Break O'Day
COUNCIL



COUNCIL MEETING MINUTES

Monday 19 October 2026
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
19 October 2026

CONTENTS

CONTENTS 2
AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL 4
OPENING & INTRODUCTION 4
ACKNOWLEDGEMENT OF COUNTRY 4
LIVE AUDIO/VISUAL STREAMING OF COUNCIL MEETINGS 4
10/26.1.0 ATTENDANCE 5
10/26.1.1 Present 5
10/26.1.2 Apologies 5
10/26.1.3 Leave of Absence 5
10/26.1.4 Staff in Attendance 5
10/26.2.0 PUBLIC QUESTION TIME 5
10/26.2.1 Scamander Township – Dr Liz Johnstone OBO Paul Dingjan 6
10/26.2.2 St Marys to Cornwall Rail Trail – Clr Liz Johnstone OBO Dr Gary Luck 6
10/26.2.3 Ansons Bay Telstra Tower – Clr Ian Carter OBO Dr Martin Harris 7
10/26.3.0 COUNCILLOR'S QUESTIONS ON NOTICE 8
10/26.4.0 COUNCILLOR'S QUESTIONS WITHOUT NOTICE 8
10/26.4.1 Ansons Bay Telstra Tower – Clr K Chapple 9
10/26.5.0 DECLARATION OF INTERESTS OF A COUNCILLOR OR CLOSE ASSOCIATE 9
10/26.6.0 CONFIRMATION OF MINUTES 9
10/26.6.1 Confirmation of Minutes – Council Meeting 21 September 2026 9
10/26.7.0 COUNCIL WORKSHOPS HELD SINCE 21 SEPTEMBER 2026 COUNCIL MEETING 10
10/26.8.0 PLANNING AUTHORITY 10
10/26.8.1 DA 047-2026 – 104 Main Road, Binalong Bay - Residential – Additions and Alteration to Existing Dwelling and Extension to Existing Outbuilding 10
10/26.8.2 DA 145-2026 56 & 56A Scamander Avenue, Scamander - Subdivision – Boundary Variation between Two Lots (Boundary Adjustment) 15
10/26.9.0 COUNCIL MEETING ACTIONS 21
10/26.9.1 Outstanding Matters 21
10/26.10.0 PETITIONS 21
10/26.11.0 NOTICES OF MOTION 21
10/26.12.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS 21
10/26.12.1 Mayor's Communications for Period Ending 19 October 2026 21
10/26.12.2 Councillor's Reports for Period Ending 19 October 2026 22
10/26.13.0 BUSINESS AND CORPORATE SERVICES 23
10/26.13.1 Corporate Services Department Report 23
10/26.13.2 Monthly Financial Report 23

10/26.14.0 WORKS AND INFRASTRUCTURE 24
10/26.14.1 Works and Infrastructure Report 24
10/26.14.2 Animal Control Report 24
10/26.15.0 COMMUNITY DEVELOPMENT 25
10/26.15.1 Community Services Report 25
10/26.15.2 Visitor Information Centre Report 25
10/26.16.0 DEVELOPMENT SERVICES 26
10/26.16.1 Development Services Report 26
10/26.17.0 GOVERNANCE 26
10/26.17.1 General Manager's Report 26
10/26.17.2 Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report April - June 2026 27
10/26.17.3 Office Closure – Christmas to New Year 27
10/26.17.4 Council Meeting Dates for 2027 28
10/26.18.0 CLOSED COUNCIL 29
10/26.18.1 Confirmation of Closed Council Minutes – Council Meeting 21 September 2026 29
10/26.18.2 Outstanding Actions List for Closed Council 29
10/26.19.0 MEETING CLOSED 30

AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

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

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

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

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

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

OPENING & INTRODUCTION

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

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

ACKNOWLEDGEMENT OF COUNTRY

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

LIVE AUDIO/VISUAL STREAMING OF COUNCIL MEETINGS

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

10/26.1.0 ATTENDANCE

10/26.1.1 Present

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

10/26.1.2 Apologies

Nil

10/26.1.3 Leave of Absence

Nil

10/26.1.4 Staff in Attendance

General Manager, John Brown
People & Safety Support Officer, Linda Singline
Manager Infrastructure and Development Services, David Jolly *(Item 26.1-26.18.2)*
Development Services Coordinator, Jake Ihnen *(Item 26.1-26.18.2)*
Manager Business Services, Raoul Harper *(Item 26.1-26.18.2)*
Planning Officer, Alex McKinlay *(Item 26.1-26.9)*
Executive Officer, Jayne Richardson *(Item 26.1-26.18.2)*
Manager Community Services, Chris Hughes *(Item 26.1-26.18.2)*

10/26.2.0 PUBLIC QUESTION TIME

One (1) person in the gallery.

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

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

A question asked at a meeting is to:

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

General statements are not permitted during question time.

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

10/26.2.1 Scamander Township – Dr Liz Johnstone OBO Paul Dingjan

1. When the old Scamander Bridge was demolished the State Government allocated $250,000 to the BOD Council for works on the foreshore between the bridge and the boat ramp park. Some of this was used by MAST for the new pontoon jetty at the boat ramp.
   Does Council still have access to the balance of the money and is so has it any plans for tidying up the foreshore?

   REPLY
   We understand there is approximately $132,000 remaining from the State Government election commitment. Council will follow up with the relevant Government Department to confirm that the funding remains available and to clarify the process for accessing the balance.

2. How much has been spent on capital works in Scamander during the term of the current Council?

   REPLY
   $1,339,328.00

3. Is the Council whether incoming or otherwise, prepared to consider lobbying the State Government for a reduction of the speed limit to 50 km/hr on Scamander Avenue north of the bridge?

   REPLY
   Council may request a review of a sign posted speed limit on state owned and Councils road network where it is supported by a Traffic Engineering Report. Any formal proposal to the Transport Commissioner to reduce a speed limit would need to be endorsed by the Council prior to submission.

10/26.2.2 St Marys to Cornwall Rail Trail – Clr Liz Johnstone OBO Dr Gary Luck

As you know, the rail trail has been on the council agenda since 2014. For 12 years, the project has seen little progress made. This is despite the project being identified as a medium-term (3-10 years) action in 2014 and a high priority (2-4 years) in 2022.

For the last 9 months, the Officer's Report in Council agendas regarding the rail trail reads as follows:

'*Scope of works – Rail trail – Cornwall to St Marys. Council staff have prepared a scope of works and concept plan outlining the project's vision and proposed construction. The trail's construction will require Council to obtain external funding. Harvesting operations are currently underway in the area surrounding the proposed trail. Once these operations are completed, the scope of works documents will be reviewed and finalised in preparation for seeking expressions of interes*t.'

1. When will the Scope of Works actually be finished?

   REPLY
   With harvesting now complete, Council has recommenced its review of the draft scope and concept plan. The next step will be to confirm access with the landowner and undertake an inspection of the proposed corridor. The scope can then be finalised based on the conditions identified. While Council cannot provide a firm completion date at this stage, the project remains a priority and staff will now progress this work.

2. When will expressions of interest be sought?

   REPLY
   Once the project scope has been finalised and the necessary external funding secured, the required works and services will be procured in accordance with Council's procurement policy and contractual requirements.

3. When will external funding be sought?

   REPLY
   Securing external funding is the critical step required to progress the project beyond its current planning stage. Once the scope, proposed alignment and preliminary project costs have been confirmed, Council will be better placed to pursue suitable State and Australian Government funding opportunities. However, the timing and availability of competitive grant programs are outside Council's control, and Council cannot guarantee when funding will become available or whether an application will be successful.

10/26.2.3 Ansons Bay Telstra Tower – Clr Ian Carter OBO Dr Martin Harris

The Black Spot programme has secured funding for a Telstra tower to provide improved services to the Ansons Bay community. After a thorough and lengthy investigation, a solution was recommended, that being a 50m tower in the area colloquially known as "communication cove". This would provide the community with fit-for-purpose coverage from a location sufficiently removed from the township itself to minimise any visual impact. Information has emerged that the BODC's preference is for a smaller tower and that the DA will be adjusted accordingly. This is not the community's preference and the reduction in height will impact a number of residents in the area. Approval of the Telstra recommended height is an important step for the community and for public safety in the area generally.

1. Will the BODC support the Telstra recommendations for the tower height to maximise coverage for the Ansons Bay community?

REPLY
Council cannot indicate support or otherwise in relation to the tower height as this would compromise its actions as a Planning Authority. A Development Application has not yet been lodged and will need to be assessed through the planning process.

2. Is the BODC intending to vary the recommendations to be lodged in the forthcoming DA?

REPLY
Telstra is responsible for preparing and lodging the planning application under the Tasmanian Planning Scheme and Land Use Planning and Approvals Act. Once lodged, Council, acting as the Planning Authority will carry out an assessment and determine whether the proposal meets the requirements of the Tasmanian Planning Scheme.

3. If any, what changes do the BODC intend to make?

REPLY
Council has not proposed any changes to Telstra's proposal as Telstra has not yet lodged a development application. There are no application details for Council to assess or changes to identify at this stage.

General Manager's response provided at the Council Meeting
Telstra have put forward that they are looking at a 50m tower at Ansons Bay and Council staff asked Telstra as to why it is 50m tall, as we wanted some information given every other tower we have seen in the area has been 25m,26m,28m, so quite rightly as part of diligence is to ask why does the tower need to be that high. In relation to the other questions that are there, there has been no DA lodged at this point in time to the best of my knowledge, we are still waiting on that. For Council to actually state a position in relation to support or otherwise, in relation to a future DA, I note Council's role as a planning authority and they should not form a position or indicate a position prior to actually considering that matter with their planning authority hat on at this time. It is unfortunate that there has been some misinformation put out in the community around what Council has asked for which is incorrect and we will be taking action to ensure that the correct information is before people.

10/26.3.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil

10/26.4.0 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

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

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

10/26.4.1 Ansons Bay Telstra Tower – Clr K Chapple

Leading on from what was discussed there, as part of this process what type of community consultation will Council and Telstra be undertaking in regards to the mobile phone tower. How will we put forward clarification of the misinformation, will we be doing anything in regards to that because there is a lot of chatter in the community groups online.

General Manager's response provided at the Council Meeting

The community engagement process if it is a discretionary application, then the standard engagement process will operate. Telstra have undertaken engagement in the past, Council have done so as well, we understand the need and the deficiencies of the current situation, so at this point in time it will be dealt with as a DA there will be no specific engagement around it. In relation to communications to the community, we will monitor what is happening on social media and respond appropriately, at this point in time it doesn't justify sending a letter to everyone in Ansons Bay clarifying the position, we will make sure we get the message out there and that the correct facts are stated.

10/26.5.0 DECLARATION OF INTERESTS OF A COUNCILLOR OR CLOSE ASSOCIATE

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

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

Nil

10/26.6.0 CONFIRMATION OF MINUTES

10/26.6.1 Confirmation of Minutes – Council Meeting 21 September 2026

OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 21 September 2026 be confirmed.

COUNCIL DECISION:

10/26.6.1.860 Moved: Clr K Chapple/ Seconded: Clr G Barnes

That the minutes of the Council Meeting held on the 21 September 2026 be confirmed.

CARRIED UNANIMOUSLY

10/26.7.0 COUNCIL WORKSHOPS HELD SINCE 21 SEPTEMBER 2026 COUNCIL MEETING

There was a workshop held 5 October 2026 and the following items were listed for discussion:

- Presentation - East Coast Tourism Tasmania, Grace Keath
- Pending Development Application Updates
- Draft End of Term Finance and Asset Management Report 2022–2026
- Animal Control Report
- Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report April - June 2026
- Office Closure – Christmas to New Year
- Council Meeting Dates for 2027

10/26.8.0 PLANNING AUTHORITY

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

10/26.8.1 DA 047-2026 – 104 Main Road, Binalong Bay - Residential – Additions and Alteration to Existing Dwelling and Extension to Existing Outbuilding

FILE REFERENCE	DA 2026 / 00047

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 - Additions and Alterations to Existing Dwelling and Extension to Existing Outbuilding on land situated at 104 Main Road, Binalong Bay described in Certificate of Title 240588/5 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	**Reference Number**	**Prepared By**	**Dated**
Cover Page	A000, Rev C	Engineering Plus	Nil
Site Plan	A101, Rev C	Engineering Plus	18/08/2026
Floor Plan	A201, Rev C	Engineering Plus	18/08/2026
Upper Floor – Demolition	A202, Rev C	Engineering Plus	18/08/2026
Upper Floor Plan	A203, Rev C	Engineering Plus	18/08/2026
Elevations #1	A301, Rev C	Engineering Plus	18/08/2026
Elevations #2	A302, Rev C	Engineering Plus	18/08/2026
Roof Plan – Proposed	A401, Rev C	Engineering Plus	18/08/2026
3D Perspective #1	A601, Rev C	Engineering Plus	18/08/2026
3D Perspective #2	A602, Rev C	Engineering Plus	18/08/2026
3D Perspective #3	A603, Rev C	Engineering Plus	18/08/2026

3D Perspective #4	A604, Rev C	Engineering Plus	18/08/2026

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	**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. 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; c. surfaced with a pervious dust free surface and drained in a manner that will not cause stormwater nuisance; and d. constructed with a durable all-weather pavement.	Prior to use and maintained at all times.
4	**Stormwater**	
A	Stormwater must be captured at the property boundary in a grated strip drain crossing the driveway and piped to discharge to a grated pit located in the naturestrip between the road and the footpath.	Prior to completion certificates being issued and to be maintained at all times.
B	The grated pit must be rated as trafficable and have a protective concrete surround (minimum 400mm x 400mm) to protect it from damage.	Prior to completion certificates being issued and to be maintained at all times.
C	The stormwater work must be completed by a licenced plumber.	Prior to completion certificates being issued and to be maintained at all times.
D	An application to Work in the Road Reservation must be submitted prior to undertaking any work on the stormwater connection.	Prior to any work commencing within the road reservation.
E	Concentrated stormwater must not be discharged into neighbouring properties.	To be maintained at all times.
5	**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 or debris is neither tracked nor eroded across the property boundary.	Prior to use and maintained at all times.
D	All building waste is to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	At all times
6	**Underground Infrastructure**	
A	All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works.	Prior to site works and maintained at all times.

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**
Development Description	Residential - Additions and Alterations to Existing Dwelling and Extension to Existing Outbuilding
Relevant Period of Approval	2 Years
Other Necessary Permits	Works Permit
Attachments	Nil
Representations	One (1)

INTRODUCTION:

The applicant is seeking approval for additions and alteration to the existing dwelling and proposed extension to an existing outbuilding on the subject site at 104 Main Road, Binalong Bay (CT 240588/5).

COUNCIL DECISION:

10/26.8.1.861 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 - Additions and Alterations to Existing Dwelling and Extension to Existing Outbuilding on land situated at 104 Main Road, Binalong Bay described in Certificate of Title 240588/5 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	**Reference Number**	**Prepared By**	**Dated**
Cover Page	A000, Rev C	Engineering Plus	Nil
Site Plan	A101, Rev C	Engineering Plus	18/08/2026
Floor Plan	A201, Rev C	Engineering Plus	18/08/2026
Upper Floor – Demolition	A202, Rev C	Engineering Plus	18/08/2026
Upper Floor Plan	A203, Rev C	Engineering Plus	18/08/2026
Elevations #1	A301, Rev C	Engineering Plus	18/08/2026
Elevations #2	A302, Rev C	Engineering Plus	18/08/2026
Roof Plan – Proposed	A401, Rev C	Engineering Plus	18/08/2026
3D Perspective #1	A601, Rev C	Engineering Plus	18/08/2026
3D Perspective #2	A602, Rev C	Engineering Plus	18/08/2026
3D Perspective #3	A603, Rev C	Engineering Plus	18/08/2026
3D Perspective #4	A604, Rev C	Engineering Plus	18/08/2026

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	**Residential Use Car Parking**	

A	The areas shown to be set aside for vehicle access and car parking must be: e. completed before the use of the development; f. 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; g. surfaced with a pervious dust free surface and drained in a manner that will not cause stormwater nuisance; and h. constructed with a durable all-weather pavement.	Prior to use and maintained at all times.
4	**Stormwater**	
A	Stormwater must be captured at the property boundary in a grated strip drain crossing the driveway and piped to discharge to a grated pit located in the naturestrip between the road and the footpath.	Prior to completion certificates being issued and to be maintained at all times.
B	The grated pit must be rated as trafficable and have a protective concrete surround (minimum 400mm x 400mm) to protect it from damage.	Prior to completion certificates being issued and to be maintained at all times.
C	The stormwater work must be completed by a licenced plumber.	Prior to completion certificates being issued and to be maintained at all times.
D	An application to Work in the Road Reservation must be submitted prior to undertaking any work on the stormwater connection.	Prior to any work commencing within the road reservation.
E	Concentrated stormwater must not be discharged into neighbouring properties.	To be maintained at all times.
5	**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 or debris is neither tracked nor eroded across the property boundary.	Prior to use and maintained at all times.
D	All building waste is to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.	At all times
6	**Underground Infrastructure**	
A	All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works.	Prior to site works and maintained at all times.

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**
Development Description	Residential - Additions and Alterations to Existing Dwelling and Extension to Existing Outbuilding
Relevant Period of Approval	2 Years
Other Necessary Permits	Works Permit
Attachments	Nil
Representations	One (1)

CARRIED UNANIMOUSLY

10/26.8.2 DA 145-2026 56 & 56A Scamander Avenue, Scamander - Subdivision – Boundary Variation between Two Lots (Boundary Adjustment)

FILE REFERENCE	DA 2026 / 00145

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 - Boundary Variation between Two Lots (Boundary Adjustment) on land situated at 56 Scamander Avenue, Scamander and 56A Scamander Avenue, Scamander described in Certificate of Titles 153446/1 and 153446/2 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	**Reference Number**	**Prepared By**	**Dated**
Subdivision Proposal Plan	Sheet 1/1, V1.0	Nova Land Consulting	12/06/2026
Planning Report	Job Number: L26 0 426	Nova Land Consulting	16/06/2026
Bushfire Hazard Exemption	Job number: L260426 NL04426	Nova Land Consulting	16/06/2026

CONDITIONS

CONDITION		TIMING
1	**Approved Plans and/or Document**	
A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained at all times.
2	**Lots**	
A	Approval is for Lot 1 and Lot 2.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
3	**New Crossover (Access works permit required)**	
A	The consent of the Minister under Section 16 of the Roads and Jetties Act 1935 to undertake works within the State road reservation is required. For further information please visit New or altered access onto a road (driveways) – Transport Services or contact permits@building.tas.gov.au.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	On sealed State roads all new accesses must be sealed from the road to the property boundary as a minimum.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
C	Pursuant to Section 16 of the Roads and Jetties Act 1935, where a vehicle access has been constructed from land to a State highway or subsidiary road, the owner of that land is responsible for the maintenance and repair of the whole of the vehicular access	To be maintained at all times.
4	**Demolition of Outbuildings**	
A	The three sheds identified for removal on the subdivision proposal plan must be removed from the site at 56 Scamander Avenue, Scamander.	Prior to submitting to the Council any request for approval of a plan of

		subdivision (i.e. a survey plan).
B	During demolition all existing materials must be checked for the presence of asbestos and if found, handling, protection and disposal must be carried out in accordance with the requirements of Work Safe Tasmania and Safe Work Australia How to safely remove asbestos: Code of practice.	At all times.
5	**Covenants on Subdivisions**	
A	Any restrictive covenants created by this subdivision are not to preclude the use/development of this land for State, Commonwealth or Local Government purposes.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
6	**Final Plan of Survey**	
A	A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. Advice: the plan will not be sealed until such time as all conditions on this permit have been complied with.	On completion and satisfaction of all conditions on this permit.
7	**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.

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)	Yes	Building Tasmania

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

Development Permit Information	**Details**
Development Description	Subdivision - Boundary Variation between Two Lots (Boundary Adjustment)

Relevant Period of Approval	2 Years
Other Necessary Permits	Access Works Permit (Building Tasmania)
Attachments	Nil
Representations	One (1)

INTRODUCTION:

The applicant is seeking approval for a boundary variation via subdivision for the subject sites at 56 Scamander Avenue, Scamander (CT 153446/1) and 56A Scamander Avenue, Scamander (CT 153446/2).

COUNCIL DECISION:

10/26.8.2.862 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 Subdivision - Boundary Variation between Two Lots (Boundary Adjustment) on land situated at 56 Scamander Avenue, Scamander and 56A Scamander Avenue, Scamander described in Certificate of Titles 153446/1 and 153446/2 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	**Reference Number**	**Prepared By**	**Dated**
Subdivision Proposal Plan	Sheet 1/1, V1.0	Nova Land Consulting	12/06/2026
Planning Report	Job Number: L26 0 426	Nova Land Consulting	16/06/2026
Bushfire Hazard Exemption	Job number: L260426 NL04426	Nova Land Consulting	16/06/2026

CONDITIONS

CONDITION		**TIMING**
1	**Approved Plans and/or Document**	
A	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained at all times.
2	**Lots**	
A	Approval is for Lot 1 and Lot 2.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).

3	**New Crossover (Access works permit required)**	
A	The consent of the Minister under Section 16 of the Roads and Jetties Act 1935 to undertake works within the State road reservation is required. For further information please visit New or altered access onto a road (driveways) – Transport Services or contact permits@building.tas.gov.au.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	On sealed State roads all new accesses must be sealed from the road to the property boundary as a minimum.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
C	Pursuant to Section 16 of the Roads and Jetties Act 1935, where a vehicle access has been constructed from land to a State highway or subsidiary road, the owner of that land is responsible for the maintenance and repair of the whole of the vehicular access	To be maintained at all times.
4	**Demolition of Outbuildings**	
A	The three sheds identified for removal on the subdivision proposal plan must be removed from the site at 56 Scamander Avenue, Scamander.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	During demolition all existing materials must be checked for the presence of asbestos and if found, handling, protection and disposal must be carried out in accordance with the requirements of Work Safe Tasmania and Safe Work Australia How to safely remove asbestos: Code of practice.	At all times.
5	**Covenants on Subdivisions**	
A	Any restrictive covenants created by this subdivision are not to preclude the use/development of this land for State, Commonwealth or Local Government purposes.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
6	**Final Plan of Survey**	
A	A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. Advice: the plan will not be sealed until such time as all conditions on this permit have been complied with.	On completion and satisfaction of all conditions on this permit.
7	**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.

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)	Yes	Building Tasmania

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

Development Permit Information	**Details**
Development Description	Subdivision - Boundary Variation between Two Lots (Boundary Adjustment)
Relevant Period of Approval	2 Years
Other Necessary Permits	Access Works Permit (Building Tasmania)
Attachments	Nil
Representations	One (1)

CARRIED UNANIMOUSLY

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

10/26.9.0 COUNCIL MEETING ACTIONS

10/26.9.1 Outstanding Matters

Nil

10/26.10.0 PETITIONS

Nil

10/26.11.0 NOTICES OF MOTION

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

Nil

10/26.12.0 MAYOR'S & COUNCILLOR'S COMMUNICATIONS

10/26.12.1 Mayor's Communications for Period Ending 19 October 2026

23.09.2026	**Canberra**	– Australian Local Government Association (ALGA), visit the National Situation Room located at the Australian Federal Police Headquarters.
23.09.2026	**Canberra**	– ALGA, Board briefing with Department of Foreign Affairs and Trade and Australian Security Intelligence Organisation.
24.09.2026	**Canberra**	– ALGA, Board meeting.
25.09.2026	**MS Teams**	– Highly Pathogenic Avian Influenza (HPAI), Department of Natural Resources and Environment Tasmania (NRE Tas) provided an update on preparedness, response planning and public communication.
27.09.2026	**St Helens**	– St Helens Bowls and Community Club, official opening.
28.09.2026	**Falmouth**	– Russell Hookway, (Glencoe Estate).
29.09.2026	**Hobart**	– National Police Remembrance Day Service.
30.09.2026	**Launceston**	– Northern Tasmania Development Corporation (NTDC), attended the Annual General Meeting and Members Representative Group (MRG) meeting.
01.10.2026	**St Helens**	– Janie Finlay MP, Member for Bass, tour of Break O'Day provided an opportunity to brief Ms Finlay on key Council projects, regional priorities and future funding needs.
02.10.2026	**Launceston**	– Kerry Vincent MP, Minister for Infrastructure and Transport, Local Government, Housing and Planning.
03.10.2026	**St Helens**	– Visitors from Melbourne Masonic Lodge.

05.10.2026	**St Helens**	– Council Workshop.
05.10.2026	**MS Teams**	– Royal Flying Doctors Service, meeting regarding adult dental services.
07.10.2026	**St Helens**	– James Redgrave, Lions Tasmania District Governor (2026–2027).
12.10.2026	**St Helens**	– St Helens Fire Station – *Deferred, to be held 19/10/2026*
13.10.2026	**Hobart**	– Jane Howlett MP, Member for Lyons.
13.10.2026	**Hobart**	– LGAT, meeting with the CEO and Vice President.
14.10.2026	**Fingal**	– Fingal Valley Neighbourhood House, attended Eating with Friends.
16.10.2026	**St Helens**	– NTDC, monthly meeting with CEO, Michael Bailey.
19.10.2026	**St Helens**	– Council Meeting.

10/26.12.2 Councillor's Reports for Period Ending 19 October 2026

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

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

An email update was received on Friday, the President resigned. There is a meeting scheduled for the 3rd of November.

- NRM Special Committee – Clr Liz Johnstone

There is a meeting scheduled in November.

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

The AGM is to be held on the 29th October.

- Mental Health Action Group – Clr Barry LeFevre

Nil

- Access and Inclusion Advisory Committee – Clr Kylie Wright

Nil

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

There has been no Meeting held but there is an update provided in the Community Development report.

- St Marys Exhibition Building Committee - Clr Liz Johnstone

A full meeting was held, Wednesday week ago, thank you to community they were fantastic. The staff go well beyond. It was an excellent meeting, the drawings are with the Engineer, everyone provided input. It was great to have five community members present and Council.

10/26.13.0 BUSINESS AND CORPORATE SERVICES

10/26.13.1 Corporate Services Department Report

FILE REFERENCE	018\018\001\

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:

10/26.13.1.863 Moved: Clr K Chapple/ Seconded: Clr L Johnstone

That the report be received.

CARRIED UNANIMOUSLY

10/26.13.2 Monthly Financial Report

FILE REFERENCE	018\018\001\

OFFICER'S RECOMMENDATION:

That the following reports for the month ending 30 September 2026 be received:

1. Profit and Loss Statements
2. Balance Sheet
3. Statement of Cash Flows
4. Capital Works 2026/27

INTRODUCTION:

Presented to Council are the monthly financial statements for the month ending 30 September 2026.

COUNCIL DECISION:

10/26.13.2.864 Moved: Clr L Whittaker/ Seconded: Clr V Oldham

That the following reports for the month ending 30 September 2026 be received:

1. Profit and Loss Statements
2. Balance Sheet

3. Statement of Cash Flows
4. Capital Works 2026/27

CARRIED UNANIMOUSLY

10/26.14.0 WORKS AND INFRASTRUCTURE

10/26.14.1 Works and Infrastructure Report

FILE REFERENCE	014\002\001\

OFFICER'S RECOMMENDATION:

That the report be received by Council.

INTRODUCTION:

This report provides an overview of Works Operations and Capital Projects undertaken in September 2026, along with details of scheduled activities for the coming month.

COUNCIL DECISION:

10/26.14.1.865 Moved: Clr B LeFevre/ Seconded: Clr K Wright

That the report be received by Council.

CARRIED UNANIMOUSLY

10/26.14.2 Animal Control Report

FILE REFERENCE	003\003\018\

OFFICER'S RECOMMENDATION:

That the report be received by Council.

INTRODUCTION:

This report provides an update and year-to-date Animal Control metrics.

COUNCIL DECISION:

10/26.14.2.866 Moved: Clr V Oldham/ Seconded: Clr I Carter

That the report be received by Council.

CARRIED UNANIMOUSLY

10/26.15.0 COMMUNITY DEVELOPMENT

10/26.15.1 Community Services Report

FILE REFERENCE	011\034\006\
	Nil

OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

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

COUNCIL DECISION:

10/26.15.1.867 Moved: Clr V Oldham/ Seconded: Clr B LeFevre

That the report be received by Council.

CARRIED UNANIMOUSLY

10/26.15.2 Visitor Information Centre Report

FILE REFERENCE	040\028\002\

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:

10/26.15.2.868 Moved: Clr K Wright/ Seconded: Clr I Carter

That the report be received by Council.

CARRIED UNANIMOUSLY

10/26.16.0 DEVELOPMENT SERVICES

10/26.16.1 Development Services Report

FILE REFERENCE	031\013\003\

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:

10/26.16.1.869 Moved: Clr I Carter/ Seconded: Clr K Chapple

That the report be received by Council.

CARRIED UNANIMOUSLY

10/26.17.0 GOVERNANCE

10/26.17.1 General Manager's Report

FILE REFERENCE	002\012\001\

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:

10/26.17.1.870 Moved: Clr K Wright/ Seconded: Clr V Oldham

That the General Manager's report be received.

CARRIED UNANIMOUSLY

10/26.17.2 Northern Tasmania Development Corporation Ltd (NTDC) – Receipt of Quarterly Report April - June 2026

FILE REFERENCE	039\011\003\

OFFICER'S RECOMMENDATION:

That Council receive the quarterly report of the Northern Tasmania Development Corporation (NTDC) for the period April - June 2026.

INTRODUCTION:

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

COUNCIL DECISION:

10/26.17.2.871 Moved: Clr L Whittaker/ Seconded: Clr K Chapple

That Council receive the quarterly report of the Northern Tasmania Development Corporation (NTDC) for the period April - June 2026.

CARRIED UNANIMOUSLY

10/26.17.3 Office Closure – Christmas to New Year

FILE REFERENCE	002\014\001\

OFFICER'S RECOMMENDATION:

That Council:

1. Authorise the General Manager to close the Council Office and the Works Depot for the Christmas Break from 12pm on Thursday 24 December 2026, reopening on Monday 4 January 2027.
2. Note that 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 12:00pm.

INTRODUCTION:

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

COUNCIL DECISION:

10/26.17.3.872 Moved: Clr G Barnes/ Seconded: Clr K Chapple

That Council:

1. Authorise the General Manager to close the Council Office and the Works Depot for the Christmas Break from 12pm on Thursday 24 December 2026, reopening on Monday 4 January 2027.
2. Note that 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 12:00pm.

CARRIED UNANIMOUSLY

10/26.17.4 Council Meeting Dates for 2027

FILE REFERENCE	014\001\022\

OFFICER'S RECOMMENDATION:

That the following dates be approved for Council Meetings and Workshops to be held in 2027.

INTRODUCTION:

It is necessary to determine Council meeting dates prior to the commencement of the New Year. The above dates are submitted for Council's consideration.

COUNCIL DECISION:

10/26.17.4.873 Moved: Clr I Carter/ Seconded: Clr K Chapple

That the following dates be approved for Council Meetings and Workshops to be held in 2027.

Council Workshops Commencing at 9.00am	**Council Meetings (time to be determined)**
	Monday 18 January
Monday 1 February	Monday 15 February
Monday 1 March	Monday 15 March
Monday 5 April	Monday 19 April
Monday 3 May	Monday 17 May
Monday 7 June	Monday 28 June
Monday 5 July	Monday 19 July
Monday 2 August	Monday 16 August
Monday 6 September	Monday 20 September
Monday 4 October	Monday 18 October
Wednesday 3 November	Monday 15 November
Monday 6 December	Monday 20 December

CARRIED UNANIMOUSLY

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

Moved: Clr I Carter / Seconded: Clr G Barnes

IN CONFIDENCE

10/26.18.0 CLOSED COUNCIL

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

10/26.18.1 Confirmation of Closed Council Minutes – Council Meeting 21 September 2026

OFFICER'S RECOMMENDATION:

That the minutes of the Closed Council Meeting held on the 21 September 2026 be confirmed.

COUNCIL DECISION:

10/26.18.1.CC Moved: Clr K Chapple/ Seconded: Clr K Wright

That the minutes of the Closed Council Meeting held on the 21 September 2026 be confirmed.

CARRIED UNANIMOUSLY

10/26.18.2 Outstanding Actions List for Closed Council

Nil

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

Moved: Clr G Barnes / Seconded: Clr I Carter

The meeting adjourned for morning tea and to conduct the Citizenship Ceremony at 10:57am. The meeting resumed at 11.26am

10/26.19.0 MEETING CLOSED

Mayor Tucker thanks everyone for their attendance and declared the meeting closed at 11:27am.

…….

MAYOR

…….

DATE