

COUNCIL MEETING

AGENDA

Monday 19 January 2026
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
13 January 2026

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NOTICE OF MEETING

Notice is hereby given that the next meeting of the Break O'Day Council will be held at the St Helens Council Chambers on Monday 19 January 2026 commencing at 10.00am.

CERTIFICATION

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



JOHN BROWN
GENERAL MANAGER
Date: 13 January 2026

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AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

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

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

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

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

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

OPENING & INTRODUCTION

The Mayor 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.

01/26.1.0 ATTENDANCE

01/26.1.1 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

01/26.1.2 Apologies

Nil

01/26.1.3 Leave of Absence

Nil

01/26.1.4 Staff in Attendance

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

01/26.2.0 PUBLIC QUESTION TIME

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

A question asked at a meeting is to:

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

General statements are not permitted during question time.

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

Nil

01/26.3.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil

01/26.4.0 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

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

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

01/26.5.0 DECLARATION OF INTERESTS OF A COUNCILLOR OR CLOSE ASSOCIATE

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

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

01/26.6.0 CONFIRMATION OF MINUTES

01/26.6.1 Confirmation of Minutes – Council Meeting 15 December 2025

OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 15 December 2025 be confirmed.

01/26.6.2 Confirmation of AGM Minutes – Annual General Meeting 9 December 2025

OFFICER'S RECOMMENDATION:

That the minutes of the Annual General Meeting held on the 9 December 2025 be confirmed.

01/26.7.0 COUNCIL WORKSHOPS HELD SINCE 15 DECEMBER 2025 COUNCIL MEETING

There were no workshops held since 15 December 2025.

01/26.8.0

PLANNING AUTHORITY

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

01/26.8.1

DA 159-2025 - 333 Davis Gully Road, Four Mile Creek - Subdivision – Two (2) Lot Subdivision

ACTION	DECISION
COUNCIL MEETING DATE	19 January 2026
PROPOSER	Woolcott Land Services
OFFICER	Alex McKinlay, Planning Officer
FILE REFERENCE	DA 159-2025
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none">Plans and Documents for ApprovalRepresentation (01)Planning Scheme AssessmentApplicant's Response to Representation

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 Subdivision – Two (2) Lot Subdivision on land situated at 333 Davis Gully Road, Four Mile Creek described in Certificate of Title 136167/2 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposal Plan	Sheet 1/1	Woolcott Land Services	3 October 2025, Edition V1.1
Planning Report	Job No: 211205	Woolcott Land Services	18 November 2025, Rev: 7
Bushfire Hazard Report	Job No: 211205	Woolcott Land Services – Geoff McGregor BFP-176	6 October 2025, Rev: 2
Landslide Risk Appraisal	GL25729Ab	GeoTon Pty Ltd	13 November 2025

CONDITIONS

CONDITION	TIMING
1 Approved Plans and/or Document	

A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained at all times.
2	Lots	
A	Approval is for Lots 1 – 2.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
3	Bushfire Requirements	
A	Prior to sealing of the Final Plan of Subdivision, written advice from an accredited bushfire practitioner must be submitted to Council advising that all recommendations and requirements of the Bushfire Hazard Report by (Geoff McGregor BFP-176, Job No: 211205, Dated: 6 October 2025, including requirements regarding water supply, access, and vegetation / fuel hazard management have been implemented.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
4	Infrastructure Repair	
A	The owner must, at their expense, repair any Council services (eg pipes, drains) and any road, crossover, footpath or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council. If the owner does not undertake the required repair works within the timeframe specified by Council, the Council may arrange for the works to be carried out at the owner's expense.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
5	Easements to be created	
A	An Easement must be created over the internal access road servicing Lots 1-2.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Such easements must be created on the final plan to the satisfaction of the General Manager and must detail construction and ongoing maintenance responsibilities for each lot.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

6	Covenants on Subdivisions	
A	Any restrictive covenants created by this subdivision are not to preclude the use/development of this land for State, Commonwealth or Local Government purpose.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
7	Final Plan of Survey	
A	A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. Advice: the plan will not be sealed until such time as all conditions on this permit have been complied with.	On completion and satisfaction of all conditions on this permit.

ADVICE

1. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works, then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
2. Future development on the lots will require further geotechnical investigation as detailed within part 6 '6 Future Works' of the Landslide Risk Appraisal prepared by Geoton Pty Ltd (Reference No. GL25729Ab, 13 November 2025).
3. Activities associated with construction works are not to be performed outside the permissible time frames listed:
Mon-Friday 7 am to 6 pm
Saturday 9 am to 6 pm
Sunday and public holidays 10 am to 6 pm

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

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

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

Development Permit Information	Details
<i>Development Description</i>	Subdivision – Two (2) Lot Subdivision
<i>Relevant Period of Approval</i>	2 Years

<i>Other Necessary Permits</i>	Nil
<i>Attachments</i>	Nil
<i>Representations</i>	One (1)

INTRODUCTION:

The applicant is seeking approval of a two lot subdivision at 333 Davis Gully Road, Four Mile Creek

PREVIOUS COUNCIL CONSIDERATION:

DA 041-2023 Residential – Construction of a Dwelling, Carport and Shed – application received unanimous approval during the Council Meeting held on the 18/12/2023 (12/23.4.1.263).

OFFICER'S REPORT:

1. The Proposal

The applicant is seeking approval of a 2 lot subdivision of an existing 175.5ha site. The land is subject to previous approval, DA 041-2023. The extensive driveway (previously approved under DA 041-2023) is proposed to have a right of way easement for access to Lot 2. Proposed Lot 1 will be vacant with only a burdening right of way over the driveway.

Proposed Lot 1 will be 69.54ha and proposed Lot 2 will be 106.3ha. No new vehicle crossing is proposed, both lots will utilise the vehicle crossover from Davis Gully Road.

2. Description of the Site and Surrounds

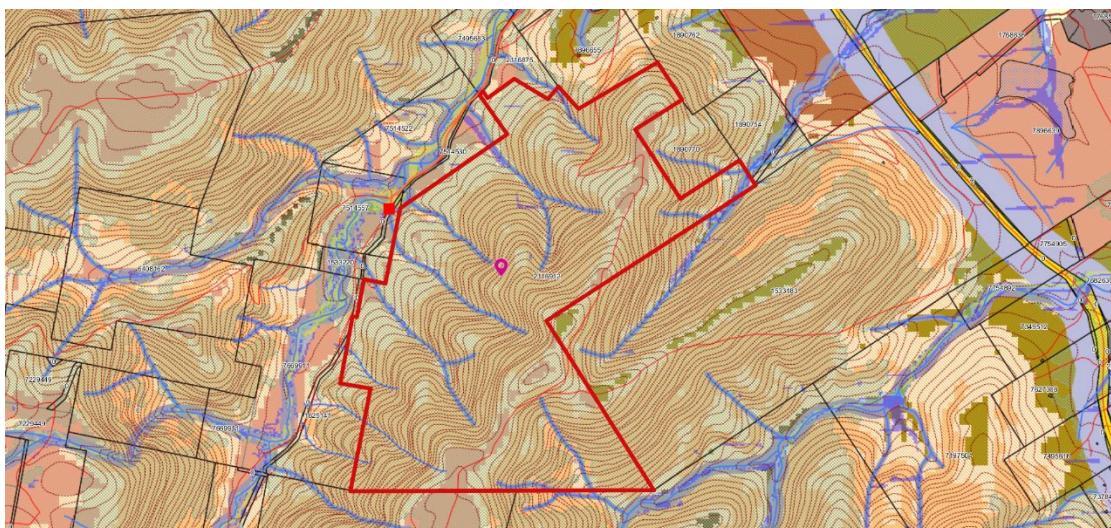
The subject site comprises an area of 175.5ha and is irregular in shape. The site is bound by private lots on all sides except to the south where it is adjoined by State owned land. The site is approximately 1.7km west of the coastline to the east.

The surrounding area is mixed in terms of lot size and land use; there are a few dwellings evident on Davis Gully Road. The area is mountainous and vegetated. The subject site elevations range from 390m AHD to 40m AHD.

Direction	Planning Scheme Zone	Current Land Use
North	20.0 Rural and 22.0 Landscape Conservation	Residential – single dwellings
South	22.0 Landscape Conservation and 23.0 Environmental Management	Vacant
East	22.0 Landscape Conservation	Residential – single dwellings and vacant land
West	20.0 Rural	Vacant



Aerial Imagery



Locality Plan

3. Applicable Planning Assessment

- 20.0 Rural Zone
- C2.0 Parking and Sustainable Transport Code
- C7.0 Natural Assets Code
- C13.0 Bushfire-Prone Areas Code
- C15.0 Landslip Hazard Code

4. Referrals

Works Department

Road Authority Comments:

- A referral was issued on the 18/09/2025 which sought advice/comment on the proposed subdivision. The following comments were provided on the 19/09/2025:

'The crossover for this property still hasn't been completed in accordance with the Planning Permit conditions for DA041-2023. The conditions from that permit are still applicable.'

The proposed subdivision will not provide any public infrastructure therefore there are no requirements from Works in relation to the subdivision'.

Stormwater Authority Comments:

N/A

Engineering Comment e.g. Flood:

N/A

Environmental Health

N/A

External Referrals

N/A

5. Assessment

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

Tasmanian Planning Scheme State Planning Provisions (Version: 14), Break O'Day Local Provisions Schedule (Version: 5):

Performance Criteria	<i>20.5.1 Lot Design (P1 & P2)</i> <i>C7.7.2 Subdivision within a priority vegetation area (P1.1 & P1.2)</i> <i>C15.7.1 Subdivision within a landslip hazard area (P1)</i>
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Detailed assessment against the provisions of the *Tasmanian Planning Scheme State Planning Provisions (Version: 14), Break O'Day Local Provisions Schedule (Version: 5)* where the proposal was reliant on satisfying the performance criteria, is provided below.

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

Planning Assessment

State Planning Provisions Version No: 14

An assessment against the relevant parts of the State Planning Provisions is set out below. The application has relied on Performance Criteria to seek approval.

20.0 Rural Zone

20.5 Development Standards for Subdivision

20.5.1 Lot Design

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none">a) be required for public use by the Crown, a council or a State authority;b) be required for the provision of Utilities or irrigation infrastructure;c) be for the consolidation of a lot with another lot provided each lot is within the same zone; ord) be not less than 40ha with a frontage of no less than 25m and existing buildings are consistent with the setback and separation distance required by clause 20.4.2 A1 and A2.	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none">a) have sufficient useable area and dimensions suitable for the intended purpose, excluding Residential or Visitor Accommodation, that:<ul style="list-style-type: none">(i) requires the rural location for operational reasons;(ii) minimises the conversion of agricultural land for a non-agricultural use;(iii) minimises adverse impacts on non-sensitive uses on adjoining properties; and(iv) is appropriate for a rural location; orb) be for the excision of a dwelling or Visitor Accommodation existing at the effective date that satisfies all of the following:<ul style="list-style-type: none">(i) the balance lot provides for the sustainable operation of a Resource Development use, having regard to:<ul style="list-style-type: none">a. not materially diminishing the agricultural productivity of the land;b. the capacity of the balance lot for productive agricultural use; andc. any topographical constraints to agricultural use;(ii) an agreement under section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot;(iii) the existing dwelling or Visitor Accommodation must meet the setbacks required by subclause 20.4.2 A2 or P2 in relation to setbacks to new boundaries;(iv) it is demonstrated that the new lot will not unreasonably confine or restrain the operation of any

	<p>adjoining site used for agricultural use; and</p> <p>c) be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> (i) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (ii) the topography of the site; (iii) the functionality and useability of the frontage; (iv) the anticipated nature of vehicles likely to access the site; (v) the ability to manoeuvre vehicles on the site; (vi) the ability for emergency services to access the site; and (vii) the pattern of development existing on established properties in the area.
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Performance Criteria Assessment

While the proposed subdivision demonstrates that each lot exceeds an area of 40ha and the subject site is currently vacant, proposed lot 1 will have a 20.66m frontage and as such Acceptable Solution A1 (d) cannot be satisfied. However, the performance criteria can be considered appropriately satisfied as evident in the completed assessment below:

(a) Both of the proposed lots exceed 40ha (note: Lot 1 = 69.54ha and Lot 2 = 106.3ha) and accordingly provide sufficient area and dimensions for a variety of potential purposes. Within the applicant's submitted planning scheme response, there is reference made to the suitability of the lots for No Permit Required and Permitted Uses with such examples including Natural Cultural Values Management (without public visitation) and Passive Recreation (also without public visitation).

While both of the proposed lots are subject to the 20.0 Rural Zone, it is evident from the 'Land Capability' overlay available on the LIST that proposed lot 1 will be entirely subject to class 6 (*Land marginally suited to grazing due to severe limitations*) and proposed lot 2 is mostly subject to class 6 with some areas subject to class 7 (*Land with very severe to extreme limitations that make it unsuitable for agricultural use*) and class 5 (*Land unsuited to cropping and with slight to moderate limitations to pastoral use*). Notably, in the past the property was subject to forestry operations but were ceased due to the topographical features of the site and other related concerns associated with extensive land clearing (e.g. landslip risk and erosion). In terms of non-sensitive uses, both the Little Beach State Reserve and a future potential production forest are located directly south of proposed lot 2. It is worth noting that there is planning approval for the construction of a dwelling carport and shed (note: DA 041-2023 as detailed above in '*Previous Council Consideration*') which will be located on proposed lot 2 but a building application has not been lodged at this stage.

(b) Both of the proposed lots will achieve access to Davis Gully Road through the 20.66m frontage via the location of the driveway approved under DA 041-2023. As shown within the proposal plan, a right of way is intended to be established over the entire length of the driveway to provide proposed lot 2 legal access to the road. Due to the topography of the subject site with regard being given to the moderate and steep slopes, the inclusion of any additional access ways is unlikely and accordingly both lots are intended to be serviced by the aforementioned driveway. The 20.66m frontage is of a width which ensures that an appropriate level of access can be achieved for a number of various vehicle types thereby ensuring both functionality and usability.

As mentioned above, there is planning approval for the construction of a dwelling and associated outbuilding structures which will effectively be located on proposed lot 2 once constructed. Accordingly, the subject site will have vehicular movements associated with a residential use/development while proposed lot 1 may accommodate vehicular movements associated with an allowable use outlined within the 20.2 Use table for the 20.0 Rural Zone. The capacity for emergency vehicles to access both of the proposed lots is achievable provided that the recommendations outlined within the bushfire report submitted for both this current subdivision application and the previously approved application (DA 041-2023) are adhered to. Adherence to the recommendations contained within the bushfire report will form a condition as part of any planning permit issued for this application.

The proposal is consistent with the performance criteria.

A2	P2
Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	<p>Each lot, or a lot proposed in a plan of subdivision, is provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> a) the topography of the site; b) the distance between the lot or building area and the carriageway; c) the nature of the road and the traffic, including pedestrians; and d) the pattern of development existing on established properties in the area.

Performance Criteria Assessment

The proposal plan demonstrates that proposed lot 1 will achieve access via the 20.66m frontage but access to proposed lot 2 will be dependent upon a right of way through lot 1 thereby requiring assessment against P2. However, the performance criteria can be considered appropriately satisfied as evident in the completed assessment below:

- a) Due to the topographical features of the subject site (i.e. presence of moderate and steep slopes), the shared access arrangement ensures that safe and appropriate access to both lots can be achieved.
- b) The length of the right of way intended to service lot 2 reflects the location of the driveway as approved under the previous application (note: DA 041-2023 Residential –

Construction of a Dwelling, Carport and Shed) and is reasonable given the intended area of the proposed lots.

- c) The subject site adjoins Davis Gully Road which is maintained by Council and can be characterised as a rural road which predominantly provides property owners access to their respective properties which are largely residential in nature. As part of the previously approved application, a TIA report was submitted for the residential development which will be located on proposed lot 2. The conclusions from the TIA report were accepted by Council's Works Department. Any traffic generated by proposed lot 1 will be dependent upon the use of the lot once established (note: use and development of lot 1 will require the lodgement of a development application).
- d) Refer to completed assessment above.

The proposal is consistent with the performance criteria.

C7.0 Natural Assets Code

C7.7 Development Standards for Subdivision

C7.7.2 Subdivision within a priority vegetation area

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must:</p> <ul style="list-style-type: none">a) be for the purposes of creating separate lots for existing buildings;b) be required for public use by the Crown, a council, or a State authority;c) be required for the provision of Utilities;d) be for the consolidation of a lot; ore) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.	<p>P1.1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for:</p> <ul style="list-style-type: none">a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person;b) subdivision for the construction of a single dwelling or an associated outbuilding;c) subdivision in the General Residential Zone or Low Density Residential Zone;d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;e) subdivision involving 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; orf) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.

	<p>P1.2</p> <p>Works association with subdivision 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 any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards; b) any particular requirements for the works and future development likely to be facilitated by the subdivision; c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future 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.
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Performance Criteria Assessment

P1.1 The subdivision does not include any works that are not already approved under the previous approval for the dwelling. The internal road is included in the previously approved application (note: DA 041-2023 Residential – Construction of a Dwelling, Carport and Shed). Within the context of the lot, this is limited, consisting only of works to the existing fire trail and where necessary, to the shoulder of that internal road for bushfire compliance.

P1.2 Works are minimised to that which is already approved under the previous application.

The proposal is consistent with the performance criteria.

C15.0 Landslip Hazard Code

C15.7 Development Standards for Subdivision

C15.7.1 Subdivision within a landslip hazard area

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area, must:</p> <ul style="list-style-type: none"> a) be able to contain a building area, vehicle access, and services, that are wholly located outside a landslip hazard area; b) be for the creation of separate lots for existing buildings; 	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area must not create an opportunity for use or development that cannot achieve a tolerable risk from landslip, having regard to:</p> <ul style="list-style-type: none"> a) any increase in risk from a landslip for adjacent land; b) the level of risk to use or development arising from an

<ul style="list-style-type: none"> c) be required for public use by the Crown, a council or a State authority; or d) be required for the provision of Utilities. 	<ul style="list-style-type: none"> increased reliance on public infrastructure; c) the need to minimise future remediation works; d) any loss or substantial compromise, by a landslip, of access to the lot on or off site; e) the need to locate building areas outside the landslip hazard area; f) any advice from a State authority, regulated entity or a council; and g) the advice contained in a landslip hazard report.
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Performance Criteria Assessment

A Landslide Risk Appraisal prepared by GeoTon Pty Ltd accompanied the application. The report considered that a tolerable level of risk will be maintained for the proposed development and design like of any future building provided that good hillside practices are maintained. Further geotechnical investigation, including subsurface investigation and a Landslide Risk Assessment, shall be carried out for any development within the proposed lots in accordance with the AGS(2007) to provide site-specific recommendations for the design and construction.

The proposal is consistent with the performance criteria.

Local Provisions Schedule Version No: 5

Development standards for subdivision are not used in this Specific Area Plan.

6. Representations

The application was advertised 6th December 2025 to 19th December 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 – Representation 01	Response
Fire Risk area, with Davis Gully Road identified as one of the worst areas for fire risk in the municipality	The property is mapped a bushfire prone and hence the requirement for the subdivision to be assessed against the relevant provisions of C13.0 Bushfire Prone Areas Code.
Irresponsible to allow further subdivision in the Davis Gully Road region given the area is a high fire risk	The Bushfire Hazard Report and Bushfire Hazard Management Plan prepared by Geoff McGregor BFP-176 demonstrates compliance with the applicable standards, acceptable solutions within C13.0 Bushfire Prone Areas Code.
The proposal is not consistent with the objectives of C13.6.2 (a), (b) or (e) of the Bushfire Prone Areas Code	In accordance with clause 5.6.4 the planning authority may consider the relevant objective in an applicable standard to determine whether

	<p>a use or development satisfies the Performance Criterion for that standard. Further, in accordance with clause 6.10.2, only an application for a permit for a discretionary use, the planning authority must in addition to other matters consider the purpose of any applicable code, and only insofar as each matter is relevant to the particular discretion being exercised. The proposed subdivision did not rely on any performance criteria (discretion) of C13.0 Bushfire Prone Areas Code. In meeting the acceptable solutions, the proposal does not need further consider the objectives of the applicable standard.</p>
<p>With the future of Lot 1 not determined, how can a bushfire plan assess the risk and safety of a proposed building and associated access and roads related to this lot when a building envelope is based on supposition and not a concrete proposed site for development</p>	<p>A Bushfire Hazard Report and Bushfire Hazard Management Plan has been provided by an accredited practitioner which demonstrates compliance with the applicable standards within C13.0 Bushfire Prone Areas Code for subdivision. A subdivision of land within a bushfire prone area must be able to demonstrate how all lots which are bushfire affected can accommodate adequate bushfire hazard management areas, building areas, firefighting water supplies and vehicular access. The Report and BHMP have demonstrated that the Lot (Lot 1) can contain a buildable area for a BAL 19 together with access and water supply should a habitable building be located within the shown buildable area. A subdivision bushfire hazard management plan can be used by lot owners for building compliance purposes. Should a habitable building later be proposed in a different location, further consideration of the bushfire requirements at Building Application stage will be necessary including compliance with the Director's Determination – Bushfire Hazard Areas. The purpose of a bushfire hazard management plan is to identify the specific measures that will be used to achieve an acceptable level of bushfire protection for a proposed use or development. The subdivider will usually not be required to construct private accesses as part of a subdivision development. Private accesses are normally constructed as part of subsequent building work. However, the subdivision design must ensure that future buildings on the proposed lots can be provided with an access</p>

	<p>that will conform to minimum standards provided in C13.0 Bushfire-Prone Areas Code.</p> <p>Conflicts of interest, with East Coast Surveying/Woolcott's producing bushfire plans when one of their businesses is facilitating property development such as subdivisions for clients</p> <p>Whilst the Bushfire Hazard Report and Bushfire Hazard Management Plan were prepared by an employee of East Coast Surveying/ Woolcott's, Geoff McGregor is a Bushfire Hazard Practitioner accredited by the Chief Officer of the Tasmania Fire Service. There is no conflict of interest in Mr McGregor preparing the Bushfire Hazard Report and Bushfire Hazard Management Plan.</p> <p>Further, s.51(2(d) LUPAA states that a planning authority:</p> <p><i>(d) must accept –</i></p> <p><i>(i) any 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; or</i></p> <p><i>(ii) any certificate issued by an accredited person or a State Service Agency and stating that the proposed use or development will result in an insufficient increase in risk from the environmental hazard or natural hazard to warrant any specific protection measures.</i></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 Rural Zone, 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

01/26.8.2

DA 155-2025 - 77 St Helens Point Road, Stieglitz - Alterations to Existing Dwelling plus Construction of Detached Dwelling Extension and Garage/Workshop

ACTION	DECISION
COUNCIL MEETING DATE	19 January 2025
PROPOSER	Jennifer Binns
OFFICER	Alexander McKinlay, Planning Officer
FILE REFERENCE	DA 155-2025
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none"> 1. Plans and Documents for Approval 2. Representation (01) 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 Alterations to Existing Dwelling plus Construction of Detached Dwelling Extension and Garage/Workshop on land situated at 77 St Helens Point Road, Stieglitz described in Certificate of Title 63379/39 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Cover Sheet	-	Jennifer Binns Building Design	22.10.25
Site Plan	Sheet No: a03	Jennifer Binns Building Design	22.10.25
Existing Dwelling Floor Plan	Sheet No: a04	Jennifer Binns Building Design	22.10.25
Proposed Dwelling Floor Plan	Sheet No: a05	Jennifer Binns Building Design	22.10.25
Proposed Outbuilding	Sheet No: a06	Jennifer Binns Building Design	22.10.25
Elevations	Sheet No: a07	Jennifer Binns Building Design	22.10.25
Elevations	Sheet No: a08	Jennifer Binns Building Design	22.10.25
Elevations	Sheet No: a09	Jennifer Binns Building Design	22.10.25
Visuals	Sheet No: a10	Jennifer Binns Building Design	22.10.25

Shadow Diagrams	Sheet No: a11	Jennifer Binns Building Design	22.10.25
Planning Compliance Report	-	Jennifer Binns Building Design	22.10.25
Bushfire Consultant Advice on Vegetation Removal	-	Roger Fenwick	22.10.25
Landslide Risk Assessment	GL22355Ac	GeoTon Pty Ltd	11 August 2025

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2	Residential (Single Dwelling)	
A	The garage/workshop is approved for non-habitable residential use only.	To be maintained at all times.
B	If a visitor accommodation use is sought for the structures, a further development application must be lodged with Council to seek approval for the allocation of an additional use to the structures.	Prior to use and maintained at all times.
3	Widening Crossover and Stormwater Connection	
A	A new stormwater connection at the kerb must be completed by a licenced plumber in accordance with standard drawing TSD-SW29-v3 (see attached).	Prior to use and maintained at all times.
B	Concentrated stormwater must not be discharged into neighbouring properties.	To be maintained at all times.
C	The crossover (kerb to property boundary) may be widened to 6m as proposed and must be constructed in accordance with standard drawing TSD-R09-v3 (see attached)	Prior to use and maintained at all times.
D	An application must be submitted to obtain a Works Permit prior to undertaking any work on the stormwater connection at the kerb and/or the crossover widening.	Prior to any work on the stormwater connection.
4	Residential Car Parking	
A	The areas shown to be set aside for vehicle access and car parking must be: <ol style="list-style-type: none"> completed before the use of the development; 	Prior to use and maintained at all times.

	b. Constructed with a sealed surface and drained to the public stormwater system.	
5	Nuisance	
A	Residential 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	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.
6	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.
7	Landslip Hazard	
A	All works must be undertaken in accordance with all recommendations of the Landslide Risk Assessment, Part 10, GeoTon Pty Ltd, GL22355Ac, 11 August 2025.	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

- A. 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.

	Details
Development Description	RESIDENTIAL - ALTERATIONS TO EXISTING DWELLING PLUS CONSTRUCTION OF DETACHED DWELLING EXTENSION AND GARAGE/WORKSHOP
Relevant Period of Approval	2 Years
Other Necessary Permits	Building, plumbing
Attachments	Standard drawing TSD-SW29-v3 Standard drawing TSD-R09-v3
Representations	One (1)

INTRODUCTION:

The applicant is seeking approval for alterations to an existing dwelling plus construction of a detached dwelling extension and Garage/Workshop at 77 St Helens Point Road, Stieglitz.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

1. The Proposal

The applicant is seeking approval for alterations to the existing dwelling and a new outbuilding with a first floor area to be used as a detached dwelling extension, along with driveway widening and extension, new stormwater connection point and retaining wall.

The existing dwelling is located within the Landslip A zone and the proposed alterations are primarily internal. The existing carport is to be reconstructed on the same footprint with a higher roof pitch, and existing bedroom extension is also to be reconstructed on the existing footprint with a new roof to match the dwelling roofline.

The proposed outbuilding is located within the Landslip B zone and comprises a ground floor garage and workshop with a first floor habitable area comprising a detached dwelling extension of two further bedrooms, a living room, bathroom and kitchenette. The design of the outbuilding facilitates through-access for vehicles for boat storage purposes.

There is no native vegetation to be removed as part of this application.

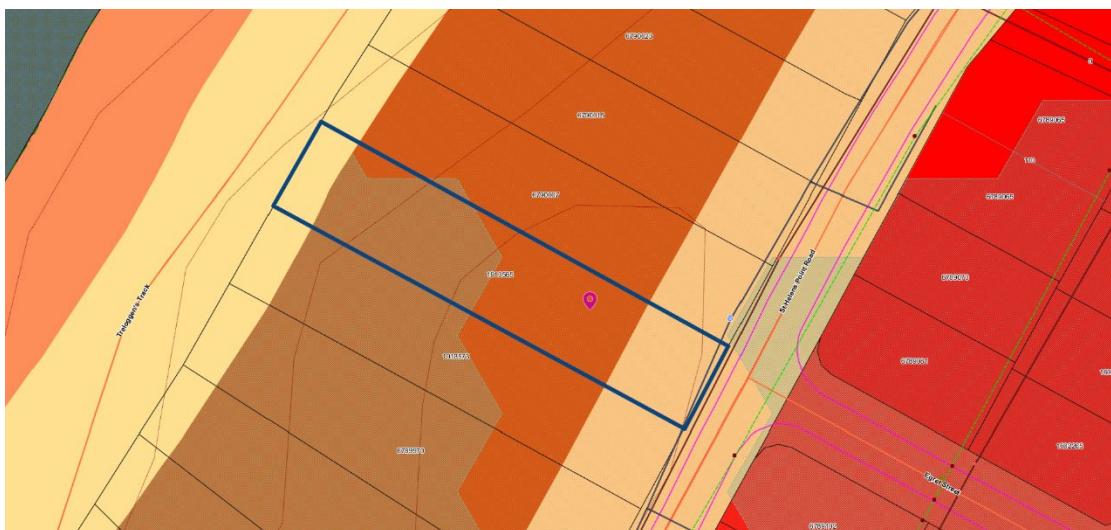
2. Description of the Site and Surrounds

The subject site can be described as having a slope running from the southeast to northwest with an area of 2026m². The property currently has an existing dwelling located approximately in the higher third of the site.

Direction	Planning Scheme Zone	Current Land Use
Northeast	10.0 Low Density Residential Zone	Residential – Single Dwelling
Southeast	8.0 General Residential Zone	Residential – Single Dwelling
Southwest	10.0 Low Density Residential Zone	Residential – Single Dwelling
Northwest	23.0 Environmental Management Zone	Treloggens Track and PWS land



Aerial Imagery



Locality Plan

3. Applicable Planning Assessment

LOCAL PROVISIONS SCHEDULE	APPLICABLE	NOTES
ZONE	YES	10.0 Low Density Residential
SPECIFIC AREA PLANS	NO	BRE-S1.0 SAFEGUARDING ST HELENS AERODROME
	NO	BRE-S2.0 STORMWATER MANAGEMENT

STATE PLANNING PROVISIONS	CODES	TRIGGER	APPLICATION
C2.0 Parking and Sustainable Transport Code	C2.2	Applies to all use and development.	Applies.
C7.0 Natural Assets Code	C7.2	Priority Vegetation areas	No vegetation removal proposed or required. No further assessment against the code applicable.
C15.0 Landslip Hazard Code	C15.2	Applies to use or development within a landslip hazard area.	Applies.
C16.0 Safeguarding of Airports Code	C16.2	Development within an airport obstacle limitation areas	C16.4.1(a) – Exempt.

4. Referrals

4.1 Works Department

Road Authority Comments:

Widening of the crossover is acceptable. See below for permit conditions.

Stormwater Authority Comments:

The Landslide Risk Assessment (25/19066) section 10.4 states the following:

10.4 Drainage

- The stormwater from the existing dwelling must be appropriately discharged to Georges Bay by extending the existing stormwater discharges with fully welded HDPE pipelines aligned up and down the slope, or alternatively designed to be pumped to the Council drainage system;
- Collected surface water from the new development shall be piped to the Council drainage system, or alternatively discharged downslope into Georges Bay within fully welded HDPE pipelines aligned up and down the slope;
- The wastewater from the proposed new development shall be collected and pumped to the sewer line on St Helens Point Road; and
- Uncontrolled discharge of water onto the site ground surface or through absorption trenches is strictly NOT permitted;

With this information in mind please seek clarification from the applicant of how the stormwater will be managed and achieved for the whole of the developed site (existing and proposed) and ensure this is shown on the plans.

A new stormwater connection at the kerb is allowable and should be placed in a section of high back kerb. See below for permit conditions.

***CONDITIONS TO BE INCLUDED ON PERMIT INCLUDING STANDARD DRAWINGS**

1. The crossover (kerb to property boundary) may be widened to 6mt as proposed and must be constructed in accordance with standard drawing TSD-R09-v3.
2. A new stormwater connection at the kerb must be completed by a licenced plumber in accordance with standard drawing TSD-SW29-v3.
3. Prior to any work commencing on a stormwater connection at the kerb and/or the crossover a permit to work in the road reservation must be obtained by submitting a Works Permit application form.

Engineering Comment e.g. Flood:

N/A

4.2 Environmental Health

N/A

4.3 External Referrals

TasWater: TasWater advised Council that *pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(1) TasWater has assessed the application for the above-mentioned permit and has determined that the proposed development does not require a submission from TasWater.*

5. 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
- C15.6.1 Building and works within a landslip hazard area P1.1, P1.2 and P1.3

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.

Performance Criteria Assessment

The proposed outbuilding is to be setback 4.5m from the frontage, with a 900mm high retaining wall between the outbuilding and frontage. The outbuilding and retaining wall has been sited within the Landslip Zone B portion of the site which presents a constraint to increasing the frontage setback as well as the presence of the existing dwelling. The proposed setback is similar to the frontage setbacks of the properties adjoining the site and is considered to be in characteristic and compatible with the pattern of development in the area. The outbuilding will have two roof levels, with the lower level adjacent to the frontage setback, reducing the apparent visual impact of the building when viewed from the street.

Performance criteria met.

A2 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.	P2 The siting of a dwelling must not cause an unreasonable loss of amenity to adjoining properties, having regard to: 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
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	<p>g) the character of development existing on established properties in the area.</p>
Performance Criteria Assessment	
<p>The proposed outbuilding will have a minimum side boundary setback of 1.5m from the south-western boundary. The alignment of the outbuilding follows the alignment of the existing dwelling and as the height of the building increases, the boundary setback increases so that at the highest point of the outbuilding, the south-western setback increases to 5.5m. Shadow diagrams were submitted with the application and as the adjacent dwelling will only be impacted by overshadowing through the morning hours the extent of overshadowing is not to be considered as unreasonable. There is existing vegetation along the shared boundary and the adjacent habitable areas will not be subject to additional overshadowing by the proposed development. The proposed first floor deck is sited on the north-west side of the dwelling which has a setback greater than 5m, and is not considered to unreasonably reduce visual privacy. The proposed outbuilding has a split roof design to reduce visual bulk and the scale of the building is considered in keeping with the residential character of the area.</p>	
<p>Performance criteria met.</p>	

C15.0 Landslip Hazard Code

C15.6 Development Standards for Buildings and Works

C15.6.1 Building and works within a landslip hazard area

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1.1</p> <p>Building and works within a landslip hazard area must minimise the likelihood of triggering a landslip event and achieve and maintain a tolerable risk from landslip, having regard to:</p> <ul style="list-style-type: none"> a) the type, form, scale and intended duration of the development; b) whether any increase in the level of risk from a landslip requires any specific hazard reduction or protection measures; c) any advice from a State authority, regulated entity or a council; and d) the advice contained in a landslip hazard report. <p>P1.2</p> <p>A landslip hazard report also demonstrates that the buildings and works do not cause or contribute to landslip on the site, on adjacent land or public infrastructure.</p>

	<p>P1.3</p> <p>If landslip reduction or protection measures are required beyond the boundary of the site the consent in writing of the owner of that land must be provided for that land to be managed in accordance with the specific hazard reduction or protection measures.</p>
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Performance Criteria Assessment

It was identified in a Landslip Risk Assessment prepared by GeoTon Pty Ltd that the existing dwelling is within an area of inherent doubtful slope stability, and landslides are a natural ongoing geological process. There will always be some level of landslide risk within an area of inherent doubtful slope stability.

However, the assessment considered that the alterations of the existing dwelling, including the demolition and reconstruction of a carport to the east and a bedroom to the north will not increase the current landslide risk and do not require any specific hazard reduction or protection measures at the site, due to the following:

- The alterations will not trigger, spread, or intensify the already existing landslide hazard;
- The alterations will not change the size of the existing dwelling, and the number of bedrooms will not increase;
- These alterations require insignificant to no earthworks within the Landslip A area;
- The existing dwelling is located on a gentle slope and above the sharp break-in slope down towards the bay;
- The existing drainage condition of the site will be improved when the works are carried out in accordance with the report recommendations; and
- The dwelling is connected to town sewage and therefore there is no wastewater load going into the ground.

It was considered that the proposed alterations would not adversely increase the current assessed landslide risk of the site or its immediate surroundings. It is therefore not likely to cause or contribute to the occurrence of a landslide on the site or on adjacent land.

Therefore, it was considered that a tolerable level of risk can be achieved:

- **C15.6.1 - P1.1** – a tolerable level of risk can be achieved for the proposed works, provided the works of the site are in accordance with the general recommendations of the Report.
- **C15.6.1 - P1.2** – It is considered that the works would not adversely impact on the site and immediate surrounds, including land or public infrastructure, provided that the development adheres to the principles of good hillside practice and the general recommendations of the Report.
- **C15.6.1 - P1.3** – landslip reduction or protection works will not be required as part of the development.

With inclusion of appropriate conditions upon any approval, the performance criteria is met.

6. Representations

The application was advertised 15th November 2025 to 28th November 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:-

Representation 01 - Issues	Response
The proposed unit on the first floor of the 'extension', which includes a bathroom and kitchen, is to all intents and purposes a second dwelling.	The proposed unit meets the requirements of a secondary residence, which is meets the definition of residential – single dwelling within the planning scheme and is a No Permit Required use within the Low Density Residential zone.
The current dwelling has been used as short stay accommodation without the requisite permission of council.	Council has no record of the property receiving approval for visitor accommodation use. The Applicant has confirmed with Council that the visitor accommodation use is ceasing and did not form a part of the subject application. Should the property be used in the future for visitor accommodation use, a further planning approval will be required otherwise Council compliance will be pursued.
Concerns in relation to privacy and amenity.	The proposed unit deck is located a minimum 5m from the side south-western boundary. The stairway leading to the deck is orientated so that direct view is not to the adjacent property and is a space of transitional movement only. The orientation of the deck and unit is such that it is angled away from the adjacent south-western property boundary. The living room window of the unit on the south-western elevation has a high window sill height which will ensure no direct view is able from this window to the adjacent property. The alignment of the outbuilding follows the alignment of the existing dwelling and as the height of the building increases, the boundary setback increases so that at the highest point of the outbuilding, the south-western setback increases to 5.5m. Shadow diagrams were submitted with the application and as the adjacent dwelling will only be impacted by overshadowing through the morning hours the extent of overshadowing is not to be considered as unreasonable. There is existing vegetation along the shared boundary and the adjacent habitable areas will not be subject to additional overshadowing by the proposed

	development. The design of the outbuilding is not considered a bulky structure and is residential in scale and the overall development on the subject site satisfies the site coverage acceptable solution of less than 30%.
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The recommendation for approval has been made following due consideration of the representation and comments.

7. **Mediations**

No mediation has occurred.

8. **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 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

01/26.8.3

DA 185-2025 - 213 Binalong Bay Road, St Helens - Residential - Construction of a New Dwelling and Relocation of Existing Shipping Container AND Visitor Accommodation - Change of Use to the Existing Dwelling for Visitor Accommodation only (Removal of Residential Use)

ACTION	DECISION
COUNCIL MEETING DATE	19 January 2025
PROPOSER	Spectura Studio
OFFICER	Alex McKinlay, Planning Officer
FILE REFERENCE	DA 185-2025
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none"> 1. Plans and Documents for Approval 2. Representations (2) 3. Planning Scheme Assessment 4. Applicant's 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 Residential - Construction of a New Dwelling and Relocation of Existing Shipping Container AND Visitor Accommodation - Change of Use to the Existing Dwelling for Visitor Accommodation only (Removal of Residential Use) on land situated at 213 Binalong Bay Road, St Helens described in Certificate of Title 188864/2 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Cover Sheet	A00, Issue A2	Spectura Studio	17/12/2025
Site Plan	A01, Issue A2	Spectura Studio	17/12/2025
Schematic Design	A02, Issue A	Spectura Studio	30/09/2025
Proposed Floor Plan – Entry	A03, Issue A	Spectura Studio	30/09/2025
Proposed Floor Plan – Lower	A04, Issue A	Spectura Studio	30/09/2025
Elevations	A05, Issue A2	Spectura Studio	17/12/2025
Elevations 2	A06, Issue A2	Spectura Studio	17/12/2025
Door / Window Schedule	A07, Issue A	Spectura Studio	30/09/2025
Existing Floor Plan	A08, Issue A1	Spectura Studio	3/11/2025
Structural Feature Elements	A09, Issue A	Spectura Studio	30/09/2025
Renders	A10, Issue A	Spectura Studio	30/09/2025
Landslip Hazard	A11, Issue A	Spectura Studio	30/09/2025
Planning Scheme Response	Nil	Spectura Studio	November 2025

CONDITIONS

CONDITION	TIMING
1 Approved Plans and/or Document	

A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2	Single Dwelling	
A	If a visitor accommodation use is sought for the dwelling proposed as part of this application, 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	Visitor Accommodation	
A	The dual residential and visitor accommodation use rights currently benefiting the existing dwelling structure will be reduced exclusively to visitor accommodation use upon completion of the dwelling proposed as part of this application.	Upon completion of the new dwelling structure and maintained at all times.
4	Stormwater	
A	Concentrated stormwater must not be discharged into neighbouring properties.	To be maintained at all times.
5	Residential Car Parking	
A	The areas shown to be set aside for vehicle access and car parking must be: <ol style="list-style-type: none"> completed before the use of the development; 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	External Colours	
A	The colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements.	Prior to the commencement of use and to be maintained at all times.
7	Erosion and Sediment Control	
A	Submit and have approved by Council, an Erosion and Sediment Control Plan prepared by a suitably qualified person.	Prior to commencement of works and to be maintained current at all times during construction.
B	Implement the requirements and recommendations of the Erosion and Sediment Control Plan.	During site works and for any period of maintenance identified within the Plan.
8	Effluent Disposal	
A	Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's Plumbing Permit Authority.	Prior to the commencement of use and maintained at all times.
9	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 environmental nuisance being caused outside of the works site.	At all times.
10	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. 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.
3. Activities associated with construction works are not to be performed outside the permissible time frames listed:

Mon-Friday 7 am to 6 pm
 Saturday 9 am to 6 pm
 Sunday and public holidays 10 am to 6 pm
4. Operation of the approved visitor accommodation use associated with DA 054-2020 Change of Use – Dwelling to Visitor Accommodation must remain in accordance with the conditions included within the permit issued for this previous application.

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

Development Permit Information	Details
<i>Development Description</i>	Residential - Construction of a New Dwelling and Relocation of Existing Shipping Container AND Visitor Accommodation - Change of Use to the Existing Dwelling for Visitor Accommodation only (Removal of Residential Use)
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Nil
<i>Attachments</i>	Nil
<i>Representations</i>	Two (2)

INTRODUCTION:

The applicant is seeking approval for the construction of a three-bedroom dwelling with attached carport and deck in addition to the relocation of an existing shipping container and removal of the residential use right currently benefiting the existing dwelling at 213 Binalong Bay Road, St Helens.

PREVIOUS COUNCIL CONSIDERATION:

DA 125-1995 14 Lot Subdivision – application was refused during the Council Meeting on the 12/02/1995. The decision for refusal was appealed by the applicant and the application was taken to the Resource Management and Planning Appeal Tribunal. A decision was made on the 15/05/1996 to set aside the refusal and instead granted approval subject to the conditions outlined within the decision notice. The approval of this application allowed for the creation of the subject site that forms part of this current application.

OFFICER'S REPORT:

1. The Proposal

The applicant is seeking approval for residential use and development of a three-bedroom dwelling with an attached carport and deck including the relocation of an existing shipping container in addition to the removal of the residential use currently benefiting an existing dwelling on the subject site at 213 Binalong Bay Road, St Helens. Specifically, the provided plans demonstrate that the following development and works are intended to form part of this application:

- Construction of a 230m² dwelling including an attached 67.4m² deck with a spa and 42m² carport. The proposed dwelling is a single storey structure with a total building height of 6.329m. The proposed dwelling will include three-bedrooms (note: Bedroom 1 includes an ensuite), bathroom, laundry, kitchen, dining, lounge, theatre and study space. Notably, the

proposed dwelling will be externally clad with rough sawn hardwood board and batten (Natural finish – weathered) and corrugate sheet metal for the roof (Finish: Zincalume);

- Extension of the existing driveway to the intended location for the proposed dwelling; and
- Relocation of the existing shipping container (note: approved under DA 363-2021) from south of the existing dwelling and garage structure to the rear of the existing shed and attached veranda approved under DA 265-2022.

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**

- A referral was issued to the Department of State Growth on the 7/10/2025 which sought comment/advice regarding the current application. On the 7/10/2025, the Department of State Growth promptly responded to the referral confirming that the Department had no objections to the proposed development.
- A referral was issued to TasNetworks on the 7/10/2025 which sought comment/advice regarding the current application. On the 14/10/2025, TasNetworks confirmed the development is not likely to adversely affect TasNetwork's operations.

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:

- 22.4.1 Site Coverage (P1)
- 22.4.2 Building height, siting and exterior finishes (P1 and P5)

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

22.4 Development Standards for Buildings and Works

22.4.1 Site Coverage

Acceptable Solutions	Performance Criteria
A1 Site coverage must be not more than 400m ² .	P1 Site coverage must be compatible with the landscape values of the site and surrounding area, having regard to: <ul style="list-style-type: none">a) the topography of the site;b) the capacity of the site to absorb run-off;c) the size and shape of the site;d) the existing buildings and any constraints imposed by existing development;e) the need to remove vegetation;f) the location of development in relation to cleared areas; andg) the location of development in relation to natural hazards.

Assessment against the Performance Criteria is required.

Performance Criteria Assessment

The proposed development for a new dwelling including relocation of Existing Shipping Container (Residential Use) and removal of the residential use right currently benefiting the existing dwelling on the subject site at 213 Binalong Bay Road is unable to satisfy the acceptable solution.

It is evident from the submitted plans that the proposed development in conjunction with the existing roofed structures will contribute towards a site coverage exceeding 400m² on the 6.062ha subject site (note: approximately 735m² or 1.2%). However, the performance criteria can be considered appropriately satisfied as evident in the completed assessment below:

- a) The subject site can be described as having moderate east facing slopes which continues from the western boundary down towards Binalong Bay Road and the adjoining residential properties.
- b) The subject site has an area of 6.062ha and accordingly is of a sufficient size to absorb stormwater run-off associated with both existing and proposed structures.
- c) The property has an area of 6.062ha and can be described as having an irregular rectangular like shape.
- d) There are a number of existing structures and development on the subject site including:

- Shed and attached dwelling unit which includes a retaining wall;
- Shed with attached awning;
- Shipping container;
- Two water tanks (note: there is a 22,500L tank and a 220,000L tank); and
- An existing driveway.

Due to the size of the subject site and current location of the abovementioned existing structures and development, it is reasonable to conclude that the proposed dwelling is not adversely impacted or constrained by these existing features.

- e) The siting of the proposed development on cleared land ensures that vegetation removal is neither proposed nor required as part of this application.
- f) See completed assessment above.
- g) It is worth noting that the entirety of the development site is subject to the Bushfire Prone Areas Overlay but assessment against the C13.0 Bushfire-Prone Areas Code is not required as the proposed development cannot be considered as either a hazardous or vulnerable use as per the definitions contained within the code. Additionally, the proposed development has been sited outside of the area on the property which is currently subject to the Low Landslip Hazard Band Overlay and the Medium Coastal Erosion Hazard Band Overlay. Accordingly, this application does not require assessment against C15.0 Landslip Hazard Code or C10.0 Coastal Erosion Hazard Code.

22.4.2 Building height, siting and exterior finishes

Acceptable Solutions	Performance Criteria
A1 Building height must be not more than 6m.	P1 Building height must be compatible with the landscape values of the site, having regard to: <ul style="list-style-type: none"> a) the height, bulk and form of proposed buildings; b) the height, bulk and form of existing buildings; c) the topography of the site; d) the visual impact of the buildings when viewed from roads and public places; and e) the landscape values of the surrounding area.

Assessment against the Performance Criteria is required.

Performance Criteria Assessment

The proposed development for a new dwelling including relocation of Existing Shipping Container (Residential Use) and removal of the residential use right currently benefiting the existing dwelling on the subject site at 213 Binalong Bay Road is unable to satisfy the acceptable solution.

The elevation drawings demonstrate that the proposed dwelling will have a total building height of 6.807m above the natural ground level. However, the performance criteria can be considered appropriately satisfied as evident in the completed assessment below:

a) The proposed 230m² dwelling and attached 67.4m² deck and 42m² carport, is intended to have a total building height of 6.807m thereby contributing towards an exceedance of 0.807m over the 6m requirement outlined in A1. The structure demonstrates that the design responds to the sloping nature of the property. The elevation drawings show that the dwelling is intended to have a stepped building profile with an entry level and lower level and that a reasonable level of articulation has been afforded with regard being also being given to the wall cladding (rough sawn hardwood board and batten) and corrugate sheet metal for the roof.

b) The height, bulk and form of existing buildings on the subject site can be described as follows:

- Shed and attached dwelling unit has a total building height of 3.937m, is rectangular in shape and has a floor area of 108m²;
- Shed with attached awning has a total building height of 5.558m, is rectangular in shape and has a floor area of approximately 288m²; and
- Shipping container has an approximate height of 2.55m, is rectangular in shape and has a floor area of approximately 14.641m².

c) The subject site can be described as having moderate east facing slopes which continues from the western boundary down towards Binalong Bay Road and the adjoining residential properties.

d) With regard being given to the assessment completed in (a) above, it is reasonable to conclude that the visual impact associated with the development will not contribute towards an adverse impact with consideration being given to viewing the structure from adjoining properties. Additionally, the closest boundary setback to the proposed development is 46.375m to the northern boundary and the main road (Binalong Bay Road) is located over 260m to the east of the intended location for the dwelling.

e) Aerial imagery demonstrates that the majority of surrounding properties consist of established residential uses and contain substantial areas that have been cleared of vegetation. It is worth noting that there are mapped threatened native vegetation communities including:

- Eucalyptus globulus dry forest and woodland – located on adjoining properties to the north, south and west; and
- Melaleuca ericifolia swamp forest – located over 500m to the south of the subject site.

Notably, the proposed development is intended to be constructed on cleared land and accordingly this application does not include nor require the removal of vegetation.

Acceptable Solutions	Performance Criteria
A5	P5

Exterior building finishes must have a light reflectance value not more than 40%, in dark natural tones of grey, green or brown.	Exterior building finishes must not cause an unreasonable loss of amenity to occupiers of adjoining properties or detract from the landscape values of the site or surrounding area, having regard to: <ol style="list-style-type: none"> <li data-bbox="531 291 1432 359">a) the appearance of the building when viewed from roads or public places in the surrounding area; <li data-bbox="531 359 1432 404">b) any screening vegetation; and <li data-bbox="531 404 1432 471">c) the nature of the exterior finishes.
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Assessment against the Performance Criteria is required.

Performance Criteria Assessment

The proposed development for a new dwelling including relocation of Existing Shipping Container (Residential Use) and removal of the residential use right currently benefiting the existing dwelling on the subject site at 213 Binalong Bay Road is unable to satisfy the acceptable solution.

The proposed dwelling is intended to have corrugate sheet metal for the roof (Finish: Zincalume – silver/grey in colour) and accordingly a light reflectance value exceeding 40% is expected. However, the performance criteria can be considered appropriately satisfied as evident in the completed assessment below:

- a) The subject site does contain some existing vegetation coverage which will contribute towards screening the dwelling from the adjoining properties at 219 Binalong Bay Road, 211 Binalong Bay Road and 209 Binalong Bay Road. The reflectance associated with the corrugate sheet metal for the roof will be lessened with regard being given to existing vegetation between the subject site and the above-mentioned properties. Additionally, the proposed dwelling is sited over 260m to the main road (Binalong Bay Road) and is unlikely to cause an unreasonable impact due to the distance of the structure to the road and the presence of vegetation along the western side of the road.

It is worth noting that there is sparse vegetation coverage between the proposed dwelling and the adjoining properties at 277 Binalong Bay Road, 281 Binalong Bay Road, 283 Binalong Bay Road, 285 Binalong Bay Road and 287 Binalong Bay Road. However, given that the proposed dwelling will be located over 260m upslope of these adjoining properties, it is reasonable to conclude that any reflectance impact derived from the roof will not be unreasonable.

- b) See completed assessment above.
- c) See completed assessment above for criterion (a) and through the inclusion of an appropriate condition regarding external colours, this performance criterion can be satisfied.

5. Representations

The application was advertised 29th November 2025 to 12th December 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
<p>The property is subject to a restrictive covenant which limits the height of buildings and structures. Specifically, the representor sought clarification on the following:</p> <ul style="list-style-type: none"> • <i>Do the elevations on the plans (+67.04) refer to AHD (Australian Height Datum)?</i> • <i>The proposed carport appears to sit higher than the new dwelling, yet no height level is provided. What is the AHD of the carport?</i> • <i>There is no height comparison between the proposed new dwelling and the existing visitor accommodation located behind it.</i> 	<p>The submitted elevation drawings demonstrate that the proposed development will have a total building height of 6.807m. In response to the concern raised over the height of the proposed development with regard being given to the restrictive covenant, the applicant submitted amended plans demonstrating that the total height of the proposed development will be at 67.46 AHD. Accordingly, the proposed development is well below the height of 71 AHD as specified within the restrictive covenant.</p> <p>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). Notably, the exceedance of the building height outlined within the acceptable solution (i.e. 6m) is a discretionary item which required assessment. Please refer to the Planning Officer's completed assessment against P1 of 22.4.2 <i>Building height, siting and exterior finishes</i>.</p>
<p>Asserts that the subject site does not have access via the existing private owned and maintained road with reference being made to the title documents associated with 209 Binalong Bay Road (CT 132454/1) and the prior folio plan and schedule of easements related to sealed plan 126959.</p>	<p>The subject site at 213 Binalong Bay Road (CT 188864/2) does benefit from a right of way through the adjoining property at 211 Binalong Bay Road (CT 188864/1) as detailed within the schedule of easements associated with sealed plan 188864. As noted within the applicant's planning scheme response in addition to the submitted plans, access to the proposed development can be achieved via the existing access and associated driveway from Binalong Bay Road.</p> <p>Any further disputes regarding access over the private road is a civil matter and there is separate process to address this should the representor wish to pursue this further.</p>
<p>Noted that the applicant's planning scheme response confirms an existing access from Binalong Bay Road and requests that all future access is achieved from Binalong Bay Road.</p>	<p>Please refer to the response provided above for the second issue raised.</p>
<p>Would like to note that there is a makeshift driveway being used which enters from 211 Binalong Bay Road further noting that the entry</p>	<p>As above</p>

is located on a blind corner. The use of the entry has resulted in headlights shinning into their home at night.	
Due to issues over repeated use of the private road, the representor further objects to the visitor accommodation citing safety and intrusion concerns due to increasing visitor numbers.	Additional visitor accommodation uses are not proposed as part of this current application but does include the removal of the residential use currently benefiting an existing dwelling (note: the structure has a floor area of 108m ²) on the subject site at 213 Binalong Bay Road, St Helens. Previous planning approval was granted under <u>DA 054-2020 Change of Use – Dwelling to Visitor Accommodation</u>) which allowed for the dual use of the existing dwelling structure for both residential and visitor accommodation uses.

Representation 02

Issue	Response
Seeking confirmation that access to the development will be utilising the driveway shown on the plans and are not supportive of a second access via the right of way which current services several adjoining properties.	Please refer to the responses provided to the issues outlined within Representation 01 above as this representation contained similar issues.

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 17/12/2025 to address concerns raised within the submitted representations and to correctly illustrate the south-western corner of the subject site.

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 22.0 Landscape Conservation Zone 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.

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

01/26.9.0

COUNCIL MEETING ACTIONS

01/26.9.1

Outstanding Matters



COUNCIL RESOLUTIONS - MEETINGS - PUBLIC

13/01/2026



COUNCIL RESOLUTIONS PLAN

ANNUAL GENERAL MEETING RESOLUTIONS 2025

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
0%	09/12/2025	30/06/2026	AGM/25.7.1 Budget for a full time Weed Officer and full time Animal Control Officer - North East Bioregional Network	We request the Break O Day Council commit to budgeting for a full time Weed Officer and full time Animal Control Officer in order to reflect the critical importance of managing weeds and feral (and domestic) animals as a key strategy to safeguard our precious natural environment and wildlife?	Report to be prepared for Council including costings for consideration	Manager Infrastructure and Development Services
50%	09/12/2025	30/06/2026	AGM/25.7.2 Protection of the high conservation value Future Potential Production Forests - North East Bioregional Network	Break O Day Council publicly support the protection of the high conservation value Future Potential Production Forests for the benefit of the community for carbon storage, water catchments (including Scamander and George River), wildlife habitat, threatened species including Swift Parrots, Spotted Tailed Quoll, Tasmanian Devil, Masked Owl and Wedgetailed Eagles, scenic beauty and passive recreation.	Council has previously included nature conservation values in its efforts between 2020 and 2022 to ensure FPPF land changes by the state government in Break O'Day are for sustainable management of these forests and benefit of the community. A response to the AGM question is being prepared.	NRM Facilitator
100%	09/12/2025	30/06/2026	AGM/25.7.3 Compliance and education efforts to reduce the amount of illegal land clearing - North East Bioregional Network	We request Break O Day Council increase compliance and education efforts to reduce the amount of illegal land clearing in the Break O Day municipality.	Additional educational materials have been published in Councils Newsletter and continual education occurs via planning and development enquiries. Council officers will continue to investigate complaints where made in accordance with Councils compliance policy.	Development Services Coordinator

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
0%	09/12/2025	30/06/2026	AGM/25.7.4 Protect the scenic and natural values of the Break O Day coastline - North East Bioregional Network	<p>That Break O Day Council support the following recommendations to protect the scenic and natural values of the Break O Day coastline:</p> <ol style="list-style-type: none"> 1. A ban on strata titles and multiple dwellings for tourism accommodation outside of serviced settlements 2. Reintroduce the prohibition on subdivision within 1km of the coast outside of settlements to prevent ribbon development and unrelated cluster development 3. Higher standards for stormwater management than those in the current Break O Day Stormwater SAP to protect coastal waterways and wetlands water quality and ecosystems 4. Establish a comprehensive and effective Scenic Protection Code which preserves the scenic beauty of the Break O Day municipality 	<p>A report is being prepared for consideration at the February Council meeting addressing the four items raised.</p>	Senior Town Planner

COUNCIL RESOLUTIONS 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
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
20%	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%	15/12/2025	19/01/2026	12/25.8.1.639 DA 115-2025 - 21 Aerodrome Road, Stieglitz - Transport Depot and Distribution – Construction of a New Aircraft Hangar	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 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:	Planning Permit issued 16th December 2025.	Development Services Coordinator
100%	15/12/2025	19/01/2026	12/25.8.2.640 DA 140-2025 - 7-11 Freshwater Street, Beaumaris – Construction of a Dwelling and Frontage Fences	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 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:	Planning Permit issued 16th December 2025.	Development Services Coordinator

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
100%	15/12/2025	19/01/2026	12/25.8.3.641 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	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 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:	Planning Permit issued 16th December 2025	Development Services Coordinator
100%	15/12/2025	19/01/2026	12/25.8.4.642 DA127-2025 - 30 & Lot 8 Heritage Road, St Helens – New dwelling and shed with amenities	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 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:	Planning Permit issued 17th December 2025	Development Services Coordinator
0%	15/12/2025	19/01/2026	12/25.11.1.643 Telstra Tower – Calling on Telstra to Host a Community Meeting – Mayor Tucker	<i>No value</i>	Letter was sent to Telstra's Regional General Manager for Tasmania, Mr Michael Patterson, inviting him to host a public community meeting in Break O'Day on 15 December 2025.	General Manager
100%	15/12/2025	19/01/2026	12/25.13.3.646 Fees and Charges 2025-2026	That Council adopt Fees & Charges 2025/2026 for the Fees and Charges updated according to use of the Meeting Room and Library at the Council Offices as follows: \$20 per hour \$70 ½ day \$150 per day	Council Resolution.	Corporate Services Coordinator
100%	15/12/2025	19/01/2026	12/25.15.3.652 Break O'Day – Events Policy CB10	That Council adopts the Break O'Day Events Policy - Policy No CB10 as presented.	Policy updated.	Corporate Services Coordinator
100%	15/12/2025	19/01/2026	12/25.15.4.653 Break O'Day Council Street Art Policy CB11	That Council adopts the Break O'Day Council Street Art Policy - Policy No CB11 as presented.	Policy Updated.	Corporate Services Coordinator
100%	15/12/2025	19/01/2026	12/25.15.5.654 Draft - Art & Cultural Strategy	That Council adopt the Break O'Day Art & Cultural Strategy.	Council adopted the Strategy - advised the group who Council staff worked with of the decision of Council.	Manager Community Services
100%	15/12/2025	19/01/2026	12/25.15.7.655 Banner Pole Waiver – St Helens Flower Show	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;	The community group running the event were advised of the Council decision and banner will be installed	Manager Community Services

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
100%	15/12/2025	19/01/2026	12/25.15.8.656 St Marys Sports Complex – Motorcycle Muster Event	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 1. 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.	The group organising the motor cycle muster in 2027 were advised of the Council decision.	Manager Community Services
100%	15/12/2025	19/01/2026	12/25.15.9.657 Sponsorship request – Break O'Day Artists Inc.	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.	The Art group were advised of the Council decision in relation to their funding request and a grant application form for the Art & Culture grant program was provided by email as well.	Manager Community Services
100%	15/12/2025	19/01/2026	12/25.15.10.658 Sponsorship request – Battle by the Beach: Warrior Women	1. 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.	The group proposing to hold this event were advised of the Council decision by email.	Manager Community Services
100%	15/12/2025	19/01/2026	12/25.16.2.660 Development Assessment Panels – October 2025 Round 3	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.	LGAT has been advised that the following motion adopted by Council at its meeting on 15 December 2025 was carried unanimously: <i>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:</i> 1. <i>Local government rejects the updated DAPs Bill; and</i> 2. <i>Should the Bill progress, the DAP process call in criteria is limited to Council and Homes Tasmania as the applicant.</i>	Senior Town Planner

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
100%	15/12/2025	19/01/2026	12/25.16.3.661 Amplitel Pty Ltd v Break O'Day Council [2025] TASCAT 223	<p>For the information of Council and any required discussion and further direction if any.</p> <p>In the absence of further Council direction, Development Services is to follow the instructions of the TASCAT in accordance with their decision.</p>	<p>On 5 December 2025, the Tasmanian Civil and Administrative Tribunal released the following orders:</p> <p><i>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.</i></p> <p><i>2. The Break O'Day Council is directed to issue a permit for DA 2024/00245 according with these orders within 14 days.</i></p> <p>A planning permit was issued on 10/12/2025.</p>	Senior Town Planner
100%	15/12/2025	19/01/2026	12/25.17.2.663 Council Meeting Dates and Workshop Dates for 2025	That the following dates and times be approved for Council Meetings and Workshops to be held in 2026.	Council meeting dates for 2026 were endorsed and circulated via Notice of Meetings in the Examiner on 20 December 2025 and published on BODC's website.	General Manager
100%	15/12/2025	19/01/2026	12/25.17.4.665 TasWater's Price and Service Plan 5	That Council: provide a letter of support for TasWater's proposed Price and Service Plan 5 for the regulatory period 2026 – 2030.	Letter was sent to TasWater on 17 December 2025.	General Manager

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. 	<p>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.</p>	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>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</p> <p>That Council considers options to develop walking trails around and within the Scamander Complex precinct.</p>	<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</p>	Manager Infrastructure and Development Services
50%	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>	<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. Meeting held on 18/12/25 with Homes Tas representatives, Council have been asked to identify exactly what is required in terms of green space. Surveyor engaged to prepare a draft Plan.</p>	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. 	<p>Council received one expression of interest through the process in May 2025. Process placed on hold due to situation with Fingal Post Office. Process recommenced in November 2025 closing towards the end of January. A report will come to Council following assessment</p>	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"> 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 Subject to Planning and Building approval being obtained that Council grant permission to carry out the proposed installation of a new electronic scoreboard, and 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. 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	<p>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.</p> <p>2. That funds from Public Open Space – St Helens be used to engage a landscape architect to undertake this project.</p>	<p>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.</p>	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>	<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</p>	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.	This is an on-going topic yet to be developed and opportunities brought to Council's attention through Council's NRM Committee. 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.	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

01/26.10.0 PETITIONS

Nil

01/26.11.0 NOTICES OF MOTION

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

Nil

01/26.12.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

01/26.12.1 Mayor's Communications for Period Ending 19 January 2026

12.01.2026	MS Teams	– NTRLUS Consultation - Briefing session for Councillors for the progress to date of the review of the Northern Tasmania Regional Land Use Strategy (NTRLUS).
13.01.2026	Hobart	– Meeting with Ms Jane Howlett to discuss campsites in Break O'Day.
14.01.2026	MS Teams	– Meeting with LGAT CEO Dion Lester and GMC Vice President, Mayor Paula Wriedt.
19.01.2026	St Helens	– Council Meeting.

0/25.12.2 Councillor's Reports for Period Ending 19 January 2026

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

01/26.13.0

BUSINESS AND CORPORATE SERVICES

01/26.13.1

Corporate Services Department Report

ACTION	INFORMATION
PROPOSER	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:

Asset Management

Work this month focused on the internal review of a draft Asset Management Framework. In parallel, the Transport Master Plan continues to be refined, informed by external condition assessment data and improved understanding of asset lifecycles. Together, these draft plans will form a critical strategic foundation for the development of Council's Strategic Asset Management Plan in the coming months, with a strong emphasis on data maturity, planned investment and fair prioritisation across all asset classes.

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 includes a dedicated update on WHS activity across the organisation. This month saw continued management of insurance claims and internal WHS activities and reporting obligations.

Over the holiday period, Council experiences a significant increase in visitors and seasonal activity. A small number of incidents were reported and managed by staff in accordance with established processes. While overall volumes remain low, these periods continue to inform improvements to hazard awareness, reporting responsiveness, and safety planning.

Aquatic Centre Feasibility – Community Survey Participation

Community consultation continued this month, supported by a public survey designed to ensure Council hears from as broad and representative a cross-section of voices as possible. Participation levels remain moderate and given the importance of this project further advertisements on Council Facebook page and through other communication channels will continue. The more perspectives Council receives, the stronger the foundation for future deliberation and the better the outcome will reflect the real diversity of needs across our towns, our residents and our visitors. If you have capacity, please take the survey and encourage others to do the same. Every voice genuinely does matter in informing the decisions ahead.

Investments

Portfolio performance continues to exceed expectations despite easing rate forecasts. This reflects disciplined liquidity management and a strategy intentionally designed to optimise returns while protecting capital and maintaining flexibility as Council's cash position shifts throughout the year.

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	MATURED
10.07.2025	10.12.2025	5	1,000,000.00	17,708.33	\$1,017,708.33	4.25%	Bendigo	MATURED
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
09.12.2025	09.06.2026	6	1,000,000.00	21,950.00	\$1,021,950.00	4.39%	Westpac	CURRENT
09.12.2025	09.07.2026	7	1,000,000.00	25,783.33	\$1,025,783.33	4.42%	Westpac	CURRENT
30.09.2025	30.08.2026	11	1,500,000.00	57,475.00	\$1,557,475.00	4.18%	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)	Principal 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 - 7 January 2026

	2025/2026		2024/2025	
	%	\$	%	\$
Rates Brought Forward				
Outstanding Rate Debtors		1,018,129.97		813,964.84
Less Rates in Credit		-326,736.45		-296,603.81
Net Rates Outstanding at 30 June 2025	4.48	691,393.52	3.63	517,361.03
Rates and Charges Levied	94.89	14,654,315.61	95.76	13,649,766.51
Interest and Penalty Charged	0.63	97,452.83	0.61	86,991.60
Total Rates and Charges Demanded	100.00	14,751,768.44	100.00	13,736,758.11
Less Rates and Charges Collected	65.21	10,070,480.10	66.45	9,472,003.98
Less Credit Journals and Supp Credits	1.54	237,147.94	1.37	195,785.15
Remissions and Discount	4.36	672,858.39	4.50	642,047.04
Unpaid Rates and Charges as at 7 January 2026	28.90	4,462,675.53	27.67	3,944,282.97
Remissions and Discounts				
Early Payment Discount		132,202.06		121,588.87
Pensioner Rebates		540,656.33		518,178.39
		672,858.39		639,767.26
Number Rateable Properties		6,920		6,883
Number Unpaid Rateable Properties		3,285		3,278
% Properties Not fully paid		47.47		47.62

Right to Information (RTI) Requests

Nil

132 and 337 Certificates

	132	337
December 2025	58	35
November 2025	62	28
December 2024	40	23

**Debtors @
12 January 2026**

DEBTORS INFORMATION

Invoices Raised

Current			Previous Year	
Month	Mth Value	YTD 25/26	Month	Mth Value
54	\$150,560.82	393	46	356

**Creditors @
4 December 2025**

CREDITORS INFORMATION

Payments Made

Current			Previous Year	
Month	Mth Value	YTD 25/26	Month	YTD 24/25
332	\$984,540.50	2216	301	1707

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

OFFICER'S RECOMMENDATION:

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

1. Profit and Loss Statements
2. Balance Sheet
3. Statement of Cash Flows
4. Capital Works 2025-2026

INTRODUCTION:

Presented to Council are the monthly financial statements.

PREVIOUS COUNCIL CONSIDERATION:

Council considers financial reports on a monthly basis.

OFFICER'S REPORT:

The financial statements as shown below show the financial position of Council as at 31 December 2025.

Profit and Loss

Break O'Day Council

For the 6 months ended 31 December 2025

Account	Actual YTD	Budget YTD	Budget Variance YTD	Budget Variance % YTD	Annual Budget	Notes
Trading Income						
Rates	14,436,850	14,369,102	67,748	0%	14,369,102	
User Fees	792,204	731,986	60,218	8%	1,477,883	
Operating Grants	1,638,287	1,428,890	209,397	15%	4,217,477	1
Interest & Investment Income	495,684	467,127	28,557	6%	1,048,000	
Contributions	15,206	5,518	9,688	176%	6,037	
Other Revenue	93,230	24,870	68,360	275%	49,739	2
Total Trading Income	17,471,461	17,027,493	443,968	3%	21,168,238	
Gross Profit	17,471,461	17,027,493	443,968	3%	21,168,238	
Capital Grants						
Grants - Capital Other	590,240	0	590,240	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	1,877,316	890,284	987,032	111%	2,165,853	3
Other Non Operating Income						
Net Gain/Loss on Disposal of Assets	51,826	20,000	31,826	159%	100,000	
CRS Revenue - Waste	9,539	0	9,539	0%	0	
Total Other Non Operating Income	61,365	20,000	41,365	207%	100,000	
Total Non Operating Revenue	1,938,681	910,284	1,028,397	113%	2,265,853	
Operating Expenses						
Employee Costs	3,250,990	3,359,530	(108,540)	-3%	6,939,061	
Materials & Services	4,038,019	4,724,390	(686,371)	-15%	8,747,236	4
Interest	9,841	11,569	(1,728)	-15%	42,076	
Depreciation	2,709,475	2,629,391	80,084	3%	5,258,739	
Other Expenses	165,692	175,740	(10,048)	-6%	342,536	
Total Operating Expenses	10,174,017	10,900,620	(726,603)	-7%	21,329,648	
Operating Net Profit	7,297,444	6,126,873	1,170,571	19%	(161,410)	
Net Profit (Including Non Operating Revenue)	9,236,125	7,037,157	2,198,968	31%	2,104,443	
Work in Progress						
Capital Work in Progress	2,006,169	0	2,006,169	0%	0	
Total Work in Progress	2,006,169	0	2,006,169	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 \$68k higher than budget, which is predominantly due to a refund from Aurora regarding an overcharge of 2024/25 power charges.
- Capital grants are \$987k 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 Bushire Recovery and LRCI Phase 4 grant funded projects.

Balance Sheet

Break O'Day Council

As at 31 December 2025

Account	31-Dec-25	30 June 2025
Assets		
Current Assets		
Cash & Cash Equivalents	4,456,772	7,454,872
Investments	12,000,270	5,000,000
Trade & Other Receivables	4,943,932	1,424,890
Inventory	231,648	311,419
Other Assets	2,838	2,838
Total Current Assets	21,635,460	14,194,019
Non-current Assets		
Trade and Other Receivables	14,392	14,392
Property, Plant & Equipment	232,125,428	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	269,497,634	272,206,309
Total Assets	291,133,094	286,400,328
Liabilities		
Current Liabilities		
Trade & Other Payables	233,796	1,873,953
Contract Liabilities	0	810,172
Lease Liability	75,199	75,199
Interest Bearing Loans & Borrowings	337,148	384,494
Provisions	1,014,570	1,014,570
Trust Funds and Deposits	577,730	577,244
Total Current Liabilities	2,238,443	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	4,238,012	6,735,203
Net Assets	286,895,082	279,665,126
Equity		
Accumulated Surplus	54,103,421	46,873,465
Reserves	232,791,661	232,791,661
Total Equity	286,895,082	279,665,126

Statement of Cash Flows

Break O'Day Council

For the 6 months ended 31 December 2025

Account	YTD	2025
Operating Activities		
Receipts from customers	898,193	1,689,665
Receipts from rates	10,565,779	13,414,011
Receipts from Operational Grants	854,477	3,087,319
Contributions	15,663	53,665
Interest received	282,284	899,801
Dividends received	213,400	465,600
Payments to employees	(3,392,034)	(6,398,399)
Payments to suppliers	(5,017,712)	(8,787,643)
Finance Costs	(21,478)	(143,733)
Cash receipts from other operating activities	611,692	1,288,954
Cash payments from other operating activities	(2)	(3,002)
Net Cash Flows from Operating Activities	5,010,262	5,566,237
Investing Activities		
Proceeds from sale of property, plant and equipment	57,009	58,175
Payment for property, plant and equipment	(2,732,246)	(7,251,921)
Payment for investments	(7,000,270)	4,500,000
Capital Grants received	1,714,616	2,623,201
Other cash items from investing activities	0	(151,500)
Net Cash Flows from Investing Activities	(7,960,891)	(222,045)
Financing Activities		
Proceeds of trust funds and deposits	(124)	16,401
Repayment of loans	(47,347)	(2,605,557)
Repayment of lease liabilities	0	(25,932)
Net Cash Flows from Financing Activities	(47,471)	(2,615,088)
Net Cash Flows	(2,998,100)	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	(2,998,100)	2,729,104
Cash and cash equivalents at end of period	4,456,772	7,454,872

Break O'Day Council

Capital Works 2025-2026

For the 6 months to 31 December 2025

Project Details	YTD @ 31/12/2025	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	34,950		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 6 months to 31 December 2025

Project Details	YTD @ 31/12/2025	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	18,421	22,571	20,000	42,571
Falmouth - New Toilet design	200,188		200,000	200,000
Falmouth Community Centre - Internal Alterations	105,316		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	436,347	57,571	855,000	912,571
Parks, Reserves & Other				
Special Project: Scamander Coastal Hazards Project	57,843	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	37,834	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	246,624	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	49,966		100,000	100,000
Total Footpaths	49,966		200,000	200,000
Roads - Kerb & Channel				
Total Kerb & Channel	-			
Roads - Resheeting				
25/26 Road Resheeting - various	126,528		700,000	700,000
Ansons Bay Road- Resheeting	163,585			
Total Resheeting	290,112		700,000	700,000

Break O'Day Council

Capital Works 2025-2026

For the 6 months to 31 December 2025

Project Details	YTD @ 31/12/2025	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	340,078	55,084	2,604,916	2,660,000
Bridges				
Bridge 185 - Gilles Road	7,954		307,000	307,000
Bridge 2684 - Pedder Street	6,637		200,000	200,000
Total Bridges	14,590	-	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	2,006,169	2,619,008	6,635,171	9,254,179

01/26.14.0

WORKS AND INFRASTRUCTURE

01/26.14.1

Works and Infrastructure Report

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	December 2025	January 2026
Aerodrome	Routine inspections.	Routine inspections.
Town Maintenance	Helping with preparation for Christmas events. Mowing of reserves, sports grounds and town priority maintenance areas. Replaced Softfall - Stieglitz playground.	Continuation of mowing around all towns. Assisting with set up for community events. Arborist engaged to undertake tree work mid-month.
Road Network	Maintenance grading of Leona Road, Heffords Road and Deals Road. Maintenance grading of Fingal, Mathinna and Seymour roads and around the St Marys area. Roadside slashing undertaken Mathinna, Fingal, Cornwall.	Roadside slashing in areas as required. Road sealing to commence later in the month. Resheeting of Powers Road.
Stormwater	Minor stormwater work in Reedy Road, Beaumaris.	

MTB	Routine track maintenance. Trail inspections.	Routine track maintenance. Trail inspections.
Weed Management	Aerodrome – thistles, Spanish heath, fleabane. Four Mile Creek – Spanish heath, blackberry. St Marys – broadleaf, Spanish heath, gorse Binalong Bay – thistles, mullein, blackberry, broadleaf, hemlock. Ansons Bay Road – broadleaf, Spanish heath, thistles.	Bike trails – foxglove. Stieglitz – California thistle. St Marys – gorse, Spanish heath, broadleaf. St Helens – Spanish heath.
Asset Management	Playground inspections. Building inspections.	

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	238	14	121	0	0	48	42	-6
Dec	282	TBA		0	0	0	56	TBA	
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	1,631		171	212		590	206	

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
PROPOSER	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
December	1,324	57	1,381

Unpaid Registrations: Final reminder notices were sent at the end of October 2025, requesting payment by the end of November 2025. Outstanding registrations are actively followed up.

Summary Statistics for reporting period – December 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)								0	1
Dog - Attack on a person (Minor)								0	3
Dog -Attack on another animal (Serious)								0	0
Dog -Attack on another animal (Minor)								0	2
Dog - Declared Dangerous								0	0
Dog - Barking								0	11
Dog - Chasing a person								0	3
Dog - Impounded								0	8
Dog - in Prohibited Area								0	0
Dog - Lost Dogs Reported								0	3
Dog - Rehomed								0	1
Dog - Wandering/at large								0	12
Verbal Warnings								0	8
Unregistered Dog Notices								0	8
Caution Notices						1		1	5
Infringement Notices								0	4
Infringement Notice - Disputes						2		2	5
Written Letter to Dog owners – various matters.								0	26
Patrols - Township/Urban Areas						2	1	3	22
Patrols - Beaches/Foreshore						2		2	29
Kennel Licence - Issued								0	2
Other animals								0	7
Other - RSPCA intervention								0	3
TOTAL	3	3	0	0	3	4	4	8	163

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

01/26.15.0

COMMUNITY DEVELOPMENT

01/26.15.1

Community Services Report

ACTION	INFORMATION
PROPOSER	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	\$2,000

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 Event – Sandcastle Building	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
<hr/>		
Council Sponsorship		
Funding for BEC Directory	2,000	
St Helens Marine Rescue	3,000	3,000
Business Enterprise Centre (BEC)	28,000	
<hr/>		
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	
<hr/>		
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 future 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.

Bay of Fires Master Plan

The draft Master Plan is currently with the consultants after members of the Steering Committee reviewed same. The consultants are currently preparing the document in readiness for further community engagement - 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.

Scope of works – Rail trail – Cornwall to St Marys

Council staff have prepared a scope of works and concept plan outlining the project's vision and proposed construction. The trail's construction will require Council to obtain external funding. Harvesting operations are currently underway in the area surrounding the proposed trail. Once these operations are completed, the scope of works documents will be reviewed and finalised in preparation for seeking expressions of interest.

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.

Australia Day



This year's Australia Day Ambassador, Bianca Welsh, will be joining us for the celebrations. We invite everyone to attend the Award Presentations and extend a warm welcome to Bianca as she visits our municipality.

Bianca (she/her) is a proud Korean/Australian, raised in Launceston, Tasmania and has lived there since she was adopted in the late 80s from South Korea as a baby.

She is a co-owner of Stillwater Restaurant and Seven Rooms, one of Tasmania's most awarded and recognised restaurants and runs her own mental health business – From Experience, providing education and advice to workplaces on how to be a mentally healthy workplace including education around trauma informed practices, neurodiversity, mental illness, attachment theory and more. She is also an experienced Mental Health First Aid Instructor having delivered over 35 courses. She was also a co-founder and operator of Black Cow Bistro for 14 years.

Bianca never rests on her laurels and loves learning new things, she was determined to understand her team better and the challenges around mental health and completed a Bachelor of Behavioural Science at UTAS in 2018. Combining her lived experience and her degree she helps other workplaces to become more mentally healthy.

In October 2025, Bianca released a podcast – From Experience: The Grief Collection, sharing her own story of grief and loss but also interviewing other people on their own experiences through the loss of loved ones such as parents, pets, siblings, children, a relationship and significant others, but also the loss of oneself through the experience of trauma.

January 2026

- 1 – St Marys New Years Day Races – St Marys Sports Complex
- 15 – Speed cubing – Portland Hall
- 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

February 2026

1 – Break O'Day Triathlon – St Helens Foreshore

Learner Driver Mentor Program

Due to the Christmas period and one mentor taking a short break, our on-road hours were lower than usual this month. Despite this, it was still a successful month, with two learners successfully passing their P1 assessments. The Program Coordinator is actively seeking additional mentors and has visited local employment agencies to generate further interest in the program.

Total on-road hours – 20

Total Mentors - 2

Learner in car - 10

Waiting list – 9

Graduated – 2

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

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
PROPOSER	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 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
- Starting to get a lot of phone calls asking if there are any camp sites available at Bay of Fires and the likelihood over Christmas and enquiring where else they can camp.
- Advised a lot of tourists about the bushfire at Dolphin Sands, majority weren't aware of it. Recommended for them to download Tas Alerts app and listen to ABC Radio.
- Had a lot of phone calls and people come in asking about the bushfires out at Stieglitz. Most of the phone calls were can they still travel to St Helens and were there any road closures.
- Contacted local businesses for their operating hours over the Christmas period.
- Our door count all up for 2025 was 31,641 which was up from last year by 588.
- A big thank you to my colleagues Helen and Raelene for a great year. I am very grateful for what you both do i.e. keeping track of all events that are happening in the area, business hours, keeping our Walks and Things to Do information sheets updated especially showing what is dog friendly. Not to mention dealing with all the enquiries we get daily even the ones that are out of the box.

The History Room Curator Report:

- **New Display (Foyer cabinet):** Replaced display in the Foyer cabinet now showing 'Holidays! Activities of old ...' showing some photographs of the Ransom Family Collection. These are digital images from the old glass lantern slides in our holdings. We did do a small Christmas display here in the lead up to Christmas.
- **Research request:** Meeting with Dr David Faber, Flinders University, SA (Weds 7 Jan 2026)

- **Special group visit:** HeartsNHands group, St Helens visiting Thursday 15th Jan 2026 where I am doing a Meet N Greet for them at 10.15 am.
- **Mobile App Project:** This is a project in this area being undertaken by Rufus Endring called 'Our Story'. Email contact follow up from a visit to the centre. Possible collaboration on Historical tales.
- **2025 Stats:** These are on par with previous years.

Statistics:

Door Counts

Month/Year	Visitor Numbers	Daily Average	History Room
December 2012	3,130	104.3	101
December 2013	3,598	119.9	133
December 2014	4,609	148.7	158
December 2015	4,439	147.9	81
December 2016	3,368	112.2	95
December 2017	2,939	97.9	60
December 2018	3,145	104.8	104
December 2019	3,152	105.07	112
December 2020	1,409	46.97	49
December 2021	1,301	43.37	39
December 2022	2,692	86.83	99
December 2023	2,963	95.58	87
December 2024	3,005	96.93	72
December 2025	2,975	95.96	81

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	8,194.47	349.00	30.10
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

01/26.16.0 DEVELOPMENT SERVICES**01/26.16.1 Development Services Report**

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

OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

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

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

1. Recreation Water Quality testing has recommenced;
2. Recruitment process for Environmental Health Officer underway.

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	1								24
Permitted		4	4	2	1									11
Discretionary	15	15	5	11	21	22								89
Amendment	1		1	1	3	2								8
Strata														
Final Plan	1	2	4	1										8
Adhesion														
Petition to Amend Sealed Plan														
Boundary Rectification														
Exemption														
Total applications	19	27	14	20	35	25								140 205

Ave Days to Approve Nett *	39.6 8	30.85	24.92	43.55	24.94	52.2 8								36.03
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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
175-2025	St Helens	Construction of Secondary Residence and Attached Deck	S57	47	41
083-2024	Akaroa	Residential - Construction of Dwelling & Shed	S56	26	26
186-2025	Scamander	Residential - Alterations and Construction of Proposed Porch and Entry Door AND Visitor Accommodation - Additional Use for Visitor Accommodation for the Ground Floor Bedroom	S57	62	55
184-2025	St Helens	Additional Use for Visitor Accommodation	S57	42	41
156-2025	St Helens	Construction of Dwelling with attached Deck	S57	92	38
114-2025	Scamander	Visitor Accommodation - Annex with Amenities and Attached Deck	S57	43	42
115-2025	Stieglitz	Construction of a New Aircraft Hangar	S57	127	67
140-2025	Beaumaris	Residential - Construction of a Dwelling and Frontage Fences	S57	75	57
320-2022	Ansons Bay	Retrospective Approval for Dwelling, Existing Shed, Frontage Fence, Water Tanks and Crossover AND Construction of Proposed Shed	S57	82	81
245-2024	St Helens	Telecommunications Facility	S57	359	346
035-2025	St Helens	Construction of a Shed	S57	70	42
041-2025	Binalong Bay	Residential - Retrospective Approval for Studio Outbuilding, Carport Extension to the Existing Shed and Vegetation Clearance	S57	44	43

056-2025	Stieglitz	Dwelling Additions and Construction of a New Garage	S56	226	43
219-2024	Scamander	Minor Amendment	S57	1	1
127-2025	St Helens	New Dwelling & Shed with Amenities	S57	72	71
215-2025	St Marys	Visitor Accommodation - New Structure & Deck	S57	28	27
096-2025	Goshen	Quarry Upgrade - Increase Capacity	S57	155	42
100-2025	Falmouth	Food Services - Legalisation of Shed with Amenities & Roofed Walkway & Additional Verandah to Heritage Listed Homestead	S57	30	30
216-2025	Scamander	New Shed with Amenities	NPR	33	1
203-2025	Scamander	Construction of New Dwelling and Shed with Amenities	S57	39	38
143-2025	Scamander	Residential - Change of Use from Shed with Amenities to Dwelling and Construction of Addition/Link to Existing Dwelling (Single Dwellings – Additions/Alterations)	S57	91	42
145-2025	St Helens	Residential - Retrospective Approval of Dwelling	S57	39	39
198-2025	St Helens	Construction of Secondary Residence for Visitor Accommodation	S57	37	36
193-2025	St Helens	Resource Development - New Slipway	S57	30	29
220-2024	St Helens	New Carport	S57	29	29

25

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%	Council has received the Round 2 Consultation Report. Additionally, Development Services has received (23/12/2025) a spreadsheet of proposed amendments to the Draft Structure Plan following round 2 consultation. This is currently being reviewed.
Regional Land Use Strategy - Participate in the development of the new Northern Tasmania Regional Land Use Strategy, resulting in adoption by Council	Ongoing	<p>Break O'Day participation in the review of the NTRLUS continues. Currently this involves:</p> <ol style="list-style-type: none"> 1. Councillor engagement with Regional Planning Coordinated on 12/01/2026. 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 were completed in December 2025 however opening delayed due to re-connection of power being delayed by Tas Networks until 7 January 2026.
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 as soon as possible; • 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 Facade	Portland Hall, St Helens	<ul style="list-style-type: none"> • Works scoping to be conducted in conjunction with design work for Memorial Park toilet 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 was cancelled due to bushfire event. New date/time to be scheduled.
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

December 2025

No.	BA No.	Town	Development	Value
1.	2025/00099	Seymour	New Secondary Dwelling & Veranda	\$125,000.00
2.	2025/00057-STAGE 1	Stieglitz	New Caravan Annex, Deck & Shed with Amenities	\$71,000.00
3.	2025/00092	Binalong Bay	Partial Demolition, Alterations & Additions - Toilet Block	\$285,000.00
4.	2025/00211-STAGE 1	St Helens	New Shed with lean to	\$35,000.00
5.	2025/00105	Ansons Bay	Alterations/Additions (Ensuite) - Dwelling	\$50,000.00
6.	2025/00031	Binalong Bay	Demolition (Shed/Carport) & Alterations & Additions (Dwelling & Carport)	\$156,000.00
7.	2025/00173-STAGE 1	Ansons Bay	New Shed	\$40,000.00
8.	2025/00204	Akaroa	Demolition (Existing Deck) & New (Deck & Veranda)	\$30,000.00
9.	2025/00130	St Helens	New Dwelling & Deck	\$250,000.00
10.	2025/00186	Scamander	Plumbing only (dwelling alterations/additions) – low risk building work	N/A

ESTIMATED VALUE OF BUILDING APPROVALS FINANCIAL YEAR TO DATE	2024/2025	2025/2026
	\$18,663,142.0	\$13,953,180.00

ESTIMATED VALUE OF BUILDING APPROVALS FOR THE MONTH	MONTH	2024	2025
	December	\$1,995,000.00	\$1,042,000.00

NUMBER BUILDING APPROVALS FOR FINANCIAL YEAR TO DATE	MONTH	2024/2025	2025/2026
	December	69	80

ENVIRONMENTAL REPORT

Description	Updates
Biosecurity	<p>Weed management issues addressed including floxglove management on Council's Blue Tier MTB trails, information on 'spiny rush' at Seymour for a state Weed Action Fund project tackling new and emerging weeds, and biosecurity management for a subdivision.</p> <p>Attended Local Government Association of Tasmanian hosted briefing from state agencies on planning for High Pathogenicity Avian Influenza (HPAI) arriving on Tasmania and roles Councils can play.</p>
Scamander Coastal Hazards and Flood Risk Management project	<p>Project consultants have developed three pathway scenarios to apply to cost/benefit analysis for the Coastal and Flood Adaptations Pathways Plan and inform early no-regrets mitigation works. They range from cheaper nature based short-term erosion control, to costly longer-term mitigation of erosion and inundation by a seawall flood levee.</p>  <p>A draft plan is expected to be available in February for review and comments.</p>
Flood Risk and Climate Change	<p>Attended briefing on the Tasmanian Councils Climate Healthy Communities project which was delivered by NTARC (Northern Tasmanian Alliance of Resilient Councils), the Department of Health, Menzies Institute for Medical Research and others. The project explored climate impacts on health and wellbeing and developed a blueprint for shared understanding, roles and responses for resilience in the community.</p> <p>Attended Northern Stormwater Group meeting, which discussed organising regional information sessions on the climate change update to Australian Rainfall and Runoff affecting stormwater management (and applied to Council's municipal flood model recently).</p>

PUBLIC HEALTH REPORT

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 12 January 2026

Current Year	Previous Year	
	2025/26	2024/25
36		34

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
PROPOSER	Council Officer
OFFICER	Development Services Coordinator
FILE REFERENCE	DA 056-2022
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That Council approve the use of the name “Argus Court” for the cul de sac currently un-named off Ocean Vista Drive, St Helens (Subdivision Reference – DA 056-2022)

INTRODUCTION:

The provision of official street names and property numbering is important to ensure quick and correct property identification for private, commercial and emergency purposes and enable connections to be made to reticulated service systems.

PREVIOUS COUNCIL CONSIDERATION:

Nil

OFFICER'S REPORT:

The Developer is currently working towards completion of the subdivision and due to lodge the Final Plan of Survey. They have requested the official name “Argus Court” for the cul de sac running east/west off Ocean Vista Drive, St Helens approved under DA 056-2022 (see snippet below of approved subdivision plan). Argus Court was one of several suggestions put forward, the others being unsuitable due to duplication. The Developer has provided the following reasoning for choosing the name Argus Court:

Argus Court: Refer existing local “Jason and the Argonauts” place name references – Argus was The Builder of the Argo (Ship from Greek Mythology). Recognisable, simple spelling, strong mythic link.

A search of the Placenames Tasmania website has indicated that Argus Court is an acceptable request.

Therefore the recommendation to Council is to approve the use of the name Argus Court as requested by the Developer.

PLAN OF SUBDIVISION - SHEET 1/2



PDA Surveyors

Surveying, Engineering & Planning

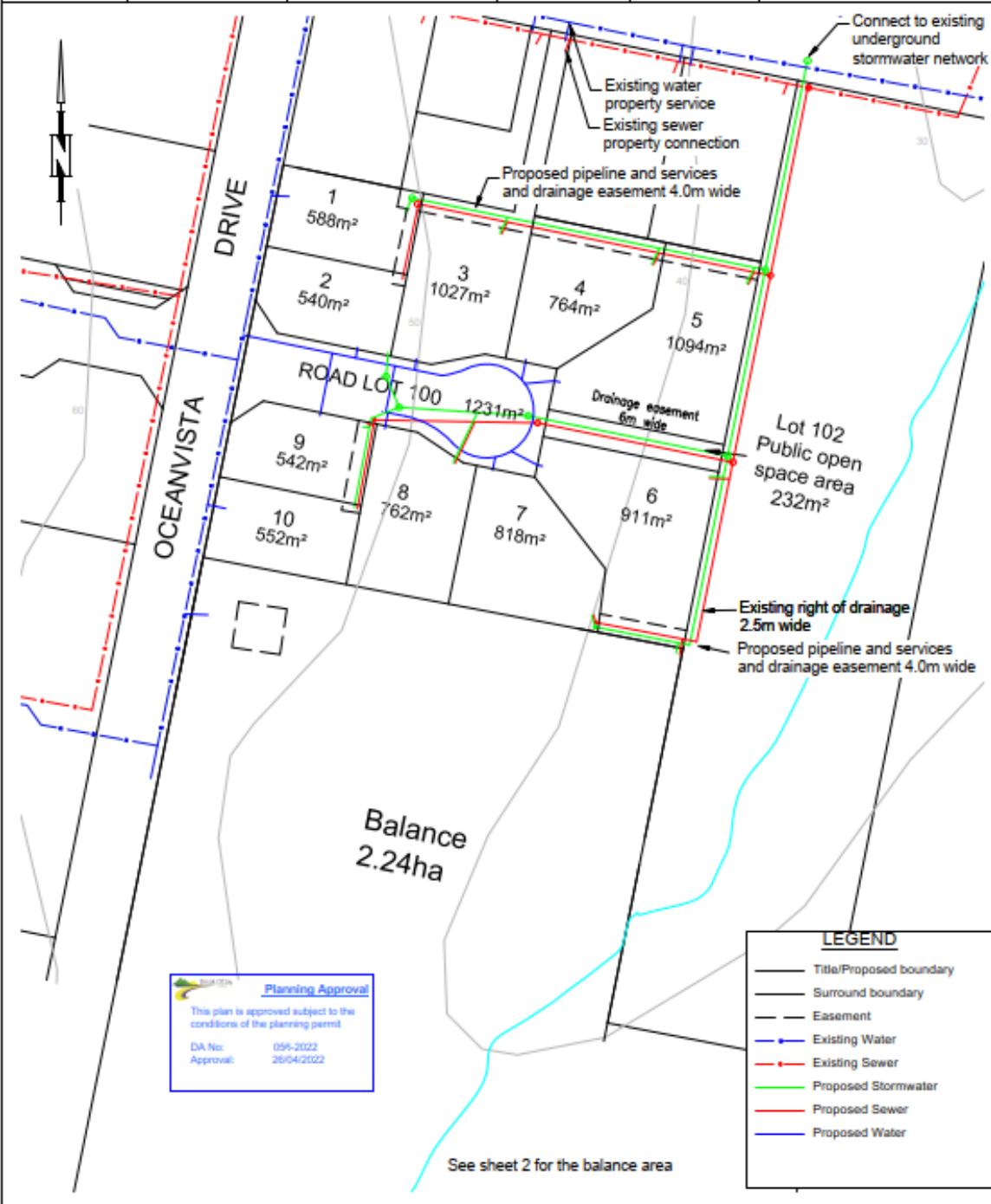
WALTER SURVEYS

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Launceston, Tasmania 7250
www.pda.com.au Also at: Hobart,
Burnie, Devonport & King Island
PHONE: +61 03 6231 4099
FAX: +61 03 6234 2099
EMAIL: pda.lm@pda.com.au

Owners	David John Smith Dorothy Louise Smith	Address	Lot 8 LAWRY HTS ST HELENS TAS 7216
Council	Break O'Day Council	Planning Scheme	Break O'Day Interim Planning Scheme 2013
Title References	FR 141663/8	Zone & Overlay	10.0 General Residential & 102 Bushfire Prone Areas

Schedule Of Easements As shown.

Scale 1:800 Date 17/03/2022 PDA Reference 46195 - P06 PID 2503453 Point of Interest 604 505 E, 5 423 244 N



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

Goal

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

Strategy

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.

BUDGET AND FINANCIAL IMPLICATIONS:

Provide and erect street sign - approximately \$100.00.

VOTING REQUIREMENTS

Simple Majority

ACTION	DECISION
COUNCIL MEETING DATE	19 January 2026
PROPOSER	Department State Growth
OFFICER	D. Szekely, Senior Town Planner D. Bedwell, Economic Development Officer
FILE REFERENCE	25/5310
ASSOCIATED REPORTS AND DOCUMENTS	1. Submission – SSUP – Break O’Day - DRAFT 2. Single Start-Up Permit Discussion Paper

OFFICER'S RECOMMENDATION:

The Break O’Day Council provide the attached submission, including any Council directed amendments, to the Department State Growth in relation to government request for feedback on the proposed Single Start-up Permit – Discussion Paper.

INTRODUCTION:

The State Government, through the Department of State Growth has commenced a consultation phase for the consideration of a Single Start-Up Permit aimed at supporting small business in Tasmania. The objective is to make it easier and faster to start a business in Tasmania.

The aim of the Single Start-Up Permit (SSUP) is to:

- Simplify and consolidate permit applications and approval across local and state government.
- Cut start-up time and cost, reducing administrative burden for entrepreneurs.
- Encourage innovation, regional development and job creation.
- Maintain high standards for public safety, health and environmental protection.

This consultation phase is open until **13 February 2026**.

The key outcome being sought is to simplify and streamline the process of starting a small business and is aimed at:

- New lower-risk ventures
- Providing an avenue for entrepreneurs to test the market while they secure the normal permits and licences.

The initiative is part of the government’s programme of cutting red tape.

PREVIOUS COUNCIL CONSIDERATION:

Council Workshop 1 December 2025

OFFICER'S REPORT:

The Break O'Day Council has been requested to participate in the consultation process for the State Government initiative – Single Start-Up Permit (SSUP). Through the Department of State Growth, the consultation aims to gather insights, experiences and practical knowledge of those who interact directly with Tasmania's business approval system.

SUGGESTED MODEL

- ⌚ New Small Business Authority (SBA) to process and issue a SSUP.
- ⌚ Startup pending permits and licenses;
- ⌚ 12-month period to obtain necessary approvals;
- ⌚ During this initial period business would be subject to compliance checks and inspections (SBA and local government etc.);
- ⌚ Limited to low-risk businesses.

ELIGIBLE BUSINESSES

The proposed criteria for identify low risk businesses is proposed to be:

- ⌚ Number of employees;
- ⌚ Business structure e.g. sole trader;
- ⌚ Number of sites or scale of operation;
- ⌚ Business offering and level of risk to public; and
- ⌚ Licensing needs.

The consultation is seeking to define what a low-risk business looks like.

The attached draft submission is presented to council for consideration and direction on any required amendments.

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

Our Reference: 23/5310

Enquiries: Deb Szekely

5 January 2026

SINGLE START UP PERMIT
GPO BOX 536
HOBART TAS 7000

E: singlestartuppermit@stategrowth.tas.gov.au
E: jon.stager@lgat.tas.gov.au

ATTENTION – DEPARTMENT STATE GROWTH

RE: SUBMISSION – SINGLE START UP PERMIT – DEPARTMENT STATE GROWTH

Please find attached appendix being Break O'Day Council's submission on the proposed Single Start-Up Permit initiative put forward by the Tasmanian Government.

The Break O'Day Council has provided a considered response to each of the questions posed within the Discussion Paper.

As this proposed initiative is a part of the State Government's vision to 'reduce red tape', Council has taken the opportunity to put forward matters relating to the planning system that may assist in further streamlining development applications.

Yours faithfully

John Brown
GENERAL MANAGER

APPENDIX

Q1 — What types of businesses should be eligible to participate in the Single Start-Up Permit?

Council Response:

Break O'Day Council supports eligibility being restricted to *low-risk* businesses that do not pose material risk to public safety, environmental health, neighbourhood amenity, or building integrity. Clear and consistent statewide criteria are required.

Eligible businesses could include:

- Sole traders and micro-businesses (e.g., up to 4 employees)
- Home-based businesses with minimal customer foot traffic
- Professional services with no hazardous stock (e.g., consulting, tutoring)
- Retail or service providers operating within existing buildings with no structural modifications
- Mobile operators with no environmental or food-safety risk
- Small-scale tourism or creative ventures

Not eligible:

- High-risk food handling businesses
- Childcare or personal care services
- Activities requiring significant building modifications
- Uses with noise, odour, chemical or fire risk
- Uses with significant traffic or parking implications

These definitions should be legislated to ensure consistency across councils.

Q2 — Should this be a new system or should the existing regulatory framework be improved instead?

Council Response:

Council supports simplifying existing frameworks wherever possible but acknowledges that the current system contains inherent structural duplication (planning, building, environment, food, workplace safety, liquor etc.). A coordinated single application and assessment pathway would reduce confusion for new business owners.

Council supports the establishment of the Single Start-Up Permit only if it:

- Integrates existing regulatory responsibilities
- Removes duplicated data entry
- Does not create new layers of process
- Ensures councils retain necessary statutory functions
- Liabilities for potential non-compliance due to streamlined processes and understood.

Council recommends undertaking process mapping with local government before final design.

Q3 — How should proposals be classified as low, medium or high risk?

Council Response:

Risk classification must be simple, consistent, and based on objective criteria, including:

- Number of employees
- Type of business activity
- Impacts on public health, amenity, and environment
- Degree of building use or modification
- Volume of customer traffic
- Hazardous materials or processes
- Licensing requirement level

Council recommends that the State adopt a statewide risk matrix that councils can rely on, preventing inconsistent interpretations and disputes.

Q4 — What conditions should apply to businesses during the SSUP period?

Council Response:

Conditions should include:

- Compliance with baseline safety requirements before trading
- Mandatory lodgement of all full permit applications within the first 30 days
- Access for local government and SBA officers for inspections
- Limits on business expansion (e.g., one site only)

- Maximum employee numbers
- Requirement for a transition plan to full compliance
- Immediate suspension if health, safety or environmental risks emerge

The permit should be revocable if conditions are breached or full compliance cannot be achieved

Q5 — What is the simplest way for business to provide necessary information to all agencies once only?

Council Response:

A state-managed **single digital application portal**, co-designed with councils, is the simplest approach. To be effective, it should:

- Pre-fill shared data fields across agencies
- Allow document upload and reuse
- Provide applicants a live dashboard showing progress
- Provide councils with a single interface for assessment
- Link to existing permit systems (planning, building, food etc.) without duplication

A centralised state government body to provide advice.

Council emphasises the need for adequate investment in system usability and training especially for a low digital literacy demographic.

Consideration should be given to the role PlanBuild can facilitate this single digital application portal.

Q6 — What is the local government role without increasing workload or complexity?

Council Response:

Council supports being part of the assessment and compliance processes but notes that workload will increase unless the system actively replaces existing administrative tasks.

Council proposes:

- Early involvement in risk-scoping criteria design
- Access to the shared digital application portal
- Clear and limited responsibilities for interim compliance checks

- State-funded training or resourcing support for implementation
- A service-level agreement clarifying timeframes and expectations

Without resourcing, councils will struggle to absorb additional compliance duties. This will be most apparent within Councils currently not able to fulfil existing compliance and enforcement responsibilities other than reactive pathways

Q7 — What is needed to ensure businesses meet requirements (training, tools, supports)?

Council Response:

Council recommends:

- A mandatory “SSUP Business Starter Pack” including:
 - Compliance checklist
 - Key contacts (Council, SBA, WorkSafe, EPA etc.)
 - Transition checklist for the 12-month period
- Access to free online training modules
- Access to a Business Tasmania advisor for support
- Clear communication that the SSUP does **not** replace permits—only stages them

Break O’Day’s Economic Development Officer can support onboarding where State materials exist.

Q8 — What should the application portal look like?

Council Response:

The portal should be:

- Simple, mobile-friendly, and written in plain language
- Capable of collecting information once and sharing it across agencies
- Integrated with existing council systems where possible
- Inclusive, with paper alternatives or assisted service pathways
- Transparent, showing applicants exactly where their permit sits in the pipeline

Council strongly recommends **user-testing with regional and low-digital-literacy applicants** before launch.

Extensive consultation and discussion should occur with the developers of PlanBuild.

Q9 — Monitoring and Reporting Requirements

Council Response:

Council recommends monitoring:

- Number of SSUP applications by LGA
- Percentage transitioned to full permits
- Business survival rates after two years
- Compliance issues or breaches
- Time-to-trade improvements
- Business sentiment and satisfaction
- Local economic outcomes (jobs created, industry mix etc.)

Council requests reporting at both statewide and local government levels to track regional economic impact.

Miscellaneous

As the proposed Single Start Up Permit system has an overall objective relating to the red tape reduction program, it is opportune to raise matters that also will assist in streamlining approvals in general.

1. CROWN CONSENT TO LODGE DEVELOPMENT APPLICATIONS

In instances when a Development Application requires access from land that is crown land (including stormwater disposal within a state road reserve), Section 52 of *Land Use Planning and Approvals Act 1993* and Clause 6.1.2 (b) of the *Tasmanian Planning Scheme*, requires crown consent to lodge to accompany the development application in order to make the same **valid**.

Depending on the type of application and the responsible authority e.g. Department State Growth / Parks and Wildlife Service, or Property Services this can range from a lengthy process to a very lengthy process. Most applicants when lodging a development application, are unaware of this requirement or if aware, lodge prior to receiving crown consent to lodge the development application.

Council's understanding is that when an application for crown consent to lodge is made to the state government, they do a full assessment of the proposal before issuing the consent to lodge. The consent to lodge then states that it is not an approval but merely a consent to lodge the application and they then need to get further consents e.g. DSG access to state road. Parks and Wildlife try to sort out the Reserve Activity Assessment at the same time (can cause long delays) so that their consent to lodge also includes the RAA but which ever way you look at it, causes significant delays at the start.

Another issue is it is cumbersome and confusing for the applicant to ensure both the planning authority and the crown authority all have the same relevant versions of plans and documents as any request for further information causes changes to submitted materials.

Delays for crown consent to lodge can be months or greater than 12 months. I believe this is because internally they do their full assessment before telling the planning authority that consent to lodge is given.

A more streamlined version could include:

- Notification to the Crown that an application is being lodge – could be as simple as notification on a website;
- The crown entity that is involved becomes a statutory referral agency and the planning authority refers all documentation to the crown body involved;
- The crown body then observes all the statutory time frames in LUPAA along with the planning authority'
- Including the crown advising of any further information they require as part of the LUPAA process.
- The planning authority manages the process including referring additional information to the crown body.
- The crown then provides the planning authority with all their conditions for any permit. The state would need to work out internal processes to manage this and how it relates to an approval for state road access or reserve activity assessment.
- Currently the applicant experiences delays for crown consent to lodge, gets through the DA process and gets a permit for use and development only to have a condition that states they need to go get a permit from DSG for example for state road/stormwater approvals. This change would require quite a bit of thought in terms of process and legislative amendment but could have lasting effects on efficiencies.

2. The second matter they could consider is Clause 6.1.2 (d) of the planning scheme requires all applicants to lodge a current certificate of title for all land to which the permit sought is to relate, including the title plan. Quite often the applicant forgets or doesn't include the schedule of easements or what they lodge is not a recent version. This causes an application to be invalid, and the

planning authority issues a request for further information, and it delays the assessment process. The frustrating part is that we have access to these documents via TheList. It would streamline the process if there was an option for the applicant to direct council to access these documents on their behalf. We could charge a fee for this service e.g. to view the documents as part of the application process (fee goes to Lands Titles Office and small admin charge on top maybe). This has the potential to streamline the process and reduce time frames.

3. The Department State Growth could look at internal processes and service available to their customers that takes advantage of clauses within the planning scheme that ensures an application remains within the acceptable solution when considering access from state roads. The relevant section has been provided below:

C3.0 Road and Railway Assets Code:

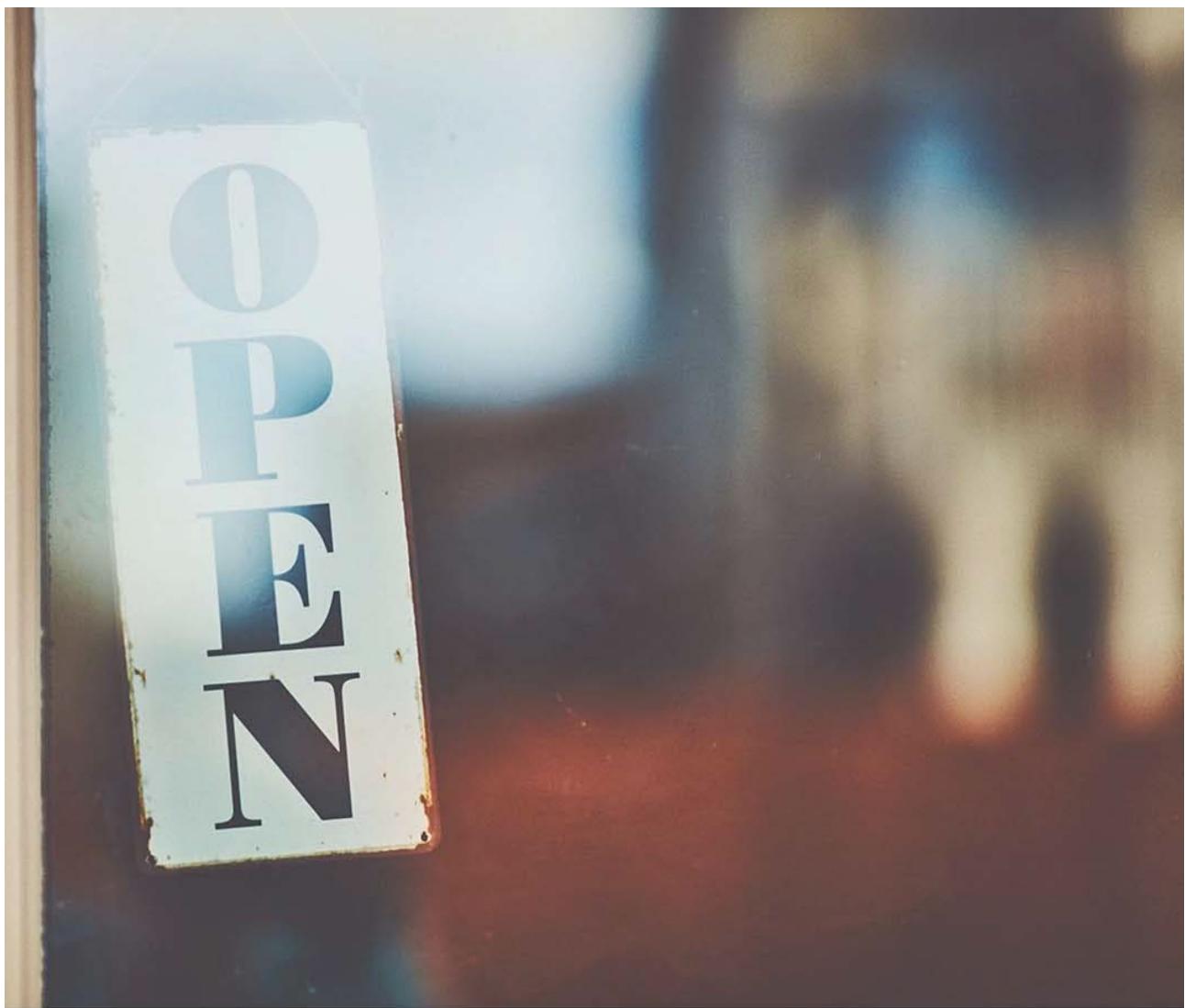
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

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.

DSG could have a process whereby this becomes used more often than not. Internally in our referral to the Works Department as the road authority for council roads, the referral document has this option to streamline where possible and appropriate

4. The state government liaise with the Insurance Council to understand limitations and reasoning placed on limiting private building surveyors statutory functions such as retrospective certifications. This is creating significant delays and the availability of Building Surveyors within Tasmanian is impacting on the development industry and their customers.



Single Start-up Permit Discussion Paper

Consultation and co-design framework

November 2025

www.engage.stategrowth.tas.gov.au/single-startup-permit



OFFICIAL

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Acknowledgment of Country

In recognition of the deep history and culture of this island, the Tasmanian Government acknowledges and pays respect to the Palawa/Tasmanian Aboriginal people, as the original and continuing owners of Tasmania.

Executive Summary

The Tasmanian Government is committed to making Tasmania the easiest place in Australia to start and grow a small business. A key part of achieving that vision is to reduce red tape and streamline approvals for new businesses.

To deliver this, the Government is seeking feedback on the design of a Single Start-Up Permit (SSUP).

The SSUP should:

- Simplify and consolidate permit applications and approval across local and state government.
- Cut start-up time and cost, reducing administrative burden for entrepreneurs.
- Encourage innovation, regional development, and job creation.
- Maintain high standards for public safety, health and environmental protection.

This paper outlines how the Tasmanian Government will consult and co-design the permit with small business, industry, local councils and other regulators.

It details the objectives, principles and expected outcomes of the consultation process, which will shape the legislative and digital design of the SSUP ahead of its proposed introduction.

Introduction

The Tasmanian Government is determined to make Tasmania the best place in the nation to live, work, raise a family, invest and do business. A key pillar of this vision is to support small business — the backbone of the Tasmanian economy — by removing barriers, cutting red tape, and helping entrepreneurs turn ideas into successful enterprises.

Small business is central to Tasmania's economic strength. It accounts for more than 97 per cent of all businesses in the state, provides over one third of private sector employment, and plays a crucial role in regional development, community wellbeing and innovation. Yet, despite this, many new business owners encounter a complex web of approvals and administrative processes when trying to start trading.

At present, multiple applications for permits, licences and inspections are often required — covering areas such as planning, signage, building, environmental health, and business registration. These approvals are managed by federal, state and local government authorities, with different forms, timelines, and systems. This complexity can create confusion, delays and significant costs.

The Single Start-Up Permit (SSUP) initiative aims to change that. The policy objective is clear: to make it easier and faster to start a business in Tasmania, while

maintaining strong safeguards for public health, safety and community amenity. By introducing a single permit process for start-ups, the government seeks to:

- Cut unnecessary red tape and duplication between levels of government.
- Encourage entrepreneurship and investment, particularly in regional and rural areas.
- Accelerate job creation and local economic activity.
- Strengthen Tasmania's reputation as a state that supports innovation and enterprise.

This initiative reflects a shift from process-driven regulation to outcomes-focused collaboration. It reinforces that government should be an enabler of success, not a barrier to it.

To achieve this, the Department of State Growth, on behalf of the Tasmania Government, is commencing a consultation and co-design process, ensuring the final framework of this initiative reflects the needs and realities of business founders, councils, other regulators, and the broader community. Through partnership and open dialogue, Tasmania can deliver a system that is simple, safe, and scalable, providing real benefits for business while protecting the interests of the public.

Purpose of consultation

The consultation process is designed to gather the insights, experiences, and practical knowledge of those who interact directly with Tasmania's business approval systems. The objective is not only to listen but to co-design a workable solution that balances efficiency, safety, and fairness.

Specifically, the initial phase of consultation aims to:

- Define the potential core structure and scope of the SSUP, including which types of businesses and activities will be eligible to apply.
- Consider proposed design options, including application processes, digital platforms, and conditions of operation.
- Ensure consultation with all relevant authorities is comprehensive and all input is actively considered, including any incremental burdens or risks that may be created.
- Be genuinely open to amending objectives or the proposal according to the feedback received.
- Consider how the SSUP will connect with and affect the existing regulatory environment.
- Consider how small businesses could be supported to comply with standard licensing and permit requirements within and beyond the permit's 12-month timeframe.

- Effectively manage the risks posed to the public, regulators, local and state government of businesses operating for up to 12 months without the normal safeguards in place.

Secondary objectives include:

- Identifying duplication and pain points in current application and approval processes that can be removed or streamlined.
- Clarifying roles and responsibilities between state and local governments, ensuring consistency and cooperation.
- Building a culture of shared understanding across agencies, councils and the business community about how to reduce red tape without compromising safety.

The consultation phase is not simply about compliance reform — it is about empowering business creation and ensuring that Tasmania's regulatory systems work for, not against, economic growth.

How to have your say

We invite you to read this discussion paper and share your views.

Your feedback will help to inform the Tasmanian Government on potential options in relation to the SSUP and ensure that any new policy reflects the needs of business owners, regulators, and the community.

Consultation on the discussion paper will be open until **16 January 2026**.

If you need access to a translating and interpreting service, call 1800 440 026.

You can make a submission via the website, by email or by post to:

Website: www.engage.stategrowth.tas.gov.au/single-startup-permit

Email: singlestartuppermit@stategrowth.tas.gov.au

Post: Single Start-up Permit

GPO Box 536

Hobart TAS 7001

Written submissions can be in Word or PDF format. Targeted questions are included in this paper to help you prepare your submission. You may wish to comment on only one or two matters of interest or respond to all questions.

Other than indicated below, submissions will be treated as public information and will be published on the following website after the consultation process closes:

www.engage.stategrowth.tas.gov.au/single-startup-permit.

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

Tasmanian Government Submission Policy

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

If you would like your submission treated as confidential, whether in whole or in part, please indicate this in writing at the time of making your submission. Clearly identify the parts of your submission you want to remain confidential and the reasons why. In this case, your submission will not be published to the extent of that request.

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

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

The Right to Information Act 2009 and confidentiality

Information provided to the Tasmanian Government may be provided to an applicant under the provisions of the Right to Information Act 2009 (RTI). If you have indicated you wish all or part of your submission to be treated as confidential, your statement detailing the reasons may be taken into account in determining to release the information in the event of an RTI application for assessed disclosure. You may also be contacted to provide further comment.

If you have any questions, please contact Business Tasmania on 1800 440 026 or via email at ask@business.tas.gov.au.

Consultation principles

The consultation and design process will be guided by the following principles:

- **Collaboration.** The design process will be shared between all levels of government, the business sector, and community representatives, ensuring it is practical and fair.
- **Practicality.** Proposals must be workable in the real world. The design will prioritise solutions that are straightforward, affordable and easy to administer.
- **Evidence-based design.** The model will draw on existing data, economic analysis, and any lessons from other jurisdictions.

These principles will ensure that the SSUP is not only effective in reducing red tape but also enduring, adaptable, and responsive to future business needs.

Stakeholders to be consulted

A successful SSUP will rely on strong collaboration across government, business and community.

Stakeholder group	Possible role in consultation process
Industry associations (for example, Tasmanian Small Business Council, TCCI, COSBOA, sector-specific bodies)	Represent business interests, identify sectoral nuances, and test regulatory balance.
LGAT and local councils	Explore how planning, environmental health, and signage applications can be integrated into a single system and develop consistent assessment standards.
State regulators (Consumer Affairs, WorkSafe, Food Safety, Building Standards, EPA, Fire Service)	Identify which permits can be safely combined or conditionally deferred under a 12-month start-up period.
Service Tasmania / Digital Transformation Office	Lead the design of a single digital entry point for applications and approvals.
Community	Ensure public safety, amenity and environmental safeguards are considered.

Key considerations

The Tasmanian Government is seeking input on a range of design considerations and practical questions, including but not limited to:

1. **Eligibility.** What types of businesses should be able to apply for a SSUP?
2. **Timeframes.** Will providing a SSUP for 12 months with business owners required to work towards gaining full permits during that period reduce effort and duplication, or should the aim of the SSUP be to speed up and reduce duplication in receiving the full permits and licenses?
3. **Risk management.** How should activities be classified as low, medium or high risk? Which should be excluded from the SSUP?
4. **Permit conditions.** What baseline safety, health and environmental standards should apply for businesses granted a SSUP?

5. **Application process.** What is the simplest way for businesses to provide required information once, rather than multiple times?
6. **Local government involvement.** How can councils participate effectively without increasing workload or complexity?
7. **Compliance support.** What guidance, training or tools would help new business owners meet their obligations?
8. **Digital design.** What should a single application portal look and feel like for users?
9. **Success measures.** How should success be defined and reported — approval timeframes, satisfaction, safety outcomes, or jobs created?

Feedback on these questions will directly shape the structure, content and delivery of the SSUP framework.

Potential outcomes

Following the initial consultation process, the Tasmanian Government expects to propose a model for consideration and implementation. Following further consultation in relation to the proposed model, anticipated longer-term outcomes include:

- A co-designed SSUP framework endorsed by key stakeholders, balancing efficiency with safety and compliance.
- Consensus on eligibility and risk categories, providing clarity for applicants and regulators alike.
- A single digital application platform connecting local and state approval processes.
- Drafting of any required legislation to enact the SSUP prepared for introduction in 2026.
- An evaluation and reporting framework to measure performance, track economic benefits, and guide future improvements.

Ultimately, the SSUP should provide a faster, simpler, and more transparent way to start a business — boosting confidence, investment and employment across Tasmania.

Single Start Up Permit – a potential model

The Tasmanian Government has a clear policy intent to reduce red tape and delays for people starting a small business.

At the core of the SSUP policy is a recognition that it is currently too complicated and time consuming to start up a small business, particularly in circumstances where the business will be operating in a low-risk environment.

We are looking for your feedback on the best model to implement the SSUP. One option is for the Tasmanian Government to legislate to create a new Small Business Authority or Administrator, who would have the power to process and issue a SSUP. Once a SSUP is issued, it would give approved businesses permission to start operating without needing all the usual permits and licenses straight away. Under this model, businesses with a SSUP would have up to 12 months of operation to gradually obtain all the permits and approvals that would normally be required.

The SSUP under this model would not allow businesses to ignore existing laws. All businesses must still follow the rules that normally apply to their industry. While the permit would give them time to get the full range of approvals in place, they would still be subject to compliance checks and inspections by the Small Business Authority/Administrator and by all other regulators including local councils, the Environmental Protection Authority, and the Tasmania Fire Service. Importantly, approvals for critical matters — such as workplace health and safety — must still be obtained before trading commences.

A SSUP under this model would necessarily be limited to businesses considered low risk.

Questions

1. How should a SSUP interact with local government planning and building permits? Are there circumstances where a SSUP could safely enable a small business to commence operating prior to receiving planning and building approvals under normal processes?
2. What risks do you see with allowing businesses to operate before securing all the usual permits, and how could these risks be safely managed?
3. What terms or conditions should apply to permit holders to ensure the system is fair and responsible?
4. What type of inspection and enforcement powers would the Small Business Authority/Administrator need to have in order to approve and allow a business to continue operating (for up to 12 months) under a SSUP?

Types of businesses that may be eligible to apply

This model would be targeted towards businesses that can demonstrate they will operate with minimal risk to people and/or places.

A range of eligibility criteria would be developed to determine whether a business is considered "low risk". This could include:

- The number of employees including the business owner/operator – for example, a limit of up to four employees.
- The type of structure that the business will operate under – for example, limited to sole traders.
- The number of venues that the business will operate from – for example, limiting this to a single venue.
- Whether the business will offer food and/or beverage components – for example, restricting provision of food and/or beverages to pre-packaged products only.
- Whether the business is required to be licensed under the *Gaming Control Act 1993* – for example, excluding businesses with this requirement.
- Whether the business will offer childcare, home education, or other tutoring or education services for children under 18 years of age – for example, excluding businesses that propose to offer these services.
- Whether the business is part of a chain or franchise.

Questions

5. What makes a business "low risk" and how should that be defined?
6. Are there any types of businesses that you think should not be eligible for a SSUP?
7. What types of start-up businesses would be eligible for a SSUP under a "low risk" model?

Examples of "low risk" businesses

Example 1: Florist in the central business district

Scenario: A florist wants to open in a vacant shopfront in Hobart's CBD, requiring only minor interior adjustments.

Under the existing system, they would need:

- Planning permit (change of use)
- Occupancy permit
- Signage permit
- Restricted parking permit

Under the proposed SSUP they would need:

- The SSUP to begin trading.

Example 2: Barber in a paddock

Scenario: A qualified hairdresser/barber wants to open a mobile barber shop in a shipping container on private farmland near a highway.

Under the existing system, they would need:

- Planning permit
- Building permit
- Occupancy permit
- Access permit
- Crown landowner consent
- Signage permit

Under the proposed SSUP they would need:

- A building permit
- The SSUP

Questions

8. Which permits or licenses are currently the most difficult, time consuming and expensive to obtain when starting a small business?
9. To what extent is there overlap in the details required to be submitted for these permits and licenses? Could a single application reduce the effort and cost involved?
10. Which of these permits or licenses could be granted on an interim basis to allow a business to commence operating?
11. Which of these permits and licenses do you believe could be processed faster by the relevant authority?
12. What is a reasonable timeframe for the Tasmanian Government to assess and respond to a permit application for all Tasmanian Government licenses and permits required to start a small business?

Application process

Regardless of the permit model and legislative changes ultimately adopted for the SSUP, a priority for this process is to develop a single, digitised application entry point for all permits and licenses required by state and local government for a new business to commence operation.

This entry point should enable a prospective new business operator to gain information in one place about the permits and licenses their business would require,

and to avoid duplication and separate applications for as many of those permits as possible.

The intent is to significantly reduce the time and effort required for applicants to apply for permits to start their business, and to speed up the provision of those permits by authorities.

A well-designed single application point offers the option of new business operators applying for a range of required permits in one go and not having to search various websites across different levels of government to identify each permit or registration they need to apply for.

Regardless of whether a new business commences under a SSUP or by securing all required permits upfront, a SSUP application point offers the opportunity to significantly reduce time and cost incurred during application processes.

Questions

13. How much time could be saved and duplication reduced by enabling applications for all state and local government permits to be submitted in one application?
14. What is a reasonable timeframe to assess applications for all relevant permits and licenses under a single application process?
15. Which permits and licenses currently present the biggest obstacle to better digitisation and simplification of application processes when starting a new small business?

Conclusion

The move towards a SSUP process will be a landmark reform in Tasmania's ongoing red-tape reduction agenda. It represents a modern, pragmatic approach to regulation — one that focuses on the needs of entrepreneurs and prospective small business owners rather than procedures, and on partnerships rather than paperwork.

Success will depend on open consultation and shared ownership. By bringing together small businesses, councils, other regulators and the community, Tasmania can design a system that delivers real benefits — businesses starting sooner, operating safely, and growing stronger.

The message is clear: Tasmania is open for business. Through this reform, the Tasmanian Government is putting that promise into practice — creating a business environment that is simple, supportive and ready for success.

ACTION	DECISION
PROPOSER	North East Bioregional Network
OFFICER	NRM Facilitator
FILE REFERENCE	017\012\002\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

Council supports the sustainable management of Future Potential Production Forest land for its nature conservation values and the economic and social values these forests hold for Break O'Day.

INTRODUCTION:

At Council's 2024/2025 Annual General Meeting on 9 December 2025 the North East Bioregional Network tabled a Motion that Council support protection of "high conservation value Future Potential Production Forests".

PREVIOUS COUNCIL CONSIDERATION:**Annual General Meeting 9 December 2025.**

AGM/25.7.2 Moved Mr T Dudley/ Seconded Ms R Gallace

Break O Day Council publicly support the protection of the high conservation value Future Potential Production Forests for the benefit of the community for carbon storage, water catchments (including Scamander and George River), wildlife habitat, threatened species including Swift Parrots, Spotted Tailed Quoll, Tasmanian Devil, Masked Owl and Wedgetailed Eagles, scenic beauty and passive recreation.

CARRIED

AGAINST – Cllr V Oldham

Workshops and Meetings from December 2019 to March 2022 considered FPPF in Break O'Day.

OFFICER'S REPORT:

At Council's recent AGM North East Bioregional Network asked that:

Break O Day Council publicly support the protection of the high conservation value Future Potential Production Forests for the benefit of the community for carbon storage, water catchments (including Scamander and George River), wildlife habitat, threatened species including Swift Parrots, Spotted Tailed Quoll, Tasmanian Devil, Masked Owl and Wedgetailed Eagles, scenic beauty and passive recreation.

Future Potential Production Forest land (FPPF) is a classification of public land created by an Act of Parliament. The forest conservation movement has viewed FPPF as protected from logging, while the Tasmanian Government has referred to it as a 'wood bank'.

Council has previously addressed issues with FPPF after a recommendation by its NRM Committee in the lead up to expiration of a sunset clause in the FPPF legislation (April 2020), which made it easier for the Tasmanian Government to reclassify FPPF land to 'Timber Production Zone Land'.

Council wrote to the Tasmanian Government several times between 2020 and 2022 concerned about the implications of changes to FPPF land in Break O'Day. Council asked for early consultation when changes were being considered to FPPF land to ensure the best outcome for Break O'Day.

Council's recognition of the nature conservation issues raised by the NRM Committee and potential for high conservation values on FPPF land in Break O'Day is qualified by also considering the other values and benefits for the community in those forests.

Council should continue to support the sustainable management of FPPF land, having regard for the economic, social and natural values these forests hold, to ensure the best outcomes for the Break O'Day community and northern region.

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.
3. Undertake and support activities which restore, protect and access the natural environment which enables us to care for, celebrate and enjoy it.
4. Recognise and alleviate the issues and risks to the environment from our use, and the risk to us from a changing environment.

Key Focus Area:

Land Management- Develop and implement strategies and activities that prevent land degradation and improve water quality within our rivers, estuaries and coastal areas.

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

Break O Day Annual Plan 2023 – 2024

Actions:

3.3.1.1 Land and Water Management Activities - Facilitate and secure financial and human resources for activities to repair land and water resources and safeguard their health and productivity.

LEGISLATION & POLICIES:

Forestry Rebuilding the Forest Industry Act 2014

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

N/A

VOTING REQUIREMENTS:

Simple Majority

01/26.17.0

GOVERNANCE

01/26.17.1

General Manager's Report

ACTION	INFORMATION
PROPOSER	Council Officer
OFFICER	John Brown, General Manager
FILE REFERENCE	002\012\001\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That the General Manager's report be received.

INTRODUCTION:

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

PREVIOUS COUNCIL CONSIDERATION:

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

OFFICER'S REPORT:

Meeting and Events attended:

17.12.2025	Launceston	<ul style="list-style-type: none">– NTARC Tasmanian Councils & Climate Healthy Communities event, launch of key reports from the Tasmanian Councils Supporting Climate-Healthy and Resilient Communities initiative.
18.12.2025	MS Teams	<ul style="list-style-type: none">– East Tas Education and Employment (ETEE), meeting of Interim Board to progress matters relating to the Study Hub Centre.
18.12.2025	MS Teams	<ul style="list-style-type: none">– Break O'Day Employment Connect monthly Board Meeting
08.01.2026	MS Teams	<ul style="list-style-type: none">– East Tas Education and Employment (ETEE), meeting of Interim Board to progress matters relating to the Study Hub Centre.

Meetings & Events Not Yet Attended:

15.01.2026	MS Teams	<ul style="list-style-type: none">– Break O'Day Employment Connect monthly Board Meeting.
19.01.2026	St Helens	<ul style="list-style-type: none">– 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 Keith Falconer & Scott Gray (Cornwall Coal), and Dave Gunson.

Brief Updates:**Christmas Breakup**

As Councillors would be aware the Christmas breakup event was postponed due to the Stieglitz fire event which was occurring at the time. It is proposed to hold the event in mid-February once the vast majority of employees have returned to work and things have settled down from the busy summer period.

Communications Report

TOPIC	ACTIVITY	PROGRESS
GENERAL COMMS	BODC Website	<ul style="list-style-type: none"> Building Blocks -Creative Kids Workshop – 3 February 2026 Fingal Valley Neighbourhood House - Bay of Fires Youth Arts Prize – Theme ‘No place like home’ – Entries close 8 May 2026. St Helens Croquet Club - Come and play twilight croquet – Monday evenings January 2026. Georges Bay Dragon Boat Club – Annual Regatta – 17 January 2026.
	Valley Voice: Five minutes with the Mayor	<ul style="list-style-type: none"> Thanks to everyone involved who supported our community and responded to the December bushfires. Assistance grants available for those effected by the fires.
	North Eastern Advertiser	<ul style="list-style-type: none"> Christmas events being held over the festive season.
SOCIAL MEDIA	Break O'Day Council	<ul style="list-style-type: none"> Citizenship Ceremony- Four new citizens in Break O'Day. RecycleCoach – Waste tips and information over the Christmas period. Specifically focused on how to dispose of Christmas products. Free green waste disposal every Sunday until 22 February 2026. Council Meeting Dates for 2026. Cat and Dog Management – Summer series. Weekly tips for responsible pet ownership. 2026 Australia Day Awards Ceremony Invitation.
	Shared Social Media Posts	<ul style="list-style-type: none"> Emerge Allied Health – Social story ‘When there has been a big fire’ resource.

		<ul style="list-style-type: none"> • TasAlert – Fire permit period until the end of 2025-26 bushfire season. • YCNECT – Holiday programs. • Department of Premier and Cabinet (DPAC) – MyServiceTas launch of app. • Tasmania Parks and Wildlife Service (PWS) – Repair works at St Columba Falls are complete. • Launceston Triathlon Club – The Break O'Day Triathlon Challenge – 1 February 2026. • St Helens Library – Update your mobile phone software. • St Helens Library – Summer school holiday activities. • Consumer Affairs and Fair Trading Tasmania (CBOS) – Be Pool Safe Campaign.
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
	Department of Premier and Cabinet	<ul style="list-style-type: none"> • Multicultural Community Festivals Small Grants Program. Closes 11 March 2026.
SURVEY	Break O'Day Council	<ul style="list-style-type: none"> • Aquatic Facility – Review, Watch and Have Your Say https://www.surveymonkey.com/r/GMBMD7M
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
02.12.2025	337 Certificate	Tully Street, St Helens	9253622
02.12.2025	337 Certificate	St Columba Falls Road, Pyengana	2579706
02.12.2025	337 Certificate	St Columba Falls Road, Pyengana	2579714
02.12.2025	337 Certificate	Tasman Highway, Pyengana	6811437
04.12.2025	337 Certificate	Riverdale Road, Pyengana (CT 218583/1 & 202534/1)	9975221
04.12.2025	337 Certificate	Tasman Highway, Pyengana	2763562
04.12.2025	337 Certificate	11 Medea Street, St Helens	6794630
04.12.2025	337 Certificate	34 Freshwater Street, Beaumaris	3580282
04.12.2025	337 Certificate	3 Groom Street, St Marys	6401497
04.12.2025	337 Certificate	163 St Columba Falls Road, Pyengana	6806232
08.12.2025	337 Certificate	192 Scamander Avenue, Scamander	6405738
08.12.2025	337 Certificate	41 Parnella Drive, Stieglitz	7390929
09.12.2025	337 Certificate	24 Moriarty Road, Stieglitz	6784766
09.12.2025	337 Certificate	7 Oberon Place, Scamander	2948655
09.12.2025	337 Certificate	3/1 Cherrywood Drive, Scamander	1917574
09.12.2025	337 Certificate	26 Talbot Street, Fingal	6412698
10.12.2025	337 Certificate	25 Annie Street, St Helens	7147961
12.12.2025	337 Certificate	Tully Street, St Helens (CT 186813/45)	9253623
12.12.2025	337 Certificate	54 Morrison Street, Falmouth	3140076
12.12.2025	337 Certificate	326 Davis Gully Road, Four Mile Creek	1533220
15.12.2025	337 Certificate	Calders Gully, Mangana	6416832
15.12.2025	337 Certificate	18-24 Gray Street, Fingal	6411097
15.12.2025	337 Certificate	80 Tully Street, St Helens	9610839
16.12.2025	337 Certificate	10B Tully Street, St Helens	9657566
16.12.2025	337 Certificate	9 George Street, Scamander	2744345
16.12.2025	337 Certificate	23 Pelican Court, Scamander	2535922
16.12.2025	337 Certificate	Elephant Pass Road, Gray	9789381
16.12.2025	337 Certificate	36 Talbot Street, Fingal	6412751
17.12.2025	337 Certificate	Elephant Pass Road, Gray	6408664
17.12.2025	337 Certificate	Esk Main Road, Fingal	6421519
19.12.2025	337 Certificate	18A Tasman Highway, St Helens	9419099
19.12.2025	337 Certificate	23317 Tasman Highway, Scamander	6409181
19.12.2025	337 Certificate	27322 Tasman Highway, Goshen	2506793
19.12.2025	337 Certificate	19 Maori Place, Akaroa	2512480
19.12.2025	337 Certificate	8 Dune Street, Scamander	6405519

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

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

IN CONFIDENCE

01/26.18.0 CLOSED COUNCIL

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

- 01/26.18.1 Confirmation of Closed Council Minutes – Council Meeting 15 December 2025
- 01/26.18.2 Outstanding Actions List for Closed Council
- 01/26.18.3 Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2025 - Tender – Design & Construct Contract, Contract 030\001\155 – Bridge 2684 Superstructure Replacement

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

01/26.19.0 MEETING CLOSED

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

.....
MAYOR

.....
DATE