023**

07/23.15.3.174 Moved: Clr B LeFevre/ Seconded: Clr I Carter

That Council consider not entering into any further Memorandum of Understandings (MOU) once the current MOU expires on 30 June, 2024.

OFFICER'S REPORT:

In July 2023 when Council first discussed the issue of renewing the Memorandum of Understanding, the then Tasmanian Government were undertaking a review of the Fire Service Act where it was proposed that under a new Act, Fire and Emergency Services Act the Tasmania Fire Service (TFS) and the State Emergency Service (SES) would combine but still retain their own individual identities.

In February this year, the Local Government Association of Tasmania wrote to all General Managers asking that since the TFES reform has paused and it is unclear if, when and in what form it will recommence, discussions had been held with the State Emergency Service Executive Director to discuss working and financial arrangements between SES and Local Government.

Given the uncertainty around timeframes and the need to continue the operations of the Break O'Day SES Unit, we recommend that Council enter into a Memorandum of Understanding with the Department of Police, Fire and Emergency Management (DPFEM) for one (1) year 1 July, 2024 – 30 June, 2025 to fund the Break O'Day SES Unit in the sum of \$18,500 and that a further review be

undertaken in early 2025 once a determination has been made as to whether a review of the Fire Service Act continues.

STRATEGIC PLAN & ANNUAL PLAN:

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

Goal

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

Strategy

Foster and support leadership within the community to share the responsibility for securing the future we desire.

Break O Day Annual Plan 2023 – 2024

Actions:

5.2.2.1 Foster Opportunities - Provide leadership and work in partnership with community and service providers to create inclusive and equitable opportunities for everyone to feel valued and contribute meaningfully to their community.

LEGISLATION & POLICIES:

N/A

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

Council allocate \$18,500 to fund the local SES Unit in the 2024 – 2025 budget.

VOTING REQUIREMENTS:

Absolute Majority

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	Chris Hughes, Manager Community Services
FILE REFERENCE	033\021\002\
ASSOCIATED REPORTS AND DOCUMENTS	N/A

OFFICER’S RECOMMENDATION:

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

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER’S REPORT:

Street litter bins are often functional but not aesthetically pleasing. By covering them with photos of our local features they can be transformed into visually appealing features. The photographs can showcase local landmarks, natural scenery or cultural elements. They can also be used as an education tool – for example showing what can be recycled and what products are made from recycled goods.

If Council supports the idea, we can work with the community either in the selection of the photographs or they may wish to provide photographs which can be attached to the street bins.

Eye catching street bins can attract the attention of visitors to our community, maybe even encouraging them to explore the attractions that our municipality has to offer.

We propose using corflutes – with 2 sides of the street bins being covered:

50 x 960 mm high x 715 mm wide bin photo prints made from digitally printed 5 mm corflute cut to size

The cost for 50 photographs is \$1,870.20

Council is currently renewing street bin infrastructure and as these changes are made, this could be a feature used throughout our townships.



STRATEGIC PLAN & ANNUAL PLAN:

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

Goal

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

Strategy

Foster and support leadership within the community to share the responsibility for securing the future we desire.

Break O Day Annual Plan 2023 – 2024

Actions:

5.2.2.1 Foster Opportunities - Provide leadership and work in partnership with community and service providers to create inclusive and equitable opportunities for everyone to feel valued and contribute meaningfully to their community.

LEGISLATION & POLICIES:

N/A

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

There is no budget for this project - the cost of \$1,870.20 will need to be considered in the budget process.

VOTING REQUIREMENTS:

Simple Majority

ACTION	INFORMATION
PROPONENT	Department
OFFICER	Development Services Coordinator
FILE REFERENCE	031\013\003\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

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

OFFICER'S REPORT:**KEY DEPARTMENT STRATEGIC OR OPERATIONAL MATTERS**

1. Tasmanian Planning Commission decision received that latest amendments to the Tasmanian Planning Scheme have now been approved.

PLANNING REPORT

The following table provides data on the number of applications approved for the month including statistical information on the average days to approve and the type of approval that was issued under the *Land Use Planning and Approvals Act 1993*:

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD	EOFY 2023 / 2024
NPR	1	5	2	2	1		1	2	6				20	
Permitted	0	1	7	6			5	4	3				26	
Discretionary	12	8	22	13	10	9	14	6	9				103	
Amendment	3	2	3	5	2	1	1	1					18	
Strata		1				1							2	
Final Plan	3	2	1			1							7	
Adhesion														
Petition to Amend Sealed Plan					1		1		1				3	
Boundary Rectification														
Exemption														
Total applications	19	19	35	26	14	12	22	13	19				179	284

Ave Days to Approve Nett *	19	19	24.33	24.75	26.92	50.8	35.22	21.53	18.68				26.69
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* Calculated as Monthly Combined Nett Days to Approve/Total Applications

The following table provides specific detail in relation to the planning approvals issued for the month:

March 2024

DA NO.	LOCATION	DESCRIPTION	SECTION	Day to Approve Gross	Days to Approve Nett
127-2023	Falmouth	Construction of 2 x Dwellings & Shipping Container	S57	152	41
001-2024	Scamander	Construction of Dwelling, Shed with Amenities & Carport	NPR	0	0
253-2023	Akaroa	Dwelling Additions and Alterations of Shed Roof	S57	59	38
032-2024	Scamander	Change of Use - Carport to Amenities	NPR	1	1
191-2023	St Helens	Subdivision - 17 Residential Lots and Road Lot	S57	150	49
037-2024	Scamander	Shed	NPR	0	0
038-2024	St Helens	Retrospective Approval of Dwelling & Shipping Container	NPR	1	0
035-2024	Fingal	Additional Use for Visitor Accommodation	S58	8	5
027-2024	St Helens	Beer Garden	S57	24	23
026-2024	Beaumaris	Deck, Verandah & Shade Sails	S57	38	38
267-2023	Stieglitz	Internal Alterations to an Existing Dwelling, New shed and Boat-wash Area and Retaining Wall	S57	77	33
036-2024	Scamander	Dwelling	NPR	28	9
224-2023	Stieglitz	Demolition of Shed & Retrospective Approval of Dwelling	S57	158	25
254-2023 PETITION	Beaumaris	Petition to Amend Sealed Plan	PETITION	3	3
018-2024	St Helens	Construction of 2 x Dwellings	S58	23	8
022-2024	St Marys	Retrospective Approval of Studio, Carport & Shipping Container	NPR	4	3
265-2023	St Helens	Shed Addition	S57	57	35
045-2024	Binalong Bay	Additional Use for Visitor Accommodation	S58	8	7
007-2024	Binalong Bay	Dwelling Additions & Alterations	S57	50	37

TOTAL 19

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.	50%	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	50%	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.	100%	The Tasmanian Planning Commission has approved the latest suite of modifications, the process is now finalised.
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
Replacement of Signage & Repainting	Service Tasmania	Completed November 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"> Repainting identified as priority which has now commenced.
Old Tasmanian Hotel Site – New Community Shed	20 Talbot Street, Fingal	<ul style="list-style-type: none"> Slab installation now completed; Works progressing as planned;
St Marys Indoor & evacuation Centre	St Marys Sports Complex	<ul style="list-style-type: none"> Framing stage now underway; Works are progressing as planned.
External Repainting	Council Chambers	<ul style="list-style-type: none"> Repainting underway.

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

Description	Location	Updates
Audio Visual Improvements	Portland Hall	<ul style="list-style-type: none"> Needs further consideration.
Re-Roof and Weatherproofing of athletics building	St Helens Sports Complex	<ul style="list-style-type: none"> Next phase of works pending outcomes of St Helens Sports Complex Masterplan consultation.

The below table provides a summary of the building approval issued for the month including comparisons to the previous financial year.

<div>Building Services Approvals Report</div> <div>March 2024</div>


No.	BA No.	Town	Development	Value
1.	2023/00245	St Helens	New Dwelling & Storage Shed	\$717,000.00
2.	2023/00207-STAGE 2	St Helens	New Dwelling & Deck	\$280,000.00
3.	2023/00208-STAGE 2	St Helens	New Dwelling & Deck	\$280,000.00
4.	2023/00198	Binalong Bay	New Dwelling & Deck	\$650,000.00
5.	2022/00218-STAGE 2	Scamander	Alterations & Additions to Dwelling & New Carport & Deck	\$173,000.00
6.	2023/00273	Scamander	Addition - New stairs to existing Deck	\$5,000.00
7.	2024/00050	Stieglitz	Building Certificate – Retrospective Dwelling Approval of Pre-Existing Dwelling Addition	N/A
8.	2024/00043	Binalong Bay	Demolition (Retaining Wall), Relocation of Dwelling & New Retaining Wall	\$50,000.00
9.	2023/00051	St Helens	New Dwelling & Alfresco	\$270,000.00
10.	2023/00067	St Helens	Alterations & Additions to Dwelling & Shed & retaining wall	\$44,000.00
11.	2023/00274	St Helens	Legalisation of Deck	\$18,400.00
12.	2023/00249	St Marys	Plumbing approval only – Temporary Dwelling	N/A

ESTIMATED VALUE OF BUILDING APPROVALS FINANCIAL YEAR TO DATE	2022/2023	2023/2024
	\$26,730,143.00	\$21,155,209.00

ESTIMATED VALUE OF BUILDING APPROVALS FOR THE MONTH	MONTH	2023	2024
	March	\$4,006,886.00	\$2,487,400.00

NUMBER BUILDING APPROVALS FOR FINANCIAL YEAR TO DATE	MONTH	2022/2023	2023/2024
	March	153	126

ENVIRONMENTAL REPORT

Description	Updates
Dog Management Policy review	Council has discussed possible revisions to its Dog Management Policy including a new dog zones base map, developed with Parks and Wildlife Service reserves managers. A draft revised Dog Management Policy for community consultation and submissions from late April to mid-May is to be considered by Council.
Cat Management	<p>Attended Northern Cat Management Working Group meeting, where challenges of managing cat colonies, free-feeding, rehoming and regional Cat Management Facility capacity were discussed.</p> <p>Information sessions for staff and the community on cat management were held at Council's St Helens offices and the Fingal Neighbourhood House. Biosecurity Tasmania and the northern regional Cat Management Coordinator were visiting to train customer service staff on responsible cat ownership and the law. Two community information sessions were organised while they were in Break O'Day and a 'catio' display set up in the Council office reception area to promote keeping cats safe at home and from roaming. The display, with guest cats at times, will continue for a few weeks.</p> 
Natural Hazards and Risks Management	<p>A technical workshop was held for the Avulsion Impact Assessment project for the lower George River floodplain. It reviewed stakeholder and community feedback, assessing the risks of possible future river channel break-out scenarios over the floodplain and options for managing the risks for a final report expected in April. The project by Council with the Riverworks Trust is funded by the Natural Disaster Risk Reduction Grants Program to assess 'avulsion' risks on the floodplain.</p> <p>The <i>Scamander Coastal Hazards and A Flood Risks Pathways Planning</i> project continues to suffer frustrating delays to engaging coastal hazards and engineering expertise, to deliver the project with the community and Council.</p>
Reserve Activity Assessment Process reforms	Council was granted an extension to make a late submission and is considering at its April meetings it's concerns with reforms proposed for the state's Reserve Activity Assessment Process.

Recreational Water Quality

The *Public Health Act 1997* requires that Councils to monitor recreational waters (including public pools and spars) using the Tasmanian Recreational Water Quality Guidelines.

Results for the 2023-2024 sampling season in December to February are reported here.

Recreational water	12 Dec. 2023		17 Jan.2024		14-Feb-24		19 Feb. 2024		13 March 2024	
	Ente *	Rec. WQ#	Ente *	Rec. WQ#	Ente *	Rec. WQ#	Ente *	Rec. WQ#	Ente*	Rec.WQ#
Grants Lagoon mouth A	N/A		N/A		N/A				N/A	
Grants Lagoon mouth B	<10	Good	<10	Good	20	Good	N/A	N/A	<10	Good
Grants Lagoon footbridge	<10	Good	<10	Good	<10	Good	N/A	N/A	<10	Good
Grants Lagoon (camp grd)	<10	Good	10	Good	<10	Good	N/A	N/A	<10	Good
Beauty Bay	<10	Good	<10	Good	10	Good	N/A	N/A	<10	Good
Yarmouth Creek	20	Good	<10	Good	<10	Good	N/A	N/A	<10	Good
Wrinklers Lagoon	10	Good	<10	Good	40	Good	N/A	N/A	<10	Good
Scamander River mouth	30	Good	20	Good	<10	Good	N/A	N/A	<10	Good
Henderson Lagoon	<10	Good	10	Good	10	Good	N/A	N/A	<10	Good
Denison Rivulet**	N/A		<10	Good	150	Mod	238	Mod	50	Good

* Enterococci /100ml # Recreational Water Quality class (from Tasmanian Guidelines)
Mod=moderate

As reported last month, the results for water samples indicate conditions for all these waters (other than Denison Rivulet) have been safe for swimming during the season according to the Tasmanian Recreational Water Quality Guidelines. The monitoring at Denison Rivulet has shown that in February, the water did not meet recreational water quality standards. The Tasmanian Water Quality Guidelines require that in these circumstances warning signs need to be erected. The signage was installed on 13th March. The water will be resampled on 8th April and if results show good quality water, discussions will need to be held with Department of Health to gain approval to remove the warning sign.

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	52	52	54	54
TOTAL	71	72	114	118

Sharps Container Exchange Program as at 4 April 2024

Current Year	Previous Year
YTD 2023/2024	YTD 2022/2023
57	51

STRATEGIC PLAN & ANNUAL PLAN:

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

Goal

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

Strategy

- Ensure the necessary regulations and information is in place to enable appropriate use and address inappropriate actions.
- Undertake and support activities which restore, protect and access the natural environment which enables us to care for, celebrate and enjoy it.

LEGISLATION & POLICIES:

N/A

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

ACTION	DECISION
PROPONENT	Officer
OFFICER	Polly Buchhorn, NRM Facilitator
FILE REFERENCE	008\002\003\
ASSOCIATED REPORTS AND DOCUMENTS	DRAFT Revised Dog Management Policy 2024 Review Discussion online dog zones map – click here. Policy No EP05 - Dog Management Policy 2018 (on Council website)

OFFICER'S RECOMMENDATION:

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

INTRODUCTION:

Council has started its five yearly review of its current Dog Management Policy (EP05 - 2018), including declared areas for dog access. Council's policy objective is to balance the needs of people, dogs and wildlife. Council must consult the community on its intended revised Dog Management Policy and works closely with the Tasmanian Parks and Wildlife Service (PWS), who regulates dog access to the reserves they manage.

PREVIOUS COUNCIL CONSIDERATION:

Council discussed revisions to the Dog Management Policy (2018) and Declared areas at its April Workshop.

Council Meeting 17 December 2018

12/18.15.5.315 Moved: Clr G McGuinness / Seconded: Clr J Drummond

1. That Council adopt the amended and revised Dog Management Policy 2018.
2. That Council declare the Declared Areas in the revised Dog Management Policy 2018, to apply for a period of six (6) years, in accordance with the Dog Control Act 2000.

CARRIED UNANIMOUSLY**OFFICER'S REPORT:**

The *Dog Control Act 2000* requires councils to have a Dog Management Policy that includes a code relating to the responsible ownership of dogs, provision of declared areas, a fee structure and may include any other relevant matter. It is to be reviewed every five years, with the community being consulted and submissions considered in making the revised policy and declared areas.

The last five years

Since 2018, there has been increased collaboration with PWS, shorebird and dog owner interest groups, to implement the current policy. The community called for improved implementation of the policy during the last policy review. This has included more information and education, including an online dog zones map (declared areas), signage for dog zones, increased and coordinated enforcement and formation of an informal 'shorebird working group'.

Generally, Council and PWS officers have observed most dog owners being responsible and using dog zones consciously, and a minority failing to respect and meet their obligations. Council issues like unregistered dogs, ongoing township issues such as barking and dogs off lead, and some dangerous and menacing dogs, continue to occur. On beaches non-compliance does occur with rates observed during patrols by authorised officers differing from reports by shorebird advocates. Beach access for dogs (declared areas, or zones) have been generally stable for many years and most dog owners, and their dogs, have come to know and use them well.

Revisions to the policy

A number of revisions to the current policy are included in the attached draft revised policy developed from discussions with PWS, council officers and other bodies, and consideration of queries and issues arising during the policy's implementation. One significant change is a remapping of current linear (coastal) dog access zones to define them as two-dimensional areas. PWS has been involved in this process to maintain consistent dog access rules. Off lead exercise opportunities at St Marys and Ansons Bay have been discussed with community representatives. Coordination of dog zoning at our southern municipal boundary has been coordinated with Glamorgan Spring Bay Council, which is also reviewing its Dog Management Policy.

Substantive changes proposed are listed below. Declared areas (dog zones) are described and shown on maps in the draft policy. Detail of the Declared areas can be viewed on a draft revised dog zones online (Google) map which includes layers showing current Declared areas.

- linear coastal dog zones translated into 2D areas with boundaries
- Off-lead beaches generally extend inland to edge of dune area, but keeping dogs leashed down access tracks to the beach proper
- Several new areas Prohibited to dogs: MTB trails (20m corridor and trailheads, except at Blue Tier), St Columba Falls visitor access, Dora Point/Humbug NRA, St Helens Aerodrome, Dianas Basin
- Margerys Corner beach to Dog On Lead adjacent to shacks
- Propose a 'dog swims' provision for On Lead areas for comment – public safety risks and compliance issues, not supported by PWS
- Stieglitz Off Lead beach extended a short distance to public access track at Akaroa end
- Clearer southern boundary for Scamander seasonal bird refuge and provide for 'wet sand' beach transit
- Future off lead exercise area on St Marys railway station land and retained previous plan for a Sports Grounds area
- Dog On Lead extended at Falmouth and Four Mile Creek to include Council reserves
- Mariposa Off Lead beach extended southward a short distance
- Seymour wetlands Dog On Lead

- Clarifications: Declared areas (map) are not the only regulation of dog access in the municipality, requirements in Act in a 'built-up area' or Declared Dog On Lead area that 'under effective control' means a '2m lead', provision for temporary Prohibited areas for wildlife protection.

Policy review process.

The *Dog Control Act* requires Council to consult the community on its intended Draft Revised Dog Management Policy and Declared areas. This public consultation provides the basis for all points of view and interests across the community to have equal access and say in Council's making of the Dog Management Policy.

If adopted at this April Council Meeting, a period for community review and comment could be initiated, for submissions accepted to 12 May 2024. Council will then need to consider all submissions and PWS would need to be consulted on changes needing Reserve Management Authority. A revised Dog Management Policy could then be considered by Council at its June Workshop and Meeting.

Plans for community consultation include contacting submitters to the previous review, others in the community and key organisations, an optional online survey to help structure feedback, and publicity and promotion of the review and policy.

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.

Strategies

1. Ensure the necessary regulations and information is in place to enable appropriate use and address inappropriate actions.
4. Recognise and alleviate the issues and risks to the environment from our use, and the risk to us from a changing environment.

Break O'Day Council Annual Plan 2023 – 2024

Key Focus Area:

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.

Actions:

3.3.1.5 Dog Management - Review Dog Management Policy collaboratively with Parks & Wildlife Service, interest groups and the community and continue implementation.

LEGISLATION & POLICIES:

Dog Control Act 2000

(Including amendments in 2019, after Council's current Policy was made).

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

Council's operational budget provides for the Policy review.

When adopted, the revised policy will have financial implications as changes to Council's Declared Areas will require new signage for them to be produced and installed, which is required by the *Dog Control Act*.

Changes to the Policy provisions and Declared Areas would also have implications for Council expenditure on education and information and enforcement operations.

VOTING REQUIREMENTS:

Simple Majority

DISCUSSION DRAFT

Revision of DOG MANAGEMENT POLICY 2018

DEPARTMENT:	Development Services
RESPONSIBLE OFFICER:	Manager Infrastructure & Development Services
LINK TO STRATEGIC PLAN:	To balance our use of the natural environment to ensure that it is available for future generations to enjoy as we do.
STATUTORY AUTHORITY:	Dog Control Act 2000
OBJECTIVE:	Council aims to achieve a balance between the reasonable expectations of dog owners and the community. Dogs and their owners shall have the opportunity to enjoy what the Break O'Day Municipality has to offer them, whilst safety and amenity for the community are maintained and wildlife are protected from harm.
POLICY INFORMATION:	Adopted 8 November 2010 – Minute No 11/10.14.3.284 Amended 9 November 2011 – Minute No 8/11.14.3.302 Amended 17 September 2012 – Minute No 09/12.14.8.250 Amended 17 June 2013 – Minute No 06/13.11.14.160 Amended 15 December 2014 – Minute No 12/14.14.5.370 Amended 17 December 2018 – Minute No 12/18.15.5.315 Corrected (map) 9 January 2019 - Minute No 12/18.15.5.315 <i>For consideration - Draft Revised Policy 2024 15/04/24</i>

POLICY

1 PREAMBLE

In the Break O'Day Municipality, the *Dog Control Act 2000* regulates the control and management of dogs. It requires Break O'Day Council develop and implement a policy on dog management in the municipality and gives it certain powers in relation to the management of dogs, including declaring dog access areas.

Dogs are the valued companions of many residents and visitors, young and old and some keep one or more working dogs. All have legal and ethical responsibilities to their dogs and the community. However not everyone in Break O'Day values dogs the same. Community health, safety and enjoyment of urban life and the outdoors can be detrimentally affected by poor care and control of dogs.

Break O'Day is also home to a diverse range of native animals. Some of our wildlife can be harmed by dogs; unwittingly or carelessly, in play or through natural behaviours and hunter instincts. Our coasts are the habitat for many 'shorebirds' and most of these are in reserves such as National Park and Conservation Area, which are managed primarily for the conservation of natural values by Tasmania Parks and Wildlife Service.

Shorebirds face enough natural challenges to their survival as it is; some migrate thousands of kilometres to feed and breed here. Because our beaches are so popular with people many shorebirds face additional pressures which have reduced their numbers and pushed some species

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to the brink. Among other factors, disturbance and harm from dogs is a known factor of shorebird decline.

Through policy, Council can create guidelines and set boundaries to provide an equitable balance between people, dogs and wildlife. This policy provides for those who do not own dogs or may be adversely impacted by them, those who own a dog and need places for the enjoyment and exercise of their dog, and those who speak up for the native wildlife and natural values of the Municipality.

This policy and its Declared areas do not represent all regulation of dogs or all dog access rules in Break O'Day municipality. Other conditions do apply elsewhere on Reserves, other authority land and also under the Dog Control Act. Dog owners must check for and be aware of other requirements and regulations.

2 CODE RELATING TO RESPONSIBLE OWNERSHIP OF DOGS

2.1 Entitlements

- Individuals are entitled to own one or more dogs.
- The community is entitled to expect that dog owners will be responsible and not create a nuisance and responsible dog owners are entitled to the community's respect as a dog carer.
- Individuals and the community are entitled to be consulted on plans that are likely to affect enjoyment of their local area in relation to the management of animals.
- Council is entitled to expect that dog owners will be responsible and register their dogs.

2.2 Responsibilities

Individuals are responsible for ensuring:

- a) their dog is well fed and cared for.
- b) their dog is provided with adequate shelter from the elements.
- c) their dog is fully vaccinated.
- d) their dog is exercised in an appropriate manner.
- e) their dog is exercised in public areas in designated locations.
- f) their dog is always under effective control including when off lead.
- g) their dog does not cause a nuisance to neighbours or the community.
- h) their dog is not a threat or menace to members of the community or other animals.
- i) they collect the faeces their dog drops promptly and dispose of them properly.
- j) they are aware of the rights and responsibilities for the care and exercise of dogs.
- k) compliance with all regulations under the *Dog Control Act 2000*, including this policy.

Council is responsible for:

- a) Ensuring that sufficient public consultation is carried out regarding any changes that may affect the community or dog owners.
- b) Fulfilling its obligations under the *Dog Control Act 2000*.
- c) Dealing with nuisances, complaints and non-compliance in a timely, fair and effective manner.
- d) Establishing dog zones to provide access to areas for the reasonable exercise needs of dogs and their owners and to protect public health and safety, natural values and amenity.
- e) Encouraging responsible dog ownership through education, awareness and enforcement and public facilities for dogs.
- f) Supporting pensioners, guide dogs and early payment of registration with discounted fees.
- g) Undertaking regular reviews of this policy.

3 DOG MANAGEMENT ZONES – DECLARED AREAS

3.1 Exercise Areas

Access for the exercise and general recreation of dogs while under effective control on sections of beaches and areas of parks and reserves with facilities. Providing for the welfare, good care and wellbeing of dogs and their owners. These are off lead areas.

3.1.1 Dog Off Lead (exercise) beaches

Areas where dogs are allowed off lead under escort by their owner or competent person and must remain under effective control. Dog controllers are to remain mindful of other people and wildlife in the area.

Beaches with sections available for dog off lead exercise are at:

- 3.1.1.1 Ansons Bay (Boronia Street)
- 3.1.1.2 Steiglitz beach (two)
- 3.1.1.3 Maurouard Beach
- 3.1.1.4 Ring Rock (Dianas Beach)
- 3.1.1.5 Beaumaris (south of Yarmouth Creek.)
- 3.1.1.6 Scamander (Byatt Court – Wrinklers and section of Steeles Beach south of river mouth)
- 3.1.1.7 Mariposa Beach
- 3.1.1.8 Four Mile Creek Beach
- 3.1.1.9 Seymour (two, north and south beaches of Long Point)

Dog Off Lead (exercise) beaches and are shown separately on the attached maps.

3.1.2 St Helens Sports Recreation Grounds – ‘Dog Yard’

At the corner of Eagle and Young Streets, access off Eagle Street.

3.1.3 Two Exercise areas at St Marys

Two dog park areas are proposed for St Marys for off lead dog exercise and are shown on the attached maps. One at the St Marys Sports Grounds and one near the old railway station open space land on Main St. These two Exercise areas would not be formally Declared by Council until after necessary infrastructure is installed.

Dog ‘Off Lead’ exercise areas (dog parks) are shown separately on the attached maps.

3.2 Training Areas

Areas of Council parks and reserves where dogs may be trained subject to any specified conditions.

3.2.1 St Helens Sports Recreation Grounds

Attached to the St Helens Sports Recreation Grounds ‘Dog Yard’, at corner of Eagle and Young Streets, access off Eagle Street. As shown on the attached map.

3.3 Restricted Areas

Areas where dog access is restricted: to certain hours, days or seasons when kept on a lead, or not allowed at any time.

Note: Section 4 of the Dog Control Act 2000 stipulates a dog lead must be no less than 2m in length in these Declared 'Dog On Lead' areas and is also required for dogs in public places when "on a road or road-related area in a built-up area".

3.3.1 Dog On Lead areas

'Dog On Lead' access opportunities for dogs and their owners to various coastal, foreshore, township open space areas and streets are provided to also protect public health and safety and wildlife. Includes Mt Poimena day use area (and MTB trailhead) in Blue Tier Regional Reserve. Dogs must be kept on a lead at all times in these areas.

These areas are shown as 'Dog On Lead' on the attached maps.

3.3.2 Beaches with seasonal and daily restrictions

3.3.2.1 Taylors Beach

Area: From Margerys Comer to Sloop Lagoon.

Restriction: Dogs prohibited from 1 October to 31 March, to protect wildlife. On lead at all other times.

3.3.2.2 Binalong Bay Beach

Area: Length of the beach and including Gants Lagoon mouth and spit, as far as the northern beach access at Lyall Road.

Restriction: Dogs prohibited from 1 October to 31 March for public health and safety and the protection of wildlife. On lead at all other times.

3.3.2.3 Maurouard Beach

Area: Northern section outside area designated for recreational vehicle use.

Restriction: Dogs prohibited from 1 October to 31 March to protect wildlife. On lead at all other times.

3.3.2.4 Scamander River mouth

Area: The northern bank, sand spit and shoals area at the river mouth. Southern boundary is 50m from rockwall lining the south bank and then a line due east.

Restriction: Dogs prohibited from 1 October to 31 March for the protection of wildlife (high significance, breeding area) and public health and safety. On lead at all other times.

On the eastern (seaward) edge of this area only, when a dog is On Lead and *on the wet sand* (below the last high tide mark), transit directly between the On Lead areas north and south is permitted from 1 October to 31 March. The opportunity for dog swims (below) does not apply.

3.3.2.5 Denison Beach

Area: From Porch Rocks to Denison Rivulet.

Restriction: Dogs prohibited from 1 October to 31 March to protect wildlife. On lead at all other times.

Beaches Declared as 'Dog On Lead' and with seasonal and daily restrictions are shown on the attached maps.

3.3.3 Dog-swims in Dog On Lead areas

To provide opportunity for dogs to have a brief swim while keeping people safe and not harming wildlife.

- Area: Declared areas where and when dogs are permitted to be 'On Lead', only at the shoreline of the sea, lagoons and waterways.
- Restriction: When there are no other people or wildlife within twenty metres (20m) of them or their dog. Owners may take their dog off the lead for a brief swim provided the dog goes back On Lead immediately after. In using this opportunity dog owners must maintain *effective control* of their dog, respect other users and their safety, and follow any directions of an authorised officer.

3.3.4 Other Restricted Areas where dogs are not allowed.

In certain places dogs are not allowed at all (prohibited at all times), to protect public amenity, health and safety and wildlife.

- 3.3.4.1 St Columba Falls
Area: Area at of St Columba Falls walking trail and carpark on St Columba Falls Road.
Restriction: Dogs are prohibited at all times, to protect public health and safety and wildlife.
- 3.3.4.2 St Helens Aerodrome
Area: St Helens Aerodrome fenced airstrip and aerodrome facilities area, Aerodrome Road St Helens.
Restriction: Dogs are prohibited at all times, to protect public health and safety.
- 3.3.4.3 St Helens Mountain Bike Trails (MTB Trails)
Area: Flagstaff Stacked Loops and Town Link Trail (20m corridor) and trailheads. And Bay of Fires Trail and Blue Tier Decent (20m corridor), but not the Mt Poimena (Blue Tier Regional Res.) day use area (and MTB trailhead).
Restriction: Dogs are prohibited at all times, to protect public health and safety and wildlife. At Council's discretion organised events involving dogs may be individually and conditionally allowed.
- 3.3.4.4 St Helens Recreation Grounds
Area: All of the sports complex regardless of whether sport is being played, except for the Declared Dog Exercise and Training Areas on the corner of Eagle and Young Streets.
Restriction: Dogs are prohibited at all times, to protect public health and safety. At Council's discretion organised events involving dogs may be individually and conditionally allowed.
- 3.3.4.5 Sports grounds and golf courses other than St Helens Recreation Ground.
Area: The playing fields and playing areas (regardless of whether sport is being played).

Restriction: Dogs are prohibited at all times (from surfaces of playing fields and playing areas) to protect public health and safety but may be taken elsewhere if on a lead at all times. At Council's discretion organised events involving dogs may be individually and conditionally allowed.

3.3.4.6 St Helens Wharf

Area The loading area designated by Marine and Safety Tasmania.

Restriction: Dogs are prohibited at all times, to protect public health and safety and marine produce.

These other Restricted areas (except for 3.3.4.5) are shown on the attached maps. Note that while they are Declared as 'Restricted' under the Dog Control Act (Sec. 23), those that prohibit dogs at all times are shaded the same as 'Prohibited' areas (3.4 below) on the maps.

3.4 Prohibited Areas

3.4.1 Wildlife habitat areas

Areas containing sensitive habitat for native wildlife.

Area Various sections of coastline and beaches, islands and islets and other native habitat areas, including reserves where dogs are not permitted. These are shown on the attached maps.

Prohibited: Dogs are prohibited at all times to protect shorebirds, migratory birds and other wildlife from disturbance from disturbance and harm.

3.4.2 Temporary wildlife habitat protection

Localised areas containing sensitive habitat for native wildlife from time to time, such as seasonal bird nesting areas.

Area An area identified, at the General Manager's discretion, on the ground by fencing, signs and public communications indicating the temporary exclusion area. These are not shown on the attached maps.

Prohibited: Dogs are prohibited from these areas marked by temporary fencing and signage, to protect significant shorebirds, migratory birds or other wildlife from disturbance and harm. The need for such protection can occur at short notice.

Note: Under Section 28 of the Dog Control Act 2000 the following areas are prohibited public areas.

- a) any grounds of a school, preschool, kindergarten, crèche or other place for the reception of children without the permission of a person in charge of the place; or
- b) any shopping centre or any shop; or
- c) the grounds of a public swimming pool; or
- d) any playing area of a sportsground on which sport is being played; or
- e) any area within 10 metres of a children's playground.

In National Park and several other classes of Reserve the *Tasmanian National Parks and Reserves Management Act* and its Regulations will not permit dogs at all.

4 FEE STRUCTURE

Council utilises its current *Schedule of Fees and Charges* as an additional method of promoting responsible dog ownership. Discounts are provided to those who make early payment.

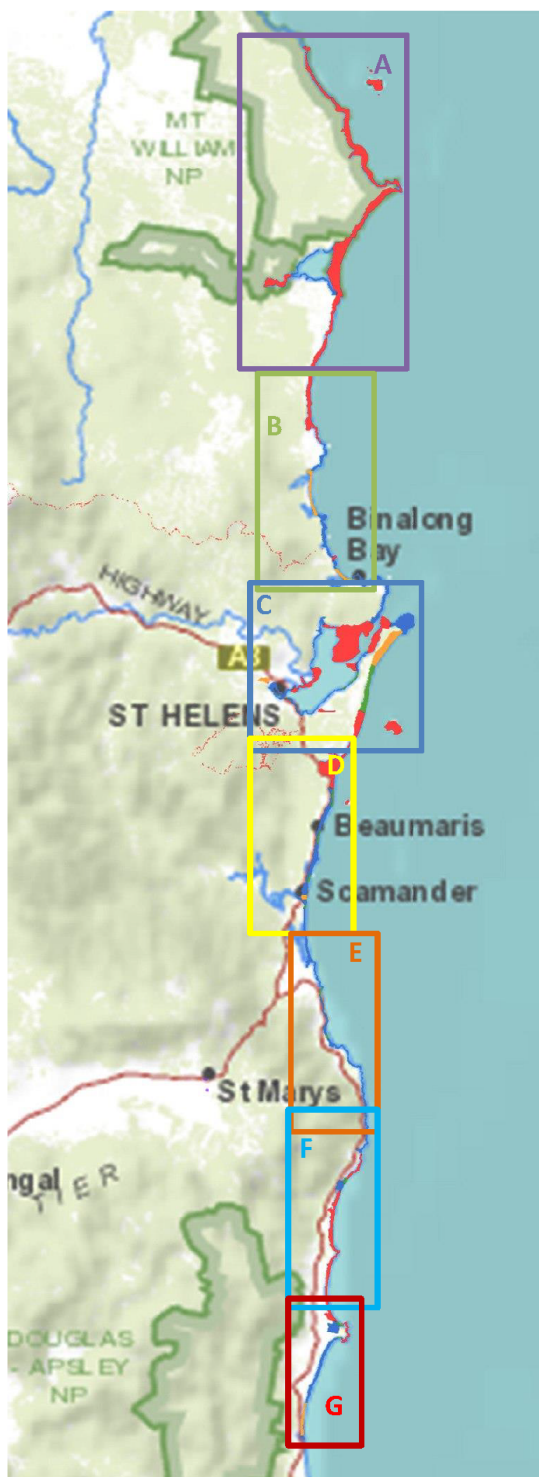
5 APPLICATION

This policy applies to the Break O'Day municipal area in its entirety. However as noted in the Preamble, the Declared areas included do not represent all dog access, regulation and control of dogs in the municipality.







6 REVIEW

This Policy will be reviewed every five (5) years in line with Council's Policy Framework or earlier in the event of major changes to legislation or related policies, procedures or if deemed necessary by the General Manager.

Draft Revised Dog Management Policy 2024 - intended Declared areas maps



Index Map and Legend

	Dog Off Lead Exercise Beach
	Dog On Lead
	Prohibited
	Restricted
	Dog Off Lead Exercise parks
	Dog Training area

Refer to the Policy text for detail on conditions and terms applying to Restricted and other Declared dog management zones.

View these dog management zones in detail on an online map, which is linked on Council's website: www.bodc.tas.gov.au/property/dogs/ or contact Council on (03) 6376 7900 or admin@bodc.tas.gov.au.

These mapped dog zones and this Policy do not represent all dog access rules or all regulation of dogs in Break O'Day municipality. Dog owners must check for and be aware of other requirements and regulations. Further legislated conditions and controls apply elsewhere on PWS managed Reserves and other public land.

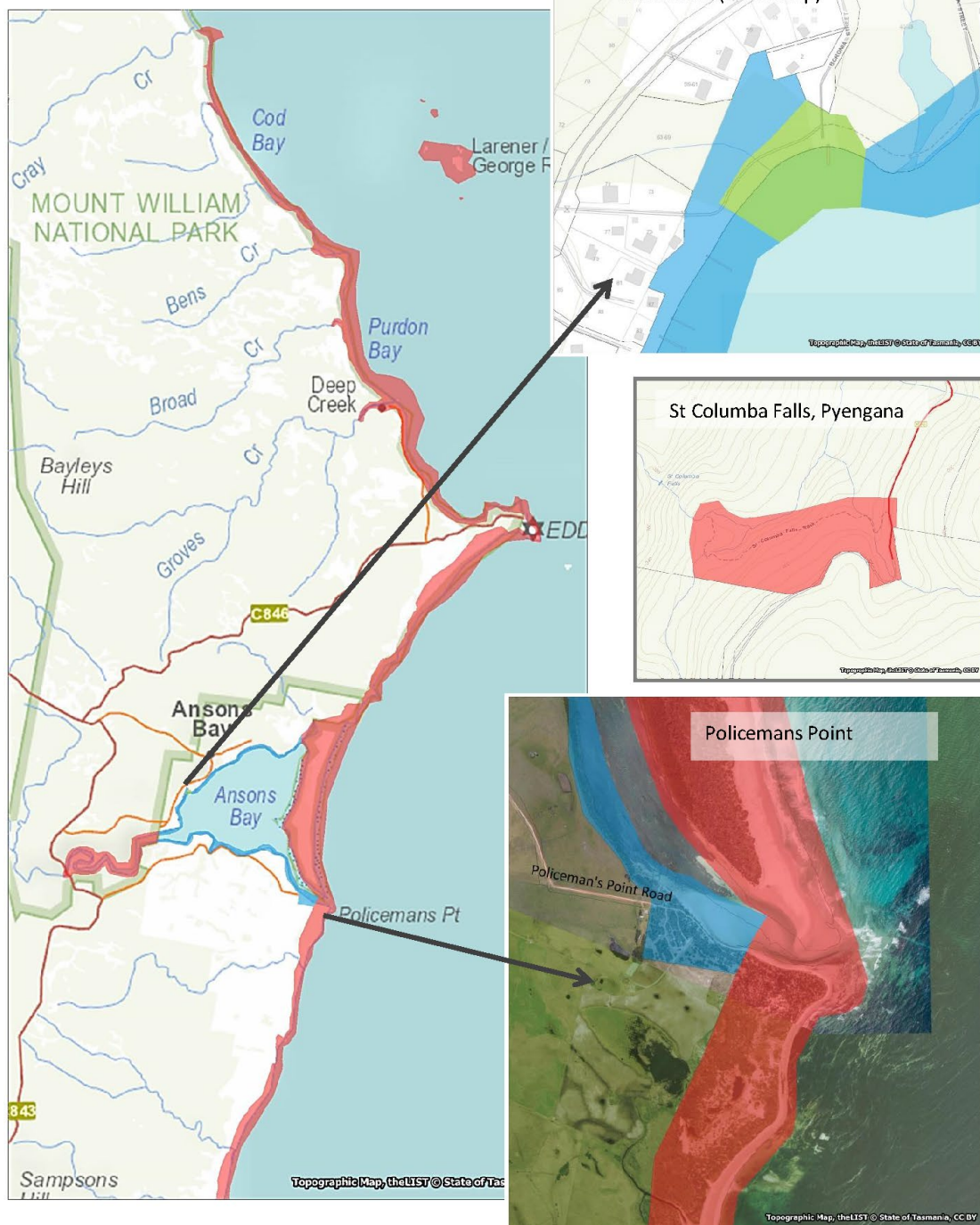


Base image by TASMAP (www.tasmap.tas.gov.au)

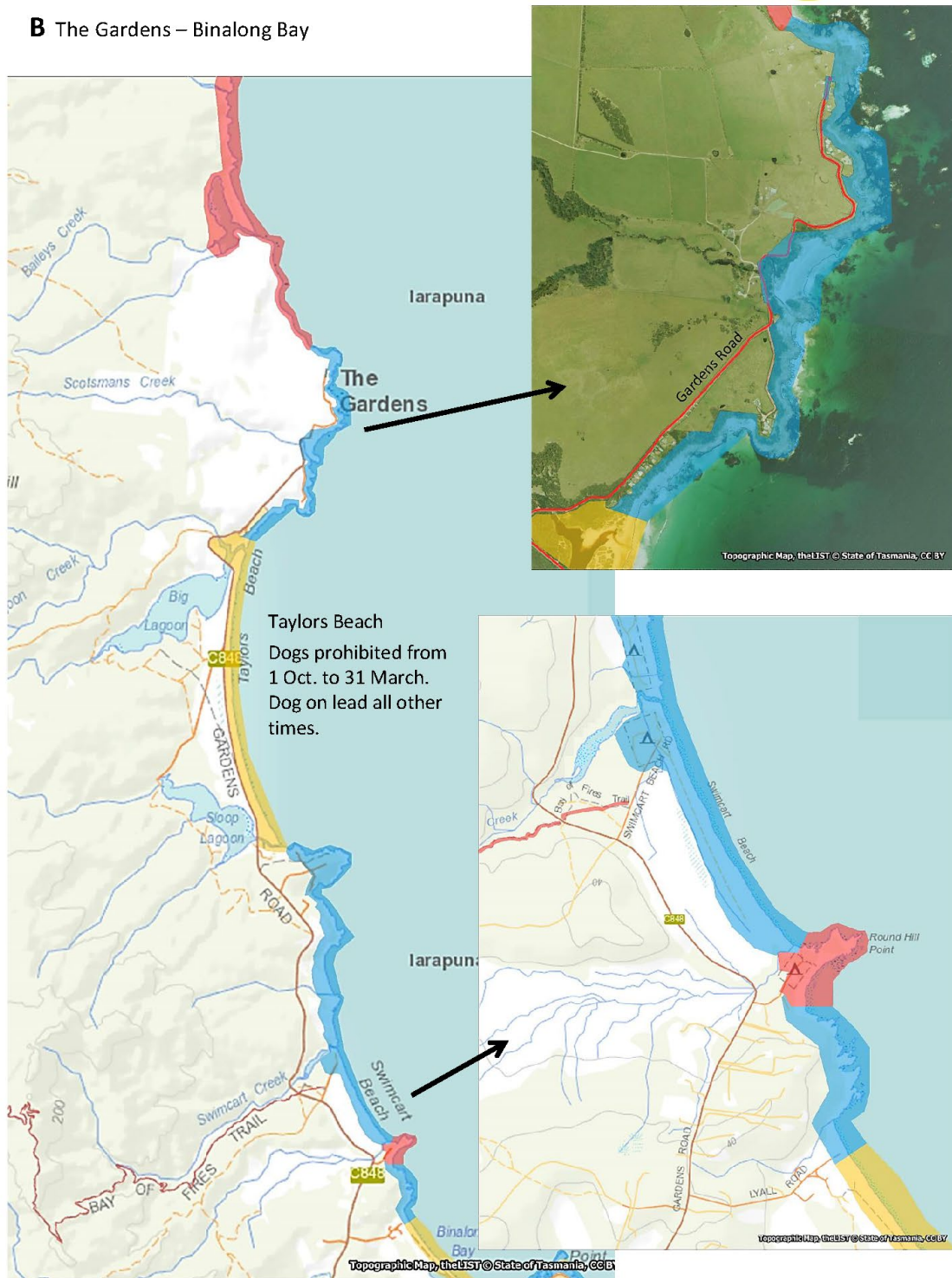
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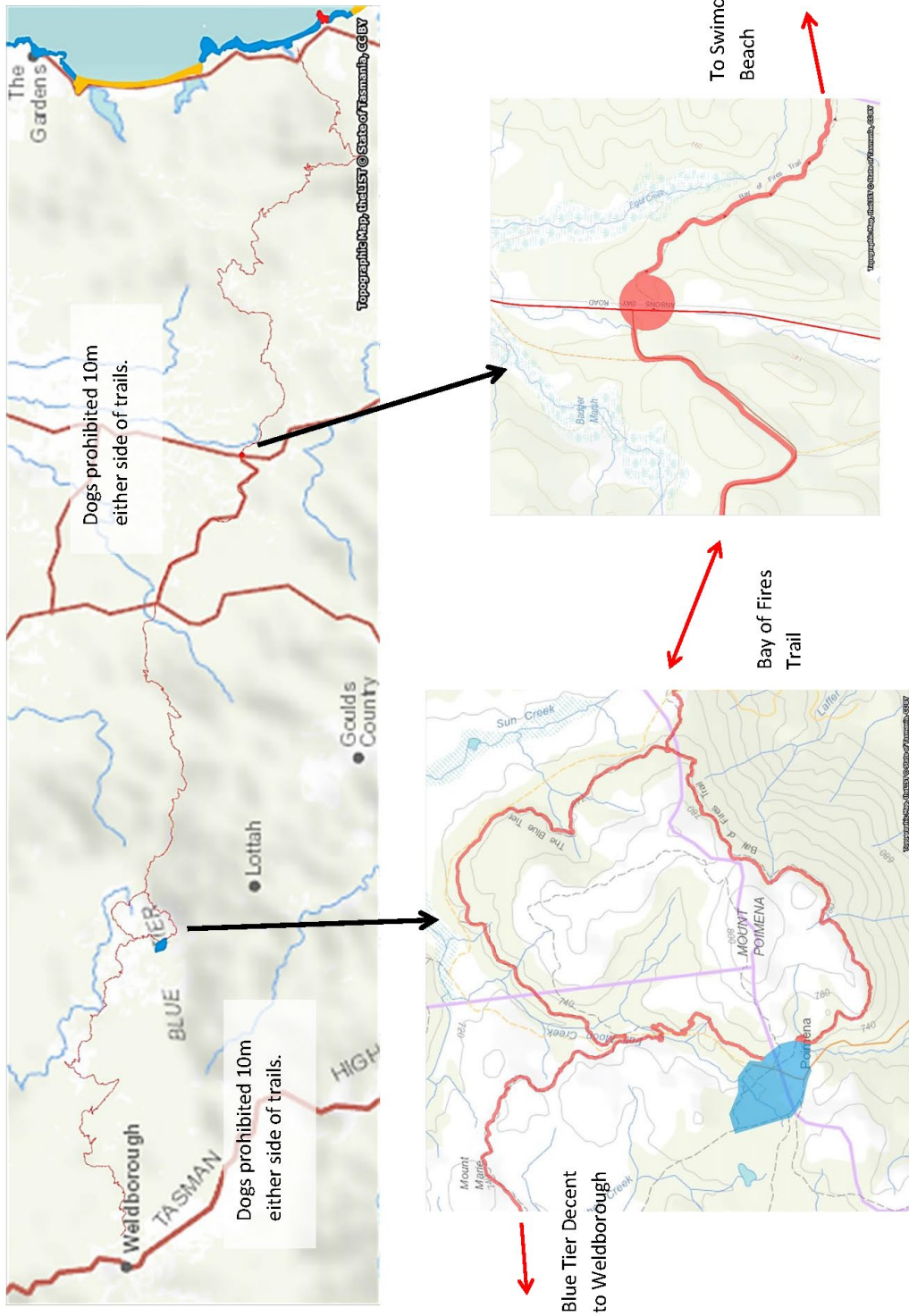
A wukalina/Mt William - Irapuna/Bay of Fires
And St Columba Falls, Pyengana



B The Gardens – Binalong Bay



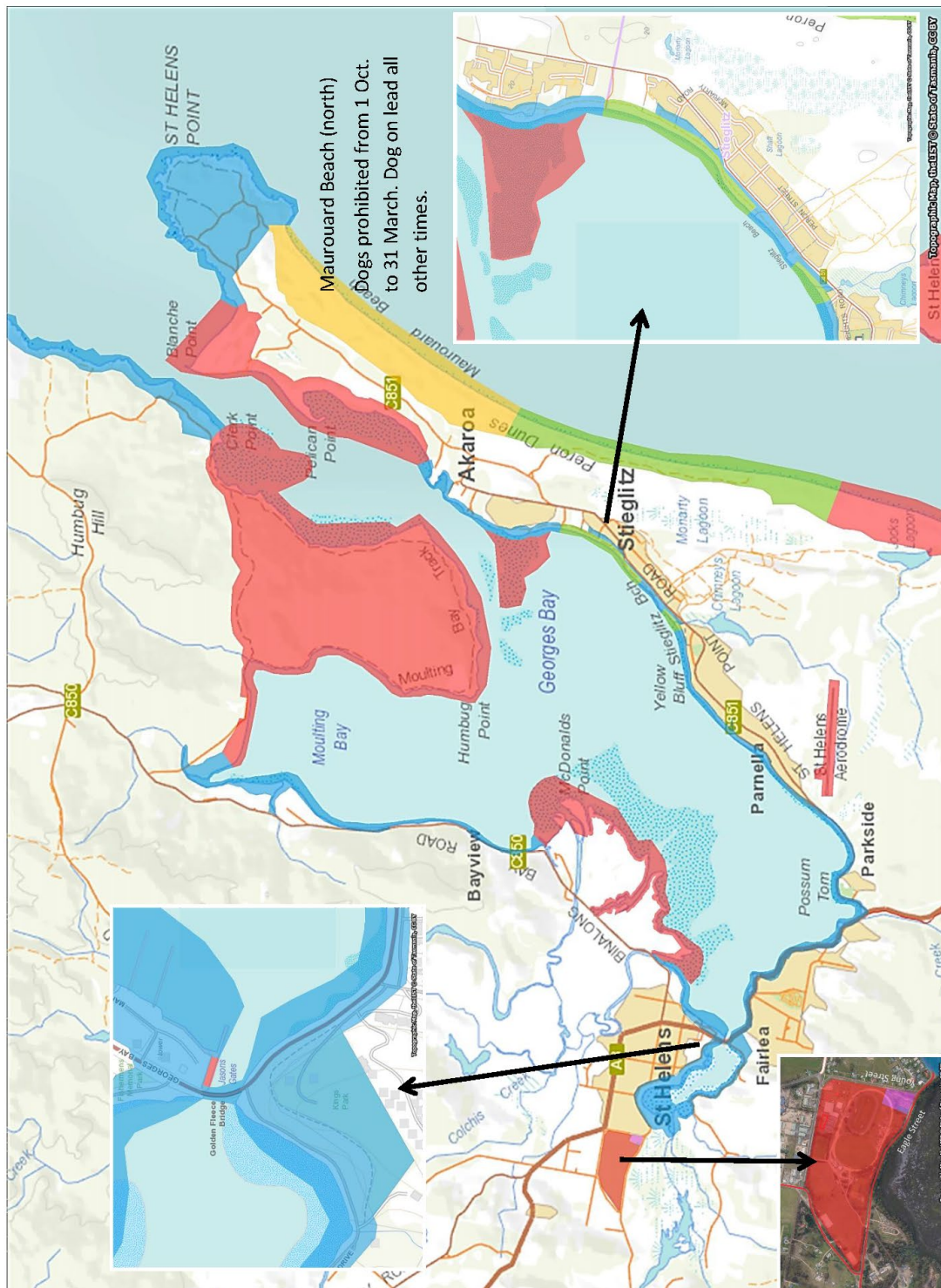
B Blue Tier/Piomena Mountain Bike Trails



B Binalong Bay

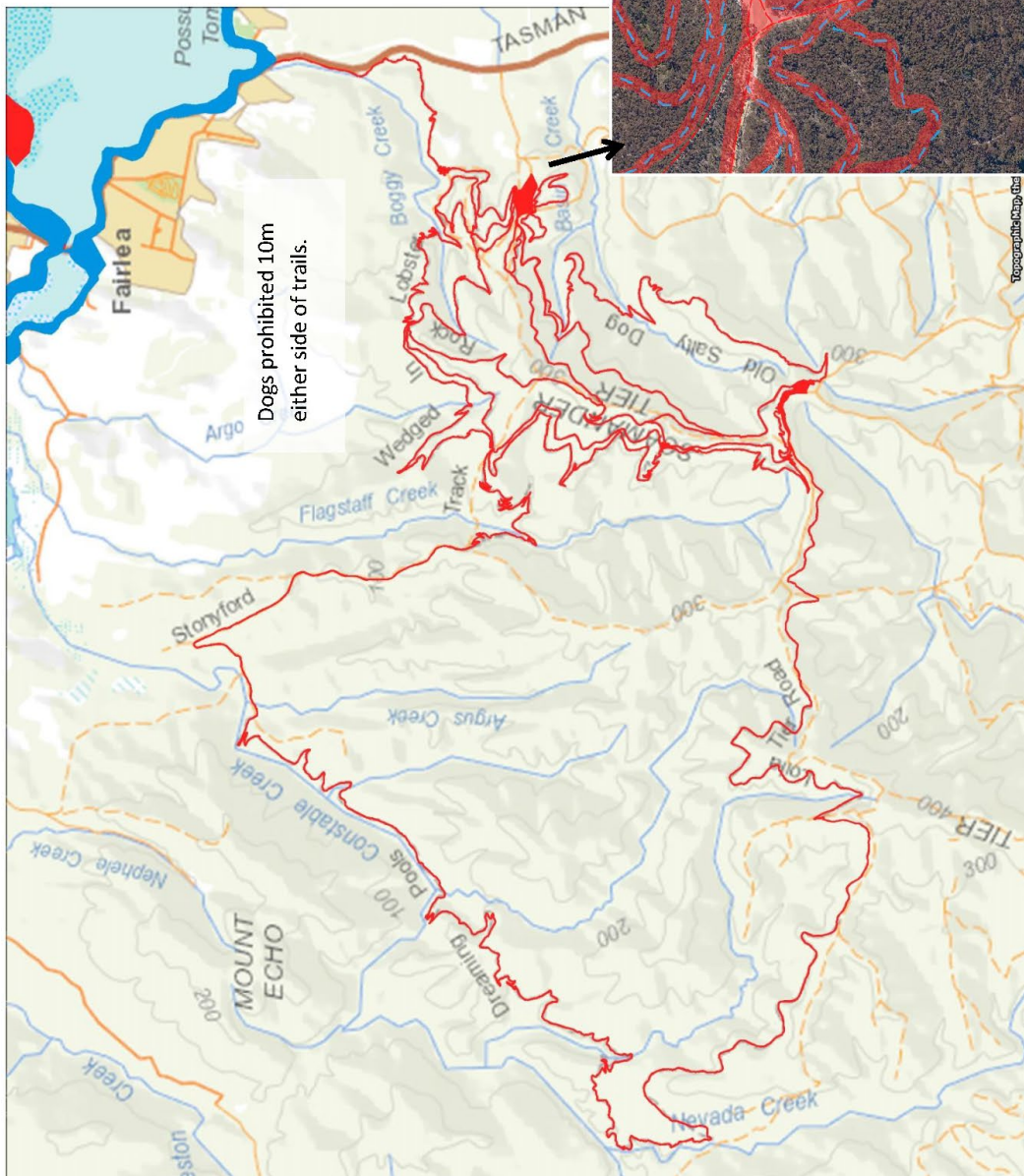


C Georges Bay & St Helens Point

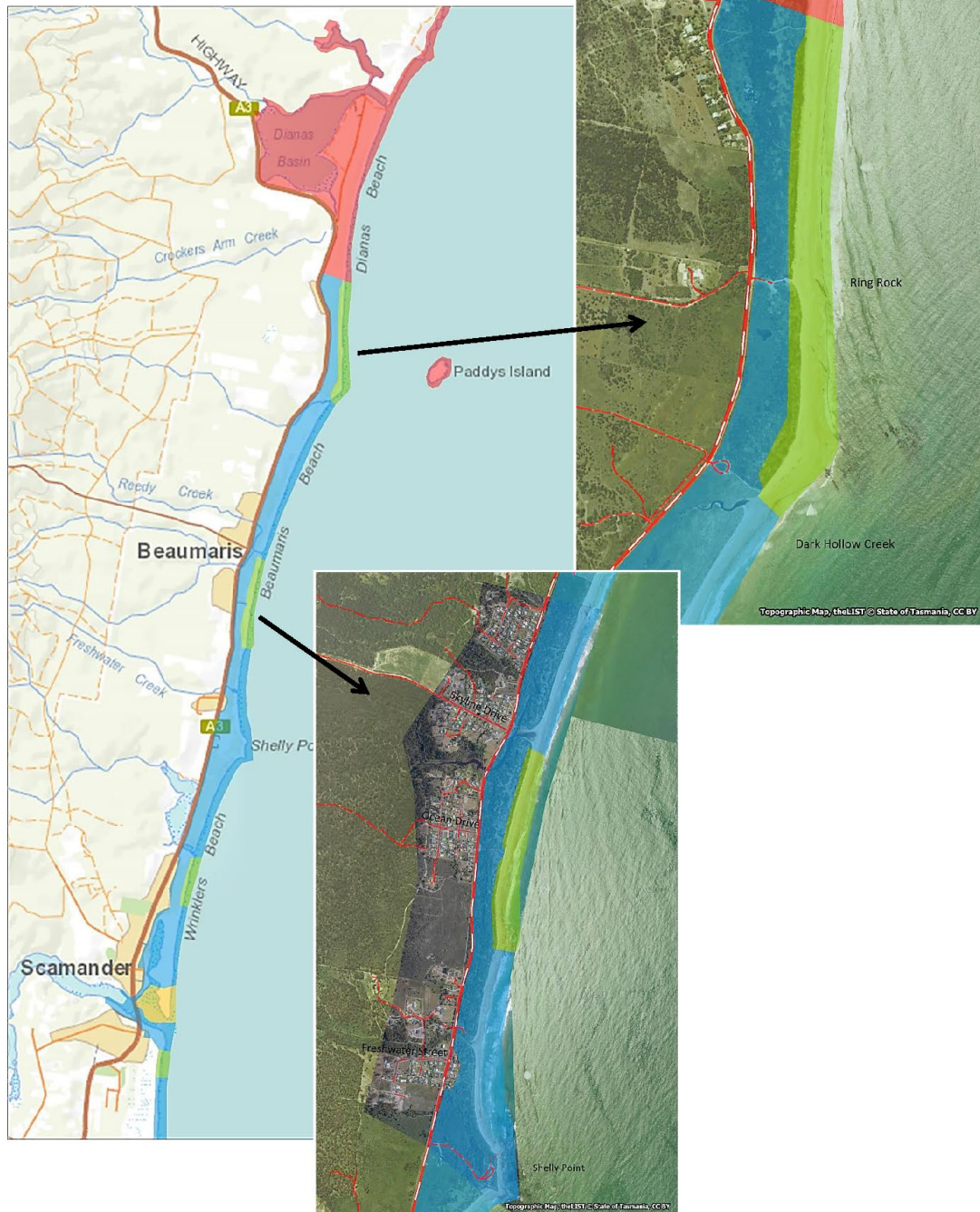


C Flagstaff Stacked loops
Mountain Bike Trails

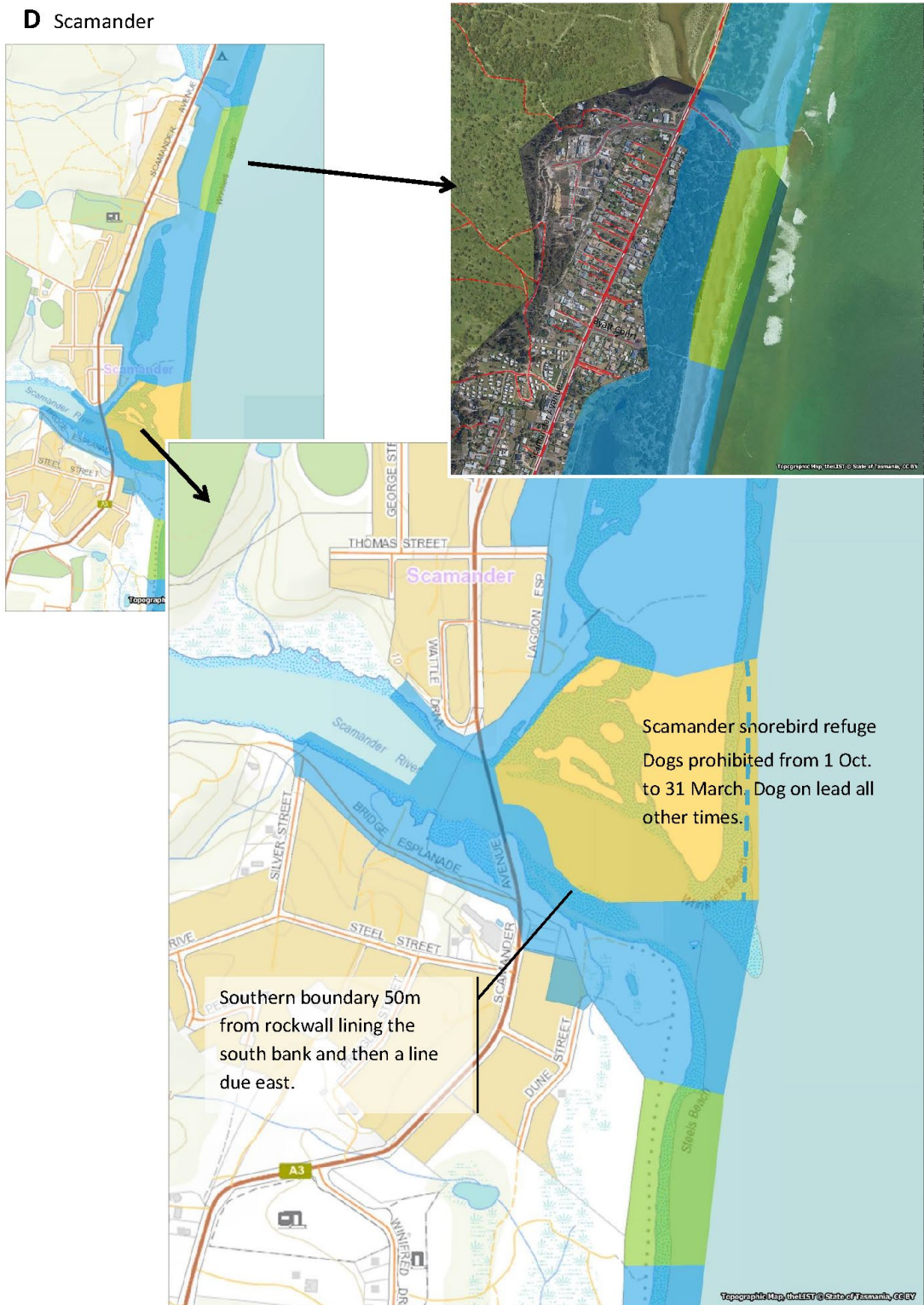
Dogs prohibited at
Trailhead and 10m
either side of trails.



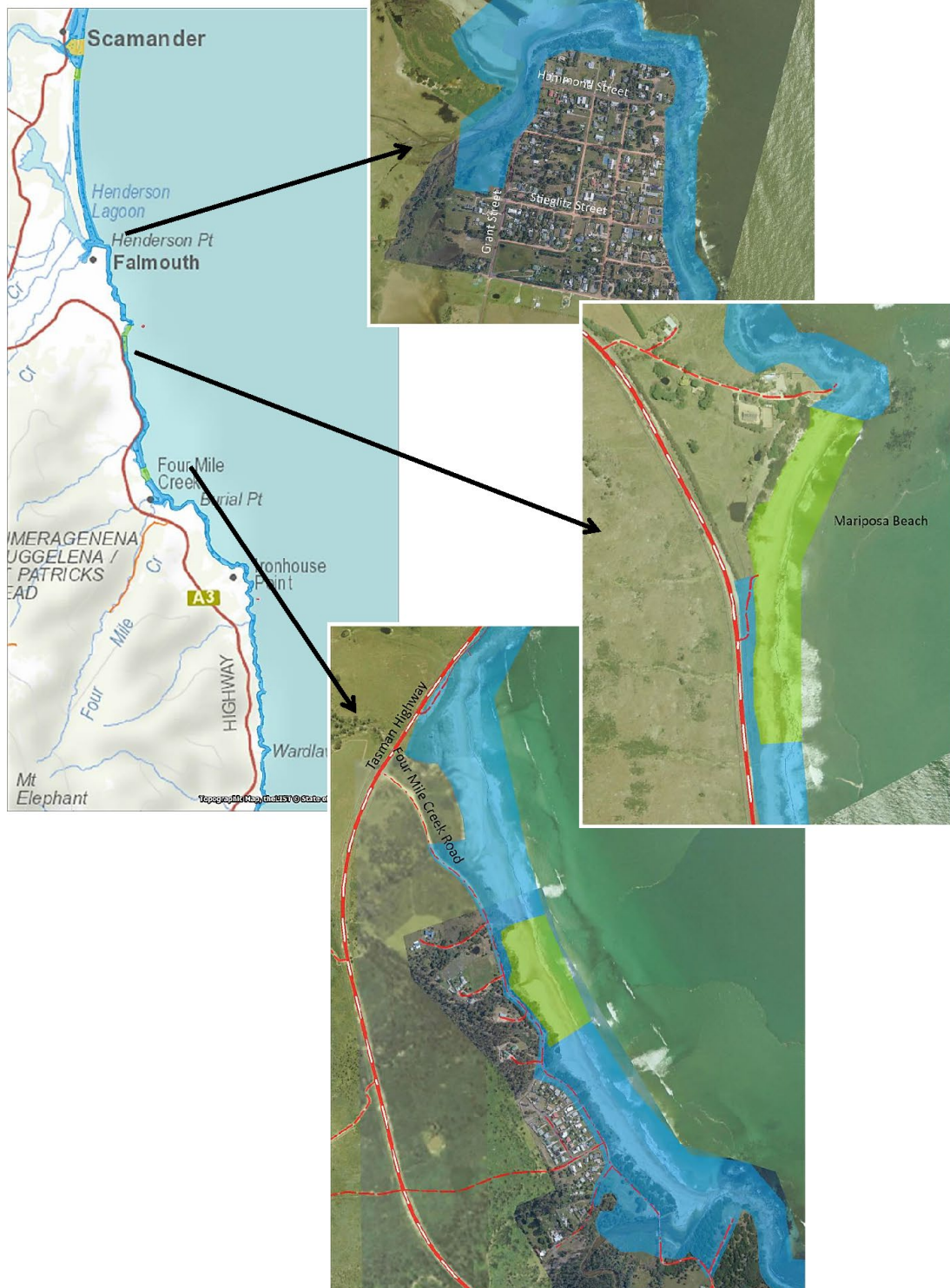
D Dianan Basin - Scamander



D Scamander

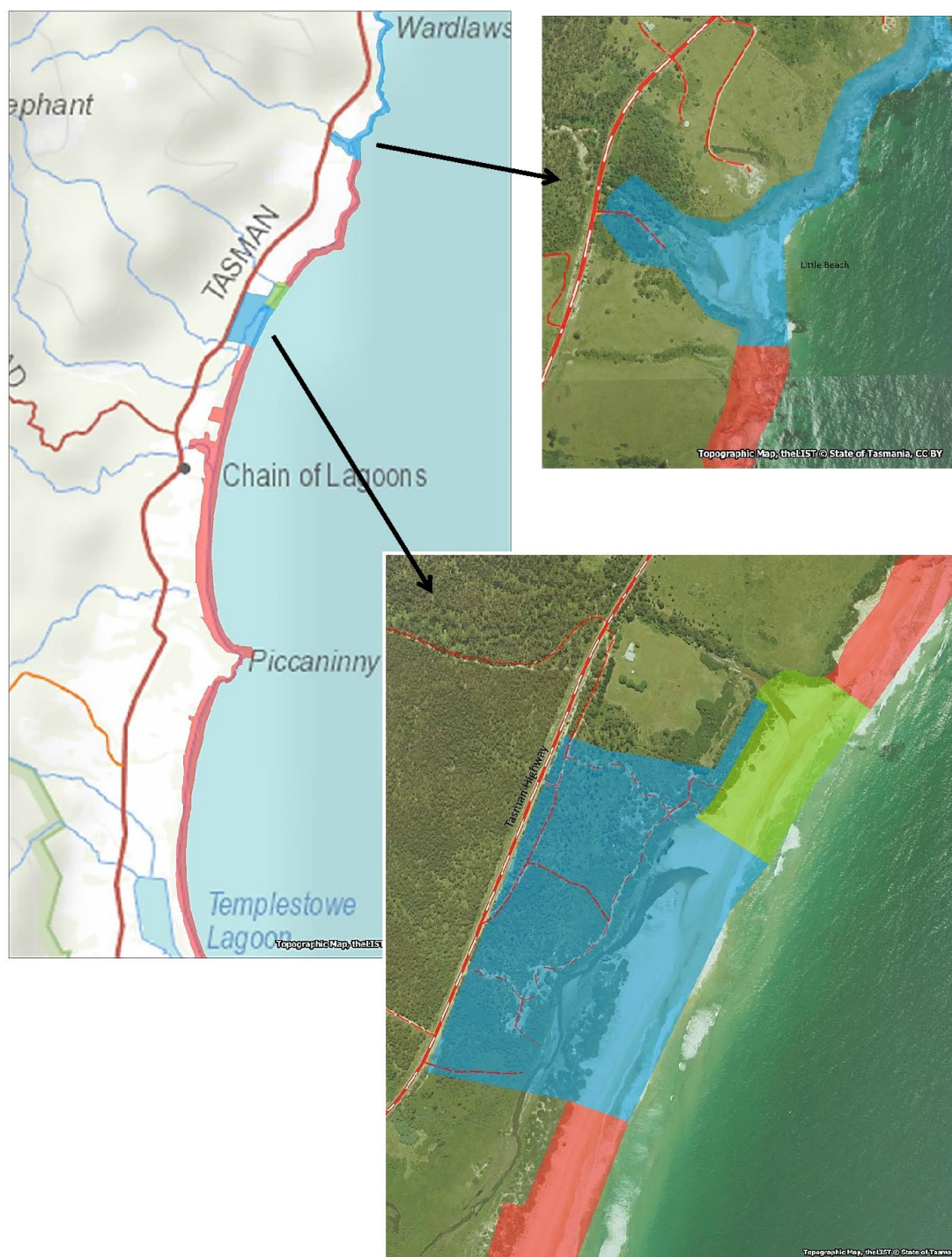


E Falmouth - Wardlaws Point



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F Chain of Lagoons to Templestowe Beach

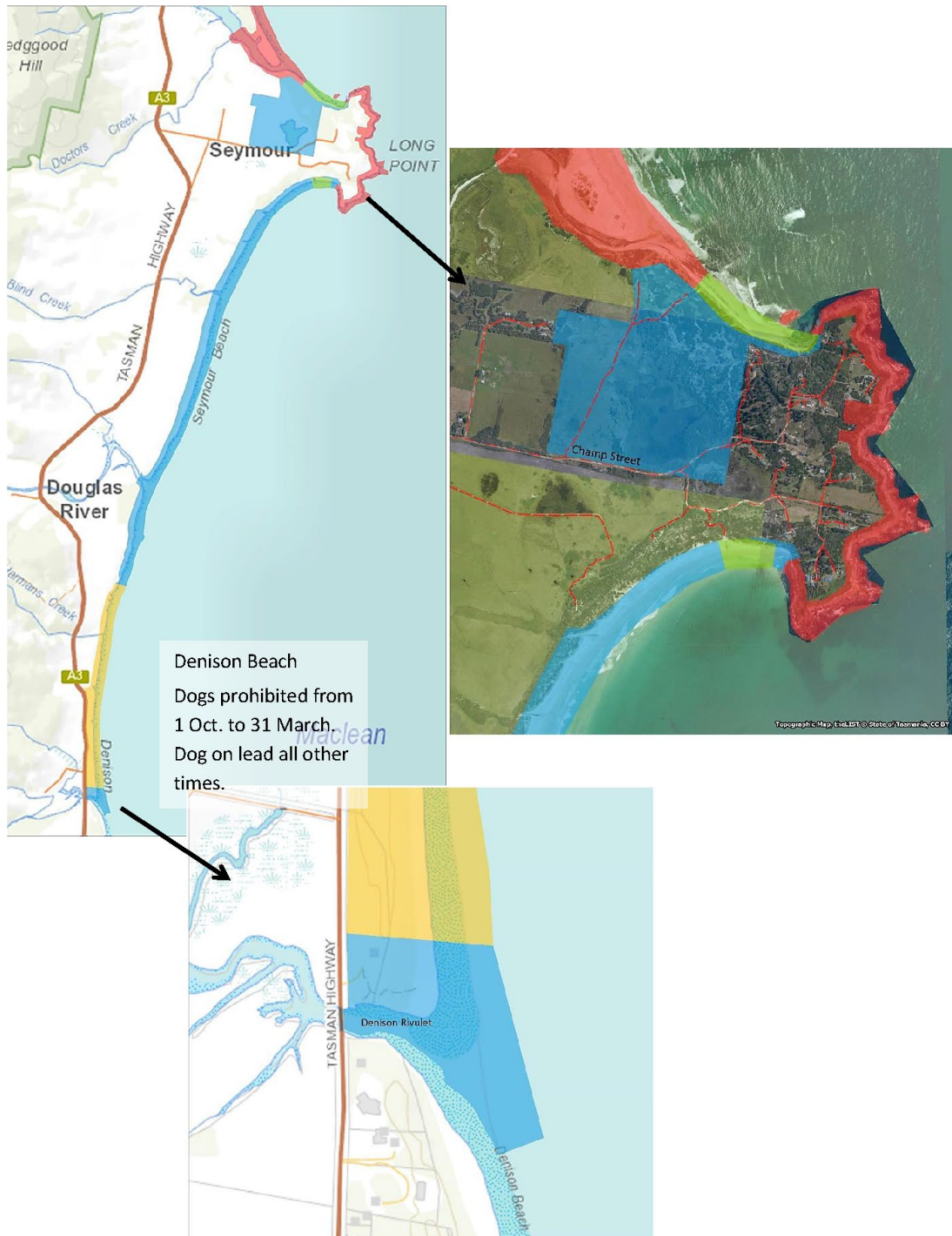


F St Marys – Future dog parks for
Off Lead exercise

These two Exercise areas would not be formally Declared by Council and available for use until after necessary infrastructure is installed.



G Seymour - Denison Rivulet



ACTION	DECISION
PROPONENT	Tasmanian Government
OFFICER	NRM Facilitator
FILE REFERENCE	031\010\000\
ASSOCIATED REPORTS AND DOCUMENTS	RAA Process Reform Consultation Paper Information Sheet - Proposed Mgt-Plan Processes

OFFICER'S RECOMMENDATION:

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

INTRODUCTION:

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

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

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

PREVIOUS COUNCIL CONSIDERATION:

Council considered the reform proposals and issues of concern to it at its April 2024 Workshop discussion.

03/24.9.5 Reserve Activity Assessment Reform Process Submission – Clr. Drummond**Motion:**

That Council endorse the attached submission, to be provided by BODC, in response to a call for submissions to the Reserve Activity Assessment Process Reform.

Council discussed this Motion at its 18 March Meeting and agreed to consider the reform proposals and a submission at its April meetings following the offer of an extension of time from the Department of Natural Resources and Environment Tasmania (NRE).

OFFICER'S REPORT:

The Reserve Activity Assessment (RAA) processes of NRE and PWS is an administrative one serving implementation of the National Parks and Reserves Management Act (NPRMA). The NPRMA is part of the Tasmanian *Resource Management and Planning System*, as is the Land Use Planning and

Approvals Act (LUPAA), which is the basis of the Tasmanian Planning Scheme and the Break O'Day Local Provisions Schedules.

This report provides a summary of the proposals to change the RAA processes, the consultation documents, and an analysis of issues relevant to Break O'Day that Council should consider for a submission.

Background

Reform of RAA processes are being proposed to create a statutory assessment and approvals system for proposed use or development on reserve land through amendment of the NPRMA. In the consultation paper (attached) the Minister for Parks summarised the reforms:

The Government intends to draft amendments to the NPRMA to provide for the following:

- *A statutory environmental impact assessment process for proposed use or development on reserved land that meet the eligibility criteria.*
- *An independent and transparent assessment process and accountable decision making on use or development proposals.*
- *Cost recovery for assessments.*
- *Removal of duplication with assessment processes under the Land Use Planning and Approvals Act 1993.*
- *Public access to copies of leases and licences issued over reserves through a Head of Power to publish active leases and licenses issued on reserves.*
- *Additional reserve management planning processes.*

The first four points above relate to the Reserve Activity Assessment processes and are the focus of this report. Regarding the last two of these points:

- steps have already been started to make information about 'leases and licences issued over reserves' publicly accessible (leaseslicences.nre.tas.gov.au/).
- changes to 'reserve management planning processes' are part of the reforms but the subject of a separate additional information sheet (attached)

The RAA reform proposals were discussed at the 5 March 2024 NRM Committee Meeting. Due to the then deadline for submissions at the time (28 March 2024) the Councillor Motion (above) was quickly included in the Agenda of Council's Meeting on 18 March. The submission proposed at that time included points of concern discussed at the NRM Committee and further issues identified by Council officers.

Extension of time to make a submission on the RAA reform proposals means Council has an opportunity to consider its comments and concerns at the Workshop.

The Reform proposals

A key driver for the RAA reforms is the interaction of RAA with the Tasmanian Planning Scheme and Development Assessment processes by local government to implement it, including the Local Provisions Schedules.

It is important to note that the statutory process being proposed is for larger and significant use and development proposals in Reserves, such as National Parks, that meet the 'eligibility criteria'.

*"Making all RAAs across all levels subject to a statutory process is not in the public interest ...
"Some of the proposals currently assessed as Level 3 in the RAA process would be expected to meet the criteria for assessment under the statutory assessment process."*
(Consultation paper 1.3, pg.15)

Further NRE advice has clarified current RAA level 1, 2 and ineligible 3 proposals (not meeting 'eligibility criteria') would get assessed basically as they are now, administratively. Some reforms (such as to Reserve Management Planning processes) may change their pathway through Planning Schemes and increase 'transparency' of them.

Slides from a presentation by NRE, organised by the Local Government Association of Tasmania, are shown below as a summary of the reforms proposed (I.E. the attached consultation paper and factsheet).

Elements of statutory assessment

- Eligibility criteria for proposals to enter the statutory assessment process
- Establishment of an independent assessment panel to assess and review proposals - TPC
- Act provides for development of policies, practices and guidelines that must be observed or considered in the decision-making process
- Merit-based appeal is removed. Judicial appeal remains
- Cost recovery and establishment of fund to retain fees
- Remove duplication of assessment processes from LUPAA



Eligibility Criteria for the statutory process

A proposal that -

- (a) will require leasing of reserved land (or reserved land in a particular class e.g. NP, SR, NR, GR, HS); **or**
- (b) is it likely to generate a very high level of public interest; **or**
- (c) possesses one or more of the following criteria:
 - (i) large scale of development or comprises a series of stage or separate developments that cumulatively would be of a large scale;
 - (ii) has the potential for environmental and/or cultural impacts across a wide area;
 - (ii) activities in locations that contain cultural or natural values that may be vulnerable to a proposed use and development;
 - (iii) potential to have a significant impact on threatened species and/or threatened native vegetation communities;
 - (iv) developments that have an intense impact in a small area.



Proposed statutory RAA process

1. Eligibility phase

- Permissible under legislation, plans, policy
- Meets eligibility criteria
- Pre-declaration process to gauge 'show-stoppers' and public interest. Engagement with relevant State Agencies and Council staff
- ❖ Minister determines proposal is eligible and refers to Panel

2. Determining assessment criteria

- Panel formed by TPC - include expert in reserve management and an Aboriginal community representative
- Panel determines factors to be considered when assessing proposal
- Draft assessment criteria available for public comment, input from Council staff directly sought
- ❖ Final criteria established

Statutory RAA process

3. Preliminary assessment

- Proponent submits draft EIS
- Panel considers draft EIS against assessment criteria. Seeks input from relevant State Agencies and Council staff
- ❖ Panel issues draft environmental assessment report (EAR)

4. Final consultation and assessment

- Public exhibition of EIS and draft Panel EAR
- Public hearings and submissions. Councillors not constrained by being the "planning authority"
- ❖ Panel issues final report and recommendation to Minister for Parks

Increased transparency & Council participation

- Minister notifies with reasons whether proposal is eligible for the statutory process
- Draft Assessment Criteria are released for comment
- Final Assessment Criteria are released
- Draft EIS and draft EAR are publicly exhibited inviting comments
- Public hearings may be conducted by the Panel
- An additional management plan process would include public consultation and direct stakeholder engagement
- Final Decision of the Panel including EAR published
- Any authority, lease or licence issued made public

Stakeholder engagement to date

Key themes –

- Transparency is key – dislike EOI process.
- Tasmanian Planning System – supported because it is seen as transparent, accountable and includes merits-based review.
- Independent Panel – how can we ensure independence/ relevant skill set.
- The need to engage with the Aboriginal community early in the planning and approvals process to ensure values are identified and addressed.
- 'Use' as well as 'development' inclusion is supported.

Reserved land and the TPS

EMZ Zone

- For the protection, conservation and management of reserved land.
- Permitted pathway: for use of developments for which an authority is granted under NPRMA.
- Use or development without the necessary authority/approval will be discretionary.
- Assessment is via RAA process.
- No authority required under NPRMA for PWS proposals.
- ❖ “Local Councils should not be responsible for the assessment of use and development on reserved land in accordance with reserve management plans and the reserve objectives under NCA” (*Fact Sheet 9 – TPS – Parks and Reserves, SPO*).

Codes

- Specific SPP codes are applicable to use or development on reserved land.
- Codes may address issues not adequately considered under NPRMA – such as flooding, coastal erosion and landslip hazards.
- Some Codes capture matters better assessed by Councils such as car parking and access.

Management Planning Processes

Proposed additional management planning pathways:

1. Minor “clerical” amendments – approved by Director PWS
2. Proposals which include an amendment to the MP/ prioritization of statutory objectives via the statutory process – decision maker is the Independent Assessment Panel of TPC.
3. Statutory Management Statements – Approval by Minister for Parks on advice from Director PWS and/or TPC?

Lease and Licence Transparency Project

ALL agreements under the *National Parks and Reserves Management Act 2002* on Tasmanian reserved land will be made publicly available.

Due to the large volume of active agreements on reserved land (over 2000), we are taking a phased publication approach.

The Lease and Licence Portal can be found here:

<https://leaseslicences.nre.tas.gov.au/>

Issues, for a submission.

The following issues and points are recommended to be made in a Council submission to NRE's consultation on reform of the RAA process.

Key point

- While Council acknowledges the need for reforms and the conservation management experience and knowledge in NRE for implementing the National Parks and Reserves Management Act (NPRMA).
- The need for reform is across all levels of activities, for a system of assessment and approvals for use and development in NPRMA Reserves. It is not adequate that the RAA reforms are only for 'eligible' level 3 activities.
- Such a system must be enabled with appropriate and sufficient planning and reserve management resources and skill sets, and coordinate with the Land Use Planning and Approvals Act (LUPAA) to achieve objectives of the Resource Management and Planning System.

Scope of reforms

- Council's experience with RAA has been with complicated development proposals and protracted processes for lesser activities than likely to be 'eligible' level 3 activities for the statutory process proposed.
- Eligibility determined by the Minister is on subjective criteria.
- How the reforms will affect and what happens with ineligible lesser proposals (current level 1, 2 and ineligible 3) that don't get the Minister's approval is not clear and may not be an improved.
- The reforms need to provide for the assessment of proposals for use or development on Reserves that occur and need to be assessed across multiple tenures including private land.
- The state should consider a credible and more comprehensive use and development approvals system for implementation of the NPRMA.

New Statutory process

- Tasmanian Planning Commission does not have capacity and resources for the intended new Independent Assessment Panels (IAP).
- IAP selection, roles and terms of appointment of suitably qualified, independent members
- Statutory process will take a long time and require significant resources, when this has been a key problem with the current RAA (and seems would remain so for ineligible activities).
- Would effectively allow for development proposals in reserves be exempted from Codes in the planning scheme or be selective with their objectives and intent (IAP decision on assessment criteria).
- With regard to "*Removal of duplication with assessment processes under*" LUPAA - Councils as Planning Authority must be retained as a Statutory Referral Authority in a new RAA assessment process separated from LUPAA. Being 'consulted on assessment criteria' is not sufficient.
- Similarly, Planning Authorities must be retained as a Statutory Referral Authority for processes for changing Reserve Management Plans, such as 'Significant Amendments'.
- Council recognises the Reserve Objectives and principles the state has to meet and its interest and skillset that exist to achieve them, however the reforms would require more and specific planning capacity and resources to be applied.

- The proposed RAA process will be complex and demanding, for only a few large use and development activity proposals, when there will far more 'ineligible' ones in need of needing planning and assessment resources and time.
- Aboriginal heritage needs adequate provisions to ensure it is protected and conserved with the community.
- With the current reform proposals, only activities 'eligible' for the statutory RAA process should have access to the 'combined project proposals' pathway proposed for Reserve Management Planning.

Transparency and Appeal processes

- Publication of lease and licence information is welcomed.
- While some public consultation would become law, it is at the expense of community and planning authority scrutiny through LUPAA.
- Absence of a merit-based appeal process is not off-set by 'independence' of IAPs.

Council should consider these issues and concerns with the RAA reform proposals, to be drafted into a submission to NRE from Council.

STRATEGIC PLAN & ANNUAL PLAN:

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

'Our Vision'

A naturally beautiful environment that speaks to our heart. A diverse and thriving community; a place of opportunity. A place where everyone feels safe, welcome and connected.

Goal

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

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.

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

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

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

(All)

LEGISLATION & POLICIES:

Land Use Planning and Approvals Act (1993)

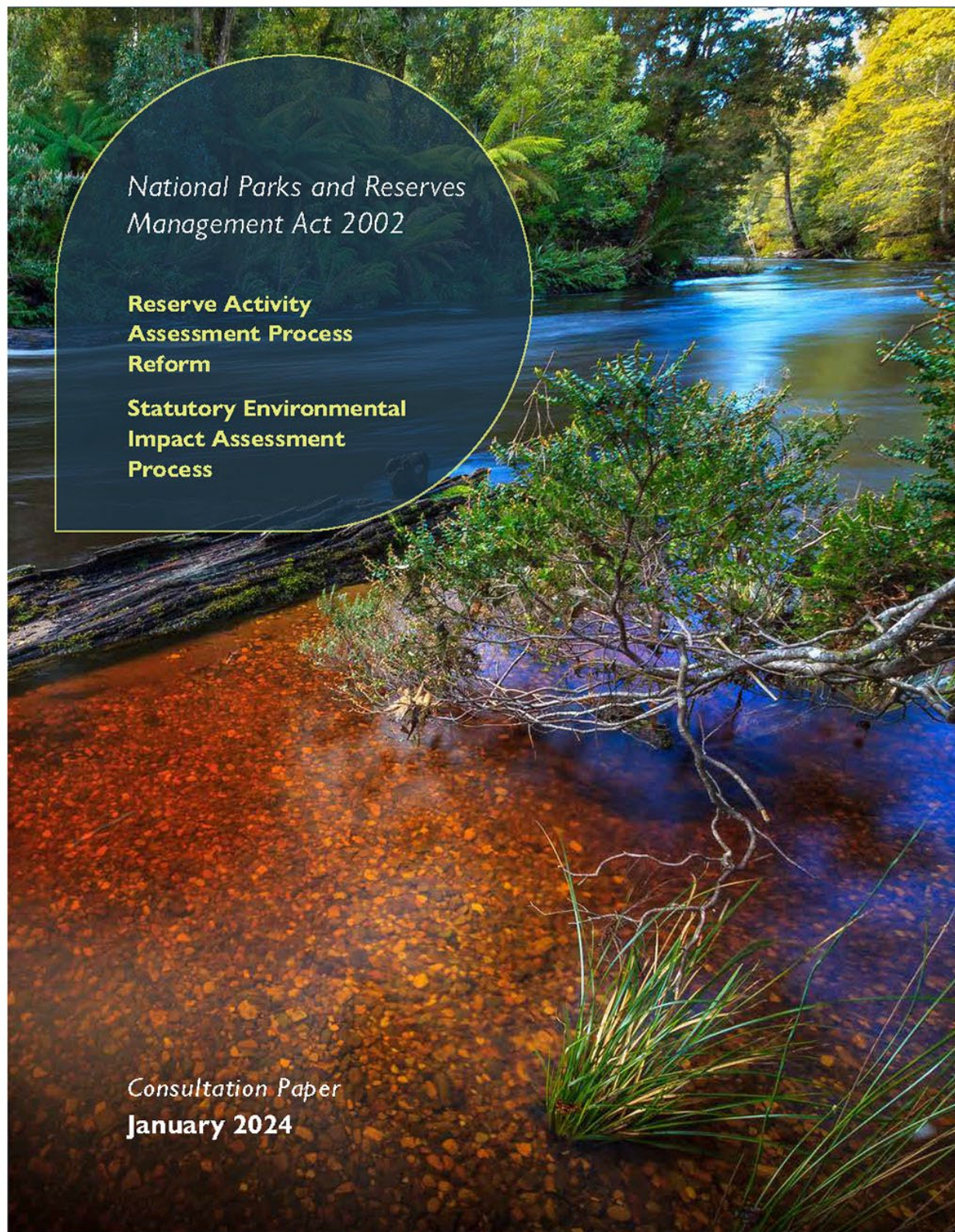
- Tasmanian Planning Scheme – State Planning Provisions
- Break O’Day Local Provisions Schedule

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority



*National Parks and Reserves
Management Act 2002*

**Reserve Activity
Assessment Process
Reform**

**Statutory Environmental
Impact Assessment
Process**

Consultation Paper
January 2024

Department of
Natural Resources and Environment Tasmania





Foreword from the Minister for Parks

Department of Natural Resources and Environment Tasmania
GPO Box 44 Hobart TASMANIA 7001
www.nre.tas.gov.au
January 2024

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I am pleased to release the 'National Parks and Reserves Management Act 2002 – Reserve Activity Assessment Process Reform – Statutory Environmental Impact Assessment Process - Consultation Paper' as part of the Reserve Activity Assessment (RAA) Process Reform.

Implemented in 2005, the current RAA process is underpinned by an extensive policy-based framework and is used to assess potential environmental impacts of use or developments on reserves managed by the Tasmania Parks and Wildlife Service (PWVS). During 2019, PWVS conducted a review of the RAA process and implemented a range of amendments that has delivered more consistent and accountable assessment outcomes.

This next stage of the reform will be to build on these improvements and ensure greater transparency along with independent decision making. To achieve this, the Tasmanian Government intends to deliver a dedicated statutory environmental impact assessment process within the *National Parks and Reserves Management Act 2002 (NPRMA)*.

The Government intends to draft amendments to the NPRMA to provide for the following:

- A statutory environmental impact assessment process for proposed use or development on reserved land that meet the eligibility criteria.
- An independent and transparent assessment process and accountable decision making on use or development proposals.
- Cost recovery for assessments.
- Removal of duplication with assessment processes under the *Land Use Planning and Approvals Act 1993*.
- Public access to copies of leases and licences issued over reserves through a Head of Power to publish active leases and licenses issued on reserves.
- Additional reserve management planning processes.

Through these reforms we will deliver:

- independent assessment and decision making;
- more efficient assessment processes by reducing regulatory and administrative duplication;
- greater understanding and transparency of the process with key elements being enshrined in legislation;
- easier public access to lease and licence documentation; and
- agile and responsive reserve management planning.

In addition to seeking written feedback on this Paper, there has already been preliminary engagement with key stakeholders. This engagement will continue as part of this next phase with important feedback from this process used to inform the drafting of the legislative amendments. It is anticipated that a draft Bill will be released for further consultation in late 2024.

The Tasmanian Government remains committed to continuous improvement through increased transparency and a more robust process, with these reforms designed to deliver on those important commitments.

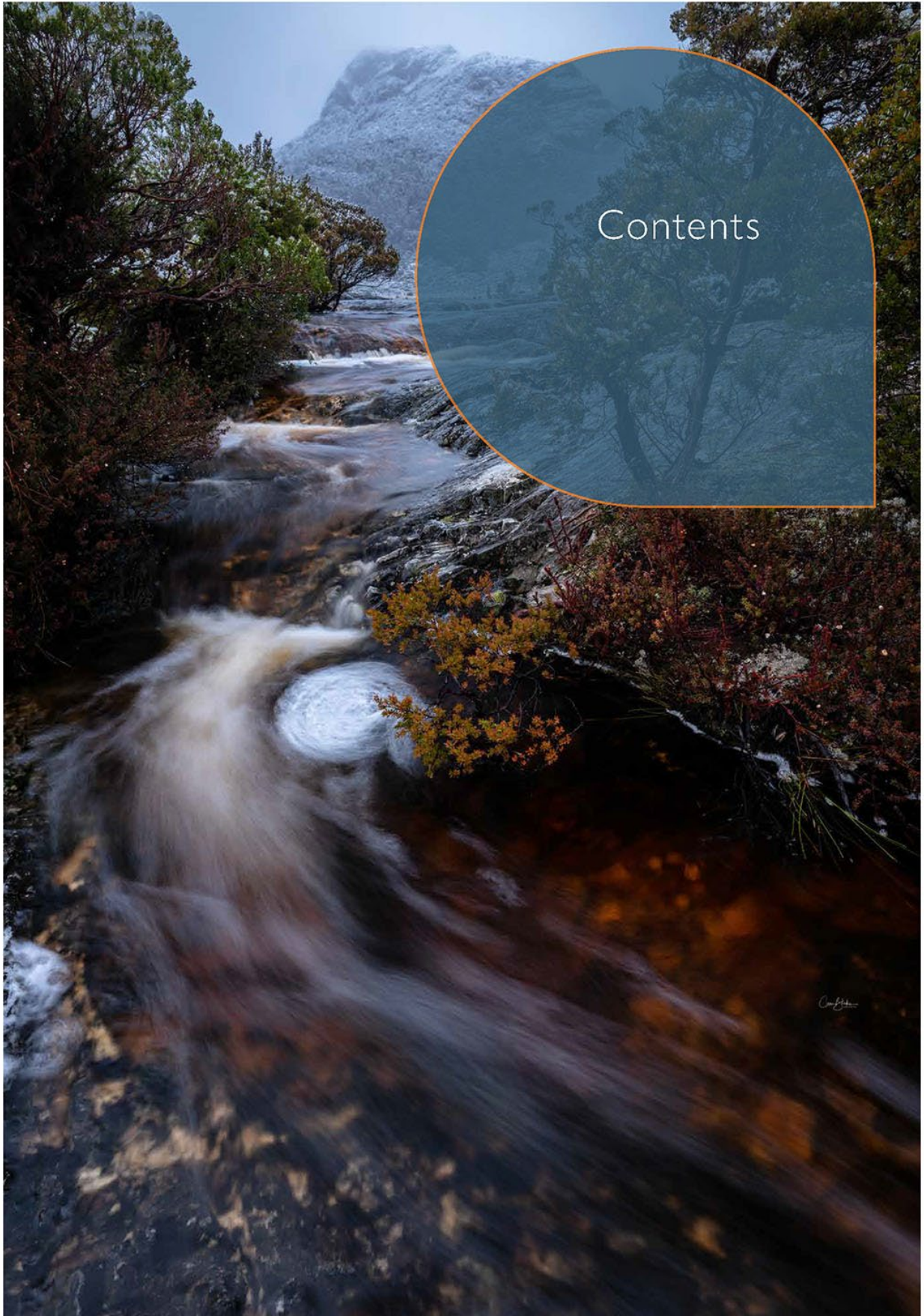
Hon Nick Duigan MP
Minister for Parks

The Department of Natural Resources and Environment Tasmania acknowledges and pays respect to Tasmanian Aboriginal people as the traditional and original owners and continuing custodians of this land, and acknowledges Elders past, present and emerging.

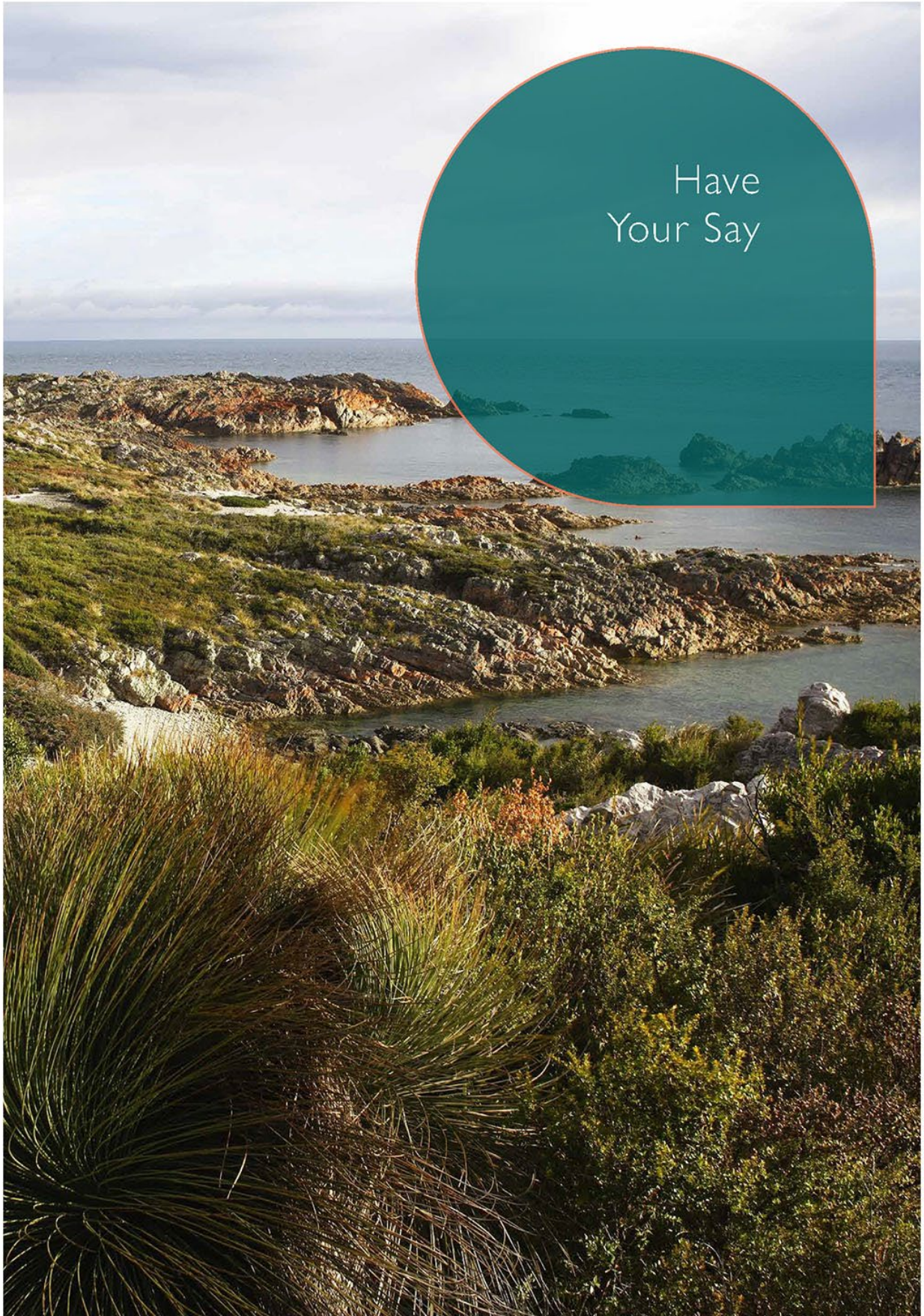
Consultation Paper • January 2024

National Parks and Reserves Management Act 2002
Reserve Activity Assessment Process Reform
Statutory Environmental Impact Assessment Process

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This Consultation Paper (Paper) seeks public submissions on a proposal to develop a statutory assessment process to consider proposed use or development on reserve land.

The Tasmanian Government announced in September 2021 that amendments to the *National Parks and Reserves Management Act 2002* (NPRMA) would be undertaken to establish a statutory assessment process as a means of increasing transparency and independent decision making.

The NPRMA is the principal Act under which national parks and reserved land is managed. The NPRMA is one act in a suite of legislation, including the *Land Use Planning and Approvals Act 1993* (LUPAA), that sits within the Resource Management and Planning System.

The Minister for Parks and the Director of National Parks and Wildlife have decision making responsibilities in accordance with the requirements of the NPRMA for reserved land that is managed by the Tasmania Parks and Wildlife Service.

Currently, to determine whether any proposed use or development is consistent with the requirements of the NPRMA and the Resource Management and Planning System's objectives, a Reserve Activity Assessment (RAA) is undertaken. Although applied to support decision making under the NPRMA, the RAA process is a non-statutory, or administrative, assessment process.

The current RAA process is underpinned by an extensive policy-based framework and is a rigorous and effective process of assessment that has functioned well over many years, having assessed hundreds of proposed activities.

During 2019, PWS conducted a review of the RAA process and made a range of changes that has delivered more consistent and accountable assessment outcomes. This next stage of the RAA review will be to build on these improvements and ensure greater transparency along with independent decision making by incorporating the assessment of significant proposals under the RAA process into a statutory process under the NPRMA.

The proposed changes to the RAA process and amendments to the NPRMA are intended to provide greater confidence to both proponents and the broader community that complex, and ecologically and culturally significant proposals will receive fair, objective and transparent consideration.

This Paper is structured around the key phases of an assessment process and presents information on the corresponding amendments to the NPRMA that are proposed to establish a statutory assessment process including:

- The criteria that would determine whether a proposed use or development on reserve land requires assessment under the proposed statutory assessment process.
- Establishment of an Independent Assessment Panel.
- Transparency of process and decision making.
- Appeal rights.
- Recovery of costs.

Further information is available on the RAA Reform webpage:

<https://parks.tas.gov.au/about-us/managing-our-parks-and-reserves/reserve-activity-assessment>

How to make a submission

Submissions can be made by completing and submitting the form at the following address:

<https://nre.tas.gov.au/conservation/reserve-activity-assessment-reform/have-your-say-on-reserve-activity-assessment-reform>

If attachments are necessary, please provide them in Microsoft Word format (or equivalent) or pdf.

The Government cannot take responsibility for the accessibility of documents that are provided by third parties.

Submissions may also be emailed to: RAAReform@nre.tas.gov.au

Submissions must be received by **11.59 PM on 8 March 2024**.

Other than indicated below, submissions will be treated as public information and will be published on the Department of Natural Resources and Environment Tasmania (NRE Tas)'s website.

No personal information other than an individual's name or the organisation making a submission will be published.

Accessibility of submissions

The Government recognises that not all individuals or groups are equally placed to access and understand information. We are therefore committed to ensuring that government information is accessible and easily understood by people with diverse communication needs.

Please contact NRE Tas at RAAReform@nre.tas.gov.au if you require assistance with making a submission.

Important information

Confidentiality

Your name (or name of organisation) will be published unless you request otherwise.

If you would like your submission treated as confidential, whether in whole or in part, place the confidential comments into the 'Confidential comments' box on the submission form. Your submission should also explain the reasons why you wish for all or part of the submission to remain confidential.

In the absence of a clear indication that a submission is intended to be treated as confidential (or parts of the submission), NRE Tas will treat the submission as public.

Copyright in submissions remains with the author(s), not with the Tasmanian Government.

NRE Tas will not publish, in whole or in part, submissions containing defamatory or offensive material. If your submission includes information that could enable the identification of other individuals, then either all or parts of the submission will not be published.

Personal Information

Personal information collected from you will be used by NRE Tas for the purpose of acknowledging and publishing your submission. Your submission may be published unless it is marked 'confidential'. Personal information will be managed in accordance with the *Personal Information Protection Act 2004*.

Right to Information Act 2009

Information provided to the Government may be provided to an applicant under the provisions of the *Right to Information Act 2009* (RTI). If you have indicated that you wish for all or part of your submission to be treated as confidential, your statement detailing the reasons may be taken into account in determining whether or not to disclose the information in the event of an RTI application for assessed disclosure. You may also be contacted to provide your views on the disclosure of the information.

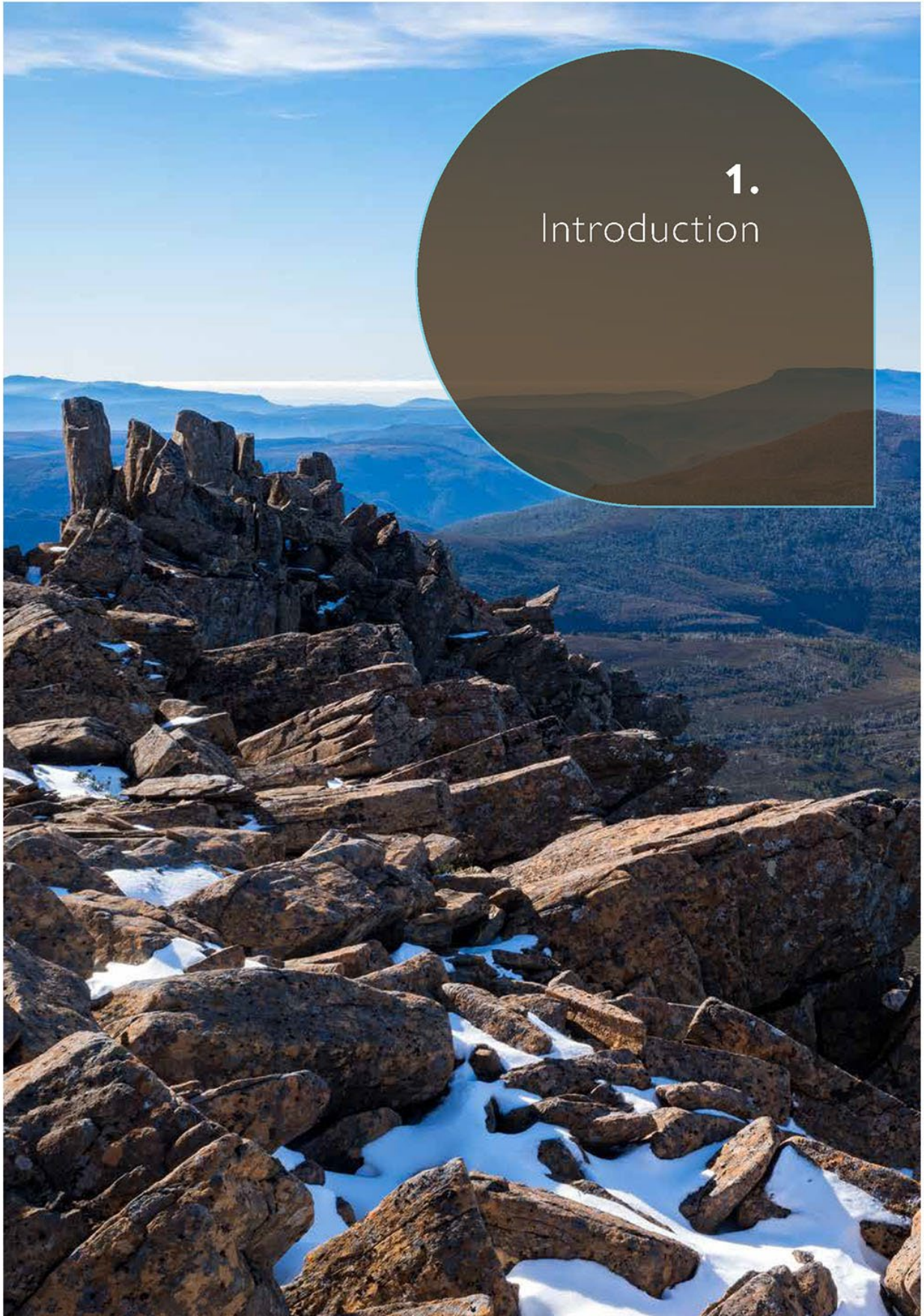
Next Steps

The submissions received as part of this Paper will be used to inform the drafting of the legislative amendments, which will be released in the form of a draft Bill for further consultation. The draft Bill will contain the finer technical and legal detail.

The intention is to release the draft Bill for comment in mid 2024, with a view to its introduction in Parliament in late 2024.

Timeline

Release and comment on this Paper	January - 8 March 2024
Summary Report on comments and issues identified through comment on this Paper and by other stakeholders.	May 2024
Public consultation on the draft Bill	Mid 2024
Delivery of the draft Bill to the Government	Late 2024



The Reserve Activity Assessment (RAA) process used by the Tasmania Parks and Wildlife Service (PWS) is equivalent to an environmental impact assessment process. PWS has adopted the term 'RAA process' to clearly identify assessment processes for proposals on reserved land and waters managed by PWS under the *National Parks and Reserves Management Act 2002* (NPRMA). Reserved land includes national parks, conservation areas, nature reserves, nature recreation areas, state reserves, regional reserves and marine reserves.

The RAA process, while non-statutory, is intended to ensure that approval and conditioning of proposals is consistent with reserve management plans, reserve management objectives and the Resource Management and Planning System objectives, which relate to sustainable development.

The Tasmanian Government announced in September 2021 that amendments to the NPRMA would be undertaken to establish a statutory assessment process as a means of increasing transparency and independent decision making.

This Paper, and the consultation process that accompanies it, is designed to facilitate a conversation with interested parties, including Tasmanian Aboriginal people, non-government organisations, local government, reserve visitors, tourism operators and proponents, and the broader Tasmanian community. It summarises the key elements of the Government's proposed approach to establishing a legislated environmental impact assessment process and seeks feedback to assist in the development of a draft Bill to amend the NPRMA.

1.1 Why create a new statutory impact assessment process?

1.1 Why create a new statutory impact assessment process?

A statutory use and development assessment process tailored to the management of the reserve estate that provides for certainty, statutory timeframes, public representation, independent decision making, and review opportunities is essential.

Reserves managed by PWS are subject to the provisions of LUPAA which is the key legislation in Tasmania relating to use and development of land. Proposals under LUPAA are assessed against the relevant local government planning scheme. Planning schemes regulate the use, development, protection and conservation of land within a specific geographical area by dividing land into specific zones and setting out objectives and development standards for land uses within each zone. For each zone, planning schemes identify land uses and developments that are exempt, permitted, discretionary or prohibited.

In December 2015, changes to LUPAA provided for the establishment of a single planning scheme for Tasmania, known as the Tasmanian Planning Scheme. Changes to the Tasmanian Planning Scheme allowed the Director of National Parks and Wildlife (Director NPW) to authorise use and development (which is currently assessed through the RAA process) on reserves managed by PWS which could then be deemed a 'permitted' activity under LUPAA. Councils, as the relevant planning authority under LUPAA, must approve permitted activities, provided they meet relevant development standards. A development application for a permitted use is not open for public comment, however conditions may be imposed under the planning permit.

While significant proposals subject to the RAA process are released for public feedback as a matter of policy, they are not subject to the same statutory requirements under LUPAA for public advertising and representations as 'discretionary' activities.

The intent of the proposed amendments is to create a statutory process under the NPRMA for significant proposals to ensure that those proposals are subject to a statutory assessment

process that provides for similar processes to that required for discretionary use and development under the LUPAA, including a public representation process.

Approval of significant proposals considered through the RAA process, while informed by expert advice, is ultimately a matter for the Director and, in considering the granting of licence and leases subsequent to that assessment, the Minister. In some instances, significant proposals are initiated by PWS.

The proposed amendments will establish an Independent Assessment Panel (the Panel) for significant proposals. The Panel will determine the matters that will be required to be considered in the assessment and will function as an independent decision maker. Importantly, this will ensure that significant proposals initiated by the PWS will be subject to independent assessment.

The Panel will be an independent body, prescribed in legislation, convened to assess any referred proposal. It will ensure independent review and oversight. It is proposed that the Panel will be established by the Tasmanian Planning Commission. The Panel will consist of members with qualifications and expertise relevant to the assessment process.

In addition to the establishment of zones, planning schemes also apply codes. A code provides controls for dealing with land use issues. An example of a code that applies across reserved land is the Bushfire Prone Areas Code, which is intended to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

Codes have been drafted to regulate the general use of land and may not always be a good fit for a proposal on reserved land, which has specific management objectives. Compliance with the Bush Fire Areas Code for example, may require clearing of vegetation that may not be appropriate within reserved land. Another example is the Parking and Sustainable Transport Code, which may apply to proposals remote from vehicle access.

Where a proposal on reserved land does not satisfy the requirements of a code, that part of the proposal is then subject to assessment under the LUPAA as a discretionary activity. Under the proposed statutory assessment process, this outcome would lead to duplication, whereby a proposal would be considered in its entirety through the statutory RAA process under the NPRMA while discrete elements would be considered as a discretionary use under the LUPAA.

The proposed amendments will remove the application of the planning scheme codes to proposals assessed through this process. The Panel may consider which requirements of any code should be considered in the assessment in consultation with the relevant councils. The intention is that proposals approved under the statutory process would not require a planning permit under LUPAA.

1.2 Current RAA process

PWS manages 806 reserves covering approximately 2.86 million hectares, or around 40% of Tasmania's land area. These reserves have been declared under the Nature Conservation Act 2002 (NCA) which sets out the values and purposes of each reserve class and how they are managed under the NPRMA according to the management objectives for each class of reserve.

The reserves have significant values that are protected under a range of legislation, including the NPRMA. These values include sites/areas of cultural significance, biological diversity, geological diversity, water quality, and areas of high wilderness quality.

In tandem with maintaining the reserve values, PWS is also charged under the NPRMA with encouraging certain forms of use within reserves. These include research, education, tourism and recreational use and enjoyment. The use of reserves, particularly for recreation, is highly valued by the community. In some classes of reserves other activities, such as grazing, apiculture, forestry, mining, marine farming and hunting, may also occur under certain conditions. The management objectives for each reserve class are not ranked and must be balanced when a determination is made regarding an activity. In reserves where a management plan applies, the management plan may set out how those objectives are to be applied and met.

PWS is responsible for ensuring use and development in reserved areas is in accordance with approved Management Plans or the reserve objectives listed in the NPRMA and the Resource Management and Planning System objectives.

PWS has developed the RAA process to guide decisions about appropriate use or development and the management and mitigation of associated environmental impacts in Tasmania's reserves within the context of that responsibility.

Activities that require assessment via the RAA process are all works, developments, or activities that, over a period of time, have the potential for environmental, social or economic impacts. Cumulative impacts are also a consideration.

The RAA process applies equally to both PWS and external proponent's activities in parks and reserves. Any person or entity, including PWS, other government departments and organisations, private entities, or infrastructure providers, proposing activities in parks and reserves may be subject to a RAA.

There are three environmental impact assessment levels in the current RAA process.

PWS determines whether assessment via the RAA process is required and if so what level of assessment is appropriate. Proposals are assessed in accordance with PWS's policies and guidelines. PWS determines the level of assessment required based on the proposal's scale, location, degree of public and stakeholder interest and consistency with approved Management Plans or the reserve objectives listed in the NPRMA and risk to any natural or cultural reserve values. PWS may seek advice from other agencies, for example the Department of Premier and Cabinet's Aboriginal Heritage Tasmania, to assist in making a determination.

The three assessment levels currently used are:

Level 1 RAA process— proposals subject to this assessment process would be minor in scale, the site's environmental values would be well known, there would be no evidence of Aboriginal heritage at the site, and any environmental impacts would likely be very low with standard management practices applicable. Community interest would not be likely to be significant. Example proposals that may be subject to a Level 1 RAA process might include upgrades to an existing road, minor repairs to existing infrastructure; small scale new infrastructure such as a toilet pod; or short-term events or volunteering activities in a discrete area.

Level 2 RAA process — proposals subject to this assessment process would be subject to specialist studies, Aboriginal heritage might be present but would not be expected to require further assessment or management interventions. Impacts to environmental values would also be manageable through implementation of an environmental management plan, and there may be some level of local community interest. Example proposals might include major repairs or renewal of existing assets; new boardwalks, bridges, lookouts and communications infrastructure; feral animal control programs; or activities held over large areas over multiple days.

Level 3 RAA process — proposals subject to this assessment process would be those requiring a detailed publicly available Environmental Impact Statement (EIS), informed by multiple specialist studies. These proposals would typically attract a high level of community interest. Example proposals subject to this environmental assessment process might include construction and operation of new infrastructure or uses that have a high potential for significant environmental or social impacts.

The process stages for a Level 3 RAA are as follows:

Stage 1

The proponent prepares the draft EIS to a standard acceptable for public consultation. The draft EIS is developed in accord with project specific guidelines issued by the PWS.

Stage 2

Public consultation by the proponent including publishing the draft EIS, advertising in three regional papers, posting of the draft EIS on the PWS 'Have you say' web page for a minimum of four weeks. The PWS may also seek specialist advice.

Stage 3

PWS collate public and agency submissions and advise the proponent. The proponent prepares the final EIS including a Submissions Report addressing comments received during the public consultation process.

Stage 4

PWS assessment of the final EIS is completed. PWS prepares an Environmental Assessment Report (EAR) including submissions report, statement of reasons and public submissions.

Stage 5

Final EIS and EAR published on the PWS website

Where an external assessment is required under another Act, such as the *Environmental Management and Pollution Control Act 1994* (EMPCA) if that external process is assessing the same impacts and values, PWS identifies where there is potential for duplication and adjusts the requirements for proponents to provide this duplicate information.

Examples of proposals that have undergone the current Level 3 process include PWS proposals such as the Maria Island critical infrastructure upgrades, the shared use track in the Freycinet National Park and the Cockle Creek campgrounds upgrade. PWS projects undertaken in the Tasmanian Wilderness World Heritage Area by PWS that have also been through the Level 3 process include the Dove Lake Shelter, the Kia Ora and Windemere hut upgrades and the Walls of Jerusalem Recreation Zone Plan implementation project.

Proposals by external proponents, including other government departments, local government and private enterprises, may also be subject to the Level 3 process. Recent proposals by the Department of State Growth that have undergone a Level 3 assessment process include the Eaglehawk Neck safety upgrade and the New Bridgewater Bridge; local government proposals including the Tippogoree Hills Mountain Bike Trails; and private enterprise proposals including the Discovery Holiday Park Cradle Mountain Expansion and the Ida Bay State Reserve Destination Public Artwork and Visitor Centre.

It is important to note that the PWS has already undertaken an extensive review of the RAA system in recent years, progressively implementing improvements to the system for greater transparency and consistency. These improvements focused on administrative aspects; increasing opportunity for public consultation and comment; and providing a formal decision report in respect of decisions made. The RAA is a robust process successfully applied to hundreds of proposals over many years.

Further information on the existing RAA process can be found on the PWS website which provides an RAA Process overview:

<https://parks.tas.gov.au/Documents/Guideline%20RAA%20process%20overview.pdf>

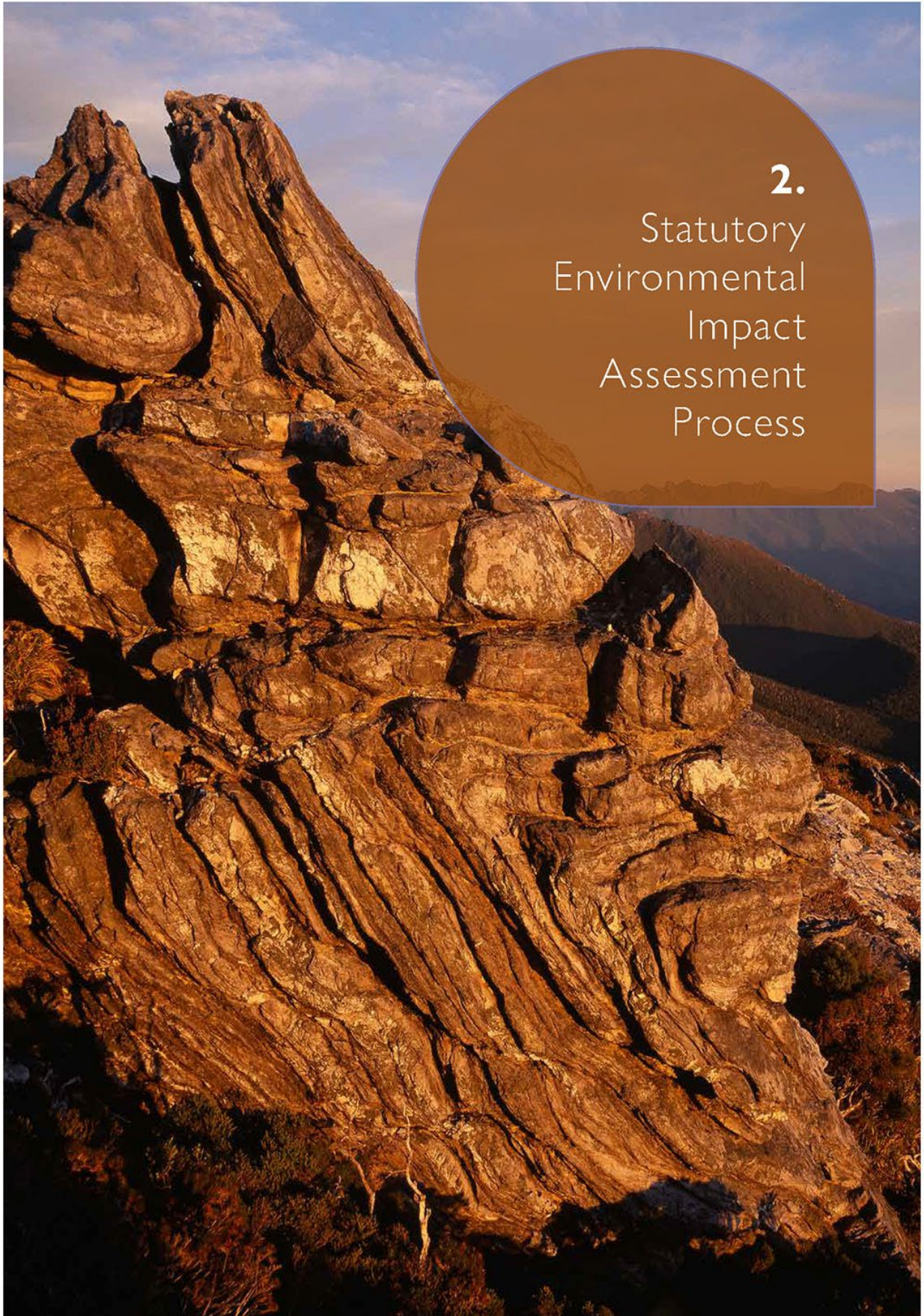
1.3 Which Proposals would be subject to a statutory RAA process?

A statutory process brings significant checks and balances and independence to the decision making around a proposal. It also adds additional time and effort for government, the applicant and the community.

Making all RAAs across all levels subject to a statutory process is not in the public interest and risks significantly delaying essential and time critical works that are typically low impact and a regular part of the management reserved land (i.e., Level 1 and Level 2 proposals).

Some of the proposals currently assessed as Level 3 in the RAA process would be expected to meet the criteria for assessment under the statutory assessment process.

It is therefore desirable to develop threshold criteria that will give the community confidence that proposals are correctly determined to be eligible to follow a statutory assessment process (refer to Section 3.1.1).



2. Statutory Environmental Impact Assessment Process

The current RAA process is non-statutory and is a policy position of the government. It is therefore not legislated and able to be enforced. A statutory process provides certainty to government; the community and proponents about how certain proposals will be assessed and the timelines that apply. It will deliver on the Government's commitment for all significant RAA decisions to be more informed, justified, transparent and accountable.

2.1 Assessment principles

The proposed statutory assessment process will be in accordance with best practice. The statutory process will specifically improve the current RAA process by:

- clarifying the eligibility criteria around proposals that are eligible for the statutory process;
- formalising public exhibition so that stakeholders have the opportunity to be informed, participate, and decisions are explained;
- providing assessment criteria and information requirements that are tailored to the proposal and commensurate with potential risks;
- establishing an Independent Assessment Panel (the Panel) and using expert advice to inform decision making;
- removing duplications with other assessment processes such as LUPAA;
- providing for administrative appeals of assessment processes and authority decisions;
- providing a consistent assessment process, timelines and outcomes;
- providing for assessment outcomes to be incorporated into management of the reserve to ensure reserve objectives/management plan objectives are achieved; and
- providing for the payment of fees (cost recovery) associated with impact assessment for proposals subject to the statutory process.

2.2 Fit with other statutory assessment processes

The proposed statutory assessment process will need to consider the roles and responsibilities of those involved in the process including the proponent, the Minister for Parks, the Director NPW, other management authorities, the proposed Independent Assessment Panel (the Panel), relevant Ministers, Tasmanian Aboriginal people, specialists, and other stakeholders, including other assessment agencies and statutory authorities.

The major challenge with designing a new statutory assessment process is that there are other statutory assessment processes relevant on reserved land. The intent is that the new statutory NPRMA assessment process should not duplicate or replace a suitable assessment process that is undertaken by persons with relevant expertise.

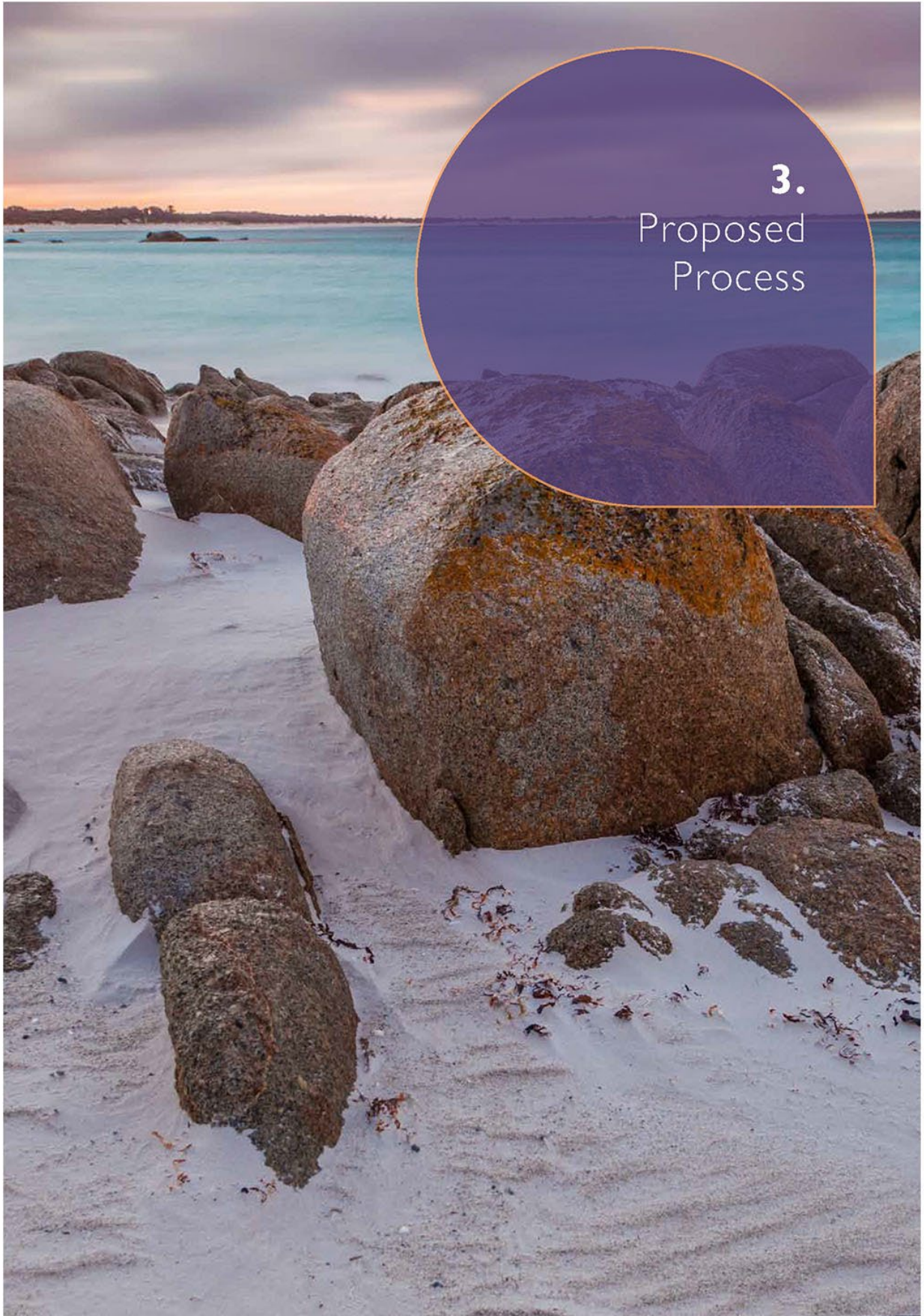
The following needs to be taken into consideration in designing the assessment process if this outcome is to be achieved:

- Involvement of local planning authorities during the assessment phase, particularly where reserve use or development directly impacts on local communities.
- Referral and early advice of agencies and bodies with expertise in management of Aboriginal heritage and carriage of the *Aboriginal Heritage Act 1975*.
- Referral and early advice of agencies and bodies with expertise in management of historic heritage (*Historic Cultural Heritage Act 1995*) or threatened species (*Threatened Species Protection Act 1995*).
- Activities that will also require assessment under EMPCA by the Environment Protection Authority.
- A proposal that is declared a Major Project under section 60 of LUPAA or a Major Infrastructure Project under the *Major Infrastructure Development Approvals Act 1999*. The statutory RAA assessment would not apply for a proposal declared as a major project under LUPAA.
- A proposal that will be subject to a determination by an independent Development Assessment Panel appointed by the Tasmanian Planning Commission should proposed amendments be made to LUPAA via the Land Use Planning and Approvals (Development Assessment Panel) Amendment Bill 2024.
- A proposal that needs assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) (Cwlth).

Aboriginal heritage considerations

There is an explicit need to give appropriate and early consideration to the management and protection of Tasmania's significant Aboriginal cultural heritage, including incorporating acknowledgement that Tasmania's Aboriginal people are the custodians of their cultural heritage.

Early engagement with Tasmanian Aboriginal people and any statutory Aboriginal representative body will be a key consideration in the determination of acceptance of a proposal for assessment.



The key components of the statutory impact assessment process proposed to be captured in the proposed amendments are outlined below and have been divided into distinct phases:

- 1. Eligibility phase**, whereby a proposal is assessed as to whether it is acceptable under existing legislation, plans or policy. In addition, only those activities that are significant would be considered for assessment under the statutory assessment process. Eligibility criteria and guidelines would set out the terms and conditions for proposals to meet before they can be considered.
- 2. Determining assessment criteria**, where the Panel determines what factors would be considered in assessing the proposal. It is proposed that the draft assessment criteria would be provided for public comment with the final criteria determined after consideration of public comments.
- 3. Preliminary Assessment**, where the Panel would consider the impacts and actions to minimise adverse impacts documented in the draft EIS prepared by the proponent and make a preliminary assessment against the assessment criteria and draft an assessment report.
- 4. Final consultation and assessment**, which includes public exhibition of the EIS and draft EAR prepared by the Panel. The Panel would then consider any public submissions and would have the discretion to hold public hearings after which the Panel would prepare the final report and make a recommendation.

3.1 Eligibility Phase

It is intended that proposals for use or development will be received by the Director NPW. The proposal is then subject to a preliminary assessment to determine if it is permissible under current legislation or is in accordance with an approved Management Plan.

As part of the initial assessment, the proposal will be referred to other relevant authorities to determine if it requires assessment under other statutory processes, e.g., EMPCA.

As part of the eligibility phase the activity must be of sufficient scale, complexity and present a level of risk that would require a statutory assessment. This involves consideration of the type, size and characteristics of the proposed activity; the sensitivity of the receiving environments and types of likely impact. Cumulative impacts can also be taken into account, as well as the level of public interest.

The decision as to whether a proposal is eligible to be assessed to go through the statutory process is proposed to be based on criteria set out in the NPRMA and any statutory guidelines developed.

Potential eligibility criteria could be any proposal that:

- will require significant leasing of, or a significant occupation of, a reserve or reserves in a particular class (e.g., National Park, State Reserve, Nature Reserve, Game Reserve, Historic Site); or
- is likely to generate a very high level of public interest; or
- possesses one or more of the following criteria:
 - o is a large scale development or comprises a series of stages or separate developments that cumulatively would be of a large scale,
 - o has the potential for environmental and/or cultural impacts across a wide area,
 - o proposes activities in locations that contain cultural¹ or natural values that may be vulnerable to a proposed use or development,
 - o has the potential to have a significant impact on a threatened species² and/or threatened native vegetation communities³,
 - o are developments that have an intense impact in a small area (e.g., towers).

The Minister for Parks will make a decision about whether a proposal meets the eligibility criteria. Minister notifies with reasons whether the proposal is eligible for the statutory process, and this is publicly exhibited.

3.2 Determining Assessment Criteria

Once the Minister has determined that a proposal is eligible to be assessed under the statutory process it will be referred to the Panel.

This phase details what the impact assessment should include and describes the expected outputs. It ensures the impact assessment focuses on the key issues and establishes assessment criteria to review the quality of the impact assessment and guide the final report.

In this stage it is expected that the Panel would prepare appropriate assessment criteria which the Panel members will use to determine whether the proposal is acceptable or not. The NPRMA requires any use and development to be consistent with any approved Management Plan, or in the absence of a Management Plan, management objectives listed for a particular type of reserve and finally, the Resource Management and Planning System objectives. These requirements would form the high-level basis for appropriate assessment criteria. However, there would usually be other policies and standards that apply depending on the type of development or use, including relevant use and development provisions of the applicable planning scheme. In practice it would be expected that standard assessment criteria would always be applied, with specific criteria as required for individual proposals.

It is proposed that the Panel would undertake a consultation process with relevant regulators and authorities and receive advice to determine the draft assessment criteria. The draft criteria would be released for public comment prior to being finalised.

¹ Cultural values have the same meaning as defined in the Burra Charter and encompass places, areas, objects, spaces and views of aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Consequently, it includes Aboriginal, historic and natural places.

² As defined by the *Threatened Species Protection Act 1995*.

³ As listed in Schedule 3A of the *Nature Conservation Act 2002*.

3.3 Preliminary Assessment

Once the Panel has issued the assessment criteria, the proponent would be required to prepare a draft EIS and associated documentation, within a timeframe determined by the Panel, to enable the Panel to assess the proposal against the assessment criteria.

3.4 Final Consultation and Assessment

The draft EIS would be assessed by the Panel and other relevant regulators and authorities. A draft EAR would be prepared by the Panel.

The Panel would advertise the draft EIS and draft EAR and invite public submissions.

Any submissions would be received and reviewed by the Panel. It is proposed that the Panel could determine that hearings may be held to provide the opportunity for persons to present information to the Panel.

The Panel would invite the proponent to prepare and submit the final EIS taking into account any public submissions. All submissions would be made public, and the proponent's response would be made public following approval by the Panel. The Panel would assess the final EIS and make a decision as to whether the proposal should be rejected, approved, approved with conditions or not approved. The Panel would then prepare a final EAR which would outline the Panel's decision and reasoning for that decision. The decision and final EAR would be published.

The assessment outcome decision may also include recommendations to amend the existing Management Plan (MP), or resource the implementation of parts of an existing MP or advance the development of a new MP or management statement [see Discussion Paper 1].

To maintain the independence of the Panel, the statutory process would not provide any role for the Minister in assessing the proposal. The decision of the Panel is final but still could be subject to challenge under judicial review.

It is proposed that the Panel would inform the Minister for Parks, the Director NPW or, if applicable, any other reserve managing authority as to the decision, all of which would be bound by that decision.

If the proposal was approved or approved subject to conditions, the Minister for Parks, Director NPW or other managing authority would issue either a lease, licence or authority providing approval to the proponent inclusive of any conditions determined by the Panel. A range of other permits and approvals may still be required including building approval.

3.5 Transparency and Opportunities for Public Comment and Submissions

The Government recognises the importance of involving Aboriginal people and local communities in the assessment of proposals for use and development of reserve land. One of the objectives of the new statutory process is to enhance the role of communities' involvement in the impact assessment process. It is proposed that community participation will start early and continue through the process to integrate public input at each step of the process.

The proposed amendments to the legislation should provide for Tasmanian Aboriginal people, the broader

public, relevant State agencies, environmental non-government organisations and other key stakeholders involvement as early as possible during decision-making and impact assessment processes.

In addition, it is proposed that the Panel must consult with relevant local councils during the preparation of the assessment criteria and also during the final assessment of the proposal.

This proposed statutory process enables local government councillors to advocate issues on behalf of their community across a range of matters, including engineering issues, planning issues, social/community issues and political issues.

The following measures are proposed to increase transparency and to provide multiple opportunities for public comment and submissions, including:

- Minister notifies with reasons whether proposal is eligible for the statutory process.
- Draft Assessment Criteria made are released for public comment.
- Final Assessment Criteria are released.
- Draft EIS and draft EAR are publicly exhibited inviting comments.
- Public hearings may be conducted by the Panel.
- An additional management plan process would include public consultation and direct stakeholder engagement.
- Final Decision of the Panel including EAR published.

3.6 Appeal rights

There is currently limited ability to seek a review of, or to appeal, decisions made under the RAA process. The proposed amendments to the legislation would provide for administrative appeals of the Panel's environmental impact assessment processes and authority decisions. Appeal rights would relate to matters such as whether a proposal's assessment process has been undertaken in keeping with the process set out in the NPRMA.

It should be noted that when a proposal requires other approvals, such as under the EPBCA (Cwlth) then appeal processes on those decisions are provided under that legislation.

The 'decision making model' of the Panel proposed under the statutory process would be similar to that of the Tasmanian Civil and Administrative Tribunal (TASCAT). It would be an expert independent body like TASCAT that could hold hearings into the proposal and its impact assessment before determining the final decision. Due to the independence of the Panel, merit based appeals against determinations of the Panel are not appropriate by TASCAT.

The proposed statutory process would not provide any role for the Minister for Parks in the assessment of the proposal.

Importantly, the process for administrative review under the *Judicial Review Act 2000* will remain.

3.7 Cost recovery and financial risks

Cost recovery

PWS bears all costs for its own assessments under the RAA process. These are often delivered internally using PWS staff and resources from across NRE Tas. From time to time, external consultants are used where specialist internal expertise does not exist. Given that the majority of PWS RAAs are to deliver on the desired objectives for reserve land, it is appropriate that the costs of these assessments are absorbed by NRE Tas and government.

PWS does not prepare assessments for external proponents but does provide guidance and advice about what the assessment requirements will be. PWS undertakes the assessment of external proponent proposals once they have submitted the final RAA documents. Apart from application fees associated with a lease or licence, external proponents do not currently pay for the assessment of proposals under the RAA process. Depending on the significance of the proposal, this assessment may consume considerable departmental resources.

The NPRMA does not currently contain provisions for charging for EIAs.

It is proposed that a 'recovery of costs' model be applied to the statutory assessment process. This is to ensure that the costs of administration and environmental assessments are appropriately borne by the proponent, rather than by government and the Tasmanian public more broadly.

Cost recovery may also be applied to the NPRMA authorities that direct payments for reserve management using a pre-determined formula.

A potential model is provided within the *Land Use Planning and Approvals Regulations 2014* for major projects under LUPAA. This provides for a cost recovery model with fees associated with the following steps:

- lodging the proposal,
- preparation and determination of assessment criteria,
- consideration of the draft EIS,
- final assessment of EIS including conducting hearings, and
- decision to grant or refuse a permit and any future amendments to the permit.

Another model is provided in the *Environmental Management and Pollution Control (General) Regulations 2017* which prescribes the **fees charged** for environmental assessments conducted by the EPA Board. This structure allows for a fixed component and variable fee component (including an hourly rate for staff time) based on the level of complexity of the proposal.

Bonds

The financial risk associated with a proposal should also be considered as a proposal would be undertaken on, and may potentially occupy, public land. This risk includes the financial capacity of the proponent to undertake and complete the project and address any environmental harm caused from the activity, or to remove the assets on default or termination of the lease.

Covering the risk could involve a requirement that the proponent lodge a bond or bank guarantee for the life of the lease or licence. The amount could be based on a percentage of the likely costs, expenses, loss and damages that might be incurred if the government needed to step in to address any environmental harm associated with or arising from the activities proposed.

3.8 Leases and licences

A further outcome of this reform is to ensure that a Head of Power is created under the NPRMA to enable all future leases and licence agreements for reserves can be made public.

The Lease and Licence Portal has also been developed to provide a platform to publicly release all active agreements. The Portal can be used to find and download active agreements on reserve land.

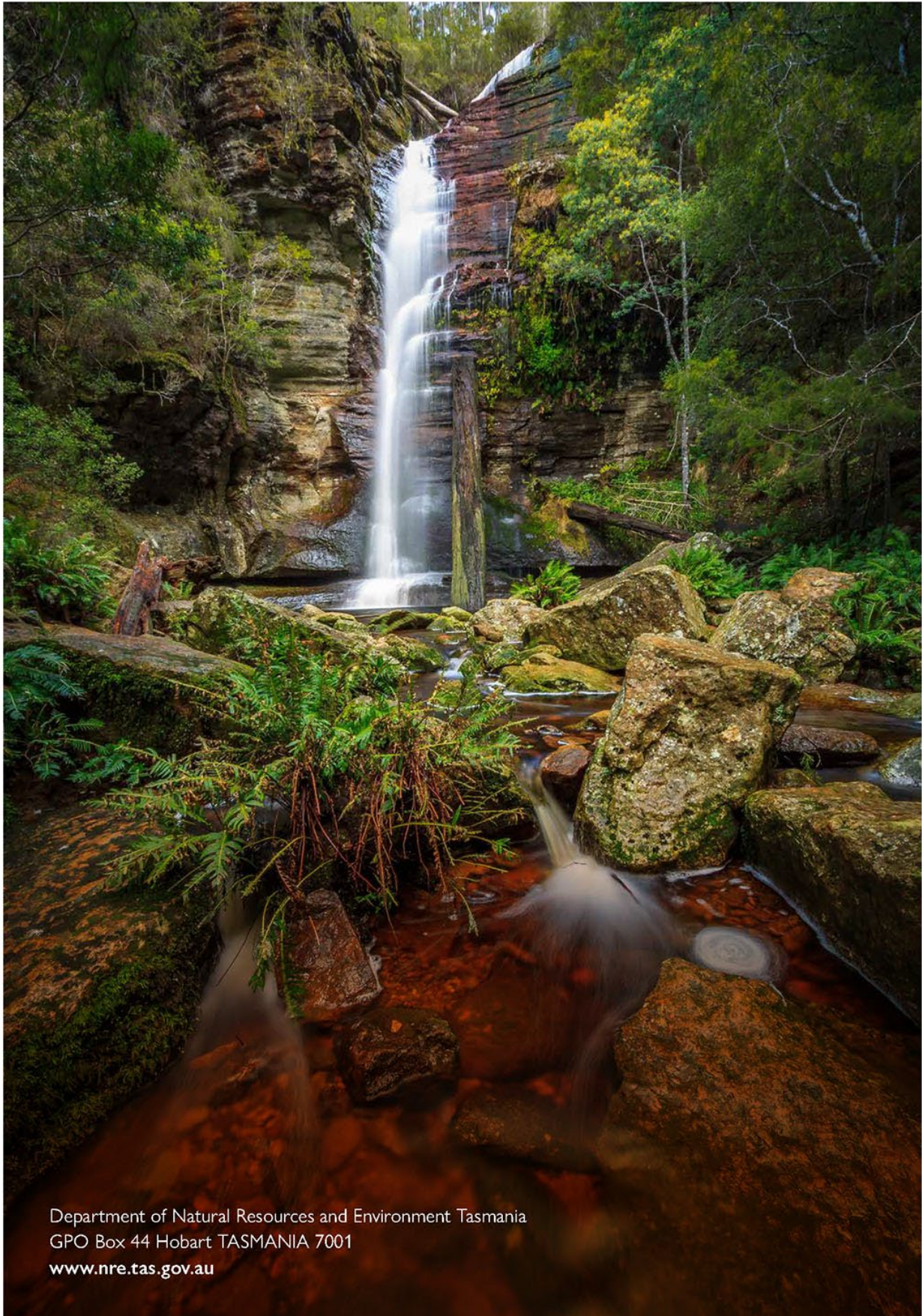
The Portal contains a redacted copy of the active agreements so that we can protect the personal information of the agreement holder in accordance with the *Personal Information Protection Act 2004*.

New agreements will be loaded into the Portal on a regular basis and existing agreements are regularly reviewed and updated as required. PWVS is continually updating agreements as they expire. While an Agreement is undergoing renewal it will be removed from the webpage and then reloaded once a new agreement is released.

The Lease and Licence Portal can be accessed here: <https://leaseslicences.nre.tas.gov.au>

Glossary

Director NPW	Director of National Parks and Wildlife
EAR	Environmental Assessment Report
EIS	Environmental Impact Statement
EMPCA	<i>Environmental Management and Pollution Control Act 1994</i>
EOI	Expression of Interest
EPA	Environment Protection Authority Tasmania
EPBCA (Cwlth)	<i>Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)</i>
LUPAA	<i>Land Use Planning and Approvals Act 1993</i>
NCA	<i>Nature Conservation Act 2002</i>
NPRMA	<i>National Parks and Reserves Management Act 2002</i>
NRE Tas	Department of Natural Resources and Environment Tasmania
Panel	Independent Assessment Panel
PWS	Tasmania Parks and Wildlife Service
RAA	Reserve Activity Assessment
RTI	<i>Right to Information Act 2009</i>
TASCAT	Tasmanian Civil and Administrative Tribunal



Department of Natural Resources and Environment Tasmania
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www.nre.tas.gov.au

Proposed Management Planning Processes



Issue

The current process for amending a reserve management plan under the *National Parks and Reserves Management Act 2002* (NPRM) is complex, often involving approval from both Houses of Parliament as well as the Governor.

The current approach is appropriate for a new management plan or where major amendments are proposed, however the need for a less onerous process to make minor amendments to a management plan is recognised.

Existing management plans by their nature are statements of management intent for the long term. It is difficult for a management plan to anticipate all future management needs or likely uses of a reserve. This issue becomes more problematic as management plans age. The need for additional statutory pathways to manage reserves is recognised by the Tasmania Parks and Wildlife Service (PWS).

The proposed statutory Reserve Activity Assessment (RAA) process also raises the scenario where a proposal is not exactly in accordance with a management plan or in the absence of a management plan, cannot meet all the reserve objectives under the NPRMA. Alternatively, a proposal may be in accordance with the current management plan, but the development of the proposal would require supporting commitments that require an amended management plan to be implemented. This has highlighted the need for a combined assessment/amendment process to better deal with those circumstances where an amendment may be justified.

Background

PWS is responsible for managing Tasmania's 19 national parks, three World Heritage Areas (WHAs), and over 800 other reserves including marine reserves, Marine Conservation Areas (MCAs), Crown land and sites of historic and cultural significance.

PWS works across government and the community to manage the natural and cultural values of these landscapes and importantly to protect Aboriginal and historic heritage.

Department of
Natural Resources and Environment Tasmania



Management plans, site plans and other reports guide management of Tasmania's reserved lands.

Monitoring, evaluation and reporting also provides a mechanism for delivering public transparency and accountability in management.

Adaptive management

Adaptive management is an approach that ensures management not only plans and carries out actions to achieve objectives, but also monitors and reports the results so that everyone can see what's working and what's not. Factual feedback about management performance supports informed planning and decision-making so that appropriate adjustments can be made to deliver the intended outcomes.

PWVS uses the adaptive management cycle across a wide range of management contexts and timeframes, ranging from specific projects to statutory management plans. A key step in the cycle is amending/updating the management plans in response to monitoring feedback, Environmental Impact Statement outcomes, new research and community expectations.

Discussion

The NPRMA provides for the management of reserved land declared under the *Nature Conservation Act 2002* (NCA), and the protection of the values associated with the reserve type. This is achieved through alignment with the objectives set for each reserve type, as prescribed by Schedule 1 of the NPRMA. Under the NPRMA, a statutory management plan may be developed for reserved land in alignment with the stated objectives.

Statutory management plans are prepared for national parks and selected reserves as provided for under section 19 of the NPRMA. The current management planning process (sections 19 - 28 NPRMA) is extremely detailed and time intensive. The process involves preparing the draft plan which must address applicable statutory powers by other agencies, approval by the Minister for Parks, the National Parks and Wildlife Advisory Council, possible approval by parliament and approval by the Governor having regard to which and how reserve objectives may apply. It is designed to be comprehensive and to ensure a high bar is set to ensure the protection of the values within our reserves, which is appropriate for the development of a new management plan or a significant amendment (refer to Management Plan Process Flowchart at the end of this paper).

There are currently 32 existing management plans <https://parks.tas.gov.au/about-us/managing-our-parks-and-reserves/management-plans-and-reports> over a range of reserve types including national parks, nature reserves, state reserves, conservation areas and game reserves.

Many of these existing management plans are over 20 years old. In some cases, they do not adequately reflect contemporary reserved land management approaches or community expectations. The PWVS is currently revising the Maria Island National Park and Ile des Phoques Nature Reserve Management Plan and will commence the Ben Lomond National Park Management Plan revision soon.

Amending a management plan

Under the current management planning process there is no separate process for amending an existing management plan, as the full process must be undertaken. As a consequence, minor amendments are usually deferred due to time constraints and over time existing management plans become less relevant and effective in providing management direction.

With the current RAA process the first consideration for any proposed development or use of reserved land, is whether the proposal is in accordance with a management plan or in the absence of a management plan, NPRMA Schedule 1 objectives. If the proposal is in accordance with these then it may progress to a further assessment process. The existing RAA process can only assess a proposal following this first test.

In the case of a PWS proposal, the best management outcomes may be achieved by undertaking an action which may not be in accordance with the management plan, but which would enable a better outcome for the reserve. The management plan may be outdated, not recognising relevant issues or did not foresee the full range of management requirements.

The current methods to review, amend or renew the whole management plan are inflexible. Consideration of proposed changes to any management plan could be determined under processes that are relative to the scale/impact of the proposed change. This would provide the PWS with options when managing the reserve or assessing a proposal.

Management Statements

Management statements have been prepared for a number of reserves to focus on issues that deal with the key values of the reserve and target key management issues. They are used when specific and timely direction or guidance is required for a reserve. Public and stakeholder views are sought/incorporated, specifically at a local level, and approval is given by the Director of National Parks and Wildlife (NPW). There are currently 4 approved management statements (<https://parks.tas.gov.au/about-us/managing-our-parks-and-reserves/management-plans-and-reports>). These are non-statutory.

Other planning examples

Land Use Planning and Approvals Act 1993

The *Land Use Planning and Approvals Act 1993* (LUPAA) outlines the process for amendment of Local Planning Schemes (LPS) including requests for amendment. It provides clear directions about the things that must be taken into account when considering amendments including that they comply with the Act and the advice of the Tasmanian Planning Commission (Commission); the public exhibition and holding of hearings; and the matters to be taken into consideration by the Commission.

Specifically, Division 4 deals with combined applications for a planning permit and amendments to the LPS whereby a proponent (including the PWS) could request a consent authority to consider a proposal that would not be permissible without an amendment to the LPS.

A similar mechanism to this could be enabled via insertion of a similar provision in the NPRMA whereby an application would be referred to the Commission to consider the request to amend a management plan and application for a NPRMA authority at the same time.

In addition, the provisions for declaration of a major project under LUPAA provide [section 60M(4)] for a project to be declared a major project, even though the use or development that is proposed to form part of the project is prohibited under a relevant planning scheme.

What can be done?

PWS would like to move towards a leaner issue-focussed adaptable, updateable management planning system which would aim for full planning coverage of National Parks, State Reserves, Nature Reserves, Game Reserves and Historic sites and high use protected areas alongside a fuller broadscale planning approach.

Considerations include:

- Provision for an alternative NPRMA management plan process could be developed, to amend and clarify existing reserve management plans,
- Amending the legislation to provide for statutory management statements, and
- Develop a new pathway to amend management plans in response to reserve management recommendations arising from completed Environmental Impact Assessments (EIA).

Minor and significant amendments

Minor amendments

This includes provision for a management plan and management statement amendment process that caters for minor amendments, where the process provides an appropriate level of scrutiny and assessment relative to the scale of the amendment, yet still provides for public involvement.

Other State jurisdictions have similar provisions, for instance as the Queensland Government does in Part 7 of the *Nature Conservation Act 1992* (Qld), and in New South Wales under section 73B of the *National Parks and Wildlife Act 1974* (NSW).

Minor amendments would need to be clearly defined and an appropriate process for dealing with them developed.

Minor amendments may include:

- correcting an error in the plan
- amendments to ensure the management plan or management statement remains uniform or complementary to another Act or a law of the Commonwealth
- amendments to adopt an Australian or international protocol, standard, code or intergovernmental agreement
- updating of management intent and statements of regular review

All of the above would not interfere with another agencies statutory powers under another Act. Minor amendments could, depending on the scale, include provision for timely implementation of reserve management recommendations arising from completed EIA processes. EIA outcomes may involve recommendations for an authority to the proponent with complimentary recommendations for facilities or upgrades/repairs/ provision of resources for a reserve or for a long-term commitment. These may require minor amendments to a management plan or management statement to be actioned.

In these situations, the proposed amendment process should only be able to be used where the Director NPW determines that the proposed amendments are minor in nature which would be defined by the NPRMA. The Director is required to give effect to the management plan under the NPRMA. Notification of these amendments is via a gazette notice from the Minister for Parks to enshrine it as part of an updated management plan.

Recommendation:

DECISION MAKER: Approval of minor amendments would be by the Director NPW.

Significant amendments

The need for significant amendments would continue to be dealt with by the existing management plan process, under section 25 of the NPRMA. Notification of these amendments is via a gazette notice from the Minister for Parks to enshrine as part of the management plan.

Significant amendments may include:

- changes to consideration of management objectives
- use table amendments
- reserve boundary changes or incorporation of other reserves in the management plan
- zoning amendments

Recommendation:

DECISION MAKER: Approval of significant amendments would be by the Minister for Parks if no other agencies statutory powers are affected OR approval by the parliament if they are affected.

Combined project proposal/management plan amendment

Provide for an NPRMA management plan amendment process to allow for a proposal to be submitted via the statutory RAA process that requires an amendment to an existing management plan or a statutory management statement, without the need to review and amend or renew the whole management plan.

This process will allow for an Independent Assessment Panel (the Panel) of the Tasmanian Planning Commission to consider amendments to an existing management plan/ management statement in tandem with a development proposal under the statutory RAA process. This process may be used if a proposal cannot be considered unless the management plan/management statement is also amended.

This process must provide an appropriate level of scrutiny and assessment relative to the scale of the project and still provide for public involvement including public hearings. If assessed as suitable, the Panel may recommend to the Minister for Parks an amendment to the management plan. The Panel would give consideration to both the management plan amendment and the proposal through the same process. Notification of these amendments would be via a gazette notice from the Minister for Parks to enshrine it as part of the management plan.

Recommendation:

DECISION MAKER: Independent Assessment Panel of the Tasmanian Planning Commission

Management Statements

Provide for statutory reserve specific management statements approved by the Director NPW to:

- update the balance of achieving reserve management objectives in individual reserves
- match resource commitments to management intent
- focus operations on contemporary and specific needs of reserves
- incorporate community feedback, operational feedback and adjust management commitments to use pressure or adjust use pressure to management commitments
- incorporate results of reviews, studies and policies

The adoption of a management statement process would require the Director NPW to publicly advertise the management statements, consider submissions, hold public hearings and ensure certain conditions are met such as consistency with the management objectives. A management statement would be superseded by an adopted management plan. Notification of a management statements would be via a gazette notice from the Minister for Parks.

Recommendation:

DECISION MAKER: Approval of management statements would be by the Minister for Parks on advice from Director NPW.

What is proposed?

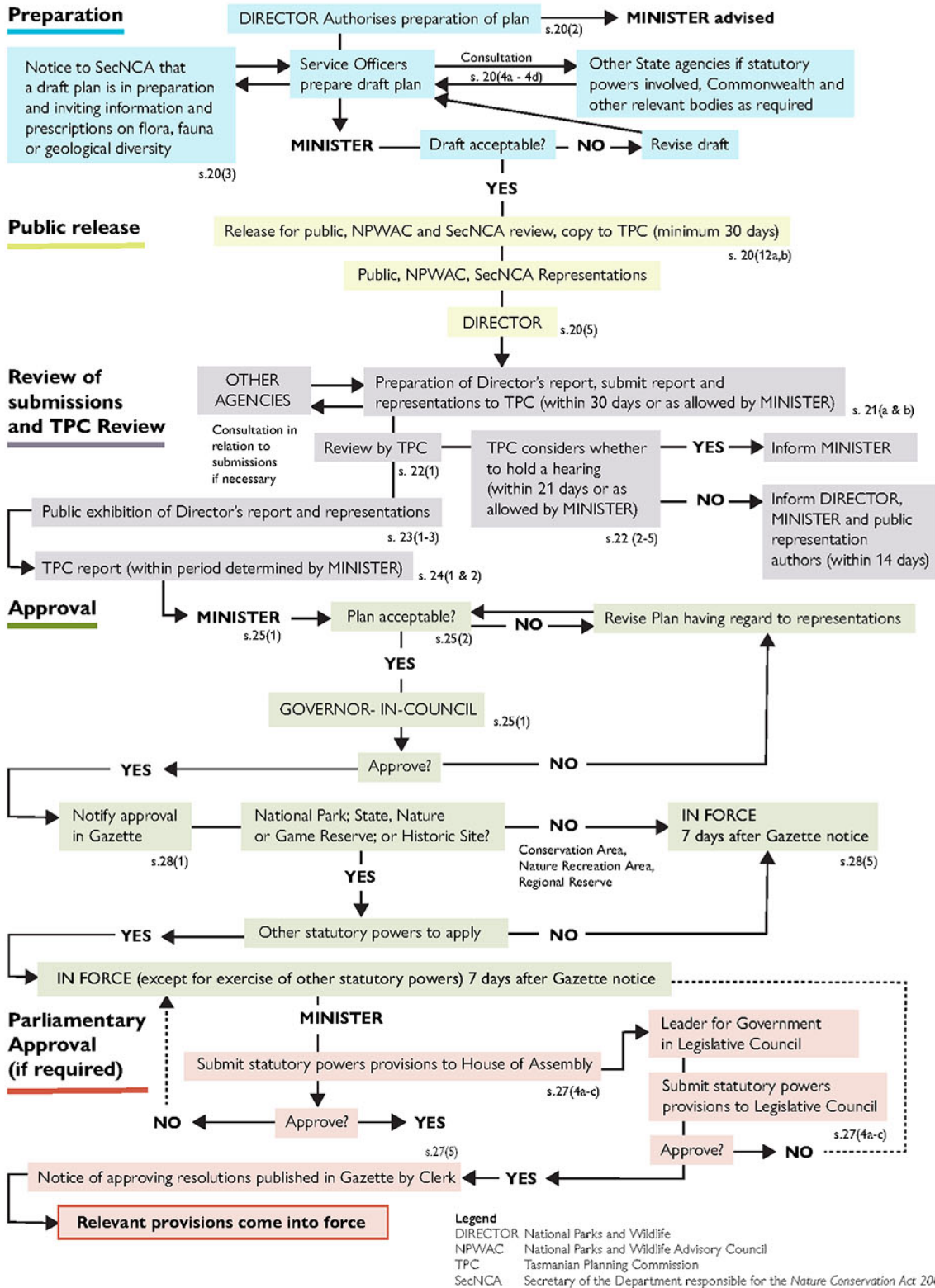
1. Increase the flexibility of the NPRMA management plan process to provide for additional pathways to update/amend a management plan in a process that is relative to the scale of the change that is being sought.
2. Provide for the Director NPW to approve minor amendments, as defined in the NPRMA, to management plans and management statements. The scope of what is considered a minor amendment to be defined in the NPRMA.
3. Provide for statutory policies to be developed by the Director NPW specific to a reserve and incorporated in, or referred to by, a management statement or an amended management plan.
4. Provide a mechanism for a proponent (including PWS) to submit a proposal via the statutory RAA process that may require a minor or significant amendment to a management plan or management statement.
5. Provide for an Independent Assessment Panel, established by the Tasmanian Planning Commission, which may consider the proposals having regard to legislative provisions including the reserve objectives. The Panel must undertake an investigation to determine if the proposed amendment is reasonable and undertake public consultation and hearings.
6. The Minister may amend a management plan for a combined proposal/amendment on advice from the Independent Assessment Panel.

Contact details:

RAA Reform Process Team email: RAAReform@nre.tas.gov.au

Management Plan Procedure under the National Parks and Reserves Management Act 2002

Preparation



ACTION	DISCUSSION/DECISION
PROPONENT	NRM Committee
OFFICER	NRM Facilitator
FILE REFERENCE	017\010\003\
ASSOCIATED REPORTS AND DOCUMENTS	The Valley and East Coast Voice, 56.03, 14/03/24 p.27

OFFICER'S RECOMMENDATION:

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

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

At its April 2024 Workshop Council discussed providing a statement of support for the native forest restoration work in Scamander Forest and continued cooperation, by the North East Bioregional Network and Timberlands Pacific Pty. Ltd.

Council Meeting 18 March 2024**03/24.9.4 Ecological Restoration Program being conducted on the Skyline Tier by the North East Bioregional Network.****Motion:**

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

03/24.9.4.326 Moved: Clr J Drummond/ Seconded: Clr K Wright

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

That Council bring this matter back to the April workshop for further information.

CARRIED UNANIMOUSLY

OFFICER'S REPORT:

The *North East Bioregional Network* (NEBN) has worked on the "Restore Skyline Tier" ecological restoration program for 15 years in cooperation and with the agreement of the forestry manager of the Scamander Forest pine plantations area.

Timberlands Pacific is the current forest manager. The Scamander Forest is part of their 'Taswood Estate Defined Forest Area', 54,000 hectares of mainly radiata pine plantations across northern Tasmania. Timberlands Pacific manages the Scamander Forest and controls access to it on behalf of New Forests (New Forests Advisory P/L) who holds a Forest Right granted by the Tasmanian Government to this State Forest land.

Over the years NEBN has undertaken forest restoration work to restore native forest from remnants and regeneration after harvesting of pines by controlling pines and pine seedlings and other weeds. The work has been undertaken on parts of the Scamander Forest with the agreement and cooperation of Timberlands Pacific and previous managers of the Forest Right area.

NEBN's work has been supported by funding from both government and private sources they have employed local workers who have gained land conservation skills and experience. NEBN has received a number of awards for its Restore Skyline Tier restoration project. The aim of the program was recently described as *restoration of the plantation back to native forest*.

The slow growing Scamander pine plantations in the Scamander Forest have been progressively harvested by the forest managers over much the same period. Some areas were not being replanted to pines, and some of these had been made available to NEBN for what has become known as the Restore Skyline Tier program.

As part of the Break O'Day Council NRM Committee Meeting on 5th March, several Committee Members took a field trip to the area before the Meeting, led by Todd Dudley, Committee Member and President of the NEBN, to visit their restoration work and better understand NEBN's concerns. A copy of an article from The Valley and East Coast Voice is attached and outlines NEBN's arguments against a decision by Timberlands Pacific to replant pines on parts of the 'Scamander Forest' where pines were recently harvested.

Timberlands Pacific was contacted to clarify points and information. Within the 2,132Ha 'Scamander Forest' they have 1358Ha of existing native forest regeneration on plantation areas harvested in the past (work done by Timberland Pacific and NEBN). Timberlands Pacific have indicated they plan to re-establish 318Ha of pine plantation on areas previously harvested. They also manage 125Ha of existing native forest for biodiversity (including removing pine wildlings), plan to regenerate native forest on 249Ha of existing pine plantation after they are harvested, and have about 80Ha taken up with roads and firebreaks.

Timberlands Pacific has indicated it plans to continue to work with NEBN on the Skyline Tier project restoring native forest to selected areas after harvest of pine plantations.

The websites of Timberlands Pacific (www.tppl.com.au) and New Forests (newforests.com) provide further information on the companies and the Scamander Forest. For example that 'Natural Capital' is one of New Forests investment focusses.

The Break O’Day Strategic Plan 2017-2027 makes its vision a shared one, requiring collective action on goals for the community, economy and environment of the municipality, with the Environment Goal being:

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

A demonstration of this is the significant and award winning ecological restoration and native forest regeneration of areas of harvested pine plantation on the Skyline Tier and wider Scamander Forest by NEBN and Timberlands Pacific P/L.

Council should express its support for this ecological restoration work. While remaining neutral on allocation and management of parts of the Scamander Forest, Council can continue to encourage cooperation between the forest industry and local communities here and elsewhere, for the vision of its Strategic Plan.

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

1. Ensure the necessary regulations and information is in place to enable appropriate use and address inappropriate actions.
4. Recognise and alleviate the issues and risks to the environment from our use, and the risk to us from a changing environment.

Break O Day Annual Plan 2023 – 2024

Environment

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.

Actions:

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.

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.

LEGISLATION & POLICIES:

N/A

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

Skyline Tier Updates

On the 24th of February around 120 people attended a meeting in St Helens to find out about a proposal to plant Radiata Pines for "green" hydrogen behind Scamander and Beaumaris. The land is State Forest leased to New Forests a company owned by Japanese firms Nomura and Mitsui. In the late 1960's and 1970's around 2000ha of native forest was cleared and converted to pine plantation with the support of a federal government loan to the State.

It soon became apparent the plantation was relatively marginal (i.e. non commercial/low productivity land) because of the poor soils and intermittent droughts as well as being a long way from processing facilities.

In 2003 the North East Bioregional Network (NEBN) started negotiating with the existing leasee at the time about restoring the plantation back to native forest. After 4 years a trial site was agreed to which has now expanded into hundreds of hectares being successfully restored to thriving and biodiverse native forest while providing employment and training in the local community.

In 2021 the Restore Skyline Tier (as it has become known as) was awarded the best large scale ecological restoration project in Australasia and also won a Forestry industry environmental excellence award. NEBN has facilitated over \$2 million dollars worth of work at Skyline Tier over the past 15 years

In the last 4 years about 700ha of pine plantation has been harvested in the coastal catchment between Wrinklers Lagoon and Dianas Basin with logging contractors directed to leave all standing native trees as they went through to provide seed trees for future restoration given that no more pines were to be planted.

A few months ago NEBN was informed that around 300ha of pine would be replanted for a short rotation crop which would then be harvested and transported to Georgetown to be fed into a biomass power facility to provide the energy to produce "green" hydrogen. The establishment of the pines would require clearing and poisoning of some areas with good native forest regrowth. This was an unexpected and unwelcome development for both NEBN and the local community.



Meeting at the Bungalow, St Helens on February 24th



Skyline Tier Regeneration Growth

At the meeting on the 24th of February there was a unanimous consensus that the local community did not support the pine planting proposal and that the harvested areas should all be restored to native forest.

Ecologist Dr Helen Morgan who has produced a number of environmental reports for the Skyline Tier project said

"It is very disappointing that this is being considered a good idea when it cannot achieve beneficial or ecologically sustainable outcomes and will clearly destroy an environment that has recently been healed from previous damage. Instead of taking this step backwards the proponents could be showcasing Skyline Tier as a leading example in forest restoration and management."

"Restoration work at Skyline Tier is important to protect as a shining demonstration of what can be achieved in habitat protection and

rehabilitation of nature, and importantly as one which gives people hope for the future."

"Since my initial invitation from President Todd over a decade ago to see firsthand the work being undertaken in regenerating the forest to its native state the Skyline project has received my unwavering support. This support has been for a number of reasons, certainly the areas that have been regenerated are a powerful visual of what can be achieved post the plantations that have been harvested from the various coupes. Of equal importance is the opportunities that have been afforded through the restoration project providing meaningful employment, the many skills which include gaining valuable accredited qualifications along with building networks and friendships that are so important for one's health and wellbeing when seeking work opportunities." Legislative Council Member for McIntyre Tania Rattray said in a letter of support

If you want to know more or get involved in supporting native forest restoration contact NEBN President, Todd Dudley through email: telopea_tas@yahoo.com.au or phone: 63 761 049.



Article submitted by Todd Dudley March 11th 2024. If you would like to respond to this article or others please do so in the form of a Letter to the Editor through contact details on page 2.

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Raoul Harper, Acting General Manager
FILE REFERENCE	002\012\001\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That the Acting General Manager's report be received.

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

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

OFFICER'S REPORT:**Meeting and Events attended:**

18.03.2024	St Helens	– Council Meeting
20.03.2024	St Helens	– Aquatic Facility Group meeting
21.03.2024	St Helens	– HR Meeting: Economic Development
25.03.2024	St Helens	– Corporate Services Meeting
27.03.2024	Launceston	– Asset Management meeting
03.04.2024	St Marys	– Council Workshop
03.04.2024	St Helens	– Federal Shadow Housing Minister Michael Sukkar meeting to understand and discuss the housing needs of our community.
05.04.2024	St Helens	– Agenda finalisation
09.04.2024	St Helens	– Economic Development Strategy tender assessments.

Meetings & Events Not Yet Attended:

18.03.2024	St Helens	– Council Meeting
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Communications Report:

TOPIC	ACTIVITY	PROGRESS
GENERAL COMMS	BODC Newsletter	Sent out 1 week ago. Included stories on: <ul style="list-style-type: none"> • Council staff visit St Helens School • Waste Calendars in with Rates Notices • Lottah Road landslip repairs • Community Updates: Fingal Valley and St Marys projects.
	NE Advertiser	Break O'Day Council – By Mayor Mick Tucker
	Valley Voice	Five minutes with the Mayor: <ul style="list-style-type: none"> • Livestreaming Council Meeting. • Community updates. • Recap of International Women's Day
SOCIAL MEDIA	Break O'Day Council	<ul style="list-style-type: none"> • Cat Ownership and Management Sessions. Visiting cats in catio display in Council office. • Council Meetings Live online and dates. • Register to receive rate notices and dog registrations by email. • Job opportunity – Economic Development and Project Officer
	Shared Social Media Posts	<ul style="list-style-type: none"> • Lily's International Women's Day Youth Event • St Helens Library – Author Chat with Maggie MacKellar. • Bay of Fires Winter Arts Festival – Calling for entries. • CORES Australia – LGBTIQ+ Disability Forum. • PWS Fuel reduction burn. • With One Voice Choir – Singers wanted for community project.
EMAIL DATABASES	Continuing to develop	Continuing to collect email addresses for the newsletter and township databases. This has been going well with all the consultation underway, which is used as an opportunity to promote our EDMs.

Actions Approved under Delegation:

NAME/DETAILS	DESCRIPTION OF USE OF DELEGATION	DESCRIPTION	DELEGATION NO / ACT
Flagstaff Pump Track	Affixing Common Seal	Deed variation	Number 21 – Miscellaneous Powers and Functions to the General Manager
Blank Instrument Form Annie St, St Helens SP167439	Affixing Common Seal	Amended Seal Plan	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
01.03.2024	337 Certificate	131 Cecilia Street, St Helens	2631068
01.03.2024	337 Certificate	114 Acacia Drive, Ansons Bay	7689242
01.03.2024	337 Certificate	66 Tully Street, St Helens	6800666
04.03.2024	337 Certificate	100 Grant Street, Falmouth	6400697
04.03.2024	337 Certificate	477 Cemetery Road, Weldborough (CT207532-8, 207524-9)	3090354
05.03.2024	337 Certificate	Lot 1 Cemetery Road, (CT123030-1), Weldborough	3091411
05.03.2024	337 Certificate	Cemetery Road (CT207516-6), Weldborough	3091438
07.03.2024	337 Certificate	Unit 26/41-43 Beaulieu Street, St Helens	9201662
08.03.2024	337 Certificate	12 Four Mile Creek Road, Four Mile Creek	6407143
12.03.2024	337 Certificate	21053 Tasman Highway, Chain of Lagoons	7627375
12.03.2024	337 Certificate	7-9 Annie Street (CT10855-2 Dwelling), St Helens	6793048
13.03.2024	337 Certificate	835 Lottah Road, Lottah	9313903
13.03.2024	337 Certificate	Unit 4, 14 Doepel Place, St Helens	2628715
13.03.2024	337 Certificate	38 Treloggen Drive, Binalong Bay	6798367
15.03.2024	337 Certificate	Sect F-Lot 8,9,10 Elizabeth Street, Mangana	3330582
15.03.2024	337 Certificate	32 Peron Street, Stieglitz	6785355
18.03.2024	337 Certificate	3 Falmouth Street, St Helens	6780247
18.03.2024	337 Certificate	47 Peron Street, Stieglitz	6785814
19.03.2024	337 Certificate	3 Erythos Grove, St Helens	6808641
19.03.2024	337 Certificate	Lot 4 Winifred Drive, Scamander	9837147
19.03.2024	337 Certificate	55 Acacia Drive, Ansons Bay	7319524
19.03.2024	337 Certificate	108 Main Street, St Marys	6404284
19.03.2024	337 Certificate	105 Seymour Street (CT183278-2) Fingal	7298997
20.03.2024	337 Certificate	4 Hugh Street, St Marys	6403484
20.03.2024	337 Certificate	11 Susan Court, St Helens	2282603
21.03.2024	337 Certificate	80 St Helens Point Road, Stieglitz	7484781
25.03.2024	337 Certificate	12 Banksia Drive, Ansons Bay	7184236
27.03.2024	337 Certificate	9 Luck Court, Akaroa	7440666
27.03.2024	337 Certificate	24309 Tasman Highway, St Helens	6792336
27.03.2024	337 Certificate	4 Acacia Drive, Ansons Bay	6810055
28.03.2024	337 Certificate	48 Freshwater Street, Beaumaris	9994709

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.

LEGISLATION & POLICIES:

N/A

BUDGET AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	Raoul Harper, Acting General Manager
FILE REFERENCE	039\001\001\
ASSOCIATED REPORTS AND DOCUMENTS	Australian Local Government Association Discussion Paper – 2024 National General Assembly Call for Motions

OFFICER’S RECOMMENDATION:

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

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

Annually

OFFICER’S REPORT:

This is an opportunity for Council to submit a notice of motion to be debated at the NGA in Canberra on 2-4 July 2024. Any notice of motion submitted for this year’s NGA should consider:

- how all levels of government in Australia can build trust in each other and earn greater trust from the community;
- practical opportunities for the Australian Government to leverage the trust that local communities have in their local council;
- focus on practical programs that can strengthen the system of local government nationally to
- provide the services and infrastructure required to support and strengthen our communities; and
- new program ideas that that would help the local government sector to deliver the Australian Government’s objectives.

The theme for the 2024 NGA is “Building Community Trust” and the attached discussion paper outlines the 12 priority areas which have been identified as the focus for this year’s call for motions.

Key Priority Areas:

- Intergovernmental relations;
- Financial sustainability;
- Roads and infrastructure;
- Emergency management;
- Housing and homelessness;
- Jobs and skills;
- Community services;
- Closing the Gap and Aboriginal and Torres Strait Islander Reconciliation;
- Data, digital technology and cyber security;
- Climate change and renewable energy;
- Environment; and
- Circular economy.

Motions close on 30 April 2024.

No motions have been forthcoming in this instance.

STRATEGIC PLAN & ANNUAL PLAN:

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

Achieving the Vision

Leadership/ Ownership We will be visionary and accountable leaders who advocate and represent the views of our community in a transparent way. ...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

Stakeholder Management

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.

LEGISLATION & POLICIES:

N/A

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENTS:

Simple Majority

2024 NGA

Building
Community
Trust

National Convention Centre
Canberra



AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION



2 - 4
JULY
2024

DISCUSSION
PAPER



KEY DATES

29 March 2024 | Acceptance of Motions

2 July 2024 | Regional Cooperation & Development Forum


3 - 4 July 2024 | National General Assembly

5 July 2024 | Australian Council of Local Government

TO SUBMIT YOUR MOTION

VISIT: **ALGA.COM.AU**





The Australian Local Government Association (ALGA) is pleased to convene the 30th National General Assembly of Local Government (NGA), to be held in Canberra from 2-4 July 2024.

As convenor of the NGA, the ALGA Board cordially invites all councils to send representatives to this important national event.

The NGA is the premier national gathering of local governments, and provides councils with the opportunity to come together, share ideas, debate motions, and most importantly unite and further build on the relationship between local government and the Australian Government.

This discussion paper contains essential information for Australian councils considering submitting motions for debate at the 2024 National General Assembly of Local Government (NGA).

It is recommended that all councils and delegates intending to attend the 2024 NGA familiarise themselves with the guidelines for motions contained in this paper on page 6.

BACKGROUND TO ALGA AND THE NGA

ALGA was established 1947. In structure, ALGA is a federation of member state and territory associations. Its mission is to achieve outcomes for local government through advocacy with impact, and maximise the economic, environmental and social wellbeing of councils and our communities.

Since 1994, the NGA has built the profile of local government on the national stage, showcased the value of councils, and most importantly demonstrated - particularly to the Australian Government - the strength and value of working with local government to help deliver on national priorities.

Debate on motions was introduced to the NGA as a vehicle for councils from across the nation to canvas ideas. Outcomes of debate on motions (NGA Resolutions) could be used by participating councils to inform their own policies and priorities, as well as their advocacy when dealing with federal politicians.

At the same time, they help ALGA and its member state and territory associations gain valuable insight into council priorities, emerging national issues, and the level of need and support for new policy and program initiatives.

Given the structure of ALGA, its Constitution, and level of resources, the NGA does not bind the ALGA Board. However, the Board carefully considers NGA resolutions as it determines ALGA's policies, priorities and strategies to advance local governments within the national agenda.

This is your NGA and ALGA is pleased to act as the convenor. ALGA's policies and priorities will continue to be determined by the ALGA Board in the interests of all councils.

The ALGA Board thanks all councils for attending the NGA and those that will take the time to reflect on the purpose of debate on motions outlined in this paper, and to submit motions for debate at the 2024 NGA.

SUBMITTING MOTIONS

Australia is one of the world's great democracies. It is held in high regard across the world but should never be taken for granted.

The theme of the 2024 NGA is – Building Community Trust.

This theme aims to explore the critical importance of trust in governments, between governments, its institutions, and its citizens. This trust is a fundamental building block of our nation's democracy.

While relatively low key, over the past decade there has been increasing public debate by scholars and policy makers about the level of trust in government, its institutions and indeed the operation of our democracy more broadly.

Mark Evans et al (2019) published research in 'The Conversation' indicating that Australians' trust in politicians (our political representatives) and democracy has hit an all-time low. This report indicates 'fewer than 41% of Australian citizens are satisfied with the way democracy works in Australia, down from 86% in 2007.

Public satisfaction has fallen particularly sharply since 2013, when 72% of Australian citizens were satisfied. Generation X is least satisfied (31%) and Baby Boomers most satisfied (50%). Some political authors suggest that these trends in part explain the rise in popularity and the relative success of independents and micro or single-issue parties.

These statistics should be of concern to every level of government and those interested in the future of our communities and Australia's democratic system.

It is said that 'trust is hard-earned, easily lost, and difficult to re-establish – and a key to absolutely everything.' While media and public attention frequently focuses on levels of trust in the national and state governments, local governments have an equally important role in building, maintaining and indeed, often repairing government-community relationships.

At its most fundamental level, the 2024 NGA focusses on the role of local government and how all levels of government can help each other build, maintain and strengthen government-community relationships.

This discussion paper is a call for councils to submit motions for debate at the 2024 NGA to be held in Canberra from 2-4 July 2024.



Motions for this year's NGA should consider:

- how all levels of government in Australia can build trust in each other and earn greater trust from the community;
- practical opportunities for the Australian Government to leverage the trust that local communities have in their local council;
- focus on practical programs that can strengthen the system of local government nationally to provide the services and infrastructure required to support and strengthen our communities; and
- new program ideas that that would help the local government sector to deliver the Australian Government's objectives.

Motions should be concise, practical and implementable and meet the guidelines for motions set out in the paper.

You are encouraged to read all the sections of the paper but are not expected to respond to every issue or question. Your council's motion/s must address one or more of the issues identified in the discussion paper.

Motions must be lodged electronically using the online form available on the NGA website at: www.alga.com.au and received no later than 11:59pm AEST on Friday 29 March 2024.

All notices of motions will be reviewed by the ALGA Board's NGA Sub-committee prior to publishing the NGA Business Paper to ensure that they meet these guidelines. This sub-committee reserves the right to select, edit or amend notices of motions to facilitate the efficient and effective management of debate on motions at the NGA.

All NGA resolutions will be published on www.nationalgeneralassembly.com.au.

As the host of the NGA, ALGA will communicate resolutions to the relevant Australian Government Minister and publish Ministerial responses as they are received on this website.

Please note that if your council does submit a motion, there is an expectation that a council representative will be present at the NGA to move and speak to that motion if required.

We look forward to hearing from you and seeing you at the 2024 NGA.

CRITERIA FOR MOTIONS

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. Be relevant to the work of local government nationally.
2. Not be focused on a specific jurisdiction, location or region – unless the project or issue has national implications.
3. Be consistent with the themes of the NGA.
4. Complement or build on the policy objectives of ALGA and your state or territory local government association.
5. Be submitted by a council which is a financial member of their state or territory local government association.
6. Propose a clear action and outcome ie call on the Australian Government to act on something.
7. Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
8. Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
9. Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
10. Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally.

Motions must commence with the following wording:

This National General Assembly calls on the Australian Government to ...

Please note that resolutions of the NGA do not automatically become ALGA's national policy positions.

OTHER THINGS TO CONSIDER

It is important to complete the background section of the submission form. Submitters of motions should not assume that NGA delegates will have background knowledge of the proposal. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion. Please note, motions should NOT be prescriptive in directing how the matter should be pursued.

Try to keep motions practical, focussed and capable of implementation to ensure that relevant Australian Government Ministers provide considered, thoughtful and timely responses.

Try to avoid motions that are complex, contain multi-dot points and require complex cross-portfolio implementation.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-committee, in consultation with state and territory local government associations, to determine their eligibility for inclusion in the NGA Business Papers.

When reviewing motions, the Sub-committee considers the criteria, clarity of the motion and the importance and relevance of the issue to local government.

If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer. With the agreement of the submitting council, these motions may be edited before inclusion in the NGA Business Papers.

To ensure an efficient and effective debate, where there are numerous motions on a similar issue, the NGA Sub-committee will group these motions together under an overarching strategic motion. The strategic motions will have either been drafted by ALGA or will be based on a motion submitted by a council which best summarises the subject matter.

Debate will occur in accordance with the rules for debate published in the Business Papers and will focus on the strategic motions. Associated sub-motions will be debated by exception only or in accordance with the debating rules.

Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association and will not be included in the NGA Business Papers.

All motions require:

- a contact officer;
- a clear national objective;
- a summary of the key arguments in support of the motion; and
- endorsement of your council.

Motions should be lodged electronically using the online form available at www.alga.asn.au.

Motions should be received no later than 11:59pm AEST on Friday 29 March 2024.

SETTING THE SCENE

The theme for NGA24 'Building Community Trust' aims to focus on the role of local government in the Australian system of government and explore the critical importance of trust in governments, between governments, its institutions, and our citizens.


In a recent essay on Capitalism after the Crisis (2023) the Treasurer the Hon Dr Jim Chalmers MP wrote:

'Our mission is to redefine and reform our economy and institutions in ways that make our people and communities more resilient, and our society and democracy stronger as well.'

The need to strengthen our democracy was also emphasised the Prime Minister the Hon Anthony Albanese MP in a speech at Queensland's Woodford Folk Festival toward the end of 2022:

'I urge anyone who thinks our democracy is unassailable to have a look around the world. Even some of the oldest, most stable democracies have come under attack from a whole range of corrosive, insidious forces. No one is immune. Our democracy is precious, something we have carefully grown and nurtured from one generation to the next. One of our core responsibilities is to make it stronger, and the key to that strength is transparency and accountability.'

In early 2023 the Australian Government established a taskforce to advise government on 'what can be done – practically – to strengthen Australian democracy'.



The 2024 NGA provides you - the elected representatives of Australia's local councils and communities - with the opportunity to engage with the Federal Government and key Ministers.

Further, it is your opportunity to advocate for new or expanded programs and key policy initiatives that could strengthen local governments, its capacity to deliver services and infrastructure to local communities across the nation. This service delivery is critical to build, maintain and strengthen the trust of our citizens.

This year's call for motion focusses on twelve priority areas:

- Intergovernmental relations;
 - Financial sustainability;
 - Roads and infrastructure;
 - Emergency management;
 - Housing and homelessness;
 - Jobs and skills;
 - Community services;
 - Closing the Gap and Aboriginal and Torres Strait Islander Reconciliation;
 - Data, digital technology and cyber security;
 - Climate change and renewable energy;
 - Environment; and
 - Circular economy.
- 

1. INTERGOVERNMENTAL RELATIONS

'Australia's federal structure, built upon reciprocal financial, legislative and policy responsibilities, requires intelligent cooperation on issues of strategic national significance.'

National Cabinet is a forum for the Prime Minister, Premiers and Chief Ministers to meet and work collaboratively. National Cabinet was established on 13 March 2020 and is chaired by the Prime Minister. The National Cabinet is a key mechanism in Australia's current intergovernmental architecture.

A representative of local government, the President of ALGA, is invited to meet with National Cabinet once each year. The President of ALGA also attends one meeting per year of the Council on Federal Financial Relations comprising the Commonwealth Treasurer as Chair and all state and territory treasurers.

A substantial body of research, from Australia and internationally, has highlighted that governments that work together are generally more successful in achieving shared national objectives, including economic recovery from events like the COVID-19 pandemic as well as in service and infrastructure delivery.

This research reinforces the need for local government to be included in relevant ministerial forums that support national priorities – from housing affordability to reaching net-zero emissions. ALGA currently participates in National Cabinet (1/year), Council on Federal Financial Relations (1/year), Infrastructure Transport Ministers Meeting, National Emergency Managers Meeting, Local Government Ministers Forum, Joint Council on Closing the Gap, Planning Ministers Meeting, Meeting of Environment Ministers, Energy and Climate Change Ministers and the Road Safety Ministers Meeting, to represent local government views.

Local government input can provide a community voice, enabling our intergovernmental forums to make decisions with greater legitimacy and authority.

Given the importance of trust in governments, between governments and its citizens, how can intergovernmental arrangements be further improved in Australia?

Are there ways of maintaining and enhancing the community's trust in local government?

Are there new initiatives and programs that could be adopted to improve the level of cooperation and collaboration between the Australian Government and local government?

2. FINANCIAL SUSTAINABILITY

Trust in governments is highly correlated with their ability to fulfill the implicit social contract between government and its citizens by keeping promises.

Local government is the third sphere of government in Australia's system of government. Councils are comprised of locally elected representatives who understand local needs and engage locally on strategies to meet those needs.

Councils are responsible for providing a wide range of critical local area services including planning, libraries, waste management systems, transport and infrastructure (eg roads and footpaths, parks, sporting grounds and swimming pools) and social services.

These services are critical to the wellbeing, liveability and productivity of all local communities, and therefore the nation. Equally important is the sustaining of democratic processes at the local and regional level.

Local government's total annual expenditure in 2021 -22 was approximately \$43.6 billion. Non-financial assets including roads, community infrastructure such as buildings, facilities, airports, water, and sewerage (in some states) including land, are valued at \$539 billion [ABS Government Finance Statistics, Australia, 2021-22].

In 2021-22, the Australian Government provided \$2.6 billion in Financial Assistance Grants funding to councils. This included \$1.3b which was brought forward from the 2021-22 estimate and paid through state and territory governments in 2020-21.

Nationally, local government derives nearly 90% of its revenue from its own sources (including rates and services charges), compared to around 50% for state governments. Grants from other levels of government make up just over 10% of local government's total revenue, however these grants are particularly important in areas with a low-rate base, and/or high growth rates, and rapidly expanding service and infrastructure needs.

In 2021-22 Financial Assistance Grants to local governments was less than 0.6% of Commonwealth taxation revenue (CTR), a significant drop from 1996 when these grants were at 1% of CTR. In 2023-24 Financial Assistance Grants have fallen to 0.5% of Commonwealth taxation.

What improvements are needed to the intergovernmental financial transfer system, particularly the Commonwealth transfers to local government, to enhance the community's trust in local government and by extension all governments?

Noting that Commonwealth tied funding is provided with detailed requirements how can this system be improved to provide flexibility and maximize the benefit to local communities?

3. ROADS AND INFRASTRUCTURE

ALGA's 2021 National State of the Assets Report (NSoA) is currently being updated and expected to be launched in 2024. The most recent NSoA shows that while most local government assets such as roads, bridges, buildings, parks and recreation, stormwater, water and wastewater, and airports and aerodromes are generally in good to very good condition, around 10% are not fit for purpose, and around 20–25% are only fair and over time will need attention.

The last NSoA found that in 2019–20 non-financial infrastructure assets were valued at \$342 billion and were depreciating at \$7.7 billion per year. Replacement costs of these infrastructure assets were in the order of \$533 billion.

Local government assets make up a significant proportion of the physical structure of local communities and often provide critical access to and support for citizens to engage in state and national assets and opportunities.

For example, local roads provide important “first and last-mile access” for communities and industry to road networks, integral to economic development and community connection. Local sporting grounds can provide access for community groups to build community participation that has social, health and economic benefits.

Are there programs or initiatives that the Australian Government could adopt to improve the long-term sustainability of local government infrastructure?

Are there programs or initiatives that the Australian Government could provide to improve the sector's capacity to manage local government infrastructure and to integrate these plans into long-term financial plans?

Are there programs or initiatives that the Australian Government could develop to maintain, strengthen and enhance the reputation of Australia's infrastructure providers, including local government?

4. EMERGENCY MANAGEMENT

In 2022 alone, 46 disasters were declared across Australia, covering more than 300 different council areas. In recent years, almost every Australian council has been impacted in some way by fires, floods, or cyclones.

Last year's flooding caused a damage bill of approximately \$3.8 billion to local roads across Queensland, New South Wales, Victoria and South Australia. This was just a fraction of the total disaster costs incurred by governments across the country.

There have been numerous NGA motions in recent years regarding natural disasters and this has been a significant priority in ALGA's advocacy program.

In 2022 ALGA successfully advocated for a new \$200 million per year Disaster Ready Fund, with the first round of funding allocated in June 2023. This fund will support councils and communities to mitigate against the risk of future disasters and help address the significant imbalance between mitigation and recovery spending.

Councils are encouraged to draw on their practical experience of the improvements that could be made to managing emergencies.

Please note that many aspects of emergency management are state or territory responsibilities, and your motions should focus on how the Australian Government could assist.

What new programs, or improvements to existing programs, could the Australian Government develop to partner with local government to improve the current natural disaster management systems to further assist in recovery and build resilience?

5. HOUSING AND HOMELESSNESS

Almost every Australian council and community is facing challenges around a lack of affordable housing.

Alarming research by the UNSW City Futures Research Centre shows 640,000 Australian households – or one in 15 households – are under housing stress.

All levels of government, including councils, have a fundamental role to play in addressing this crisis, which is being compounded by high interest rates, rising construction costs and skills shortages.

At a national level, ALGA is a signatory to the National Housing Accord, and in 2023 successfully advocated for a new \$500 million Housing Support Program for state and local governments to deliver supporting infrastructure for new housing developments.

While the provision of affordable housing is not a local government responsibility, councils have a role to play in ensuring there is enough suitably located land available for housing and that a diversity of housing stock is supported. Councils also want to ensure that new housing developments are supported with the necessary services and infrastructure to create liveable and sustainable communities.

Many councils are also addressing thin markets and developing land and housing themselves, delivering local solutions to meet the needs of their communities.

Councils also want to ensure that they engaged with planning decisions that affect local communities. Taking planning powers away from councils does not always support the best local outcomes.

Councils also play an important role addressing some of the causes of homelessness, including social inclusion programs that can assist mental health and family violence issues, as well as providing support for people currently experiencing homelessness.

What new programs and policies could the Australian Government develop to partner with local government to support the provision of more affordable housing?

How can the Australian Government work with councils to address the causes and impacts of homelessness?

6. JOBS AND SKILLS

Local government is a major employer in Australia providing employment, career advancement and training opportunities for more than 190,800 Australians, across an estimated 400 occupations.

However, councils are facing significant jobs and skills shortages that are constraining their capacity to deliver services and build and maintain local infrastructure.

ALGA's 2022 National Local Government Workforce Skills and Capability Survey indicated that more than 90 percent of Australia's 537 councils were experiencing skills shortages.

The survey also showed that for approximately two-thirds of these councils, these shortages were impacting on project delivery.

In particular, councils are facing a shortage of planners, engineers, building surveyors, environmental officers and human resources professionals.

Skills shortages occur for a variety of reasons including an inability to compete against the private sector, worker accommodation, support services for families, ageing of the workforce and geographic isolation.

Are there programs or initiatives that the Australian Government could implement that would enhance local government's capacity to attract and retain appropriately skilled staff now and into the future?

Are there programs or changes to existing programs that would increase local government's ability to employ apprentices and trainees?

Are there other initiatives that the Australian Government could provide to improve the sector's ability to plan and develop skills fit for the future?

7. COMMUNITY SERVICES

Councils provide a wide range of services based on local characteristics, needs, priorities, and the resources of their community. Indeed, it is this level of responsiveness and accountability to the local community that is an essential feature of democratic local governments worldwide.

Some of these services are provided to address market failure, and many of them are provided by councils on behalf of other levels of government.

It is important to note that nationally local government is more than 83% self-sufficient ie funded at the local level either through rates, fees and charges, sale of goods and services, or interest. The Australian Bureau of Statistics data shows that total local government annual expenditure in 2021-22 was \$43.6 billion.

Only 17% comes from grants and subsidies from other levels of government. Unfortunately, many of these grants and subsidies are tied, or require matching funding which restricts the ability to address local priorities in the way the council and community might need.

Arguably there is no greater obligation upon government than to maintain the trust that citizens have in meeting their community services obligations and promises, particularly to society's most vulnerable.

Local government community services are broadly defined, and may include but are not limited to:

- environmental health including food safety;
- childcare, early childhood education, municipal health;
- aged care, senior citizens;
- services to people living with disability;
- programs to address disadvantage, to reduce poverty and homelessness;
- sporting and recreational programs;
- arts and cultural activities, programs and festivals;
- tourism and economic development activities; and
- library services.

Noting the funding arrangements for the provision of local government community services are there programs and initiatives that the Australian Government could implement to improve the delivery of these services?

Are there reforms or improvements in national community services program that would help local governments support the Australian Government to deliver on its national objectives?

8. CLOSING THE GAP AND ABORIGINAL AND TORRES STRAIT ISLANDER RECONCILIATION

In 2021, ALGA co-signed a landmark national agreement to close the gap between Indigenous and non-Indigenous Australians. At the heart of the National Agreement on Closing the Gap Partnership are four agreed priority reform targets and 19 socio-economic targets in areas including education, employment, health and wellbeing, justice, safety, housing, land and waters, and Aboriginal and Torres Strait Islander languages.

The Indigenous Voice Co-design Final Report to the Australian Government was released in December 2021. The Local & Regional Voice will contribute to achieving the Closing the Gap outcomes by providing avenues for Indigenous voices to be heard, including to provide feedback to government on Closing the Gap.

As the level of government closest to the people, councils have an essential role supporting and helping to steer the development of policies and programs in partnership with local Indigenous peoples that address closing the gap priorities at the local and regional level.

Local government plays a positive role in reconciliation and celebrating Indigenous culture and identity, and sustainably funded could work effectively to reduce Indigenous disadvantage in all its forms.

On 14 October 2023, Australians voted in a referendum about whether to change the Constitution to recognise the First Peoples of Australia by establishing a body called the Aboriginal and Torres Strait Islander Voice. The referendum did not pass.

Are there programs or initiatives that the Australian Government could adopt to assist local government to advance reconciliation and close the gap?

Are there practical programs or initiatives that local government and the Australian Government could introduce to maintain, build and strengthen the level of trust between Aboriginal and Torres Strait Islanders and governments?

9. DATA, DIGITAL TECHNOLOGY AND CYBER SECURITY

Provision of information technology to all Australians is vital to innovation, economic growth, and social equity. However, it is potentially even more important to regional Australia where the tyranny of distance increases the inequity of services available – including education, health, economic and social. Innovative technology is becoming more broadly available and could boost productivity and economic growth.

Councils around Australia continue to embrace new technologies to improve their service delivery standards and broaden consultation and engagement with their local communities. However, implementation can be hindered without access to basic technological infrastructure and the necessary IT skills and resources.

In recent times, cyber-attacks on major corporations and other businesses have resulted in significant data breaches. It is a timely reminder as digital information, services and products become an increasing feature of modern business operation including in local government.

Like all risks, local government must manage the risk of cyber-attacks and address cyber security. At a national level, there is limited understanding of local governments' vulnerability to cyber-attacks, preparedness and adequacy of risk management strategies or business continuity planning.

While this is primarily a responsibility of the sector itself, governments at all levels must work together to ensure that the public have confidence in government information management systems and its security.

Drawing upon your council's experience, and your knowledge of other councils within your state or territory, are there programs and initiatives that the Australian Government could implement to help local government develop its digital technology services and infrastructure?

Are there actions the Australian Government could take to improve cyber security within the local government sector?

10. CLIMATE CHANGE AND RENEWABLE ENERGY

Australia's changing climate presents a significant challenge to governments, individuals, communities, businesses, industry, and the environment.

The Australian Government has committed to address climate change and in June 2022 submitted its revised National Determined Contribution (NDC) to the United Nations Framework Convention on Climate Change. The revised NDC included reaffirming a target of net zero emissions by 2050 and committing to reduce greenhouse gas emissions by 43% from 2005 levels.

Local governments have played an important leadership role in addressing climate change, and councils have supported a wide range of community-based programs and initiatives to lower the carbon footprint of their own business operations and of their local communities.

As a sector, local government has been an advocate and active participant in the debate for lowering carbon emissions, is sourcing renewable energy, has responded creatively to reduce greenhouse gas emissions from landfills, and facilitated the construction of green buildings and water sensitive design of cities and towns.

Local government has been at the forefront in addressing the impacts of climate change and adaptation to climate change. In particular, councils have a practical understanding of the risk and impact of climate change on Australia's infrastructure and physical assets, natural ecosystems, local economies and their community.

Noting the Australian Government's approach to reducing emissions, are there partnerships, programs, and initiatives that local government and the Australian Government can form to achieve Australia's 2050 net zero emissions target?

Are there initiatives that could assist local governments to build trust in the community for implementation of key climate change and emissions reduction initiatives?

11. ENVIRONMENT

Australia's 537 local councils play an essential role in providing, regulating and managing Australia's environmental services and infrastructure.

Whether it's biodiversity, biosecurity, natural resource management (NRM), contaminated lands, waste management, water resources, sustainability or roadside environments, councils are responsible for educating households and businesses on environment policy, as well as driving environmental programs and initiatives in their local communities.

In recent years the National General Assembly has considered a range of environmental issues, and passed resolutions on biodiversity, biosecurity, conservation, climate change and water security.

How could the Australian Government partner with local government to strengthen Australia's environmental services and infrastructure?

What new programs could the Australian Government partner with local government in to progress local regional and national objectives?



12. CIRCULAR ECONOMY

Local government is responsible for the management of household and domestic waste and has a critical role to play in further developing the circular economy.

Australia's 537 councils manage approximately 26 percent of Australian waste, either directly or through contractual arrangements. Each year, local governments collect around 9.7 million tonnes of waste from kerbside bin services, sort it at material recovery facilities (MRFs), and dispatch what can be recycled to reprocessing facilities in Australia and overseas.

Where waste cannot be recovered it is landfilled, and local governments in most jurisdictions must pay a significant levy per tonne for landfilled waste, as well as incur the operational costs of maintaining and managing a landfill.

Collecting, treating, and disposing of Australian domestic waste costs local government an estimated \$3.5 billion annually. Local government also dedicates resources to administering community waste-education programs, collecting litter, addressing illegal rubbish dumping, and ensuring compliance with waste bylaws.

In November 2023, Australia's Environment Ministers agreed that the Federal Government would establish new regulations for packaging as well as mandate how packaging is designed, develop minimum recycled content requirements and prohibit harmful chemicals being used. These changes are expected to have a positive impact on the amount of waste sent to landfill, and the costs borne by councils and their communities.

How could the Australian Government further strengthen product stewardship arrangements to support local governments in their endeavours to increase recycling and reduce the volume of waste?

How could the Australian Government partner with local government to advance the circular economy?

CONCLUSION

Thank you for taking the time to read this discussion paper and your support for the 2024 National General Assembly of Local Government.

A FINAL REMINDER:

- » Motions should be lodged electronically at www.alga.com.au and received no later than 11.59pm on Friday 29 March 2024.
- » Motions must meet the criteria published in this paper.
- » Motions should commence with the following wording: 'This National General Assembly calls on the Australian Government to...'
- » Motions should not be prescriptive in directing how the matter should be pursued.
- » Motions should be practical, focussed and relatively simple.
- » It is important to complete the background section on the form.
- » Motions must not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
- » When your council submits a motion there is an expectation that a council representative will be present at the 2024 National General Assembly to move and speak to that motion if required.
- » Resolutions of the National General Assembly do not automatically become ALGA's national policy positions. The resolutions are used by the ALGA Board to inform policies, priorities and strategies to advance local governments within the national agenda.

We look forward to hearing from you and seeing you at the 2024 National General Assembly in Canberra.





IN CONFIDENCE

Pursuant to Regulation 15(1) of the Local Government (Meeting Procedures) Regulations 2015 that Council move into Closed Council

04/24.18.0 CLOSED COUNCIL

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

04/24.18.2 Outstanding Actions List for Closed Council

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

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

04/24.19.0 MEETING CLOSED

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