

# COUNCIL MEETING AGENDA

Monday 20 October 2025  
Council Chambers, St Helens

General Manager  
Break O'Day Council  
14 October 2025

## NOTICE OF MEETING

Notice is hereby given that the next meeting of the Break O'Day Council will be held at the St Helens Council Chambers on Monday 20 October 2025 commencing at 10.00am.

### CERTIFICATION

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



**JOHN BROWN**

**GENERAL MANAGER**

Date: 14 October 2025



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## AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

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

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

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

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

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

## OPENING & INTRODUCTION

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

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

## ACKNOWLEDGEMENT OF COUNTRY

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

## LIVE AUDIO/VISUAL STREAMING OF COUNCIL MEETINGS

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

## 10/25.1.0 ATTENDANCE

### 10/25.1.1 Present

Mayor Mick Tucker  
Councillor Gary Barnes  
Councillor Ian Carter  
Councillor Liz Johnstone  
Councillor Barry LeFevre  
Councillor Vaughan Oldham  
Councillor Kylie Wright

### 10/25.1.2 Apologies

Deputy Mayor Kristi Chapple

### 10/25.1.3 Leave of Absence

Councillor Janet Drummond

### 10/25.1.4 Staff in Attendance

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

## 10/25.2.0 PUBLIC QUESTION TIME

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

*A question asked at a meeting is to:*

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

*General statements are not permitted during question time.*

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

Nil

### **10/25.3.0 COUNCILLOR'S QUESTIONS ON NOTICE**

Nil

### **10/25.4.0 COUNCILLOR'S QUESTIONS WITHOUT NOTICE**

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

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

### **10/25.5.0 DECLARATION OF INTERESTS OF A COUNCILLOR OR CLOSE ASSOCIATE**

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

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

### **10/25.6.0 CONFIRMATION OF MINUTES**

#### **10/25.6.1 Confirmation of Minutes – Council Meeting 15 September 2025**

#### **OFFICER'S RECOMMENDATION:**

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

## **10/25.7.0 COUNCIL WORKSHOPS HELD SINCE 15 SEPTEMBER 2025 COUNCIL MEETING**

There was a workshop held 6 October 2025 and the following items were listed for discussion.

- Presentation - ERA – Beaumaris-Scamander Structure Plan
- Presentation - Luke Manhood – St Helens Police
- Pending Development Application Updates
- Review of Council Delegations
- Information Technology Strategy 2025–2029
- Request for Proposal - IT Managed Services Agreement
- Animal Control Report
- Ladder to be located at Scamander Pontoon
- Bay of Fires Winter Arts Festival – Request to re-allocate existing \$4,000 to another project
- Office Closure – Christmas to New Year
- Council Meeting Dates and Workshop Dates for 2025
- Local Government Reforms to Councillor Numbers and Allowances Discussion Paper
- Local Government Association of Tasmania (LGAT) – Motions for Discussion at November General Meeting

## 10/25.8.0 PLANNING AUTHORITY

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

### 10/25.8.1 DA 046-2025 – 60 Treloggen Drive, Binalong Bay - Residential – Construction of a Dwelling and Retrospective Approval of Outbuilding Structures

ACTION	DECISION
COUNCIL MEETING DATE	20 October 2025
PROPONENT	Jennifer Binns
OFFICER	Alex McKinlay
FILE REFERENCE	DA 2025 / 00046
ASSOCIATED REPORTS AND DOCUMENTS	1. Plans for Approval 2. Representations (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 Residential – Construction of a Dwelling and Retrospective Approval of Outbuilding Structures on land situated at 60 Treloggen Drive, Binalong Bay described in Certificate of Title 104144/1 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Cover Page	-	Jennifer Binns	-
Site Plan	A04	Jennifer Binns	20/05/2025
Proposed Floor Plan	A05	Jennifer Binns	20/05/2025
Elevations	A06	Jennifer Binns	20/05/2025
As-Constructed Outbuilding	A07	Jennifer Binns	20/05/2025
Stormwater Assessment	Nil	Geo-Environmental Solutions	January 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.
<b>2</b>	<b>Single Dwelling</b>	
A	If a visitor accommodation use is sought for the dwelling, a further development application must be lodged with Council to seek approval for the allocation of an additional use to the dwelling.	Prior to use and maintained at all times.
<b>3</b>	<b>Vehicle Crossover</b>	
A	The crossover should be upgraded in accordance with standard drawing TSD-R04-v3.	Prior to use and maintained at all times.
B	A Works Permit should be obtained by submitting an application form prior to undertaking any work.	Prior to commencement of work.
<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. constructed with a durable all weather pavement 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>On-Site Stormwater Management</b>	
A	All run-off must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance.	Prior to use and maintained at all times.
B	Soakage drains must be of sufficient size to absorb stormwater runoff.	Prior to use and maintained at all times.
C	Concentrated stormwater must not be discharged into neighbouring properties.	To be maintained at all times.
<b>6</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>7</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.
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## ADVICE

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

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

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

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

- That the following information be included in the Permit.

Development Permit Information	Details
<i>Development Description</i>	Residential – Construction of a Dwelling and Retrospective Approval of Outbuilding Structures
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Works Permit
<i>Attachments</i>	Nil
<i>Representations</i>	One (1)

## INTRODUCTION:

The applicant is seeking approval for the construction of a new two-bedroom single dwelling with attached decks, retrospective approval of two existing outbuilding structures, proposed concrete driveway and installation of an absorption trench for onsite stormwater management.

## PREVIOUS COUNCIL CONSIDERATION:

Nil

## OFFICER'S REPORT:

### 1. The Proposal

The applicant is seeking approval for use and development of a single dwelling, including retrospective approval of existing outbuildings on the subject site located at 60 Treloggen Drive, Binalong Bay (CT 104144/1). Specifically, the provided plans demonstrate that the following development and works form part of this application:

- Construction of a 98.75m<sup>2</sup> single dwelling plus a 20.99m<sup>2</sup> deck and an additional 6.24m<sup>2</sup> deck, single storey in height with a total building height of 8.75m, comprising 2 bedrooms, 2 bathrooms, laundry and kitchen/dining room.
- Retrospective approval for an existing 20.28m<sup>2</sup> outbuilding with attached decks and a 1.932m<sup>2</sup> outbuilding.
- Construction of a concrete driveway with grated strip drains.
- Installation of onsite management systems (Stormwater and Wastewater).

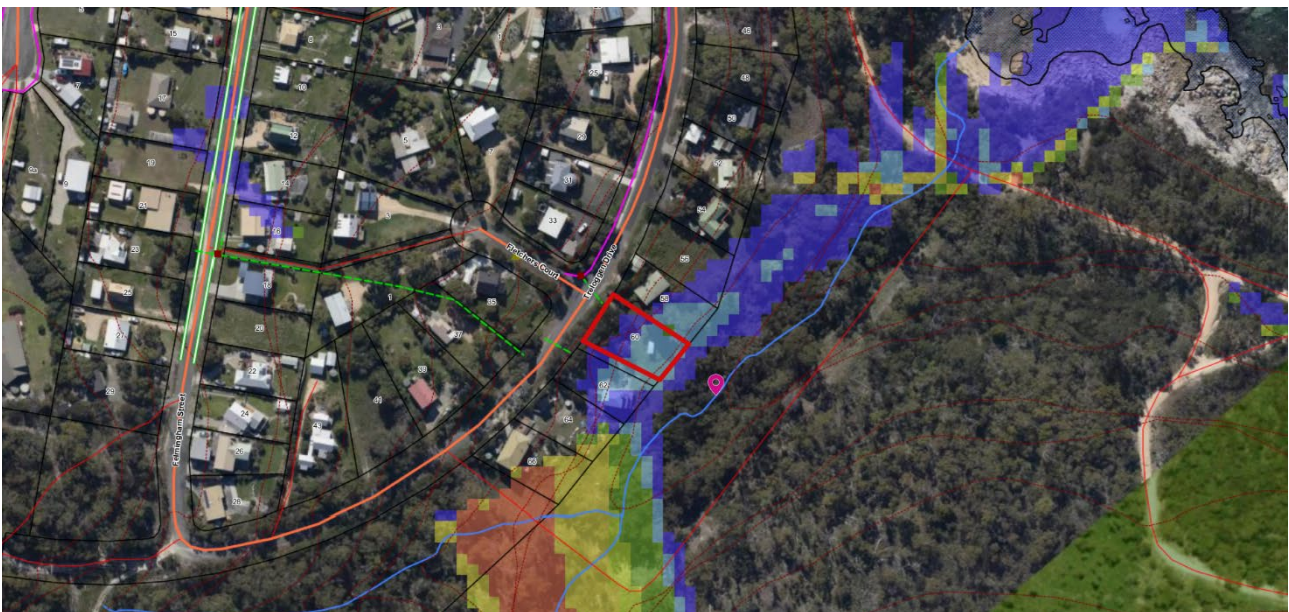
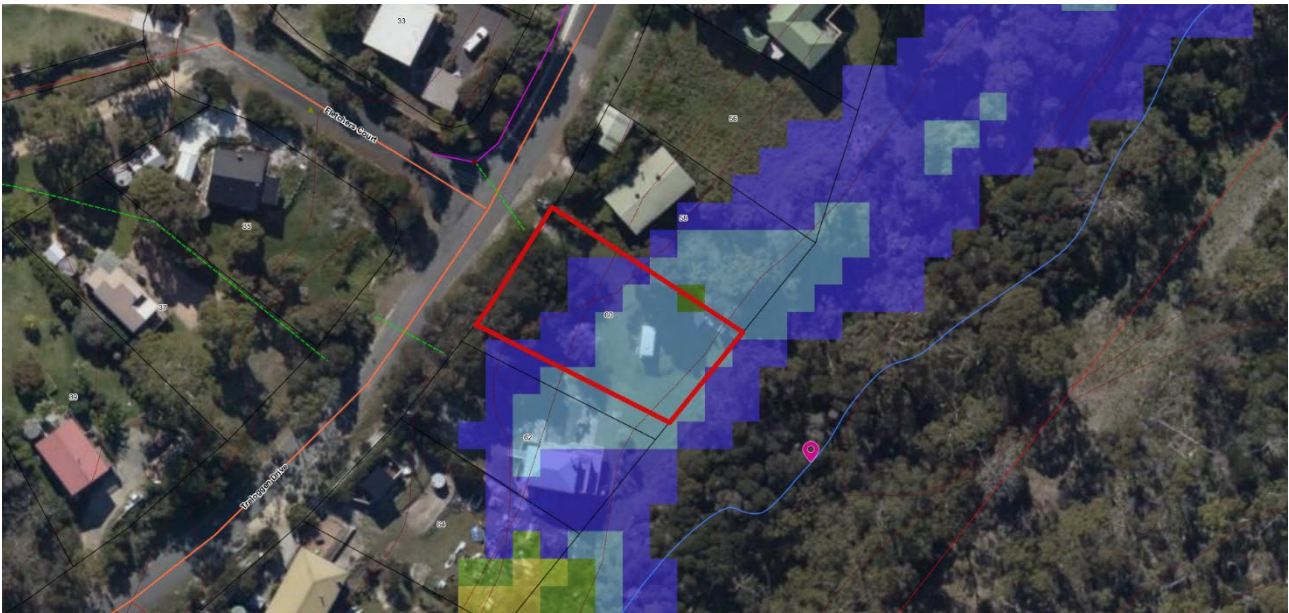
### 2. Applicable Planning Assessment

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

### 3. Referrals

- In response to a referral issued on the 15/05/2025, Council's Works Department provided the following condition to be included with regards to the crossover:
  - *'The crossover should be upgraded in accordance with standard drawing TSD-R04-v3'.*
  - *'A Works Permit should be obtained by submitting an application form prior to undertaking any work'.*

As part of the referral comment was also sought over the accuracy of the flooding overlay that has been applied to the subject site due to the sloping nature of the property and since the overlay does not correspond with the location of the mapped watercourse (note: Skeleton Creek is located south-east of the subject site). Notably, the Works Department were also of the same opinion that the flooding overlay has been inaccurately applied to the subject site.



#### 4. Assessment

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

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

- 10.4.3 Setback (**P1 and P2**)
- BRE-S2.7.1 Stormwater management (**P1**)

Detailed assessment against the provisions of the *Tasmanian Planning Scheme – Break O’Day* version 13 where the proposal was reliant on satisfying the performance criteria, is provided below.

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

## **Planning Assessment**

### **10.0 Low Density Residential Zone**

#### **10.4 Development Standards for Dwellings**

##### **10.4.3 Setback**

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> 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.	<b>P1</b> 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.
<b>Assessment against the Performance Criteria is required.</b> <b>Performance Criteria Assessment</b> The proposed construction of a dwelling and retrospective approval for existing outbuilding structures for the subject site at 60 Treloggen Drive, Binalong Bay, is unable to satisfy the acceptable solution and as such assessment is required against the performance criteria.  While the existing outbuildings and most of the dwelling is able to achieve the 8m frontage setback requirement, the attached deck on the north-western side of the proposed dwelling will have an approximate 6.491m setback to the front boundary. However, the performance criteria can be considered appropriately satisfied as evident in the completed assessment below:  (a) The topographical characteristics of the subject site can be described as having a moderate slope from the north-western front boundary down towards the south-eastern rear boundary. There are a number of properties along Treloggen Drive and within the Binalong Bay area in general that are subject to similar topographical characteristics (i.e. slight to moderate sloping land).  (b) The siting of the proposed deck is unlikely to pose an unreasonable impact and is consistent with a number of residential properties within the surrounding area which contain structures that are located less than 8m to their respective front boundaries with such examples including: <ul style="list-style-type: none"><li>• 58 Treloggen Drive (note: an outbuilding associated with the existing dwelling has a front boundary setback less than 1m)</li><li>• 52 Treloggen Drive (note: an outbuilding associated with the existing dwelling has a front boundary setback of approximately 2m)</li><li>• 66 Treloggen Drive (note: the existing dwelling has an approximate front boundary setback of 4.45m)</li><li>• 16 Felmingham Street (note: the existing dwelling has an approximate front boundary setback of 5m)</li></ul>	



- (c) With regards to the proposed deck attached to the north-western side of the dwelling, a total building height of approximately 0.488m has been measured from the western elevation drawing. In comparison to the total building height of the dwelling which is 8.5m (note: achieves the acceptable solution requirement for building height), the siting of the proposed deck within 6.491m of the primary frontage is reasonable.
- (d) The proposed deck will be sited below the existing road level and accordingly it is reasonable to conclude that the visibility of this structure will be minimal and will not detract from the established residential character of the surrounding area.
- (e) The approximate 6.491m frontage setback of the deck attached to the north-western side of the dwelling will not impact upon the safety of road users with consideration given to the completed assessment above.

Acceptable Solutions	Performance Criteria
<b>A2</b> 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.	<b>P2</b> The siting of a dwelling must not cause an unreasonable loss of amenity to adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the setbacks of surrounding buildings;</li> <li>(d) the height, bulk and form of existing and proposed buildings;</li> <li>(e) the existing buildings and private open space areas on the site;</li> <li>(f) sunlight to private open space and windows of habitable rooms on adjoining properties; and</li> <li>(g) the character of development existing on established properties in the area.</li> </ul>

**Assessment against the Performance Criteria is required.**

**Performance Criteria Assessment**

The proposed construction of a dwelling and retrospective approval for existing outbuilding structures for the subject site at 60 Treloggen Drive, Binalong Bay, is unable to satisfy the acceptable solution and as such assessment is required against the performance criteria.

It is evident from the submitted site plan that both the proposed dwelling and the existing outbuildings seeking retrospective approval, are located less than 5m to the northern side boundary. However, the performance criteria can be considered appropriately satisfied as evident in the completed assessment below:

- (a) As outlined above in the completed assessment for performance criteria P1, the topographical characteristics of the subject site can be described as having a moderate slope from the north-western front boundary down towards the south-eastern rear boundary. There are a number of properties along Treloggen Drive and within the Binalong

Bay area in general that are subject to similar topographical characteristics (i.e. slight to moderate sloping land).

- (b) The 928m<sup>2</sup> subject site can be described as consisting of a rectangular shape with a north-western orientation.
- (c) The siting of the proposed dwelling is unlikely to pose an unreasonable impact and is consistent with a number of residential properties within the surrounding area which contain structures that are located less than 5m to their respective side boundaries with such examples including:
- 17 Treloggen Drive (note: the closest side boundary setback is approximately 2.5m for the existing dwelling and less than 1m for the existing outbuilding)
  - 34 Treloggen Drive (note: the closest side boundary setback is approximately 2m for both the existing dwelling and an existing outbuilding)
  - 6 Felmingham Street (note: the closest side boundary setback is approximately 3.3m for the existing dwelling and less than 1m for the existing outbuildings)
  - 24 Felmingham Street (note: the closest side boundary setback is approximately 2.3m for the existing dwelling and less than 1m for the existing outbuilding attached to the dwelling)
- (d) The proposed two-bedroom rectangular dwelling consists of a total building area of approximately 125.98m<sup>2</sup> which includes both decks and will have a total building height of 8.5m (note: achieves the acceptable solution requirement for building height). Notably, the existing outbuildings have a combined building area of approximately 22.212m<sup>2</sup> and a total building height of 3.47m. Accordingly, it is reasonable to determine that the proposed development will demonstrate a height, bulk and form which is compatible with the residential properties in the surrounding area.
- (e) The subject site contains two small existing outbuildings towards the rear area of property and are seeking retrospective approval as part of this application. In terms of private open space there is sufficient capacity to accommodate dedicated private open space towards the rear of the dwelling in addition to the rear deck which is attached to the south-eastern side of the dwelling.
- (f) The proposed dwelling is able to achieve the acceptable solution requirement for a 5m setback to the southern side boundary which adjoins the existing footway and drainage reserve. Notably, the proposed dwelling will have a 4.878m setback to the northern side boundary. Since the proposed dwelling is located south of the existing dwelling at 58 Treloggen Drive, it is reasonable to conclude that the proposed development will not impact upon the availability of sunlight to the private open space and habitable room windows associated with the adjoining property.
- (g) The predominant character of development within the surrounding area can be characterised as residential in nature and scale and can be further characterized by an existing dwelling and subservient outbuilding/s. The proposed development is consistent with the established residential character of the surrounding area.

#### BRE-S2.0 Stormwater Management Specific Area Plan

#### BRE-S2.7 Development Standards for Buildings and Works

## BRE-S2.7.1 Stormwater management

Acceptable Solutions	Performance Criteria
<b>A1</b> Development must be: (a) capable of connecting to the public stormwater system; or (b) permitted by the General Manager to discharge stormwater to a system other than the public stormwater system.	<b>P1</b> Development must be capable of accommodating an on-site stormwater management system adequate for the development, having regard to: i. topography of the site; ii. the size and shape of the site; iii. soil conditions; iv. any existing buildings and any constraints imposed by existing development on the site; v. any area of the site covered by impervious surfaces; vi. any watercourses on the land; vii. stormwater quality and quantity management targets identified in the State Stormwater Strategy 2010; and viii. any advice from a suitably qualified person on the seasonal water table at the site, risks of inundation, land instability or coastal erosion.
<b>Assessment against the Performance Criteria is required.</b> <b>Performance Criteria Assessment</b> The proposed construction of a dwelling and retrospective approval for existing outbuilding structures for the subject site at 60 Treloggen Drive, Binalong Bay, is unable to satisfy the acceptable solution and as such assessment is required against the performance criteria.  The proposed development includes the installation of a 1.2m deep X 12m long X 1.5m Wide soakage trench in the rear portion of the subject site which is intended to have stormwater from the structures and driveway directed into this trench. After referring the stormwater report prepared by Geo-Environmental Solutions to Development Services Coordinator (Jake Ihnen) for consideration, confirmation was provided that the submitted report was suitable for planning purposes. Accordingly, this performance criteria can be considered satisfied and appropriate conditions regarding stormwater will be included within the planning permit.	

## 5. Representations

The application was advertised 20th August 2025 to 2nd September 2025 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining landowners. One (1) representation was received prior to the closing date and time. The issues raised within the representation are as follows:-

Issue	Response
Overland flow path traverses through the property and poses a flood risk to the proposed dwelling.	While it is acknowledged that the Statewide Flood Hazard Overlay available on the Land Information System Tasmania (LIST), demonstrates an overland flow path which commences from 1 Fletchers Court and south-eastward through the subject site this cannot be deemed as flooding. The Tasmanian Planning Scheme and specifically the C12.0 Flood-Prone Areas Hazard Code define 'flood' as per the following, ' <i>means the risk of periodic or permanent flooding of land from a watercourse or other inland water source</i> '. Since the overland flow is

<p>Asserts that the proposed development should be assessed against the C12.0 Flood-Prone Areas Hazard Code and should be further accompanied by a detailed flood hazard assessment.</p>	<p>neither associated with a mapped watercourse or other inland water source/body of water (e.g. wetland, pond, lake, groundwater) combined with the topographical characteristics of the site (note: moderate slope from the north-western front boundary down towards the south-eastern rear boundary) and onsite stormwater management, it is reasonable to determine that the proposed dwelling is not located on land subject to flooding and does not require assessment against the C12.0 Flood-Prone Areas Code.</p> <p>Notably, there is an existing drain located within the road reserve seen in the below photos which directs stormwater/overland flow towards the adjoining footway and drainage reserve. The proposed development further incorporates the installation of an absorption trench and grated strip drains within the driveway in three locations including along the north-western side of the dwelling, within proximity to the north-eastern side of the dwelling and at the end of the driveway near the existing outbuilding structures to assist with onsite stormwater management. However, the rear portion of the subject site and particularly the existing outbuildings that are located over 24m north-west to Skeleton Creek are likely subject to the flooding overlay. Notably, the existing outbuilding structures are exempt from requiring assessment against the C12.0 Flood-Prone Areas Hazard Code in accordance with <i>C12.4 Use or Development Exempt from this Code</i> (note: C12.4.1 (b))</p> <p><a href="https://tpso.planning.tas.gov.au/tpso/external/planning-scheme-viewer/30/section/575?effectiveForDate=2025-09-24">https://tpso.planning.tas.gov.au/tpso/external/planning-scheme-viewer/30/section/575?effectiveForDate=2025-09-24</a></p>
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The recommendation for approval has been made following due consideration of the representation and comments.

## 6. Mediations

No mediations 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 10.0 Low Density Residential Zone all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and three (3) Performance Criterion. The received representation has been considered.

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

## STRATEGIC PLAN & ANNUAL PLAN:

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

### Goal

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

*Key Focus Area:*

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

**LEGISLATION & POLICIES:**

*Tasmanian Planning Scheme – Break O’Day*

*Land Use Planning and Approvals Act 1993*

*Local Government (Building and Miscellaneous Provisions) Act 1993*

**BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

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

**VOTING REQUIREMENTS:**

Simple Majority

ACTION	DECISION
COUNCIL MEETING DATE	20 October 2025
PROPONENT	Daniel Stanford – CBM Sustainability
OFFICER	Alex McKinlay
FILE REFERENCE	DA 2025 / 00065
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none"> <li>1. Plans for Approval</li> <li>2. Representations (01)</li> <li>3. Applicant's Response to Representation</li> <li>4. Planning Scheme Assessment</li> </ol>

**OFFICER'S RECOMMENDATION:**

1. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O'Day*, that the application for Residential - Retrospective Approval of Retaining Walls on land situated at 38 Steel Street, Scamander described in Certificate of Title 109829/1 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Cover Page	Project No: EE920, Drawing No: S100	Exceed Engineering	27/06/2025, Rev: 03
As-Constructed Site Plan	Project No: EE920, Drawing No: S101a	Exceed Engineering	27/06/2025, Rev: 01
Retaining Wall Plan	Project No: EE920, Drawing No: S101b	Exceed Engineering	27/06/2025, Rev: 03
Retaining Wall Sections	Project No: EE920, Drawing No: S102	Exceed Engineering	1/07/2025, Rev: 02
Structural Notes	Project No: EE920, Drawing No: S103	Exceed Engineering	1/07/2025, Rev: 02
Structural Notes	Project No: EE920, Drawing No: S104	Exceed Engineering	1/07/2025, Rev: 02
Planning Scheme Letter	-	Daniel Stanford – CBM Sustainability	27/06/2025
Technical Memorandum – Re: Response to Stormwater Management Specific Area Plan	Project No: EE920	Exceed Engineering	16/09/2025
Stormwater Design Report	Project No: EE920	Exceed Engineering	19/09/2025, Rev: 01



Site Civil Engineering – Cover Page	Project No: EE920, Sheet No: C100	Exceed Engineering	19/09/2025, Rev: 01
Site Civil Engineering – Site Stormwater Plan	Project No: EE920, Sheet No: C101	Exceed Engineering	19/09/2025, Rev: 01
Site Civil Engineering – Gravel Infiltration Detail	Project No: EE920, Sheet No: C102	Exceed Engineering	19/09/2025, Rev: 01
Site Civil Engineering – Civil Notes	Project No: EE920, Sheet No: C103	Exceed Engineering	19/09/2025, Rev: 01

## 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>Water and Sewerage (TasWater)</b>	
A	All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, <b>TWDA 2025/00604-BODC</b>	Prior to any works.
<b>3</b>	<b>On-Site Stormwater Management</b>	
A	Infiltration drainage must be of sufficient size to absorb stormwater runoff.	To be maintained at all times.
B	Concentrated stormwater must not be discharged into neighbouring properties.	To be maintained at all times.
<b>4</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>5</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.

## 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.
2. 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

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

Development Permit Information	Details
<i>Development Description</i>	Residential - Retrospective Approval of Retaining Walls
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Building/Plumbing
<i>Attachments</i>	TasWater Submission to Planning Authority Notice (TWDA 2025/00604-BODC)
<i>Representations</i>	One (1)

## INTRODUCTION:

The applicant is seeking approval for retrospective approval of retaining walls located at 38 Steel Street, Scamander along the north and east site boundaries.

## PREVIOUS COUNCIL CONSIDERATION:

Nil

## OFFICER'S REPORT:

### 1. The Proposal

The proposal is for retaining walls along the north and east site boundaries. The retaining walls span a length of 36m long to the north boundary and 20m long to the east boundary. The retaining wall is approximately 1100 mm high (north-east corner) and ranges to 230mm high (north-west corner) and 330mm high (east boundary) and constructed with concrete and steel reinforcement. There is a hardwood timber fence of approximately 1500 mm high located on top of the retaining walls.

The site accommodates a single dwelling and associated outbuildings. The site is surrounded with residential use and development, with heavy vegetation immediate to the north boundary.



Aerial Imagery

## 2. Applicable Planning Assessment

- 8.0 General Residential Zone
- C2.0 Parking and Sustainable Transport Code
- BRE-S2.0 Stormwater Management Specific Area Plan

## 3. Referrals

- Stormwater Authority (25 September 2025)

- *Given the applicant's response includes detailed engineering advice which now includes onsite absorption of surface water from the driveway and previous engineering advice originally provided confirming that in their expert opinion the surface water flows and reduced to less than pre-development flows combined with a lack of Council stormwater then we can accept in this instance'.*

## 4. 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: 11), Break O'Day Local Provisions Schedule (Version: 4):*

- **8.4.2 Setbacks and building envelope for all dwellings (P3)**
- **BRE-S2.7.1 Stormwater Management (P1)**

Detailed assessment against the provisions of the *Tasmanian Planning Scheme State Planning Provisions (Version: 11)*, *Break O'Day Local Provisions Schedule (Version: 4)* 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**

### **8.0 General Residential Zone**

#### **8.4 Development Standards for Dwellings**

##### **8.4.2 Setbacks and building envelope for all dwellings**

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: <ul style="list-style-type: none"> <li>i. a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</li> <li>ii. projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</li> </ul> </li> <li>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling: <ul style="list-style-type: none"> <li>i. does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</li> <li>ii. does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</li> </ul> </li> </ul>	<p><b>P3</b></p> <p>The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> <li>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to: <ul style="list-style-type: none"> <li>i. reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</li> <li>ii. (overshadowing the private open space of a dwelling on an adjoining property;</li> <li>iii. overshadowing of an adjoining vacant property; and</li> <li>iv. visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</li> </ul> </li> <li>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</li> <li>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on: <ul style="list-style-type: none"> <li>i. an adjoining property; or</li> <li>ii. another dwelling on the same site.</li> </ul> </li> </ul>
<p><b>Assessment against the Performance Criteria is required.</b></p> <p><b>Performance Criteria Assessment</b></p> <p>The proposed retaining wall and fence extend outside the building envelope due to the length within 1.5m of a side and rear boundary.</p>	



- a) The siting and scale of the retaining wall / fence will not cause an unreasonable loss of amenity to adjoining properties due to the distance the structure is from any adjoining dwelling or private open space. The closest neighbouring built structure is approximately 8.8m from the wall. The retaining wall / fence is located south of neighbouring dwellings and is not possible to cast any over shadowing. The retaining wall /fence is constructed of both concrete and timber, common materials within the surrounding area. The average height of the wall / fence is of common scale to most boundary fences within the Steel Street / Silver Street area. The highest point of the wall / fence is 1100mm (concrete wall) plus 1455mm (timber fence) total 2555mm high and located in the north-eastern corner of the site. The fence / wall is well screened form most perspectives.
- b) The wall / fence has been located on the property boundary. Good separation exists from the wall / fence to the closest dwellings.
- c) There will be no reduction in sunlight to any solar energy installations resulting from the construction of wall / fence, either on subject site or on any adjacent sites.

Performance criteria met.

#### BRE-S2.0 Stormwater Management Specific Area Plan

#### BRE-S2.7 Development Standards for Buildings and Works

#### BRE-S2.7.1 Stormwater Management

Acceptable Solutions	Performance Criteria
<b>A1</b> Development must be: <ul style="list-style-type: none"> <li>(a) capable of connecting to the public stormwater system; or</li> <li>(b) permitted by the General Manager to discharge stormwater to a system other than the public stormwater system.</li> </ul>	<b>P1</b> Development must be capable of accommodating an on-site stormwater management system adequate for the development, having regard to: <ul style="list-style-type: none"> <li>(a) topography of the site;</li> <li>(b) the size and shape of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings and any constraints imposed by existing development on the site;</li> <li>(e) any area of the site covered by impervious surfaces;</li> <li>(f) any watercourses on the land;</li> <li>(g) stormwater quality and quantity management targets identified in the State Stormwater Strategy 2010; and</li> <li>(h) any advice from a suitably qualified person on the seasonal water table at the site, risks of inundation, land instability or coastal erosion.</li> </ul>
<b>Assessment against the Performance Criteria is required.</b> <b>Performance Criteria Assessment</b> The acceptable solution cannot be met as the Council does not provide a public stormwater system to service the entire site.	

The site is developed as a single dwelling with 2 small outbuildings, and a concreted driveway/parking area. The site falls away from the Steel Street, and the public stormwater system consists only of kerb and channel in Steel Street due to the absence of a stormwater connection at the lowest point of the site. The roof of the main dwelling is connected via charged downpipes to the road drainage.

A subsurface drain has been constructed across the northeastern corner of the site to intercept groundwater and discharge to the heavily vegetated and undeveloped rear of 27-29 Bridge Esplanade.

The concrete pavement and pervious grassed backyard would generate stormwater that would currently flow in a north easterly direction to properties down gradient of the site

An on-site stormwater management system is proposed, whereby the concrete pavement area that cannot drain to the public stormwater system is directed to an infiltration trench. This trench will act to reduce the overland stormwater flow leaving the site and represents the best practically achievable stormwater management outcome at the site, where stormwater from all impervious surfaces is either directed to the public stormwater system or infiltrated on-site.

The State Stormwater Strategy quality and quantity targets are not relevant to a single residential site with <500m<sup>2</sup> of impervious catchment.

Performance criteria met.

## 5. Representations

The application was advertised 19<sup>th</sup> July 2025 to 1<sup>st</sup> August 2025 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining landowners. One (1) representation was received prior to the closing date and time. The issues raised within the representation are as follows:-

Issue	Response
Flooding issues to carport within northeastern adjacent property during periods of rain.	<p>Further to receipt of the concerns raised in the representation the proponent has provided further information including a Technical Memorandum, Stormwater Design Report together with Site Civil Engineering Plans to address the stormwater concerns.</p> <p>It has been advised by the proponent that the roof of the main dwelling is connected via charged downpipes to the road drainage. The concrete pavement and pervious grassed backyard would generate stormwater that would currently flow in a north easterly direction to properties down gradient of the site, including 25 Bridge Esplanade.</p> <p>A subsurface drain has been constructed across the north eastern corner of the site to intercept groundwater and discharge to the heavily vegetated and undeveloped rear of 27-29 Bridge Esplanade.</p>

	<p>The representation contends that the retaining wall is increasing the overland stormwater flow to 25 Bridge Esplanade due to the change in heights and a ‘funnelling’ effect where stormwater is directed to the lowest point of the site, being the north east corner.</p> <p>The engineering assessment states that the site has always discharged stormwater to neighbouring properties at the north east corner, as this is the lowest point of the site. The stormwater is generated from the concrete driveway/parking during all rain events, and from the grassed backyard during substantial rainfall events when rainfall exceeds the infiltration capacity of the soil (as well as likely contributing flows from the neighbouring property 40-42 Steel Street).</p> <p>It is not clear how construction of the retaining wall could increase the overland stormwater flow, as there was no associated increase in impervious area at the site, and the point of discharge from the site has not changed, even with minor change in levels of the backyard. Reduction of the grade of the backyard would likely increase the rate infiltration of surface water to the soil.</p> <p>It should be noted that other factors are contributing to potential flooding at 25 Bridge Esplanade including the lack of gutter and downpipes on the carport roof, and that other up-gradient properties would also be contributing overland stormwater flows.</p> <p>Given the absence of Council stormwater infrastructure at the lowest point of the site, and the fact that 25 Bridge Esplanade is down gradient of the site, it is impossible to prevent overland stormwater flow in major rainfall events, however improvements could be made to reduce the flow volume. It is now proposed that an infiltration trench be installed in the backyard to capture and infiltrate stormwater produced from the concrete pavement. This will mean that all stormwater from impervious surfaces is either discharged to a public stormwater system or infiltrated on-site.</p>
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The recommendation for approval has been made following due consideration of the representations and comments.

## 6. Mediations

No mediations has occurred.

## 7. Conclusion

In accordance with 6.10 of the *State Planning Provisions (Tasmanian Planning Scheme – Break O’Day)*, the application has been assessed against the objectives of the Scheme, in particular the all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and two (2) 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

<b>ACTION</b>	<b>DECISION</b>
<b>COUNCIL MEETING DATE</b>	20 October 2025
<b>PROPONENT</b>	Glenn Andrew Martin, Rachael Maree Martin
<b>OFFICER</b>	Alex McKinlay
<b>FILE REFERENCE</b>	DA 2025 / 00101
<b>ASSOCIATED REPORTS AND DOCUMENTS</b>	<ol style="list-style-type: none"> <li>1. Plans for Approval</li> <li>2. Representations (01)</li> <li>3. Original Plans</li> <li>4. Applicant's Response to Representation</li> <li>5. Planning Scheme Assessment</li> </ol>

#### 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 - Demolition of Existing Dwelling AND Construction of a New Dwelling and Shed on land situated at 274 St Helens Point Road, Stieglitz described in Certificate of Title 224996/4 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>
Cover Page	-	Murchison Pty Ltd	-
Existing Site Plan	A01	Murchison Pty Ltd	30/07/2025 Rev: A
Proposed Site Plan	A02	Murchison Pty Ltd	25/09/2025 Rev: B
Existing Floor Plan	A04	Murchison Pty Ltd	30/07/2025 Rev: A
Proposed Floor Plan	A05	Murchison Pty Ltd	30/07/2025 Rev: A
Elevations 1 of 2	A06	Murchison Pty Ltd	30/07/2025 Rev: A
Elevations 2 of 2	A07	Murchison Pty Ltd	30/07/2025 Rev: A
Shadow Diagrams	Nil	Murchison Pty Ltd	Received 19/09/2025
Shed Layout	-P7261, Sheet 1 of 2	DBS Sheds	17/09/2025
Shed Elevation Drawings	-P7261, Sheet 2 of 2	DBS Sheds	17/09/2025

#### 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,	Prior to commencement of use and to be maintained at all times.

	unless otherwise amended by conditions of this approval.	
B	The approved plans dated 25/09/2025 and 17/09/2025 does not include an 'attached awning' on the proposed shed. The permit description will instead be amended to contain the following: <i>'Residential - Demolition of Existing Dwelling AND Construction of a New Dwelling and Shed'</i>	Prior to commencement of use and to be maintained at all times.
<b>2</b>	<b>Single Dwelling</b>	
A	If a visitor accommodation use is sought for the dwelling, a further development application must be lodged with Council to seek approval for the allocation of an additional use to the dwelling.	Prior to use and maintained at all times.
<b>3</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. constructed with a durable all weather pavement and drained in a manner that will not cause stormwater nuisance.</li> </ul>	Prior to use and maintained at all times.
<b>4</b>	<b>Water and Sewerage (TasWater)</b>	
A	All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, <b>TWDA 2025/00754-BODC</b>	Prior to use and maintained at all times.
<b>5</b>	<b>Stormwater</b>	
A	Stormwater must be captured from all buildings and impervious surfaces. The existing stormwater system discharges to the roadside pit in front of the property. All stormwater from the property must discharge via this system.	Prior to use and maintained at all times.
B	Concentrated stormwater must not be discharged into neighbouring properties.	To be maintained at all times.
<b>6</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	At all times.

	environmental nuisance being caused outside of the works site.	
<b>7</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.

## ADVICE

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)	N/A	N/A

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

<b>Development Permit Information</b>	<b>Details</b>
<i>Development Description</i>	Residential - Demolition of Existing Dwelling AND Construction of a New Dwelling and Shed
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	Works Permit/Building/Plumbing
<i>Attachments</i>	TasWater Submission to Planning Authority Notice (TWDA 2025/00754-BODC)
<i>Representations</i>	One (1)

## INTRODUCTION:

The applicant is seeking approval for the demolition of an existing three-bedroom dwelling, construction of a new two-bedroom dwelling with attached deck along the front of the structure, proposed aggregate driveway and construction of a shed with stormwater from the proposed development to be directed into the existing system servicing the subject site.

## PREVIOUS COUNCIL CONSIDERATION:

Nil

## OFFICER'S REPORT:

### 1. The Proposal

The applicant is seeking approval for use and development of a single dwelling, including an outbuilding (shed) on the subject site located at 274 St Helens Point Road, Stieglitz (CT 224996/4). An existing single dwelling on the site will be demolished to allow for the construction of the new dwelling. Specifically, the provided plans demonstrate that the following development and works form part of this application:

- Construction of a 172.2m<sup>2</sup> single dwelling plus 26m<sup>2</sup> deck, single storey in height with a maximum 3.75m, comprising 2 bedrooms, 2 bathrooms, sunroom, laundry, kitchen/lounge/dining. Dwelling will be externally clad with brick veneer with trim deck roof cladding.
- A 11m x 12m shed, maximum height 3.773m.
- Construction of exposed aggregate driveway.
- Demolition of existing single dwelling.

### 2. Applicable Planning Assessment

- 8.0 General Residential Zone
- C2.0 Parking and Sustainable Transport Code
- BRE-S2.0 Stormwater Management Specific Area Plan

### 3. Referrals

- A referral was issued to the Works Department on the 01/07/2025 regarding the existing crossover and the proposed discharge of stormwater. In response to the referral, the Works Department provided the following comments on 02/07/2025:
  - Stormwater: Stormwater must be captured from all buildings and impervious surfaces. The existing stormwater system discharges to the roadside pit in front of the property. All stormwater from the property should discharge via this system.
  - Crossover: The proposed development is not considered as intensifying the use of the property therefore the crossover does not have to be upgraded. If they choose to upgrade the crossover it should be done in accordance with standard drawing TSD-R04-v3. A Works Permit will be required.
  - Airport: The proposed development will not impact the Airport.
- TasWater issued SPAN TWDA 2025/00754 – BODC on 22/08/2025.

### 4. Assessment

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

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

- **8.4.2 Setbacks and building envelope for all dwellings (P3)**



Detailed assessment against the provisions of the *Tasmanian Planning Scheme – Break O’Day* version 13 where the proposal was reliant on satisfying the performance criteria, is provided below.

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

### **Planning Assessment**

#### **8.0 General Residential Zone**

#### **8.4 Development Standards for Dwellings**

##### **8.4.2 Setbacks and building envelope for all dwellings**

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A3</b> A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: <ul style="list-style-type: none"> <li>i. a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</li> <li>ii. projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</li> </ul> </li> <li>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling: <ul style="list-style-type: none"> <li>i. does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</li> <li>ii. does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</li> </ul> </li> </ul>	<p><b>P3</b> The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> <li>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to: <ul style="list-style-type: none"> <li>i. reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</li> <li>ii. overshadowing the private open space of a dwelling on an adjoining property;</li> <li>iii. overshadowing of an adjoining vacant property; and</li> <li>iv. visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</li> </ul> </li> <li>(c) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</li> <li>(d) not cause an unreasonable reduction in sunlight to an existing solar energy installation on: <ul style="list-style-type: none"> <li>i. an adjoining property; or</li> <li>ii. another dwelling on the same site.</li> </ul> </li> </ul>
<p><b>Assessment against the Performance Criteria is required.</b></p> <p><b>Performance Criteria Assessment</b> The proposed dwelling is able to be sited within the building envelope shown within figure 8.1 and achieves the minimum 1.5m setback to side and rear boundaries on the subject site.</p>	

However, the proposed shed is located 0.9m from the south-western side boundary and while the structure is able to be appropriately sited within the building envelope shown in figure 8.1, the shed runs parallel to the boundary for 12.0m with a setback less than 1.5m to the side boundary thereby requiring assessment against the performance criteria. The performance criteria can be considered appropriately satisfied as demonstrated in the completed assessment below:

- (a) Due to the orientation of the lot and dwelling location, the outbuilding will be located 0.9m from the south-western side boundary.
  - (i) The proposal will not reduce sunlight to a habitable room of a dwelling on the adjoining property as the structure is intended to be sited within the south-western corner of the property and will not be located either in front or parallel to the existing two storey dwelling located on 272 St Helens Point, Stieglitz. Additionally, the outbuilding will be partly screened and physically separated from the adjoining dwelling via the existing 1.5m high fence.
  - (ii) It is acknowledged that the proposed outbuilding will contribute to some overshadowing of the private open space associated with the adjoining property at 272 St Helens Point Road, Stieglitz as evidenced within the shadow diagrams. However, the proposal will not contribute towards an unreasonable amount of overshadowing as the submitted shadow diagrams demonstrate from 11:00am onwards on June 21st, the private open space on the adjoining property will be able to achieve an appropriate level of solar access. Therefore, it is reasonable to conclude that the anticipated overshadowing from the proposed shed will be relatively minor in nature and consistent with overshadowing expected from residential developments within the surrounding area.
  - (iii) Not applicable as the subject site does not adjoin vacant land.
  - (iv) The outbuilding is separated by a solid boundary fence and has an articulated façade, with the awning removed from the proposed outbuilding as demonstrated within the revised plans submitted by the applicant which was provided in response to the concerns raised within the submitted representation. A number of outbuildings in the area including others are able to be viewed from an adjoining property and are of a similar scale, bulk and height to that proposed.
- (b) The outbuilding is provided with separation from an adjoining dwelling to the southwest consistent with that on established properties in the area, with many located close to a side boundary.
- (c) There are no known existing solar energy installations on adjoining properties.

## 5. Representations

The application was advertised 30th August 2025 to 12th September 2025 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining landowners. One (1) representation was received prior to the closing date and time. The issues raised within the representation are as follows:-

Issue	Response
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Concerned with the siting, size and overshadowing that the proposed shed with attached awning is likely to cause	As detailed below in ' <i>Mediations</i> ', the applicant submitted a response and a revised design to the concerns raised within the submitted representation. Specifically, the revised design included the removal of the awning and amended the design of the shed to have dimensions of 11m by 12m with a reduced total building height from 4.75m down to 3.773m. Please refer to the completed assessment for performance criteria P3 from clause 8.4.2 <i>Setbacks and building envelope for all dwellings</i> which demonstrates that the performance criteria can be sufficiently addressed.
Size of the proposed outbuilding will have a visual impact and subsequent impact on the amenity currently enjoyed by the property owner.	See provided response above.
Asserted that there was some inaccurate information contained within the plans/documents regarding overshadowing impacts and comparisons to sheds within the surrounding area.	The response provided by the applicant in addition to the revised design adequately demonstrates overshadowing impacts via amended shadow diagrams and the new dimensions of the shed are closer in size to existing outbuilding structures within the surrounding area.
Concerned with the outbuilding structure being subject to flooding due to past inundation events and that the Finished Floor Level may result in the outbuilding having an increased building height.	Due to the intended location of the proposed shed in the south-western corner of the subject site (note: the rear portion of the property is slightly elevated higher than the front section) and the presence of the existing private stormwater system, the proposed shed is unlikely to be subject to a potential inundation event.
Would like the inclusion of the material and colours of the shed in addition to labels identifying the orientation of the outbuilding.	Contained within the applicant's revised design of the shed, the colorbond trimclad will consist of the colour 'Wallaby' which is a mix between grey and brown.
Request for the outbuilding structure to have an increase setback to the shared boundary which results in no overshadowing on the adjoining property.	The applicant in response to the concerns raised in the representation, submitted a revised design which removed the awning and changed the design of the shed (i.e. 11 X 12 and the total building height reduced to 3.773m) to provide a reasonable compromise. Therefore, given the revised design of the shed, the residential nature of the surrounding area (i.e. properties are subject to the 8.0 General Residential Zone) and that a majority of properties in the surrounding area also

	contain structures that are sited less than 1.5m to their respective side and or rear boundaries, it is reasonable to conclude that the siting of the proposed shed in the south-western corner is unlikely to pose an unreasonable impact as demonstrated within the completed assessment for performance criteria <b>P3</b> from clause 8.4.2 <i>Setbacks and building envelope for all dwellings</i> .
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The recommendation for approval has been made following due consideration of the representation and comments.

## 6. Mediations

In response to the representation and the concerns outlined therein, the applicant submitted a response to the representation and proposed a design revision for the shed on the 19/09/2025 which predominantly includes the removal of the awning and dimensions of 11m by 12m with a reduced total building height from 4.75m down to 3.773m (note: the setbacks to the closest side and rear boundaries remained unchanged). After circulating the applicant's response and revised design to the representor for consideration on the 24/09/2025, the representor provided a response on the 6/10/2025 which further requested that the setback of the proposed shed be increased to 2m (note: to achieve the acceptable solution, a 1.5m setback to the side and rear boundaries is required) to the south-western side boundary adjoining 272 St Helens Point Road, Stieglitz, and the inclusion of a FFL due to concerns of a potential increase to the building height of the shed. After a brief conversation over the front counter on the 7/10/2025, the property owners of the subject site confirmed for this application to be taken to the October Council Meeting for decision with no further amendments to be made to the application.

## 7. Conclusion

In accordance with 6.10 of the *State Planning Provisions (Tasmanian Planning Scheme – Break O'Day)*, the application has been assessed against the objectives of the Scheme, in particular the 8.0 General Residential Zone all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and one (1) Performance Criterion. The received representation has been considered.

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

## STRATEGIC PLAN & ANNUAL PLAN:

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

#### Goal

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

*Key Focus Area:*

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

**LEGISLATION & POLICIES:**

*Tasmanian Planning Scheme – Break O’Day*

*Land Use Planning and Approvals Act 1993*

*Local Government (Building and Miscellaneous Provisions) Act 1993*

**BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

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

**VOTING REQUIREMENTS:**

Simple Majority

ACTION	DECISION
COUNCIL MEETING DATE	20 October 2025
PROPONENT	Jennifer Binns
OFFICER	D. Szekely, Senior Town Planner
FILE REFERENCE	DA 2025 / 00053
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none"> <li>1. Plans</li> <li>2. Representations (2) collated</li> <li>3. Response to Representations</li> <li>4. RO Completed Planning Scheme Assessment</li> </ol>

**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 Visitor Accommodation - Glamping Domes x 3, Sauna and Plunge Pool on land situated at 824 Elephant Pass Road, Gray described in Certificate of Title 27339/1 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Cover Page	-	Jennifer Binns Design	-
Site Plan	A04	Jennifer Binns Design	25/09/2025
Typical Deck Layout	A05	Jennifer Binns Design	25/09/2025
Tent 1 Elevation	A06	Jennifer Binns Design	25/09/2025
Tent 2 Elevation	A07	Jennifer Binns Design	25/09/2025
Tent 3 Elevation	A08	Jennifer Binns Design	25/09/2025
Visuals	A09	Jennifer Binns Design	25/09/2025
Proposed Sauna	A10	Jennifer Binns Design	25/09/2025
Detail Survey	A11	Jennifer Binns Design	25/09/2025

## CONDITIONS

CONDITION		TIMING
<b>1.</b>	<b>APPROVED PLANS</b>	
<b>A</b>	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>B</b>	The approved plans dated 18/07/2025 do not include a 'Plunge Pool'. The permit description shall read:  Visitor Accommodation - Glamping Domes x 3 and Sauna.	Prior to commencement of use and to be maintained at all times.
<b>2.</b>	<b>ON-SITE STORMWATER MANAGEMENT</b>	
<b>A</b>	All run-off must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance.	Prior to the commencement of use and maintained at all times.
<b>B</b>	Soakage drains must be of sufficient size to absorb stormwater runoff and are subject to a technical assessment at the building permit authority stage.	To be maintained at all times.
<b>C</b>	Works on the site must not result in a concentration of flow onto other property, or cause ponding or other storm water nuisance.	During site works and to be maintained at all times.
<b>3.</b>	<b>COMMERCIAL CAR PARKING</b>	
	The areas shown to be set aside for vehicle access and carparking internal of the lot, and access from the crown land road reserve must be:  (a) completed before the use of the development; (b) have an internal access width not less than 3m; (c) comply with Australian Standard AS2890. 1:2004 Parking facilities, Part 1: Off-street car parking; (d) provided with space for access turning and manoeuvring of vehicles on-site to enable them to enter and leave the site in a forward direction;	Prior to the commencement of use and maintained at all times.



CONDITION		TIMING
	<ul style="list-style-type: none"> <li>(e) Surfaced with a dust free surface that restricts abrasion from traffic and minimises entry of water to the pavement;</li> <li>(f) Marked by such means to indicate each space to the satisfaction of the Council.</li> <li>(g) Drained in a manner that will not cause stormwater nuisance and ensures stormwater runoff is disposed of within the confines of the property.</li> </ul>	
<b>4.</b>	<b>SIGNAGE</b>	
A	<p>Signs must be:</p> <ul style="list-style-type: none"> <li>(a) professionally designed and legible;</li> <li>(b) structurally sound and not in any way hazardous;</li> <li>(c) located entirely within the boundaries of lot C.T. 27339/1;</li> <li>(d) situated so as not to obstruct traffic; and</li> <li>(e) designed in colours and principles not currently incorporated into statutory or directional signs erected by public authorities.</li> </ul>	Prior to the commencement of use and maintained at all times.
<b>5.</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.
<b>6.</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>7.</b>	<b>BUILDING WASTES</b>	
A	All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	During site works and to be maintained at all times.
<b>8.</b>	<b>SOIL AND WATER MANAGEMENT</b>	

CONDITION		TIMING
A	All works associated with the development must be conducted in accordance with an Erosion and Sediment Control Plan that satisfies the document <i>Erosion and Sediment Control – the fundamentals for development in Tasmania</i> (July 2023 or as amended).	During site works.
B	All worked areas not covered by structures must be promptly and progressively stabilised (e.g. revegetated) so that they will not erode and/or act as a source of sediment transfer.	During site works and to be maintained at all times.
C	All exposed surfaces resulting from the cut associated with excavation of the courtyard(s), including stockpiled material, must be promptly and progressively stabilised so they will not erode and/or act as a source of sediment transfer.	During site works and to be maintained at all times.
<b>9. ACCESS LICENCE</b>		
A	An access licence must be gained from Property Services Tasmania for the private use of Crown Road Reserve adjoining the development site and a copy to be supplied to Council with consent for the construction and surfacing works.	Prior to use and to be maintained at all times.
<b>10. EXTERIOR BUILDING LIGHTING</b>		
A	Any necessary exterior building lighting must be located under eaves and limited to that essential to allow the safe and secure movement of pedestrians/guests at night.	Prior to commencement of use and to be maintained at all times
<b>11. EXTERNAL LIGHTING</b>		
A	Install external lighting in accordance with AS4282:2019 - (Control of the Obtrusive Effects of Outdoor Lighting) or as amended.	Prior to commencement of use and to be maintained at all times.
B	Provide certification from a suitably qualified person that external lighting has been installed in accordance with AS4282:2019 - (Control of the Obtrusive Effects of Outdoor Lighting).	Prior to commencement of use.
<b>12. EXTERNAL COLOURS AND FINISHES</b>		

CONDITION		TIMING
A	Reflective materials must not be used as visible external elements in the proposed development.	Prior to the commencement of use and to be maintained at all times.
<b>13.</b>	<b>VISITOR ACCOMMODATION MANAGEMENT PLAN</b>	
<b>A</b>	A management plan for the operation of the visitor accommodation must be submitted and approved as a compliance of this condition, to the satisfaction of Council's General Manager of delegate and is to include the operation of existing visitor accommodation on the site.	Prior to commencement of use.
<b>B</b>	<p>The management plan must include, but is not limited to, the following measures:</p> <ul style="list-style-type: none"> <li>a) To limit, manage and mitigate noise generated as a result of the visitor accommodation;</li> <li>b) To limit, manage, and mitigate behaviour issues caused as a result of the visitor accommodation;</li> <li>c) To maintain the security of the building where the visitor accommodation would be located, including managing and/or limiting access to shared areas and facilities;</li> <li>d) To specify the maximum permitted occupancy of the visitor accommodation;</li> <li>e) To specify that if guests utilize the site for the parking of vehicles they must be parked on the site in the approved carparking area and detail where the designated parking space is located and how the space is to be accessed;</li> <li>f) To provide the name and contact phone number of a person who will respond to any complaints regarding behaviour of guests. If the property is to be sold, the Visitor Accommodation Management Plan must be updated with new contact details.</li> </ul>	Prior to commencement of use and to be maintained at all times.
<b>C</b>	Once approved, the management plan must be implemented and must be maintained.	At all times.

CONDITION		TIMING
D	Once approved, the Visitor Accommodation Management Plan must be provided to adjoining property owners and occupiers.	Prior to the commencement of use and to be maintained at all times.

## ADVICE

1. All works associated with the development should be conducted in accordance with *Guidelines for Soil and Water Management*, Hobart City Council, available on Council's website (<http://www.bodc.tas.gov.au/webdata/resources/files/GuidelinesforSoilandWaterManagement.pdf>). All worked areas not covered by structures must be promptly and progressively stabilised (e.g. revegetated) so that they will not erode and/or act as a source of sediment transfer.
2. 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.
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
5. 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	Property Services

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

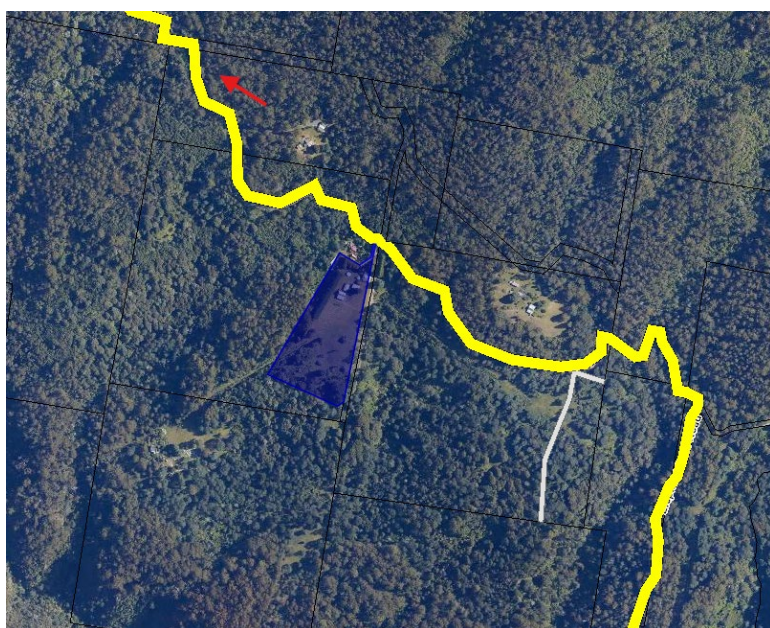
Development Permit Information	Details
<i>Development Description</i>	Visitor Accommodation - Glamping Domes x 3 and Sauna
<i>Relevant Period of Approval</i>	2 Years

<i>Other Necessary Permits</i>	Crown Access Licence; Building Permit
<i>Attachments</i>	Nil
<i>Representations</i>	2

## INTRODUCTION:

The applicant is seeking approval for Visitor Accommodation use within three (3) Glamping Domes. The three Glamping domes are constructed on decking that responds to the topography with the deck having a maximum overall height of 3750mm above natural ground level. The proposed development also includes the use and construction of a Sauna with dimensions 2.7m x 2.7m and a maximum height above natural ground level of 3750mm.

The site supports existing approved uses including two (2) structures for Visitor Accommodation which were existing structures with historically approved Residential use. The site also supports a Food Services use within a structure known locally as the 'Pancake Barn'.



### Development Site – 824 Elephant Pass Road Gray

Access to the title CT27339/1 is via crown land road reserve from Elephant Pass Road. There is currently no Access Licence for use of the crown land. The application received Crown Consent to Lodge the Development Application and a condition has been applied to require the landowner to secure a crown licence over the access.





**State Road Casement**



**Casement - Crown Land Road Reserve**



**Access from crown land road reserve onto Elephant Pass Road.**





**Existing approved use – Food Services – ‘Pancake Barn’.**



**Crown land access to property.**





**Proposed access to development area off crown land road reserve. Note existing approved visitor accommodation structure in background.**



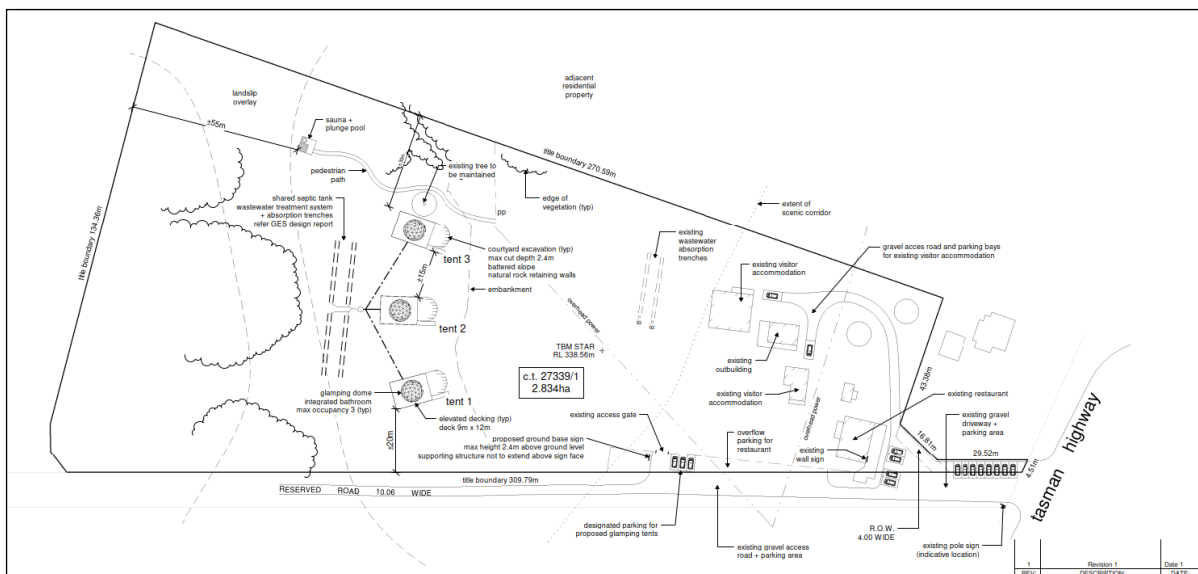
**Proposed development area.**

**BACKGROUND**

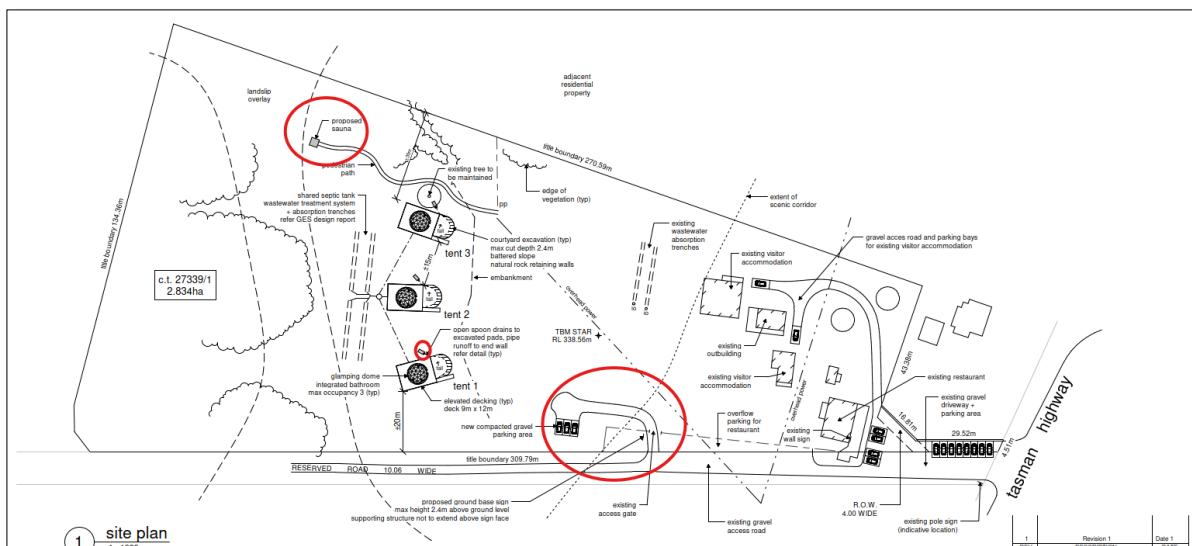
The application was lodged with Council on 24/04/2025 with the application becoming valid on 19 June 2025 after received Crown Consent to Lodge from Property Services on 18/06/2025.

The application was advertised from Saturday 28 June 2025 until Friday 11 July 2025 after which two (2) representations were received. The applicant was invited to respond to the representations as consequently the applicant decided to:

- Make a minor alteration to the location of the car parking to provide greater separation from the side boundary;
- Abandon the inclusion of a plunge pool (Visitor Accommodation use and development) in the proposed use and development;
- Include stormwater infrastructure for each glamping structure noting this will be subject to technical assessment at the building approval stage.



**Advertised Site Plan**



**Amended Site Plan Council Meeting 15 September**



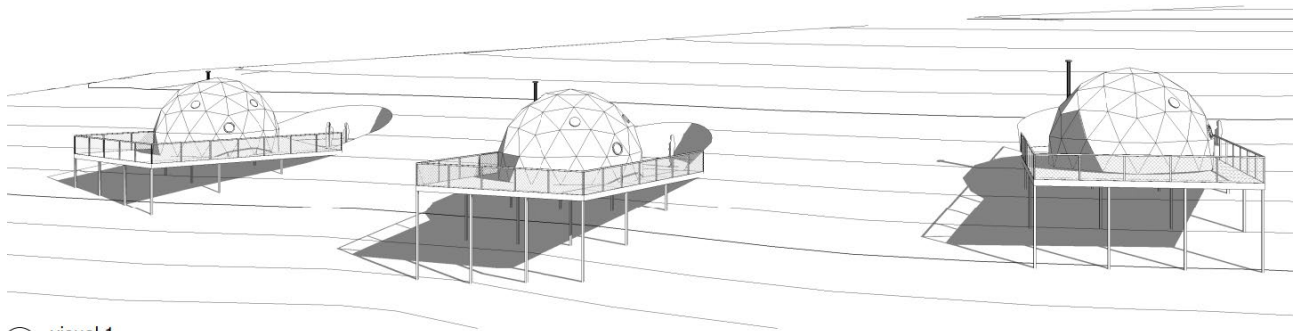


## OFFICER'S REPORT:

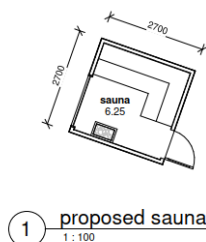
### 1. The Proposal

The applicant seek approval for the construction of

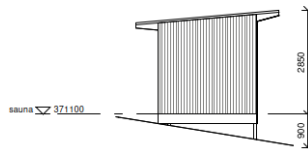
- three (3) glamping domes situated on elevated decking and associated works including cut and retention of battered slope;
- sauna;
- car parking and access way and associated works;



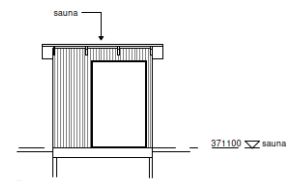
1 visual 1



1 proposed sauna  
1 : 100



2 sauna A  
1 : 100



3 sauna B  
1 : 100

### 2. Applicable Planning Assessment

- 20.0 Rural Zone
- C1.0 Signs Code
- C2.0 Parking and Sustainable Transport Code
- C3.0 Road and Railway Assets Code
- C7.0 Natural Assets Code
- C8.0 Scenic Protection Code
- C15.0 Landslip Hazard Code

### 3. Referrals

- Department of State Growth

*Response:*

*"Following a review of the related documents, the Department has no objections to the proposed development."*

*If you have any further queries regarding the above, please contact me.”*

#### 4. Assessment

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

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

- 20.3.1 Discretionary Uses P1, P2 and P4;

Detailed assessment against the provisions of the *Tasmanian Planning Scheme – Break O’Day* version 13 where the proposal was reliant on satisfying the performance criteria, is provided below.

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

#### Planning Assessment

#### **20.0 RURAL ZONE**

#### 20.3 USE STANDARDS

#### 20.3.1 DISCRETIONARY USE

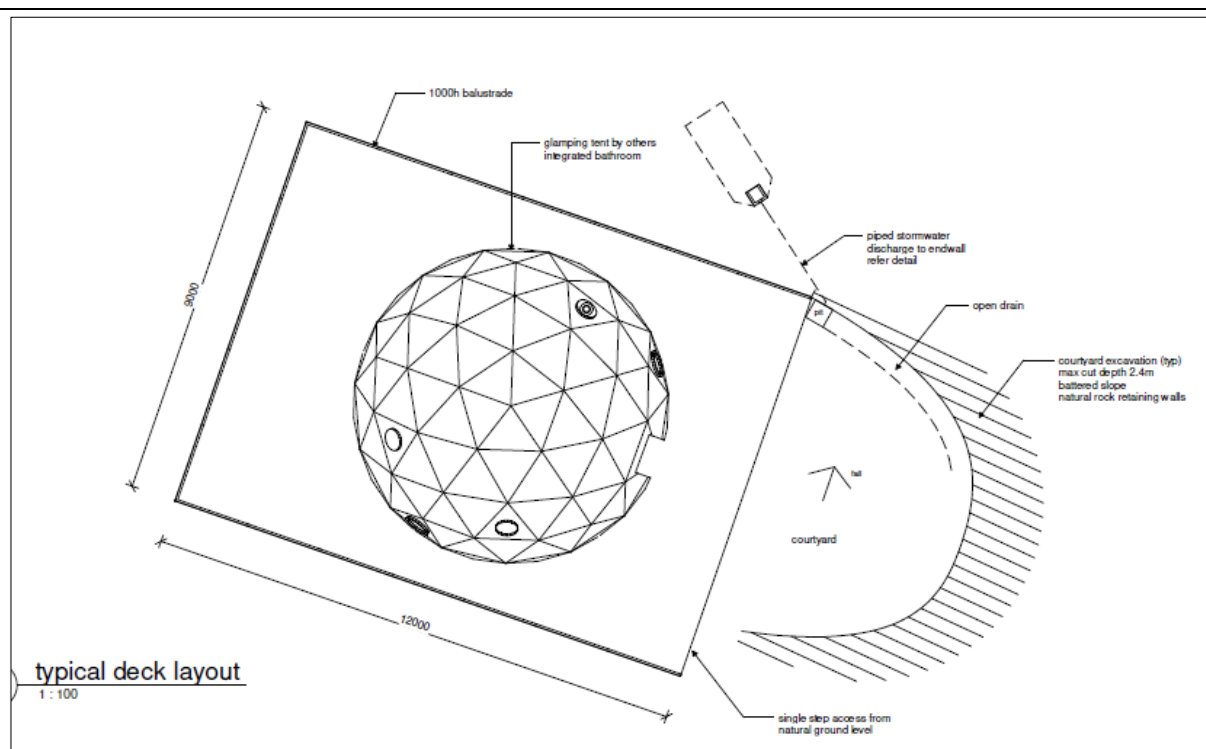
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A use listed as Discretionary, excluding Residential, is for an alteration or extension to an existing use, if:</p> <ul style="list-style-type: none"><li>(a) the gross floor area does not increase by more than 30% from that existing at the effective date; and</li><li>(b) the development area does not increase by more than 30% from that existing at the effective date.</li></ul>	<p>P1</p> <p>A use listed as Discretionary, excluding Residential, must require a rural location for operational reasons, having regard to:</p> <ul style="list-style-type: none"><li>(a) the nature, scale and intensity of the use;</li><li>(b) the importance or significance of the proposed use for the local community;</li><li>(c) whether the use supports an existing agricultural use;</li><li>(d) whether the use requires close proximity to infrastructure or natural resources; and</li><li>(e) whether the use requires separation from other uses to minimise impacts.</li></ul>
<p><b>Assessment against the Performance Criteria is required.</b></p> <p><b>Performance Criteria Assessment</b></p> <p>The proposed use, Visitor Accommodation, is a Discretionary use within the zone. The title supports and existing approved Food Services use (Pancake Barn), and visitor accommodation within existing structures. The proposal is for additional visitor accommodation use in the form of three (3) structures and a sauna structure. The proposal is unable to rely on 7.2.1 development for existing discretionary uses as the proposal is considered to be a substantial intensification of the existing use. As the proposal is a discretionary use, the applicant is reliant on demonstrating that the proposal satisfies the Performance Criteria.</p>	



Performance standard P1 requires the use to require a rural location for operational reasons. Regard can be had to the nature, scale and intensity of the use as well as other criteria. The test in P1 is whether the use requires a rural location for operational reasons. We are required to have regard to the five matters listed (a) to (e) in P1. The requirement to have regard to those elements does not raise them to the status of individual standards which the proposal must meet, rather we are required to consider and give weight to those elements in determining whether the proposal meets the test in the standard. P1 provides that the proposal must require a rural location rather than say an urban location – rural location for operational reasons. *“The term ‘operational reasons’ is not defined in the scheme. The proposal must demonstrate some justification or explanation connected to the operation of the use that requires locating it in a rural area, having regard to the listed matters”* (Alfeldi v Glamorgan Spring Bay Council [2024] TASCAT 69).

The existing approved use includes Visitor Accommodation within two structures on the site with structure 1 supporting one bedroom and structure 2 supporting two bedrooms. The proposal will include three (3) structures each with essentially one bedroom only (maximum 6 guests). The site also supports a restaurant (Pancake Barn) that has been existing historically with the exact establishment date unknown, however council records of 1998 demonstrate the Pancake Barn to operational at that time. There is existing car parking servicing the existing visitor accommodation and food services uses.

Elephant Pass Road is part of the east coast tourism road network connecting St Marys to the east coast and sign posted for scenic opportunities relating to the topography and vegetative cover and is considered a tourist road. The site of the proposal has participated in the tourism opportunities on the east coast historically and takes advantage of the rural location as it relates to visitor experience in terms of open spaces and scenic opportunities. The development site is in an elevated position within an existing cleared area surrounded by vegetation and taking advantage of the views afforded by the topography and vegetation cover. The design of the structure allows occupants to observe the surrounding natural landscape and day/night sky. The design of the proposal takes advantage of the natural landscape and the rural amenity in proximity to St Marys. In this sense the proposal provides some justification or explanation connected to the operation of the use that requires locating it in a rural area in addition to the existing use and development on the site. That is the proposal requires the rural location for operational reasons and is also due to efficiencies of augmenting with existing uses on site as the site has a long history of providing commercial use cater for tourism and locals (Pancake Barn). The nature of the use is consistent with the existing use and the scale and intensity proposed when considered with the existing, is moderate and would not be considered an intensive use on the title. Additionally, the modest scale and intensity is not likely to interfere with rural activities adjoining or adjacent due to separation. This is reflected also in the Objective of the Standard and provides context for interpretation of the performance criteria: *20.3.1 That the location, scale and intensity of a use listed as discretionary (d) is appropriate for a rural location and does not compromise the function of surrounding settlements.* The development site has a land area of 2.834 hectares. The development area for each glamping site is approximately 108 m<sup>2</sup>.



**Photo: Looking west to approximate development area.**

The proposal will contribute to tourism within the area however the significance to the local community would be considered minor to moderate.

The development site is not used for agricultural purposes. The Rural lot has a land capability of Class 6 which is land marginally suited to grazing due to severe limitations. Land Potentially Suitable for Agriculture Zone has listed the site as potentially constrained criteria 2A. The subject is a steep block with levels reducing across the rear portion of the lot and consistent with the landslip mapping. The lower contours to the rear eventually lead to a gully feeding

Wardlaws Creek. The site would have limited agricultural use with limited grazing possibly as an option. Taking note of the zone purpose statement in respect to providing for a range of use or development where agricultural use is limited or marginal due to site characteristics, it is considered that the proposed use is consistent with the Zone Purpose.

The neighbouring property to the east has an existing residential use with land being utilised for a rural residential use (existing).

The property to the south (CT226694/1) has an existing commercial use relating to arts and crafts and is locally known as Blueberry Cottage. The Break O'Day Planning Scheme 1996 approved a use for arts and craft sales. The use supports a shop to purchase homemade jams and jellies, soft toys and giftware as well as plants and essentially establishes a further commercial use in adjoining agriculturally constrained land.

Property adjoining to the west supports a conservation covenant under the Nature Conservation Act 2002 (C588679). Property to the west does not support an agricultural use and does support a dwelling. This property benefits from the easement (right of carriageway) that burdens the subject title. The proposed use will therefore not impact any agricultural use to the west.

The subject site is separated from properties to the north by Elephant Pass Road.

The site does not have an existing Agricultural use and does not require close proximity to infrastructure. Additionally, the use does not require access to natural resources but does benefit from the surrounding natural values in terms of tourism ambience and attraction. Relevant to this matter, the site has frontage to Elephant Pass Road which is significant in so far as the state road is also a designated tourist road with signage promoting photo opportunities. In this regard it is relevant to P1(d).

P1(e) requires regard to whether the use requires separation from other uses to minimise impacts. The proposed use is adequately separated from adjoining and adjacent uses with the closest residential use being greater than 170m to the south and on a lower contour.

The purpose of the Rural Zone is to provide for a range of use or development in a rural location. Clause 20.1 sets out zone purpose statements for the Rural Zone. It is noteworthy that cl20.1.1(a) contemplates use or development of land where agricultural use is compromised by characteristics of the site (land capability and topography for example). Stand-alone agricultural uses would be limited on the site. As discussed previously the site has a land capability of Class 6 which is land marginally suited to grazing due to severe limitations. The rural zone, as distinct from the Agriculture Zone, applies to land which has limited opportunities for agriculture and is designed to be more flexible and cater for a wider array of permitted and discretionary uses needed in Tasmania's rural areas. Accordingly, the scheme has listed Visitor Accommodation as a discretionary use, and the site has limited or marginal agricultural use. Whilst the type of use Visitor Accommodation, does not strictly require a rural location for operational reasons, the type of accommodation and experience is tailored towards a rural getaway experience directed at the landscape qualities of the site. The proposed development is moderate in scale and is sited to ensure separation from adjoining and adjacent residential uses with the dwelling contained on the property to the west being located north of the site and in excess of 150m.

The residential property to the east is similarly separated and noting the crown road reserve separating the properties but it should also be noted that the residential use associated with the property to the east is on the northern side of the Elephant Pass Road and quite removed. To this end the siting of the proposed development being removed from adjoining uses should not impact surrounding uses.

The potential for agricultural use on the property is constrained and reflected in the land capability class with no adjoining agricultural uses and instead the adjoining property supporting a conservation covenant. The scale and intensity of the use and development is moderate with modest visitor accommodation structures (3) only supporting two visitors in each, proposed. As mentioned previously the site supports existing low scale visitor accommodation (2 structures) and a restaurant with the site being 2.834ha in land area with marginal suitability for agriculture. The proposed development complements the existing development on site catering for the tourist economy and surrounding area with respect to food services with a moderate increase in intensity.

The proposed use is considered to satisfy the performance criteria and the purpose of the Rural Zone.

Acceptable Solutions	Performance Criteria
<b>A2</b> No Acceptable Solution.	<b>P2</b> A use listed as Discretionary must not confine or restrain existing use on adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the location of the proposed use;</li> <li>(b) the nature, scale and intensity of the use;</li> <li>(c) the likelihood and nature of any adverse impacts on adjoining uses;</li> <li>(d) whether the proposed use is required to support a use for security or operational reasons; and</li> <li>(e) any off-site impacts from adjoining uses.</li> </ul>

**Assessment against the Performance Criteria is required.**

**Performance Criteria Assessment**

The adjoining property is 822 Elephant Pass Road, Gray and is the only property that shares a common boundary.

The adjoining property has a land area of 14.8 ha of which 12.36 ha is contained within a restrictive Conservation Covenant pursuant to S34 *Nature Conservation Act 2002*. The purpose of the covenant is to protect in perpetuity the flora and fauna, water quality and the natural diversity of the land.

The residential use of the adjoining property is contained to the northern section of the title and in close proximity to Elephant Pass Road and the “Pancake Barn” building. The adjoining use is



The proposal will be appropriately conditioned with regard to any potential adverse impacts on the adjoining residential use.

Pancake Barn

Acjoining Residential Use

[illegible]



Arrow denotes position of adjoining residential use.

Acceptable Solutions	Performance Criteria
<p><b>A4</b> No Acceptable Solution.</p>	<p><b>P4</b> A use listed as Discretionary, excluding Residential, must be appropriate for a rural location, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature, scale and intensity of the proposed use;</li> <li>(b) whether the use will compromise or distort the activity centre hierarchy;</li> <li>(c) whether the use could reasonably be located on land zoned for that purpose;</li> <li>(d) the capacity of the local road network to accommodate the traffic generated by the use; and</li> <li>(e) whether the use requires a rural location to minimise impacts from the use, such as noise, dust and lighting.</li> </ul>
<p><b>Assessment against the Performance Criteria is required.</b> <b>Performance Criteria Assessment</b></p> <p>There is no Acceptable Solution and instead the proposal must rely on the Performance Criteria. As detailed in the scheme response to P1, the Visitor Accommodation use is one that with appropriate design is able to be located within the Rural Zone. In this instance, the scale and intensity of the use is considered to be modest. Consideration has been given to the objective of the standard, and the proposal is not considered to be intensive in scale with the three glamping structures located on a title with land area of 2.834ha.</p> <p>The rural location is approximately 8km from the Township of St Marys which is a Rural Town with a town centre. The proposed use is of such a modest scale with no possibility of distorting the activity centre hierarchy within the NTRLUS and is of such a scale consistent with visitor accommodation enterprises within a rural location.</p> <p>Visitor Accommodation is permissible within a wide variety of zones. The application was referred to the Department of State Growth (road authority), who had no concerns about the proposed use and development and no requirement for any further information including a Traffic Impact Assessment. The use does not require a rural location to minimise impacts.</p> <p>The proposed use is able to satisfy the performance criteria.</p>	

## 5. Representations

The application was advertised 28<sup>th</sup> June 2025 to 11<sup>th</sup> July 2025 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining landowners. Two (2) representation was received prior to the closing date and time. The issues raised within the representation are as follows: -

Issue	Response
<p>Representor No. 1</p> <p>Concern regarding recent <i>land clearing</i>.</p> <p>Increase in <i>runoff</i> from hard surfaces because of development.</p> <p>Carparking areas not correctly described and existing issues regarding erosion and runoff.</p> <p>Use of commercial vehicles not correctly described.</p> <p>Neighbourhood amenity and noise.</p> <p>Dome materials and light pollution effect on animals.</p> <p>Landslip overlay mapping.</p> <p>Water storage</p> <p>Onsite wastewater</p> <p>Plunge pool wastewater.</p>	<p>Land clearing on the site appears to have occurred at some time after February 2023 with the majority of the site historically cleared prior to this. The storage of timber on the site with moss/algae indicates the clearance is not recent. Land clearing does not form part of this application, and any matter is a compliance matter.</p> <p>Stormwater management from structures will be subject to technical assessment at the building assessment stage.</p> <p>Carparking has been adequately considered and appropriate conditions applied.</p> <p>Use of commercial vehicles has been considered as part of the development application.</p> <p>Neighbourhood amenity and noise has been considered as part of the development assessment and appropriate conditions applied.</p> <p>Appropriate conditions regarding external lighting have been applied to the proposal.</p> <p>Onsite wastewater will be considered via a technical assessment at the building assessment stage.</p> <p>All development is located outside of the low landslip hazard band.</p> <p>The plunge pool has been removed from the application.</p>



**Subject site March 2022**



**Subject site May 2022**



**Subject site – Aerial Photo 2023-2024 Season**

<p>Representation No 2</p> <p>Neighbourhood amenity – operating hours and existing rural character.</p> <p>Noise and light pollution.</p> <p>Proximity to landslip overlay.</p> <p>Proximity to groundwater and surface water resources.</p> <p>Boundary encroachments.</p> <p>Traffic and wildlife movements.</p>	<p>Neighbourhood amenity and noise has been considered as part of the development assessment and appropriate conditions applied.</p> <p>Appropriate conditions regarding external lighting have been applied to the proposal.</p> <p>All development is located outside of the low landslip hazard band.</p> <p>Onsite wastewater management and stormwater management is subject to technical assessment at the building application stage.</p> <p>The proposed development is completely contained within the site boundaries. Any existing historical encroachments within the crown land road reserve will need to be considered by the Property Services, State Government.</p> <p>Expected vehicle movements have been considered by Department State Growth via the referral process and assessment against C3.0 Road and Railway Assets Code and C2.0 Parking and Sustainable Transport Code.</p>
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The recommendation for approval has been made following due consideration of the representation and comments.

**6. Mediations**



Nil

## 7. Conclusion

In accordance with 6.10 of the *State Planning Provisions (Tasmanian Planning Scheme – Break O’Day)*, the application has been assessed against the objectives of the Scheme, in particular the 20.0 Rural Zone, all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and three (3) Performance Criterion. The received representation has been considered with recommended conditions proposed in response to concerns.

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

### STRATEGIC PLAN & ANNUAL PLAN:

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

#### Goal

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

#### Key Focus Area

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

### LEGISLATION & POLICIES:

*Tasmanian Planning Scheme – Break O’Day*

*Land Use Planning and Approvals Act 1993*

*Local Government (Building and Miscellaneous Provisions) Act 1993*

### BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

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

### VOTING REQUIREMENTS:

Simple Majority



ACTION	DECISION
COUNCIL MEETING DATE	20 October 2025
PROPONENT	VDL Developments Pty Ltd
OFFICER	D. Szekely, Senior Town Planner
FILE REFERENCE	DA 2024 / 00219
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none"> <li>1. Plans &amp; Documents</li> <li>2. Representations</li> <li>3. Applicant Response to Representations</li> <li>4. Applicant Planning Scheme Response</li> </ol>

**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 - 70 Lot Subdivision and Road Lots on land situated at Cherrywood Drive, Scamander described in Certificate of Title 181009/2 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Cover Sheet	C001	PDA Surveyors, Engineers & Planners	02/07/2025
Notes	C002	PDA Surveyors, Engineers & Planners	02/07/2025
Soil & Water Management Plan	C003	PDA Surveyors, Engineers & Planners	02/07/2025
Overall Staging Plan	C004	PDA Surveyors, Engineers & Planners	02/07/2025
Typical Sections & Details	C002	PDA Surveyors, Engineers & Planners	02/07/2025
Overall Site Plan	C100	PDA Surveyors, Engineers & Planners	02/07/2025
Road & Services Detail Plan	C101 – C109 Sheets 1 - 9	PDA Surveyors, Engineers & Planners	02/07/2025
Road 1 Long Section	C200 Sheet 1 of 9	PDA Surveyors, Engineers & Planners	02/07/2025
Road 1 Long Section	C201 Sheet 2 of 9	PDA Surveyors, Engineers & Planners	02/07/2025
Road 1 Long Section	C202 Sheet 3 of 9	PDA Surveyors, Engineers & Planners	02/07/2025

Road 1 Long Section	C203 Sheet 4 of 9	PDA Surveyors, Engineers & Planners	02/07/2025
Road 1 Long Section	C204 Sheet 5 of 9	PDA Surveyors, Engineers & Planners	02/07/2025
Road 1 Long Section	C205 Sheet 6 of 9	PDA Surveyors, Engineers & Planners	02/07/2025
Road 1 & 2 Long Section	C206 Sheet 7 of 9	PDA Surveyors, Engineers & Planners	02/07/2025
Road 3 Long Section	C207 Sheet 8 of 9	PDA Surveyors, Engineers & Planners	02/07/2025
Road 4 Long Section	C208 Sheet 9 of 9	PDA Surveyors, Engineers & Planners	02/07/2025
Road 1 Cross Sections	C300 - C313 Sheets 1-14	PDA Surveyors, Engineers & Planners	02/07/2025
Road 2 Cross Sections	C314 - C315 Sheets 1 - 2	PDA Surveyors, Engineers & Planners	02/07/2025
Road 3 Cross Sections	C316 – C317 Sheets 1 - 2	PDA Surveyors, Engineers & Planners	02/07/2025
Road 4 Cross Sections	C318	PDA Surveyors, Engineers & Planners	02/07/2025
Tasman Highway Widening Cross Sections	C320 – C323 Sheets 1- 4	PDA Surveyors, Engineers & Planners	02/07/2025
Stormwater Long Section	C400 – C417 Sheets 1 - 18	PDA Surveyors, Engineers & Planners	02/07/2025
Sewer Long Section	C530 – C541 Sheets 1 - 12	PDA Surveyors, Engineers & Planners	02/07/2025
Stormwater Management Report	Revision 3	PDA Surveyors, Engineers & Planners	03/07/2025
Traffic Impact Assessment	Final #3	Traffic & Civil Services	13/01/2025
Overall Plan – Nature Strip Tree Planting	48555HC-L1-B	PDA Surveyors, Engineers & Planners	05/08/2025
Tree Plan 1 – Nature Strip Tree Planting	48555HC-L2-B	PDA Surveyors, Engineers & Planners	05/08/2025
Tree Plan 2 – Nature Strip Tree Planting	48555HC-L3-B	PDA Surveyors, Engineers & Planners	05/08/2025
Bushfire Hazard Management Report: Subdivision	Version 3	Livingston Natural Resources Services	07/11/2024
Natural Assets Report	Version 2	Livingston Natural Resources Services	07/11/2024
Geotechnical Site Investigation	V01	Geo-Environmental Solutions	05/11/2024

## CONDITIONS

CONDITION		TIMING
<b>14.</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 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.
<b>2.</b>	<b>Staged Subdivision</b>	
A.	Approval is for seventy (70) lots and six (6) Road Lots	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
B.	Approval is for the subdivision in six (6) stages as follows: Stage 1: Lots 1 – 20 and Road 101 Stage 2: Lots 21 – 34 and Road 102 Stage 3: Lots 35 – 39; Lot 70 and Road 103 Stage 4: Lots 40 – 50 and Road Lot 104; Stage 5: Lots 51 – 58 and Road Lot 105; Stage 6: Lots 59 – 69 and Road Lot 106.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
C.	Develop the site generally in accordance with the stages identified on the approved plans in consecutive order. Development must comply with each condition of the development approval as it relates to each stage, unless otherwise stated in the condition.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
<b>3.</b>	<b>Bushfire Hazard Management</b>	
A.	Prior to sealing of the Final Plan of Subdivision and at the completion of each stage of the subdivision, written advice from an accredited bushfire practitioner must be submitted to Council advising that all recommendations and requirements of the Bushfire Hazard Management Report by Livingston Natural Resources Services V3 and	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).

CONDITION		TIMING
	dated 7/11/2024, have been implemented, including requirements regarding water supply, access, and vegetation / staged fuel hazard management.	
B.	Easement(s) must be created over CT 181009/1 that is located and satisfies the requirements of the Bushfire Hazard Management Report prepared by Livingston Natural Resources Services V3 and dated 7/11/2024 providing a Bushfire Hazard Management Area in perpetuity (noting the easement may be nullified when/if CT181009/1 is developed and is assessed as a low threat).	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
<b>4.</b>	<b>Vegetation Clearing, Weed Management and Hygiene</b>	
A.	Clearing of the site is only permissible in respect of the area identified for each stage of the development as such development is undertaken and is to be the minimum amount that enables that particular stage to proceed.	During site works.
B.	Provide notification to Council of the commencement of staged clearing of vegetation.	Within fourteen (14) days prior to commencement of staged clearing.
C.	Clearly delineate areas where vegetation is proposed to be retained (i.e. balance stage delineated from active stage) with exclusion fencing/barriers/means of identification, to prevent accidental felling.	During site works.
D.	In relation to each stage and in relation to the management of the balance stages, prepare a Weed and Disease Management Plan prepared in accordance with the <i>Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania</i> (DPIPWE 2015, Eds. K. Stewart & M. Askey-Doran. DPIPWE, Hobart, Tasmania).	Prior to works commencing.
E.	The Weed and Disease Management Plan must address the existing unauthorised clearing of	Weed and Disease Management activities must commence immediately for

CONDITION		TIMING
	<p>vegetation and must ensure any disturbed land in balance stages is able to regenerate naturally.</p> <p>This condition is provided to ensure that should staged subdivision works commence, any balance land is able to be managed for its natural values until such time as subsequent stages commence.</p>	<p>any existing unauthorised clearing.</p> <p>Generally, the Weed and Disease Management plan must be applied during site works and to be maintained in accordance with the requirements and recommendations of the Plan.</p>
F.	<p>Standard <i>Phytophthora</i> hygiene measures must be implemented for the construction and maintenance of works in accordance with and using the <i>Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania</i> (DPIPWE 2015, Eds. K. Stewart &amp; M. Askey-Doran. DPIPWE, Hobart, Tasmania). A copy of the Weed and Disease Management Plan prepared from these Guidelines is to be provided to Council prior to works beginning, including commissioning of the work site.</p>	Prior to works commencing.
G.	Obtain approval from Council for the Weed and Disease Management Plan.	Within fourteen (14) days prior to commencement of staged clearing.
H.	Implement the requirements and recommendations of the approved plan(s). The approved plan(s) will form part of the approval.	During site works and to be maintained at all times.
<b>5.</b>	<b>Disposal of Cleared Vegetation</b>	
	<p>Chip, shred or tub grind cleared native vegetation and spread as mulch or dispose of at an authorised waste facility.</p> <p>Cleared vegetation must not be burnt.</p>	During site works.
<b>6.</b>	<b>Fauna Management Plan</b>	
A.	Submit a Fauna Management Plan for each stage of the development, to reduce potential impacts on native fauna. The plan must be prepared by a suitably qualified person and contain at least the following information:	Prior to works commencing on site.



CONDITION		TIMING
	<ol style="list-style-type: none"> <li>1. Procedures for dealing with fauna observed immediately prior to vegetation clearing.</li> <li>2. Procedures for dealing with fauna, including burrowing or denning fauna, during vegetation clearing including details of personnel on site qualified to manage fauna.</li> <li>3. Procedures for the treatment / removal of injured fauna from the site.</li> <li>4. Prevention of fauna movement towards the Tasman Highway/Scamander Avenue during site works.</li> </ol>	
B.	Obtain approval from Council for the Fauna Management Plan in accordance with (A) above	Prior to works commencing on site.
C.	Carry out works in accordance with the approved Fauna Management Plan	Prior to and during site works.
D.	<p>Provide an activity report including:</p> <ol style="list-style-type: none"> <li>1. The actions taken to deal with observed fauna;</li> <li>2. The number of any animals that were required to be relocated;</li> <li>3. The release site for any relocated animals;</li> <li>4. The number (if any) of animals injured during clearing;</li> <li>5. Any treatment or actions taken on any animals injured during clearing.</li> </ol>	Within fourteen (14) days of completion of clearing.
<b>7.</b>	<b>Construction Management Plan</b>	
	<p>Submit and have approved by Council, a Construction Management Plan (CMP) prepared by the developer or Principal Contractor. The CMP is to outline, in sufficient detail, the processes that will be employed to minimise impacts on the surrounding community during construction. These processes are to cover, but is not limited to, the following:</p> <ol style="list-style-type: none"> <li>1. Material / Plant delivery and storage locations;</li> <li>2. Waste locations and collection details;</li> <li>3. Dust management activities and plant storage;</li> </ol>	Not less than two (2) weeks prior to commencement of works. To be maintained current at all times.

CONDITION		TIMING
	<p>4. Construction office accommodation if any;</p> <p>5. Contractor / tradesman vehicle parking arrangements;</p> <p>6. Works that may make audible noise outside of:</p> <p>Mon-Friday 7 am to 6 pm; Saturday 9 am to 6 pm; Sunday and public holidays 10 am to 6 pm</p> <p>The CMP may include a site layout drawing identifying these areas.</p> <p>The CMP must also specify actions to be taken should any historic buried waste be encountered during site works. Actions will include advice to Council within twenty-four hours notice of any historic buried waste being identified during earth works, cessation of site works and further necessary actions to be advised to council. Works will not commence until such time as the matter has been addressed to the satisfaction of Council.</p> <p>The CMP needs to reflect any staging requirements.</p>	
<b>8.</b>	<b>Storm water Management</b>	
A.	<p>Submit and have approved by Council, storm water design drawings of the subdivision which includes the design life of the proposed development and compliance with current version of Australian Rainfall and Runoff incorporating Tasmanian requirements for Climate Change and sea-level rise.</p> <p>Design drawings shall identify the requirement to upgrade existing Council owned infrastructure to service the development if applicable.</p> <p>Design drawings shall demonstrate that provision has been made to allow storm water flow up to a 100 Year ARI storm, to flow overland (1.0 Percent AEP Depth, Velocity, Hazard Overland Flooding [Climate Change]) without undue inundation of any surrounding properties. Proposed Overland</p>	Prior to commencement of works associated with this condition.

CONDITION		TIMING
	<p>Flow paths are to be shown on the submitted engineering drawings.</p> <p>To remove any doubt, design drawings shall demonstrate that provision has been made to manage overland flow as described in TSFM Design Flood Events Hydraulic Hazard 1.0 Percent AEP Depth, Velocity, Hazard Overland Flooding [Climate Change] to ensure all lots can achieve a tolerable risk from flood and does not increase any risk from flood for adjacent land.</p> <p>Design drawings must also demonstrate existing site levels and proposed site levels and the location and quantity of any proposed fill. Any filling of the site must be in accordance with AS3798-2007 (as amended) Guidelines on earthworks for commercial and residential developments and provide civil engineer certification in compliance with Tasmanian Subdivision Guidelines.</p> <p>Design drawings must be prepared and certified by a qualified professional engineer practicing in the fields of hydrology and hydraulics.</p>	
B.	Construct and upgrade where required, storm water infrastructure to service the development at no cost to Council and in accordance with the approved plans and documents of development.	Prior to submitting to Council any request for approval of a plan of subdivision (i.e. a survey plan).
C.	Submit certification from a suitably qualified person that the storm water infrastructure has been built / upgraded in accordance with the approved plans.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
D.	Each lot must be provided with a connection to the Council's stormwater system, constructed in accordance with Council's standards and to the satisfaction of Council's Works Department.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
E.	All existing stormwater pipes and connections must be located.	Prior to submitting to the Council any request for approval of a plan of

CONDITION		TIMING
		subdivision (i.e. a survey plan).
F.	Where required, pipes are to be rerouted to provide an independent system for each lot.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
G.	Concentrated stormwater must not be discharged into neighbouring properties.	To be maintained at all times.
H.	All lots and roads must be designed to allow storm water runoff to be adequately drained to the Council storm water system.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
I.	Carry out the development to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of any works undertaken.	During site works and to be maintained at all times.
<b>9.</b>	<b>Roads &amp; Footpaths</b>	
A.	<p>Provide dedicated constructed road access to and within the development in accordance with the:</p> <ol style="list-style-type: none"> <li>1. Endorsed plans;</li> <li>2. Endorsed Traffic Impact Assessment Rev. 3 prepared by Traffic and Civil Services and dated 07/03/2025; and</li> <li>3. Endorsed Bushfire Hazard Management Report prepared by Livingston Natural Resources Services V3 and dated 7/11/2024.</li> </ol> <p>Where there is conflict in cul-de-sac head design between the approved plans and the approved Bushfire Hazard Management Report (BHMR), the BHMR prevails.</p>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) and to be maintained at all times.
B.	Cul de sac heads must have a turning circle with a minimum 12m outer radius, mountable kerbs and trafficable footpaths.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) and to be maintained at all times.

CONDITION		TIMING
C.	Provision of footpaths in accordance with endorsed plans.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) and to be maintained at all times.
<b>10.</b>	<b>New Works &amp; Infrastructure Construction</b>	
A.	Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. Any design must be completed in accordance with Council's Subdivision Design Guidelines to the satisfaction of the Works Department. Any construction, including maintenance periods, must also be completed to the approval of the Works Department.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B.	All works must be in accordance with Council Policy No. AM08: Subdivision New Works and Infrastructure Construction	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
C.	Works must not be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by Council's Works Department.	Prior to undertaking any works within the Council Road Reserve.
D.	Twenty-four (24) hours notice must be given to the Works Department to inspect works within road reserve, and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.	Prior to undertaking any works within the Council Road Reserve.
<b>11.</b>	<b>Works in State Road Reserve</b>	
	The proposed Tasman Highway intersection, footpath, drainage works, and other ancillary items must be provided to the required standards and specifications of the Department of State Growth. No works in the road reservation are permitted until engineering plans showing all necessary works (road construction, drainage, and	Prior to undertaking any works within the State Road Reserve.



CONDITION		TIMING
	<p>traffic facilities etc.) are reviewed, accepted, and a written permit issued by State Growth, see Note.</p> <p>NOTE: A valid works permit issued by the Department of State Growth is required for all works undertaken in the State Road (Tasman Highway) reservation. Details of the permit process, required documentation, and online application form can be found at <a href="#">General works (pathways, stock underpass) – Transport Services</a>.</p>	
<b>12.</b>	<b>Water and Sewerage (TasWater)</b>	
	All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, <b>TWDA 2024/01330-BODC</b>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
<b>13.</b>	<b>Easements to be created</b>	
A.	Provide easements in favour of Council (or other public authority as required) over public infrastructure located in private property.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B.	The widths of the easements are to be in accordance with Tasmanian Subdivision Guidelines unless otherwise conditioned.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
C.	Such easements must be created on the final plan to the satisfaction of the General Manager.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
<b>14.</b>	<b>Staged Landscaping</b>	
	Carry out staged landscaping and associated earthworks, site preparation and other necessary works in accordance with approved plans, details and technical specifications of any proposed planting or landscape work where such works will be on land under the control of Council.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

CONDITION		TIMING
<b>15.</b>	<b>Electricity / Telecommunications</b>	
A.	Submit to Council a Certificate of Completion for the development provided by TasNetworks, confirming all approved lots are provided with underground power connection to each lot.	Prior to submitting to Council any request for approval of a plan of subdivision (i.e. survey plan).
B.	Provide relevant certification that Fibre-Ready telecommunications infrastructure (pit and pipe) has been provided throughout the development (relevant Stage) in accordance with Telecommunications Act 1997 and associated rules.	Prior to submitting to Council any request for approval of a plan of subdivision (i.e. survey plan).
<b>16.</b>	<b>Stockpiles of Construction and Landscaping Materials</b>	
	Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed onto any footpath, nature strip, roadway or into any drain or watercourse.	During site works.
<b>17.</b>	<b>Payment in Lieu of Public Open Space</b>	
	The developer must make payment to the Break O'Day Council in lieu of providing public open space in accordance with <i>Policy No AM02 Public Open Space Contributions Policy</i> as amended.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
<b>18.</b>	<b>Covenants on Subdivisions</b>	
	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).
<b>19.</b>	<b>Final Plan of Survey</b>	
	A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing.	On completion and satisfaction of all conditions on this permit.

CONDITION		TIMING
	Advice: the plan will not be sealed until such time as all conditions on this permit have been complied with.	

## ADVICE

1. All works associated with the development should be conducted in accordance with *Guidelines for Soil and Water Management*, Hobart City Council, available on Council's website (<http://www.bodc.tas.gov.au/webdata/resources/files/GuidelinesforSoilandWaterManagement.pdf>). All worked areas not covered by structures must be promptly and progressively stabilised (e.g. revegetated) so that they will not erode and/or act as a source of sediment transfer.
2. 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.
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)	Yes	Department State Growth (DSG) TasWater

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

Development Permit Information	Details
<i>Development Description</i>	Subdivision - 70 Lot Subdivision and Road Lots (Staged)
<i>Relevant Period of Approval</i>	2 Years
<i>Other Necessary Permits</i>	DSG Permit – Works within State Road Reserve
<i>Attachments</i>	Nil
<i>Representations</i>	Nine (9)

## INTRODUCTION:

The applicant is seeking approval for subdivision of land at Lot 2 Cherrywood Drive, Scamander. The proposed subdivision is to reconfigure the lot to create 70 lots and 6 Road Lots. The State Planning Provisions, Clause 6.2.6 states that development which is for subdivision does not need to be categorised into one of the Use Classes. The site is within the General Residential Zone.

## PREVIOUS COUNCIL CONSIDERATION:

Nil

## OFFICER'S REPORT:

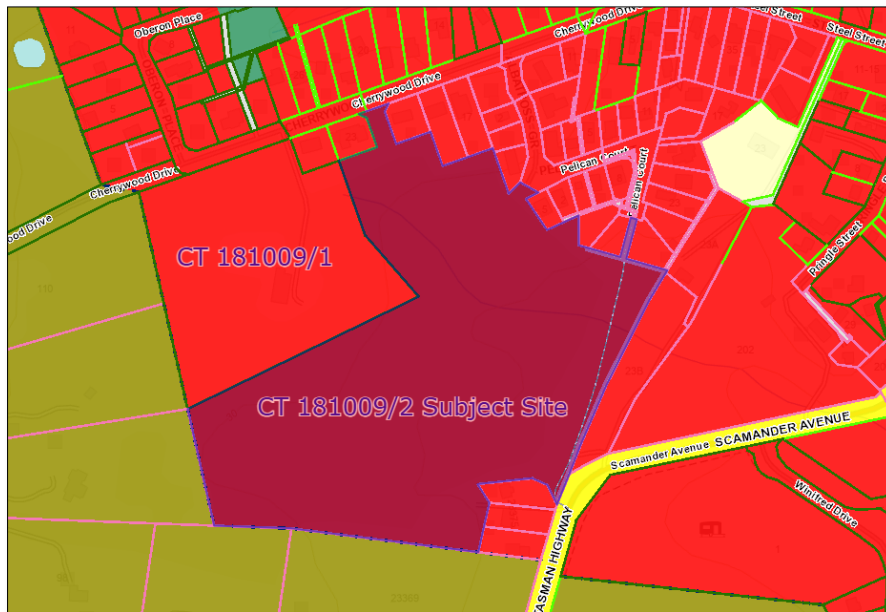
### 1. The Proposal

Council received an application from VDL Developments (owner) on 13 November 2024, for a 70 Lot Subdivision and 6 road lots on CT 181009/2 which has a land area of 9.664 hectares. The proposed lots range in size from 475 m<sup>2</sup> (Lot 29) to 4983 m<sup>2</sup> (Lot 70). The proposed subdivision is a staged (6) subdivision to be completed as follows:

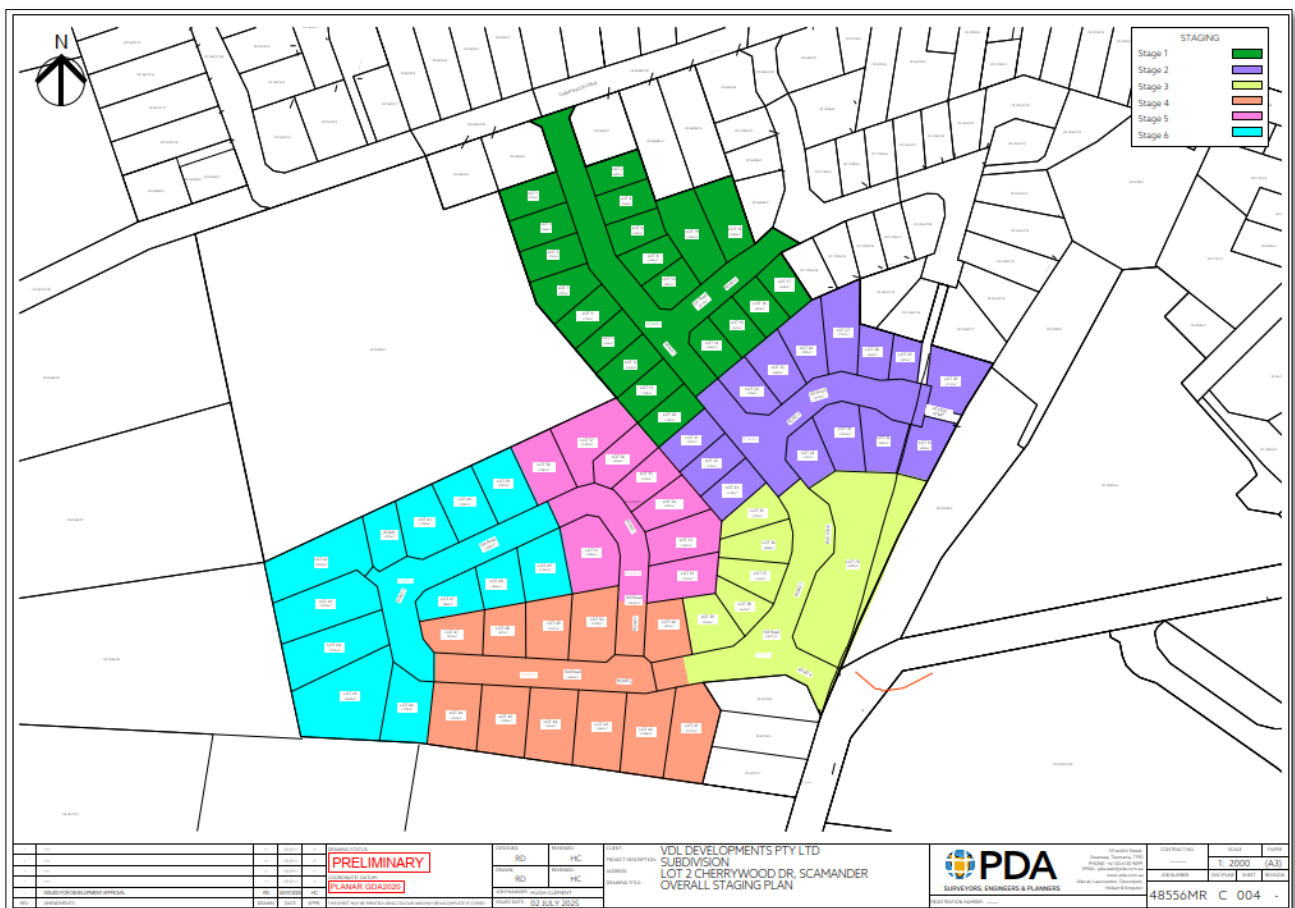
- Stage 1: Lots 1 – 20 and Road 101
- Stage 2: Lots 21 – 34 and Road 102
- Stage 3: Lots 35 – 39; Lot 70 and Road 103
- Stage 4: Lots 40 – 50 and Road Lot 104;
- Stage 5: Lots 51 – 58 and Road Lot 105;
- Stage 6: Lots 59 – 69 and Road Lot 106.

Access to the developed subdivision is from Cherrywood Drive, Albatross Court and Tasman Highway. Pedestrian/Active transport is also achieved through Pelican Court with pedestrian access provided between lots 29 and 30. Future subdivision of adjoining CT 181009/1 has been considered by providing a future road lot between lots 61 and 62.





**DEVELOPMENT SITE**



**PROPOSED SUBDIVISION**

The subject site is currently vacant and supports extensive vegetation that has been assessed by a suitably qualified person and considered in terms of the definition of priority vegetation. This information is contained within the Natural Values Assessment A staged clearing of vegetation is proposed.

## 2. Applicable Planning Assessment

- 8.0 General Residential Zone
- C2.0 Parking and Sustainable Transport Code
- C3.0 Road and Railway Assets Code
- C7.0 Natural Assets Code
- C12.0 Flood-Prone Areas Code
- C13.0 Bushfire-Prone Areas Code

## 3. Referrals

- I. Department State Growth
- II. TasWater
  - Issue of TasWater SPAN.
- III. TasNetworks

Based on the information provided, the development is not likely to adversely affect TasNetworks' operations. As with any subdivision of this magnitude, consideration should be given to the electrical infrastructure works that will be

- IV. Break O'Day Council Works Department
  - Review of Stormwater Management Report
  - Review of TIA
  - Review of Subdivision Design

## 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:*

- 8.0 General Residential Zone 8.6 Development Standards for Subdivision
  - 8.6.1 Lot Design P2, P4;
  - 8.6.2 Roads P1
- C3.0 Road and Railway Assets Code
  - C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction
- C7.0 Natural Assets Code
  - C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area
  - C7.7.2 Subdivision with a priority vegetation area
- C12.0 Flood-prone Hazard Areas Code
  - C12.7.1 Subdivision within a flood-prone hazard area

Detailed assessment against the provisions of the *Tasmanian Planning Scheme – Break O'Day* version 6 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**

### **8.0 GENERAL RESIDENTIAL ZONE**

#### **8.6 DEVELOPMENT STANDARDS FOR SUBDIVISION**

##### **8.6.1 Lot Design**

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A2</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.	<b>P2</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must 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:  (a) the width of frontage proposed, if any; (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (c) the topography of the site; (d) the functionality and useability of the frontage; (e) the ability to manoeuvre vehicles on the site; and (f) the pattern of development existing on established properties in the area, (g) and is not less than 3.6m wide.

#### **Assessment against the Performance Criteria is required.**

##### **Performance Criteria Assessment**

The proposed 70 lot subdivision supports four (4) lots which rely on satisfying the performance criteria, due to the frontage being less than 12m.

<b>Lot #</b>	<b>Lot Size (m<sup>2</sup>)</b>	<b>Frontage (m)</b>	<b>Stage</b>
<b>56</b>	833	11	5
<b>57</b>	1430	11	5
<b>62</b>	1873	8	6
<b>65</b>	2504	11	6

All lots have a proposed legal connection to a road by way of adequate frontage. The narrowest frontage being lot 62 is potentially a future corner lot with extensive frontage should the road lot be realised if further subdivision of CT181009/1 occurs. In the interim a frontage of 8m will provide for adequate with all scenarios regarding access and manoeuvring within C2.0 being able to be achieved

for the anticipated residential use.

All lots with reduced frontage are larger lots within the General Residential zone and will likely be able to support internal access for multiple dwellings of varying degrees if required and are considered functional and usable for their intended use and importantly ensuring vehicle manoeuvrability.

All lots have a relatively flat topography to ensure access is achievable and does not exacerbate a reduced frontage.

The proposed subdivision is discrete and separate to surrounding existing development and the four lots with reduced frontage, do not impact the existing surrounding pattern of development.

In any case the width of frontage is not less than 3.6m.

The proposed development is able to satisfy the performance criteria.

**A4**

Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.

**P4**

Subdivision must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to:

- (a) the size, shape and orientation of the lots;
- (b) the topography of the site;
- (c) the extent of overshadowing from adjoining properties;
- (d) any development on the site;
- (e) the location of roads and access to lots; and
- (f) the existing pattern of subdivision in the area.

**Assessment against the Performance Criteria is required.**

**Performance Criteria Assessment**

The proposed 70 lot subdivision is to be sited on a single land parcel with land area 9.664 ha.

Access is to be achieved via Cherrywood Drive, Pelican Court and Tasman Highway. Due to the surrounding development essentially encapsulating the land parcel, subdivision design, including internal road has not permitted all lots to have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north. Approximately 50% of the lots are able to achieve the requirements of the acceptable solution and approximately 50% will rely on satisfying the performance criteria.

The best solar access will occur if streets are aligned approximately east-west with streets aligned north-south should generally be the short side of the block. The development site is however irregularly shaped with access northwards from Cherrywood Drive and Albatross Grove and southern access from Tasman Highway. East west orientation of road has been achieved; however north south orientation of road is still equally represented to account for the irregular shape and the access points from existing roads with through traffic to the Tasman Highway. These constraints have reinforced the subdivision design. Given the size of the lots, north-facing dwellings are capable of being designed to varying extents, whether that be a large portion of the dwelling or important living areas prioritized thereby providing opportunities for solar access.

The 50% of lots relying on satisfying the performance criteria are generally large lots for the General Residential Zone. The larger lot size provides opportunity for dwelling design and placement (private open space) to capture favourable solar orientation (solar access to habitable rooms, private open space) and address potential overshadowing of neighbouring lots or impact on solar access to adjoining property habitable rooms.

The proposed development is considered to satisfy the performance criteria.

#### 8.6.2 Roads

Acceptable Solutions	Performance Criteria
<b>A1</b> The subdivision includes no new roads.	<b>P1</b> The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to: <ul style="list-style-type: none"> <li>(a) any road network plan adopted by the council;</li> <li>(b) the existing and proposed road hierarchy;</li> <li>(c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential;</li> <li>(d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;</li> <li>(e) minimising the travel distance between key destinations such as shops and services and public transport routes;</li> <li>(f) access to public transport;</li> </ul>
<b>Assessment against the Performance Criteria is required.</b> <b>Performance Criteria Assessment</b> <p>The proposed subdivision includes new roads. The new internal roads connect the subdivision to Cherrywood Road, Albatross Grove/Pelican Court and Tasman Highway.</p> <p>The parent lot is a large lot that is surrounded by lots that have undergone reconfiguration and has frontage to Cherrywood Drive, Albatross Drive and the Tasman Highway. The parent lot was created by a subdivision (1 into 2 lots) which also included the creation of CT 18009/1. The resultant reconfiguration created lot 1 with a land area of approximately 3.8 ha and the subject title, lot 2 9.664 ha. Subdivision has occurred historically around these two lots and consequently has multiple frontages. Essentially this subdivision provides for infill within an existing residential area and so the proposed internal road network needs to respond to the surrounding network. The road network has minimized the use of cul-de-sacs and provides a logical and efficient road layout that connects</p>	

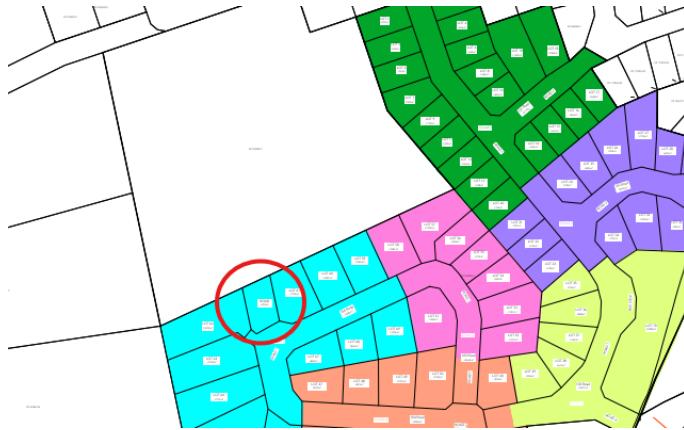


with the surrounding road, pedestrian and active transport network. The subdivision is in close proximity to the recognized activity centre with connectivity to the road network providing access to the district service centre St Helens.

The proposed road design has been considered within the Traffic Impact Assessment and has been reviewed by council's Works Department and Department of State Growth and accepted.

The road design / network is considered to be accessible and connected to the wider network with safety and efficiency considered. The design includes pathways for pedestrians.

The design has considered future development potential of 181009/1 by providing a future road lot for connectivity (see below diagram).



The proposed arrangement of roads is considered to satisfy the performance criteria.

### C3.0 ROAD AND RAILWAY ASSETS CODE

#### C3.5 USE STANDARDS

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

Acceptable Solutions	Performance Criteria
<p><b>A1.1</b> For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> <li>(a) a new junction;</li> <li>(b) a new vehicle crossing; or</li> <li>(c) a new level crossing.</li> </ul> <p><b>A1.2</b> 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.</p> <p><b>A1.3</b></p>	<p><b>P1</b> Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any increase in traffic caused by the use;</li> <li>(b) the nature of the traffic generated by the use;</li> <li>(c) the nature of the road;</li> <li>(d) the speed limit and traffic flow of the road;</li> <li>(e) (any alternative access to a road;</li> <li>(f) the need for the use;</li> <li>(g) any traffic impact assessment; and</li> </ul>

<p>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4</p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> <li>(a) the amounts in Table C3.1; or</li> <li>(b) allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road.</li> </ul> <p>A1.5</p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<p>(h) any advice received from the rail or road authority.</p>
<p><b>Assessment against the Performance Criteria is required.</b></p> <p><b>Performance Criteria Assessment</b></p> <p>Written consent for the new junction on Tasman Highway has not been received from Department of Stage Growth, however Crown Consent to Lodge has been achieved. The new junction onto the state road will require further approval from the Department State Growth (see conditions) and so the development relies on satisfying the performance criteria. The application includes a Traffic Impact Assessment (TIA) prepared by a qualified person and reviewed by the Break O'Day Works Department and the Department of State Growth and accepted. The TIA has considered the impact on the road network including:</p> <ol style="list-style-type: none"> <li>1. Tasman Hwy / Steel St Junction</li> <li>2. Tasman Hwy / Proposed Road 2 junction</li> <li>3. Cherrywood Drive / Steel St / Silver St Junction</li> <li>4. Cherrywood Drive / Proposed Road 1 junction</li> <li>5. Proposed Road 1 / Proposed Cul-de-sac junction</li> <li>6. Proposed Road 1 / Road 2 junction</li> <li>7. Cherrywood Drive / albatross Grove junction</li> <li>8. Albatross Grove / Pelican Court Junction</li> <li>9. Sight distance requirements.</li> </ol> <p>The TIA has considered the safety of the junctions, the efficiency of the road network and has concluded that overall, the proposed development will not create any traffic issues and traffic will continue to operate safely and efficiently at the existing and proposed Tasman Highway junctions, proposed new Council Road junctions and along Cherrywood Drive and Steel St subject to the TIA recommendations.</p> <p>The proposed development is able to satisfy the performance criteria.</p>	

## C7.0 NATURAL ASSETS CODE

### C7.7 DEVELOPMENT STANDARDS FOR SUBDIVISION

#### C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must:</p> <ul style="list-style-type: none"><li>(a) be for the creation of separate lots for existing buildings;</li><li>(b) be required for public use by the Crown, a council, or a State authority;</li><li>(c) be required for the provision of Utilities;</li><li>(d) be for the consolidation of a lot; or</li><li>(e) not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area.</li></ul>	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"><li>(a) the need to locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal protection area or a future coastal refugia area; and</li><li>(b) future development likely to be facilitated by the subdivision.</li></ul>
<p><b>Assessment against the Performance Criteria is required.</b></p> <p><b>Performance Criteria Assessment</b></p> <p>The proposed subdivision is for a 70 Lot Subdivision on a land parcel with land area of approximately 9.664 ha and within the General Residential Zone. The site has historically formed part of the residential land supply for Scamander. The site supports a mapped watercourse (tributary) that is impacted by the subdivision.</p> <p>The development application included a Natural Values Assessment conducted by Livingston Natural Resources Services. The report stated the following in relation to the mapped watercourse:</p> <p>“The area is zoned General Residential, the watercourse protection area applies to drainage area with no defined watercourse, stream banks or stream habitat. It is within an area that does not contain priority vegetation as defined by the Natural Assets Code. Downstream drainage from the site is through existing cleared land with modified drainage patterns.</p> <p>Retention of native vegetation and exclusion of works from the watercourse protection area would</p> <p>severely impede potential development of the site. Works may include, cut, fill, diversion of the current</p> <p>drainage areas, and construction of a detention basin. No significant impact on downstream water quality is expected from adjacent works or long-term residential use provided appropriately designed storm water infrastructure and sediment control measures during</p>	

construction are in place. An Erosion & Sediment Control Plan, endorsed by council will be in place prior to commencement of works within the watercourse protection area.”

The Natural Values Report has identified the mapped watercourse as not a defined watercourse with no defined stream banks or stream habitat currently functioning as a drainage line. The report further notes the mapped feature is modified further downstream by development and forming part of stormwater management. In this regard the report highlights that adverse impact on natural assets is consistent with management of the mapped watercourse further downstream and in relation to adjoining residential properties cleared, and the Tasman Highway crossing.

In regard to the proposed subdivision, drainage will be considered in terms of the stormwater management system and is required to consider stormwater quality in terms of minimising any impacts on natural areas receiving stormwater via this system further east and within the Environmental Management Zone.

The proposed development satisfies the performance criteria.



#### 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> <p>(a) be for the purposes of creating separate lots for existing buildings;</p>	<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> <p>(a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area</p>

<ul style="list-style-type: none"> <li>(b) be required for public use by the Crown, a council, or a State authority;</li> <li>(c) be required for the provision of Utilities;</li> <li>(d) be for the consolidation of a lot; or</li> <li>(e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.</li> </ul>	<ul style="list-style-type: none"> <li>necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person;</li> <li>(b) subdivision for the construction of a single dwelling or an associated outbuilding;</li> <li>(c) subdivision in the General Residential Zone or Low-Density Residential Zone;</li> <li>(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;</li> <li>(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; or</li> <li>(f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.</li> </ul> <p><b>P1.2</b> 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"> <li>(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;</li> <li>(b) any particular requirements for the works and future development likely to be facilitated by the subdivision;</li> <li>(c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings;</li> <li>(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;</li> <li>(e) any on-site biodiversity offsets; and</li> <li>(f) any existing cleared areas on the site.</li> </ul>
<b>Assessment against the Performance Criteria is required.</b>	



### Performance Criteria Assessment

The development site is affected by the Priority Vegetation overlay. Priority Vegetation means native vegetation where any of the following apply:

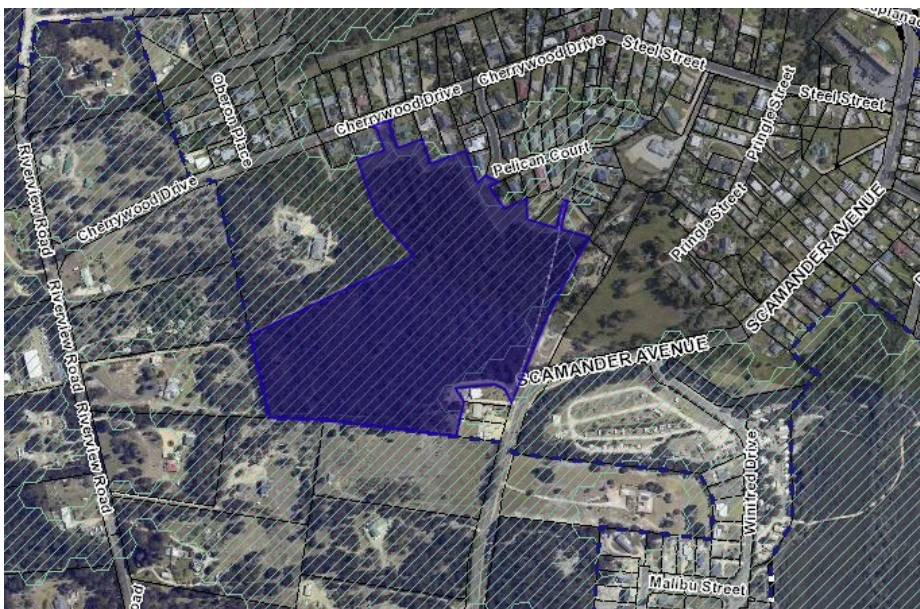
- (a) it forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the Nature Conservation Act 2002;
- (b) is a threatened flora species;
- (c) it forms a significant habitat for a threatened fauna species; or
- (d) it has been identified as native vegetation of local importance.


The proposed development application includes a Natural Values Assessment prepared by Livingston Natural Resources Services that has not identified any threatened flora or fauna on the site. It has identified the vegetation community to be a non-threatened vegetation community and does not meet the definition of priority vegetation as defined by the Natural Assets Code.

P1.1 The development site is within the General Residential Zone and satisfies P1.1 (c).

P1.2 The development site has been assessed by Livingston Natural Resources Services and through identifying the vegetation community, has established that the existing vegetation does not meet the definition of priority vegetation. The subdivision is a staged subdivision and has been conditioned to retain native vegetation on stages not part of staged works. The proposal has been conditioned in this respect. The staged subdivision requires the staged clearing of vegetation and is within the General Residential Zone with the subdivision design consistent with the Zone.

The proposed development satisfies the Performance Criteria given the classification of vegetation community not satisfying the definition of priority vegetation.



 Priority vegetation

## C12.0 FLOOD-PRONE AREAS HAZARD CODE

### C12.7 DEVELOPMENT STANDARDS FOR SUBDIVISION

#### C12.7.1 Subdivision within a flood-prone hazard area

Acceptable Solutions	Performance Criteria
<p><b>A1</b> Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must:</p> <ul style="list-style-type: none"> <li>(a) be able to contain a building area, vehicle access, and services, that are wholly located outside a flood-prone hazard area;</li> <li>(b) be for the creation of separate lots for existing buildings;</li> <li>(c) be required for public use by the Crown, a council or a State authority; or</li> <li>(d) be required for the provision of Utilities.</li> </ul>	<p><b>P1</b> Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must not create an opportunity for use or development that cannot achieve a tolerable risk from flood, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any increase in risk from flood for adjacent land;</li> <li>(b) the level of risk to use or development arising from an increased reliance on public infrastructure;</li> <li>(c) the need to minimise future remediation works;</li> <li>(d) any loss or substantial compromise by flood of access to the lot, on or off site;</li> <li>(e) the need to locate building areas outside the flood-prone hazard area;</li> <li>(f) any advice from a State authority, regulated entity or a council; and</li> <li>(g) the advice contained in a flood hazard report.</li> </ul>

**Assessment against the Performance Criteria is required.**

**Performance Criteria Assessment**

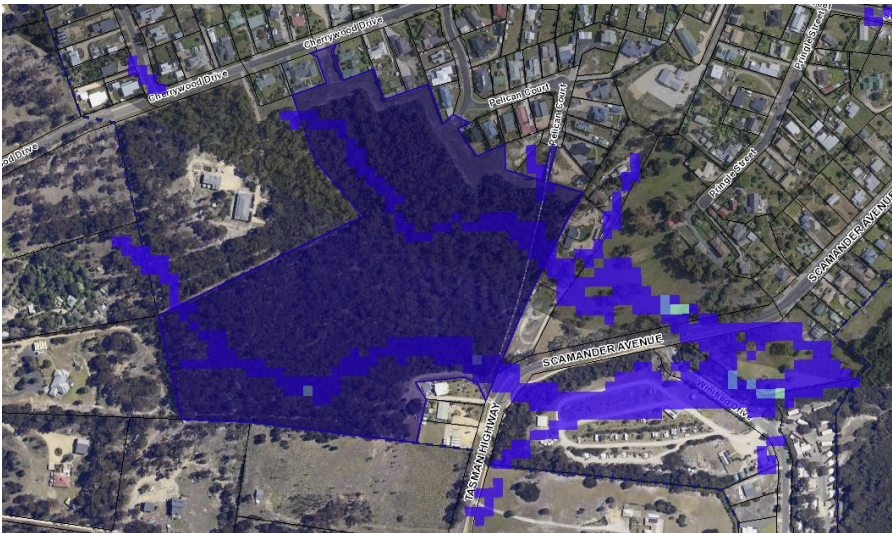
The development site is affected by a mapped watercourse (hydrographic line / tributary) and land contours that whilst is not included within the planning scheme overlays Flood Prone Areas, has been identified within the Tasmanian Strategic Flood Map (TSFM) Design Flood Event 1% AEP Hazard Overland Flooding. The Hazard Level is primarily within the H1 Hazard level which is generally safe for people, vehicles and buildings.

The proposed subdivision of works will include earthworks that alters the contours and include placement of fill on land and so will alter the mapped overland flow. The mapped overland flow is relevant to the stormwater management design of the subdivision, of which further engineering assessment and design is required which is common practice for subdivision.

Preliminary hydraulic analysis has occurred in relation to stormwater management and is provided for within the Stormwater Management Report (Rev 3) prepared by PDA Surveyors, Engineers and Planners. Overland flow is a critical consideration in design for stormwater management for the development and has been conditioned accordingly. Further engineering design detail will be submitted, and is required, prior to acceptance of infrastructure and any sealing of plans which is normal practice for overland flow paths and how these are considered in the wider concept of stormwater management. The PDA stormwater management report acknowledges that the preliminary design addresses the major system risks from overland flows typically designed for the 1%AEP event and a performance review of the minor and major systems will be done after the stormwater network is designed in detail. All lots created are to be

connected to the public stormwater infrastructure, with all final levels of lots to be demonstrated on the engineering detail to be provided prior to signing of any sealed plan. In this instance each lot must achieve a tolerable risk, and the engineering design must not increase any risk from flood for adjacent land. The application has been conditioned appropriately to consider the state overland flow mapping.

The proposed development is able to satisfy the performance criteria and is subject to further engineering analysis which is normal practice and is intrinsically related to the overall stormwater management design (including overland flow) for the subdivision.



5. Representations

The application was advertised 6 September 2025 until 19 September 2025 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining landowners. Nine (9) representation was received prior to the closing date and time. The issues raised within the representation are as follows: -

Issue	Collated Response
Representation No. 1 Flood assessment and overland flow path	<u>No demand for the Development / Draft Structure Plan</u>



<p>Representation No. 2</p> <p>Preliminary clearing.</p> <p>Advice of Landfill on development site.</p> <p>Watercourse / overland flow effect on their property.</p> <p>Road entrance to Tasman Highway safety concerns.</p>	<p>The land title is zoned General Residential and is subject to the Tasmanian Planning Scheme – Break O’Day. In accordance with the Land Use Planning and Approvals Act 1993 s 51 Permits a person may apply to a planning authority for the granting of a permit for a development which under the scheme requires a permit. A planning authority must not refuse to accept a valid application for permit subject to requirements.</p> <p>The development application has been assessed in accordance with the Tasmanian Planning Scheme – Break O’Day.</p>
<p>Representation No. 3</p> <p>Road entrance to Tasman Highway safety concerns.</p> <p>Advice of landfill on development site.</p> <p>Watercourse / overland flow – effect on their property.</p>	
<p>Representation No. 4</p> <p>Clearance of vegetation</p> <p>Services – Water and Sewerage – demand pressure</p> <p>Traffic – Steel St intersection</p> <p>Ability of subdivision to absorb rainwater</p> <p>Demand for the subdivision – existing available land</p> <p>Community cost.</p> <p>Increase in short term rental or foreign investment.</p>	<p><u>Overland Flow Mapping / Stormwater / Flooding</u></p> <p>Preliminary hydraulic analysis has occurred in relation to stormwater management. The mapped 1% AEP Hazard Overland Flood mapping is a H1 which is generally safe for people vehicles and buildings. Overland flow is to be considered in addition to stormwater management for the development and has been conditioned accordingly. Further engineering design detail will be submitted, and is required, prior to acceptance of infrastructure and any sealing of plans which is normal practice for overland flow paths. The PDA stormwater management report acknowledges that the preliminary design addresses the major system risks from overland flows typically designed for the 1%AEP event and a performance review of the minor and major systems will be done after the stormwater network is designed in detail. The development has been conditioned accordingly.</p>
<p>Representation No. 5</p> <p>Clearing of land / need for staged clearing and planting within subdivision.</p> <p>Services – Water and Sewerage – demand pressure.</p> <p>Stormwater / hard surfaces.</p> <p>Traffic – Steel St and Tasman Highway intersection.</p> <p>Subdivision design to include natural areas and habitat.</p>	
<p>Representation No. 6</p> <p>Clearing of vegetation</p> <p>Watercourse should be preserved.</p> <p>Stormwater quality</p> <p>Native plant should be used for street trees and landscaping</p> <p>Services – Water and Sewerage – demand pressure.</p>	<p><u>Land clearing</u></p> <p>Landowner commenced clearing a portion of the site. Works discontinued when Council advised no authorisation to conduct works (enforcement).</p>
<p>Representation No. 7</p> <p>Development not necessary as existing adequate supply / oversupply of land;</p>	<p><u>Historic Landfill</u></p> <p>Historical aerial photography has been investigated. Verbal discussion with previous</p>

<p>Development too large and effect on infrastructure including water supply. Watercourse converted to drain. Clearance of land – requirement for staging. Stormwater management. Traffic and Tasman Highway concerns. Large unnecessary development.</p>	<p>landowner. File review conducted. No evidence of landfill in the area identified. Condition appropriately.</p>
<p>Representation No. 8 Staged development won't be complete for 20-25 years; Need for staged clearing and maintenance of natural values over the staging of the development. Unauthorised clearing. Conversion of watercourse to stormwater infrastructure. Increased traffic. Steel Street intersection – safety.</p>	<p><u>Traffic &amp; Tasman Highway</u> A Traffic Impact Assessment has been prepared by Traffic and Civil Services (suitably qualified) that has review the impact on the road network including:</p> <ul style="list-style-type: none"> <li>• Tasman Hwy / Steel St Junction</li> <li>• Tasman Hwy / Proposed Road 2 junction</li> <li>• Cherrywood Drive / Steel St / Silver St Junction</li> <li>• Cherrywood Drive / Proposed Road 1 junction</li> <li>• Proposed Road 1 / Proposed Cul-de-sac junction</li> <li>• Proposed Road 1 / Road 2 junction</li> <li>• Cherrywood Drive / albatross Grove junction</li> <li>• Albatross Grove / Pelican Court Junction</li> <li>• Sight distance requirements.</li> </ul> <p>The TIA has been reviewed by both road authorities (BODC and DSG) and accepted.</p>
<p>Representation No. 9 Application should be deferred until the Scamander – Beaumaris Structure Plan is complete. Current and future clearing of vegetation on site. Clearance of natural values. Protection of watercourse. Community water supply.</p>	<p><u>Staged Clearing of Land</u> Clearance of vegetation has been conditioned to be staged with cleared areas required to undertake weed management. The applicant has submitted a Natural Values Report, and the development has been assessed in accordance with the Natural Assets Code.</p> <p><u>Demand on TasWater Infrastructure</u> Application has been referred to TasWater who have issued a Submission to Planning Authority Notice with conditions.</p>

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

## 6. Mediations

Nil



## 7. Conclusion

In accordance with 6.10 of the *State Planning Provisions (Tasmanian Planning Scheme – Break O’Day)*, the application has been assessed against the objectives of the Scheme, in particular the General Residential Zone, all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and seven (7) Performance Criterion. The received representation has been considered with recommended conditions proposed in response to concerns.

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.*

10/25.9.0 COUNCIL MEETING ACTIONS

10/25.9.1 Outstanding Matters



COUNCIL RESOLUTIONS - MEETINGS - PUBLIC  
14/10/2025



COUNCIL RESOLUTIONS PLAN

COUNCIL RESOLUTIONS - SEPTEMBER 2025

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
100%	15/09/2025	20/10/2025	09/25.8.1.572 DA 053-2025 - 824 Elephant Pass Road, Gray - Visitor Accommodation Glamping Domes x 3, Sauna and Plunge Pool	A Procedural Motion was moved:  09/25.8.1.572 Moved: Clr K Wright/ Seconded: Clr B LeFevre  That Council defer the item to the October Council Meeting.	Relisted for decision at October 2025 Council meeting	Development Services Coordinator
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.	On-site briefing meeting (Mayor Tucker, Manager infrastructure & Development Services and Works Operations Manager) held on Tuesday 7th October to discuss traffic refuge options.	Manager Infrastructure and Development Services
0%	15/09/2025	20/10/2025	09/25.13.4.577 Policy – LG07 Procurement (Code for Tenders and Contracts)	That Policy LG07 Code for Tenders and Contracts amendments be adopted.		Corporate Services Coordinator
0%	15/09/2025	20/10/2025	09/25.13.5.578 Policy – LG11 Rating and Exemptions Policy	That LG11 Rating and Exemptions Policy amendments be adopted.		Corporate Services Coordinator
100%	15/09/2025	20/10/2025	09/25.13.6.579 Request for Rate Remission – 14 Mangana Road, Fingal	In accordance with the provisions of s.129 of the Local Government Act 1993, Council approve a General Rate remission of \$827.94, as requested for the property known as 14 Mangana Road, Fingal identified as PID 6413332.	Rate Remission applied and advised applicant on the 23 September 2025.	Corporate Services Coordinator

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
0%	15/09/2025	20/10/2025	09/25.15.2.583 Defibrilla torMaintenance	1. That Council supports the Binalong Bay Ratepayers and Tennis Club Association by covering the cost of a replacement battery for the publicly accessible defibrillator installed at the Binalong Bay Main Beach toilet block. 2. That Council accepts full responsibility for the ongoing management and maintenance of all Automated External Defibrillators (AEDs) located on council owned or leasehold land including future costs associated with battery and electrode (pad) replacements.		Manager Community Services
0%	15/09/2025	20/10/2025	09/25.15.3.584 Sponsorshi prequest – Sea & Salt- Rock & Light – Forest & Quiet – Sky & Weather Exhibition at The Panorama Hotel	That Council supports this event by providing \$4,000 sponsorship funding towards the delivery of the year long exhibition at The Panorama Hotel, with a possibility of the event being extended into a second year.		Manager Community Services
90%	15/09/2025	17/11/2025	09/25.16.2.586 Establish mentof the St Marys Exhibition Building Liaison Committee	That Council: 1. Endorses the establishment of the St Marys Exhibition Building Liaison Committee to support the planning and redevelopment of the building in line with Council's staged approach; 2. Approves the attached Terms of Reference contained within the report; 3. Authorises the General Manager to call for Expressions of Interest (EOI) for up to four (One Assistant Project Manager and Up to 3 Community Members) community members to join the Committee in accordance with the approved Terms of Reference; 4. Notes that the Committee will operate from October 2025 through to the finalisation of Stage 3 deliverables (unless otherwise extended) then be disbanded.	Expressions of interest sought and closes on 10th October 2025 at which point a further report will be prepared for the following Council meeting to endorse the recommended appointments.	Development Services Coordinator
100%	15/09/2025	20/10/2025	09/25.16.3.587 Interim Report on Coastal and Flood Hazards - Scamander Coastal Hazards Risk Mitigation and Pathways Project	Council receives the interim report from the Scamander Coastal Hazards Risk Mitigation and Pathways Project: <i>Outlook report - Scamander Coastal Hazards &amp; Flood Risks – final.</i>	Council recieved the interim <i>Outlook report - Scamander Coastal Hazards &amp; Flood Risks</i> at its September Meeting.	NRM Facilitator
0%	15/09/2025	20/10/2025	09/25.17.4.590 Draft Policy – Dispute Resolution Policy	That the draft Dispute Resolution Policy be adopted.		Corporate Services Coordinator
100%	15/09/2025	20/10/2025	09/25.17.5.591 Request to proceed with EOI process on The Titley Shack	That Council notes the decision to proceed with an Expressions of Interest (EOI) process for the future lease and operation of The Titley Shack, located at 223 Dora Point Road, Binalong Bay.	Proposals have now been received as last day of submission was 3rd October.	Economic Development Officer

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
100%	15/09/2025	20/10/2025	<b>09/25.17.6.592 Notice of Recission - Public Land List - St Helens Aerodrome</b>	<p>That Council:</p> <p>1. Rescind Council's resolution of 16 June 2025 (Minute No. 06/25.17.6.630) which stated:</p> <p><i>That Council resolve pursuant to Section 178 of the Local Government Act 1993 ("the Act") that Council by absolute majority commence proceedings to remove the land on which the St Helens Aerodrome is located contained within Certificate of Titles (112855/1, 18671/2, 214209/1, 223471/1, 148076/1 and 45005/2) from the Public Land list maintained pursuant to the Act and</i></p> <p>1. Authorise the General Manager to publish the intention to remove the Aerodrome from the Public Land list and display a copy of the notice on any boundary of the public land that abuts a highway and notify the public that objection to the proposed removal from the register may be made to the General Manager within 21 days of the date of the first publication.</p> <p>2. Authorise the General Manager to consider and acknowledge any objection received pursuant to Section 178(6) of the Act and report to a future Council meeting.</p> <p>3. If the General Manager does not receive any objection under Section 178 subsection (4) and an appeal is not made under Section 178A, the General Manager will amend the Public Land list to remove the land contained within Certificate of Titles (112855/1, 18671/2, 214209/1, 223471/1, 148076/1 and 45005/2).</p> <p>2. Confirm that the St Helens Aerodrome is not public land in accordance with section 177A of the <i>Local Government Act 1993</i>.</p> <p>3. Authorise the General Manager to write to all objectors who lodged submissions under section 178(4) of the <i>Local Government Act 1993</i> in relation to the June 2025 resolution, advising them:</p> <ul style="list-style-type: none"> <li>· that the Aerodrome is not classified as public land;</li> <li>· that Council is not proceeding under section 178 of the <i>Act</i>; and</li> <li>· providing a copy of this report for background and transparency.</li> </ul>	<p>Objections have all been responded to and the latest report has been shared with all representations.</p>	Economic Development Officer

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner														
100%	15/09/2025	20/10/2025	09/25.17.7.593 Review of Public Land Register	<p>1. That Council notes the report and review undertaken of the Public Land Register.</p> <p>2. That pursuant to Section 177A(1)(f) of the <i>Local Government Act 1993</i>, the Council determines the following property to be public land:</p> <table><thead><tr><th>Prop erty Num ber</th><th>Full Stree t Addr ess</th><th>Subu rb</th><th>Prop erty Nam e</th><th>Title Parti cular s</th><th>Land Area (ha)</th><th>Land Class ificat ion unde r S177 A of the LGA 1993</th></tr></thead><tbody><tr><td>2153 385</td><td>Main Street Mary s</td><td></td><td>Infor matio n Hut</td><td>1291 03/1</td><td>0.013 4</td><td>P1 - f Gover nmen t / Local Gover nmen t</td></tr></tbody></table> <p>3. That Council endorses the Public Land Register as attached to this report.</p>	Prop erty Num ber	Full Stree t Addr ess	Subu rb	Prop erty Nam e	Title Parti cular s	Land Area (ha)	Land Class ificat ion unde r S177 A of the LGA 1993	2153 385	Main Street Mary s		Infor matio n Hut	1291 03/1	0.013 4	P1 - f Gover nmen t / Local Gover nmen t	Public Land Register updated and hard copy has been placed in the Safe.	Corporate Services Coordinator
	Prop erty Num ber	Full Stree t Addr ess	Subu rb	Prop erty Nam e	Title Parti cular s	Land Area (ha)	Land Class ificat ion unde r S177 A of the LGA 1993													
	2153 385	Main Street Mary s		Infor matio n Hut	1291 03/1	0.013 4	P1 - f Gover nmen t / Local Gover nmen t													



## COUNCIL RESOLUTIONS - JULY 2025

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
50%	21/07/2025	31/08/2025	<b>07/25.15.4.647 CCTV Cameras at Mathinna Recreation Ground</b>	<p>07/25.15.4.647 Moved: Clr I Carter/ Seconded: Clr K Wright</p> <p>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.</p> <p>CARRIED UNANIMOUSLY</p>	Quote has been received - Waiting for grants opportunity to become available	Manager Community Services

## COUNCIL RESOLUTIONS 2024

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
90%	15/01/2024	05/02/2024	<b>01/24.9.2.290 Binalong Bay Parking, Traffic and Pedestrian Safety – Mayor Tucker</b>	<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"> <li>1. Improved Parking Accessibility</li> <li>2. Assessment of Additional Parking Areas, traffic calming and pedestrian safety improvements.</li> </ol>	Binalong Bay Master Plan has been reviewed and a draft consulting services brief prepared and will be addressed as part of the Liveability Strategy to be developed.	Manager Infrastructure and Development Services
75%	20/05/2024	24/06/2024	<b>05/24.9.1.358 Developing walking trails around and within the Scamander Complex precinct – Clr Carter</b>	<p><i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i></p> <p>That Council considers options to develop walking trails around and within the Scamander Complex precinct.</p>	<p>Break O'Day Council has committed to preparing a masterplan for the Scamander Sports and Community Complex. Plan development is aligned with the development of the Scamander-Beaumaris Structure Plan. The current engagement focus is to gain understanding what the community, users and clubs needs are from their sporting and community complex into the future after which, a consultation summary report will be provided to Council highlighting feedback themes, and a summary of detailed discussions and will then be used to inform the drafting of any future Masterplan.</p> <p>The community was invited to a meeting on 25 July 2025 to meet the project team and provide feedback. A e-survey option was also made available.</p>	Manager Infrastructure and Development Services
25%	15/07/2024	31/08/2024	<b>07/24.9.1.401 Lease/ management agreement for the front garden of the old hospital site at St Helens – Clr Carter</b>	<p><i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i></p> <p>That Council immediately pursue a lease/ management agreement for the front garden of the old hospital site at St Helens, from the State Government, and open it up as public open space.</p>	Discussions with the owner of the site have recommenced and Council's interest in securing this piece of land has been reinforced. Follow up contact made on 8/10/24 with Homes Tasmania regarding Council's request and again following the February 2025 Council meeting	General Manager

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
85%	21/10/2024	16/12/2024	<b>10/24.15.2.470 Future use of the old Council offices – 29 Talbot Street, Fingal</b>	<ol style="list-style-type: none"> <li>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.</li> <li>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.</li> </ol>	Council received one expression of interest through the process. This will be taken to a future Council workshop.	Manager Community Services
85%	21/10/2024	31/12/2025	<b>10/24.16.2.472 Proposed new electronic scoreboard</b>	<ol style="list-style-type: none"> <li>1. That Council grant permission, as landowner for the lodgement of planning and building approvals (if required) on Council owned land, 117 Tully Street, St Helens (St Helens Sports Complex), and</li> <li>2. Subject to Planning and Building approval being obtained that Council grant permission to carry out the proposed installation of a new electronic scoreboard, and</li> <li>3. That the Lease between the St Helens Football Club and Break O' Day Council be amended to ensure that all ongoing maintenance and insurance requirements are the sole responsibility of the St Helens Football Club as it relates to the Electronic Scoreboard.</li> </ol>	<p>Works in relation to the installation of the Electronic Scoreboard are now complete.</p> <p>The amended lease has been drafted and pending signatures.</p>	Development Services Coordinator

## COUNCIL RESOLUTIONS 2023

Current Co...	Meeting ...	Due Date	Goal	Resolution / Action	Update	Owner
50%	20/03/2023	30/06/2023	<b>03/23.15.7 St Helens Sports Complex</b>	<ol style="list-style-type: none"> <li>1. That Council engage a landscape architect to design connectivity between the various areas of the St Helens Sports Complex identifying what amenities are required to service the area and its users as well as ensuring green spaces and vegetation management are addressed as part of the project.</li> <li>2. That funds from Public Open Space – St Helens be used to engage a landscape architect to undertake this project.</li> </ol>	A draft Brief has been developed for this project. This project will now be incorporated into the St Helens and Binalong Bay Liveability Strategy which is currently being developed.	Manager Community Services
75%	26/06/2023	31/07/2023	<b>06/23.9.2.131 Online Access Centre Funding – Clr Carter</b>	<p>That Council write to the State Government requesting:</p> <ol style="list-style-type: none"> <li>1. A definitive answer about the future funding of Online Access Centres in the Break O'Day area beyond the completion of the current funding contract expiring on 30 June 2024.</li> <li>2. An explanation of the Hub approach that the Minister mentioned in a meeting with the Mayor and Acting General Manager in February 2023.</li> <li>3. Clear articulation to the affected communities and relevant service providers of the State Government's plans for the future delivery of services currently delivered by Online Access Centres at St Helens, St Marys and Fingal including how and who will be delivering these services and what services may be lost under the new approach. The articulation should include the financial consequences of establishing Hubs and the efforts that will be undertaken to seek ratepayer and service provider input</li> </ol>	As reported at the February 2025, Libraries Tasmania and the Consultants undertaking the review process failed to ensure that the views of Council were obtained. Correspondence has been sent to the Minister on the matter expressing our disappointment with the engagement process including the engagement being framed as a survey on Digital Inclusion. Advice has been received through the St Helens OAC that funding has been extended to 30 June 2026 at current levels.	General Manager
75%	18/12/2023	29/02/2024	<b>12/23.9.1.265 Indigenous name for St Patricks Head – Clr J Drummond</b>	<p><i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i></p> <p>That Council support the Indigenous name for St Patricks Head, which is lumeragenena wuggelena according to the Department of Natural Resources and Environment Tasmania.</p>	As the Reconciliation Action Plan process has been delayed, the matter has been pursued with PWS requesting that they install the signage as per their internal processes	General Manager

## COUNCIL RESOLUTIONS 2022

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



## 10/25.10.0

## PETITIONS

Nil

## 10/25.11.0

## NOTICES OF MOTION

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

Nil

## 10/25.12.0

## MAYOR'S & COUNCILLOR'S COMMUNICATIONS

### 10/25.12.1

### Mayor's Communications for Period Ending 20 October 2025

15.09.2025	<b>MS Teams</b>	– Sustainable Timbers Tasmania, presentation to Councillors and Council officers in relation to the 3 Year Timber Harvesting Plan.
16.09.2025	<b>Devonport</b>	– Local Government Association of Tasmania's (LGAT) General Management Committee meeting.
17.09.2025	<b>Devonport</b>	– Local Government Association of Tasmania's (LGAT) Mayor's Workshop.
22.09.2025	<b>St Helens</b>	– Citizenship Ceremony, attended ceremony which welcomed five (5) new citizens.
22.09.2025	<b>St Helens</b>	– Meeting with Carol Liefting & Sandra French (Bay of Fires Winter Arts Festival).
24.09.2025	<b>St Helens</b>	– Meeting with Tim Gowans & Jes Kenth (Medea Park).
25.09.2025	<b>MS Teams</b>	– NBN Upgrades in Break O'Day Presentation - Sam Marshall.
26.09.2025	<b>St Helens</b>	– Meeting with Deputy Premier Guy Barnett MP and General Manager John Brown.
26.09.2025	<b>St Helens</b>	– Attended the Trade Strategy 2030 Roundtable.
26.09.2025	<b>St Helens</b>	– Meeting with Sally Faulkner, John Berry & Natacha Bennet (Scamander Sports & Community Complex Committee).
29.09.2025	<b>Rokeby</b>	– Attended the National Police Remembrance Day 2025.
30.09.2025	<b>St Helens</b>	– Bendigo Bank Community Stadium Committee Meeting.
01.10.2025	<b>St Helens</b>	– Meeting with Senator Wendy Askew and General Manager John Brown.
01.10.2025	<b>St Helens</b>	– Break O'Day Aquatic Facility Analysis meeting of the Working Group.
02.10.2025	<b>St Helens</b>	– Multi-user Track Lighting Event, participated in the community event to celebrate the official opening of the solar lighting on the Multi-User Track.
06.10.2025	<b>St Helens</b>	– Council Workshop.
07.10.2025	<b>St Helens</b>	– Interview with Bec Pridham from ABC News Tasmania.
08.10.2025	<b>Scamander</b>	– Scamander Sports Complex Committee Meeting.
13.10.2025	<b>Hobart</b>	– Premier's Local Government Council (PLGC) Meeting.

15.10.2025	<b>MS Teams</b>	– Meeting with LGAT CEO Dion Lester and GMC Vice President, Mayor Paula Wriedt.
17.10.2025	<b>MS Teams</b>	– Northern Tasmania Regional Land Use Strategy (NTRLUS) Steering Committee Meeting.
20.10.2025	<b>MS Teams</b>	– Office of Local Government, Information Session on the proposed reforms to Councillor Allowances and Numbers.
20.10.2025	<b>St Helens</b>	– Council Meeting

## 10/25.12.2 Councillor's Reports for Period Ending 20 October 2025

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

- Break O'Day Chamber of Commerce and Tourism – Deputy Mayor Kristi Chapple
- NRM Special Committee – 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

## 10/25.13.0 BUSINESS AND CORPORATE SERVICES

### 10/25.13.1 Corporate Services Department Report

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

#### OFFICER'S RECOMMENDATION:

That the report be received.

#### INTRODUCTION:

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

#### PREVIOUS COUNCIL CONSIDERATION:

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

#### OFFICER'S REPORT:

##### Tas Audit Office (TAO)

Representatives of the TAO worked with staff on the annual Audit assessment during the reporting period.

IT policies and controls, segregation of duties and process improvements were key areas of focus. The development of enhanced asset management capabilities, improved internal processes and the work already completed around segregation of duties were all well received by the TAO auditors.

##### Investments

Although cash reserves were projected to decrease in this financial year inline with a reduction in interest rate returns, the investment portfolio continues to perform well. Council should note that cash levels will decrease as capital works delivery increases. The investment table provided outlines portfolio performance.

##### October Audit Panel Meeting

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

##### Information Technology

Staff have progressed a number of important actions this month. IT enhancements are a growing area of focus with the development of an IT Strategy being presented as a separate item for Council consideration.

## Investments

With the commencement of the 2025/2026 financial year Council's current investment portfolio is provided below for information.

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

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

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

## 2024/2025 Rates Summary - 3 October 2025

### Rates Brought Forward

Outstanding Rate Debtors

Less Rates in Credit

**Net Rates Outstanding at 30 June 2025**

2025/2026		2024/2025	
%	\$	%	\$
	1,018,129.97		813,906.84
	-326,736.45		-296,603.81
<b>4.56</b>	<b>691,393.52</b>	<b>3.65</b>	<b>517,303.03</b>

Rates and Charges Levied

Interest and Penalty Charged

**Total Rates and Charges Demanded**

95.19	14,430,974.71	96.04	13,611,140.93
0.25	37,854.85	0.31	44,308.60
<b>100.00</b>	<b>14,468,829.56</b>	<b>100.00</b>	<b>13,655,449.53</b>

Less Rates and Charges Collected

Less Credit Journals and Supp Credits

Remissions and Discount

53.95	8,178,985.18	54.22	7,684,601.43
0.13	20,278.24	1.15	162,458.26
4.41	668,886.89	4.51	638,855.80

Unpaid Rates and Charges as at 3 October 2025

41.50	6,292,072.77	40.13	5,686,837.07
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Remissions and Discounts

Early Payment Discount

Pensioner Rebates

2025/2026
132,150.58
536,736.31
668,886.89

2024/2025
120,853.78
516,096.02
636,949.80

Number Rateable Properties

Number Unpaid Rateable Properties

6,915
3,514

6,879

3,716

% Properties Not fully paid

50.82

54.02

Right to Information (RTI) Requests

Nil

132 and 337 Certificates

	132	337
September 2025	59	22
August 2025	40	28
September 2024	35	19

Debtors/Creditors as at 8 October 2025

DEBTORS INFORMATION

Invoices Raised

Current

Month	Mth Value	YTD 2025/2026
72	\$292,053.43	224

Previous Year

Month	YTD 2024/2025
57	223

CREDITORS INFORMATION

Payments Made

Current

Month	Mth Value	YTD 2025/2026
541	\$1,328,825.10	1197

Previous Year

Month	YTD 2024/2025
358	1748

STRATEGIC PLAN & ANNUAL PLAN:

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

Goal



Services – To have access to quality services that are responsive to the changing needs of the community and lead to improved health, education and employment outcomes.

### Strategy

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

### **LEGISLATION & POLICIES:**

N/A

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

N/A

### **VOTING REQUIREMENTS:**

Simple Majority

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

**OFFICER'S RECOMMENDATION:**

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

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

## Profit and Loss

Break O'Day Council

For the 3 months ended 30 September 2025

Account	Actual YTD	Budget YTD	Budget Variance YTD	Budget Variance % YTD	Annual Budget	Notes
<b>Trading Income</b>						
Rates	14,418,297	14,369,102	49,195	0%	14,369,102	
User Fees	445,905	399,318	46,587	12%	1,477,883	
Operating Grants	1,162,222	979,811	182,411	19%	4,217,477	1
Interest & Investment Income	200,433	205,127	(4,694)	-2%	1,048,000	
Contributions	13,516	5,009	8,507	170%	6,037	
Other Revenue	73,337	12,435	60,902	490%	49,739	2
<b>Total Trading Income</b>	<b>16,313,711</b>	<b>15,970,802</b>	<b>342,909</b>	<b>2%</b>	<b>21,168,238</b>	
<b>Gross Profit</b>	<b>16,313,711</b>	<b>15,970,802</b>	<b>342,909</b>	<b>2%</b>	<b>21,168,238</b>	
<b>Capital Grants</b>						
Grants - Commonwealth Capital	485,240	0	485,240	0%	0	
Grants - Roads to Recovery	0	0	0	0%	1,035,853	
Grants - State Capital	797,016	545,000	252,016	46%	1,130,000	
<b>Total Capital Grants</b>	<b>1,282,256</b>	<b>545,000</b>	<b>737,256</b>	<b>135%</b>	<b>2,165,853</b>	3
<b>Other Non Operating Income</b>						
Net Gain/Loss on Disposal of Assets	18,182	20,000	(1,818)	-9%	100,000	
CRS Revenue - Waste	2,710	0	2,710	0%	0	
<b>Total Other Non Operating Income</b>	<b>20,892</b>	<b>20,000</b>	<b>892</b>	<b>4%</b>	<b>100,000</b>	
<b>Total Non Operating Revenue</b>	<b>1,303,148</b>	<b>565,000</b>	<b>738,148</b>	<b>131%</b>	<b>2,265,853</b>	
<b>Operating Expenses</b>						
Employee Costs	1,652,814	1,755,767	(102,954)	-6%	6,939,061	
Materials & Services	2,258,356	2,592,777	(334,421)	-13%	8,747,236	4
Interest	4,911	6,640	(1,729)	-26%	42,076	
Depreciation	1,345,005	1,314,696	30,309	2%	5,258,739	
Other Expenses	60,575	68,808	(8,233)	-12%	342,536	
<b>Total Operating Expenses</b>	<b>5,321,661</b>	<b>5,738,688</b>	<b>(417,027)</b>	<b>-7%</b>	<b>21,329,648</b>	
<b>Operating Net Profit</b>	<b>10,992,050</b>	<b>10,232,114</b>	<b>759,936</b>	<b>7%</b>	<b>(161,410)</b>	
<b>Net Profit (Including Non Operating Revenue)</b>	<b>12,295,198</b>	<b>10,797,114</b>	<b>1,498,084</b>	<b>14%</b>	<b>2,104,443</b>	
<b>Work in Progress</b>						
Capital Work in Progress	1,448,641	0	1,448,641	0%	0	
<b>Total Work in Progress</b>	<b>1,448,641</b>	<b>0</b>	<b>1,448,641</b>	<b>0%</b>	<b>0</b>	

### Notes

- Operating Grants are \$182k (19%) higher than budget YTD, which is due to grant funds carried forward from the prior year being higher than expected.
- Other Revenue is \$61k higher than budget, which is primarily due to a refund from Aurora regarding an overcharge of 2024/25 power charges.
- Capital grants are \$737k higher than budget, which is primarily due to timing of grant payments in relation to project milestones, with final instalments being received for the Black Summer Bushfire Recovery grant funded projects.
- Materials and services are \$334k (13%) below budget YTD, which relates to a combination of timing of some payments and some areas currently recording a lower level of spending than forecast for the YTD, primarily related to strategic and grant funded projects.

## Balance Sheet

Break O'Day Council

As at 30 September 2025

Account	30-Sep-25	30 June 2025
<b>Assets</b>		
<b>Current Assets</b>		
Cash & Cash Equivalents	3,962,289	7,454,872
Investments	13,000,280	5,000,000
Trade & Other Receivables	7,111,086	1,424,890
Inventory	267,666	311,419
Other Assets	2,838	2,838
<b>Total Current Assets</b>	<b>24,344,159</b>	<b>14,194,019</b>
<b>Non-current Assets</b>		
Trade and Other Receivables	14,392	14,392
Property, Plant & Equipment	233,499,323	234,843,499
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
<b>Total Non-current Assets</b>	<b>270,871,529</b>	<b>272,215,705</b>
<b>Total Assets</b>	<b>295,215,688</b>	<b>286,409,724</b>
<b>Liabilities</b>		
<b>Current Liabilities</b>		
Trade & Other Payables	688,641	1,873,953
Contract Liabilities	0	810,172
Lease Liability	75,199	75,199
Interest Bearing Loans & Borrowings	349,162	384,494
Provisions	1,014,570	1,014,570
Trust Funds and Deposits	576,720	577,244
<b>Total Current Liabilities</b>	<b>2,704,292</b>	<b>4,735,633</b>
<b>Non-current Liabilities</b>		
Lease Liabilities	659,012	659,012
Interest Bearing Loans & Borrowings	609,491	609,491
Provisions	714,891	714,891
<b>Total Non-current Liabilities</b>	<b>1,983,395</b>	<b>1,983,395</b>
<b>Total Liabilities</b>	<b>4,687,687</b>	<b>6,719,028</b>
<b>Net Assets</b>	<b>290,528,001</b>	<b>279,690,696</b>
<b>Equity</b>		
Accumulated Surplus	57,736,340	46,899,035
Reserves	232,791,661	232,791,661
<b>Total Equity</b>	<b>290,528,001</b>	<b>279,690,696</b>



## Statement of Cash Flows

Break O'Day Council

For the 3 months ended 30 September 2025

Account	YTD	2025
<b>Operating Activities</b>		
Receipts from customers	529,122	1,689,665
Receipts from rates	8,718,915	13,414,011
Receipts from Operational Grants	378,412	3,087,319
Contributions	14,392	53,665
Interest received	93,733	899,801
Dividends received	106,700	465,600
Payments to employees	(1,790,072)	(6,398,399)
Payments to suppliers	(2,782,392)	(8,874,286)
Finance Costs	(16,549)	(143,733)
Cash receipts from other operating activities	362,081	1,375,597
Cash payments from other operating activities	2,998	(3,002)
<b>Net Cash Flows from Operating Activities</b>	<b>5,617,340</b>	<b>5,566,237</b>
<b>Investing Activities</b>		
Proceeds from sale of property, plant and equipment	20,000	58,175
Payment for property, plant and equipment	(1,929,045)	(7,251,921)
Payment for investments	(8,000,280)	4,500,000
Capital Grants received	835,056	2,623,201
Other cash items from investing activities	0	(151,500)
<b>Net Cash Flows from Investing Activities</b>	<b>(9,074,269)</b>	<b>(222,045)</b>
<b>Financing Activities</b>		
Proceeds of trust funds and deposits	(322)	16,401
Repayment of loans	(35,333)	(2,605,557)
Repayment of lease liabilities	0	(25,932)
<b>Net Cash Flows from Financing Activities</b>	<b>(35,655)</b>	<b>(2,615,088)</b>
<b>Net Cash Flows</b>	<b>(3,492,584)</b>	<b>2,729,104</b>
<b>Cash and Cash Equivalents</b>		
Cash and cash equivalents at beginning of period	7,454,872	4,725,768
Net change in cash for period	(3,492,584)	2,729,104
Cash and cash equivalents at end of period	3,962,289	7,454,872

# Break O'Day Council

## Capital Works 2025-2026

For the 3 months to 30 September 2025

Project Details	YTD @ 30/9/2025	Estimated Carried Forward 30/06/2025	New Budget Items 2025/2026	Budget Estimates 2025/2026
<b>Plant &amp; Equipment</b>				
Replace K17MB Infrastructure & Development Services Manager	-		45,000	45,000
Replace J40VD Asset Officer	-		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	62,522		60,000	60,000
Small Plant - VARIOUS 2025/2026	11,135		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	592,160	550,000	32,000	582,000
<b>Total Plant &amp; Equipment</b>	<b>749,024</b>	<b>782,282</b>	<b>1,047,500</b>	<b>1,829,782</b>
<b>Furniture &amp; IT</b>				
CCTV - additional cameras and installation	-	30,000		30,000
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
<b>Total Furniture &amp; IT</b>	<b>27,046</b>	<b>30,000</b>	<b>27,047</b>	<b>57,047</b>
<b>Buildings</b>				
Hub 4 Health - Internal Renovations as per endorsed management plan	-		30,000	30,000
Refurbish St Marys Sports Complex Main Toilet/Shower Facility	26,203		75,000	75,000
Installation of New Roof Mounted Solar Panels - St Marys	-		40,000	40,000
Pyengana Hall Roof Replacement	-		60,000	60,000
Replacement of Roof Cladding - St Marys Tennis Club	1,134		15,000	15,000
St Helens Depot Office Roof & Insulation Replacement	-		15,000	15,000
St Marys Exhibition upgrades	-		100,000	100,000
St Marys Tip Shop - New Power Supply (Solar)	-		10,000	10,000

# Break O'Day Council

## Capital Works 2025-2026

For the 3 months to 30 September 2025

Project Details	YTD @ 30/9/2025	Estimated Carried Forward 30/06/2025	New Budget Items 2025/2026	Budget Estimates 2025/2026
Portland Hall Upgrades	-	20,000	30,000	50,000
Council Chambers additions and improvements	17,575	22,571	20,000	42,571
Falmouth - New Toilet design	28,088		200,000	200,000
Falmouth Community Centre - Internal Alterations	30,692		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	1,547		50,000	50,000
St Helens Foreshore - Amenities	-		50,000	50,000
<b>Total Buildings</b>	<b>151,136</b>	<b>57,571</b>	<b>855,000</b>	<b>912,571</b>
<b>Parks, Reserves &amp; Other</b>				
Special Project: Scamander Coastal Hazards Project	30,663	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	13,259	50,000		50,000
Georges Bay Walking Track Extension	116,418	985,000	-	985,000
Scamander Sports Complex Masterplan	-		20,000	20,000
St Helens Memorial Park - Irrigation system improvements incl groundworks	-		40,000	40,000
<b>Totals Parks, Reserves &amp; Other</b>	<b>170,681</b>	<b>1,410,292</b>	<b>167,708</b>	<b>1,578,000</b>
<b>Roads - Streetscapes &amp; Carparking</b>				
Cecilia Street/Georges Bay Esplanade junction	-			
Carparking acquisition and assoc. costs	-		550,000	550,000
<b>Total Streetscapes</b>	<b>-</b>	<b>-</b>	<b>550,000</b>	<b>550,000</b>
<b>Roads - Footpaths</b>				
Footpath - Binalong Bay Road	-		100,000	100,000
Footpaths - Miscellaneous	76		100,000	100,000
<b>Total Footpaths</b>	<b>76</b>	<b>-</b>	<b>200,000</b>	<b>200,000</b>
<b>Roads - Kerb &amp; Channel</b>				
<b>Total Kerb &amp; Channel</b>	<b>-</b>			
<b>Roads - Resheeting</b>				
25/26 Road Resheeting - various	107,472		700,000	700,000
Ansons Bay Road- Resheeting	163,585			
<b>Total Resheeting</b>	<b>271,056</b>	<b>-</b>	<b>700,000</b>	<b>700,000</b>
<b>Roads - Reseals</b>				
St Marys - Story Street Esk Main Road to Groom Street	-	55,084	4,916	60,000



# Break O'Day Council

## Capital Works 2025-2026

For the 3 months to 30 September 2025

Project Details	YTD @ 30/9/2025	Estimated Carried Forward 30/06/2025	New Budget Items 2025/2026	Budget Estimates 2025/2026
25/26 Reseals TBC	-		800,000	800,000
<b>Totals Reseals</b>	-	55,084	804,916	860,000
<b>Roads - Reconstructions / Construction</b>				
Mangana Road - Rehabilitation/reconstruction 25/26	-		350,000	350,000
<b>Totals - Roads Construction, Digouts &amp; Other</b>	-	-	350,000	350,000
<b>Totals Roads &amp; Footpaths</b>	271,132	55,084	2,604,916	2,660,000
<b>Bridges</b>				
Bridge 185 - Gilles Road	-		307,000	307,000
Bridge 2684 - Pedder Street	-		200,000	200,000
<b>Total Bridges</b>	-	-	507,000	507,000
				-
<b>Stormwater</b>				-
Minor stormwater Jobs	30,874		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
<b>Total Stormwater</b>	43,832	119,220	256,000	375,220
<b>Waste Management</b>				
Replace Pay Booth - Fingal WTS	-		20,000	20,000
Scamander WTS - Waste Compactor	9,319	60,000	1,000,000	1,060,000
Scamander WTS - Landfill Design & Construction	26,471	104,559	150,000	254,559
<b>Total Waste Management</b>	35,790	164,559	1,170,000	1,334,559
	-			
<b>Total Capital</b>	1,448,641	2,619,008	6,635,171	9,254,179

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

**OFFICER'S RECOMMENDATION:**

That the report be received.

**INTRODUCTION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

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

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

- Main tourists this month were from VIC, QLD, WA and a few from New Zealand.
- Attended Zoom meeting for the TVIN AGM
- Had a nice review left for us on Google:  
*Best information centre I have experienced in Tasmania so far. Very helpful and knowledgeable lady who served us, we were fortunate to have free access to the museum in the building. Brilliant displays loved the scale model water wheel and the Chinese film that went for 8 minutes. Great depiction of the tin dragon!!! Well done St Helen's!*
- Received TVIN Annual Report and visitor numbers to Information Centres in Tasmania for 2024-2025 was 991,213 which was a 7% increase from last year.
- Replacing our large Tasmania Map that we use to help tourists plan their travels around Tasmania.

**The History Room Curator Report:**

- **St Helens Library Exhibition:** Have been negotiating with Library staff regarding augmenting the TMAG exhibition due for display 22 Oct 2025 at the St Helens library. This has been given the go ahead and items will be loaned to the St Helens library from the SHHR 's collection for the duration of the exhibition (Feb 2026). Official opening is at the St Helens Library on 22<sup>nd</sup> Oct 2025 at 11 am. Exhibition is entitled 'Then and Now' and explains the Tasmanian Chinese community and its links with the state.
- **Grant Application:** This was completed through the Friends' group to Rio Tinto.



- **Verschoye Collection:** This is slowly being packed away after cataloguing has been completed.
- **Disaster Preparation Planning:** This is a free workshop being offered through the State Library. Dates for attendance is 14<sup>th</sup> & 15<sup>th</sup> October 2025 at the Rosny Library in Hobart.
- **Mosaic Cataloguing Computer:** All images have been transferred to our external hard drive (F Drive) for the impending intranet transition

## Statistics:

### Door Counts

Month/Year	Visitor Numbers	Daily Average	History Room
September 2012	1,417	47.23	77
September 2013	1,598	53.27	72
September 2014	1,570	52.33	71
September 2015	2,148	71.60	63
September 2016	1,720	57.33	82
September 2017	1,689	56.30	78
September 2018	1,508	50.27	76
September 2019	1,479	49.30	89
September 2020	866	28.87	27
September 2021	1,014	33.80	77
September 2022	1568	52.26	79
September 2023	1875	62.50	83
September 2024	1741	58.03	78
September 2025	1844	61.46	69

### Revenue 2024/2025

Month	VIC Sales	HR Entry	HR Donations/Sales
July	3,418.19	150	91.20
August	3,740.70	0	177.55
September	4,581.03	288	412.25
October	7,359.22	338	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			
November			
December			
January			
February			
March			
April			
May			
June			

## STRATEGIC PLAN & ANNUAL PLAN:

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

#### Goal

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

#### Strategy

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

## LEGISLATION & POLICIES:

N/A

## BUDGET AND FINANCIAL IMPLICATIONS:

N/A

## VOTING REQUIREMENTS:

Simple Majority

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	Angela Matthews, Corporate Services Coordinator
FILE REFERENCE	014\002\010\
ASSOCIATED REPORTS AND DOCUMENTS	Correspondence detailing the Summary of Changes prepared by Simmons Wolfhagen – August 2024, May 2025 and July 2025 Updated Delegation Register September 2025 ( <i>Circulated under separate cover</i> )

**OFFICER'S RECOMMENDATION:**

That having conducted a review of Council's Delegations Register in accordance with Section 22 of the *Local Government Act 1993*, the Council adopt the updated Delegations Register dated September 2025.

**INTRODUCTION:**

The aim of the report is to provide Council with an updated Break O'Day Council Delegations Register following the annual review as required under the *Local Government Act 1993*.

**PREVIOUS COUNCIL CONSIDERATION:**

Reviews undertaken annually.

**OFFICER'S REPORT:**

The Delegations provide to the administration the authority for officers to deliver Council services.

Delegations need to be clear and well documented to ensure Council's operations are open, transparent and accountable.

The *Local Government Act 1993* requires that Council must cause a separate record to be kept of all delegations under Section 22 and in accordance with good governance should at least once in every financial year review the delegations for the time being in force under this section.

Councils have certain duties which they must perform, and certain powers which they may exercise, pursuant to the *Local Government Act 1993* as well as a range of other Acts. In most cases the relevant Acts grant these obligations and powers directly to the Council as a body.

It is not practical or efficient for Council as a body of elected members to perform the many functions or undertake the many activities that are required in the day to day administration of Council's roles and functions. Delegations are the way in which Council enable other people/bodies (usually Council Officers) to undertake these steps on its behalf. Therefore it is necessary for Council to take formal steps to delegate to such people/bodies the authority to make decisions, perform functions or undertake activities on behalf of Council.

If the delegations are not done properly, the enforceability of decisions and actions taken may be compromised and there may be legal and administrative issues for the Council.

As part of Council's ongoing governance arrangements, a review of the Delegations Register has been undertaken and the delegations updated.

As a matter of best practice it is usual for delegations to be made by the Council to the General Manager. Delegations under the Land Use Planning and Approvals Act (LUPAA) do not allow the General Manager to sub-delegate.

Whilst the proposed instruments of delegations reflect the functions and duties which are granted to Councils under various Acts, it is a matter for the Council to decide which of those powers and functions are to be delegated. It is important to note that any specific delegation may be withdrawn or altered or reviewed by Council at any time and therefore it is recommended that the delegations be supported.

In addition both the wording of the resolution and the instrument of delegation itself are important. It is the resolution which makes the delegation. The resolution is the instrument which sets out the scope of the delegation. Consequently, Council needs to be careful with respect to varying the wording of the recommendations of this report.

The Local Government Association of Tasmania (LGAT) engages Simmons Wolfhagen to undertake an annual review, amend and update LGAT's model delegations. The Delegations Register Index shows the Legislation included within Councils delegations register and highlights any amendments etc in relation to the specific legislation. Through this review Simmons Wolfhagen have completed reviews which may include amendments that have been made to the following Acts/Regulations as well as the inclusion of new legislation:

1. *Neighbourhood Disputes About Plants Act 2017 - NEW;*
2. *Occupational Licencing Act 2005 - NEW;*
3. *Emergency Management Act 2006 - NEW;*
4. *Burial and Cremations Regulations 2025;*
5. *Local Government (General) Regulations 2025;*
6. *Local Government (Meeting Procedures) Regulations 2025;*
7. *Building Act 2016;*
8. *Building Regulations 2016;*
9. *Land Use Planning and Approvals Act 1993;*
10. *Land Use Planning and Approvals Regulations 2024;*
11. *Local Government Act 1993.*

#### ***Burial and Cremations Regulations 2025***

Repeal of previous Regulations and introduction of new with no changes to the delegations.

#### ***Local Government (General) Regulations 2025***

Repeal of previous Regulations and introduction of new with no changes to the delegations.

#### ***Local Government (Meeting Procedures) Regulations 2025***

Repeal of previous Regulations and introduction of new with no changes to the delegations.

***Building Act 2016***

Some legislation has been repealed due to the relevant sections being amended to empower the Permit Authority.

***Building Regulations 2016***

Some legislation has been repealed due to the relevant sections being amended to empower the Permit Authority.

***Local Government Act 1993***

Introduction of the Dispute Resolution Policy.

Correspondence from Simmons Wolfhagen (attached) provides a summary of the amendments made through the review and hence the amendments which have been made in Councils delegations to align with this legal advice.

**STRATEGIC PLAN & ANNUAL PLAN:**

N/A

**LEGISLATION & POLICIES:**

Particularly the *Local Government Act 1993* however also includes all other Acts and Regulations as listed in the Delegations Register.

**BUDGET AND FINANCIAL IMPLICATIONS:**

There are no financial implications identified in adopting these delegations.

**VOTING REQUIREMENTS:**

Simple Majority



Contact: Kate Hanslow  
Our Ref: KH/FWM:132644

2 September 2024

Mr M Edrich  
Local Government Association of Tasmania  
GPO Box 1521  
HOBART TAS 7001

By email [michael.edrich@lgat.tas.gov.au](mailto:michael.edrich@lgat.tas.gov.au)

Dear Mr Edrich

**Legislative Audit and Compliance Register/Delegations Register for Members**

Thank you for our instructions to provide the Local Government Association of Tasmania (**LGAT**) with a bi-annual audit of legislative reform and update to the Delegations Register for its members.

**1. Delegations Register Update**

- 1.1 A review of relevant legislative changes has been conducted in accordance with our instructions, current to 31 August 2024.
- 1.2 **Enclosed** is:
- (a) the updated Delegations Register (updates are shown in red text for ease of reference); and
  - (b) Delegations Register Index.

**2. Summary of Changes**

- 2.1 In summary, there have been no major legislative reforms since our last update requiring any changes to the Delegations Register.
- 2.2 Reforms to the *Building Act 2016* and *Building Regulations 2015* (Tas) have been passed, but relevant changes impacting the Delegations Register are

**Hobart**

+61 3 6226 1200  
Level 4, 99 Bathurst Street  
HOBART TAS 7000  
GPO Box 146  
HOBART TAS 7001

**Launceston**

+61 3 6338 2390  
45 Cameron Street  
LAUNCESTON TAS 7250  
PO Box 379  
LAUNCESTON TAS 7250

**Kingston**

+61 3 6226 1200  
Shop 77, Level 1  
Channel Court  
KINGSTON TAS 7050

**Email**

[info@simwolf.com.au](mailto:info@simwolf.com.au)

**Web**

[simwolf.com.au](http://simwolf.com.au)

**ABN**

31 635 248 976

yet to commence.<sup>1</sup> Once those changes are enacted, the Delegations Register will require update and this will be captured in our next review.

2.3 In this update, we have:

- (a) added the *Neighbourhood Disputes About Plants Act 2017* (Tas) as a new tab – in relation to authority to appear in respect to applications to TASCAT made under Part 4 of that Act; and
- (b) made improvements to the usability of the Delegations Register, including the addition of new columns to record details and evidence of an authorisation or delegation. We recommend that Councils use these columns to include links to source documents, for ease of reference. We confirm that section 23AA(2)(b) of the *Acts Interpretation Act 1931* (Tas) requires that all delegations be evidenced in writing and signed.

3. **Contact**

- 3.1 If you have any questions or wish to discuss, please do not hesitate to contact me.

Yours faithfully  
Simmons Wolfhagen

**Kate Hanslow**  
Senior Associate | Local Government  
[kate.hanslow@simwolf.com.au](mailto:kate.hanslow@simwolf.com.au)

<sup>1</sup> See *Residential Building (Miscellaneous Consumer Protection Amendments) Act 2023* (Tas): [View - Tasmanian Legislation Online](#) (Part 2). Changes commence on a date to be proclaimed.

LOCAL GOVERNMENT ASSOCIATION OF TASMANIA

DELEGATIONS REGISTER INDEX – August 2024

No.	Act / Regulation	Legislation Amended	Last Checked	Register Last Updated
1.	<i>Archives Act 1983</i>	18.03.22	02.09.24	18.01.22
2.	<i>Biosecurity Act 2019</i>	17.05.23	02.09.24	04.07.23
3.	<i>Biosecurity Regulations 2022</i>	02.11.22	02.09.24	04.07.23
4.	<i>Building Act 2016</i>	05.11.21	02.09.24	18.01.22
5.	<i>Building Regulations 2016</i>	01.07.23	02.09.24	21.12.16
6.	<i>Burial and Cremation Act 2019</i>	25.12.19	02.09.24	31.01.20
7.	<i>Burial and Cremation Regulations 2015</i>	16.11.22	02.09.24	31.01.20
8.	<i>Cat Management Act 2009</i>	01.03.22	02.09.24	31.01.24
9.	<i>Child and Youth Safe Organisations Act 2023</i>	01.07.23	02.09.24	23.08.23
10.	<i>Dog Control Act 2000</i>	18.12.19	02.09.24	18.01.22
11.	<i>Environmental Management and Pollution Control Act 1994</i>	14.12.22	02.09.24	18.01.22
12.	<i>Food Act 2003</i>	05.10.21	02.09.24	13.05.16
13.	<i>Heavy Vehicle National Law (Tasmania) Act 2013</i>	27.11.20	02.09.24	20.01.21
14.	<i>Historic Cultural Heritage Act 1995</i>	05.11.21	02.09.24	18.01.22
15.	<i>Land Titles Act 1980</i>	13.06.23	02.09.24	05.09.23
16.	<i>Land Use Planning and Approvals Act 1993</i>	17.05.23	02.09.24	31.01.24
17.	<i>Land Use Planning and Approvals Regulations 2014</i>	22.12.22	02.09.24	18.01.22
18.	<i>Litter Act 2007</i>	02.12.19	02.09.24	20.01.21
19.	<i>Local Government Act 1993</i>	20.11.23	02.09.24	31.01.24
20.	<i>Local Government (Building and Miscellaneous Provisions) Act 1993</i>	01.12.22	02.09.24	18.01.22
21.	<i>Local Government (General) Regulations 2015</i>	05.11.21	02.09.24	18.01.22
22.	<i>Local Government (Highways) Act 1982</i>	01.01.22	02.09.24	18.01.22
23.	<i>Local Government (Meeting Procedures) Regulations 2015</i>	29.06.15	02.09.24	13.05.16
24.	<i>Monetary Penalties Enforcement Act 2005</i>	13.06.23	02.09.24	18.01.22

\* **Legislation Amended:** records the last time that the piece of legislation was amended. The delegations register is only updated if amendments affect delegations.

\* **Last Checked:** means the last time the legislation was checked for any changes that affect delegations. The Last Checked date will usually postdate the Legislation Amended date, except where amendments come into force after the legislation is checked.

\* **Register Last Updated:** refers to the last time the delegations register was updated to reflect amendments, also being the last version of the delegations register that was updated for that piece of legislation.

No.	Act / Regulation	Legislation Amended	Last Checked	Register Last Updated
25.	<i>Neighbourhood Disputes About Plants Act 2017</i> <b>*NEW*</b>	01.01.22	02.09.24	02.09.24
26.	<i>Place Names Act 2020</i>	01.07.20	02.09.24	18.01.22
27.	<i>Public Health Act 1997</i>	24.10.22	02.09.24	18.01.22
28.	<i>Public Interest Disclosures Act 2002</i>	31.08.23	02.09.24	18.01.22
29.	<i>Right to Information Act 2009</i>	30.08.24	02.09.24	07.09.20
30.	<i>Roads and Jetties Act 1935</i>	17.05.23	02.09.24	27.02.23
31.	<i>Strata Titles Act 1998</i>	05.11.21	02.09.24	18.01.22
32.	<i>Survey Co-Ordination Act 1944</i>	01.07.20	02.09.24	20.01.21
33.	<i>Tasmanian Civil and Administrative Tribunal Act 2020.</i>	01.09.24	02.09.24	18.01.22
34.	<i>Traffic Act 1925</i>	23.06.23	02.09.24	18.01.22
35.	<i>Urban Drainage Act 2013</i>	10.05.24	02.09.24	18.01.22
36.	<i>Vehicle and Traffic Act 1999</i>	01.07.24	02.09.24	18.01.22

\* **Legislation Amended:** records the last time that the piece of legislation was amended. The delegations register is only updated if amendments affect delegations.

\* **Last Checked:** means the last time the legislation was checked for any changes that affect delegations. The Last Checked date will usually postdate the Legislation Amended date, except where amendments come into force after the legislation is checked.

\* **Register Last Updated:** refers to the last time the delegations register was updated to reflect amendments, also being the last version of the delegations register that was updated for that piece of legislation.

Contact: Nathan Street  
Our Ref: NS:132644

15 May 2025

Mr Ben Morris  
Local Government Association of Tasmania  
GPO Box 1521  
HOBART TAS 7001

By email [Ben.Morris@lgat.tas.gov.au](mailto:Ben.Morris@lgat.tas.gov.au)

Dear Mr Morris,

**Legislative Audit and Compliance Register/Delegations Register for Members**

Thank you for our instructions to provide the Local Government Association of Tasmania (**LGAT**) with a bi-annual audit of legislative reform and update to the Delegations Register for its members.

**1. Delegations Register Update**

1.1 A review of relevant legislative changes has been conducted in accordance with our instructions, current to 6 February 2025.

1.2 **Enclosed** is:

- (a) the updated Delegations Register (the **Register**); and
- (b) Delegations Register Index.

**2. Summary of Changes**

2.1 In summary, there have been legislative reforms relevant to the Delegations Register since our last update, including the:

- (a) *Building Act 2016*;
- (b) *Building Regulations 2016*;
- (c) *Land Use Planning and Approvals Act 1993*; and
- (d) *Land Use Planning and Approvals Regulations 2024*.

**Hobart**

+61 3 6226 1200  
Level 4, 99 Bathurst Street  
HOBART TAS 7000  
GPO Box 146  
HOBART TAS 7001

**Launceston**

+61 3 6338 2390  
45 Cameron Street  
LAUNCESTON TAS 7250  
PO Box 379  
LAUNCESTON TAS 7250

**Kingston**

+61 3 6226 1200  
Shop 77, Level 1  
Channel Court  
KINGSTON TAS 7050

**Email**

[info@simwolf.com.au](mailto:info@simwolf.com.au)

**Web**

[simwolf.com.au](http://simwolf.com.au)

**ABN**

31 635 248 976



- 2.2 In addition, we have added the *Occupational Licencing Act 2005* to the Register, where appropriate, as previously discussed.

### 3. Key Amendments

#### *The Building Act 2016*

The *Building Act 2016* amendments have resulted in many entries being removed from the Register, including:

- (a) Notes on Delegation, Note 2, which provided the General Manager's ability to delegate to any person any of the General Manager's powers and functions under the *Building Act 2016* by virtue of section 8(4). Section 8(4) has been repealed.
- (b) Section 24(2) has been removed as it no longer empowers the general manager to appoint a permit authority.
- (c) Section 41 has been repealed and has been removed. This section required as reasonably practicable Councils to enforce and comply with the requirements of the *Building Act 2016*. Section 41(2) of the *Building Act 2016* formerly provide the power of the general manager to enter land. That power now sits with the permit authority under section 26(1) of the *Building Act 2016*.
- (d) Section 70 – Works on contaminated and undrainable premises has been removed. This section has now been amended and empowers the Permit Authority in lieu of the General Manager.
- (e) Section 73 – Works involving, or in proximity of, existing drains has been removed. This section has now been amended and empowers the Permit Authority in lieu of the General Manager.
- (f) Section 241 - Dilapidated building report has been removed. This section has now been amended and empowers the Permit Authority in lieu of the General Manager.
- (g) Section 242 – Dilapidated building notice has been removed. This section has now been amended and empowers the Permit Authority in lieu of the General Manager.
- (h) Section 245(1) – Emergency order has been removed. This section has now been amended and empowers the Permit Authority in lieu of the General Manager.
- (i) Section 245(6) – Emergency order has been removed. This section has now been amended and empowers the Permit Authority in lieu of the General Manager.

- (j) Section 245(7) – Emergency order has been removed. This section has been repealed.
- (k) Section 251(1) – Court orders has been removed. This section has now been amended and empowers the Permit Authority in lieu of the General Manager.
- (l) Section 267(1)(2) – Demolition order has been removed. This section has now been amended and empowers the Permit Authority in lieu of the Council.
- (m) Section 267(3) – Demolition order has been removed. This section has now been amended and empowers the Permit Authority in lieu of the Council.
- (n) Section 272 – Police assistance has been removed. This section has now been amended and empowers the Permit Authority in lieu of the General Manager.
- (o) Section 275(1) and (2) – Compliance with Act in certain circumstances has been removed. This section has now been amended and empowers the Permit Authority in lieu of the General Manager.
- (p) Section 308(2) – Habitation of certain buildings has been removed. This section has now been amended and empowers the Permit Authority in lieu of the General Manager.
- (q) Section 309 – Restriction on use of land has been removed. This section has now been amended and empowers the Permit Authority in lieu of the General Manager.
- (r) Section 324(4) – Infringement notices has been removed. This section has now been amended and empowers the Permit Authority in lieu of the General Manager.
- (s) The Register has been amended by including Notes on Delegation – Note 8, which includes section 303B (Transitional and Savings Provision) which provides the General Manager is to have the same meaning as in the *Local Government Act 1993*.

*Building Regulations 2016*

- (a) Regulation 61 – Significant works in landslip areas has been removed from the Register. This section has now been amended and empowers the Permit Authority in lieu of the General Manager.

- (b) Regulation 83 – Building Certificates has been removed from the Register. This section has now been amended and obligates the Permit Authority in lieu of the General Manager.

*Land Use Planning and Approvals Act 1993*

- (a) Section 53, the power to grant extensions of time under section 53(5A), (5B), (5C) and the new (5D), where a permit has not been substantially commenced.

*Land Use Planning and Approvals Regulations 2024*

- (a) General amendments to the Register to reflect the repeal of the former regulations and the introduction of the new 2024 regulations.

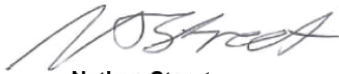
*Occupational Licencing Act 2005*

- (a) Introduction to the register to incorporate appointment of licenced person on behalf of the permit authority as the licenced entity.

**4. Contact**

- 4.1 If you have any questions or wish to discuss, please do not hesitate to contact me.

Yours faithfully  
Simmons Wolfhagen



**Nathan Street**

Senior Associate | Local Government, Environment, Planning & Development Law  
nathan.street@simwolf.com.au

Contact: Nathan Street  
Our Ref: NS:132644

21 July 2025

Mr Jon Stanger  
Local Government Association of Tasmania  
GPO Box 1521  
HOBART TAS 7001

**By email** [Jon.Stanger@lgat.tas.gov.au](mailto:Jon.Stanger@lgat.tas.gov.au)

Dear Mr Stanger,

**Legislative Audit and Compliance Register/Delegations Register for Members**

Thank you for our instructions to provide the Local Government Association of Tasmania (**LGAT**) with a bi-annual audit of legislative reform and update to the Delegations Register for its members.

**1. Delegations Register Update**

1.1 A review of relevant legislative changes has been conducted in accordance with our instructions, current to 4 July 2025.

1.2 **Enclosed** is:

- (a) the updated Delegations Register (the **Register**); and
- (b) Delegations Register Index.

**2. Summary of Changes**

2.1 In summary, there have been legislative reforms relevant to the Delegations Register since our last update, including the:

- (a) *Burial and Cremation Regulations 2025*;
- (b) *Local Government Act 1993*;
- (c) *Local Government (Meeting Procedures) Regulations 2025*; and
- (d) *Local Government (General) Regulations 2025*.

**Hobart**

+61 3 6226 1200  
Level 4, 99 Bathurst Street  
HOBART TAS 7000  
GPO Box 146  
HOBART TAS 7001

**Launceston**

+61 3 6338 2390  
45 Cameron Street  
LAUNCESTON TAS 7250  
PO Box 379  
LAUNCESTON TAS 7250

**Kingston**

+61 3 6226 1200  
Shop 77, Level 1  
Channel Court  
KINGSTON TAS 7050

**Devonport**

+61 3 6424 4633  
20 Rooke Street  
DEVONPORT TAS 7310  
PO Box 1101  
DEVONPORT TAS 7310

**Smithton**

+61 3 6452 1861  
32 King Street  
SMITHTON TAS 7330  
PO Box 111  
SMITHTON TAS 7330

**Email** [info@simwolf.com.au](mailto:info@simwolf.com.au)

**Web** [simwolf.com.au](http://simwolf.com.au)

**ABN** 31 635 248 976

2.2 As instructed, we have also introduced the *Emergency Management Act 2006* to the Register.

2.3 Cosmetic changes to the overall visual look of the Register have also occurred.

### 3. Key Amendments

#### *Burial and Cremation Regulations 2025*

- (a) General amendments to the Register reflect the repeal of the former regulations and the introduction of the new 2025 regulations.

#### *Local Government Act 1993*

- (a) Section 28JA – The General Manager of a Council must ensure that a copy of the Council's dispute resolution policy is available on the website of the Council and on the request of a person.
- (b) Section 28S – The General Manager of a Council is to make a copy of the code of conduct available:
  - (i) for public inspection, free of charge, at the public office of the Council during ordinary office hours and on its website; and
  - (ii) for purchase at a reasonable charge.

- (c) Section 28T – Repealed.

#### *Local Government (Meeting Procedures) Regulations 2025*

- (a) General amendments to the Register reflect the repeal of the former regulations and the introduction of the new 2025 regulations.

#### *Local Government (General) Regulations 2025*

- (a) General amendments to the Register reflect the repeal of the former regulations and the introduction of the new 2025 regulations.

#### *Emergency Management Act 2006*

- (a) Introduction of the *Emergency Management Act 2006* to the register and the delegated powers of either Council or the General Manager.



**4. Contact**

- 4.1 If you have any questions or wish to discuss, please do not hesitate to contact me.

Yours faithfully  
Simmons Wolfhagen



**Nathan Street**

Director | Local Government, Environment, Planning & Development Law  
nathan.street@simwolf.com.au

LOCAL GOVERNMENT ASSOCIATION OF TASMANIA

DELEGATIONS REGISTER INDEX –JULY 2025

No.	Act / Regulation	Legislation Amended	Last Checked	Register Last Updated
1.	<i>Archives Act 1983</i>	01.07.2025	04.07.2025	18.01.2022
2.	<i>Biosecurity Act 2019</i>	17.05.2023	04.07.2025	04.07.2023
3.	<i>Biosecurity Regulations 2022</i>	02.11.2022	04.07.2025	04.07.2023
4.	<i>Building Act 2016</i>	01.10.2024	04.07.2025	29.01.2025
5.	<i>Building Regulations 2016</i>	01.10.2024	04.07.2025	29.01.2025
6.	<i>Burial and Cremation Act 2019</i>	01.07.2025	04.07.2025	31.01.2020
7.	<i>Burial and Cremation Regulations 2025</i>	27.05.2025	04.07.2025	04.07.2025
8.	<i>Cat Management Act 2009</i>	01.07.2025	04.07.2025	31.01.2024
9.	<i>Child and Youth Safe Organisations Act 2023</i>	01.07.2025	04.07.2025	23.08.2023
10.	<i>Dog Control Act 2000</i>	01.07.25	04.07.2025	18.01.2022
11.	<i>Emergency Management Act 2006</i>	06.05.2020	04.07.2025	04.07.2025
12.	<i>Environmental Management and Pollution Control Act 1994</i>	14.12.2022	04.07.2025	18.01.2022
13.	<i>Food Act 2003</i>	01.07.2025	04.07.2025	13.05.2016
14.	<i>Heavy Vehicle National Law (Tasmania) Act 2013</i>	01.07.2025	04.07.2025	20.01.2021
15.	<i>Historic Cultural Heritage Act 1995</i>	01.01.2025	04.07.2025	18.01.2022
16.	<i>Land Titles Act 1980</i>	13.06.2023	04.07.2025	05.09.2023
17.	<i>Land Use Planning and Approvals Act 1993</i>	16.06.2025	04.07.2025	29.01.2025
18.	<i>Land Use Planning and Approvals Regulations 2024</i>	24.12.2024	04.07.2025	06.02.2025
19.	<i>Litter Act 2007</i>	01.07.2025	04.07.2025	20.01.2021
20.	<i>Local Government Act 1993</i>	01.07.2025	04.07.2025	04.07.2025
21.	<i>Local Government (Building and Miscellaneous Provisions) Act 1993</i>	01.12.2022	04.07.2025	18.01.2022
22.	<i>Local Government (General) Regulations 2025</i>	04.06.2025	04.07.2025	04.07.2025
23.	<i>Local Government (Highways) Act 1982</i>	01.07.2025	04.07.2025	18.01.2022
24.	<i>Local Government (Meeting Procedures) Regulations 2025</i>	04.06.2025	04.07.2025	04.07.2025

\* **Legislation Amended:** records the last time that the piece of legislation was amended. The delegations register is only updated if amendments affect delegations.

\* **Last Checked:** means the last time the legislation was checked for any changes that affect delegations. The Last Checked date will usually postdate the Legislation Amended date, except where amendments come into force after the legislation is checked.

\* **Register Last Updated:** refers to the last time the delegations register was updated to reflect amendments, also being the last version of the delegations register that was updated for that piece of legislation.

No.	Act / Regulation	Legislation Amended	Last Checked	Register Last Updated
25.	<i>Monetary Penalties Enforcement Act 2005</i>	13.06.2023	04.07.2025	18.01.2022
26.	<i>Occupational Licensing Act 2005</i>	01.07.2025	04.07.2025	29.01.2025
27.	<i>Place Names Act 2020</i>	01.07.2020	04.07.2025	18.01.2022
28.	<i>Public Health Act 1997</i>	01.07.2025	04.07.2025	18.01.2022
29.	<i>Public Interest Disclosures Act 2002</i>	31.08.2023	04.07.2025	18.01.2022
30.	<i>Right to Information Act 2009</i>	06.11.2024	04.07.2025	07.09.2020
31.	<i>Roads and Jetties Act 1935</i>	01.07.2025	04.07.2025	27.02.2023
32.	<i>Strata Titles Act 1998</i>	05.11.2021	04.07.2025	18.01.2022
33.	<i>Survey Co-Ordination Act 1944</i>	01.07.2020	04.07.2025	20.01.2021
34.	<i>Tasmanian Civil and Administrative Tribunal Act 2020.</i>	01.07.2025	04.07.2025	18.01.2022
35.	<i>Traffic Act 1925</i>	23.06.2023	04.07.2025	18.01.2022
36.	<i>Urban Drainage Act 2013</i>	10.05.2024	04.07.2025	18.01.2022
37.	<i>Vehicle and Traffic Act 1999</i>	01.07.2024	04.07.2025	18.01.2022

**Key:**

**Blue** indicates a change on the Delegations Register.

\* **Legislation Amended:** records the last time that the piece of legislation was amended. The delegations register is only updated if amendments affect delegations.

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\* **Register Last Updated:** refers to the last time the delegations register was updated to reflect amendments, also being the last version of the delegations register that was updated for that piece of legislation.

<b>ACTION</b>	<b>DECISION</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Raoul Harper, Manager Business Services
<b>FILE REFERENCE</b>	008\009\001\
<b>ASSOCIATED REPORTS AND DOCUMENTS</b>	Information Technology Strategy 2025–2029 IT Governance Road Map (Appendix to Strategy)

**OFFICER’S RECOMMENDATION:**

That Council endorse the Information Technology Strategy 2025–2029 and note the accompanying IT Governance Road Map, which outlines the staged implementation of supporting policies and governance measures.

**INTRODUCTION:**

This report seeks Council’s endorsement of the *Information Technology Strategy 2025–2029*, which establishes a coherent and forward-looking framework for how Council will manage, secure, and modernise its information systems. The Strategy defines Council’s long-term direction for digital transformation and positions the organisation to respond to emerging risks and opportunities in a planned, accountable way.

**PREVIOUS COUNCIL CONSIDERATION:****Council Workshop 6 October 2025**

Reviewed and endorsed by the Audit Panel at its October meeting.

**OFFICER’S REPORT:**

Over recent years, Council’s reliance on digital technology has grown substantially. Core services such as customer engagement, finance, asset management and field operations now depend on stable, secure and integrated systems.

At the same time, the risk landscape has shifted significantly. Cybersecurity incidents across all levels of government have increased, system maintenance costs continue to rise, and staff expectations for mobility and remote access have evolved. Without a coordinated IT Strategy, decisions risk being made in isolation, leading to duplication, inconsistent security practices and inefficient investment.

The Information Technology Strategy 2025–2029 responds to these challenges by providing a clear and actionable direction for the next five years. It defines how Council will modernise its systems, strengthen cyber resilience and enable a more connected and capable workforce. The Strategy ensures that technology decisions are made in line with Council’s risk appetite, governance standards and long-term financial sustainability.

The Strategy's value lies in the way it brings alignment and accountability across all aspects of Council's digital operations. It ensures that technology investment decisions are made against clear strategic principles rather than in isolation, cyber risks are managed proactively and transparently and that staff are supported with reliable, modern tools which enhance productivity and flexibility. Just as importantly, the Strategy embeds governance and reporting mechanisms that give both Council and the community confidence that information systems are secure, well-managed and delivering value. To achieve these outcomes, the Strategy identifies the following key directions:

**Cloud Transition:** A progressive shift of systems to cloud-based platforms, with hybrid arrangements for legacy systems such as TRIM and GIS until vendors enable cloud readiness.

**Cybersecurity:** A layered approach including endpoint detection and response, multi-factor authentication, vulnerability scanning, penetration testing and ongoing staff awareness training.

**Staff Flexibility and Mobility:** Continued commitment to the hardware-as-a-service model for staff devices, ensuring equipment is reliable, current and supports mobility and remote work across the organisation.

**Strategic Partnerships:** Ongoing engagement of professional providers to ensure proactive monitoring, incident response, and regional service responsiveness, without requiring an internal IT department.

**Cost Management:** Predictable, subscription-based expenditure models supported by quarterly reporting and value-for-money reviews.

**Emerging Technologies:** A measured and responsible approach to AI and automation, with early pilots focused on enhancing efficiency and community service delivery.

**Governance and Oversight:** Regular quarterly reporting to the Audit Panel on cybersecurity posture, system performance, IT expenditure, and progress against strategic projects.

Delivery of the Strategy will be guided by the IT Governance Road Map, which sets out a staged and structured approach to implementation. The Road Map ensures sequencing is deliberate and auditable, beginning with foundational governance policies and maturing through data protection, business continuity and responsible AI use.

This approach embeds continuous improvement and transparency through:

- Quarterly Audit Panel reporting on performance and risks;
- Policy and procedure updates linked to each implementation stage; and
- Periodic independent audit and maturity assessments to benchmark progress.

By integrating governance oversight into every stage, the Strategy provides a sustainable framework for managing technology rather than a one-off plan.

The Information Technology Strategy 2025–2029 represents a major step toward building a secure, modern and resilient IT environment for Council. It provides the clarity, structure and governance required to manage growing digital risks while positioning Council to take advantage of emerging



opportunities in a measured and responsible way. Through the IT Governance Road Map, Council will ensure that every stage of implementation is transparent, value-driven and aligned with its broader organisational objectives.

#### **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.

##### Break O'Day Annual Plan 2025-2026

###### Management Systems

IT Strategy - Develop an IT Strategy that sets clear priorities for system integration, digital service delivery, cybersecurity, and infrastructure renewal—aligned with Council's long-term service, risk, and financial planning objectives.

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

N/A

#### **BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

N/A

#### **VOTING REQUIREMENTS:**

Simple Majority

## Information Technology Strategy 2025-2029 DRAFT



Version: X – Date: 22/09/2025

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# Break O'Day Council

## Information Technology Strategy 2025–2029

*Adopted: [Insert Date]*

*Review Date: 2029*

### 1. Introduction

Break O'Day Council recognises that our ability to deliver high-quality community services relies on secure, modern and adaptable IT systems. As reliance on digital platforms, cloud solutions and flexible working arrangements continues to grow, it is important that we deliberately invest in technology that is cost-effective, resilient and future-ready.

This strategy sets out how Council will modernise its IT environment, strengthen cyber security, support staff mobility, and create accountable partnerships with trusted service providers. It also positions Council to take advantage of emerging technologies in a responsible way, while acknowledging the challenges we face with legacy systems such as TRIM and GIS. Importantly, this strategy will be implemented through the IT Governance Road Map, which establishes clear accountabilities through service levels, policy development and ongoing reviews.

### 2. Vision

Our vision is to build a secure, adaptable and forward-looking IT environment that supports excellent service delivery, empowers staff and positions Council to meet future demands with confidence.

### 3. Strategic Direction

Over the next five years Council will continue to shift away from dependence on in-house infrastructure and move progressively into cloud-based systems. Not all platforms can transition immediately, but our direction is clear: most core systems should be cloud-hosted by 2027, with hybrid arrangements used until vendors such as TRIM and GIS are ready.

At the same time, we will strengthen our defences against cyber threats. This includes the

introduction of endpoint detection and response technology, multi-factor authentication, vulnerability scanning, penetration testing and ongoing monitoring through tools such as Microsoft Secure Score. Just as importantly, we will focus on people, embedding a regular program of cyber awareness training for all staff so that the 'human firewall' is as strong as the technology protecting us.

Council also intends to make flexible and mobile working a standard feature of our operations. We have already moved to a hardware-as-a-service model for staff devices, which spreads costs predictably, reduces the burden of large capital outlays, and ensures equipment is refreshed regularly so staff have access to current and reliable tools. As part of ongoing improvements, enhanced delivery of this service will be treated as a key performance area, with clear measures built into the governance framework. Alongside this, Council will continue to strengthen mobility by standardising the use of Microsoft 365 for collaboration, embedding remote work as a default capability, and providing regular training in secure and effective mobile practices.

A cornerstone of this strategy is the decision not to build an internal IT department. Instead, we will rely on professional providers under Managed Service Agreements. These agreements will ensure that our systems are proactively monitored, maintained and supported on a 24/7 basis. They will also provide strategic IT advice, annual roadmap reviews, and regional responsiveness so that issues can be addressed quickly despite our location.

Financial oversight will be improved by shifting to predictable monthly service fees, supported by transparent reporting of all additional project or after-hours costs. Indexation arrangements will provide certainty for future budgets, and regular value-for-money reviews will ensure Council continues to receive the best outcome from its investment.

Finally, Council will explore emerging technologies such as artificial intelligence and automation. We will do this carefully and with a focus on responsible use. Initial pilots may include Microsoft Copilot and the automation of low-value tasks such as data entry or routine customer enquiry handling. A formal policy will be developed to ensure that privacy, ethics and transparency remain at the forefront of any AI use.

#### **4. Governance and Oversight**

This strategy is designed as a pathway for continuous improvement, with governance embedded through ongoing oversight rather than one-off reviews. IT performance and risks will be reported to the Audit Panel on a regular basis, ensuring transparency, accountability and continual improvement.

Quarterly reporting will be provided covering:

- Cybersecurity posture, including incidents, vulnerabilities and Secure Score trends.
- Service provider performance against governance and performance measures.



- Progress on strategic IT projects, such as cloud migrations, system upgrades and AI pilots.
- IT expenditure and forecasts against approved budgets.

By making IT a standing agenda item, the Audit Panel will maintain clear oversight of governance, cybersecurity and service delivery performance. This approach ensures that risks are managed proactively, service standards are monitored continuously, and Council remains aligned with its strategic direction.

## **5. Policy Framework**

Delivery of this strategy will be supported by a suite of policies that provide clarity and governance. These will include a Cybersecurity Policy, an Acceptable Use of IT Resources Policy, Data Protection and Privacy Policy, AI and Automation Policy, and updates to the Business Continuity and Disaster Recovery Policy. Council will also strengthen its approach to vendor management through a Third-Party Risk Policy to ensure all providers remain accountable for the services they deliver.

## **6. Conclusion**

This strategy provides a clear pathway for Break O’Day Council to modernise its IT systems, reduce reliance on costly infrastructure and strengthen its cyber resilience, while also equipping staff with the tools they need to work flexibly and productively. Through strong vendor partnerships, ongoing oversight and careful adoption of emerging technologies, Council will build an IT environment that is secure, cost-effective and capable of meeting the community’s needs both now and into the future.



## **Appendix A – IT Governance Road Map**

The following Road Map outlines how the Information Technology Strategy 2025–2029 will be implemented through a staged and structured approach. Each stage builds on the last, ensuring that governance foundations are established before progressing to resilience and innovation.

### **Stage 1: IT Strategy – Foundation (October 2025)**

*Establishes the overarching direction for Council's IT environment and confirms that decisions will align with strategic objectives and governance standards.*

### **Stage 2: Cybersecurity Policy – Governance Anchor (November 2025)**

*Introduces Council's commitment to protecting information and systems, defining governance expectations and assigning clear roles and responsibilities.*

### **Stage 3: Acceptable Use of IT Resources Policy – Defining Behaviour (February 2026)**

*Clarifies expectations for staff, Councillors and contractors when using Council systems, supporting compliance and accountability.*

### **Stage 4: Data Protection & Privacy Policy – Safeguarding Information (February 2026)**

*Outlines Council's approach to managing sensitive and personal data, ensuring compliance with privacy obligations and secure handling practices.*

### **Stage 5: Business Continuity & Disaster Recovery Policy – Building Resilience (TBC 2026)**

*Defines Council's procedures for recovering IT systems following cyber incidents, disasters or infrastructure failure, ensuring resilience and continuity.*

### **Stage 6: AI and Automation Guidelines – Responsible Innovation (TBC 2026)**

*Establishes principles for the ethical and transparent use of emerging technologies such as Microsoft Copilot and other AI tools.*

### **Stage 7: Continuous Improvement and Maturity Reviews (Ongoing)**

*Commits Council to ongoing improvement through quarterly reporting, risk monitoring and periodic independent cybersecurity maturity reviews.*

## **Outcome**

By sequencing implementation in this way, Council ensures that the IT Strategy is supported by a coherent suite of policies and procedures. Each stage builds on the last: governance first, staff behaviour second, data protection and resilience third, and innovation last. This structured approach gives the Audit Panel confidence that Council is strengthening cybersecurity and IT

governance in a sustainable, well-governed way, while positioning itself to take advantage of new technologies when the time is right.

<b>ACTION</b>	<b>DECISION</b>
<b>PROPONENT</b>	Secretary to the Audit Panel
<b>OFFICER</b>	Raoul Harper, Manager Business Services
<b>FILE REFERENCE</b>	018\005\006\
<b>ASSOCIATED REPORTS AND DOCUMENTS</b>	Minutes of the Audit Panel Meeting 6 <sup>th</sup> of October 2025

**OFFICER'S RECOMMENDATION:**

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

**INTRODUCTION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

Provided as an agenda report after each meeting.

**OFFICER'S REPORT:**

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

Significant matters from the minutes include:

- 1) Endorsed the Code of Tenders and Contracts Policy (LG07)
- 2) Endorsed the Rating Exemption and Remissions Policy (EP03)
- 3) Endorsed the Asset Recognition and Depreciation Policy (AM01)
- 4) Endorsed the Asset Disposal Policy (AM15)
- 5) Reviewed the MTB Asset Management Plan
- 6) Reviewed the Financial Reports for the period
- 7) Received the quarterly report on the risk register
- 8) Reviewed the Annual Internal Audit Action
- 9) Reviewed the Tasmanian Audit Office (TAO) - Audit Findings Plan
- 10) Endorsed the Information Technology Strategy 2025-2029
- 11) Reviewed the Request for Proposal - IT Managed Services Agreement

**STRATEGIC PLAN & ANNUAL PLAN:**

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

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

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

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

N/A

#### **VOTING REQUIREMENTS:**

Simple Majority



# AUDIT PANEL MINUTES

Monday 6 October 2025  
Council Library, St Helens

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**10/25.1.0            ATTENDANCE**

**10/25.1.1            Present**

Mr Andy Gray, Newton & Henry (Chair)  
Clr Barry LeFevre  
Clr Kylie Wright

**10/25.1.2            Others in Attendance**

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

**10/25.1.3            Apologies**

Nil.

**10/25.2.0            DECLARATION OF PECUNIARY INTERESTS / CONFLICT OF INTEREST**

Nil.

**10/25.3.0            ADOPTION OF PREVIOUS MINUTES**

Minutes of 2 June 2025 received by Council. Resolution in the June 2025 Council Meeting minutes to receive the Audit Panel minutes can be found below.

**The Audit Panel adopted the minutes of the previous meeting.**

**COUNCIL DECISION:**

**06/25.13.7.616            Moved: Clr B LeFevre/ Seconded: Clr I Carter**

That Council:

- 1) Receive the minutes of the Audit Panel meeting of the 2 June 2025.
- 2) Endorse the Audit Panel Annual Work Plan for the next financial year as listed in the Minutes of the Audit Panel meeting.
- 3) Note the Report from the Audit Panel Chair regarding execution of duties and responsibilities by the Audit Panel as listed in the Minutes of the Audit Panel meeting.

**CARRIED UNANIMOUSLY**

	10/25.1.1	Present	<b>4</b>
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#### 10/25.4.0 BUSINESS ARISING

Nil.

#### 10/25.5.0 OUTSTANDING FROM PREVIOUS MEETING – ACTION SHEET

##### 10/25.5.1 Action Sheet October 2025 Audit Panel

Action	Responsible Officer	Item No	Status
Arrange Council workshop agenda item (roles and functions of the Audit Panel, its membership and value)	Raoul Harper	03/24.5.0	<p>Finalise with GM the most appropriate date for this to be delivered.</p> <p><b>Item to be removed from the Audit Panel Outstanding Action sheet as a new Audit Panel Committee will be appointed in October 2026.</b></p> <p>Clr LeFevre asked if an Audit Panel Meeting could be streamed to the new Council members in 2026, allowing insight to how an Audit Panel Meeting is run and what is involved.</p> <p>The General Manager responded that this was a good idea and a meeting could be held in the Council Chambers.</p>
Update Financial Management Strategy to correlate to Profit and Loss statement	Raoul Harper	03/24.6.2	<p>Will be undertaken once audited 2025 Financial Statements are received.</p> <p><b>The Business Services Manager will complete once sign off received from Tas Audit Office.</b></p>

| 10/25.5.1

Action Sheet October 2025 Audit Panel

5

Advise the Audit Panel of meeting dates for 2025-2026	Linda Singline	06/25.6.1	Linda circulated dates by calendar invites. <b>Completed</b>
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## 10/25.6.0 GOVERNANCE AND STRATEGY

### 10/25.6.1 Review of Strategic Plan

The General Manager advised that there were no significant updates for the Strategic Plan.

**The Audit Panel noted the verbal report.**

### 10/25.6.2 Review of Annual Plan

The General Manager advised that the 2024/2025 Annual Plan achieved 93% completion and this was a 1% improvement on the previous year. The Annual Plan for 2025/2026 is the final stages of completion and will be presented at the December Audit Panel meeting.

The Chair noted that it was a good achievement to get to 93% completion.

**The Audit Panel noted the report.**

## 10/25.6.3 Review Policies and Procedures

### 10/25.6.3.1 Policy – LG07 Code for Tenders and Contracts

Council endorsed the Code for Tenders and Contracts Policy (LG07) at its September Ordinary meeting.

The Chair asked if there had been much discussion around the increase in the tender threshold amount as there had been pushback from other Councils when they had tried to increase this?

The General Manager responded that there was no discussion and this reflected the confidence from Councillors.

**The Audit Panel endorsed the Code for Tenders and Contracts Policy (LG07).**



#### 10/25.6.3.2 Policy – LG11 Rating Exemptions and Remissions Policy

Council endorsed Rating Exemptions and Remissions Policy (LG11) at its September Ordinary meeting.

The Corporate Services Coordinator noted that this had been a 12 month process, which now provides clear5 guidance for exemptions and omissions

**The Audit Panel endorsed the Rating Exemptions and Remissions Policy (LG11).**

#### 10/25.6.3.3 Policy – AM01 Asset Recognition and Depreciation Policy

Council endorsed the Asset Recognition and Depreciation Policy (AM01) at its July Ordinary meeting.

The Chair questioned if the threshold should be higher? The Business Services Manager responded that yes, the goal is for the threshold to be higher but due to having to use current data, it needed to remain low. The Chair noted that most are using \$5000 as the threshold but until there are good foundations in place he can see the benefits in a lower threshold.

**The Audit Panel endorsed the Asset Recognition and Depreciation Policy (AM01).**

#### 10/25.6.3.4 Policy – AM15 Asset Disposal Policy

Council endorsed the following Asset Disposal Policy (AM15) at its July Ordinary meeting.

**The Audit Panel endorsed the Asset Disposal Policy (AM15).**

#### 10/25.6.3.5 Policy Register – Audit Panel

The General Manager noted that he had been in discussions with the HR Coordinator regarding the HR policies. There is an extensive suite of HR Policies on the LG Portal, which have been developed by Edge Legal, investigations are being carried out to review these and adopt the entire suite. This will cover off some of the overdue policies on the Policy Register.

**The Audit Panel noted the report.**

#### 10/25.6.4 Assessment of Governance and Operating Processes Integration with Financial Management Practices of the Council

The Business Services Manager noted that this reflects the foundation work that we are doing in IT and Assets Management and as this year progresses we will see a faster progression and levels of improvement.

**The Audit Panel noted the report.**

## **10/25.7.0 FINANCIAL AND MANAGEMENT REPORTING**

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

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

The Business Services Manager noted that there are a number of properties with three-year rates outstanding and these need to be reviewed with potential sales to cover the outstanding rates. The Corporate Services Coordinator advised that she had asked our new Rates Officer to reach out to other Councils for their processes and create a checklist to be used to ensure correct processes are followed for future sales.

The Chair noted in the monthly report that employee costs are down, was this a timing adjustment and is the head count accurate? The Business Services Manager responded that yes, the head count was pretty close, with a few new employees starting in Corporate Services and Outdoor Workforce in the coming weeks.

The General Manger advised that the capital programs were tracking well, the resealing program will be completed earlier this year. The larger scale building projects were completed last year, with a few smaller projects to be undertaken this year. The Business Services Manager noted that the waste compactor and landfill design are big projects but progressing well.

**The Audit Panel noted the report.**

### **10/25.7.2 Review any Business Unit, Special Financial Reports or Other Outside Professional Consultants Reports Pertaining to Finance, Tax, Strategy or Legal Matters**

Nil to report.

### **10/25.7.3 Review Annual Financial Report, Audit Report and Management Representation Letter (for advice to GM) and Make Recommendation to Council Including Meeting with Tas Audit Officer Representative**

The Business Services Manager advised that an offsite Audit had been undertaken last week, with minimal follow up requests received post Audit.

**The Audit Panel noted the report.**

**10/25.8.0                    INTERNAL AUDIT**

**10/25.8.1                    Annual Internal Audit Program**

The Business Services Manager noted that Cybersecurity was a priority item to complete. The Chair noted that the scope of the program was really good and fits in nicely with the other document.

**The Audit Panel noted the report and endorsed the RFQ for release to market.**

**10/25.8.2                    Consider Any Available Audit Reports**

Nil.

**10/25.8.3                    Review Management’s Implementation of Audit Recommendations**

Nil.

**10/25.9.0                    EXTERNAL AUDIT**

**10/25.9.1                    Consider Any Available Audit Reports**

The Chair noted that it was an important benchmarking tool and a lot of traction has been made on completing the recommendations for Break O’Day Council. The Business Services Manager advised that he was really happy with the progress made last year.

**The Audit Panel noted the report.**

**10/25.9.2                    Consider any performance audit reports that will be undertaken by the Tas Audit Office and address implications for the Council.**

**The Audit Panel noted the report**

**10/25.9.3                    Tasmanian Audit Office (TAO) - Audit Findings Plan**

**The Audit Panel noted the report**

**10/25.10.0                    RISK MANAGEMENT AND COMPLIANCE**

**10/25.10.1                    Receive Material Risk Management Reports (Risk Profile, Risk Management and Treatment and Periodical/Rotational Risk Review)**

**The Audit Panel noted the report.**

	10/25.8.1	Annual Internal Audit Program	<b>9</b>
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**10/25.10.2            Monitor Any Major Claims or Law Suits By or Against the Council and Complaints against the Council**

S137 Sale – No further correspondence has been received

**The Audit Panel noted the verbal report.**

**10/25.10.3            Oversee the Investigation of any Instances of Suspected Cases of Fraud or Other Illegal and Unethical Behaviour**

Nil

**10/25.11.0            OTHER BUSINESS**

**10/25.11.1            Information Technology Strategy 2025-2029**

**The Audit Panel noted the report and recommended the Information Technology Strategy 2025–2029 be presented to the October Council Meeting.**

**The Information Technology Strategy 2025-2029 will be added as a standing item to the Audit Panel Agenda.**

**The Corporate Services Manager to set up a plan in Cascade for the Information Technology Strategy 2025-2029**

**10/25.11.2            Request for Proposal - IT Managed Services Agreement**

**The Audit Panel noted the report and recommended the issuing of the Request for Proposal – IT Managed Services Agreement (September 2025) to the market and to be presented to the October Council Meeting.**

**10/25.12.0            MEETING CLOSE / NEXT MEETING DATE**

**The meeting closed at 9:23am The date of the next Audit Panel meeting will be 1 December 2025.**

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

**OFFICER'S RECOMMENDATION:**

That the report be received by Council.

**INTRODUCTION:**

This report summarises the activities related to Works Operations and Capital Projects for September 2025 and includes additional details about scheduled work planned for the upcoming month.

**PREVIOUS COUNCIL CONSIDERATION:**

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

**OFFICER'S REPORT:**

Works Operations	September 2025	October 2025
<b>Aerodrome</b>	Routine inspections.	Routine inspections. Runway compaction rolling.
<b>Town Maintenance</b>	Playground inspections. Woodchip Softfall replenishment in various playgrounds. Rubber Softfall installed in front of slides at the Lions Park and St Helens Foreshore playgrounds. Boat ramp inspections and cleaning.	Playground inspections. Footpath inspections. Tree maintenance in parks and reserves. Grass mowing - all towns.
<b>Road Network</b>	Verge maintenance - St Helens and Mathinna.	Maintenance grading of Ansons Bay Road. Sealing contractor commencing road pavement preparation work for 2025/26 sealing program.



<b>Stormwater</b>	Minor works completed at Charlotte Court, Seymour and Maori Place, St Helens.	Minor works at Stewert Court (November)
<b>MTB</b>	Routine track maintenance. Trail inspections.	Routine track maintenance. Trail inspections.
<b>Weed Management</b>	Pyengana WTS – Broom, foxglove, thistles, caper spurge. Mountain Bike Trails – Spanish heath, foxglove, various. Binalong Bay – Mirror bush, broom, thistles, flat weeds. St Helens Foreshore – Flat weeds St Marys – Gorse, broom, blackberry, Spanish heath, flat weeds.	

Asset Management																																																							
Treloggens Track - Parnella	<p>Traffic counters placed on Treloggens Track to monitor vehicle speed (1/9/25 to 15/9/25) in response to a resident request for the speed limit to be lowered – currently 50km/hr. <b>Traffic data as measured.</b></p> <table><tr><th>Speed Bin (km/hr)</th><th>Vehicle Count</th><th colspan="2">Below Count &amp; %</th><th colspan="2">Above Count &amp; %</th></tr><tr><td>0 - 10</td><td>0</td><td>0</td><td>0.00%</td><td>295</td><td>100.0%</td></tr><tr><td>10 -20</td><td>63</td><td>63</td><td>21.36%</td><td>232</td><td>78.64%</td></tr><tr><td>20 – 30</td><td>158</td><td>221</td><td>74.92%</td><td>74</td><td>25.08%</td></tr><tr><td>30 - 40</td><td>55</td><td>276</td><td>93.56%</td><td>19</td><td>6.441%</td></tr><tr><td>40 – 50</td><td>18</td><td>294</td><td>99.66%</td><td>1</td><td>0.339%</td></tr><tr><td>50 – 60</td><td>0</td><td>294</td><td>99.66%</td><td>1</td><td>0.339%</td></tr><tr><td>60 – 70</td><td>1</td><td>295</td><td>100.0%</td><td>0</td><td>0.000%</td></tr><tr><td><b>Total</b></td><td><b>295</b></td><td colspan="4"></td></tr></table> <p>Maximum speed = 68.4 km/hr. Minimum speed = 10.6 km/hr. Mean speed = 25.9km/hr. 85% Speed = 33.05 km/hr. 95% speed = 41.15km/hr. Median speed = 25.9 km/hr.</p> <p>A speed limit reduction on Treloggens track is not proposed.</p>	Speed Bin (km/hr)	Vehicle Count	Below Count & %		Above Count & %		0 - 10	0	0	0.00%	295	100.0%	10 -20	63	63	21.36%	232	78.64%	20 – 30	158	221	74.92%	74	25.08%	30 - 40	55	276	93.56%	19	6.441%	40 – 50	18	294	99.66%	1	0.339%	50 – 60	0	294	99.66%	1	0.339%	60 – 70	1	295	100.0%	0	0.000%	<b>Total</b>	<b>295</b>				
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Asset Management Plans	<p>Asset management plans under review/update:</p> <ul style="list-style-type: none"><li>• St Helens Aerodrome</li><li>• Mountain Bike Trails</li></ul>																																																						

## Waste Management

	General Waste to Copping Landfill			St Helens Inert Landfill			Kerbside Co-mingled Recyclables Collection		
	24/25 MT	25/26 MT	Monthly Diff	24/25 MT	25/26 MT	Monthly Diff	24/25 MT	25/26 MT	Monthly Diff
Jul	222	233	11	0	212	212	43	39	-4
Aug	224	215	-9	30	0	-30	41	36	-5
Sep	167	TBA		20	0	-20	40	36	-4
Oct	240			0			56		
Nov	224			121			48		
Dec	282			0			56		
Jan	352			0			73		
Feb	221			0			51		
Mar	215			0			48		
Apr	247			0			51		
May	198			0			45		
Jun	182			0			38		
<b>Total</b>	<b>2,774</b>	<b>448</b>		<b>171</b>	<b>212</b>		<b>590</b>	<b>111</b>	

Councils kerbside co-mingled recyclables stream consists of:

- 77.9% by weight of valuable recyclable resources, such as paper, cardboard, plastics, metals, and glass and 22.1% contamination, which includes non-recyclable materials or improperly sorted items.

Kerbside CMR 2024/25	% by weight	Material quantity (Tonnes)
Glass	34.3%	202.29
Mixed Paper	22.2%	130.93
Contamination -landfill	21.0%	123.85
Contamination -other	1.1%	6.49
Cardboard	11.0%	64.88
Plastic HDPE	2.8%	16.52
Steel	2.8%	16.51
Plastic - PET	2.2%	13.57
Aluminium	2.3%	13.56
Plastic - Polypropylene	0.3%	1.77
<b>Total</b>	<b>100%</b>	<b>590.37</b>

Reducing contamination in this stream has several benefits:

- Improved net recovery rate at Veolia’s Materials Recovery Facility (MRF), meaning more recyclables are successfully processed and reused.
- Increased volume of valuable commodities, which can be sold or reused, enhancing the economic and environmental value of the recycling process.
- Lower processing costs at the MRF, since less time and effort are spent removing contaminants.
- Reduced net gate fee payable by the Council, which is the cost charged for processing the recyclables—this can lead to savings for the local government and potentially for residents.

Reducing contamination in kerbside co-mingled recycling is key to improving recycling efficiency and lowering costs. Here are **practical steps** that households can take:

1. **Know What’s Recyclable** - Follow our recycling guide. Common recyclables: clean paper, cardboard, glass bottles/jars, some plastics, steel and aluminium cans.
2. **Clean Before You Bin** - Rinse food and drink containers to remove residue. Dirty items (like greasy pizza boxes) are considered contamination.
3. **Avoid “Wishcycling”**- Don’t put items in the bin hoping they’ll be recycled (e.g. soft plastics, clothing, electronics). If unsure, check with the council or use the Recycle app.
4. **No Bagged Recycling** - Recyclables should be loose in the bin—not inside plastic bags.
5. **Keep Non-Recyclables Out** - Items like nappies, food waste, garden waste, and polystyrene should go in general waste or organics bins.

**St Helens Waste Transfer Station:** Green waste mulch (coarse and fine grade material in stock) is available for purchase Monday – Friday, opening hours.

## CAPITAL WORKS

Item	Comment
Bridge 185 – Gillies Road	In-progress: Specification completed. Construction approach under consideration.
Bridge 2684 – Pedder Street	In-progress: Specification completed. Construction approach under consideration.
Georges Bay – Shared pathway solar lighting	Completed
Georges Bay Walking Track Extension	In-progress: Design completed.
Scamander WTS – Waste Compactor	In-progress. Council to consider final cost estimates for two technology options available to the Council.
Scamander Inert Landfill Development	In-progress. Master Plan and Detail design completed. Safety in Design assessment in progress with engagement with the Tasmanian EPA to occur post October 2025.
Scamander Coastal Hazards Project	In-progress
St Helens Cemetery Master Plan improvements	In-progress - Columbarium Wall build.

<b>Storm Water – Aulichs Lane, St Marys</b>	In-progress: Design completed, and materials purchased. Installation pending completion of sewer main works by Tas Water. Installation post Spring.
<b>Road Resealing</b>	2025/2026 Resealing Contract awarded to Crossroads Civil Contracting. Pavement preparations scheduled to commence October with re-sealing activity occurring between October and end December,
<b>Road Re-sheeting</b>	In-progress.
<b>Tully Street – Northern end: Stormwater System Design</b>	In-progress: Quotations invited for design work.

## STRATEGIC PLAN & ANNUAL PLAN:

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

#### Goal

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

#### Strategy

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

## LEGISLATION & POLICIES:

N/A

## BUDGET AND FINANCIAL IMPLICATIONS:

N/A

## VOTING REQUIREMENTS:

Simple Majority

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

**OFFICER'S RECOMMENDATION:**

That the report be received by Council.

**INTRODUCTION:**

This report presents Councillors with an overview of Dog Control activities for the month of September 2025, as well as cumulative data for the financial year to date.

**PREVIOUS COUNCIL CONSIDERATION:**

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

**OFFICER'S REPORT:****Dog registrations 2025/2026**

	July	August	September
<b>Dogs registered</b>	1,073	1,206	1,277
<b>Unpaid registrations</b>	309	157	92
<b>Total</b>	<b>1,382</b>	<b>1,363</b>	<b>1,369</b>
Registration totals vary due to changing dog population.			

Council officers are proactive in contacting owners of unregistered dogs to remind them of their responsibility to complete registration and pay the associated fees.



## Summary Statistics for reporting period – September 2025

Category/Area	Binalong Bay, The Gardens, Ansons	Fingal, Mathinna	Falmouth, 4 Mile	Seymour, Denison	Beaumaris, Diana B	Scamander	St Helens, Stieglitz Pyengana	St Marys, Cornwall	PERIOD TOTAL	2025- 2026 YTD
Dog - Attack on a person (Serious)									0	0
Dog -Attack on another animal									0	0
Dog -Attack on another animal									0	1
Dog - Attack on a person (Minor)	1					1			0	2
Dog - Declared Dangerous									0	0
Dog - Dangerous Dogs Euthanized									0	0
Dog - Barking							2		2	4
Dog - Chasing a person	1								1	2
Dog - Impounded							1		1	5
Dog - in Prohibited Area									0	0
Dog - Lost Dogs Reported							1		1	3
Dog - Rehomed									0	0
Dog - Wandering/at large	1						1	1	3	10
Verbal Warnings	1					1		1	3	6
Unregistered Dog Notices						1			1	4
Caution Notices	1						1		2	3
Infringement Notices						1			1	2
Infringement Notice - Disputes									0	1
Infringement Notice - Revoked									0	0
Written Letter to Dog owners – various matters.	1	1				1	3		6	21
Patrols - Township/Urban Areas							2	2	4	13
Patrols - Beaches/Foreshore			1		1	2	2		6	18
Kennel Licence - Issued									0	1
Other - Cat complaints									0	2
Other - Livestock		1							1	2
Other - Poultry									0	0
Other - RSPCA intervention								1	1	3
<b>TOTAL</b>	<b>6</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>7</b>	<b>12</b>	<b>5</b>	<b>35</b>	<b>103</b>

## 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

## 10/25.15.0 COMMUNITY DEVELOPMENT

### 10/25.15.1 Community Services Report

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

#### OFFICER'S RECOMMENDATION:

That the report be received.

#### INTRODUCTION:

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

#### PREVIOUS COUNCIL CONSIDERATION:

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

#### OFFICER'S REPORT:

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

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

#### 2025 – 2026 Community, Council Events, Programs and Initiatives

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

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

Swimcart	1,000	
St Helens Athletic Carnival	2,500	
Carols by Candlelight	1,600	
Fingal Valley Coal Festival	2,000	
Pyengana Endurance Ride -	500	
St Helens Game Fishing Comp	2,000	
Marketing Valley Tourism	2,500	
Bay of Fires Art Prize	10,000	
Bay of Fires Winter Arts Market –	4,000	
St Marys Community Car & Bike Show	2,000	
East Coast Masters Golf Tournament	2,500	2,500
BODRA Winter Lights	2,000	
Suicide Prevention	1,000	
Pyengana Easter Carnival	1,000	
Australia Day Event – Woodchopping	\$5,000	
Misc Donations & Events	7,500	
Wellbeing Festival	3,500	
Mannalargenna Day	2,500	2,500
<b>Council Sponsorship</b>		
Funding for BEC Directory	2,000	
St Helens Marine Rescue	3,000	
Business Enterprise Centre (BEC)	28,000	
<b>Council Sponsorship</b>		
Seniors Day	3,000	
Australia Day event	5,000	
Volunteer Week	2,500	
Mental Health Week	500	
International Disability Day event	1,000	
Christmas Decorations	6,000	
<b>Specific Programs &amp; Initiatives</b>		
Youth Services	8,000	
Welcome to Town Christmas Signs	1,500	

Updates on current projects being managed by Community Services:

### Reconciliation Plan

There is no further update - council staff are still working with Councillors to develop a cultural inclusion plan that outlines specific actions and initiatives to be undertaken in collaboration with our local Aboriginal community.

## Community Grants & Art Grants – Opening November

Applications for our Community Grants and Art Grants programs will open in November.

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 will be available on Council’s website when applications open.

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

## Australia Day Nominations - Open

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

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

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

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

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

## Bay of Fires Master Plan

The draft Master Plan is now being developed by the consultants, informed by recent engagement with some Aboriginal communities. Face to face sessions will again be held in late 4 November, 2025 - notification of same will be by email, social media and Council’s website.

## Scope of works – Rail trail – Cornwall to St Marys

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



## **Community Events/Activities**

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

### **October 2025**

2 – Twilight Walk – Community Services staff catered for the event

4 – A Festival Called George – Private Land

5 - Bay of Fires Winter Arts Market – Bendigo Bank Community Stadium – Cancelled

14 – Seniors Week Bus Trip – Franklin House

17-21 – Aust Motorhome Rally – Fingal Recreation Grounds

### **November 2025**

15 – Can-am Spyder Car Show – St Helens Foreshore

## **Learner Driver Mentor Program**

The new learner driver car is performing well and has now been fully wrapped, making it easily identifiable as the Learner Driver Mentor Car. Feedback from both mentors and learners has been positive, with the vehicle proving to be reliable and well-suited to the program's needs.

The Learner Driver Mentor Program continues to gain momentum, providing valuable opportunities for community members who may not otherwise have access to supervised driving hours. The program supports participants in building confidence and driving skills in a safe and encouraging environment.

To help meet growing demand and reduce the waiting list, the program coordinator is working closely with St Helens Neighbourhood House to attract and recruit additional volunteer mentors.

Total on-road hours – 47

Total Mentors - 3

Learner in car - 14

Waiting list – 9

Graduated – 0

## **Community Wellbeing Project**

Council staff have submitted the final report for the Wellbeing Project.

## **Youth**

No report at this time

## **Health and Wellbeing**

The next Health and Social Services Network meeting will be held at St Helens on Monday 8<sup>th</sup> December at the Council Chambers. The network continues to be a forum for sharing good news, stories updates and opportunities and identifying ways we might all collaborate.

#### **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

**10/25.15.2 Bay of Fires Winter Arts Festival – Request to re-allocate existing \$4,000 to another project**

<b>ACTION</b>	<b>DECISION</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Chris Hughes, Manager Community Services
<b>FILE REFERENCE</b>	018\019\001\
<b>ASSOCIATED REPORTS AND DOCUMENTS</b>	N/A

**OFFICER’S RECOMMENDATION:**

That Council approve the Bay of Fires Winter Arts Festival’s request to reallocate the \$4,000 originally budgeted for the market to the Sand Sculpture Family Workshop for the 2025–2026 and 2026–2027 financial years.

**INTRODUCTION:**

Council has received an email from the Bay of Fires Winter Arts Festival committee requesting a re-allocation of funding provided by Council for this new project.

**PREVIOUS COUNCIL CONSIDERATION:**

**Council Workshop 6 October 2025**

**OFFICER’S REPORT:**

The Mayor and Council staff met with members of the Bay of Fires Winter Art Festival committee to discuss reallocating the \$4,000 in funding previously provided by Council.

The committee plans to use the funds for a new event, the “Bay of Fires Sand Sculpture Family Workshop,” which will take place on the Saturday of the Bay of Fires weekend. The workshop will accommodate approximately 20 teams, who will participate in a sand sculpture competition. The event will be facilitated by Sandstorm Events Pty Ltd, who will travel from the mainland to mentor and guide the participating teams.

Teams will have 2–3 hours to complete their sculptures, with judging scheduled for Sunday.

The projected cost of the event exceeds the \$4,000 provided by Council, and the committee is seeking additional in-kind support and sponsorship from other sources. A draft budget has been submitted to Council; however, as the planning is in its early stages, it is expected to change. The committee requires confirmation from Council to reallocate the funds to this project so that Sandstorm Events Pty Ltd can be secured to host the workshop.

The committee believe that after the second year of running this project, that they will be able to fund this project through donations and in kind support. The committee also advised that they are

continually looking at different art projects to support the Bay of Fires Festival weekend to ensure that it continues to attract visitors to our municipality.

#### **STRATEGIC PLAN & ANNUAL PLAN:**

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

###### Goal

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

###### Strategy

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

##### Break O Day Annual Plan 2025 – 2026

###### *Actions:*

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

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

N/A

#### **BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

There are funds in the 2025 – 2026 budget to cover this request

#### **VOTING REQUIREMENTS:**

Simple Majority

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

**OFFICER'S RECOMMENDATION:**

That the report be received.

**INTRODUCTION:**

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

**PREVIOUS COUNCIL CONSIDERATION:**

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

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

Nil

## PLANNING REPORT

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

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD	EOFY 2024 / 2025
<b>NPR</b>	2	6											8	
<b>Permitted</b>		4	4										8	
<b>Discretionary</b>	15	15	5										35	
<b>Amendment</b>	1		1										2	
<b>Strata</b>														
<b>Final Plan</b>	1	2	4										7	
<b>Adhesion</b>														
<b>Petition to Amend Sealed Plan</b>														
<b>Boundary Rectification</b>														
<b>Exemption</b>														
<b>Total applications</b>	19	27	14										60	205

<b>Ave Days to Approve Nett *</b>	39.6 8	30.85	24.92										31.81
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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
152-2023 FINAL	St Helens	Final Plan of Survey - 2 Lot Subdivision	FINAL	193	12
104-2025	Stieglitz	Construction of a Shed	S57	25	24
132-2025	Fingal	Partial Demolition of Existing Dwelling, Alterations and Additions	S58	35	28
068-2025 FINAL	St Helens	Final Plan of Survey - Boundary Adjustment	FINAL	14	14
030-2021 FINAL	St Helens	Final Plan of Survey - Boundary Adjustment	FINAL	14	14
098-2024 FINAL	St Marys	Final Plan of Survey - 2 Lot Subdivision	FINAL	10	0
148-2025	Stieglitz	Additional Use for Visitor Accommodation	S58	25	25
116-2025	Falmouth	Construction of a Visitor Accommodation Unit	S57	60	43
119-2025	Binalong Bay	Construction of a Deck Addition	S57	42	41
153-2025	Scamander	Pool & Fence	S58	21	21
134-2025	Scamander	2 Lot Subdivision	S57	46	44
097-2025	Ansons Bay	Construction of a Shed	S57	39	38
047-2025 AMEND	Falmouth	Minor Amendment to Planning Permit	S56	25	25
152-2025	Four Mile Creek	Partial Additional Use for Visitor Accommodation	S58	35	20

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**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.	50%	<p>The project continues to progress with the following milestones completed:</p> <ol style="list-style-type: none"> <li>1. Discussion paper received and review by staff and councillors;</li> <li>2. Stage 1 Engagement completed and Engagement report received and reviewed by staff and councillors;</li> <li>3. Draft Structure Plan due 29/09/2025</li> <li>4. Era will present the draft Structure plan and Engagement report at the Workshop on 6/10/2025</li> <li>5. Comment on the draft Structure Plan will be required prior to the same being considered by Council.</li> </ol> <p>The draft Structure Plan will then be released for public consideration with the Round 2 Engagement period commencing after Council consideration.</p>
Regional Land Use Strategy - Participate in the development of the new Northern Tasmania Regional Land Use Strategy, resulting in adoption by Council	25%	<p>Break O'Day participation in the review of the NTRLUS continues. Currently this involves:</p> <ol style="list-style-type: none"> <li>1. Review of the NTRLUS promotion and engagement activities.</li> <li>2. Infrastructure Audit information request - collate and upload relevant strategic plans, infrastructure datasets, and supporting documentation to the RPG SharePoint site.</li> <li>3. Participation in the NTRLUS Drafting Workshop on 15 October - consolidate issues and agree on a program of work for drafting.</li> </ol>
Industrial Land Use Strategy - Finalise the Industrial Land Use Study resulting in adoption by Council, progress any Immediate Recommendations of the report/findings	50%	<p>The consultant has provided for consideration, potential industrial site mapping and methodology (multi-criterial analysis MCA). This information has been considered internally by relevant staff (22/09/2025) and commentary provided. The MCA will now be further refined pending recommendations.</p>

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	0%	The drafting of the project brief will commence in November 2025.
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## 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
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**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"> <li>Floor and ceiling damage in July storm;</li> <li>Insurance claim accepted and works currently underway.</li> </ul>
Air-conditioning upgrades & Commencement of Internal Painting	Council Office	<ul style="list-style-type: none"> <li>Internal lighting upgrades to LED fittings currently being installed;</li> <li>Air Conditioning Upgrades Completed in August 2025 with some minor work outstanding.</li> </ul>
Additions & Internal Alterations	Falmouth Community Centre	<ul style="list-style-type: none"> <li>Works are progressing well and on track to be operational by the end of the calendar year</li> </ul>
Demolition of Existing Toilet & Construction of New Facility	Beach Reserve, Falmouth	<ul style="list-style-type: none"> <li>Works are now in progress and every effort is being made to ensure the toilet is operational by the end of the calendar year.</li> </ul>
Internal Renovations	Hub 4 Health, Portland Court, St Helens	<ul style="list-style-type: none"> <li>Minor works have commenced with final works scope still being undertaken</li> </ul>
Installation of Roof Mounted Solar Panels & New Electric Heaters	St Marys Hall	<ul style="list-style-type: none"> <li>Electric Heaters have been completed;</li> <li>Quotations currently being sourced in relation to roof mounted solar panels.</li> </ul>
Refurbish Toilet & Shower Facility	St Marys Sports Complex	<ul style="list-style-type: none"> <li>Major Works Completed with painting scheduled to commence in November 2025.</li> </ul>
Replacement of Roof Cladding & Fence & Installation of Garden Shed.	St Marys Tennis Club	<ul style="list-style-type: none"> <li>Re-Roofing Works now completed;</li> <li>New Garden Shed, Fence and Associated works currently being scheduled.</li> </ul>

## 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"> <li>• Works scoping to be conducted in conjunction with design work for Memorial Park toilet replacement.</li> <li>• New Budget approved in capital works program.</li> </ul>
Community Consultation, Design & Development Approval Phase – Public Toilet Replacement	Memorial Park, St Helens	<ul style="list-style-type: none"> <li>• Community engagement phase to commence as priority in conjunction with consultant designer who has now been appointed;</li> <li>• Initial Concept planning underway</li> </ul>
Installation of Roof Mounted Solar Panels	Fingal Depot	<ul style="list-style-type: none"> <li>• Budget approved in capital works program.</li> </ul>
Replacement of Roof Cladding	Pyengana Hall	<ul style="list-style-type: none"> <li>• Budget approved in capital works program</li> <li>• Quotations currently being sourced.</li> </ul>
New Solar Powered Power Supply & Electrical Fit-out	St Marys Waste Transfer Station	<ul style="list-style-type: none"> <li>• Budget approved in capital works program.</li> </ul>
New Ceiling Insulation & Roof Replacement	St Helens Works Depot Office building	<ul style="list-style-type: none"> <li>• Budget approved in capital works program.</li> </ul>
Structural Stabilisation Works	St Marys Exhibition building	<ul style="list-style-type: none"> <li>• Budget approved in capital works program.</li> <li>• Expression of Interest currently being sought for establishment of Liaison Committee.</li> </ul>
New Public BBQ Facility – Design Phase	Pyengana Recreation Ground	<ul style="list-style-type: none"> <li>• Budget approved in capital works program.</li> </ul>
Toilet/Amenities Replacements – Design Phase	St Helens Foreshore	<ul style="list-style-type: none"> <li>• Budget approved in capital works program.</li> <li>• Initial Concept planning underway.</li> </ul>

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

## Building Services Approvals Report September 2025

No.	BA No.	Town	Development	Value
1.	2025/00102	Stieglitz	Partial Change of Use & Alterations - Dwelling & Shed	\$40,000.00
2.	2025/00135	St Helens	Part Change of use (Workshop to Habitable Building)	\$50,000.00
3.	2025/00014	St Helens	Alterations & Additions - Verandah, Deck & Timber Screen	\$16,600.00
4.	2024/00217	Scamander	New (Dwelling & Veranda) & Retrospective approval (Outbuildings)	\$218,000.00
5.	2024/00129	Scamander	Retrospective, New, Alterations & Additions - Dwelling, Secondary Dwelling, Shipping Container, Retaining Wall & Decks	\$300,000.00
6.	2025/00170	St Helens	New Solar Panel installation	\$11,000.00
7.	2025/00076	Falmouth	Alterations & Additions - Community Hall/Centre	\$150,000.00
8.	2025/00107	St Helens	New Secondary Dwelling	\$250,000.00
9.	2025/00078	St Helens	New Shed	\$30,000.00
10.	2024/00108	Mathinna	New Dwelling & Deck	\$300,000.00
11.	2023/00208-STAGE 2 - AMEND	St Helens	New Dwelling & Deck (Amended approval)	N/A
12.	2025/000058	St Helens	Plumbing only – Change of Use/Alterations – Veterinary Centre	N/A
13.	2025/000137	Falmouth	Plumbing only – Toilet Block & Onsite Waste Water System	N/A

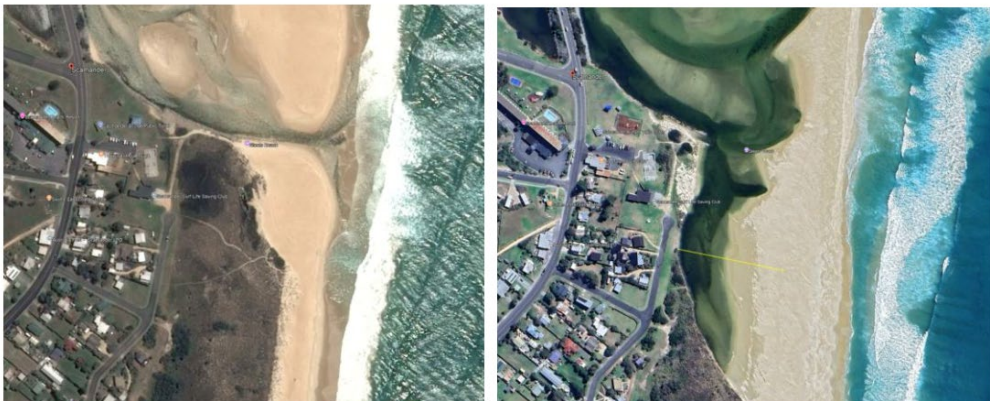
ESTIMATED VALUE OF BUILDING APPROVALS FINANCIAL YEAR TO DATE	2024/2025	2025/2026
	\$6,623,142.00	\$7,413,600.00

ESTIMATED VALUE OF BUILDING APPROVALS FOR THE MONTH	MONTH	2024	2025
	September	\$2,849,142.00	\$1,365,600.00

NUMBER BUILDING APPROVALS FOR FINANCIAL YEAR TO DATE	MONTH	2023/2024	2024/2025
	September	31	38



## ENVIRONMENTAL REPORT

Description	Updates
Scamander Coastal Hazards and Flood Risk Management project	<p>The project's interim <i>'Outlook report - Scamander Coastal Hazards &amp; Flood Risks and Climate Change'</i> has been shared with project participants following the briefing on findings at a September community workshop and Council receiving the report.</p> <p>Assessment of assets and values exposed to the hazards is underway in the lead up to workshops on 28 October, where participants will develop several 'adaptation pathways' to manage the risks at different levels of intervention and protection.</p>  <p>Planning for no-regrets mitigation works as part of the project is focussing on shorelines seaward of the bridge and arresting erosion rather than controlling inundation. The River's barway continues to reclose itself soon after being opened by machinery; with little rainfall water levels are rising only slowly.</p>
Environment and Public Health	<p>The Environmental Health Officer attended a briefing by Tasmanian Government agencies on readiness and response plans for the possibility of high pathogenicity bird flu (H5) arriving in Tasmania this season. State level planning is thorough and part of national networks and evolving response protocols. Biosecurity Tasmania would lead a state response.</p>
Climate Change	<p>Attended Drought Ready Tasmania meeting for the Northern Regional Drought Resilience Plan. With the three regional Drought Resilience Plans completed planning for a four-year implementation program is underway, including community and industry engagement and grants. Two projects in Break O'Day were funded in first round of grants.</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	2025/2026		2024/2025	
	Persons	Vaccinations	Persons	Vaccinations
July - December	0	0	5	5
January - June	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>5</b>

**Sharps Container Exchange Program as at 8 October 2025**

Current Year	Previous Year
YTD 2025/2026	YTD 2024/2025
<b>19</b>	<b>20</b>

**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
COUNCIL MEETING DATE	20 October 2025
PROPONENT	Woolcott Land Services
OFFICER	D. Szekely, Senior Town Planner
FILE REFERENCE	DA127-2025
ASSOCIATED REPORTS AND DOCUMENTS	<ol style="list-style-type: none"> <li>1. Applicant request to build outside of the building envelope</li> <li>2. Title Reference Documents</li> <li>3. Plans – DA127-2025</li> <li>4. Proposed Revegetation Area</li> <li>5. Natural Values Report</li> </ol>

**OFFICER'S RECOMMENDATION:**

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

**INTRODUCTION:**

On 1 August 2025, Council received a Development Application (DA127-2025) for a new dwelling and shed at Heritage Road St Helens and described as CT 156294/1. The title is burdened by a building envelope that relates to a Restrictive Covenant within the Schedule of Easements, that restricts building on the lot to within the building envelope. The use and development proposed within DA127-2025 is located outside of the building envelope as described in the Schedule of Easements. At the same time, the applicant has submitted a written request to council seeking the written consent of council to develop, as detailed in DA127-2025, outside of the building envelope.

**PREVIOUS COUNCIL CONSIDERATION:**

Nil

**OFFICER'S REPORT:**

The submitted development application (DA127-2025) seeks to construct a dwelling and outbuilding on CT156294/1. The proposed structures are outside of the nominated building envelope contained within the schedule of easements and depicted on the folio plan.

Not to construct any residential dwelling or dwellings or other buildings on the lot other than within the area of land shown on the plan on each lot and marked A, B, C, D, E, F on Lot 2 and G, H, I, J on Lot 1, unless the written consent of the Break O'Day Council or its successor shall be first obtained in writing.

<p>OWNER [REDACTED]</p> <p>FOLIO REFERENCE C.T. 110059-8, C.T. 100635-1</p> <p>GRANTEE PART OF LOT 34819 109a 2r 22p, UNA ISABEL PARRY PUR.</p>	<p><b>PLAN OF A SURVEY</b></p> <p>BY SURVEYOR <b>ANDREW J. BUTLER of</b> <b>EAST COAST SURVEYING</b></p> <p>LOCATION <b>LAND DISTRICT OF CORNWALL PARISH OF MORIARTY</b></p> <p>SCALE 1:3000</p>	<p>REGISTERED NUMBER <b>SP156294</b></p> <p>APPROVED EFFECTIVE FROM 21 JAN 2009 <i>Alice Kawa</i> Recorder of Titles</p>
<p>MAP SHEET MUNICIPAL CODE No. 101 (40+2-31)</p>	<p>LAST UPD No. 5803593 5803590</p>	<p>LAST PLAN No. S.P.110059 S.P.100635</p>
<p>LENGTHS IN METRES</p> <p>ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN</p>		

(S.P. 130587)

(5328 L.O.)

(D. 20497)

(S.P. 15205)

(29825 L.O.)

(S.P. 110059)

(D. 101883)

(P. 121812)

(S.P. 154684)

(S.P. 110058)

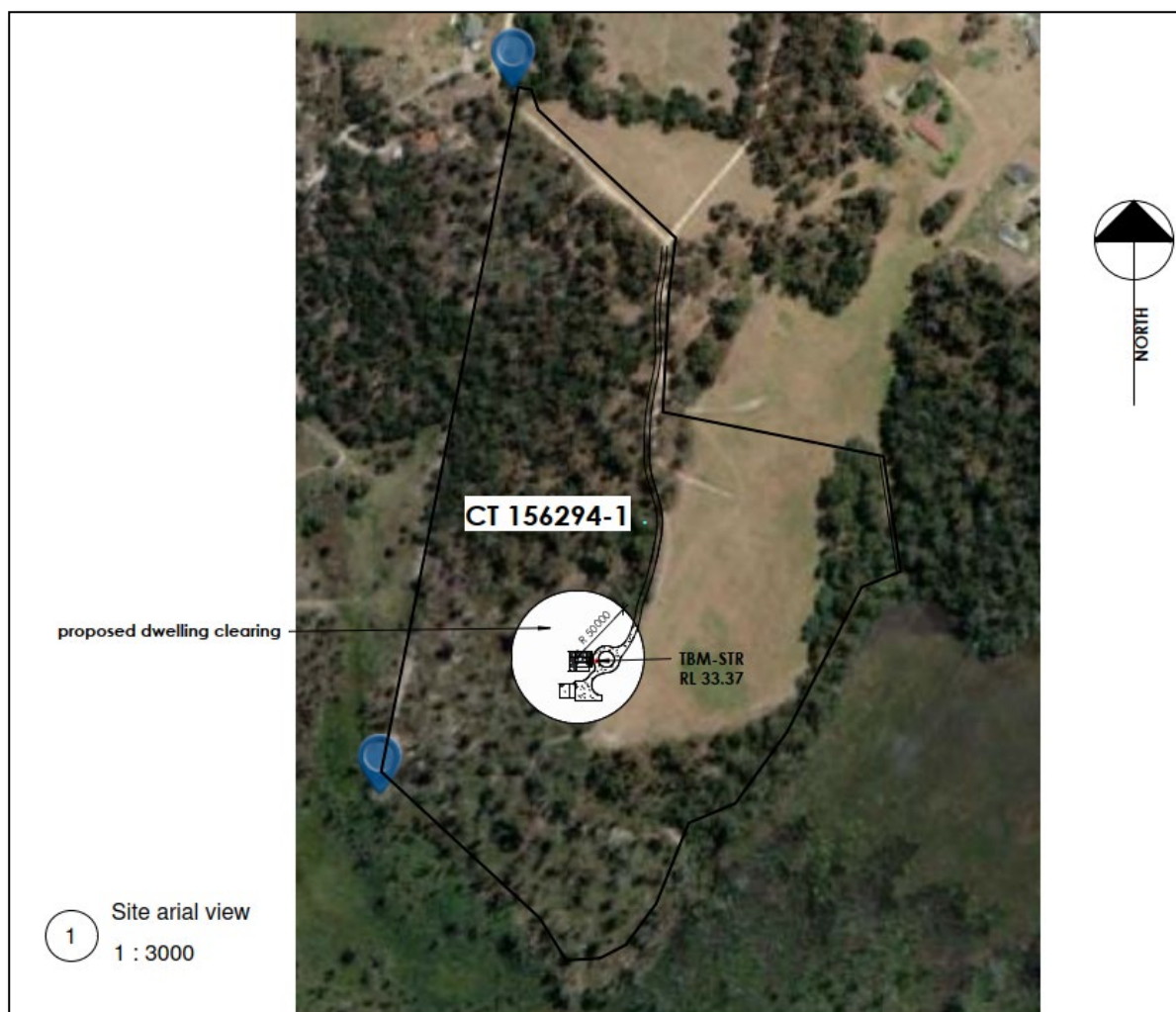
(S.P. 120869) →

LOT 1 IS COMPILED  
FROM C.T. 110059-8  
AND THIS SURVEY.  
LOT 3 IS COMPILED  
FROM C.T. 100635-1  
AND THIS SURVEY.

RESERVE  
(S.P. 110059)

COUNCIL DELEGATE *[Signature]* DATE -5 DEC 2008

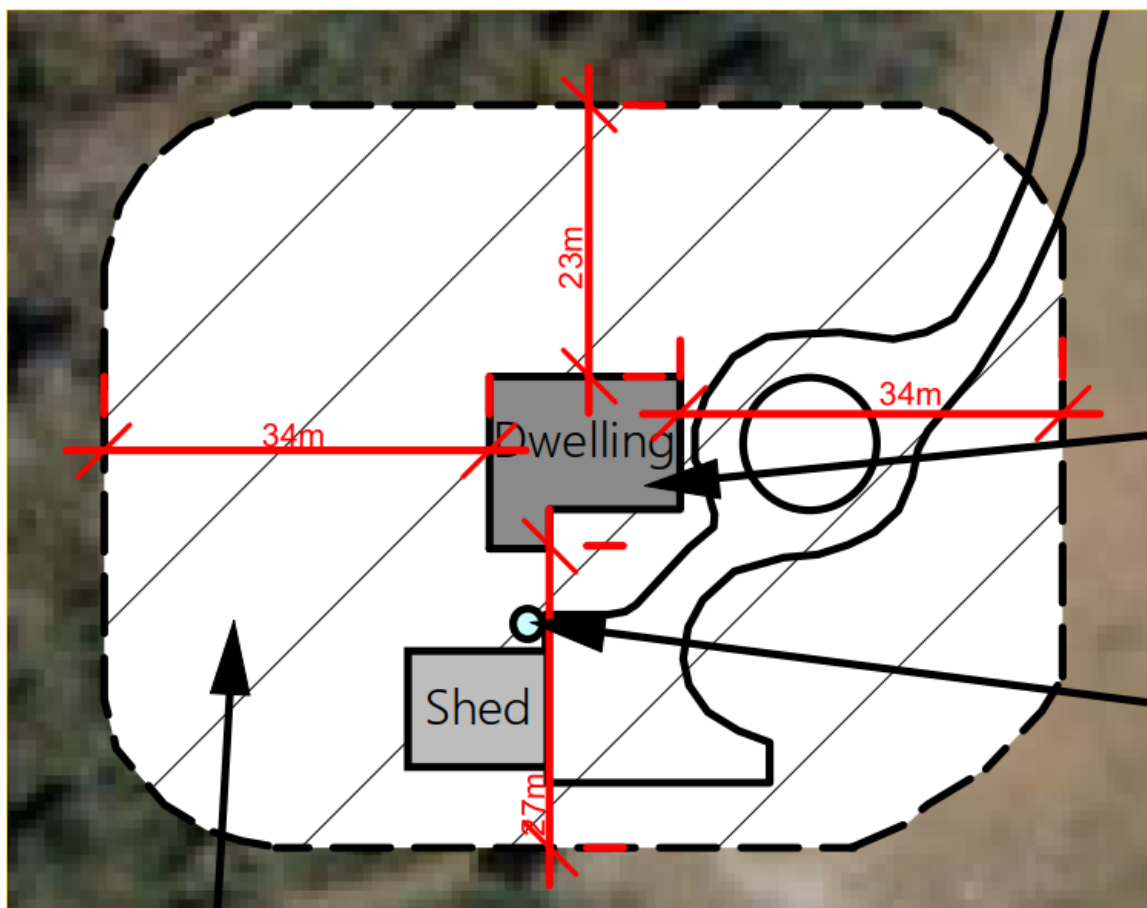
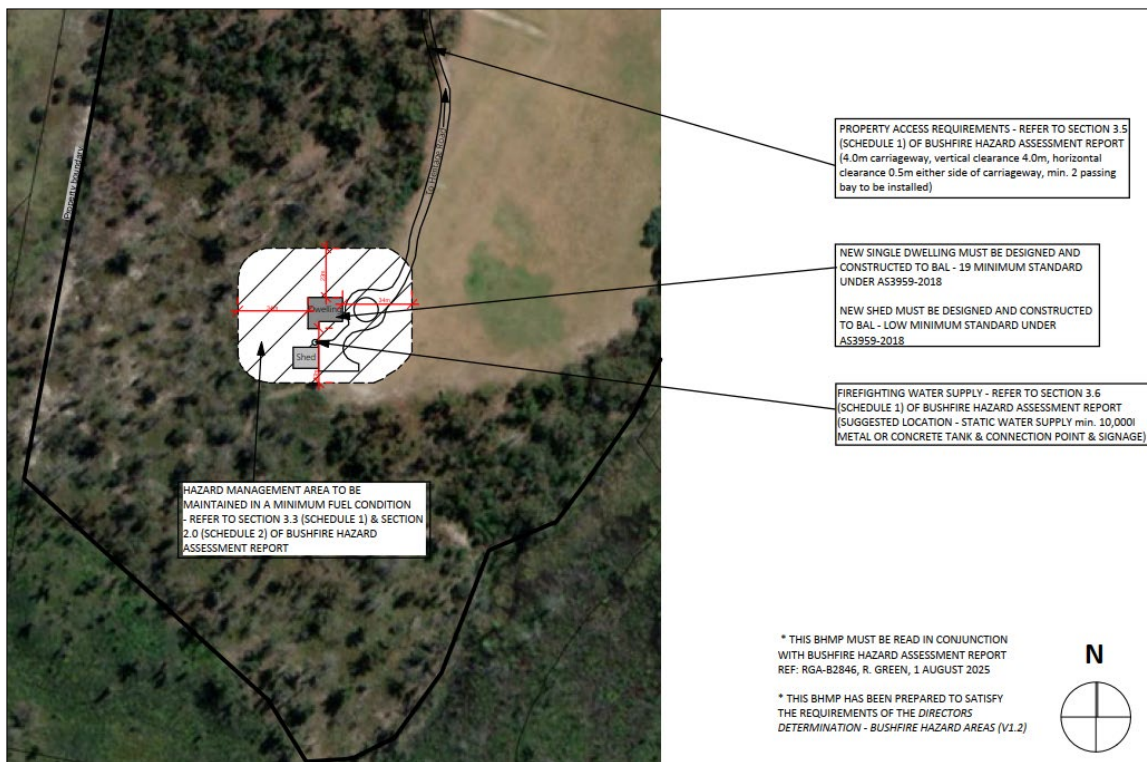
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### Submitted Development Application

The land title contains area clear of vegetation and existing modified land includes the building envelope contained within the Title Reference Documents. The proposal to build outside of the building envelope includes an area of modification of approximately 0.53ha. This modification reflects the Bushfire Hazard Management Area (BHMA) associated with the Bushfire Hazard Report. The hazard report requires the BHMA to be managed by maintaining reduced fuel load within the hazard management area. See BHMA below.





## BHMA

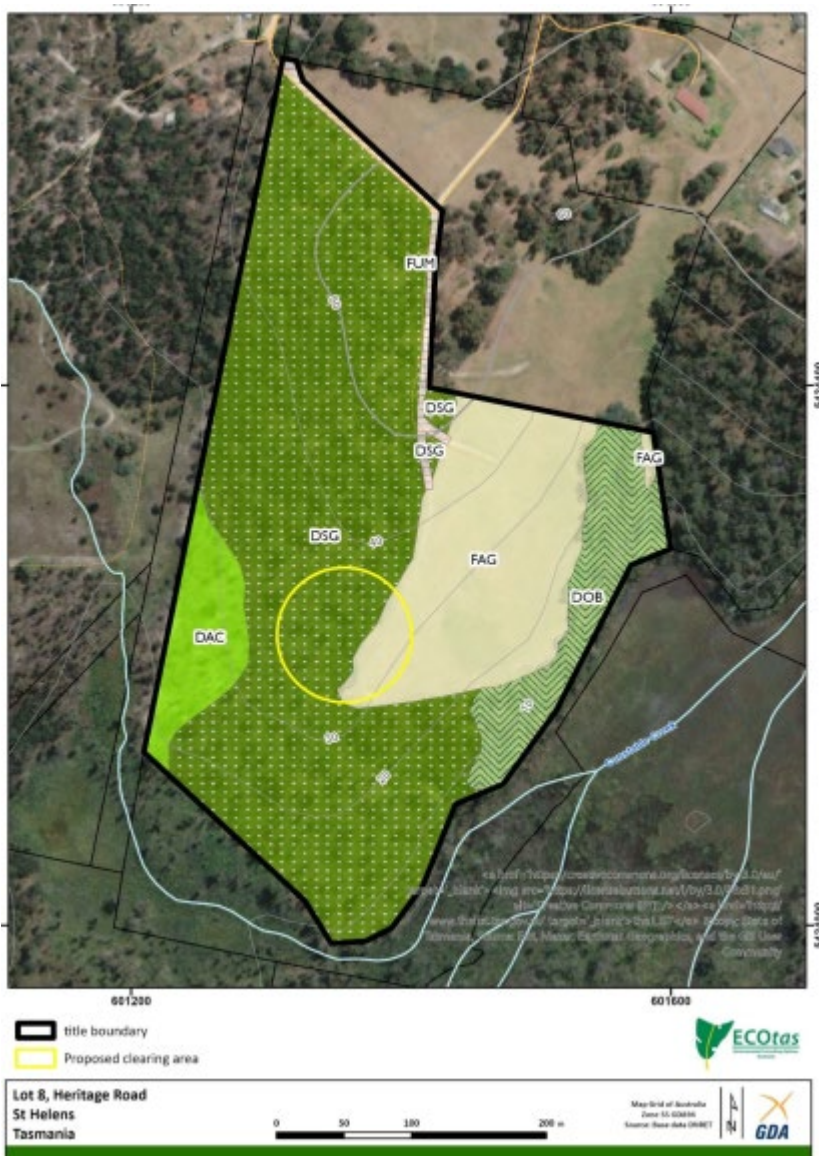
Recognising the additional clearing required for the proposed development, the applicant proposes to replant and area of approximately 0.53 ha (1:1) as demonstrated below.





Figure demonstrates land area requiring modification and land area for proposed replanting and weed management

As part of DA127-2025, a Natural Values Report was provided describing the vegetation on the site and has been provided as part of this report. The vegetation communities have been identified and are presented below.



DSG – *Eucalyptus sieberi* forest and woodland on granite;  
FAG – agricultural land;  
DAC – *Eucalyptus amygdalina* coastal forest and woodland;  
FUM – Extra urban miscellaneous  
FAG – Agricultural land  
DOB – *Eucalyptus obliqua* dry forest.

Occurrences of DAC, DOB, DSG, FAG or FUM do not equate to any native vegetation communities listed as threatened on Schedule 3A of the Tasmanian Nature conservation Act 2002 or to threatened ecological communities listed under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.

EcoTas.

TASVEG equivalent (Kitchener & Harris 2013+)	Conservation priority TASVEG EPBCA	Comments
<b>Dry eucalypt forest and woodland</b>		
<i>Eucalyptus sieberi</i> forest and woodland on granite (DSG)	not threatened not threatened	<p>DSG dominates the forest within the title area, occurring on well-drained granite-derived soils associated with the broad ridge that dominates the title. Within the proposed clearing area, DSG forms a 'shrubby' open woodland structure dominated by <i>Eucalyptus sieberi</i> with the occasional <i>E. amygdalina</i> and <i>E. viminalis</i> present (Plates 3 &amp; 4, 7 &amp; 8). The understorey is regrowth form due to the ca. 2020 accidental fire event dominated by a dense shrub layer of <i>Allocasuarina littoralis</i>, <i>Acacia dealbata</i> and <i>Pomaderris elliptica</i>. A dense low graminoid layer is present dominated by <i>Lomandra longifolia</i> and <i>Lepidosperma concavum</i> with a scattered fern layer of <i>Pteridium esculentum</i>.</p> <p>DSG is gradational with DAC as drainage becomes slightly impeded to the west.</p> <p>DSG is in good floristic condition with no weed species or symptoms of plant disease noted. Historical firewood cutting was noted mainly on the slopes to the north of the proposal area and several tracks associated with recent fire suppression activities are present.</p>
<b>Modified land</b>		
agricultural land (FAG)	not threatened not threatened	FAG represents the previously developed pasture that dominates the east of the title (see Plates 1, 5 & 6). The vegetation is dominated by introduced pasture grass and herb species. Any native species noted were opportunistic 'colonising' species such as the ubiquitous <i>Pteridium esculentum</i> , herb and grass species 'invading' from forest margins.

## HISTORICAL CONTEXT

The land title was created as part of DA261-2004 – Two lot subdivision and boundary adjustment. The subdivision and boundary adjustment was decided under the *Break O'Day Planning Scheme 1996*, and the site was within the Coastal and Resource Management Zone. The permit was issued 26 September 2006 and condition 13 required the titles to be endorsed to the effect that buildings may only be placed within the building envelopes identified on the approved plan. The council report stated that:

*"The proposed subdivision is to enable residential use to occur. This also means that the values of the zone must be protected by the development. The proposal is such that the house sites can be located on cleared land and therefore minimise the impacts to nature. There is a small amount of tree removal required for driveways, but in the context of the whole development this is allowed by the scheme. With the endorsement of Tas Fire Service in regard to the subdivision layout the proposal is recommended for approval with conditions."*

The historic file suggests the consideration of building envelopes reflected the existing cleared land, the zoning at the time of application and need to demonstrate where a residential could be achieved in compliance with the standards of the scheme at the time.

## APPLICANT REQUEST TO BUILD OUTSIDE OF THE BUILDING ENVELOPE



Woolcott Land Services has submitted a written request for council to consider the construction of a dwelling outside of the building envelope contained within the folio plan for CT156296/1. The reason for the request is listed as:

- The building location is steep creating difficulties in building and building design;
- The location is difficult to access by vehicle;
- The location faces southeast and has restricted solar access;
- The ability to install an effective solar system to the roof is diminished;
- The building envelope location is within a landslip risk area;
- Wind exposure is greater.

See below diagram demonstrating location of mapped Landslip Hazard – Low.





**Landslip Hazard Area (Low) and contours.**



**Location of Building Envelope**



**Location of Building Envelope**









**Proposed development area**



**Proposed development area**





**Proposed development Area**



**Cleared part of development Area**

#### **RECOMMENDATION**

It is recommended that Council consent to the request to build outside of the building envelope conditional on obtaining a development permit for use and development in accordance with *Land Use Planning and Approvals Act 1993* and Tasmanian Planning Scheme – Break O’Day as amended at the relevant period.

It should be noted that this does not amend the sealed plan by removing the building envelope from the Folio Plan but responds in a manner consistent with the direction of the restrictive covenant.

#### **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:**

N/A

#### **VOTING REQUIREMENTS:**

Simple Majority

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	John Brown, General Manager
FILE REFERENCE	002\012\001\
ASSOCIATED REPORTS AND DOCUMENTS	Sydney Morning Herald News Article referenced in the General Manager's report

**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:**

15.09.2025	<b>MS Teams</b>	– Sustainable Timbers Tasmania, presentation to Councillors and Council officers in relation to the 3 Year Timber Harvesting Plan
18.09.2025	<b>MS Teams</b>	– East Tas Education and Employment (ETEE), meeting of Interim Board to progress matters relating to the Study Hub Centre.
18.09.2025	<b>St Helens</b>	– Break O'Day Employment Connect (BODEC), monthly meeting of the Board which oversees this project.
22.09.2025	<b>St Helens</b>	– Citizenship Ceremony, attended ceremony which welcomed five (5) new citizens.
26.09.2025	<b>St Helens</b>	– Deputy Premier Guy Barnett MP, meeting with Mayor Tucker. Key priorities discussed with the Lyons MP included Tasman Highway upgrades; the St Marys Childcare Centre Needs Analysis and a new Centre at St Marys; local government boundary reform; State Government breast screening service; Eastern Strategic Regional Partnership and Study Hub establishment. The impact of the Regional Jobs Hub and Youth Jobs Strategy was also noted, with ongoing funding highlighted as essential.
01.10.2025	<b>St Helens</b>	– Senator Wendy Askew, meeting Mayor Tucker. Key priorities discussed included Local Government Sustainability Inquiry; Aquatic Facility Analysis; Financial Assistance Grants prepayment; Housing and changes



		to Capital Gains Tax; Aged Care; and establishment of the Regional University Study Hub.
01.10.2025	<b>St Helens</b>	– Break O’Day Aquatic Facility Analysis, meeting of the Working Group with Councillors to review discuss the draft final feasibility report ensuring that the necessary information has been included as well as the forthcoming public release and community engagement process.
02.10.2025	<b>MS Teams</b>	– East Tas Education and Employment (ETEE), meeting of Interim Board to progress matters relating to the Study Hub Centre.
02.10.2025	<b>St Helens</b>	– Multi-user Track Lighting Event, participated in the community event to celebrate the official opening of the solar lighting on the Multi-User Track.
03.10.2025	<b>Flinders Island</b>	– Northern Region General Managers, meeting included updates on Climate Change and Regional Land Use Strategy
06.10.2025	<b>St Helens</b>	– Audit Panel Meeting
06.10.2025	<b>St Helens</b>	– Council Workshop

#### Meetings & Events Not Yet Attended:

13.10.2025	<b>St Helens</b>	– State Library/Online Access Centre, meeting with Patrick Gregory to discuss the situation in relation to Online Access Centres.
16.10.2025	<b>MS Teams</b>	– East Tas Education and Employment (ETEE), meeting of interim – Board to progress matters relating to the Study Hub Centre.
16.10.2025	<b>St Helens</b>	– Break O’Day Employment Connect (BODEC), monthly meeting of the Board which oversees this project.
16.10.2025	<b>Four Mile Creek</b>	– East Coast Tourism Tasmania's (ECTT) Annual General Meeting and Networker Event featuring the Industry Recognition Award for Accessibility & Inclusivity.
17.10.2025	<b>MS Teams</b>	– Office of Local Government, Information Session on the proposed reforms to Councillor Allowances and Numbers. This follows the Discussion Paper the State Government recently released with the proposed changes.
20.10.2025	<b>St Helens</b>	– 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 Dave & Clare French, Ian Boyce, Carol Liefting & Sandra French (Bay of Fires Winter Arts Festival), Tim Gowans & Jes Kenth (Medea Park), Sally Faulkner, John Berry & Natacha Bennet (Scamander Sports & Community Complex Committee), Dr Michael Fox, Michael Buck, and Ian Ryan (Tristar Aviation)

#### Brief Updates:

##### 100 Days Plan

Following the swearing in of the new Parliament, the State Government have released the First 100 Days Plan and it is worth examining what is proposed to gain a picture of relevance to the Break O’Day are and Council. The General Manager notes the following items:

1. Release for consultation a Bill under the Housing Land Supply Act to speed up the process for making new Housing Land Supply Orders



2. Commence design work for the construction of a dedicated CT scanner room at the St Helens District Hospital
3. Work with the Triabunna and Glenorchy communities on sites for permanent BreastScreen clinics in those communities
4. Instruct Treasury to increase to \$5 million the share from the Heavy Vehicle Motor tax to be distributed to local councils to invest in road upgrades across Tasmania
5. Complete the first tranche of the audit of all State and local licences, permits and approvals, to remove unnecessary barriers, in line with the Government's War on Red Tape.
6. Progress legislation to establish Development Assessment Panels to provide for increased certainty, transparency and the continued effectiveness of our planning system
7. Release the Government's single start-up permit draft legislation discussion paper, as part of our War on Red Tape
8. Open Round 3 of the High Priority Infrastructure Grants to improve the State's recycling and resource recovery infrastructure, prioritising initiatives that divert waste from landfill, advance the circular economy and strengthen Tasmanian waste management systems.
9. Release Round 3 of the Waste Levy and Data Readiness Grants - helping waste operators upgrade facilities and enhance skills to support recycling and reuse in Tasmania's circular economy.
10. Release tender for the construction of works to widen and realign the Tasman Highway over 1.3 kilometres to the north of Triabunna, subject to federal environmental approvals
11. Release the draft Local Government Electoral Bill for consultation Release the draft Local Government Electoral Bill for consultation
12. Finalise a new Invasive Species Action Plan to tackle invasive species, including feral cats and rabbits

The General Manager notes that the 100 Day Plan does not mention the current review into Councillor Allowances and Numbers, or the release of the draft Bill in relation to Local Government Act amendments.

### **Study Hub**

The new Regional University Study Hub, CUC Eastern Tasmania, has now reached an operational stage with support being provided to local community members who are enrolled or are seeking to enrol which is a really exciting stage to reach. The fitout of the new facility is well progressed with final touches being made prior to a Community Open Day on 22 October which provides an opportunity for people to visit and learn more about the operation of the Centre and the support it provides. The General Manager draws Councillor's attention to a recent newspaper article regarding the operation of a 24hour facility at a Library in Sydney to provide a deeper understanding of the important role that a facility such as what now exists in our community provides.

### **Georges Bay Foreshore Multi-User Track Lighting**

The community event to celebrate the official opening of the solar lighting on the Multi-User Track was attended by around 100 members of the community who came together for a twilight walk from St Helens Wharf to Beauty Bay as well as from other point along the Track. The event showcased the track's new solar lighting and included stories from local historian Garry Richardson and project leader Andrew McGregor about the Bay's history and the track's long development journey which has been over 30 years in the making. The lighting project received funding of \$350,000 through the State Government and Local Government Association of Tasmania's Open

Spaces Grants Program with the Break O'Day Council contributing \$54,500 for the project. The provision of modern solar lighting has been greatly appreciated by the local community with a lot of positive feedback, recognition needs to be given to Council's Works Team and the local contractors who undertook what was a challenging construction task.

## Communications Report

TOPIC	ACTIVITY	PROGRESS
<b>GENERAL COMMS</b>	BODC Newsletter	Sent out 1 week ago. Included stories on: <ul style="list-style-type: none"> <li>Community celebrates Georges Bay track lighting at Twilight Walk</li> <li>Open day at St Helens Study Hub - 22 October</li> <li>East Coast Arts Trail: Bringing Colour and Culture to our communities</li> <li>Expressions of Interest - St Marys Exhibition Hall Committee</li> </ul>
	BODC Website	<ul style="list-style-type: none"> <li>Mannalargenna Day Festival 2025 – Saturday 6 December 2025.</li> <li>Garage Sale Trail- Register for free.</li> <li>Valley and East Coast Voice presents Young Storytellers Competition.</li> </ul>
	Valley Voice: Five minutes with the Mayor	<ul style="list-style-type: none"> <li>Congratulations to the East Coast Swans on their Division 2 Senior Men's Premiership win.</li> <li>Senior's week bus trip to Franklin House.</li> </ul>
	North Eastern Advertiser	<ul style="list-style-type: none"> <li>Annual Irapuna / Bay of Fires Community Weekend a great success.</li> </ul>
<b>SOCIAL MEDIA</b>	Break O'Day Council	<ul style="list-style-type: none"> <li>Tas Gravity Enduro Series.</li> <li>Household Hazardous Waste Collection – Saturday 18 October 2025 in St Helens.</li> <li>GetIn2Gear Learner Driver Program – Volunteer opportunity.</li> <li>Scamander-Beaumaris Structure Plan – Consultation Summary available online.</li> <li>Citizenship Ceremony – welcoming five (5) new citizens.</li> <li>NRM North - Local volunteers wanted for the Hooded Plover Count.</li> <li>Australia Day Nominations 2026 are now open.</li> </ul>
	Shared Social Media Posts	<ul style="list-style-type: none"> <li>St Helens Library – School Holiday program.</li> </ul>

		<ul style="list-style-type: none"> <li>Garage Sale Trail – Great Aussie Clear out.</li> <li>CUC Eastern Day – Open Day at the Study Hub on 22 October 2025.</li> <li>Bicycle Network – Ride2Work Day on 15 October 2025.</li> </ul>
<b>COMMUNITY ENGAGEMENT</b>	Have your say	<ul style="list-style-type: none"> <li>State Growth – Have your say on Tasmania’s Trade Strategy 2030.</li> </ul>
<b>EMAIL DATABASES</b>	<b>Continuing to develop</b>	Continuing to collect email addresses for the newsletter and township databases. This has been going well with all the consultation underway, which is used as an opportunity to promote our EDMs.

#### Actions Approved under Delegation:

NAME/DETAILS	DESCRIPTION OF USE OF DELEGATION	DESCRIPTION	DELEGATION NO / ACT
\$200 Donation Australian Cross Country Championships	Affixing Common Seal	<b>DELEGATIONS REGISTER</b>	Number 21 – Miscellaneous Powers and Functions to the General Manager
East Coast Strategic Regional Partnership Liveability Strategy Grant	Affixing Common Seal	<b>DEED VARIATION</b>	Number 21 – Miscellaneous Powers and Functions to the General Manager
East Coast Strategic Regional Partnership Liveability Strategy Grant	Affixing Common Seal	<b>DEED OF TERMINATION</b>	Number 21 – Miscellaneous Powers and Functions to the General Manager
186 Gardens Road, Binalong Bay	Affixing Common Seal	<b>BLANK INSTRUMENTS FORM</b>	Number 21 – Miscellaneous Powers and Functions to the General Manager
DA 030-2021 49-53 & 55-59 Cecilia Street, St Helens	Affixing Common Seal	<b>FINAL PLAN OF SURVEY</b>	Number 21 – Miscellaneous Powers and Functions to the General Manager
DA 068-2025 55 Leaside, Drive, St Helens	Affixing Common Seal	<b>FINAL PLAN OF SURVEY</b>	Number 21 – Miscellaneous Powers and Functions to the General Manager
DA 098-2024 46 Gardiners Creek Road, St Marys	Affixing Common Seal	<b>FINAL PLAN OF SURVEY</b>	Number 21 – Miscellaneous Powers and Functions to the General Manager
DA 216-2024 Tully Street, St Helens	Affixing Common Seal	<b>ADHESION ORDER</b>	Number 21 – Miscellaneous Powers and Functions to the General Manager

Quarterly Refund Payment Break O'Day Council & Veolia Environmental Services	Affixing Common Seal	<b>ALLOCATION DEED</b>	Number 21 – Miscellaneous Powers and Functions to the General Manager
Bituminous Surfacing Program 2025-2026	Affixing Common Seal	<b>CONTRACT 030\001\154</b>	Number 21 – Miscellaneous Powers and Functions to the General Manager
DA 067-2025 10 Dune Street, Scamander	Affixing Common Seal	<b>FINAL PLAN OF SURVEY</b>	Number 21 – Miscellaneous Powers and Functions to the General Manager

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

DATE	DOCUMENT	ADDRESS	PID OR DA
01.09.2025	337 Certificate	Cemetery Road, Weldborough (CT 207092/1)	9423013
01.09.2025	337 Certificate	200/36 Franks Street, Falmouth	9358963
01.09.2025	337 Certificate	43 Main Road, St Marys	6404575
02.09.2025	337 Certificate	Poseidon Street, St Helens (CT 128989/1)	1860598
03.09.2025	337 Certificate	204 Tully Street, St Helens	6782277
03.09.2025	337 Certificate	118 Scamander Avenue, Scamander	6783376
04.09.2025	337 Certificate	19 Legge Street, Falmouth	6411548
05.09.2025	337 Certificate	13 Aerodrome Road, Stieglitz	7220620
05.09.2025	337 Certificate	289 Davis Gully Road, Four Mile Creek	7514530
08.09.2025	337 Certificate	26 Wrinklers Drive, Scamander (Tierney Law)	3091120
10.09.2025	337 Certificate	19 Gray Road, St Marys	7774965
10.09.2025	337 Certificate	26-28 Poseidon Street, St Helens	7431241
11.09.2025	337 Certificate	294 St Helens Point Road, St Helens	6786585
15.09.2025	337 Certificate	22 Idas Court, St Helens	6810944
17.09.2025	337 Certificate	21 Scamander Avenue, Scamander	9283297
17.09.2025	337 Certificate	26 Wrinklers Drive, Scamander (McCulloch Legal)	3091120
18.09.2025	337 Certificate	237 Elephant Pass Road, St Marys	6408429
19.09.2025	337 Certificate	6 Erythos Grove, St Helens	1992240
23.09.2025	337 Certificate	1 Doric Grove, St Helens	1959782
24.09.2025	337 Certificate	231 Dakins Road, Gray	1720317
25.09.2025	337 Certificate	13 Main Road, Weldborough	6801044
29.09.2025	337 Certificate	4 Thomas Street, Scamander	1961815

**Tenders and Contracts Awarded:**

Tender Closing Date	Description of Tender	Awarded To
Friday 29 August 2025	Contract 030\001\154 Bituminous Surfacing Program 2025/2026	Crossroads Civil Contracting Pty Ltd

## **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



Politics NSW HSC

## It's approaching midnight, and this 24-hour venue is full of unsupervised teens



Emily Kowal

August 10, 2025 – 5.00am

The car park is overflowing with P-plates and there is a strict security system at the door. Some teens have been holding their spot for hours. It's 10.30pm on a Saturday and there's no hotter place for 17 and 18-year-olds to be than Forestville Library.

Forestville, operated by Northern Beaches Council, is one of just two 24-hour libraries in Sydney. The other is at Manly, which is also trialling all-hours access after the popularity of Forestville among high school students.



Students (from left) Isabelle Piesse, Tess Familton, Lila Lawrence, Georgie Young and Sienna Shelton.

FLAVIO BRANCALEONE

Unsupervised teenagers in an adultless public building after hours – what could go wrong?

Surprisingly little, according to the council's library services executive manager, Maeva Masterson. There is nothing like peer pressure and a healthy dose of trust to keep teens in line. "The people using these services are very appreciative. They self monitor. They tell us immediately if anyone is behaving inappropriately. They shoosh each other," she said.

The library also employs a strict security system. All visitors must register with the library and complete an induction before being provided access. But Masterson finds there is rarely trouble.

"They all really value and appreciate the service and their treatment of the space is representative of that. They look after the space," she said.

"They tell us it has a real impact on their study results, but it also means they don't have to travel to a university to study. For some, it means a safe space away from challenges at home.

"They want to study, but they don't want to do it alone. It's being alone together."

On a Saturday night, year 12 students cram into the small space, hunched over notes and laptops. On one table, a tower of energy drink cans acts as a makeshift partition, blocking one student from another. ChatGPT is open on many screens.



Forestville Library has become a late-night study hotspot for HSC students. FLAVIO BRANCALEONE

Most of the students are local but some have travelled from 40 minutes away.

Best friends Kate Naylor and Abi Traverso, from Stella Maris College in Manly, were worried they wouldn't find a spot, after hearing the library was more packed than usual.

They found a vacant love seat. Desks are a prized commodity at Forestville. But it's worth being here, desk or no desk, they say.

"When you are stressed about studying, and then you come to the library and see everyone studying, you're, like, 'OK'," said Kate.



Kate Naylor and Abi Traverso, both 17, study at night at Forestville Library. FLAVIO BRANCALEONE

Abi says the library is useful "when you can't lock in at home".

"You get distracted; you come here at whatever time and do what you need to do," she said.

Lila Lawrence, 17, is sitting with her girlfriends, rugged up in warm hoodies and Ugg boots. There's even a stuffed animal floating around. They could be at a sleepover, if it weren't for the hyper-focus on their work.

While the HSC is "really difficult", and everyone is in a "heightened state of anxiety", here, everyone's in together, Lila says. She is proud of her peers.

"Being in this space and seeing everyone push through is really amazing," she said.





Consuela Zhang uses the library when her other study spots have closed for the day. FLAVIO BRANCALEONE

Consuela Zhang is sitting in a quiet corner alone. She normally studies at the State Library or Chatswood but she has been coming to Forestville because she “needed the extra hours”. “I come here during hours when other libraries wouldn’t be open. I like putting myself in a quiet spot. It’s a good environment to concentrate,” she said.

Mates Charles Fay, Jayden Kirby, Archie Powell and Oliver Sansom, from different schools, met through the library.



Charles Fay, Jayden Kirby, Oliver Sansom and Archie Powell met while studying at the library. FLAVIO BRANCALEONE

“Most people don’t have a study space,” said Charles, from St Augustine’s. Archie, a student at Oxford Falls Grammar, agreed.

There’s also the social aspect, said Jayden: “You and your friends motivate each other. We lift each other up. Everyone is here for the same reason. We all want to do well at the end of the day in our HSC.”

While students may be nervous for their exams, UNSW professor of educational psychology Andrew Martin said libraries offered two of the secret ingredients for effective study: a space for socialisation and a space for isolation.

“The social aspect can make dull tasks a little more interesting,” said Martin. It could also be “mutually supportive”, he said.

But he said there were also times when it was important to “find that quiet spot to really put all your 100 per cent of your concentration and attention into it”.

“The balanced student makes the most of the social when that’s what’s needed and makes the most of that quiet time, almost solo quiet time when that’s needed,” he said.

But at the (actual) end of the day, it doesn’t matter where you are: “Some study is better than no study at all,” Martin said.





Students at Forestville Library on a Saturday night during their HSC trial exams. FLAVIO BRANCALEONE

*The Morning Edition newsletter is our guide to the day's most important and interesting stories, analysis and insights. [Sign up here.](#)*



**Emily Kowal** is an education reporter for The Sydney Morning Herald. Connect via [email](#).

## 10/25.17.2 Office Closure – Christmas to New Year

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	John Brown, General Manager
FILE REFERENCE	002\014\001\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

### OFFICER'S RECOMMENDATION:

That Council authorise the General Manager to close the Council Office and the Works Depot for the Christmas Break from 12pm on Wednesday 24 December 2025, reopening on Monday 5 January 2025. The annual employee Christmas function is to be held a couple of weeks prior, with the date to be confirmed. On the day of the function, the office will close at 12pm.

### INTRODUCTION:

Christmas Eve falls on a Wednesday this year and consideration needs to be given to the closure period for the Council Office and Works Depot.

### PREVIOUS COUNCIL CONSIDERATION:

Item is considered annually.

### OFFICER'S REPORT:

In previous years, the Council Office etc have closed at lunchtime (12:30pm) on the last day of work and following this, an end of year function has occurred. However, this timing often coincides with a last-minute rush of activities to complete before the Christmas break.

It is proposed to hold the Christmas function a couple of weeks prior to maintain operational efficiency.

To facilitate this, it is recommended that the Council Office, Depot, and other necessary Council operations close at 12pm. This will allow all staff (indoor, outdoor, Visitor Information Centre and History Room combined) to participate in the end of year function.

It is recommended that the General Manager consider this proposal and approve the necessary arrangements for the event.

### STRATEGIC PLAN & ANNUAL PLAN:

N/A

**LEGISLATION & POLICIES:**

N/A

**BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

There is no financial implication to Council in regard to this matter.

**VOTING REQUIREMENTS:**

Simple Majority

ACTION	DECISION
PROPONENT	Council
OFFICER	General Manager, John Brown
FILE REFERENCE	039\002\008\
ASSOCIATED REPORTS AND DOCUMENTS	Local Government Electoral Bill Discussion Paper

**OFFICER'S RECOMMENDATION:**

That Council provide a submission to the State Government on the Local Government Reforms to Councillor Numbers and Allowances Discussion Paper.

**INTRODUCTION:**

The Government believes it is timely to reform councillor numbers and allowances across the local government sector. Having the 'right' number of councillors in a local government area (LGA) is critical to ensuring effective and efficient governance, representation, and service delivery. There is also a natural relationship between levels of representation and appropriate pay, reflecting the individual circumstances of a council, such as population size, geographic spread, asset value, and development activity. However, evidence suggests that Tasmania's current system is not delivering the best outcomes for the sector or the broader community, and change is needed to achieve more efficient, effective, and consistent local representation

**PREVIOUS COUNCIL CONSIDERATION:**

Nil

**OFFICER'S REPORT:**

The State Government has released a Discussion Paper proposing reforms to councillor numbers and allowances across Tasmania's 29 councils. Tasmania currently has the highest number of local government elected officials per capita (except for the Northern Territory) and, particularly in smaller councils, some of the lowest comparable levels of remuneration. Since the establishment of the current 29-council system under the Local Government Act 1993, ad-hoc reviews of councillor numbers and infrequent allowance reviews have resulted in inconsistent representation and remuneration that does not reflect the increasing complexity of councillors' roles or statutory responsibilities.

During the Future of Local Government Review (FoLGR), the Local Government Board heard strong concerns that existing councillor allowances:

- Do not encourage a diverse range of candidates to run for council
- Fail to reflect the effort required, given the role's growing demands
- May deter talented councillors and limit their ability to devote sufficient time to their duties.

This Discussion Paper presents a fair and structured approach to setting councillor numbers and allowances in Tasmania's local government, and the State Government seeks our feedback to shape it.

If taken forward, the proposed approach presented would see a reduction in elected members across Tasmania's 29 councils and a fair increase in allowances for all elected members compared to their current remuneration, at no net cost to the Tasmanian community.

The proposal simplifies and aligns councillor numbers and pay based on clear, common factors, delivering consistency and fairness across councils.

In simple terms, the proposal would:

- Assign councils to one of three categories (9, 7, or 5 councillors) using a scoring system based on factors like population, infrastructure, development activity, and geographic size.
- Utilise six allowance categories, with pay levels set using the same scoring system to create fair 'bands' within each councillor category.
- Ensure consistent representation for similar councils, reducing the total number of councillors by 60 to 203 statewide.
- Use savings from fewer councillors to fund a cost-neutral 14.25% increase to all allowance bands (this increase being considered appropriate in the context of fewer councillors, and in recognition of the growing complexity and importance of the role of councillors).
- Create a sustainable model for regular reviews of councillor numbers and allowances every four years.
- Implement the new framework through amendments to the Local Government Act 1993, streamlining the process without needing separate reviews.

Below are comments from the General Manager on what is proposed in the Discussion Paper:

QUORUM MANAGEMENT	
<p>Should we consider any strategies/guidance for council decision making where a quorum cannot be maintained?</p> <p>For councils with five councillors, maintaining quorums may occasionally be challenging if multiple councillors are absent, but proposed reforms like flexible meeting attendance aim to ensure effective decision-making.</p> <p>While there have been no observable issues in five or six councillor councils in other jurisdictions, a quorum may still be impacted in rare instances where there are a number of absences and/or conflicts of interest which preclude voting on a matter.</p> <p>It is noted the Government's broader reform agenda seeks to make council attendance more</p>	<ul style="list-style-type: none"><li>• Council supports the need for flexibility in supporting decision making processes. The legislative approach within the Victorian Act seems logical and should be considered as an amendment to the Tasmanian Act.</li></ul>



<p>flexible and accessible, which should limit or reduce absences.</p> <p>However, it is also noted that section 67 of the Victorian Local Government Act 2020 allows councils to make decisions in an ‘alternative manner’ where a quorum cannot be maintained due to a number of councillors having a conflict of interest in a matter. This includes:</p> <ul style="list-style-type: none"> <li>• resolving to split the matter into 2 or more separate parts, so that a quorum can be maintained for each separate part</li> <li>• making prior decisions on component parts of the matter at a meeting for which a quorum can be maintained, before deciding the overall matter at a meeting for which a quorum can be maintained.</li> </ul> <p>Feedback is sought on whether a similar provision should be included in Tasmania’s Local Government Act, where the broader numbers and allowances reform proposal proceeds</p>	
<b>SUPERANNUATION</b>	
<p>Should the <i>Local Government Act 1993</i> be amended to require councils to pay a 12% superannuation equivalent payment from allowances into a councillor’s nominated superannuation fund?</p> <p>Councillors are not regarded as employees for taxation and superannuation purposes. This means councils are not obliged to pay superannuation contributions on behalf of councillors. It is currently an option open to councillors (or indeed councils by resolution) to self-manage any voluntary contributions, should they wish to.</p> <p>Since 2004, Tasmanian councillors have received a 9% superannuation equivalent payment as part of their allowances (increased to 12% from June 2025). However, there is no requirement for this amount to be paid into a superannuation fund (even though councillors can make voluntary contributions).</p>	<ul style="list-style-type: none"> <li>• Council supported an independent review of Councillor Allowances through its response to the Future of Local Government Review.</li> <li>• Payment of Superannuation at a rate equivalent to the Superannuation Guarantee Charge is supported by Council noting that Councillors are not employees of the Council.</li> <li>• Clarification needs to be provided in relation to whether the proposed new Allowance scale is going to be reduced by the amount of Superannuation which is now going to be paid. If it is not then the financial modelling in the discussion paper needs to be adjusted to show the actual cost to individual Councils.</li> </ul>

<p>This has led to a general misunderstanding that councillors do not receive any allowances in lieu of super, which would be mitigated by the requirement for the equivalent amount to be paid into a fund.</p>	
<p><b>SETTING THE FOUNDATION FOR FUTURE REVIEWS</b></p>	
<p>Should the methodology and ongoing review framework for councillor allowances and numbers be embedded in legislation to provide certainty and transparency to the sector and community?</p> <p>There are deficiencies with the current processes for reviewing councillor numbers and allowances - including a lack of structure and transparency around the scope, timing and conduct of regular reviews.</p> <p>The framework proposed in this paper provides the opportunity to provide certainty around future reviews and transparency into how they are to occur.</p> <p>The Government is considering changes to the Act to include the methodology and establish a mandatory schedule for regular reviews (for example, once every term of council). This would see the re-application of the methodology to councils on a regular basis, ensuring council numbers and allowances remain fair and equitable on an absolute and relative basis over time in response to demographic and other changes.</p>	<ul style="list-style-type: none"> <li>• Council supports embedding a review process within legislation and also believes that the establishment of three tiers for Councillor numbers is logical and ensures that there is some form of consistency.</li> <li>• It goes without saying that a reduction in Councillor numbers will impact on the workload of the remaining Councillors. There will be less Councillors available to represent Council on the numerous Committees that a Council has in place.</li> <li>• Whilst the increase in Councillor Allowances is welcome, the process appears to be based around achieving an overall cost neutral balance across the 29 Councils through the reduction in Councillor numbers.</li> <li>• As a result a review that determines what is actually a fair reward for the amount of time involved in undertaking the role of Councillor has not been undertaken. This is a failure of process and the Break O'Day Council believes that a review independent of the Office of Local Government should be undertaken.</li> <li>• Council supports reviews being undertaken on a four yearly basis as proposed in the discussion paper. In general the metrics seem logical though we have some specific observations.</li> <li>• Metric 1.1 relating to population size means that Councils with a substantial holiday home base such as Break O'Day are adversely affected by this Metric. Within Break O'Day nearly 40% of our houses are holiday homes. The demands from dealing with the impact of this number of absentee property owners is not much different to permanent residents. The size of the service delivery is scaled to reflect the number of</li> </ul>

	<p>properties, not the population. The Council suggests that this Metric might be better focussed towards the number of dwellings in a Council area.</p> <ul style="list-style-type: none"> <li>• Metric 2.1 relating to development applications, Council disagrees with the focus on approved development application value. Whilst larger value developments are more complex, discretionary development application numbers should also be taken into account in assessing this Metric. These applications are inherently more complicated and regularly attract representations requiring complex considerations by Councillors.</li> <li>• Metric 3.2 focuses on sealed road length as an indication of the geographic dispersion of communities. Council believes that whilst this may be a logical assumption the length of unsealed roads should also be taken into account as these roads also serve smaller townships/communities as well as the population within our agricultural sector. Within the Break O'Day area we have townships such as Ansons Bay, Goulds Country, Lottah and Seymour who are located on unsealed roads.</li> </ul>
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Feedback from councils is sought to inform reforms that aim to improve consistency, fairness, and the attraction and retention of high-quality candidates.

**Submissions close 7 November 2025**

#### **STRATEGIC PLAN & ANNUAL PLAN:**

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

Break O Day Annual Plan 2024 – 2025

Stakeholder Management

Legislative Reviews - Participate in reviews of legislation affecting Local Government.

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

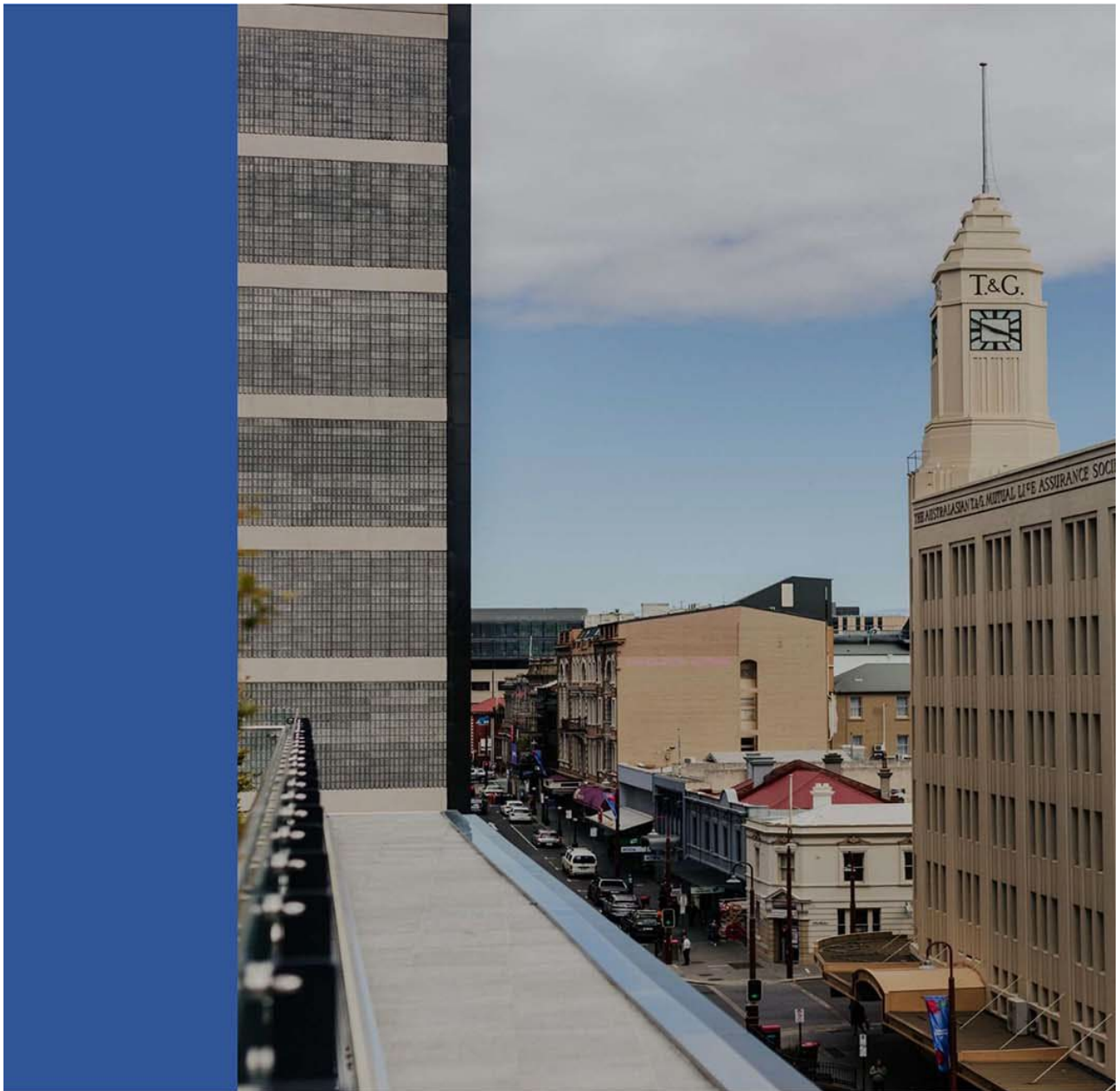
N/A

**BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:**

N/A

**VOTING REQUIREMENTS:**

Simple Majority



# Discussion paper

Reforms to Councillor Numbers and Allowances

Office of Local Government  
Department of Premier and Cabinet





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## Executive summary

Tasmania's local government system needs reform to ensure fair representation and adequate pay for councillors while keeping costs manageable for communities. This Discussion Paper proposes changes to the number of councillors and their allowances across Tasmania's 29 councils, aiming to deliver more effective, equitable, and professional local governance. The reforms are designed to be cost-neutral overall, meaning no extra burden on ratepayers, and are open for public feedback until 10 November 2025.

### Why reform is needed

- **High number of councillors:** Tasmania has one of the highest numbers of councillors per person in Australia, which can lead to inefficiencies and, in some cases, undemocratic election outcomes where candidates win with very few votes.
- **Inconsistencies in representation:** Historical reviews of numbers targeted at a small number of councils, have left councils of similar size with different numbers of councillors, creating inequitable variations.
- **Low pay for councillors:** Current allowances do not reflect the growing complexity of councillors' roles, discouraging diverse and talented candidates and indirectly limiting the time some councillors can devote to their duties.
- **Outdated system:** The current method for setting allowances, based on registered voters and operating revenue, has notable flaws - failing to account for population size or council responsibilities, and is susceptible to volatile changes from grant revenue.

### What we propose

The Government proposes a new, fair, and data-driven system to set councillor numbers and allowances, using factors like population, development activity, infrastructure, urbanisation, and road networks. Key changes include:

- **Fewer councillors:** Reducing the total number of councillors from 263 to 203, with councils having 9, 7, or 5 councillors based on their size and complexity.
- **Higher allowances:** Increasing councillor allowances by 14.25% on average, funded by savings from fewer councillors.
- **A fairer framework:** Aligning councillor numbers and pay to council responsibilities, ensuring equal pay for equal work and consistency across similar councils.

- **Ongoing reviews:** Establishing regular, four-yearly reviews to keep the system up-to-date and responsive to community needs.
- **Additional support:** Exploring whether to require councils to pay the 12% superannuation equivalent allowance into councillors' super funds.

### Benefits of the reforms

- **Strengthened governance:** Fewer, better-paid councillors will assist in attracting skilled and diverse candidates, improving decision-making and professionalism.
- **Fairer pay:** Higher allowances reflect councillors' growing responsibilities, supporting their commitment to communities.
- **Fair representation:** The new system ensures councils have the right number of councillors for their size and needs, reducing inconsistencies.
- **No extra cost:** Savings from fewer councillors will fund higher allowances, keeping the reforms cost-neutral for ratepayers overall.
- **Stronger democracy:** Higher election vote thresholds will enhance the legitimacy of elected councillors.
- **Future-proof system:** Regular reviews and stable metrics will keep the system fair and sustainable over time.

### How the reforms will happen

It is proposed the changes will be implemented through amendments to the *Local Government Act 1993* before the October 2026 local government elections. This approach ensures timely delivery and broad support from communities, councils, and Parliament. The reforms complement other improvements, such as councillor education, stronger sanctions for poor behaviour, paid parental leave, and flexible meeting attendance, to make the being a councillor more accessible and appealing.

### Your feedback matters

We want to hear from you to ensure these reforms meet community needs. Key questions include:

- Should we consider any strategies/guidance for council decision making where a quorum cannot be maintained?
- Should it be mandatory for councillors' existing superannuation equivalent payments to be directed into a nominated superannuation fund?
- Should the methodology and ongoing review framework for councillor allowances and numbers be embedded in legislation?

Please share your views by 7 November 2025:

- **Email:** [lg.consultation@dpac.tas.gov.au](mailto:lg.consultation@dpac.tas.gov.au)
- **Post:** Office of Local Government, PO BOX 123, Hobart, Tasmania 7000

Your input will shape a stronger, fairer, and more effective local government system for Tasmania.



## Introduction

### The need for reform

The Government believes it is timely to reform councillor numbers and allowances across the local government sector. Having the 'right' number of councillors in a local government area (LGA) is critical to ensuring effective and efficient governance, representation, and service delivery. There is also a natural relationship between levels of representation and appropriate pay, reflecting the individual circumstances of a council, such as population size, geographic spread, asset value, and development activity. However, evidence suggests that Tasmania's current system is not delivering the best outcomes for the sector or the broader community, and change is needed to achieve more efficient, effective, and consistent local representation.

### Current challenges

Tasmania has the highest number of local government elected officials per capita (except for the Northern Territory) and, particularly for smaller councils, some of the lowest comparable levels of remuneration. Since the *Local Government Act 1993* established the current 29-council system a small number of ad-hoc reviews of councillor numbers have led to inconsistent representation across municipalities. Similarly, councillor allowance reviews (conducted in 2000, 2004, 2008, and 2018) have been infrequent, with only minor changes since 2004 aside from annual indexation. This has resulted in allowances that do not reflect the increasing complexity of councillors' roles, community expectations, or statutory responsibilities.

### Stakeholder feedback

During the Future of Local Government Review (FoLGR), the Local Government Board heard strong concerns that existing councillor allowances:

- do not encourage a diverse range of candidates to run for council
- fail to reflect the effort required, given the role's growing demands
- may deter talented councillors and limit their ability to devote sufficient time to their duties.

A 2021 Australian National University study, cited by councils, found that low remuneration in New South Wales led to dissatisfaction, with 81% of councillors



reporting their role as unrewarding<sup>1</sup>. In Tasmania, several high-profile councillors cited low allowances as a reason for not recontesting the 2022 elections.

## Balancing community needs

While higher councillor pay is widely supported, it must be balanced against community cost-of-living pressures and fiscal constraints to avoid unduly burdening Tasmanians. During FoLGR the Local Government Board noted that “... consideration should be given to how many elected representatives are needed to effectively serve the needs of a particular community, and the merits of having, for example, fewer councillors who are remunerated at a higher level versus a greater number of councillors on relatively lower allowances.” The Board recommended that, following any voluntary amalgamation program, the Tasmanian Government commission an independent review of councillor numbers and allowances to support a structural reset of the sector<sup>2</sup>.

## Government response

In its [Response to the Future of Local Government Review](#), the Government supported this recommendation in principle and committed to:

- Review allowances using the existing methodology for inclusion in the remade *Local Government (General) Regulations* by June 2025.
- Conduct a comprehensive review of councillor numbers and allowances after the October 2026 elections.

However, to ensure reforms support high-quality candidates for the 2026 elections and address strong sectoral advocacy for fairer pay, the Government is now proposing to bring forward its comprehensive review. This decision is driven by:

- the need to attract and retain high-quality candidates for the 2026 elections and beyond
- the current allowance methodology’s failure to deliver meaningful change for most councils
- the progression of the voluntary amalgamation program not precluding a review before the end of 2026
- strong sectoral advocacy for fairer remuneration in the immediate term.

<sup>1</sup> Local Government NSW 2022. Submission to the Local Government Remuneration Tribunal. February 2022. ([www.lgnsw.org.au/common/Uploaded%20files/Submissions/2022/Submission-to-the-Local-Government-Remuneration-Tribunal\\_Feb2022.pdf](http://www.lgnsw.org.au/common/Uploaded%20files/Submissions/2022/Submission-to-the-Local-Government-Remuneration-Tribunal_Feb2022.pdf)).

<sup>2</sup> See Recommendation 34 of the [Future of Local Government Review Final Report](#).

## Supporting broader reforms

Through the [Local Government Priority Reform Agenda 2024-26](#), the Government is already making the councillor role more appealing and accessible by:

- introducing compulsory councillor education
- allowing remote meeting attendance in certain circumstances
- providing parental leave for councillors
- increasing the superannuation equivalent component of allowances by 3%, to 12%
- delivering stronger sanctions for serious councillor misconduct.

The proposed reforms to councillor numbers and allowances complement these changes, aiming to deliver better outcomes for councils and communities starting in late 2026.

## Reform proposal summary

This Discussion Paper presents a fair and structured approach to setting councillor numbers and allowances in Tasmania's local government, and we seek your feedback to shape it. The proposal is detailed further in the sections below.

If taken forward, the proposed approach presented would see a reduction in elected members across Tasmania's 29 councils and a fair increase in allowances for all elected members compared to their current remuneration, at no net cost to the Tasmanian community.

The proposal simplifies and aligns councillor numbers and pay based on clear, common factors, delivering consistency and fairness across councils.

In simple terms, the proposal would:

- Assign councils to one of three categories (9, 7, or 5 councillors) using a scoring system based on factors like population, infrastructure, development activity, and geographic size.
- Utilise six allowance categories, with pay levels set using the same scoring system to create fair 'bands' within each councillor category.
- Ensure consistent representation for similar councils, reducing the total number of councillors by 60 to 203 statewide.
- Use savings from fewer councillors to fund a cost-neutral 14.25% increase to all allowance bands (this increase being considered appropriate in the context of fewer councillors, and in recognition of the growing complexity and importance of the role of councillors).

- Create a sustainable model for regular reviews of councillor numbers and allowances every four years.
- Implement the new framework through amendments to the *Local Government Act 1993*, streamlining the process without needing separate reviews.

## Key consultation issues

While the Government is seeking feedback on all aspects of the reform proposal, several issues relating to the operation of a new numbers and allowances framework have been identified where specific input is particularly welcomed.

### Quorum management

**Question** – Should the Government consider any strategies/guidance for council decision making where a quorum cannot be maintained?

For councils with five councillors, maintaining quorums may occasionally be challenging if multiple councillors are absent, but proposed reforms like flexible meeting attendance aim to ensure effective decision-making.

While there have been no observable issues in five or six councillor councils in other jurisdictions, a quorum may still be impacted in rare instances where there are a number of absences and/or conflicts of interest which preclude voting on a matter.

It is noted the Government's broader reform agenda seeks to make council attendance more flexible and accessible, which should limit or reduce absences.

However, it is also noted that section 67 of the Victorian *Local Government Act 2020* allows councils to make decisions in an 'alternative manner' where a quorum cannot be maintained due to a number of councillors having a conflict of interest in a matter. This includes:

- resolving to split the matter into 2 or more separate parts, so that a quorum can be maintained for each separate part
- making prior decisions on component parts of the matter at a meeting for which a quorum can be maintained, before deciding the overall matter at a meeting for which a quorum can be maintained.

Feedback is sought on whether a similar provision should be included in Tasmania's *Local Government Act*, where the broader numbers and allowances reform proposal proceeds.



## Superannuation

**Question** – Should the *Local Government Act 1993* be amended to require councils to pay a 12% superannuation equivalent payment from allowances into a councillor's nominated superannuation fund?

Councillors are not regarded as employees for taxation and superannuation purposes. This means councils are not obliged to pay superannuation contributions on behalf of councillors. It is currently an option open to councillors (or indeed councils by resolution) to self-manage any voluntary contributions, should they wish to.

Since 2004, Tasmanian councillors have received a 9% superannuation equivalent payment as part of their allowances (increased to 12% from June 2025). However, there is no requirement for this amount to be paid into a superannuation fund (even though councillors can make voluntary contributions).

This has led to a general misunderstanding that councillors do not receive any allowances in lieu of super, which would be mitigated by the requirement for the equivalent amount to be paid into a fund.

## Setting the foundation for future reviews

**Question** – Should the methodology and ongoing review framework for councillor allowances and numbers be embedded in legislation to provide certainty and transparency to the sector and community?

There are deficiencies with the current processes for reviewing councillor numbers and allowances - including a lack of structure and transparency around the scope, timing and conduct of regular reviews.

The framework proposed in this paper provides the opportunity to provide certainty around future reviews and transparency into how they are to occur.

The Government is considering changes to the Act to include the methodology and establish a mandatory schedule for regular reviews (for example, once every term of council). This would see the re-application of the methodology to councils on a regular basis, ensuring council numbers and allowances remain fair and equitable on an absolute and relative basis over time in response to demographic and other changes.

Submissions are open for eight weeks until 10 November 2025, and can be made:

- by email to [lq.consultation@dpac.tas.gov.au](mailto:lq.consultation@dpac.tas.gov.au)

- in writing to the Office of Local Government, PO BOX 123, Hobart Tasmania 7000.



## Detailed exploration: the case for a new framework

### Overrepresentation on a national scale, and democratic impacts

Tasmania has the second highest proportion (after the Northern Territory) of councillors per head of population in Australia. Tasmania's small, dispersed population contributes to this, but aligning representation with other jurisdictions can enhance fairness and efficiency.

**Figure 1 - Average population per councillor – jurisdictional comparison**

Jurisdiction	Number of councils	Number of councillors <sup>3</sup>	Population (ABS 2021)	Population per councillor
NSW	128	1259	8,072,163	6412
Vic	79	618	6,503,491	10523
QLD	77	600*	5,156,138	8594
WA	139	1200*	2,660,026	2217
SA	68	630	1,781,516	2828
Tas	29	263	557,571	2120
NT	17	159	232,605	1463

While local democratic representation is undoubtedly important, there are democratic and financial impacts associated with overrepresentation. Existing levels of representation in Tasmania, particularly in instances of recounts, can lead to undemocratic outcomes, where candidates can be elected with very few primary votes.

[Appendix B, figure 4](#) shows the deidentified results of all 27 recounts undertaken since 2022 – including the total number of ballots submitted and the number and percentage of first preference votes achieved in the 2022 local government elections. Of the recounts since the 2022 elections there was one candidate being elected to a small council on 17 first preference votes and another in a large urban council who received 0.89% of the total first preference votes in that municipality. This calls into question the democratic mandate and legitimacy of some elected members and suggests benefits of reforming councillor numbers is needed to 'lift the bar' for election to office.

<sup>3</sup> QLD and WA figures are approximations from respective electoral commission/OLG websites.

## Representational inconsistencies caused by historic, ad-hoc numbers reviews

Since the establishment of Tasmania's current system of 29 councils in 1993 there have been several reviews of levels of representation in local government. These have occurred infrequently, have not captured the entire sector, and delivered piecemeal change.

The last of these were a series of councillor number reviews undertaken by the Local Government Board in the early 2010s. These reviews were opt-in and saw a small number (9) of participating councils reduce their number of elected representatives by between 1 and 3. This has created a legacy of inconsistencies in representation, where councils of broadly equivalent size, scale and complexity now have substantially different councillor numbers. For example, Devonport City Council reduced its numbers from 12 to 9 in 2013, having the same number of councillors as King Island despite the obvious discrepancies between their respective populations (26,989 vs 1,662).

Having a consistent framework for establishing an appropriate representational range which is applied to all councils will help, in the first instance, reset these inconsistencies, while in the future create an enduring, equitable and robust model for the democratic representation of Tasmanian communities.

Below shows the councils which reduced their numbers in 2012 and 2013, and by how many:

Central Coast – 12 to 9	Kingborough – 12 to 10
Devonport – 12 to 9	Southern Midlands – 9 to 7
Derwent Valley – 9 to 8	Tasman – 9 to 7
Glamorgan-Spring Bay – 9 to 8	Waratah-Wynyard – 10 to 8
Glenorchy City – 12 to 10	

Because of these historical reductions, under the proposed reforms the councils above see only minor representational adjustments, such that they achieve reasonable alignment with comparable councils. These councils will see lower proportional savings following an increase in allowances. However, it is recognised that these councils have incurred community savings over time from their reduced number of councillors since 2012 and 2013.

## **An outdated councillor allowances framework contributes to unfair pay**

Reviews of councillor allowances have occurred relatively infrequently over the past 25 years (2000, 2004, 2008 and 2018), and since the introduction of the existing framework for determining councillor allowances in 2004, there have been only minor changes (annual indexation) to the allowances paid to councillors.

Councils are currently allocated to allowance categories based on a formula of **total voters multiplied by operating revenue divided by 1 million** to derive a score. It is recognised that there are a number of weaknesses with this framework, namely:

- Total voters as a metric does not reflect that councillors represent the interests and make decisions impacting all residents of their municipality. Therefore, the use of total population is considered a better indicator of representational need.
- Operating revenue is impacted by financial assistance and other capital grants paid to councils and is subject to notable year-on-year fluctuations. The five-year average value of approved development applications and written down value of infrastructure assets are more stable indicators of the complexity of a council's role.
- While not applied annually, the framework uses only data for a given financial year, therefore is vulnerable to sizeable fluctuations in operating revenue.
- The formula does not recognise the relationship between levels of representation and pay as indicators of the complexity and workload required on individual councils.



## Detailed methodology: a new framework for determining numbers and allowances

The Office of Local Government has developed a proposed formula to determine appropriate councillor numbers and allowances based on key demographic, financial and geographic metrics and broad alignment with levels of representation in other jurisdictions.

Based on their score against the metrics, councils are allocated to one of three categories, with either nine, seven or five elected representatives.

Importantly, the formula recognises not all factors contribute equally to representational need. It adopts a three-tiered approach, recognising population as the primary determinant of representational need, followed by complexity of role, and geographic factors.

The three tiers – and the metrics and benchmarks that determine a council's score under each – are explained below.

Tier	Metric	Source	Rationale
1 (scores 1 – 5)	Metric 1.1 – population size	Australian Bureau of Statistics	Population is the primary factor for determining communities' representational needs. While electors influence the outcomes of elections, councillors are responsible for representing the entire population of their LGAs, justifying population (rather than simply voting age population) as the appropriate metric.
2 (scores 1 – 3)	Metric 2.1 – total value of approved development applications (5-year average)	Councils Consolidated Data Collection	The value of development applications approved by a council acts a proxy measure for the complexity of a councillor's role by indicating workload, technical demands, community engagement needs, and strategic oversight required. This figure has been used over the total number of development applications received as the dollar value better reflects complexity, as

Tier	Metric	Source	Rationale
			opposed to workload (e.g. it is a more complex task assessing a smaller number of higher value applications than a higher number of straightforward applications, many of which may in fact be delegated).
	Metric 2.2 – total written down value of infrastructure assets	Councils Consolidated Data Collection	As with development applications, higher infrastructure values signal greater complexity in the role of councillor, indicating a larger asset base to maintain, fund, and plan for. This figure includes property, plant and equipment, roads and bridges, and stormwater infrastructure.
3 (scores 0.5 – 1.5)	Metric 3.1 – urbanisation (based on the Australian Classification of Local Governments	Australian Classification of Local Governments	Captures the blend of population, density, and geographic factors, while ensuring alignment with the ACLG's focus on population, density, and urban/rural character. By integrating these inputs, the model ensures comparability with other Australian jurisdictions while addressing Tasmania's unique geography and small population.
	Metric 3.2 – kilometre of sealed roads (urban and rural)	Councils Consolidated Data Collection	Provides as an indication of the geographic dispersion of communities within an LGA, contributing to a need for representational 'spread'. Length of sealed roads is used as an indicator for population distribution as opposed to simple land area size, which in some geographically large councils can (and in many cases does) include national park, uninhabited and/or un-serviced land.



Tier	Metric	Source	Rationale
			Sealed roads are used to indicate that populations are predominately clustered along sealed roads. From a complexity perspective, the asset values metric (2.2) includes the value of both sealed and non-sealed roads.

## Ensuring no adverse representational outcomes

It is considered that the number categories capture the appropriate number of elected representatives commensurate to the scale and complexity of their required role and functions. Importantly, these categories ensure Tasmanian councils are broadly aligned with other jurisdictions on a councillor head of population basis and generally consistent with national levels of local representation.

Further, the three categories with odd numbers ensure that there is no risk of tied voting outcomes. This concern has been expressed by the sector, and nationally is considered by the Victorian Electoral Commission in the conduct of their local government representation reviews. All other jurisdictions (except Victoria) have councils with an even number of councillors, however this is generally a minority of councils. For example, only 24 of NSW's 127 councils have an even number of councillors, ranging from eight to twelve.

Nine councillors is a common level of representation for medium sized urban councils like Hobart, Launceston, Clarence, Glenorchy and Kingborough. Almost half of NSW's councils have 9 councillors – 11 of these with populations over 50,000 – including large metropolitan councils such as Camden with 135,000 people and Canada Bay with 91,385 people<sup>4</sup>.

It is also acknowledged there may be concerns around councils with five councillors having a low quorum threshold. The Government is currently delivering reforms to support flexible meeting attendance (the ability to meet remotely) in prescribed circumstances. This should support an overall uplift in attendance at meetings.

Further, the Government has examined whether there are any notable representational issues in five councillor councils in Victoria (there are six – with details of these councils and their population and geographic size in Appendix B, figure 3). Consultation with Victoria has indicated no notable or reported issues with

<sup>4</sup> NSW OLG – comparative council information (<https://olg.nsw.gov.au/public/about-councils/comparative-council-information/your-council-report/>)

the level of representation in these councils – in terms of governance, representation or otherwise. While under the Victorian *Local Government Act 2020*, the Minister for Local Government may appoint municipal monitors to councils experiencing governance issues to report back to observe, provide advice and report back to the Minister on governance issues. No monitors have been appointed to any five councillor councils.

### Aligning numbers with allowances

While historically councils have been allocated to allowance categories based on a formula of **total voters multiplied by operating revenue divided by 1 million** to derive a score, the use of this formula is not required under statute.

Instead, it is proposed that allowance categories be determined based on the same score which determines numbers – creating a robust, cohesive and consistent formula for numbers and allowances. This will better deliver an important driver for the reform: equal pay for equal work.

This approach also recognises and resolves the following weaknesses with the existing data inputs:

- Total voters as a metric does not reflect that councillors represent the views of all residents of their municipality, therefore the use of total population is considered a better indicator of representational need.
- Operating revenue is impacted by financial assistance and other capital grants paid to councils, and is subject to notable year-on-year fluctuations. The five-year average value of approved development applications and written down value of infrastructure assets are more stable indicators of the complexity of a council's role.

To ensure a smooth transition and maintain fairness, the proposal utilises six allowance categories, aligning them as 'bands' within the new councillor number categories. This approach links allowances to council responsibilities, encouraging sustainable growth in metrics like population and infrastructure, which reflect community strength and development.

In addition to this:

- Councillor allowances in each band will increase by 14.25%, funded by savings from reducing councillor numbers, to better recognise the growing complexity of elected representative roles. The reform would be implemented immediately after the October 2026 elections.
- To support small rural councils facing a reduction from nine to five councillors under the new formula, the proposal eliminates the smallest current allowance

category (category 7) and moves these councils to the next category (category 6). This ensures councillors receive a fairer, higher allowance that better reflects their increased scale of responsibilities, while savings from fewer councillors deliver value to communities.

The detailed scoring formula and rubric for determining numbers and allowances is as follows.

## Scoring formula

Tier	Metric	Scoring Benchmark (low to high)				
1	Population size	<15000	15,000–25,000	25,000–35,000	35,000–55,000	55,000+
		1 point	2 points	3 points	4 points	5 points
2	5-year average value of approved development applications (\$'000'000)	<50	50-100	100+		
		1 point	2 points	3 points		
	Written down value of infrastructure assets (\$'000'000)	<150	150-399	400+		
		1 point	2 points	3 points		
3	Urbanisation (Simplified ACLG)	Rural Small	Rural Large	Urban		
		0.5 points	1 point	1.5 points		
	Km of sealed road (Urban and Rural)	<100km	100–249km	>250km		
		0.5 points	1 point	1.5 points		

## Scoring rubric

New Category	Councillor numbers	Score	Allowance band	Allowance (\$)⁵	Score
1	9	12+	1.1	51366	14+
			1.2	41585	12– 13.5
2	7	5 – 12	2.1	31491	10 – 11.5
			2.2	21404	7.5 – 9.5
			2.3	17888	5 – 7
3	5	<5	3.1	15064	<5

**Importantly** the allowance for each band does not materially change from the existing allowance categories, (just the formula for determining council's allocation) and is aligned as follows:

Proposed allowance band	Equivalent current allowance category (in the General Regulations)	Allowance (\$) (reflecting the 14.25% increase)
1.1	1	51366
1.2	2	41585
2.1	3	31491
2.2	4	21404
2.3	5	17888
3.1	6	15064

<sup>5</sup> Please note that allowances are adjusted by an inflationary factor on 1 November each year, and the calculations in this paper will be subject to that minor adjustment.



## Summary of changes to allowance and numbers

Below shows the proposed councillor numbers and allowances based on the formula. This approach would see a net reduction in councillors across the sector by 60, from 263 to 203. **(Appendix A contains detailed scoring):**

Numbers category	Allowance band	Council	Score	Current number of crs	New number of crs	Cr change	New cr allowance rate (\$)
1	1.1	Clarence	14.0	12	9	-3	51,366
		Hobart	14.0	12	9	-3	51,366
		Launceston	14.0	12	9	-3	51,366
	1.2	Glenorchy	13.0	10	9	-1	41,585
		Kingborough	13.0	10	9	-1	41,585
2	2.1	Burnie	10.0	9	7	-2	31,491
		Central Coast	10.0	9	7	-2	31,491
		Devonport	10.0	9	7	-2	31,491
		West Tamar	10.0	9	7	-2	31,491
	2.2	Northern Midlands	9.5	9	7	-2	21,404
		Sorell	9.0	9	7	-2	21,404
		Circular Head	8.5	9	7	-2	21,404
		Meander Valley	8.5	9	7	-2	21,404
		Huon Valley	8.0	9	7	-2	21,404
		Brighton	7.5	9	7	-2	21,404
		Waratah-Wynyard	7.5	8	7	-1	21,404
	2.3	Break O'Day	7.0	9	7	-2	17,888
		Derwent Valley	7.0	8	7	-1	17,888

Numbers category	Allowance band	Council	Score	Current number of crs	New number of crs	Cr change	New cr allowance rate (\$)
		Latrobe	7.0	9	7	-2	17,888
		Dorset	6.5	9	7	-2	17,888
		Kentish	6.5	9	7	-2	17,888
		Glamorgan-Spring Bay	5.5	8	7	-1	17,888
		George Town	5.0	9	7	-2	17,888
		Southern Midlands	5.0	7	7	0	17,888
3	3.1	Central Highlands	4.5	9	5	-4	15,064
		West Coast	4.5	9	5	-4	15,064
		Flinders	4.0	7	5	-2	15,064
		King Island	4.0	9	5	-4	15,064
		Tasman	4.0	7	5	-2	15,064

As noted previously, a flat **14.25%** increase to all allowance categories delivers a true cost-neutral increase, with only seven councils bearing costs due to allowance band progression or historical reductions necessitating a smaller proportional reduction of councillors. Individual costs and savings are as follows:

Council <sup>6</sup>	Costs/savings (\$)	Cr allowance increase (including any category)
Clarence	-50671	41.12%
Hobart	77217	14.25%
Launceston	77217	14.25%
Glenorchy	-10282	14.25%
Kingborough	-10282	14.25%
Burnie	27632	14.25%
Central Coast	27632	14.25%
Devonport	27632	14.25%

<sup>6</sup> Councils highlighted in green move up a band, receiving the 14.25% base councillor increase as well as new allowance band costs for councillors, Mayor and Deputy Mayor allowances.

Council <sup>6</sup>	Costs/savings (\$)	Cr allowance increase (including any category)
West Tamar	27632	14.25%
Brighton	18781	14.25%
Circular Head	-19407	36.69%
Huon Valley	18781	14.25%
Meander Valley	18781	14.25%
Northern Midlands	18781	14.25%
Sorell	18781	14.25%
Waratah-Wynyard	47	14.25%
Break O'Day	15696	14.25%
Derwent Valley	39	14.25%
Dorset	15696	14.25%
George Town	15696	14.25%
Glamorgan-Spring Bay	-27792	35.67%
Kentish	-14607	35.67%
Latrobe	15696	14.25%
Southern Midlands	-40977	35.67%
Central Highlands	27578	30.57%
Flinders	4504	30.57%
King Island	27578	30.57%
Tasman	4504	30.57%
West Coast	43346	14.25%
<b>Total savings</b>	<b>355226</b>	

## Ongoing sustainability of the framework

It is important the framework is robust and provides a fair and objective assessment of the complexity of a councillor's role at any given time without susceptibility to year-to-year volatility swings caused by short-term data anomalies or outliers.

The data metrics and scoring thresholds have been developed with this in mind, so that councils do not experience huge movements or fluctuations in their scoring (and therefore councillor numbers and allowances) due to outlying results.

Population, value of infrastructure assets, and length of sealed roads are indicators of financial health and sustainability of an LGA, which are expected for most councils to grow at a sustainable pace over time. This ensures councils can move between numbers categories and allowance bands over time where there is demonstrated growth and development within their municipality.

The value of development applications is susceptible to sizeable fluctuations, however the impacts of this are mitigated both by the highest score (3) being capped at \$100 million, and by using a five-year average figure. For example, the Robbins

Island wind farm development means Circular Head Council's value of approved DAs for the 2022-23 financial year was at \$1.3 billion, with a five-year average of \$355 million. The points allocated to Circular Head under the model are capped at 3, mitigating any adverse distortion to the scoring framework (including regression when this figure drops off the five-year period).

Similarly, the use of urbanisation as a metric stabilises councils on the lower end of the scoring spectrum from unnecessarily fluctuating between five and seven councillors. For example, an urban large council which achieves the lowest score will always have seven councillors – reflecting this is an appropriate base level of representation for a council of this nature.

The framework has been rigorously tested against population trends and economic scenarios, ensuring councils maintain stable representation and fair allowances over time, supporting sustainable community governance.

## Implementing the framework

Minor legislative amendments will be required to Schedule 3 of the *Local Government Act 1993* and Schedule 4 of the *Local Government (General) Regulations 2025* to implement changes to councillor numbers and allowances resulting from this framework.

Under the Local Government Act, the Minister is permitted to recommend the Governor make changes to councillor numbers by Order in response to a report from the Local Government Board. Similarly, historical reviews of councillor allowances have been undertaken by a Board of Inquiry, with recommendations provided to the Minister for actioning at their discretion.

However, it is intended the implementation of the framework – including those to allowances and numbers – will be delivered by an amendment Bill. The key reasons for this approach are:

- it will ensure shared buy-in and support for the framework is received across the local government sector, communities and Parliament
- the reform has desired outcomes and objectives from its inception (including implementation of the detailed methodology), which can be better retained through a Government led, targeted review
- the review is unencumbered by the costly and time-consuming statutory burdens faced by a Local Government Board. This ensures the review can be delivered before the 2026 local government elections



- the review contemplates other statutory reforms, including quorum management and superannuation provisions, which would need to be delivered through primary legislation anyways.

A few councils, due to prior voluntary reductions or allowance band adjustments, may face small cost increases under the new framework. These costs are minimal and can be flexibly managed by councils under existing legislation, ensuring fairer allowances while maintaining value for communities. This may include voluntarily determining not to implement this increase immediately or otherwise stagger the transition to these allowance rates.

## Setting the foundation for future allowance reviews

Following implementation of these reforms, it will be important that councillor numbers and allowances are subject to regular review into the future, to ensure communities are both adequately represented, and that councillors continue to be fairly and equitably remunerated.

Deficiencies with the current processes for reviewing councillor numbers and allowances – including a lack of clear structure and transparency around the scope, timing and conduct of regular reviews – has led to inconsistent and inequitable outcomes across the sector.

The framework proposed in this paper provides the opportunity to provide increased certainty around future reviews and improved transparency into how they are to occur

The Government is considering legislative changes to establish a mandatory schedule for regular reviews (for example, once every term of council). The technical details of these provisions would need to be further developed, but the Government is keen in the first instance to test with the sector and the community, support for the concept of legislating for routine, regular allowances and number reviews conducted in accordance with the methodology outlined in this paper.

We believe this proposal has merit, as it would see the re-application of the methodology to councils on a regular basis, ensuring council numbers and allowances remain fair and equitable on an absolute and relative basis over time, in response to demographic and other changes.



## Appendix A – Detailed scoring

Council	Population (2025-26 projections)		Council type - simplified ACLG		Sealed Roads - urban and rural (km)		5 year (19-20 to 23-24) average value of approved DAs \$'000		Written down value of infrastructure assets \$'000 (2023-24)		Total Score
Clarence	65,014	5	Urban	1.5	465	1.5	\$277,518	3	\$623,212	3	14.0
Hobart	56,967	5	Urban	1.5	299	1.5	\$343,265	3	\$897,259	3	14.0
Launceston	72,701	5	Urban	1.5	543	1.5	\$293,907	3	\$1,394,520	3	14.0
Glenorchy	51,803	4	Urban	1.5	303	1.5	\$203,151	3	\$633,044	3	13.0
Kingborough	42,687	4	Urban	1.5	294	1.5	\$169,583	3	\$590,758	3	13.0
Burnie	20,774	2	Urban	1.5	309	1.5	\$76,003	2	\$412,045	3	10.0
Central Coast	23,490	2	Urban	1.5	560	1.5	\$74,595	2	\$481,724	3	10.0
Devonport	27,108	3	Urban	1.5	250	1.5	\$76,643	2	\$274,691	2	10.0
West Tamar	26,652	3	Urban	1.5	324	1.5	\$78,557	2	\$295,030	2	10.0
Northern Midlands	14,360	1	Rural Large	1.0	577	1.5	\$107,694	3	\$416,334	3	9.5
Sorell	18,474	2	Rural Large	1.0	217	1.0	\$116,845	3	\$305,566	2	9.0
Circular Head	8,313	1	Rural Large	1.0	303	1.5	\$355,170	3	\$217,497	2	8.5

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Council	Population (2025-26 projections)		Council type - simplified ACLG		Sealed Roads - urban and rural (km)		5 year (19-20 to 23-24) average value of approved DAs \$'000		Written down value of infrastructure assets \$'000 (2023-24)		Total Score
Meander Valley	21,680	2	Rural Large	1.0	561	1.5	\$83,778	2	\$231,255	2	8.5
Huon Valley	19,991	2	Rural Large	1.0	196	1.0	\$72,069	2	\$253,887	2	8.0
Brighton	20,774	2	Urban	1.5	163	1.0	\$90,510	2	\$135,646	1	7.5
Waratah-Wynyard	14,694	1	Rural Large	1.0	295	1.5	\$50,232	2	\$223,538	2	7.5
Break O'Day	7,143	1	Rural Large	1.0	230	1.0	\$55,821	2	\$189,924	2	7.0
Derwent Valley	11,467	1	Rural Large	1.0	123	1.0	\$94,102	2	\$153,505	2	7.0
Latrobe	13,654	1	Rural Large	1.0	242	1.0	\$73,029	2	\$332,847	2	7.0
Dorset	6,933	1	Rural Large	1.0	252	1.5	\$20,725	1	\$187,136	2	6.5
Kentish	6,965	1	Rural Large	1.0	262	1.5	\$27,836	1	\$270,974	2	6.5
Glamorgan-Spring Bay	5,351	1	Rural Small	0.5	179	1.0	\$59,193	2	\$120,193	1	5.5
George Town	7,306	1	Rural Large	1.0	198	1.0	\$28,002	1	\$144,012	1	5.0

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Council	Population (2025-26 projections)		Council type - simplified ACLG		Sealed Roads - urban and rural (km)		5 year (19-20 to 23-24) average value of approved DAs \$'000		Written down value of infrastructure assets \$'000 (2023-24)		Total Score
Southern Midlands	7,014	1	Rural Large	1.0	217	1.0	\$31,358	1	\$139,117	1	5.0
Central Highlands	2,604	1	Rural Small	0.5	135	1.0	\$22,791	1	\$92,270	1	4.5
West Coast	4,296	1	Rural Small	0.5	124	1.0	\$26,910	1	\$88,229	1	4.5
Flinders	928	1	Rural Small	0.5	97	0.5	\$7,640	1	\$75,282	1	4.0
King Island	1,654	1	Rural Small	0.5	92	0.5	\$21,917	1	\$77,869	1	4.0
Tasman	2,720	1	Rural Small	0.5	80	0.5	\$17,564	1	\$63,367	1	4.0

## Appendix B – Comparative representation and allowance data

Figure 1 - Average population per councillor – jurisdictional comparison

Jurisdiction	Number of councils	Number of councillors <sup>7</sup>	Population (ABS 2021)	Population per councillor
NSW	128	1259	8,072,163	6412
Vic	79	618	6,503,491	10523
QLD	77	600*	5,156,138	8594
WA	139	1200*	2,660,026	2217
SA	68	630	1,781,516	2828
Tas	29	263	557,571	2120
NT	17	159	232,605	1463
<b>Tas (proposed)</b>	<b>29</b>	<b>203</b>	<b>557,571</b>	<b>2694</b>

- The proposed changes to numbers would see Tasmania have the third lowest proportion of people per councillor (above Northern Territory and Western Australia). We would have representational parity with South Australia.
- Importantly, this demonstrates there would be no adverse dilution of local representation compared to other jurisdictions.

<sup>7</sup> QLD and WA figures are approximations from respective electoral commission/OLG websites.

**Figure 2 – changes to population per councillor (PPC) figures between 2013 – 2027 (factoring in changes to numbers)**

	2013-14 (ABS)		2020-2021 (ABS)		2026-27 (Treasury projections - medium)	
<b>Council</b>	<b>Population</b>	<b>PPC</b>	<b>Population</b>	<b>PPC</b>	<b>Population</b>	<b>PPC (proposed model)</b>
Break O'Day	6312	701	6936	771	7179	1026
Brighton	16221	1802	19263	2140	21051	3007
Burnie	19565	2174	20441	2271	20500	2563
Central Coast	21989	2443	23278	2586	23537	2942
Central Highlands	2239	249	2580	287	2610	522
Circular Head	8204	912	8335	926	8304	1186
Clarence	54219	4518	62396	5200	65521	7280
Derwent Valley	10013	1252	11114	1389	11530	1647
Devonport	25295	2811	26922	2991	27164	3396
Dorset	6920	769	6991	777	6915	988
Flinders	871	124	938	134	927	185
George Town	6854	762	7213	801	7320	1046
Glamorgan-Spring Bay	4430	554	5118	640	5394	771
Glenorchy	46044	4604	51233	5123	52024	5780
Hobart	51232	4269	56084	4674	57238	6360
Huon Valley	16243	1805	18809	2090	20192	2885
Kentish	6317	702	6778	753	7008	1001
King Island	1611	179	1654	184	1649	330
Kingborough	35723	3572	40815	4082	43140	4793
Latrobe	10569	1174	12705	1412	13841	1977
Launceston	66576	5548	71906	5992	72940	8104
Meander Valley	19519	2169	21153	2350	21771	3110
Northern Midlands	12819	1424	14030	1559	14422	2060
Sorell	13981	1553	16975	1886	18740	2677
Southern Midlands	6139	877	6838	977	7049	1007
Tasman	2389	341	2643	378	2732	546
Waratah-Wynyard	14014	1752	14641	1830	14702	2100
West Coast	4392	488	4373	486	4285	857
West Tamar	22921	2547	25747	2861	26842	3355

**Figure 3 – Jurisdictional administrative and democratic comparison of 5-councillor LGAs**

- Victoria is the only Australian Jurisdiction with five-councillor councils (although all others have six-councillor councils).
- These Victorian councils are rural, cover significantly broader areas on average (except Borough of Queenscliffe) and all have higher populations than Tasman, Central Highlands, King Island and Flinders councils.

Jurisdiction	5-councillor councils	Population (ABS 2021)	Area size (km <sup>2</sup> )
Victoria	Mansfield Shire Council	10,178	3843.9
	Loddon Shire Council	7,759	6696.4
	Pyrenees Shire Council	7,671	3434.6
	Towong Shire Council	6,223	6675.2
	West Wimmera Shire Council	4,006	9108.7
	Borough of Queenscliffe Council	3,276	8.6
Tasmania	West Coast	4,373	9583.5
	Tasman Council	2,643	660.4
	Central Highlands Council	2,580	7982.4
	King Island	1,654	1095.7
	Flinders Council	938	1996.6



**Figure 4 – Democratic outcomes with current councillor numbers - results of 30 recounts undertaken since 2022 (and first preference votes received by successful candidate in 2022) (DEIDENTIFIED)**

First preference votes received in 2022	Total formal votes received by council in 2022 election	First preference vote % received in 2022
608	11,867	5.12%
44	2,012	2.19%
209	6,414	3.26%
208	4,590	4.53%
56		1.22%
93		2.03%
105		2.29%
157		3.42%
17	702	2.42%
128	3,784	3.38%
112		2.96%
227	25,506	0.89%
803		3.15%
687		2.69%
428	30,708	1.39%
486		1.58%
179	11,386	1.57%
285		2.50%
648		5.69%
158	12,793	1.24%
310		2.42%
634		4.96%
458		3.58%
124	10,231	1.21%

First preference votes received in 2022	Total formal votes received by council in 2022 election	First preference vote % received in 2022
351	4,033	8.70%
103	2,188	4.71%
65		2.97%
406	15,530	2.61%
624	37,578	1.66%
503		1.34%

**Figure 5 – Jurisdictional councillor allowance rates (and categories for determining allowances)**

	<b>Victoria</b>	<b>Councillor allowance</b>
Category	1	61,153
	2	40,769
	3	34,028
	4	27,291

	<b>Queensland</b>	<b>Councillor allowance</b>
Category	F2	166,653
	E2	153,141
	D3	135,123
	D2	117,109
	C3	100,052
	C2	99,090
	C1	78,814
	B3	77,876
	B2	77,688
	B1	60,270
	A3	60,270
	A2	59,695
	A1	59,695

	<b>Western Australia</b>	<b>Councillor allowance (maximum payable)</b>
Category	1	34,278
	2	25,137
	3	17,711
	4	10,286
	regional councils	11,430

	<b>South Australia</b>	<b>Councillor allowance</b>
Category	1A	25,838
	1B	22,828
	2	19,110
	3	15,381
	4	10,955
	5	7,192

	<b>New South Wales</b>	<b>Councillor allowance (maximum payable)</b>
Category	Principal CBD	45,070
	Major CBD	37,960
	Metropolitan Major	35,890
	Metropolitan Large	33,810
	Metropolitan Medium	28,690
	Metropolitan Small	22,540
	Major Regional City	35,620
	Major Strategic Area	35,620
	Regional Strategic Area	33,810
	Regional Centre	27,050
	Regional Rural	22,540
	Rural Large	18,340
	Rural	13,520

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

# IN CONFIDENCE

**10/25.18.0            CLOSED COUNCIL**

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

- 10/25.18.1            Confirmation of Closed Council Minutes – Council Meeting 15 September 2025**
- 10/25.18.2            Outstanding Actions List for Closed Council**
- 10/25.18.3            Closed Council Item Pursuant to Section 17(2)D of the Local Government (Meeting Procedures) Regulations 2025 - Titley Shack EOI Proposals**
- 10/25.18.4            Closed Council Item Pursuant to Section 15(2)F of the Local Government (Meeting Procedures) Regulations 2015 – Property Acquisition**
- 10/25.18.5            Closed Council Item Pursuant to Section 17(2)A of the Local Government (Meeting Procedures) Regulations 2025 - Office Closure – Christmas to New Year**

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

**10/25.19.0            MEETING CLOSED**

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

.....  
**MAYOR**

.....  
**DATE**