



COUNCIL MEETING AGENDA

Monday 15 December 2025
Council Chambers, St Helens

General Manager
Break O'Day Council
9 December 2025

NOTICE OF MEETING

Notice is hereby given that the next meeting of the Break O'Day Council will be held at the St Helens Council Chambers on Monday 15 December 2025 commencing at 10.00am.

CERTIFICATION

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



JOHN BROWN
GENERAL MANAGER
9 December 2025

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AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

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

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

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

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

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

OPENING & INTRODUCTION

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

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

ACKNOWLEDGEMENT OF COUNTRY

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

LIVE AUDIO/VISUAL STREAMING OF COUNCIL MEETINGS

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

12/25.1.0 ATTENDANCE

12/25.1.1 Present

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

12/25.1.2 Apologies

Nil

12/25.1.3 Leave of Absence

12/25.1.4 Staff in Attendance

General Manager, John Brown
Administration & Governance Support Officer, Linda Singline

12/25.2.0 PUBLIC QUESTION TIME

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

A question asked at a meeting is to:

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

General statements are not permitted during question time.

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

Nil

12/25.3.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil

12/25.4.0 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

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

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

12/25.5.0 DECLARATION OF INTERESTS OF A COUNCILLOR OR CLOSE ASSOCIATE

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

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

12/25.6.0 CONFIRMATION OF MINUTES

12/25.6.1 Confirmation of Minutes – Council Meeting 15 December 2025

OFFICER'S RECOMMENDATION:

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

12/25.7.0 COUNCIL WORKSHOPS HELD SINCE 17 NOVEMBER 2025 COUNCIL MEETING

There was a workshop held 1 December 2025 and the following items were listed for discussion:

- Presentation - Bay of Fires Winter Arts Festival – David Burnett, Carol Liefing & Sandra French
- Presentation- Northern Development Tasmanian Corporation (NTDC) – Allison Anderson
- Presentation- East Coast Tourism Tasmania (ECTT) – Allison Anderson
- Presentation- Business Enterprise Centre (BEC) – Tim Gowans and Nick Crawford
- Pending Development Application Updates
- Tasmanian Government – Single Start-Up Permit
- Development Assessment Panels – October 2025 Round 3
- Fees and charges 2025-2026
- Request for Removal of Wheelie Bin Charges
- Key Financial Drivers of the 2024/2025 Underlying Surplus
- Animal Control Report
- Scamander Inert Landfill – Project Update
- Waste Strategy Development 353
- Extension of Solar Lighting – Georges Bay foreshore multi-user track – O’Connors Beach
- St Marys Sports Complex – Motorcycle Muster Event
- Break O’Day – Events Policy CB10
- Break O’Day Council Street Art Policy CB11
- Sponsorship request – Break O’Day Artists Inc.
- Sponsorship request – Battle by the Beach: Warrior Women
- Break O’Day Council Action Plan
- Draft - Art & Cultural Strategy
- Banner Pole waiver – St Helens Flower Show
- Northern Tasmania Development Corporation Members Agreement
- Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report Jul-Sept 2025

12/25.8.0 PLANNING AUTHORITY

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

12/25.8.1 DA 115-2025 - 31 Aerodrome Road, Stieglitz - Transport Depot and Distribution – Construction of a New Aircraft Hangar

ACTION	DECISION
COUNCIL MEETING DATE	15 December 2025
PROPONENT	Coactive Building Design
OFFICER	Rebecca Green, Planning Consultant
FILE REFERENCE	DA 2025 / 00115
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none">1. Plans for Approval2. Representations (01,02 and 03)3. Planning Scheme Assessment

OFFICER'S RECOMMENDATION:

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for Transport Depot and Distribution - Construction of a New Aircraft Hangar on land situated at 21 Aerodrome Road, Stieglitz described in Certificate of Title 184394/1 with access achieved via CT182768/1 and CT154876/4, be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Location Plan	Project No: 25015, Drawing No: Ap01	Coactive Building Design	17.09.25, Rev: A3
Site Plan	Project No: 25015, Drawing No: Ap02	Coactive Building Design	17.09.25, Rev: A3
Floor Plan	Project No: 25015, Drawing No: Ap03	Coactive Building Design	17.09.25, Rev: A3
Elevations	Project No: 25015, Drawing No: Ap04	Coactive Building Design	17.09.25, Rev: A3
Application Cover Letter and Planning Scheme Response	25015	Coactive Building Design	9 th July 2025
Site Plan with Coordinates and Stormwater Details	-	-	-
Email with details of Chemical Storage to be stored on site	-	Dave	-

Further Information Received 12/08/2025	-	-	-
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CONDITIONS

CONDITION		TIMING
1.	Approved Plans and/or Document	
A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2.	Stormwater Management	
A	Stormwater MUST be piped to the kerb on Aerodrome Road in accordance with the requirements of Council's Manager Works and Infrastructure Department.	Prior to use and maintained at all times.
B	Concentrated stormwater must not be discharged into neighbouring properties.	To be maintained at all times.
3.	Nuisance	
A	Use of the development must not create a nuisance as defined by the <i>Environmental Management and Pollution Control Act 1994</i>	Maintained at all times.
B	During the period of construction, works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.	Prior to use and maintained at all times.
C	All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	At all times.
4.	Underground Infrastructure	
A	All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works.	Prior to site works and maintained at all times.

ADVICE

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

Mon-Friday 7 am to 6 pm
Saturday 9 am to 6 pm
Sunday and public holidays 10 am to 6 pm

3. Be advised that in accordance with the *Building Act 2016* assessment for building approval cannot commence until such time as Council is provided with full Building Design Plans and Specifications prepared by a Tasmanian Licenced designer.

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

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

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

Development Permit Information	Details
<i>Development Description</i>	Transport Depot and Distribution - Construction of a New Aircraft Hangar
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Building/Plumbing
<i>Attachments</i>	Nil
<i>Representations</i>	Three (3)

INTRODUCTION:

The applicant is seeking approval for the removal of an existing dome structure, and use and development of a new aircraft hangar at 21 Aerodrome Road, Stieglitz, including an asphalt pavement extension and signage.

PREVIOUS COUNCIL CONSIDERATION:

- DA2003-277
- DA2016-216 – Aerodrome hangar
- DA2022-083 – New Hangar
- DA2022-269 – Adhesion Order

OFFICER'S REPORT:

1. The Proposal

The applicant is seeking approval for the use and development of a new 324m² aircraft hangar at the St Helens Aerodrome. An existing dome structure is to be removed. An asphalt extension from the edge of the existing sealed hardstand area is to extend to the new hangar. One wall sign is proposed. The hangar structure will accommodate a hangar/workshop area, office/kitchen, spare

parts room and amenities. The building will have a maximum height of 7.25m and will be externally clad with Colorbond wall and roof sheeting with areas of polycarbonate sheet cladding.

The aircraft hangar will be operated by a business called Plane Works, which is an aircraft maintenance business maintaining small general aviation aircraft. On average there will be two to three aircraft per week coming to the hangar for maintenance and on average they would stay for two to three days for inspection/maintenance.

The business is proposed to operate within the hours allowed within the acceptable solutions for the zoning for the site. The acceptable solution allows hours of operation to be between 7.00am to 9.00pm Monday to Saturday, and 8.00am to 9.00pm Sunday and public holidays.

Noise levels for this type of business are relatively low, with the use of air tools only on occasion, with a lot of their work using screwdrivers, a torch and mirror type work which is very quiet.

Aircraft engine runs are minimal, usually no more than a couple of minutes to perform engine performance runs at the conclusion of maintenance. Minimum and occasional spray painting may occur and only if corrosion treatment is required and only on localised areas of the aircraft.

The business will be run by a sole employee, with any visitors to the building generally arriving by aircraft. Car parking will occur within the existing designated car park for the Aerodrome.

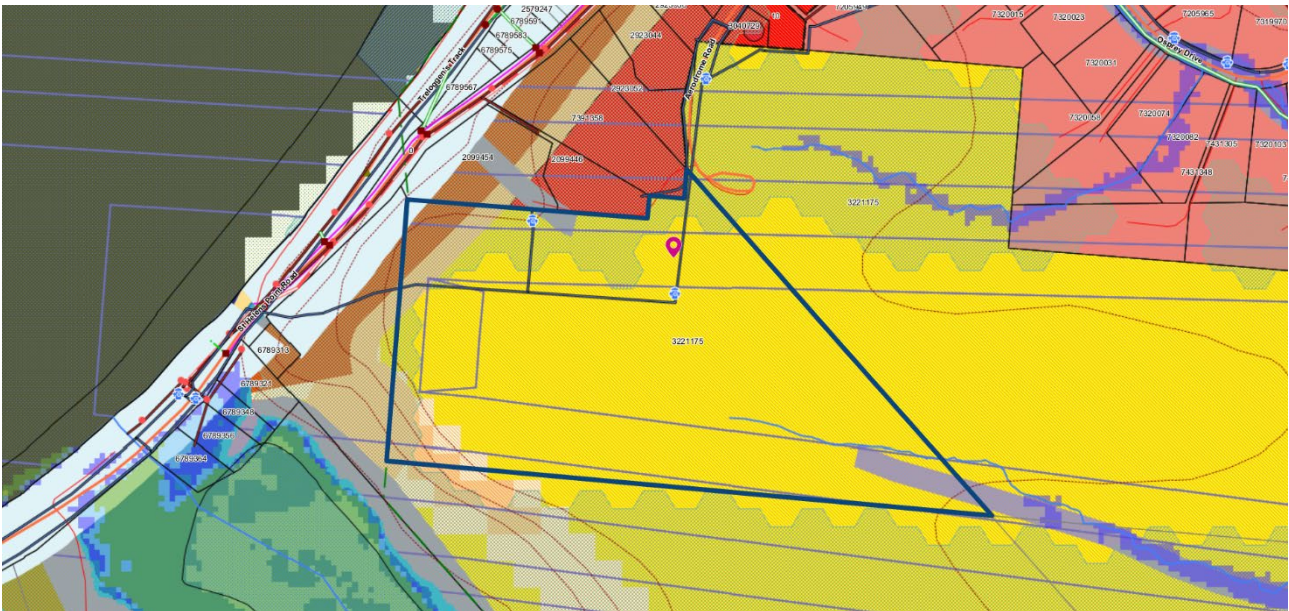
2. Description of the Site and Surrounds

The subject site is the location of the St Helens Aerodrome, comprising an airstrip, a number of hangars and associated car parking and access.

Direction	Planning Scheme Zone	Current Land Use
North	8.0 General Residential 26.0 Utilities	Residential - Single dwelling Aerodrome
South	26.0 Utilities	Vacant – Council owned land
East	26.0 Utilities 10.0 Low Density Residential 22.0 Landscape Conservation	Aerodrome Residential – Single dwelling Vacant
West	8.0 General Residential 26.0 Utilities	Residential - Single dwelling Vacant – Council owned land



Aerial Imagery



Locality Plan

2. Applicable Planning Assessment

- 26.0 Utilities Zone
- C1.0 Signs Code
- C2.0 Parking and Sustainable Transport Code
- C16.0 Safeguarding of Airports Code

3. Referrals

Referrals to Airservices Australia, the Civil Aviation Safety Authority and the Airport Operator were undertaken as required as part of consideration of the performance criteria of C16.0 Safeguarding of Airports Code. The comments and advice received form part of the consideration of the performance criteria.

4. Assessment

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

Tasmanian Planning Scheme – Break O’Day State Planning Provisions Version 13:

- C2.5.1 Car Parking Numbers P1
- C2.5.2 Bicycle Parking Numbers P1
- C16.6.1 Buildings and Works within an Airport Obstacle Limitation Area P2

Detailed assessment against the provisions of the *Tasmanian Planning Scheme – Break O’Day* version 13 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

C2.0 Parking and Sustainable Transport Code

C2.5 Use Standards

C2.5.1 Car Parking Numbers

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The number of on-site car parking spaces must be no less than the number specified in Table 2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if:</p> <ul style="list-style-type: none">(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;(b) the site is contained within a parking precinct plan and subject to Clause C2.7;(c) the site is subject to Clause C2.5.5; or(d) it relates to an intensification of an existing use or development or a change of use where:<ul style="list-style-type: none">(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is	<p>P1.1</p> <p>The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none">(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;(b) the ability of multiple users to share spaces because of:<ul style="list-style-type: none">(i) variations in car parking demand over time; or(ii) efficiencies gained by consolidation of car parking spaces;(c) the availability and frequency of public transport within reasonable walking distance of the site;(d) the availability and frequency of other transport alternatives;(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;

<p>required; or</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> $N = A + (C - B)$ <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>	<p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</p> <p>P1.2</p> <p>The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <p>(a) the nature and intensity of the use and car parking required;</p> <p>(b) the size of the dwelling and the number of bedrooms; and</p> <p>(c) the pattern of parking in the surrounding area.</p>
<p>Assessment against the Performance Criteria is required.</p> <p>Performance Criteria Assessment</p> <p>P1.1</p> <p>Transport Depot and Distribution use class requires in accordance with Table C2.1, 3.5 spaces for each 100m² of gross floor area. The gross floor area of the proposed hangar is 324m², which equates to a requirement of 11.4 spaces.</p> <p>As no additional onsite car parking spaces is proposed the proposal relies upon the performance criteria. A total of 11 formal car parking spaces is available within the aerodrome complex, which are shared between similar facilities on the same site. As one (1) employee is proposed within the proposed facility, the existing car parking spaces are sufficient to accommodate the extra demand. Any visitors to the facility are generally likely to arrive via aircraft to have their aircraft maintained.</p> <p>The proposal is consistent with the performance criteria.</p> <p>P1.2 Not applicable.</p>	

C2.5.2 Bicycle Parking Numbers

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Bicycle parking spaces must:</p> <p>(a) be provided on the site or within 50m of the site; and</p> <p>(b) be no less than the number specified in</p>	<p>P1</p> <p>Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:</p> <p>(a) the likely number of users of the site</p>

Table C2.1	<p>and their opportunities and likely need to travel by bicycle; and</p> <p>(b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.</p>
<p>Assessment against the Performance Criteria is required.</p> <p>Performance Criteria Assessment</p> <p>Transport Depot and Distribution use class requires in accordance with Table C2.1, 1 space per 5 employees. One employee is proposed which equates to a requirement of 1 space. No formal bicycle parking space will be allocated. This is considered to be acceptable given the location of the subject site, and minimal of visitors to the facility that would require transportation via bicycle. In the event that the single employee was to travel to the site via bicycle, the structure has adequate internal space to accommodate a bicycle.</p> <p>The proposal is consistent with the performance criteria.</p>	

C16.0 Safeguarding of Airports Code

C16.6 Development Standards for Buildings and Works

C16.6.1 Buildings and Works within an Airport Obstacle Limitation Area

Acceptable Solutions	Performance Criteria
<p>A2</p> <p>No Acceptable Solution.</p>	<p>P2</p> <p>Buildings and works within an airport obstacle limitation area associated with a non-Commonwealth-leased airport that exceed the specified height limit shown on the airport obstacle limitation area overlay applicable for the site of the development must not create an obstruction or hazard for the operation of aircraft, having regard to any advice from:</p> <p>(a) Airservices Australia;</p> <p>(b) the Civil Aviation Safety Authority; and</p> <p>(c) the airport operator.</p>
<p>Assessment against the Performance Criteria is required.</p> <p>Performance Criteria Assessment</p> <p>The St Helens Aerodrome is a non-Commonwealth leased airport. The building height of the proposed hangar will be 7.25m above natural ground level. Further to receipt of building coordinates and advice from Airports Surveys, the proposal was referred to Airservices Australia, the Civil Aviation Safety Authority and the airport operator for comment and advice.</p> <p>Airservices Australia provided the following advice:</p> <p>Airspace Procedures</p> <p><i>With respect to procedures designed by Airservices in accordance with ICAO PANS-OPS and Document 9905, at a height of 56.5m (186ft) AHD the development will not affect any sector or circling altitude, nor any instrument approach or departure procedure at Saint Helens aerodrome.</i></p> <p>Communications/Navigation/Surveillance (CNS) Facilities</p>	

We have assessed the proposed activity to the above specified height for any impacts to Airservices Precision/Non-Precision Navigation Aids, Anemometers, HF/VHF/UHF Communications, A-SMGCS, Radar, PRM, ADS-B, WAM or Satellite/Links and have no objections to it proceeding.

Air Traffic Control (ATC) Operations

There are no additional instructions/concerns from ATC.

Summary

The proposed activity does not impact Airservices operations or facilities at Saint Helens aerodrome.

The Civil Aviation Safety Authority provided the following advice:

From the surveyors comments it appears the aircraft hangar is below the obstacle limitation surface as required.

Per my previous comments please do ensure that onwards development of this project is such that Council's obligations (as the aerodrome operator) remain in compliance with associated Civil Aviation Safety Regulations (CASR 1998) and standards is achieved.

The airport operator provided the following advice:

I am satisfied as Airport Manager that the RFI has been satisfied.

Based on the information provided within the application and advice received from relevant authorities, the proposed building and works meet the performance criteria.

5. Representations

The application was advertised 25th October 2025 to 10th November 2025 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining landowners. Three (3) representations were received prior to the closing date and time. The issues raised within the representations are as follows:-

Representation 01	Response
As an adjoining property owner, they are concerned with the potential increase of noise. Specifically, the level or duration of noise associated with aircraft or operation of tools and machinery.	<p>The proposed use of the Aircraft Hangar, 'Transport Depot and Distribution' is Permitted within the Utilities zone. The hours of operation of the use will be within those stipulated under the acceptable solution A1 of clause 26.3.1, being within the hours of 7.00am to 9.00pm Monday to Saturday; and 8.00am to 9.00pm Sunday and public holidays as detailed within the application documentation. The proposed building is located 31.0m off a boundary adjoining a residential zone.</p> <p>The business is allowed to operate within the permissible hours of the acceptable solution within the Planning Scheme without any further restrictions imposed of by the Planning Authority. Noise pollution is regulated by the <i>Environmental Management and Pollution Control Act 1994</i>, including regulations. Should the use generate problems of noise that may be unreasonable that is outside of the Permissible Hours</p>

	<p>of Use as contained within the Noise Regulations, any person may Make a Report to the Local Council (Environmental Health Officer) or in relation to aircraft noise (Air Services Australia). As a Planning Authority the hours of business operation only are regulated under the Planning Scheme, and therefore the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>. The hours of operation of the use is allowable. Any noise related concerns of the use once operational should be raised with the relevant Officer at Council or Air Services Australia. A condition (Condition 3) is imposed to ensure the use operates with due consideration to noise pollution.</p>
Representation 02	Response
Believes that the Aircraft Hangar will operate outside the time for noise allowance and will cause an issue.	See above.
Representation 03	Response
Concerns regarding the Council decision to remove six titles associated with the Aerodrome from the public land register further noting that the decision to lease part of the Aerodrome for Plane Works in addition to the current application for the construction of a Aircraft Hangar.	<p>This is not a relevant matter for consideration against the planning assessment which must be in accordance with the Planning Scheme.</p> <p>Council's Legal Representative's responded in writing on 25 November 2025 to the representor regarding the St Helens Aerodrome and the Council's Public Land Register.</p>
Client is concerned that the process required under s.178 of the Local Government Act was not followed and the potential weakening of the protection of the conservation values in some of the titles (note: would like to understand why the titles were removed from the Public Land Register).	<p>This is not a relevant matter for consideration against the planning assessment which must be in accordance with the Planning Scheme.</p> <p>Council's Legal Representative's responded in writing on 25 November 2025 to the representor regarding the St Helens Aerodrome and the Council's Public Land Register.</p>
Requests that the current application is suspended in addition to the lease until the status of the land is resolved.	<p>The planning application is a valid application; it was provided with the Land Owner consent as per s. 52 LUPAA. The application must be assessed on its own merits in relation to the Planning Scheme in effect at the time of the application being considered valid.</p> <p>The Planning Authority does not have any power to suspend the assessment of the Development Application.</p> <p>Council's Legal Representative's responded in writing on 25 November 2025 to the representor regarding the St Helens Aerodrome and the Council's Public Land Register. As per the</p>

	<p>advice, the land is not public land. Section 177 of the Act enables Council to lease land owned by it.</p> <p>No further consideration of the matters raised in the representation is necessary.</p>
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The recommendation for approval has been made following due consideration of the representation and comments.

6. Mediations

No mediation has occurred.

7. Conclusion

In accordance with 6.10 of the *State Planning Provisions (Tasmanian Planning Scheme – Break O’Day)*, the application has been assessed against the objectives of the Scheme, in particular the all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and three (3) Performance Criterion. The received representations have been considered with recommended conditions proposed in response to the relevant concerns.

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

ACTION	DECISION
COUNCIL MEETING DATE	15 December 2025
PROPONENT	Prime Design
OFFICER	Alex McKinlay
FILE REFERENCE	DA 2025 / 00140
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none"> 1. Plans for Approval 2. Representations (01 and 02) 3. Planning Scheme Assessment

OFFICER'S RECOMMENDATION:

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for Residential - Construction of a Dwelling and Frontage Fences on land situated at 7-11 Freshwater Street, Beaumaris described in Certificate of Title 184539/1 and 184539/2 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Cover Page	-	Prime Design	November 2025
Site Plan	PD25023 -01	Prime Design	24/11/2025, Revision: 07
Site Drainage Plan	PD25023 -02	Prime Design	24/11/2025, Revision: 07
Locality Plan	PD25023 -03	Prime Design	24/11/2025, Revision: 07
Ground Floor Plan	PD25023 -04	Prime Design	24/11/2025, Revision: 07
First Floor Plan	PD25023 -05	Prime Design	24/11/2025, Revision: 07
Door and Windows Schedule	PD25023 -06	Prime Design	24/11/2025, Revision: 07
Elevations	PD25023 -07	Prime Design	24/11/2025, Revision: 07
Elevations	PD25023 -08	Prime Design	24/11/2025, Revision: 07
Roof Plan	PD25023 -09	Prime Design	24/11/2025, Revision: 07
Perspectives	PD25023 -10	Prime Design	24/11/2025, Revision: 07
Planning Scheme Response	-	Jessie Medwin – Prime Design	20 October 2025

CONDITIONS

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

	unless otherwise amended by conditions of this approval.	
2	Single Dwelling	
A	If a visitor accommodation use is sought for the dwelling, a further development application must be lodged with Council to seek approval for the allocation of an additional use to the dwelling.	Prior to use and maintained at all times.
3	Stormwater	
A	Stormwater from all buildings and impervious surfaces must be captured and discharged to the existing stormwater connection point at the rear of the property. A drainage system must be incorporated into the concreted area to ensure that overland flows are captured.	Prior to use and maintained at all times.
B	Concentrated stormwater must not be discharged into neighbouring properties.	To be maintained at all times.
4	Widened Crossover	
A	Widening of the crossover must be undertaken in accordance with standard drawing TSD-R09-v3.	Prior to use and maintained at all times.
B	An application to obtain a permit to work in the road reservation must be submitted to Council's Works Department prior to commencing any work on the crossover.	Prior to work in the road reservation.
5	Residential Car Parking	
A	The areas shown to be set aside for vehicle access and car parking must be: <ul style="list-style-type: none"> a. completed before the use of the development; b. surfaced with a pervious dust free surface and drained in a manner that will not cause stormwater nuisance. 	Prior to use and maintained at all times.
6	Nuisance	
A	Use of the development must not create a nuisance as defined by the <i>Environmental Management and Pollution Control Act 1994</i> .	At all times.
B	During the period of construction, works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.	Prior to use and maintained at all times.
C	The driveway must be constructed in a manner that ensures sediment is neither tracked nor eroded across the property boundary.	Prior to use and maintained at all times.
D	All building wastes are to be removed to the appropriate waste disposal facility to prevent an	At all times.

	environmental nuisance being caused outside of the works site.	
7	Underground Infrastructure	
A	All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works.	Prior to site works and maintained at all times.

ADVICE

- 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

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

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

- That the following information be included in the Permit.

Development Permit Information	Details
<i>Development Description</i>	Residential - Construction of a Dwelling and Frontage Fences
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Works Permit
<i>Attachments</i>	Nil
<i>Representations</i>	Two (2)

INTRODUCTION:

The applicant is seeking approval for the construction of a four-bedroom dwelling, new frontage fence and widening one of the existing crossovers on the subject site at 7-11 Freshwater Street, Beaumaris.

PREVIOUS COUNCIL CONSIDERATION:

- DA 214-2021 Two (2) Lot Subdivision – application received unanimous approval during the Council Meeting held on the 15/11/2021 **(11/21.6.1.235)**.
- DA 559-2005 33 Lot Subdivision – motion to support the officer's recommendation for refusal was carried unanimously in the Council Meeting held during March 2006 **(77/2006)**. An appeal was lodged by the applicant and as per the decision of the Resource Management and Planning Appeal Tribunal on the 12/07/2006, the refusal of the application was set aside with directions for a permit to be issued (note: TRIM Ref. D06/1985).

OFFICER'S REPORT:

1. The Proposal

The applicant is seeking approval for a four-bedroom two storey dwelling. An existing approved dwelling will be converted to secondary residence. On the ground floor level will be three bedrooms, one of which will have a walk-in-robe and ensuite, a living room, bathroom and laundry as well as a deck and swim spa. A garage will be located also on the ground level with the capacity to accommodate three vehicles. On the first-floor level, the main bedroom with walk-in-robe and ensuite will be accommodated together with kitchen, butler's pantry, living and dining and outdoor alfresco.

Frontage fencing and a widened vehicular crossover is also proposed. There is no native vegetation to be removed as part of this application. Storm water runoff from the proposed dwelling are to be connected to the rainwater tanks with overflow as well as drainage from the driveway to the existing connection point to the rear of the property.

2. Applicable Planning Assessment

- 10.0 Low Density Residential Zone
- C2.0 Parking and Sustainable Transport Code
- BRE-S2.0 Stormwater Management Specific Area Plan

3. Referrals

- 4.1.1 Works Department

Road Authority Comments:

Widening of the crossover is fine.

Stormwater Authority Comments:

Stormwater from all buildings and impervious surfaces must be captured and discharged to the existing stormwater connection point at the rear of the property as detailed on the submitted plans.

4. Assessment

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

Tasmanian Planning Scheme – Break O'Day State Planning Provisions Version 14:

- 10.4.3 Setback (**P1 and P2**)
- 10.4.5 Frontage fences for all dwellings (**P1**)

Detailed assessment against the provisions of the *Tasmanian Planning Scheme – Break O’Day* version 14 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

10.0 Low Density Residential Zone

10.4 Development standards for dwellings

10.4.3 Setback

Acceptable Solutions	Performance Criteria
A1 Dwellings, excluding protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage not less than 8m.	P1 The siting of a dwelling must be compatible with the streetscape and character of development existing on established properties in the area, having regard to: <ul style="list-style-type: none"> (a) the topography of the site; (b) the setbacks of surrounding buildings; (c) the height, bulk and form of existing and proposed buildings; (d) the appearance when viewed from roads and public open space adjacent to the site; and (e) the safety of road users.
Assessment against the Performance Criteria is required. Performance Criteria Assessment While the proposed dwelling will be able to achieve the 8m frontage setback requirement to the western boundary, the proposed dwelling will be no closer than 5.0m to the northwestern corner thereby requiring assessment against the performance criteria. The proposed dwelling will be sited on land with a slight slope from the south-western corner to the northeastern corner. The floor level is modest and gives consideration to the surrounding properties in the surrounding area as the structure does not exceed a total building height of 8.5m. Construction of the dwelling will include cut to the site which is to be battered and will further assist with reducing visual impact with regard being given to when the structure is viewed from the street. The proposed setback of the dwelling is consistent with setbacks of surrounding buildings in the surrounding area. There are existing dwellings and associated outbuildings including corner lots within the immediate area that demonstrate significantly reduced setbacks to their respective front boundaries with such examples including: <ul style="list-style-type: none"> • 17 Freshwater Street, Beaumaris • 23 Freshwater Street, Beaumaris 	

- 2 Lade Court, Beaumaris
- 99 Tasman Highway, Beaumaris

The height, bulk and form of the proposed dwelling is of a similar nature to existing buildings in the area and there are existing dwellings within Freshwater Street which provide reduced setback for two storey buildings.

The floor level of the dwelling is set respectively, reducing the height when viewed from the street. The appearance of the dwelling when viewed from Freshwater Street and public open space is compatible with the character of established properties in the area and the reduced setback to the northwest corner and northern boundary for the swim space will not impact on the safety of road users.

Accordingly, with consideration given to the above, the reduced 5.0m setback to the northwest and northern boundary can reasonably be deemed as being compatible with the streetscape including the established residential character/development within the surrounding area.

Performance criteria met.

Acceptable Solutions	Performance Criteria
<p>A2</p> <p>Dwellings, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally from the building, must have a setback from side and rear boundaries of not less than 5m.</p>	<p>P2</p> <p>The siting of a dwelling must not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space areas on the site; (f) sunlight to private open space and windows of habitable rooms on adjoining properties; and (g) the character of development existing on established properties in the area.
<p>Assessment against the Performance Criteria is required.</p> <p>Performance Criteria Assessment</p> <p>The proposed dwelling is to be located across the two title boundaries cannot meet the acceptable solution.</p> <ul style="list-style-type: none"> a) The land is gently sloping, the topography has not influenced the location of the development, apart from the need for dwelling due to size across the title boundaries; b) The proposed dwelling has been designed to suit the size, shape and orientation of the site and the needs of the owners. The proposed dwelling will be central to the two titles; c) The proposed development once the titles are adhered through the building approval process, will have setbacks compliant; 	

- d) The height, bulk and form of the dwelling is in keeping with the surrounding buildings on adjoining properties;
- e) The dwelling is provided with adequate private open space located on the north of the property and it will not be compromised by the proposed development of the dwelling.
- f) There will be no negative impact on the private open space and windows of habitable windows on adjoining properties due to their location and orientation in relation to the proposed development of the dwelling and that the titles are in the same ownership and to be developed as if it were one lot;
- g) The proposed development is in keeping with the character of established properties in the area.

Performance criteria met.

10.4.5 Frontage fences for all dwellings

Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must: <ul style="list-style-type: none"> (a) provide for security and privacy, while allowing for passive surveillance of the road; and (b) be consistent with the height and transparency of fences in the street, having regard to: <ul style="list-style-type: none"> i. the topography of the site; and ii. traffic volumes on the adjoining road.
Assessment against the Performance Criteria is required. Performance Criteria Assessment The proposed fence will replace the existing post and wire frontage fence and the applicant has detailed that the fence will comprise of 0.6m of brickwork to the base with 1.2m of vertical fencing above to a total height of 1.8m along both the western and northern frontages associated with the subject site. Due to the design of the proposed fence, the requirements of exemption <i>4.6.3 fences within 4.5m of a frontage</i> outlined within the Tasmanian Planning Scheme could not be met and accordingly assessment against the performance criteria is required. The design of the proposed frontage fence is able to provide security and privacy to the dwelling whilst maintaining passive surveillance of the road (note: refer to fence elevation and perspective drawings contained within the plans for reference). The proposed frontage fence will follow the topography of the subject site and will not exceed a total height of 1.8m. Within the submitted planning scheme response, the applicant noted that the adjoining property at 13 Freshwater Street has an existing gabion rock wall/fence to an assumed height of 1.8m and that the style of the proposed fencing is similar to the frontage fence at 15 Freshwater Street. In comparison to the other existing frontage fences outlined above, the proposed fence will enable a greater level of transparency and will accordingly be conducive to the residential traffic volumes of the adjoining road.	

Performance criteria met.

5. Representations

The application was advertised 1st November 2025 to 17th November 2025 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining landowners. Two (2) representation was received prior to the closing date and time. The issues raised within the representation are as follows:-

Representation 01

Issue	Response
The proposed dwelling exceeds the 6m building height outlined within the restrictive covenant associated with the property.	Council has received legal advice on these matters previously with confirmation being provided that no regard can be given to covenants during the assessment of a planning application. Accordingly, this is a civil matter and there is separate process to address this should the representor wish to pursue this further. It is worth noting that the applicant submitted amended plans on the 1/12/2025 forming part of the documentation recommended for approval to address the concerns raised by reducing the height of the dwelling to less than 6m from natural ground level in accordance with the restrictive covenant.
Contends that assessment against the acceptable solution requirement for building height (8.5m) is incorrect and would impact upon the amenity of the area.	As detailed above, Council cannot give regard to covenants during the assessment of a planning application and any assessment of the development must be against the relevant zone and code provisions outlined within the effective planning scheme (i.e. Tasmanian Planning Scheme). The requirements of Acceptable Solution A1 of clause 10.4.2 <i>Building height</i> can be satisfied due to the proposed dwelling having an approximate total building height of 6m which is considerably less than the 8.5m requirement and accordingly the dwelling did not require assessment against the performance criteria for this clause.

Representation 02

Issue	Response
Objects to the proposed development as the building height of the proposed dwelling exceeds the restrictive covenant associated with the property (note: 6m building height).	Please refer to the responses provided to the issues outlined within Representation 01 above as this representation contained similar issues.
Asserts that the 8.5m acceptable solution requirement outlined within the planning	See above.

scheme response has never been the applicable height control for the subdivision.	
A recent petition from 12 landowners has resulted in the objection to any variation, disregard or removal of the 6.0m covenant.	See above.
Noted that developments have been approved which exceed the restrictive covenant and outlined the economic and amenity protections that the covenant provides.	See above.

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

6. Mediations

- No mediation occurred as part of this application. It is worth noting that the applicant submitted amended plans on the 1/12/2025 to address the concerns raised within the representations and namely by reducing the height of the dwelling to 6m.

7. Conclusion

In accordance with 6.10 of the *State Planning Provisions (Tasmanian Planning Scheme – Break O’Day)*, the application has been assessed against the objectives of the Scheme, in particular the Low Density Residential all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and three (3) 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

DA 320-2022 - 135 Acacia Drive, Ansons Bay – Retrospective Approval for Dwelling, Existing Shed, Frontage Fence, Water Tanks and Crossover and Construction of Proposed Shed

ACTION	DECISION
COUNCIL MEETING DATE	15 December 2025
PROPONENT	Cataract Designs
OFFICER	Alex McKinlay
FILE REFERENCE	DA 2022 / 00320
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none"> 1. Plans for Approval 2. Representation 3. Planning Scheme Assessment

OFFICER'S RECOMMENDATION:

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O'Day*, that the application for Residential - Retrospective Approval for Dwelling, Existing Shed, Frontage Fence, Water Tanks and Crossover AND Construction of Proposed Shed on land situated at 135 Acacia Drive, Ansons Bay described in Certificate of Title 45134/71 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Cover Page	Project No: 23009, Sheet No: A000-DA2	Cataract Designs	24/09/2025
Site Plan	Project No: 23009, Sheet No: A001-DA2	Cataract Designs	24/09/2025
Floor Plan	Project No: 23009, Sheet No: A100-DA2	Cataract Designs	24/09/2025
Elevations	Project No: 23009, Sheet No: A200-DA2	Cataract Designs	24/09/2025
Shed Plan and Elevations	Nil	Fair Dinkum Builds	Nil

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2	Vehicle Crossing	

A	The vehicle crossover to Blackwood Court must be upgraded (sealed to match the road surface) in accordance with standard drawing TSD-R04-v3 incorporating a shallow dish crossing instead of a culvert pipe.	Prior to use and maintained at all times.
B	An application must be submitted to obtain a Works Permit prior to undertaking any work on the vehicle crossover.	Prior to any work on the vehicle crossover.
3	Single Dwelling	
A	If a visitor accommodation use is sought for the dwelling, a further development application must be lodged with Council to seek approval for the allocation of an additional use to the dwelling.	Prior to use and maintained at all times.
4	Residential Use Car Parking	
A	The areas shown to be set aside for vehicle access and car parking must be: <ul style="list-style-type: none"> a. completed before the use of the development; b. surfaced with a pervious dust free surface and drained in a manner that will not cause stormwater nuisance. 	Prior to use and maintained at all times.
5	Stormwater	
A	Concentrated stormwater must not be discharged into neighbouring properties.	To be maintained at all times.
6	Nuisance	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
B	During the period of construction, works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.	Prior to use and maintained at all times.
C	The driveway must be constructed in a manner that ensures sediment is neither tracked nor eroded across the property boundary.	Prior to use and maintained at all times.
D	All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	At all times.
7	Underground Infrastructure	
A	All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works.	Prior to site works and maintained at all times.

ADVICE

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

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

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

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

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

Development Permit Information	Details
<i>Development Description</i>	Residential - Retrospective Approval for Dwelling, Existing Shed, Frontage Fence, Water Tanks and Crossover AND Construction of Proposed Shed
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Works Permit
<i>Attachments</i>	Nil
<i>Representations</i>	One (1)

INTRODUCTION:

The applicant is seeking retrospective approval for an existing three-bedroom dwelling, existing shed, frontage fence, water tanks and crossover in addition to the construction of a proposed shed on the subject site at 135 Acacia Drive, Ansons Bay.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

1. The Proposal

The applicant is seeking retrospective approval for use and development of a single dwelling, 3m x 3m shed and water tank, second crossover and 1.6m high frontage fencing, and approval for a new shed at 135 Acacia Drive, Ansons Bay (CT 45134/71). Specifically, the provided plans demonstrate that the following development and works form part of this application:

- Retrospective approval of a single dwelling comprising three bedrooms, with a maximum height to ridge of 2.7m;
- Retrospective approval of a 14,100l poly water tank;
- Retrospective approval of a 3m x 3m shed;
- Retrospective approval of 1.6m high colorbond fence;
- Retrospective approval of vehicle access to Blackwood Court and gravel driveway; and
- Construction of a new 15m x 8m x 4.78m high shed.

2. Applicable Planning Assessment

- 10.0 Low Density Residential Zone
- C2.0 Parking and Sustainable Transport Code
- C3.0 Road and Railway Assets Code

3. Referrals

- Road Authority Comments (Works Department):

A referral was issued to the Works Department on the 13/08/2025 regarding the existing unapproved crossover to Blackwood Court. In response to the referral, the Works Department provided the following comments on 22/08/2025:

- *Crossover: The second crossover needs to be upgraded (sealed to match the road surface) in accordance with standard drawing TSD-R04-v3 incorporating a shallow dish crossing instead of a culvert pipe. They will need to obtain a permit to work in the road reservation (Works Permit) prior to undertaking this work.*

4. Assessment

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

Tasmanian Planning Scheme – Break O’Day State Planning Provisions Version 14:

- *10.4.3 Setback (P1 and P2)*
- *10.4.5 Frontage fences for all dwellings (P1)*
- *C2.6.1 Construction of parking areas (P1)*
- *C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction (P1)*

Detailed assessment against the provisions of the *Tasmanian Planning Scheme – Break O’Day* version 14 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

10.0 Low Density Residential Zone

10.4 Development Standards for Dwellings

10.4.3 Setback

Acceptable Solutions	Performance Criteria
A1 Dwellings, excluding protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage not less than 8m.	P1 The siting of a dwelling must be compatible with the streetscape and character of development existing on established properties in the area, having regard to: (a) the topography of the site; (b) the setbacks of surrounding buildings; (c) the height, bulk and form of existing and proposed buildings; (d) the appearance when viewed from roads and public open space adjacent to the site; and (e) the safety of road users.
Assessment against the Performance Criteria is required. Performance Criteria Assessment The proposed development of the shed is to be located 1.5m from the frontage to Blackwood Court and cannot meet the acceptable solution. <ul style="list-style-type: none">a) The land is relatively flat with a very slight slope to the south, the topography has no effect on the shed setback.b) The proposed shed will have a frontage setback less than 8m which there is a number of properties within the surrounding area that also have structures located less than 8m to their respective front boundary including the following:<ul style="list-style-type: none">i. 6 Blackwood Courtii. 8 Blackwood Courtiii. 2 Melaleuca Streetiv. 119 Acacia Drivev. 38 Acacia Drivevi. 36 Acacia Drivevii. 32 Acacia Drivec) The height, bulk and form of the outbuilding is in keeping with the surrounding buildings on adjoining properties. The height is compliant with the acceptable solution and characteristic of a number of outbuildings in the area. Specifically, there are many properties within the surrounding area that can be characterised by the presence of a dwelling and associated outbuilding structures (note: outbuilding structures vary from being minor to significant in size);d) The proposed development is in keeping with the character of established properties in the area. Blackwood Court is not the primary entry to the site, and due to the direction of the cul-de-sac, it is not apparent of the proximity of the outbuilding to the frontage when viewed from Acacia Drive. Existing roadside vegetation is present and will remain.e) The proposed shed will not affect the safety of road users, due to the low speed and low traffic movement numbers on Blackwood Court.	



Performance criteria met.

Acceptable Solutions	Performance Criteria
<p>A2</p> <p>Dwellings, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally from the building, must have a setback from side and rear boundaries of not less than 5m.</p>	<p>P2</p> <p>The siting of a dwelling must not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space areas on the site; (f) sunlight to private open space and windows of habitable rooms on adjoining properties; and (g) the character of development existing on established properties in the area.
<p>Assessment against the Performance Criteria is required.</p> <p>Performance Criteria Assessment</p> <p>The dwelling and water tank are less than 5m to the eastern side boundary and cannot meet the acceptable solution.</p> <ul style="list-style-type: none"> a) The land is relatively flat, the topography has no effect on the dwelling or water tank setback. b) The dwelling and tank has been designed to suit the size, shape and orientation of the site and the needs of the owners. The dwelling development is placed approximately central to the site, the site constrained by two road frontages, with Blackwood Court wrapping around two sides. c) The proposed development will have setbacks similar distance to a side boundary as a number of dwellings in the surrounding area, with many even closer to that proposed, screened by the frontage fencing and vegetation in part; 	

- d) The height, bulk and form of the dwelling is in keeping with the surrounding buildings on adjoining properties. The height is compliant with the acceptable solution and characteristic of a number of dwellings in the area;
- e) The dwelling is provided with adequate private open space within the property and it will not be compromised by the dwelling.
- f) There will be no unreasonable loss of amenity caused to the private open space and windows of habitable windows on adjoining properties due to their location and orientation in relation to the development of the dwelling and tank;
- g) The development is in keeping with the character of established properties in the area. The site is a residential zone, there is an expectation that the site will be developed for a residential use and development, the zoning purpose is for such use and development. The area is characterised by a mix of single and two storey dwellings.

Performance criteria met.

10.4.5 Frontage fences for all dwellings

Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must: <ul style="list-style-type: none"> (a) provide for security and privacy, while allowing for passive surveillance of the road; and (b) be consistent with the height and transparency of fences in the street, having regard to: <ul style="list-style-type: none"> i. the topography of the site; and ii. traffic volumes on the adjoining road.
Assessment against the Performance Criteria is required. Performance Criteria Assessment The existing 1.6m high Colorbond fence seeks approval. <ul style="list-style-type: none"> a) The existing 1.6m high Colorbond fence provides a reasonable level of security and privacy for the occupants without creating an excessive barrier. As it does not extend for the entire boundary, it allows for visual connection between the dwelling and Acacia Drive/Blackwood Court, ensuring passive surveillance of the street is maintained. b) <ul style="list-style-type: none"> i. The site is relatively flat, meaning the fence sits at a uniform and modest scale when viewed from the street. Its height is not visually intrusive and remains consistent with fencing styles and heights commonly used in the Ansons Bay area. ii. Acacia Drive and Blackwood Court are low-traffic residential streets. The solid Colorbond finish does not create any safety issues for drivers or pedestrians, as sightlines at the driveway crossover are maintained. 	



Performance criteria met.

C2.0 Parking and Sustainable Transport Code

C2.6 Development Standards for Buildings and Works

C2.6.1 Construction of parking areas

Acceptable Solutions	Performance Criteria
A1 All parking, access ways, manoeuvring and circulation spaces must: <ul style="list-style-type: none"> (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement. 	P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to: <ul style="list-style-type: none"> (a) the nature of the use; (b) the topography of the land; (c) the drainage system available; (d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likelihood of generating dust; and (f) the nature of the proposed surfacing.
Assessment against the Performance Criteria is required. Performance Criteria Assessment	

Existing compacted gravel driveway relies on performance criteria.

All parking, access ways, manoeuvring and circulation spaces are readily identifiable and constructed so that they are useable in all weather conditions.

The use is a single dwelling, which is anticipated to have 7-9 vpd.

The land slopes slightly down toward Blackwood Court to the south. The existing crossover along Blackwood Court is required to be upgraded and therefore will minimise the transportation of any sediment or materials being disposed onto the road surface. It is reasonable to conclude that due to the permeable nature of the driveway, stormwater can be contained within the boundaries of the subject site.

With the construction of compacted gravel together with the upgraded crossover minimum transportation of sediment or debris from the site is possible. A condition may be placed on any approval requiring that no sediment or debris be transported onto the road.

The driveway is constructed of compacted gravel, due to the minimal traffic movements and low speed of vehicles using the driveway, the likelihood of generating dust is minimal. The nature of the proposed surfacing is in keeping with the majority of adjacent properties and those in the area.

With appropriate conditions, the proposal will meet the performance criteria.

C3.0 Road and Railway Assets Code

C3.5 Use Standards

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

Acceptable Solutions	Performance Criteria
A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing.	P1 Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to: (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and
A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.	
A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.	

<p>A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road. <p>A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<p>(h) any advice received from the rail or road authority.</p>
<p>Assessment against the Performance Criteria is required.</p> <p>Performance Criteria Assessment</p> <p>A1.1 – N/A A1.2 – A vehicle crossing to Blackwood Court seeks retrospective approval, no written consent provided. A1.3 – N/A A1.4 – Complies, single dwelling 7-9 vpd. A1.5 – N/A</p> <p>P1</p> <ul style="list-style-type: none"> (a) The access serves a single dwelling and associated residential outbuildings. Vehicle movements are low and limited to normal residential use (7-9vpd). The access does not cause a measurable increase in traffic volumes on Blackwood Court. (b) Traffic generated is limited to light vehicles (passenger cars, small trailers, and occasional service vehicles). No heavy or commercial vehicle traffic is associated with the site. (c) Blackwood Court is a residential cul-de-sac with very low traffic volumes. The existing access is consistent with the intended function of the road, which is to provide residential property access. (d) Traffic speeds on Blackwood Court are very low due to its cul-de-sac design and residential function. Vehicle volumes are minimal, and the existing access has no adverse impact on safety or efficiency. (e) While the property also fronts Acacia Drive, the Blackwood Court access provides a functional and convenient entry point, particularly for accessing the rear of the site and outbuildings. Retaining both access points minimises reversing and manoeuvring within the site and improves traffic safety. (f) The access is needed to facilitate safe and practical residential use of the property. Without this access, vehicle circulation within the site would be constrained, potentially leading to less safe reversing movements. (g) A traffic impact assessment is not considered necessary due to the small scale of use (single dwelling). The very low traffic volumes generated by the access can be safely accommodated by Blackwood Court without any adverse effect. (h) Council maintains Blackwood Court as a local residential street, and the existing access is typical of residential driveways in the area. The vehicle access is recommended to be upgraded as a permit condition upon any approval. <p>Performance criteria met.</p>	

5. Representations

The application was advertised 18th October 2025 to 31st October 2025 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
Visibility of the proposed shed from both Acacia Drive and Blackwood Court and noted that the submission states that existing natural vegetation will enable the shed to blend into the landscape. Existing vegetation consists of one tree and minimal other cover and would like to see a condition requiring the planting of screening trees around the northern and western sides of the shed.	Please refer to the completed assessment for performance criteria P1 from clause 10.4.3 <i>Setback</i> which demonstrates that the performance criteria can be sufficiently addressed. With regard being given to the completed planning scheme assessment, the inclusion of an additional condition to incorporate screening vegetation along the northern and western sides of the proposed shed can reasonably be deemed as not being necessary for this application.









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

6. Mediations

- No mediation occurred as part of this application.

7. Conclusion

In accordance with 6.10 of the *State Planning Provisions (Tasmanian Planning Scheme – Break O’Day)*, the application has been assessed against the objectives of the Scheme, in particular the Low Density Residential all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and five (5) 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

ACTION	DECISION
COUNCIL MEETING DATE	15 December 2025
PROPONENT	Woolcott Land Services
OFFICER	Senior Town Planner, D. Szekely
FILE REFERENCE	DA 2025 / 00127
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none"> 1. Plans and Documents 2. Bushfire Assessment 3. RO Completed Planning Scheme Assessment 4. Collated Representations – 2 5. Applicant Response to Representations

OFFICER'S RECOMMENDATION:

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O'Day*, that the application for New Dwelling & Shed with Amenities on land situated at Lot 8 Heritage Road, St Helens described in Certificate of Title 156294/1 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Title Page	-	Bay of Fires Building Design	-
Site Plan	A04	Bay of Fires Building Design	02/07/2025
Site Plan Aerial	A04.1	Bay of Fires Building Design	02/07/2025
Site Plan Detail	A04.2	Bay of Fires Building Design	02/07/2025
Site Aerial Code Overlay	A04.3	Bay of Fires Building Design	02/07/2025
Floor Plan	A05	Bay of Fires Building Design	02/07/2025

Shed Floor Plan	A05.1	Bay of Fires Building Design	02/07/2025
Floor Plan furnished	A06	Bay of Fires Building Design	02/07/2025
Elevations	A14	Bay of Fires Building Design	02/07/2025
Elevation	A15	Bay of Fires Building Design	02/07/2025
Shed Elevations	A15.1	Bay of Fires Building Design	02/07/2025
Shed Elevations	A15.2	Bay of Fires Building Design	02/07/2025
R.O.W Plan	Sheet 1/1 V01	Woolcott Land Services	06/10/2025
Revegetation Plan	Sheet 1/1 V01	Woolcott Land Services	26/09/2025

CONDITIONS

CONDITION		TIMING
1.	Approved Plans and/or Document	
	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2.	Easements (Right of Way)	
A	Provide easements (Right of Way) in favour of CT156294/1 in accordance with endorsed plans Site Plan A04 prepared by Bay of Fires Building Design and dated 02/07/2025 and ROW Plan Sheet 1/1 V01 prepared by Woolcott Land Services and dated 06/10/2025.	Prior to obtaining a Building Permit.
B	The widths of the easements is to be in accordance with endorsed plan Site Plan A04	Prior to obtaining a Building Permit.

CONDITION		TIMING
	prepared by Bay of Fires Building Design and dated 02/07/2025.	
C	Submit a copy of the Schedule of Easements to Council demonstrating compliance with Condition 2 A and 2 B.	Prior to obtaining a Building Permit.
D.	The schedule of easements must provide information regarding construction and maintenance responsibilities for creating and maintaining the right of way over the three affected titles.	Prior to obtaining a Building Permit.
3.	On-Site Stormwater Management	
A	All run-off must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance.	Prior to the commencement of use and maintained at all times.
B	Soakage drains must be of sufficient size to absorb stormwater runoff.	To be maintained at all times.
C	Works on the site must not result in a concentration of flow onto other property, or cause ponding or other storm water nuisance.	During site works and to be maintained at all times.
4.	Drive-ways	
A	The drive-way must be constructed in a manner that ensures sediment is neither tracked nor eroded across the property boundary.	Prior to the commencement of use and maintained at all times.
5.	Residential Use Car Parking	
A	<p>The areas shown to be set aside for vehicle access and car parking must be:</p> <ul style="list-style-type: none"> a. completed before the use of the development; b. provided with space for access turning and manoeuvring vehicles on-site to enable them to enter and leave the site in a forward direction; c. surfaced with a pervious dust free surface and drained in a manner that will not cause stormwater nuisance. 	Prior to the commencement of use and maintained at all times.
6.	Effluent Disposal	

CONDITION		TIMING
A	Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's Plumbing Permit Authority.	Prior to the commencement of use and maintained at all times.
7.	Building Wastes	
	All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	During site works and to be maintained at all times.
8.	External Colours and Finishes	
A	Reflective materials must not be used as visible external elements in the building and the colours of external surfaces must include natural tones of green, grey and/or brown.	Prior to the commencement of use and to be maintained at all times.
9.	Extent of Vegetation Clearing & Revegetation Planting.	
A	Clearing of native vegetation must be limited to that identified on the endorsed plan Revegetation Plan Sheet 1/1 V01 prepared by Woolcott Land Services and dated 06/10/2025.	Prior to and during site works and to be maintained.
B	Replacement planting (revegetation) must be implemented in accordance with endorsed plan Revegetation Plan Sheet 1/1 V01 prepared by Woolcott Land Services and dated 06/10/2025.	Prior to obtaining a Building Permit.
C.	<p>Revegetation plants must include endemic local vegetation types and not include Environmental Weeds as listed in BRE-P1.8.1 Environmental Weeds in the Break O'Day Local Provisions Schedule.</p> <p>Advice:</p> <p>The Break O'Day Local Provisions Schedule can be accessed on the Tasmanian Planning Commission website www.planning.tas.gov.au.</p> <p>Advice regarding species selection for revegetation should be sought and may include advice from the Northeast Bioregional Network.</p>	To be maintained at all times.

ADVICE

1. Based on the information provided, the development is not likely to adversely affect TasNetworks' operations.

It is recommended that the customer or their electrician submit an application via our website portal found here [Connections Hub - TasNetworks](#) to establish an electricity supply connection to support this development.

2. 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.
3. 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
6. Be advised that in accordance with the *Building Act 2016* assessment for building approval cannot commence until such time as Council is provided with full Building Design Plans and Specifications prepared by a Tasmanian Licenced designer.

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

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

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

Development Permit Information	Details
<i>Development Description</i>	Residential - New Dwelling & Shed with Amenities
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Building Permit
<i>Attachments</i>	Nil
<i>Representations</i>	Two (2)

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting 20 October 2025

10/25.16.2.611 Moved: Clr G Barnes/ Seconded: Clr B LeFevre

That Council consider the written request of Woolcott Land Services, made on behalf of their client, to construct a structure(s) outside of the building envelope contained within the Restrictive Covenant, Schedule of Easements on Registered Plan SP156294 Folio 1 and as it relates to submitted development application DA127-2025. Council authorises the General Manager to provide written consent to build outside of the building envelope subject to obtaining separately, and independent from this written request, a development permit for use and development on the site in accordance with the Land Use Planning and Approvals Act 1993 and the Tasmanian Planning Scheme – Break O’Day as detailed in DA127-2025.

CARRIED

FOR Clr G Barnes, Clr I Carter, Clr V Oldham, Clr B LeFevre, Mayor Tucker

AGAINST Clr L Johnstone, Clr K Wright

OFFICER’S REPORT:

1. The Proposal

The applicant is seeking approval for the construction of a dwelling and outbuilding on land described as Lot 8 Heritage Road, St Helens described in Certificate of Title 156294/1. Access to the title is to be achieved via a Right of Way over lots CT156294/2 and CT156294/3.

2. Applicable Planning Assessment

- 22.0 Landscape Conservation Zone
- C2.0 Parking and Sustainable Transport Code
- C3.0 Road and Railway Assets Code
- C7.0 Natural Assets Code

3. Referrals

Works Department – Break O’Day

No requirements.

TasNetworks

Based on the information provided, the development is not likely to adversely affect TasNetworks' operations.

It is recommended that the customer or their electrician submit an application via our website portal found here Connections Hub - TasNetworks to establish an electricity supply connection to support this development.

4. Assessment

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

Tasmanian Planning Scheme – Break O'Day State Planning Provisions Version 14:

- 22.3.3 Discretionary use P1
- 22.4.3 Access to a road P1
- 22.4.4 Landscape protection P1 and P2
- C7.6.2 Clearance within a priority vegetation area P1

Detailed assessment against the provisions of the *Tasmanian Planning Scheme – Break O'Day* version 14 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

22.3.3 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
Assessment against the Performance Criteria is required. Performance Criteria Assessment The title has a land area of approximately 4.2 hectares that has historically been partially cleared of vegetation with a substantial amount still vegetated. The proposed structures (dwelling and outbuilding) are to be located adjacent to vegetated area. The site slopes extensively in areas and the proposal takes advantage of land with relatively flat topography thereby minimising construction costs.	

The structures are modest in size and scale and are proposed for low key residential use. The considerable size of the site ensures the proposed use is not dominant on the site with the proposed use not being visible from surrounding properties due to topography. Additionally, the use will not be visible from public roads.

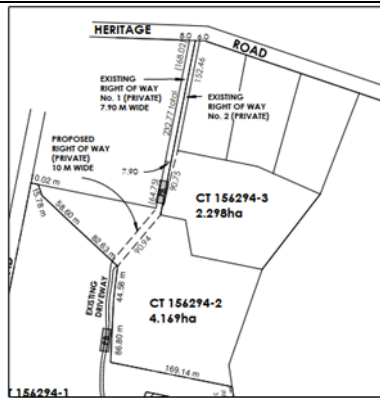
The proposed use has been sited in an existing cleared area and partially vegetated area. Whilst some vegetation removal will be required to facilitate the development, replacement planting is proposed in an area that is currently part of managed land. The site has historically combined natural areas and managed areas, and this is proposed to continue on a similar scale. There is limited impact on the landscape values of the site. The proposed land use is similar to that of surrounding lots and the siting, and scale of development and proposed revegetation ensures the use is compatible with the landscape values.

The proposed use is considered to satisfy the Performance Criteria.

22.4 DEVELOPMENT STANDARDS FOR BUILDINGS AND WORKS

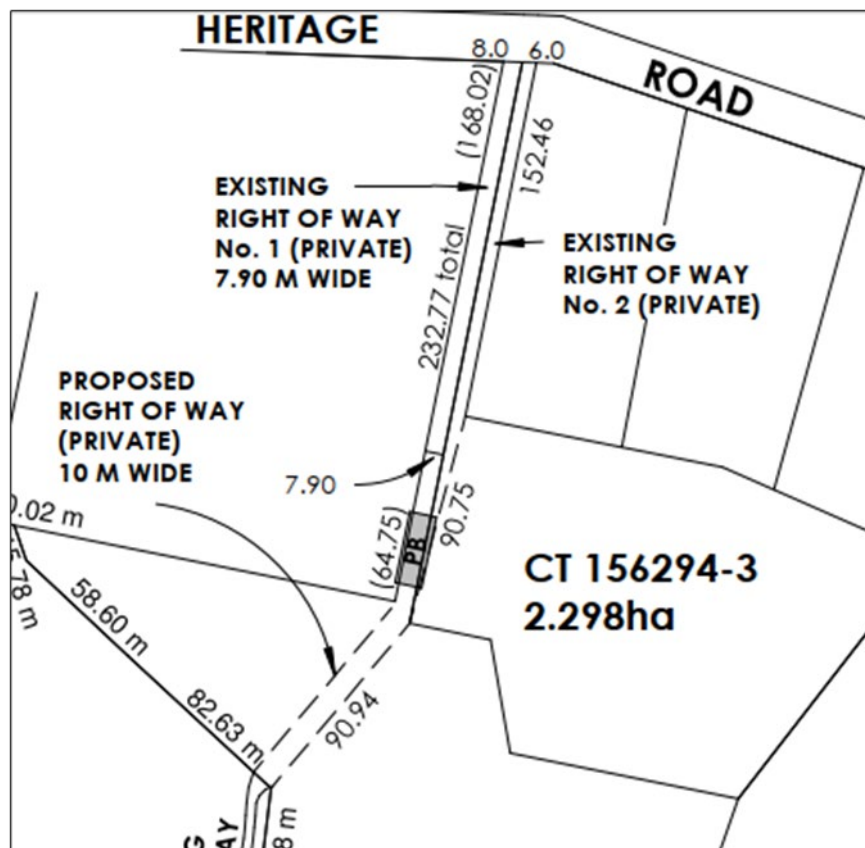
22.4.3 ACCESS TO A ROAD

Acceptable Solutions	Performance Criteria
A1 New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.	P1 New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority that is sufficient for the intended use, having regard to: <ul style="list-style-type: none"> (a) the number of users of the access; (b) the length of the access; (c) the suitability of the access for use by the occupants of the dwelling; (d) the suitability of the access for emergency services vehicles; (e) the topography of the site; (f) the construction and maintenance of the access; and (g) the construction, maintenance and usage of the road.
Assessment against the Performance Criteria is required. Performance Criteria Assessment The proposed development is reliant on a right of way over CT156294/3 and CT156294/2 to gain access to Heritage Road. The proposed development will be conditioned accordingly to achieve legal access by right of carriageway to the council maintained road. The right of way will then service 3 properties (2 existing and one proposed).	



The ROW has variable width of 14m to 7.9m. The requirement is for an accessway of 4.5m width with 2m width for passing bay (total 6.5m) and consequently the width of the ROW is more than adequate for the proposed uses. The permit will be conditioned appropriately in regard to construction and maintenance.

The proposed development is able to satisfy the performance criteria.



PROPOSED RIGHT OF WAY

22.4.4 LANDSCAPE PROTECTION

Acceptable Solutions	Performance Criteria
A1 Building and works must be located within a building area, if shown on a sealed plan.	P1 Building and works must be located to minimise native vegetation removal and the impact on landscape values, having regard to: <ul style="list-style-type: none"> (a) the extent of the area from which vegetation has been removed; (b) the extent of native vegetation to be removed; (c) any remedial or mitigation measures or revegetation requirements; (d) provision for native habitat for native fauna; (e) the management and treatment of the balance of the site or native vegetation areas; (f) the type, size, and design of development; and (g) the landscape values of the site and surrounding area.
Assessment against the Performance Criteria is required. Performance Criteria Assessment The proposed dwelling is not within a building envelope shown on a sealed plan. The location for the proposed dwelling has been chosen by the applicant based on: <ul style="list-style-type: none"> - topography (more level land); - solar access; - avoidance of landslip overlay; and - amenity. The site has an existing cleared area, and the proposed development will be partially within this area but will require the removal of some vegetation to accommodate the structures and bushfire hazard requirements. To address this, revegetation works is proposed that equates to the same area of land (0.5ha). In this respect, and by utilising existing cleared area, the need to minimise native vegetation loss and landscape values is addressed. The property itself has similar landscape values to that of surrounding land incorporating a mix of rural residential use, small scale agriculture and natural values. This proposal is in keeping with the area. The performance criteria is considered to be satisfied.	

Acceptable Solutions	Performance Criteria
A2 Buildings and works must: <ul style="list-style-type: none"> (a) be located within a building area, if shown on a sealed plan; or 	P2.1 Buildings and works must be located to minimise impacts on landscape values, having regard to: <ul style="list-style-type: none"> (a) the topography of the site; (b) the size and shape of the site;

<p>(b) be an alteration or extension to an existing building providing it is not more than the existing building height; and</p> <p>(c) not include cut and fill greater than 1m; and</p> <p>(d) be not less than 10m in elevation below a skyline or ridgeline.</p>	<p>(c) the proposed building height, size and bulk;</p> <p>(d) any constraints imposed by existing development;</p> <p>(e) visual impact when viewed from roads and public places; and</p> <p>(f) any screening vegetation.</p> <p>P2.2 If the building and works are less than 10m in elevation below a skyline or ridgeline, there are no other suitable building areas.</p>
<p>Assessment against the Performance Criteria is required.</p> <p>Performance Criteria Assessment</p> <p>The proposed development has been sited in a partially cleared area of the site but will require some vegetation removal for a bushfire hazard management area. Whilst the proposal could have been sited in a fully cleared area, the siting has responded to the contours of the site to utilise a relatively flat area that is not subject to the landslip overlay. The proposed development is a modest development in size, bulk and scale and as the site is set well back from any public area, is unlikely to be visible with existing vegetation screening the site also. The dwelling is on the 33.5m AHD contour with the proximal ridgeline at 60m AHD.</p> <p>The proposed development is able to satisfy the performance criteria.</p>	

C2.0 PARKING AND SUSTAINABLE TRANSPORT CODE

The proposed Development has been determined to satisfy all relevant Acceptable Standards of the Use Standards and Development Standards of the Parking and Sustainable Transport Code.

C3.0 ROAD AND RAILWAY ASSETS CODE

The proposed Development has been determined to satisfy all relevant Acceptable Standards of the Use Standards and Development Standards of the Road and Railway Assets Code.

C7.0 NATURAL ASSETS CODE

C7.6 Development Standards for Buildings and Works

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> <p>(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;</p> <p>(b) buildings and works associated</p>

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

Application materials included a Natural Values Assessment conducted by a suitably qualified person. The findings of the assessment state that, “no part of the title reasonably qualifies as “priority vegetation” pursuant to C7.3.1 ...

On the basis of the above review, the site does not support “priority vegetation” but is still subject to the Priority Vegetation Area overlay.” The report provided an assessment against the Code.

P1.1

The proposed development is sited in an area that utilises existing cleared land but will also require the clearance of vegetation to satisfy the requirements of the Bushfire Hazard Plan. The site location has been chosen primarily due to topography and accessing fairly level land, solar orientation and avoidance of landslip zone. The proposed clearing is for a single dwelling and satisfies P1.1(b).

P1.2

The vegetation on site has been assessed as not meeting the definition of priority vegetation however there is clearance of native vegetation proposed and so is being addressed within the Code. The Code requires any adverse impacts on priority vegetation to be minimised. The clearance within this relatively level part of the lot has been minimised by utilising an area of cleared land and observing the requirements of the Bushfire Hazard Plan. The development area is within a part of the lot that has experienced the effect of bushfire and whilst capable of regenerating is currently disturbed. Recognising the regenerative ability of the site an area of replacement planting has been proposed that will be an equivalent area to that being further disturbed. To this extent the impacts on the priority vegetation (mapped) have been minimised across the site. The siting of the development and the resultant required clearing responds to the topography of the land and hazards mapped onsite. The topography in the chosen area allows development on near level contours and has a positive impact on building costs in this area. The replacement planting aims to address the required clearing and improve the values onsite for the long term.

The proposed development is considered to satisfy the performance criteria and does not cause an unreasonable loss of priority vegetation and attempts to minimise and appropriately manage impacts from construction and development activities.

5. Representations

The application was advertised 25 October 2025 until 10 November 2025 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining landowners. Two (2) representation was received prior to the closing date and time. The issues raised within the representation are as follows:-

Issue	Response
Representation No. 1 The Right of Way will effectively become the access road for three properties instead of currently two. It will substantially impact the representors overall amenity and privacy and increase noise created by the anticipated increased number of vehicle movements.	The proposed right of way has been assessed against C2.0 Parking and Sustainable Transport Code and has met the Acceptable Solutions for the same. The proposed use is a Residential use.

Representation No. 2 1. previous land clearing onsite; 2. Council authority to build outside the building envelope; 3. Removal of vegetation to facilitate the development.	Proposal has been assessed against the Zone and Natural Assets Code with the assessment contained within the body of the report.
--	--

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

6. Mediations

Nil

7. Conclusion

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

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

STRATEGIC PLAN & ANNUAL PLAN:

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

Goal

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

Key Focus Area:

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

LEGISLATION & POLICIES:

Tasmanian Planning Scheme – Break O’Day

Land Use Planning and Approvals Act 1993

Local Government (Building and Miscellaneous Provisions) Act 1993

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

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

VOTING REQUIREMENTS:

Simple Majority

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

12/25.9.0

COUNCIL MEETING ACTIONS

12/25.9.1

Outstanding Matters



COUNCIL RESOLUTIONS - MEETINGS - PUBLIC

08/12/2025

20

GOALS

74%

GOAL COMPLETION

COUNCIL RESOLUTIONS PLAN

COUNCIL RESOLUTIONS - NOVEMBER 2025

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
100%	17/11/2025	15/12/2025	11/25.8.1.621 DA 141-2025 12-14 Idas Court, St Helens - Visitor Accommodation – Additional use for Visitor Accommodation	1. After due consideration of the application received and 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 Additional use for Visitor Accommodation on land situated at 12-14 Idas Court, St Helens described in Certificate of Title 13166/34, 13166/35 be APPROVED subject to the following plans / documents and conditions:	Planning Permit issued 19th November 2025	Development Services Coordinator
6%	17/11/2025	30/06/2026	11/25.11.1.622 Pollarding Trees on the Northern Side of Tully Street – Mayor Tucker	That in Council's budget for the 2026/27 financial year, funds be allocated to pollard the trees on the northern side of Tully Street.	A qualified arborist has been arranged to inspect the trees and provide recommendations.	Manager Infrastructure and Development Services
100%	17/11/2025	15/12/2025	11/25.13.4.626 Review of Council Delegations	That having conducted a review of Council's Delegations Register in accordance with Section 22 of the <i>Local Government Act 1993</i> , the Council adopt the updated Delegations Register dated November 2025.	Delegations finalised and updated in trim and website.	Corporate Services Coordinator
100%	17/11/2025	15/12/2025	11/25.15.2.630 Banner Pole Waiver – Break O'Day Triathlon	That Council: 1. Supports the 2026 Break O'Day Triathlon by granting a full waiver of hire fees for the erection and dismantling of two (2) banner poles; and 2. Supports the event by granting a full waiver of hire fees for the St Helens Foreshore.	Advised event committee of the decision of Council waiving fees	Manager Community Services
100%	17/11/2025	15/12/2025	11/25.15.3.631 Ladder to be located at Scamander Pontoon	That Council approve and seek funding to design and install a ladder on the inside of the Scamander pontoon	Council staff sourcing a quote for the ladder - discussions with MAST as they may be able to assist with the cost of same once a quote has been received will be forwarded to MAST for their consideration.	Manager Community Services

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
100%	17/11/2025	15/12/2025	11/25.16.2.633 Establishm entof Liaison Committee - St Marys Exhibition Building Upgrades	It is recommended that Council: 1. Appoint Bronwyn Sullivan, Barry Hancock, Barbara Longue and Geraldine O'Connor as the elected Community Members. 2. Appoint Graeme Wathen as the Community Assistant Project Manager; 3. Appoint Cr Johnstone as the Council representative to the Committee;	Successful and unsuccessful applicants notified and first meeting has been scheduled. Actions complete.	Development Services Coordinator
100%	17/11/2025	15/12/2025	11/25.17.3.636 2026 – 2027 State's Pre-Budget Consultation	That Council authorise the General Manager to prepare and lodge a submission regarding the Pre-Budget Consultation.	Submission prepared based on Council's identified priorities of Tasman Highway Upgrades and St Marys Childcare Centre replacement and submitted in line with the Treasury template	General Manager
100%	17/11/2025	15/12/2025	11/25.17.4.637 Local Government Amendment (Targeted Reform) Bill 2025 - Exposure Draft Consultation	That Council provide a submission to the Office of Local Government, outlining Council's feedback on the draft Bill.	Submission prepared and sent to the Office of Local Government on 17 November 2025. A copy of submission was sent to LGAT.	General Manager

COUNCIL RESOLUTIONS - SEPTEMBER 2025

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
5%	15/09/2025	06/11/2025	09/25.11.1.573 Installing Pedestrian Crossings in St Helens – Mayor Tucker	That Council investigate, with the appropriate authorities, the feasibility of installing two additional pedestrian crossings in the main centre of St Helens on Cecilia Street – one located near the Post Office and one near the Bakery.	An on-site briefing was held on Tuesday, 7 October with Mayor Tucker, the Manager of Infrastructure & Development Services, and the Works Operations Manager to discuss traffic refuge options. Current pedestrian refuge standards have changed since the installation of the existing refuge on Cecilia Street near Portland Hall. These changes affect traffic lane widths and require further consultation with State Growth over the coming weeks.	Manager Infrastructure and Development Services
100%	15/09/2025	17/11/2025	09/25.16.2.586 Establish mentof the St Marys Exhibition Building Liaison Committee	That Council: 1. Endorses the establishment of the St Marys Exhibition Building Liaison Committee to support the planning and redevelopment of the building in line with Council's staged approach; 2. Approves the attached Terms of Reference contained within the report; 3. Authorises the General Manager to call for Expressions of Interest (EOI) for up to four (One Assistant Project Manager and Up to 3 Community Members) community members to join the Committee in accordance with the approved Terms of Reference; 4. Notes that the Committee will operate from October 2025 through to the finalisation of Stage 3 deliverables (unless otherwise extended) then be disbanded.	Superseded by subsequent Council decision 11/25.16.2.633	Development Services Coordinator

COUNCIL RESOLUTIONS - JULY 2025

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
50%	21/07/2025	31/08/2025	07/25.15.4.647 CCTV Cameras at Mathinna Recreation Ground	07/25.15.4.647 Moved: Clr I Carter/ Seconded: Clr K Wright That Council investigate the installation of security cameras at the Mathinna Recreation Ground in response to ongoing reports of alleged inappropriate or anti-social behaviour occurring on weekends and pursue relevant grant funding opportunities to cover the associated installation costs. CARRIED UNANIMOUSLY	Quote has been received - Waiting for grants opportunity to become available	Manager Community Services

COUNCIL RESOLUTIONS 2024

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
90%	15/01/2024	05/02/2024	01/24.9.2.290 Binalong Bay Parking, Traffic and Pedestrian Safety – Mayor Tucker	<p><i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i></p> <p>Council Officers review the existing Binalong Bay Foreshore Master Plan and develop a project scope that can be used to engage an expert to provide a report on the following:</p> <ol style="list-style-type: none"> 1. Improved Parking Accessibility 2. Assessment of Additional Parking Areas, traffic calming and pedestrian safety improvements. 	Binalong Bay Master Plan has been reviewed and a draft consulting services brief prepared and will be addressed as part of the Liveability Strategy to be developed.	Manager Infrastructure and Development Services
75%	20/05/2024	24/06/2024	05/24.9.1.358 Developing walking trails around and within the Scamander Complex precinct – Clr Carter	<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 considers options to develop walking trails around and within the Scamander Complex precinct.</p>	At the Special Council Meeting on Wednesday, 29 October 2025, Council endorsed the Senior Town Planner's recommendation to release the Draft Scamander–Beaumaris Structure Plan for public consultation and engagement from Monday, 3 November to Sunday, 30 November 2025 (4 weeks). Item 05/24.9.1.358, regarding developing walking trails around and within the Scamander Complex precinct (Clr Carter), is linked to the structure plan development process. Council to be briefed on the draft report outcomes during December 2025	Manager Infrastructure and Development Services
25%	15/07/2024	31/08/2024	07/24.9.1.401 Lease/ management agreement for the front garden of the old hospital site at St Helens – Clr Carter	<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 immediately pursue a lease/ management agreement for the front garden of the old hospital site at St Helens, from the State Government, and open it up as public open space.</p>	Discussions with the owner of the site have recommenced and Council's interest in securing this piece of land has been reinforced. Follow up contact made on 8/10/24 with Homes Tasmania regarding Council's request and again following the February 2025 Council meeting and several times since including the latest time on 2/12/25	General Manager
85%	21/10/2024	16/12/2024	10/24.15.2.470 Future use of the old Council offices – 29 Talbot Street, Fingal	<ol style="list-style-type: none"> 1. That Council call for Expressions of Interest for the use of the building located at 29 Talbot Street, Fingal which more recently was leased to Integrated Living. 2. That Council allow the SES response vehicle to be parked in the garage located on the property at 29 Talbot Street, Fingal to ensure quick response to incidents in the Fingal Valley. 	Council received one expression of interest through the process. This will be taken to a future Council workshop.	Manager Community Services

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
85%	21/10/2024	31/12/2025	10/24.16.2.472 Proposed new electronic scoreboard	<ol style="list-style-type: none"> 1. That Council grant permission, as landowner for the lodgement of planning and building approvals (if required) on Council owned land, 117 Tully Street, St Helens (St Helens Sports Complex), and 2. Subject to Planning and Building approval being obtained that Council grant permission to carry out the proposed installation of a new electronic scoreboard, and 3. That the Lease between the St Helens Football Club and Break O' Day Council be amended to ensure that all ongoing maintenance and insurance requirements are the sole responsibility of the St Helens Football Club as it relates to the Electronic Scoreboard. 	<p>Works in relation to the installation of the Electronic Scoreboard are now complete.</p> <p>The amended lease has been drafted and pending signatures.</p>	Development Services Coordinator

COUNCIL RESOLUTIONS 2023

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
50%	20/03/2023	30/06/2023	03/23.15.7 St Helens Sports Complex	<ol style="list-style-type: none"> 1. That Council engage a landscape architect to design connectivity between the various areas of the St Helens Sports Complex identifying what amenities are required to service the area and its users as well as ensuring green spaces and vegetation management are addressed as part of the project. 2. That funds from Public Open Space – St Helens be used to engage a landscape architect to undertake this project. 	A draft Brief has been developed for this project. This project will now be incorporated into the St Helens and Binalong Bay Liveability Strategy which is currently being developed.	Manager Community Services
90%	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>	As the Reconciliation Action Plan process has been delayed, the matter has been pursued with PWS requesting that they install the signage as per their internal processes	General Manager

COUNCIL RESOLUTIONS 2022

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
35%	21/02/2022	01/05/2025	02/22.16.5.39 - Management of Freshwater Resources and Water Quality	Council show leadership on freshwater management arrangements and seek input and advice from state water managers and independent experts on freshwater management arrangements and development initiatives in Tasmania, and their adequacy for ensuring the ecologically sustainable use and development of freshwater systems and resources in Break O'Day.	<p>This is an on-going topic yet to be researched and brought to Council's attention through Council's NRM Committee.</p> <p>It arose in 2022 when the Committee discussed questions being raised statewide about the adequacy of freshwater management arrangements and development initiatives in Tasmania and ecologically sustainable use and development of freshwater systems. The Department of Natural Resources and Environment Tasmania is generally responsible for freshwater resources regulation and management and has since started several initiatives responding to the issues that were raised.</p>	NRM Facilitator
77%	27/06/2022	31/10/2022	06/22.15.3.123 - Outdoor Exercise Equipment - Scamander	That Council seek external funding to cover the cost of this project.	Council at their meeting in June, 2024, in consultation with the community changed the location of the proposed exercise gym equipment to the eastern side of the bridge	Manager Community Services

12/25.10.0

PETITIONS

Nil

12/25.11.0

NOTICES OF MOTION

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

12/25.11.1

Telstra Tower – Calling on Telstra to Host a Community Meeting – Mayor Tucker

MOTION:

That Council notes the recent decision regarding the proposed Telstra tower and expresses its disappointment at the outcome. In the interests of transparency and community confidence, Council requests that the General Manager write to Telstra's Regional General Manager for Tasmania, Mr Michael Patterson, inviting him to host a public community meeting in Break O'Day to explain the project, outline why this location has been selected, and address any concerns or questions from residents. Council believes direct engagement from Telstra will help ensure the community is fully informed and supported throughout this process.

12/25.12.0

MAYOR'S & COUNCILLOR'S COMMUNICATIONS

12/25.12.1

Mayor's Communications for Period Ending 15 December 2025

19.11.2025	Hobart	– Local Government Association of Tasmania (LGAT) General Management Committee meeting.
19-21.11.2025	Hobart	– LGAT Annual Conference 2025, which provided valuable insights into strategic planning, AI innovation, governance and the evolving role of local government in community wellbeing and climate resilience.
24.11.2025	St Helens	– Brian Mitchell MP, meeting involving General Manager John Brown to discuss Break O'Day's priorities.
24.11.2025	St Helens	– Meeting with representatives Lauren Martin and Rosina Gallace from the East Coast Aquatic and Wellbeing Group.
24.11.2025	MS Teams	– East Coast Early Childhood Education & Care Virtual Information Session
25.11.2025	St Marys	– Access to Health Services Project - Morning Tea
27.11.2025	Canberra	– Housing symposium with Ms McBain, Minister for Regional Development, Local Government and Territories and Emergency Management and Ms O'Neil Minister for Housing, Homelessness and Cities.
01.12.2025	St Helens	– Council Workshop

04.12.2025	St Helens	– John Harris from Tasmania Manufactured Housing, meeting involving the General Manager.
05.12.2025	MS Teams	– Northern Tasmania Regional Land Use Strategy (NTRLUS)
06.12.2025	St Helens	– St Helens Christmas Carols
09.12.2025	St Helens	– Presentation to Councillors regarding the Draft Scamander - Beaumaris Structure Plan Post Round 2 Engagement.
09.12.2025	MS Teams	– Meeting with LGAT CEO Dion Lester and GMC Vice President, Mayor Paula Wriedt.
09.12.2025	MS Teams	– LGAT Vice President and Mayor Paula Wriedt, meeting to discuss Local Government Reforms.
11.12.2025	Derby	– Professional TrailBuilders Conference on behalf of Premier Rockliff.
11.12.2025	St Helens	– Break O’Day Council’s Staff Christmas Function.
12.12.2025	Deloraine	– Social event with Deputy Premier Guy Barnett
15.12.2025	St Helens	– Council Meeting

12/25.12.2 Councillor’s Reports for Period Ending 15 December 2025

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 Liz Johnstone
- East Coast Tasmania Tourism (ECTT) – Clr Barry LeFevre
- Mental Health Action Group – Clr Barry LeFevre
- Access and Inclusion Advisory Committee – Clr Kylie Wright
- Bay of Fires Master Plan Steering Committee – Clr Ian Carter

12/25.13.0 BUSINESS AND CORPORATE SERVICES

12/25.13.1 Corporate Services Department Report

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

OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

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

OFFICER'S REPORT:

Financial Management

Financial management activities remained steady and on schedule. Monthly financial statements and variance reporting have been completed, and preliminary modelling for the 2026–2027 Rates Resolution has commenced, including early analysis of differential rate structures and minimum rate scenarios. A key deliverable for the new year is an updated Financial Management Strategy, with preliminary work now underway. The Corporate Services team also prepared and refined several organisation wide governance documents this month, including the Audit Panel agenda and reporting on the annual financial statements for the upcoming Annual General Meeting.

December Audit Panel Meeting

The Audit Panel minutes are provided as a separate item in this agenda.

ICT and Digital Transformation

Progress continues on modernising Council's ICT environment. Planning work for transitioning the current records management system to a cloud based platform is underway, with early options now being scoped. Internal digital transformation initiatives are also progressing steadily.

Asset Management

Work this month included ongoing improvements to asset data maturity, with scoping for the next phase of an integrated asset management system now underway. Alongside this, the draft Transport Master Plan continues to be refined. The draft plan will form an important foundation for

the development of Council's Strategic Asset Management Plan early next year, helping to define the service levels that will guide long term investment decisions across the transport asset portfolio.

WHS Reporting and Compliance

As part of Council's commitment to staff wellness, health and safety and to strengthening a positive workplace safety culture, this report now includes a dedicated update on WHS activity across the organisation. This month saw continued work across key compliance areas, including updates to the Contractor Register, management of insurance claims and internal WHS activities and reporting obligations. Council's Health and Safety Coordinator continues to bring a high level of skill, experience and diligence to this work, helping to ensure our systems remain practical, responsive and supportive of staff.

The scheduled WHS and Risk Management Committee meeting on 27 November was well attended and highly constructive, reflecting the value our workforce places on safety and risk management. The Committee's ongoing engagement is a testament to both the Coordinator's efforts and the positive safety culture across the organisation.

Aquatic Centre Feasibility – Financial Modelling and Analysis

Over recent months, substantial work has been undertaken on the financial modelling supporting Council's consideration of the Aquatic Centre Feasibility Study. This has required considerable analytical focus to properly unpack the financial implications of the project at a property based level, including the long term impacts on Council's financial sustainability under a range of funding scenarios. An important outcome of this work is ensuring that both Council and the community have a clear and accurate picture of the financial obligations associated with the project. Providing transparent and evidence based information is essential so the community can make its own assessment of the project's viability and the level of investment it considers appropriate. The modelling will assist with broader community consultation and will support Council's decision making in the period ahead.

Investments

While earlier forecasts anticipated a reduction in interest income as rates eased, Council's investment portfolio continues to perform strongly. This is supported by stable cash reserves and an investment strategy designed to respond to changes in the interest rate environment. Cash holdings are expected to reduce as the capital works program gathers pace over the year; however, the portfolio remains well positioned and current performance is outlined in the investment table provided.

Date Rolled Over	Maturing	Term (Months)	Principle Amount	Interest	Total Amount	Interest Rate	Bank	STATUS
04.04.2025	04.07.2025	3	1,000,000.00	11,493.42	\$1,011,493.42	4.61%	Westpac	MATURED
07.03.2025	08.09.2025	6	1,000,000.00	23,568.49	\$1,023,568.49	4.65%	Bendigo	MATURED
04.04.2025	03.10.2025	6	1,000,000.00	23,186.30	\$1,023,186.30	4.65%	Bendigo	MATURED
09.07.2025	09.11.2025	4	1,000,000.00	14,200.00	\$1,014,200.00	4.26%	CBA	CURRENT
10.07.2025	10.12.2025	5	1,000,000.00	17,708.33	\$1,017,708.33	4.25%	Bendigo	CURRENT
11.07.2025	12.01.2026	6	1,500,000.00	31,500.00	\$1,531,500.00	4.20%	Bendigo	CURRENT
12.08.2025	12.02.2026	6	1,500,000.00	31,275.00	\$1,531,275.00	4.17%	Westpac	CURRENT
09.09.2025	10.03.2026	6	1,500,000.00	31,125.00	\$1,531,125.00	4.15%	Westpac	CURRENT
30.09.2025	30.04.2026	7	1,000,000.00	24,150.00	\$1,024,150.00	4.14%	Westpac	CURRENT
30.09.2025	30.05.2026	8	1,000,000.00	27,733.33	\$1,027,733.33	4.16%	Westpac	CURRENT

Council also has a 5 Year Term Deposit which earns approximately \$22,920.55 per quarter (depending on timing of when interest is paid) in interest as provided below:

Date Rolled Over	Maturing	Term (Months)	Principle Amount	Interest	Total Amount	Interest Rate	Bank	STATUS
14.02.2024	13.02.2029	60	2,000,000.00	Approx 22,920.55 per quarter	\$2,000,000.00	4.70%	Westpac	CURRENT

2024/2025 Rates Summary - 1 November 2025

Rates Brought Forward
Outstanding Rate Debtors
Less Rates in Credit
Net Rates Outstanding at 30 June 2025

2025/2026		2024/2025	
%	\$	%	\$
	1,018,129.97		813,964.84
	-326,736.45		-296,603.81
4.51	691,393.52	3.64	517,361.03

Rates and Charges Levied
Interest and Penalty Charged
Total Rates and Charges Demanded

94.86	14,541,340.46	95.99	13,642,852.44
0.63	96,173.84	0.37	52,626.31
100.00	14,637,514.30	100.00	13,666,041.76

Less Rates and Charges Collected
Less Credit Journals and Supp Credits
Remissions and Discount

64.26	9,850,114.04	63.07	8,963,602.42
0.91	140,078.67	1.38	195,527.40
4.39	672,506.36	4.51	641,662.90

Unpaid Rates and Charges as at 1 November 2025

30.44	4,666,208.75	31.04	5,433,881.25
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Remissions and Discounts	2025/2026	2024/2025
Early Payment Discount	132,243.61	121,588.87
Pensioner Rebates	540,262.75	518,178.39
	672,506.36	639,767.26

Number Rateable Properties	6,899	6,883
Number Unpaid Rateable Properties	3,362	3,350

% Properties Not fully paid **48.73** **48.67**

Right to Information (RTI) Requests

Nil

132 and 337 Certificates

	132	337
November 2025	62	28
October 2025	70	27
November 2024	49	16

Debtors/Creditors @ 4 December 2025

DEBTORS INFORMATION

Invoices Raised

Current			Previous Year	
Month	Mth Value	YTD 25/26	Month	YTD 24/25
39	\$ 90,577.82	339	87	310

CREDITORS INFORMATION

Payments Made

Current			Previous Year	
Month	Mth Value	YTD 25/26	Month	YTD 24/25
350	\$ 875,543.22	1884	353	1406

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

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

LEGISLATION & POLICIES:

N/A

BUDGET AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

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

OFFICER'S RECOMMENDATION:

That the following reports for the month ending 30 November 2025 be received:

1. Profit and Loss Statements
2. Balance Sheet
3. Statement of Cash Flows
4. Capital Works 30 November 2025.

INTRODUCTION:

Presented to Council are the monthly financial statements.

PREVIOUS COUNCIL CONSIDERATION:

Council considers financial reports on a monthly basis.

OFFICER'S REPORT:

The financial statements as shown below show the financial position of Council as at 30 November 2025.

Profit and Loss

Break O'Day Council

For the 5 months ended 30 November 2025

Account	Actual YTD	Budget YTD	Budget Variance YTD	Budget Variance % YTD	Annual Budget	Notes
Trading Income						
Rates	14,407,674	14,369,102	38,572	0%	14,369,102	
User Fees	681,179	621,096	60,083	9.7%	1,477,883	
Operating Grants	1,638,287	1,428,890	209,397	15%	4,217,477	1
Interest & Investment Income	329,035	315,127	13,908	4%	1,048,000	
Contributions	14,607	5,015	9,592	191%	6,037	
Other Revenue	85,828	20,725	65,103	314%	49,739	2
Total Trading Income	17,156,610	16,759,955	396,655	2%	21,168,238	
Gross Profit	17,156,610	16,759,955	396,655	2%	21,168,238	
Capital Grants						
Grants - Capital Other	485,240	0	485,240	0%	0	
Grants - Commonwealth Capital	610,060	0	610,060	0%	0	
Grants - Roads to Recovery	0	345,284	(345,284)	-100%	1,035,853	
Grants - State Capital	677,016	545,000	132,016	24%	1,130,000	
Total Capital Grants	1,772,316	890,284	882,032	99%	2,165,853	3
Other Non Operating Income						
Net Gain/Loss on Disposal of Assets	43,637	20,000	23,637	118%	100,000	
CRS Revenue - Waste	2,981	0	2,981	0%	0	
Total Other Non Operating Income	46,618	20,000	26,618	133%	100,000	
Total Non Operating Revenue	1,818,934	910,284	908,650	100%	2,265,853	
Operating Expenses						
Employee Costs	2,731,812	2,843,828	(112,016)	-4%	6,939,061	
Materials & Services	3,523,754	3,832,742	(308,988)	-8%	8,747,236	
Interest	4,911	6,640	(1,729)	-26%	42,076	
Depreciation	2,256,214	2,191,160	65,054	3%	5,258,739	
Other Expenses	138,366	114,680	23,686	21%	342,536	
Total Operating Expenses	8,655,058	8,989,050	(333,992)	-4%	21,329,648	
Operating Net Profit	8,501,552	7,770,905	730,647	9%	(161,410)	
Net Profit (Including Non Operating Revenue)	10,320,486	8,681,189	1,639,297	19%	2,104,443	
Work in Progress						
Capital Work in Progress	1,887,140	0	1,887,140	0%	0	
Total Work in Progress	1,887,140	0	1,887,140	0%	0	

Notes

- Operating Grants are \$209k (15%) higher than budget YTD, which is primarily due to grant funds carried forward from the prior year being higher than expected.
- Other Revenue is \$65k higher than budget, which is primarily due to a refund from Aurora regarding an overcharge of 2024/25 power charges.
- Capital grants are \$882k higher than budget, which is primarily due to timing of grant payments in relation to project milestones, with final instalments being received for the Black Summer Bushfire Recovery and LRCI Phase 4 grant funded projects.

Balance Sheet

Break O'Day Council
As at 30 November 2025

Account	30-Nov-25	30 June 2025
Assets		
Current Assets		
Cash & Cash Equivalents	6,311,731	7,454,872
Investments	11,000,270	5,000,000
Trade & Other Receivables	5,287,203	1,424,890
Inventory	238,972	311,419
Other Assets	2,838	2,838
Total Current Assets	22,841,014	14,194,019
Non-current Assets		
Trade and Other Receivables	14,392	14,392
Property, Plant & Equipment	232,578,223	234,834,103
Right of Use Asset	734,211	734,211
Investment in Water Corporation	36,442,103	36,442,103
Other Investments	30,000	30,000
Mineral Resources Bond	151,500	151,500
Total Non-current Assets	269,950,429	272,206,309
Total Assets	292,791,442	286,400,328
Liabilities		
Current Liabilities		
Trade & Other Payables	675,206	1,873,953
Contract Liabilities	0	810,172
Lease Liability	75,199	75,199
Interest Bearing Loans & Borrowings	349,162	384,494
Provisions	1,014,570	1,014,570
Trust Funds and Deposits	576,720	577,244
Total Current Liabilities	2,690,857	4,735,633
Non-current Liabilities		
Lease Liabilities	659,012	659,012
Interest Bearing Loans & Borrowings	609,491	609,491
Provisions	731,066	731,066
Total Non-current Liabilities	1,999,570	1,999,570
Total Liabilities	4,690,426	6,735,203
Net Assets	288,101,016	279,665,126
Equity		
Accumulated Surplus	55,309,355	46,873,465
Reserves	232,791,661	232,791,661
Total Equity	288,101,016	279,665,126

Statement of Cash Flows

Break O'Day Council

For the 5 months ended 30 November 2025

Account	YTD	2025
Operating Activities		
Receipts from customers	779,397	1,689,665
Receipts from rates	10,434,412	13,414,011
Receipts from Operational Grants	854,477	3,087,319
Contributions	14,392	53,665
Interest received	222,335	899,801
Dividends received	106,700	465,600
Payments to employees	(2,831,833)	(6,398,399)
Payments to suppliers	(4,250,392)	(8,787,643)
Finance Costs	(16,549)	(143,733)
Cash receipts from other operating activities	514,328	1,288,954
Cash payments from other operating activities	2,886	(3,002)
Net Cash Flows from Operating Activities	5,830,154	5,566,237
Investing Activities		
Proceeds from sale of property, plant and equipment	20,000	58,175
Payment for property, plant and equipment	(2,402,284)	(7,251,921)
Payment for investments	(6,000,270)	4,500,000
Capital Grants received	1,445,116	2,623,201
Other cash items from investing activities	0	(151,500)
Net Cash Flows from Investing Activities	(6,937,438)	(222,045)
Financing Activities		
Proceeds of trust funds and deposits	(524)	16,401
Repayment of loans	(35,333)	(2,605,557)
Repayment of lease liabilities	0	(25,932)
Net Cash Flows from Financing Activities	(35,857)	(2,615,088)
Net Cash Flows	(1,143,142)	2,729,104
Cash and Cash Equivalents		
Cash and cash equivalents at beginning of period	7,454,872	4,725,768
Net change in cash for period	(1,143,142)	2,729,104
Cash and cash equivalents at end of period	6,311,731	7,454,872

Break O'Day Council

Capital Works 2025-2026

For the 5 months to 30 November 2025

Project Details	YTD @ 30/11/2025	Estimated Carried Forward 30/06/2025	New Budget Items 2025/2026	Budget Estimates 2025/2026
Plant & Equipment				
Replace K17MB Infrastructure & Development Services Manager	-		45,000	45,000
Replace J40VD Asset Officer	45,097		45,000	45,000
Replace Plant 1220 John Deer Backhoe	-		190,000	190,000
Replace Plant 1269 Valley Crew Town Maintenance Truck	-		150,000	150,000
Replace Plant 1303 - Hitachi ZX33U-5A Excavator	-		120,000	120,000
Replace Plant 1304 - Excavator Plant Trailer (for Plant 1303)	-		20,000	20,000
Replace Plant 1343 - IO4DC Building Maintenance Van	-		50,000	50,000
Replace Plant 1383 - MTB Motorcycle	8,344		13,500	13,500
Replace Plant 1385 - MTB Motorcycle	8,344		13,500	13,500
Additional MTB Motorcycle	8,344		13,500	13,500
Replace Plant 1380 - I40PS Town Maintenance Ute with tip tray	-		45,000	45,000
Replace Plant 1393 - J68EV Builders truck	-		60,000	60,000
Replace Plant 1416 - K42PQ General Manager	-		55,000	55,000
Replace Plant 1413 - K91MG Building Services Officer	-		45,000	45,000
Replace Plant 1360 DMax 4x4 Crew Cab	58,173			
Replace Plant 1361 H40ZN - Kia Sportage Pool Car	-		45,000	45,000
Replace 1382 - MTB Vehicle	61,659		60,000	60,000
Small Plant - VARIOUS 2025/2026	12,861		45,000	45,000
Plant 1269 - Coastal Crew Truck Tray and Crane Assembly	-	116,141		116,141
Plant 1022 - Small Tipper Truck Tray and Chip Bin	-	86,141		86,141
Vehicle Management Tracking System	-	30,000		30,000
Waste collection truck	591,690	550,000	32,000	582,000
Total Plant & Equipment	794,514	782,282	1,047,500	1,829,782
Furniture & IT				
CCTV - additional cameras and installation	-	30,000		30,000
New Ricoh Printer - Main Print Room	10,790			
New Format LCD 98" Screen (replacing existing Projector & Screen)	16,659		16,659	16,659
Video Conferencing System- General Manager's Office	10,388		10,388	10,388
Total Furniture & IT	37,836	30,000	27,047	57,047
Buildings				
Hub 4 Health - Internal Renovations as per endorsed management plan	-		30,000	30,000
Refurbish St Marys Sports Complex Main Toilet/Shower Facility	26,760		75,000	75,000
Installation of New Roof Mounted Solar Panels - St Marys	14,826		40,000	40,000
Pyengana Hall Roof Replacement	-		60,000	60,000
Replacement of Roof Cladding - St Marys Tennis Club	2,592		15,000	15,000
St Helens Depot Office Roof & Insulation Replacement	-		15,000	15,000

Break O'Day Council

Capital Works 2025-2026

For the 5 months to 30 November 2025

Project Details	YTD @ 30/11/2025	Estimated Carried Forward 30/06/2025	New Budget Items 2025/2026	Budget Estimates 2025/2026
St Marys Exhibition upgrades	-		100,000	100,000
St Marys Tip Shop - New Power Supply (Solar)	-		10,000	10,000
Portland Hall Upgrades	-	20,000	30,000	50,000
Council Chambers additions and improvements	17,575	22,571	20,000	42,571
Falmouth - New Toilet design	119,892		200,000	200,000
Falmouth Community Centre - Internal Alterations	93,456		150,000	150,000
Pyengana Recreation Ground Improvements	-		10,000	10,000
Binalong Bay - Village Green BBQ Replacements	45,896	15,000		15,000
Memorial Park Toilet Block Replacement	14,157		50,000	50,000
St Helens Foreshore - Amenities	-		50,000	50,000
Total Buildings	335,155	57,571	855,000	912,571
Parks, Reserves & Other				
Special Project: Scamander Coastal Hazards Project	56,714	200,292	50,708	251,000
Rec trails strategy implementation - stage 1	-	100,000		100,000
Playground equipment replacement program	-	60,000	40,000	100,000
Lions Park Playground Review	-		12,000	12,000
Dog exercise area St Helens Improvements	-	5,000	5,000	10,000
St Marys Dog Park	10,341	10,000		10,000
St Helens Cemetery Master Plan improvements	35,568	50,000		50,000
Georges Bay Walking Track Extension	126,090	985,000	-	985,000
Scamander Sports Complex Masterplan	14,515		20,000	20,000
St Helens Memorial Park - Irrigation system improvements incl groundworks	-		40,000	40,000
Totals Parks, Reserves & Other	243,229	1,410,292	167,708	1,578,000
Roads - Streetscapes & Carparking				
Cecilia Street/Georges Bay Esplanade junction	-			
Carparking acquisition and assoc. costs	-		550,000	550,000
Total Streetscapes	-	-	550,000	550,000
Roads - Footpaths				
Footpath - Binalong Bay Road	-		100,000	100,000
Footpaths - Miscellaneous	39,343		100,000	100,000
Total Footpaths	39,343	-	200,000	200,000
Roads - Kerb & Channel				
Total Kerb & Channel	-			
Roads - Resheeting				
25/26 Road Resheeting - various	126,736		700,000	700,000
Ansons Bay Road- Resheeting	163,585			
Total Resheeting	290,320	-	700,000	700,000

Break O'Day Council

Capital Works 2025-2026

For the 5 months to 30 November 2025

Project Details	YTD @ 30/11/2025	Estimated Carried Forward 30/06/2025	New Budget Items 2025/2026	Budget Estimates 2025/2026
Roads - Reseals				
St Marys - Story Street Esk Main Road to Groom Street	-	55,084	4,916	60,000
25/26 Reseals TBC	-		800,000	800,000
Totals Reseals	-	55,084	804,916	860,000
Roads - Reconstructions / Construction				
Mangana Road - Rehabilitation/reconstruction 25/26	-		350,000	350,000
Totals - Roads Construction, Digouts & Other	-	-	350,000	350,000
Totals Roads & Footpaths	329,664	55,084	2,604,916	2,660,000
Bridges				
Bridge 185 - Gilles Road	3,254		307,000	307,000
Bridge 2684 - Pedder Street	6,637		200,000	200,000
Total Bridges	9,890	-	507,000	507,000
				-
Stormwater				-
Minor stormwater Jobs	47,138		150,000	150,000
Penelope Street	9,960			
Aulichs Lane, St Marys	-	84,220	6,000	90,220
Tully Street / Northern end of Cecilia St Stormwater System Upgrade	2,997	35,000		35,000
Renewal of SW Main - Talbot Street, Fingal	-		100,000	100,000
Total Stormwater	60,096	119,220	256,000	375,220
Waste Management				
Replace Pay Booth - Fingal WTS	-		20,000	20,000
Scamander WTS - Waste Compactor	11,119	60,000	1,000,000	1,060,000
Scamander WTS - Landfill Design & Construction	64,964	104,559	150,000	254,559
Total Waste Management	76,083	164,559	1,170,000	1,334,559
	-			
Total Capital	1,886,466	2,619,008	6,635,171	9,254,179

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	Angela Matthews, Corporate Services Coordinator
FILE REFERENCE	018\017\004\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That Council adopt Fees & Charges 2025/2026 for the use of the Meeting Room and Library at the Council Offices as follows:

\$20 per hour
 \$70 per ½ day
 \$150 per day

INTRODUCTION:

Council has received a number of requests for the hire of a meeting spaces in the Council Office for use outside Council business, therefore Council Officers have reviewed the schedule of Fees & Charges with a view to initiate hire fees associated with the Meeting Room and Library at the Council Main Office.

PREVIOUS COUNCIL CONSIDERATION:

The Schedule of Fees & Charges is reviewed and adopted annually; the 2025/2026 fees and charges were adopted in April 2025.

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.

As mentioned above Council has been receiving a number of requests to hire the Meeting Room and/or Library for meetings outside of Council business, some requests have also included requests

for use of video conferencing facilities eg Department of Justice for court hearings, etc and there are currently no fees set for the hire of these rooms.

It is recommended that Council sets an hourly, half day and daily rate for the use of these rooms for outside organisations.

There is already a \$25 administrative booking fee listed in the fees and charges for all facility bookings and this charge will also apply to the booking of these meeting facilities eg if someone was to hire a meeting room for one (1) hour the fee would be \$45 which is made up of \$25 administrative fee and \$20 per hour for the room hire.

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.

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

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

LEGISLATION & POLICIES:

Section 205 of the *Local Government Act 1993*.

Break O'Day Council Financial Management Strategy.

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

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

VOTING REQUIREMENTS:

Absolute Majority

ACTION	DECISION
PROPONENT	Secretary to the Audit Panel
OFFICER	Raoul Harper, Manager Business Services
FILE REFERENCE	018\005\024\
ASSOCIATED REPORTS AND DOCUMENTS	Minutes of the Audit Panel Meeting 1 December 2025

OFFICER'S RECOMMENDATION:

That Council receive the minutes of the Audit Panel meeting of the 1 December 2025.

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

Provided as an agenda report after each meeting.

OFFICER'S REPORT:

As per the minutes, the Audit Panel received and reviewed key elements of Council's financial performance for the 2024/2025 financial year and the associated external audit reporting on compliance with the relevant standards.

Significant matters from the minutes include:

- 1) Key Financial Drivers of the 2024/2025 Underlying Surplus
- 2) External Audit Report – Signed Financial Statements
- 3) External Audit Report – Audit Opinion Cover Letter – 30 June 2025
- 4) External Audit Report – Independent Auditors Report – 30 June 2025
- 5) External Audit Report – Report to those Charged with Governance
- 6) External Audit Report – Roads To Recovery Program
- 7) External Audit Report – Local Roads and Community Infrastructure Program
- 8) Review Managements Implementation of Audit Recommendations
- 9) Reviewed the Cascade Policy Register report
- 10) Reviewed the Financial Reports for the period
- 11) Received the quarterly report on the risk register

STRATEGIC PLAN & ANNUAL PLAN:

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

LEGISLATION & POLICIES:

Local Government (Audit Panels) Order 2014

BUDGET AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority



AUDIT PANEL Minutes

Monday 1 December 2025
Council Library, St Helens

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12/25.1.0 ATTENDANCE

12/25.1.1 Present

Mr A Gray (Chair)
Clr B LeFevre

12/25.1.2 Others in Attendance

General Manager, John Brown
Manager Business Services, Raoul Harper
Corporate Services Coordinator, Angela Matthews
Administration and Governance Support Officer, Linda Singline
Corporate Services Officer, Renae Bussey

12/25.1.3 Apologies

Clr K Wright

12/25.2.0 DECLARATION OF PECUNIARY INTERESTS / CONFLICT OF INTEREST

Nil

12/25.1.1	Present	4
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12/25.3.0 ADOPTION OF PREVIOUS MINUTES

12/25.3.1 Adoption of October 2025 Audit Panel Minutes

Minutes of 6 October 2025 received by Council. Resolution in the October 2025 Council Meeting minutes to receive the Audit Panel Minutes can be found below.

COUNCIL DECISION:

10/25.13.6.605 Moved: Cllr L Johnstone / Seconded: Cllr K Wright

That Council receive the minutes of the Audit Panel Meeting 6 October 2025.

CARRIED UNANIMOUSLY

A request was made by Councillor LeFevre for an amendment to the October minutes for item 10/25.7.1

10/25.7.1 Review Most Current Results and Report Any Relevant Findings to Council

The Chair noted that it was good to see that rates payments are still coming down, this is an opposite trend to what he is seeing in other Councils.

Amendment

10/25.7.1 Review Most Current Results and Report Any Relevant Findings to Council

The Chair noted that it was good to see that the *percentage of rates in arrears* are still coming down, this is an opposite trend to what he is seeing in other Councils.

The Audit Panel endorsed the amendment and adopted the minutes of the previous meeting as amended.

The Administration and Governance Support Officer will update the October minutes to reflect the approved amendment and issue the revised version.

12/25.4.0 BUSINESS ARISING

Nil.

12/25.3.1	Adoption of October 2025 Audit Panel Minutes	5
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12/25.5.0

OUTSTANDING FROM PREVIOUS MEETING – ACTION SHEET

12/25.5.1

Action Sheet October 2025 Audit Panel

Action	Responsible Officer	Item No	Status
Update Financial Management Strategy to correlate to Profit and Loss statement	Raoul Harper	03/24.6.2	Will be undertaken once audited 2025 Financial Statements are received.
Cascade plan to be created for the Information Technology Strategy 2025-2029	Angela Matthews	10/25.11.1	Completed
New standing item to be included in Audit Panel Agenda – Information Technology Strategy 2025-2029	Linda Singline	10/25.11.1	Agenda item created 12/25.8.2 – Information Technology Strategy 2025-2029 Completed

12/25.5.1

Action Sheet October 2025 Audit Panel

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12/25.6.0 GOVERNANCE AND STRATEGY

12/25.6.1 Review Policies and Procedures

The General Manager advised that LGAT has a complete suite of HR policies on their portal, which have been created by Edge Legal and had a recent review. These HR policies will be reviewed and modified by our HR team, which will cover off on many of the overdue policies. The staff code of conduct policy isn't included in this suite, it sits separately.

The Chair asked if the code of conduct will be reviewed as part of the HR policy review process? The General Manager responded yes.

12/25.6.2 Review Performance of Plans, Strategies and Policies including Performance against identified benchmarks

Nil

12/25.7.0 FINANCIAL AND MANAGEMENT REPORTING

12/25.7.1 Review Most Current Results and Report Any Relevant Findings to Council

The Business Services Manager advised that the full Corporate Services report was included in the agenda due to the large amount of information included in the officers report. The Chair noted that this was a good summary of the events and provided key financial information.

The Business Services Manager noted Development Services undertook a major review of fees for service before budget and they were increased inline to levels in line with genuine cost recovery/market rates. The 13% increase in revenue demonstrates that as the activity levels as such in service delivery arent much higher.

The Chair noted that employee costs were on budget. The General Manager responded that the outdoor workforce had a couple of outstanding positions, there have been a few employees on extended leave due to health reasons, which takes them out of the equation.

The Business Services Manager noted that as long as we don't have another weather event, capex is tracking relatively well. The reseal program starting in next few weeks, it was brought forward to earlier in the season.

The Audit Panel noted the report.

12/25.7.2 Review any Special Reports

Nil

12/25.8.0 INTERNAL AUDIT

12/25.8.1 Internal Audit Reports

The Chair asked if there was a plan to get activity on the internal audit in the New Year? The Business Services Manager advised that there is a program in place.

12/25.8.2 Information Technology Strategy 2025-2029

The Corporate Services Coordinator advised that the transition from servers to SharePoint is almost complete, hopefully by the end of this week. There have been a few teething issues but we are working our way through these with support from Peak. Feedback from employees working remotely is positive, they are finding it is much easier and quicker without having to log onto the remote server. Discussions have been held with AvePoint and Velrada for migrating TRIM, currently undertaking discussions for quotations and looking to implement in 2026/2027.

The Corporate Services Coordinator noted that the RFQ for IT Managed Services is about to be released.

The Chair asked if there were any cybersecurity concerns? The Business Services Manager advised that the Corporate Services Coordinator has recently developed a cybersecurity incident report form following a potential phishing incident with an employee. The Corporate Services Coordinator advised that under the new IT Managed Service Agreement will assist to mitigate cybersecurity risk and there will be 24/7 IT support available.

The Corporate Services Coordinator confirmed that there will be a Cascade action plan included in the Audit Panel Agenda moving forward.

The Audit Panel noted the verbal report.

2/25.9.0 EXTERNAL AUDIT

12/25.9.1 Key Financial Drivers of the 2024/2025 Underlying Surplus

The Business Services Manager advised that this item was created due to a request from Councillors who requested an explanation on the underlying surplus. It identified the need to provide more information to Councillors on financial items such as these

Councillor LeFevre noted that from a Councillor point of view, it breaks it down so they can provide detailed explanation to community members when asked.

The Business services Manager advised that this item is going to Workshop today.

The Audit Panel noted the report.

12/25.9.2 External Audit Reports – Signed Financial Statements - 30 June 2025

The Audit Panel noted the signed Financial Statements.

12/25.9.3 External Audit Reports – Audit Opinion Cover Letter - 30 June 2025

The Audit Panel noted the report.

12/25.9.4 External Audit Reports – Independent Auditors Report - 30 June 2025

The Audit Panel noted the report.

12/25.9.5 External Audit Reports – Report to Those Charged with Governance – 30 June 2025

The Chair noted that there were no new findings, which was a really good outcome. Further reporting issued in new year, there won't be anything new added? The Business Services Manager advised that there were no new findings in this, so there won't be anything added in the new year.

The Audit Panel noted the report.

12/25.9.6 Roads to Recovery Program Auditors Report – 30 June 2025

The Audit Panel noted the report.

12/25.9.1	Key Financial Drivers of the 2024/2025 Underlying Surplus	9
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12/25.9.7 Local Roads and Community Infrastructure Program Auditors Report – 30 June 2025

The Business Services Manager noted that the Flood Recovery Program is still outstanding, it is tied up with the Federal Government wanting further information from the State Government. The Corporate Services Coordinator advised that the State Government had accepted the claim.

The Audit Panel noted the report.

12/25.9.8 Review Managements Implementation of Audit Recommendations

The Business Services Manager advised that this report will remain, although no new findings, there is still refinement going on. The actions will stay on this register until they are 100% completed and part of the internal audit will be to review this register and work on the items to completion.

The Audit Panel noted the report.

12/25.10.0 RISK MANAGEMENT AND COMPLIANCE

12/25.10.1 Annual Review of Risk Management Framework Policies

The Chair requested that his item be included in the agenda for the March meeting.

12/25.10.2 Review Information and Communications Technology Governance, Including Processes and Controls for Management and Use of Data, Information and Knowledge

Reviewed at the October Audit Panel meeting.

12/25.10.3 Review WH&S Management Processes

The Audit Panel noted the report.

12/25.10.4 Any Major Claims, Lawsuits or Incidents of Fraud

No further updates.

12/25.11.0 AUDIT PANEL PERFORMANCE

12/25.11.1 Review Audit Panel Charter and Make Recommendations for change to the Council for Adoption.

No changes were recommended; therefore, this item does not need to be taken to Council.

12/25.12.0 OTHER BUSINESS

Councillor LeFevre proposed that the June meeting be scheduled for the afternoon, with a committee meal to follow. The committee agreed to the proposal.

The General Manager advised the Chair that there is a major project going out for community engagement today, the Aquatic Facility Feasibility Study final reports is going live at 5pm. The Business Services Manager advised that the operating and capital costs have been broken down to a per property cost. The cornerstone to the report is that these figures are in 2025 numbers, it will potentially not be built until 2030-2033, increasing costs due to timeframe would be expected. Councillor LeFevre advised that Councillors are on board for this part of the process and fully agree that the community need to have all the information provided to be able to make an informed decision.

12/25.13.0 MEETING CLOSE / NEXT MEETING DATE

Meeting closed at 8:52am. The next meeting of the Audit Panel has been scheduled for 2 March 2025 (TBC).

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

PREVIOUS COUNCIL CONSIDERATION:

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

OFFICER'S REPORT:

Works Operations	November 2025	December 2025
Aerodrome	Routine inspections.	Routine inspections.
Town Maintenance	Maintenance of the Georges Bay pathway. Grass mowing all towns.	Helping with preparation for Christmas events. Mowing of reserves, sports grounds and town priority maintenance areas.
Road Network	Maintenance grading of Upper Scamander Road, Kohls Road, Terryvale Road and around the Mathinna area.	Maintenance grading of Leona Road, Heffords Road and Deals Road. Fingal and Seymour roads and around the St Marys area.
MTB	Routine track maintenance. Trail inspections.	Routine track maintenance. Trail inspections.
Weed Management	Ansons Bay WTS – caper spurge, gorse, thistles, Spanish heath, various weeds.	Aerodrome – thistles, Spanish heath, fleabane. Four Mile Creek – Spanish heath, blackberry. St Marys – broadleaf, Spanish heath, gorse

	<p>St Helens WTS – Blackberry, caper spurge, gorse, thistles, Spanish heath, various weeds.</p> <p>Pyengana WTS – Spanish heath, broom, hemlock, thistles, capeweed, mignonette, caper spurge, umbrella weed.</p> <p>Stieglitz WTS – mignonette, fox glove, thistles.</p> <p>Scamander WTS – Spanish heath, caper spurge, broom, cacti, mullein, periwinkle, hemlock.</p> <p>St Marys WTS – blackberry, caper spurge, gorse, thistles, Spanish heath, various weeds.</p> <p>Fingal – all main roads – broad leaf weeds, Spanish heath, thistles.</p>	<p>Binalong Bay – thistles, mullein, blackberry, broadleaf, hemlock.</p> <p>Ansons Bay Road – broadleaf, Spanish heath, thistles.</p>
Asset Management	<ul style="list-style-type: none"> • Footpath Inspections • Playground inspections • Updating Council's MTB Asset Management Plan 	

Waste Management

	General Waste to Copping Landfill			St Helens Inert Landfill			Kerbside Co-mingled Recyclables Collection		
	24/25 MT	25/26 MT	Month Diff	24/25 MT	25/26 MT	Month Diff	24/25 MT	25/26 MT	Month Diff
Jul	222	233	11	0	212	212	43	39	-4
Aug	224	215	-9	30	0	-30	41	36	-5
Sep	167	607 ¹	440	20	0	-20	40	36	-4
Oct	240	338 ²	98	0	0	0	56	53	-3
Nov	224	TBA		121	0	0	48	42	-6
Dec	282			0			56		
Jan	352			0			73		
Feb	221			0			51		
Mar	215			0			48		
Apr	247			0			51		
May	198			0			45		
Jun	182			0			38		

Total	2,774	1,393		171	212		590	206	
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Notes

1. Includes 390 MT of construction and demolition waste ex St Marys WTS.
2. Includes 105 MT of construction and demolition and commercial waste ex St Helens WTS.

CAPITAL WORKS

Item	Comment
Bridge 185 – Gillies Road	In-progress: Design completed. Material procurement in progress.
Bridge 2684 – Pedder Street	In-progress: Tenders invited by public advertisement.
Georges Bay Walking Track Extension	In-progress: Design completed. Flora & Fauna study arranged to be undertaken.
Scamander WTS – Waste Compactor	In-progress. Technology options and costings report prepared for review by the Council.
Scamander Inert Landfill Development	In-progress: Master Plan and Draft Detail design completed. Submission to EPA pending review by the Council.
Scamander Coastal Hazards Project	In-progress.
St Helens Cemetery Master Plan improvements	In-progress – Columbarium walls under construction.
Storm Water – Aulichs Lane, St Marys	In-progress: Design completed, and materials purchased. Installation pending completion of sewer main works by Tas Water. Installation post Spring.
Road Resealing	In-progress: including road pavement repair and resealing as per 24/25 contract.
Road Re-sheeting	In-progress.
Tully Street – Northern end: Stormwater System Design	In-progress: Quotations assessed and engineering consultant engaged to progress design.
Scamander Avenue footpath upgrade	In-progress.

STRATEGIC PLAN & ANNUAL PLAN:

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

Goal

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

Strategy

1. Be proactive infrastructure managers by anticipating and responding to the growing and changing needs of the community and the area.

- 2. Work with stakeholders to ensure the community can access the infrastructure necessary to maintain their lifestyle.
- 3. Develop and maintain infrastructure assets in line with affordable long-term strategies.

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 registrations 2025/2026**

Month	Dogs Registered	Unpaid Registrations	Total
July	1,073	309	1,382
August	1,206	157	1,363
September	1,277	92	1,369
October	1,299	78	1,377
November	1,311	61	1,372

Summary Statistics for reporting period – November 2025

Category	Binalong Bay, The Gardens, Ansons Bay	Mangena, Fingal, Mathina	Falmouth, 4 Mile	Seymour, Denison	Beaumaris, Diana Basin	Scamander	St Helens, Stieglitz,	St Marys, Cornwall	PERIOD TOTAL	2025- 2026 YTD
Dog - Attack on a person (Serious)						1			1	1
Dog - Attack on a person (Minor)							1		1	3
Dog -Attack on another animal (Serious)									0	0
Dog -Attack on another animal (Minor)							1		1	2
Dog - Declared Dangerous									0	0
Dog - Barking							3	1	4	11
Dog - Chasing a person								1	1	3
Dog - Impounded							2		2	8
Dog - in Prohibited Area									0	0
Dog - Lost Dogs Reported									0	3
Dog - Rehomed									0	1
Dog - Wandering/at large							2		2	12
Verbal Warnings							2		2	8
Unregistered Dog Notices		1					3		4	8
Caution Notices	1								1	4
Infringement Notices							2		2	4
Infringement Notice - Disputes							2		2	3
Written Letter to Dog owners – various matters.	1	1					3		5	26
Patrols - Township/Urban Areas							2		2	19
Patrols - Beaches/Foreshore	1				2		2		5	27
Kennel Licence - Issued							1		1	2
Other animals		1			1				2	7
Other - RSPCA intervention									0	3
TOTAL	3	3	0	0	3	1	26	2	38	155

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.

LEGISLATION & POLICIES:

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

BUDGET AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

12/25.15.0 COMMUNITY DEVELOPMENT

12/25.15.1 Community Services Report

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Chris Hughes, Manager Community Services
FILE REFERENCE	011\034\006\
ASSOCIATED REPORT AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

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

OFFICER'S REPORT:

The Community Services team is committed to ensuring that all our programs, services, and initiatives are guided by a strong commitment to access and inclusion. This approach is embedded in everything we do, ensuring that all members of our community—regardless of age, ability, background, or circumstance—can participate fully and equitably.

Our team actively advocates for inclusive practices in all the networks and meetings we are part of, both within Council and in collaboration with external partners. By championing access and inclusion at every level, we aim to foster a more connected, supportive, and equitable community for all.

2025 – 2026 Community, Council Events, Programs and Initiatives

Items listed below are supported by a Council decision or have been approved through the yearly budget process.

Grants Programs	2025-2026 Budget	Funds expended on project or forwarded to community group
Community Grants	60,000	
Art & Culture Community Grants	30,000	
School Prizes	1,000	\$1,500
Contributions to Events		

Swimcart	1,000	
St Helens Athletic Carnival	2,500	
Carols by Candlelight	1,600	
Fingal Valley Coal Festival	2,000	
Pyengana Endurance Ride -	500	
St Helens Game Fishing Comp	2,000	
Marketing Valley Tourism	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
BODRA Winter Lights	2,000	
Suicide Prevention	1,000	
Pyengana Easter Carnival	1,000	
Australia Day Event – Woodchopping	\$5,000	2,000
Misc Donations & Events	7,500	
Wellbeing Festival	3,500	
Mannalargenna Day	2,500	2,500
Council Sponsorship		
Funding for BEC Directory	2,000	
St Helens Marine Rescue	3,000	
Business Enterprise Centre (BEC)	28,000	
Council Sponsorship		
Seniors Day	3,000	2,000
Australia Day event	5,000	
Volunteer Week	2,500	
Mental Health Week	500	
International Disability Day event	1,000	
Christmas Decorations	6,000	
Specific Programs & Initiatives		
Youth Services	8,000	
Welcome to Town Christmas Signs	1,500	

Updates on current projects being managed by Community Services:

Reconciliation Plan

Council staff are preparing a document more focused on Council working with our local community with more focus on local actions. This will be presented at the January, 2026 Council meeting

Community Grants & Art Grants – Are now open

Applications for our Community Grants and Art Grants programs are now open.

These grant programs provide valuable support to local groups, organisations, and artists who are working to strengthen our community, celebrate creativity, and deliver projects that make a positive impact.

- **Community Grants** help fund initiatives that encourage participation, connection, and wellbeing across Break O'Day.
- **Art Grants** support local artists and creative projects that enrich our cultural life and showcase local talent.

Details on eligibility, funding amounts, and application processes are available on Council's website.

We encourage community groups and artists to start preparing their ideas now and take advantage of this opportunity to bring projects to life.

Australia Day Nominations - Open

The Break O'Day Council is calling on the community to help celebrate the achievements and contributions of local people by submitting nominations for the 2026 Australia Day Awards.

Each year, the awards recognise and honour individuals and groups who make a real difference in our community. Whether it's through volunteering, leadership, sporting achievements, cultural contributions, or community service, these awards shine a spotlight on those who go above and beyond.

Award Categories - Nominations are now open for the following categories:

- **Citizen of the Year** – recognising an outstanding contribution by an individual.
- **Young Citizen of the Year** – celebrating the efforts of a young person making a positive impact.

Award recipients will be announced at the Council's Australia Day celebration on 26 January 2026, where we come together to reflect, respect, and celebrate what it means to be part of our community.

Bay of Fires Master Plan

The draft Master Plan is currently with the members of the Bay of Fires Steering Committee. Dates and times are currently being worked on with the consultants as to when they will visit Break O'Day to engage with the community in relation to the draft document.

Scope of works – Rail trail – Cornwall to St Marys

Council staff have prepared a draft scope of works and concept plan that set out the project's vision and proposed construction. These drafts are currently undergoing internal review in preparation for the advertising of expressions of interest. Construction of the trail will require Council to secure external funding.

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.

December 2025

3 – International Day of People with Disability – Private land – St Helens

6 – North East Dance Company – Portland Hall
6 – Break O’Day Council Christmas Carols – St Helens Foreshore
24 – St Helens Christmas Parade – Main Street, St Helens
24- St Marys Christmas Parade – Main Street, St Marys

January 2026

1 – St Marys New Years Day Races – St Marys Sports Complex
17 – St Helens Athletics Carnival – St Helens Sports Complex
24 – St Helens Woodchopping – St Helens Foreshore
25- East Coast Car Club – Show and Shine – St Helens Foreshore
26 – Australia Day Awards Ceremony – Portland Hall
31 – St Helens Flower Show – Portland Hall

Learner Driver Mentor Program

The Learner Driver Mentor Program is in urgent need of new mentors, especially with one of our long-standing volunteers wrapping up at the end of the year. Our Program Coordinator is partnering with local Neighbourhood Houses to find new volunteers, and we’re spreading the word through Facebook and flyers around town.

Total on-road hours – 30.5

Total Mentors - 2

Learner in car - 8

Waiting list – 9

Graduated – 0

Community Wellbeing Project

Council staff have submitted the final report for the Wellbeing Project. It is currently with WLF who are undertaking an external audit.

Youth

No report at this time

Health and Wellbeing

Due to a lack of interest for the December Health and Social Services Network meeting this meeting has been postponed until the new year

No report at this time

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

1. Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge.

2. 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	INFORMATION
PROPONENT	Council Officer
OFFICER	Chris Hughes, Manager Community Services
FILE REFERENCE	040\028\002\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

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

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

- Main tourists this month were from VIC, SA, NSW and overseas tourists from France, UK, New Zealand, Netherlands
- Attended TVIN Meeting and met with representatives from other Information Centres in the North and South
- Management for the Information Centre/History Room has changed and we will now come under Community Services.
- Advised a lot of tourists in advance regarding road closures for Targa and gave them alternate routes.
- Had a few tourists come in as the online maps they were using for directions was telling them that the highway was closed near Bicheno and they had to take a detour and were wanting clarification.

The History Room Curator Report:

- **Volunteer Afternoon Tea:** This was well attended by both centre staff, Council staff and centre volunteers. New management structure in place for the centre as reported by the VIC. Was a great opportunity for reconnecting.
- **Christmas Lunch:** Being held at Panorama this year on Sunday 7 December 2025 from 12 noon
- **Brochures:** Some of these are being updated – those ones include The Chinese Experience (completed); The Historic Walk around St Helens; St Helens Steam Engine – this last one mentioned is now complete also and they both look very professional.

- **40th Anniversary Celebration:** Risk assessment has been completed for this event scheduled for Saturday 16 May 2026. The Friends of St Helens History Room are taking on this celebration.
- **Australian Society of Archivists ASA (Tas branch):** Recently held their AGM via ZOOM and all Executive office bearers remain the same.
- **Australian Museums and Galleries Association (AMaGA):** Tasmanian branch having a Christmas event on Friday 5 December 2025, visiting Inveresk and QVMAG Royal Park sites for members.
- **Mining Images request:** These were digitised and sent via We Transfer to France with a very appreciative email being returned to us by the TV production team.

Statistics:

Door Counts

Month/Year	Visitor Numbers	Daily Average	History Room
November 2012	3,012	100.4	130
November 2013	3,234	107.8	129
November 2014	3904	130.10	133
November 2015	4,683	156.10	128
November 2016	3,309	110.3	126
November 2017	2,874	95.8	91
November 2018	3,188	106.3	120
November 2019	3,114	103.80	166
November 2020	854	28.5	35
November 2021	1,264	42.1	53
November 2022	2,678	89.2	171
November 2023	3,305	110.1	145
November 2024	2,893	96.43	153
November 2025	2,944	98.13	117

Revenue 2024/2025

Month	VIC Sales	HR Entry	HR Donations/Sales
July	3,418.19	150.00	91.20
August	3,740.70	0	177.55
September	4,581.03	288.00	412.25
October	7,359.22	338.00	390.25
November	8,828.24	546.85	335.30
December	8,093.19	302.00	89.85
January	9,869.20	459.00	172.55
February	10,341.84	433.45	171.55
March	11,789.02	844.00	208.55
April	5,343.24	357.00	145.85
May	3,710.45	209.00	112.95
June	1,711.97	134.00	20.55

Revenue 2025/2026

Month	VIC Sales	HR Entry	HR Donations/Sales
July	3,388.09	144.00	94.30
August	4,008.96	0	67.60
September	4,214.96	287.00	117.50
October	6,802.55	378.00	131.60
November	9,270.70	433.00	194.40
December			
January			
February			
March			
April			
May			
June			

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

1. 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	Chris Hughes, Manager Community Services
FILE REFERENCE	008\009\001\
ASSOCIATED REPORTS AND DOCUMENTS	Draft Events Policy - Policy No CB10

OFFICER'S RECOMMENDATION:

That Council adopts the Break O'Day Events Policy - Policy No CB10 as presented.

INTRODUCTION:

To seek Council endorsement for the adoption of the Break O'Day Events Policy - Policy No CB10, which provides a strategic and transparent framework for the planning, support, management, and evaluation of events within the municipality.

PREVIOUS COUNCIL CONSIDERATION:

Council Workshop 1 December 2025

OFFICER'S REPORT:

Events play a vital role in building community spirit, enhancing the local lifestyle, attracting visitors, and supporting the regional economy. The Break O'Day Events Policy reflects Break O'Day Council's strategic priorities, funding structures, compliance requirements, and Council's commitment to sustainability.

The Break O'Day Events Policy:

- Establishes clear funding categories (Major, Regional, Commercial and Local Events) with associated financial and in-kind support guidelines;
- Encourages the use of local suppliers and participation by diverse community groups;
- Clarifies Council's support on commercial events held on private property;
- Sets out compliance requirements for supported events, including planning milestones, risk and emergency plans, insurance, and post-event evaluation;
- Aligns with Council's Strategic Plan objective to build community capacity and enhance community participation and wellbeing.

This policy provides a consistent approach for both Council and event organisers and ensures that public resources are allocated transparently and equitably.

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

1. Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge.

Key Focus Area:

Youth - Understand the needs of Break O'Day young people to better support and advocate for them.

LEGISLATION & POLICIES:

Child and Youth Safe Organisations Act 2023

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

There are no budget requirements for this motion

VOTING REQUIREMENTS:

Simple Majority

POLICY NO CB10 Break O'Day Council – Events Policy

DEPARTMENT	Community Services
RESPONSIBLE OFFICER:	Community Services Manager
LINK TO STRATEGIC PLAN:	Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge.
STATUTORY AUTHORITY:	Local Government Act 1993
OBJECTIVE:	The objective of this Events Policy is to provide a consistent, transparent, and strategic framework for the planning, support, management, and evaluation of events within the Break O'Day municipality. It aims to encourage a diverse and vibrant calendar of events that delivers social, cultural, economic, and environmental benefits to the community while ensuring public safety, compliance with regulations, and the responsible use of Council resources and infrastructure.
POLICY INFORMATION:	Adopted

POLICY

1. Introduction:

Break O'Day Council recognises the important role that events play in enhancing community life, supporting local economies, and promoting regional identity. This policy outlines Council's approach to the support, management, and evaluation of events, ensuring consistent, transparent, and strategic decision-making.

Council is committed to supporting events that:

- Contribute to a vibrant and inclusive community.
- Offer economic, cultural, and social benefits.
- Encourage innovation, local participation, and community pride.

Priority will be given to events that clearly demonstrate community benefit, but Council also acknowledges the role that private and commercially organised events can play in generating wider benefits for residents and visitors.

2. Scope

This policy applies to any organised public event held on public or private land that impacts Council infrastructure, assets, or the general public.

It includes:

- Community events;
- Commercial or privately-run events with demonstrable community benefit. and
- Council-run events

Note: This policy does not cover purely private functions (e.g. weddings, parties) that do not affect public infrastructure or community access.

3. Policy Objectives and Principles

Council aims to:

- Promote a diverse range of events year-round and across all parts of the Break O'Day municipality
- Support events that enhance the local lifestyle and attract visitation
- Encourage the use of local suppliers, artists, and products
- Foster community participation and inclusion
- Ensure events are safe, sustainable, and well-managed

Council's role may include being a **supporter, partner, funder, provider, or promoter** of events.

4. Event Support and Funding

Council provides both financial and in-kind (non-monetary) support based on event type and strategic value.

Funding Categories

Category	Funding Range	Support Features
Major Events	\$10,000–\$20,000	3-year funding agreement; scalable support; up to \$10,000 in in-kind support
Regional Events	\$5,000–\$10,000	3-year funding agreement; scalable support; up to \$5,000 in in-kind support
Local Events	Up to \$2,000	

Category	Funding Range	Support Features
		Community grants; one-off support; up to \$3,500 in-kind support (annual approval)

Major Event

An event that attracts significant local, regional, or interstate attendance and delivers measurable economic, cultural, and tourism benefits to the Break O'Day municipality. Major events typically require complex planning and infrastructure support and may be eligible for up to \$20,000 in Council funding and/or in-kind assistance over a three-year period. These events may include large-scale festivals, sporting competitions, or cultural showcases with wide-reaching promotional impact.

Regional Event

An event that primarily attracts attendees from within the region and surrounding areas and contributes to the local economy and community cohesion. Regional events are generally medium-scale, have potential for growth, and may be eligible for up to \$10,000 in Council funding and/or in-kind assistance under a three-year support agreement. Examples include regional food and wine event and arts festivals.

Commercial and Private run Events

While Council prioritises community-run events, it also recognises that events initiated by private individuals or businesses can generate significant public value.

- Commercial or privately-led events may be eligible for in-kind support or sponsorship funds from Break O'Day Council where they clearly deliver community benefits (e.g. tourism, cultural enrichment, showcasing the region); and
- Council may apply venue hire fees to ensure fair use of public assets.

Special Considerations for Commercial Run Events

- External Partnerships - Where external organisations deliver cultural, artistic, or tourism-based events in partnership with Council or local groups, Council may provide tailored support where there is clear local benefit.
- Use of Public Assets - Applications for use of Council-owned facilities or property may attract a fee to ensure equitable access and recovery of costs.



Applicants must submit an event or business plan for assessment by the Community Services Department. If the event has not previously been endorsed by Council, a recommendation will be made for Council's consideration on whether to provide support.

In-kind support may include:

- Waste management (bins, collection)
- Event planning and permit advice
- Marketing and promotions
- Equipment loans (e.g. signage, traffic control)
- Traffic management assistance
- Fee waiver of Council infrastructure

All supported events must acknowledge Break O'Day Council in marketing materials.

5. Community-Run Events

Community-run events are events that are planned, delivered, and managed by not-for-profit organisations, community groups, or volunteers with the primary aim of fostering social connection, cultural expression, and community pride. These events are non-commercial in nature and are typically accessible to the wider public either free of charge or at minimal cost.

Purpose and Value

Community-run events are a cornerstone of local life in the Break O'Day municipality. They strengthen community bonds, encourage volunteerism, celebrate local identity, and offer opportunities for skills-sharing and civic engagement. These events are vital in building social capital and resilience, especially in regional areas.

To be eligible, community-run events must:

- Be managed by a not-for-profit/community-based organisation.
- Demonstrate clear and inclusive community benefit.
- Be held in a public space or accessible to the broader community.
- Reinvest any surplus into community activities.
- Align with Council's strategic objectives as outlined in the latest Council's Strategic Plan.

Council may provide:

- Grants (up to \$2,000).
- In-kind support (up to \$3,500 annually).
- Priority access to Council venues and infrastructure.

Expectations of Event Organisers

Community event organisers are expected to:

- Engage with Council early in the planning process;
- Ensure compliance with relevant permits, safety, and insurance requirements. ;
- Promote sustainability and inclusion in their event design and delivery;
- Provide post-event feedback or evaluation as required.

Examples of Community-Run Events

- Local fairs, markets, or celebrations run by progress associations;
- Cultural or heritage festivals organised by local groups;
- Community sports tournaments or fundraising events;
- Environmental awareness days led by volunteer groups.

6. Commercial Events on Private Property

Break O'Day Council does not provide financial or in-kind support for commercial events conducted on private property.

This policy reflects Council's responsibility to prioritise the use of public resources for events that deliver clear community benefit, enhance public spaces, and encourage inclusive participation. Commercial events held on private land are considered private ventures and are expected to be self-funded and managed independently of Council support.

7. Finance, Funding & Assessment Process

All applications for Council event support will be assessed in a transparent and consistent manner.

- **Application Timeframes:** Applications for financial or in-kind support must be submitted at least three (3) months prior to the proposed event date. For large-scale events requiring road closures or significant infrastructure, a minimum of six (6) months' notice is required.
- **Assessment Criteria:** Applications will be assessed against the following criteria:
 - Alignment with Council's Strategic Plan and community priorities
 - Demonstrated community benefit (social, cultural, economic, or environmental)
 - Capacity and experience of the organising group to deliver the event safely and successfully
 - Commitment to inclusivity, accessibility, and cultural respect
 - Evidence of sustainability measures and responsible use of Council resources
- **Decision-Making:** The Community Services Department will assess applications and make recommendations. Final approval for funding allocations rests with Council.
- **Reporting:** All grant recipients must provide a post-event acquittal, including financial statements, evidence of outcomes, and acknowledgement of Council's support. Council



reserves the right to recover funds if the event does not proceed as agreed or funds are used inappropriately.

Financial Accountability: Event organisers must provide a clear budget with their application and include details of all income sources (sponsorship, ticketing, grants, fundraising). Post-event acquittals must demonstrate how Council funds were expended. Surplus funds should be reinvested into future community activities or returned to Council if appropriate.

8. Sustainability & Environment

Sustainability: Organisers are encouraged to minimise environmental impacts by:

- Reducing waste and single-use plastics
- Providing recycling and composting options
- Sourcing local suppliers and materials
- Minimising vehicle use and encouraging car-pooling or shuttle services

Environmental Protection: Events held on public land must include measures to protect natural assets, avoid damage to flora and fauna, and restore sites to their original condition. Additional conditions may be applied for events in sensitive areas.

9. Risk & Insurance

Council requires all events to be planned and delivered in a safe and compliant manner.

- **Risk Management:** Organisers must submit a Risk Management Plan and Emergency Management Plan addressing health and safety, crowd control, traffic, fire safety, and weather contingencies.
- **Insurance:** All event organisers must hold current Public Liability Insurance to a minimum value of \$20 million. Evidence of coverage must be provided before Council support is confirmed. Where paid staff are engaged, organisers must also provide evidence of appropriate Workers Compensation insurance.
- **Compliance:** Organisers are responsible for obtaining and maintaining all required permits, licences, and approvals (e.g. liquor, food, road closures, music copyright).
- **Indemnity:** Event organisers must indemnify Council against any claims, losses, or damages arising from the event.

10. Event Planning and Compliance

Council is committed to ensuring events are safe and well-organised, minimising negative impacts on residents and the environment.

Event organisers must:

- Comply with all regulatory and permit requirements
- Submit a **Risk Management Plan**, **Emergency Management Plan**, and proof of **Public Liability Insurance**



- Notify Council of any **road closures** at least **6 months in advance**
- Participate in key planning meetings with Council (typically 6 months, 6 weeks, and 6 days before the event)
- Complete a **post-event evaluation report** if receiving funding

11. Monitoring and Review

This Policy will be reviewed every three (3) years in line with the 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.

12. Equity & Inclusion

Break O'Day Council is committed to ensuring that supported events are welcoming, inclusive, and accessible for all members of the community.

Event organisers are expected to:

- **Accessibility:** Ensure venues are physically accessible for people with mobility needs and provide, where possible, additional accessibility measures such as Auslan interpretation, accessible toilets, and clear signage.
- **Affordability:** Design events to be free or low-cost where possible, or offer concession/discounted entry to ensure affordability for all community members.
- **Cultural Respect:** Acknowledge the Traditional Custodians of the land at all public events and incorporate culturally respectful practices where appropriate.
- **Inclusion:** Promote participation from diverse community groups, including young people, older residents, people with disability, multicultural communities, and LGBTQIA+ people.
- **Safe and Welcoming Spaces:** Provide an environment that is free from discrimination, harassment, or exclusion.

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	Chris Hughes, Manager Community Services
FILE REFERENCE	008\009\001\
ASSOCIATED REPORTS AND DOCUMENTS	Draft Street Art Policy - Policy No CB11

OFFICER'S RECOMMENDATION:

That Council adopts the Break O'Day Council Street Art Policy - Policy No CB11 as presented.

INTRODUCTION:

To seek Council endorsement for the adoption of the Break O'Day Council Street Art Policy - Policy No CB11, which provides a framework that will support and manage street art in the Break O'Day municipality.

PREVIOUS COUNCIL CONSIDERATION:**Council Workshop 1 December 2025****OFFICER'S REPORT:**

Break O'Day Council is currently developing an Art & Culture Strategy aimed at strengthening cultural participation, supporting local artists, and enhancing the visual and social appeal of public spaces across the municipality.

During the review process, both community feedback and officer analysis identified a gap in guidance regarding street art, murals, and public art installations on Council-managed and private property.

The introduction of a dedicated Street Art Policy would complement the broader Art & Culture Strategy by providing clear direction for how street art is proposed, approved, created, and maintained within the Break O'Day area.

The Street Art Policy will establish a framework that:

- Supports community expression through accessible and inclusive public art opportunities.
- Enhances townscapes and visitor appeal, particularly in key town centres such as St Helens, St Marys, and Fingal.
- Deters vandalism and illegal graffiti by promoting sanctioned and community-endorsed art projects.
- Encourages partnerships between Council, schools, community groups, and local artists.
- Preserves heritage values by ensuring artworks complement the character and history of each township.
- Provides clear processes for artist selection, permissions, risk management, and long-term maintenance.

The policy will also act as a practical implementation tool under the Art & Culture Strategy, aligning with its goals of fostering local creativity and celebrating the region's identity.

LEGISLATION & POLICIES:

N/A

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

1. Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge.

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

There are no budget requirements for this motion

VOTING REQUIREMENTS:

Simple Majority



POLICY NO CB11 Break O'Day Council – Street Art Policy

DEPARTMENT	Community Services
RESPONSIBLE OFFICER:	Community Services Manager
LINK TO STRATEGIC PLAN:	Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge.
STATUTORY AUTHORITY:	Local Government Act 1993
OBJECTIVE:	The objective of this policy is to provide a framework that supports and manages street art in the Break O'Day municipality.
POLICY INFORMATION:	Adopted

POLICY

1. Introduction:

The purpose of this policy is to provide a clear and consistent framework for the approval, creation, management, and maintenance of street art within the Break O'Day Council area.

The policy aims to:

- Encourage creative expression and celebrate local culture, history, and identity.
- Enhance public spaces, promote tourism, and foster community pride.
- Support artists while ensuring works are respectful, safe, and appropriate for diverse audiences.
- Provide clear processes for applications, approvals, and ongoing management.

2. Scope

This policy applies to:

- All street art (including murals, stencils, installations, and sculptures) created on Council-owned or managed land, infrastructure, or facilities.
- Proposals on private property where the artwork is visible from public spaces, subject to planning and regulatory requirements.
- Works initiated by Council, community groups, businesses, schools, or individuals.

This policy does not cover:

- Standard signage, advertising, or commercial billboards.



- Temporary chalk art or community event decorations.
- Graffiti or unauthorised markings

3. Policy Objectives and Principles

Street art in Break O'Day should reflect the following principles:

- Street art should respond to local history, culture, environment, and community values.
- Street art should enhance the visual amenity and contribute to a vibrant, welcoming public realm.
- Street art must be suitable for a broad audience, free of offensive, discriminatory, or political messaging.
- Break O'Day Council recognises the contribution of local, regional, and emerging artists and seeks to provide opportunities for them.
- Break O'Day Council encourages collaboration between artists, businesses, schools, and community groups.
- Materials and methods should be durable, safe, and environmentally responsible.

4. Approval Process

4.1 Artists or sponsors must submit a Street Art Proposal, including:

- Concept design and artistic rationale.
- Location/site details and owner consent.
- Artist portfolio or examples of previous work.
- Budget, funding sources, and maintenance plan.
- Specifying and applying an appropriate anti-vandalism coating system (including product details, durability and maintenance procedures), ensuring the selected coating is compatible with the chosen medium and surface.

4.2 Council will assess proposals against:

- Alignment with policy principles.
- Site suitability and safety considerations.
- Community impact and consultation outcomes (if applicable).
- Compliance with planning, heritage, or regulatory requirements.

4.3 Council will provide written approval, with conditions if required.

4.4 Artists must follow agreed timelines, safety procedures, and liaise with Council officers.

4.5 Responsibility for upkeep will be determined during approval (Council or sponsor).

5. Management of Existing Works

- Council will maintain a register of approved street art.



- Works will be reviewed periodically for condition and relevance.
- Council reserves the right to remove or decommission works if they deteriorate, become unsafe, or no longer align with community standards.

6. Funding

- Council may provide grants or co-funding for approved street art projects through existing community arts programs.
- External funding, sponsorships, and partnerships are encouraged.

7. Monitoring and Review

This Policy will be reviewed every three (3) years in line with the 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.

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	Chris Hughes, Manager Community Services
FILE REFERENCE	002\017\007\
ASSOCIATED REPORTS AND DOCUMENTS	Draft Art & Cultural Strategy

OFFICER'S RECOMMENDATION:

That Council adopt the Break O'Day Art & Cultural Strategy.

INTRODUCTION:

Council staff have worked with community members over a number of months who put their name forward to review Council's current Art & Cultural Strategy which was well out of date and didn't really address the changing needs of our art and cultural community.

PREVIOUS COUNCIL CONSIDERATION:**Council Workshop 1 December 2025****OFFICER'S REPORT:**

The purpose of the review was to develop a framework for developing a vibrant, inclusive, and sustainable arts and cultural environment within the municipality.

Council staff worked with interested community members in response to increasing community interest in creative opportunities, cultural engagement, and heritage preservation.

Terms of Reference were drafted for those community members wishing to be part of the process in developing this document.

The objectives of the committee were to:

- Contribute ideas and recommendations to the review of the Strategy including but not limited to Festivals and Events, Community and Public Arts and Cultural Venues
- Seek input from the Break O'Day Community (including young people) about arts and cultural activities and consider these as part of the review process. Develop a Communication Strategy which will outline a plan for engaging with our community
- Encourage and support local artists to contribute their insights and experiences to help inform the strategy
- Collectively advocate for Arts & Culture in our community including advocacy for accessible and inclusive opportunities, venues and events`

One of the first sessions with the committee identified that the existing strategy was too long, out of date and many unachievable actions identified. The decision was made to have a Strategy that

was more tailored to our community's needs and to try and bring all community groups/artists etc under an umbrella structure.

A workshop was organised with approximately 30 community members who had an interest in art and culture in our community attending. A number of questions were asked and those in attendance worked through them in groups – see attached notes from that session. Overall, the umbrella model was supported with a “board” type structure with all groups sitting underneath. The bonus of this model is it may open up to funding grants for all groups, a louder voice in this space as the board would speak on behalf of all art and culture community groups.

From this, the draft strategy has identified six key objectives:

1. Support and promote local artists, cultural practitioners, and creative industries.
2. Enhance access to arts and cultural experiences for all community members.
3. Preserve and celebrate local heritage and traditions.
4. Foster collaboration between artists, businesses, community groups, and educational institutions.
5. Improve cultural infrastructure and public spaces.
6. Strengthen cultural tourism and creative economy opportunities.

The draft Strategy presents a combined approach to embedding arts and culture in community life and local economic development. Key focus areas include:

- Supporting Local Artists - through grants, mentorships, and an artist registry.
- Enhancing Community Engagement: By delivering inclusive programs, festivals, and youth-focused initiatives.
- Partnering with Aboriginal and Torres Strait Islander communities to celebrate and share Indigenous culture.
- Positioning arts and culture as key contributors to tourism and the local economy.

It is proposed through this draft Strategy that implementation of this document will be guided by an *Arts and Cultural Advisory Group* working under an overarching umbrella group to provide governance, coordination, and accountability.

This strategy aligns with Council's Community Strategic Plan objectives to:

- Build a connected, creative, and inclusive community.
- Foster local economic growth through cultural tourism and creative industries.
- Protect and celebrate heritage and cultural identity.

Implementation of the strategy will be phased, with specific projects brought forward through future budget processes. Funding opportunities through grants and partnerships will be actively pursued to support delivery.

The draft strategy has been informed by community engagement, including workshops and stakeholder meetings. It is proposed that ongoing consultation will continue through the Advisory Group to ensure alignment with community aspirations.

Progress will be measured through key performance indicators, including:

- Participation in arts and cultural activities.

- Number of supported artists and creative projects.
- Growth in cultural tourism and creative industries.
- Community satisfaction levels.
- New partnerships and collaborations formed.

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

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

Break O Day Annual Plan 2025 – 2026

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:

No funds are required at this stage of the project.

VOTING REQUIREMENTS:

Simple Majority



Arts & Cultural Strategy – Break O’Day Municipality

The Arts & Cultural Strategy for the Break O'Day Municipality aims to create a vibrant, inclusive, and diverse cultural environment that enhances community well-being and economic prosperity. The strategy focuses on six key objectives: supporting local artists, increasing accessibility to arts, preserving heritage, fostering collaboration, improving infrastructure, and boosting cultural tourism.

Key strategic areas include providing funding and professional development for artists, promoting inclusive cultural programs, investing in public spaces, celebrating First Nations heritage, and positioning arts as an economic driver. Implementation will involve partnerships with artists, businesses, and community groups, with periodic reviews to measure success. This strategy reaffirms the commitment to a thriving cultural landscape that benefits all residents and visitors.

1. Vision

Our vision is to foster a vibrant, inclusive, and diverse arts and cultural landscape that celebrates creativity, strengthens community identity, and enhances the well-being and economic prosperity of our residents and visitors.

2. Objectives

- Support and promote local artists, cultural practitioners, and creative industries.
- Enhance access to arts and cultural experiences for all community members.
- Preserve and celebrate local heritage, traditions, and stories.
- Foster collaboration between artists, businesses, community groups, and educational institutions.
- Improve cultural infrastructure and public spaces to encourage artistic expression.
- Strengthen cultural tourism and creative economy opportunities.

3. Key Strategic Areas

a) Supporting Local Artists and Creative Industries

- Provide funding, grants, and professional development opportunities for artists and cultural organisations.
- Facilitate artist residencies, mentorship programs, and networking opportunities.
- Encourage collaboration between artists and local businesses to promote creative enterprise.
- Develop an artist-in-residence program to embed creative professionals in community projects.
- Establish a local arts registry to enhance visibility and opportunities for artists.

b) Enhancing Community Engagement with Arts and Culture

- Develop inclusive and accessible cultural programs that cater to diverse community groups.
- Organise public events, exhibitions, and performances in local spaces.
- Support community-led arts initiatives and festivals.

- Encourage youth engagement in arts and cultural activities.
- Implement arts education initiatives in partnership with local schools and community groups.
- Provide subsidies or incentives for participation in arts programs for underrepresented groups.

c) Cultural Infrastructure and Public Spaces

- Invest in the development and maintenance of cultural facilities.
- Integrate public art into urban planning and community spaces.
- Provide affordable and accessible spaces for artists and cultural practitioners to work and showcase their creations.
- Establish cultural precincts with dedicated spaces for performance, exhibitions, and workshops.
- Enhance digital infrastructure to support online access to cultural content and virtual exhibitions.

d) Honouring Heritage and First Nations Culture

- Partner with Aboriginal and Torres Strait Islander communities to celebrate and promote First Nations culture and heritage.
- Incorporate Indigenous perspectives in public art, storytelling, and cultural programs.
- Preserve and promote local historical sites, traditions, and archives.
- Develop educational programs on Indigenous history and culture in collaboration with local elders and historians.
- Support Indigenous-led arts and cultural enterprises.

e) Economic Development and Cultural Tourism

- Position arts and culture as a driver of economic growth and tourism.
- Develop and promote cultural trails, arts precincts, and heritage attractions.
- Support creative industries, including film, music, design, and digital arts, as key economic contributors.
- Establish an annual cultural tourism festival to attract visitors and showcase local talent.
- Provide business development resources and training for creative entrepreneurs.
- Strengthen partnerships with regional, state, and national tourism bodies to enhance cultural tourism initiatives.

4. Implementation & Partnerships

This strategy will be implemented through collaboration with key stakeholders, including local artists, cultural organisations, businesses, educational institutions, and government agencies. A dedicated Arts & Cultural Advisory Group, supported by an overarching umbrella group, will be responsible for guiding the execution and evaluation of the strategy, ensuring community needs and priorities are met. The umbrella group will provide governance, strategic oversight, and coordination to ensure that the strategy's objectives are effectively delivered.

4. Monitoring and Evaluation

The strategy will be reviewed periodically to assess its impact and effectiveness. Key performance indicators (KPIs) will include:

- Participation rates in arts and cultural activities.
- Number of supported artists and creative projects.
- Community satisfaction and engagement levels.
- Growth of cultural tourism and creative industries.
- Number of new partnerships and collaborations established.
- Economic impact assessments of cultural initiatives.

5. Conclusion

The Break O'Day Municipality Arts & Cultural Strategy reflects the commitment to fostering creativity, cultural identity, and community well-being. By investing in the arts, we are building a more connected, dynamic, and prosperous community for the future. Through continued collaboration, innovation, and support, we will ensure that arts and culture remain an integral part of our region's identity and development, enriching the lives of residents and visitors for generations to come.

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	Jenna Barr, Community Services Department
FILE REFERENCE	004\011\005\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER’S RECOMMENDATION:

That Council supports the 2026 St Helens Flower Show by granting a full waiver of hire fees for the erection and dismantling of two (2) banner poles; and

INTRODUCTION:

The organisers of the St Helens Flower Show are seeking Council’s support for the 2026 event through the waiving of fees associated with the hire and use of Council infrastructure.

PREVIOUS COUNCIL CONSIDERATION:**Council Workshop 1 December 2025****OFFICER’S REPORT:**

The St Helens Flower Show is returning for a second-year running, this event is a community event that promotes horticulture, local creativity, community participation, and family engagement. The event is delivered by The Scamander Garden Club and is open to the general public.

Our aim is to continue the tradition of a community coming together with our motto *“Friendship through Gardening”*. The benefits to the community:

- It will be delightful, pleasurable, exciting and memorable event in the community.
- The joy and fragrance of a flower show in the community, will bring colour and other activities for tourists as well as competition to the entrants both locally and further afield.
- Outside stall holders.
- A display of students artwork from our local school.
- It is open to the public - \$2.00 per adult.
- Benefits the club with new membership.
- A donation will be given to Tasmanian Lymphoedema and Lazer Therapy Centre.

To support promotion of the 2026 event, the organisers have applied for the hire fee waiver of two banner poles located in St Helens. The banners will be used to advertise the event in the weeks leading up to the show – Example of banner below:

DRAFT COPY ONLY

ALONG THE TOP WILL HAVE
THE BURST OF SUMMER FLOWER SHOW IN THE BAY OF FIRES



ALONG THE BOTTOM WILL HAVE
LOGOS FOR BREAK O DAY COUNCIL
AND THE PRINTERS

STRATEGIC PLAN & ANNUAL PLAN:

| 12/25.15.7
Flower Show

Banner Pole Waiver – St Helens

135

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

1. Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge.

Break O'Day Annual Plan 2025-2026

Action:

Community Event Support – Assist the community with event delivery by providing support and assistance with planning, approvals processes, compliance and arrangements for Council assistance and resources.

Event Attraction – Actively promote the Break O'Day Municipality as an event destination and work with event organisers and organisations to develop and attract new events to the area.

LEGISLATION & POLICIES:

CB05 – Banner Infrastructure Hire Policy

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

This event has not been allocated funding in the 2025–2026 budget

Estimated Costs

Banner Poles:

Full waiver: Hire, installation and removal of two poles at \$500.00 per pole

TOTAL: \$1,000

VOTING REQUIREMENTS:

Absolute Majority

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	Jenna Barr, Community Services Department
FILE REFERENCE	004\011\005\
ASSOCIATED REPORTS AND DOCUMENTS	Tasmanian Motorcycle Muster Prospectus Document

OFFICER’S RECOMMENDATION:

That Council support the Tasmanian Motorcycle Muster who are wishing to hold an event at the St Marys Recreation Ground in 2027 by:

1. Providing a full fee waiver associated with the use of Council managed infrastructure at the St Marys Recreation Grounds being:
 - The Multipurpose and Evacuation Building
 - The St Marys Football/Cricket Oval
 - The St Marys Pacing Club Building (including kiosk) and
 - The Public Shower and Toilet Facilities
2. Exclusive use of the St Marys Recreation Grounds including closure of the complex to the public for the duration for the event which is four days.

INTRODUCTION:

The organisers of the Tasmanian Motorcycle Muster are seeking Council’s support for the 2027 event through the waiving of fees associated with the hire and use of Council infrastructure and the approval to close the entire St Marys Recreation Grounds off to the public for the duration of their hire.

PREVIOUS COUNCIL CONSIDERATION:

Council Workshop 1 December 2025

OFFICER’S REPORT:**Tasmanian Motorcycle Muster**

The Tasmanian Motorcycle Muster is planned to launch in St Marys, March 11–14, 2027, as the first national motorcycle muster in Australia. The three-day event will combine a motorcycle touring experience with a festival, featuring:

- Daily organised rides across Tasmania
- Live music and entertainment
- Motorcycle demonstrations and competitions
- Food and drink vendors
- On-site camping and community-hosted activities

Organisers expect 2,000+ bikes and 2,500 riders in its inaugural year, with numbers growing annually. The event targets touring riders (primarily 45–65 years old), encouraging safe riding, tourism, and community connection.

The Muster is designed as a community development initiative, aiming to:

- Boost local businesses and tourism in St Marys and the Fingal Valley
- Drive investment in infrastructure and facilities
- Create seasonal and long-term employment opportunities
- Showcase Tasmania as a premier motorcycling destination.

The event will operate as a not-for-profit, supported by sponsorships, government funding, and community involvement. A portion of ticket sales will also support the Black Dog Institute.

Organisers emphasise local ownership and participation, with volunteers, businesses, and residents invited to play an active role in shaping and sustaining the event.

The event organisers have requested exclusive use of the St Marys Recreation Ground for the duration of their hire period. This includes the closure of the entire facility to the public, encompassing the St Marys Camping Ground (rest area) and the public toilet and shower facilities located within the grounds.

During this time, the Active4Life Gym will be unavailable to members, and the gym group will be required to remove all equipment into the storage area prior to the event to ensure the space is fully available for event use.

Temporary closure of the facility will require clear communication with regular users, including the Active4Life Gym group, camping visitors, and local sporting clubs, to ensure minimal disruption. Council officers will work with the organisers to ensure this happens.

These requests are intended to help ensure the event remains accessible, community-focused, and financially viable, while maximising participation and economic benefits for the local area.

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

1. Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge.

Break O'Day Annual Plan 2025-2026

Actions:

Community Event Support – Assist the community with event delivery by providing support and assistance with planning, approvals processes, compliance and arrangements for Council assistance and resources.

Event Attraction – Actively promote the Break O’Day Municipality as an event destination and work with event organisers and organisations to develop and attract new events to the area.

LEGISLATION & POLICIES:

N/A

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

As requested, - based on this financial years fees structure the fees to hire the St Marys Recreation grounds and associated buildings over the four days hire period:

Multipurpose building

Function Room - $\$73.50 \times 4 = \294.00

Shower and toilets - $\$75.00 \times 4 + \300.00

Meeting Rooms - $\$40.00 \times 4 = \160.00

Oval = $\$14.00$ per hour over 4 day = $\$1,152.00$ (96 hours)

TOTAL: $\$1,906.00$

Hired facilities but no fees in our fee structure:


Public shower and toilets at the rest area

St Marys Pacing Club Facilities (green buildings)

Trotting track

VOTING REQUIREMENTS:

Absolute Majority



Tasmanian Motorcycle Muster Prospectus 2025

SEPTEMBER 2025

Tasmanian Motorcycle Muster

Authored by : Diana Barker & Thomas Hume

Inaugural Tasmanian Motorcycle Muster 2027

Dear Stakeholder,

The motorcycle riding culture in Tasmania is growing, with Tasmania being a popular motorcycle riding destination in Australia and with an ever increasing contingent of interstate riders making Tasmania a riding destination.

We are excited to propose that in 2027 Tasmania will be hosting the first annual National Motorcycle Muster in Australia and our venue of choice for the inaugural Event is St Marys.

We expect that a minimum of 2,000 bikes and 2,500 riders will attend the first inaugural Event to be held over 3 days with an ever-increasing number of attendees from all over the world as the Event evolves each year. These numbers have been derived from recorded attendances to existing motorcycle events albeit these events have not been to the size and scale of the Tasmanian Motorcycle Muster, hence our confidence that attendance numbers will well exceed those proposed herein.

St Marys has been selected as the most appropriate venue for this Event for several reasons:

- St Marys has a small but vibrant population,
- St Marys has the appropriate infrastructure to build upon that could potentially accommodate a high influx of travelers over a short period of time with the assistance of local government and event organisers,
- The Fingal Valley as a whole is expected to benefit greatly from an increased number of visitors. If the event continues to be hosted in St Marys, an annual event such as this will encourage the development of infrastructure and facilities in the area to accommodate future large touring events and an increase in tourism,
- The success and growth of the Event would be expected to encourage development in central Tasmania providing improved facilities mid-way between the two major cities being Launceston and Hobart,
- The town's residents and proprietors would benefit from a growth in business, initially seasonally and expected to expand to year-round as facilities develop.

The success of this Event is determined upon involvement at the grass roots level including:

- Local government involvement providing additional infrastructure and providing grants to develop new and existing facilities,
- Local residents and proprietors being behind the Event and being a large part of its implementation and ongoing success,
- Local residents and businesses taking up employment and volunteering opportunities at the Event,

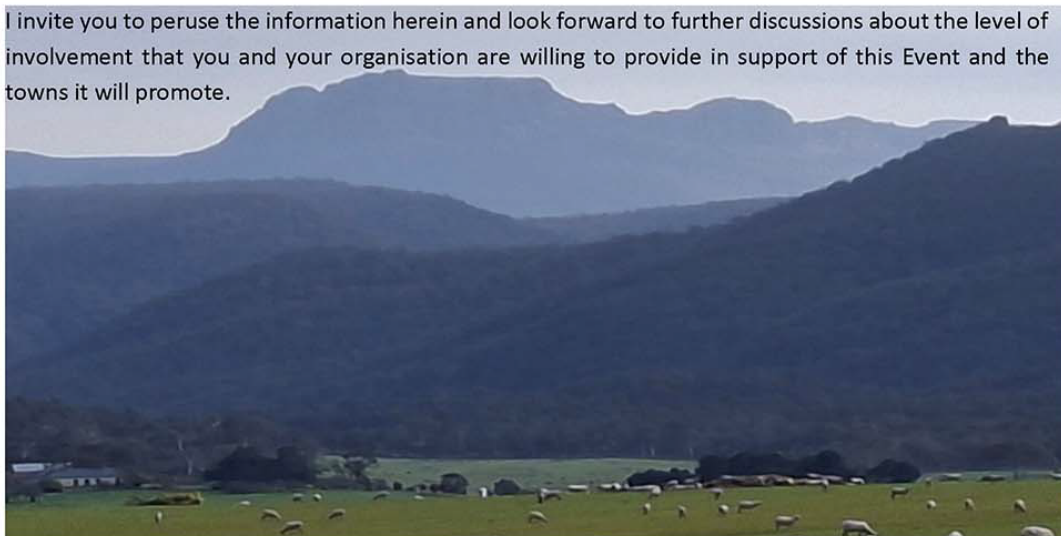
- Support of surrounding towns and resources in accommodating large groups of riders attending the Event.
- The involvement of Events Tasmania in collaboration with the organisers in developing the Event.

The Tasmanian Motorcycle Muster organisers are approaching this Event from a Community Development perspective. Whilst it would be possible to run this Event on private land, we are instead more interested in developing our local rural communities to build employment opportunities, improve infrastructure, improve the livelihoods of locals and reinvigorate Tasmanian towns by providing new purpose and facilities that inspire ongoing development and business opportunities.

As such this prospectus has been developed to provide stakeholders with an understanding of the Event and the intentions of the organisers in an effort to share our vision and ensure we are operating in a collaborative and transparent manner.

We understand that an event such as this also has the capacity to promote Organisations within the Motorcycle Industry to a captive audience and we will be providing this opportunity to a select number of sponsors, perhaps even one, exclusively, but in collaboration with State Government funding options. This will be dependent upon the commitment appetite of those invited to be a part of the Event. Sponsorship packages have been created as a separate document and will remain business in confidence.

I invite you to peruse the information herein and look forward to further discussions about the level of involvement that you and your organisation are willing to provide in support of this Event and the towns it will promote.



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Proposed Event Details

Event title: **Tasmanian Motorcycle Muster**

Proposed dates of Event: **11th – 14th March 2027** (*2nd weekend in March, annually thereafter*)

Event Description:

The Tasmanian Motorcycle Muster is an event for riders of all types of motorcycles and is a combination of a touring event and a festival. It will include live entertainment, music as well as motorcycle demonstrations, fun activities, daily organised rides, food and drink vendors on site and competitions. There will be camping on site to allow people to stay at the Event. There will be a focus on promoting Tasmania and promoting safe riding on our roads. Tasmanian businesses will be provided the opportunity to be involved in the festivities and we will work in collaboration with local businesses so that anything that is provided at the Event compliments existing services. Surrounding towns will be given the opportunity to host rider groups on organised rides and will be encouraged to sell their own merchandise as mementos for riders. Select Tasmanian businesses will be given the opportunity to become Event sponsors to promote their business and Tasmanian motorcycling.

We envision that St Marys residents, surrounding towns will be excited about and own this Event. Local towns will be encouraged to take measures to put up signage welcoming riders to their towns and invite them to enjoy their facilities and local ride groups will be invited to host group rides and create focus groups to inform the program of the Event. Volunteers will be resourced from these groups of people.

About the Target Group

Motorcycle Riders who enjoy touring and festive events are our target group. The demographic of this target group are males and couples between the ages of 45-65 years old. Their needs are basic, they are happy to pullup stumps anywhere that will allow it; they like good food and drink and are out to enjoy themselves. This demographic generally has sufficient excess funds and don't balk at spending money on fun activities. Their motivations for buying are enjoyment, anything that brings pleasure and fun.

The Event offers the target group with the opportunity to share their passion with other like-minded people, be entertained, have fun, tour the State of Tasmania, live a stress-free, fun-loving life for the term of the Event as well as making new friends and connections. The one thing that bikers from around Australia all have in common is their love or desire to ride in Tasmania. There will be music, fun activities, demonstrations, food, drinks (not alcohol) and of course organised rides every day of the Event. Bikers are truly passionate about anything motorbike related and will flock to events that

allow them to share their passion. Bikers are also tourers; they look for any opportunity to get on their bike and ride on long rides to new places. They love to stop and take in a new previously unvisited places in the world. They talk to people, bikers or not, and look for fun wherever they can find it. The bike culture involves the most active, adventure-seeking, fun loving and committed group of people over any other. Create it and they will come! Make it great and they will keep coming!

About the Event Organisers

The event management organisation is Tasmanian Motorcycle Muster Pty Ltd (TMM). TMM was born out of the minds of Thomas Hume and Diana Barker who are avid motorcycle riders and together developed a concept that an event involving Motorcycle Riders from all over Australia and held in Tasmania would be highly possible and could be utilised as a medium to reinvigorate townships in Tasmania and promote safe riding practices. Coming from a combination of 23 years of community development backgrounds Tom and Di over the next few weeks continued to develop and grow the idea from this initial seed and set out to find whether “the perfect” community existed that could host such a momentous event. After locating the Fingal Valley and some of its residents the idea quickly advanced into a fully developed realisation that not only could it happen but we could and would make it happen.

We are fully committed to the Tasmanian Motorcycle Muster and since the inception of the idea we have committed our own time and resources to developing the structure, conducting research and creating policies and procedures to make this event the biggest and best motorcycle event in Australia. TMM have taken this idea to its current stage. It is now necessary to gain commitment and support from Events Tasmania, local business, State Government and local Government bodies to support the event. Without contributions from these stakeholders the Event cannot proceed regardless of our commitment to it.

This Prospectus has been put together to provide all the necessary information to assist stakeholders like yourself to arrive at a logical decision of whether supporting this endeavor is a decision worth entertaining. As such we provide information about the asserted impact of this Event, the foreseen and critical event barriers, the funding intent and required support. All the assertions in this Prospectus have been made after careful consideration of relevant data and supported by existing knowledge of the motorbike culture in Tasmania and Australia as a whole. As you are an important stakeholder we have also attached our basic project plan to enhance your understanding of the work, commitment and intentions of the organisers.

We thank you for taking the time to peruse our Prospectus and look forward to all opportunities to work with you on the Tasmanian Motorcycle Muster.

Expected Impact and Benefits

It is expected that there will be multiple impacts and benefits for St Marys, the Fingal Valley, Break-O-Day council area, other local towns and communities (ride destinations) as well as, Tasmania's tourism and economy. These impacts and benefits include:

- A massive injection of tourists and income for businesses in Tasmania as a whole and all the specifically designated destinations as part of the Event,
- A long-term increase in commitment to infrastructure development in Tasmania by business owners, residents and local government,
- An increase in potential employment in Tasmanian as a result of increased product and service utilisation from tourists,
- The potential to make Tasmania the unofficial motorbike capital (preferred destination) of Australia.
- An increase/advancement in accommodation provision in the area, including camping provisions.
- An increase in motorcycle riders across Australia identifying Tasmania as the place to ride in Australia,
- The ability to showcase beautiful Tasmania, and particularly country towns that are often bypassed by tourists,
- The investment and development of services that encourage tourists to stop and spend money.

The Tasmanian Motorcycle Muster and St Marys

The motorcycle industry and culture is monumental in Australia. According to the Federal Chamber of Automotive Industries, in 2020 there were 84,000 new two wheeled vehicles sold in Australia. There are about 2.2 million motorcycle license holders and more than 1.14 million motorcycles (880,000 registered road bikes) across Australia. New and used annual motorcycle sales are approximately 252,000 and the motorcycle industry contributed approximately \$2.28 billion to the national economy (Expert Market Research Australia). Furthermore, according to the Bureau of Infrastructure and Transport Research Economics Statistical Report 2024 Tasmania has the third highest number of registered motorcycles per capita in the country at 36.8% the only States higher being Queensland at 43.1% and Western Australia at 44.3% (ABS 2024). Tasmania has a thriving motorbike population and culture and Tasmania has a great reputation as a popular riding destination for interstate riders.

It is expected that the Tasmanian Motorcycle Muster will make Tasmanian synonymous with Motorcycle riding. According to Tourism Tasmania we enjoyed 3.44 million visitors in 2024, 3.19

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million interstate visitors and 254,000 international visitors to our beautiful State last year. It is estimated that 5-10% of these visitors ride motorcycles (unconfirmed) and participate in touring the State. It is anticipated that a larger proportion of these visitors will put Tasmania on their tour route as the Tasmanian Motorcycle Muster grows. There is existing evidence of this phenomenon when investigating events such as the Deniliquin Ute Muster in Deniliquin NSW and Sturgis Motorcycle Rally in the United States. Statistics show that both Deniliquin and Sturgis enjoy a massive influx of visitors to their towns during the Events followed by a cascading effect of benefits thereafter which continue to compound each year. These benefits include a higher number of visitors year round, higher demand for services providing additional opportunities for employment and business opportunities related directly and indirectly to their respective events.

We have studied The Break O'Day Strategic Plan (2017-2027) document and the St Marys Township Plan to identify whether this project is congruent in achieving any of the objectives and/or goals identified for the BOD council area and St Marys specifically. What was very evident was that this Event is perfectly attuned to the vision espoused in the BODC Strategic documents. Furthermore, it assisted us to identify further opportunities for the Event to impact on other 'key focus areas' identified in these documents.

The BOD strategic plan identifies their foundations for their community as "infrastructure and services" and these are amongst the benefits that are being espoused by the organisers in relation to this Event. The BOD's community goal is to strengthen their sense of community and lifestyle through opportunities for people to connect and feel valued; this is what the Tasmanian Motorcycle Muster is doing as part of the community development paradigm in which we are working. The Muster will also be utilising the skills of the residents in the St Marys area and will be engaging volunteers to be involved in the Event, which fits in with the council's objective of creating a culture of volunteering to support and enable vibrant and sustainable events, activities and community groups with a community engagement framework. Furthermore, in relation to the councils "Economy goal it reads: To foster innovation and develop vibrant and growing local economies which offer opportunities for employment and development of business across a range of industry sectors", this exemplifies the aims of the Tasmanian Motorcycle Muster.

In relation to the St Marys Township Plan, although the current township plan is coming to an end it is useful to note that the Muster is in line with the community legacy which involves St Marys becoming a more vibrant township and community. As part of the Community Engagement Plan the community expressed a desire for more community events to be organised, suggesting the community will embrace this Event. From our perusal of these documents it appears that The Tasmanian Motorcycle Muster Event is timely and meets many of the criteria that the Break O'Day Council and its residents envision for the town.

Evidence for Assertions

TMM have used data from the following sources in order to identify the benefits and impacts of an event such as the Tasmanian Motorcycle Muster;

- Deniliquin Ute Muster,
- Motorcycling in Australia (FCAI),
- Tourism Tasmania,
- BODC
- ABS, 2024
- Expert Market Research Australia
- Bureau of Infrastructure and Transport Research Economics Statistical Report 2024

Barriers

Foreseen Barriers

There is a shortfall of services in the St Marys Community; however, there are also critical services provided which will increase the safety of TMM patrons. These shortfalls must be addressed for the Event to move forward. The service shortfalls that have been addressed in the Project Plan include; accommodation, banking and food provisions.

Foreseen Barriers as listed above are discussed further below;

- The lack of accommodation options. Accommodation in St Marys and the immediate surrounding Fingal Valley is very limited with a Bed and Breakfast and the Bed In A Shed in Fingal, St Marys Seaview Farm, and the St Marys Hotel, the Historic Bank conversion, Lumera Chalets and Oakdene Heritage Accommodation in St Marys being the main options for people who don't want to camp. There is, however accommodation close by at Four Mile Creek, Scamander and St Helens offering a variety of accommodation options. Camping provisions at the Event arena are estimated to accommodate approximately 280 tent sites (550 people) and does not go close to accommodating the maximum Event size of 3000 people which means that surrounding accommodation will be expected to accommodate approximately 2500 attendees, albeit some attendees will be local and will not require accommodation (this number cannot be quantified).
- The absence of a variety of choice in relation to food provisions. Whilst the Event will have options in relation to food. The idea of the Event is to develop the community,

ideally it would increase the experience of Event attendees if they could leave the grounds and go to a café or restaurant and sit down to a nice meal. Whilst there is a bakery and two cafés (The Coach House Restaurant & Coffee Lounge and the Purple Possum Café) and the Coach House café provides pizza after 5pm, the 'in-dining' capacity is very limited. The St Marys Hotel does counter meals and can accommodate 40 diners. They provide lunch and dinner seating times.

- Other shortfall includes banking facilities. A decision has been made to make it a cashless Event as there are no provisions for the committee to be able to offload cash at the end of each day.

Potential Critical Events

The potential critical events or risks include:

- The inability to secure funding. Funding is required to cover all the costs of this first Event. Without it the Event cannot proceed,
- Local Government unwilling to support the Event and effectively blocking its development and implementation,
- Local Community unwilling to support the Event and effectively blocking its development and implementation,
- The inability for TMM to secure necessary insurance/permits/licenses to run the Event (may only affect certain elements of the Event),

TMM have conducted preliminary investigations to explore each of these potential critical events and have addressed them as part of the project plan. Investigations into potential funding being forthcoming has identified that the model of the project would make TMM eligible for Government funding. Additionally, the organisers will be involving Events Tasmania to assist with this process to ensure that any unforeseen barriers are addressed. However, in the interests of being transparent it was important that these be identified because these have not been formally eliminated and will not be until such a time that the organisers have applied for and secured funding.

TMM intend to do the following to address these potential barriers;

- Hold a community meeting to invite the residents of St Marys and anyone from the BOD council area to ask questions and express concerns,
- Conduct meetings with BODC and the local interested parties to explore any reservations and ascertain any further unforeseen barriers,

- Develop focus groups utilising stakeholders to ensure a well organised and relevant Event,
- Create a list of potential funding streams and write funding applications to secure funding (for further information in relation to funding intent below),
- Identify and apply for all necessary insurance, permits and licenses to run the Event in collaboration with Events Tasmania and Break O'Day Council.

Viability and Sustainability

Funding Intent

As previously mentioned, TMM have committed time, money and resources and will continue to do so to ascertain the viability of the proposed Event. However, full funding for the Event must be obtained for the Event to proceed. We are in the process of constructing financial projections for the cost of the Event and therefore the cost to participants in order to fully understand the financial viability of this Event, however, preliminary calculations indicate that the Event is financially viable and will be self-sustaining into the future.

The proposal is to gain full funding in the first year and the profits received from the first year will pay for the costs of the Event for the second year and so on and so forth. This will make the Event self-funded and sustainable each year thereafter. We will also be working with The Black Dog organisation and will be making The Black Dog a charitable recipient donating \$1 for every ticket sold and providing them the ability to run fund-raising activities/rides during the Event.

The TMM is a Business for Special Purposes/Not-for-profit and it will be run by an Executive Committee. The Committee will oversee the finances and will need to approve spending of all funds in relation to the Event. The committee will also set pricing for the cost of participants and engage a ticketing provider to oversee the payment processes.

Sponsorship packages will be created with a preference of one major sponsor providing sufficient funding for the project to be continued together with Government Funding. If one major sponsor is secured, they will enjoy a commitment from TMM to be the exclusive sponsor for the first 3 Motorcycle Muster Events, if and when they occur, without any further cost. Approaches to any individual or corporation will be kept strictly confidential, only the resulting sponsor/s will be identified as part of the ongoing marketing of the Event.

The presale of merchandise will assist in ensuring that over-capitalising in merchandise is curtailed, however, there will also be limited merchandise sold at the Event. TMM will have a full suite of

policies and procedures protecting the funds allocated for the Event which will also be directed by the Committee.

TMM have policies, procedures and terms of reference for the Committee which will include their responsibility in relation to the Event and its finances. Committee members will be accountable to identify all actual and perceived conflicts of interests when approving service providers. The hiring of service providers will include a fair and just process and will be in the interests of the Event and no person or entity will profit unduly other than to provide a service that involves fee for service. Committee members will be volunteers and will not be paid for their positions on the Committee. Committee members will be reimbursed all reasonable and approved expenses in relation to being part of the Committee and any exceptions will be clearly outlined in the Committees terms of reference.

Required Support

The Tasmanian Motorcycle Muster is intended to be a community event and whilst we intend to be the driving force and the organisation responsible for getting the Event out of the hearts and minds of the organisers and onto the St Marys Recreation Ground (TMM Arena), this Event cannot be done in the way intended without the full support of the community.

The financial support required has been laid out previously in this Prospectus, however more importantly we need the support by way of community 'buy-in.' Full 'buy-in' from the community will involve:

- The willingness of various stakeholders to be part of the Committee and/or the Event,
- The willingness for residents who are in a position to do so to explore their own business opportunities in the town to accommodate participants of the Event and also future tourism,
- A commitment of BODC to improve infrastructure in the town to assist in accommodating participants of the Event and also future tourism, which may mean developing further camping grounds, toilet/shower facilities or pledging funding for residents to do so,
- A collaboration between TMM, Community Groups and stakeholders within the community to support the Event and ensure that the Event does not have a negative impact on the residents of St Marys.

We ultimately want the people of Tasmania to own this Event and embrace it as their own. We will endeavor to ensure we include everyone who wants to be involved in this exciting journey and the more people who walk the journey with us the greater the Event will be and the greater the impact and longevity of benefits for Tasmania.

Statement of Intent

TMM and its management do not intend to gain financial benefits from the proceeds of this Event. It is hoped that the success of this Event will potentially create a desire from other communities for using this Community Development Model. The benefit for organisers is to host and be part of this amazing Event as motorcycle enthusiasts themselves.

Driven by our passion for Tasmania, Motorcycle riding and Community Development we want to see this Event create significant change for everyone involved. Whilst it is understood that long term change will be a process in the making, we believe that within 5 years of the instigation of the Tasmanian Motorcycle Muster, Tasmania and its surrounding communities will have new purpose and become a place that offers greater opportunities for its residents in terms of employment and development.

We look forward to witnessing the transformation of this beautiful part of the world and are proud to be associated.



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Tasmanian Motorcycle Muster – project plan

Project Plan

Description

This project plan has been established to identify whether an annual motorcycle muster to be held in Tasmania is a viable venture. The proposed Event is intended to showcase Tasmania as the preferred motorcycle riding destination in Australia and promote safe riding in Tasmania. The resulting Motorcycle Muster Event is to be hosted in central Tasmania for Australian motorcycle riders and their pillions for fun, touring rides, music and entertainment.

Overview

Tasmania is a well-known albeit challenging motorcycle riding destination across Australia. Speak to anyone who rides a motorcycle anywhere in Australia and mention Tasmania and you will hear the same responses repeatedly, these responses tend to be in two groups, those who have visited Tasmania and want to return and those who haven't ridden in Tasmania and have it on their bucket list.

We want to bring that time to NOW! We want to promote Tasmania across Australia and push the envelope to all Australian Motorbike riders, that now is the time to fulfill those dreams.

The Objectives

1. Encourage motorcycle riders around Australia to tour Tasmania.
2. To promote a 'safe riding' event.
3. Provide Tasmanian motorcycle riders the opportunity to get together with like-minded people from all over Australia for group rides, music and fun activities.
4. To create a major event in Tasmania that grows and becomes sustainable.
5. To give the motorcycle riders of Tasmania and local residents ownership over this Event.

The Scope

The scope is intended to encompass the initial Event only. It is anticipated that this Event will grow in varying ways and any limitations on this growth would be short-sighted. To ensure the success of the inaugural Event the scope has intentionally been kept tight. This will make the task and budget manageable and allow for a focus on the quality of the Event. It is anticipated that this should result in participants, both local and interstate, being excited to return in subsequent years.

SCOPE INCLUSIONS

- Event Timeframe: 3 days. Thursday – participants arrive, Friday & Saturday – Event in full swing, Sunday – participants depart.
- Rides will be organised and hosted by Event organisers and host groups, starting on Thursday afternoon and finishing Saturday afternoon.
- There will be a strong focus on safe-riding practices.
- Participant-organised rides will be promoted by the utilisation of a noticeboard at headquarters.
- Entertainment will consist of one main music performance Saturday night and a host of smaller activities within budget on Friday and Saturday.
- Food and drink provisions will be organised that compliment local establishments.
- Marketing products/merchandise will be created and sold within budget parameters. Best bang for buck in promoting the Event. Merchandise may be pre-sold as well as available at the Event.
- No more than 3 days.
- Organised rides no more than 3 hours return, to fit within the safety plan.
- Participant-organised rides will not be the responsibility of TMM.

SCOPE EXCLUSIONS

- It is not expected that Event organisers will provide activities for all day every day, limit to approximately 3 events maximum on any one day. We want to promote riders to explore our roads.
- No alcohol will be sold at the Event.
- Committee Members to be Tasmanian residents only (for local knowledge and ownership purposes).

The Proposal

Refer prospectus which outlines the proposed Event in its entirety including;

- Target Group
- Impacts
- Barriers
- Funding Intent
- Viability and Sustainability

Technical/Project Approach

A committee is to be formed and a business structure to be agreed upon and set up prior to funding applications. Once funding has been secured all known social motorcycle groups in Tasmania will be invited to be involved by way of focus groups and ride sponsors. The intention is to create local support and ownership of the Event. This will be followed by a marketing campaign distributed using social media to all identified social motorcycle groups in Australia. Strategies for reaching riders who are not part of a social motorcycle group to be developed by the committee and relevant delegates. This task will be delegated to a volunteer specifically interested and talented in this area. The marketing campaign will begin in earnest at least 6 months prior to the Event. A website and/or social media group will be created to provide participants with further information about the Event. A ticketing platform will be utilised to manage ticket sales. Both the website/social media group and the ticketing platform will be utilised to pre-sell merchandise such as patches and t-shirts.

Technical assistance will be sought by way of IT student project or voluntary specialist to create/recommend a workable platform that allows for SMS to be sent to participants for a range of reasons, such as to; particular camp sites when a contravention of the rules has been identified, groups of riders to remind them that their ride is occurring and that they need to attend the ride briefing, all participants in an emergency or to advertise the next event. It will also need to be able to receive reply SMS for situations where a participant may need emergency assistance.

A Headquarters (HQ) will be set up at the Event which will be utilised for administrative duties, sale of merchandise, ride registration, ride advertising, first-aid and break room for volunteers.

The Event will require 4 volunteer crews of approximately 9 people. Each crew will consist of a Team Leader, a minimum of 2 Scouts, a Runner, 2 Gate attendees and 3 Administration Officers. Crews will work 3 shifts, morning 6am to 12pm, afternoon 12pm to 6pm and evening 6pm to 10pm.

Headquarters will be open from 7am to 9pm.

Food will be provided by vendors and/or local Lions/Social groups (with the necessary licensing)

or the volunteers associated with the recreation ground (which will be known as the TMM Arena). TMM will not be involved in providing food and/or drinks to participants, this, as well as the profits involved, will be outsourced.

A limited amount of merchandise will be sold at the Event. Event sponsors will be able to sell, showcase their own merchandise at the TMM Arena.

Resources Required:

Funding	To be sourced
Volunteers (up to 40)	To be sourced
Eftpos Machines x 3 (possibly Bendigo Bank)	To be sourced
Computers/ipads x 2	To be sourced
Ride sponsors	To be sourced
Toilet/Showering Facilities	14 toilets, 7 showers available at Arena Further 20 toilets/urinal to be sourced.
Headquarters	Satisfactory HQ at Arena
Kitchen facilities	Satisfactory kitchen facilities at Arena
Internet/Phone reception or wifi	Satisfactory access at Arena.

Project Deliverables

Timeline for Execution

Key project dates are outlined below. Dates are best-guess estimates and are subject to change.

Description	Start Date	End Date	Duration
Phase 1 – Creating structure and gaining funding	1/8/25	28/2/26	7 months
Complete project plan and prospectus	1/8/25	31/8/25	31 days
Establish organisational structure	1/9/25	30/9/25	30 days
Form committee	1/10/25	31/10/25	31 days
Obtain funding	1/10/25	28/2/26	5 months
Phase 1 Complete	28/2/26		
Phase 2 – Organising the Event	1/3/26	1/3/27	12 months
Conduct Information sessions for motorcycle groups/ form focus groups	1/3/26	31/3/26	31 days
Reform Committee/establish committee meetings	1/4/26	30/4/26	30 days
Organise Event	1/5/26	1/3/27	10 months
Phase 2 Complete	1/3/27		
Phase 3 – The Event	15/3/27	21/3/27	6 days
Set up Arena	15/3/27	18/3/27	4 days
Run Event	11/3/27	13/3/27	3 days
Pack up event	14/3/27	14/3/27	1 day
Phase 3 complete	14/3/27		
Phase 4 - reflections and changing of the guard	14/3/27	28/3/27	14 days
Post Event committee and volunteer meeting/debriefing/celebration	22/3/27	28/3/27	1 week
Event surveys from participants	14/3/27	27/3/27	2 weeks
Invitation evening for parties interested in Event for 2028 – in person and facetime	28/3/27	28/3/27	1 day
Form 2028 Committee	28/3/27	28/3/27	1 day
Phase 4 complete	28/3/27		

Supplied Material

The following materials are to be supplied by the Project Manager for this project.

Materials to be supplied by the Project Manager	Due Date*
Policies and Procedures	28/2/2026
Forms and documents	28/2/2026
Banking materials including Eftpos/sales software	28/2/2026

Materials to be supplied by the Funding Provider	Due Date*
Money and conditions	TBA

Materials to be supplied by the Promotions Company	Due Date*
T-shirts	1/4/26
Patches	1/4/26
Drink bottles/Pens/any other promotional items approved by Committee	

Budget

The preliminary budget has been withheld and not disclosable as part of this document.

Succession Planning

Full succession planning will be documented in detail in the organisation's constitution.

The current organisers will be committed to being Project Sponsors for the first 3 Events in order to provide a seamless process for Major Sponsors, unless unforeseen circumstances prevent this from occurring. This will ensure that all agreements/contracts are honoured. However, a new committee will be appointed following the completion of the previous Event. Previous Committee members will be able to re-elect themselves for subsequent years. The Project Management role will be vacated at the end of each Event and a new Project Manager will be nominated/elected each year. A previous Project Manager can re-nominate for subsequent years. Nominees for Project Manager position will be by formal application. All Project Manager nominees will need to declare their commitment to the project fundamentals/ethos, acknowledge that no individual of TMM can gain financially from the

company and confirm that no other group/organisation of any sort be it social, constitutional etc has ownership over the Event. Any actual or perceived conflict of interest is to be declared.

Winding up and 'changing of the guard' meeting event is to occur no later than 14 days after the conclusion of the Event. This is to ensure:

- That succession planning occurs in a timely manner,
- That individuals (volunteers, funding stakeholders) involved in the previous Event are acknowledged, rewarded and provided the opportunity to pass on feedback of what worked, what didn't and what could improve for the successive Event,
- That time is allowed for participant feedback to be collated and delivered to the outgoing and incoming Committees,
- The successive Committee is formed, so that they have sufficient time to organise a successful Event for the following year,
- To allow the project sponsor to be appointed after the 3rd Event (expected to be on the conclusion of the 2029 Event) if the project sponsor stands down.

Conclusion

We look forward to working with funding providers and supporters on this project. We are confident that we can meet the challenges ahead and stand ready to partner with you in delivering a successful inaugural Event.

If you have questions on this proposal, feel free to contact Diana at your convenience by email at disdestiny14@outlook.com or by mobile on 0400 271 681.

Thank you for your consideration,

Diana Barker
Project Sponsor/Manager

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	Chris Hughes, Manager Community Services
FILE REFERENCE	018\019\023\
ASSOCIATED REPORTS AND DOCUMENTS	Letter from Break O’Day Artists Inc requesting sponsorship

OFFICER’S RECOMMENDATION:

That Council **decline** the sponsorship request but encourage Break O’Day Artists Inc to apply through the Art & Culture Community Grant program which is currently open for funds to support their project.

INTRODUCTION:

Council has received a written request to assist the Break O’Day Artists Inc with monetary sponsorship to the value of \$5,000 on an annual basis to run events and support other local artists throughout the year.

PREVIOUS COUNCIL CONSIDERATION:**Council Workshop 1 December 2025****OFFICER’S REPORT:**

Break O’Day Artists Incorporated (BODA) is a local not-for-profit community arts organisation dedicated to promoting and supporting creative practice across the Break O’Day region.

In correspondence received (see attached request) BODA has sought an annual sponsorship contribution of \$5,000 from Council to assist with costs associated with running the Local Art Prize and other community exhibitions throughout the year.

The funding would contribute towards:

- Prize money for winners and finalists
- Exhibition venue hires and setup
- Promotional materials and marketing
- Artist engagement and outreach activities

The Local Art Prize aims to provide local artists with a platform to showcase their work, gain recognition, and strengthen community participation in the arts.

BODA requests Council’s sponsorship to:

- Support the annual Local Art Prize and future community exhibitions.
- Acknowledge Council as a key sponsor through promotional materials, signage, and event branding.

This initiative is designed to celebrate regional creativity, encourage local participation, and foster pride in community-based cultural development.

BODA notes that while the Bay of Fires Arts Association has received significant Council support in previous years, the Local Art Prize has not yet received Council funding. The group suggests that Council's contribution would help "rebalance" arts investment by nurturing grassroots creativity.

This request aligns with the following Council strategic priorities:

- Community Wellbeing: Supporting inclusive and creative community activities.
- Cultural Development: Strengthening local identity through arts and culture.
- Economic Development: Encouraging local visitation and creative enterprise.

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

1. Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge.

LEGISLATION & POLICIES:

N/A

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

There are budget implications to Council as this request was not considered as part of the 25-26 budget.

VOTING REQUIREMENTS:

Absolute Majority



Break O'Day Artists Incorporated
The Cultural Tapestry of our Community

Ms Chris Hughes
Break O'Day Council

Dear Chris,

Re: Sponsorship Request for Local Art Prize and Community Exhibitions

Break O'Day Artists Incorporated respectfully seeks Council's sponsorship to support the Local Art Prize and other community-based exhibitions we may hold throughout the year. These initiatives are designed to celebrate and elevate the creative talent within our region, providing meaningful opportunities for local artists to exhibit their work, connect with peers, and gain recognition in a supportive and inclusive environment.

We are requesting an annual sponsorship of \$5,000 to assist with prize funding, exhibition costs, promotional materials, and artist outreach. This support would help ensure the continued growth, accessibility, and impact of our programs. We understand Council's budgetary constraints and would be sincerely grateful for any level of contribution.

To date, the Local Art Prize has not received Council funding, while the Bay of Fires Arts Association's (BOFAA) National Exhibition has benefited from significant backing. We believe this presents an opportunity to rebalance investment in the arts by nurturing grassroots creativity and strengthening local connections. Supporting local artists not only fosters cultural vitality—it encourages participation, pride, and collaboration across our community.

We would welcome the opportunity to discuss this proposal further and explore how Council's support could be acknowledged through promotional materials, signage, and event branding.

Thank you for considering this request. Break O'Day Artists Incorporated remains committed to enriching our region through the arts, and we hope Council will join us in championing local talent and community creativity.

Sonya Allison and Keri Sidney

On behalf of

BODA Team

President: Lois Wilkinson
Secretary: Keri Sidney
Incorporation: 1A14450
PO Box 175, St Helens

www.bodartists.com

Vice President: Wayne Crocker
Treasurer: Murray Gofton
ABN: 47 462992035
info@bodartists.com

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	Chris Hughes, Manager Community Services
FILE REFERENCE	018\019\023\
ASSOCIATED REPORTS AND DOCUMENTS	Letter to the Mayor from Underdog Boxing Sponsorship Packages from Underdog Boxing

OFFICER'S RECOMMENDATION:

1. That Council sponsor this event as a Silver Sponsor by providing the sum of \$2,500 towards this event.

OR

2. That Council provide Silver Sponsorship of the event with a contribution of \$2,500 and waive the two-day hire fee for the Bendigo Bank Community Stadium, valued at \$1,173.

INTRODUCTION:

Council has received a written request from the Underdog Boxing group seeking financial sponsorship for their event scheduled for March 2026. The group is requesting a total contribution of \$12,000 from Break O'Day Council — comprising \$2,000 to sponsor a winner's belt and \$10,000 to support event operating costs. It is also anticipated that a fee waiver request will be submitted for the hire of Council infrastructure required to host the event.

PREVIOUS COUNCIL CONSIDERATION:**Council Workshop 1 December 2025****OFFICER'S REPORT:****ABOUT THE EVENT**

Battle by the Beach: Warrior Women will celebrate the strength, skill, and spirit of female athletes, bringing together the community for an unforgettable night of action and entertainment. Hosted by Underdog Boxing, the event will showcase local and international talent while promoting women's participation in sport and positive community engagement.

Boxing Tasmania has also asked them to host a 2nd show directly after our women's boxing event to showcase all our Tasmanian boxers which now creates the opportunity for all our local boxers to bring the community together for the first ever boxing event on the east coast of Tasmania.

We sought additional information from the event organisers, and they have provided responses below:

How many female participants from the Break O'Day area are you expecting to participate in this event?

We anticipate 4-6 female athletes to compete from the Break O'Day area will participate, based on current interest and ongoing discussions with our local club and families. As registrations open, we expect this number to grow.

The Friday event we have of 50 women who have already expressed an interest in attending.

Are you capping the number of participants and is it only open to Tasmanians or are you proposing a national competition?

Yes, we will. To ensure Bout quality and event safety, with an estimated minimum of 30-40 female competitors across all weight divisions.

The primary focus is Tasmanian athletes, however we will allow interstate and international competitors particularly for divisions where Tasmanian numbers are low. This ensures all local fighters have suitable, safe matchups and enhances the competitive standard of the event.

The Friday event is open to all women, where we have professional female athletes, coaches, doctors and physicians talking and running a program on mental health and boxing.

When will you have confirmation that the event is going ahead?

We expect full confirmation within two weeks of securing venue approval and sponsorship support. Our team is prepared to move quickly with logistics, matchmaking, and promotion once foundational approvals are finalised.

Do you have other sponsors as well to support this event?

Yes. We are currently in discussions with multiple businesses, including local organisations, statewide sporting partners, and small business sponsors. Several have already expressed strong interest in the silver and bronze packages and we are working through commitments for tiered sponsorship packages (Diamond, Gold, Silver, Bronze).

What benefits do you see to the Break O'Day Community in supporting your proposed event?

Supporting this event provides:

- **Economic uplift** through visitors booking local accommodation, dining, and shopping.
- **Promotion of female sport participation**, showcasing strong role models for young girls in the region.
- **Increased community engagement**, bringing families together in a safe, vibrant sporting environment.
- **Tourism exposure**, with marketing materials highlighting Break O'Day as a host destination.
- **Youth development opportunities**, encouraging healthy activity, discipline, and confidence through boxing.

This event helps place Break O'Day at the forefront of supporting women in sport and community wellbeing

Will this event go ahead if Council does not support the requested \$12,000 funding?

The event can still proceed, but **not at the same scale or community benefit level.**

Council's support enables us to:

- Keep ticket prices affordable,
- Secure quality equipment and staffing,

- Provide safe, regulated conditions,
- Offer free or discounted entry for local youth, and
- Deliver a professional-standard event that reflects positively on the region.

Without the \$12,000 funding, we would need to significantly reduce production quality, community engagement components, and athlete support.

The organisers have also provided the below sponsorship packages – if Council is able to support this event, we may consider one of these sponsorship packages instead of the requested \$12,000.

Sponsorship Packages:

DIAMOND SPONSOR (MAIN EVENT SPONSOR) – \$10,000

As the premier event partner, your business will headline the night and receive full-scale exposure and recognition as the driving force behind this empowering event.

Inclusions:

- **Event Naming Rights:** “Battle by the Beach: Warrior Women – Presented by Break O’Day Council” (Or your choice in title)
- **Logo engraved on the Championship Belt** (optional: “[Sponsor Name] Women’s Championship Belt”)
- **2x VIP Table (10 guests per table)**– fully catered with food and drinks
- **MC & media mentions** throughout the night and all digital campaigns
- **Logo placement on:**
 - Posters, banners, and digital advertising
 - Tickets, VIP tables and at the bar
- **Opportunity to present the championship belt**
- **Exclusive social media promotion** and thank-you posts pre- and post-event
- **Recognition in press releases** and media coverage
- **Option to display promotional material** at the venue
- Your logo on all our clubs training gear

GOLD SPONSOR – \$5,000

Prominent visibility across event materials and VIP access for your team. Perfect for major supporters who want a strong presence.

Inclusions:

- **Logo featured** on event posters, digital media, and sponsor banner
- **MC acknowledgment** during the night
- **1 x VIP Table (10 guests)** with catering and drinks
- **Social media mentions and thank-you post**
- **Option to display promotional material** at the venue

SILVER SPONSOR – \$2,500

Ideal for local businesses and supporters looking for strong brand exposure and involvement.

Inclusions:

- **Logo on event banners and digital promotions**
- **MC acknowledgment** on event night
- **4 x VIP tickets** (with catering)
- **Social media mention and thank-you post**

BRONZE SPONSOR – \$500

For small businesses or supporters who want to be part of the action and back the fighters.

Inclusions:

- **Logo on sponsor banner** displayed at the event
- **2 x GA tickets**
- **Social media thank-you post** acknowledging your support

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

1. Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge.

LEGISLATION & POLICIES:

N/A

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

There are budget implications to Council as this request was not considered as part of the 25-26 budget. Waiving the two-day hire fee for the Bendigo Bank Community Stadium has a value of \$1,173.

VOTING REQUIREMENTS:

Absolute Majority

Dear Mayor Mick Tucker,

I hope this message finds you well. I am reaching out on behalf of *Underdog Boxing* regarding our upcoming event, Battle on the beach; Warrior women , which will be potentially held in Bendigo stadium in St Helen's on the 27th and 28th of March 2025

We would like to formally request the **support of Break O'Day Council** through either:

- Assistance with **venue hire**, and/or
- A **sponsorship contribution** towards a championship belt, which could feature either *Break O'Day Council's name* or *a title of your choosing* engraved on it.

In appreciation of your support, we would be proud to offer the following:

- **1 VIP table** (seating 10 guests) with food and beverages provided,
- **Logo placement** on all event banners and promotional material,
- **Multiple acknowledgements** and thank-you mentions throughout the night, and
- The opportunity for a **council representative** to present the sponsored belt during the event.

This partnership would not only help promote community engagement and local pride but also support our mission to provide positive sporting opportunities and experiences for local athletes.

We would love the opportunity to discuss this further and tailor a sponsorship package that suits the council.

Thank you for considering our request.

Kind regards,

Ash Ifopo

Underdog Boxing

0401189156

Ashifopo@outlook.com

SPONSORSHIP PROPOSAL

Battle by the Beach: Warrior Women

Presented by Underdog Boxing Promotions

Event Date: 27th, 28th March 2026

Venue: Bendigo Stadium

Organiser: Underdog Boxing

Contact: Ash Ifopo

DIAMOND SPONSOR (MAIN EVENT SPONSOR) – \$10,000

As the premier event partner, your business will headline the night and receive full-scale exposure and recognition as the driving force behind this empowering event.

Inclusions:

- **Event Naming Rights:** “Battle by the Beach: Warrior Women – Presented by Break O’Day council”(Or your choice in title)
- **Logo engraved on the Championship Belt** (optional: “[Sponsor Name] Women’s Championship Belt”)
- **2x VIP Table (10 guests per table)**– fully catered with food and drinks
- **MC & media mentions** throughout the night and all digital campaigns
- **Logo placement on:**
 - Posters, banners, and digital advertising
 - Tickets, vip tables and at the bar
- **Opportunity to present the championship belt**
- **Exclusive social media promotion** and thank-you posts pre- and post-event
- **Recognition in press releases** and media coverage
- **Option to display promotional material** at the venue
- Your logo on all our clubs training gear

GOLD SPONSOR – \$5,000

Prominent visibility across event materials and VIP access for your team. Perfect for major supporters who want a strong presence.

Inclusions:

- **Logo featured** on event posters, digital media, and sponsor banner
- **MC acknowledgment** during the night
- **1 x VIP Table (10 guests)** with catering and drinks
- **Social media mentions and thank-you post**
- **Option to display promotional material** at the venue

SILVER SPONSOR – \$2,500

Ideal for local businesses and supporters looking for strong brand exposure and involvement.

Inclusions:

- **Logo on event banners and digital promotions**
- **MC acknowledgment** on event night
- **4 x VIP tickets** (with catering)

- **Social media mention and thank-you post**

BRONZE SPONSOR – \$500

For small businesses or supporters who want to be part of the action and back the fighters.

Inclusions:

- **Logo on sponsor banner** displayed at the event
- **2 x GA TICKETS**
- **Social media thank-you post** acknowledging your support

ABOUT THE EVENT

Battle by the Beach: Warrior Women celebrates the strength, skill, and spirit of female athletes, bringing together the community for an unforgettable night of action and entertainment.

Hosted by **Underdog Boxing**, the event showcases local and international talent while promoting women's participation in sport and positive community engagement.

Boxing Tasmania has also asked for us to host a 2nd show directly after our women's boxing event to showcase all our Tasmanian boxers which now creates the opportunity for all of our local boxers to bring the community together for the first ever boxing event on the east coast of Tasmania.

CONTACT

Ash Ifopo

Event Director – Underdog Boxing

Ashifopo@outlook.com

0401189156

Happy to change packages around.

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****PUBLIC HEALTH REPORT****KEY DEPARTMENT STRATEGIC OR OPERATIONAL MATTERS**

Nil

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 2024 / 2025
NPR	2	6		5	10								23	
Permitted		4	4	2	1								11	
Discretionary	15	15	5	11	21								67	
Amendment	1		1	1	3								6	
Strata														
Final Plan	1	2	4	1									8	
Adhesion														
Petition to Amend Sealed Plan														
Boundary Rectification														
Exemption														
Total applications	19	27	14	20	35								115	205

Ave Days to Approve Nett *	39.6 8	30.85	24.92	43.55	24.94								32.78
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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:

DA NO	LOCATION	DESCRIPTION	SECTION	Day to Approve Gross	Days to Approve Nett
080-2025	St Helens	Storage/Sports & Recreation - Shed	S57	44	43
070-2025	St Helens	Storage - 2 x Industrial Sheds and (1) Shipping Container	S57	155	40
166-2025	Fingal	Demolition of Shed & Garage and Construction of a New Shed plus Relocation of Shipping Container	NPR	54	13
123-2025	St Helens	Residential - Construction of Two Dwellings (Multiple Dwellings)	S57	62	42
174-2025	St Helens	Residential – Change of Use to Residential including a Home-Based Business.	S57	42	32
122-2025	Stieglitz	Residential - Partial Demolition & Additions/Alterations to Dwelling	NPR	1	1
024-2025	St Helens	Demolition of Shed & New Ramp/Walkway	NPR	29	29
167-2025	Stieglitz	Partial Demolition and Alterations/Additions to Dwelling	S57	4	3
124-2025	St Helens	Subdivision (3 Lots)	S57	42	41
188-2025	Weldborough	Shed	NPR	16	16
211-2025	St Helens	New Dwelling & Shed	NPR	3	0
163-2025	St Helens	Change of Use from General Retail and Hire to Visitor Accommodation	S57	42	41
190-2025	St Helens	Additional Use for Visitor Accommodation	S58	29	15

162-2025	Binalong Bay	Illegal Works - Vegetation Clearance	NPR	19	18
022-2025	Akaroa	2 Lot Subdivision & New Dwelling & Outbuilding	S57	43	32
181-2025	St Helens	Shed, Carport and Awning	S57	40	39
189-2025	Goulds Country	Demolition of Existing Shed and Construction of New Shed	S57	32	32
151-2025	St Marys	Residential - Construction of New Shed and Relocation of Shipping Container	S57	35	28
120-2025	Binalong Bay	Demolition of Existing Deck & Construction of New Deck with Roof	S57	36	35
173-2025	Ansons Bay	Residential - Partial Demolition of Dwelling & Shed, Alterations/Additions to Dwelling plus Construction of Shed with Attached Carport	S57	36	29
141-2025	St Helens	Additional use for Visitor Accommodation	S57	70	69
219-2025	Beaumaris	Partial Demolition & Alterations/Additions to Dwelling	NPR	1	1
218-2025	Stieglitz	Partial Demolition of Patio & Additions/Alterations to Dwelling	NPR	2	2
180-2025	St Helens	New Dwelling & Outbuilding	S57	34	33
199-2024	Four Mile Creek	Residential - Construction of a Dwelling and Secondary Residence Including Change of Use of the Existing Shack to a Greenhouse (Outbuilding)	S57	378	42
160-2025	St Helens	Residential - Construction of a Dwelling	S57	31	30
265-2023	St Helens	Storage - Shed Addition	S56	29	29

103-2025	St Helens	2 Lot Subdivision	S56	8	8
118-2025	Scamander	Residential - New Dwelling; Change of Use: Residential to Visitor Accommodation (Existing Structure)	S57	33	33
194-2025	Falmouth	Residential - New Dwelling & Shed	S57	35	35
214-2025	St Helens	Retrospective Approval of Deck Extension with Roof & Pergola PLUS Change of Use of 10a Structure (Garage) to 1a Structure (Sitting Room)	NPR	9	1
169-2025	Mangana	Machinery Shed	S56	20	0
208-2025	Scamander	Dwelling	NPR	16	0
157-2025	Akaroa	Partial Demolition and Alterations/Additions to Dwelling plus Addition to Existing Garage	S57	38	21
090-2025	St Helens	Shed	S57	41	40

35


Denotes Applications Requiring a Planning Authority Decision due to representations being received.

Strategic Planning Projects in the 2025/2026 financial year

Description	Percentage Complete	Current Update
Scamander-Beaumaris Structure Plan - Progress the project with the aim of addressing land use needs and development planning strategies for the Scamander-Beaumaris area; adoption by Council and commence progression of recommendations.	75%	Round 2 consultation has concluded. Imminently Council will receive an Engagement Report and Draft Structure Plan that incorporates consideration of the community feedback. It is anticipated that the draft Structure Plan will be presented to Council for endorsement in early 2026.
Regional Land Use Strategy - Participate in the development of the new Northern Tasmania Regional Land Use Strategy, resulting in adoption by Council	Ongoing	Break O'Day participation in the review of the NTRLUS continues. Currently this involves: <ol style="list-style-type: none"> 1. Scheduling engagement for the NTRLUS review with regard to the State of Play and Strategic Directions. 2. Infrastructure gap analysing continues. 3. Request for quotes has been developed for the drafting of the RLUS. 4. Currently considering the application of the Tasmanian Planning Policies on the Southern Tasmania RLUS for context.
Industrial Land Use Strategy - Finalise the Industrial Land Use Study resulting in adoption by Council, progress any Immediate Recommendations of the report/findings	75%	Further refinement pending completion of document.
Scenic Areas Assessment - progress a Scenic Areas Assessment furthering previous work completed to inform any further amendments to the Local Provisions Schedule of the Tasmanian Planning Scheme	5%	Project brief to be presented to council in early 2026.

BUILDING PROJECTS REPORT

Projects Completed in the 2025/2026 financial year

Description	Location	Updates
Demolition & Construction of New Public BBQ Facility and Associated work	Village Green, Binalong Bay	<p>Completed August 2025.</p>   
Building upgrades (External repainting)	St Marys Railway Station	Completed August 2025

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

Description	Location	Updates
Insurance Claim Works – Water Damage	Portland Hall (Senior Citizens Wing)	<ul style="list-style-type: none"> Floor and ceiling damage in July storm; Insurance claim accepted and works currently underway. Works have been delayed due to Tas Water contractor issue separate to the insurance works. Rescheduling of works occurring;
Air-conditioning upgrades & Commencement of Internal Painting	Council Office	<ul style="list-style-type: none"> Internal lighting upgrades to LED fittings currently being installed; Air Conditioning Upgrades Completed in August 2025 with some minor work outstanding.
Additions & Internal Alterations	Falmouth Community Centre	<ul style="list-style-type: none"> Works are nearing completion with fit-out works underway and on track to be operational by the end of the calendar year
Demolition of Existing Toilet & Construction of New Facility	Beach Reserve, Falmouth	<ul style="list-style-type: none"> Every effort is being made to ensure the facility is operational by the end of the calendar year. Completion of work will roll into early 2026.
Internal Renovations	Hub 4 Health, Portland Court, St Helens	<ul style="list-style-type: none"> Minor works have commenced with final works scope still being undertaken
Installation of Roof Mounted Solar Panels & New Electric Heaters	St Marys Hall	<ul style="list-style-type: none"> Electric Heaters have been completed; Quotations currently being sourced in relation to roof mounted solar panels.
Refurbish Toilet & Shower Facility	St Marys Sports Complex	<ul style="list-style-type: none"> Major Works Completed with painting of facility now underway.
Replacement of Roof Cladding & Fence & Installation of Garden Shed.	St Marys Tennis Club	<ul style="list-style-type: none"> Re-Roofing Works now completed; New Garden Shed, Fence and Associated works currently being scheduled.

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

Description	Location	Updates
Repair Render & Repaint Front Fascade	Portland Hall, St Helens	<ul style="list-style-type: none"> • Works scoping to be conducted in conjunction with design work for Memorial Park toilet replacement. • New Budget approved in capital works program.
Community Consultation, Design & Development Approval Phase – Public Toilet Replacement	Memorial Park, St Helens	<ul style="list-style-type: none"> • Community engagement phase to commence as priority in conjunction with consultant designer who has now been appointed; • Initial Concept Plans have been completed, working up drawings for consultation phase.
Installation of Roof Mounted Solar Panels	Fingal Depot	<ul style="list-style-type: none"> • Budget approved in capital works program. • Contractor now engaged to consider multiple sites and identify best value for money.
Replacement of Roof Cladding	Pyengana Hall	<ul style="list-style-type: none"> • Budget approved in capital works program • Quotations currently being sourced.
New Solar Powered Power Supply & Electrical Fit-out	St Marys Waste Transfer Station	<ul style="list-style-type: none"> • Budget approved in capital works program. • Contractor now engaged to consider multiple sites and identify best value for money.
New Ceiling Insulation & Roof Replacement	St Helens Works Depot Office building	<ul style="list-style-type: none"> • Budget approved in capital works program.
Structural Stabilisation Works	St Marys Exhibition building	<ul style="list-style-type: none"> • Budget approved in capital works program. • Liaison Committee approved at November Council meeting. First meeting scheduled for Wednesday 10th December 2025.
New Public BBQ Facility – Design Phase	Pyengana Recreation Ground	<ul style="list-style-type: none"> • Budget approved in capital works program.
Toilet/Amenities Replacements – Design Phase	St Helens Foreshore	<ul style="list-style-type: none"> • Budget approved in capital works program.

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

Building Services Approvals Report

November 2025


No.	BA No.	Town	Development	Value
1.	2025/00049-STAGE 1	Stieglitz	New Outbuilding	\$150,000.00
2.	2024/00011	St Marys	Demolition, Alterations & Additions - Dwelling	\$116,000.00
3.	2024/00218	St Helens	New Dairy (Farm Building)	\$60,000.00
4.	2025/00051	St Helens	New Dwelling	\$360,000.00
5.	2020/00345	Four Mile Creek	Alterations & Additions - Dwellings x 2 & Decks	\$150,000.00
6.	2024/00005-RE-ASSESS	St Helens	New Dwelling, Garage & Decks	N/A (RE-ASSESS)
7.	2025/00070	St Helens	New Storage Sheds	\$555,000.00
8.	2025/00117	Falmouth	Additions & Alterations to Dwelling	\$300,000.00
9.	2025/00181	St Helens	New Shed, Carport & Awning	\$49,000.00
10.	2025/00165	St Helens	New Dwelling, Carport, Outdoor living & Shed with Amenities	\$466,000.00
11.	2023/00265	St Helens	Alterations & Extensions to Workshop	\$125,000.00
12.	2025/00224	Scamander	New Solar Installation	\$7,580.00
13.	2025/00055	Stieglitz	Demolition, Alterations & Additions – Dwelling, Garage, Carport, Veranda & Patio	\$260,000.00
14.	2024/00165	Stieglitz	New Shed	\$33,000.00

ESTIMATED VALUE OF BUILDING APPROVALS FINANCIAL YEAR TO DATE	2024/2025	2025/2026
	\$16,668,142.00	\$12,911,180.00

ESTIMATED VALUE OF BUILDING APPROVALS FOR THE MONTH	MONTH	2024	2025
	November	\$8,753,000.00	\$2,631,580.00

NUMBER BUILDING APPROVALS FOR FINANCIAL YEAR TO DATE	MONTH	2024/2025	2025/2026
	November	57	70

ENVIRONMENTAL REPORT

Description	Updates
Water - Marine Environment	<p>The Federal Department of Climate Change, Energy, the Environment and Water's deadline for finalising draft Conservation Advice for a <i>Ostsrea angasi</i> oyster reef ecological community was extended from 30 October 2025 to 30 April 2026.</p> <p>The draft report describes '<i>Ostrea angasi</i> oyster reefs of southern Australia' and found it meets criteria for listing nationally as a 'Critically Endangered' ecological community. And that Georges Bay hosts some of the best remnants of native <i>Ostsrea angasi</i> oyster reef known. Council made a submission on the draft Conservation Advice, qualifying support for the tentative listing assessment with a need to provide for existing uses in the Bay to continue and a call for state and federal investment.</p>
Scamander Coastal Hazards and Flood Risk Management project	<p>Around 20 people attended workshops on 28 October to consider long term adaption scenarios proposed for key shoreline sites at the river mouth that included foreshore erosion management initially, letting nature take its course, accommodation (of inundation risks) and eventually having to consider retreat. A follow-up online questionnaire has received input from 14 respondents so far.</p>  <p>The consultants are currently refining the scenarios to apply them in a cost/benefit analysis. And the results will underpin a draft Coastal and Flood Adaptations Pathways Plan, which is now expected to be available in February for review and comments.</p> <p>Planning of no-regrets mitigation works as part of the project is continuing, focussing on shorelines seaward of the bridge and arresting erosion rather than controlling inundation, and improved monitoring and procedures for barway-opening.</p>

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 [P	2025/2026		2024/2025	
	Persons	Vaccinations	Persons	Vaccinations
July - December	0	0	5	5
January - June	0	0	0	0
TOTAL	0	0	5	5

Sharps Container Exchange Program as at 4 December 2025

Current Year	Previous Year
2025/26	2024/25
28	33

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.
2. 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	Tasmanian Government
OFFICER	D. Szekely, Senior Town Planner
FILE REFERENCE	23/5310
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none"> 1. Background Report for Consultation 2025 2. Land Use Planning and Approvals Amendment (DAP) Bill 2025 3. Break O'Day Round 2 Submission

OFFICER'S RECOMMENDATION:

Acknowledging Break O'Day has already made three submissions on the proposal, Council elect to limit further submission to participation within the sector endorsed position provided within the LGAT General Meeting Minutes namely:

1. Local government rejects the updated DAPs Bill; and
2. Should the Bill progress, the DAP process call in criteria is limited to Council and Homes Tasmania as the applicant.

PREVIOUS COUNCIL CONSIDERATION:**Council Meeting 20 November 2023**

11/23.16.2.256. Moved: Clr L Johnstone / Seconded: Clr K Chapple

The proposed draft submission, with any required amendment by the Break O'Day Council, be forwarded to the State Planning Office and a copy sent to the Local Government Association of Tasmania in response to their request for comment on the Position Paper – DAP Framework.

CARRIED UNANIMOUSLY**Council Meeting 21 October 2024**

10/24.16.6.476 Moved: Clr B LeFevre / Seconded: Clr L Johnstone

For the information of Council and preliminary discussion with the intent of further consideration and discussion to occur at Council Workshop 6 November 2024.

CARRIED UNANIMOUSLY**Council Meeting 18 November 2024**

11/24.16.5.495 Moved: Clr B LeFevre/ Seconded: Clr V Oldham

Council ratifies the submission made on behalf of the Break O'Day Council on the draft Land Use

Planning and Approvals Amendment (Development Assessment Panels) Bill 2024.

CARRIED UNANIMOUSLY

Council Meeting 14 April 2025

04/25.16.2.591 Moved: Clr B LeFevre/ Seconded: Clr K Wright

Council send the proposed submission on the draft Bill to the State Planning Office with a copy also sent to Local Government Association Tasmania.

CARRIED UNANIMOUSLY

OFFICER'S REPORT:

HISTORY

The Break O'Day Council has already made three (3) submissions to the state government on the proposed Development Assessment Panels draft amendment legislation. These submissions were made on:

1. 29 November 2023 (23/26948);
2. 8 November 2024 (24/25633); and
3. 23 April 2025 (25/8371).

Following the April 2025 consultation, the State Government has now released a further amendment to the Land Use Planning and Approvals Amendment (DAP) Bill that responds to submissions received.

PROPOSED CHANGES

Essentially, the amendments made include:

1. Removal of provision for the Minister to have the discretion to refer an application to a DAP for determination and removal of criteria for the same. Essentially Item B in the below figure has been removed from the process.

REFERRAL TO DAP - ELIGIBILITY CRITERIA

In the first instance a development application must be Discretionary and not subject to the *Environmental and Pollution Control Act (EMPCA) 1994*.

- A. Criteria for Referral – Applicant or Planning Authority with consent of Applicant – Referred to TPC for consideration of DAP.
 - a. Application relates to Social or affordable housing or subdivision for the same by Homes Tasmania or a registered community housing provider.
 - b. Application relates to development exceeding value thresholds:
 - i. \$10M (City) – increased from \$5M;
 - ii. \$5M (other areas) – increased from \$2M;
 - iii. \$1M if council is both the applicant and planning authority.
 - c. A class of application prescribed in regulations.
- B. Criteria for Referral – Request by Applicant or the Planning Authority to the Minister to refer an application to the Commission to be determined by a DAP.
 - a. Social or affordable housing or subdivision for social and/or affordable housing;
 - b. Application is for development that has local or state significance;
 - c. Of the view that the planning authority does not have the technical expertise;
 - d. Class of application prescribed in regulations.

Referral to a DAP is proposed to be directed by part A above only in the proposed Draft Bill.

2. Removal of Ministerial Direction to a planning authority to prepare a draft amendment to its Local Provisions Schedule. The process has been removed from the revised draft DAP Bill 2025 on the basis that it is separate to the proposed DAP process. The removed elements may be considered through a separate amendment Bill however.

Matters Council raised in their submission that remain within the draft Bill includes:

- a. DAP referral is not limited to Homes Tasmania only;
- b. Cost recovery – the discussion paper advises that the fee structure for a DAP assessment will be prescribed through Regulations following extensive consultation. The specific details of the fee structure are yet to be determined.
- c. Loss of appeal rights – the proposed DAP framework continues to exclude planning merit appeal rights. The state maintains that the DAP framework provides all the elements of an independent review that provides a sound process that obeys the rules of natural justice.

RECOMMENDATION

In lieu of providing a further submission on the Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025, Council participate in the LGAT submission with the sector endorsed position provided within the LGAT General Meeting Minutes namely:

1. Local government rejects the updated DAPs Bill; and
2. Should the Bill progress, the DAP process call in criteria is limited to Council and Homes Tasmania as the applicant.

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



Revised Land Use Planning and Approvals (Development Assessment Panel) Bill 2025

Background Report for Consultation

October 2025

State Planning Office
Department of State Growth



We acknowledge and pay our respects to all Aboriginal people in Tasmania; their identity and culture.

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1.0 Introduction

In July 2023, the Premier of Tasmania, the Honourable Jeremy Rockliff MP, announced the preparation of new legislation to introduce independent Development Assessment Panels (DAPs) to provide an alternative planning pathway for certain development applications.

The draft Bill proposes to amend the *Land Use Planning and Approvals Act 1993* (the Act) by providing a process for development applications to be determined by a DAP established by the Tasmanian Planning Commission (TPC). The TPC already establish panels to, among other matters, assess Major Projects, Projects of State Significance and determine planning scheme amendments.

The stated intent for introducing DAPs was 'to take the politics out of planning' by providing an alternate approval pathway for more complex or contentious development applications. The draft Bill also responds to the potentially conflicted roles of Councillors who are required to act as a planning authority, applying the planning scheme and determining development applications, while also representing the interests of their constituents.

The alternate pathway is optional and allows an independent assessment to be undertaken against the existing planning scheme requirements.

The process still involves councils as a referral entity, ensuring the interests of councils are taken into consideration in the assessment. Community consultation is also central to the process with similar provisions for public notification and exhibition however those making submissions are invited to attend public hearings to discuss the matters raised.

2.0 Glossary

Act – *Land Use Planning and Approvals Act 1993*

DAP – Development Assessment Panel

EMPCA – *Environmental Management and Pollution Control Act 1994*

EPA – Environmental Protection Authority

SPO – State Planning Office

TasCAT – Tasmanian Civil and Administrative Tribunal

TPC – Tasmanian Planning Commission

3.0 Background

The State Planning Office (SPO) prepared a [Development Assessment Panel \(DAP\) Framework Position Paper](#) (the Position Paper) to explore the introduction of an alternative assessment pathway. The Position Paper included a draft DAP framework, based on statements made in the Premier's announcement and initial consultation with key stakeholders. Submissions were invited on matters raised in the Position Paper and on the draft framework. There were 542 submissions received during the consultation period on the Position Paper which are published on the [Planning in Tasmania website](#).

A [Report on Consultation - DAP Framework Position Paper](#) (Report on Consultation) was published in October 2024. The Report on Consultation summarised the issues raised in the submissions, provided a response to those issues and outlined a revised DAP framework and model for the Minister to direct a planning authority to prepare a draft amendment to its LPS.

The findings from the Report on Consultation were used to inform the drafting of the [draft Land Use Planning and Approvals Amendment \(Development Assessment Panels\) Bill 2024](#) (DAP Bill 2024) which was open for a 5 week public consultation period, closing on 12 November 2024. A total of 461 submissions were received which are also available for viewing on the [Planning in Tasmania website](#). The draft DAP Bill 2024 underwent some modifications following consultation feedback prior to being tabled in Parliament on 19 November 2024.

A copy of the tabled DAP Bill 2024, related documents and results of debate in the House of Assembly and the Legislative Council, including access to Hansard records, can be found on the [Parliament website](#).

While the DAP Bill 2024 passed the Lower House, it was rejected in the Upper House. The DAP Bill was revised based on issues raised during debate in the Upper House and was made available for an eight-week public consultation period from 26 February to Thursday 24 April 2025. A copy of the [draft Land Use Planning and Approvals Amendment \(Development Assessment Panels\) Bill 2025](#) (draft DAP Bill 2025) and the accompanying [Background Report for Consultation](#) is available on the Planning in Tasmania website.

The new Minister has reviewed the submissions with further changes made to the revised draft Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025 (revised draft DAP Bill 2025) (**Attachment 1**). The revised draft DAP Bill 2025 is now available for a further 5 week public consultation period.

The purpose of this report is to provide feedback on the issues raised during the last round of consultation, identify the modifications made to the draft Bill and provide an overview of the proposed revised framework to facilitate further consultation on the revised draft DAP Bill 2025 (**Attachment 1**).

4.0 Issues raised during consultation

4.1 General issues

A total of 426 submissions (not including late submissions) were received on the draft DAP Bill 2025. The majority of submissions did not support the draft Bill. The following provides an overview of the main general issues raised and a response to those issues. For further detail on submissions refer to **Attachment 2**.

- ***General opposition to taking decision making functions away from local government.***

Response

It is noted that there are views that fundamentally oppose the concept of DAPs however, the Government has committed to developing a framework to provide for an alternate decision pathway.

While it is acknowledged that council does not make the decision, it still informs the process and is a party to the proceedings.

Some councils have submitted that there are situations that warrant an alternate decision maker for the assessment of a development application.

- ***No demonstrated need for the introduction of DAPs.***

Response

The need for providing the alternative pathway has been demonstrated at length in past reports. The principal justification is that the contested role of Councillors as a planning authority responsible for determining development applications against the provisions of the planning scheme can be at odds with their political role in representing the interests of their constituents.

- ***Objection to the removal of planning merit appeals.***

Response

The purpose of appealing a planning authority's decision to the Tasmanian Civil and Administrative Tribunal (TasCAT) is to provide an independent review of the process, in a public forum and without political interference. The actual process becomes one where TasCAT assumes the role of the planning authority and assesses the application afresh (*de novo*).

The DAP framework already provides for all those elements within the initial assessment process by being considered by planning experts, open to the public, giving parties the opportunity to test the evidence of others and appeal directly to the decision maker.

The proposed process involves the exhibition of a draft assessment of the development application including, where the application is supported, a draft permit and conditions of

approval. This allows all the parties to be aware of the decision makers' initial thinking and to challenge elements of that thinking. The publication of all representations following the exhibition period provides parties with the opportunity to scrutinise each other's submissions and test them in a public hearing and before the decision makers.

Allowing a right of appeal when the framework already has the safeguards in place to provide a legally sound process that obeys the rules of natural justice in the initial decision, introduces unnecessary time delays and costs to the community.

It is also considered inappropriate for the State's peak planning body to be subject to a merit appeal on planning grounds. Any decision of a DAP will be subject to judicial review.

- With the exception of the TPC acting as the planning authority under the *Major Infrastructure Development Approvals Act 1999*, no other decisions made by it are subject to a merit appeal. **Concerns regarding the qualitative nature of the referral process;**

Response

The draft DAP Bill 2025 provided an option where the applicant, or the planning authority with the consent of the applicant, could request to the Minister that the application be determined by a DAP subject to the Minister being satisfied that the application met one or more of the following criteria:

- the application relates to development that may be considered significant or important to the local area or State;
- there are concerns about the planning authority's technical expertise to assess the application;
- the application relates to development that is, or is likely to be controversial; or
- where the planning authority has, or is likely to have, a conflict of interest or there is a perceived bias on the part of the planning authority.

The submissions raised valid concerns regarding the clarity of these criteria. A statutory decision-making framework needs to have a high degree of certainty. On review, the proposed provisions are considered too subjective and introduce a level of ambiguity which cause subsequent complications for the implementation of the framework.

The submissions that raised this matter are supported and as a consequence, section 60AD in clause 9 of the draft DAP Bill 2025 has been deleted from the revised draft DAP Bill 2025.

- **Lack of support for increased ministerial powers to determine what applications enter the DAP process.**

The draft DAP Bill 2025 only provided a role for the Minister to decide on whether an application should be referred to a DAP for determination. As discussed above, the exercise of that discretion relied on the Minister applying qualitative criteria which, on review, does not provide the necessary certainty required for statutory processes. The

Ministerial role to determine the eligibility of certain development applications to be assessed by a DAP has been removed from the DAP framework.

- ***Cost and resource implications for councils.***

Response

The fees for council's involvement in the assessment of applications referred to DAP for determination will be prescribed through regulations. Those regulations are yet to be drafted. It is anticipated that the fee structure will be based on a full cost recovery model.

The draft regulations containing the fee structure will be subject to separate consultation if the legislation is passed by Parliament.

- ***Concern that DAPs will not be independent and will be pro-development.***

Response

Planning decisions are either made by council acting as a planning authority, with an opportunity to appeal to an expert panel established by TasCAT, or by a similarly constituted expert panel established by the TPC.

Past reports on the DAP process have explained that DAPs would be established by the TPC, which is an independent statutory body at arm's length from government. The TPC already performs a number of independent assessment and advisory functions within the Resource Management and Planning System. The TPC continues to be well regarded and respected for their independence and expertise in determining complex planning matters.

The TPC is established under the *Tasmanian Planning Commission Act 1997*. The TPC and it delegates uphold a high degree of integrity in the functions it performs. While the *Tasmanian Planning Commission Act 1997* gives some latitude on the TPC's procedures, the principle of natural justice must be followed at all times. Commissioners and delegates must not have any conflict of interest, or are required to register any perceived conflict of interest, and must bring an open and unprejudiced mind to all matters. Any decision made by the TPC is subject to judicial review which would reveal any bias or perception of bias.

- ***The proposed process increases complexity in an already complex system.***

Response

The draft DAP Bill 2025 provides flexibility by introducing an optional additional approval pathway into the system. The Bill is required to be quite detailed because it steps through the eligibility, referral and assessment processes, providing certainty and accountability for the operators of the process and those that operate within it.

While the Bill includes an additional approval pathway which may be perceived as adding complexity to the system, the need for the additional approval pathway is justified.

The removal of the Ministerial role in determining eligibility of certain applications to enter the DAP process removes some of the complexities previously raised.

4.2 Modifications in response to issues

The following table sets out specific issues that have resulted in modifications being made to the draft DAP Bill 2025.

Issue	Modification
Lack of support for the Minister to have the discretion to refer an application to a DAP for determination and the ambiguous criteria used to make that determination.	Supported as discussed above. Section 60AD in clause 9 of the draft Bill has been deleted. Remove subsequent references to section 60AD
Because section 60AD is removed, there is no need for the TPC to issue Section 8A guidelines to help the Minister make a decision to refer an application	Clause 6 of the draft Bill has been deleted.
Section 60AF (3)(a)(i) and (ii) refers to a 'place or area' - need to clarify that they are a "registered place" or "heritage area" as defined under the <i>Historic Cultural Heritage Act 1995</i> ?	Supported. Reference to 'place or area' is now referenced as a registered place or heritage area as defined by that Act. See s60AE(3)(a)(i-ii) of the revised draft DAP Bill 2025.
Section 60AH(5) and (6) relate to modifications to an exhibited hearing date and should be their own sections.	Supported. Provisions inserted as an additional section. See s60AH of the revised draft DAP Bill 2025.
Section 60AH(6) (b) requires that all the application documentations are re-exhibited for the purpose of notification of a change of hearing date. Concern that this will invite further representations to be received outside the exhibition period.	Supported. Section 60AH(6) (b) has been deleted.
TPC have requested the assessment clock stops if it has to seek advice from the Environmental Protection Authority (EPA) under s60AC(4) as it cannot control when that advice will be	Supported. Modification made to the draft Bill to address concern. See s60AC(4)(b) of the revised draft DAP Bill 2025.

Issue	Modification
provided which can impact it meeting its assessment timeframes.	
The 7 day timeframe for the TPC to review further information under s60AG(6) is too short and have requested 14, or “7 days, <i>excluding any days on which the office is closed within normal business hours, or as otherwise agreed by the Minister</i> ”	Supported. The draft Bill has been modified to allow 7 business days or such greater period as determined by the Minister. See s60AF(6) of the revised draft DAP Bill 2025.
A site notice as part of the exhibition notification should go to owners and occupiers of adjoining land are notified under s60AH, not just owners.	Supported. Modification made to the draft Bill to provide that owners and occupiers of adjacent land are notified. See s60AG(1)(c) of the revised draft DAP Bill 2025.
Require the DAP to accept a certificate of exemption issued by an accredited person where there is insufficient risks from natural hazards to warrant specific protection measures.	Supported and modification made to the revised draft DAP Bill 2025. See s60AL(2)(f) of the revised draft DAP Bill 2025.
Concern that if the DAP fails to make a decision within the timeframe that this will make any subsequent approval invalid.	Supported. Modification made to include an additional provision specifying that if a decision is made outside the timeframe allowed, it does not invalidate the approvals. See s60AL(5) of the revised draft DAP Bill 2025.

5.0 Summary of revised DAP Bill 2025

5.1 DAP framework

The draft Bill provides an option to allow discretionary development applications to be referred to a DAP for determination, provided it is not subject to the *Environmental Management and Pollution Control Act 1994*, if it meets specific criteria.

These criteria include:

- if the application is made by, or on behalf of, Homes Tasmania or a registered community housing provider for social and affordable housing or subdivision to facilitate social and affordable housing;
- where the applicant, or the planning authority with the consent of the applicant, requests DAP determination and the development application satisfies the following value thresholds:
 - over \$10 Million, or such other amount prescribed, if all, or any part of the development, is located in a city; or
 - over \$5 Million, or such other amount prescribed, where the development is located outside a city;
- where the council is both the applicant and the planning authority and the value of the development exceeds \$1 Million;
- any other purpose as prescribed in the Regulations.

Eligible development applications lodged with a DAP for determination follow statutory timeframes for certain assessment tasks. The maximum time taken for determining applications are in the order of 112 days. The current timeframe for determining discretionary permits is 42 days. The additional time taken through the DAP process is to provide sufficient time for affording natural justice through public hearings into the representations.

The Bill provides for a DAP to refer the development application to reviewing entities, including the planning authority, for advice and input into the assessment process. Any additional information required by the reviewing entities is consolidated by the DAP and the statutory clock stops until the applicant has provided the necessary information to the satisfaction of the DAP.

The DAP undertakes a preliminary assessment and prepares a draft assessment report, including a draft permit and conditions if recommended for approval. The draft report, application and any additional information is exhibited for 14 days, consistent with existing public exhibition, and the DAP receives representations. Following the public exhibition period, the representations are published and the DAP holds a hearing to consider the evidence before it and allowing the parties to test each other's evidence. The DAP considers all the relevant information before making a final decision. If the DAP approves the application, it directs the planning authority to issue the permit. Enforcement and any

subsequent minor amendments to the permit remain the responsibility of the council as the planning authority under the Act.

Similar to other decisions made by panels established by the TPC, DAP decisions are final, with no right of appeal based on planning merit, although they are subject to Judicial review.

Attachment 3 sets out a flow diagram of the proposed DAP process.

5.2 Removal of Ministerial Direction to a planning authority to prepare a draft amendment to its Local Provisions Schedule

The draft DAP Bill 2025 included provisions to allow the Minister to direct a council to prepare a draft amendment to its LPS where the review process under section 40B of the Act had been exhausted. The proposed direction could only occur if the Commission requests the council to reconsider its rejection of a draft amendment. A draft amendment prepared under the proposed Minister's direction only commenced the Commission's assessment process rather than any approval or making of an amendment to the LPS by the Minister.

This process has been removed from the revised draft DAP Bill 2025 on the basis that it is separate to the proposed DAP process. The removed elements may be considered through a separate amendment Bill.

6.0 Next Steps

A copy of the revised draft DAP Bill 2025 is available for viewing and download on the SPO's Planning in Tasmania website at: <https://www.stateplanning.tas.gov.au/have-your-say/consultations/lupaa-amendments/draft-lupaa-development-assessment-panel-amendment-bill-2024>

The revised draft Bill will undergo a 5 week consultation period during which time submissions are invited through the SPO's ['Have your say'](#) platform.

ATTACHMENT 1

Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025 – consultation draft 2 October 2025

ATTACHMENT 2

Summary of issues raised during February – April 2025 consultation and responses

Issue	Response
No justification for introducing DAP pathway	<p>The proposed process is principally in response to a small number of applications that have been refused on the basis of social prejudice against the location of social and affordable housing.</p> <p>With the Government's commitment to delivering 10000 new social and affordable homes, many of which rely on federal funding requiring construction to occur within specified timeframes otherwise funding can be lost, greater certainty within the planning system is needed.</p> <p>Councils generally supported the option to refer a council application to a DAP for determination as it removed any element of perceived bias in the determination.</p>
Increased resourcing and costs, inefficient use of resources and duplication of processes	<p>The fee structure for a DAP assessment will be prescribed through Regulations following extensive consultation with the parties involved in the process.</p> <p>The Background Report that accompanied the draft Bill for consultation flagged that a cost recovery model will be adopted for a DAP assessment, including council's being able to charge a fee for its advice and participation in the process.</p> <p>The specific details of the fee structure are yet to be determined.</p> <p>The additional cost of having an application determined by a DAP is</p>

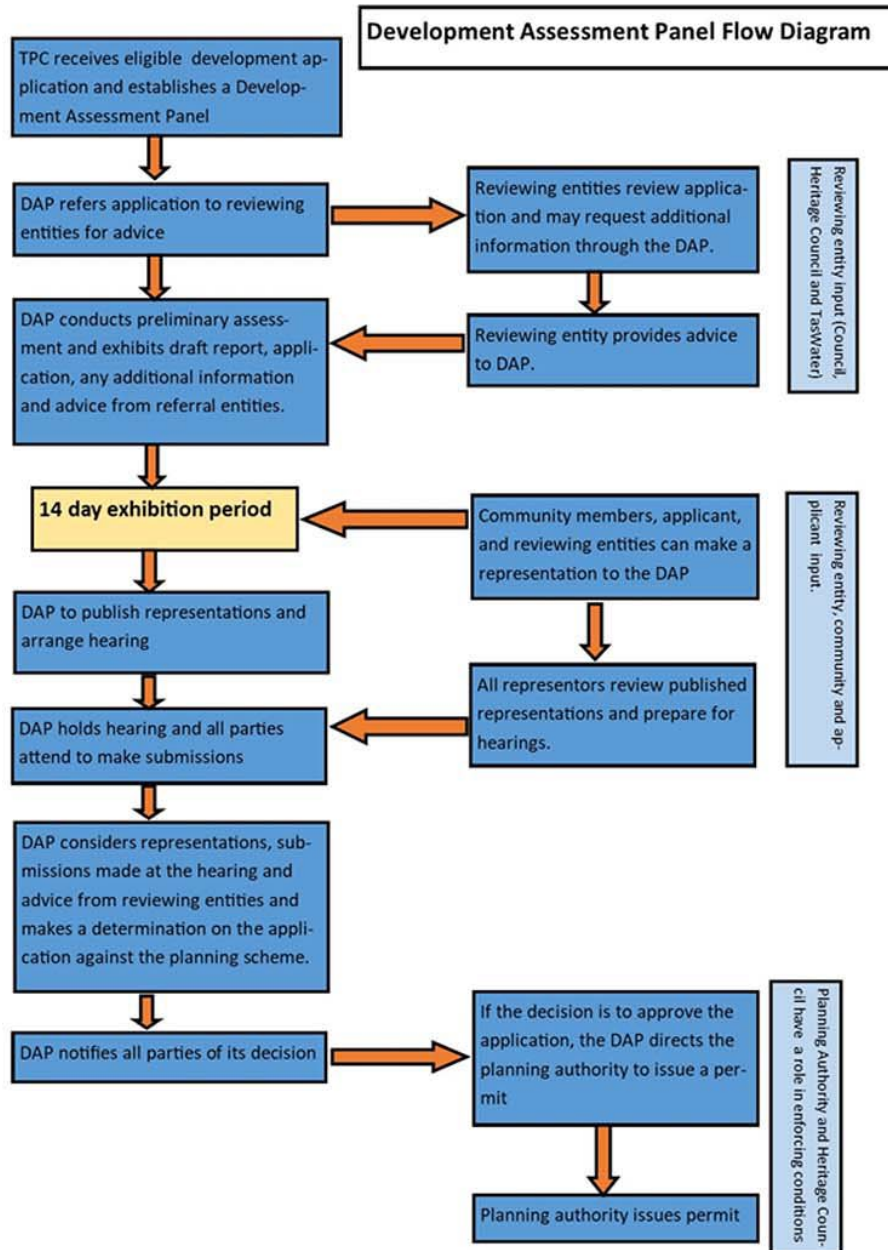
Issue	Response
	borne by the applicant who chooses this process.
Divert resources away from more important strategic planning reforms	Providing an alternate approval pathway for certain problematic development applications to be determined against the existing planning provisions is considered a good use of resources. The process will allow social and affordable housing to be delivered in a timely manner supporting the provision of much needed housing.
Increases complexities in an already complex process	While it might be considered by some to add more complexity, that complexity is borne by the applicant who chooses the DAP process.
Ministerial referral of applications to a DAP is ambiguous and does not provide certainty to councils or applicants as to what developments are eligible for DAP determination	This element of the draft Bill has been removed. There are no longer any role for the Minister to determine if an application is suitable for DAP referral.
Lack of meaningful engagement and modifications made to the Bill are superficial	The draft Bill underwent an extended 8 week consultation period during which time the SPO held 2 online information sessions to help councils understand the Bill and facilitate their feedback. The Bill has been modified post consultation to address many of the concerns raised in submissions, most notably the removal of the Minister to refer applications to a DAP. The new Minister has approved another round of consultation in the hope of striking a suitable balance between the issues raised.
Timeframes to undertake certain assessment functions are insufficient and should be extended	The timeframe given for the TPC to review and respond to further information provided by the applicant was increased from 7 days to 7 working

Issue	Response
	<p>days with an option to extend subject to approval by the Minister. This is considered necessary given the scope and complexity of information it may have to review.</p> <p>Other parties subject to the same reviewing timeframe were not given the additional time because they have more discrete and limited range of matters to review.</p>
Timeframes should not apply while TPC is seeking advice from EPA confirming that an application is not subject to EMPCA	The time taken for the EPA to respond to confirm that an application is not subject to EMPCA should not contribute to the TPC's assessment time. The Bill has been modified so that the assessment clock doesn't start until this advice is obtained.
The Bill should include that a correction of errors can be made	The Bill already specifies that the Act applies the provisions relating to any minor amendments to a permit and enforcement of the permit. This includes any correction of an error
If a determination is made outside the specified timeframe it should not be considered invalid	The Bill was modified to include a provision that a decision is not invalidated if it is made outside the specified timeframe.
Need for pre-lodgement discussion with Tasmanian Heritage Council.	This currently occurs outside of the statutory process and there is not considered a need to require it through legislation.
Require the DAP to accept a certificate of exemption issued by an accredited person were there is insufficient risks from natural hazards to warrant specific protection measures.	This is supported and the Bill has been modified to include an additional provision under the existing provision requiring the DAP to accept a relevant bushfire hazard management plan or other prescribed management plan relating to environmental hazards.

Issue	Response
Applications subject to EMPCA should be eligible for DAP determination.	<p>Development applications that are subject to the EMPCA are assessed by both the Environmental Protection Authority (EPA) and the planning authority with the planning authority being required to apply any outcomes of the EPA's assessment.</p> <p>The reason why they have been excluded from the DAP process is to allow for applications that have complex environmental considerations to be subject to expert consideration of the EPA.</p>
DAPs are not independent and no criteria for the establishment of a DAP	<p>DAPs are to be established by the TPC which is an independent statutory authority at arm's length from government.</p> <p><i>The Tasmanian Planning Commission ACT 1997</i> has its own set of provisions for holding hearings and delegating functions to panels. The Bill specifies that the TPC Act applies to a DAP as if it were a reference to the TPC (s60AA(2))</p>
DAP process will make it easier to approve large scale development	The DAP is required to undertake an assessment against the same planning provisions and considerations as council.
DAP decisions should be subject to merit appeal	<p>The purpose of appealing a planning authority's decision is to provide an independent review of the process, in a public forum and free from political interference.</p> <p>Most decisions made by the TPC are not subject to a merit appeal because the TPC is the peak planning body and is bound by the principles of natural justice requiring giving parties the opportunity to attend public hearings to make submissions and test each other's</p>

Issue	Response
	submissions in the presence of the decision maker.
Opposition to increased Ministerial powers to direct council to prepare a draft LPS amendment	To avoid confusion with the DAP process, this element of the draft Bill has been removed.
Opposition to removal of local democracy in local decision making	Planning decisions should not be based on local democracy or a vote of popularity. When making decisions as a planning authority council is required to apply the provisions of the planning scheme.
Inadequate timeframes for public exhibition and hearing notification	<p>The public exhibition period is 14 days which is consistent with the application of standard provisions.</p> <p>Notification of the public hearing is given at the time of exhibition of the application and draft assessment report. The minimum timeframe for a public hearing is 10 days from the close of exhibition. This allows a minimum overall timeframe of 24 days to prepare for a hearing.</p> <p>The TPC Act requires the publishing of submissions as soon as practical (refer s12 TPC ACT).</p> <p>The minimum timeframes for notification of an existing TPC hearing is 2 weeks.</p>

ATTACHMENT 3



State Planning Office, Department of State Growth
GPO Box 536 HOBART TAS 7001
Phone: 1300 703 977
Email: spo@stateplanning.tas.gov.au
Website: stateplanning.tas.gov.au



TASMANIA

**LAND USE PLANNING AND APPROVALS
AMENDMENT (DEVELOPMENT ASSESSMENT
PANELS) BILL 2025**

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**LAND USE PLANNING AND APPROVALS
AMENDMENT (DEVELOPMENT ASSESSMENT
PANELS) BILL 2025**

*(Brought in by the Minister for Housing and Planning, the
Honourable Kerry John Vincent)*

A BILL FOR

An Act to amend the *Land Use Planning and Approvals Act 1993* and to consequentially amend the *Historic Cultural Heritage Act 1995*

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Land Use Planning and Approvals Amendment (Development Assessment Panels) Act 2025*.

2. Commencement

The provisions of this Act commence on a day or days to be proclaimed.

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Part 1 – Preliminary

3. Repeal of Act

This Act is repealed on the first anniversary of the day on which the last uncommenced provision of this Act commenced.

Consultation Draft

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**PART 2 – LAND USE PLANNING AND APPROVALS
ACT 1993 AMENDED**

4. Principal Act

In this Part, the *Land Use Planning and Approvals Act 1993** is referred to as the Principal Act.

5. Section 3 amended (Interpretation)

Section 3(1) of the Principal Act is amended by omitting the definition of *discretionary permit* and substituting the following definition:

discretionary permit means a permit to which –

- (a) section 57 applies or to which, but for section 40Y(5), section 57 would apply; or
- (b) Division 2AA of Part 4 applies;

6. Part 4, Division 2AA inserted

After section 60A of the Principal Act, the following Division is inserted in Part 4:

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***Division 2AA – Development Assessment Panels
Subdivision 1 – General***

60AA. Interpretation of Division

(1) In this Division –

Assessment Panel, in relation to an application under this Division, means the Development Assessment Panel that –

- (a) is constituted in accordance with section 60AB; and
- (b) is established, in respect of the application, by the Commission under section 60AD;

city has the same meaning as in section 16A of the *Local Government Act 1993*;

exhibition period, in relation to an application under this Division, means the 14-day period commencing on the day specified in the notice published under section 60AG(1)(b) in respect of the application;

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Homes Tasmania has the same meaning as in the *Homes Tasmania Act 2022*;

party, in relation to an application, includes –

- (a) the proponent for the development to which the application relates; and
- (b) the relevant planning authority;

registered community housing provider has the same meaning as it has in the Community Housing Providers National Law (Tasmania);

reviewing entity, in relation to an application under this Division, includes –

- (a) the planning authority for each relevant municipal area to which the application relates; and
- (b) the relevant regulated entity, within the meaning of Division 2A; and
- (c) the Heritage Council, within the meaning of the *Historic Cultural*

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Heritage Act 1995, if the application relates to a development that includes heritage works within the meaning of Part 6 of that Act; and

- (d) a pipeline licensee, within the meaning of Division 2A, if the application relates to land that is wholly or partly within a gas infrastructure planning corridor, within the meaning of the *Gas Industry Act 2019*;

subdivision, in relation to a development, has the same meaning as in Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

- (2) For the avoidance of doubt, the *Tasmanian Planning Commission Act 1997* applies to this Division as if a reference in this Division to an Assessment Panel were a reference to the Commission.

60AB. Constitution of Assessment Panel

- (1) In establishing an Assessment Panel under this Division, the Commission is to

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appoint 3 persons as members of the Assessment Panel.

- (2) Despite subsection (1), the Commission may appoint more than 3 persons, but no more than 5 persons, as members of an Assessment Panel, in respect of a permit application, if the Commission –
- (a) is of the opinion that the scale, specialist nature or complexity of the development to which the application relates requires the Assessment Panel to include persons with particular qualifications or experience to assist in the assessment of the application; and
 - (b) the Commission is satisfied, on reasonable grounds, that more than 3 persons are required as members of the Assessment Panel to ensure that the Assessment Panel has those qualifications and experience.
- (3) If a position on an Assessment Panel established under this Division is vacated, the Commission may appoint a person under this section to fill the vacancy.
- (4) For the avoidance of doubt, the performance of a function or the exercise

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of a power of an Assessment Panel, under this Division, is not invalid solely on the basis that the function is performed, or the power is exercised, while –

- (a) a member of the Assessment Panel is absent; or
- (b) a position on the Assessment Panel is vacant.

***Subdivision 2 – Certain applications may be determined by
Assessment Panel***

**60AC. Certain permit applications may be made to
Commission**

- (1) A person may apply to the Commission for an application for a discretionary permit to be determined by an Assessment Panel if –

- (a) the application –
 - (i) is being made by, or on behalf of, Homes Tasmania or a registered community housing provider; and
 - (ii) relates to a development that includes social or affordable housing or a subdivision that includes

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social or affordable
housing; or

(b) the application relates to a
development that is valued in
excess of –

(i) \$10 000 000 or such other
amount as may be
prescribed – if all, or any
part, of the development
is to be located in a city;
or

(ii) \$5 000 000 or such other
amount as may be
prescribed – in any other
case; or

(c) the council is both parties in
relation to the application, and the
application relates to a
development that is valued in
excess of \$1 000 000 or such
other amount as may be
prescribed; or

(d) the application falls within a class
of applications prescribed for the
purposes of this section.

(2) An application under subsection (1) –

(a) may only be made by –

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- (i) the applicant for the discretionary permit; or
 - (ii) the relevant planning authority, with the consent of the applicant for the discretionary permit; and
- (b) is to –
 - (i) be in a form approved by the Commission; and
 - (ii) contain the prescribed information; and
 - (iii) be accompanied by evidence that the application meets one or more of the requirements specified in subsection (1).
- (3) An application may not be made under subsection (1) if the application is an application to which section 25 of the *Environmental Management and Pollution Control Act 1994* applies.
- (4) If the Commission requires further information in respect of whether an application falls under subsection (3) –
 - (a) the Commission may seek that information from the Board,

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within the meaning of the
*Environmental Management and
Pollution Control Act 1994*; and

- (b) the application is not taken to have been received by the Commission under this Division until that information is received by the Commission.
- (5) Within 7 days after receiving an application under this section, the Commission is to do one or more of the following:
 - (a) request further information from either party to the application;
 - (b) return the application to the applicant if, in the opinion of the Commission –
 - (i) the application is an application to which section 25 of the *Environmental Management and Pollution Control Act 1994* applies; or
 - (ii) the purported application does not meet the requirements for an application under this section;

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- (c) establish an Assessment Panel under section 60AD in respect of the application.

60AD. Commission to establish Assessment Panel – new applications

- (1) The Commission is to establish an Assessment Panel to undertake an assessment of an application made under section 60AC if the Commission is satisfied, on reasonable grounds, that –
 - (a) the application is not an application to which section 25 of the *Environmental Management and Pollution Control Act 1994* applies; and
 - (b) the application meets the relevant requirements of this Division for such an application.
- (2) If an Assessment Panel is established under this section in respect of an application, the *Historic Cultural Heritage Act 1995* does not apply in respect of the assessment of the application under this Division.

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***Subdivision 3 – Assessment of applications by Assessment
Panel***

**60AE. Applications for permits to be provided to
certain entities**

- (1) As soon as practicable after the Commission establishes an Assessment Panel under section 60AD in respect of an application under section 60AC, the Assessment Panel is to provide a copy of the application to each reviewing entity for that application.
- (2) Within 28 days after being provided a copy of an application under subsection (1) –
 - (a) each planning authority must provide advice, to the Assessment Panel, relating to the application on the following matters:
 - (i) any matters that the planning authority would consider, in respect of the application, under the *Local Government (Building and Miscellaneous Provisions) Act 1993*;
 - (ii) issues and concerns that the planning authority has in respect of the matter to

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which the application relates including, but not limited to, engineering concerns or the impacts on assets or infrastructure owned or operated by the planning authority;

(iii) suggested terms and conditions that should be imposed on a permit if it is granted under the application and the reasons for those terms and conditions;

(iv) any other matter that the planning authority considers relevant to the application; and

(b) each planning authority may provide advice, to the Assessment Panel, relating to the application of the relevant planning scheme to the application; and

(c) each other reviewing entity for the application is to provide advice, to the Assessment Panel relating to the application, on any matter that the reviewing entity considers relevant to the application including, but not limited to, suggested terms and

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conditions that should be imposed
on a permit if it is granted under
the application and the reasons
for those terms and conditions.

- (3) If the Heritage Council is provided with a copy of an application under subsection (1), the Heritage Council is to have regard to the following matters before providing advice in respect of the application in accordance with subsection (2):

- (a) the likely impact of work performed under a permit, if granted under the application, on the historic cultural heritage significance, within the meaning of the *Historic Cultural Heritage Act 1995*, of –

- (i) the place or area on which the work is to be performed under the permit, if that place or area is registered under that Act; and
- (ii) any place or area adjoining the place or area on which the work is to be performed under the permit, if the adjoining place, or area, is registered under that Act;

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- (b) any relevant works guidelines, within the meaning of the *Historic Cultural Heritage Act 1995*, or matters prescribed for the purposes of section 39 of that Act;
- (c) any matters prescribed for the purposes of this subsection.
- (4) For the purposes of Division 5B of Part 3 of the *Electricity Supply Industry Act 1995* –
 - (a) an application under this Division is taken to be an application for a permit within the meaning of that Division of that Act; and
 - (b) if an Assessment Panel is established in respect of an application under this Division, a reference to a planning authority in respect of an application, in that Division of that Act, is taken to be a reference to the Assessment Panel established in respect of the application.

60AF. Additional information may be required

- (1) Within 14 days after receiving a copy under section 60AE(1) of an application under section 60AC, a reviewing entity may make a request to the Assessment

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Panel for further information in respect of the application to enable the reviewing entity to provide advice on the application.

- (2) A planning authority may only request further information under subsection (1) in relation to the following matters:
- (a) for the purpose of determining the impact of the use and development on the infrastructure of the council in the relevant municipal area if the application were to be approved and the permit issued;
 - (b) any matter that the planning authority considers relevant for the purpose of preparing advice, to the Assessment Panel, relating to the application of the relevant planning scheme to the application;
 - (c) to assist in the preparation of recommended conditions to be imposed on the permit in respect of the impact of the use and development on the infrastructure of the council;
 - (d) any matters that the planning authority is entitled to consider, in respect of the application,

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under the *Local Government
(Building and Miscellaneous
Provisions) Act 1993*.

- (3) If a reviewing entity makes a request for further information under subsection (1) in respect of an application, the Assessment Panel may notify the reviewing entity, in writing –
- (a) that the Assessment Panel believes that the requested information is not relevant to the application; and
 - (b) the reasons for that belief; and
 - (c) that the requested information is not information that will be provided under this section.
- (4) At the expiry of 21 days after providing copies under section 60AE(1) of an application, the Assessment Panel is to –
- (a) make a request, in writing, that the applicant provide the further information requested under subsection (1), or such further information requested by the Assessment Panel, in respect of the application, as the Assessment Panel is satisfied that –

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- (i) the information is relevant to the application; and
 - (ii) the Assessment Panel does not already have the information; and
 - (b) send a copy of the written request to the reviewing entities for the application.
- (5) If an applicant provides further information to the Assessment Panel as the result of a request made under subsection (4) –
 - (a) the Assessment Panel is to provide a copy of the further information to all the reviewing entities for the application; and
 - (b) each reviewing entity is to notify the Assessment Panel if –
 - (i) the reviewing entity is satisfied that the additional information provided meets the requests so made; or
 - (ii) in the opinion of the reviewing entity, further information was requested and has not been provided by the applicant.

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- (6) Within 7 business days after receiving further information as a result of a request under subsection (4), or such greater period as determined by the Minister, the Assessment Panel must –
- (a) determine that –
 - (i) all further information so requested has been provided by the applicant; or
 - (ii) the applicant has provided all the further information so requested that is reasonably able to be provided by the applicant; or
 - (b) notify the applicant that the Assessment Panel is not satisfied that the applicant has complied with all requests under subsection (4) in respect of the application.
- (7) If an Assessment Panel makes a request to an applicant under subsection (4) for further information, all relevant time periods under this Act do not run in respect of the application until, in the opinion of the Assessment Panel, all requests for further information have been answered.

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- (8) For the avoidance of doubt, nothing in this section entitles a reviewing entity to request new information, in respect of an application under section 60AC, if more than 14 days have passed since the Assessment Panel provided the reviewing entity with a copy of the application as required under section 60AE(1).

60AG. Exhibition of applications

- (1) Within 14 days after the expiry of the period specified in section 60AE(2) in respect of an application, the Assessment Panel is to –
- (a) prepare a draft assessment report in relation to the application; and
 - (b) ensure that an exhibition notice is published that specifies, in relation to the documents and information specified in paragraph (e) –
 - (i) the day on which the exhibition of the documents and information is to commence; and
 - (ii) that the documents and information are or will be available for viewing by

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the public during the exhibition period at the premises specified in the notice; and

(iii) that the documents and information may be downloaded by the public from the website specified in the notice; and

(c) provide a copy of a notice under paragraph (b) to all owners and occupiers of land adjoining the land to which the application relates; and

(d) display a copy of the notice on the land to which the application relates –

(i) in a size not less than A4; and

(ii) as near as possible to each public boundary of the land; and

(e) exhibit the following documents and information, in respect of the application, in accordance with the exhibition notice published under paragraph (b):

(i) the application;

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- (ii) each document, or piece of information, provided by a reviewing entity under section 60AE in respect of the application;
- (iii) any further information provided by the applicant under this Act in accordance with section 60AF;
- (iv) the draft assessment report;
- (v) if the draft assessment report recommends that a permit be granted, a draft permit, including each proposed condition to be imposed in respect of the permit;
- (vi) the date on which, and the location at which, a hearing under section 60AI may be held in respect of the application, being a date that is not less than 10 days after the close of the exhibition;
- (vii) a statement that the hearing may be cancelled

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in accordance with
section 60AJ.

- (2) An exhibition notice under subsection (1)(b) is to be published as prescribed.
- (3) An exhibition under subsection (1)(e) is to be held for a period of 14 days from the day specified in the notice published under subsection (1)(b), excluding any days on which the premises, where the exhibition is occurring, are closed to the public during normal business hours.
- (4) A person may make comments, and provide feedback, to the Assessment Panel in respect of an application during the exhibition period for the application.

60AH. Modification of notified hearing

- (1) If the Assessment Panel has exhibited, under section 60AG(1)(e), the date and location of a hearing under section 60AI, the Assessment Panel may do either or both of the following by giving notice in accordance with subsection (2):
 - (a) alter the date on which the hearing may be held to a later date specified in the notice;

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- (b) alter the location at which the hearing may be held to a location specified in the notice.
- (2) As soon as practicable after an Assessment Panel gives notice, under subsection (1), to alter a hearing under section 60AI in respect of an application, the Assessment Panel must ensure that a copy of the notice –
 - (a) is published in the manner prescribed under section 60AG(2); and
 - (b) is given to –
 - (i) each party to the application; and
 - (ii) each reviewing entity; and
 - (iii) all persons who made a representation, in respect of the application, who have provided contact details to the Assessment Panel.

60AI. Hearings in respect of applications

- (1) The Assessment Panel is to hold a hearing in respect of an application, as specified in the notice published under section 60AG(1)(b) or as modified under

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section 60AH, in respect of that application, except where the hearing is cancelled in accordance with section 60AJ.

- (2) A hearing under this section, in respect of an application –
- (a) must be held in public; and
 - (b) is open to submissions, and evidence, from –
 - (i) each party to the application; and
 - (ii) each reviewing entity; and
 - (iii) all persons who made a representation in respect of the application; and
 - (iv) any other person that the Assessment Panel considers appropriate, in the circumstances.
- (3) A hearing under this section in respect of an application, if not cancelled in accordance with section 60AJ, must be completed –
- (a) within 28 days after the close of the exhibition period in respect of the application or such further

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period as granted under
section 60AM; and

- (b) before the Assessment Panel
takes an action specified in
section 60AL(1) in respect of the
application.
- (4) Without limiting the ability of the
Assessment Panel to regulate the
proceedings of a hearing in respect of an
application, the Assessment Panel may
use such dispute resolution techniques
including, but not limited to, mediation
as part of a hearing under this section, if
the Assessment Panel considers it
appropriate in the circumstances.

**60AJ. Hearing may be cancelled in certain
circumstances**

- (1) The Assessment Panel for an application
under this Division may cancel a
proposed hearing to be held under
section 60AI in respect of the application
if –
 - (a) during the assessment of the
application, no reviewing entity
requested that a hearing be held,
under section 60AI, in respect of
the application; and
 - (b) during the exhibition period for
the application –

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- (i) no representations were made in respect of the application; or
 - (ii) the representations that were made in respect of the application were in support of the application or specified that the person making the representation does not wish to be heard at a hearing under section 60AI.
- (2) If a hearing in respect of an application is cancelled in accordance with subsection (1), the Assessment Panel may direct the relevant planning authority to issue a permit in accordance with the draft assessment report prepared under this Division in respect of the application.
- (3) If the Assessment Panel cancels a hearing under subsection (1) in respect of an application, the Assessment Panel is to give written notice that –
 - (a) the hearing is not to be held, under section 60AI, in respect of the application; and
 - (b) the relevant planning authority has been directed to issue a

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permit in respect of the
application.

- (4) A written notice under subsection (3) that relates to the cancellation of a hearing in respect of an application must be given to –
- (a) each party to the application; and
 - (b) each reviewing entity for the application; and
 - (c) each person who made a representation in respect of the application.
- (5) For the avoidance of doubt, nothing in this section requires the Assessment Panel to cancel a hearing under subsection (1).

60AK. Frivolous or vexatious representations

If, in the opinion of the Assessment Panel for an application, a representation that is frivolous or vexatious has been made during the exhibition period for the application –

- (a) as soon as practical after forming the opinion, the Assessment Panel is to notify the person who made the representation –

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- (i) that the Assessment Panel is of the opinion that the representation is frivolous or vexatious; and
 - (ii) of the grounds on which the Assessment Panel has formed that opinion; and
- (b) the representation is not a representation for the purposes of this Subdivision.

60AL. Determination of application by Assessment Panel

- (1) Within 28 days after the close of the exhibition period in respect of an application, the Assessment Panel must –
 - (a) refuse the application and notify the following persons of that decision:
 - (i) each party to the application;
 - (ii) each reviewing entity for the application;
 - (iii) each person who made a representation in respect of the application; or

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- (b) subject to subsection (3), approve the application and subsequently –
 - (i) notify the following persons of that decision:
 - (A) each party to the application;
 - (B) each reviewing entity for the application;
 - (C) each person who made a representation in respect of the application; and
 - (ii) direct the relevant planning authority to issue a permit as specified by the Assessment Panel in the direction.
- (2) In making a decision under subsection (1) in respect of an application, the Assessment Panel must –
 - (a) apply the provisions of the relevant planning scheme, as in effect on the day on which the application was made; and

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- (b) seek to further the objectives set out in Schedule 1; and
- (c) have regard to any advice provided by a reviewing entity under section 60AE in respect of the application; and
- (d) take into consideration –
 - (i) such of the prescribed matters as are relevant to the development to which the application relates; and
 - (ii) the matters set out in representations made to the Assessment Panel, under this Division, in respect of the application; and
 - (iii) the submissions made at any hearing held under section 60AI in respect of the application; and
- (e) accept a relevant bushfire hazard management plan, or other prescribed management plan relating to environmental hazards or natural hazards, that has been certified as acceptable by an accredited person or a State Service Agency; and

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- (f) accept any certificate issued by an accredited person or a State Service Agency and stating that the development to which the application relates will result in an insufficient increase in risk from the environmental hazard or natural hazard to warrant any specific protection measures; and
 - (g) if the application relates to any land within Wellington Park, as defined in the *Wellington Park Act 1993*, take into account the standards, values and conditions set out in each management plan, within the meaning of that Act, in force as at the date of the application.
- (3) An Assessment Panel must not make a decision under subsection (1) in respect of an application if, had the application been made to a planning authority under section 51, the planning authority would have been unable to make the same decision in respect of the application under that section.
- (4) If a permit is granted under this section, section 53 applies to the permit as if a reference in that section to the planning authority were a reference to the Assessment Panel.

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- (5) For the avoidance of doubt, a failure of an Assessment Panel to make a decision under subsection (1), in respect of an application, within the time period specified in that subsection does not invalidate the approval by the Assessment Panel of the application after that time period ends.

60AM. Extension of certain time periods

- (1) If an Assessment Panel needs an extension of the period specified in section 60AL(1), including for the purpose of extending the period specified in section 60AI(3), the Assessment Panel may make a request to the Minister that the period be extended in accordance with subsection (2).
- (2) At the request of the Assessment Panel under subsection (1), the Minister may grant one extension, of not more than 21 days, of the period specified in section 60AL(1) if the Minister considers the extension reasonable in the circumstances.
- (3) Subsections (1) and (2) do not apply to an Assessment Panel if the Assessment Panel and the applicant agree to –
- (a) an extension of the period specified in section 60AL(1) in respect of an application; and

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- (b) the duration of that extension.
- (4) If an extension is granted under subsection (2) or agreed under subsection (3) in respect of an application, the Assessment Panel is to notify the following persons that the extension has been granted, or agreed, and the duration of that extension:
 - (a) each party to the application;
 - (b) each reviewing entity for the application;
 - (c) each person who made a representation in respect of the application.

Subdivision 4 – Miscellaneous

60AN. Application may be withdrawn by applicant

- (1) At any stage before an Assessment Panel gives a direction under section 60AJ(2) or section 60AL(1)(b) in respect of an application, the applicant may withdraw the application by written notice to the Assessment Panel.
- (2) If an application has been withdrawn under subsection (1), the Assessment Panel is to notify the following persons that the application has been withdrawn:

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- (a) each reviewing entity who has been provided with the application under section 60AE;
- (b) if the application was exhibited in accordance with section 60AG, each person who made a representation under that section in respect of the application.

60AO. Effect of issuing permit in respect of certain applications

- (1) If a planning authority issues a permit at the direction of an Assessment Panel under section 60AJ(2) or section 60AL(1)(b) –
 - (a) the planning authority must issue the permit within 7 days after receiving the direction of the Assessment Panel; and
 - (b) the planning authority may only issue the permit as directed and may not impose any further conditions on the permit; and
 - (c) the permit comes into effect on the day on which it is issued or such later day as is specified by the Assessment Panel; and

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- (d) there is no right of appeal under this Act, in respect of the permit, on merit grounds; and
 - (e) the provisions of this Act relating to enforcement and minor amendments apply to the permit.
- (2) If a planning authority issues a permit at the direction of an Assessment Panel under section 60AJ(2) or section 60AL(1)(b) in relation to a subdivision, a reference in Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* to the council, in respect of a prescribed function or prescribed power of the council under that Part, includes a reference to the Assessment Panel.
- (3) If a planning authority issues a permit at the direction of an Assessment Panel under section 60AJ(2) or section 60AL(1)(b) in relation to heritage works within the meaning of Part 6 of the *Historic Cultural Heritage Act 1995*, that Act applies to the permit as if that Part had been complied with in respect of the application for the permit.

60AP. Fees under this Division

- (1) For the purposes of this Division, the regulations may prescribe one or more of the following:

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- (a) the fees payable in respect of an application, matter or assessment under this Division;
 - (b) the maximum fees that may be payable in respect of an application, matter or assessment performed under this Division by an Assessment Panel or a planning authority;
 - (c) the method of calculating a fee that may be payable under this Division.
- (2) Nothing in this section limits or restricts a power to make regulations under section 87 in respect of this Division including, but not limited to, making provision for or with respect to a matter specified in section 87(2)(b).
- (3) The Commission may waive or remit all or any part of a fee that is payable under this Division.
- (4) A planning authority, or reviewing entity, may only charge a fee prescribed under this Act in respect of an application, matter or assessment under this Division.

60AQ. Review of Division

- (1) The Minister is to cause a review of the operation of this Division to be carried

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out as soon as practicable after the fifth anniversary of its commencement.

- (2) A review under subsection (1) may include, but is not limited to, the operation of any time period specified in this Division.
- (3) The persons who carry out the review under subsection (1) are to give the Minister a written report on the outcome of the review.
- (4) The Minister is to cause a copy of the report, given to the Minister under subsection (3), to be tabled in each House of Parliament within 10 sitting-days of that House after the report is given to the Minister.

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Part 3 – Historic Cultural Heritage Act 1995 Amended

**PART 3 – HISTORIC CULTURAL HERITAGE ACT
1995 AMENDED**

7. Principal Act

In this Part, the *Historic Cultural Heritage Act 1995** is referred to as the Principal Act.

8. Section 33 substituted

Section 33 of the Principal Act is repealed and the following section is substituted:

33. Application of Planning Act to heritage works is subject to this Part

- (1) Subject to subsection (2), the provisions of this Part prevail, to the extent of any inconsistency, over the provisions of the Planning Act and any planning scheme or special planning order or planning directive in force under that Act.
- (2) This Part does not apply to –
 - (a) a permit application that is to be determined by an Assessment Panel under Division 2AA of Part 4 of the Planning Act; and
 - (b) heritage works that are to be performed under a discretionary permit that is issued as a result of

*No. 117 of 1995

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a permit application referred to in
paragraph (a).

Consultation Draft

32-34 Georges Bay Esplanade
St Helens Tasmania 7216
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Our Reference: 23/5310
Contact: Deb Szekely

23 April 2025

Mr. Anthony Reid
Director
State Planning Office
Department of Premier and Cabinet
GPO Box 123,
HOBART TAS 7001

E: haveyoursay@stateplanning.tas.gov.au
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Dear Anthony,

LUPA Amendment (Development Assessment Panels) Bill 2024

Thank you for the opportunity to provide comments on the revised draft **LUPA Amendment (Development Assessment Panels) Bill 2025**.

The proposal to introduce an alternative pathway for Development Assessment continues to represent a significant departure from the current framework. The period afforded for public consultation is a welcome deviation to the past management of this process. Meaningful consultation when attempting to introduce an amendment to the Tasmanian planning system, with potentially far-reaching implications, is a requirement that will always be closely guarded.

Firstly, and foremost, Council wishes to remain open-minded to the proposed regulatory reform. It is important we remain engaged within the process to ensure we continue to manage any impacts to Council as the planning authority and advocate for a system that is fair, equitable and robust.

The council's position on the revised Land Use Planning and Approvals (Development Assessment Panel) Bill 2025 remains restricted to three primary areas.

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The first being support for a referral trigger to a Development Assessment Panel in matters of social and affordable housing but restricts this support to development applications being lodged by Homes Tasmania. It is imperative that the State is able to deliver social and affordable housing. Qualifying the referral of development applications for social and affordable housing by or on behalf of Homes Tasmania only, ensures any deviation from the existing DA process is justified and appropriate for a statutory body tasked with providing housing and housing assistance to eligible Tasmanians. The governance structure of Homes Tasmania ensures the additional development assessment pathway will be utilized appropriately to deliver on their core task.

Secondly, Council again reiterates its support for a planning authority to be able to refer applications for which it is the applicant and the planning authority, to a Development Assessment Panel. This support continues to be grounded in the desire to ensure the development assessment process is open, transparent and in accordance with planning instruments.

Finally, there remains overwhelming concern regarding the loss of appeal rights through the DAP process. Council continues to oppose any loss of appeal rights despite understanding the reasoning provided in information materials to date.

Ministerial direction to prepare a draft amendment to an LPS also continues to be a concern to Council. Similar to any other aspect of the proposed amendment that requires direction from the Minister, the detail within any Commission Guidelines to assist the Minister in decision-making, must be part of a further community consultation process.

Break O'Day Council is also interested in further edits that address full cost recovery for the role of local government within the process and ensuring the eligibility for Councilors to choose to attend the Hearings irrespective of whether or not they have made a representation on the development application.

The Break O'Day Council maintains an open mind about the proposal and looks forward to continuing to be a part of the conversation around regulatory reform to Tasmania's planning system.

Yours sincerely,



Raoul Harper
Acting General Manager

ACTION	INFORMATION & DISCUSSION
COUNCIL MEETING DATE	15 December 2025
PROPONENT	Service Stream Ltd on Behalf Of Amplitel Pty Ltd
OFFICER	D. Szekely, Senior Town Planner
FILE REFERENCE	DA245-2024 Service Stream Ltd Obo Amplitel Pty Ltd (Telstra Corporation Ltd) - 14 Bowen Street, St Helens – Telecommunications Tower
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none"> 1. Decision – Amplitel Pty Ltd v Break O'Day Council [2025] TASCAT 223. 2. Conditions of Approval. 3. Approved Plans.

OFFICER'S RECOMMENDATION:

For the information of Council and any required discussion and further direction if any.

In the absence of further Council direction, Development Services is to follow the instructions of the TASCAT in accordance with their decision.

INTRODUCTION:

Council at it's meeting on 17 March 2025, refused the development application DA245-2024 for the construction of a Telecommunications Tower at 14 Bowen Street St Helens. The grounds of refusal were that the proposal was unable to satisfy the relevant performance criteria within the zone and code provisions as follows:

- (a) the performance criterion P1(b) of cl 26.4.1 of the Scheme; and
- (b) the performance criterion P1.1 of cl C5.6.1 of the Scheme.

The applicant appealed Council's decision to refuse the development application and a Hearing within the Tasmanian Civil & Administrative Tribunal (TASCAT) was held on 7 – 8 August, 2025.

On Friday, 5 December 2025, the TASCAT released their decision to set aside Council's decision to refuse the development application, and instruct Council to issue a Permit for the use and development at 14 Bowen Street St Helens with conditions of approval annexed to the decision. A copy of the decision accompanies this report.

PREVIOUS COUNCIL CONSIDERATION:**Council Meeting 17 March 2025****03/25.6.2.554**Moved: Clr K Chapple / Seconded: Clr L Johnstone

After due consideration of the application received and pursuant to Section 57 of the Land Use Planning & Approvals Act 1993 and the Tasmanian Planning Scheme – Break O’Day, that the application for Telecommunications Facility on land situated at 14 Bowen Street, St Helens described in Certificate of Title 32105/1 be REFUSED.

CARRIED UNANIMOUSLY

OFFICER’S REPORT:

On Friday, 5 December 2025, the TASCAT instructed Council to issue a Permit for a Telecommunications Tower at 14 Bowen Street St Helens with conditions of approval annexed to the decision.

The Tribunal Panel concluded that:

- (a) The proposal was able to satisfy the performance criterion P1(b) of cl 26.4.1 of the Scheme; and
- (b) the performance criterion P1.1 of cl C5.6.1 of the Scheme.

DECISION

Clause 26.4.1 Building Height P1(b) – Visual Character

The Tribunal stated:

“Although the tower will be visually prominent in some views due to its height and limited capacity for visual absorption, we do not consider the impact is unreasonable in all the circumstances. The setting is not visually sensitive to change, the landscape is highly modified, and the tower’s height will be mitigated by the existing pole and wire infrastructure and by the hills surrounding St Helens as a background visual feature.”

Clause C5.6.1 Visual Amenity P1.1 – Visual Amenity

The Tribunal stated:

“The existing visual amenity reflects the existing infrastructure and the developed commercial centre of St Helens. For the reasons outline above the proposal will not be unreasonably visually intrusive. We are satisfied that that the proposal will not cause an unreasonable loss of visual amenity.”

RECOMMENDATIONS

For the information of Council and any required discussion and further direction if any.

In the absence of further Council direction, Development Services is to follow the instructions of the TASCAT in accordance with their decision.

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

Citation:	Amplitel Pty Ltd v Break O'Day Council [2025] TASCAT 223
Division:	General
Stream:	Resource Planning
Parties:	Amplitel Pty Ltd (Appellant) Break O'Day Council (Respondent)
Hearing Date:	7 and 8 August 2025
Hearing Location:	Hobart
Date of Orders:	5 December 2025
Date Reasons Issued:	5 December 2025
Panel:	RM Grueber – Deputy President M Wong – Member
Orders Made:	<ol style="list-style-type: none"> 1. The decision of the Break O'Day Council to refuse a permit for development application DA 2024/00245 is set aside and substituted with a decision to grant a permit subject to the conditions of approval annexed to the Statement Between Planning Experts by Deb Szekely and Frazer Read dated 4 August 2025. 2. The Break O'Day Council is directed to issue a permit for DA 2024/00245 according with these orders within 14 days. 3. Any application for an order for costs in the appeal is to be made in writing with supporting submissions within 21 days. If no application is so filed each party is to bear their own costs.
Catchwords:	Resource and planning – Planning appeal – Telecommunications tower – Building height – visual amenity – Whether cl C5.6.1A2 of the Tasmanian Planning Scheme is inconsistent with and prevails over cl 26.4.1A1

Legislation Cited:	Tasmanian Planning Scheme – Break O’Day
Cases Cited:	<i>Clarence City Council v Resource Management and Planning Appeal Tribunal</i> [2018] TASSC 41; <i>Refrigerated Express Lines (A/asia) Pty Ltd v Australian Meat & Livestock Corporation (No 2)</i> [1980] FCA 38; (1980) 44 FLR 455; <i>Tabart v Central Coast Council</i> [2024] TASCAT 178; <i>Marching Ants (Tas) Pty Ltd v Launceston City Council & Ors</i> [2021] TASRMPAT; <i>No Turbine Action Group Inc v Central Highlands Council</i> [2025] TASCAT 162; <i>Mt Wellington Cableway Company Pty Ltd v Hobart City Council & Ors</i> [2022] TASCAT 128; <i>Meander Valley Council v Resource Management and Planning Appeal Tribunal</i> [2013] TASSC 42 [10]
Representation:	Appellant: J O’Farrell – King & Wood Mallesons Respondent: R Holbrook – Simmons Wolfhagen
File No:	P2025/37
Publication Restriction:	No restriction

REASONS FOR DETERMINATION

The appeal

1. The appellant has appealed a decision by the Break O'Day Council to refuse a permit for a telecommunications tower proposed to be developed in the town of St Helens.

The proposal and the site

2. The proposal is for the installation of a 25m monopole telecommunications tower. The tower would include a headframe at 25m, on which would be installed 9 panel antennas. The overall height of the proposal would be 26.3m. The proposal includes an outdoor equipment shelter installed on concrete piers adjacent to the base of the monopole and some associated works.
3. The site for the proposal is in the town centre of St Helens and has a total area of 607m². An existing Telstra telecommunications exchange building is located on the site.
4. The site falls within the Tasmanian Planning Scheme – Break O'Day (the Scheme).
5. The site, together with parts of the adjoining road reserves, is zoned Utilities under cl 26.0 of the Scheme. The zoning reflects the historical use of the site by Telstra. The land to the north, east and south of the site is zoned General Business under cl 15 of the Scheme. The land to the west of the site is zoned General Residential under cl 8.

The grounds

6. The grounds of appeal are extensive, but the appeal proceeded as a response to the Council's grounds of refusal, which were that the proposal would not comply with either of:
 - (a) the performance criterion P1(b) of cl 26.4.1 of the Scheme; or
 - (b) the performance criterion P1.1 of cl C5.6.1 of the Scheme.

Clause cl 26.4.1

7. Clause 26.4.1 regulates building height and provides:

26.5.1 Building height

Objective:	To provide for a building height that: (a) is necessary for the operation of the use; and (b) minimises adverse impacts on adjoining properties and the visual character of the area.
A1	P1

Building height must be not more than: (a) 10m; or (b) 15m if for a structure, such as a tower, pole or similar.	Building height must: (a) be necessary for the operation of the use and not cause unreasonable impact on adjoining properties, having regard to: (i) the bulk and form of the building; (ii) separation from existing buildings on adjoining properties; and (iii) any buffers created by natural or other features; and (b) not unreasonably impact on the visual character of the area, having regard to: (i) the topography of the site; (ii) any existing vegetation; and (iii) visibility from adjoining roads and public open space.
--	--

8. It was common ground that the proposal would not satisfy the acceptable solution A1 of cl 26.4.1. The appellant's primary position was that cl 26.4.1 does not apply to the proposal, but its secondary position was that if it did then the proposal would satisfy P1.

Clause C5.6.1

9. Clause C5.6.1 is within the Telecommunications Code (the Code) in the Scheme and deals with visual amenity. It provides:

C5.6.1 – Visual amenity

Objective:	That facilities do not cause an unreasonable loss of visual amenity.	
A1 No Acceptable Solution	P1.1 Facilities located within existing utility corridors or on sites with existing facilities, must not cause an unreasonable loss of visual amenity, having regard to: (a) the siting and design of facilities; (b) best practice methods to: (i) reduce the visual impact of facilities; or	

	<p>(ii) conceal facilities within the surrounding natural or built environment;</p> <p>(c) the need to minimise clearing of vegetation; and</p> <p>(d) functional and safety requirements to establish, operate and maintain facilities.</p>
--	--

10. As cl C5.6.1 contains no acceptable solution the proposal must comply with the performance criterion P1.1.

Does the proposal fall for assessment against cl 26.4.1 A1

11. The appellant contended that cl 26.4.1 A1 is inconsistent with the acceptable solution in cl C5.6.1 A2, in the Code, which relevantly provides in A2(a) that:

Building height of freestanding towers must not be more than ... 30m in the ... Utilities Zone.

12. The proposal has a height of less than 30m and so satisfies A2 of cl C5.6.1. The appellant argued that cl C5.6.1 A2 prevails over cl 26.4.1 A1, and that the proposal therefore does not fall for assessment under cl 26.4.1 A1.

13. Clause 5.5 of the Scheme deals with the operation of codes:

5.5 Operation of Codes

5.5.1 The codes identify areas of land or planning issues which require compliance with additional provisions.

5.5.2 Codes set out provisions for: (a) particular types of use or development that may apply to land in one or more zones; and (b) matters that affect land that are not appropriately described by zone boundaries.

5.5.3 Where there is an inconsistency between a provision in a code and a provision in a zone, the code provision prevails.

5.5.4 An inconsistency between a provision of a code and a provision of a zone does not exist if a code requires compliance with standards additional to those that apply within a zone.

5.5.5 The requirements and structure for code overlay maps and lists in the Local Provisions Schedules are set out in clause LP1.0 and Appendix A

14. Clause 5.5.3 expressly provides that where there is an inconsistency between a provision in a code and a provision in a zone the code provision prevails. The appellant contends that there is such an inconsistency between cl C5.6.1 A2 in the Code and cl 26.4.1 A1 in the Utilities Zone.

15. Clause 26.4.1 regulates building height generally. The acceptable solution A1(b) provides a maximum height of "15m if for a structure, such as a tower, pole or similar". 'Tower' is not defined for the purposes of A1(b).
16. In respect to the Code, cl C5.3.1 defines 'tower' as:

Means a tower, pole, mast or similar structure used to supply a carriage service by means of telecommunication.
17. The proposal falls within the definition of tower in cl C5.3.1. What is a tower for the purposes of the Code is narrower than what may be a tower as a structure for the purposes of cl 26.4.1 A1(b). A tower within cl C5.6.1 A2 must be a structure used for telecommunications and all towers falling within A2 must be telecommunication towers. However, while a telecommunications tower will be a tower for the purposes of cl 26.4.1 A1(b), not all towers falling within A1(b) will be telecommunications towers.
18. The appellant contends that there is an inconsistency between the two standards as they both provide acceptable solutions for the height of a tower, but the acceptable solutions provide for different heights. Clause C5.6.1 A2 provides an acceptable height for a freestanding telecommunications tower, but if it is applicable cl 26.4.1 A1 provides a different acceptable height for the tower. The two standards are inconsistent in that the proposal will satisfy one standard in respect to height, but not satisfy the other.
19. The Council points to cl 5.5.4 which provides that an inconsistency does not exist if a code requires compliance with standards additional to those that apply within a zone. In this context additional must mean that the code provision adds something extra or supplementary or more stringent, not simply a separate test. A comparison between the acceptable solutions shows that the acceptable solution in the code does not add anything extra or supplementary or more stringent. If a tower satisfies the acceptable solution for height of not more than 15m in cl 26.4.1 A1 it will also necessarily satisfy the acceptable solution of not more than 30m in cl C5.6.1 A2(a).
20. The Scheme is a performance based planning scheme that distils planning objectives and principles into standards defined by acceptable solutions and performance criteria: *Clarence City Council v Resource Management and Planning Appeal Tribunal* [2018] TASSC 41 at [56].
21. Generally, acceptable solutions are quantitative standards, which if not met usually have associated performance criteria which involve qualitative assessment. The performance criteria in cl 26.4.1 P1 and cl C5.6.1 P2 both deal with visual impact, but by reference to different areas and with some different matters to be had regard to. It may be that in considering the performance criteria the Code adds additional standards, however that comparison is not invoked in this case as the performance criterion in the Code is not triggered by the proposal, which meets the acceptable solution in cl C5.6.1 A2(a).
22. The application of cl 5.5.3 and the narrower and more specific application of cl C5.6.1 A2(a) to the height of telecommunication towers compared to structures generally in cl 26.4.1 A1 indicate that the Scheme does not intend that a

telecommunications tower is to be governed by overlapping and conflicting standards regulating height and that the specific provision in the Code should prevail: for an example of a modern application of the principal that where there is a conflict between a general provision and a more specific provision the specific prevails see *Refrigerated Express Lines (Asia) Pty Ltd v Australian Meat & Livestock Corporation (No 2)* [1980] FCA 38; (1980) 44 FLR 455 at 467-468.

23. The Council points to the Tribunal's decision in *Tabart v Central Coast Council* [2024] TASCAT 178 where an application for retrospective approval of communication towers was assessed against both of the equivalent standards to cl 26.4.1 and cl C5.6.1 in the Inner Residential Zone of the Tasmanian Planning Scheme. The issue of inconsistency was not raised by any party in that case and so was not argued or considered by the Tribunal. Accordingly, it is not authority to the contrary of the conclusion we have reached.
24. We are therefore satisfied that the proposal meets the acceptable standard in cl C5.6.1 A2(a) in respect to building height and that it does not fall to be assessed against the standard in cl 26.4.1 A1.
25. Notwithstanding that conclusion, in the event that we are wrong in respect to the law we will proceed with an assessment of the proposal against cl 26.4.1 P1.

Clause 26.4.1 P1 – Building height

26. The performance criterion in cl 26.4.1 P1 contains two parts, (a) and (b).
27. P1(a) was not in issue on the appeal.
28. P1(b) requires that the proposal not unreasonably impact on the visual character of the area having regard to:
 - (i) the topography of the site;
 - (ii) any existing vegetation; and
 - (iii) visibility from adjoining roads and public open space.
29. In respect to what might amount to 'unreasonable impact', in *Marching Ants (Tas) Pty Ltd v Launceston City Council & Ors* [2021] TASRMPAT 1 at [25] the former Resource Management and Planning Appeal Tribunal considered that the ordinary meaning of impact was "to have a marked effect on, which suggests a conspicuous effect".
30. The use of 'unreasonably' to qualify 'impact' contemplates that some degree of impact on visual character will be acceptable and permissible. In *No Turbine Action Group Inc v Central Highlands Council* [2025] TASCAT 162 at [34] the Tribunal said:

The use of the adjective 'unreasonable' indicates that P1 contemplates that a reasonable degree of impact is to be tolerated. Unreasonableness is to be determined objectively and is a question of impression and degree and is to be assessed by reference to the particular circumstances of a given case; *Tucker v State of Victoria* [No 2] [2021] VSCA 182 [32]. The standard of reasonableness

is to be determined by interpretation of the Scheme applying the ordinary approach to construction: *Minister for Immigration and Citizenship v Li* [2013] HCA 18 [67]. As noted in respect to the approach to 'necessary', the zone purpose statements will provide context for the assessment, as will the objective of cl 20.4.1, which includes to provide for a building height that "minimises adverse impacts on adjoining properties".

31. As observed by the Tribunal, the zone purpose statements and objectives of the standard will provide context for the assessment of what might be unreasonable impact. The zone purpose of the Utilities Zone is set out in cl 26.1:

26.1 Zone Purpose

The purpose of the Utilities Zone is:

26.1.1 To provide land for major utilities installations and corridors.

26.1.2 To provide for other compatible uses where they do not adversely impact on the utility.

32. The zone purpose on its face gives primacy to the operation of utilities, but needs to be considered in the context that it is not unusual, as in this case, for land zoned Utilities to be relatively small and discrete areas within a broader area which is differently zoned. The objective in cl 26.4.1 essentially reflects the standard, which adds little by way of assistance as to what might be an unreasonable impact.
33. The nature and extent of impact to be assessed under cl 26.4.1 P1 is that which is derived from building height.
34. 'Visual character' is not defined in the scheme. The Council referred the Tribunal to the decision in *Mt Wellington Cableway Company Pty Ltd v Hobart City Council & Ors* [2022] TASCAT 128 at [272]. In considering the undefined term 'visual character' in the Wellington Park Management Plan the Tribunal said that based on the assessments of the experts in that case "it might be regarded as the overall impression created by the scale and combination of visual aspects and features in the landscape".
35. The impact is to be considered having regard to the visual character of the area. The Scheme does not define the extent of the area to be considered. The Council called evidence from an expert planner, Ms Deb Szekely. In considering the area for the purposes of the assessment Ms Szekely had regard to the area around the site in which the proposal would be expected to be visible in terms of pedestrian and vehicular traffic, and where that visibility would have a measure of impact. She considered that the relevant area identified by her is highly influenced by land use, both in terms of the local community and visitors, and access routes providing vehicular and pedestrian movements.
36. The appellant also led evidence from a planning expert, Mr Frazer Read. Mr Read did not expressly set out his approach to identification of the surrounding area, as he did not consider that there was an identifiable boundary, but he considered that land within a radius of 200m provided an appropriate and practical extent for the

assessment, and his assessment area was essentially consistent with that of Ms Szekely.

37. Ms Szekely summarised the visual area as one of low-rise buildings of various design with associated infrastructure, such as power lines, at a height normally experienced in a township. There is a degree of variation in terms of building design, but conformity in terms of a broad view of building height, bulk and form. Ms Szekely considered that the visual character of the area in the vicinity of the site is best described as mixed commercial, catering to the needs of the business community and its customers and to the residential and visitor community of St Helens. She considered that the visual character quickly transitions to one expected of a residential area. She considered the visual character to be quite diverse in terms of infrastructure, building type and landscaping. She considered that the low-rise building characteristics of the area are a noticeable common feature, with St Helens having only a few tall buildings with no structure exceeding two-storeys. She said that, in terms of visual character this provided an aspect of uniformity and commonality in terms of building height and bulk, and in how that presented visually against the skyline. That visual character is informed by the grid street pattern in the area, such that the visual character is fairly orderly and uniform with shop frontages presenting to the street in pedestrian corridors. Ms Szekely considered that the height of the proposal would provide an extreme and intrusive contrast to the flat topography and broadly uniform low-rise building structure.
38. Mr Read described the visual character of the area surrounding the site as mixed with a clear distinction between the commercial utility-focussed uses to the east, north and south and the residential character to the west. To the west the character transitions to a residential zone comprising predominantly single storey detached dwellings with traditional setbacks and garden frontages. He considered that the area is visually and functionally separated from the site by a street and intervening footpath and verge, including power poles, street trees and fencing. Mr Read observed that the site and surrounding landform are generally flat such that there is no natural screening or elevated relief to obscure views of the proposal, but said that it would not be visually prominent in the landscape, as it would not be situated on or near a ridge line, escarpment or elevated point that would place the structure against the skyline or disrupt key view-lines. He said that the site is not located within or adjacent to view corridors towards the coast. He considered that it would be read as part of the existing built form of the town rather than as an intrusive element in a sensitive natural or scenic landscape. Mr Read observed that the proposal would be visible from locations in the nearby streets, particularly those close to the site, but that those views would occur in the context of an urbanised streetscape that includes commercial buildings, car parks, street lighting, power poles and the existing Telstra exchange infrastructure. He considered that the slim, vertical form and dull grey finish of the tower would reduce its visual prominence by minimising contrast with the sky and surrounding built elements.
39. Mr Christopher Goss, an expert in visual impact assessment, was called by the Council to provide photomontages and an assessment of visual impact. Mr Goss applied a quite complex method of assessment. In respect to the magnitude of change, reflecting the extent and impact of an alteration on the landscape, he found that the effect of the proposal would be, at worst, moderate from three key

observation points that he identified. His evidence explained that 'moderate' in this context indicated a noticeable alteration of the landscape character which is visible and affects a moderate area, is likely to be noticed by many viewers and which may be for the medium term or reversible. He undertook a quantitative evaluation from the key observation points and found that the visual compatibility of the proposed built form was satisfactory. He then undertook a qualitative evaluation and concluded that despite that quantitative compliance the proposal would have an unreasonable impact on the visual character of St Helens. In this regard his consideration included the relatively flat topography of the township, the siting of the proposal, with no significant existing local vertical elements, and the design of the proposal, particularly the headframe of the proposed tower.

40. Mr Hayden Burge, a visual impact expert, was called by the appellant. Mr Burge provided photomontages from three observation points, together with wireframe images. There was disagreement between the parties as to which experts' photomontages were more accurate. Mr Burge and Mr Goss both selected view points within about a radius of about 200m of the site, but the observation points used by each expert were different. The dispute as to accuracy related to fine points of methodology and presentation. We accept the photomontages of both Mr Goss and Mr Burge as reasonable visual representations of the proposal and useful in the assessment.
41. Mr Burge also undertook an assessment of visual impact. His approach was simpler than the formulaic assessment by Mr Goss. Mr Burge assessed the proposal having regard to physical change, permanency of change, visibility, distance, duration of view, landscape character and sensitivity, and viewer numbers. He had regard to the low-lying topography of the site, the location of the proposed tower, surrounding areas of public open space, views from the surrounding road network and from local business. He had regard to light poles, power poles and flag poles within the area. He concluded that the siting and design of the proposal would contribute to a visual impact, but that it would not result in an unreasonable loss of visual amenity. He considered that the proposed height of the tower would not have an unreasonable impact on the visual character of the area.
42. Using the photomontages prepared by both Mr Burge and Mr Goss, we are satisfied that it is possible to discern from them the relevant impacts of the proposal. We prefer Mr Burge's evidence as to impact. His opinion was based on a series of visual character considerations and his assessment was straight forward and direct, explaining his conclusion that the area is not visually sensitive to change. Mr Goss limited his assessment to viewpoints only to the north of the site and his quantitative and qualitative assessment was unnecessarily complicated. He purported to rely on authorities that were inaccurate or irrelevant. He also included reference to material which was outside the scope of his expertise, such as evidence going on neurological responses to visual characteristics, that was excluded on the basis that he was not an expert in those matters. He also included material which was of uncertain relevance, for example reference to a manual for forest landscape management. At a cursory glance those matters provided a gloss of scientific technique that was not born out by closer analysis.
43. The descriptions of the existing visual character given by Ms Szekely, Mr Burge and Mr Read are generally consistent, describing a mixed character of commercial and

residential development that has a broad low-rise uniformity of height in flat low-lying topography with limited vegetation and with any elevated natural features being in the distance.

44. Clause 26.4.1 P1(b) requires that we have regard to three matters in considering the test of impact on visual character:
 - (i) the topography of the site;
 - (ii) any existing vegetation; and
 - (iii) visibility from adjoining roads and public open space.
45. In respect to P1(b)(i), the topography is flat. As noted below, height is a necessary feature for the function of the proposed tower. The most scenic views in the area are toward the St Helens waterfront and Georges Bay. The tower would not have a significant effect on those scenic views. As Mr Burge explained, the built form within the flat topography will confine views of the proposal to close range. Longer views would be afforded along roadways or across surface car parks, but those views would be through, or include, the existing higher elements of powerlines and poles along the road edges.
46. In respect to P1(b)(ii), existing vegetation is limited in the area, which is largely paved. There is a row of mature trees along the southern boundary of the site, which will provide some screening of the lower part of the tower from the adjoining property. Mr Read identified vegetation within the street verge and trees in an adjacent street that he said would soften views of the lower part of the tower from public vantage points. None of that vegetation will be disturbed by the proposal.
47. The consideration in respect to P1(b)(iii) is in respect to adjoining roads. 'Adjoining' is defined in table 3.1 of the Scheme as "means next to, or having a common boundary with". Public open space is defined in the table as "means land for public recreation or public gardens or for similar purposes".
48. The relevant roads were agreed by Ms Szekely and Mr Read as being Bowen Street and Quail Street. Mr Read considered that the adjective 'adjoining' qualified both roads and public open space, and observed that here was no adjoining public open space. The logic advanced by the appellant as to this is that it would make no sense for 'adjoining' to qualify roads but leave public open space at large. The counter argument is that the ambit for consideration is limited by the standard to the relevant area, and that people might linger in areas of public open space and so experience a greater effect on visual character than they might in travelling on a road. It is not necessary to determine this point, given our conclusion on taking a conservative approach and having regard to the most significant area of non-adjoining public open space described in the evidence, being Portland Memorial Park, is that the standard is satisfied. Portland Memorial Park is approximately 75m south-east of the site. Ms Szekely also identified the Georges Bay Foreshore as a relevant area of public open space, but it is quite distant from the site. Views experienced by pedestrian and road traffic would be of short duration. From Portland Memorial Park the base of the proposed tower would be screened by existing buildings. The upper part of the tower would be visible from the park, but it will be seen in the context of

the surrounding built form and existing light poles in the area and flag poles in the Park.

49. Although the tower will be visually prominent in some views due to its height and limited capacity for visual absorption, we do not consider the impact is unreasonable in all the circumstances. The setting is not visually sensitive to change, the landscape is highly modified, and the tower's height will be mitigated by the existing pole and wire infrastructure and by the hills surrounding St Helens as a background visual feature.

Clause C5.6.1 P1.1 – Visual amenity

50. The test in P1.1 of cl C5.6.1 differs from that in cl 26.4.1 P1 in that it considers whether there is an unreasonable loss of visual amenity rather than an unreasonable impact on the visual character of the area.
51. Amenity is defined in table 3.1 of the Scheme as:

Means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to the making of the locality, place or building harmonious, pleasant or enjoyable".
52. 'Visual amenity' is not separately defined. The Council submitted that the relevant consideration is in respect to factors of amenity that can be appreciated visually. Mr Read described visual amenity as including those qualities of the site and surrounds that relate specifically to visual form, scale, spatial composition, contrast, and the character of landscape or built features, as perceived from both public and private vantage points. We would add that those qualities are relevant insofar as they make or contribute to making the locality or place harmonious, pleasant or enjoyable.
53. The standard does not identify the relevant area within which visual amenity is to be considered. Ms Szekely and Mr Read did not identify areas different to those used by them for the assessment of visual character.
54. In respect to existing visual amenity Ms Szekely observed that the surrounding area is a mix of commercial, urbanised and residential use with associated infrastructure including roads, footpaths, carparks and electrical and lighting infrastructure and mixed types of buildings ranging from single-storey to double-storey. She noted that the site is close to the commercial hub of St Helens where the active frontages promote pedestrian experiences that are dependent on positive visual amenity. Ms Szekely extended her assessment beyond that which might be considered as visual amenity to matters or activities of broader amenity, such as weekend markets, live music venues, restaurants and cafes, and higher traffic intersections. While those matters may be relevant to the amenity of the area generally, it is not immediately apparent how they are elements of visual amenity.
55. Mr Read had regard to the appearance of the locality as a low-rise functional townscape with largely single-storey retail and service buildings, surface carparks and existing utility infrastructure, with limited landscaping and a visual environment defined more by hardstand, signage and utility elements than by vegetation or urban design features. He described the viewer experience as already influenced by vertical infrastructure such as poles, wires, lighting column and signage.

56. The matters that the standard requires that we have regard to focus on the site and the proposal rather than the broader considerations of topography and visibility from roads and public open space:
- (a) the siting and design of facilities;
 - (b) best practice methods to:
 - (i) reduce the visual impact of facilities; or
 - (ii) conceal facilities within the surrounding natural or built environment;
 - (c) the need to minimise clearing of vegetation; and
 - (d) functional and safety requirements to establish, operate and maintain facilities.
57. Having regard to the first of those matters, the telecommunications tower will be located in the southeastern corner of the site, setback from the road frontages and positioned behind the existing exchange building. The tower itself will be of a slim design finished in a neutral grey tone that will be visually recessive in the location. The area contains existing vertical structures such as power poles and street lighting.
58. In respect to best practice methods to reduce or conceal visual impact, the proposal will be co-located on the site of an existing telecommunications facility. The use of a monopole will minimise bulk and scale.
59. The proposal will not require any vegetation clearing or disturbance to vegetated areas.
60. In respect to functional and safety requirements, the appellant called evidence from Mr Ramesh Perera, an engineer employed by Telstra. Mr Perera's evidence was that the height and configuration of the tower is the minimum required to reasonably provide reliable telecommunication coverage and capacity to the St Helens area. Mr Perera's evidence was not contradicted by any other expert opinion. No issues in respect to safety requirements were raised.
61. We have had regard to these matters and to the matters discussed above in respect to the visual impact of the proposal. The existing visual amenity reflects the existing infrastructure and the developed commercial centre of St Helens. For the reasons outline above the proposal will not be unreasonably visually intrusive. We are satisfied that that the proposal will not cause an unreasonable loss of visual amenity.

Determination

62. The decision to refuse a permit should be set aside and replaced with a decision to grant a permit.
63. It is usual for conditions to be imposed on the grant of a planning permit. The decision in respect to the grant of a permit and the conditions to apply are components of a single process: *Meander Valley Council v Resource Management and Planning Appeal Tribunal* [2013] TASSC 42 [10].

64. The Council provided draft conditions. The joint statement of agreed facts as between Mr Read and Ms Szekely addressed the conditions and they agreed that they are satisfactory although Mr Read expressed some concern relating to a landscaping condition, which was not advanced at the hearing. The appellant made no submissions that the conditions should be in any different terms to those prepared by the Council. On their face they appear reasonable and within power.
65. Accordingly:
1. The decision of the Break O'Day Council to refuse a permit for development application DA 2024/00245 is set aside and substituted with a decision to grant a permit subject to the conditions of approval annexed to the Statement Between Planning Experts by Deb Szekely and Frazer Read dated 4 August 2025.
 2. The Break O'Day Council is directed to issue a permit for DA 2024/00245 according with these orders within 14 days.
 3. Any application for an order for costs in the appeal is to be made in writing with supporting submissions within 21 days. If no application is so filed each party is to bear their own costs.

Recommendation:

Approved Plans			
Plan / Document Name	Reference Number	Prepared By	Dated
Site Access	Sheet No. S1	Service Stream	19/12/2024
Site Setout Plan	Sheet No. S1-1	Service Stream	19/12/2024
Site Layout	Sheet No. S1-2	Service Stream	19/12/2024
Antenna Layout	Sheet No. S1-3	Service Stream	19/12/2024
North West Elevation	Sheet No. S3	Service Stream	19/12/2024
Configuration Table	Sheet No. S3-1	Service Stream	19/12/2024

CONDITIONS

CONDITION		TIMING
1.	Approved Plans and/or Document	
	Undertake development in accordance with the approved plans and/or documents. These plans will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2.	Building Wastes	
	All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	During site works and to be maintained at all times.
3.	External Colours and Finishes	
	Reflective materials must not be used as visible external elements in/on the structure.	Prior to the commencement of use and to be maintained at all times.
4.	Exterior and Security Lighting	
	Exterior and security lighting must be designed, baffled and located so that no direct light is emitted outside the property boundaries.	Prior to commencement of use and to be maintained at all times.
5.	Landscaping	
	Maintain and infill existing landscaping on the western side boundary and southern rear boundary to ensure a visual screen is maintained along these boundaries. The visual screen must reduce visibility of the development from the western and southern	Prior to use and to be maintained at all times.

Page 1 of 2

CONDITION		TIMING
	boundaries to a practical extent and to the satisfaction of Council.	
6.	Storm water Management	
A	Ensure all impervious surfaces drain storm water to council's maintained storm water infrastructure.	Prior to commencement of use and to be maintained at all times.
B	Any new connection to Council's storm water infrastructure must be in accordance with a Works Permit and completed by a licenced plumber.	Prior to the commencement of use.
C	Works on the site must not result in a concentration of flow onto other property, or cause ponding or other storm water nuisance.	During site works and to be maintained at all times.

ADVICE

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

Mon-Friday 7 am to 6 pm
Saturday 9 am to 6 pm
Sunday and public holidays 10 am to 6 pm

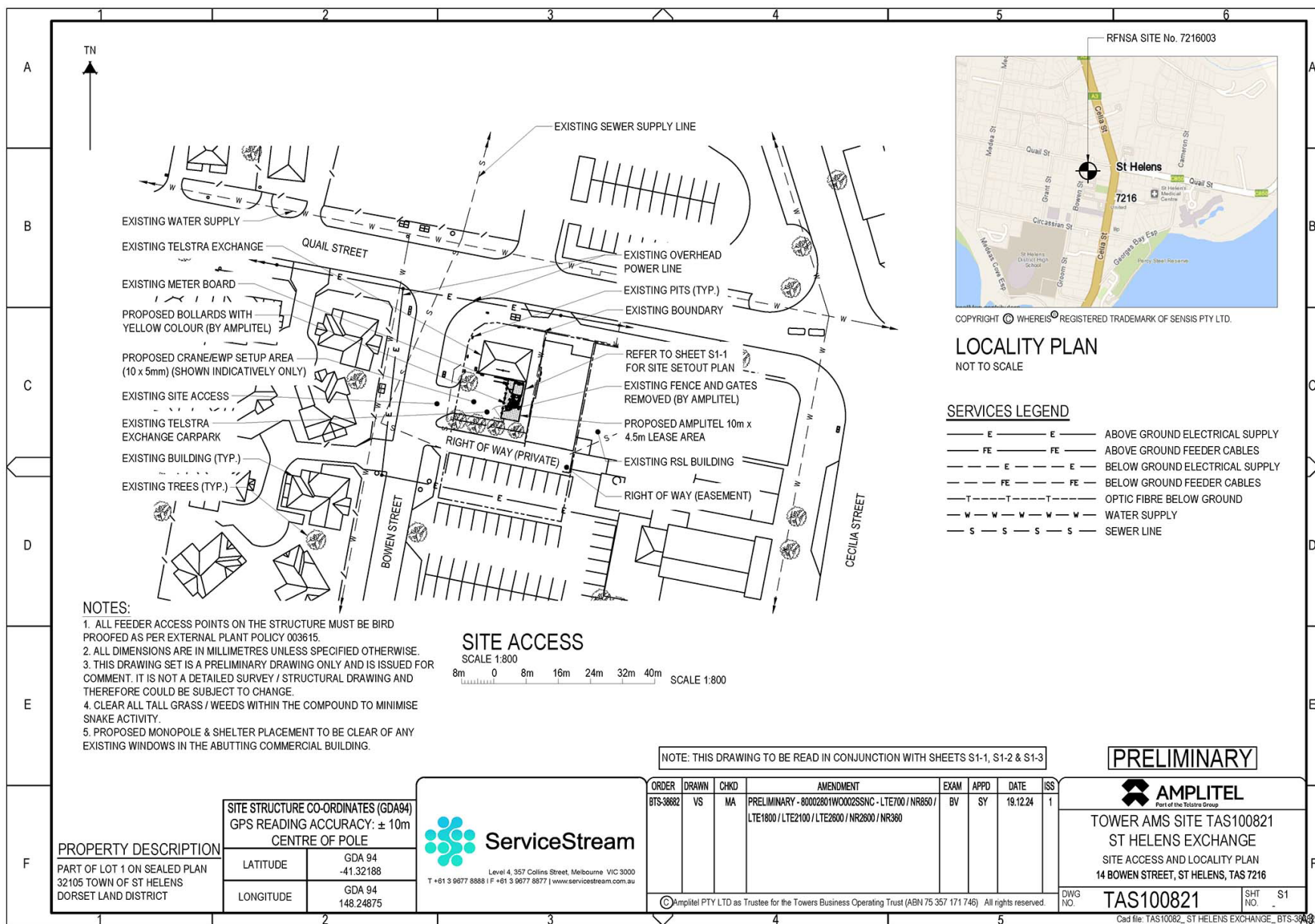
B. That all external Referral Agencies for the development application be provided with a copy of the Council's decision (Permit).

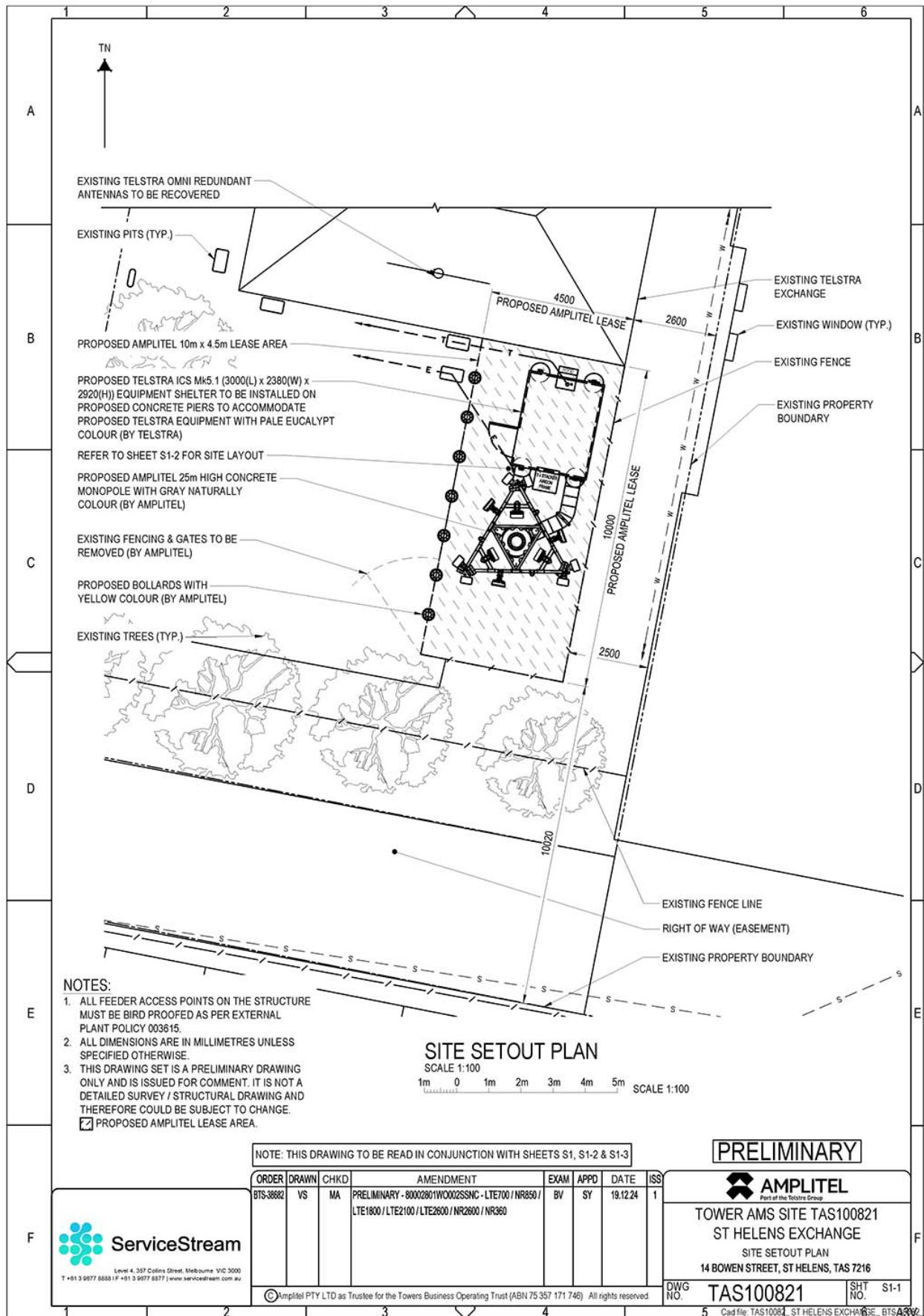
	Applicable Y/NA	Referral Agency
That all external Referral Agencies for the development application be provided with a copy of the Council's decision (Permit)	NA	Nil.

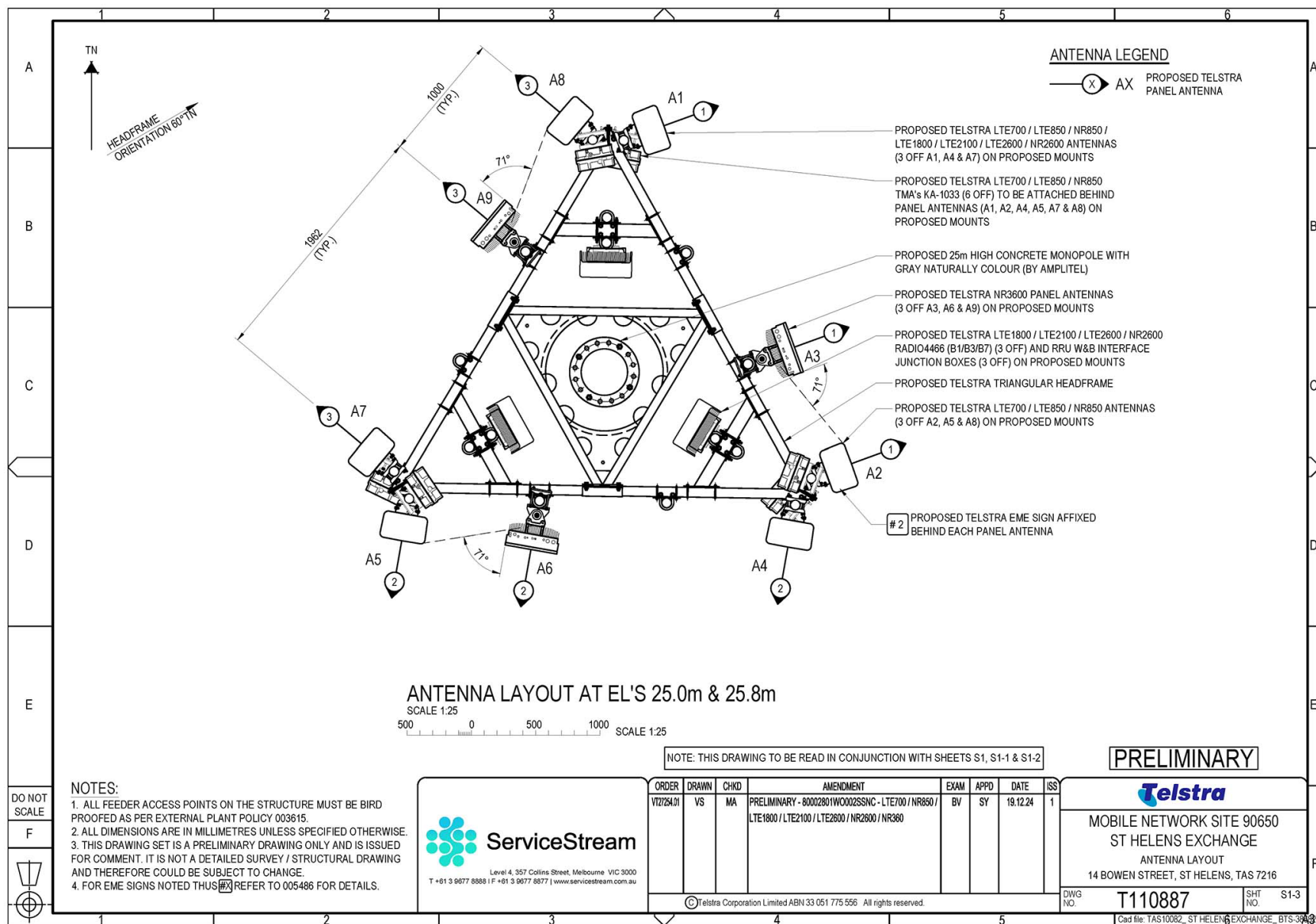
C. That the following information be included in the Permit.

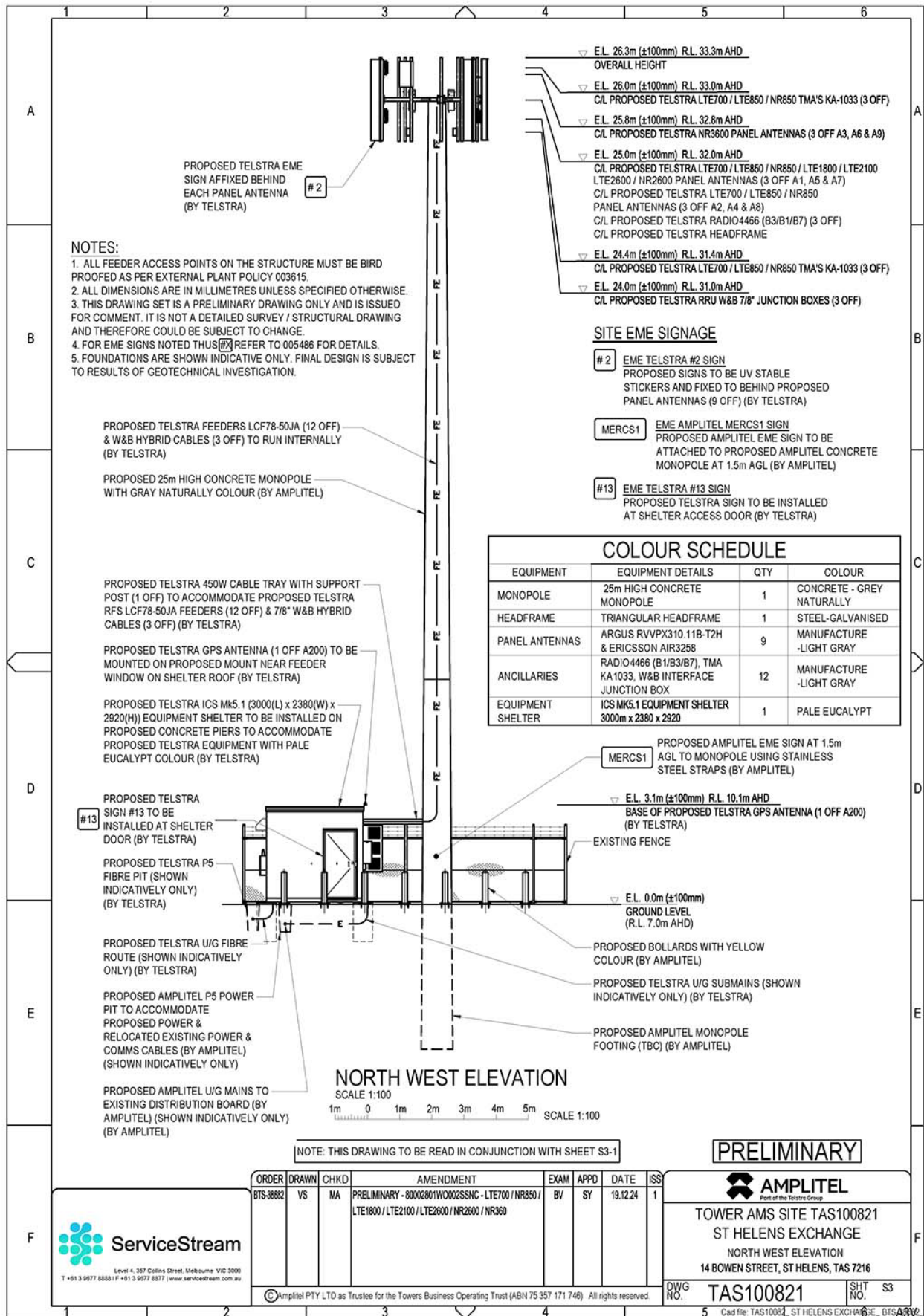
Development Permit Information



	Details
Development Description	UTILITIES – TELECOMMUNICATIONS TOWER
Relevant Period of Approval	2 Years
Other Necessary Permits	Building Approval
Attachments	Nil









A	TELSTRA MOBILES ANTENNA CONFIGURATION TABLE						TELSTRA MOBILES ANTENNA CONFIGURATION TABLE															
	ANTENNA No.	ANTENNA TYPE & SIZE H x W x D	ANTENNA ACTION REQUIRED	ANTENNA HEIGHT C/L A.G.L.	PHYSICAL ANTENNA BEARING (*T)	SECTOR NO. & TECHNOLOGY	ANTENNA No.	ANTENNA TYPE & SIZE H x W x D	ANTENNA ACTION REQUIRED	ANTENNA HEIGHT C/L A.G.L.	PHYSICAL ANTENNA BEARING (*T)	SECTOR NO. & TECHNOLOGY										
B	A1	ARGUS RVVPX310.11B-T2H PANEL 2533 x 350 x 208mm	INSTALL	25m	70°	S1: LTE700 / LTE850 / NR850 S1: LTE700 / LTE850 / NR850 S1: LTE1800 / LTE2100 / LTE2600 / NR2600 S1: LTE1800 / LTE2100 / LTE2600 / NR2600 S1: LTE1800 / LTE2100 / LTE2600 / NR2600 S1: LTE1800 / LTE2100 / LTE2600 / NR2600	A8	ARGUS RVVPX310.11B-T2H PANEL 2533 x 350 x 208mm	INSTALL	25m	310°	S3: LTE700 / LTE850 / NR850 S3: LTE700 / LTE850 / NR850 S3: SPARE S3: SPARE S3: SPARE										
	A2	ARGUS RVVPX310.11B-T2H PANEL 2533 x 350 x 208mm	INSTALL	25m	70°	S1: LTE700 / LTE850 / NR850 S1: LTE700 / LTE850 / NR850 S1:SPARE S1:SPARE S1:SPARE S1:SPARE	A9	ERICSSON AIR3258 PANEL 717 x 408 x 189mm	INSTALL	25.8m	310°	S3: NR3600 S3: NR3600										
C	A3	ERICSSON AIR3258 PANEL 717 x 408 x 189mm	INSTALL	25.8m	70°	S1: NR3600 S1: NR3600	A200	ERICSSON GPS ANTENNA	INSTALL	3.1m (BASE)	0°	TELSTRA GPS ANTENNA										
	A4	ARGUS RVVPX310.11B-T2H PANEL 2533 x 350 x 208mm	INSTALL	25m	190°	S2: LTE700 / LTE850 / NR850 S2: LTE700 / LTE850 / NR850 S2: LTE1800 / LTE2100 / LTE2600 / NR2600 S2: LTE1800 / LTE2100 / LTE2600 / NR2600 S2: LTE1800 / LTE2100 / LTE2600 / NR2600 S2: LTE1800 / LTE2100 / LTE2600 / NR2600																
D	A5	ARGUS RVVPX310.11B-T2H PANEL 2533 x 350 x 208mm	INSTALL	25m	190°	S2: LTE700 / LTE850 / NR850 S2: LTE700 / LTE850 / NR850 S2:SPARE S2:SPARE S2:SPARE S2:SPARE																
	A6	ERICSSON AIR3258 PANEL 717 x 408 x 189mm	INSTALL	25.8m	190°	S2: NR3600 S2: NR3600																
E	A7	ARGUS RVVPX310.11B-T2H PANEL 2533 x 350 x 208mm	INSTALL	25m	310°	S3: LTE700 / LTE850 / NR850 S3: LTE700 / LTE850 / NR850 S3: LTE1800 / LTE2100 / LTE2600 / NR2600 S3: LTE1800 / LTE2100 / LTE2600 / NR2600 S3: LTE1800 / LTE2100 / LTE2600 / NR2600 S3: LTE1800 / LTE2100 / LTE2600 / NR2600																
F	NOTE: THIS DRAWING TO BE READ IN CONJUNCTION WITH SHEET S3						PRELIMINARY															
	<div><div><div>ServiceStream</div><div>Level 4, 357 Collins Street, Melbourne VIC 3000 T +61 3 9677 8888 F +61 3 9677 8877 www.servicestream.com.au</div></div></div> <div><table><tr><td>ORDER</td><td>DRAWN</td><td>CHKD</td><td>AMENDMENT</td><td>EXAM</td><td>APPD</td><td>DATE</td><td>ISS</td></tr><tr><td>V17264.01</td><td>VS</td><td>MA</td><td>PRELIMINARY - 80002801W0002SSNC - LTE700 / NR850 / LTE1800 / LTE2100 / LTE2600 / NR2600 / NR3600</td><td>BV</td><td>SY</td><td>19.12.24</td><td>1</td></tr></table></div> <div><div><div>MOBILE NETWORK SITE 90650 ST HELENS EXCHANGE ANTENNA CONFIGURATION TABLE 14 BOWEN STREET, ST HELENS, TAS 7216</div></div><div><div>DWG NO.</div><div>T110887</div><div>SHT NO.</div><div>S3-1</div></div></div> <div><div>© Telstra Corporation Limited ABN 33 051 775 556 All rights reserved.</div><div>Cad file: TAS10082_ST HELENS EXCHANGE_BTS-3948</div></div>						ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS	V17264.01	VS	MA	PRELIMINARY - 80002801W0002SSNC - LTE700 / NR850 / LTE1800 / LTE2100 / LTE2600 / NR2600 / NR3600	BV	SY	19.12.24	1
ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS															
V17264.01	VS	MA	PRELIMINARY - 80002801W0002SSNC - LTE700 / NR850 / LTE1800 / LTE2100 / LTE2600 / NR2600 / NR3600	BV	SY	19.12.24	1															

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

OFFICER'S RECOMMENDATION:

That the General Manager's report be received.

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

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

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

19-21.11.2025	Hobart	– Local Government Association of Tasmania (LGAT) Annual Conference 2025, which provided valuable insights into strategic planning, AI innovation, governance and the evolving role of local government in community wellbeing and climate resilience.
20.11.2025	MS Teams	– Break O'Day Employment Connect monthly Board Meeting
24.11.2025	St Helens	– Brian Mitchell MP, meeting involving Mayor Tucker to discuss Break O'Day's priorities including the Aquatic Facility and the findings of the St Marys and East Coast Childcare Analysis. Other matters addressed included St Marys Pass alternative route; Tasman Highway upgrade requirements; Waste management and circular economy and Future of Local Government Review
24.11.2025	MS Teams	– East Coast Early Childhood Education & Care Project, Virtual Information Session hosted by the General Manager and presented by Ninety Mile Consulting. This session concluded the St Marys and East Coast Childcare Needs Analysis project, with consultants presenting key findings from the Summary Document and outlining opportunities to expand early childhood and outside school hours care services across the East Coast.
25.11.2025	St Helens	– Visitor Information Centre and St Helens History Room Afternoon Tea

27.11.2025	MS Teams	– East Tas Education and Employment (ETEE), meeting of Interim Board to progress matters relating to the Study Hub Centre.
27.11.2025	MS Teams	– Meeting with St Lukes Health regarding Virtual Wellness Hubs.
27.11.2025	St Helens	– TasFarmers re Silage wrap, meeting with Policy Officers to discuss concerns relating to Silage Wrap disposal in Break O’Day and opportunity to work with the agricultural sector to collaboratively progress development of a solution.
28.11.2025	Launceston	– Northern Region General Managers, meeting included updates on NTDC activities, Climate Change and Regional Land Use Strategy.
01.12.2025	St Helens	– Audit Panel
01.12.2025	St Helens	– Council Workshop.
05.12.2025	MS Teams	– TasWater, meeting to receive a project update regarding the proposed St Marys water supply improvements. A presentation to Council is being arranged for early in the new year.

Meetings & Events Not Yet Attended:

09.12.2025	MS Teams	– Eastern Strategic Regional Partnership Steering Committee Meeting.
09.12.2025	St Helens	– Scamander-Beaumaris Structure Plan Councillor Presentation
09.12.2025	St Helens	– Break O’Day Council’s Annual General Meeting.
10.12.2025	MS Teams	– LGAT Learning and Development Sub-Committee
11.12.2025	MS Teams	– East Tas Education and Employment (ETEE), meeting of Interim Board to progress matters relating to the Study Hub Centre.
11.12.2025	St Helens	– BODC Xmas Function
15.12.2025	St Helens	– Council Meeting.

General – The General Manager held regular meetings with Departmental Managers and individual staff when required addressing operational issues and project development. Meetings with community members included Lauren Martin and Rosina Gallace (East Coast Aquatic and Wellbeing Group), Kaitlin Roach, Maurice Madden, John Harris (Tas Manufactured Housing) and David Gunton.

Brief Updates:

St Lukes Virtual Wellness Hubs

The meeting with representatives from St Lukes was very interesting as they talked about their vision for Tasmania being the Healthiest Island on the Planet. They provided a broad understanding of the Wellness Hubs which have been created in Launceston and Hobart as well as their plans for a hub in Devonport. The focus of activity is on interventions in areas of chronic illness; the health and wellbeing journey and general health checks. St Lukes are interested in partnering with Council to establish a virtual Wellness Hub model. Council officers will explore this further with St Lukes prior to formal discussions with Council.

Communications Report

TOPIC	ACTIVITY	PROGRESS
GENERAL COMMS	BODC Newsletter	Included stories on: <ul style="list-style-type: none"> • Council Update – Farewell Janet, Welcome Back Lesa • Recalled Sand Products - Free Disposal Until 31 December • Thinking About Doing Work on Your Property?
	BODC Website	<ul style="list-style-type: none"> • Premier's Youth Advisory Council. Applications open until 4 January 2025. Tasmanians aged 12-24. • Rockin' around the Christmas Tree Concert. 14 December 2025 between 5-7pm. • St Marys Racing Cup. Thursday 1 January 2026.
	Valley Voice: Five minutes with the Mayor	<ul style="list-style-type: none"> • Student's Art Brings Christmas Spirit to Break O'Day • Resignation of Councillor Janet Drummond
	North Eastern Advertiser	<ul style="list-style-type: none"> • Annual Report now available and notice of Annual General Meeting 2025.
SOCIAL MEDIA	Break O'Day Council	<ul style="list-style-type: none"> • Australia Day Nominations now open. Download the form https://www.bodc.tas.gov.au/community/australia-day/ and send it to admin@bodc.tas.gov.au or drop it into Council, 32–34 Georges Bay Esplanade, St Helens. • New Christmas trees installed along the St Helens Foreshore and one at the St Marys Skate Park • St Helens Christmas Carols 2025 • Celebrating International Day of Persons with Disabilities
	Shared Social Media Posts	<ul style="list-style-type: none"> • Break O'Day Christmas Festivities: Register your business for the Christmas decoration competition. • 2026 Break O'Day Triathlon Challenge. • DPAC: EOI open for Ministerial Multicultural Advisory Council • DPAC: EOI open for Older Tasmanians Ministerial Advisory Council

		<ul style="list-style-type: none"> TasWater: Community BBQ and Mural Unveiling. St Helens Neighbourhood House: Santa photos event. 12-13 December 2025.
GRANTS	Break O'Day Council	<ul style="list-style-type: none"> The Break O'Day Council's Arts & Culture Community Grant Program and Community Funding Program for 2025–2026. Applications close: Monday, 23 February 2026
SURVEYS	Break O'Day Council	<ul style="list-style-type: none"> Aquatic Facility - Review, Watch and Have Your Say https://www.surveymonkey.com/r/GMBMD7M
	ERA Planning	<ul style="list-style-type: none"> Scamander–Beaumaris Draft Structure Plan. Survey now closed.
COMMUNITY ENGAGEMENT	Ninety Mile Consulting	<ul style="list-style-type: none"> Virtual information session wrapping up the East Coast Early Childhood Education and Care (ECEC) and Outside School Hours Care (OSHC) Needs Analysis project.
EMPLOYMENT	Break O'Day Council	<ul style="list-style-type: none"> Expression of Interest (EOI) process for Outdoor Workforce roles. EOI Closes: 5pm, Friday 12 December 2025. For more information or to apply visit www.bodc.tas.gov.au/council/employment-opportunities/
EMAIL DATABASES	Continuing to develop	<ul style="list-style-type: none"> Continuing to collect email addresses for the newsletter and township databases. This has been going well with all the consultation underway, which is used as an opportunity to promote our EDMs.

Actions Approved under Delegation:

Nil

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

DATE	DOCUMENT	ADDRESS	PID OR DA
04.11.2025	337 Certificate	60 Scamander Avenue, Scamander	7513917
04.11.2025	337 Certificate	Irish Town Road, St Marys	7569224
05.11.2025	337 Certificate	1 Legge Street, Falmouth	6400486
06.11.2025	337 Certificate	14 Doepel Place, St Helens	2628723
06.11.2025	337 Certificate	2/2 Heather Place, St Helens	2598499
06.11.2025	337 Certificate	256 Sorell Street, Fingal	9661302
06.11.2025	337 Certificate	4 Cobrooga Drive, St Helens	6781194
06.11.2025	337 Certificate	320 St Helens Point Road, Stieglitz	6786446
06.11.2025	337 Certificate	26 Franks Street, St Marys	7808811
10.11.2025	337 Certificate	51 Winifred Drive, Scamander	9837152
11.11.2025	337 Certificate	13 Annabel Drive, St Helens	9806678
12.11.2025	337 Certificate	4 Archie Court, St Helens	9748285
12.11.2025	337 Certificate	8 Mill Court, St Helens	2988809
13.11.2025	337 Certificate	Lot 6 Oceanvista Drive, St Helens	2503437
13.11.2025	337 Certificate	9 Charles Street, Beaumaris	6809687
13.11.2025	337 Certificate	131 Acacia Drive, Ansons Bay	7701870
14.11.2025	337 Certificate	P725 Anchor Road, Pyengana	6805846
14.11.2025	337 Certificate	26 Tully Street, St Helens	7731914
17.11.2025	337 Certificate	P2287 Mount Elephant Road, Gray	7682518
24.11.2025	337 Certificate	1476 Upper Esk Road, Upper Esk	2262987
24.11.2025	337 Certificate	P4C Upper Scamander Road, Scamander	7558445
25.11.2025	337 Certificate	1 Doepel Place, St Helens	2853680
25.11.2025	337 Certificate	38 Osprey Drive, Stieglitz	9290931
25.11.2025	337 Certificate	2/10 Stewart Court, St Helens	9158471
27.11.2025	337 Certificate	80 St Helens Point Road, Stieglitz	7484781
28.11.2025	337 Certificate	39 Honeymoon Point Road, The Gardens	6808211
28.11.2025	337 Certificate	45 Winifred Drive, Scamander	9837149
28.11.2025	337 Certificate	19 Parnella Drive, Stieglitz	7205930

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

1. Work collaboratively to ensure services and service providers are coordinated and meeting the actual and changing needs of the community.
2. 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	John Brown, General Manager
FILE REFERENCE	014\001\022\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That the following dates and times be approved for Council Meetings and Workshops to be held in 2026.

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

Setting Council meeting dates is an annual requirement.

OFFICER'S REPORT:

Council Workshops Commencing at 10.00am	Council Meetings Commencing at 10.00am
	Monday 19 January
Monday 2 February	Monday 16 February
Monday 2 March	Monday 16 March
Wednesday 8 April	Monday 20 April
Monday 4 May	Monday 18 May
Monday 1 June	Monday 15 June
Monday 6 July	Monday 20 July
Monday 3 August	Monday 17 August
Monday 7 September	Monday 21 September
Monday 5 October	Monday 19 October
Wednesday 4 November	Monday 16 November
Monday 7 December	Monday 21 December

Once the meeting dates have been established they will be published on the Council website, Council does have the opportunity to amend these dates if issues arise during the year. In regards to the dates set above, I highlight the following variations from what would be the normal 1st and 3rd Monday of each month.

April – The workshop will be held Wednesday 8 April due to the 6 April being Easter Monday.

November – The workshop will be held on Wednesday 4 November due to the 1st Monday (2 November) falling on a public holiday for operational matters.

STRATEGIC PLAN & ANNUAL PLAN:

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

Goal

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

LEGISLATION & POLICIES:

Local Government (Meeting Procedures) Regulations 2015 – Part 2, Division 1 - Dates must be established to enable appropriate notification of meeting dates as required under Legislation.

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

There are no budget implications to Council.

VOTING REQUIREMENTS:

Absolute Majority

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	John Brown, General Manager
FILE REFERENCE	039\011\003\
ASSOCIATED REPORTS AND DOCUMENTS	Quarterly Report of the Northern Tasmania Development Corporation Ltd (NTDC)

OFFICER'S RECOMMENDATION:

That Council receive the quarterly report of the Northern Tasmania Development Corporation (NTDC) for the period July to September 2025.

INTRODUCTION:

The Northern Tasmania Development Corporation (NTDC) has been formed as an enterprise under the Local Government Act. Accordingly, NTDC provides quarterly reports to its shareholders including Break O'Day Council.

PREVIOUS COUNCIL CONSIDERATION:

Reports from NTDC are provided to, and considered by Council, quarterly.

OFFICER'S REPORT:

The Northern Tasmania Development Corporation (NTDC) has been formed as an enterprise under the Local Government Act.

Section 21 (5) of the Local Government Act requires Council's General Manager to report to Council at least every three (3) months on the performance of any activities of such an enterprise.

Accordingly, NTDC provides quarterly reports to its shareholders including Break O'Day Council in a format to comply with this requirement.

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

1. 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.
2. Support and encourage innovation and growth in the economy through local leadership; infrastructure provision; support services and customer focussed service delivery.

Break O Day Annual Plan 2025 – 2026

Corporate Goal – Stakeholder Management

Northern Tasmania Development Corporation (NTDC) - Participate in NTDC activities focused on developing the regional economy.

LEGISLATION & POLICIES:

Section 21 Enterprise Powers - Local Government Act 1993.

21. Enterprise powers

(5) The general manager is to report to the council –

- (a) at least once every three (3) months in respect of the performance of any activities carried out pursuant to subsection (1) and any strategic issues related to those activities; and
- (b) any adverse developments that significantly affect or are likely to significantly affect the financial viability, the operating viability or any other aspect of any of those activities.

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

Northern Tasmania Development Corporation LTD

Quarterly Report

QUARTER ONE | JUL - SEP 2025

FINDING TRUE NORTH

Navigating a sustainable future in Tasmania's North



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ACKNOWLEDGEMENT OF COUNTRY

Northern Tasmania Development Corporation acknowledges the palawa community of Northern lutruwita/Tasmania, the custodians of our country. We pay our respects to their elders, past, present and emerging.

This report has been prepared by NTDC.
© Northern Tasmania Development Corporation LTD, 2025



FINDING TRUE NORTH

Navigating a sustainable future in Northern Tasmania



OUR VISION

Northern Tasmania is where people, ideas, businesses and industry thrive and grow

OUR PURPOSE

We grow Northern Tasmania by:

- Leading regional collaboration
- Achieving regional outcomes and strategic goals
- Advocating for Northern Tasmania
- Implementing our Regional Economic Development Strategy (REDS)
- Championing regional leadership and local governance
- Creating an enabling environment for communities and industry development
- Understanding that our community benefits from sustainable regional development

OUR VALUES



Connected



Clear



Creative



Curious

OUR STRATEGIC GOALS

Regional Development

Guide regional development in Northern Tasmania by implementing and actioning the Regional Economic Development Strategy (REDS).

Regional Collaboration

Work together to agree on and achieve regional outcomes and advocate for and advance regional priorities, strategies and policies.

Organisational Strength

Develop a robust organisation with a sustainable financial position, a nurtured team, and value for members, industry and community.

KEY PERFORMANCE INDICATORS

Strategic Leadership
100% Support

Project Management
≥ 95% OTAB

Engaged Membership
≥ 100% Retention

Project Delivery
≥ 12 Projects

Organisational Culture
≥ 95% Support

Continually Improve
≥ 80% Satisfaction

Enhanced Reputation
≥ 85% Positive

Diversified Revenue
> 50% Non-council

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Introduction

It's been another busy quarter for NTDC as we stepped into the financial year with gusto. As the state election settled us into another minority government, we have all been steeling ourselves for frugal times as warnings of a tight budget is foreshadowed across the state. Working collectively, the North has been able to provide a unified voice on what is most important to us, and as such we are as well placed as we can be to secure investment for the region.

Recognising that efficiency and efficacy are the order of the day, many of our projects have been laying the groundwork for solid infrastructure development. The population program has been shared with agencies and finalised, focusing on the major priorities of care provision for the old and young, attracting and keeping migrants and retaining our young people. The Regional Land Use Strategy has moved forward, finalising the regional strategic directions and initiating the infrastructure audit.

In the Gastronomy space, the delivery of AgriCULTURED was a resounding success – yet another exceptional event for the North delivered. This was supported by the launch of the Great2Go pilot program, building on our innovative roots and reinforcing the region's suitability to pilot the delivery of excellent programs. Congratulations to the delivery team and many thanks to the Gastronomy subcommittee and chair Paul Seaman for your commitment to harnessing the power of our UNESCO listing for the region.

The TRANSLink Intermodal Facility Project is steaming ahead with excellent engagement from stakeholders, led by our Manager of Major Projects, Jade Kaye. With the Business Case consultants procured, the project initiated and the advisory group formed and workshopping, the project is shaping up to be an exemplar of the type of project management NTDC can deliver with the right resources. We look forward to exploring further what the opportunities might be for the agency to better serve the region with this type of expertise in project management and coordination.

As always, thanks to our CEO Chris Griffin and the team as they continue to deliver our projects on time and on budget, managing many competing priorities and working hard to deliver results for the region.



Dr Allison Anderson
Chair

Annual Workplan Update

	PROJECT	PROGRESS	STATUS
Regional Development	<ul style="list-style-type: none"> Population Program NTRLUS review TRANSLink Intermodal Facility 	<ul style="list-style-type: none"> Local and State government agencies consulted, final draft Population Program 2025 completed Regional Strategic Directions finalised Infrastructure Audit initiated NTRLUS steering committee and RPG meetings held Business Case procurement completed Business Case phase initiated Steering Committee & Project Team meetings Advisory group workshop #2 risk, environment and planning workflows continued Major Projects Conference - speaking opportunity 	<p>On time</p> <p>On time</p> <p>On time</p>
Regional Collaboration	<ul style="list-style-type: none"> Gastronomy Northern Tas Regional Collaboration Forums Regional Advocacy 	<ul style="list-style-type: none"> agriCULTURED event held 1-3 August Great2 Go pilot program launched ACCN Conference 2026 hosting secured Tamar Leaders Lunch - 30 July & September State Election media event 11 July 	<p>On time</p> <p>On time</p> <p>On time</p>
Organisation Strength	<ul style="list-style-type: none"> NTDC Annual Planning Member Representation Audit, Finance & Risk NTDC Communications 	<ul style="list-style-type: none"> External Audit completed Council CEOs/GMs meeting 11 July, 22 August AFR meetings held - 18 August External Audit completed Website build commenced 	<p>On time</p> <p>On time</p> <p>On time</p> <p>On time</p>
Next Quarter New Goals	<ul style="list-style-type: none"> Regional Future Vision NTDC Website renewal Population Program NTRLUS Review TransLink Intermodal MRG AGM meetings Member funding agreement renewal Gastronomy Northern Tas 	<ul style="list-style-type: none"> Scope process with LGA members Launch new website (Dec) Release finalised program Infrastructure Audit concludes Community engagement commences Business Case, masterplan continuance To be held on 6 Nov Agree terms of 2026-2029 funding agreement with LGAs agriCULTURED 2026 funding secured 	

REGIONAL DEVELOPMENT

*Guide regional
economic development
in Northern Tasmania*

Regional Land Use Strategy Review

Combined with the State of Play work completed in quarter 1, the drafted Regional Strategic Directions completed across quarter 2 will guide the renewed regional land use strategy for the region.

This quarter also saw the NTRLUS Review Steering Committee provide leadership group aligned to a broader Statewide governance structure tasked with the delivery of a draft NTRLUS.

NTDC also initiated Phase 2 of the review, an infrastructure audit of the region. 60 Degree Pty was contracted to undertake this thorough analysis of enabling regional infrastructure. Following this phase, the drafting of NTRLUS will commence in the last quarter of 2025.



Northern Population Program 2025

A final draft of the Northern Tasmania Population Program has been completed, following consultation with funding member councils and State government agencies.

Four prescribed strategic priority areas include:

- Retention of international migrants
- The geographical distribution of structural ageing
- Infrastructure and service provision for young families
- The impacts of population churn

Consultation with members identified key areas of focus by municipality and where shared priorities across councils could be combined into regional initiatives. Accompanying these areas will be regional action to; attract and retain new Tasmanian's to the region; advocacy for expanded child and aged care facilities; future workforce demand trend modelling; and facilitating a northern council population network.

State Election Campaign Advocacy

NTDC's advocacy program for the 2025 state election has focused on the following key activity, much of this during July:

- Collaboration with funding members and industry associations
- Published prospectus for both Bass & Lyons (North) electorates
- Letters to State MPs seeking a regional strategic partnership
- Local news media events with funding members
- Newspaper and radio interviews

Tamar Leaders Lunch Series

two Tamar Leaders Lunches were Cohosting between Launceston Chamber of Commerce and NTDC. with over 50 regional leaders joining us.

July - kanamaluka/ Tamar Estuary, River Health Action Plan

speakers: Pam Allen, Louise Foster and Andrew Truscott

October - Health & Inclusion

Speakers - John Kirwan, Donna Bain, Dr Prashanth Reddy



Tamar Tourism Roundtable

Facilitated by Tourism Tasmania, NTDC joined Visit Northern Tasmania, West Tamar and George Town Councils and key industry partners to explore the future of tourism in our valley.

As council and industry leaders for the region, this roundtable provided the opportunity for us all to share our vision, challenges and opportunities and for a group of expert external observers to share what they had experienced during a field trip, test ideas and share insights.

REGIONAL COLLABORATION

*Work together to
achieve regional
outcomes and advance
regional priorities,
strategies and policies.*

MEETINGS AND COLLABORATIONS

Advocate for our region with key influencers whilst gaining knowledge and sharing insights with shapers of our future prosperity

Meetings

Chris and Alli meet with a range of key influencers this quarter including the following meetings:

- TasPorts re Inspection Head
- Council meetings for Population program
- Cradle Coast Authority - regional alignment
- Launceston Airport
- RDA Tasmania Board
- Events Tasmania
- Hospitality Tasmania - gastronomy
- City of Hobart - joint hosting of ACCN conference
- Brand Tasmania - population program partnership
- Dept State Growth - population program
- Infrastructure Tasmania - major projects
- Office of Coordinator General - major projects
- Minister of Infrastructure, Local Government & Planning
- Basslink Reference Group



Events and Forums

This quarter was full of events and forums allowing us to share knowledge on our key priorities as well as hear from experts on areas of importance to our region:

- State Election Regional Priorities media event
- Great 2 Go Pilot program media launch
- agriCULTURED events
- Tamar Valley Tourism Roundtable
- Tasmanian Major Projects Conference - speaking opportunity
- Tamar Valley Leaders Lunch - 30 July
- Tamar Valley Leaders Lunch - 8 October

agriCULTURED 31 July – 3 August

As custodians of this Tasmanian Festival of Gastronomy, NTDC couldn't be more proud of the team delivering this year's event.

Talks, tastings, workshops, gatherings, curated dinners, shared knowledge, unexpected encounters: agriCULTURED brings together people working with land, food and culture, asking big questions, and sharing real stories.



Great 2 Go

NTDC was able to secure grant funding from Circular North and the Tasmanian Waste & Resource Reuse Board to fund a food waste pilot, aimed at reinventing the 'doggy bag' into an initiative to promote the need to reduce 'plate left over' waste from our restaurants and cafes. Featuring a fully compostable container and information for safe consumption of food within, the pilot will occur across the 2025/26 summer period.



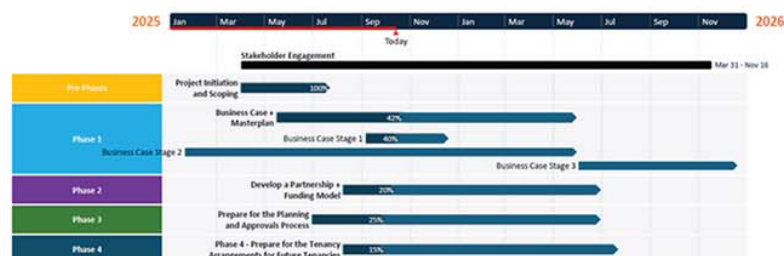
GASTRONOMY NORTHERN TASMANIA

*Connecting the threads
of food, farming,
culture, creativity and
community to shape a
food future that is
equitable, sustainable
and uniquely
Tasmanian.*

TRANSLINK INTERMODAL FACILITY

NTDC's Major Project
Management of the
planning for a northern
logistics precinct near
Launceston Airport

Progress Against Project Timeline



Business Case: An open tender process resulted in awarding the project to Cushman Wakefield. The business case kicked off formally in September achieving a significant milestone for the project. The business case template and checklist was developed in September, which was presented to Infrastructure Australia, TIF Project Team and TIF Steering Committee.

Stage 3 completion of the business case is now revised to 18 December 2026 compared to previous program of February 2026. The revised program is informed by Infrastructure Australia Assessment Framework, Treasury (SIIRP) and the appointment of the business case consultant.



Risk: Through the facilitation of workshops, over 100 new risks have been identified which will be scored and ranked as part of the probabilistic risk model.

Environmental: An approval pathway matrix is being developed in collaboration with the Strategic Planner which will establish a multi criteria assessment tool for identification of site options.

Planning Approvals: Planning approval options have been identified with assessments now commencing which adopt the objective criteria of the multi criteria assessment tool.

Stakeholder and Community Engagement: Stakeholder and community engagement on the project continues, with the second Advisory Group meeting was held in late September 2025 at Evandale.

NTDC New Head Quarters!

After working remotely for the month of August, the NTDC team settled into its new home:

Level 1 175-177 Charles Street (upstairs from RB Sellers)

This new space gives NTDC the professional facilities we need to meet our member and partner expectations, and provides for a great shared space for those visiting to 'hot desk' while they work with us.

All visitors welcome!



Farewell Kamal Pokhrel

With a heart full of regret and joy, we said farewell to Kamal from the NTDC tribe. Kamal has been with us since early 2023 and has provided unwavering support and commitment to the NTDC team and Board.

On behalf of NTDC, we want to express our sincere thanks to Kamal for his time with us, supporting many projects, events, forums and initiatives. His commitment to collaborating to grow prosperity in our region has been evident to everyone who has spent time with him.



ORGANISATIONAL STRENGTH

Develop a robust organisation that achieves a sustainable financial position, values and develops our team, and creates value for our members, industry and community.

CONTACT US

PO BOX 603
LEVEL 1, SUITE 1, 63 - 65 CAMERON ST
LAUNCESTON, TASMANIA, 7250
+61 400 338 410 | ADMIN@NTDC.ORG.AU
WWW.NTDC.ORG.AU

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	John Brown, General Manager
FILE REFERENCE	039\024\001\
ASSOCIATED REPORTS AND DOCUMENTS	Letter from TasWater dated 28 November 2025 Our Water Future – PSP5 Customer Doc

OFFICER'S RECOMMENDATION:

That Council: provide a letter of support for TasWater's proposed Price and Service Plan 5 for the regulatory period 2026 – 2030.

INTRODUCTION:

TasWater has released its draft **Price and Service Plan 5 (PSP5)**, covering the period 1 July 2026 to 30 June 2030. The draft plan outlines proposed pricing, service levels and capital investment priorities for the next regulatory cycle and is currently under review by the Tasmanian Economic Regulator.

The purpose of this report is to provide Council with an overview of the key elements of the draft PSP5, including proposed pricing changes, major capital works and service improvements, and to outline potential implications for Break O'Day residents, businesses and community organisations.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

TasWater's draft Price and Service Plan 5 (PSP5) proposes a significant program of investment aimed at improving water security, asset reliability and environmental outcomes across Tasmania. To support this level of investment, TasWater has put forward an **8.8% annual price increase** for the four-year period, noting that this is part of an eight-year transition to recover what would otherwise be an 11.2% annual increase.

Pricing Model Changes

PSP5 proposes a shift to a more usage-based pricing structure. Key elements include:

- Reduced fixed charges, creating a lower base cost for customers.
- A greater proportion of bills tied to actual water use, intended to improve fairness and encourage efficient water consumption.
- A new variable sewerage charge, bringing sewerage billing into alignment with a more cost-reflective model.

TasWater has advised that most customers are expected to see minimal change in total bill composition under the updated model, although impacts will vary depending on usage patterns.

Capital Investment Program

The draft plan includes a proposed **\$1.7 billion capital program** over four years. Key areas of focus include:

- Upgrading aging infrastructure to improve system reliability.
- Fixing leaks through targeted mains replacement and network monitoring.
- Upgrading water treatment plants and improving water quality.
- Increasing water storage capacity, with major works proposed for Ridgeway, Pet and Blackman River dams.

This investment aims to address long-standing asset condition challenges and reduce future risk to supply reliability.

Service Improvements

PSP5 outlines several service-related initiatives, including:

- Improved water security, particularly for growth areas and communities with historical supply constraints.
- Enhanced environmental compliance, with TasWater proposing stricter controls and monitoring.
- Customer support measures, including expansion of the *TasWater Assist* program to support households experiencing financial hardship.

Trade Waste Charges

The draft plan introduces revised, clearer and more cost-reflective **trade waste charges**. TasWater's modelling indicates that most trade waste customers are expected to pay less under the proposed structure, though outcomes will vary depending on classification and discharge volumes.

Implications for Break O'Day

While PSP5 is a statewide plan, the proposed pricing increases will apply to all TasWater customers, including residents, small businesses, community organisations and Council facilities. The scale of the capital investment program suggests ongoing improvements to network reliability and treatment performance, although specific projects in Break O'Day have not yet been detailed.

The draft plan is currently under review by the Tasmanian Economic Regulator, with a final determination expected prior to 1 July 2026. TasWater has encouraged Councils and communities to provide feedback as part of the review process.

The next steps involve the Regulator's review and public consultation process, leading to a draft and final determination in 2026. Pending approval, PSP5 will take effect from 1 July 2026, guiding TasWater's investment, pricing and service delivery for the next four years. Councils, as TasWater shareholders, are invited to provide letters of support recognising PSP5's alignment with regional growth, community benefit, and long-term water security for Tasmania.

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

2. Work with stakeholders to ensure the community can access the infrastructure necessary to maintain their lifestyle

LEGISLATION & POLICIES:

N/A

BUDGET AND FINANCIAL IMPLICATIONS:

Yet to be quantified

VOTING REQUIREMENTS

Simple Majority

28 November 2025

Dear John,

Letter of support – TasWater’s Price and Service Plan 5

I am heartened that many councils have either provided letters of support for TasWater’s Price and Service Plan 5 (PSP5) or are currently considering the matter with their councillors to determine the best way forward for their communities. I recognise the time and care that goes into these deliberations and appreciate the willingness to consider being an advocate for a better Tasmania.

With the Tasmanian Economic Regulator scheduled to release its draft determination on PSP5 in February 2026, now is a critical time for councils to affirm their support. Letters provided during this period of assessment will have the greatest impact as the Regulator forms its view ahead of publishing the draft determination.

As individual councils, we each want to ensure that the water and sewerage infrastructure needed to support growth, liveability and regional development is in place. At the same time, as TasWater’s owners, we share a responsibility to recognise the company’s statewide mandate and ensure it is able to deliver consistent, reliable services for all Tasmanians.

PSP5 sets out the program required to meet these needs over the coming years. TasWater’s proposal includes tariff reform to make bills more reflective of use, significant investment in community infrastructure, and firm commitments to capital and operating efficiencies. Together, these measures aim to improve service reliability and safety, reduce environmental harm, and strengthen long-term affordability and sustainability. Your council’s support for PSP5 will help deliver lasting benefits for the communities we all serve.

Letters can be directed to the Tasmanian Economic Regulator at office@economicregulator.tas.gov.au and I would appreciate it if you could also copy TasWater’s Company Secretary, Kate Crawford, at kate.crawford@taswater.com.au.

Thank you once again for your ongoing partnership and for your commitment to achieving the best outcomes for Tasmanians.

Regards,



Mayor Wayne Johnston

Chief Owners’ Representative

Tasmanian Water & Sewerage
Corporation Pty Ltd
ABN: 47 162 220 653

GPO Box 1393 Hobart Tas 7001
E: enquiries@taswater.com.au
Ph: 13 6992

A man and a young girl are kayaking on a river. The man is in the foreground, wearing a red jacket and a yellow life vest, holding a black paddle. The girl is behind him, also wearing a yellow life vest and holding a black paddle. They are both smiling. The water is dark blue with white foam from the paddles. The background shows a sunset with orange and yellow light reflecting on the water. The sky is blue with some clouds.

Our water future

Price and Service Plan 5 Proposal

Water. It's Tasmania's thing.





Since creation, the Palawa have lived here in Lutruwita – Tasmania. More than 2,000 generations of Aboriginal families have cared for this Country, looking after its lands, seas, skies and waterways.

In the spirit of respect and gratitude, TasWater acknowledges the Tasmanian Aboriginal community as the traditional and ongoing custodians. We pay our respects to them, their culture and to elders past and present.

TasWater commits to working collaboratively and respectfully with the Tasmanian Aboriginal community to protect and sustain the precious resources on this ancient land for future generations.

Image credit – Caleb Nicholls-Marsell

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TasWater

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Our Water Future

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Our water future

Planning for the future is never easy, especially when it comes to something as fundamental as clean drinking water, reliable sewerage systems, and the protection of Tasmania's environment. TasWater's fifth Price and Service Plan (PSP5) Proposal addresses a reality we can no longer ignore.

For decades, Tasmania's water infrastructure has been underfunded, leaving us with outdated and overstretched systems. Despite serving just two per cent of Australia's population, TasWater manages 38 per cent of the nation's treatment plants run by major utilities – a legacy of fragmented planning before TasWater's formation.

We've made real progress. Boil-water alerts in 28 towns are now history, and water leakage rates have dropped from 29.2 to 24.5 per cent. But challenges remain; only nine per cent of sewage treatment plants meet all EPA licence conditions, and many of our water and sewer pipes still underperform.

Meeting these challenges requires investment, funded largely through customer bills. That's why we worked with more than 3,500 Tasmanians to find a fair balance between price and service. Their priorities – affordability, reliability, environmental protection, and support for vulnerable households – shaped this proposal.

PSP5 focuses on sustainability, water security, and reliability. We're upgrading treatment plants, tightening environmental controls, and renewing infrastructure to reduce service interruptions. We're also strengthening our TasWater Assist program, to support those doing it tough.

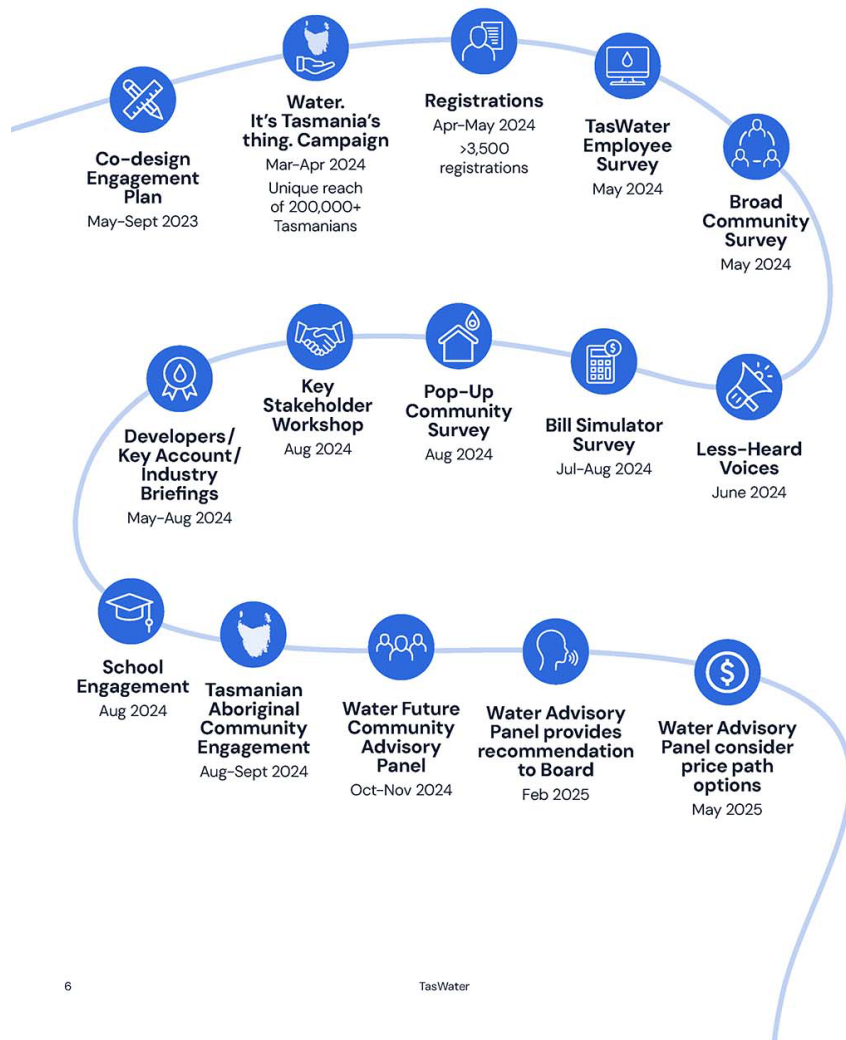
To give customers more control, we're shifting to a fairer pricing model, with a greater share of bills based on usage. While we've kept price increases below inflation for four years, we now propose an 8.8 per cent annual increase to fund critical upgrades and avoid higher costs in the future.

We believe this PSP5 Proposal, developed in collaboration with our customers, is in the long-term interests of the Tasmanian community. We have set new, clear, measurable customer outcomes to remain accountable. Striking this balance has not been easy, however one thing is clear, we cannot ask future Tasmanians to carry the cost of our inaction today.

We thank everyone who participated in our community engagement program to help develop this PSP5 Proposal and we encourage all Tasmanians to stay involved in this process with the Tasmanian Economic Regulator and in our future engagements.

Finally, this PSP5 Proposal isn't just about pipes and plants, it's about the kind of Tasmania we want to live in and leave behind for our children and grandchildren. One where clean water flows freely, where our waterways are healthy and clean, and where every Tasmanian, regardless of circumstance, can rely on a service that is fair, sustainable, and resilient.





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TasWater

A proposal shaped by what matters to Tasmanians

Like any essential service provider, we plan to ensure our infrastructure can meet the needs of Tasmanians – now and into the future. Every four years, we submit a detailed plan to our independent regulator that sets out the prices we'll charge and the service levels we'll deliver. This is called our Price and Service Plan.

PSP5 will cover the period from 1 July 2026 to 30 June 2030. It's a critical opportunity to take stock of our current performance, respond to the challenges we're facing, and map out the investments needed to improve.

To shape PSP5, we asked for your help – and thousands of Tasmanians answered the call. This was the biggest community engagement

we've ever done, reaching more than 200,000 people through advertising and involving more than 8,000 interactions with nearly 3,500 people in surveys, bill simulations and conversations about the future of water and sewerage services in our state.

Your feedback helped guide our thinking and shaped our plan. It all culminated in late 2024, when our Community Advisory Panel delivered its final report and recommendations – confirming the need for further investment and helping us set priorities that reflect what matters most to you.

Customer testimonial

"I feel privileged to have been able to participate in such an important conversation regarding Tasmania's water future. Thank you for the opportunity to be involved. I have found the process really enlightening and enjoyed the collaborative approach that culminated in our report being presented to the TasWater Board on the final face-to-face day. I also enjoyed meeting and sharing perspectives with a diverse range of Tasmanians."

Community Advisory Panel member



Our Water Future

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About the Water Future Community Advisory Panel participants



Meeting our challenges head-on

The water and sewerage industry – across the country and around the world – is facing some of its toughest challenges yet. Rising living costs are putting pressure on households, making affordability more important than ever. At the same time, the need for investment is growing rapidly – driven by ageing infrastructure, population growth, climate change, and

increasing regulatory and community expectations.

In Tasmania, these pressures are compounded by a legacy of underperforming assets and the need to modernise our systems. These are complex, long-term issues that can't be ignored – and PSP5 is our opportunity to start addressing them head-on.



Poorly performing assets

Our current reality is:

- We still lose around 24 per cent of the water we produce, down from nearly one-third in recent years.
- About 23 per cent of our 110 sewage treatment plants pose a high risk to the environment, and only nine per cent meet all environmental licence conditions.
- In 2023-24, we recorded more than 64 sewer main breaks and chokes per 100km – more than double the national median of 26.
- We also had more than 43 water main bursts per 100km, compared to the national median of 18.
- Only 48 per cent of customers are served by systems that meet our proposed water security standard.



Regulations have tightened and communities expect more

Understanding what our customers and communities care about is key to how we tackle the challenges ahead. It's also important that we meet the changing – and increasingly strict – requirements set by health, environmental, and

dam safety regulators, who are there to protect the interests of the public. As the rules become tougher and expectations rise, we need to make sure our plans reflect what matters most to the people we serve.



Smart investment today means better services tomorrow

We're taking important steps to modernise Tasmania's sewerage systems, starting with major upgrades in key urban areas. These long-term improvements will allow us to streamline our infrastructure, reduce the number of ageing treatment plants, and deliver better environmental and public health outcomes.

They'll also help support population growth and development in our major regions.

We know these challenges are solvable with the right planning, funding, and focus. That's why we've developed a 50-year roadmap to guide our investments. For the next four years, we've prioritised the most critical projects – those that offer the greatest benefits for customers, the environment, and long-term cost savings. We've shown we can deliver large, complex infrastructure programs and are on track to exceed our long-term investment goals.



External factors are forcing prices higher

Like many Tasmanians, we're feeling the impact of rising costs and higher interest rates. These external pressures are making it more expensive to deliver essential water and sewerage services.

During the current pricing period (PSP4), we kept annual price increases to 3.5 per cent and even froze prices during the COVID years. But the

cost of materials, labour, and services has risen much faster than that. We've absorbed these increases as much as possible, but it's no longer sustainable if we want to keep investing in the infrastructure Tasmania needs.



What we propose to deliver

We have developed a comprehensive set of ambitious, yet achievable, service standards to measure our performance across PSP5 as we strive to deliver these customer outcomes.

The achievement of these outcomes is reflected in our proposed capital and operating investment plans.

Achieving these PSP5 outcomes is an important step towards getting us on a sustainable footing for the future.

Through our proposal, we aim to deliver long-term value for the Tasmanian community and protect the environment for future generations.

We propose to achieve this by:

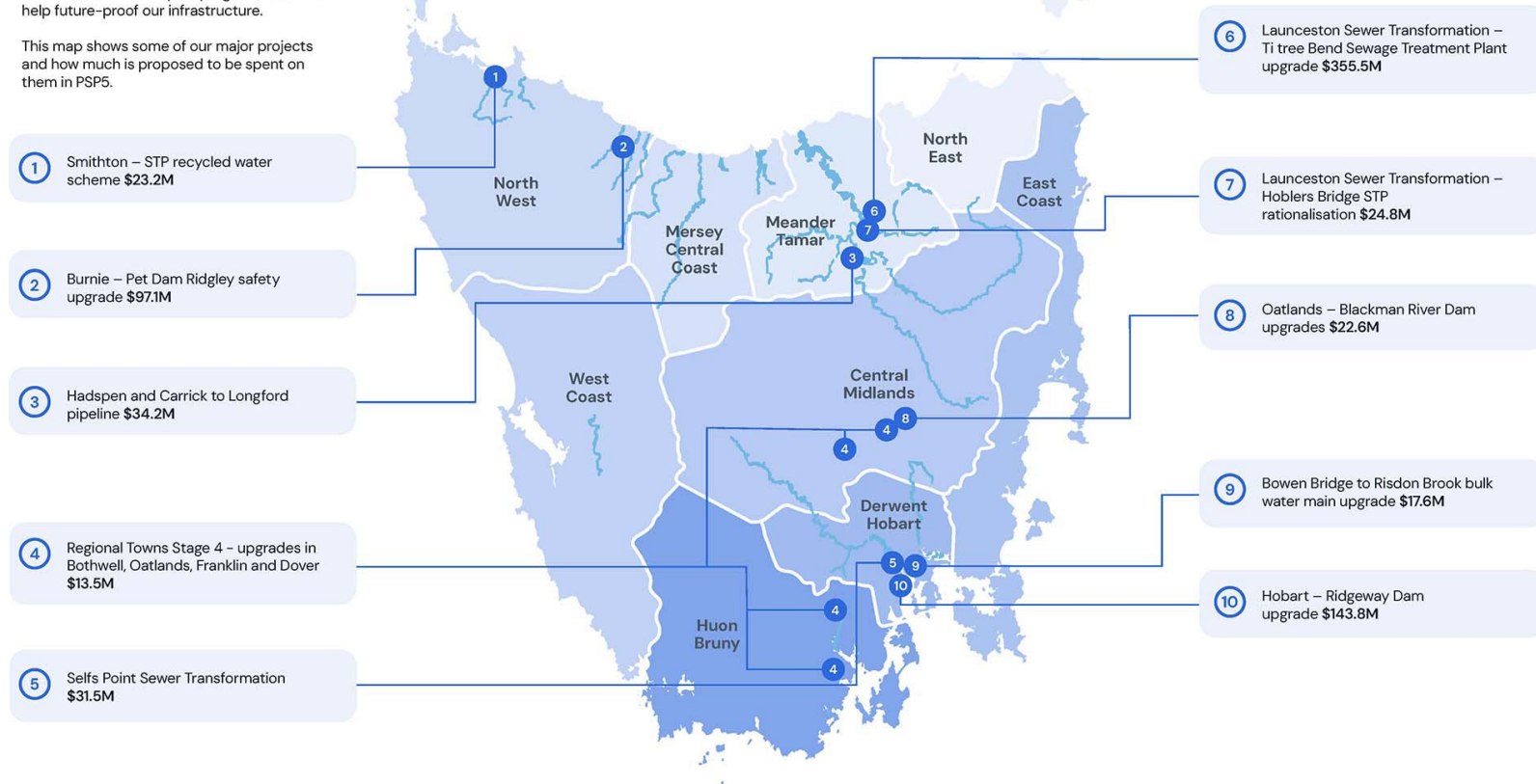
1. Reducing water leakage
2. Securing our water future
3. Providing safe and reliable services
4. Protecting the environment and waterways
5. Providing better customer experience and support
6. Giving you more control over your bills

Our Water Future

Major Projects

Over the four years of PSP5, we proposed to deliver a \$1.7 billion capital program, which will help future-proof our infrastructure.

This map shows some of our major projects and how much is proposed to be spent on them in PSP5.



Price and Service Plan – Customer outcomes

TasWater is at a critical juncture. With ageing infrastructure, a changing climate, and rising customer expectations, our fifth Price and Service Plan (PSP5) sets out a clear path forward. PSP5 balances the need for significant investment as outlined below, with fair and sustainable pricing—ensuring we deliver reliable, high-quality water and sewerage services for all Tasmanians, now and into the future.

Outcome	Investment	Measure
 Reducing water leakage	\$100.6M In leak reduction \$95.2M Water main renewals \$45.1M Water meter upgrades \$87.4M In electrical and SCADA upgrades	To help protect our Tasmanian resources, water lost through leaks will be halved — reduced from 24.5 per cent to 14.4 per cent or less.
 Securing our water future	\$367.7M To improve water security, including dam safety upgrades and water treatment plant improvements Continued water conservation campaigns	Fewer customers (three per cent or less) will be impacted by water restrictions. Through education and water literacy programs, the aim is to help you reduce your daily water use from 217 litres to 170 litres per person, contributing to a more sustainable water future.
 Safe & reliable services	\$228.1M In renewals for water/sewer networks, treatment plants, reservoirs, and pump stations Continued electrical, SCADA and meter upgrades	There will be fewer disruptions to services, with water main breaks reducing from 42.8 to 16 per 100km; sewer breaks and chokes from 63.9 to 20 per 100km by 2030. You can rely on safe and healthy water.
 Protecting the environment & waterways	\$655.8M To improve environmental performance and compliance	Our waterways will be cleaner, carbon emissions will be lower, and more water will be recycled. Major upgrades to sewage treatment facilities, including investment in Hobart and Launceston will consolidate smaller treatment plants into single state-of-the-art facilities, reducing environmental pollution by 50 per cent.
 Better customer experience & support	\$3M Self-service platform \$2.4M Boost to TasWater Assist	You will have easier access to your account(s), payments, issue reporting, and service tracking via the online system. There will be more support for vulnerable customers in our community, through our TasWater Assist program.
 More control over your bills	Increasing variable charges on your bill from 16 per cent to 33 per cent	If you use less, you'll pay less — thanks to an increase in variable charges from 16 per cent to 33 per cent. You will see a \$176 annual reduction in your fixed costs.

TasWater

Reducing water leakage



Our customers have made it clear: reducing water leakage is a top priority. Feedback from the Water Future Community Advisory Panel and our surveys shows strong support for proactive maintenance and long-term infrastructure upgrades. In fact, 78 per cent of Bill Simulator respondents said they'd be willing to pay more to fix leaks and faults faster. Customers told us ageing infrastructure is a major concern. They want us to tackle water waste now and not delay.

Reducing leakage is a key part of our strategy. We have historically had the highest water loss rate in the country, with approximately 30 per cent of treated water going unaccounted for in recent years. These losses come from leaks, overflows, unauthorised use, and metering errors. While we've reduced this to 24.5 per cent, we know there's more to do.

What we'll invest in:

\$100.6 M

Dedicated programs to reduce water leakage

\$95.2 M

Renewing water mains – a **600% increase** from PSP4

\$45.1 M

Upgrading and replacing water meters

\$87.4 M

Renewing electrical systems and SCADA (our monitoring and control technology)

What we'll do:

Reduce real water losses

- Replace old pipes and assets based on risk and priority
- Use technology to monitor the network and find hidden leaks
- Manage water pressure to reduce strain on the system

Reduce apparent water losses

- Prevent water theft
- Replace and maintain water meters
- Test and use new metering technology

Use water more efficiently in operations

- Improve how we use water in treatment and day-to-day operations
- Install new technology to reduce water use during operations

Build a smart, sustainable water network

- Create a system that constantly monitors for leaks, pressure changes, and faults
- Automatically trigger repairs, maintenance, or upgrades when issues are found

Our Water Future

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Securing our water future



Our customers have told us that securing a reliable water supply is a top priority. We're responding with targeted investments to protect long-term access to safe, sustainable water across Tasmania.

We'll invest **\$367.7 million** in PSP5, including major dam upgrades and treatment plant improvements to improve water security outcomes across the state. Our goal is to reduce the number of customers affected by water restrictions **from 16.5 per cent to less than 3 per cent by 2030**.

In addition, safe drinking water remains one of the most important services we provide – and our customers consistently tell us it's a top priority. We've achieved 100 per cent microbiological compliance for the past six years, and we're committed to maintaining this strong performance.

We will invest **\$65.1 million** in PSP5 to maintain and improve drinking water safety. This includes treatment plant upgrades and new water treatment barriers.

We will also help customers use water more efficiently. By reducing demand, we can delay costly system upgrades, protect our water sources, and respond to the challenges of a changing climate. Our Water Future Community Advisory Panel strongly supported this, recommending more education, incentives, and support to help customers save water.

We're aiming to reduce average residential water use from **217 litres to 170 litres per person per day by 2030**.

What we'll invest in:

\$143.8 M Upgrading the Ridgeway Dam	\$97.1 M Upgrading the Pet Dam	\$22.6 M Upgrading the Blackman River Dams	\$10 M Improving water treatment barriers for St Marys
\$9.8 M Improving water treatment barriers for Kunyanyi/ Mt Wellington catchments	\$7.9 M Upgrading the Adventure Bay Water Treatment Plant	\$6 M Upgrading the Bridport Water Treatment Plant	\$1.6 M Upgrading the Campbell Town Water Treatment Plant
\$1.3 M Upgrading the Roseberry Water Treatment Plant	\$400 k Water saving devices	\$13.5 M Regional Towns Stage 4 Program (Upgrades to the Bothwell, Tullah, Oatlands, Yolla, Ellendale and Dover water treatment plants.	

What we'll do:

Upgrade our infrastructure <ul style="list-style-type: none"> Upgrade high-risk dams at Ridgeway, Pet, and Blackman River Improve treatment plants at Lake Fenton, Adventure Bay, Bridport, Mathinna, and Tunbridge Strengthen system connections, including the Waverley Pump Station and Mt Leslie to Upper Brougham pipeline Secure future water licences and allocations Investigate new supply options for Orford, Triabunna, and Lady Barron Progress planning for the North-West Water Supply Strategy 	Water Conservation <ul style="list-style-type: none"> Continue investing in water conservation campaigns and education programs Help customers monitor and manage their water use to lower bills Provide subsidised water-efficient products and water audits for vulnerable customers Promote recycled water as a sustainable alternative for non-drinking uses Work with state and local governments to design and deliver water-saving programs
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TasWater

Providing safe and reliable services



Customers have told us that unplanned water outages and sewer overflows are frustrating and disruptive. These issues are more common in Tasmania than in most other states, and we know we need to do better.

We will invest **\$228.1 million** in PSP5 to improve the reliability of water and sewerage services across Tasmania. This includes major upgrades to pipes, treatment plants, and supporting infrastructure. By 2030, we aim to reduce water main breaks from **42.8 to 16 per 100km**, sewer main breaks from **63.9 to 20 per 100km**, and limit repeat interruptions to **less than 0.5 per cent of customers**.

We know customers also expect fast, reliable responses when services are disrupted. While we're close to meeting our targets for unplanned water outages and sewage spills, we know there's room to improve – especially for planned water outages, where only 62 per cent are restored within five hours.

By 2030, we aim to meet or exceed **92 per cent** of our response and rectification targets across water and sewerage services, ensuring faster, more consistent service restoration.

What we'll invest in:

\$95.2 M Renewing water mains	\$14.6 M Renewing water treatment plants	\$12.1 M Renewing water reservoirs
\$30.1 M Renewing sewer mains	\$25.5 M Renewing sewage treatment plants	\$14.5 M Renewing sewage pump stations

What we'll do:

Renew our infrastructure <ul style="list-style-type: none"> Invest in targeted upgrades to ageing water and sewer pipes Use smarter monitoring to detect and fix issues before they become major problems Focus on areas with the highest rates of complaints and failures Invest in technology to support faster, data-driven decision-making 	Improve our response time <ul style="list-style-type: none"> Standardise and streamline operational processes Improve performance tracking, accountability, and escalation procedures Enhance data reporting and use activity-based costing to improve efficiency Focus on 'nailing the basics' through a dedicated operational improvement program Improve response times and reduce repeat service interruptions Continue listening to customer feedback to guide service improvements
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Our Water Future

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Protecting the environment and waterways



Improving environmental outcomes is a key focus of PSP5. Our customers have told us they value clean waterways and healthy ecosystems; “protecting and enhancing waterways and catchments” was their third highest priority in our broad survey. Our Water Future Community Advisory Panel also recommended we take stronger action to protect the environment.

We’re starting a long-term program to upgrade sewage treatment and reduce pollution, investing **\$655.8 million** in PSP5 to improve environmental outcomes and meet compliance obligations. While this work will take several pricing periods, starting now is essential to avoid growing environmental risks and passing the burden to future generations.

What we’ll invest in:

\$31.5 M Delivering the final year of the Selfs Point Sewer Transformation	\$355.5 M Upgrading the Ti Tree Bend Sewage Treatment Plant, an essential project for the Launceston Sewer Transformation	\$24.8 M Rationalising the Hoblers Bridge Sewage Treatment Plant	\$20.7 M Rationalising the Prospect Vale Sewage Treatment Plant
\$16.6 M Increasing capacity at the Cambridge Sewage Treatment Plant	\$23.2 M Expansion of the Smithton Recycled Water Scheme	\$14.8 M Upgrading the Scottsdale Sewage Treatment Plant	\$25.5 M Upgrading sewage treatment plants across the state

What we’ll do:

Upgrade our infrastructure and improve efficiency

- Upgrade or rationalise sewage treatment plants with high-risk discharges
- Complete the Selfs Point Transformation Project and begin the Launceston Sewer Transformation projects
- Reduce the number of treatment plants in larger population centres to improve efficiency
- Address nine high-risk sewage treatment plants in PSP5 and begin work on six more in PSP6
- Focus on reducing nitrogen and phosphorous discharges and increasing beneficial reuse of treated water

Provide better customer experience and support



Our customers have told us that being easy to deal with is a top priority. While our customer satisfaction scores are strong, we know expectations are changing — especially around digital services and faster, more convenient support.

Using our existing operating budget, supported by a **\$3 million** investment for a self-service platform, we aim to lift overall customer satisfaction from **72 per cent to 80 per cent**, reduce complaints, and improve response times across all key service channels.

Supporting vulnerable customers is a core part of our role. We understand that price increases can have a greater impact on those experiencing hardship and, while broader social supports exist, TasWater has a responsibility to help where we can.

Our Water Future Community Advisory Panel reinforced this, recommending we raise awareness of the TasWater Assist program and ensure it provides flexible payment options — especially as we shift more of the bill to usage-based charges. We’re committed to strengthening this support.

What we’ll invest in:

\$3 M To deliver a self-service platform	\$2.4 M Additional funding, to strengthen our TasWater Assist program
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What we’ll do:

Support our customers

- Launch a new customer self-service platform before the start of PSP5, allowing customers to manage accounts, make payments, report issues, and track requests online
- Improve transparency, reduce effort, and increase convenience for customers
- Continue refining our customer service systems and processes to improve response and resolution times
- Focus on key customer moments, including first contact resolution and timely complaint handling
- Boost support through TasWater Assist through tailored case management, account reviews, financial health checks, water efficiency support and support for customers experiencing family violence.
- Awareness campaign to ensure our customers know that support is available

More control over your bills



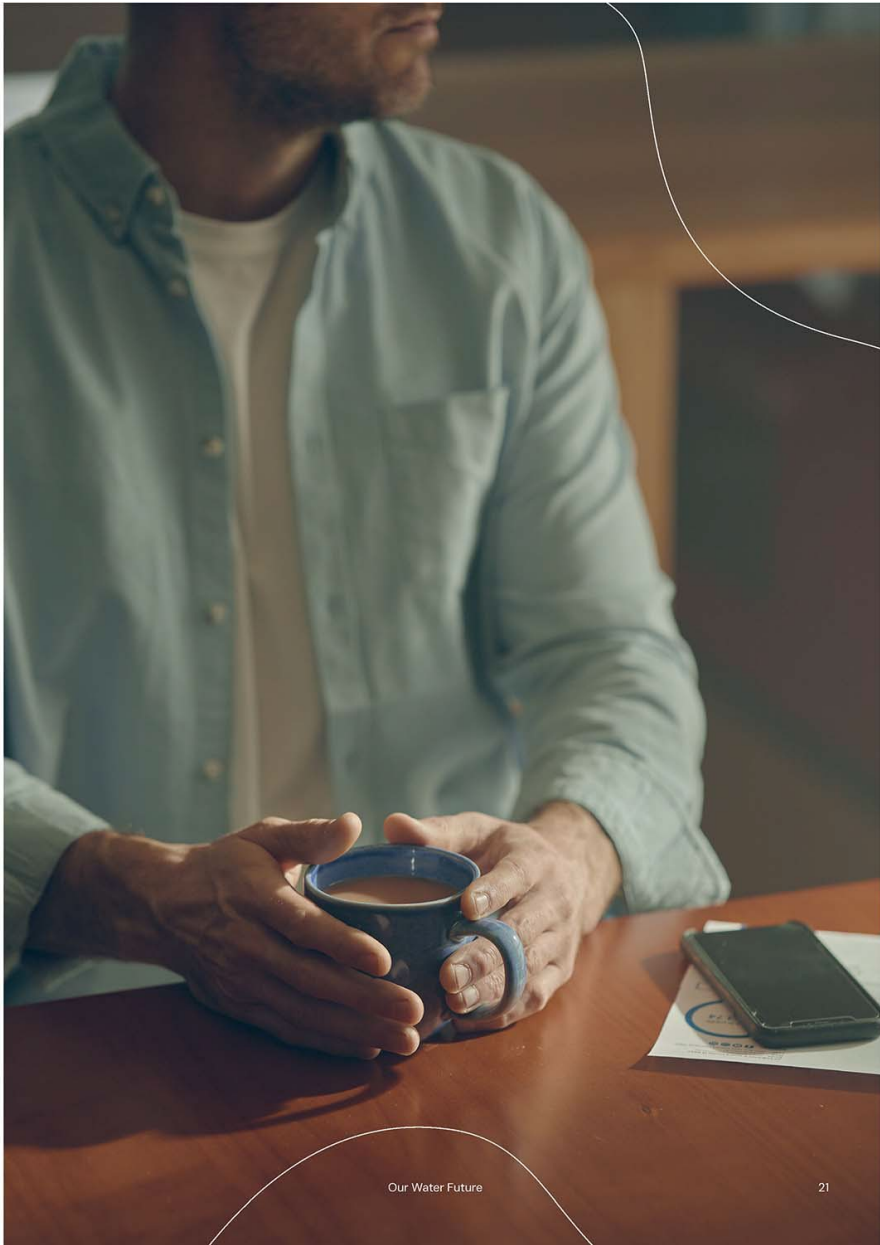
TasWater has the highest proportion of fixed charges in the country, meaning most of the bill doesn't change based on how much water is used. This makes it harder for customers to control their bills by using less water.

To address this, we're shifting to a more usage-based model. By 2030, we aim to increase the variable portion of the average residential bill from 16 per cent to 33 per cent, giving customers more control and encouraging water-saving behaviour.

What we'll do:

Reduce our fixed charges

- Reduce fixed charges and increase the variable water charge
- Introduce a variable sewerage charge, in line with the Tasmanian Economic Regulator's 2024 review
- Deliver a customer education program to explain the changes and support customers, especially those with higher water use
- Fund this transition within our existing PSP4 operating budget



Our proposed prices:

We've heard from our customers that they want more control over their water and sewerage bills. Right now, 84 per cent of the average residential bill is made up of fixed charges – the highest proportion of any major water provider in Australia. That means customers have very little ability to influence their bills through how much water they use.

In response, our PSP5 Proposal introduces a fairer balance between fixed and usage-based charges.

For the average residential customer, this means shifting to 67 per cent fixed and 33 per cent variable charges.

This is a significant step forward in making water and sewerage pricing in Tasmania more responsive and equitable.

Tariff	FY26	FY27	FY28	FY29	FY30
Regulated water and sewerage price increase including inflation	--	8.8 per cent	8.8 per cent	8.8 per cent	8.8 per cent
Average annual residential water and sewerage bill	\$1,407.33	\$1,497.64	\$1,629.43	\$1,772.82	\$1,928.83

	FY26	FY27	FY28	FY29	FY30
Fixed water charge					
20mm	\$407.33	\$345.73	\$376.15	\$409.25	\$445.27
40mm	\$1,629.32	\$1,382.91	\$1,504.60	\$1,637.01	\$1,781.06
200mm	\$40,732.89	\$34,572.64	\$37,615.04	\$40,925.16	\$44,526.57
Fixed sewerage charge					
Minimum charge	\$781.69	\$667.54	\$726.28	\$790.19	\$859.73
Variable water charge					
Full service (\$/kL)	\$1.26	\$1.81	\$1.97	\$2.14	\$2.33
Variable sewerage charge					
Full service (\$/kL)	\$0.00	\$1.81	\$1.97	\$2.14	\$2.33
Residential sewerage discharge cap (kL)					
kL	0	240	240	240	240

*Most common pipe connections listed. For the complete list of fixed water charges, visit <https://www.taswater.com.au/accounts-and-billing/fees-and-charges/water-and-sewerage-charges>

Pathway to pricing

30 June 2025: TasWater submits its PSP5 Proposal to TER

Our PSP5 Proposal was formally submitted to the Tasmanian Economic Regulator on 30 June 2025. The proposal outlines our intended pricing structures, service standards, and investment plans for the four years from 1 July 2026.

July – December 2025: TER Investigation and consults on TasWater's PSP5 Proposal

Between July and December, the TER will undertake a comprehensive investigation and consultation process to assess the PSP5 Proposal. This phase includes detailed analysis of TasWater's financial and operational assumptions, as well as public consultation with customers, industry groups, and government bodies. The goal is to ensure the proposal aligns with regulatory requirements and delivers fair, efficient, and sustainable outcomes for Tasmanians.

February 2026: TER Draft Report and Draft Determination

In February 2026, the TER will release its Draft Report and Draft Determination, presenting its preliminary findings and proposed decisions regarding TasWater's PSP5. This document will outline the regulator's assessment of TasWater's proposed prices and service levels, including any recommended adjustments. Stakeholders will have the opportunity to review and comment on the draft, contributing to a transparent regulatory process.

30 April 2026 – TER Final Report and Final Determination

By 30 April 2026, the TER will publish its Final Report and Final Determination, concluding the regulatory review of PSP5. This final decision will set the approved pricing, service standards, and investment parameters for TasWater over the next regulatory period. The determination ensures that TasWater operates within a framework that balances affordability, service quality, and long-term sustainability for the benefit of all Tasmanians.



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

IN CONFIDENCE

12/25.18.0 CLOSED COUNCIL

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

12/25.18.1 Confirmation of Closed Council Minutes – Council Meeting 17 November 2025

12/25.18.2 Outstanding Actions List for Closed Council

12/25.18.3 Closed Council Item Pursuant to Section 15(2)(c) of the Local Government (Meeting Procedures) Regulations 2025 - Titley Shack-Progress Update on chosen applicant

12/25.18.4 Closed Council Item Pursuant to Section 15(2)(h)(i) of the Local Government (Meeting Procedures) Regulations 2025 - Request for Removal of Wheelie Bin Charges

12/25.18.5 Closed Council Item Pursuant to Section 15(2)(a) of the Local Government (Meeting Procedures) Regulations 2025 - General Manager Review

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

12/25.19.0 MEETING CLOSED

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

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MAYOR

.....
DATE