



# COUNCIL MEETING MINUTES

Monday 16 March 2026  
Council Chambers, St Helens

John Brown, General Manager  
Break O'Day Council  
10 March 2026

## CONTENTS

AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL .....	4
OPENING & INTRODUCTION .....	4
ACKNOWLEDGEMENT OF COUNTRY.....	4
LIVE AUDIO/VISUAL STREAMING OF COUNCIL MEETINGS.....	4
03/26.1.0 ATTENDANCE .....	5
03/26.1.1 Present .....	5
03/26.1.2 Apologies.....	5
03/26.1.3 Leave of Absence .....	5
03/26.1.4 Staff in Attendance .....	5
03/26.2.0 PUBLIC QUESTION TIME.....	6
03/26.2.1 Improved Scenic Protection Requirements – Graeme Wathen .....	6
03/26.2.2 Tree Planting for Sandy Von Stieglitz – Clr Ian Carter OBO Peter & Gail Paulsen .....	7
03/26.3.0 COUNCILLOR’S QUESTIONS ON NOTICE .....	8
03/26.4.0 COUNCILLOR’S QUESTIONS WITHOUT NOTICE .....	8
03/26.4.1 Procedural Motion - Clr Liz Johnstone.....	8
03/26.5.0 DECLARATION OF INTERESTS OF A COUNCILLOR OR CLOSE ASSOCIATE .....	9
03/26.6.0 CONFIRMATION OF MINUTES.....	9
03/26.6.1 Confirmation of Minutes – Council Meeting 16 February 2026.....	9
03/26.7.0 COUNCIL WORKSHOPS HELD SINCE 16 FEBRUARY 2026 COUNCIL MEETING.....	10
03/26.8.0 PLANNING AUTHORITY .....	11
03/26.8.1 DA 154-2025 – 6602 Esk Main Road, St Marys - Sign – Shipping Container and Associated Signage.....	11
03/26.8.2 DA 221-2025 -35 St Helens Point Road, Stieglitz - Visitor Accommodation – Additional Use for Visitor Accommodation. ....	17
03/26.8.3 DA 220-2024 -24309 Tasman Highway, St Helens - Residential – Construction of a Dwelling & Secondary Residence including Placement of a Shipping Container. ....	20
03/26.9.0 COUNCIL MEETING ACTIONS .....	27
03/26.9.1 Outstanding Matters.....	27
03/26.10.0 PETITIONS.....	27
03/26.11.0 NOTICES OF MOTION .....	27
03/26.12.0 MAYOR’S & COUNCILLOR’S COMMUNICATIONS.....	28
03/26.12.1 Mayor’s Communications for Period Ending 16 February 2026.....	28
03/26.12.2 Councillor’s Reports for Period Ending 16 February 2026.....	28
03/26.13.0 BUSINESS AND CORPORATE SERVICES.....	29
03/26.13.1 Corporate Services Department Report .....	29
03/26.13.2 Monthly Financial Report.....	30

03/26.14.0	WORKS AND INFRASTRUCTURE .....	31
03/26.14.1	Works and Infrastructure Report.....	31
03/26.14.2	Animal Control Report .....	31
03/26.14.3	Policy review – AM20 Water Refill Station Policy.....	32
03/26.15.0	COMMUNITY DEVELOPMENT .....	32
03/26.15.1	Community Services Report.....	32
03/26.15.2	Visitor Information Centre Report .....	33
03/26.16.0	DEVELOPMENT SERVICES.....	33
03/26.16.1	Development Services Report.....	33
03/26.16.2	Protection of the scenic and natural values of the Break O’Day coastline – North East Bioregional Network - A ban on strata titles and multiple dwellings for tourism accommodation outside of serviced settlements. ....	34
03/26.16.3	Protection of the scenic and natural values of the Break O’Day coastline – North East Bioregional Network - Reintroduce the prohibition on subdivision within 1km of the coast outside of settlements to prevent ribbon development and unrelated cluster development .....	35
03/26.16.4	Protection of the scenic and natural values of the Break O’Day coastline – North East Bioregional Network - 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.....	36
03/26.16.5	Protection of the scenic and natural values of the Break O’Day coastline – North East Bioregional Network - Establish a comprehensive and effective Scenic Protection Code which preserves the Scenic beauty of the Break O’Day municipality. 36	
03/26.17.0	GOVERNANCE.....	37
03/26.17.1	General Manager’s Report.....	37
03/26.17.2	Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report October-December 2025 .....	37
03/26.17.3	Proposed Redistribution of Tasmania’s Electoral Divisions.....	38
03/26.18.0	CLOSED COUNCIL .....	40
03/26.18.1	Confirmation of Closed Council Minutes – Council Meeting 16 February 2026 .....	40
03/26.18.2	Outstanding Actions List for Closed Council .....	40
03/26.18.3	Closed Council Item Pursuant to Section 17(2)[E] of the Local Government (Meeting Procedures) Regulations 2025 - Purchase of backhoe .....	40
03/26.18.5	Closed Council Item Pursuant to Section 17(2)[H] of the Local Government (Meeting Procedures) Regulations 2025 - Request to Waiver Interest and Penalty – Bent Street, Mathinna .....	41
03/26.18.6	Closed Council Item Pursuant to Section 17(2)[H] of the Local Government (Meeting Procedures) Regulations 2025 - Request to Waiver Interest and Penalty Chimney Heights, Stieglitz.....	41
03/26.19.0	MEETING CLOSED.....	41

## AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

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

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

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

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

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

## OPENING & INTRODUCTION

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

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

## ACKNOWLEDGEMENT OF COUNTRY

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

## LIVE AUDIO/VISUAL STREAMING OF COUNCIL MEETINGS

*Ladies and gentlemen, I would like to advise you that today's Council Meeting 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.

## **03/26.1.0 ATTENDANCE**

### **03/26.1.1 Present**

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

### **03/26.1.2 Apologies**

Councillor Gary Barnes

### **03/26.1.3 Leave of Absence**

Councillor Kylie Wright

### **03/26.1.4 Staff in Attendance**

General Manager, John Brown  
People & Safety Support Officer, Linda Singline  
Executive Officer, Jayne Richardson (*Item 26.1-26.18.1*)  
Development Services Coordinator, Jake Ihnen (*Item 26.1-26.18*)  
Business Services Manager, Raoul Harper (*Item 26.1-26.19*)  
Manager Infrastructure and Development Services, David Jolly (*Item 26.1-26.19*)  
Community Services Manager, Chris Hughes (*Item 26.1-26.16*)  
Planning Officer, Alex McKinlay (*Item 26.1-26.9*)  
Senior Town Planning Consultant, Rebecca Green (*Item 26.1-26.9*)  
Corporate Services Coordinator, Angela Matthews (*26.9.1-26.13.2, 26.17.1-26.19*)

## 03/26.2.0 PUBLIC QUESTION TIME

Three (3) people in the gallery.

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

*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.

### 03/26.2.1 Improved Scenic Protection Requirements – Graeme Wathen

In recent months, the matter of the need for improved Scenic Protection requirements in the Break O’Day planning system has been raised, at the 2025 AGM, questions from the public and apparently at Council workshops.

In addition, there are public concerns about strata and cluster developments and potential subdivisions within the coastal zone because these developments threaten the existing scenic landscape; and effective scenic protection controls would go a long way to allay these concerns.

The Council has announced that work has already commenced on investigating the application for a Scenic Areas overlay and that a project brief is currently being developed for Councillors’ considerations.

As the main beneficiaries of scenic protection codes are the residents and visitors of Break O’Day, my questions relate to the process and detail of the proposed project brief for this important project.

1. Do Councillors have a vision for the scenic protection of the Break O’Day coastline, particularly for the coastal zone between Douglas River and Dianas Basin?
2. As the proposed project brief concerns Scenic Areas overlays, as distinct from Scenic Road Corridors, do Councillors have views to input on the critical parameters for scenic protection; which are the scenic values and the management objectives for the Scenic Areas overlays?

3. Instead of the usual Council process of in-house development with later public consultation, will the Council seek early community input to the preparation of the project brief, including the selection of the scenic areas, the determination of scenic values and the management objectives, by setting up a community based representative advisory committee to provide such inputs?
4. Will the Council take steps to prevent inappropriate development in the coastal areas in the interim between now and when a revised Scenic Code is promulgated?

#### REPLY

1. Councillors views cannot be established until relevant decisions are made at Council meetings with relation to a "Vision for Scenic Protection". The project work was endorsed by Council and included in the Annual Plan for progression. Developing a vision for the scenic protection of identified areas may form part of the Scenic Areas Assessment process. Specifically, the relevant action contained within the Break O Day Council Annual Plan is: *"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"*
2. As per item 1 - Councillors views on the parameters form part of the discussion in relation to developing the brief.
3. Council officers will be guided by Council decisions in relation to the drafting of the brief. It is not currently proposed to develop an advisory committee and Council rely on expertise of qualified staff to draft the briefing document. Community and stakeholder consultation will be required to be undertaken as part of the project work by the successful consultant and a Community Engagement Plan will be developed at the start of the project to guide activities.
4. Council's Planning Authority will continue to make decisions and recommendations to Council based on the regulatory framework that exists under the Tasmanian Planning Scheme. Council's Planning Authority must have sound planning based merit to prevent or refuse development applications

#### 03/26.2.2 Tree Planting for Sandy Von Stieglitz – Clr Ian Carter OBO Peter & Gail Paulsen

We represent a small group of friends and colleagues of Sandy Von Stiglitz who sadly passed away in January last year.

Sandy was a dedicated volunteer at the tip shop in St Helens and Scamander for many years and was well respected and loved by fellow volunteers and the general community. We are honouring Sandy's las wishes (along with her son Ashley) by planting flowering gums along the Scamander River with an application to Break O'Day Council. We very much appreciate the support given by the Council for this proposal.

Fourteen months has passes since the application with Council to plant flowering gums near the boat ramp on the Scamander River.

Currently we have raised enough funds to secure the six trees (with the generosity of Paul Fratter). On his advice the optimal time for planting is early next month.

As we understand it, we are still waiting for the final sign-off by Parks and Wildlife, for this to proceed.

Can we ask the Council to exercise its influence with Parks to bring this application to a conclusion as soon as possible.

#### **REPLY**

Council was advised on 16 March 2026, that the application is currently in the “decision pipeline” with Property Services and with the Regional Manager for final signoff as of Friday.

The current recommendation is for approval of the memorial, and they have advised that they don’t believe that the recommendation will change but Council will need to wait for the relevant approvals to be received before the project can proceed.

### **03/26.3.0 COUNCILLOR’S QUESTIONS ON NOTICE**

Nil

### **03/26.4.0 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.

#### **03/26.4.1 Procedural Motion - Clr Liz Johnstone**

Good morning and thank you for the opportunity to ask the following.

My question is to the General Manager.

In the February Council Meeting I put a procedural motion to defer consideration to a future council meeting of the Officers Recommendation in relation to the Motion “That Break O Day Council support the following recommendations to protect the scenic and natural values of the Break O Day coastlines

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 storm water management than those in the current Break O Day Storm water SAP to protect coastal waterways and wetlands water quality and ecosystems, and
4. Establish a comprehensive and effective Scenic Protection Code which preserves the scenic beauty of the Break O Day municipality.

Due to my elderly mother requiring my support in Melbourne I was unable to attend the March Workshop. I did come to the council chambers and informed the General Manager of this situation and that I would be an apology for the Workshop.

Therefore, my question is what is common practice when a Councillor puts a procedural motion for a motion to be considered at a future Council meeting and is unable to attend the next workshop due to in this case a family issue? Would it not be appropriate to bring the motion to the next workshop the proponent of the procedural motion was available to attend?  
Thank you

#### **REPLY**

A procedural motion if passed is a decision of the whole Council which is then implemented. The process that has previously been followed is to schedule the item as decided. In this case it was taken to a workshop for further discussion prior to coming to the meeting. Council officers reviewed the recording at the meeting and separated the four (4) elements as this was specifically requested to facilitate discussion as well as to identify points of contention to consider with a review of the recommendation.

### **03/26.5.0                    DECLARATION OF INTERESTS OF A COUNCILLOR OR CLOSE ASSOCIATE**

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

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

Nil

### **03/26.6.0                    CONFIRMATION OF MINUTES**

#### **03/26.6.1                    Confirmation of Minutes – Council Meeting 16 February 2026**

#### **OFFICER’S RECOMMENDATION:**

That the minutes of the Council Meeting held on the 16 February 2026 be confirmed.

#### **COUNCIL DECISION:**

**03/26.6.1.708                    Moved: Clr V Oldham/ Seconded: Clr K Chapple**

That the minutes of the Council Meeting held on the 16 February 2026 be confirmed.

**CARRIED UNANIMOUSLY**

## 03/26.7.0 COUNCIL WORKSHOPS HELD SINCE 16 FEBRUARY 2026 COUNCIL MEETING

There was a workshop held 2 March 2026 and the following items were listed for discussion:

- Presentation - East Coast Tourism Tasmania
- Pending Development Application Updates
- Protection of the scenic and natural values of the Break O'Day coastline – North East Bioregional Network
- Request to Waiver Interest and Penalty – Bent Street, Mathinna – PID 3257741
- Request to Waiver Interest and Penalty – 10 Chimney Heights, Stieglitz – Xu Family Group 2 Pty Ltd
- Animal Control Report
- Policy review – AM20 Water Refill Station Policy
- Wrinklers Subdivision Detention Basin
- Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report October-December 2025
- Website Redevelopment – Request to proceed to Tender
- Elected Member Recognition Policy and Procedure
- Honour boards for Recognition of Service

## 03/26.8.0 PLANNING AUTHORITY

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

### 03/26.8.1 DA 154-2025 – 6602 Esk Main Road, St Marys - Sign – Shipping Container and Associated Signage.

FILE REFERENCE	DA 2025 / 00154
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#### OFFICER'S RECOMMENDATION:

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O'Day*, that the application for Sign - Shipping Container and Associated Signage on land situated at 6602 Esk Main Road, St Marys described in Certificate of Title 142933/1 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Location Plan of shipping container signage	A01	Private Forests Tasmania	Received 29/08/2025
Signage Side A Design	A02	Private Forests Tasmania	Received 29/08/2025
Signage Side B Design	A03	Private Forests Tasmania	Received 29/08/2025
Signage Side C Design	A04	Private Forests Tasmania	Received 29/08/2025
Signage Icon	A05	Private Forests Tasmania	Received 29/08/2025
3D Images with setback and dimensions with photo montages x 4	A06, A07, A08 and A09	Private Forests Tasmania	Received 23/12/2025
Additional Information	Nil	Private Forests Tasmania	5 November 2025
Additional Information	Nil	Private Forests Tasmania	22 December 2025

## CONDITIONS

CONDITION		TIMING
<b>1.</b>	<b>Approved Plans and/or Document</b>	
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.
<b>2.</b>	<b>Shipping Container and Signage</b>	
A	The shipping container is approved for the attachment of the signage forming part of this application only.	Prior to commencement of use and to be maintained at all times.
B	Upon completion of the project, the shipping container and associated signage must be removed in its entirety from the subject site. Should the intention be to install new signage on the shipping container, a new development application must be submitted as further planning approval will be required.	Upon completion of the project and to be maintained at all times.

## ADVICE

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

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

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

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

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

Development Permit Information	Details
<i>Development Description</i>	Sign - Shipping Container and Associated Signage
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Nil
<i>Attachments</i>	Nil
<i>Representations</i>	Three (3)

## INTRODUCTION:

The applicant is seeking approval for the placement of a 6m by 2.4m shipping container which will be sealed shut and include signage on three sides of the structure.

## COUNCIL DECISION:

**03/26.8.1.709**      Moved: Clr L Whittaker/ Seconded: Clr B LeFevre

- 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 Sign - Shipping Container and Associated Signage on land situated at 6602 Esk Main Road, St Marys described in Certificate of Title 142933/1 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Location Plan of shipping container signage	A01	Private Forests Tasmania	Received 29/08/2025
Signage Side A Design	A02	Private Forests Tasmania	Received 29/08/2025
Signage Side B Design	A03	Private Forests Tasmania	Received 29/08/2025
Signage Side C Design	A04	Private Forests Tasmania	Received 29/08/2025
Signage Icon	A05	Private Forests Tasmania	Received 29/08/2025
3D Images with setback and dimensions with photo montages x 4	A06, A07, A08 and A09	Private Forests Tasmania	Received 23/12/2025
Additional Information	Nil	Private Forests Tasmania	5 November 2025
Additional Information	Nil	Private Forests Tasmania	22 December 2025

## CONDITIONS

CONDITION	TIMING
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<b>1.</b>	<b>Approved Plans and/or Document</b>	
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.
<b>2.</b>	<b>Shipping Container and Signage</b>	
A	The shipping container is approved for the attachment of the signage forming part of this application only.	Prior to commencement of use and to be maintained at all times.
B	Upon completion of the project, the shipping container and associated signage must be removed in its entirety from the subject site. Should the intention be to install new signage on the shipping container, a new development application must be submitted as further planning approval will be required.	Upon completion of the project and to be maintained at all times.

## ADVICE

1. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.

2. Activities associated with construction works are not to be performed outside the permissible time frames listed:

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

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

	<b>Applicable Y/NA</b>	<b>Referral Agency</b>
That all external Referral Agencies for the development application be provided with a copy of the Council's decision (Permit)	Yes	Department of State Growth

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

<b>Development Permit Information</b>	<b>Details</b>
<i>Development Description</i>	Sign - Shipping Container and Associated Signage
<i>Relevant Period of Approval</i>	2 Years

<i>Other Necessary Permits</i>	Nil
<i>Attachments</i>	Nil
<i>Representations</i>	Three (3)

**Amended Motion was moved**

Moved: Clr B LeFevre/ Seconded: Clr I Carter

- 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 Sign - Shipping Container and Associated Signage on land situated at 6602 Esk Main Road, St Marys described in Certificate of Title 142933/1 be APPROVED subject to the following plans / documents and conditions:

<b>Approved Plans / Documents</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Location Plan of shipping container signage	A01	Private Forests Tasmania	Received 29/08/2025
Signage Side A Design	A02	Private Forests Tasmania	Received 29/08/2025
Signage Side B Design	A03	Private Forests Tasmania	Received 29/08/2025
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Signage Icon	A05	Private Forests Tasmania	Received 29/08/2025
3D Images with setback and dimensions with photo montages x 4	A06, A07, A08 and A09	Private Forests Tasmania	Received 23/12/2025
Additional Information	Nil	Private Forests Tasmania	5 November 2025
Additional Information	Nil	Private Forests Tasmania	22 December 2025

**CONDITIONS**

<b>CONDITION</b>		<b>TIMING</b>
<b>1.</b>	<b>Approved Plans and/or Document</b>	
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.
<b>2.</b>	<b>Shipping Container and Signage</b>	

A	The shipping container is approved for the attachment of the signage forming part of this application only.	Prior to commencement of use and to be maintained at all times.
B	Upon completion of the project, the shipping container and associated signage must be removed in its entirety from the subject site. Should the intention be to install new signage on the shipping container, a new development application must be submitted as further planning approval will be required.	Within twelve (12) months of the planting being completed and to be maintained at all times.

## ADVICE

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

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

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

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

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

Development Permit Information	Details
<i>Development Description</i>	Sign - Shipping Container and Associated Signage
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Nil
<i>Attachments</i>	Nil
<i>Representations</i>	Three (3)

## CARRIED UNANIMOUSLY

FILE REFERENCE	DA 2025 / 00221
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**OFFICER'S RECOMMENDATION:**

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O' Day*, that the application for Additional Use for Visitor Accommodation on land situated at 35 St Helens Point Road, Stieglitz described in Certificate of Title 81371/18 with access currently achieved over 'Footway' (CT 45005/1) and 37 St Helens Point Road, Stieglitz (CT 81371/19), be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Site Plan and Floor Plan	A01	Marilla O'Sullivan and Nicholas McLeish	Received 13/11/2025
Identification Survey	Job Number: 260103, Sheet 1 of 1	East Coast Surveying	15/01/2026
Coastal Erosion and Landslip Hazard Appraisal	GL25503Ab	Geoton Pty Ltd	28/08/2025

**CONDITIONS**

CONDITION		TIMING
<b>1.</b>	<b>Approved Plans and/or Document</b>	
A.	Undertake Use 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.
<b>2.</b>	<b>Nuisance</b>	
A.	Use of the development must not create a nuisance as defined by the <i>Environmental Management and Pollution Control Act 1994</i>	Maintained at all times.
<b>3.</b>	<b>Access to Council Maintained Road</b>	
A.	Prior to commencement of the visitor accommodation use on the subject site, written evidence must be submitted to the satisfaction of Council's Development Services Coordinator that a legal means of vehicular access from the edge of the council maintained road to the subject site including access over CT 45005/1	Prior to commencement of use and to be maintained at all times.

	('Footway') and CT 81371/19 (37 St Helens Point Road, Stieglitz) has been obtained.	
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## 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. Prior to the commencement of the Visitor Accommodation Use, a completed and signed copy of a Building Self-Assessment Form must be submitted to Council via email to [admin@bodc.tas.gov.au](mailto:admin@bodc.tas.gov.au).
- 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>	Visitor Accommodation – Additional Use for Visitor Accommodation
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Nil
<i>Attachments</i>	Nil
<i>Representations</i>	One

## INTRODUCTION:

The applicant is seeking approval for an additional use, visitor accommodation within an existing single dwelling.

## COUNCIL DECISION:

**03/26.8.2.710**      Moved: Clr B LeFevre/ Seconded: Clr K Chapple

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O'Day*, that the application for Additional Use for Visitor Accommodation on land situated at 35 St Helens Point Road, Stieglitz described in Certificate of Title 81371/18 with access currently achieved

over 'Footway' (CT 45005/1) and 37 St Helens Point Road, Stieglitz (CT 81371/19), be APPROVED subject to the following plans / documents and conditions:

<b>Approved Plans / Documents</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Site Plan and Floor Plan	A01	Marilla O'Sullivan and Nicholas McLeish	Received 13/11/2025
Identification Survey	Job Number: 260103, Sheet 1 of 1	East Coast Surveying	15/01/2026
Coastal Erosion and Landslip Hazard Appraisal	GL25503Ab	Geoton Pty Ltd	28/08/2025

## CONDITIONS

<b>CONDITION</b>		<b>TIMING</b>
<b>1.</b>	<b>Approved Plans and/or Document</b>	
A.	Undertake Use 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.
<b>2.</b>	<b>Nuisance</b>	
A.	Use of the development must not create a nuisance as defined by the <i>Environmental Management and Pollution Control Act 1994</i>	Maintained at all times.
<b>3.</b>	<b>Access to Council Maintained Road</b>	
A.	Prior to commencement of the visitor accommodation use on the subject site, written evidence must be submitted to the satisfaction of Council's Development Services Coordinator that a legal means of vehicular access from the edge of the council maintained road to the subject site including access over CT 45005/1 ('Footway') and CT 81371/19 (37 St Helens Point Road, Stieglitz) has been obtained.	Prior to commencement of use and to be maintained at all times.

## ADVICE

1. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
2. Prior to the commencement of the Visitor Accommodation Use, a completed and signed copy of a Building Self-Assessment Form must be submitted to Council via email to [admin@bodc.tas.gov.au](mailto:admin@bodc.tas.gov.au).

- 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>	Visitor Accommodation – Additional Use for Visitor Accommodation
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Nil
<i>Attachments</i>	Nil
<i>Representations</i>	One

**CARRIED**

**FOR – Mayor M Tucker, Clr K Chapple, Clr L Johnstone, Clr L Whittaker, Clr V Oldham, Clr B LeFevre**

**AGAINST – Clr I Carter**

**03/26.8.3 DA 220-2024 -24309 Tasman Highway, St Helens - Residential – Construction of a Dwelling & Secondary Residence including Placement of a Shipping Container.**

<b>FILE REFERENCE</b>	DA 2024 / 00220
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**OFFICER’S RECOMMENDATION:**

- A. After due consideration of the application received and pursuant to Section 57 of *the Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for Residential - Construction of a Dwelling and Secondary Residence including Placement of a Shipping Container on land situated at 24309 Tasman Highway, St Helens described in Certificate of Title 84563/11 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposed Site Plan	Project No: 1385, Sheet No: 02	All Draw Building Design	3/03/2026, Rev: 3
Floor Plan	Project No: 1385, Sheet No: 03	All Draw Building Design	3/03/2026, Rev: 3

Elevations	Project No: 1385, Sheet No: 04	All Draw Design	Building	3/03/2026, Rev: 2
Elevations	Project No: 1385, Sheet No: 05	All Draw Design	Building	3/03/2026, Rev: 2
Elevations II	Project No: 1385, Sheet No: 06	All Draw Design	Building	3/03/2026, Rev: 2
Roof & Drainage Plan	Project No: 1385, Sheet No: 08	All Draw Design	Building	3/03/2026, Rev: 2
Existing Container	Project No: 1385, Sheet No: 17	All Draw Design	Building	4/02/2026, Rev: 1
9am Shadow Diagram	Project No: 1385, Sheet No: 18	All Draw Design	Building	24/02/2026, Rev: 2
10am Shadow Diagram	Project No: 1385, Sheet No: 19	All Draw Design	Building	24/02/2026, Rev: 2
11am Shadow Diagram	Project No: 1385, Sheet No: 20	All Draw Design	Building	24/02/2026, Rev: 2
12pm Shadow Diagram	Project No: 1385, Sheet No: 21	All Draw Design	Building	24/02/2026, Rev: 2
1pm Shadow Diagram	Project No: 1385, Sheet No: 22	All Draw Design	Building	24/02/2026, Rev: 2
2pm Shadow Diagram	Project No: 1385, Sheet No: 23	All Draw Design	Building	24/02/2026, Rev: 2
3pm Shadow Diagram	Project No: 1385, Sheet No: 24	All Draw Design	Building	24/02/2026, Rev: 2

## CONDITIONS

CONDITION		TIMING
<b>1</b>	<b>Approved Plans and/or Document</b>	
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.
<b>2</b>	<b>Dwelling and Secondary Residence</b>	
A	If a visitor accommodation use is sought for either the dwelling or the secondary residence 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 for visitor accommodation.	Prior to use and maintained at all times.
<b>3</b>	<b>Shipping Container Colour</b>	
A	The proponent must submit to Council a proposed colour schedule for the exterior paint colour and finish of the shipping container, to the approval of Council's Development Services Coordinator.	Prior to the application of a building approval.
B	The shipping container must be painted/finished as approved by condition 2A above and to the satisfaction of Council's Development Services Coordinator.	Prior to occupancy of dwelling.

<b>4</b>	<b>Residential Use Car Parking</b>	
A	The areas shown to be set aside for vehicle access and car parking must be: <ul style="list-style-type: none"> <li>a. completed before the use of the development;</li> <li>b. surfaced with a pervious dust free surface and drained in a manner that will not cause stormwater nuisance.</li> </ul>	Prior to use and maintained at all times.
<b>5</b>	<b>Stormwater</b>	
A	All stormwater runoff from the development must be detained by on-site water storage systems and disposed of by means within the site, that will not result in soil erosion or other stormwater nuisance.	Prior to completion and to be maintained at all times.
B	Concentrated stormwater must not be discharged into neighbouring properties.	To be maintained at all times.

<b>6</b>	<b>Department of State Growth</b>	
A	Any works along the State Road reservation will require a permit, as per link below: <a href="https://www.transport.tas.gov.au/road_permits/permits_and_bookings/new_or_altered_access_onto_a_road_driveways">https://www.transport.tas.gov.au/road_permits/permits_and_bookings/new_or_altered_access_onto_a_road_driveways</a>	Prior to the commencement of any works in the State Road reservation.
<b>7</b>	<b>Nuisance</b>	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
B	During the period of construction, works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.	Prior to use and maintained at all times.
C	The driveway must be constructed in a manner that ensures sediment is neither tracked nor eroded across the property boundary.	Prior to use and maintained at all times.
D	All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	At all times.
<b>8</b>	<b>Underground Infrastructure</b>	
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.
<b>9</b>	<b>Effluent Disposal</b>	
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.

## ADVICE

1. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
  2. Activities associated with construction works are not to be performed outside the permissible time frames listed:  
Mon-Friday 7 am to 6 pm  
Saturday 9 am to 6 pm  
Sunday and public holidays 10 am to 6 pm
  3. Be advised that in accordance with the *Building Act 2016* assessment for building approval cannot commence until such time as Council is provided with full Building Design Plans and Specifications prepared by a Tasmanian Licenced designer.
- B. That all external Referral Agencies for the development application be provided with a copy of the Council's decision (Permit).

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

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

Development Permit Information	Details
<i>Development Description</i>	Residential - Construction of a Dwelling and Secondary Residence including Placements of Shipping Container
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Building/Plumbing/DSG
<i>Attachments</i>	Nil
<i>Representations</i>	One (1)

## INTRODUCTION:

The applicant is seeking approval for a single dwelling, including secondary residence and shipping container at 24309 Tasman Highway, St Helens.

**COUNCIL DECISION:****03/26.8.3.711**Moved: Clr B LeFevre/ Seconded: Clr K Chapple

- A. After due consideration of the application received and pursuant to Section 57 of *the Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for Residential - Construction of a Dwelling and Secondary Residence including Placement of a Shipping Container on land situated at 24309 Tasman Highway, St Helens described in Certificate of Title 84563/11 be APPROVED subject to the following plans / documents and conditions:

<b>Approved Plans / Documents</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Proposed Site Plan	Project No: 1385, Sheet No: 02	All Draw Building Design	3/03/2026, Rev: 3
Floor Plan	Project No: 1385, Sheet No: 03	All Draw Building Design	3/03/2026, Rev: 3
Elevations	Project No: 1385, Sheet No: 04	All Draw Building Design	3/03/2026, Rev: 2
Elevations	Project No: 1385, Sheet No: 05	All Draw Building Design	3/03/2026, Rev: 2
Elevations II	Project No: 1385, Sheet No: 06	All Draw Building Design	3/03/2026, Rev: 2
Roof & Drainage Plan	Project No: 1385, Sheet No: 08	All Draw Building Design	3/03/2026, Rev: 2
Existing Container	Project No: 1385, Sheet No: 17	All Draw Building Design	4/02/2026, Rev: 1
9am Shadow Diagram	Project No: 1385, Sheet No: 18	All Draw Building Design	24/02/2026, Rev: 2
10am Shadow Diagram	Project No: 1385, Sheet No: 19	All Draw Building Design	24/02/2026, Rev: 2
11am Shadow Diagram	Project No: 1385, Sheet No: 20	All Draw Building Design	24/02/2026, Rev: 2
12pm Shadow Diagram	Project No: 1385, Sheet No: 21	All Draw Building Design	24/02/2026, Rev: 2
1pm Shadow Diagram	Project No: 1385, Sheet No: 22	All Draw Building Design	24/02/2026, Rev: 2
2pm Shadow Diagram	Project No: 1385, Sheet No: 23	All Draw Building Design	24/02/2026, Rev: 2
3pm Shadow Diagram	Project No: 1385, Sheet No: 24	All Draw Building Design	24/02/2026, Rev: 2

**CONDITIONS**

<b>CONDITION</b>	<b>TIMING</b>
<b>1</b> <b>Approved Plans and/or Document</b>	

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.
<b>2</b>	<b>Dwelling and Secondary Residence</b>	
A	If a visitor accommodation use is sought for either the dwelling or the secondary residence 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 for visitor accommodation.	Prior to use and maintained at all times.
<b>3</b>	<b>Shipping Container Colour</b>	
A	The proponent must submit to Council a proposed colour schedule for the exterior paint colour and finish of the shipping container, to the approval of Council's Development Services Coordinator.	Prior to the application of a building approval.
B	The shipping container must be painted/finished as approved by condition 2A above and to the satisfaction of Council's Development Services Coordinator.	Prior to occupancy of dwelling.
<b>4</b>	<b>Residential Use Car Parking</b>	
A	The areas shown to be set aside for vehicle access and car parking must be: <ul style="list-style-type: none"> <li>c. completed before the use of the development;</li> <li>d. surfaced with a pervious dust free surface and drained in a manner that will not cause stormwater nuisance.</li> </ul>	Prior to use and maintained at all times.
<b>5</b>	<b>Stormwater</b>	
A	All stormwater runoff from the development must be detained by on-site water storage systems and disposed of by means within the site, that will not result in soil erosion or other stormwater nuisance.	Prior to completion and to be maintained at all times.
B	Concentrated stormwater must not be discharged into neighbouring properties.	To be maintained at all times.

<b>6</b>	<b>Department of State Growth</b>	
A	Any works along the State Road reservation will require a permit, as per link below: <a href="https://www.transport.tas.gov.au/road_permits/permits_and_bookings/new_or_altered_access_onto_a_road_driveways">https://www.transport.tas.gov.au/road_permits/permits_and_bookings/new_or_altered_access_onto_a_road_driveways</a>	Prior to the commencement of any works in the State Road reservation.
<b>7</b>	<b>Nuisance</b>	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
B	During the period of construction, works on the site must not result in a concentration of flow onto other	Prior to use and maintained at all times.

	property, or cause ponding or other stormwater nuisance.	
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.
<b>8</b>	<b>Underground Infrastructure</b>	
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.
<b>9</b>	<b>Effluent Disposal</b>	
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.

## ADVICE

1. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
  2. Activities associated with construction works are not to be performed outside the permissible time frames listed:  
 Mon-Friday 7 am to 6 pm  
 Saturday 9 am to 6 pm  
 Sunday and public holidays 10 am to 6 pm
  3. Be advised that in accordance with the *Building Act 2016* assessment for building approval cannot commence until such time as Council is provided with full Building Design Plans and Specifications prepared by a Tasmanian Licenced designer.
- B. That all external Referral Agencies for the development application be provided with a copy of the Council's decision (Permit).

	<b>Applicable Y/NA</b>	<b>Referral Agency</b>
That all external Referral Agencies for the development application be provided with a copy of the Council's decision (Permit)	Yes	DSG

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

<b>Development Permit Information</b>	<b>Details</b>
<i>Development Description</i>	Residential - Construction of a Dwelling and Secondary Residence including Placements of Shipping Container
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Building/Plumbing/DSG
<i>Attachments</i>	Nil
<i>Representations</i>	One (1)

### **CARRIED UNANIMOUSLY**

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

## **03/26.9.0 COUNCIL MEETING ACTIONS**

### **03/26.9.1 Outstanding Matters**

Clr K Chapple – Future Potential Production Forests Statement Distribution

Clr L Johnstone – Budget for Full Time Weed Officer & Animal Control Officer Update

## **03/26.10.0 PETITIONS**

Nil

## **03/26.11.0 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

**03/26.12.0****MAYOR'S & COUNCILLOR'S COMMUNICATIONS****03/26.12.1****Mayor's Communications for Period Ending 16 February 2026**

17.02.2026	<b>St Helens</b>	– Member of the public meeting, to discuss community ideas.
17.02.2026	<b>St Helens</b>	– Carlo Di Falco MP Member for Lyons, meeting involving the General Manager which covered matters of interest to Council and the community.
18.02.2026	<b>St Helens</b>	– Michael Ferguson MP meeting.
18.02.2026	<b>St Helens</b>	– St Helens Police Station, official opening attended by Premier of Tasmania the Hon Jeremy Rockliff MP, the Hon Felix Ellis MP, Minister for Police, Fire and Emergency Management.
18.02.2026	<b>St Helens</b>	– Country Universities Centre (CUC) Eastern Tasmania, official opening attended by the Hon Andrew Giles MP, Federal Minister for Skills and Training, alongside the Premier of Tasmania, the Hon Jeremy Rockliff MP, the Hon Felix Ellis MP, Minister for Skills and Jobs and the Hon Rebecca White MP.
18.02.2026	<b>St Helens</b>	– Visit to the St Helens Fire Station with Jeremy Rockliff, providing an opportunity to meet and acknowledge our local volunteers for the important work they do supporting the community.
18.02.2026	<b>St Helens</b>	– Politics in the Pub at Easy Tiger, attended with the General Manager, providing an opportunity to engage with Premier Rockliff and a number of other Members of Parliament who were in attendance.
18.02.2026	<b>St Helens</b>	– Premier Jeremy Rockliff, meeting involving the General Manager which discussed potential impact of the new Spirits of Tasmania on local visitation and coastal camping; Local Government legislative changes; Integrity Commission discussion paper and ongoing funding for the Regional Jobs Hubs.
23.02.2026	<b>MS Teams</b>	– LGAT General Management Committee.
02.03.2026	<b>St Helens</b>	– Council Workshop.
10.03.2026	<b>MS Teams</b>	– Northern Tasmania Regional Land Use Strategy (NTRLUS) Steering Committee Meeting.
11.03.2026	<b>Fingal</b>	– Eating with Friends at Fingal Valley Neighbourhood House.
16.03.2026	<b>St Helens</b>	– Council Meeting.

**03/26.12.2****Councillor's Reports for Period Ending 16 February 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**

The Treasurer has resigned and they are currently looking for a member of Chamber to fill this position. The Chamber approved a \$500 donation to BODRA for the Winter Arts Festival. An Aquatic Centre Update was provided by Sue Rigney, she has been working within the community to encourage survey participation. The President is working on an Aboriginal Recognition Statement for the Chamber. The Chamber will contact Parks and Wildlife Service in regard to concerns with large vehicle parking at St Columba Falls carpark. They feel that parking should be delineated in this area and large vehicles including caravans should be prohibited or encouraged to leave caravans at Pyengana Hall.

- **NRM Special Committee – Clr Liz Johnstone**

Clr Johnstone thanked the staff of the NRM committee, they are doing a wonderful job. The next meeting is scheduled for May. There is an Expression of Interest out for NRM Committee members, she is aware of three people with great interest wanting to be involved and is looking forward to getting enthusiastic community members on board.

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

The next meeting is scheduled for 10am, Thursday 26 March at Bayside. Tourism Tasmania will be presenting an update from 10am-12pm on Wednesday April 15 at Panorama, if people would like to attend.

- **Mental Health Action Group – Clr Barry LeFevre**

Nil

- **Access and Inclusion Advisory Committee – Clr Kylie Wright**

Clr Carter advised that the scheduled meeting was postponed as there was no Chair available. He attended a recent Tasmanian Disability and Inclusion Group meeting held at Portland Hall and was provided with information to present to the committee. They provided feedback that we are one of the few Councils that are active in this space and they are appreciative of this.

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

No meeting has been held, they are still waiting for formal sign off by Parks and Wildlife Service to go out for community consultation.

- **St Marys Exhibition Building Committee - Clr Liz Johnstone**

Thanked the committee and staff members, who are doing an awesome job. The next meeting will be held in April, to allow for a meeting onsite with the engineer. Maintenance is being undertaken on the building, community updates being provided by representatives and there is genuinely an excited buzz around the community due to things moving along.

## **03/26.13.0 BUSINESS AND CORPORATE SERVICES**

### **03/26.13.1 Corporate Services Department Report**

<b>FILE REFERENCE</b>	018\018\001\
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#### **OFFICER'S RECOMMENDATION:**

That the report be received.

#### **INTRODUCTION:**

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

**COUNCIL DECISION:**

**03/26.13.1.712** Moved: Clr I Carter/ Seconded: Clr L Johnstone

That the report be received.

**CARRIED UNANIMOUSLY**

**03/26.13.2** **Monthly Financial Report**

<b>FILE REFERENCE</b>	018\018\001\
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**OFFICER'S RECOMMENDATION:**

That the following reports for the month ending 28 February 2026 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.

**COUNCIL DECISION:**

**03/26.13.2.713** Moved: Clr B LeFevre/ Seconded: Clr K Chapple

That the following reports for the month ending 28 February 2026 be received:

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

**CARRIED UNANIMOUSLY**

The meeting adjourned for morning tea break at 11:10am. The meeting resumed at 11:24am

## 03/26.14.0 WORKS AND INFRASTRUCTURE

### 03/26.14.1 Works and Infrastructure Report

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

That the report be received by Council.

#### INTRODUCTION:

This 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.

#### COUNCIL DECISION:

**03/26.14.1.714** Moved: Clr L Johnstone/ Seconded: Clr I Carter

That the report be received by Council.

**CARRIED UNANIMOUSLY**

### 03/26.14.2 Animal Control Report

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

That the report be received by Council.

#### INTRODUCTION:

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

#### COUNCIL DECISION:

**03/26.14.2.715** Moved: Clr K Chapple/ Seconded: Clr B LeFevre

That the report be received by Council.

**CARRIED UNANIMOUSLY**

### 03/26.14.3 Policy review – AM20 Water Refill Station Policy

FILE REFERENCE	002\024\003\
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#### OFFICER’S RECOMMENDATION:

That Policy AM20 Water Refill Station Policy, be accepted without amendment.

#### INTRODUCTION:

Council has a schedule for regular review of Policies and this Policy is now due for revision.

#### COUNCIL DECISION:

**03/26.14.3.716** Moved: Clr B LeFevre/ Seconded: Clr K Chapple

That Policy AM20 Water Refill Station Policy, be accepted without amendment.

**CARRIED UNANIMOUSLY**

### 03/26.15.0 COMMUNITY DEVELOPMENT

#### 03/26.15.1 Community Services Report

FILE REFERENCE	011\034\006\
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#### OFFICER’S RECOMMENDATION:

That the report be received.

#### INTRODUCTION:

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

#### COUNCIL DECISION:

**03/26.15.1.717** Moved: Clr L Johnstone/ Seconded: Clr V Oldham

That the report be received.

**CARRIED UNANIMOUSLY**

## 03/26.15.2 Visitor Information Centre Report

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

That the report be received.

### INTRODUCTION:

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

### COUNCIL DECISION:

**03/26.15.2.718**                      Moved: Clr K Chapple/ Seconded: Clr L Whittaker

That the report be received.

**CARRIED UNANIMOUSLY**

## 03/26.16.0 DEVELOPMENT SERVICES

### 03/26.16.1 Development Services Report

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

That the report be received.

### INTRODUCTION:

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

### COUNCIL DECISION:

**03/26.16.1.719**                      Moved: Clr L Johnstone/ Seconded: Clr V Oldham

That the report be received.

**CARRIED UNANIMOUSLY**

**03/26.16.2**      **Protection of the scenic and natural values of the Break O’Day coastline – North East Bioregional Network - A ban on strata titles and multiple dwellings for tourism accommodation outside of serviced settlements.**

<b>FILE REFERENCE</b>	AGM 25.7.4
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**OFFICER’S RECOMMENDATION:**

That Council advise North East Bioregional Network:

1. In regard to a policy position on multiple dwellings for Tourism Accommodation in un-serviced areas, this would require further detailed consideration within any future Council strategic planning program and appropriate resourcing to initially determine the evidence for such a position and then to progress forward any recommendation of that investigation.
2. Council has already participated in the state review of the Strata Titles Act 1998, and no further submissions are proposed.
3. Should the NEBN wish to progress this in a more time sensitive manner, they may make direct submission to the State Government in relation to amendments to the State Planning Provisions and the Strata Titles Act 1998.

**COUNCIL DECISION:**

**03/26.16.2.720**                      Moved: Clr / Seconded: Clr

That Council advise North East Bioregional Network:

1. In regard to a policy position on multiple dwellings for Tourism Accommodation in un-serviced areas, this would require further detailed consideration within any future Council strategic planning program and appropriate resourcing to initially determine the evidence for such a position and then to progress forward any recommendation of that investigation.
2. Council has already participated in the state review of the Strata Titles Act 1998, and no further submissions are proposed.
3. Should the NEBN wish to progress this in a more time sensitive manner, they may make direct submission to the State Government in relation to amendments to the State Planning Provisions and the Strata Titles Act 1998.

**Procedural Motion**

Moved: Clr K Chapple/ Seconded: Clr I Carter

That Council defer this item to the April Council Workshop

**CARRIED UNANIMOUSLY**

**03/26.16.3**      **Protection of the scenic and natural values of the Break O’Day coastline – North East Bioregional Network - Reintroduce the prohibition on subdivision within 1km of the coast outside of settlements to prevent ribbon development and unrelated cluster development**

<b>FILE REFERENCE</b>	AGM 25.7.4
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**OFFICER’S RECOMMENDATION:**

That Council advise North East Bioregional Network that:

1. The re-introduction of the provisions regarding subdivision within the coastal zone within the Interim Scheme, into the Break O’Day Local Provisions Schedule has been extensively considered by the Tasmanian Planning Commission through the Break O’Day LPS process including the Hearings.
2. Should the NEBN wish to progress this further, they may make direct submission to the State Government in relation to amendments to the State Planning Provisions.

**COUNCIL DECISION:**

**03/26.16.3.721**                      Moved: Clr / Seconded: Clr

That Council advise North East Bioregional Network that:

1. The re-introduction of the provisions regarding subdivision within the coastal zone within the Interim Scheme, into the Break O’Day Local Provisions Schedule has been extensively considered by the Tasmanian Planning Commission through the Break O’Day LPS process including the Hearings.
2. Should the NEBN wish to progress this further, they may make direct submission to the State Government in relation to amendments to the State Planning Provisions.

**Procedural Motion**

Moved: Clr K Chapple / Seconded: Clr L Whittaker

That Council defer this item to the April Council Workshop

**CARRIED UNANIMOUSLY**



**COUNCIL DECISION:**

**03/26.16.5.723**                      Moved: Clr / Seconded: Clr

That Council advise the North East Bioregional Network that the Development Services Department is continuing with the identified project work.

**Procedural Motion**

Moved: Clr K Chapple / Seconded: Clr I Carter

That Council defer this item to the April Council Workshop

**CARRIED UNANIMOUSLY**

**03/26.17.0**                      **GOVERNANCE**

**03/26.17.1**                      **General Manager's Report**

<b>FILE REFERENCE</b>	002\012\001\
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**OFFICER'S RECOMMENDATION:**

That the General Manager's report be received.

**INTRODUCTION:**

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

**COUNCIL DECISION:**

**03/26.17.1.724**                      Moved: Clr K Chapple/ Seconded: Clr V Oldham

That the General Manager's report be received.

**CARRIED UNANIMOUSLY**

**03/26.17.2**                      **Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report October-December 2025**

<b>FILE REFERENCE</b>	039\011\003\
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**OFFICER'S RECOMMENDATION:**

That Council receive the quarterly report of the Northern Tasmania Development Corporation (NTDC) for the period October-December 2025.

## INTRODUCTION:

The Northern Tasmania Development Corporation (NTDC) has been formed as an enterprise under the Local Government Act. Accordingly, NTDC provides quarterly reports to its shareholders including Break O’Day Council.

## COUNCIL DECISION:

**03/26.17.2.725**                      Moved: Clr K Chapple/ Seconded: Clr I Carter

That Council receive the quarterly report of the Northern Tasmania Development Corporation (NTDC) for the period October-December 2025.

## CARRIED UNANIMOUSLY

### 03/26.17.3                      Proposed Redistribution of Tasmania’s Electoral Divisions

FILE REFERENCE	015\008\003\
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## OFFICER’S RECOMMENDATION:

It is recommended that Council:

1. Formally advise the Australian Electoral Commission that it does not support the proposed redistribution as it relates to the Break O’Day municipal area, on the basis that the proposal may not adequately reflect:
  - Established communities of interest;
  - Regional travel and service patterns; and
  - The representational needs of remote and regional communities.
2. Request that the Australian Electoral Commission:
  - Re-examine options that more closely align Break O’Day with north-east or east coast communities of interest; or
  - Provide clearer justification for retaining Break O’Day within a re-oriented Division of Lyons that is increasingly south-central in focus.

## INTRODUCTION:

The Redistribution Committee for Tasmania have released it’s proposed redistribution of Tasmania’s electoral divisions for comment, very substantial changes have been proposed for the Lyons electorate requiring the Council to consider the impact and provide it’s views on the matter.

Council may wish not to support the proposal on the basis that:

- Break O’Day remains within a large, geographically dispersed electorate despite acknowledged community-of-interest arguments for transfer;
- The proposal further marginalises the north-east within a re-shaped, more south-central Lyons;

- Alternative options affecting Break O’Day were explicitly acknowledged as reasonable by the Redistribution Committee but dismissed solely due to numerical constraints, rather than lack of merit; and
- The outcome risks diminishing effective representation for remote and regional communities such as Break O’Day.

#### **COUNCIL DECISION:**

**03/26.17.3.726**

Moved: Clr K Chapple/ Seconded: Clr B LeFevre

It is recommended that Council:

1. Formally advise the Australian Electoral Commission that it does not support the proposed redistribution as it relates to the Break O’Day municipal area, on the basis that the proposal may not adequately reflect:
  - Established communities of interest;
  - Regional travel and service patterns; and
  - The representational needs of remote and regional communities.
2. Request that the Australian Electoral Commission:
  - Re-examine options that more closely align Break O’Day with north-east or east coast communities of interest; or
  - Provide clearer justification for retaining Break O’Day within a re-oriented Division of Lyons that is increasingly south-central in focus.

**CARRIED UNANIMOUSLY**

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

Moved: Clr K Chapple/ Seconded: Clr I Carter

## IN CONFIDENCE

### 03/26.18.0 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.

### 03/26.18.1 Confirmation of Closed Council Minutes – Council Meeting 16 February 2026

#### OFFICER'S RECOMMENDATION:

That the minutes of the Closed Council Meeting held on the 16 February 2026 be confirmed.

#### COUNCIL DECISION:

### 03/26.18.1.CC Moved: Clr B LeFevre/ Seconded: Clr I Chapple

That the minutes of the Closed Council Meeting held on the 16 February 2026 be confirmed.

#### CARRIED UNANIMOUSLY

### 03/26.18.2 Outstanding Actions List for Closed Council

Noted

### 03/26.18.3 Closed Council Item Pursuant to Section 17(2)[E] of the Local Government (Meeting Procedures) Regulations 2025 - Purchase of backhoe

#### DECISION TO APPEAR IN OPEN COUNCIL:

### 03/26.18.3.CC Moved: Clr B LeFevre/ Seconded: Clr V Oldham

That Council approve the purchase of the new backhoe as recommended by the evaluation panel being Option 2, the purchase of a JCB 3CX Pro from JF Machinery

#### CARRIED UNANIMOUSLY

**03/26.18.5**                    **Closed Council Item Pursuant to Section 17(2)[H] of the Local Government (Meeting Procedures) Regulations 2025 - Request to Waiver Interest and Penalty – Bent Street, Mathinna**

**DECISION TO APPEAR IN OPEN COUNCIL:**

**03/26.18.5.CC**                    Moved: Clr I Carter/ Seconded: Clr B LeFevre

In accordance with the provisions of s. 129 of the *Local Government Act 1993*, and Council policy LG11 Rating Exemptions and Remissions Policy part 8, Council:

Approve a remission for penalty and interest applied to rates and charges for the years 2022/2023, 2023/2024, 2024/2025 and 2025/2026

**CARRIED UNANIMOUSLY**

**03/26.18.6**                    **Closed Council Item Pursuant to Section 17(2)[H] of the Local Government (Meeting Procedures) Regulations 2025 - Request to Waiver Interest and Penalty Chimney Heights, Stieglitz**

**DECISION TO APPEAR IN OPEN COUNCIL:**

**03/26.18.6.CC**                    Moved: Clr L Whittaker/ Seconded: Clr L Johnstone

In accordance with the provisions of s. 129 of the *Local Government Act 1993*, and Council policy LG11 Rating Exemptions and Remissions Policy part 8, Council:

Approve a remission for penalty and interest applied to rates and charges for Instalment 3 of 2025/2026 Financial years rates

**CARRIED UNANIMOUSLY**

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

Moved: Clr L Whittaker/ Seconded: Clr I Carter

**03/26.19.0**                    **MEETING CLOSED**

Mayor Tucker thanks everyone for their attendance and declared the meeting closed at 12:13pm.

.....  
**MAYOR**

.....  
**DATE**