

COUNCIL MEETING MINUTES

Monday 15 January 2024
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
15 January 2024

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AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

As determined by Break O’Day Council in March 2019 all Ordinary, Special and Annual General Meetings of Council are to be audio recorded and a link will be available on the Break O’Day Council website where the public can listen to audio recordings of previous Council Meetings.

In accordance with the Local Government Act 1993 and Regulation 33 of the Local Government (Meeting Procedures) Regulations 2015, these audio files will be retained by Council for at least six (6) months and made available for listening online within seven (7) days of the scheduled meeting. 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

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

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.

01/24.1.0 ATTENDANCE

01/24.1.1 Present

Mayor Mick Tucker
Councillor Gary Barnes
Councillor Ian Carter - arrived at 10.07 am
Councillor Janet Drummond
Councillor Barry LeFevre
Councillor Vaughan Oldham
Councillor Kylie Wright

01/24.1.2 Apologies

Deputy Mayor Kristi Chapple
Councillor Liz Johnstone

01/24.1.3 Leave of Absence

Nil

01/24.1.4 Staff in Attendance

General Manager, John Brown
Community Services Manager, Chris Hughes
Business Services Manager, Raoul Harper (*Item 1.0 – 17.3*)
Manager Infrastructure and Development Services, David Jolly (*Item 1.0 – 18.2*)
Executive Officer, Jayne Richardson (*Item 1.0 – 18.2*)
Manager Community Services, Chris Hughes (*Item 1.0 – 18.2*)
Development Services Coordinator, Jake Ihnen (*Item 1.0 – 16.2*)
Senior Town Planner, Deb Szekely (*Item 6.1 and 6.2*)

01/24.2.0 PUBLIC QUESTION TIME

Two (2) people in the gallery.

In accordance with Section 31(1) of the Local Government (Meeting Procedures) Regulations 2015 the following questions were submitted in writing prior to the Council Meeting.

01/24.2.1 Council Meeting Agenda – Cllr K Wright OBO Rosina Gallace

Why was the council agenda not on the website Saturday January 13th If it was there, she was unable to find it.

Reply:

The Council Agenda was uploaded to the website on Tuesday 9 January 2024.

Councillor Carter entered the room at 10.07am.

01/24.3.0 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

01/24.4.0 CONFIRMATION OF MINUTES

01/24.4.1 Confirmation of Minutes – Council Meeting 18 December 2023

OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 18 December 2023 as previously circulated be confirmed.

DISCUSSION:

No discussion

COUNCIL DECISION:

11/23.4.1.285 Moved: Clr B Le Fevre/ Seconded: Clr V Oldham

That the minutes of the Council Meeting held on the 18 December 2023 as previously circulated be confirmed.

CARRIED UNANIMOUSLY

01/24.4.2 Receipt of Unconfirmed Minutes – Annual General Meeting 12 December 2023

OFFICER'S RECOMMENDATION:

That the unconfirmed minutes of the Annual General Meeting held on 12 December 2023, as previously circulated, be received and noted.

DISCUSSION:

No discussion

COUNCIL DECISION:

11/23.4.2.286 Moved: Clr J Drummond / Seconded: Clr K Wright

That the unconfirmed minutes of the Annual General Meeting held on 12 December 2023, as previously circulated, be received and noted.

CARRIED UNANIMOUSLY

01/24.5.0 COUNCIL WORKSHOPS HELD SINCE 18 DECEMBER 2023 COUNCIL MEETING

There have been no workshops held since 18 December 2023 Council Meeting.

01/24.6.0 PLANNING AUTHORITY

Pursuant to Section 25 of the Local Government (Meeting Procedures) Regulations 2015 the Mayor informed the Council that it was now acting as a Planning Authority under the Land Use Planning and Approvals Act 1993.

01/24.6.1 DA 2023 / 00221 – Six (6) lot subdivision

FILE REFERENCE	221-2023
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OFFICER'S RECOMMENDATION:

A. Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for SIX (6) LOT SUBDIVISION on land situated at 1771 TASMAN HIGHWAY, BEAUMARIS described in Certificate of Title 211882/1 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposed Subdivision	GOODZ01 14409-00 Rev C	Rogerson & Birch Surveyors	30/10/2023
Existing Overlays # 1	GOODZ01 14409-00 Rev C	Rogerson & Birch Surveyors	30/10/2023
Existing Overlays # 2	GOODZ01 14409-00 Rev C	Rogerson & Birch Surveyors	30/10/2023
Existing Overlays # 3	GOODZ01 14409-00 Rev C	Rogerson & Birch Surveyors	30/10/2023
Coastal Vulnerability Compliance with the Tasmanian Planning Scheme	-	William C Cromer Pty Ltd Environmental, engineering and groundwater geologist.	03/02/2023
Natural Values Assessment	Beaumaris Tasmania	Environmental Consulting Options Tasmania (ECOtas)	22/11/2022
Engineering Report	PID 7689859 BEAUMARIS – ENGINEERING	POORTENAAR Consulting	03/04/2023
Traffic Impact Assessment	Revision 1	Midson Traffic Pty Ltd	18/08/2023
On-site Domestic Wastewater Capability	Proposed 6-Lot Subdivision Tasman	William C Cromer Pty Ltd Environmental, engineering and groundwater geologist.	02/02/2023

	Highway Beaumaris		
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Plans / Documents to be Amended			
Plan / Document Name	Reference Number	Prepared By	Dated
Bushfire Hazard Management Plan	50646-02	Lark & Creese Pty Ltd Land & Engineering Surveyors	09/08/2023
Bushfire Hazard Report	50646-02 Tasman Highway Beaumaris	Lark & Creese Pty Ltd Land & Engineering Surveyors	09/08/2023

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
	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	Amended Plan Required	
A	Submit an amended Bushfire Hazard Management Plan incorporating the following: <ul style="list-style-type: none"> Amended hazard management area for Lot 2 that does not extend into or impact the Waterway and Coastal Protection Area overlay 	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Obtain approval from Council for the amended Bushfire Hazard Management Plan in accordance with (A) above.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
C	Implement the requirements and recommendations of the approved plan(s). The approved amended plan(s) will form part of the approval.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
3	Amended Document Required	
A	Submit an amended Bushfire Hazard Report incorporating the following: <ul style="list-style-type: none"> Amended Bushfire Hazard Management Plan in accordance with Condition 2. 	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

B	Obtain approval from Council for the amended Bushfire Hazard Report in accordance with (A) above.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
C	Implement the requirements and recommendations of the approved document / report. The approved document / report will form part of the approval.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
4	Lots	
A	Approval is for Lots 1 - 6.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
5	Internal Access Road and Stormwater Management	
A	<p>Submit and have approved by Council, design drawings for the internal access road. Design drawings should include the following:</p> <ul style="list-style-type: none"> • Demonstrate the internal access road is constructed with a durable all weather pavement; • Ensures the internal access road avoids any changes to the hydrological regime of the wetland and associated buffer area contained on Lot 1. The natural values of the ASF vegetation community and 20m ASF buffer area must not be impacted by the development of the right of way; • Drained to ensure stormwater is contained onsite; • Complies with relevant Australian Standards and Tasmanian Municipal Standards. <p>Design drawings should also include the design life of the internal access road and compliance with current version of Australian Rainfall and Runoff incorporating Tasmanian requirements for Climate Change and sea-level rise.</p>	Prior to commencement of works associated with this condition.
B	Design drawings must be prepared and certified by a qualified professional engineer practicing in the fields of hydrology and hydraulics.	Prior to commencement of works associated with this condition.
C	Construct and upgrade where required, storm water infrastructure within the boundaries of the development site, to service the development at	Prior to submitting to Council any request for approval of a plan of subdivision (i.e. a survey plan).

	no cost to Council and in accordance with the approved plans and documents of development.	
6	Covenants	
A	<p>Suitable covenants must be included in the Schedule of Easements with respect to the protection and conservation of:</p> <p>A.</p> <ol style="list-style-type: none"> 1. ASF Vegetation Community (Wetland) and 20m buffer area surrounding the wetland on Lot 1 (Plan “Existing Overlays # 3 dated 30/10/2023); 2. 30m buffer along southern side boundary of Lot 1 to provide protection and conservation of <i>Zieria veronicea</i> (Plan “Existing Overlays # 3 dated 30/10/2023); 3. ARS Vegetation Community and buffer area (Plan “Existing Overlays # 3 dated 30/10/2023); 4. Land identified to be managed in accordance with an approved Land and Vegetation Management Plan that incorporates the protection and conservation of known occurrences of <i>Plantago debilis</i> (Existing Overlays #3 Revision C and dated 30/10/2023); 5. Land and aquatic environments associated with Wrinklers Creek (extent within titles) and Waterway and Coastal Protection Area overlay; and <p>B.</p> <ol style="list-style-type: none"> 6. Management of Coastal Heathland (Vegetation Community Code SCH) within Lot 1 and identified in Figure 10, page 33 of approved ECOTas report dated 22/11/2022, to retain existing values as much as practicable. 7. The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal. 	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Covenants must incorporate the recommendations of the approved Natural Values Management Plan.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

C	Alert to Covenant information is adequately noted on the final plan.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
7	Easements to be created	
A	An Easement must be created over the internal access road servicing Lots 1 – 6.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Such easements must be created on the final plan to the satisfaction of the General Manager and must detail construction and ongoing maintenance responsibilities for each lot.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
8	Building Envelopes	
A	The Final Plan and Schedule of Easements for Lots 1 – 6 must describe a residential building envelope for each lot generally in accordance with the approved subdivision plan and approved amended Bushfire Hazard Management Area plan, outside of which no residential building is to be constructed.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Such building envelopes 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).
9	Natural and Landscape Values Management Plan	
A.	Submit a Natural and Landscape Values Management Plan prepared by a suitably qualified person and including scaled plans and supporting documentation that provides for the continued management of the following: <ol style="list-style-type: none"> 1. Matters to be included within the required Covenant (Condition 6 A) 2. Identification of area restricting and/or prohibiting boundary fencing; 3. Vegetation management within Scenic Road Corridor 4. Weed and disease management; 	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B.	Obtain approval from Council for the Management Plan in accordance with (A) above.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

C	Incorporate the approved Management Plan recommendations into the required Covenant (Condition 6)	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
10	Erosion and Sediment Control	
A	Submit an Erosion and Sediment Control Plan prepared by a suitably qualified person and prepared in accordance with the Tasmanian Government publication 'Soil & Water Management on Building & Construction Sites'. The plan will address the construction of the internal access road.	Prior to commencement of works and to be maintained current at all times during construction.
B	The plan must ensure that pollutants such as mud, silt or chemicals are not released from the site or transported onto the road reserve (including nature strip, footpath and road pavement).	At all times
C	Obtain approval from Council for the Control Plan	Prior to the commencement of works.
D	Implement the requirements and recommendations of the Erosion and Sediment Control Plan.	During site works and for any period of maintenance identified within the Plan.
11	Weed and Disease Hygiene Management	
A	Submit a Weed and Disease Hygiene Management Plan that: <ol style="list-style-type: none"> 1. Minimizes the risk of introducing weeds and pathogens to site during subdivision works including internal access road construction; 2. Machinery and vehicle hygiene protocols; 3. Sourcing gravel and other such materials from a facility certified as weed- and disease- free; and 4. Post-construction monitoring and weed control. 	Prior to commencement of works and to be maintained current at all times during construction.
B	Obtain approval from Council for the Management Plan	Prior to commencement of works and to be maintained current at all times during construction.
C	Carry out works in accordance with the approved Management Plan.	At all times

12	Driveway Crossover	
A	Construct a driveway crossover from the road carriageway to the property boundary to proposed Lot 1 in accordance with the requirements of the Department of State Growth and recommendations of the approved Traffic Impact Assessment prepared by Midson Traffic and dated 18/08/2023.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Following construction, the crossover must be maintained or repaired by the owner at the owner's expense in accordance with any directions given by the Department of State Growth.	Following construction and then maintained at all times.
13	Municipal standards & certification of works	
	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).
14	Works in State Road Reserve	
A	The developer must obtain a permit from the Department State Growth for any works to be undertaken within the State Road reservation, including any works necessary in relation to access construction, stormwater drainage and/or traffic management control and devices from the proposal.	Prior to undertaking any works in State Road Reserve.
B	Application requirements and forms can be found at transport.tas.gov.au . In accordance with the Roads and Jetties Act 1935, works must not be commenced within the State Road reservation until a permit has been issued.	Prior to undertaking any works in State Road Reserve.

15	Infrastructure Repair	
A	<p>The owner must, at their expense, repair any Council services (e.g. pipes, drains) and any road, crossover, footpath or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council.</p> <p>If the owner does not undertake the required repair works within the timeframe specified by Council, the Council may arrange for the works to be carried out at the owner's expense.</p>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
16	Temporary Exclusion Barrier	
	Delineate areas where vegetation is proposed to be retained with exclusion fencing/barriers/means of identification, to prevent accidental felling.	During site works.
17	Covenants on Subdivisions	
A	Any restrictive covenants created by this subdivision are not to preclude the use/development of this land for State, Commonwealth or Local Government purpose.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
18	Final Plan Endorsement	
A	The final plan is to be endorsed to the effect that TasWater cannot provide a supply of water nor a means of sewage disposal to the lots on the plan.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
19	New Works & Infrastructure Construction	
A	All works, where relevant, 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).
20	Final Plan of Survey	
A	<p>A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing.</p> <p>Advice: the plan will not be sealed until such time as all conditions on this permit have been complied with.</p>	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/Guidelines_for_Soil_and_Water_Management.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. TasNetworks Advice:

“Based on the information provided, the development is not likely to adversely affect TasNetworks’ operations.

As with any subdivision of this magnitude, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot. To understand what these requirements may entail, it is recommended you advise the proponent to contact TasNetworks on 1300 137 008 or our Negotiated Connections team at Negotiated.Connections@tasnetworks.com.au at their earliest convenience.”

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

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

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

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

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

Development Permit Information

	Details
Development Description	Six (6) Lot Subdivision
Relevant Period of Approval	2 Years

Other Necessary Permits	DSG Permit – New access onto a State controlled road
Attachments	Nil
Representations	One

INTRODUCTION:

The applicant is seeking approval for the reconfiguration of lot 1 on folio plan 211882 to create six (6) new and additional lots. The six-lot subdivision is proposed at Tasman Highway Beaumaris and is within the Landscape Conservation Zone. The parent title has a land area of approximately 121.46 hectares with a frontage to the state managed Tasman Highway.

DISCUSSION:

- The Senior Town Planning officer advised:
 - This is a six (6) lot subdivision in Landscape Conservation Zone (the first one under the new Planning Scheme in the Landscape Conservation Zone)
 - The application was supported by documents which included comprehensive reports on the natural values of the property which incorporated Management Plans for natural values
 - The works are outside of the coastal and wetlands overlays
 - The application relied on seven (7) performance criteria
 - One (1) representation was received and this has been addressed
 - The application has been recommended for approval with 20 conditions
- Councillor LeFevre supported the Officer’s recommendation and noted the conditions and advice, he said it is ideal for our community.
- Councillor Barnes agreed with Councillor LeFevre.
- Councillor Drummond said she is not thoroughly against it but it is in a very environmentally sensitive area and she has concerns about compliance, how it relates to the State Coastal Policy and any environmental damage that may occur.
- The Senior Town Planner advised that the State Coastal Policy has now been incorporated into the Tasmanian Planning Scheme Zone provisions and Code provisions. The application has been assessed against the Tasmanian Planning Scheme and further assessment against the State Coastal Policy is not required.
- Councillor Drummond expressed concerns around ribbon development, she was worried her understanding under prior planning schemes would see a precedent being set right along the coast not utilising existing zones
- The Senior Town Planner made the following comments in relation to ribbon development. They now look at how the lots are formed within the existing character, not at creating settlements, taking an existing situation and applying the scheme. Ribbon development is not what is occurring they are just applying the scheme to the property.
- Councillor LeFevre said that 20 hectare blocks would be good and that this area is being opened to offer potential housing and is protecting the values of the land.

COUNCIL DECISION:**01/24.6.1.287**Moved: Clr B LeFevre / Seconded: Clr G Barnes

A. Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for SIX (6) LOT SUBDIVISION on land situated at 1771 TASMAN HIGHWAY, BEAUMARIS described in Certificate of Title 211882/1 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposed Subdivision	GOODZ01 14409-00 Rev C	Rogerson & Birch Surveyors	30/10/2023
Existing Overlays # 1	GOODZ01 14409-00 Rev C	Rogerson & Birch Surveyors	30/10/2023
Existing Overlays # 2	GOODZ01 14409-00 Rev C	Rogerson & Birch Surveyors	30/10/2023
Existing Overlays # 3	GOODZ01 14409-00 Rev C	Rogerson & Birch Surveyors	30/10/2023
Coastal Vulnerability Compliance with the Tasmanian Planning Scheme	-	William C Cromer Pty Ltd Environmental, engineering and groundwater geologist.	03/02/2023
Natural Values Assessment	Beaumaris Tasmania	Environmental Consulting Options Tasmania (ECOTas)	22/11/2022
Engineering Report	PID 7689859 BEAUMARIS – ENGINEERING	POORTENAAR Consulting	03/04/2023
Traffic Impact Assessment	Revision 1	Midson Traffic Pty Ltd	18/08/2023
On-site Domestic Wastewater Capability	Proposed 6-Lot Subdivision Tasman Highway Beaumaris	William C Cromer Pty Ltd Environmental, engineering and groundwater geologist.	02/02/2023

Plans / Documents to be Amended			
Plan / Document Name	Reference Number	Prepared By	Dated
Bushfire Hazard Management Plan	50646-02	Lark & Creese Pty Ltd Land & Engineering Surveyors	09/08/2023
Bushfire Hazard Report	50646-02 Tasman Highway Beaumaris	Lark & Creese Pty Ltd Land & Engineering Surveyors	09/08/2023

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
	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	Amended Plan Required	
A	Submit an amended Bushfire Hazard Management Plan incorporating the following: <ul style="list-style-type: none"> Amended hazard management area for Lot 2 that does not extend into or impact the Waterway and Coastal Protection Area overlay 	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Obtain approval from Council for the amended Bushfire Hazard Management Plan in accordance with (A) above.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
C	Implement the requirements and recommendations of the approved plan(s). The approved amended plan(s) will form part of the approval.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
3	Amended Document Required	
A	Submit an amended Bushfire Hazard Report incorporating the following: <ul style="list-style-type: none"> Amended Bushfire Hazard Management Plan in accordance with Condition 2. 	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Obtain approval from Council for the amended Bushfire Hazard Report in accordance with (A) above.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
C	Implement the requirements and recommendations of the approved document / report. The approved document / report will form part of the approval.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
4	Lots	
A	Approval is for Lots 1 - 6.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
5	Internal Access Road and Stormwater Management	

A	<p>Submit and have approved by Council, design drawings for the internal access road. Design drawings should include the following:</p> <ul style="list-style-type: none"> • Demonstrate the internal access road is constructed with a durable all weather pavement; • Ensures the internal access road avoids any changes to the hydrological regime of the wetland and associated buffer area contained on Lot 1. The natural values of the ASF vegetation community and 20m ASF buffer area must not be impacted by the development of the right of way; • Drained to ensure stormwater is contained onsite; • Complies with relevant Australian Standards and Tasmanian Municipal Standards. <p>Design drawings should also include the design life of the internal access road and compliance with current version of Australian Rainfall and Runoff incorporating Tasmanian requirements for Climate Change and sea-level rise.</p>	Prior to commencement of works associated with this condition.
B	Design drawings must be prepared and certified by a qualified professional engineer practicing in the fields of hydrology and hydraulics.	Prior to commencement of works associated with this condition.
C	Construct and upgrade where required, storm water infrastructure within the boundaries of the development site, 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).
6	Covenants	
A	<p>Suitable covenants must be included in the Schedule of Easements with respect to the protection and conservation of:</p> <p>A.</p> <ol style="list-style-type: none"> 8. ASF Vegetation Community (Wetland) and 20m buffer area surrounding the wetland on Lot 1 (Plan “Existing Overlays # 3 dated 30/10/2023); 9. 30m buffer along southern side boundary of Lot 1 to provide protection and 	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

	<p>conservation of <i>Zieria veronicea</i> (Plan “Existing Overlays # 3 dated 30/10/2023);</p> <p>10. ARS Vegetation Community and buffer area (Plan “Existing Overlays # 3 dated 30/10/2023);</p> <p>11. Land identified to be managed in accordance with an approved Land and Vegetation Management Plan that incorporates the protection and conservation of known occurrences of <i>Plantago debilis</i> (Existing Overlays #3 Revision C and dated 30/10/2023);</p> <p>12. Land and aquatic environments associated with Wrinklers Creek (extent within titles) and Waterway and Coastal Protection Area overlay; and</p> <p>B.</p> <p>13. Management of Coastal Heathland (Vegetation Community Code SCH) within Lot 1 and identified in Figure 10, page 33 of approved ECOTas report dated 22/11/2022, to retain existing values as much as practicable.</p> <p>14. The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.</p>	
B	Covenants must incorporate the recommendations of the approved Natural Values Management Plan.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
C	Alert to Covenant information is adequately noted on the final plan.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
7	Easements to be created	
A	An Easement must be created over the internal access road servicing Lots 1 – 6.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Such easements must be created on the final plan to the satisfaction of the General Manager and must detail construction and ongoing maintenance responsibilities for each lot.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

8	Building Envelopes	
A	The Final Plan and Schedule of Easements for Lots 1 – 6 must describe a residential building envelope for each lot generally in accordance with the approved subdivision plan and approved amended Bushfire Hazard Management Area plan, outside of which no residential building is to be constructed.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Such building envelopes 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).
9	Natural and Landscape Values Management Plan	
A.	Submit a Natural and Landscape Values Management Plan prepared by a suitably qualified person and including scaled plans and supporting documentation that provides for the continued management of the following: <ul style="list-style-type: none"> 5. Matters to be included within the required Covenant (Condition 6 A) 6. Identification of area restricting and/or prohibiting boundary fencing; 7. Vegetation management within Scenic Road Corridor 8. Weed and disease management; 	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B.	Obtain approval from Council for the Management Plan in accordance with (A) above.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
C	Incorporate the approved Management Plan recommendations into the required Covenant (Condition 6)	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
10	Erosion and Sediment Control	
A	Submit an Erosion and Sediment Control Plan prepared by a suitably qualified person and prepared in accordance with the Tasmanian Government publication 'Soil & Water Management on Building & Construction Sites'. The plan will address the construction of the internal access road.	Prior to commencement of works and to be maintained current at all times during construction.
B	The plan must ensure that pollutants such as mud, silt or chemicals are not released from the site or	At all times

	transported onto the road reserve (including nature strip, footpath and road pavement).	
C	Obtain approval from Council for the Control Plan	Prior to the commencement of works.
D	Implement the requirements and recommendations of the Erosion and Sediment Control Plan.	During site works and for any period of maintenance identified within the Plan.
11	Weed and Disease Hygiene Management	
A	Submit a Weed and Disease Hygiene Management Plan that: <ul style="list-style-type: none"> 5. Minimizes the risk of introducing weeds and pathogens to site during subdivision works including internal access road construction; 6. Machinery and vehicle hygiene protocols; 7. Sourcing gravel and other such materials from a facility certified as weed- and disease- free; and 8. Post-construction monitoring and weed control. 	Prior to commencement of works and to be maintained current at all times during construction.
B	Obtain approval from Council for the Management Plan	Prior to commencement of works and to be maintained current at all times during construction.
C	Carry out works in accordance with the approved Management Plan.	At all times
12	Driveway Crossover	
A	Construct a driveway crossover from the road carriageway to the property boundary to proposed Lot 1 in accordance with the requirements of the Department of State Growth and recommendations of the approved Traffic Impact Assessment prepared by Midson Traffic and dated 18/08/2023.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Following construction, the crossover must be maintained or repaired by the owner at the owner's expense in accordance with any	Following construction and then maintained at all times.

	directions given by the Department of State Growth.	
13	Municipal standards & certification of works	
	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).
14	Works in State Road Reserve	
A	The developer must obtain a permit from the Department State Growth for any works to be undertaken within the State Road reservation, including any works necessary in relation to access construction, stormwater drainage and/or traffic management control and devices from the proposal.	Prior to undertaking any works in State Road Reserve.
B	Application requirements and forms can be found at transport.tas.gov.au . In accordance with the Roads and Jetties Act 1935, works must not be commenced within the State Road reservation until a permit has been issued.	Prior to undertaking any works in State Road Reserve.
15	Infrastructure Repair	
A	The owner must, at their expense, repair any Council services (e.g. pipes, drains) and any road, crossover, footpath or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council. If the owner does not undertake the required repair works within the timeframe specified by Council, the Council may arrange for the works to be carried out at the owner's expense.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
16	Temporary Exclusion Barrier	

	Delineate areas where vegetation is proposed to be retained with exclusion fencing/barriers/means of identification, to prevent accidental felling.	During site works.
17	Covenants on Subdivisions	
A	Any restrictive covenants created by this subdivision are not to preclude the use/development of this land for State, Commonwealth or Local Government purpose.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
18	Final Plan Endorsement	
A	The final plan is to be endorsed to the effect that TasWater cannot provide a supply of water nor a means of sewage disposal to the lots on the plan.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
19	New Works & Infrastructure Construction	
A	All works, where relevant, 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).
20	Final Plan of Survey	
A	A copy of the final plan of survey and schedule of easements is to be submitted to Council for assessment of sealing. Advice: the plan will not be sealed until such time as all conditions on this permit have been complied with.	On completion and satisfaction of all conditions on this permit.

ADVICE

1. 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/Guidelines_for_Soil_and_Water_Management.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. TasNetworks Advice:

“Based on the information provided, the development is not likely to adversely affect TasNetworks’ operations.

As with any subdivision of this magnitude, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot. To understand what these requirements may entail, it is recommended you advise the proponent to contact TasNetworks on 1300 137 008 or our Negotiated Connections team at Negotiated.Connections@tasnetworks.com.au at their earliest convenience.”

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

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

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

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

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

Development Permit Information

	Details
Development Description	Six (6) Lot Subdivision
Relevant Period of Approval	2 Years
Other Necessary Permits	DSG Permit – New access onto a State controlled road
Attachments	Nil
Representations	One

FOR Councillor Barnes, Councillor Carter, Councillor Oldham, Councillor Le Fevre & Councillor Tucker

AGAINST Councillor Wright and Councillor Drummond

CARRIED

FILE REFERENCE	DA 109-2022
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OFFICER'S RECOMMENDATION:

A. Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for RESERVE ACTIVITY ASSESSMENT (LVL 3) – BOAT RAMP on land situated at CROWN LAND described in Certificate of Title 123961/3 and undefined Crown Land (Parks and Wildlife Service) and accessed via 125938/0 (Strata Corporation Number 125938) and 123961/2 be APPROVED subject to the following plans / documents and conditions:

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Drawing List, Notes and Location Plan	1254-01 Rev 0	Burbury Consulting	18/04/2023
Existing Arrangement Plan	1524-02 Rev 0	Burbury Consulting	18/04/2023
Outer General Arrangement Plan	1524-03 Rev 0	Burbury Consulting	18/04/2023
Proposed Works Breakwater General Arrangement Plan	1524-04 Rev 0	Burbury Consulting	18/04/2023
Typical Sections	1524-05 Rev 0	Burbury Consulting	18/04/2023
Typical Details	1524-06 Rev 0	Burbury Consulting	18/04/2023
Concrete Ramp Details 1/2	1524-07 Rev 0	Burbury Consulting	18/04/2023
Concrete Ramp Details 2/2	1524-08 Rev 0	Burbury Consulting	18/04/2023
Wave Climate, Breakwater and Ramp Assessment	Revision 0	Burbury Consulting	21/12/2022
Natural Values Assessment of two rock groynes and a boat ramp at White	Final Report (Rev 1)	Elgin Associates	20/03/2023

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Sands Resort, Ironhouse Point, Tasmania			
Natural Values Assessment of coastal reserve area at Ironstone Point	Amended June 2023	Enviro-dynamics Pty Ltd	June 2023
Coastal Inundation Hazard Report for Planning Authority	Job Number 1524	Burbury Consulting	20/11/2023
Construction Environmental Management Plan – Boat Ramp & Breakwater Remediation	Revision No. B	Burbury Consulting	12/07/2023
PWS Reserve Activity Assessment – Level 2 to 4	RAA3866 White Sands Estate – Boat Ramp, Rock Groynes and Foreshore Access	Tasmania Parks & Wildlife Service	8/08/2023

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
	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	Erosion and Sediment Control	
A	Carry out Erosion and Sediment control measures as detailed within the approved Construction Environmental Management Plan (CEMP) prepared by Burbury Consulting and dated 12/07/2023.	Prior to commencement of works and to be maintained current at all times during construction.

B	Runoff from the access road and parking area must be managed to prevent soil/sediment/gravel transfer from entering the beach and degrading the potential foraging habitat for shorebirds.	During site works and maintained at all times.
C	Keep a copy of the CEMP on site and able to be accessed by all staff and contractors.	Prior to and during site works.
3	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 or marine/coastal environment.	During site works.
4	Temporary Exclusion Fencing/Barrier	
	Delineate areas within crown land where vegetation and coastal foreshore areas are excluded from site works and proposed to be retained and protected with exclusion fencing/barriers/means of identification, to prevent accidental damage or destruction of coastal foreshore attributes or habitat.	During site works.
5	Stormwater	
A	The proposed car/trailer parking areas must be constructed in accordance with water sensitive urban design principles. Measures such as bio-retention swales and porous pavement or turf cells should be considered to provide on-site stormwater infiltration and treatment. Stormwater management is not to result in a concentration of flow onto other property, or cause other stormwater nuisance such as movement of sediment to the marine environment or coastal foreshore.	Prior to the commencement of use and maintained at all times.
6	CAR PARKING	
	The areas shown to be set aside for vehicle access and car/trailer parking must be: a. completed before the use of the development;	Prior to use and maintained at all times.

	<p>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;</p> <p>d. Surfaced with an pervious dust-free surface;</p> <p>e. drained in accordance with Condition 5;</p>	
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.
8	Weed Management Plan	
A	Implement the approved Weed Management Plan contained within Appendix 2 of Natural Values Assessment of coastal reserve area at Ironstone Point, prepared by Enviro-dynamics and dated 'Amended June 2023'.	Prior to and during site works and maintained at all times.
9	Site Works	
A	Site works must be scheduled outside of the breeding cycle of the hooded plover to minimize disturbance to the species.	At all times.
10	Access Licence	
A	An access licence must be gained from Crown Land Services for the use of crown land for access and vehicle/trailer parking to serve the existing crown licence providing for the boat ramp.	Prior to use and maintained at all times.
B	Application must be made to Property Services within 3 months from the date of this permit and evidence provided to Break O'Day Council to demonstrate the same	Within 3 months from the date of this permit.
11	Material Source	
A	<p>All construction materials for the development including driveway materials, rock groyne materials and materials utilised in the construction of the boat ramp must be sourced from:</p> <p>a. A location with the relevant State and/or Local Government approvals and/or permits.</p>	Prior to and during site works.

	b. Free of declared and environmental weeds and pathogens (Break O’Day Local Provisions Schedule - BRE-P1.8.1 Environmental Weeds)	
B	Provide written certification from a suitably qualified person that the materials comply with this condition	Prior to site works.

ADVICE

1. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
2. The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
3. Activities associated with construction works are not to be performed outside the permissible time frames listed:

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

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	1. Tasmania Parks and Wildlife Service

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

Development Permit Information

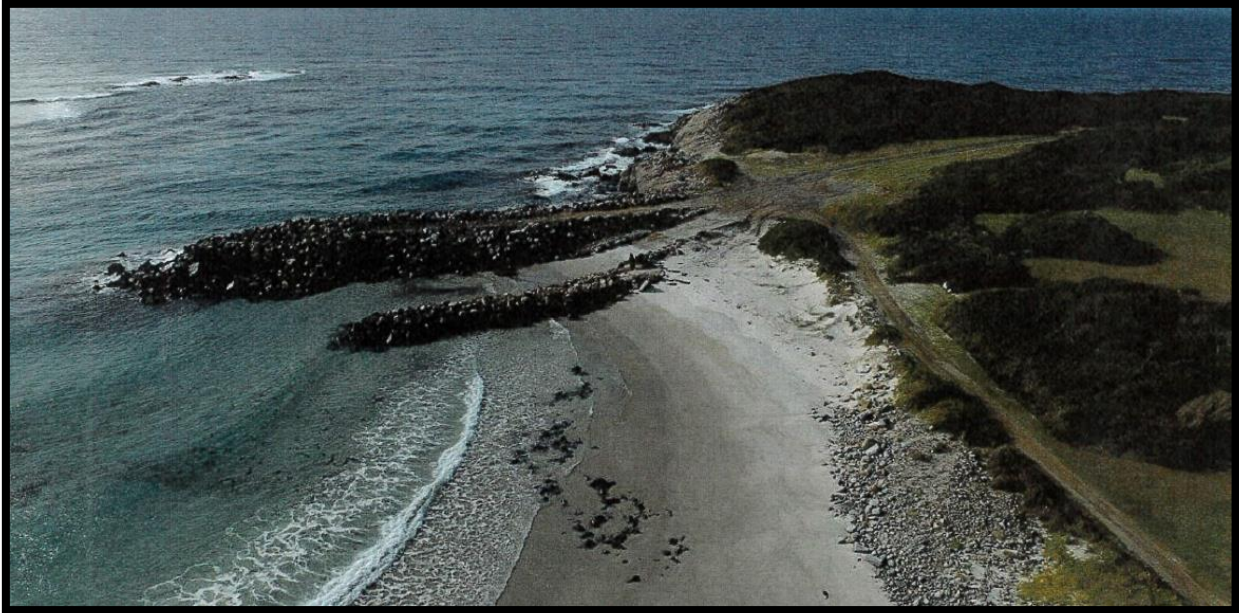
	Details
Development Description	RESERVE ACTIVITY ASSESSMENT (LVL 3) – BOAT RAMP
Relevant Period of Approval	2 Years
Other Necessary Permits	Undertaking works on Crown land
Attachments	Nil
Representations	One (1)

Report Prepared by:	Deb Szekely
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Date:	02 January 2024
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INTRODUCTION:

The applicant is seeking retrospective approval for foreshore works involving the construction of a boat ramp and associated rock wall groynes. The application also seeks approval for remediating, upgrading and improving the existing eastern rock groyne and extending the existing boat ramp.



DISCUSSION:

- The Senior Town Planner advised that:
 - This is a retrospective permit
 - Assessment reports and a Parks and Wildlife Service Reserve Activity Assessment have been completed
 - Natural values have been duly considered
 - The application includes the repair and extension of the rock groyne, boat ramp repaired and extended by approximately 10 metres
 - The development will ensure greater safety for boat users
 - This application was assessed against four (4) performance criteria
 - The application has been recommended for approval with 11 conditions
 - Professional reports were prepared and it was assessed by Parks and Wildlife Services to ensure the development is in accordance with those reports.
- Councillor LeFevre expressed his support for this project, he noted that it is an important piece of infrastructure and that safety is of paramount importance
- Councillor Carter said that he was happy for this project to proceed as there had been a number of reports completed to ensure protection around this proposal
- Councillor Wright said she had a couple of concerns and wanted to ensure that all checks and balances were in place and that the conditions are adhered to. She wanted to make

sure that they are compliant with everything. She further stated that she believes there have been previous works done without proper approvals in place.

- The Senior Planner advised that this is a retrospective approval. Reports have been done and approved by Parks and Wildlife Services and other agencies.
- Councillor Drummond acknowledged this application was for a retrospective approval. Councillor Drummond said it was a shame this was not done in the first place, it would have been good to have the reports done before the works were done as this would help Council with making a decisions. Councillor Drummond further expressed her discomfort about retrospective approvals.
- Mayor Tucker said that public safety was a very important part of the upgrade, there have always been boats launched off the beach. This result will deliver greater safety for everyone.
- Councillor LeFevre said he does not appreciate retrospective approvals but this was built 36 years ago.

COUNCIL DECISION:

01/24.6.2.288 Moved: Clr B Le Fevre / Seconded: Clr I Carter

A. Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Tasmanian Planning Scheme – Break O’Day*, that the application for RESERVE ACTIVITY ASSESSMENT (LVL 3) – BOAT RAMP on land situated at CROWN LAND described in Certificate of Title 123961/3 and undefined Crown Land (Parks and Wildlife Service) and accessed via 125938/0 (Strata Corporation Number 125938) and 123961/2 be APPROVED subject to the following plans / documents and conditions:

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Proposed Works Breakwater General Arrangement Plan	1524-04 Rev 0	Burbury Consulting	18/04/2023
Typical Sections	1524-05 Rev 0	Burbury Consulting	18/04/2023

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Typical Details	1524-06 Rev 0	Burbury Consulting	18/04/2023
Concrete Ramp Details 1/2	1524-07 Rev 0	Burbury Consulting	18/04/2023
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Wave Climate, Breakwater and Ramp Assessment	Revision 0	Burbury Consulting	21/12/2022
Natural Values Assessment of two rock groynes and a boat ramp at White Sands Resort, Ironhouse Point, Tasmania	Final Report (Rev 1)	Elgin Associates	20/03/2023
Natural Values Assessment of coastal reserve area at Ironstone Point	Amended June 2023	Enviro-dynamics Pty Ltd	June 2023
Coastal Inundation Hazard Report for Planning Authority	Job Number 1524	Burbury Consulting	20/11/2023
Construction Environmental Management Plan – Boat Ramp & Breakwater Remediation	Revision No. B	Burbury Consulting	12/07/2023
PWS Reserve Activity Assessment – Level 2 to 4	RAA3866 White Sands Estate – Boat Ramp, Rock Groynes and Foreshore Access	Tasmania Parks & Wildlife Service	8/08/2023

CONDITIONS

CONDITION		TIMING
1	Approved Plans and/or Document	
	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	Erosion and Sediment Control	
A	Carry out Erosion and Sediment control measures as detailed within the approved Construction Environmental Management Plan (CEMP) prepared by Burbury Consulting and dated 12/07/2023.	Prior to commencement of works and to be maintained current at all times during construction.
B	Runoff from the access road and parking area must be managed to prevent soil/sediment/gravel transfer from entering the beach and degrading the potential foraging habitat for shorebirds.	During site works and maintained at all times.
C	Keep a copy of the CEMP on site and able to be accessed by all staff and contractors.	Prior to and during site works.
3	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 or marine/coastal environment.	During site works.
4	Temporary Exclusion Fencing/Barrier	
	Delineate areas within crown land where vegetation and coastal foreshore areas are excluded from site works and proposed to be retained and protected with exclusion fencing/barriers/means of identification, to prevent accidental damage or destruction of coastal foreshore attributes or habitat.	During site works.
5	Stormwater	
A	The proposed car/trailer parking areas must be constructed in accordance with water sensitive urban design principles. Measures such as bio-retention swales and porous pavement or turf cells should be considered to provide on-site	Prior to the commencement of use and maintained at all times.

	stormwater infiltration and treatment. Stormwater management is not to result in a concentration of flow onto other property, or cause other stormwater nuisance such as movement of sediment to the marine environment or coastal foreshore.	
6	CAR PARKING	
	The areas shown to be set aside for vehicle access and car/trailer parking must be: <ul style="list-style-type: none"> 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; d. Surfaced with an pervious dust-free surface; e. drained in accordance with Condition 5; 	Prior to use and maintained at all times.
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.
8	Weed Management Plan	
A	Implement the approved Weed Management Plan contained within Appendix 2 of Natural Values Assessment of coastal reserve area at Ironstone Point, prepared by Enviro-dynamics and dated 'Amended June 2023'.	Prior to and during site works and maintained at all times.
9	Site Works	
A	Site works must be scheduled outside of the breeding cycle of the hooded plover to minimize disturbance to the species.	At all times.
10	Access Licence	
A	An access licence must be gained from Crown Land Services for the use of crown land for access and vehicle/trailer parking to serve the existing crown licence providing for the boat ramp.	Prior to use and maintained at all times.
B	Application must be made to Property Services within 3 months from the date of this permit and	Within 3 months from the date of this permit.

	evidence provided to Break O’Day Council to demonstrate the same	
11	Material Source	
A	All construction materials for the development including driveway materials, rock groyne materials and materials utilised in the construction of the boat ramp must be sourced from: <ul style="list-style-type: none"> 2. A location with the relevant State and/or Local Government approvals and/or permits. 3. Free of declared and environmental weeds and pathogens (Break O’Day Local Provisions Schedule - BRE-P1.8.1 Environmental Weeds) 	Prior to and during site works.
B	Provide written certification from a suitably qualified person that the materials comply with this condition	Prior to site works.

ADVICE

1. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
2. The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
3. Activities associated with construction works are not to be performed outside the permissible time frames listed:
 - Mon-Friday 7 am to 6 pm
 - Saturday 9 am to 6 pm
 - Sunday and public holidays 10 am to 6 pm

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	4. Tasmania Parks and Wildlife Service

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

Development Permit Information

	Details
Development Description	RESERVE ACTIVITY ASSESSMENT (LVL 3) – BOAT RAMP
Relevant Period of Approval	2 Years
Other Necessary Permits	Undertaking works on Crown land
Attachments	Nil
Representations	One (1)

Report Prepared by:	Deb Szekely
Date:	02 January 2024

CARRIED UNANIMOUSLY

The Mayor advised the Council that it had now concluded its meeting as a Planning Authority under Section 25 of the Local Government (Meeting Procedures) Regulations 2015.

1/24.7.0 COUNCIL MEETING ACTIONS

01/24.7.1 Outstanding Matters

The report was received.

- Councillor Carter asked if we have any updates on the Talbot Street, project?
- The General Manager advised that there was no news at this stage but would ask the Council officer to check with TasCAT.

- Councillor Carter noted that we had written a letter in relation to the Upper Esk Petition – were there any issues with this?
- The General Manager advised not that he was aware.

- Councillor Carter asked was there a status report on the future of the St Helens Online Access Centre?
- The General Manager advised that we have written to Minister Jaensch again seeking an update and have copied in John Tucker. We are still yet to receive a response. We understand the frustrations our local Online Access Centres are feeling and the Government needs to provide clarity. The next stage will be to get political and use Parliament.

- Councillor Drummond enquired when the Reconciliation Action Plan may commence.

- Manager Community Services advised that the process of delivering the Reconciliation Action Plan will commence in early 2024.
- Councillor Drummond asked when will the live streaming of Council meetings commence as it has been over a year?
- The General Manager advised that the company doing the installation are waiting on a piece of equipment that is yet to arrive as the original item was lost in transit from the suppliers and once it was approved through the budget process, the equipment was ordered as there is a lengthy lead time with this equipment.

01/24.8.0 PETITIONS

Nil

01/24.9.0 NOTICES OF MOTION

01/24.9.1 Speed Limit Reduction – Clr Wright

MOTION:

A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:

That council urgently petition State Government Department of State Growth for a speed limit reduction on the section of Tasman Hwy between St Helens and Beaumaris, from the current limit of 100KM P/H to 80KM P/H.

SUBMISSION IN SUPPORT OF MOTION:

Sections of this road are very unsafe, due to it being narrow, winding and with no sealed shoulders.

Over the past several years there have been numerous serious accidents on the stretch of road between the Break O’Day Archery club and Dianas Basin in particular. One of these accidents resulted in the tragic death of a local woman last year.

With the recent motion put forward by Mayor Tucker for council to partner with SARA (Safer Australian Roads and Highways), I feel this is a very appropriate action for Council to take. This will demonstrate our commitment to safer roads and highways within our municipality.

While there are future plans for widening and upgrading sections of this highway, it has been stated in previous council discussions that the next section to be budgeted for is the section from the bottom of St Marys pass to Scamander. The section between St Helens and Beaumaris, including

the stretch around Dianas Basin is not budgeted for and it is likely to be several years before safety improvements, sealed shoulders, widening and realignment work is scheduled or budgeted for.

I am sure many of us have had close calls along this section of highway, due to some drivers trying to maintain the 100km limit in unsafe circumstances.

The speed limit is exactly that, a limit not a target.

We could lose more lives and will almost certainly see many more accidents on this stretch of road prior to funding becoming available and remedial work being carried out. Therefore, a reduction in the speed limit from 100kmph to 80kmph is critical in the interim.

Many of our local residents, especially parents of learner or newly licensed drivers, are extremely concerned about this section of road, and feel it to be very unsafe particularly with the current speed limit.

Previous comments have suggested that reducing speed limits will mean that it takes longer to travel to St Helens. I would suggest that reducing the speed limit on this section would increase the time taken for a journey from St Marys to St Helens to no more than 3 minutes. Road safety and saving lives are far more important than a few minutes additional travel time.

DISCUSSION:

- Councillor Wright advised the following:
 - Significant accidents occur on this section of road including a fairly recent fatality
 - 100km is too fast, the speed should be reduced to 80km
 - Is there something that we can do before the State begins major road works?
 - It may be appropriate to consider the road condition all the way to bottom of St Marys Pass
- Councillor Drummond agrees with everything Councillor Wright has addressed but said that maybe the bottom of the pass to St Helens could be all 80, it may not need to be a permanent thing when the road is upgraded.
- Councillor LeFevre supported the motion but there was very little distance between Beaumaris and Scamander so do you make it to Scamander not Beaumaris?
- Councillor Wright agreed that we could make the speed limit reduction to Scamander.
- Councillor Carter is supportive of the motion but suggests that we look at the whole picture as there are many inconsistencies and it needs a more consistent approach.
- Mayor Tucker stated that we also need to let them know that the condition of the road is unacceptable.
- The General Manager stated that we also need to draw to their attention to the particular corner at Dianas Basin where accidents happen, he does not believe that speed is the issue but the design and camber of the road are the issues.

COUNCIL DECISION:

01/24.9.1.289

Moved: Clr K Wright / Seconded: Clr J Drummond

A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:

That council urgently petition State Government Department of State Growth for a speed limit reduction on the section of Tasman Hwy between St Helens and Scamander, from the current limit of 100KM P/H to 80KM P/H.

CARRIED UNANIMOUSLY

Mayor Tucker advised that he needed to vacate the Chair to address his Motion and that in the absence of Deputy Mayor Chapple, Council needed to appoint a Councillor to Chair the meeting

01/24.9.1.289 Moved: Clr K Wright / Seconded: V Oldham

That Councillor Drummond be appointed to Chair the meeting.

CARRIED UNANIMOUSLY

Mayor Tucker vacated the Chair and Clr Drummond took the Chair at 10:34am.

01/24.9.2 **Binalong Bay Parking, Traffic and Pedestrian Safety – Mayor Tucker**

MOTION:

A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:

Council Officers review the existing Binalong Bay Foreshore Master Plan and develop a project scope that can be used to engage an expert to provide a report on the following:

- 1) Improved Parking Accessibility
- 2) Assessment of Additional Parking Areas, traffic calming and pedestrian safety improvements.

SUBMISSION IN SUPPORT OF MOTION:

Council and the community are more than aware of the growing traffic and parking issues evident in the Binalong Bay Township at peak periods and this has again been raised by visitors and the community this summer. The Binalong Bay Foreshore Master Plan completed in January 2014

suggested some parking and traffic improvements to assist in dealing with the problem. Council has made good progress so far in implementing these but more needs to be done.

While Council has a role to play in improving parking availability, pedestrian and traffic safety it needs to be recognised that there are very limited options available to deal with the current and the likely future level of visitors that Binalong Bay and the Bay of Fires area attract. While Council has a small leased area on the foreshore of Binalong Bay, State regulations, Aboriginal heritage and environmental constraints limit what can be done by Council to solve these issues.

To make matters worse, the State Government walked away from funding the Bay of Fires Master Plan last year. It beggars' belief that an area where tourists are flocking to on mass has no agreed plan on how this will be managed into the future. Council can only do so much and for now I'd like to see what we can do to improve parking in Binalong Bay, ensure the town is safe to walk in and that traffic speeds are kept as low as possible. In the absence of the State Government playing its role in protecting and supporting the Binalong Bay and Bay of Fires area these is little more we can do for now.

Council doesn't have the internal resources available to undertake this work given the existing projects being worked on. We will need to engage a consultant for this work, if staff can examine the situation and develop a project scope of work which needs to be done for Council to consider at the February meeting, we can then obtain an estimate of the likely cost with the aim of including a line item to deliver the project in 2024/2025.

We know this won't fix the issue overnight, but we must keep working with the Binalong Bay community to plan for the future as much as we can until the State Government comes to the table.

DISCUSSION:

- Mayor Tucker advised the following:
 - He is concerned about the lack of parking and the speed people are travelling
 - We need a report to define options and opportunities
 - We need a solution now rather than waiting for the State Government or the Bay of Fires Master Plan
- Councillor LeFevre said that parking is a mess at Binalong Bay, he believed that there is three times the traffic than normal at the boat ramp and camper vans are parking in the boat parking area.
- Councillor Carter queried whether the road from St Helens to Binalong Bay was suitable for the amount of traffic and is supportive of the motion.
- Councillor Wright said that she was not necessarily against the motion but how were we going to create the extra parking without pushing too much into the reserve or Parks and Wildlife Services land.
- Councillor Oldham said that there was more parking in the past around the statue but the area is now quite vegetated.

COUNCIL DECISION:

01/24.9.2.290 Moved: Clr M Tucker / Seconded: Clr B Le Fevre

A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:

Council Officers review the existing Binalong Bay Foreshore Master Plan and develop a project scope that can be used to engage an expert to provide a report on the following:

- 1) Improved Parking Accessibility
- 2) Assessment of Additional Parking Areas, traffic calming and pedestrian safety improvements.

CARRIED UNANIMOUSLY

Clr Drummond vacated the Chair and Mayor Tucker resumed the Chair at 10:38am.

01/24.10.0 COUNCILLOR'S QUESTIONS ON NOTICE

Nil

01/24.11.0 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Regulation 29 of the Local Government (Meeting Procedures) Regulations 2005 specifies that in putting a Question Without Notice a Councillor must not offer an argument or opinion, draw any inference or make any imputations except so far as may be necessary to explain the question.

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

01/24.11.1 Bay of Fires Master Plan – Councillor Carter

The Bay of Fires Master Plan should include consideration of parking and road infrastructure for Binalong Bay providing adequate parking and safe access to the area is urgently required given the visitation numbers. Is the state government responding to our request for additional funds for the master plan as infrastructure issues are an urgent concern?

Reply:

The General Manager advises that we are still pursuing the additional funding and it was included in the submission we made to the 2024-25 State Budget Community Consultation process.

01/24.11.2 Planning Authority and Planning Items – Councillor Drummond

In light of the close to 1,000 pages for reading required for this meeting, would Council consider holding two monthly Council meetings, one as the Planning Authority and one for general council business. The mindset required for these items is completely different the Planning Authority being very legalistic and constrained by legislation, whilst the general Council meeting focus is on the community and bringing our knowledge to that forum for discussion.

Reply:

The General Manager advises that this is something which Council needs to discuss.

01/24.11.3 St Marys Pass Speed Limit – Councillor Drummond

Can Council or State Government confirm that the speed limit on the St Marys Pass has been reduced to 60kmh in the lower section going past the hair pin bend on the way down and 60kmh coming up from just before the hairpin bend?

Reply:

The General Manager advised that he had noticed on Thursday 11 January 2024 that the 60kmh sign has been moved to the Gravel Pit straight. The State are currently tendering for a consultant for the feasibility study on an alternate route to St Marys Pass

On Wednesday January 17 2024, the Manager of Infrastructure & Development Services made a call to the Department of State Growth. During this call, the modification of the speed limit to 60kmh was verified. It was brought to the Department's attention that the previous 80kmh repeater signs were not relocated correctly. In response to this, the Department has committed to repositioning the signs.

01/24.11.4 Steam Wand Usage – Councillor Drummond

Can Council please provide a report in regard to the Steam Wand purchased for helping with the control of weeds in the municipality, the purchase date, the usage level and when and where it has been used.

Reply:

The Manager Infrastructure and Development Services advises that the acquisition of the Steam Weeder was made during the financial year of 2019/2020. This apparatus has been operational in several locations including Main Street in St Marys and various areas in Fingal, encompassing main and back streets as well as playgrounds. Its usage is integrated into the routine town maintenance activities, hence specific records of its operation are not maintained.

01/24.11.5 St Helens Foreshore Fish Weigh-in Station – Councillor LeFevre

What is happening with the Fish weigh in located on the St Helens Foreshore, we were under the impression that it was to be removed, why is it still there?

Reply:

The Manager Community Services advised that the weigh station, which was recently built, only began operations in the early part of January 2024. Council Works Officers are currently awaiting feedback from the St Helens Game Fishing Club regarding their satisfaction with the functionality of the new station. Upon receiving confirmation, plans will be put in place to dismantle the old station, which will include the removal of any obsolete line markings.

01/24.12.0 MAYOR’S & COUNCILLOR’S COMMUNICATIONS

01/24.12.1 Mayor’s Communications for Period Ending 15 January 2024

09.01.2024	St Helens	– Meeting with Brett Whiteley regarding the East Coast Regional Partnership
10.01.2024	St Helens	– Break O’Day Council Awards Committee
15.01.2024	St Helens	– Council Meeting

01/24.12.2 Councillor’s Reports for Period Ending 15 January 2024

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 Janet Drummond

No meeting has been held

East Coast Tasmania Tourism (ECTT) – Clr Barry LeFevre

No meeting has been held

Mental Health Action Group – Clr Barry LeFevre

No meeting has been held

Access and Inclusion Advisory Committee – Clr Janet Drummond

No meeting has been held

Bay of Fires Master Plan Steering Committee – Clr Ian Carter

No meeting has been held

01/24.13.0 BUSINESS AND CORPORATE SERVICES

01/24.13.1 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 Service Department since the previous Council Meeting.

DISCUSSION:

- The Business Services Manager spoke to his report and advised that we are currently performing very well and that funds had been allocated to specific projects.
- Councillor Carter congratulated staff on the Risk Safety Report and that there had been no incidents.

COUNCIL DECISION:

01/24.13.1.291 Moved: Clr K Wright / Seconded: Clr B LeFevre

That the report be received.

CARRIED UNANIMOUSLY

01/24.13.2 Monthly Financial Report

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

That the following reports for the month ending 31 December 2023 be received:

1. Profit and Loss Statements

2. Balance Sheet
3. Statement of Cash Flows
4. Capital Works 2022-2023

INTRODUCTION:

Presented to Council are the monthly financial statements.

DISCUSSION:

- The Manager Business Services advised that we were currently tracking close to our budget position. We had budgeted to receive the Federal Assistance Grant but if these did not come through it will have a serious impact on our budget.

COUNCIL DECISION:

01/24.13.2.292 Moved: Clr G Barnes / Seconded: Clr V Oldham

That the following reports for the month ending 31 December 2023 be received:

1. Profit and Loss Statements
2. Balance Sheet
3. Statement of Cash Flows
4. Capital Works 2022-2023

CARRIED UNANIMOUSLY

01/24.13.3 **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.

DISCUSSION:

- The Manager Business Services advised that:
 - It is a busy time of the year for staff

- There is an issue with the Chinese experience, we may consider replacing some items and a report will be prepared for Council.
- Door count Average - 95 people, per day.
- Staff reported a lot of questions from tourists in vans asking where they can park. There seems to be an increase and we will need to consider parking for these vehicles in the future.

COUNCIL DECISION:

01/24.13.3.293 Moved: Clr K Wright / Seconded: Clr J Drummond

That the report be received.

CARRIED UNANIMOUSLY

01/24.13.4 Audit Panel Minutes

FILE REFERENCE	018\005\024\
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OFFICER'S RECOMMENDATION:

That Council receive the minutes of the Audit Panel meeting of the 18th of December 2023.

INTRODUCTION:

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

DISCUSSION:

- The Manager Business Services advised that:
 - It is a requirement that these minutes come to Council
 - Staff are busy implementing the findings of the Tas Audit Office at the moment
- Councillor Carter said that these reports are essential, comprehensive and very useful
- Councillor Lefevre said it would be good for all Councillors to sit on the Panel for that deeper understanding.
- Councillor Carter said the information provided was very informative and comprehensive.
- Councillor Drummond said that the information was very useful as it assisted her in making decisions.
- Councillor LeFevre made a suggestion that perhaps we could have more Councillors rolling through as representatives on the audit panel, for example four (4) Councillors over the four (4) year term.
- Mayor Tucker believed this to be a good suggestion.

- Councillor Drummond said that being a member of the Audit Panel gave her a good understanding of the financial issues.

COUNCIL DECISION:

01/24.13.4.294 Moved: Clr J Drummond / Seconded: Clr V Oldham

That Council receive the minutes of the Audit Panel meeting of the 18th of December 2023.

CARRIED UNANIMOUSLY

01/24.14.0 **WORKS AND INFRASTRUCTURE**

01/24.14.1 **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 provides summary detail on routine matters relating to Works Operations and Capital Projects for the reporting period December 2023.

DISCUSSION:

- The Manager Infrastructure and Development Services advised the following:
 - Apologised that the weed management report was not included due to staff being away
 - The Weeds Officer has been addressing Broome, Spanish Heath at Ansons Bay and blackberries in Scamander

COUNCIL DECISION:

01/24.14.1.295 Moved: Clr V Oldham/ Seconded: Clr K Wright

That the report be received by Council.

CARRIED UNANIMOUSLY

01/24.14.2 Animal Control Report

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

That the report be received by Council.

INTRODUCTION:

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

DISCUSSION:

- The Manager Infrastructure and Development Services advised that:
 - There have been increased patrols over summer with the Animal Control Officer's hours increased by a day a Fortnight
 - The Animal Control Officer is targeting problem areas at early hours of the morning
 - There has been success in meeting with and talking to people about changing behaviours in off-lead areas.
- Councillor Lefevre commended the Animal Control Officer on her dedication and follow up.

COUNCIL DECISION:

01/24.14.2.296 Moved: Clr I Carter / Seconded: Clr B Le Fevre

That the report be received by Council.

CARRIED UNANIMOUSLY

Meeting adjourned at 10.59am

Meeting resumed at 11.08am

01/24.15.0 COMMUNITY DEVELOPMENT

01/24.15.1 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.

DISCUSSION:

- The General Manager spoke to this report as the Manager Community Services was taking the Minutes of the Council Meeting. He advised that:
 - It is a busy time of year with events which are being supported
 - We are currently preparing for the Australia Day event
- Councillor Carter said that the Christmas Festivities were an amazing thing with a large volunteer support. He further said that Council's Community Services Projects Officer, Jenna Barr, did an amazing job dealing with difficult conversations.
- Councillor Carter said he would like more information around how the community funding that is detailed is actually used.
- The General Manager advised that at times updates are provided on some individual events as they occur, Council Officers will look at redeveloping this part of the report.
- Councillor Drummond queried the allocation of the Fingal Valley marketing tourism funds and was not aware of anything happening in this space. Councillor Barnes advised that manpower to form the committee was the issue.
- Councillor Drummond highlighted why it was important that we are aware when the funds are not expended so that they can talk with community to seek more volunteers.

COUNCIL DECISION:

01/24.15.1.297 Moved: Clr J Drummond / Seconded: Clr B LeFevre

That the report be received.

CARRIED UNANIMOUSLY

01/24.16.0 **DEVELOPMENT SERVICES**

01/24.16.1 **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.

DISCUSSION:

- The Development Services Co-ordinator advised that:
 - The Environmental Health By Law was now in place and a few enforcement actions had occurred, we will be contacting Caravan licence holders and issuing 260 licences.
 - A fact sheet will be developed re the new By-Law
 - The St Marys Old Building is gone.
 - New building approvals will come to the February Council Meeting as staff were still away when the agenda was prepared for the January 2024 meeting.
- Councillor Carter questioned a road mentioned, the Co-ordinator said it was still in our municipality.
- Councillor Drummond said that the information provided in the Township Structure Plans assisted with the planning decisions and a lot of work had been put into them and assists in informing Councillors.

COUNCIL DECISION:

01/24.16.1.298 Moved: Clr G Barnes / Seconded: Clr I Carter

That the report be received.

CARRIED UNANIMOUSLY

01/24.17.0 **GOVERNANCE**

01/24.17.1 **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.

DISCUSSION:

- The General Manager advised the following:
 - Strategic Regional Partnership – the meeting with Brett Whiteley was an opportunity to talk about the important issues within our community and what we might like to see

happen as part of the Partnership. No more clarity was offered regarding the Partnership agreement process and we are waiting on a response from the Department of Premier and Cabinet. We believe the focus will be on a smaller number of high value items for example, housing, health and allied health services and education and training. He believes that items such as the St Marys Pass upgrade would not be included. No information was provided in relation to process and timeframes.

COUNCIL DECISION:

01/24.17.1.299 Moved: Clr B LeFevre / Seconded: Clr G Barnes

That the General Manager’s report be received.

CARRIED UNANIMOUSLY

01/24.17.2 **Managing conflicts of interests of Councillors Framework Review**

FILE REFERENCE	039\004\018\
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OFFICER’S RECOMMENDATION:

That Council’s submission be confirmed based on the comments in this report and those provided by Councillors.

INTRODUCTION:

The Minister for Local Government & Planning, Nic Street, has written to all Councils regarding proposed changes to the way that conflicts of interest are managed for Councillors, a Discussion Paper has been provided along with key points for consideration.

DISCUSSION:

- The General Manager thanked Councillor Drummond for providing a comprehensive response on her thoughts of the Framework and we have merged the two together.
- Mayor Tucker thanked Councillor Drummond for the incredible amount of work she had put into her submission outlining our concerns.
- Councillor Drummond advised that she was happy to work on these issues as it played to her strengths.
- Councillor Carter appreciated the documents that had been produced and thanked Councillor Drummond for the work that she had done as well as the staff that had been involved.

COUNCIL DECISION:

01/24.17.2.300 Moved: Clr J Drummond / Seconded: Clr I Carter

That Council’s submission be confirmed based on the comments in this report and those provided by Councillors.

CARRIED UNANIMOUSLY

01/24.17.3 **Future of Local Government Review – Final Report**

FILE REFERENCE	014\006\001\
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OFFICER’S RECOMMENDATION:

That the Report be received and Council consider the nature of its submission.

INTRODUCTION:

The Future of Local Government Review process has now entered the final stage with the Board having completed its work and submitted the Final report to the Minister for Local Government.

The formal consultation period on the Report is open until 29 February 2024 and the nature of Councils submission will need to be finalised over the next three months.

DISCUSSION:

- The General Manager advised that:
 - He had looked at each recommendation and provided a brief addition as to whether we supported it or not as well as any relevant comments based on previous Council considerations
 - This will also come to February Workshop for further discussion as well as the February Council Meeting
- Councillor Drummond said that we had gone over it so many times and had extensive discussions and is fully supportive of the way the General Manager is moving forward and we don’t need extensive responses.
- Councillor Carter is supportive of how it stands.
- The General Manager highlighted recommendation 36, he believes they could have given more attention to this issue as he does not believe they have been forward thinking and with how Artificial Intelligence has impacted already, he believes these should have been articulated in the report.
- Mayor Tucker said we should be embracing Artificial Intelligence. He further said the report does highlight some issues that the State Government want Local Government to do but

noted that we don't have the resources unless it comes with legislation and the State Government need to identify who is going to fund all of this.

- Councillor Drummond said that we saw this recently with the review of the road legislation, in theory it is great but who is going to cover the cost of same.
- Councillor LeFevre asked where are we with regard to the East Coast model, he believes it is not feasible to incorporate Swansea.
- The General Manager explained that there needed to be more homework done before a decision can be made and a recommendation would be that we are supported for more investigations to be undertaken.

COUNCIL DECISION:

01/24.17.3.301 Moved: Clr I Carter / Seconded: Clr J Drummond

That the Report be received and Council consider the nature of its submission.

CARRIED UNANIMOUSLY

Pursuant to Regulation 15(1) of the Local Government (Meeting Procedures) Regulations 2015 that Council move into Closed Council.

IN CONFIDENCE

01/24.18.0 **CLOSED COUNCIL**

01/24.18.1 **Confirmation of Closed Council Minutes – Council Meeting 18
December 2023**

01/24.18.2 **Outstanding Actions List for Closed Council**

Pursuant to Regulation 15(1) of the Local Government (Meeting Procedures) Regulations 2005 that Council move out of Closed Council.

Moved: Clr I Carter / Seconded: Clr K Wright

CARRIED UNANIMOUSLY

Mayor Tucker thanked everyone for their attendance and declared the meeting closed at 11.43 am.

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MAYOR