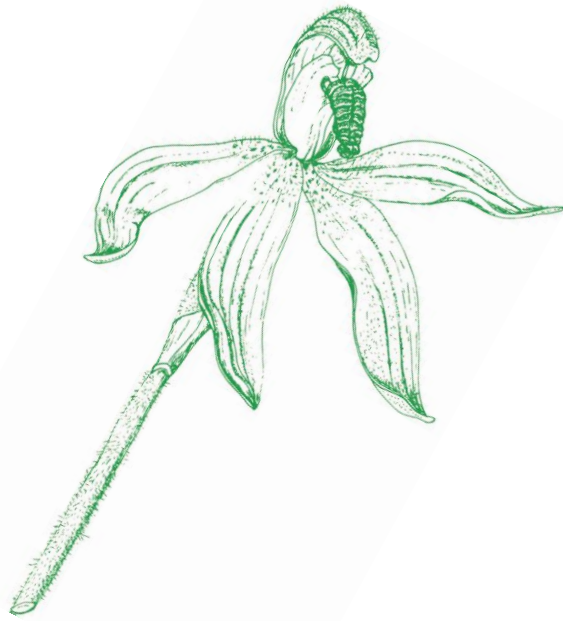




COUNCIL MEETING MINUTES

Monday 20 October 2025
Council Chambers, St Helens

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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 welcomed Councillors and staff and declared the meeting open at 10.00am

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

ACKNOWLEDGEMENT OF COUNTRY

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

LIVE AUDIO/VISUAL STREAMING OF COUNCIL MEETINGS

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

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
Executive Officer, Jayne Richardson (*Item 1.0-25.19*)
Economic Development Officer, Dilara Bedwell (*Item 25.17.3-25.19*)
Development Services Coordinator, Jake Ihnen (*Item 1.0-25.19*)
Planning Officer, Alex McKinlay (*Item 1.0-25.8.5*)
Business Services Manager, Raoul Harper (*Item 1.0-25.18.5*)
Manager Community Services, Chris Hughes (*Item 1.0-25.15.2*)
Senior Town Planner, Deb Szekely (*Item 1.0-25.8.5, 25.13.5-25.16*)

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.

Nine people in the gallery.

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

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.

Nil

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.

Nil

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.

COUNCIL DECISION:

10/25.4.1.594 Moved: Cllr K Wright / Seconded: Cllr B LeFevre

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

CARRIED UNANIMOUSLY

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 informed 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

FILE REFERENCE	DA 2025 / 00046
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OFFICER'S RECOMMENDATION:

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O'Day*, that the application for Residential – Construction of a Dwelling and 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.
2	Single Dwelling	
A	If a visitor accommodation use is sought for the dwelling, a further development application must be	Prior to use and maintained at all times.

	lodged with Council to seek approval for the allocation of an additional use to the dwelling.	
3	Vehicle Crossover	
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.
4	Residential Use Car Parking	
A	The areas shown to be set aside for vehicle access and car parking must be: a. completed before the use of the development; b. constructed with a durable all weather pavement and drained in a manner that will not cause stormwater nuisance.	Prior to use and maintained at all times.
5	On-Site Stormwater Management	
A	All run-off must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance.	Prior to 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.
6	Nuisance	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
B	During the period of construction, works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.	Prior to use and maintained at all times.
C	The driveway must be constructed in a manner that ensures sediment is neither tracked nor eroded across the property boundary.	Prior to use and maintained at all times.
D	All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	At all times.
7	Underground Infrastructure	
A	All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works.	Prior to site works and maintained at all times.

ADVICE

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

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

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

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

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

Development Permit Information	Details
<i>Development Description</i>	Residential – 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.

COUNCIL DECISION:

10/25.8.1.595 Moved: Clr B LeFevre/ Seconded: Clr V Oldham

- 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.
2	Single Dwelling	
A	If a visitor accommodation use is sought for the dwelling, a further development application must be lodged with Council to seek approval for the allocation of an additional use to the dwelling.	Prior to use and maintained at all times.
3	Vehicle Crossover	
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.
4	Residential Use Car Parking	
A	The areas shown to be set aside for vehicle access and car parking must be: c. completed before the use of the development; d. constructed with a durable all weather pavement and drained in a manner that will not cause stormwater nuisance.	Prior to use and maintained at all times.
5	On-Site Stormwater Management	
A	All run-off must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance.	Prior to 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.
6	Nuisance	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
B	During the period of construction, works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.	Prior to use and maintained at all times.
C	The driveway must be constructed in a manner that ensures sediment is neither tracked nor eroded across the property boundary.	Prior to use and maintained at all times.
D	All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	At all times.
7	Underground Infrastructure	
A	All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works.	Prior to site works and maintained at all times.

ADVICE

- 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

C. 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)

CARRIED UNANIMOUSLY

10/25.8.2 DA 065-2025 – 38 Steel Street, Scamander - Residential - Retrospective Approval of Retaining Walls

FILE REFERENCE	DA 2025 / 00065
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OFFICER'S RECOMMENDATION:

- 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:	Project No: EE920	Exceed Engineering	16/09/2025

Response to Stormwater Management Specific Area Plan			
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
1	Approved Plans and/or Document	
A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2	Water and Sewerage (TasWater)	
A	All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, TWDA 2025/00604-BODC	Prior to any works.
3	On-Site Stormwater Management	
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.
4	Nuisance	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
5	Underground Infrastructure	
A	All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works.	Prior to site works and maintained at all times.

ADVICE

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

COUNCIL DECISION:**10/25.8.2.596**Moved: Clr B LeFevre/ Seconded: Clr V Oldham

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for Residential - Retrospective Approval 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
1	Approved Plans and/or Document	
A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2	Water and Sewerage (TasWater)	
A	All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, TWDA 2025/00604-BODC	Prior to any works.
3	On-Site Stormwater Management	
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.
4	Nuisance	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
5	Underground Infrastructure	
A	All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works.	Prior to site works and maintained at all times.

ADVICE

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

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

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

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

Development Permit Information	Details
<i>Development Description</i>	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)

CARRIED UNANIMOUSLY

10/25.8.3 DA 101-2025 – 274 St Helens Point Road, Stieglitz - Residential - Demolition of Existing Dwelling AND Construction of a New Dwelling and Shed with Attached Awning

FILE REFERENCE	DA 2025 / 00101
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OFFICER'S RECOMMENDATION:

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O'Day*, that the application for Residential - 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:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
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

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	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.
2	Single Dwelling	
A	If a visitor accommodation use is sought for the dwelling, a further development application must be lodged with Council to seek approval for the allocation of an additional use to the dwelling.	Prior to use and maintained at all times.
3	Residential Use Car Parking	
A	The areas shown to be set aside for vehicle access and car parking must be: a. completed before the use of the development; b. constructed with a durable all weather pavement and drained in a manner that will not cause stormwater nuisance.	Prior to use and maintained at all times.
4	Water and Sewerage (TasWater)	
A	All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, TWDA 2025/00754-BODC	Prior to use and maintained at all times.
5	Stormwater	
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.

6	Nuisance	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
B	During the period of construction, works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.	Prior to use and maintained at all times.
C	The driveway must be constructed in a manner that ensures sediment is neither tracked nor eroded across the property boundary.	Prior to use and maintained at all times.
D	All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	At all times.
7	Underground Infrastructure	
A	All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works.	Prior to site works and maintained at all times.

ADVICE

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

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

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

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

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

Development Permit Information	Details
<i>Development Description</i>	Residential - 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.

COUNCIL DECISION:

10/25.8.3.597 Moved: Clr B LeFevre/ Seconded: Clr K Wright

- 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:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
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

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	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.
2	Single Dwelling	
A	If a visitor accommodation use is sought for the dwelling, a further development application must be lodged with Council to seek approval for the allocation of an additional use to the dwelling.	Prior to use and maintained at all times.
3	Residential Use Car Parking	
A	The areas shown to be set aside for vehicle access and car parking must be: c. completed before the use of the development; d. constructed with a durable all weather pavement and drained in a manner that will not cause stormwater nuisance.	Prior to use and maintained at all times.
4	Water and Sewerage (TasWater)	
A	All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, TWDA 2025/00754-BODC	Prior to use and maintained at all times.
5	Stormwater	
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.
6	Nuisance	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
B	During the period of construction, works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.	Prior to use and maintained at all times.
C	The driveway must be constructed in a manner that ensures sediment is neither tracked nor eroded across the property boundary.	Prior to use and maintained at all times.
D	All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	At all times.

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

ADVICE

- 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 - 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)

CARRIED UNANIMOUSLY

FILE REFERENCE	DA 2025 / 00053
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OFFICER'S RECOMMENDATION:

- A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O'Day*, that the application for 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
1.	APPROVED PLANS	
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.

CONDITION		TIMING
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.
2.	ON-SITE STORMWATER MANAGEMENT	
A	All run-off must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance.	Prior to the commencement of use and maintained at all times.
B	Soakage drains must be of sufficient size to absorb stormwater runoff and are subject to a technical assessment at the building permit authority stage.	To be maintained at all times.
C	Works on the site must not result in a concentration of flow onto other property, or cause ponding or other storm water nuisance.	During site works and to be maintained at all times.
3.	COMMERCIAL CAR PARKING	
	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; (e) Surfaced with a dust free surface that restricts abrasion from traffic and minimises entry of water to the pavement; (f) Marked by such means to indicate each space to the satisfaction of the Council. (g) Drained in a manner that will not cause stormwater nuisance and ensures stormwater runoff is disposed of within the confines of the property.	Prior to the commencement of use and maintained at all times.

CONDITION		TIMING
4.	SIGNAGE	
A	Signs must be: (a) professionally designed and legible; (b) structurally sound and not in any way hazardous; (c) located entirely within the boundaries of lot C.T. 27339/1; (d) situated so as not to obstruct traffic; and (e) designed in colours and principles not currently incorporated into statutory or directional signs erected by public authorities.	Prior to the commencement of use and maintained at all times.
5.	EFFLUENT DISPOSAL	
A	Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's Plumbing Permit Authority.	Prior to the commencement of use and maintained at all times.
6.	NUISANCE	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
7.	BUILDING WASTES	
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.
8.	SOIL AND WATER MANAGEMENT	
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.	During site works and to be maintained at all times.

CONDITION		TIMING
	revegetated) so that they will not erode and/or act as a source of sediment transfer.	
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.
9.	ACCESS LICENCE	
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.
10.	EXTERIOR BUILDING LIGHTING	
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
11.	EXTERNAL LIGHTING	
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.
12.	EXTERNAL COLOURS AND FINISHES	
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.
13.	VISITOR ACCOMMODATION MANAGEMENT PLAN	
A	A management plan for the operation of the visitor accommodation must be submitted and approved as a compliance of this condition, to the	Prior to commencement of use.

CONDITION		TIMING
	satisfaction of Council's General Manager of delegate and is to include the operation of existing visitor accommodation on the site.	
B	The management plan must include, but is not limited to, the following measures: a) To limit, manage and mitigate noise generated as a result of the visitor accommodation; b) To limit, manage, and mitigate behaviour issues caused as a result of the visitor accommodation; 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; d) To specify the maximum permitted occupancy of the visitor accommodation; 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; 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.	Prior to commencement of use and to be maintained at all times.
C	Once approved, the management plan must be implemented and must be maintained.	At all times.
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

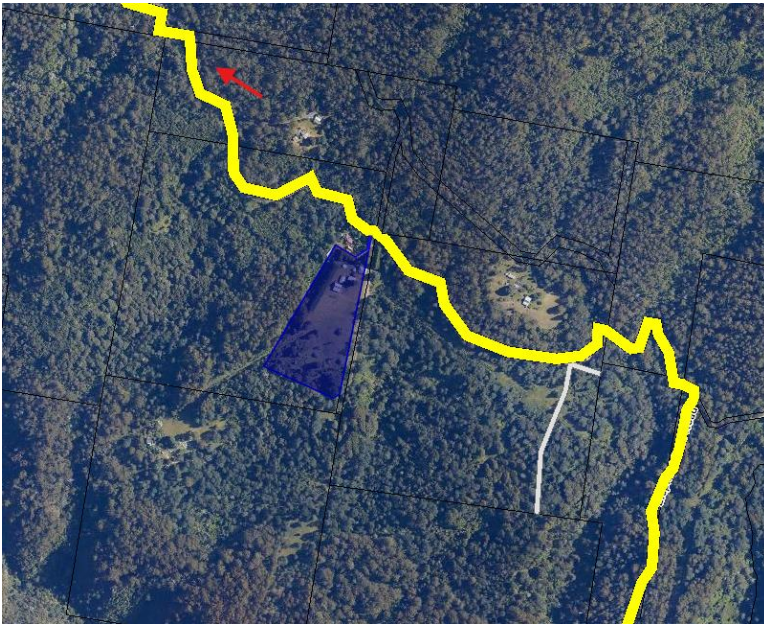
- C. That the following information be included in the Permit.

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



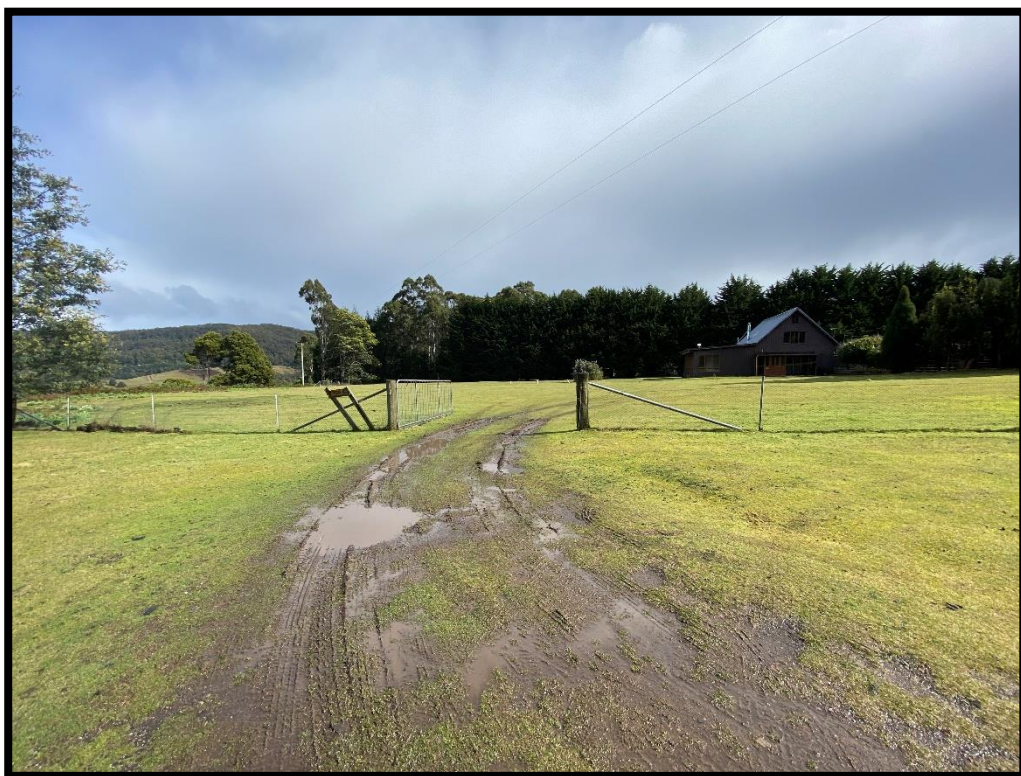
Access from crown land road reserve onto Elephant Pass Road.



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.



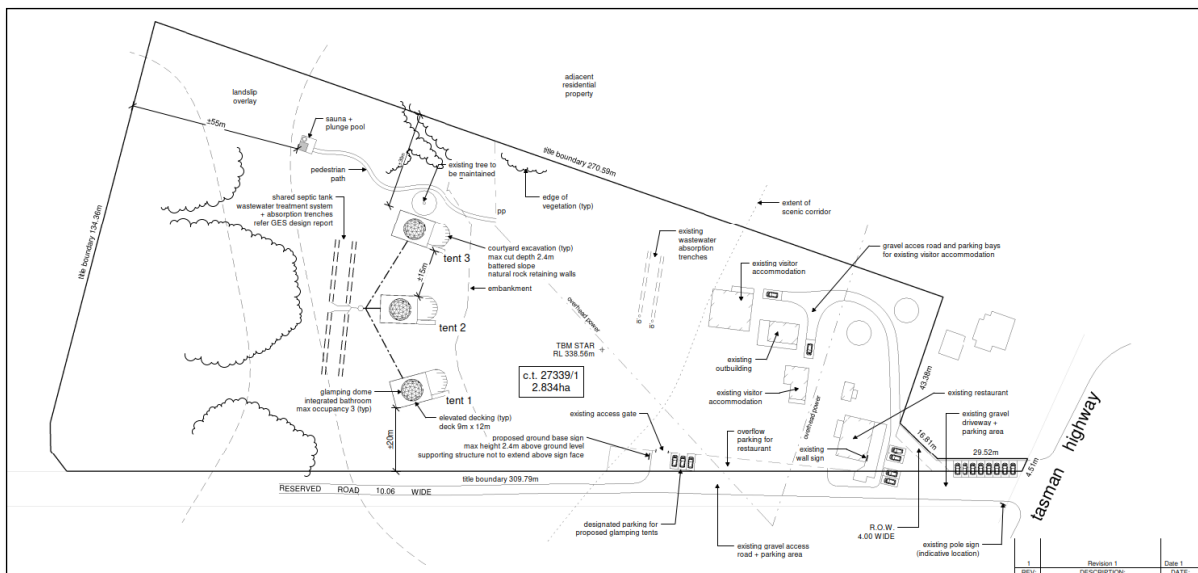
Proposed development area.

BACKGROUND

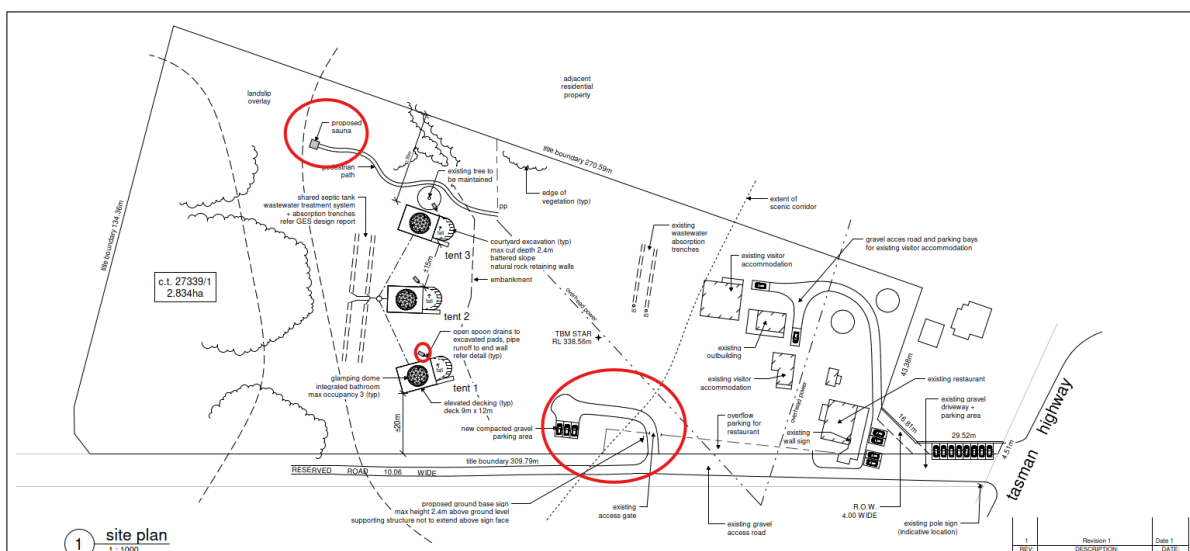
The application was lodged with Council on 24/04/2025 with the application becoming valid on 19 June 2025 after received Crown Consent to Lodge from Property Services on 18/06/2025.

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:

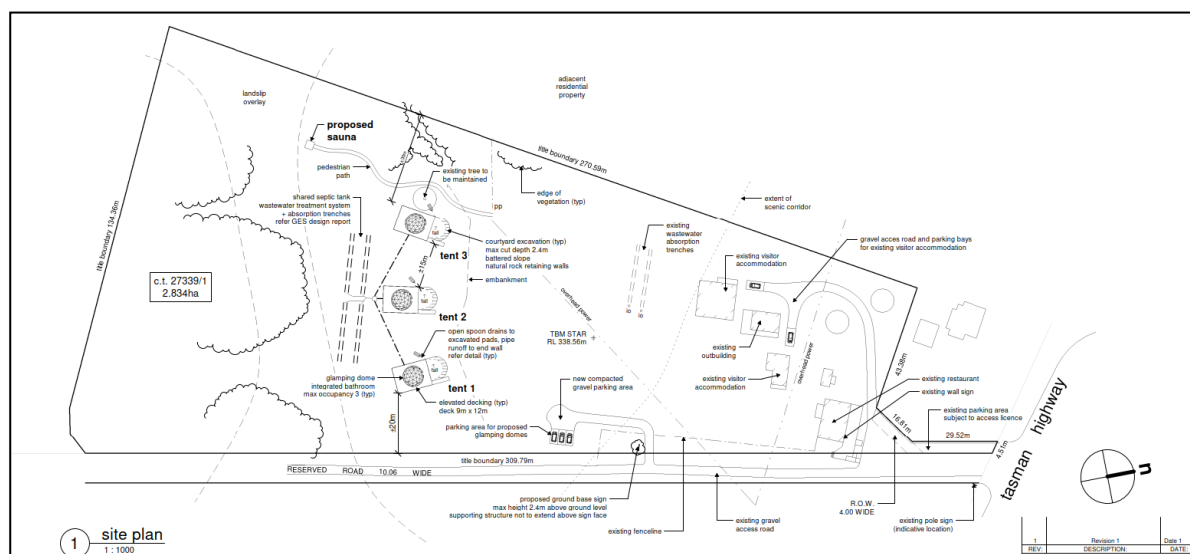
- Make a minor alteration to the location of the car parking to provide greater separation from the side boundary;
- Abandon the inclusion of a plunge pool (Visitor Accommodation use and development) in the proposed use and development;
- Include stormwater infrastructure for each glamping structure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



Advertised Site Plan



Amended Site Plan Council Meeting 15 September



Amended Site Plan Council Meeting 20 October

At this point, staff are required to consider whether the amended plans constituted a new application or whether the planning authority could grant a permit subject to a condition requiring compliance with the amended plans. Council should note that the LUPA Act makes no provision for the re-advertising of amended plans. This is confirmed in the deliberations of the Supreme Court of Tasmania decision – *Tomaszewski v Hobart City Council [2020] TASSC 48*, which in relation to the LUPA Act state:

'...Counsel for the Council informed me that there is a common practice whereby councils repeat the statutory notification process if an applicant changes a development application after the statutory notices have been given. He also acknowledged that the fact that that practice is long-standing and efficacious does not make it lawful...'

It goes on to say:

'...If, after the modification of a development proposal in a particular case, there was reason to think that members of the public might wish to make further representations relating to the modified proposal, or that the planning authority might benefit from additional representations, that might be a powerful indication that the revised proposal was one for a substantially different development, rather than a modification of the development originally proposed...'

The Court recognises that the LUPA Act provides for further consideration which may result in minor changes to the proposal and provides for the planning authority to give effect to a change by imposing a permit condition that varies the original development proposal.

In this context, staff are of the opinion that the amended plans do not constitute a new application because the amended plans do not transform the original proposal into something substantially different.

COUNCIL DECISION:

10/25.8.4.598 Moved: Clr B LeFevre/ Seconded: Clr V Oldham

- 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
14.	APPROVED PLANS	
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	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.
15.	ON-SITE STORMWATER MANAGEMENT	
A	All run-off must be disposed of within the confines of the property by means that will not result in soil erosion or other stormwater nuisance.	Prior to the commencement of use and maintained at all times.
B	Soakage drains must be of sufficient size to absorb stormwater runoff and are subject to a technical assessment at the building permit authority stage.	To be maintained at all times.
C	Works on the site must not result in a concentration of flow onto other property, or cause ponding or other storm water nuisance.	During site works and to be maintained at all times.
16.	COMMERCIAL CAR PARKING	

CONDITION		TIMING
	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: (h) completed before the use of the development; (i) have an internal access width not less than 3m; (j) comply with Australian Standard AS2890. 1:2004 Parking facilities, Part 1: Off-street car parking; (k) 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; (l) Surfaced with a dust free surface that restricts abrasion from traffic and minimises entry of water to the pavement; (m) Marked by such means to indicate each space to the satisfaction of the Council. (n) Drained in a manner that will not cause stormwater nuisance and ensures stormwater runoff is disposed of within the confines of the property.	Prior to the commencement of use and maintained at all times.
17.	SIGNAGE	
A	Signs must be: (f) professionally designed and legible; (g) structurally sound and not in any way hazardous; (h) located entirely within the boundaries of lot C.T. 27339/1; (i) situated so as not to obstruct traffic; and (j) designed in colours and principles not currently incorporated into statutory or directional signs erected by public authorities.	Prior to the commencement of use and maintained at all times.
18.	EFFLUENT DISPOSAL	
A	Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's Plumbing Permit Authority.	Prior to the commencement of use and maintained at all times.

CONDITION		TIMING
19.	NUISANCE	
A	Use of the development must not create a nuisance as defined by the Environmental Management and Pollution Control Act 1994.	At all times.
20.	BUILDING WASTES	
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.
21.	SOIL AND WATER MANAGEMENT	
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.
22.	ACCESS LICENCE	
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.
23.	EXTERIOR BUILDING LIGHTING	
A	Any necessary exterior building lighting must be located under eaves and limited to that essential	Prior to commencement of use and to be maintained at all times

CONDITION		TIMING
	to allow the safe and secure movement of pedestrians/guests at night.	
24.	EXTERNAL LIGHTING	
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.
25.	EXTERNAL COLOURS AND FINISHES	
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.
26.	VISITOR ACCOMMODATION MANAGEMENT PLAN	
A	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	The management plan must include, but is not limited to, the following measures: g) To limit, manage and mitigate noise generated as a result of the visitor accommodation; h) To limit, manage, and mitigate behaviour issues caused as a result of the visitor accommodation; i) 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; j) To specify the maximum permitted occupancy of the visitor accommodation; k) To specify that if guests utilize the site for the parking of vehicles they must be	Prior to commencement of use and to be maintained at all times.

CONDITION		TIMING
	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; l) 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.	
C	Once approved, the management plan must be implemented and must be maintained.	At all times.
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
6. Be advised that in accordance with the *Building Act 2016* assessment for building approval cannot commence until such time as Council is provided with full Building Design Plans and Specifications prepared by a Tasmanian Licenced designer.

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

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

CARRIED

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

AGAINST – Clr K Wright, Clr L Johnstone

10/25.8.5 DA 219-2024 – Lot 2 Cherrywood Drive, Scamander - Subdivision - 70 Lot Subdivision and Road Lots (Staged)

FILE REFERENCE	DA 2024 / 00219
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OFFICER'S RECOMMENDATION:

A. After due consideration of the application received and pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O'Day*, that the application for 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
27.	Approved Plans and/or Document	
A.	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained at all times.
2.	Staged Subdivision	
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).

CONDITION		TIMING
3.	Bushfire Hazard Management	
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 dated 7/11/2024, have been implemented, including requirements regarding water supply, access, and vegetation / staged fuel hazard management.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
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).
4.	Vegetation Clearing, Weed Management and Hygiene	
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	Prior to works commencing.

CONDITION		TIMING
	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).	
E.	The Weed and Disease Management Plan must address the existing unauthorised clearing of vegetation and must ensure any disturbed land in balance stages is able to regenerate naturally. 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.	Weed and Disease Management activities must commence immediately for any existing unauthorised clearing. 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.
F.	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 & 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.	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.
5.	Disposal of Cleared Vegetation	
	Chip, shred or tub grind cleared native vegetation and spread as mulch or dispose of at an authorised waste facility.	During site works.

CONDITION		TIMING
	Cleared vegetation must not be burnt.	
6.	Fauna Management Plan	
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: 1. Procedures for dealing with fauna observed immediately prior to vegetation clearing. 2. Procedures for dealing with fauna, including burrowing or denning fauna, during vegetation clearing including details of personnel on site qualified to manage fauna. 3. Procedures for the treatment / removal of injured fauna from the site. 4. Prevention of fauna movement towards the Tasman Highway/Scamander Avenue during site works.	Prior to works commencing on site.
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.	Provide an activity report including: 1. The actions taken to deal with observed fauna; 2. The number of any animals that were required to be relocated; 3. The release site for any relocated animals; 4. The number (if any) of animals injured during clearing; 5. Any treatment or actions taken on any animals injured during clearing.	Within fourteen (14) days of completion of clearing.
7.	Construction Management Plan	
	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	Not less than two (2) weeks prior to commencement of works. To be maintained current at all times.

CONDITION		TIMING
	impacts on the surrounding community during construction. These processes are to cover, but is not limited to, the following: 1. Material / Plant delivery and storage locations; 2. Waste locations and collection details; 3. Dust management activities and plant storage; 4. Construction office accommodation if any; 5. Contractor / tradesman vehicle parking arrangements; 6. Works that may make audible noise outside of: Mon-Friday 7 am to 6 pm; Saturday 9 am to 6 pm; Sunday and public holidays 10 am to 6 pm The CMP may include a site layout drawing identifying these areas. 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. The CMP needs to reflect any staging requirements.	
8.	Storm water Management	
A.	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.	Prior to commencement of works associated with this condition.

CONDITION		TIMING
	Design drawings shall identify the requirement to upgrade existing Council owned infrastructure to service the development if applicable. 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 Flow paths are to be shown on the submitted engineering drawings. 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. 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. Design drawings must be prepared and certified by a qualified professional engineer practicing in the fields of hydrology and hydraulics.	
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).

CONDITION		TIMING
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 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.
9.	Roads & Footpaths	
A.	Provide dedicated constructed road access to and within the development in accordance with the: 1. Endorsed plans; 2. Endorsed Traffic Impact Assessment Rev. 3 prepared by Traffic and Civil Services and dated 07/03/2025; and 3. Endorsed Bushfire Hazard Management Report prepared by Livingston Natural Resources Services V3 and dated 7/11/2024. Where there is conflict in cul-de-sac head design between the approved plans and the approved	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
	Bushfire Hazard Management Report (BHMR), the BHMR prevails.	
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.
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.
10.	New Works & Infrastructure Construction	
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.

CONDITION		TIMING
11.	Works in State Road Reserve	
	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 traffic facilities etc.) are reviewed, accepted, and a written permit issued by State Growth, see Note. 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 General works (pathways, stock underpass) – Transport Services.	Prior to undertaking any works within the State Road Reserve.
12.	Water and Sewerage (TasWater)	
	All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, TWDA 2024/01330-BODC	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
13.	Easements to be created	
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).

CONDITION		TIMING
14.	Staged Landscaping	
	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).
15.	Electricity / Telecommunications	
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).
16.	Stockpiles of Construction and Landscaping Materials	
	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.
17.	Payment in Lieu of Public Open Space	
	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).
18.	Covenants on Subdivisions	
	Any restrictive covenants created by this subdivision are not to preclude the	Prior to submitting to the Council any request for approval of a plan of

CONDITION		TIMING
	use/development of this land for State, Commonwealth or Local Government purpose.	subdivision (i.e. a survey plan).
19.	Final Plan of Survey	
	A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. Advice: the plan will not be sealed until such time as all conditions on this permit have been complied with.	On completion and satisfaction of all conditions on this permit.

ADVICE

1. 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.

COUNCIL DECISION:

10/25.8.5.599 Moved: Clr B LeFevre/ Seconded: Clr I Carter

- A. After due consideration of the application received and pursuant to Section 57 of *the Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for 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
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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 Investigation	Site	V01	Geo-Environmental Solutions	05/11/2024
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CONDITIONS

CONDITION		TIMING
28.	Approved Plans and/or Document	
A.	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained at all times.
2.	Staged Subdivision	
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).
3.	Bushfire Hazard Management	
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	Prior to submitting to the Council any request for approval of a plan of

CONDITION		TIMING
	that all recommendations and requirements of the Bushfire Hazard Management Report by Livingston Natural Resources Services V3 and dated 7/11/2024, have been implemented, including requirements regarding water supply, access, and vegetation / staged fuel hazard management.	subdivision (i.e. survey plan).
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).
4.	Vegetation Clearing, Weed Management and Hygiene	
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.

CONDITION		TIMING
E.	The Weed and Disease Management Plan must address the existing unauthorised clearing of vegetation and must ensure any disturbed land in balance stages is able to regenerate naturally. 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.	Weed and Disease Management activities must commence immediately for any existing unauthorised clearing. 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.
F.	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 & 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.	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.
5.	Disposal of Cleared Vegetation	
	Chip, shred or tub grind cleared native vegetation and spread as mulch or dispose of at an authorised waste facility. Cleared vegetation must not be burnt.	During site works.
6.	Fauna Management Plan	

CONDITION		TIMING
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: 5. Procedures for dealing with fauna observed immediately prior to vegetation clearing. 6. Procedures for dealing with fauna, including burrowing or denning fauna, during vegetation clearing including details of personnel on site qualified to manage fauna. 7. Procedures for the treatment / removal of injured fauna from the site. 8. Prevention of fauna movement towards the Tasman Highway/Scamander Avenue during site works.	Prior to works commencing on site.
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.	Provide an activity report including: 6. The actions taken to deal with observed fauna; 7. The number of any animals that were required to be relocated; 8. The release site for any relocated animals; 9. The number (if any) of animals injured during clearing; 10. Any treatment or actions taken on any animals injured during clearing.	Within fourteen (14) days of completion of clearing.
7.	Construction Management Plan	
	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	Not less than two (2) weeks prior to commencement of works. To be maintained current at all times.

CONDITION	TIMING
construction. These processes are to cover, but is not limited to, the following: 7. Material / Plant delivery and storage locations; 8. Waste locations and collection details; 9. Dust management activities and plant storage; 10. Construction office accommodation if any; 11. Contractor / tradesman vehicle parking arrangements; 12. Works that may make audible noise outside of: Mon-Friday 7 am to 6 pm; Saturday 9 am to 6 pm; Sunday and public holidays 10 am to 6 pm The CMP may include a site layout drawing identifying these areas. 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. The CMP needs to reflect any staging requirements.	
8. Storm water Management	
A. 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. Design drawings shall identify the requirement to upgrade existing Council owned infrastructure to service the development if applicable.	Prior to commencement of works associated with this condition.

CONDITION		TIMING
	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 Flow paths are to be shown on the submitted engineering drawings. 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. 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. Design drawings must be prepared and certified by a qualified professional engineer practicing in the fields of hydrology and hydraulics.	
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

CONDITION		TIMING
		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 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.
9.	Roads & Footpaths	
A.	Provide dedicated constructed road access to and within the development in accordance with the: 4. Endorsed plans; 5. Endorsed Traffic Impact Assessment Rev. 3 prepared by Traffic and Civil Services and dated 07/03/2025; and 6. Endorsed Bushfire Hazard Management Report prepared by Livingston Natural Resources Services V3 and dated 7/11/2024. 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.	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
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.
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.
10.	New Works & Infrastructure Construction	
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.
11.	Works in State Road Reserve	

CONDITION		TIMING
	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 traffic facilities etc.) are reviewed, accepted, and a written permit issued by State Growth, see Note. 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 General works (pathways, stock underpass) – Transport Services.	Prior to undertaking any works within the State Road Reserve.
12.	Water and Sewerage (TasWater)	
	All works must be in accordance with the conditions of the Submission to Planning Authority Notice by TasWater, TWDA 2024/01330-BODC	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
13.	Easements to be created	
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).
14.	Staged Landscaping	

CONDITION		TIMING
	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).
15.	Electricity / Telecommunications	
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).
16.	Stockpiles of Construction and Landscaping Materials	
	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.
17.	Payment in Lieu of Public Open Space	
	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).
18.	Covenants on Subdivisions	
	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).

CONDITION		TIMING
19.	Final Plan of Survey	
	A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. Advice: the plan will not be sealed until such time as all conditions on this permit have been complied with.	On completion and satisfaction of all conditions on this permit.

ADVICE

1. 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)

CARRIED UNANIMOUSLY

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

10/25.9.0 COUNCIL MEETING ACTIONS

10/25.9.1 Outstanding Matters

Clr I Carter – Requested an update on the old Fingal Council Office Expression of Interest process from the General Manager

Clr L Johnstone – Requested an update on the progress of the pedestrian crossings in St Helens from Mayor Tucker.

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	MS Teams	– Sustainable Timbers Tasmania, presentation to Councillors and Council officers in relation to the 3 Year Timber Harvesting Plan.
16.09.2025	Devonport	– Local Government Association of Tasmania's (LGAT) General Management Committee meeting.
17.09.2025	Devonport	– Local Government Association of Tasmania's (LGAT) Mayor's Workshop.
22.09.2025	St Helens	– Citizenship Ceremony, attended ceremony which welcomed five (5) new citizens.
22.09.2025	St Helens	– Meeting with Carol Liefing & Sandra French (Bay of Fires Winter Arts Festival).
24.09.2025	St Helens	– Meeting with Tim Gowans & Jes Kenth (Medea Park).
25.09.2025	MS Teams	– NBN Upgrades in Break O'Day Presentation - Sam Marshall.
26.09.2025	St Helens	– Meeting with Deputy Premier Guy Barnett MP and General Manager John Brown.
26.09.2025	St Helens	– Attended the Trade Strategy 2030 Roundtable.
26.09.2025	St Helens	– Meeting with Sally Faulkner, John Berry & Natacha Bennet (Scamander Sports & Community Complex Committee).
29.09.2025	Rokeby	– Attended the National Police Remembrance Day 2025.
30.09.2025	St Helens	– Bendigo Bank Community Stadium Committee Meeting.

01.10.2025	St Helens	– Meeting with Senator Wendy Askew and General Manager John Brown.
01.10.2025	St Helens	– Break O’Day Aquatic Facility Analysis meeting of the Working Group.
02.10.2025	St Helens	– 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	St Helens	– Council Workshop.
07.10.2025	St Helens	– Interview with Bec Pridham from ABC News Tasmania.
08.10.2025	Scamander	– Scamander Sports Complex Committee Meeting.
13.10.2025	Hobart	– Premier's Local Government Council (PLGC) Meeting.
15.10.2025	MS Teams	– Meeting with LGAT CEO Dion Lester and GMC Vice President, Mayor Paula Wriedt.
17.10.2025	MS Teams	– Northern Tasmania Regional Land Use Strategy (NTRLUS) Steering Committee Meeting.
20.10.2025	MS Teams	– Office of Local Government, Information Session on the proposed reforms to Councillor Allowances and Numbers.
20.10.2025	St Helens	– 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

Nil

- NRM Special Committee – Clr Liz Johnstone

Clr Johnstone advised that she was absent for the last NRM meeting. The next meeting is scheduled for 28 October and hopefully there will be a couple of new members attending. The Scamander River Mouth Project will be discussed at this meeting.

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

On Thursday 16 October the East Coast Tourism General Meeting and AGM were held at White Sands Resort.

Items discussed included;

1. Discussion about the next Positive Impact Plan survey to be distributed.
2. Triabunna Tomorrow project update and discussion regarding funding initiatives.
3. Parks- toilet upgrades are planned and St. Columba Falls is scheduled to be open for summer.
4. Grace (CEO) was welcomed back and Damian’s efforts recognized.
5. The East Coast had an excellent winter, tourism wise, with our visitor statistics leading the State for increase during the last quarter.

The AGM for ECTT was followed by a Networking Event. An Industry Award for Accessibility and Inclusion was presented to Little Beach Co Resort.

- Mental Health Action Group – Clr Barry LeFevre

Nil

- Access and Inclusion Advisory Committee – Clr Kylie Wright

A meeting was held on the 7 October and discussion was held about access to services, availability and trying to get more community involvement. They are planning a Disability Day on 6 December, to be held at the Multipurpose Centre at St Marys. There is also one being planned for St Helens, with a date to be advised. The Disability Action Plan will be discussed at the next meeting. They are investigating getting service providers, such as Centrelink, to come and speak at the Disability Day. The next meeting is scheduled for 6 December 2025.

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

There have been no meetings held or scheduled at this stage. There have been challenges getting indigenous support from the community but there is some positive progress happening with this.

The meeting adjourned for morning tea at 11:06am and resumed at 11:15am.

10/25.13.0 BUSINESS AND CORPORATE SERVICES

10/25.13.1 Corporate Services Department Report

FILE REFERENCE	018\018\001\
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OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

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

COUNCIL DECISION:

10/25.13.1.600 Moved: Clr L Johnstone/ Seconded: Clr I Carter

That the report be received.

CARRIED UNANIMOUSLY

FILE REFERENCE	018\018\001\
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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.

COUNCIL DECISION:**10/25.13.2.601**Moved: Clr K Wright/ Seconded: Clr G Barnes

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

CARRIED UNANIMOUSLY

10/25.13.3 Visitor Information Centre Report

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

That the report be received.

INTRODUCTION:

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

COUNCIL DECISION:

10/25.13.3.602 Moved: Clr B LeFevre/ Seconded: Clr I Carter

That the report be received.

CARRIED UNANIMOUSLY

10/25.13.4 Review of Council Delegations

FILE REFERENCE	014\002\010\
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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*.

COUNCIL DECISION:

Procedural Motion

Moved: Clr K Wright / Seconded: Clr L Johnstone

That Council defer this item until November 2025 Council Meeting.

CARRIED UNANIMOUSLY

FILE REFERENCE	008\009\001\
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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.

COUNCIL DECISION:**10/25.13.5.604**Moved: Clr L Johnstone/ Seconded: Clr K Wright

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.

CARRIED UNANIMOUSLY

10/25.13.6 Audit Panel Minutes

FILE REFERENCE	018\005\006\
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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.

COUNCIL DECISION:

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

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

CARRIED UNANIMOUSLY

10/25.14.0 WORKS AND INFRASTRUCTURE

10/25.14.1 Works and Infrastructure Report

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

That the report be received by Council.

INTRODUCTION:

This 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.

COUNCIL DECISION:

10/25.14.1.606 Moved: Clr B LeFevre/ Seconded: Clr K Wright

That the report be received by Council.

CARRIED UNANIMOUSLY

10/25.14.2 Animal Control Report

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

That the report be received by Council.

INTRODUCTION:

This 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.

COUNCIL DECISION:

10/25.14.2.607 Moved: Clr K Wright/ Seconded: Clr I Carter

That the report be received by Council.

CARRIED UNANIMOUSLY

10/25.15.0 COMMUNITY DEVELOPMENT

10/25.15.1 Community Services Report

FILE REFERENCE	011\034\006\
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OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

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

COUNCIL DECISION:

10/25.15.1.608 Moved: Clr I Carter/ Seconded: Clr B LeFevre

That the report be received by Council.

CARRIED UNANIMOUSLY

10/25.15.2

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

FILE REFERENCE	018\019\001\
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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.

COUNCIL DECISION:

10/25.15.2.609

Moved: Clr G Barnes/ Seconded: Clr V Oldham

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.

CARRIED UNANIMOUSLY

10/25.16.0

DEVELOPMENT SERVICES

10/25.16.1

Development Services Report

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

That the report be received.

INTRODUCTION:

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

COUNCIL DECISION:

10/25.16.1.610

Moved: Clr G Barnes/ Seconded: Clr K Wright

That the report be received.

CARRIED UNANIMOUSLY

FILE REFERENCE	DA127-2025
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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.

COUNCIL DECISION:**10/25.16.2.611**Moved: Clr G Barnes/ Seconded: Clr B LeFevre

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

CARRIED**FOR Clr G Barnes, Clr I Carter, Clr V Oldham, Clr B LeFevre, Mayor Tucker****AGAINST Clr L Johnstone, Clr K Wright**

10/25.17.0 GOVERNANCE

10/25.17.1 General Manager's Report

FILE REFERENCE	002\012\001\
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OFFICER'S RECOMMENDATION:

That the General Manager's report be received.

INTRODUCTION:

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

COUNCIL DECISION:

10/25.17.1.612 Moved: Clr B LeFevre/ Seconded: Clr K Wright

That the General Manager's report be received.

CARRIED UNANIMOUSLY

Clr K Wright left the meeting at 12:05pm and returned at 12:10pm.

10/25.17.2 Office Closure – Christmas to New Year

FILE REFERENCE	002\014\001\
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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.

COUNCIL DECISION:

10/25.17.2.613 Moved: Clr V Oldham/ Seconded: Clr G Barnes

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.

CARRIED UNANIMOUSLY

10/25.17.3 Local Government Reforms to Councillor Numbers and Allowances Discussion Paper

FILE REFERENCE	039\002\008\
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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

COUNCIL DECISION:

10/25.17.3.614

Moved: Clr B LeFevre/ Seconded: Clr V Oldham

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

CARRIED UNANIMOUSLY

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

Moved: Cllr K Wright/ Seconded: Cllr G Barnes

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

COUNCIL DECISION:

10/25.18.1.CC Moved: Cllr K Wright/ Seconded: Cllr V Oldham

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

CARRIED UNANIMOUSLY

10/25.18.2 Outstanding Actions List for Closed Council

Received.

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

DECISION TO APPEAR IN OPEN COUNCIL:

No part of this decision is to appear in Open Council

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**

DECISION TO APPEAR IN OPEN COUNCIL:

No part of this decision is to appear in Open Council.

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

Moved: Clr B LeFevre/ Seconded: Clr V Oldham

10/25.19.0 MEETING CLOSED

Mayor Tucker thanks everyone for their attendance and declared the meeting closed at 12:58pm.

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MAYOR

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DATE