



ORDINARY COUNCIL MEETING – MINUTES

TUESDAY 27 APRIL 2021

2:00PM

Council Chambers, Triabunna

NOTICE OF MEETING

Notice is hereby given that the next ordinary meeting of the Glamorgan Spring Bay Council will be held at the Triabunna Council Offices on Tuesday, 27 April 2021, commencing at 2:00pm

QUALIFIED PERSON CERTIFICATION

I hereby certify that, in accordance with section 65 of the *Local Government Act 1993*, any advice, information and recommendations contained in the reports related to this agenda have been prepared by persons who have the qualifications or experience necessary to give such advice, information and recommendations.

Dated this Thursday 22 April 2021



Greg Ingham
GENERAL MANAGER

IMPORTANT INFORMATION

- In response to COVID-19 social gathering regulations, members of the public will not be able to attend the meeting. Where possible a live stream of the meeting will be made available.
- As determined by Glamorgan Spring Bay Council in April 2017 all Ordinary and Special Meetings of Council are to be audio/visually recorded and streamed live.
- A recording of the meeting will be available via the link on the Glamorgan Spring Bay Council website following the meeting.

In accordance with the *Local Government Act 1993* and Regulation 33, these video/audio files will be retained by Council for at least 6 months and made available for viewing live, as well as online within 5 days of the scheduled meeting. The written minutes of a meeting, once confirmed, prevail over the video/audio recording of the meeting.

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1. OPENING OF MEETING

The Mayor welcomed Councillors and staff and declared the meeting open at 2.03pm

The Mayor advised Councillors that:

In accordance with section 18 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020, in my position as Mayor, I am notifying you that the meeting today is conducted face-to-face in the Council Chambers and via telephone or any other approved electronic communication. This is consistent with section 18(3)(a) of the Act and will assist with ensuring Council has a quorum for the meeting.

1.1 Acknowledgement of Country

The Glamorgan Spring Bay Council acknowledges the Traditional Owners of our region and recognises their continuing connection to land, waters and culture. We pay our respects to their Elders past, present and emerging.

1.2 Present and Apologies

Present:

Mayor Robert Young
Deputy Mayor Jenny Woods
Clr Cheryl Arnol
Clr Keith Breheny (via telephone link)
Clr Rob Churchill
Clr Michael Symons

Apologies:

Clr Annie Browning
Clr Grant Robinson

1.3 In Attendance

General Manager, Mr Greg Ingham
Executive Officer, Ms Jazmine Murray
Director Planning and Development, Mr Alex Woodward

1.4 Presentation

Director Works and Infrastructure, Mr Peter Porph entered the meeting at 2.06pm

Works Manager, Mr Darren Smith entered the meeting at 2.06pm

- **Certificate of Appointment, Deputy Municipal Emergency Manager Coordinator, Mr Darren Smith**

The Mayor presented Mr Darren Smith with the Certificate of Appointment to the Deputy Municipal Emergency Manager Coordinator role.

- **Certificate of Appointment, Municipal Emergency Manager Coordinator, Mr Peter Porph**

The Mayor presented Mr Peter Porph with the Certificate of Appointment to the Municipal Emergency Manager Coordinator role.

Works Manager, Mr Darren Smith left the meeting at 2.07pm

1.5 Late Reports

Nil.

1.6 Declaration of Interest or Conflict

The Mayor requests Elected Members to indicate whether they have:

1. *any interest (personally or via a close associate) as defined in s.49 of the Local Government Act 1993; or*
2. *any conflict as described in Council's Code of Conduct for Councillors,*

in any item included in the Agenda.

Please note that Cllr Rob Churchill declared an interest in item 4.1

2. CONFIRMATION OF MINUTES

2.1 Ordinary Meeting of Council - 23 March 2021

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on Tuesday 23 March 2021 at 2.00pm be confirmed as a true and correct record.

DECISION 52/21

Moved Cllr Michael Symons, seconded Cllr Cheryl Arnol that the Minutes of the Ordinary Meeting of Council held on Tuesday 23 March 2021 at 2.00pm be confirmed as a true and correct record.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0

For: Mayor Robert Young, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol,
Cllr Keith Breheny, Cllr Rob Churchill, Cllr Michael Symons.

Against: Nil.

2.2 Date and Purpose of Workshop/s Held

TUESDAY 13 APRIL 2021

In accordance with the requirements of regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 12:30pm to 5:15pm on Tuesday 13 April 2021 at the Council Offices, Triabunna.

Present

Mayor Robert Young
Deputy Mayor Jenny Woods
Clr Cheryl Arnol
Clr Keith Breheny
Clr Annie Browning
Clr Rob Churchill
Clr Grant Robinson

Apologies

Clr Michael Symons

In Attendance

Mr Greg Ingham, General Manager
Mrs Marissa Walters, Consultant Accountant (in part)
Mr Alex Woodward, Director Planning and Development (in part)
Mr Peter Porch, Director Works and Infrastructure (in part)
Mr James Bonner, Senior Planner (in part)

Guests

Ms Nikki Brookman
Mr Brock Nadler
Mr Chris Thompson

Agenda

- Municipal Rating Schedule
- Draft Cat Management Strategy
- Prosser Plains Raw Water Scheme
- Grants involving Council land Policy
- Car Parking Cash-in-lieu Policy
- Community Connect Sessions

TUESDAY 20 APRIL 2021

In accordance with the requirements of regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 1:30pm to 3:45pm on Tuesday 20 April 2021 at the Council Offices, Triabunna.

Present

Mayor Robert Young
Deputy Mayor Jenny Woods
Clr Cheryl Arnol (in part)
Clr Annie Browning
Clr Rob Churchill

Apologies

Clr Keith Breheny
Clr Grant Robinson
Clr Michael Symons

In Attendance

Mr Greg Ingham, General Manager
Mr Alex Woodward, Director Planning and Development
Mr Peter Porch, Director of Works and Infrastructure
Mr Adrian O'Leary, Manager Building & Marine Infrastructure (in part)

Guests

Mr Steve Barrett

Agenda

- Dolphin Sands Ratepayer Association – Presentation
- Lady Gowrie Childcare Centre (Swansea) Agreement
- Spring Bay Childcare Centre (Triabunna) Agreement
- Draft Leasing and Licensing of Council Owned or Managed Land Policy

RECOMMENDATION

That Council notes the information.

DECISION 53/21

Moved Deputy Mayor Jenny Woods, seconded Clr Michael Symons that Council notes the information.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0

For: Mayor Robert Young, Deputy Mayor Jenny Woods, Clr Cheryl Arnol,
Clr Keith Breheny, Clr Rob Churchill, Clr Michael Symons.

Against: Nil.

3. PUBLIC QUESTION TIME

Public question time gives any member of the public the opportunity to freely ask a question on any Council related matter.

Answers to questions will be given immediately if possible or taken “on notice” if an ‘on the spot’ answer is not available.

In accordance with the Local Government (Meeting Procedures) 2015 questions on notice must be provided at least 7 days prior to the Ordinary Meeting of Council at which a member of the public would like a question answered.

3.1 Question without Notice

In response to COVID-19 social gathering regulations, Council meetings will be held remotely via video conference until further notice and therefore members of the public are unable to attend the meetings.

Glamorgan Spring Bay Council will allow questions to be provided by written notice by 12 noon the day before the ordinary council meeting by either emailing general.manager@freycinet.tas.gov.au or alternatively left in the post box outside the Council Chambers located at 9 Melbourne Street, Triabunna.

Mrs Jane Wing

I refer to the General Managers report contained in the March 2021 Council agenda: (item 8.4) “Swansea Seaweed Odour Grant Project”.

The report refers to “the GSBC NRM group”.

The report, to my mind at least, strongly suggests that this “GSBC NRM group” was acting without Council authority.

I am aware of only two organisations in this municipality that could possibly be referred to as “NRM groups” one being the now defunct

Natural Resource Management Department of Council and the other the Section 24 Natural Resource Management (NRM) Committee of Council.

As a member of the Section 24 NRM Committee I am not aware that the committee had any involvement in the events contained within the Council report.

Because it is not clear which “GSBC NRM group” the report is referring to, by default, it casts aspersions on all members the Section 24 NRM Committee of which I am one.

Q1. *Could you accurately identify which “GSBC NRM group” the report is referencing and amend the report entitled “Swansea Seaweed Odour Grant Project” to reflect this information at the April 2021 ordinary meeting of Council.*

Response from General Manager, Greg Ingham

The ‘GSBC NRM group’ terminology in the March 2021 Council Agenda item 8.4 Seaweed Odour Project is a direct reference to the Seaweed Background Paper provided by the ex-Acting General Manager at the time, who was also the Council assigned project officer for the Seaweed Project.

I personally did not see the references made to have any intent or that they were of the likelihood to upset you or others. I accept you see it otherwise.

Given we, at least you and I, have a difference of view as to what references or inferences were made from the report it seems at odds for me to apologise for my difference of view. I am sorry however that you took the information they way you did and felt the way you state.

Q2. *Could Council please provide a comprehensive update in regard to East Coast Health's capacity to ensure that come the 1st of May all ratepayers in the southern part of the municipality will have access to a General Practitioner. Ongoing and up to date information is crucial to allay the concerns of the most vulnerable in our community.*

Response from General Manager, Greg Ingham

East Coast Health (ECH) has arranged for a Locum GP to be available at the practice from the 3rd May 2021 to see any patients. This service will be available until the new Doctor commences. Council is currently working through the registration process for the new doctor, however the process is outside of ECH's control and the start date will be delayed. ECH are working actively with all parties to expedite the process, but that there is a framework that we are bound to work within. As we move through the process we will be able to update the community with more certainty on our progress, until then they can be assured that ECH will be staffed by qualified doctors to ensure the continuance of their health care.

Ms. Jen Hackett

I am sorry that my last question on stating rate revenue wasn't clear enough for Council. That is my fault.

I am wanting to see the rate revenue in dollar value for GSBC rate regions for the 2019 and 2020 financial year, plus budgeted for the 2021 financial year.

Please complete the following dollar values for each region below. I have copied these rate regions from the partial answer provided in February 2020. Please include all rate types as described in my prior question printed April 2021. I think the ratepayers have a right to know where the rate revenue comes from, per GSBC rate region. This will help stop the "us and them" discussions that occur between GSBC rate regions about who pays more or less in rates and make it clear for all where the rate revenue is sourced from. It can only be seen as a positive for all ratepayers to know this information.

Please include the rate types of General, Commercial, Industrial, Primary Production & Sport and Recreation for each rate region in your answer. The totals for each year (i.e. each rate region added up per year) should be able to match back to the budget and/or rate revenue stated in the completed financial reports. That is the only way readers will understand the values stated for each rate region.

I will understand if you again take this on notice and provide an answer in the May meeting agenda.

General rates Received 2019 Financial Year

General, Commercial, Industrial, Primary Production & Sport and Recreation

Apslawn: \$

Bicheno: \$

Buckland: \$

Coles Bay: \$

Cranbrook: \$

Dolphin Sands: \$

Douglas River: \$

Friendly Beaches: \$

Lake Leake: \$

Levendale: \$

Little Swanport: \$

Nugent: \$

Orford: \$
Pontypool: \$
Rheban: \$
Rocky Hills: \$
Spring Beach: \$
Swansea: \$
Triabunna: \$

General Rates Received 2020 Financial Year
General, Commercial, Industrial, Primary Production & Sport and Recreation

Apslawn: \$
Bicheno: \$
Buckland: \$
Coles Bay: \$
Cranbrook: \$
Dolphin Sands: \$
Douglas River: \$
Friendly Beaches: \$
Lake Leake: \$
Levendale: \$
Little Swanport: \$
Nugent: \$
Orford: \$
Pontypool: \$
Rheban: \$
Rocky Hills: \$
Spring Beach: \$
Swansea: \$
Triabunna: \$

General Rates Budgeted for 2021 Financial Year
General, Commercial, Industrial, Primary Production & Sport and Recreation

Apslawn: \$
Bicheno: \$
Buckland: \$
Coles Bay: \$
Cranbrook: \$
Dolphin Sands: \$
Douglas River: \$
Friendly Beaches: \$
Lake Leake: \$
Levendale: \$
Little Swanport: \$
Nugent: \$
Orford: \$
Pontypool: \$
Rheban: \$
Rocky Hills: \$
Spring Beach: \$
Swansea: \$
Triabunna: \$

Response from General Manager, Greg Ingham

The General Manager will provide a written response for Ordinary Council Meeting to be held on Tuesday 25 May 2021.

3.2 Questions on Notice

Ms. Jen Hackett

Q1. *Please list all the Roads to Recovery Projects that Council has undertaken in the last 10 years, with the total cost of each project and the grant monies received for each project.*

Response from General Manager, Greg Ingham

A report is included in the Agenda Attachments which lists the Roads to Recovery Projects that Council has undertaken in the last 10 years. The report will only include Roads to Recovery Projects, not any contributed by Council.

Ms. Glenda Logan

This question is in relation to issues raised by Mayor Robert Young in regard to the Tasman Highway and the Wielangta Road while being interviewed by Ryk Goddard on the ABC Morning Radio program on 5 February 2021.

Within the interview the Mayor spoke about the "tower of rock very close to the road in the narrow section next to the Prosser River protruding into the air....." and in relation to the rock made the following comments:

"but it seems to have moved substantially since I've have been elected"

"I was driving past the other day and it looked as if it had moved a little bit more recently"

"an engineer did say to me that if it did fall, and it didn't look too stable to him, that it would take several months to clear"

"the rock at Paradise next to the Prosser River towards Orford is the thing that I think is of immediate concern"

My question is:

What is being done to move forward in conjunction with the State Government and Sorell Council to improve Wielangta Road?

Has the "rock" been assessed by a suitably qualified person to ensure the safety of all who travel under it? Are we leaving our council open to legal action should the rock give way and injure someone now that the Mayor has made public statements in regard to possible issues of safety?

Response from General Manager, Greg Ingham

There are two issues raised here. The first is upgrade of Wielangta Road. Council make opportunities when available and timely to raise the profile and importance of Wielangta Road with infrastructure partners. This is done through various means.

With respect to the boulder, State Growth monitor the condition and stability of the formation. Council are engaging State Growth to consider all aspects of a planned or unplanned removal of the boulder so emergency arrangements can be forward planned with all emergency response agencies. This exercise will highlight the importance of Wielangta Road as an alternate route for emergency response and shine a light on its shortcomings.

The Department of State Growth (DSG) engaged an engineering firm to do an inspection of the boulder, the restraining chain, and the surrounding area in early 2021.

The interim report found that there were no obvious signs that the boulder is at risk of falling in the near future, and that the current restraining system doesn't show any signs of visible damage or distress.

After the recent severe weather events, DSG's maintenance contractors inspected the boulder from the road and there was no indication of movement. A smaller rock in the

same general area did fall after this weather event and landed safely without causing any impact to the road or road users. DSG's maintenance contractor will continue to do a visual inspection of the boulder as part of routine weekly inspections of the Tasman Highway.

DSG is presently gathering more information about the boulder and the surrounding area and will develop options and recommendations for ongoing management of the site. This is expected to be completed in the near future. The Department have advised that it will review the options and recommendations and act as necessary.

Mr Andrew Menzies

Q1. *Please advise what the policy is regarding councillors' obligation to respond to written/emailed questions from residents and ratepayers, and the expected timeframe for their response.*

Response from General Manager, Greg Ingham

The 'Service Standards' specified in Council's Customer Service Charter relate to operations of Council as delivered by Council staff rather than Elected Members. Elected Members are guided by the Model Code of Conduct which does not specify set response times.

Mrs Jane Wing

Q1. *Glamorgan Spring Bay Council's current Environmental Health By-law in relation to caravans states:*

"A person must not have a caravan situated on land within the Municipal Area for a period exceeding thirty (30) days (consecutive or otherwise) in each calendar year without a caravan license issued by Council unless the caravan is situated at the persons principal place of residence solely for the purpose of storage"

Councils previous Environmental Health By-law stated:

"A person must not have a caravan situated on land within the municipal area without a current Caravan License issued by Council unless the caravan is situated at the person's principal place of residence solely for the purpose of storage"

The current and previous by-laws are in direct contrast and it would seem that the current by-law would be impossible for Council to police and that therefore income in the form of caravan license fees to Council could be negatively affected.

Please provide information in regard to the number of caravans which were registered and the subsequent income for the two financial years before the current by-law came into effect and the same statistics for all financial years since the current by-law has come into effect.

Response from General Manager, Greg Ingham

2019 - \$87724.64 in revenue, 383 licenses

2020 - \$10,350 YTD in revenue, 45 licenses

Mr Paul McNally

Q1. *I can see that there is an existing Organisational Structure for the Council on the GSBC website, however it doesn't appear to be current. Can this please be updated regularly to reflect the current Council structure, roles and staff given the recent changes?
If this is still a work in progress, can you please provide an anticipated timeframe as to when this will be done?*

Response from General Manager, Greg Ingham

As far as I'm aware the Organisational Structure has not been included on the Glamorgan Spring Bay Council website. The website does include up to date management team details.

Since sending the question you have confirmed that you were referring to the Organisation Chart in the 2019/2020 Annual Report.

The Organisational Structure has changed recently and the new structure will be reflected in the 2020/2021 Annual Report and has now been included on the Council website.

3.3 Responses to previous Questions without Notice taken on Notice – 23 March 2021

Ms Jen Hackett

- Q1. *On page 24 of the GSBC Annual Report 2019-2020 - Part A there is an expense listed as Development appeal distribution of costs. The cost is \$110,363.08 and paid to Abetz CurtisLaw Practice Trust Account, Hobart Tas Please list the planning case or cases that this payment relates to.*

Response from General Manager, Greg Ingham

A & N McCullagh v Glamorgan Spring Bay Council and Ors [2019] TASRMPAT 30

- Q2. *On page 24 and 25 of the February 2020 Council meeting minutes, in an answer to a question posed by Mr Michael Cooke, some of the rates has been divided between the GSBC rate regions of GSBC in answering the question as requested, however the Commercial, Industrial, Primary Production & Sport and Recreation portion of the rates was not divided between GSBC rate regions and was stated in total, being \$1,687,428.74 for 2019 and \$1,782,605.23 as budgeted for 2020.*

For the 2019 financial year please list the Commercial, Industrial, Primary Production & Sport and Recreation portion of rates per GSBC rate region, per the February 2020 question.

For the 2020 financial year please list total received rates per GSBC rate region, for all rate types. I.e. General, Commercial, Industrial, Primary Production & Sport and Recreation.

For the 2021 financial year please list total budgeted rates per GSBC rate region, for all rate types. I.e. General, Commercial, Industrial, Primary Production & Sport and Recreation.

Response from General Manager, Greg Ingham

Council currently have different rating charges for residential properties by location, which is why this is currently reportable. Council have the same charge for all other types of properties within the municipality, we do not differentiate based on location only on the use of the property.

Town Planner, Mr Peter Coney entered the meeting at 2.10pm

4. PLANNING AUTHORITY SECTION

Under Regulation 25 of Local Government (Meeting Procedures) Regulations 2015 the Chairperson hereby declares that the Council is now acting as a Planning Authority under the provisions of the Land Use Planning and Approvals Act 1993 for Section 4 of the Agenda.

RECOMMENDATION

That Council now acts as a Planning Authority at (Time:).

DECISION 54/21

Moved Deputy Mayor Jenny Woods, seconded Cllr Cheryl Arnol that Council now acts as a Planning Authority at 2.14pm.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0

For: Mayor Robert Young, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol,
Cllr Keith Breheny, Cllr Rob Churchill, Cllr Michael Symons.

Against: Nil.

Cllr Rob Churchill having declared an interest in the following item left the meeting at 2:15pm

4.1 Report supporting a recommendation for Council to resolve to endorse plans, and issue consent relating to Appeal No(s) 34/21P and 37/21P.

Author: Town Planner (Mr Peter Coney)

Responsible Officer: Town Planner (Mr Peter Coney)

ATTACHMENTS

1. Council Report for DA2020/299
2. Planning Permit DA2020/299
3. Approved Documents DA2020/299
4. Modified Plans for Consent
5. Statement of Facts and Contentions

BACKGROUND

On 23 February 2021, Council acting as a Planning Authority resolved to approve DA2020/299, for a Single Dwelling at 632 Dolphin Sands Road, Dolphin Sands. The approval was recommended subject to conditions relating to roof form and modified ground level. A copy of the assessment, permit, and approved documents are attached (Appendices 1, 2 and 3).

Subsequent to the approval, an appeal was lodged with the Resource Management and Planning Appeals Tribunal (RMPAT). The appellants, Mr Peter Coon and Mrs Helena Coon have a right of appeal afforded to them by virtue of having lodged a representation. The appellant's grounds of appeal may be summarised as a contention that the dwelling is too high, is obtrusive within the landscape, and is not consistent with the existing pattern of development. These specifically relate to criteria a) and b) of clause 34.4.1 (P1) *Building Height*, of the Glamorgan Spring Bay Interim Planning Scheme (The Scheme). These criteria are applicable where the building height of a dwelling exceeds 5m above natural ground level, and they require that;

Building height must:

- (a) be unobtrusive within the surrounding landscape;*
- (b) be consistent with the surrounding pattern of development;*
- (c) not unreasonably impact on the amenity of adjoining lots from overshadowing, overlooking or visual bulk.*

Council and the proponent are respondents to this appeal (34/21P).

Further, a separate appeal has been lodged by the proponent who contends that the proposal complies with the standard cl.34.4.1 without the need for the conditions imposed by the Council; and that these conditions are impermissible owing to the degree of alteration from the application as made. Largely, it is contended the excavation and roof form change required by condition is costly, introduces concern relating to inundation, and introduces issues of roof space ventilation. The appellant in this instance contends the conditions are severable; as the proposal complies irrespective of that design change.

Council is the sole respondent to this appeal (37/21P).

DIRECTIONS HEARING

Council's Planner attended a directions hearing relating to the appeals. In summary, the appeals were consolidated such that they could be heard concurrently by the Tribunal, a hearing date has been set for 21 May 2021, and it was agreed mediation is desirable between the parties. An onsite mediation was scheduled for 13 April 2021.

MEDIATION

The attendance of on-site mediation is valuable in allowing respective parties to discuss their concerns and gain a deeper appreciation of the site. Mediation is undertaken with the protection that the discussions are inadmissible as evidence at any hearing. Insofar as Council was responding to the proponents concerns regarding the conditions of the

permit, it was agreed that altogether different changes could be made to the application such that the design may still be unobtrusive relative to the adjoining walkway, and more broadly within the landscape. These changes too are intended to address the concerns of the appellant to appeal 31/21P.

In speaking on behalf of the Council, it was put forward that the gable end was a striking feature of the design and was not appropriate where design ought to be unobtrusive. There was no contention on visibility from public vantage points excepting the walkway. The appellant of Council's decision to approve did communicate his concerns regarding the height of the proposal as viewable from his balcony, and its size relative to other dwellings visible within the vicinity. This vantage point was viewed by all parties to appreciate the concern.

As part of mediation, Council is now in receipt of amended drawings (Appendix 4) which show three changes to the design for the reduction in the apparent bulk of the proposal. These are;

1. Provision of landscaping adjacent to the walkway;
2. A change from a gable end to a hipped roof at the elevation which addresses the walkway; and
3. Minor change to the material finishes schedule.

Prior to the receipt of plans, a written description of the change was distributed to all parties. Mr Coon provided a response to the written description of these changes. This written description is included in full below. Council as a respondent to the appeal of Mr Coon, and as a model litigant ought to give some consideration to this statement prior to resolving to support a consent memorandum for the amendment of the proposal as shown on the plans provided.

Dear All,

Emma, thank-you for the proposed conditions. We now have the benefit of these and have heard at mediation the reasoning from the applicant's representatives as to why they were not willing to change the building height via changes to floor levels or a change in roof pitch.

We have also availed ourselves of the references to CBOS (Condensation in Buildings – Tasmanian Designers' Guide - Version 2) provided by the building designer in relation to roof ventilation and roof pitches.

The applicant's first priority appears to be to not lower the floor levels due to concerns regarding water ingress and cut/fill balances. If we accept that situation, we believe that it is fair and reasonable that changes to the roof pitch be contemplated, as there are well documented means by which this can be economically achieved. Pitches of as low as 3 degrees are common-place in Dolphin Sands and the current design indicates that an adequate zone (top wall to roof) has already been designed into the levels to accommodate structure, battens, insulation, sarking and the required spacings. Interestingly, in the CBOS document referenced by the designer, the currently proposed roof pitch of ~15 to 16 degrees is actually on the margin between high-pitched and medium-pitched roofs. Surely the current situation is one where low to medium pitch roofs would be contemplated in order to address the many concerns raised regarding height.

Returning to the issues at hand, we are seeking a reduction in the maximum roof height to RL9.5mAH, being achieved via a reduction in roof pitch to the hipped roofs. Together with the hipped end in lieu of a gable to the north-eastern end, the proposed landscape screening and the colour changes, this all goes part of the way to addressing the concerns regarding protrusion from the surrounding landscape, consistency with the surrounding pattern of development and visual bulk.

This provides the applicants with a 2 storey dwelling without changes to the floor levels in their DA. The reduction in roof level proposed here is a minor concession, whilst still resulting in a dwelling that is in places 1.5-1.7m above the 5m building envelope guidance.

Please also note that we are assuming that despite you not referencing it in your note below, you are expecting that Council will remove the condition 2 from the current permit.

On the basis of a maximum ridge level of RL9.5m and the other conditions proposed below, we are willing to agree to the mediated outcome which will bring certainty to the outcomes of all parties.

In understanding the site, it is considered that the dwelling will comply with the applicable standard irrespective of a further reduction in roof pitch, owing to the changes proposed. Such a change does not fundamentally make an otherwise non-compliant dwelling compliant, therefore it is not considered necessary, as discussed below.

DISCUSSION OF THE CHANGES

Broadly, there is no contention on the impact of the dwelling as viewable from Dolphin Sands Road, or the Nine Mile Beach reserve. The landscape is characterised by single dwellings on large lots and they are to varying degrees visible. The contention comes from the degree to which the design complies or fails to comply with the relevant performance criteria with respect to the immediate vicinity, which is inclusive of a walkway, and the land owned by the appellant of the Council's decision to approve.

The position of Council as provided to the Tribunal in a filed statement of facts and contentions (Appendix 5) is that the proposal, subject to conditions is compliant, and the conditions are reasonable. Notwithstanding this, it is reasonable that the conditions may be obviated where other design solutions are found. Further, relating to ground level, it is understood better (by virtue of having attended site), that the depression to be filled is limited to the eastern section (see image).



Image 1. (left) denoting the greatest area <3m AHD to be filled, contributing to the height of the eastern section of the dwelling.

With respect to the changes and the requirements of the scheme that a development be unobtrusive, it is noted the Tribunal interpreted a parallel provision to cl.34.4.1 P1 (a), in the decision of *Metasite Pty Ltd obo Optus Mobile Pty Ltd v Northern Midlands Council* (2019)TASRMPAT (*Metasite*).

On this, the definition of obtrusive was accepted as “noticeable or prominent in an unwelcome or intrusive way”. In assessing the proposal for 632 Dolphin Sands Road, obtrusive was interpreted as being “undue”. It is put forward that this interpretation is consistent with that of the Tribunal, and to that effect was assessed appropriately. Extrapolating from the Tribunal decision of *Metasite*, a set of parameters for what should be considered when assessing obtrusiveness can be made. They are;

- (a) the landscape characteristics of the site;
- (b) comparison of the landscape characteristics to those of the surrounding area;
- (c) whether the Proposal is alien in nature or generally accepted to be part of the landscape;
- (d) the screening and shielding that effects the visibility and integration into the surrounds;
- (e) the presence of other man-made visible elements in the landscape; and
- (f) the sensitivity of the view and the location and sensitivity of the viewer

With regard to the amended plans, for (a), (b) and (c), it is appreciated the landscape is defined by undulating dunes, moderate vegetation, established views toward the South, and Single Dwellings on large lots. These are accepted in the Dolphin Sands area despite their varying degrees of visibility. With regard to (d), the provision of further screening vegetation will serve to integrate the development into the surrounds, and will offer moderate screening. Largely the vegetation assists where that walkway otherwise traverses an open grassed area which affords a clear view of the bulk of the dwelling. With respect to the appellant who owns the site adjacent to the walkway, there are clearly viewable dwellings on a number of allotments and the development of a further dwelling is not considered alien. Further, as the iconic view is to the south east (Hazards and Freycinet), the degree to which the development imposes on a sensitive view (see (f)) is considered tolerable, in that it serves more to detract from rather intrude upon the more iconic view (see image 2), and the degree to which it detracts is not unreasonable in appreciating the landscape as it exists.



Image 2. Existing developments as viewable from 638 Dolphin Sands Road.

For clause .34.4.1 (P1) (b), consistent is understood to not equate to ‘same as’, but must not be incompatible. To the extent which the dwelling now includes a hipped roof form over the more striking gable, it is considered that the dwelling then is not incompatible

with the pattern of development which from that walkway includes existing visible developments of modest form.

For clause 34.4.1 (P1) (c), where amenity is understood to be the enjoyment drawn from the use of the land, it is considered relevant for the users of the walkway that a sense of being within nature contributes to the amenity, and excepting the adjacent dwelling at 638 Dolphin Sands Road, to walk this land is otherwise devoid of man-made structures and relatively closed in by vegetation. Therefore, the inclusion of landscaping will assist in perpetuating the degree of amenity drawn from the use of the walkway, irrespective of any perchance glimpse of the dwelling.

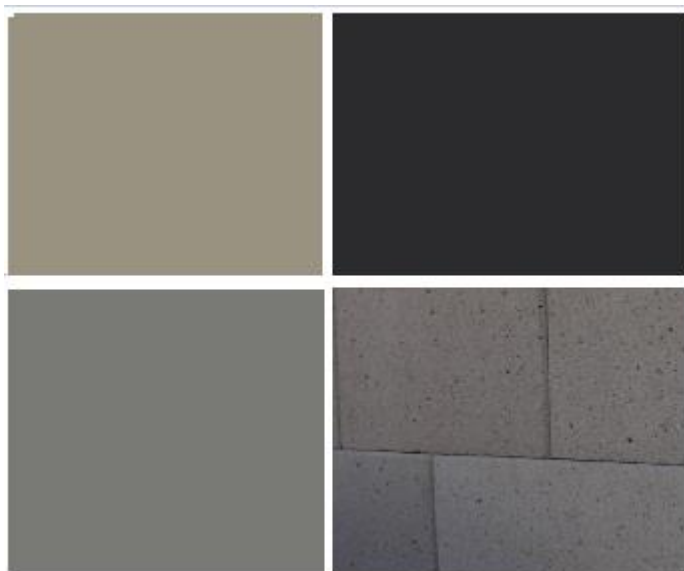


Image 3. Site area as viewable from the adjacent walkway. Note the unvegetated section is proposed to be landscaped with coastal Tea Tree, which may grow to a height of 4m.

With respect to the dwelling at 638 Dolphin Sands Road, and the degree to which the proposal may affect the amenity enjoyed by the owners; it is appreciated the visibility of built forms may detract from what otherwise is an area defined by nature. Notwithstanding this though, the presence of dwellings on lots, as established in the vicinity and as viewable from 638 Dolphin Sands Road is a reasonable expectation. The loss of amenity associated with the proposal is not considered to be of such a degree that it is unreasonable when the area is residential, but it is acknowledged this is a matter of perception and is highly subjective.



Image 4. Subject site as viewable from 638 Dolphin Sands Road. Note use of a 9.5m pole to identify the ridge height.



(Image left, clockwise from top left; Cove roof, Monument windows and raingoods, Malay Grey cladding and boards, and Mist blocks for the garage).

With respect to colours; the proposal was always considered to comply. The proponent has however amended the finishes schedule as part of the mediation to soften the proposal. Largely this is a change from a Colorbond Monument roof cladding to Colorbond Cove. As this colour is more responsive to the surroundings it is considered a more complimentary choice, though the colour was never a matter of contention for the Council on first assessment.

SUMMARY

Subject to the changes as shown in the amended plans, and for reasons discussed in this report, it is recommended that Council agrees to enter a consent agreement with the parties in planning appeal 31/21P and 34/21P, for the modified plans to be the approved plans for a dwelling at 632 Dolphin Sands Road. It is considered important that this consent will be subject to conditions to be filed and considered by the Tribunal. If the Planning Authority does not accept that the proposal is compliant with the scheme (as recommended here), and no consent agreement is reached, the matter will proceed to a hearing before the Tribunal. It is considered that Council acting as the model litigant ought to give consideration to the amended design in lieu of the original conditions imposed. Equally, consideration ought to be given to the position of the appellant to Council's decision to approve, though it is considered that the change advocated by the appellant in this instance for a further reduction in ridge height is not required for the design to comply. Subject to the amendment alone, the proposal is considered to comply irrespective of whether it is desirable to be lower.

Where Council offers its consent, but the parties to the consolidated appeal cannot resolve the issue by consent despite Council's resolution, the proposal may still proceed to a hearing and Council will defend the decision to approve. This will then be done with regard to the proponents modified plans.

RECOMMENDATION

That Council:

RESOLVE that in accordance with s17(2)(a) of the RMPAT Act, Council agrees to enter a consent agreement with the Appellant in planning appeal 31/21P and 34/21P for the modified plans as shown in Appendix 4 to be the approved plans for a dwelling at 632 Dolphin Sands Road, subject to conditions to be filed and considered by the Tribunal.

Town Planner, Mr Peter Coney advised that the following corrections to the report were to be noted:

1. *The pole shown in image 4 is 7.1m not 9.5m, it denotes 9.5m AHD (above sea-level).*
2. *The appeal numbered 34/21P has been withdrawn.*
3. *The recommendation ought to read ... agrees to enter into a consent agreement with the appellant in planning appeal 37/21P for the modified plans...*

DECISION 55/21

Moved Deputy Mayor Jenny Woods, seconded Cllr Cheryl Arnol that Council:

RESOLVE that in accordance with s17(2)(a) of the RMPAT Act, Council agrees to enter a consent agreement with the Appellant in planning appeal 37/21P for the modified plans as shown in Appendix 4 to be the approved plans for a dwelling at 632 Dolphin Sands Road, subject to conditions to be filed and considered by the Tribunal.

THE MOTION WAS PUT AND CARRIED 4/1

For: Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny,
Cllr Michael Symons.

Against: Mayor Robert Young.

Town Planner, Mr Peter Coney left the meeting at 2.34pm

Cllr Rob Churchill returned to the meeting at 2.34pm

The Mayor advised Cllr Churchill of the outcome of Council's decision in respect to Agenda Item 4.1.

Under Regulation 25 of Local Government (Meeting Procedures) Regulations 2015, the Chairperson hereby declares that the Council is no longer now acting as a Planning Authority under the provisions of the Land Use Planning and Approvals Act 1993 for Section 4 of the Agenda.

RECOMMENDATION

That Council no longer acts as a Planning Authority at (Time:)

DECISION 56/21

Moved Cllr Michael Symons, seconded Deputy Mayor Jenny Woods that Council no longer acts as a Planning Authority at 2.35pm.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0

For: Mayor Robert Young, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol,
Cllr Keith Breheny, Cllr Rob Churchill, Cllr Michael Symons.

Against: Nil.

5. FINANCIAL REPORTS

5.1 Financial Reports for the period ending 31 March 2021

Author: Contract Accountant (Mrs Marissa Walters)

Responsible Officer: General Manager (Mr Greg Ingham)

ATTACHMENT/S

1. Profit & Loss for the period ending 31 March 2021
2. Balance Sheet as at 31 March 2021
3. Statement of Cash Flows for the period ending 31 March 2021
4. Capital Works as at 31 March 2021

BACKGROUND/OVERVIEW

The financial reports for the period ended 31 March 2021 as attached to this report are presented for the information of Council.

As discussed at the Council workshop held on 7 May 2020 Council's management information reports including departmental financial reports, will in future not be submitted to Council via the Council Meeting Agenda. These information reports will be included in a Councillor Briefing Document which will be circulated bi-monthly initially for the first six months effective this month, then quarterly thereafter and will be publicly available on the website.

Council's major financial reports will continue to be reported in the monthly Council agenda.

STATUTORY IMPLICATIONS

Various legislation.

BUDGET IMPLICATIONS

There are no budget implications recognised in the receipt and noting of these reports by Council.

RISK CONSIDERATIONS

By not receiving and reviewing the major financial reports on a regular basis, such as the Profit & Loss, Statement of Cash Flows, Capital Works and Balance Sheet, Council risks not meeting its financial management obligations.

OFFICER'S RECOMMENDATION

That Council receives and notes the Financial Reports as attached to this report for the period ended 31 March 2021

DECISION 57/21

Moved Cllr Cheryl Arnol, seconded Cllr Rob Churchill that Council receives and notes the Financial Reports as attached to this report for the period ended 31 March 2021.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0

For: Mayor Robert Young, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol,
Cllr Keith Breheny, Cllr Rob Churchill, Cllr Michael Symons.

Against: Nil.

Profit and Loss

Glamorgan Spring Bay Council

For the 9 months ended 31 March 2021

Account	YTD Actual	YTD Budget	Budget Var	Var %	2020/21 Budget	Notes
Trading Income						
Rate Revenue	8,739,883	8,663,463	76,420	1%	8,663,463	1
Statutory Charges	533,934	346,180	187,754	54%	448,549	2
User Charges	474,805	447,500	27,305	6%	618,300	
Grants	756,602	644,588	112,014	17%	1,465,667	3
Interest & Investment Revenue	119,041	9,350	109,691	1173%	17,850	4
Contributions	101,860	24,000	77,860	324%	30,000	5
Other Revenue	1,251,125	1,232,209	18,916	2%	1,507,278	
Total Trading Income	11,977,250	11,367,290	609,960	5%	12,751,107	
Gross Profit	11,977,250	11,367,290	609,960	5%	12,751,107	
Capital Grants						
Grants Commonwealth Capital - Other	2,890,543	2,900,000	(9,457)	0%	4,644,337	
Grants Commonwealth Capital - Roads to Recovery	483,690	601,631	(117,941)	-20%	601,631	6
Grants State Capital - Other	631,180	600,000	31,180	5%	600,000	
Total Capital Grants	4,005,413	4,101,631	(96,218)	-2%	5,845,968	
Other Income						
Net Gain (Loss) on Disposal of Assets	77,938	0	77,938	0%	0	7
Other Income - PPRWS Reimbursement of Principal Loan	0	0	0	0%	99,690	
Total Other Income	77,938	0	77,938	0%	99,690	
Operating Expenses						
Employee Costs	3,861,017	4,189,462	(328,445)	-8%	5,487,953	8
Materials & Services	5,375,923	5,259,636	116,287	2%	6,916,442	9
Depreciation	1,768,005	1,768,005	0	0%	2,357,337	
Interest	75,105	145,904	(70,799)	-49%	238,131	10
Other Expenses	139,040	151,825	(12,785)	-8%	227,429	
Internal Plant used on Capital Jobs	(75,273)	(93,752)	18,479	-20%	(125,000)	
Employee Oncosts	38,389	63,472	(25,083)	-40%	63,299	
Total Operating Expenses	11,182,206	11,484,552	(302,346)	-3%	15,165,591	
Net Profit	795,045	(117,262)	912,307	-778%	(2,414,484)	
Total Comprehensive Result (incl Capital Income)	4,878,396	3,984,369	894,027	22%	3,531,174	
Capital Works Program (Current Year WIP)						
Work in Progress Capital Works - Plant Internal	75,273	0	75,273	0%	0	
Work In Progress Payroll - Salaries and Wages	170,328	0	170,328	0%	0	
Work in Progress Capital Works - On Costs	83,280	0	83,280	0%	0	
Work in Progress Capital Works - Contractor Costs	1,938,800	0	1,938,800	0%	0	
Work in Progress Capital Works - Materials	863,448	0	863,448	0%	0	
Work in Progress Capital Works - Consultancy	165,709	0	165,709	0%	0	
Work in Progress Capital Works - Plant Hire External	57,375	0	57,375	0%	0	
Total Capital Works Program (Current Year WIP)	3,354,212	0	3,354,212	0%	0	

Notes

1. Rates revenue is up \$76k on budget YTD due to supplementary valuations being higher than forecast.
2. Statutory charges are up \$188k on budget YTD due to development applications being higher than forecast.
3. Grant revenue is up \$112k on budget YTD due to the recognition of unspent grant revenue carried forward from the prior financial year.
4. Interest and investment revenue is \$110k up on budget YTD due to the receipt of an interim dividend from TasWater.
5. Contributions are up \$78k on budget YTD due to a higher level of development applications than expected.
6. Roads to recovery income is currently down \$118k on budget YTD which is expected to be received after the March quarter report is submitted and assessed by the Commonwealth.
7. Net gain /(loss) on disposal of assets of \$78k relates to a number of vehicles and plant traded in or disposed of.
8. Employee costs are down \$328k on budget YTD primarily due to vacancies during the year.
9. Materials and services are up \$116k on budget YTD primarily due to contractor costs to cover staff vacancies during the year.
10. Interest expense is down \$71k on budget YTD and expected to be in line with budget at year end.

Statement of Financial Position

Glamorgan Spring Bay Council
As at 31 March 2021

	31 MAR 2021	30 JUN 2020
Assets		
Current Assets		
Cash & Cash Equivalents	3,567,050	1,683,196
Trade & Other Receivables	2,331,282	658,232
Inventories	22,402	23,755
Other Assets	91,155	81,600
Total Current Assets	6,011,888	2,446,782
Non-current Assets		
Trade & Other Receivables	9,435	9,435
Investment in Water Corporation	28,139,885	28,139,885
Property, Infrastructure, Plant & Equipment	125,827,966	126,700,280
Total Non-current Assets	153,977,286	154,849,601
Total Assets	159,989,175	157,296,383
Liabilities		
Current Liabilities		
Trade & Other Payables	479,739	1,207,652
Trust Funds & Deposits	343,662	534,472
Provisions	636,254	614,714
Contract Liabilities	-	421,919
Interest bearing Loans & Borrowings	293,455	512,113
Total Current Liabilities	1,753,110	3,290,870
Non-current Liabilities		
Provisions	117,389	117,389
Interest Bearing Loans & Borrowings	8,106,937	6,723,587
Total Non-current Liabilities	8,224,326	6,840,975
Total Liabilities	9,977,436	10,131,845
Net Assets	150,011,739	147,164,538
Equity		
Current Year Earnings	2,847,201	1,214,901
Retained Earnings	78,352,191	77,152,601
Equity - Asset Revaluation Reserve	68,381,239	68,381,239
Equity - Restricted Reserves	431,109	415,797
Total Equity	150,011,739	147,164,538

Statement of Cash Flows

Glamorgan Spring Bay Council
For the 9 months ended 31 March 2021

	JUL 2020-MAR 2021	2020
Operating Activities		
Receipts from customers	10,414,397	12,032,686
Payments to suppliers and employees	(10,229,442)	(12,601,575)
Receipts from operating grants	757,402	1,359,203
Cash receipts from other operating activities	816,215	870,199
Net Cash Flows from Operating Activities	1,758,571	1,660,514
Investing Activities		
Proceeds from sale of property, plant and equipment	59,346	774,845
Payment for property, plant and equipment	(4,061,261)	(7,636,926)
Receipts from capital grants	3,575,233	2,345,631
Other cash items from investing activities	-	8,561,427
Net Cash Flows from Investing Activities	(426,681)	4,044,977
Financing Activities		
Trust funds & deposits	(190,810)	365,036
Net Proceeds/(Repayment) of Loans	1,164,693	197,089
Other cash items from financing activities	(421,919)	(8,321,569)
Net Cash Flows from Financing Activities	551,964	(7,759,444)
Net Cash Flows	1,883,854	(2,053,953)
Cash and Cash Equivalents		
Cash and cash equivalents at beginning of period	1,623,245	3,677,197
Cash and cash equivalents at end of period	3,507,099	1,623,245
Net change in cash for period	1,883,854	(2,053,953)

Budget Capital Works Detail

Glamorgan Spring Bay Council
as at 31 March 2021

New Capital	Actual YTD	2020/21 Revised Budget	Government Funding	Council Funding	Project Progress
Roads, Footpaths, Kerbs					
Swanwick Rd, Swanwick - Swanwick Dr to Hazards View Dr - Concrete Footpath approx. 400m. Southern side.	-	95,000	95,000		Procurement in Progress Drought Relief Grant
Wellington St, Swansea - Noyes St to Vistoria St - Concrete Footpath approx. 220m. Southern side.	64,802	60,000	60,000		Complete Drought Relief Grant
Noyes St, Swansea - Franklin St to Wellington St - Concrete Footpath approx. 200m. Eastern side.	59,558	65,000	65,000		Complete Drought Relief Grant
Elizabeth St, Orford - Charles St to Gore St - Concrete Footpath approx. 220m Northern Side	35,500	54,000	54,000		Complete Drought Relief Grant
Charles St, Triabunna - Rec Ground entrance - Concrete Footpath approx 400m. Western Side	104,350	103,000	103,000		Complete Drought Relief Grant
Vicary St, Triabunna - Esplanade intersection - Realignment and paving RSL cenotaph.	-	115,000	115,000		Procurement in Progress Drought Relief Grant
Tasman Highway, Bicheno - Harvey's Farm Rd to Douglas St - Concrete footpath approx. 1200m. Eastern side.	7,655	403,000	403,000		Preliminary design complete and under review Drought Relief Grant
Friendly Beaches - Reconstruct & Seal 700m, incl Pullout Bay	105,580	100,000	100,000		Complete Community Infrastructure Fund
Freycinet Drive - Kerb at Kayak Rental to stop flooding		30,000	30,000		Submitted for approval. Community Infrastructure Fund - Round 2
Strip Rd Little Swanport - concrete overlay to hardstand floodway		30,000	30,000		Submitted for approval. Community Infrastructure Fund - Round 2
R2R - Nugent Rd Seal - Carry forward from 2019/20 + EMF	50,000	50,000	40,775	9,225	Complete \$12,775.RTR + EMF \$28k
Dolphin Sands Share Pathway	345,187	374,608	374,608		Complete Fed Grant Fund (\$1.0m commenced 19/20)
Swansea Main Street Upgrade	45,965	400,000	400,000		Community engagement to be progressed. Fed Grant Funding in 21/22
Total Roads, Footpaths, Kerbs	818,597	1,879,608	1,870,383	9,225	
Parks, Reserves, Walking Tracks, Cemeteries					
Coles Bay Trailer Parking - c/fwd project	167,045	155,482	155,482		Complete DPIPWE Funds
Swansea Boat Trailer Parking	28,885	500,000	500,000		Commenced DPIPWE Funds
Bicheno Triangle	23,750	600,000	600,000		Preliminary design complete. Public consultation underway. Fed Grant Fund
Bicheno Gulch	10,004				Site survey complete, awaiting approval prior to final design. Fed Grant Fund
Coles Bay Foreshore	41,060	800,000	800,000		Site survey complete, stakeholder feedback complete. Fed Grant Fund
Saltworks Boat Ramp Upgrade	877	100,000	100,000		State Grant
Buckland Recreation Ground - Installation of cricket practice nets, pitch with synthetic surface	21,570	25,000	25,000		80% complete Drought Relief Grant
Triabunna Recreation Ground - Installation of cricket practice nets, pitch with synthetic surface	21,195	25,000	25,000		Complete Drought Relief Grant
Jetty Rd Bicheno - Beach Access, timber walkway installation		10,500	10,500		Submitted for approval. Community Infrastructure Fund - Round 2
Buckland Walk - rehabilitation	-	60,000	-	60,000	
Total Parks, Reserves, Walking Tracks, Cemeteries	314,386	2,275,962	2,215,962	60,000	
Plant & Equipment					
Small plant	10,327	31,000		31,000	60% complete
Skidsteer	41,500	41,000		41,000	Complete
New Vehicle GM	44,568	45,000		45,000	Complete
IT Computer Equipment	23,295	30,000		30,000	78%
Total Plant & Equipment	119,690	147,000	-	147,000	
Total New Capital	1,252,673	4,302,570	4,086,345	216,225	

Renewal of Assets	Actual YTD	2020/21 Revised Budget	Government Funding	Council Funding	Project Progress	Government Funding
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Roads, Footpaths, Kerbs						
RTR - RSPG Rheban Rd Resheeting / realignment for bridge	-	100,000	50,000	50,000		RTR
Emergency Repairs - Old Coach Rd Resheet	215,162	210,000	157,500	52,500	Complete	75% funded by EMF
Emergency Repairs - McNiels Rd Resheet 3.1km	15,688	60,000	45,000	15,000	30% Complete	75% funded by EMF
Emergency Repairs - Wielangta Rd Resheet 7km	3,680	125,000	100,000	25,000	40% Complete	75% funded by EMF
Emergency Repairs - Springs & Crossins Rd Resheet	21,197	17,000	12,750	4,250	Complete	75% funded by EMF
Emergency Repairs - Rosedale Rd Resheet 4.4km	112,953	80,000	60,000	20,000	Complete	75% funded by EMF
Emergency Repairs - Nugent Rd Resheet	18,070	45,000	30,000	15,000	Complete	75% funded by EMF
Resheet - to be allocated	-	59,025		59,025		
R2R - Wielangta Road resheet southern end	70,204		75,000		Complete	R2R project reallocation, from RTR Charles St Triabunna below.
R2R - Charles St Orford 150m Reconstruction, Reseal, Kerb, Channel & Footpath (Henry St to Elizabeth St)	181,207	150,000	150,000		Complete	
R2R - Charles St Triabunna (Vicary to Espl. W. Waterfront Drive), reconstruct, Reseal & Streetscape	-	326,631	251,631			May need additional funds in 21/22 RTR allocation
Total Roads, Footpaths, Kerbs	638,160	1,172,656	931,881	240,775		
Parks, Reserves, Walking Tracks, Cemeteries						
Bicheno BMX track refurbishment		20,000	20,000		Submitted for approval	Community Infrastructure Fund - Round 2
Bicheno Walk - Bridge replacement - carried forward from 2019/20	23,206	30,000	20,000	10,000	80% Complete	Community Infrastructure Fund
Total Parks, Reserves, Walking Tracks, Cemeteries	23,206	50,000	40,000	10,000		
Stormwater, Drainage						
Alma Rd and Fieldwick Land - Rockline drain and culvert improvements		125,000	125,000		Submitted for approval	Community Infrastructure Fund - Round 2
Mount St Orford - Kerb & channel	14,720	15,000		15,000	Complete	
Nalier Ave & Gamble St Bicheno - New culvert	31,495	30,000		30,000	In progress	
Stormwater management planning, investigation & design	118,602	275,000		275,000	45% complete	
Orford Main upgrade & pit installation 39 West Shelley Beach	-	35,000		35,000		
Freycinet Drive Coles Bay Rock line drains and reform road falls	-	30,000		30,000		
Bicheno Esplanade - install new mains to 3 houses	-	15,000		15,000		
Assess and desing stormwater system upgrade - from 49 Rheban Rd to West Shelley Beach						
Construct new pipe/overland flow linkages and expansion of Nautilus Drive detention basin	-	70,000		70,000		
Triabunna Yacht Club - main	-	30,000		30,000		
Total Stormwater, Drainage	164,816	625,000	125,000	500,000		
Council Buildings						
Triabunna Depot - Dog Pound Upgrades - carried forward from 2019/20	-	11,000		11,000	Commenced	
Swansea Depot - Dog Pound Upgrades - carried forward from 2019/20	579	7,000		7,000	Commenced	
Bicheno Depot - Dog Pound Upgrades - carried forward from 2019/20	77	7,000		7,000	Commenced	
RSL Cenotaph - new memorial and relocate plaques - c/w project	15,878	35,000		35,000	40% Complete	
Buckland Community Hall - replacement of steps to the entrance	3,420	55,000	55,000		Procurement in progress	Drought Relief Grant
Swansea Museum - CCTV installation		11,000	11,000		Submitted for approval	Community Infrastructure Fund - Round 2
Swansea SES CCTV installation		3,000	3,000		Submitted for approval	Community Infrastructure Fund - Round 2
Triabunna Medical Centre - Car Park reseal and line mark		45,000	45,000		Submitted for approval	Community Infrastructure Fund - Round 2
Bicheno Medical Centre - Car Park reseal and line mark		55,000	55,000		Submitted for approval	Community Infrastructure Fund - Round 2
Triabunna Wharf Public Toilet Block - instal hands free washing station		15,000	15,000		Submitted for approval	Community Infrastructure Fund - Round 2
Triabunna Marina - improve public facilities and shelters		40,863	40,863		Submitted for approval	Community Infrastructure Fund - Round 2
Coles Bay Tennis Courts - Basketball hoop installation		3,000	3,000		Submitted for approval	Community Infrastructure Fund - Round 2
Buckland Community Hall - ramp access	-	45,000	45,000		Procurement in progress	Community Infrastructure Fund
Coles Bay Tennis Courts - Resurface/Reconstruct	44,400	65,000	65,000		80% Complete	Community Infrastructure Fund
Replace Fencing, paving & awning Swansea Child Care Centre	3,599	25,000	25,000		40% Complete	Community Infrastructure Fund
Bicheno Medical Centre - Refurb Treatment Room	-	25,000	25,000		Programmed Approved by Fed Govt	Community Infrastructure Fund
Swansea Courthouse Drainage Works	-	25,000	25,000		50% Complete	Community Infrastructure Fund
Swansea Community Hall - Toilet Refurbishment	-	40,000	40,000		Procurement in progress	Community Infrastructure Fund
Total Council Buildings	67,953	512,863	452,863	60,000		
Bridges, Culverts						

Orford Bridge Replacement	955,885	990,840	990,840	Contract Complete. Rehabilitation to finalise project.	\$1.02m project started May 2019. Fully Federal Grant funded
Holkham Crt Culvert	6,500	56,087	56,087	Design commenced	Community Infrastructure Fund
RTR - BRP Rheban Rd Griffith River Bridge	20,069	300,000	300,000	Survey for design revision underway.	RTR 25% EMF 75%
Total Bridges, Culverts	982,453	1,346,927	1,346,927	-	

Plant & Equipment	Actual YTD	2020/21 Revised Budget	Government Funding	Council Funding	Project Progress	Government Funding
Wheeloader (replace backhoe)	121,996	122,000		122,000	Complete	
Replace Animal Control Vehicle	31,634	35,000		35,000	Complete	
Plant replacement - replace 3 utes/works vehicles	67,569	109,230		109,230	Ordered Nov, 2 of 3 Delivered	
Total Plant & Equipment	221,200	266,230	-	266,230		
Total Renewal Capital	2,097,789	3,973,676	2,896,671	1,077,005		
Total Capital Works	3,350,462	8,276,246	6,983,016	1,293,230		

6. SECTION 24 COMMITTEES

6.1 Minutes of Cranbrook Community Hall Committee Meeting - 16 February 2021

Page 1 of 2

Meeting Minutes – Cranbrook Hall Committee (S24)

Location: Cranbrook Hall

Date: 16th Feb 2021

Time: 17.50/5.30 pm

Present: Annie Browning, Robert Elliott, Pat Greenhill, David Amos, Jennie Amos, Edith Stanfield

Apologies: Lyn Lyne, Tracey Johnston, Les Turner

Minutes of Previous Meeting:

Minutes of previous meeting were read & confirmed as correct.

Moved: Robert Elliott Seconded: Annie Browning
Carried

Treasurer's Report:

Current Balance \$ 783.12

Accounts for payment: Wendy Sainty \$108.66

Moved: Edith Stanfield Seconded: David Amos Carried

Correspondence:

- Email. Re. playground equipment offer from Swansea Primary. This is now resolved, as it was sold privately, as it not suitable to meet the safety requirements of Council.

General Business:

- Discussion was held around improved communication from Council to all of committee regarding the Cranbrook Hall & grounds. Contact should be made through the Secretary, so she can then email/ inform all members of the S24 Cranbrook Hall Committee by email.
- **Cleaning:** Wendy retiring before winter (currently once month @ \$15). Edith offered to speak with the Craft group tomorrow re. Cleaning. Proposal, if we have a function we would hire a local cleaner. Pat agreed to ask Chelsea Brown if she would be interested & ask for her hourly rate.
- **Hire agreements:**
Ambulance is now using SES building in Swansea.
Charges (set as of Meeting 18th Sept 2018) to remain.
Not for profit community groups: no charge
Cranbrook Craft Group: no charge.
Hire otherwise \$25 an hour with \$50 for cleaning.

Robert suggested a hire agreement form to be pinned on the noticeboard to be filled in when meetings held, so an invoice can be sent for payment.

A COVID Hire Agreement Form is also required. Jennie to print these to display on notice board.

- **Location of keys:**

Edith Stanfield (craft group)

Pat Greenhill

Wendy Sainty

Spring Vale Office: Jennie to ask Tim to look again for this key (tagged).

- **DEFIB:** Edith informed Committee of the DEFIB when checked recently was not working as waterlogged. Will be repaired & needs a waterproof box. Improved signage on fence as well. Education on use to be sourced after it is repaired.

Motion: That the Chair, Annie Browning will speak to Council if a waterproof box/roof would be installed to protect the DEFIB from damage.

Moved: Robert Elliott

Seconded: Edith Stanfield

Carried

- **Boundary adjustment & fencing:** Discussion held including background to the transfer to Gala Estate. Survey Pegs are in place. Fence suggested to be moved back to establish the perimeter boundary. Mowing of the grounds also discussed.
Adrian O' Leary (GSBC) is working on this. Annie to follow-up this up when he returns to work.
- Pat reported that the School House is celebrating its **Centenary** this year. Suggestion may be to hold something outside (COVID safe), maybe when a Church Service is held?

Action Items:

- Edith: Craft group for basic cleaning
- Pat: Chelsea Brown re. cleaning for functions
- Jennie: Contact Springvale re. missing Key
COVID Hire Agreement Form to display with Standard Form on notice board.
- Annie: Council follow-up roof on DEFIB & Boundary adjustment/ fencing & mowing grounds.
- Pat & Jennie: Check with GSBHS to establish re. the School house's Centenary in 2021?
Suggestion may be to hold something in conjunction with a Church Service.

Meeting closed at: 18.30/6.30 pm

Next meeting: To be decided after dates found for Centenary?

RECOMMENDATION

That the Minutes of the Cranbrook Community Hall Special Committee meeting held on 16 February 2021 be received and noted.

DECISION 58/21

Moved Cllr Cheryl Arnol, seconded Cllr Rob Churchill that the Minutes of the Cranbrook Community Hall Special Committee meeting held on 16 February 2021 be received and noted.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0

For: Mayor Robert Young, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Rob Churchill, Cllr Michael Symons.

Against: Nil.

7. INFORMATION REPORTS

7.1 Director Works and Infrastructure - Mr Peter Porch

Asset Management; Roads, Bridges and Footpaths; Stormwater; Waste Management; Public Amenities; Parks, Reserves and Walking Tracks; Cemeteries

ASSET MANAGEMENT

Asset Management practice is the strategic driver for the activities of the department and is partnered by works that operate to maintain essential services to the community.

Asset management activities continue with the development of a Strategic Asset Management Plan as the last of the required set for council. Other activities required for the implementation and development of these plans include asset locations in Geospatial mapping (GIS). The collection of council stormwater assets in GIS continues.

CONSULTANT SERVICES

Consultant services are required to deliver specialized services to council for a range of generally short term requirements. Current consultant activities comprise:

- Stormwater Management Plan: Cameron Oakley continues to work through a multitude of inundation issues with the outcome to be a schedule of future works encompassing a number of years of forward works. Each of these projects will come before council for consideration in future capital works programs. Projects will be assessed on the basis of risk to form a priority for scheduling the program that will be presented to council. Ongoing.
- Asset Management Plan development: Vincent Butler has developed a Strategic Asset Management Plan.
- Development engineering assessment: Various consultants are being engaged for this function at present with a high load of development works being managed between the available time of consultants working with council on other major tasks at present. This consultant activity will reduce and cease once a suitable Development Engineer is recruited. Ongoing.
- Grant fund project delivery: Graeme Edwards is retained to deliver a range of projects funded by Commonwealth Grants. A number of sub-consultants are involved in these works also. Ongoing.
- Further investigation to inform an appropriate design solution for the Griffiths Rivulet bridge on Rheban Road is being pursued through Hydraulic Engineers. Ongoing.
- Tas Consulting Services has provided plans for the Swanwick footpath. Now complete.
- Sustainable Engineering have provided an expert assessment of the Triabunna School pedestrian crossing - now complete.
- Pitt and Sherry are developing tender design and specification for Vicary Street and The Esplanade intersection in Triabunna. Ongoing.

OPERATIONAL WORKS

- Work Requests: 56 recorded for the month. 36% from internal inspections.

ROADS, BRIDGES, FOOTPATHS, KERBS

- Maintenance works undertaken with jet-patching to numerous roads
- Road network being inspected with surface, signage and culverts being maintained as required.
- McNeill's Road - scheduled maintenance grade before and unscheduled after rain event
- Grange Road- scheduled maintenance grade before and unscheduled after rain event
- Springs Road- scheduled maintenance grade before and unscheduled after rain event

- Alma Road- light maintenance grade after rain event to make safe.
- Brocklyn Road- repairs to approaches on each side of 2nd and 3rd bridges after rain event.
- Fieldwick Lane re-seal small section due to water damage from rain event (see images below)



STORMWATER, DRAINAGE

- Sandspit River, Wielangta Road removal of bulk debris from upstream side of bridge following the rain event. (see image below)
- Alma, Bresnehans and Swanston roads culverts cleared
- Rudd St Orford mains and pits cleared



WASTE MANAGEMENT

- Safety handrails at Orford skip bins to eliminate potential falls of 3 metres- ongoing
- Greenwaste planned burn for Bicheno and Orford in April.
- Proposing to resume winter hours and access days for the Transfer Stations from the 3rd of May.

Garbage, recycling services

High winds contributed to unscheduled closure of the transfer station at Orford on a number of occasions during March in accord with new processes.

PARKS, PLAYGROUNDS, RESERVES, WALKING TRACKS, CEMETERY

- Clean up of Bicheno cemetery ahead of planned Easter service carried out.
- Mowing, weed management and tree maintenance activities continue.

EMERGENCY MANAGEMENT:

Council response

In late March the Bureau of Meteorology issued flood warnings for the lower East Coast which resulted in heavy rains over a twenty four hour period. In Orford, between 9am 24th to 9am 25th of March, 120.2mm was received. Sandbags were delivered to known flooding properties before the event in preparation for the event which reduced emergency response call-outs after hours.

The 10% Annual Exceedance Probability (AEP) (1 in 10) rainfall depth for this period is 110mm, and the 5% AEP (1 in 20 year) depth is 128mm.

Therefore, Orford experienced somewhere between the 10% and 5% AEP. If a majority of that rain fell during a shorter period, the event would be rarer than a 5% AEP event. Heavy rains were experienced along the District coastline and inland during this time resulting in road washouts and some damage to infrastructure.

The State Growth Road maintenance contractors were fully committed in the Break O'Day Municipal area and council staff were requested (and responded) to some road closures on state roads during the night.

- Many minor repairs to roads and clearing culverts following the rain event on 24th March.
- Crews called out to assist Tas Police and SES overnight with Tasman Hwy flood closures.
- Triabunna/Orford crews delivered sandbags to known flood prone areas (domestic and commercial properties) prior to rain event.
- A number of unsealed roads north of Swansea that have had maintenance grades completed over past 2 months have been damaged by flood waters.

Swansea SES provided flooding mitigation responses to Bicheno and Swansea areas and the following:

- 2 Motor Vehicle Accidents for the month. 1 at Bicheno inside town boundaries where driver didn't give way. (Council officers to review signage options to the intersection in consultation with Tas Police and State Growth)
- 1 at Coombend. 2 vehicles head on luckily no major injuries.
- Called out for 1 flood incident at Dolphin sands
- Did sweep of Tasman hwy to Bicheno during recent floods to check for flooding issues.
- Training in storm damage.
- Provided traffic management for Coles Bay half Triathlon
- Received new Edraulic battery powered combi tool for vehicle extraction.

CAPITAL WORKS

- Bicheno 2 x Foot-Bridge Replacement continued
- Old Coach Road re-sheet completed - the Royal George end

Grant funded

- Swansea Main St Paving: Concept nearing Community engagement phase.
- Bicheno Tasman Highway Footpath: Preliminary design completed and under review.
- Coles Bay Foreshore Footpath: Traffic Impact Assessment data collection planned for Easter weekend.
- Bicheno Gulch Foreshore and Esplanade Upgrade: Site survey completed awaiting approval prior to final design.
- Bicheno Triangle Upgrade: Design and consultation ongoing.
- Swansea Boat Ramp Car Parking construction continued.

PLANT AND VEHICLES

- Planned trade and sale of vehicles continued.
- Scheduled Plant replacement and upgrade continuing

GENERAL

- Gates/signage/barricade installed approx. 500 metres each side of Griffith Rivulet crossing to block off Rheban road until bridge is reinstated, public have been cutting the temporary fences at the bridge site to continue travelling Rheban road and letting livestock out on the road.

RECOMMENDATION

That Council notes the information.

DECISION 59/21

Moved Cllr Michael Symons, seconded Cllr Rob Churchill that Council notes the information.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0

For: Mayor Robert Young, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol,
Cllr Keith Breheny, Cllr Rob Churchill, Cllr Michael Symons.

Against: Nil.

8. OFFICERS' REPORT REQUIRING A DECISION

8.1 Triabunna School Crossings

Author: Director Works and Infrastructure (Mr Peter Porch)

Responsible Officer: Director Works and Infrastructure (Mr Peter Porch)

ATTACHMENT/S

Triabunna School Crossing Assessment

PURPOSE

To present Information to Council in respect to the District School crossings in Triabunna and their conformance with standards.

BACKGROUND/OVERVIEW

This report and the attachment respond to Councils Resolutions:

1. That Council assess both the Melbourne Street and Vicary Street Triabunna school crossings to determine their compliance with the current Australian Standards for School Crossings.
2. That, in the event, that either or both crossings are assessed as deficient Council take steps to immediately rectify the deficiency to ensure the safety of students at Triabunna District School.

STRATEGIC PLAN

Guiding Principle 6.

Draw on the knowledge and expertise of local people and communities in shaping and delivering our initiatives and plans – listening to and taking account of ideas and feedback from residents, businesses and ratepayers.

Key Foundation/s 4.

Infrastructure and Services

Delivering high quality, cost-effective infrastructure and services that meet the needs of our communities, residents and visitors.

What we plan to do

- Sustain a safe and well-maintained road network across the municipality
- Set clear annual budget priorities to meet needs and community expectations in consultation with the community.

STATUTORY IMPLICATIONS

- *Local Government Highways Act 1984*

Other guidance:

- *Australian Standard AS1742*
- *IPWEA Standard Drawings and Specifications*
- *Austrroads Guide to Road Design Part 4*
- *Austrroads Guide to Traffic Management Part 6*

BUDGET IMPLICATIONS

Council has no current budget for the works which will be capital in nature and may consider this project amongst others in the formation of the 2021-22 capital program.

An estimate of the cost of the works, including widening of the footpath on Vicary St is \$50,000 or \$31,000 without altering those footpaths.

RISK CONSIDERATIONS

Risks associated with the crossings as they exist include those inherent with Australian Standard non-compliance as noted in table 1 and 2 within the attached report. These include a small deviation from the disabled access on kerb ramps; footpath width and sight distance for drivers.

Other risks not covered by standards include the driveway access within the school crossing zone. Even if re-located, there will continue to be risks to children in access and egress for vehicles using the driveway currently within the crossing as for other driveways. Fences are high and visibility restricted for reversing from the driveway.

OFFICER'S COMMENTS

Council has sought advice with respect to conformance with standards of the school crossings on Vicary and Melbourne Streets Triabunna. The report identifies some non-conformances but not necessarily those expected. The standards are silent with respect to driveways within a school crossing area. No doubt it is impossible to achieve a perfect outcome in many locations with conflicting access requirements, however it is simply not good practice to have a crossing and a driveway occupying the same space where there are options not to.

The report identifies a range of concerns including non-conformant behavior of school attendees crossing the road anywhere along the length of the school boundary on Melbourne St. It is anticipated that the re-siting of the crossing will not of itself improve adherence to the crossing location. The risks associated with entry and exit to the driveway may be diminished but not completely removed. The high fences employed by the property owner, while lawful, do not enhance safety for the children, particularly if reversing out of the driveway.

There is a recommendations and actions summary within the report (excerpt below) that would require a capital expenditure allocation to implement. Implementation would require further consultation with school and nearby property owners to resolve a location which may or may not line up with that proposed in the report.

5.0 RECOMMENDATIONS AND ACTIONS - SUMMARY

5.1 Vicary Street

1. Retain the existing crossing as-is;
2. Monitor or repair heaving pavers in accordance with Council's internal policies/intervention levels;
3. Consider widening footpath on the southern side as part of Council's overall footpath upgrade plans.

5.2 Melbourne Street

1. Relocate the Melbourne street crossing further north to increase desirability, as shown indicatively in Figure 9.
 - a. Extend footpath on eastern side to meet new crossing point.
 - b. Consider bulbing to improve sight distance and reduce crossing width.
 - c. Construct kerb ramps to comply with AS1428.1.
2. Consider improvements, including bulbing and new kerb ramps at the crossing at junction with Vicary street;
3. Consider widening footpath on western (school) side as part of Council's overall footpath upgrade plans.

5.3 Parking

1. Provide long term (unlimited) parking on the eastern side of Melbourne street, away from the crossing, to allow all-day parking for staff who are likely to arrive before the student peak times;
2. Provide time-limited parking on the western side of Melbourne street. It is suggested that two types are considered:
 - 15 – 30-minute parking in the indented bay for drivers accompanying younger children into school.
 - No Parking or 5 minute spaces for drop-off.

Design would be required and demolition and construction costs for the project if adopted.

OFFICER'S RECOMMENDATION

That Council refer the project, with scope as described in the consultant's report recommendations, for consideration in the upcoming budget preparation for the capital works program for 2021-22.

DECISION 60/21

Moved Cllr Cheryl Arnol, seconded Deputy Mayor Jenny Woods that Council refer the project, with scope as described in the consultant's report recommendations, for consideration in the upcoming budget preparation for the capital works program for 2021-22.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0

For: Mayor Robert Young, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Rob Churchill, Cllr Michael Symons.

Against: Nil.

8.2 Shea's Bridge

Author: Director Works and Infrastructure (Mr Peter Porch)

Responsible Officer: Director Works and Infrastructure (Mr Peter Porch)

ATTACHMENT/S

Nil

PURPOSE

To present Information to Council in respect to the option to take ownership of Shea's Bridge on the Tasman Highway at Orford.

BACKGROUND/OVERVIEW

Department of State Growth (DSG) is presently replacing Shea's Bridge on the Tasman Highway at Orford with a new structure on a new road alignment. The existing bridge is clear of that alignment but presently planned for demolition in May this year.

Due to increasing mass limits and a push to make road transport more cost effective through National Heavy Vehicle Regulator initiatives, the existing bridge is being replaced with a new structure which will support much greater mass limits.

The existing structure being replaced has 2.8m wide traffic lanes and 0.5m wide shoulders and is not deemed suitable for shared access with general road traffic. The new structure on a different alignment will have 3.1m wide traffic lanes and 1.4m wide sealed shoulders suitable for road cyclists, with an overall width of 9m. The new structure will not provide for safe pedestrian use or off-road type cyclist use.

Glamorgan Spring Bay Council had previously requested a desire to have the existing (old bridge) structure to remain and for council to take over the ownership and maintenance of this structure for future development which could facilitate pedestrian and cyclist activities off the new road alignment. This old bridge structure could form part of a future scenic walking and cycling asset around Louisville Point headland. This proposal was to be raised and discussed at a Council meeting before a formal decision was made and acceptance of ownership provided.

It is our understanding that following ongoing discussions, the DSG issued a letter to the General Manager (Mr Chris Schroeder) dated 2nd March 2020 which confirmed the following:

- *Demolition of Existing Bridge*

Council has previously expressed interest to take ownership and retain the existing bridge for pedestrian and cycle access. However, Council's Works Manager, Tony Pollard has now advised that following consideration at Council workshop in February 2020, that Council does not seek to retain the bridge.

Consequently, the approved plans and tendered work includes the demolition of the existing structure as previously planned.

This project and all corresponding works are underway and expected for completion by the 22nd June 2021. This includes the removal/demolition of the existing bridge which is planned for commencement from late May 2021.

It is the Works and Infrastructure Director, and General Manager's view, with a fresh review of the future demands and present opportunities that consideration should be given to retaining the old structure as per Council's original position.

If Council resolves to take ownership and responsibility of the existing structure, DSG would require advice and a formal acceptance by no later than 7th May, to enable them to implement a significant contract variation.

STRATEGIC PLAN

Guiding Principle 6.

Ensure that our current expenditure and ongoing commitments fall within our means so that rates can be maintained at a manageable and affordable level.

Key Foundation/s 1.

Our Governance and Finance

Sound governance and financial management that shows Council is using ratepayer funds to deliver best value and impact for the GSBC community.

Key Foundation/s 4.

Infrastructure and Services

Delivering high quality, cost-effective infrastructure and services that meet the needs of our communities, residents and visitors.

What we plan to do

- Planned asset renewal expenditure based on agreed asset management plans
- Sustain a safe and well-maintained road network across the municipality
- Set clear annual budget priorities to meet needs and community expectations in consultation with the community.

STATUTORY IMPLICATIONS

- *Roads and Jetties Act 1935*
- *Local Government Highways Act 1982*

BUDGET IMPLICATIONS

The immediate impacts for council to consider are for depreciation of the structure. To provide an indication of financial impact in assessing the size and construction of the bridge against like bridges in council's asset system, attributing an average value for the size and a depreciation schedule, the bridge is likely to add in the order of \$3000 each year to depreciation accounts once commissioned.

Information from valuation professionals suggests that the transferred asset, if disused and not for operational use, can be recognized at \$1.00 to ensure it stays on the asset register and recognises it has potential. This approach is in line with Australian Accounting Standards and has been accepted by audit.

Long term if not incorporated into a trail and no use is derived from it, there is the likely cost of demolition in the event the structure was not used in the establishment of a future trail.

RISK CONSIDERATIONS

There is a risk that the asset will not become part of a trail. This is considered to be low risk given the expressed desires of some members within the community and general advancement of good health promoting walking and cycling opportunities within the community and state.

There is a risk that the asset will not provide long service to the community and be a liability. This is considered to be very limited risk. The asset is in surprisingly good condition and has a very long service life to come, particularly given the significant reduction in live loads being imposed on the structure by heavy vehicles at speed.

OFFICER'S COMMENTS

It is considered highly likely that the development of a walking and cycling strategy will be carried out in the near future for the municipal area and that a link across Shea's creek will be required for the Orford/Louisville/Triabunna leg of trails in this area.

Opportunity exists to assume ownership of an asset to fulfill this purpose and provide adequate service for more than forty years with appropriate maintenance, to span a critical creek crossing close to an existing walking trail along Raspin's Beach.

The photos below show the 8M long bridge deck or underside of the structure. A bridge in poor condition will show spalling of concrete where reinforcement within the concrete has expanded due to water ingress and "popped" the concrete covering. Often moisture comes through the top of the bridge or in this case the road seal. This is evidenced by loose surface concrete, missing patches of concrete exposing rusted reinforcement bars, large flakes of concrete breaking free from expanding reinforcement.

While these signs indicate degradation of the structure, they are repairable and this is a common practice for maintaining concrete structures, particularly near salt water. There is no evidence of spalling on this structure indicating very good condition of the deck structure. There are some fine cracks in the concrete beams. There is evidence of some rusted reinforcement through the stains on the abutment.

Similarly, the wing walls and abutments are in good condition. There is some minor loss of concrete in a couple of patches at high water level and some spalling below the high water line. The defects are minimal, repairable and not structural.

The structure shows no evidence of undermining of the abutments through creek and tidal movement. With an appropriate and timely maintenance regime the structure may provide pedestrian service for up to fifty years.

The bridge has not been built with particular aesthetic qualities to recommend it but neither is it so visible as to be eye catching. It is however, functional and sound.

The last bridge inspection carried out by State Growth in December 2020 rates the bridge as 1 - Good.





There is a high probability that the alternative to utilizing this structure is, within a few years, to seek funds for design and construction of infrastructure to do the job this existing structure can provide, drawing funds and personnel resources away from other productive elements of council's future projects to do a job that is currently being done.

OFFICER'S RECOMMENDATION

That Council advise DSG of its resolution to accept the bridge as a council asset and request their contract for demolition be varied to retain the structure.

DECISION 61/21

Moved Cllr Cheryl Arnol, seconded Deputy Mayor Jenny Woods that:

1. Council resolves to keep Shea's bridge as a Council asset.
2. Council request that Department of State Growth vary their contract for demolition to enable the retention of the structure.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0

For: Mayor Robert Young, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Rob Churchill, Cllr Michael Symons.

Against: Nil.

8.3 Policy update - Applying for Grants on Council Land Policy

Author: Director Planning & Development (Mr Alex Woodward)

Responsible Officer: Director Planning & Development (Mr Alex Woodward)

ATTACHMENT/S

Draft 'Applying for Grants on Council Land Policy'

BACKGROUND / OVERVIEW

The purpose of this report is to recommend that Council adopts the draft 'Applying for Grants on Council Land Policy'.

This Policy will provide a clear framework for organisations wanting to apply for grants on Council land. It will also ensure that there are strategic links between grant proposals and Councils goals/strategies. The Policy also delivers on achieving good governance and appropriate oversight of grant applications.

DETAIL:

Due to limited financial resources, Council relies heavily on obtaining funds to deliver needed capital investment across our municipality. Whilst grants bring much needed support in the way of capital expenditure, all capital projects bring along other costs which must be borne by Council and the community. These include depreciation, operational and maintenance costs. This Policy will provide a strategic approach to applying for grants on Council land, be it if the application is submitted from Council or by a third party such as a community group or sporting club.

The Policy outlines that applications for external grants using Council Land must be aligned with the Council's Strategic Plan, Asset Management Plans, Long-Term Financial Plan and/or any other Council operational plans before being considered. This will ensure that all grant applications have been appropriately considered in terms of our strategies and long-term viability.

The Policy then goes on to outline the criteria used for assessing grants. This provides external parties with a clear framework of what grant proposals will be assessed against. By having a clear and consistent approach the community can understand what proposals will be considered. Finally the Policy goes on to outline delegated authority for grant submission approvals and reporting functions.

If this draft Policy is endorsed by Council it is recommended that supporting documentation is developed to support community groups who are interested in applying for grants.

STRATEGIC PLAN

Guiding Principle

7. Communicate and explain Council's decisions and reasons in an open and timely manner.

Key Foundation

1. Our Governance and Finance

What we plan to do

- Be accountable and ensure good governance practice

STATUTORY IMPLICATIONS

Local Government Act 1993

Land Use Planning and Approvals Act 1993

BUDGET IMPLICATIONS

The policy does not impact on the quantum of revenue received by grant funding, but provides parameters on what grant proposals are approved to be submitted.

RISK CONSIDERATION/S

By not having an 'Applying for Grants on Council Land Policy' in place, governance control is reduced which also leads to confusion and ambiguity. This risk can be mitigated by adopting the new policy or amending the content.

OFFICER'S RECOMMENDATION

That Council adopt the 'Applying for Grants on Council Land Policy' as attached to this report effective 27 April 2021.

DECISION 62/21

Moved Cllr Rob Churchill, seconded Cllr Cheryl Arnol that Council adopt the 'Applying for Grants on Council Land Policy' as attached to this report effective 27 April 2021.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0

For: Mayor Robert Young, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol,
Cllr Keith Breheny, Cllr Rob Churchill, Cllr Michael Symons.

Against: Nil.

8.4 Policy update - Car Parking Cash-in-Lieu Contribution Policy

Author: Director Planning & Development (Mr Alex Woodward)

Responsible Officer: Director Planning & Development (Mr Alex Woodward)

ATTACHMENT/S

Attachment 1 – Draft ‘Car Parking Cash-in-Lieu Contribution Policy’

Attachment 2 – Existing ‘Development Assistance – Parking in Lieu Payments’

BACKGROUND / OVERVIEW

The purpose of this report is to recommend that Council updates the ‘Development Assistance – Parking in Lieu Payments Policy’ with the new ‘Car Parking Cash-in-Lieu Contribution Policy’.

This Policy will provide a strategic approach on Council’s decisions regarding the equitable collection of cash-in-lieu contributions for on-site car parking spaces for new developments. It will also provide direction on how funds obtained through cash in lieu contributions will be managed and utilised.

DETAIL:

The Parking and Access Code in the Glamorgan Spring Bay Interim Planning Scheme 2015 allows Council to consider accepting a cash payment in lieu for car parking bays not provided. The existing policy (see attachment 1) adopted in 2016 provides a brief overview of the process and enables Council to seek cash-in-lieu payments for insufficient car parking spaces. Unfortunately the Policy provides a one size fits all approach for the municipality and simply provides an instrument to charge one consistent fee for each car parking space across the municipality. The current fee is a flat \$4000 for the entire municipality. The key issue with this approach is that the cost to Council and the community to supply or address the parking shortfall is considerable higher in some areas than others. For example, the available area for parking in Coles Bay is severely restricted in comparison to Triabunna. In addition the cost of obtaining land or making improvements in Coles Bay is significantly higher. This therefore would result in a higher cost to Council and the community to supply the shortfall or provide alternative options in the Coles Bay area than Triabunna.

To address this issue, the key component of the Policy is to set a formula for calculating the contribution which is based on real data and equality.

HOW THE CONTRIBUTION WILL BE DETERMINED:

The proposed cash-in-lieu contribution is calculated by the cost of land plus the cost of construction multiplied by a Community Benefit Reduction Factor. Therefore, the cash-in-lieu contribution for one car parking space is:

$$= (\text{Cost of Land} + \text{Construction Cost}) \times \text{Community Benefit Reduction Factor}$$

Cost of Land: This will determined by a desktop assessment by a registered Valuer for a 30m2 car parking space in the applicable space. If more than one parking space is required, then this figure will be multiplied by the number of spaces.

Construction Cost: The construction costs per square metre will be established by determining the average capital costs associated with the provision of car parking spaces including the cost of drainage, kerbing, pavement, line marking, signage, lighting and landscaping works. This will be reviewed every financial year.

Community Benefit Reduction Factor: The purpose of the reduction factor is to recognise that public parking spaces and related transport infrastructure constructed with the revenue from cash-in-lieu bring significant benefits to the community, such as:

- a) Assists businesses to meet their parking requirements without on-site parking resulting in better urban design and safer, more walkable commercial areas.
- b) Enables the development of adequate, safe and convenient parking facilities that meets the needs of users.

- c) Providing publicly accessible car parking spaces which can be shared among different sites with differing peak parking times. Therefore, fewer spaces are required to meet the combined peak parking demand.
- d) Reducing the demand for car parking in an area with better public transport, walking and cycling infrastructure

Furthermore, the reduction factor also recognises that:

- a) Full contribution fees would restrain developments to pay cash-in-lieu and developments would opt to provide all the required parking on-site
- b) If fees are too low, developments would provide no physical car parking spaces and opt to provide cash-in-lieu contribution for all the required parking which will never amount to a sufficient amount for the local government to provide alternative parking.
- c) Public parking spaces constructed with the revenue from cash-in-lieu allow shared parking among different sites and therefore fewer spaces are required to meet parking demand in the future.

The proposed Community Benefit Reduction Factor for the policy is 0.5.

A working example of this assessment is as follows:

Commercial development in Coles Bay which requires a cash-in-lieu parking contribution for one car parking space.

= (cost of land + construction cost) x Community Benefit Reduction Factor

Cost of land = (\$600m² x 30m²) = \$18,000

Construction cost = \$5,000

Community Benefit Reduction Factor = 0.5

= (18,000+ 5,000) x 0.5

= \$11,500 contribution required.

MANAGING CASH-IN-LIEU CONTRIBUTIONS:

The draft Policy proposes that all monies received through the application of this Policy are to be applied to a cash-in-lieu of car parking contribution fund. It also provides guidance and direction on how the monies can be utilised. Finally the Policy also outlines how the payment of the contribution can be made to Council; either a lump sum or via a staged payment.

STRATEGIC PLAN

Guiding Principle

- 7. Communicate and explain Council's decisions and reasons in an open and timely manner.

Key Foundation

- 2. Our Governance and Finance

What we plan to do

- Be accountable and ensure good governance practice

STATUTORY IMPLICATIONS

- *Local Government Act 1993*
- *Land Use Planning and Approvals Act 1993*

BUDGET IMPLICATIONS

It is expected that there will be an increase in revenue from the change in Policy, however this income will be generally offset by the works that will be required to provide additional improvements required as a result of the development. The income from this Policy is not expected to be substantial based on the evidence of previous year's contributions.

Should the Policy be endorsed, Officers will ensure that monies collected from car parking cash-in-lieu contributions are accounted for separately to general revenue in a Parking Reserve.

RISK CONSIDERATION/S

By not having a Car Parking Cash-in-Lieu Contribution Policy in place, governance control is reduced which also leads to confusion and ambiguity. This risk can be mitigated by adopting the new Policy or amending the content.

As the policy proposes changes to the overall costs for car parking cash-in-lieu contributions, this may result in negative public relations from some developers. This risk can be mitigated by communicating the Policy and the rationale for adopting it.

OFFICER'S RECOMMENDATION

That Council adopt the Car Parking Cash-in-Lieu Contribution Policy as attached to this report effective 27 April 2021.

DECISION 63/21

Moved Cllr Rob Churchill, seconded Cllr Keith Breheny that Council adopt the Car Parking Cash-in-Lieu Contribution Policy as attached to this report effective 27 April 2021.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0

For: Mayor Robert Young, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol,
Cllr Keith Breheny, Cllr Rob Churchill, Cllr Michael Symons.

Against: Nil.

8.5 Policy update - Public Interest Disclosure Procedures

Author: Director Planning & Development (Mr Alex Woodward)

Responsible Officer: General Manager (Mr Greg Ingham)

ATTACHMENT/S

Attachment 1 – Draft ‘GSBC Public Interest Disclosure Procedures’

Attachment 2 – Public Interest Disclosure Procedures Approval – Ombudsman Tasmania

BACKGROUND / OVERVIEW

Reporting Brief:

To seek Council’s adoption of the Public Interest Disclosures Procedures.

Proposal in Detail:

Under section 60(1) of the *Public Interest Disclosure Act 2002* (PID Act), Council is required to establish procedures that comply with the Guidelines and Standards as published by the Tasmanian Ombudsman. The Tasmanian Ombudsman adopted a set of updated procedures November 2020. Council subsequently reviewed its own procedures for consistency with the Ombudsman’s procedures and, in accordance with section 60(3) of the PID Act, Council submitted a set of final draft procedures to the Ombudsman for approval (see Attachment 1). Council’s revised procedures were approved by the Ombudsman on 19 April 2021 (see Attachment 2).

The procedures essentially replicate the model procedures manual adopted by the Ombudsman with some minor changes. Once Council adopts the procedures, the following actions will occur:

1. Include public interest disclosure as part of Council’s induction process for new staff;
2. Organising periodic staff training addressing public interest disclosure;
3. Developing a ‘one-sheet’ staff information flyer to be placed in visible areas around Council’s offices regarding public interest disclosure; and
4. Ensuring that Council’s website is updated to include a page that:
 - a. includes a link to the PID Act in the Tasmanian Legislative Database
 - b. includes the ability to download a copy of the Procedures; and
 - c. advises that hardcopies of the Procedures are available at Council’s offices free of charge.

Finally, a staff member will be trained and delegated to perform the duties required under the PID Act.

STRATEGIC PLAN

Guiding Principle

7. Communicate and explain Council’s decisions and reasons in an open and timely manner.

Key Foundation

3. Our Governance and Finance

What we plan to do

- Be accountable and ensure good governance practice

STATUTORY IMPLICATIONS

- *Local Government Act 1993*
- *Land Use Planning and Approvals Act 1993*

BUDGET IMPLICATIONS

There are no budget implications associated with adopting the Public Interest Disclosures Procedures.

RISK CONSIDERATION/S

By not having the 'Public Interest Disclosure Procedures' in place, governance control is reduced which also leads to confusion and ambiguity. In addition, this was a requirement on Council to ensure compliance with the Direction Notice issued against Council. This risk can be mitigated by adopting the new Procedures or amending the content.

OFFICER'S RECOMMENDATION

That Council:

1. ADOPT the 'Public Interest Disclosure Procedures', in the form of Attachment 1, to establish a system for reporting disclosures of improper conduct or detrimental action by Glamorgan Spring Bay Council or members, officers or employees of the public body, as required under the relevant legislation.
2. RESOLVE that the following actions be undertaken by the General Manager:
 - a. include public interest disclosure as part of Council's induction process for new staff;
 - b. organise periodic staff training addressing public interest disclosure;
 - c. develop a 'one-sheet' staff information flyer to be placed in visible areas around Council's offices regarding public interest disclosure; and
 - d. ensure that Council's website is updated to include a page that:
 - i. includes a link to the PID Act in the Tasmanian Legislative Database
 - ii. includes the ability to download a copy of the Procedures; and
 - iii. advises that hardcopies of the Procedures are available at Council's offices free of charge.

DECISION 64/21

Moved Cllr Cheryl Arnol, seconded Cllr Michael Symons that Council:

1. ADOPT the 'Public Interest Disclosure Procedures', in the form of Attachment 1, to establish a system for reporting disclosures of improper conduct or detrimental action by Glamorgan Spring Bay Council or members, officers or employees of the public body, as required under the relevant legislation.
2. RESOLVE that the following actions be undertaken by the General Manager:
 - a. include public interest disclosure as part of Council's induction process for new staff;
 - b. organise periodic staff training addressing public interest disclosure;
 - c. develop a 'one-sheet' staff information flyer to be placed in visible areas around Council's offices regarding public interest disclosure; and
 - d. ensure that Council's website is updated to include a page that:
 - iv. includes a link to the *Public Interest Disclosure Act 2002* (PID) Act in the Tasmanian Legislative Database
 - v. includes the ability to download a copy of the Procedures; and
 - vi. advises that hardcopies of the Procedures are available at Council's offices free of charge.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0

For: Mayor Robert Young, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Rob Churchill, Cllr Michael Symons.

Against: Nil.

8.6 Application under the Community Small Grants Program – Orford Table Tennis Social Group

Author: Executive Officer (Ms Jazmine Murray)

Responsible Officer: General Manager (Mr Greg Ingham)

ATTACHMENT/S

Nil.

BACKGROUND / OVERVIEW

Glamorgan Spring Bay Council's Community Small Grant Policy provides a guideline for providing Community Groups with small grants. The policy states that:

- 1. Council contribution to be normally limited to \$1000 (with some discretionary provision for Council to over-ride and each application will be decided on individual merit).*

An application has been received seeking financial assistance of \$1,550 to start a weekly Table Tennis Social Group at the Orford Community Hall. The proposal seeks support of a small grant from Council to purchase two table tennis tables, nets, bats, and table tennis balls.

The aim of the initiative is to engage community members in physical activity to promote immediate and long-term benefits such as movement skills and fitness, interpersonal skills, and ability to interact with others in a safe and enjoyable environment.

The emphasis would be on what the attendees can do, rather than their limitations e.g. seated table tennis for those with mobility issues involving other attendees as ball retrieval officers or scoring/umpire duties.

The Group have indicated that there will be an entry fee of \$2 with tea and coffee to be provided.

STRATEGIC PLAN

Guiding Principles

1. Reinforce and draw on the strengths of our communities at both a local and regional level.

Key Foundations – 2. Our Community's Health & Wellbeing

4. Support and facilitate social and community events that promote community health and wellbeing

STATUTORY IMPLICATIONS

Local Government Act 1993

BUDGET IMPLICATIONS

There is provision of \$25,000 in the budget for the Community Small Grants Program, of which \$21,200 is remaining.

RISK CONSIDERATION/S

By not approving this application there is a risk that Council will receive negative publicity from the community for not supporting a community group which has positive social and wellbeing benefits for Orford and surrounds.

OFFICER'S RECOMMENDATION

That Council approves a grant of \$1,550 to the Orford Table Tennis Social Group towards the cost of table tennis tables, nets, bats, and table tennis balls.

OR

That Council approves a grant of \$1,000 to the Orford Table Tennis Social Group towards the cost of table tennis tables, nets, bats, and table tennis ball.

DECISION 65/21

Moved Deputy Mayor Jenny Woods, seconded Cllr Cheryl Arnol that Council approves a grant of \$1,000 to the Orford Table Tennis Social Group towards the cost of table tennis tables, nets, bats, and table tennis ball.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0

For: Mayor Robert Young, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol,
Cllr Keith Breheny, Cllr Rob Churchill, Cllr Michael Symons.

Against: Nil.

8.7 Application under the Community Small Grants Program – Spring Bay Suicide Prevention Network

Author: Executive Officer (Ms Jazmine Murray)

Responsible Officer: General Manager (Mr Greg Ingham)

ATTACHMENT/S

Nil.

BACKGROUND / OVERVIEW

Glamorgan Spring Bay Council's Community Small Grant Policy provides a guideline for providing Community Groups with small grants. The policy states that:

1. *Council contribution to be normally limited to \$1000 (with some discretionary provision for Council to over-ride and each application will be decided on individual merit).*

An application has been received from the Spring Bay Suicide Prevention Network seeking financial assistance of \$1,000 towards the cost of additional *Live Life* medical alarms.

The Spring Bay Suicide Prevention Network have indicated that they have distributed more than 75 alarms since its inception in late 2018.

STRATEGIC PLAN

Guiding Principles

1. Reinforce and draw on the strengths of our communities at both a local and regional level.

Key Foundations – 2. Our Community's Health & Wellbeing

4. Support and facilitate social and community events that promote community health and wellbeing

STATUTORY IMPLICATIONS

Local Government Act 1993

BUDGET IMPLICATIONS

There is provision of \$25,000 in the budget for the Community Small Grants Program, of which \$21,200 is remaining.

RISK CONSIDERATION/S

By not approving this application there is a risk that Council will receive negative publicity from the community for not supporting the efforts of a community organisation in its attempt to support the health and wellbeing of its community.

OFFICER'S RECOMMENDATION

That Council approves a grant of \$1,000 to the Spring Bay Suicide Prevention Network towards the cost of additional *Live Life* medical alarms.

DECISION 66/21

Moved Cllr Cheryl Arnol, seconded Cllr Michael Symons that Council approves a grant of \$1,000 to the Spring Bay Suicide Prevention Network towards the cost of additional *Live Life* medical alarms.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0

For: Mayor Robert Young, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Rob Churchill, Cllr Michael Symons.

Against: Nil.

8.8 Application under the Community Small Grants Program – Swansea Primary School

Author: Executive Officer (Ms Jazmine Murray)

Responsible Officer: General Manager (Mr Greg Ingham)

ATTACHMENT/S

Nil.

BACKGROUND / OVERVIEW

Glamorgan Spring Bay Council's Community Small Grant Policy provides a guideline for providing Community Groups with small grants. The policy states that:

1. *Council contribution to be normally limited to \$1000 (with some discretionary provision for Council to over-ride and each application will be decided on individual merit).*

An application has been received from the Swansea Primary School seeking financial assistance of \$1,000 towards the cost of educating students in Aboriginal history and the displaying of Aboriginal flags.

With over 10% of students identifying as Aboriginal and Torres Strait Islander, Swansea Primary School aims to create culturally inclusive environments that are safe and empowering for Aboriginal and Torres Strait Islander people. To further educate students about the rich Aboriginal history of our land, Swansea Primary School would like to display the Aboriginal flag throughout the year as a sign of respect and invite Aboriginal Leaders to visit the School.

STRATEGIC PLAN

Guiding Principles

1. Reinforce and draw on the strengths of our communities at both a local and regional level.

Key Foundations – 2. Our Community's Health & Wellbeing

4. Support and facilitate social and community events that promote community health and wellbeing

STATUTORY IMPLICATIONS

Local Government Act 1993

BUDGET IMPLICATIONS

There is provision of \$25,000 in the budget for the Community Small Grants Program, of which \$21,200 is remaining.

RISK CONSIDERATION/S

By not approving this application there is a risk that Council will receive negative publicity from the community for not supporting the School in its efforts to educate students in Aboriginal history.

OFFICER'S RECOMMENDATION

That Council approves a grant of \$1,000 to the Swansea Primary School towards the cost of educating students in Aboriginal history and the displaying of Aboriginal flags.

DECISION 67/21

Moved Cllr Michael Symons, seconded Cllr Keith Breheny that Council approves a grant of \$1,000 to the Swansea Primary School towards the cost of educating students in Aboriginal history and the displaying of Aboriginal flags.

THE MOTION WAS PUT AND CARRIED 4/2

For: Mayor Robert Young, Cllr Keith Breheny, Cllr Rob Churchill,
Cllr Michael Symons.

Against: Deputy Mayor Jenny Woods, Cllr Cheryl Arnol.

9. NOTICES OF MOTION

9.1 Notice of Motion – Cllr Michael Symons

BACKGROUND

In July 2020, Council considered the workload on the then planning staff and determined that unless there were greater than 2 representations the approval/refusal could be done under delegation.

DECISION 250/20

Moved Cllr Keith Breheny, seconded Cllr Rob Churchill that the Planning Authority, pursuant to section 6 of the *Land Use Planning and Approvals Act 1993*, delegate the following powers to the Executive Manager Development and General Manager upon the recommendation of a planner:

Section 57	To approve an application, with or without conditions, where no more than two representations are lodged against the application
Section 57	To refuse an application where the applicant will not agree to an extension of time in accordance with section 57(6) or section 57(6A)

And review the instrument of delegations accordingly.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Acting Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Grant Robinson, Cllr Michael Symons

Against: Nil.

As Councillors we are not receiving any reports on those matters that have been determined under delegation where there has been two representations made.

I believe this situation has the potential to leave Councillors uninformed of concerns being raised by representors. Councillors need to be aware and able to respond to concerns if raised with them by the representors and community members.

Given that Council now has more resources in the planning department, it would be opportune to review this delegation. There are a number of potential options for Council to consider:

1. Receive a regular report with a copy of the redacted representations where a matter has been determined under delegation. This would provide certainty to members of the community that elected members are aware of concerns they may have on a particular DA.
2. Revoke the delegation and initiate a new one where one representation is the trigger for the matter to come to the planning authority; essentially a return to the former process.
3. Provide delegation where one or more representation is in support. This would allow planning staff to approve, if the application meets the appropriate planning regulations, without the need for a report to Council.

Moved: Cllr Michael Symons, Seconded:

That the General Manager undertake a review of the planning delegation as initiated by Decision 250/20 and report to Council on alternative delegations.

DECISION 68/21

Moved Cllr Michael Symons, seconded Cllr Cheryl Arnol that the General Manager undertake a review of the planning delegation as initiated by Decision 250/20 and report to Council on alternative delegations.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0

For: Mayor Robert Young, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol,
Cllr Keith Breheny, Cllr Rob Churchill, Cllr Michael Symons.

Against: Nil.

10. PETITIONS

Nil.

11. QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Clr Cheryl Arnol

Through the Chair, Clr Cheryl Arnol directed the following questions to the General Manager:

On the 27th March Council received an email from the Freycinet Association Incorporated regarding Coles Bay Sewage – Health and Environmental Risks.

The FAI requested Council's assistance in lobbying both State and Federal Governments for funding for a sewerage feasibility / costing study for the Freycinet townships of Coles Bay, Swanwick and the Fisheries and to gain a better understanding of the additional infrastructure required for treated drinking water. The pressure that is placed on the area by increased visitor numbers warrants such funding support by the State Government.

My questions are:

Q1. Will Council support the FAI in their efforts to achieve a feasibility study?

Response from General Manager, Greg Ingham

The General Manager will provide a written response for Ordinary Council Meeting to be held on Tuesday 25 May 2021.

Q2. Will Council honour the General Manager's commitment made in January to install public warning signs at the points where effluent was crossing Muirs and Richardson Beaches and near the storm water outlet spilling onto the beach near the main boat ramp?

Response from General Manager, Greg Ingham

The signage will be installed in the next 2-3 weeks.

Through the Chair, Clr Cheryl Arnol made the following statement:

'I would like to offer Council's congratulations to Dr Camilla Byrne and Dr Andrew Grove from Swansea General Practice for their recent joint Rural Doctors of the Year award. Drs Byrne and Grove demonstrate a commitment to their patients and the general community that can only be admired. Swansea and outlying areas are indeed fortunate to have Doctors with their skill and commitment in our municipal area.'

Clr Keith Breheny

Through the Chair, Clr Keith Breheny directed the following question to the General Manager:

Q1. Could the General Manager please write to Dr Camilla Byrne and Dr Andrew Grove congratulating them on the Rural Doctors of the Year Award?

Response from General Manager, Greg Ingham

Yes, a letter of congratulations will be forwarded to Dr Byrne and Dr Grove.

12. CONFIDENTIAL ITEMS (CLOSED SESSION)

In accordance with the requirements of the Local Government (Meeting Procedures) Regulations 2015, the Mayor to declare the meeting closed to the public in order to discuss the following matter/s:

Item 1: Minutes of Closed Session – Ordinary Council Meeting held on 23 March 2021

As per the provisions of regulation 15 (2) (a) and (d) of the *Local Government (Meeting Procedures) Regulations 2015*.

RECOMMENDATION

That Council moves into closed session at (Time:).

DECISION 69/21

Moved Cllr Cheryl Arnol, seconded Cllr Michael Symons that Council moves into closed session at 3.32pm

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0

For: Mayor Robert Young, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Rob Churchill, Cllr Michael Symons.

Against: Nil.

The Mayor confirmed that the recording of the meeting was terminated and the microphones were switched off.

Director Planning and Development, Mr Alex Woodward left the meeting at 3.33pm

Director Works and Infrastructure, Mr Peter Porch left the meeting at 3.33pm

13. CLOSE

The Mayor declared the meeting closed at 3.35pm.

CONFIRMED as a true and correct record.

Date:

Mayor Robert Young