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## **ORDINARY COUNCIL MEETING MINUTES**

TUESDAY 28 MARCH 2023

2:00 PM

Council Chambers, Triabunna

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## NOTICE OF MEETING

Notice is hereby given that the next Ordinary Council Meeting of the Glamorgan Spring Bay Council will be held at the Triabunna Council Offices on Tuesday 28 March 2023, commencing at 2:00 pm.

## 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 23 March 2023



Peter Porch  
**ACTING GENERAL MANAGER**

### IMPORTANT INFORMATION

- 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 2:04 pm.

### **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**

#### **Present:**

Mayor Cheryl Arnol  
Deputy Mayor Michael Symons  
Clr Rob Churchill  
Clr Neil Edwards  
Clr Greg Luck  
Clr Carole McQueeney  
Clr Jenny Woods  
Clr Robert Young

### **1.3 Apologies and Leave of Absence**

#### **Apologies**

Nil.

#### **Leave of Absence**

Nil.

### **1.4 In Attendance**

General Manager, Mr Greg Ingham  
Executive Officer, Mrs Jazmine Kerr  
Director Planning and Development, Mr Alex Woodward  
Director Works and Infrastructure, Mr Peter Porch  
Director Corporate and Community, Mrs Elysse Blain  
Senior Planner, Mr James Bonner

## **1.5 Late Reports**

### **DECISION 43/23**

Moved Cllr Jenny Woods, seconded Deputy Mayor Michael Symons:

*That Council accepts late report item Limited Extension of Financial Delegation for General Manager as late agenda item 8.8.*

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Greg Luck, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young

Against: 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 Carole McQueeney declared an interest in Agenda Item 8.6**

## **2 CONFIRMATION OF MINUTES**

### **2.1 Ordinary Meeting of Council - 28 February 2023**

#### **RECOMMENDATION**

That the Minutes of the Ordinary Meeting of Council held on 28 February 2023 at 2:00pm be confirmed as a true and correct record.

#### **DECISION 44/23**

Moved Cllr Robert Young, seconded Cllr Jenny Woods:

That the Minutes of the Ordinary Meeting of Council held on 28 February 2023 at 2:00pm be confirmed as a true and correct record.

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Greg Luck, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young

Against: Nil

## **2.2 Date and Purpose of Workshop(s) Held**

### **TUESDAY 14 MARCH 2023**

In accordance with the requirement 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 14 March 2023 at the Council Offices, Triabunna.

#### **Present:**

Mayor Cheryl Arnol  
Deputy Mayor Michael Symons (via remote video conference)  
Clr Rob Churchill (via remote video conference)  
Clr Neil Edwards  
Clr Greg Luck  
Clr Carole McQueeney  
Clr Jenny Woods  
Clr Robert Young

#### **Apologies:**

General Manager, Greg Ingham.

#### **In Attendance:**

Mr Peter Porch, Acting General Manager  
Mr Alex Woodward, Director Planning and Development  
Mrs Elysse Blain, Director Corporate and Community  
Mr Mick Purves, Planning Consultant  
Mr James Bonner, Senior Planner  
Mr Jason Watson, Property and Special Projects Officer

#### **Guests**

Nil.

#### **Agenda**

- SA2022/46 – 155 Rheban Rd, Orford – Planning Scheme amendment and 90 lot subdivision
- Dolphin Sands Planning Scheme Amendment
- Medical Levy
- Leasing and Licensing of Council Owned and Managed Property Policy
- Strategic Asset Management Plan
- Application for memorial plaque – Bicheno
- Review of Council Media Policy

#### **RECOMMENDATION**

That Council notes the information.



**DECISION 45/23**

Moved Cllr Carole McQueeney, seconded Deputy Mayor Michael Symons:

That Council notes the information.

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Greg Luck, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young

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) Regulations 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 Questions on Notice

Nil.

#### 3.2 Questions Without Notice

*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](mailto:general.manager@freycinet.tas.gov.au) or alternatively left in the post box outside the Council Chambers located at 9 Melbourne Street, Triabunna.*

#### **Mr Peter Rooke**

*Re the proposed amendment to the Dolphin Sands subdivision clause,*

*Has the GSBC considered the following should it be successful in the appeal. ?*

*Legal action against the action because -:*

- 1. The existing law says can be divided as per current restrictions.*
- 2. They accepted a paid application*
- 3. Denied the application without reason. This has cost ratepayers at least \$30,000.00 to date.*
- 4. Advice, prior to purchase, was correctly given before purchase, was the reason I purchased. It can be subdivided.*
- 5. The costs to date with our appeal.*
- 6. The emotional stress and financial loss should the applicants fail, after doing something legal.*
- 7. The significant financial loss to land owners. In the millions of dollars + costs.*
- 8. Financial hardship to rate payers.*

*9. Turning Dolphin Sands into a back water.*

**Response from General Manager, Greg Ingham**

Mr Rooke's questions without notice relates to the overall question - 'has GSBC considered the following should it be successful in the appeal?' Points 1 - 9 are statements in relation to the above question.

The appeal is currently being heard through the Tasmanian Civil and Administrative Tribunal and as such Council is unable to comment on this matter whilst it is being heard.

In regards to the amendment, there is an item on todays agenda and this will be discussed by Council.

### 3.3 Responses to Previous Questions Without Notice Taken on Notice - 28 February 2023

#### **Mr Patrick Gadd**

Q1. *I want to ask about the ownership of 1 Vicary Street, Triabunna. Apparently, it is in Glamorgan Spring Bay Council's name and it is not theirs at all. I have documents from Council that a couple of the owners supposedly signed, my father being one of them, but it's definitely not his signature. Council has owned it since the 28/09/2007, my father was deceased over 10 years then, so he could not have signed it, and I am the owner of it. The State Government negotiated with me to buy 21 square feet of ground of that property when they did the Triabunna bridge, I negotiated with them and I think off hand I got \$1150 for it and I took it straight to the RSL and donated to them.*

#### **Response from Acting General Manager, Peter Porch**

A review of the Title documentation for 1 Vicary Street (CT144223/1 and CT163294/1) outlines that the ownership for this property sits with the Glamorgan Spring Bay Council. Any dispute about ownership should be directed to a legal representative or the Land Titles Office.

## 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 46/23**

Moved Deputy Mayor Michael Symons, seconded Cllr Rob Churchill:

That Council now acts as a Planning Authority at 2:10pm

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Greg Luck, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young

Against: Nil

#### **4.1 Draft Amendment AM2023-01 – Tasmanian Planning Scheme - Glamorgan Spring Bay– Rezone 155 Rheban Road, Orford & 90-lot subdivision**

Author: Senior Planning Consultant (Town Planning Solutions Pty Ltd)

Responsible Officer: Director Planning and Development

#### **ATTACHMENT/S**

1. Plan of proposed subdivision

Under separate cover:

2. GSBC Planning Scheme Amendment Assessment Report AM2023-01
3. Proposal documents

#### **PURPOSE**

The purpose of this report is for the Planning Authority to consider a request for an amendment to the *Tasmanian Planning Scheme – Glamorgan Spring Bay* (Scheme) to rezone 155 Rheban Road, Orford (subject site) from Future Urban to General Residential, and a planning application for a 90-lot subdivision of the same land.

#### **BACKGROUND/OVERVIEW**

The Planning Authority will recall that a similar application for rezoning from Rural Resource to General Residential was refused by the Tasmanian Planning Commission in 2019.

The Commission cited the following reasons for refusal of the previous 2017 application:

- a lack of demonstrated demand for the rezoning and proposed lots;
- the proposal was not consistent with the low growth scenario established for Orford within the *Southern Tasmanian Regional Land Use Strategy* (STRLUS);
- the proposal was not considered to represent infill development, as required by the consolidation growth scenario established for Orford within the STRLUS;
- concerns that the proposal would result in an oversupply of land zoned for residential purposes; and
- as a consequence of these findings, the proposal was considered not consistent with the objectives of the *Land Use Planning and Approvals Act 1993* and *Resource Management Planning System* for the orderly release of land.

Following the decision, the applicant sought to have the STRLUS revised to change the growth strategy for Orford from LOW to HIGH and the growth scenario from consolidation to mixed. This was supported by demographic information by SGS Economics & Planning, which was also used to revise the *Triabunna-Orford Structure Plan 2014* (Structure Plan) on a similar basis.

Since that time, the 2021 ABS census data was also released that further confirmed the real growth rate identified in the SGS Reports.



**Figure 1 – Site and context**

The STRLUS was ultimately revised in 2022 with the insertion of a new policy statement SRD1.1A that recognised the provision of up to date supply and demand data to support an amendment.

As a result of that decision, the proponents and applicant worked through the complex process to have the STRLUS revised, which included a detailed analysis of supply and demand in the Orford area through the SGS Reports. The SGS Reports identified that Orford had undergone a growth rate of 2.4%, where the STRLUS and Structure Plan projected a growth rate of 0.4%.

The subject land was rezoned to Future Urban through the LPS process. The current application provides for the rezoning and subdivision following that decision and completion of the amendments to the STRLUS and Structure Plan.

The applicant has been through an extensive process with Council staff to identify and address issues with the rezoning and development of the subject site. Since the previous decision, Council obtained stormwater modelling data that identified that parts of the subject land were prone to inundation. In response to this, additional reports and designs were prepared and form part of the application. The design of the subdivision was also altered to reflect potential flooding impacts and management of stormwater through the site.

## **STRATEGIC PLAN REFERENCE**

### **Guiding Principles**

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

### **Key Foundations**

1. Our Governance and Finance

### **What we plan to do**

- Advocate and lobby effectively on behalf of the community.

## **STATUTORY IMPLICATIONS**

### *Land Use Planning and Approvals Act 1993*

#### Division 3B – Amendments to LPS's

- S.37 – request to amend LPS;
- S.38 – decision in relation to request;
- S.40 – additional information may be requested;
- S.40D – preparation of draft amendments;
- S.40E – withdrawal of draft amendments;
- S.40F – certification of draft amendments;
- S.40I – Exemption from public exhibition;

#### Division 4 – Combined permit and amendment process

- 40T – Permit application that requires amendment of LPS
- 40U – Additional information
- 40V – Review of requirement for additional information
- 40W – Determination of amendment where concurrent permit application sought
- 40X – Permit application may be considered concurrently with application for LPS amendment
- 40Y – Determination of concurrent permit application

The application was made for a combined amendment to the LPS and planning permit under sections 37 and 40T of the Act.

The request for the amendment can be supported or not supported. If it is not supported, then a similar request cannot be lodged for 2 calendar years under section 39 of the Act.

If the request is supported, a decision to either approve or refuse is required on the application for subdivision of the land.

The draft amendment will then commence the 28 -day statutory exhibition period under sections 40H and 40z of the Act. Adjoining property owners are not required to be notified, unlike a normal subdivision application. The Planning Authority may determine to notify adjoining property owners and occupiers.

Following the detailed assessment of both the requested amendment and proposed subdivision, a recommendation was provided to support draft planning scheme amendment AM2023-01 and approve the proposed subdivision.



## **BUDGET IMPLICATIONS**

Ongoing maintenance of the Scheme was addressed as part of Council's operational budget. The required application fees were paid by the applicant.

## **RISK CONSIDERATION/S**

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
<b>Adopt the recommendation</b>			Low	None required.
Nil				
<b>Do not adopt the recommendation</b>	Possible	Moderate	Moderate	The report is re-presented to the next meeting for consideration, or The Commission takes over the functions of the Planning Authority under Section 44 of the Act.
Breach of the statutory timeframes				

## **OFFICER'S COMMENTS**

The current applications provide the next logical step for the future development of the Orford area, supported by the SGS Reports and the recently released ABS data.

### *Rezoning*

AM2023-01 seeks to provide for the rezoning and subdivision of land immediately adjoining the existing Orford settlement for urban development. It follows an extensive process by the proponents to confirm the strategic basis of the proposed amendment and subdivision.

A full analysis against the STRLUS was provided at section 6.1 of the Amendment Assessment Report. That assessment concluded that AM2023-01 complied with the STRLUS.

The Triabunna Orford Structure Plan (Structure Plan) applies to the area that includes the subject land. The Structure Plan was also updated to recognise the SGS Reports and the rezoning of the subject land in the short term (Minute reference 144/21). A full analysis against the Structure Plan was provided at section 6.2 of the Amendment Assessment Report. That assessment concluded that AM2023-01 complied with the Structure Plan.

AM2023-01 was assessed against the Council Strategic Plan at section 6.3 of the Amendment Assessment Report and determined to be consistent with the Strategic Plan.

AM2023-01 was assessed against the State Policies for the Protection of Agricultural Land, Coastal matters, Water Quality Management and Environmental Protection Measures (refer section 7 of the Amendment Assessment Report). It was concluded that AM2023-01 complied with all relevant State Policies.

AM2023-01 will leave immediately adjoining lands to the east and west within the Future Urban zone. If AM2023-01 is successful, those lands remaining in the Future Urban zone will likely be rezoned as part of a future review of the LPS and zoning of the area.

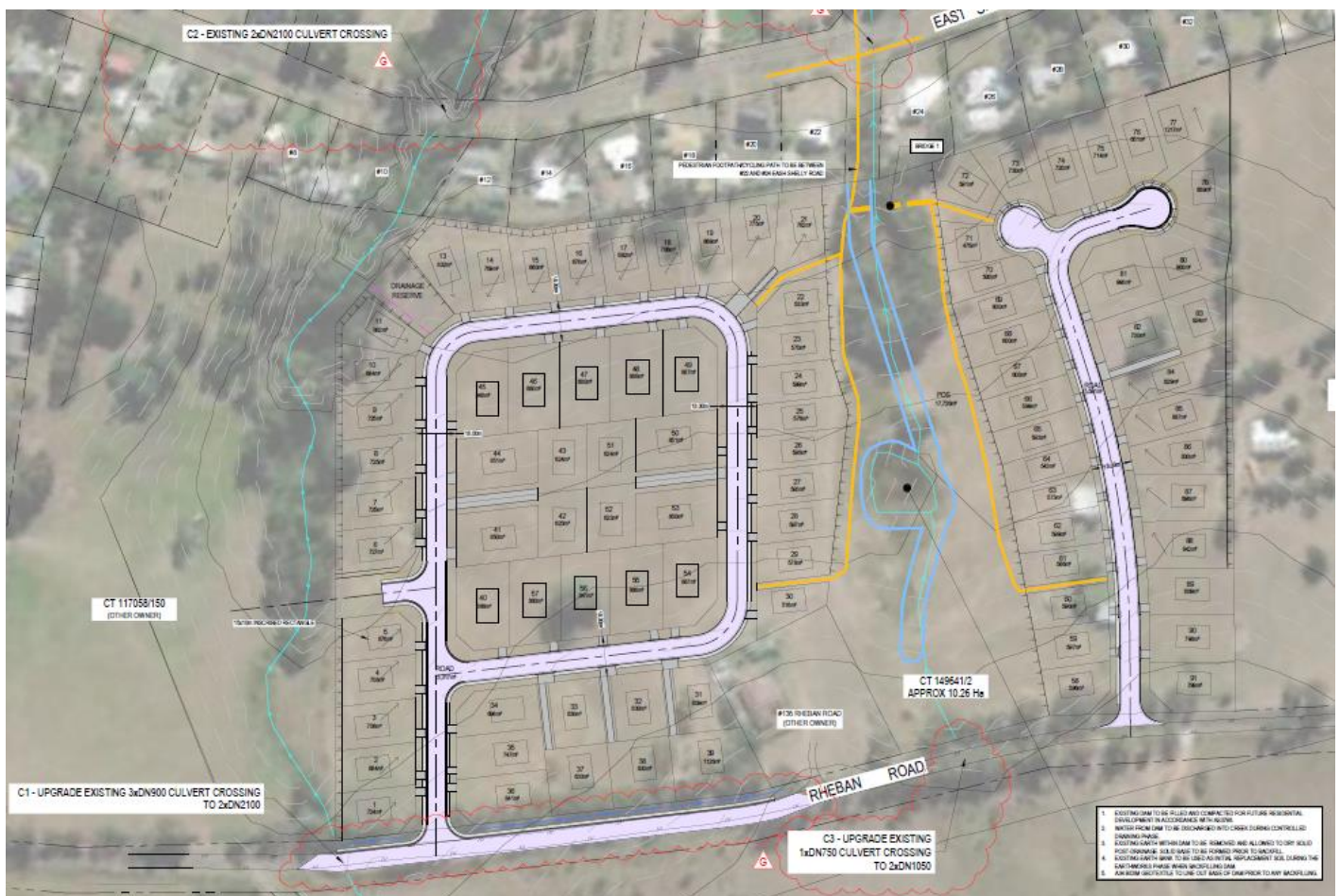
### *Proposed subdivision*

The application also seeks approval for a 90-lot subdivision and associated infrastructure on the subject lands, which must also be considered as part of this decision.

The subdivision includes the following:

- a. The creation of 90 residential lots ranging in size from 475m<sup>2</sup> to 1217m<sup>2</sup>.
- b. The creation of 17,726m<sup>2</sup> of centrally located POS (17% of the total area).
- c. Roadworks and service connections.

The proposed subdivision is shown at *Figure 1*.



*Figure 1 – Proposed subdivision*

(Source: sheet C101 Site Plan, Aldanmark)

A detailed assessment against the requirements of the General Residential zone and relevant Codes of the Scheme was provided at section 8 of the Amendment Assessment Report, where it was identified that discretions were required for the following standards:

- 8 General Residential Zone
  - 8.6.1 Lot Design
  - 8.6.2 Roads
- C3.0 Road and Railway Asset Code
  - C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction
- C7.0 Natural Assets Code
  - C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area
- C9.0 Attenuation Code
  - C9.6.1 Lot design
- C12.0 Flood-Prone Areas Code
  - C12.6.1 Buildings and works within a flood-prone hazard area
  - C12.7.1 Subdivision within a flood-prone hazard area

Assessment of the application demonstrated that the application complies with all relevant acceptable solutions and performance under the Scheme.

The application can therefore be considered for approval. Conditions that result from the assessment against the Scheme and internal referrals were provided at the conclusion to this report.

### *Conclusion*

AM2023-01 seeks to provide for the rezoning and subdivision of land immediately adjoining the existing Orford settlement for urban development.

The proposal is consistent with the STRLUS, Structure Plan and requirements of the Scheme. correct an unintended outcome resulting from in preparation of the LPS. Assessment against the Act identified that AM2023-01 comply with:

- the LPS criteria at section 32 of the Act;
- the certification criteria at section 40F of the Act;
- the Schedule 1 objectives of the Act;
- the Southern Tasmanian Regional Land Use Strategy;
- the Council Strategic Plan 2020-2029; and
- current State Policies.

As demonstrated above, AM2023-01 is consistent with the relevant provisions of the Act. Certification of AM2023-01 can be supported.

The assessment of the subdivision identified the application complies with the requirements for the Scheme and can be considered for approval subject to conditions.

A recommendation was provided to reflect the outcome of the assessments, as follows:

- a. recommends that Council support and initiate AM2023-01;
- b. recommends that AM2023-01 be certified as meeting the LPS Criteria under the Act;

- c. recommends adjoining property owners and occupiers be notified of the applications; and
- d. recommends the subdivision be approved, subject to conditions.

A summary of the conditions required for the planning application follows:

- Conditions 1 to 4 require the development to be completed as proposed, except as modified by the assessment and the Taswater SPAN;
- Condition 2 requires dedicated access to form part of lots 37, 38 and 39 so they do not rely on right of way access;
- Condition 4 requires the POS shown on the plan to be dedicated as a drainage reserve, given its function for that purpose;
- Conditions 5 to 9 relate to the process for submitting the formal survey documents once the subdivision is created on the ground;
- Condition 10 requires payment of the Public Open Space contribution under section 117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* and Council policy;
- Conditions 11 to 16 relate to management of environmental matters that result from the subdivision; and
- Conditions 17 to 44 deal with engineering requirements, access, parking, stormwater, maintaining water quality and construction matters for the proposal.

## 16. Recommendation

That the Planning Authority:

- a. Pursuant to Section 38 of the *Land Use Planning and Approvals Act 1993*, support the request for amendment AM2023-01 to rezone 155 Rheban Road, Orford (ID 2775205, CT149641/2) from Future Urban to General Residential; and
- b. Pursuant to Section 40F of the *Land Use Planning and Approvals Act 1993*, certifies that AM2023-01 meets the LPS criteria; and
- c. Instructs that adjoining property owners and occupiers must be notified of the draft planning scheme amendment and proposed subdivision; and
- d. Pursuant to Section 57 and 40Y of the *Land Use Planning and Approvals Act 1993* and the *Tasmanian Planning Scheme – Glamorgan Spring Bay*, the subdivision under AM2023-01 at 155 Rheban Road, Bicheno (CT 149641/2) for a 90-lot residential subdivision and associated works and infrastructure be approved with the following conditions:

## CONDITIONS

1. Use and development must be substantially in accordance with the endorsed plans and documents unless modified by a condition of this permit.

*Advice: Any changes may either be deemed as substantially in accordance with the permit or may first require a formal amendment to this permit or a new permit to be issued.*

2. Lots 31, 32, and 33 on the Lot Layout Plan must be modified so that the rights of way shown within their boundaries are removed and form part of lots 37, 38 and 39 on the Final Plan, when submitted.
3. The POS shown on the Lot Layout Plan must be shown as a drainage reserve on the Final Plan, when submitted.
4. Use and development must comply with the requirements of TasWater specified by 'Submission to Planning Authority Notice' reference number TWDA 2022/01822-GSB, dated 13/01/2023 and attached to this permit.

### **Final Plan**

5. A final approved plan of survey and schedule of easements as necessary, must be submitted to Council for sealing. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
6. All land noted as roadway, footway, and open space or similar must be transferred to Council. Complete transfer documents that have been assessed for stamp duty, must be submitted with the final plan of survey.
7. The final plan of survey must include easements over all drains, pipelines, wayleaves and services to the satisfaction of Council's Municipal Engineer.
8. Covenants or other restrictions must not conflict with, or seek to override, provisions of the planning scheme.
9. Prior to sealing the Final Plan of Survey or execution of the Schedule of Easements and associated documents, certification must be provided from an accredited bushfire practitioner that all recommendations and requirements of the Bushfire Hazard Report by North Barker Ecosystem Services, have been implemented and complied with.

### **Public Open Space**

10. Prior to sealing the final plan of survey, a cash contribution for public open space must be provided to Council that is equal to 5% of the value of the area of land in CT149641/2 as at the date of lodgement of the final plan of survey.

The value is to be determined by a Land Valuer within the meaning of the Land Valuers Act 2001.

*Advice: this condition is imposed pursuant to section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993 and Council policy.*

### **Environment Management**

11. All work must be generally in compliance with the Tasmanian Coastal Works Manual, available at. <https://dpiwwe.tas.gov.au/conservation/coastal-management/managing-the-coast/tasmanian-coastal-works-manual>

12. The developer must implement a soil and water management plan (SWMP) to ensure that soil and sediment does not leave the site during the construction process and must provide a copy of the SWMP to Council's General Manager prior to the commencement of works.
13. Erosion and sedimentation measures, such as sediment fences and settlement pits, are to be installed and maintained on the lower side of each lot and outside the Waterway and Coastal Protection Area during all works on the site. These works are to comply with a Stormwater Management Plan developed for the site.
14. No top soil is to be removed from the site.
15. All vehicles and equipment associated with construction of the development and/or operation of the use must be cleaned of soil prior to entering and leaving the site to minimise the introduction and/or spread of weeds and diseases to the satisfaction of Council's General Manager.
16. Suitable barriers must be erected during the construction of the development to ensure native vegetation that must be retained is not damaged during construction works.

## **Engineering**

17. The subdivision must be carried out in accordance with the Tasmanian Subdivision Guidelines October 2013 or as otherwise agreed by Council's General Manager or required by conditions of this permit.
18. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's General Manager, these drawings must be submitted to and approved by the Glamorgan Spring Bay Council before development of the land commences. The detailed engineering drawings must show the following:
  - a) all existing and proposed services required by this permit;
  - b) all proposed stormwater infrastructure.
  - c) all existing and proposed roadwork required by this permit;
  - d) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
  - e) measures to be taken to limit or control erosion and sedimentation;
  - f) any other work required by this permit.
19. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
20. Roadworks and drainage must be constructed in accordance with the standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager.
21. Unless approved otherwise by Council's General Manager, roadworks must include -
  - a) Minimum road reserve of 18 metres and 25 metres at the cul-de-sac.

- b) Fully sealed paved and drained carriageway with a minimum width of 8.9m (face of kerb to face of kerb) and 18 metres diameter at the cul-de-sac head.
  - c) Concrete kerb and channel both sides.
  - d) Reinforced concrete footpaths 1.50 metres wide on one side of the new road.
  - e) Underground stormwater drainage.
22. The carriageway surface course must be constructed with a 10mm nominal size hot-mix asphalt with a minimum compacted depth of 35mm in accordance with standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and the requirements of Council's General Manager, unless approved otherwise by the Council's General Manager.
23. Kerb ramps must be provided to accommodate the needs of people with disabilities in accordance with standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager.
24. A reinforced concrete vehicle access must be located and constructed to each lot in accordance with the standards shown on standard drawings TSD-R09-v3, Urban Roads TSD-R06-v3 and TSD-RF01-v1 Guide to Intersection and Domestic Access Sight Distance Requirements prepared by the IPWE Aust. (Tasmania Division) and the satisfaction of Council's General Manager.
25. To the satisfaction of Council's General Manager, internal driveways for lot 21, 37 to 39, 42, 43, 51,52 and 83, and areas set aside for vehicle parking and associated access and turning must be provided in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney and must include all of the following:
- a) a minimum width carriageway of 3.6m;
  - b) have a sealed surface of asphalt, concrete or equivalent approved by Council's General Manager; and
  - c) drain to an approved stormwater system.
26. The developer must provide line marking and signage at the Rheban Road intersections.
27. The developer must provide road widening, kerb & channel and footpath as per LGAT standard drawings along the northern side of Rheban Road to the full extent of the development.

### **Landscaping**

28. The road reserve must be landscaped by trees or plants in accordance with a landscape plan prepared by a landscape architect or other person approved by Council and submitted to Council for endorsement with the engineering drawings. The landscape plan must show the areas to be landscaped, the form of landscaping, and the species of plants and estimates of the cost of the works.

### **Drainage**

29. The developer must provide a piped stormwater property connection to each lot capable of servicing the building area of each lot by gravity in accordance with Council standards and to the satisfaction of Council's General Manager.
30. The developer must provide a piped minor stormwater drainage system designed to comply with all of the following:
  - a) be able to accommodate a storm with an Average Recurrence Interval (ARI) of 20 years, when the land serviced by the system is fully developed; and
  - b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.
31. The developer must provide a major stormwater drainage system designed to accommodate a storm with an ARI of 100 years.

*Advice: The proposed roadway intercepts stormwater runoff from the existing roadway and from the upper catchment. It will be necessary for the development to address how the 1% AEP climate change flows intercepted and generated by the subdivision will be directed safely downstream.*

32. The developer must provide an amended Stormwater Management Report. The report must be in accordance with the recommendations and procedures contained in the Australian Rainfall and Runoff 2019 Guidelines, and in particular Book 6, Chapter 7: Safety in Design Criteria and Book 9, Chapter 6: Modelling Approaches, is to be submitted. The report, and any associated designs, must clearly show that the conditions of this permit are met by the proposed design.
  - a) Any measures required by the report to ensure that a tolerable risk for the development from flooding is achieved, and there is no increased risk of flooding onto adjacent land during the 5% AEP and the 1% AEP (inclusive of climate change), must be included in the engineering design drawings and implemented prior to the sealing of the Plan of Survey for any stage of the subdivision.
  - b) The report shall identify and design overland flow paths and run-off handling systems for 1% AEP events. These systems shall ensure that no concentrated flow or overflow from street drainage and stormwater reticulation is directed across or through proposed lots (unless dedicated as an overland flow path with easements in favour of Council) and that there are no unsafe flows over or within public roadways
  - c) Designs shall ensure that net discharge of stormwater does not exceed predevelopment levels 1% flooding
  - d) All stormwater for the development must be designed and constructed to include Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010 and consistent with the Stormwater System Management Plan for the relevant catchment. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions (or the MUSIC model) must be submitted to Council for approval by the relevant / delegated officer for approval prior to the issue of the approved engineering drawings. This report is to include the maintenance management regime / replacement requirements for any treatment facilities.



33. Water Sensitive Urban Design Principles must be incorporated into the development. These Principles will be in accordance with, and meet the treatment targets specified within, the Water Sensitive Urban Design Procedures for Stormwater Management in Southern Tasmania and to the satisfaction of the Council's General Manager.

Alternatively, the developer may, at the discretion of Council's General Manager, make a financial contribution to Glamorgan Spring Bay Council for the provision of stormwater treatment downstream of the proposed subdivision. The value of the contribution must be equal to the cost of implementing on site treatment to meet the targets, or as otherwise agreed by Council's General Manager. Where partial treatment is provided on site a proportional contribution may be considered. The contribution must be paid prior to sealing the Final Plan of Survey.

### **Construction**

34. The subdivider must provide not less than forty-eight (48) hours written notice to Council's General Manager before commencing construction works on-site or within a council roadway.
35. The subdivider must provide not less than forty-eight (48) hours written notice to Council's General Manager before reaching any stage of works requiring hold point inspection by Council unless otherwise agreed by the Council's General Manager.
36. Subdivision works must be carried out under the direct supervision of an approved practicing professional civil engineer engaged by the subdivider and approved by the Council's General Manager.
37. Through the construction process to the satisfaction of Council's General Manager, and unless otherwise noted on the endorsed plans or approved in writing by Council's General Manager, the developer must:
- a) Ensure soil, building waste and debris does not leave the site other than in an orderly fashion and disposed of at an approved facility;
  - b) Not burn debris or waste on site;
  - c) Promptly pay the costs associated with any alteration, extension, reinstatement, and repair or cleaning of Council infrastructure, public land or private property;
  - d) Ensure public land, footpaths and roads are not unreasonably obstructed by vehicles, machinery or materials or used for storage;
  - e) Provide a commercial skip (or similar) for the storage of construction waste on site and arrange for the removal and disposal of the waste to an approved landfill site by private contract.

### **Sealing of Final Plan**

38. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Glamorgan Spring Bay Council. The security must be in accordance with section 86(3) of the Local Government (Building & Miscellaneous Provisions) Council 1993. The amount of the security shall be determined by the Council's General Manager in accordance with Council Policy following approval of any engineering design drawings.

*Advice: The minimum bond amount required during the maintenance and defects liability period is to be no less than 5% of the agreed value of the works. The developer is to enter into a formal Maintenance Bond Deed of Agreement with Council.*

39. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
40. A Letter of Release from each authority confirming that all conditions of the Agreement between the Owner and authority have been complied with and that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections at the time each lot is further developed, must be submitted to Council prior to the sealing of the Final Plan of Survey.
41. The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

#### **Telecommunications and Electrical Reticulation**

42. Underground electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's General Manager.
43. Street lighting must be provided in accordance with the requirements of the responsible authority and to the satisfaction of Council's General Manager.

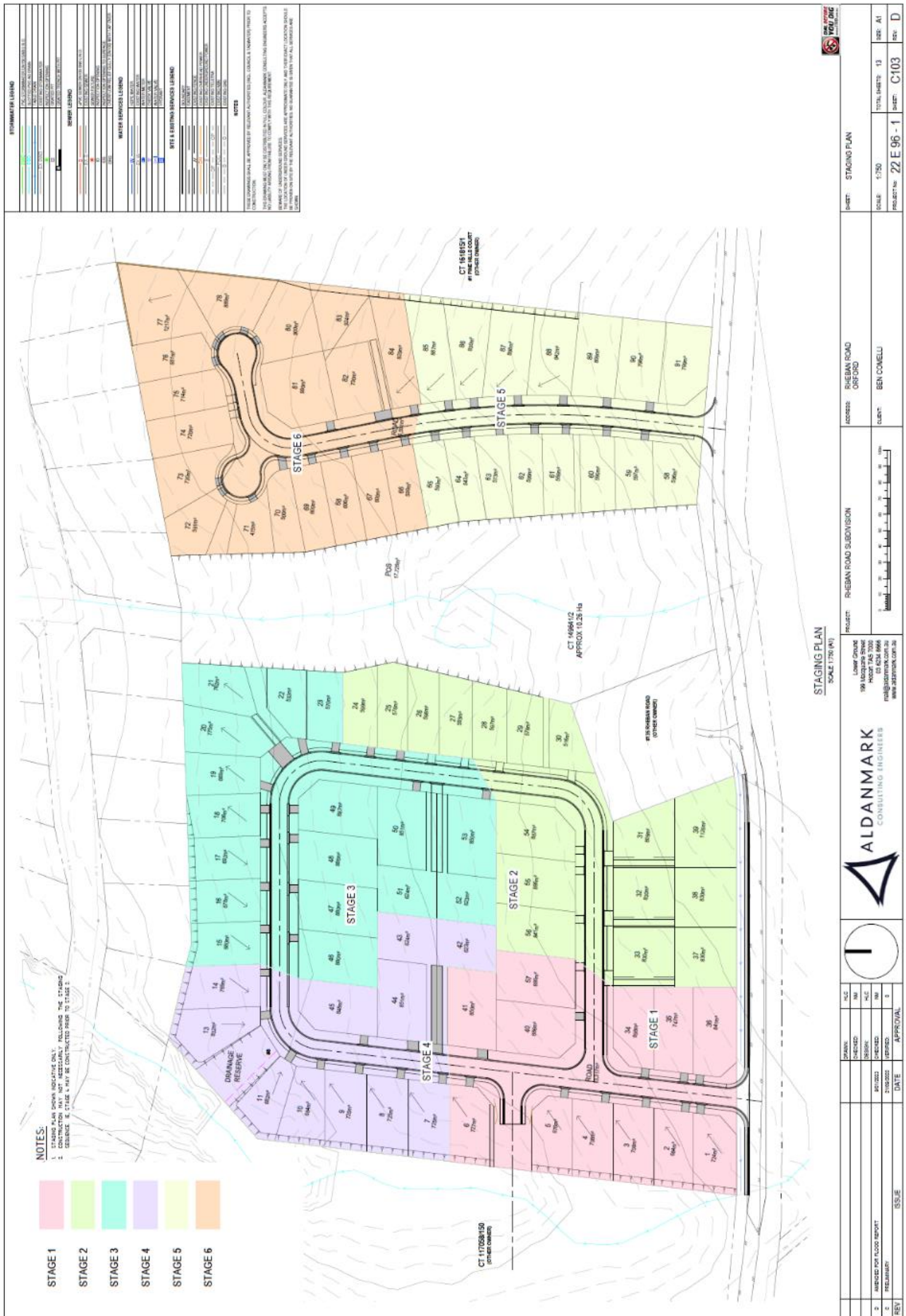
#### **'As constructed' Drawings**

44. Prior to the works being placed on the maintenance and defects liability period an 'as constructed' drawings with CCTV footage of all engineering works provided as part of this approval must be submitted to Council to the satisfaction of the Council's General Manager. These data must be prepared by a qualified and experienced civil engineer or other person approved by the General Manager in accordance with Council's *Guidelines for As Constructed Data*.

#### **Maintenance and Defects Liability Period**

45. The subdivision must be placed onto a twelve-month maintenance and defects liability period in accordance with Council Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.
46. Prior to placing the subdivision onto the twelve-month maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council's Standard Drawings, specification and the approved plans.

Attachment 1 – Plan of proposed subdivision



## **DECISION 47/23**

Moved Deputy Mayor Michael Symons, seconded Cllr Neil Edwards:

That the Planning Authority:

- a. Pursuant to Section 38 of the *Land Use Planning and Approvals Act 1993*, support the request for amendment AM2023-01 to rezone 155 Rheban Road, Orford (ID 2775205, CT149641/2) from Future Urban to General Residential; and
- b. Pursuant to Section 40F of the *Land Use Planning and Approvals Act 1993*, certifies that AM2023-01 meets the LPS criteria; and
- c. Instructs that adjoining property owners and occupiers must be notified of the draft planning scheme amendment and proposed subdivision; and
- d. Pursuant to Section 57 and 40Y of the *Land Use Planning and Approvals Act 1993* and the *Tasmanian Planning Scheme – Glamorgan Spring Bay*, the subdivision under AM2023-01 at 155 Rheban Road, Orford (CT 149641/2) for a 90-lot residential subdivision and associated works and infrastructure be approved with the following conditions:

### **CONDITIONS**

1. Use and development must be substantially in accordance with the endorsed plans and documents unless modified by a condition of this permit.

*Advice: Any changes may either be deemed as substantially in accordance with the permit or may first require a formal amendment to this permit or a new permit to be issued.*

2. Lots 31, 32, and 33 on the Lot Layout Plan must be modified so that the rights of way shown within their boundaries are removed and form part of lots 37, 38 and 39 on the Final Plan, when submitted.
3. The POS shown on the Lot Layout Plan must be shown as a drainage reserve on the Final Plan, when submitted.
4. Use and development must comply with the requirements of TasWater specified by 'Submission to Planning Authority Notice' reference number TWDA 2022/01822-GSB, dated 13/01/2023 and attached to this permit.

### **Final Plan**

5. A final approved plan of survey and schedule of easements as necessary, must be submitted to Council for sealing. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
6. All land noted as roadway, footway, and open space or similar must be transferred to Council. Complete transfer documents that have been assessed for stamp duty, must be submitted with the final plan of survey.

7. The final plan of survey must include easements over all drains, pipelines, wayleaves and services to the satisfaction of Council's Municipal Engineer.
8. Covenants or other restrictions must not conflict with, or seek to override, provisions of the planning scheme.
9. Prior to sealing the Final Plan of Survey or execution of the Schedule of Easements and associated documents, certification must be provided from an accredited bushfire practitioner that all recommendations and requirements of the Bushfire Hazard Report by North Barker Ecosystem Services, have been implemented and complied with.

### **Public Open Space**

10. Prior to sealing the final plan of survey, a cash contribution for public open space must be provided to Council that is equal to 5% of the value of the area of land in CT149641/2 as at the date of lodgement of the final plan of survey.

The value is to be determined by a Land Valuer within the meaning of the Land Valuers Act 2001.

*Advice: this condition is imposed pursuant to section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993 and Council policy.*

### **Environment Management**

11. All work must be generally in compliance with the Tasmanian Coastal Works Manual, available at. <https://dpiwwe.tas.gov.au/conservation/coastal-management/managing-the-coast/tasmanian-coastal-works-manual>
12. The developer must implement a soil and water management plan (SWMP) to ensure that soil and sediment does not leave the site during the construction process and must provide a copy of the SWMP to Council's General Manager prior to the commencement of works.
13. Erosion and sedimentation measures, such as sediment fences and settlement pits, are to be installed and maintained on the lower side of each lot and outside the Waterway and Coastal Protection Area during all works on the site. These works are to comply with a Stormwater Management Plan developed for the site.
14. No top soil is to be removed from the site.
15. All vehicles and equipment associated with construction of the development and/or operation of the use must be cleaned of soil prior to entering and leaving the site to minimise the introduction and/or spread of weeds and diseases to the satisfaction of Council's General Manager.
16. Suitable barriers must be erected during the construction of the development to ensure native vegetation that must be retained is not damaged during construction works.

### **Engineering**

17. The subdivision must be carried out in accordance with the Tasmanian Subdivision Guidelines October 2013 or as otherwise agreed by Council's General Manager or required by conditions of this permit.
18. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's General Manager, these drawings must be submitted to and approved by the Glamorgan Spring Bay Council before development of the land commences. The detailed engineering drawings must show the following:
  - a) all existing and proposed services required by this permit;
  - b) all proposed stormwater infrastructure.
  - c) all existing and proposed roadwork required by this permit;
  - d) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
  - e) measures to be taken to limit or control erosion and sedimentation;
  - f) any other work required by this permit.
19. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
20. Roadworks and drainage must be constructed in accordance with the standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager.
21. Unless approved otherwise by Council's General Manager, roadworks must include -
  - a) Minimum road reserve of 18 metres and 25 metres at the cul-de-sac.
  - b) Fully sealed paved and drained carriageway with a minimum width of 8.9m (face of kerb to face of kerb) and 18 metres diameter at the cul-de-sac head.
  - c) Concrete kerb and channel both sides.
  - d) Reinforced concrete footpaths 1.50 metres wide on one side of the new road.
  - e) Underground stormwater drainage.
22. The carriageway surface course must be constructed with a 10mm nominal size hot-mix asphalt with a minimum compacted depth of 35mm in accordance with standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and the requirements of Council's General Manager, unless approved otherwise by the Council's General Manager.
23. Kerb ramps must be provided to accommodate the needs of people with disabilities in accordance with standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager.
24. A reinforced concrete vehicle access must be located and constructed to each lot in accordance with the standards shown on standard drawings TSD-R09-v3, Urban Roads TSD-R06-v3 and TSD-RF01-v1 Guide to Intersection and Domestic Access Sight Distance Requirements prepared by the IPWE Aust. (Tasmania Division) and the satisfaction of Council's General Manager.

25. To the satisfaction of Council's General Manager, internal driveways for lot 21, 37 to 39, 42, 43, 51,52 and 83, and areas set aside for vehicle parking and associated access and turning must be provided in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney and must include all of the following:
  - a) a minimum width carriageway of 3.6m;
  - b) have a sealed surface of asphalt, concrete or equivalent approved by Council's General Manager; and
  - c) drain to an approved stormwater system.
26. The developer must provide line marking and signage at the Rheban Road intersections.
27. The developer must provide road widening, kerb & channel and footpath as per LGAT standard drawings along the northern side of Rheban Road to the full extent of the development.

### **Landscaping**

28. The road reserve must be landscaped by trees or plants in accordance with a landscape plan prepared by a landscape architect or other person approved by Council and submitted to Council for endorsement with the engineering drawings. The landscape plan must show the areas to be landscaped, the form of landscaping, and the species of plants and estimates of the cost of the works.

### **Drainage**

29. The developer must provide a piped stormwater property connection to each lot capable of servicing the building area of each lot by gravity in accordance with Council standards and to the satisfaction of Council's General Manager.
30. The developer must provide a piped minor stormwater drainage system designed to comply with all of the following:
  - a) be able to accommodate a storm with an Average Recurrence Interval (ARI) of 20 years, when the land serviced by the system is fully developed; and
  - b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.
31. The developer must provide a major stormwater drainage system designed to accommodate a storm with an ARI of 100 years.

*Advice: The proposed roadway intercepts stormwater runoff from the existing roadway and from the upper catchment. It will be necessary for the development to address how the 1% AEP climate change flows intercepted and generated by the subdivision will be directed safely downstream.*

32. The developer must provide an amended Stormwater Management Report. The report must be in accordance with the recommendations and procedures contained in the Australian Rainfall and Runoff 2019 Guidelines, and in particular Book 6, Chapter 7: Safety in Design Criteria and Book 9, Chapter 6: Modelling Approaches, is to be submitted. The report, and any associated designs, must clearly show that the conditions of this permit are met by the proposed design.

- a) Any measures required by the report to ensure that a tolerable risk for the development from flooding is achieved, and there is no increased risk of flooding onto adjacent land during the 5% AEP and the 1% AEP (inclusive of climate change), must be included in the engineering design drawings and implemented prior to the sealing of the Plan of Survey for any stage of the subdivision.
  - b) The report shall identify and design overland flow paths and run-off handling systems for 1% AEP events. These systems shall ensure that no concentrated flow or overflow from street drainage and stormwater reticulation is directed across or through proposed lots (unless dedicated as an overland flow path with easements in favour of Council) and that there are no unsafe flows over or within public roadways
  - c) Designs shall ensure that net discharge of stormwater does not exceed predevelopment levels 1% flooding
  - d) All stormwater for the development must be designed and constructed to include Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010 and consistent with the Stormwater System Management Plan for the relevant catchment. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions (or the MUSIC model) must be submitted to Council for approval by the relevant / delegated officer for approval prior to the issue of the approved engineering drawings. This report is to include the maintenance management regime / replacement requirements for any treatment facilities.
33. Water Sensitive Urban Design Principles must be incorporated into the development. These Principles will be in accordance with, and meet the treatment targets specified within, the Water Sensitive Urban Design Procedures for Stormwater Management in Southern Tasmania and to the satisfaction of the Council's General Manager.

Alternatively, the developer may, at the discretion of Council's General Manager, make a financial contribution to Glamorgan Spring Bay Council for the provision of stormwater treatment downstream of the proposed subdivision. The value of the contribution must be equal to the cost of implementing on site treatment to meet the targets, or as otherwise agreed by Council's General Manager. Where partial treatment is provided on site a proportional contribution may be considered. The contribution must be paid prior to sealing the Final Plan of Survey.

### **Construction**

- 34. The subdivider must provide not less than forty-eight (48) hours written notice to Council's General Manager before commencing construction works on-site or within a council roadway.
- 35. The subdivider must provide not less than forty-eight (48) hours written notice to Council's General Manager before reaching any stage of works requiring hold point inspection by Council unless otherwise agreed by the Council's General Manager.



36. Subdivision works must be carried out under the direct supervision of an approved practicing professional civil engineer engaged by the subdivider and approved by the Council's General Manager.
37. Through the construction process to the satisfaction of Council's General Manager, and unless otherwise noted on the endorsed plans or approved in writing by Council's General Manager, the developer must:
- a) Ensure soil, building waste and debris does not leave the site other than in an orderly fashion and disposed of at an approved facility;
  - b) Not burn debris or waste on site;
  - c) Promptly pay the costs associated with any alteration, extension, reinstatement, and repair or cleaning of Council infrastructure, public land or private property;
  - d) Ensure public land, footpaths and roads are not unreasonably obstructed by vehicles, machinery or materials or used for storage;
  - e) Provide a commercial skip (or similar) for the storage of construction waste on site and arrange for the removal and disposal of the waste to an approved landfill site by private contract.

#### **Sealing of Final Plan**

38. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Glamorgan Spring Bay Council. The security must be in accordance with section 86(3) of the Local Government (Building & Miscellaneous Provisions) Council 1993. The amount of the security shall be determined by the Council's General Manager in accordance with Council Policy following approval of any engineering design drawings.

*Advice: The minimum bond amount required during the maintenance and defects liability period is to be no less than 5% of the agreed value of the works. The developer is to enter into a formal Maintenance Bond Deed of Agreement with Council.*

39. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
40. A Letter of Release from each authority confirming that all conditions of the Agreement between the Owner and authority have been complied with and that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections at the time each lot is further developed, must be submitted to Council prior to the sealing of the Final Plan of Survey.
41. The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

### **Telecommunications and Electrical Reticulation**

- 42. Underground electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's General Manager.
- 43. Street lighting must be provided in accordance with the requirements of the responsible authority and to the satisfaction of Council's General Manager.

### **'As constructed' Drawings**

- 44. Prior to the works being placed on the maintenance and defects liability period an 'as constructed' drawings with CCTV footage of all engineering works provided as part of this approval must be submitted to Council to the satisfaction of the Council's General Manager. These data must be prepared by a qualified and experienced civil engineer or other person approved by the General Manager in accordance with Council's *Guidelines for As Constructed Data*.

### **Maintenance and Defects Liability Period**

- 45. The subdivision must be placed onto a twelve-month maintenance and defects liability period in accordance with Council Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.
- 46. Prior to placing the subdivision onto the twelve-month maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council's Standard Drawings, specification and the approved plans.

### **THE MOTION WAS PUT AND CARRIED 5/3**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Neil Edwards, Cllr Greg Luck and Cllr Jenny Woods

Against: Cllr Rob Churchill, Cllr Carole McQueeney and Cllr Robert Young

## 4.2 Draft Amendment AM2022-02 – Glamorgan Spring Bay Local Provisions Schedule – Subdivision of additional lots under the Dolphin Sands Particular Purpose zone

Author: Senior Planning Consultant (Town Planning Solutions Pty Ltd)  
Responsible Officer: Director Planning and Development

### ATTACHMENT/S

1. Representations
2. 40K Report - Draft Amendment AM2022-02

### PURPOSE

The purpose of this report is for the Planning Authority to consider representations that were received to the exhibition of AM2022-02 to revise clause GSB-P1.7.1 Subdivision of the Tasmanian Planning Scheme – Glamorgan Spring Bay (Scheme).

### BACKGROUND/OVERVIEW

The Planning Authority will recall that implementation of the Scheme identified that the wording of clause GSB-P1.7.1 Subdivision was changed so that it enabled the subdivision of additional lots, where the Dolphin Sands area had been subject to a prohibition on subdivision since its creation under previous planning schemes.

The Glamorgan Spring Bay Local Provisions Schedule (Scheme) saw an *or* inserted to clause GSB-P1.7.1 Subdivision (bold for highlight):

*P1 Subdivision of land must:*

- (a) *provide for public open space, a public reserve, public services or utilities;*  
**or**
- (b) *have a minimum frontage of 60m; and*
- (c) *not create a lot that is less than 1 hectare in area.*

The Planning Authority initiated AM2022-02 at its 13 December 2022 meeting, following a previous attempted amendment and the response of the Commission.

AM20022-02 seeks to amend clause GSB-P1.7.1 Subdivision of the Scheme as follows:

1. Delete the existing provisions;
2. Insert the following new provisions:

Objective:	To prevent subdivision within Dolphin Sands other than that incidental to existing lots.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
A1 Subdivision must:		P1 No performance criteria.

<p>(a) be for the consolidation of lots with no additional lots are created; or</p> <p>(b) provide for public open space, a public reserve, public services or utilities.</p>	
<p>A2 Each lot, or a lot proposed in a plan of subdivision, excluding for riparian or littoral reserves or utilities, must have an area of not less than 1 hectare.</p>	<p>P2 No performance criterion.</p>
<p>A3 Each lot, or a lot proposed in a plan of subdivision, excluding for riparian or littoral reserves or utilities, must have a minimum frontage of 60m.</p>	<p>P3 No performance criterion.</p>

## **STRATEGIC PLAN REFERENCE**

### **Guiding Principles**

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

### **Key Foundations**

1. Our Governance and Finance

### **What we plan to do**

- Advocate and lobby effectively on behalf of the community.

## **STATUTORY IMPLICATIONS**

Land Use Planning and Approvals Act 1993

- Division 3B – Amendments to LPS's
- 40G. Notice of exhibition
- 40H. Exhibition
- 40J. Representations
- 40K. Report to Commission about draft amendments

AM2022-02 was exhibited for the statutory period of 28 days in accordance with the requirements of sections 40 G and H. This period ran from 23 December 2022 to 30 January 2023, to account for the office closures over the Christmas and New Year period.

Four representations were received during that period.

Section 40K(2)(b) allows the Planning Authority to consider representations that are received after the exhibition. An extension of time was obtained from the Commission to allow property owners to be directly contacted about AM2022-02.

An additional 19 representations were received following the close of the representation period. The Planning Authority must formally determine whether to receive and consider those representations as part of this process.

Section 40K requires that the Planning Authority submits a report on the representations that were received during the exhibition period. Subsection (2) requires that this report must contain:

- a. A copy of each representation received during the exhibition period;
- b. A copy of each representation that was received after the exhibition period, that the Planning Authority decides to accept;
- c. A statement of the opinion on the merit of the representation regarding:
  - i. whether the draft amendment should be modified as a result of the representation; and
  - ii. the effect on the draft amendment and the Scheme, as a result of the recommendation;
- d. A statement on compliance with the LPS criteria (defined at section 34 of the Act); and
- e. Any recommendations about the draft amendment the planning authority thinks fit.

### **BUDGET IMPLICATIONS**

Ongoing maintenance of the Scheme was addressed as part of Council's operational budget.

### **RISK CONSIDERATION/S**

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
<b>Adopt the recommendation</b>			Low	None required.
Nil				
<b>Do not adopt the recommendation</b>	Possible	Moderate	Moderate	Seek an extension of time from the Commission
The statutory deadline will expire.				
The 40K Report is not provided to the Commission	Possible	Moderate	Moderate	The Commission may take over the Planning Authority functions under the Act.

### **OFFICER'S COMMENTS**

AM2022-02 results from a complex process.

The initial exhibition period resulted in four representations being lodged to the amendment, three objecting and one supporting. This was not consistent with the Planning Authorities understanding of the community views.

Following close of the formal exhibition period, property owners were contacted by mail and an extension of time obtained for the consideration of representations. This resulted in an additional 19 representations being submitted. These are summarised as follows:

No.	Representor	Support	Oppose
1	P J Coon	Supports	
2	DMA for Patterson-Were		Opposes
3	Hugh Clement		Opposes
4	DMA for Rooke		Opposes
	<b>Received after 30/1/2023</b>		
5	Peter Rooke		Opposes
6	A & K Swan	Supports	
7	G Stoward, L Turner	Supports	
8	P Gillick C Zeng	Supports	
9	J Topfer	Supports	
10	A Wilson	Support	
11	I Helmond	Support	
12	S Davenport	Support	
13	N Bax & P Lovell	Support	
14	M Chamberlain	Support	
15	N Shakespear, G Johnson	Support	
16	S & S Barrett	Support	
17	A Coltier	Support	
18	M & P Flanagan	Support	
19	J Kay	Support	
20	T Flanagan & F Joske	Support	
21	G Isherwood	Support	
22	J Crawford	Support	
23	G Harrison	Support	

The representations opposing the amendment cite the following reasons:

- The change was not inadvertent or an error, citing the advice of the Tasmanian Planning Commission;
- AM2022-02 fails the statutory tests at Section 34(2) and section 32 of the Act, contending that the amendment does not meet those requirements;
- The area has limited subdivision potential, described as follows by Mr Hugh Clement (a registered land surveyor):
  - approximately 164 small lots (less 2ha or less) and only 5 or 6 lots have real subdivision potential;
  - approximately 163 lots are between 2.8 and 6.1 ha, which may result in an additional 35 lots;
  - 14 larger lots (between 9.1 and 14.1 ha) may result in an additional 41 lots;
  - approximately 65 of the original 240 lots have subdivision potential
  - the adjoining Cambria Drive area suggests that the 1ha minimum lot size is appropriate;

- the existing controls would likely generate a potential yield of 49 lots, which would be likely to generate an additional 25 lots over time;
- The amendment does not further the Schedule 1 objectives of the Act, as it will prevent rather than promote development;
- The objections to planning applications are low (2 representations for the one exhibited subdivision application);
- The provision was subject to extensive exhibition, assessment, representation and review through the LPS process and ultimately approved by the Commission;
- The existing provision complies with the STRLUS, particularly SRD1.3 & 1.4; and
- The existing controls promote infill within an existing area consistent with the requirements of the Tasmanian Planning Scheme.

It is noted that Representor 3, Mr Hugh Clement, will be providing expert evidence from EcoTas once it is available. This information will likely be available for the hearings that the Commission will schedule at a future time.

In response to these points, the following is noted:

- Legal advice was obtained before AM2022-02 was commenced that informed the decision to commence the current process;
- The Planning Authority respectfully disagrees with the advice of the Commission that the change was not an error is noted;
- It is not clear to the Planning Authority how a substantial change could be made to the planning scheme under the Transitional process as part of the LPS process;
- The previous and supporting reports clearly identify that the Planning Authority did not strategically consider the change that occurred to the specific provisions through the Local Provisions Schedule process;
- The Transitional status afforded by the Ministerial declaration meant that the provisions were not subject to the formal exhibition, representation, assessment and submission process as all other parts of the LPS were during that process;
- Statements in the representations that the subject provisions were open to assessment multiple times through the LPS process are incorrect;
- Statements that the Scheme must allow further subdivision to comply with the Schedule 1 Objectives of the Act disregard multiple objectives across a range of matters, most specifically 2g for the conservation of areas or places with specific values; and
- The additional lot yield provided by Mr Clement is accepted.

Following from the representations against AM2022-02, no changes are recommended.

Representations that supported AM2022-02 generally cite a combination of the following reasons:

- The amenity afforded to the Dolphin Sands area and lifestyle;
- Disturbance to the fragile environment and wildlife;
- The sensitive littoral landscape;
- Recent increases in development, particularly around tourism;
- Risk of over-development;
- Threat to the aquifer from increased and potentially inappropriate use;
- Increased fire risk in a high risk zone;

- Damage to vegetation protecting the stability of the dunes;
- Disturbance to wildlife;
- Loss of general amenity (the privacy and tranquility typically resulting from a dispersed, low population);
- Increased demands for infrastructure; and
- Diminishing community amenity.

The advice and decisions of the Planning Authority are consistent with many of the views expressed in those representations. In response to some of the issues raised:

- many of the matters are managed outside the land use planning system and include the following:
  - extraction of ground and aquifer water;
  - onsite waste water management systems;
  - threatened species legislation at State and Federal levels;
  - bushfire hazard management (through abatement and building process);
  - littoral landscapes (through crown land ownership) and
- the respective merits of the original masterplan and lifestyle/amenity afforded to the Dolphin Sands area were recognised through AM2022-02.

The Planning Authority remains of the view that the change to the opportunity for subdivision through the LPS process was not considered at a strategic level, despite the advice issued by the Commission.

Representation 22 suggested the deletion of the provisions at A1 of AM2022-02 to remove any potential for a smart operator to wriggle through the provisions.

The general provisions at clause 7.3 of the Scheme provide for an adjustment of a boundary and does not mention consolidation of lots. The proposed wording for A1 requires that lots must be for consolidation, public open space, public reserve, public services or utilities. Any lots that do not meet those requirements fail assessment at A1 and must be refused. There is no potential for any other lots. No changes are recommended as a result of this concern.

Following the representor's concerns, it was noted that the term *public services* was effectively replaced by the term utilities through the Tasmanian Planning Scheme. As a result, the term *public services* can be deleted.

A discussion of the issues and detailed response to each representation was provided as Attachment 2 to this report.

A recommendation was provided to reflect this assessment.



## **OFFICER'S RECOMMENDATION**

That:

Pursuant to Section 40k under Division 3 of the *Land Use Planning and Approvals Act 1993* the Planning Authority:

1. Include representations 5 to 23 inclusive in its assessment of the representations to AM2022-02 under section 40K92)(b) of the Act;
2. Endorse Attachment 2: *40K Report - Draft Amendment AM2022-02* as its report on AM2022-02 in accordance with Section 40K(2) of the Act; and
3. Recommend to the Tasmanian Planning Commission that AM2022-02 be modified to delete the term *public services* from A1(b).

## **DECISION 48/23**

Moved Cllr Jenny Woods, seconded Deputy Mayor Michael Symons:

That Council defers this Agenda item *4.2 Draft Amendment AM 2022-02* until the April Meeting to allow for clarification on a number of matters in question.

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Greg Luck, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young

Against: Nil

*Under Regulation 25 of Local Government (Meeting Procedures) Regulations 2015, the Chairperson hereby declares that the Council is no longer 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 49/23**

Moved Cllr Jenny Woods, seconded Cllr Rob Churchill:

That Council no longer acts as a Planning Authority at 2.31pm

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Greg Luck, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young

Against: Nil

*Senior Planner, James Bonner left the meeting at 2.32pm*

## 5 FINANCIAL REPORTS

### 5.1 Financial Reports period ending February 2023

Author: Director Corporate & Community (Elysse Blain)

Responsible Officer: Director Corporate and Community (Elysse Blain)

#### ATTACHMENT/S

1. Group Financial Statements 2023-02 [5.1.1 - 5 pages]

#### BACKGROUND/OVERVIEW

The financial reports for the period ended February 2023 as attached to this report are presented for the information of Council.

#### STATUTORY IMPLICATIONS

- Australian Accounting Standards Board (AASB)
- International Financial Reporting Standards (IFRS)

#### BUDGET IMPLICATIONS

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

#### RISK CONSIDERATIONS

Risk	Consequence	Likelihood	Rating	Risk Mitigation Treatment
<b>Adopt the recommendation</b>				
There are no material risks from adopting this recommendation.				
<b>Do not adopt the recommendation</b>	Likely	Likely	High	By not adopting the recommendation Council is not endorsing the financial reports for the current reporting period. Council needs to endorse.
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 February 2023.

### **DECISION 50/23**

Moved Cllr Rob Churchill, seconded Cllr Greg Luck:

That Council receives and notes the Financial Reports as attached to this report for the period ended February 2023.

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Greg Luck, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young

Against: Nil

## 6 SECTION 24 COMMITTEES

### 6.1 Coles Bay Community Hall Minutes - 8 March 2023

#### **Coles Bay Community Hall Committee Meeting Minutes**

5pm, 8<sup>th</sup> March 2023

Meeting Facilitator: Nigel Carins

1. Nigel Carins called to order the regular meeting of the Coles Bay Community Hall Committee at 5pm on Wednesday, 8<sup>th</sup> March, at the Coles Bay Community Hall. Apologies from Kathryn Whitchurch & Rob Churchill.

2. **Present:** Nigel Carins, Kristin Hoerlein, Barb Barrett, Liz Swain. Anne Melrose via phone link.

3. **Minutes** approved as circulated.

Moved Liz Swain, 2<sup>nd</sup> Anne Melrose. Carried.

4. **Treasurer's Report** is endorsed. Please see attached.

No word yet regarding the payment from the Electoral Commission.

We will try to give our bank details for the next Vote – possibly the Voice referendum.

Moved Barb Barrett, 2<sup>nd</sup> Liz Swain. Carried.

5. **Open issues:**

a) Grant application, update: yet to be fully signed off.

From Adrian:

*"I received the grant deed to sign & send it back. They have yet to sign it & send it back along with the first payment of \$150k.*

*I am currently waiting for the final construction plans with engineering cert to be finalized.*

*I have a planning permit for the works, once I have the construction plans, I will organize a CLC from a building surveyor & gain our permit.*

*We can then start demolition or the removal of the old annex & the storing of any equipment."*

The Committee thanks Nigel and Kristin for the work they have undertaken to get the annex replacement project approved and progress to date.

The committee have raised a number of questions regarding the when / where for the storage of items, and whether the Hall can be used during the construction.

Kristin to email Adrian, aiming to receive a protocol of how to prepare and proceed. Everyone is quite eager for the work to begin.

- b) Hit up wall: Nigel contacted another bricklayer in Bicheno, still no success regarding quotes and proceeding with the hit-up wall.

Decision to leave it on the agenda and Nigel will get to it *one day*.

The committee thanks Nigel for his determination to get this project off the ground.

## 6. General discussion

- a). Hall charges: Rob has researched how the other Halls charge. He has ascertained we are like Swansea Hall in the amount charged, and the procedures for cleaning after use.

(Of note, the system of donation for playing pickle ball is working well, and supported by the community)

The Treasurer recommends fees stay as they are.

Moved Barb Barrett, 2<sup>nd</sup> Liz Swain. Carried.

- b). FAI report, for cross reference only.

The Hall to join FAI as an ongoing Community member, a \$20.00 fee to join. FAI to organize a drone to take photos of the hall and surrounds e.g. tennis court and playground, and list us on the local website – providing information for the tourist / visitors to Coles Bay.

Moved Nigel Carins, 2<sup>nd</sup> Barb Barrett. Carried.

- c). Nigel will be away for the next meetings, but is confident he can keep up with his role as chairman from afar and phone in for meetings.

The keys will stay in the current lockbox position.

Barb has Nigel's keys and will collect the cash weekly from the Hall.

Question raised: Is Rob able to be present to chair the meetings while Nigel is away?

- d). Nigel has requested we all start thinking on the opening for the new annex.

We need a lovely big launch party of approx. two hundred people to promote our new facilities.

What will this look like?

We will also promote the new facilities - notifying the local community newspapers, as the work is being done, to inform the community, and generate some excitement.

7. Next meeting; we have set the rest of the meetings for the year as there is a lot of travelling by many committee members.

Next is Monday 5<sup>th</sup> June, 5pm in the Hall.

Monday 4<sup>th</sup> September, 5pm in the hall

the Annual AGM: Monday 4<sup>th</sup> December 2023. 5pm in the hall.

Nigel Carins adjourned the meeting at 5.50pm

Minutes submitted by Kristin Hoerlein.

Minutes approved by Nigel Carins.

### Treasurer's Report

<b>Feb-23</b>				
	Opening Bank balance Feb 23		\$ 4,417.55	
				\$ 4,417.55
<b>Income</b>	13/12 hall - cash		\$ 30.50	
	01/01 Hall - cash		\$ 204.00	
	01/02 Jan Young		\$ 50.00	
	02/02 J. B. Marsden - Smedley		\$ 200.00	
	07/02 Hall - cash		\$ 101.60	
	16/02 NRMA - Xmas		\$ 160.00	
	23/02 Phoebe Davis - tennis		\$ 100.00	
	27/02 Hall - cash		\$ 88.35	
	Total			\$ 934.45
<b>Cash on Hand</b>			\$ 131.70	
				\$ 131.70
<b>Expenditure</b>	28/01 Leigh Williams - cleaning		-\$82.50	
				-\$ 82.50
	Term deposit		\$ 5,993.34	
				\$ 5,993.34
<b>Total</b>				<b>\$ 11,394.54</b>

### **RECOMMENDATION**

That the Minutes of the Coles Bay Community Hall Committee meeting held on 8<sup>th</sup> March 2023 be received and noted.



### **DECISION 51/23**

Moved Clr Rob Churchill, seconded Clr Robert Young:

That the Minutes of the Coles Bay Community Hall Committee meeting held on 8<sup>th</sup> March 2023 be received and noted.

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Greg Luck, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

## 6.2 Marine Infrastructure Committee Minutes - 7 March 2023



### MARINE INFRASTRUCTURE COMMITTEE MINUTES

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<b>Date:</b>	<b>Tuesday 7<sup>th</sup> March 2023</b>
<b>Time:</b>	<b>1:30pm</b>
<b>Location:</b>	<b>Council Chambers, 9 Melbourne St, Triabunna</b>

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#### 1. PRESENT AND APOLOGIES

##### **Present:**

J Hall  
Clr J Woods  
Clr N Edwards  
C Barney  
J Burke  
P Warner

##### **Apologies:**

G Laredo (Harbor Master) – due to medical appointment

##### **In Attendance:**

Mayor C Arnol  
A O’Leary (Manager Building & Marine Infrastructure)  
Senior Constable, A King  
J Kerr (Minutes Secretary)

*Please note that the following committee members tendered their resignation prior to the committee meeting:*

- *Mr Michael Fama notified the Chair of his resignation from the Committee via email on the 31 January 2023.*
- *Mr Nathan Carins notified the Chair of his resignation from the Committee via email on the 6 February 2023.*

**2. CONFIRMATION OF MINUTES TUESDAY 4<sup>TH</sup> MAY 2021**

**MOVED:** C Barney

**SECONDED:** P Warner

That the minutes of the previous meeting be confirmed as a true and correct record.

**CARRIED UNANIMOUSLY 6/0**

**3. ELECTION OF CHAIRPERSON AND DEPUTY**

- J Hall advised that he was stepping down as Chairperson for the committee and called for nominations from the committee.

**Nominations for the Chairperson were called for:**

Clr N Edwards nominated Clr J Woods as Chairperson.

**Outcome:**

Clr J Woods was the only nomination.

**Result:**

Clr J Woods was declared the Chairperson of the committee.

**Nominations for the Deputy Chairperson were called for:**

Clr N Edwards self-nominated for the position as Deputy Chairperson.

**Outcome:**

Clr N Edwards was the only nomination.

**Result:**

Clr N Edwards was declared the Deputy Chairperson of the committee.

- J Hall declared the election of the Chairperson and Deputy Chairperson as complete and thanked the committee and handed the Chair to Clr J Woods.
- C Barney thanked J Hall for his time as Chairperson on the committee over the last 10 years.
- Clr J Wood concurred, and on behalf of the Council sincerely thank J Hall for his time as Chairperson on the Committee and recognised that J Hall would still be attending the committee meetings as a committee member.

**4. TRIABUNNA MARINA FEE'S**

The committee discussed the Marine Infrastructure Fees and provide the following recommendation to Council for consideration:

**MOVED:** J Hall

**SECONDED:** A King

That the Marina fees do not increase for the 2023/24 year.

**CARRIED UNANIMOUSLY 6/0**

## **5. MARINE INFRASTRUCTURE COMMITTEE FUTURE**

The committee discussed the future of the committee and agreed that it was important that the committee continue.

- J Hall recognised that the committee have had some recent resignations. Cllr J Woods added that the committee should aim to advertise at the earliest convenience.

## **6. COMMITTEE MEMBER RECRUITMENT**

- A O'Leary advised that Council will commence advertising for committee members as soon as possible and will advertise for a period of 14 days in local newspapers, Council's websites etc.

**ACTION:** Minutes secretary to advertise in local newsletters, noticeboards, Council's website, Council's Facebook.

## **7. PARKING**

- A O'Leary provided an update to the committee on the status of the parking at the Triabunna Marina, particular the newly created gravel stand parking area at the northern end of the Marina. A O'Leary advised that this has now been completed and that the first ten spaces have been reserved for Marina berth holders, however A O'Leary did recognise that this would be difficult to enforce. It was further added unfortunately Council do not have the budget to seal this carpark, however carparking spaces will be marked as best as they can. A O'Leary also added that Parks and Wildlife are encouraged to send their longer term visitor down to this carparking area.
- J Burke added that going to Maria Island for 3-4 days and parking at the Marina needs to be discouraged. J Burke then queried whether the visitors could park at the oval. A O'Leary advised that they can, but it is not safe if their car is out of CCTV. He also added that people don't want to walk too far. Council could consider creating a fenced secured area, but this has not been budgeted for.
- Cllr J Woods added that Marina berth holders cannot get to their boats, and they are paying top dollar to have a berth which they cannot access easily. A O'Leary advised that there was no guarantee to berth holders that they would always have a park in front of their boat.
- A King queried whether the lower end of Henry Street could be for permit holders only. A O'Leary advised that he has discussed this, however the only way to do this would be to barrier it off, without barriers it would be very hard to police.

- Clr N Edwards queried whether Council could obtain a temporary lease over the parking at the old Council Chambers. A O'Leary advised that he has had this discussion before, but again, it would not be under CCTV.

The general consensus of the committee was that the State Government or Parks and Wildlife should be assisting with parking issues at the Marina in Triabunna.

## **8. FUTURE DEVELOPMENT AND MAINTENANCE**

- P Warner queried whether there could be an alteration to signage at Bicheno boat ramp, as nobody reads it or obeys it. A O'Leary advised that he is aware of this, however it is difficult to enforce.
- A O'Leary provided an update to the committee on Coles Bay Jetty and the extending of Freemans Jetty.

## **9. BOAT RAMP UPDATE, SWANSEA, COLES BAY, BICHENO, LITTLE SWANPORT AND OTHERS**

The committee discussed A O'Leary's *Marine Infrastructure Report – 7<sup>th</sup> March 2023 (see attached)* which was circulated to the committee prior to the meeting. A O'Leary spoke to the report providing a general update.

- Clr N Edwards queried whether the toilet at Saltworks will that be a disabled toilet. A O'leary clarified that the toilet will be a disabled, unisex, composting toilet.

*J Hall left the meeting at 2.44pm.*

- C Barney queried whether the parking design at Saltworks had been finalised. A O'Leary advised that it had been and that the process was governed by Parks and Wildlife.
- C Barney requested an update on Gordon Street Boat Ramp from A O'Leary. A O'Leary advised that funding is in place and that the contractor is waiting until after Easter to work on the boat ramp.
- Clr N Edwards asked whether there was an estimated timeline on when the Saltworks Boat Ramp would be complete. A O'Leary advised that he was hopeful that his would be June 2024.

## **10. OTHER BUSINESS**

- Clr J Woods requested that the committee review the Terms of Reference for discussion at the next meeting.

**ACTION:** Minutes secretary to circulate Terms of Reference to committee members for comment/feedback prior to next meeting.

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## **Marine Infrastructure Report**

### **Report – 7th March 2023**

**(Buildings & Marine Infrastructure Manager)**

#### **Triabunna Port Maintenance**

- Since the last Marine Infrastructure meeting there has been numerous maintenance issues addressed.

Pontoon joiners mounts were replaced on the floating pontoon finger for CB7 when the joiners had come apart because of a suspected large vessel entering the berth. This happened over Christmas 2021.

Seven of the old timber piles in the original part of the marina were replaced. These piles are plastic sleeved steel piles screwed into the sandstone bedrock. They were installed November 2021.

All the electrical circuit breakers from berth 48 to berth 83 were replaced due to unreliability.

I have engaged Tony Brown to replace the electrical power boxes along the old section of the marina. The existing galvanised boxes for power outlets are rusty and have water seeping through them.

I am currently waiting on a new access platform to be built for Berth 23, this was never built when that section of the marina was extended, before my time.

Approximately an additional 40 car parking spaces have been created adjacent to stage one of the marina complex. These are next to the old tennis courts. The first 10 spaces will be quarantined by signage for marina berth holders and we will encourage PWS to direct other tourists travelling to Maria Island to park there which hopefully will free up some spaces along the old section of the marina. We will also look at ways isolate a few spots for permanent berth holders.

We are always trying to improve on the parking but obviously have limited space.

The parking area over the other side for stages 3 & 4 of the marina complex will be re-surfaced in the near future.

The channel will be straightened in the next few months, MAST tell me the funding is in place and all the permits are approved. The dredged material as per the dredge management plan will go into the area adjacent to the skate park. When this is complete and trucks are no longer traversing over the area, the Works Department will improve the surface of the car park.

#### **Boat Ramps and Jetties:**

- **All Boat Ramps**

Glamorgan Spring Bay Council's Natural Resource Management team regularly clean all the public boat ramps in the Municipality.

They use a high-pressure steam cleaner to remove and reduce the algae growth to minimise the risk of slipping over while using the boat ramps.

- **Swansea Elevated Boat Ramp**

Remedial sand removal is done at the Swansea boat ramp as required. This will be done again before Easter.

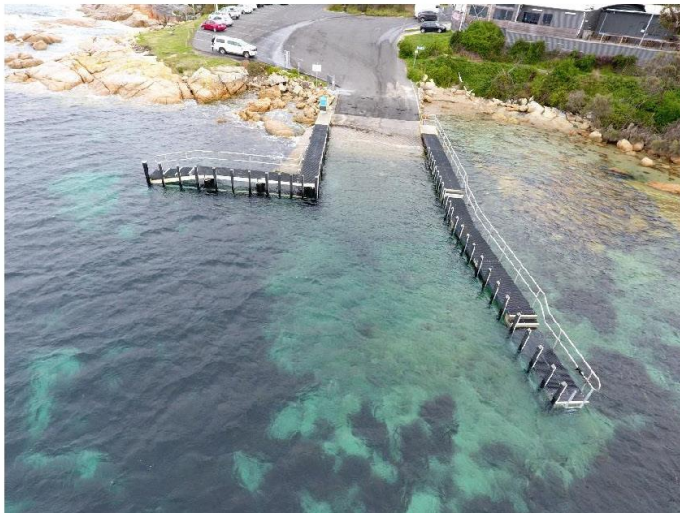
MAST has informed me that with the movement of sands within the bay, it can accumulate at the toe of the elevated boat ramp. This sand can be quite soft causing some vehicles to get stuck. They are working with engineers to alleviate this problem. As with other ramps the usage of the ramp is subject to tides and weather conditions.

- **Yellow Sands Banks Road Boat Ramp**

MAST fully funded the installation of a new concrete ramp at Yellow Sand Banks Road Dolphin Sands. The existing Gravel ramp periodically got washed away after heavy rainfalls. I applied for a \$7K grant from MAST which was accepted and they funded the repairs to the old jetty at this ramp. The jetty is old and eventually will need replacing.

- **Bicheno Boat Ramp**

The extension to both jetties at the Bicheno boat ramp were completed in 2022. These jetty extensions cater for the busy periods when vessels return to the ramp due to bad weather at the same time.



- **Saltworks Boat Ramp**

Three years ago I applied, on behalf of Council, for a grant to replace the jetty at the Saltworks boat ramp, in the Little Swanport River. This grant application was accepted and Council was awarded \$100K for the project. When I applied for consent to lodge a Planning Application for the works, PWS asked for time to do an RAA assessment. They paid for an Aboriginal Heritage Assessment which came back with the request to have the parking area re-located. PWS also requested Council to install a toilet facility at the boat ramp.

Council has secured an additional funding of a further \$100K from the federal Government to install a toilet. PWS will service this toilet once constructed.

MAST have contributed another \$400K for the car park re-location. They currently have paid for the Engineering design which has been submitted to PWS.

PWS has now determined the RAA level will be 3, which is a high level and will trigger a variety of information surveys.

I am engaging planning consultants to work through the process and provide the documentation for them to assess.

#### **Coles Bay Boat Ramp**

The main floating pontoon at Coles Bay Boat ramp, which is a concrete Bellingham type, has had cushion fenders installed. These fenders reduce the damage to vessels coming into dock. These were fully funded by MAST.

Freemans Jetty adjacent to the boat ramp is about to have an extension installed. The application is currently with PWS for the Reserve Activity Assessment, (RAA). This extension will be done over the winter months.

When complete it will provide an area for local tour boats to dock and pick up passengers. Currently this happens at the boat ramp which does cause congestion.



#### **Coles Bay Jetty**

Pennicotts have taken over the Wine Glass Bay Cruises business & have the lease at the Coles Bay Jetty in their name. The lease is still between PWS and the business. Council invoices PWS for the full lease fee.

Crown Land Services sent a letter to Council in 2022 requesting maintenance work to be done on the jetty as per our agreements under the lease.

This work included:

1. Rust removal and painting the handrail along the main walkway.
2. Stair nosing installed on the main timber stairs from the walkway to the public jetty.
3. Bollards, rust removed & painted.
4. Wheel stops re-painted.
5. Stormwater grates cleaned out.

These works are now complete.





#### **Coles Bay Jetty Wheel Stops**

- **Triabunna Marina**

There are currently 40 people on the waiting list for a permanent berth at the Triabunna Marina.

However, when a berth became available in January 2023, I went down the list to allocate to berth to the next applicable vessel on the list.

The berth went to the second last person on the list.

### **RECOMMENDATION**

That the Minutes of the Marine Infrastructure Committee meeting held on 7 March 2023 be received and noted.

### **DECISION 52/23**

Moved Cllr Jenny Woods, seconded Cllr Neil Edwards:

That the Minutes of the Marine Infrastructure Committee meeting held on 7 March 2023 be received and noted.

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Greg Luck, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young

Against: Nil

## 6.3 Triabunna Community Hall Committee Minutes - 7 February 2023

### Triabunna Community Hall Committee (TCHC)

Meeting Minutes  
07/02/23

#### Opening

The regular meeting of the Triabunna Community Hall Committee (TCHC) was called to order at 11:05pm on 07/02/23 in the TCH by Chairperson David Kirk,.

#### Present

Malcolm Bishop, Kaylene Lee, Chairperson David Kirk, Secretary/Treasurer Gavan Barber & Council Rep Robert Young (had to leave meeting at 11:30am), and 2 members of public as observers Steve Bussey & Faith.

#### Apologies

Nil

#### Declaration of Interest/Conflict

Nil

#### Election of Officers

#### Approval of Minutes

Minutes of committee meeting on 9/8/21, as circulated, were accepted.

**MOVED:** Robert Young  
**SECONDED:** Kaylene Lee  
**CARRIED:** Unanimously

#### Business Arising from Minutes

- Hall gutters have been cleared.
- Tapestries – discussion of what happened about the tapestries.  
Adrian is meeting Kaylene on 10/2/23 at the Hall to swap the appropriate tapestry for the one at the Orford Hall. The last panel on the right is to be taken to the Orford Hall.
- Cleaning of the Hall  
Gavan reported that the cleaning has been done by Almighty Clean and that Gavan has personally paid the invoices. Robert moved that Gavan be reimbursed for the invoices he paid.

**MOVED:** Robert Young  
**SECONDED:** Malcolm Bishop  
**CARRIED:** Unanimously

- Meals on Wheels invoices  
Gavan gave Kaylene the invoices for 21/22 & 22/23 financial years for her to have processed.
- Robert Young has requested a key to the Hall, Gavan said to get one from Adrian O'Leary.

### Correspondence

- Letters of thanks to Keri Handley, Keith Breheny & Grant Robinson. David Kirk read out the letter to Keri Handley.

**ACTION:** Letters of thanks were tabled and will be attached to the minutes.

- Letter from Sue Nettlefold (Spring Bay Yoga) requesting ballet barres be installed on the walls in the Hall, as this is a permanent attachment it will have to be referred to Council.

Discussion ensued about installing the barres permanently on walls verses purchasing portable, free-standing barres. Motion put forward by Robert Young, that the Hall Committee support this request, and seek consultation from Council.

**MOVED:** Robert Young

**SECONDED:** Gavan Barber

**CARRIED:** Unanimously

### Financial Report

Balance in account at date of meeting is \$9,594.56.

### Acceptance of Financial Report

**MOVED:** Gavan Barber

**SECONDED:** Kaylene Lee

**CARRIED:** Unanimously

### New Business

- Fees and Charges

To be discussed at next meeting.

**ACTION:** Gavan to contact Council as to why there are no hall hire fees in the 22/23 Fees and Charges schedule form Council.

- Refundable deposit for cleaning – to be on next agenda.
- Promotional brochure – to be on next agenda.

Discussion on who uses the Hall, and what other groups could use the Hall. Suggested sending Hall details to groups that tour performances.

### Other Business

Nil

### Close

Meeting was closed at 11:50pm by Chairperson David Kirk,

**Next meeting - 11:00am on April 18, 2023, @ the TCH**

Minutes submitted by: Gavan Barber

Approved by: David Kirk

## Motion / Action Tracking

**MOTION:** Robert Young moved that the TCH Committee support Sue Nettlefold's request for ballet barres in the TCH

**MOVED:** Robert Young

**SECONDED:** Gavan Barber

**CARRIED:** Unanimously

**ACTION:** Letters of thanks were tabled and will be attached to the minutes.

**ACTION:** Gavan to contact Council as to why there are no hall hire fees in the 22/23 Fees and Charges schedule form Council.



Triabunna Community Hall

1<sup>st</sup> January 2023

Dear Keri,

I am writing (rather belatedly) on behalf of the TCH Committee to thank you, most sincerely, for your many contributions to the Committee throughout your 10 years of service as a committee member.

Your input, discipline, guidance and genuine care for the TCH was not only always evident but highly valued by the rest of us on the Committee.

From the beginning of the restoration project (which commenced in 2012) your enthusiasm and dedication to the Hall and its community was, and remained, heartfelt and inspirational.

We thank you for your sterling service and stalwart commitment to the community, the TCH and its Committee.

We wish you the very best for the future.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'David Kirk', written in a cursive style.

David Kirk

Chairperson TCH Committee



Triabunna Community Hall

1<sup>st</sup> January 2023

Dear Keith,

I am writing on behalf of the TCH Committee to thank you, sincerely, thank you for your contributions to the Committee throughout your 4 years of service as a committee member, Council rep & Chairperson.

Your input, guidance and stewardship were always valuable to, and valued by, the rest of the Committee.

We wish you the very best for the future.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'David Kirk', with a horizontal line underneath.

David Kirk

Chairperson TCH Committee



1<sup>st</sup> January 2023

Dear Grant,

I am writing on behalf of the TCH Committee to thank you, sincerely, for your contributions to the Committee throughout your 4 years of service as a committee member.

We are grateful for your contributions during your tenure and wish you all the best in your future endeavours.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'David Kirk', with a horizontal line underneath.

David Kirk

Chairperson TCH Committee



### **RECOMMENDATION**

That the Minutes of the Triabunna Community Hall Committee meeting held on 7th February 2023 be received and noted.

### **DECISION 53/23**

Moved Clr Jenny Woods, seconded Clr Robert Young:

That the Minutes of the Triabunna Community Hall Committee meeting held on 7th February 2023 be received and noted.

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Greg Luck, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

## **7 INFORMATION REPORTS**

### **7.1 Director Works and Infrastructure - Peter Porch**

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

#### **ATTACHMENTS**

Nil

#### **PURPOSE**

This report provides information on the ongoing tasks of the Department in relation to Asset Management; Roads, Bridges and Footpaths; Stormwater; Waste Management; Public Amenities; Parks, Reserves and Walking Tracks; and Cemeteries.

#### **OFFICER'S COMMENTS**

##### **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.

The review of the Asset Management set of plans was completed in February with the adoption of the asset management plans for Hydraulic Infrastructure, Buildings and Coastal Infrastructure.

Review of the Strategic Asset Management Plan has commenced in line with review of the Long-Term Financial Plan and Strategy.

Assets not previously recognised continue to be identified and mapped in stormwater systems with a focus on Bicheno at present.

Subdivision infrastructure inspections and Development application processes carried out and managed. This includes setting and releasing bonds, assessment and writing of conditions for permits and invoicing, work within road reserve permit review issue and invoicing; site meetings with contractors. Office meetings with developers and their consultants. Release of bonds and measurement and take-up of donated assets on completion of construction.

##### **CONSULTANT SERVICES**

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

- Hydrological advice
- Project management
- Civil and Geotechnical Engineering Design – Rheban Rd Spring Beach

## **OPERATIONAL WORKS**

### **ROADS, BRIDGES, FOOTPATHS, KERBS**

- 4 Unsealed road inspection completed
- Strip Rd maintenance grade- completed.
- Bresnehans Road/M Road maintenance grade- completed.
- Maintenance grade of small, unsealed roads around Swansea- 80% completed.
- Cold mixing of potholes across the municipality- Ongoing
- Box out road failures:
- Road failure- Harold St, Coles Bay- Ag drain installed – reseal completed, more sub drain work required.
- Road failure, Cosgrove St, Coles Bay- Ag drain installed and now waiting for pavement to dry out- planning reseal.
- Bernacchi Drive, Orford 5 patches- completed.
- Opposite 42 Rosedale Rd, Bicheno- box out completed, awaiting re-seal (been too wet) - planning reseal.
- 40 metre box out on Buckland Rd- completed.
- 20 metre box out on Alma Rd- completed.
- Harvey Farm Rd road failure- boxed out, awaiting seal- planning reseal.
- Milling and reseal of pavement failures:
  - Charles St, Triabunna 9 patches- completed.
  - Victoria St, Triabunna 4 patches- completed.
  - Rheban Rd outside bowl club 2 patches- completed.
  - Bernachi Drive, 5 patches- completed.
  - Esplanade East, Triabunna- completed.
  - Dolphin Sands Rd numerous repairs- underway.
  - Old Spring Bay Rd 2 patches- completed.
  - Louisville Rd numerous patches- completed.
  - Esplanade Coles Bay 5 patches- completed.
  - Jetty Rd Coles Bay- underway
  - Esplanade Coles Bay- underway
- Nugent Rd bridge rail damage (2nd time), ordered flexible delineators to replace rail and chevron signs to install on top side of bridge- underway
- Glen Gala bridge, install 4 X bridge width signs- underway.
- Cross over into Elly's, Alma Rd Orford removed and replaced pre-resealing- completed.
- Fire break deck mowing 80% complete across municipality

### **STORMWATER, DRAINAGE**

- 282 Rheban Rd open drain cleaning and culvert replacement- completed.
- 1 Dove Lane, Swansea- Culvert cleaning and open drain to Saltwater Creek cleared- completed.
- Barton Ave open drain/crossover culvert issues- completed.
- West Shelly Rd open drain and culvert works- completed.

## **WASTE MANAGEMENT**

- Orford Transfer Station – unplanned green waste fire 1st March after closing. Staff attended overnight to monitor the fire and resources brought in the following day to extinguish the hot coals.
- Install 2 more double rubbish bin holders at Marina- completed.
- Install 2 more double rubbish bin holders and change a single holder to a double at park opposite Iluka, Coles Bay- completed
- All transfer stations now equipped with electronic funds transfer for cashless payment.

## **PARKS, PLAYGROUNDS, RESERVES, WALKING TRACKS, CEMETERIES**

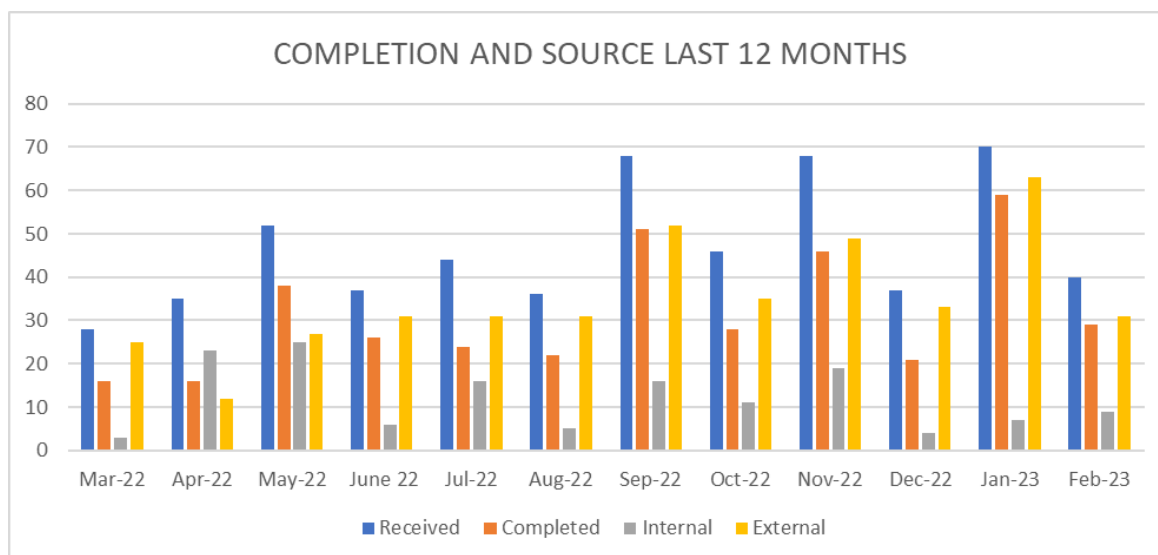
- 8 playground inspections carried out
- Tree trimming in high-risk locations (parks and public spaces) across municipality - Ongoing.
- Bicheno walking tracks from Murray St to Champ St, southern sides of road- Planned for March/April. DSG approved TMP.
- Walking track repairs due to flooding- completed
- Orford/Triabunna walking track pruning/spraying and general maintenance- completed.
- Marina car park area established
- State Growth spraying 70% complete
- 2 tree assessments carried out

## **EMERGENCY MANAGEMENT**

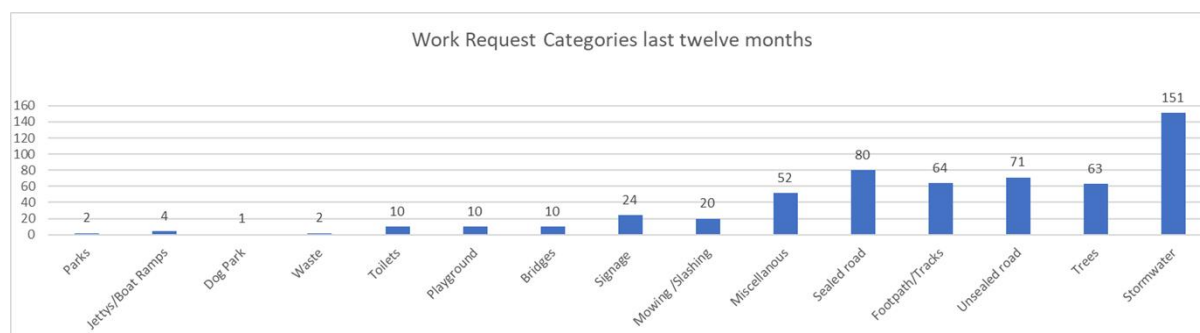
- After hours rostering carried out as scheduled.
- Red Cross Risks Roles Ready session participation at Orford Golf Club 23<sup>rd</sup> February from 5.30pm - 7.30pm.
- Swansea Risks Roles Ready session planned for March 23<sup>rd</sup>.

## **CUSTOMER REQUESTS**

The chart below summarises the requests received year to date by the total numbers received; the number completed; those generated by the public and those generated by officers.



The requests are sorted into categories to provide an overview of the areas showing the most interest or greatest need for attention as per the bar chart below:



## CAPITAL WORKS

- 2023 capital reseal campaign:
  - Alma Rd, highway to Holkham Crt- completed (other than sweeping and line marking).
  - Alma Rd new seal- completed (other than sweeping and line marking).
  - Charles St, Orford reseal- completed (other than sweeping and line marking).
  - Buckland Rd reseals- completed (other than sweeping and line marking).
  - Twamley Rd, return sealed section to unsealed road- completed.
  - Rosedale Rd reseal- completed (other than sweeping and line marking).
  - Freycinet Drive reseal- underway.
- Scopes of work being developed for components of Black Summer program
- Bicheno Footbridge in procurement stage
- Design - Rheban Road bank collapse Spring Beach – tender documents being developed.
- Wielangta Road corner reconstruction project tenders have closed.

## Grant funded

- Swanston Road emergency access upgrade (Black Summer) completed

- Coles Bay Walking Track tenders open
- Bicheno Gulch DA documents in development
- Swansea Footpath Upgrade construction in progress
- Bicheno Triangle scope being reviewed to align with budget
- Approved bridge maintenance: (1) Culvert List 50, Orford Rivulet, Wielangta Road - Twin 3.10m dia. 'Multi-plate' Culvert, (2) List 44 Bridge 100V Unnamed Ck Glen Gala Road, (3) List 47, Bridge Griffiths Rivulet, Wielangta Road and (4) List 13 Bridge No 2001, Larges Creek, Besnehans Road. Little Swanport- Underway as weather permits, recent times has seen too much water flow in the creeks the bridges cross. Due to current drier period these works have now been scheduled/planned for March 2023.

## **PLANT AND VEHICLES**

- Mower delivered
- 16t Truck at bodybuilders

## **GENERAL**

- Bicheno EV Charger operation imminent

## **RESERVE BOOKINGS AND ROAD CLOSURES**

Road closures for the events noted will be carried out under section 19.1(a) of the *Local Government Highways Act 1982* requiring consultation with the Commissioner of Police:

- ANZAC Day Triabunna
- Coles Bay Half Triathlon

Other events requiring council assistance in some form

- ECHO festival

## **RECOMMENDATION**

That Council notes the information.

## **DECISION 54/23**

Moved Deputy Mayor Michael Symons, seconded Clr Rob Churchill:

That Council notes the information.

## **THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Greg Luck, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

## **7.2 Manager Buildings and Marine Infrastructure - Adrian O'Leary**

*Boat Ramps and Jetties; Triabunna Marina; Council Buildings*

### **PUBLIC AMENITIES AND BUILDINGS**

General building maintenance is being undertaken to all buildings as required.

Regular inspections are carried out as per Government prescribed health & safety measures.

### **Local Roads and Community Infrastructure Program Phase 3**

Projects approved under the LRCI program phase 3 are in progress. These projects range from road rehabilitation to community infrastructure improvements.

#### **Coles Bay Hall – Annex replacement**

The Glamorgan Spring Bay Council has secured a \$250,000 grant from the Tasmanian Community Fund to go towards the replacement of the Coles Bay Hall annexe. This brings funding for the project to a total of \$430,00. The replacement of the Coles Bay Hall annex has been a work in progress for several years now. The new annex once complete, will have a new consultation room with a disabled accessible toilet, shower and changeroom. The new annex will be connected to the existing hall for better connectivity. In addition, it will house a new meeting room, kitchen and deck overlooking the community tennis courts and playgrounds. The building designer and contract structural engineer are finalising construction drawings for the building permit and to enable the project to be put out to tender.

Demolition of the old annexe will commence over winter.

#### **Swansea Recreation Ground – Cricket Practice Nets**

The concrete slab for the Swansea cricket practice nets was installed in January, this was delayed due the wet weather. The practice wire netting will be installed in March 2023.

The synthetic grass installation will follow soon after. Once the nets are complete, an opening will be created in the boundary rail of the grounds.

#### **Swansea Court House – Toilet re-furbish & disabled accessible toilet**

Work has started on the refurbishment of the Swansea Court House toilets and the installation of a unisex disabled accessible toilet.

The Tasmanian Heritage Council has given approval for these works to go ahead.

The entrance doors will be replaced with new doors to comply with current access regulations.

### **MARINE INFRASTRUCTURE**

#### **Boat Ramps and Jetties**

General maintenance is carried out on Council owned boat ramps and jetties.

#### **All Boat Ramps**

Glamorgan Spring Bay Council's Natural Resource Management team regularly clean all the public boat ramps in the Municipality.

They use a high-pressure steam cleaner to remove and reduce the algae growth to minimise the risk of slipping over while using the boat ramps.

### **Saltworks Boat Ramp**

Parks and Wildlife have requested the Council to do a Level 3 Reserve Activity Assessment at the Saltworks boat ramp site before they will give consent to lodge a Development Application. This will require a comprehensive report. The Development Application will include the replacement of the public jetty with a low-maintenance floating pontoon. This will be funded by Marine and Safety Tasmania. In addition, the DA will also include a single unisex disabled accessible composting toilet. The toilet building is being funded by the LRCI grant phase 3, which is on the approved list. The composting mechanism for the toilet is being provided by Parks and Wildlife. PWS has also agreed to do the ongoing servicing of the toilet. Also listed under the DA is a relocated car & boat trailer parking area. This will allow the existing car park area to be rehabilitated as per the recommendation in the Aboriginal Heritage Assessment conducted over the area by Stuart Huys and Rocky Sainty. This assessment was funded by PWS.

Marine and Safety Tasmania are going to fund the new car park.

### **Swansea Elevated Boat Ramp**

Remedial sand removal is done at the Swansea boat ramp as required. This will be done again before Easter.

MAST has informed me that with the movement of sands within the bay, it can accumulate at the toe of the elevated boat ramp. This sand can be quite soft causing some vehicles to get stuck. They are working with engineers to alleviate this problem.

As with other ramps the usage of the ramp is subject to tides and weather conditions.

### **Yellow Sands Banks Road Boat Ramp**

MAST fully funded the installation of a new concrete ramp at Yellow Sand Banks Road Dolphin Sands. The existing Gravel ramp periodically got washed away after heavy rainfalls. I applied for a \$7K grant from MAST which was accepted, and they funded the repairs to the old jetty at this ramp. The jetty is old and eventually will need replacing.

### **Gordon Steet, Swansea Boat Ramp**

Marine and Safety Tasmania are funding the upgrade to the Gordon Street boat ramp, this upgrade will commence in March 2023. The upgrade includes an extension to the landing area.

### **Coles Bay Boat Ramp**

The main floating pontoon at Coles Bay Boat ramp, which is a concrete Bellingham type, has had cushion fenders installed. These fenders reduce the damage to vessels coming into dock. These were fully funded by MAST.

Freemans Jetty adjacent to the boat ramp is about to have an extension installed. The application is currently with PWS for the Reserve Activity Assessment, (RAA). This extension will be done over the winter months.

When complete it will provide an area for local tour boats to dock and pick up passengers. Currently this happens at the boat ramp which does cause congestion.





### **Coles Bay Jetty**

Pennicotts have taken over the Wine Glass Bay Cruises business & have the lease at the Coles Bay Jetty in their name. The lease is still between PWS and the business. Council invoices PWS for the full lease fee.

Crown Land Services sent a letter to Council in 2022 requesting maintenance work to be done on the jetty as per our agreements under the lease.

This work included:

1. Rust removal and painting the handrail along the main walkway.
2. Stair nosing installed on the main timber stairs from the walkway to the public jetty.
3. Bollards, rust removed & painted.
4. Wheel stops re-painted.
5. Stormwater grates cleaned out.

These works are now complete.



**Coles Bay Jetty painted railings**

### **Triabunna Wharf and Marina**

Ongoing general maintenance and inspections are carried out as required.

Approximately an additional 40 car parking spaces have been created adjacent to stage one of the marina complex. These are next to the old tennis courts. The first 10 spaces will be quarantined by signage for marina berth holders, and we will encourage PWS to direct other tourists traveling to Maria Island to park there, which hopefully will free up some spaces along the old section of the marina. We will also look at ways to isolate a few spots for permanent berth holders.

We are always trying to improve on the parking but obviously have limited space.

The parking area over the other side for stages 3 & 4 of the marina complex will be re-surfaced soon.

The channel will be straightened in the next few months, MAST tell me the funding is in place and all the permits are approved. The dredged material as per the dredge management plan will go into the area adjacent to the skate park. When this is complete and trucks are no longer traversing over the area, the Works Department will improve the surface of the car park.

A new marina shelter for the Triabunna Port has been ordered with an ETA for delivery by May 2023. The new shelter will be positioned between the Visitor's Centre and the Seafarers Memorial.

## **Triabunna Marina**

There are currently 40 people on the waiting list for a permanent berth at the Triabunna Marina.

Many people on the list were contacted recently, and even though they would like to remain on the waiting list, they are not ready for a berth at present.

### **RECOMMENDATION**

That Council notes the information.

### **DECISION 55/23**

Moved Deputy Mayor Michael Symons, seconded Clr Neil Edwards:

That Council notes the information.

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Greg Luck, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

## **8 OFFICERS' REPORT REQUIRING A DECISION**

### **8.1 Local Government Association of Tasmanian - 2023 General Management Committee Election**

Author: Executive Officer (Jazmine Kerr)

Responsible Officer: General Manager (Greg Ingham)

#### **ATTACHMENT/S**

Nil

#### **PURPOSE**

To recommend that Council consider nominating a Councillor for the Local Government Association of Tasmanian – 2023 General Management Committee election.

#### **BACKGROUND/OVERVIEW**

The Tasmanian Electoral Commission (TEC) has been asked to conduct the 2023 election of President and 6 members of the General Management Committee for a two-year term in accordance with the rules of the Local Government Association of Tasmania (LGAT) adopted at the AGM of the Association on the 30 June 2021.

Nominations are now invited from LGAT members and must be received at the office of the Electoral Commissioner by 5.00pm Wednesday 19 April 2023.

Candidates will be notified of the receipt of their nomination by the TEC.

The Mayor notified Councillors of the TEC process in an email on the 28 February 2023. In response, Councillor Carole McQueeney has expressed an interest in nominating as a member of the General Management Committee.

#### **STRATEGIC PLAN REFERENCE**

##### **Guiding Principles**

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

##### **Key Foundations**

1. Our Governance and Finance

##### **What we plan to do**

- Advocate and lobby effectively on behalf of the community.

#### **STATUTORY IMPLICATIONS**

Nil.

## **BUDGET IMPLICATIONS**

Nil.

## **RISK CONSIDERATION/S**

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
<b>Adopt the recommendation</b>	Nil	Nil	Nil	Nil.
There are no material risks associated with this recommendation.				
<b>Do not adopt the recommendation</b>	Possible	Minor	Moderate	Council reviews the recommendation and reconsiders.
Opportunity for Council representation becomes lost.				

## **OFFICER'S COMMENTS**

In response to the Mayor's email on the 28 February 2023 notifying Councillors of the TEC process, to date, Councillor McQueeney has been the only Councillor that has expressed an interest in nominating as a member of the General Management Committee.

## **OFFICER'S RECOMMENDATION**

That Council endorses the nomination of Councillor ..... for the Local Government Association of Tasmanian – 2023 General Management Committee election.

## **DECISION 56/23**

Moved Clr Jenny Woods, seconded Clr Robert Young:

That Council endorses the nomination of Councillor Carole McQueeney for the Local Government Association of Tasmanian – 2023 General Management Committee election.

## **THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Greg Luck, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

## **8.2 Review of Council Media Policy**

Author: Executive Officer (Jazmine Kerr)

Responsible Officer: General Manager (Greg Ingham)

### **ATTACHMENT/S**

1. Media Policy - DRAFT - Updated 2023 [8.2.1 - 6 pages]

### **PURPOSE**

To recommend that Council adopts the updated Council Media Policy as attached to this agenda item.

### **BACKGROUND/OVERVIEW**

In order to promote and continue to improve the good governance within Glamorgan Spring Bay Council, the Council Media Policy has been reviewed and updated.

Council's existing Media Policy was last adopted in February 2019 and is now due for review. The reviewed Policy includes updates to the role of Council Officers throughout the document, along with minor formatting changes.

The updated Policy address the following key items:

- Role of Council Administration
- Media Statements
- Media Requests
- Councillors and Media

The updated Policy was discussed at a Council Workshop held on 14 March 2023. If adopted by Council, the updated Policy will be made available on Council's website and staff and Councillor Intranet.

### **STRATEGIC PLAN REFERENCE**

#### **Guiding Principles**

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

#### **Key Foundations**

1. Our Governance and Finance

#### **What we plan to do**

- Review and update existing Council strategies and plans.

### **STATUTORY IMPLICATIONS**

- *Local Government Act 1993*

## **BUDGET IMPLICATIONS**

N/A

## **RISK CONSIDERATION/S**

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
<b>Adopt the recommendation</b>				
No material risk associated with adopting the recommendation.				
<b>Do not adopt the recommendation</b>	Possible	Moderate	Moderate	Review and amend Policy for presentation at a future Council Meeting.
Policy review date overdue.				

## **OFFICER'S COMMENTS**

The Media Policy has been reviewed in accordance with Policy's review date and is recommended for adoption.

## **OFFICER'S RECOMMENDATION**

That Council adopts the updated Council Media Policy as attached to this report item effective 28 March 2023.

## **DECISION 57/23**

Moved Cllr Carole McQueeney, seconded Cllr Neil Edwards:

That Council adopts the updated Council Media Policy as attached to this report item effective 28 March 2023.

## **THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Greg Luck, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young

Against: Nil

### **8.3 Policy Reforms Enquiry Response**

Author: Director Works & Infrastructure (Peter Porch)

Responsible Officer: General Manager (Greg Ingham)

#### **ATTACHMENT/S**

1. LETTER to Cr Cheryl Arnol from the Minister for Local Government [8.3.1 - 2 pages]

#### **PURPOSE**

To apprise council of a request from the Minister for Local Government for councils comment on two specific reform proposals to the Local Government Act 1993 and suggest a response for council consideration.

#### **BACKGROUND/OVERVIEW**

The Honorable Nic Street MP, Minister for Local Government has written to council on the 17<sup>th</sup> March to draw council's attention to two discussion papers inviting comment on proposed reforms to the Local Government Act 1993. The Tasmanian Government is pursuing a suite of reforms to respond to important policy recommendations made by the Auditor-General and Integrity Commission.

The first paper titled Addressing Councillor Misconduct, proposes two pathways for consideration of serious sanctions, including dismissal, in cases where a councillor's conduct warrants that consideration.

Option 1: To enable the Code of Conduct Panel, or the Tasmanian Civil and Administrative Tribunal, to impose more serious sanctions including suspension of up to six months or dismissal, but only where the Director of Local Government is the complainant.

Option 2: The Act may be amended to enable the Minister for Local Government to establish a Board of Inquiry into one or more councillors, noting at present a Board of Inquiry may only be established in respect of a council collectively.

Government may legislate to provide both mechanisms.

The second paper, titled Merit-Based Recruitment in Councils, proposes two related reforms. The first to reinstate a requirement that council employees be appointed and promoted according to merit in the Local Government Act, which had been a requirement until 2005.

It is further proposed to amend the Act to require that vacancies in the position of general manager be advertised and applications sought from the community, and more widely. General managers will be required to be appointed according to merit, as above.



## **STRATEGIC PLAN REFERENCE**

### **Guiding Principles**

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

### **Key Foundations**

1. Our Governance and Finance

### **What we plan to do**

- Advocate and lobby effectively on behalf of the community.

## **STATUTORY IMPLICATIONS**

The reforms will amend Statutory requirements and processes.

## **BUDGET IMPLICATIONS**

Nil

## **RISK CONSIDERATION/S**

Nil

## **OFFICER'S COMMENTS**

The letter points council to the discussion papers which provide prompts to guide feedback and requests that responses be provided by email to an address provided.

It is important for maintaining confidence among the voting public for participants, elected or employed within Local Government, to adhere to high standards of behaviour. Events relating to an elected member exposing himself in the north-west of Tasmania have highlighted the deficiencies in the Act relating to adequate means of addressing actions which bring local government into disrepute.

To the issues concerning employment of general managers, the Integrity Commission pointed to the processes employed by this council as a standard that other councils should aspire to. The Integrity Commission mention other councils having had problems stemming from nepotism and inadequate hiring systems.

It is recommended that council provide comment in support of these proposed reforms.

## **OFFICER'S RECOMMENDATION**

That council support these reforms and delegate the general manager to provide a response to that effect as feedback in the recommended form.

### **DECISION 58/23**

Moved Cllr Jenny Woods, seconded Cllr Rob Churchill:

That council support these reforms and delegate the General Manager to provide a response to that effect as feedback in the recommended form.

### **THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Greg Luck, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young

Against: Nil

## 8.4 Memorial Seat Request

Author: Director Works & Infrastructure (Peter Porch)

Responsible Officer: Director Works and Infrastructure (Peter Porch)

### **ATTACHMENT/S**

1. Julia Lord [8.4.1 - 2 pages]

### **PURPOSE**

To present an application for a Memorial in a public space for council's determination.

### **BACKGROUND/OVERVIEW**

Council has a Public Art and Memorial Policy which provides governance to the establishment of installations which meet the policy definitions.

Council received a request for installation of a bench seat with memorial plaque through the policy mechanism and the process for evaluation has been carried out. The proposed location is near the boat ramp at the breakwater Bicheno. The request form is provided in the Agenda attachments.

Having also reviewed the records for the Bicheno cemetery there is no entry for, the subject of the memorial application, Julie Lord, and so it is likely there is no other monument to her memory in Bicheno. The proponent has agreed to meet the costs of the seat and plaque if approved by council.

### **Process for Memorial applications**

1. Request for Public Memorial application form submitted to Council by the proponent.
2. General Manager reviews the application and discusses with MANEX.
3. Relevant Department manager(s) contact the proponent to quote on installation costs. 4. Within 28 days of the above, the proponent advises the relevant officer whether they wish to continue or cease the procedure for the Request for Public Memorial.
5. a.) If the proponent wishes to cease the procedure then no further action is taken. The (Works & Infrastructure Director (WID) will however be notified of the request.  
b.) If the proponent wishes to continue the procedure the WID reviews the request with reference to the Policy.
6. WID makes a recommendation to Council for consideration at the next full Council meeting.
7. The corresponding Agenda Item is prepared by WID and voted upon by Council.
8. The proponent is notified in writing of the outcome of their application by the relevant officer.
9. If successful, the proponent arranges the purchase and installation of the memorial in conjunction with the council officer to ensure that all Council requirements have been met.
10. Upon receipt of payment, Council will undertake the installation of the memorial.

## **STRATEGIC PLAN REFERENCE**

### **Guiding Principles**

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 Foundations**

4. Infrastructure and Services

### **What we plan to do**

- Maintain public amenities and recreational facilities.

## **STATUTORY IMPLICATIONS**

Nil

## **BUDGET IMPLICATIONS**

Budget impacts can be contained within existing operational allocations. The initial cost of the installation will be met by the proponent.

## **RISK CONSIDERATION/S**

There are land tenure matters which will require liaison with Parks.

## **OFFICER'S COMMENTS**

The proponent has complied with the policy application process. There is opportunity for the provision of a bench seat to provide improved public amenity in the area. The location is under licence to council from the Crown. Should the application be approved council officers will liaise with the Crown and applicant to resolve a suitable location.

## **OFFICER'S RECOMMENDATION**

That council acknowledges the loss felt by members of the Bicheno community and approves the application for a memorial plaque and seat in the vicinity of the proposed area.

### **DECISION 59/23**

Moved Deputy Mayor Michael Symons, seconded Cllr Robert Young:

That council acknowledges the loss felt by members of the Bicheno community and approves the application for a memorial plaque for Julia Lord and seat in the vicinity of the proposed area.

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Greg Luck, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young

Against: Nil

## **8.5 Minutes of Glamorgan Spring Bay Audit Panel**

Author: Director Corporate & Community (Elysse Blain)

Responsible Officer: Director Corporate and Community (Elysse Blain)

### **ATTACHMENT/S**

1. Audit Panel Minutes 2022-11-29 Final [8.5.1 - 4 pages]
2. Audit Panel Minutes 2023-02-22 Final [8.5.2 - 3 pages]

### **PURPOSE**

To recommend that Council receives and notes the attached Minutes from the Glamorgan Spring Bay Council Audit Panel.

### **BACKGROUND/OVERVIEW**

The Glamorgan Spring Bay Council Audit Panel (the Panel) plays a vital role in assisting Elected Members of the Glamorgan Spring Bay Council in fulfilling responsibilities relating to the review of the Council's performance and effectiveness as well as safeguarding its long-term financial position.

The Panel met on 29 November 2022 and 22 February 2023 at the Triabunna Council Office. The Panel has made a number of recommendations and a summary of the key actions are provided at the end of the Minutes. The majority of these require action by Council staff or the Chair of the Panel.

### **STRATEGIC PLAN REFERENCE**

#### **Guiding Principles**

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

#### **Key Foundations**

1. Our Governance and Finance

#### **What we plan to do**

- Set realistic budgets and monitor income and expenditure closely.

### **STATUTORY IMPLICATIONS**

- Local Government Act 1993
- Glamorgan Spring Bay Audit Charter
- Australian Accounting Standards Board (AASB)
- International Financial Reporting Standards (IFRS)

### **BUDGET IMPLICATIONS**

Nil.

## **RISK CONSIDERATION/S**

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
<b>Adopt the recommendation</b>				
n/a				
<b>Do not adopt the recommendation</b>				
n/a				

## **OFFICER'S COMMENTS**

The audit function is recognised as a critical component in the accountability and governance framework of any local government entity, and, under the Act, all Tasmanian councils are required to establish and maintain an audit panel. Not doing so would be a breach of the Act and significantly reduce oversight of Councils finances.

The Audit Panel has been pleased to note the ongoing improvement in Councils organisational financial controls towards the resulting positive financial audit results.

## **OFFICER'S RECOMMENDATION**

That Council receives and notes the attached Minutes of the Glamorgan Spring Bay Council Audit Panel Meeting held on the 29 November 2022 and 22 February 2023.

## **DECISION 60/23**

Moved Clr Robert Young, seconded Clr Rob Churchill:

That Council receives and notes the attached Minutes of the Glamorgan Spring Bay Council Audit Panel Meeting held on the 29 November 2022 and 22 February 2023.

## **THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Greg Luck, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

*Clr Carole McQueeney having declared an interest in item 8.6 left the meeting at 3.24pm.*

## 8.6 Request for Event Support - East Coast Harvest Odyssey (ECHO) Festival

Author: Executive Officer (Jazmine Kerr)

Responsible Officer: Director Works and Infrastructure (Peter Porch)

### **ATTACHMENT/S**

1. Letter to council [8.6.1 - 2 pages]

### **PURPOSE**

To provide information on a request for assistance from an event organiser and seek a level of support from Council for the event.

### **BACKGROUND/OVERVIEW**

Council has received a request via email, from the East Coast Harvest Odyssey (ECHO) Festival seeking financial support and in-kind assistance from Council for their event to be held on Friday 31<sup>st</sup> March to Sunday 2<sup>nd</sup> April 2023.

The event will be conducted on private land in township of Swansea and aims to bring together locals and interstate audiences together to experience a uniquely East Coast Tasmanian program celebrating art, music, culture, science and workshops like no other festival found in Tasmania or Australia.

#### **About the Festival:**

The East Coast Harvest Odyssey, known as ECHO Festival, has become known for weaving together immersive sensory experiences around the traditions of harvest, old and new. This boutique festival guides guests on a journey of exploration that encompasses all the senses – taste, smell, sight, sound and touch.

Since founding the festival in 2019 Ange Boxall has poured her heart and soul into making a truly unique multidisciplinary event that goes beneath the surface and fosters authentic connection with people and place.

ECHO Festival is back for another year, running over the weekend of the 31<sup>st</sup> of March, 1<sup>st</sup> and 2<sup>nd</sup> of April. Hosted in the picturesque wine country on the fringes of Swansea, the 2023 program brings together chefs, winemakers and producers along with artists, musicians, storytellers, scientists, entrepreneurs and thought leaders.

#### **Request for support from Council:**

The festival organiser's request for assistance email is as follows;

- *We are currently working with Spectran on our traffic management plan and implementation, any consideration of assistance with this would be greatly beneficial, we suspect our fees involved with be approx., \$1000. Or is there a grant we could apply for funding to assist?*



- *On the topic of traffic, does GSBC have any traffic management equipment and signage that we could have access to use? If GSBC does have any traffic equipment, could we obtain a list what equipment/signage you have available?*
- *Cleaners - Perhaps ECHO Festival site and campgrounds could link in with the local Swansea public amenities cleaning schedule? Do you have contracted cleaners that can take a little extra work on Saturday and Sunday? Also due to an increase in visitors and travellers to Swansea during ECHO Festival we anticipate it would be an important consideration to clean the local public amenities a number of times over the weekend to ensure visitors' experience of Swansea is clean and enjoyable.*
- *Waste Management - It would be great to have assistance again with the yellow recycling bins and red general waste bins. Going off previous years, 15 of each bin would suffice.*
- *Does GSBC do any green waste or organic collection / industrial composting? We will have food leftovers and compostable goods needing to be taken care of. If not, we will search other avenues for compostables - perhaps you have suggestions also?*
- *Equipment - Hi Vis Vests x15, Hi Vis bunting x6 runs at 50 meters each (or close to this), Star pickets x20, Hi Vis witches' hats x50+, 1000 litre IBC Drinking Water tanks x 2?*

## **STRATEGIC PLAN REFERENCE**

### **Guiding Principles**

3. Attract and welcome people of all backgrounds, cultures and ages to live in our region.

### **Key Foundations**

2. Our Community's Health and Wellbeing

### **What we plan to do**

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

## **STATUTORY IMPLICATIONS**

Section 77 of the Local Government Act 1993 outlines the statutory requirements in relation to grants.

### **77. Grants and benefits**

*(1) A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councilor, for any purpose it considers appropriate.*

*(1A) A benefit provided under subsection (1) may include –*

- a. in-kind assistance; and*
- b. fully or partially reduced fees, rates or charges; and*
- c. remission of rates or charges under Part 9.*

*(2) The details of any grant made or benefit provided are to be included in the annual report of the council.*

### **BUDGET IMPLICATIONS**

Applications for event assistance are considered throughout the year. Council has an allocation of \$12,000 for events and programs in the 2022/23 budget. As at 28 February 2023 there is \$5,342 remaining from this budget to support this application.

### **RISK CONSIDERATION/S**

This festival is located on private land and so a permit to use the location is not required and there is also no public liability risk to Council.

### **OFFICER'S COMMENTS**

ECHO Festival is a registered Not-For-Profit, registered as East Coast Arts & Events Tasmania. The community benefits of festivals to our communities are recognised with any influx of visitors having a positive impact on retail and tourism providers. It is expected this event will have a positive economic effect for the area.

There are numerous festivals and events conducted by groups within the municipality for which Council receives requests for assistance for varying resources. Some are on Council land and some on private land.

The level of support requested from the ECHO festival organisers is high by comparison with other similar events supported by Council. Most of the request items can be provided by service industries and this is the process with the majority of events. Officers have provided appropriate information as necessary to the organisers to assist in their resourcing of the items requested to deliver the event.

### **OFFICER'S RECOMMENDATION**

That Council:

1. Provides a grant of \$1000 from the Event Budget to the festival's organising body towards festival expenses, and;
2. Provides wheelie bins to assist with waste management for the event.

### **DECISION 61/23**

Moved Deputy Mayor Michael Symons, seconded Cllr Jenny Woods:

That Council:

1. Provides a grant of \$1000 from the Event Budget to the festival's organising body towards festival expenses, and;
2. Provides wheelie bins to assist with waste management for the event.

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Greg Luck, Cllr Jenny Woods and Cllr Robert Young

Against: Nil

*Cllr McQueeney returned to meeting at 3:26pm.*

*The Mayor advised Cllr McQueeney of the outcome of Council's decision in respect to agenda item 8.6.*

## 8.7 Community Small Grant Application - Landscape Recovery Foundation

Author: Executive Officer (Jazmine Kerr)

Responsible Officer: Director Corporate and Community (Elysse Blain)

### **ATTACHMENT/S**

1. Small- Community- Grants- Application LRF Great EC Clean up [8.7.1 - 3 pages]
2. Great East Coast Clean Up May 2023 [8.7.2 - 2 pages]

### **PURPOSE**

Recommendation for Council to approve a Small Grant application for \$1,000 to the Landscape Recovery Foundation towards a 'Great East Coast Clean-up' event over the month of May.

### **BACKGROUND/OVERVIEW**

Small Grant funding is available to assist the undertaking of programs and activities within the Glamorgan Spring Bay municipal area. The assessment criteria is outlined in the Community Small Grants Fund policy, including:

- Grants are restricted to \$1,000, with exceptions up to \$1,500 at Councils discretion.
- Grants are available to not for profit individuals, community organisations and groups.
- Grants are intended to assist projects that (1) address relevant community issues of significance (2) are initiated within the community and actively involve local people and (3) improve access and encourage wider use of facilities.

This application from the Landscape Recovery Foundation, dated 15 March 2023 is for a contribution towards promoting and hosting a 'Great East Coast Clean-up' event over the month of May 2023.

Estimated costs for event activities to be covered by Community Small Grant funding include:

Item	Cost
Advertising – 1 x quarter page in East Coast View	\$558
Contribution toward catering for celebratory event \$350	\$350
Additional materials for clean ups (bags etc)	\$92
<b>Total</b>	<b>\$1,000</b>

### **STRATEGIC PLAN REFERENCE**

#### **Guiding Principles**

1. Balance economic and tourism growth whilst preserving our lifestyle, celebrating our rich history and protecting the region's unique and precious characteristics.

#### **Key Foundations**

2. Our Community's Health and Wellbeing

### What we plan to do

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

### STATUTORY IMPLICATIONS

Section 77 of the Local Government Act 1993 outlines the statutory requirements in relation to grants.

#### *77. Grants and benefits*

*(1) A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.*

*(1A) A benefit provided under subsection (1) may include –*

- a. in-kind assistance; and*
- b. fully or partially reduced fees, rates or charges; and*
- c. remission of rates or charges under Part 9.*

*(2) The details of any grant made or benefit provided are to be included in the annual report of the council.*

### BUDGET IMPLICATIONS

Applications for funding are considered throughout the financial year until such time as the available funds are exhausted. There is a \$30,000 Community Small Grants Program provision in the 2022/23 budget. As at 28 February 2023 there is \$21,357 of the budget available to support this application.

### RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
<b>Adopt the recommendation</b>				
Nil.				
<b>Do not adopt the recommendation</b>	Possible	Moderate	Moderate	Council provide alternate funding support options and or ideas for Landscape Recovery Foundation for the funding.
Landscape Recovery Foundation may not find alternate funding to				

### OFFICER'S COMMENTS

This application satisfies the necessary criteria of the relevant policy, and will provide the following benefits to the community:

- Brings community together with a common goal of cleaning up Glamorgan Spring Bay.
- Builds connections by getting people involved - re-building social fabric after COVID 19.

- Opportunity to raise awareness of responsible waste management and to talk about looking after our natural resources.
- Promotes east coast and the great work being done by community to look after the area.
- Opportunity for community groups to recruit new members.

Integrity Assessment:

The Landscape Recovery Foundation are a registered charity, ABN 67649417658.

Criteria Assessment:

Funding value is within the acceptable allowance	Yes
Applicant is a not-for-profit community organisations and groups or individual	Yes
Grant is to assist projects that: 1. address relevant community issues of significance – 2. are initiated within the community and actively involve local people (3) improve access and encourage wider use of facilities	Yes

**OFFICER'S RECOMMENDATION**

That Council approve the application for Community Small Grant funding of \$1,000 to the Landscape Recovery Foundation.

**DECISION 62/23**

Moved Clr Jenny Woods, seconded Clr Rob Churchill:

That Council approve the application for Community Small Grant funding of \$1,000 to the Landscape Recovery Foundation.

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Greg Luck, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

## **8.8 Late Agenda Report - Limited Extension of Financial Delegation for General Manager**

Author: Director Works & Infrastructure (Peter Porch)

Responsible Officer: Director Works & Infrastructure (Peter Porch))

*This Late Agenda Report Item is submitted in accordance with r.8(6) of the Local Government (Meeting Procedures) 2015.*

### **ATTACHMENT/S**

Nil.

### **PURPOSE**

Request to grant a limited financial delegation increase for the purpose of paying three invoices to Telstra that each exceed the usual delegation limit.

### **BACKGROUND/OVERVIEW**

The Black Summer Bush Fire Recovery Grant totalling \$1,538,396 was awarded to Council in 2022 for a number of projects. Some will be delivered by Council through contractors and internal resources, resulting in asset ownership by council. The assets constructed for the balance of projects is to be transferred to the respective external parties for Water Tanks, Fence works, private land fire trail reinstatement and Telstra tower.

Whilst the grant deed for the total grant allocates funding to Council across four milestones over two years, the cost demands will occur at various times and will be managed by Council for each project as required.

Of the total grant, the Telstra project consumes the majority of the funding. Its particular grant deed requires costs to be allocated across three milestones payments, at design 30% \$269,159, for building 40% \$358,878 and at completion 30% 269,159. Telstra will invoice Council at each of these stages.

Each of these payments to Telstra exceeds the delegation limit for the General Manager currently at \$250,000.

In order for the General Manager to approve these invoices for payment when they are presented, the delegation limit will need to be increased accordingly. The first Telstra invoice for \$269,159 has been received and requires approval for payment.

### **STRATEGIC PLAN REFERENCE**

#### **Guiding Principles**

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

#### **Key Foundations**

1. Our Governance and Finance

## What we plan to do

- Set realistic budgets and monitor income and expenditure closely.

## **STATUTORY IMPLICATIONS**

Local Government Act 1993

### **22. Delegation by council**

*(1) Subject to [subsection \(2\)](#), a council, in writing, may delegate with or without conditions to the general manager, controlling authority, a council committee or a special committee, any of its functions or powers under this or any other Act, other than—*

*(a) this power of delegation, unless authorized by the council; and*

*(b) the powers referred to in [subsection \(3\)](#).*

Financial Delegations

## **BUDGET IMPLICATIONS**

Nil

## **RISK CONSIDERATION/S**

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
<b>Adopt the recommendation</b>				Nil.
Nil.				
<b>Do not adopt the recommendation</b>	Possible	Moderate	Moderate	Extend the delegation to allow the General Manager to approve the invoices relevant to the grant deed.
Council is unable to approve the invoices necessary to satisfy the conditions of the grant deed.				

## **OFFICER'S COMMENTS**

Nil

## **OFFICER'S RECOMMENDATION**

That Council increases the delegation limit of the General Manager from \$250,000 to satisfy the Black Summer Bushfire Recovery Grant deed requirements for Telstra invoice values for design \$269,159, for building \$358,878 and finalisation of \$269,159.



### **DECISION 63/23**

Moved Deputy Mayor Michael Symons, seconded Clr Rob Churchill:

That Council increases the delegation limit of the General Manager from \$250,000 to satisfy the Black Summer Bushfire Recovery Grant deed requirements for Telstra invoice values for design of \$269,159, for building \$358,878 and finalisation of \$269,159.

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Greg Luck, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

## 9 NOTICES OF MOTION

Nil.

## **10     PETITIONS**

Nil.

## **11 QUESTIONS ON NOTICE BY COUNCILLORS**

Nil.

## 12 CONFIDENTIAL ITEMS (CLOSED SESSION)

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the Mayor is 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 28 February 2023**

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

**Item 2: Wielangta Road Corner Reinstatement tender**

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

**Item 3: Medical Services**

As per the provisions of Regulation 15 (2) (a) (b) (g) (i) of the *Local Government (Meeting Procedures) Regulations 2015*.

**Item 4: Progress Update - General Manager's Key Performance Indicators**

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

**Item 5: General Manager's Performance Review Committee**

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

### **RECOMMENDATION**

That Council moves into Closed Session at [time].

### **DECISION 64/23**

Moved Cllr Jenny Woods, seconded Cllr Carole McQueeney,

That Council moves into Closed Session at 3:31pm

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0**

Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Greg Luck, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young  
Against: Nil

***The Mayor confirmed that the recording had been terminated.***

## 13 CLOSE

The Mayor declared the meeting closed at 5:10pm

**CONFIRMED** as a true and correct record.

**Date:**

**Mayor Cheryl Arnol**