



## **ORDINARY COUNCIL MEETING MINUTES**

TUESDAY 14 DECEMBER 2021

2:00PM

Council Chambers, Triabunna

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## **NOTICE OF MEETING**

Notice is hereby given that the next ordinary meeting of the Glamorgan Spring Bay Council will be held at the Triabunna Council Offices on Tuesday, 14 December 2021, commencing at 2:00pm

## **QUALIFIED PERSON CERTIFICATION**

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

**Dated** this Thursday 9 December 2021



Greg Ingham  
**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**

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The Deputy Mayor welcomed Councillors, staff and members of the public and declared the meeting open at 2:02pm.

### **1.1 Acknowledgement of Country**

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

### **1.2 Present and Apologies**

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#### **Present:**

Deputy Mayor Jenny Woods  
Clr Cheryl Arnol  
Clr Keith Breheny  
Clr Annie Browning  
Clr Rob Churchill  
Clr Grant Robinson  
Clr Michael Symons

#### **Apologies:**

Mayor Robert Young

### **1.3 In Attendance**

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General Manager, Mr Greg Ingham  
Executive Officer, Ms Jazmine Murray  
Director Planning and Development, Mr Alex Woodward  
Director Works and Infrastructure, Mr Peter Porch  
Director Corporate and Community, Mrs Elysse Blain  
Manager Buildings and Marine Infrastructure, Mr Adrian O'Leary

### **1.4 Late Reports**

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Nil.

### **1.5 Declaration of Interest or Conflict**

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*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 Clr Cheryl Arnol declared an interest in confidential agenda item 2.1.**

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## **2. CONFIRMATION OF MINUTES**

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### **2.1 Ordinary Meeting of Council - 23 November 2021**

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#### **RECOMMENDATION**

That the Minutes of the Ordinary Meeting of Council held on Tuesday 23 November 2021 at 2:00pm be confirmed as a true and correct record.

#### **DECISION 225/21**

Moved Clr Annie Browning, seconded Clr Keith Breheny that the Minutes of the Ordinary Meeting of Council held on Tuesday 23 November 2021 at 2:00pm be confirmed as a true and correct record.

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

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

Against: Nil

### **2.2 Special Meeting of Council - 30 November 2021**

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#### **RECOMMENDATION**

That the Minutes of the Special Meeting of Council held on Tuesday 30 November 2021 at 2:00pm be confirmed as a true and correct record.

#### **DECISION 226/21**

Moved Clr Grant Robinson, seconded Clr Keith Breheny that the Minutes of the Special Meeting of Council held on Tuesday 30 November 2021 at 2:00pm be confirmed as a true and correct record.

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

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

Against: Nil

## **2.3 Date and Purpose of Workshop/s Held**

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### **TUESDAY 7 DECEMBER 2021**

In accordance with the requirements of regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 1:30pm to 4:00pm on Tuesday 7 December 2021 at the Council Offices, Triabunna.

#### **Present**

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

#### **Apologies**

Deputy Mayor Jenny Woods (due to work commitments)  
Clr Michael Symons (due to work commitments)

#### **In Attendance**

Mr Greg Ingham, General Manager  
Mr Alex Woodward, Director Planning and Development  
Mr Peter Porch, Director Works and Infrastructure  
Mr James Bonner, Senior Planner  
Mr Peter Coney, Town Planner

#### **Guests**

Nil.

#### **Agenda**

- DA 2021 / 234 - 50 Harveys Farm Road, Bicheno
- SA 2021 / 23 - 44 Burgess Street, Bicheno
- Council Workshop Policy

#### **RECOMMENDATION**

That Council notes the information.

#### **DECISION 227/21**

Moved Clr Keith Breheny, seconded Clr Cheryl Arnol that Council notes the information.

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

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

Against: Nil

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### **3. PUBLIC QUESTION TIME**

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

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

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

#### **3.1 Questions on Notice**

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Nil.

#### **3.2 Question without Notice**

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*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 Wayne Murray**

*Q1. I am wondering whether there has been update the 2020/2021 profit and loss statement pertaining to the Prosser Plains Raw Water Scheme, and if so, I would ask that the updated documents be published on the website, alongside the original document so that it doesn't involve a long change of seeking to try and find these things.*

#### **Response from General Manager, Mr Greg Ingham**

The updated Prosser Plains Raw Water Scheme documents were updated in the last budget review and certainly I will take on board your comments in regards to providing the original one on the website.

*Q2. Is the Council actively seeking any other purchases of the products or the product from this particular scheme?*

#### **Response from General Manager, Mr Greg Ingham**

There is a fair bit of discussion going on around the scheme and options for the scheme going forward, however some of this information would be considered commercial in confidence at this stage and I wouldn't be prepared to discuss it. However, as you may be aware there is a development proposal for Louisville Point and there is ongoing discussion with the developers as to water supply from the scheme.

#### **Mr John Heck**

*Q1. The properties that are listed in the attachment for the valuations of \$135,000, but that is only if they are fully serviced. I have a plan here that actually has those sites serviced and there are only a number of them that are actually proposed for water, but sewerage and everything is in existence. Is the valuations that we are placing on for \$375,000 as a total a complete nonsense?*

#### **Response from General Manager, Mr Greg Ingham**

Thank you, Mr Heck, I presume you are referring to the Spencer Street development and your question will be taken on notice.

*Director of Planning and Development, Mr Alex Woodward later provided a response to Mr Heck's questions at the discussion of agenda item 8.3.*

**Response from Director of Planning and Development, Mr Alex Woodward**

Mr Heck's earlier question was in regards to the lots being serviced and I can now confirm that is correct, there is water and sewer to the lots themselves. The valuation was based on the fact that to fully service the blocks, for example if you were to sell those they would have to be supplied with power, kerb and channel and the like. That would be the difference in the price, hence the reason they are obviously reduced as they are un-serviced.

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



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#### **4. PLANNING AUTHORITY SECTION**

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*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 228/21**

Moved Clr Annie Browning, seconded Clr Grant Robinson that Council now acts as a Planning Authority at 2.10pm

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

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

Against: Nil

#### 4.1 Development Application 2021/26 - 44 Burgess Street, Bicheno

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<b>Proposal</b>	Subdivision (10 lots), demolition and associated works
<b>Applicant</b>	<b>Brooks, Lark and Carrick Surveyors</b>
<b>Application Date</b>	20 October 2021
<b>Statutory Date</b>	16 December 2021
<b>Planning Instruments</b>	Glamorgan Spring Bay Interim Planning Scheme 2015
<b>Zone</b>	General Residential zone
<b>Codes</b>	5.0 Road and Railway Assets, 6.0 Parking and Access, 7.0 Stormwater Management.
<b>Specific Area Plans</b>	n.a
<b>Use</b>	Residential
<b>Development</b>	Discretionary
<b>Discretions</b>	<b>3</b>
<b>Representations</b>	<b>4</b>
<b>Attachments</b>	A - Application Documents B - Representations
<b>Author</b>	Peter Coney, Town Planner

#### Executive Summary

Planning approval is sought for the subdivision of the land at 44 Burgess Street. The subdivision will result in 10 lots.

The proposal was advertised for two weeks from 12 November to the 26 November and 4 representations were received.

This report assesses the proposal against the standards of the relevant zones and codes, and considers the issues raised in the representations. The Planning Authority must consider the planner's recommendation and the matters raised in the representations, and make a final determination by 16 December 2021.

The recommendation is to approve the application, subject to conditions as detailed at the end of this report.

## **PART ONE**

### **1. Statutory Requirements**

The Land Use Planning and Approvals Act 1993 (LUPAA) requires the planning authority to take all reasonable steps to ensure compliance with the planning scheme.

The planning scheme provides the overriding considerations for this application. Matters of policy and strategy are primarily a matter for preparing or amending the planning scheme.

The initial assessment of this application identified where the proposal met the relevant Acceptable Solutions under the planning scheme, and where discretionary consideration is required. This report addresses only the discretionary considerations, the representations and makes a final recommendation for the proposed development.

The Planning Authority must consider the report but is not bound to it. It may:

1. Adopt the recommendation
2. Vary the recommendation
3. Replace an approval with a refusal (or vice versa).

The Judicial Review Act 2000 and the Local Government (Meeting Procedures) Regulations 2015 require a full statement of reasons if an alternative decision to the recommendation is made.

### **2. Approving applications under the planning scheme**

A Development Application must meet every relevant standard in the planning scheme to be approved. In most cases, the standards can be met in one of two ways:

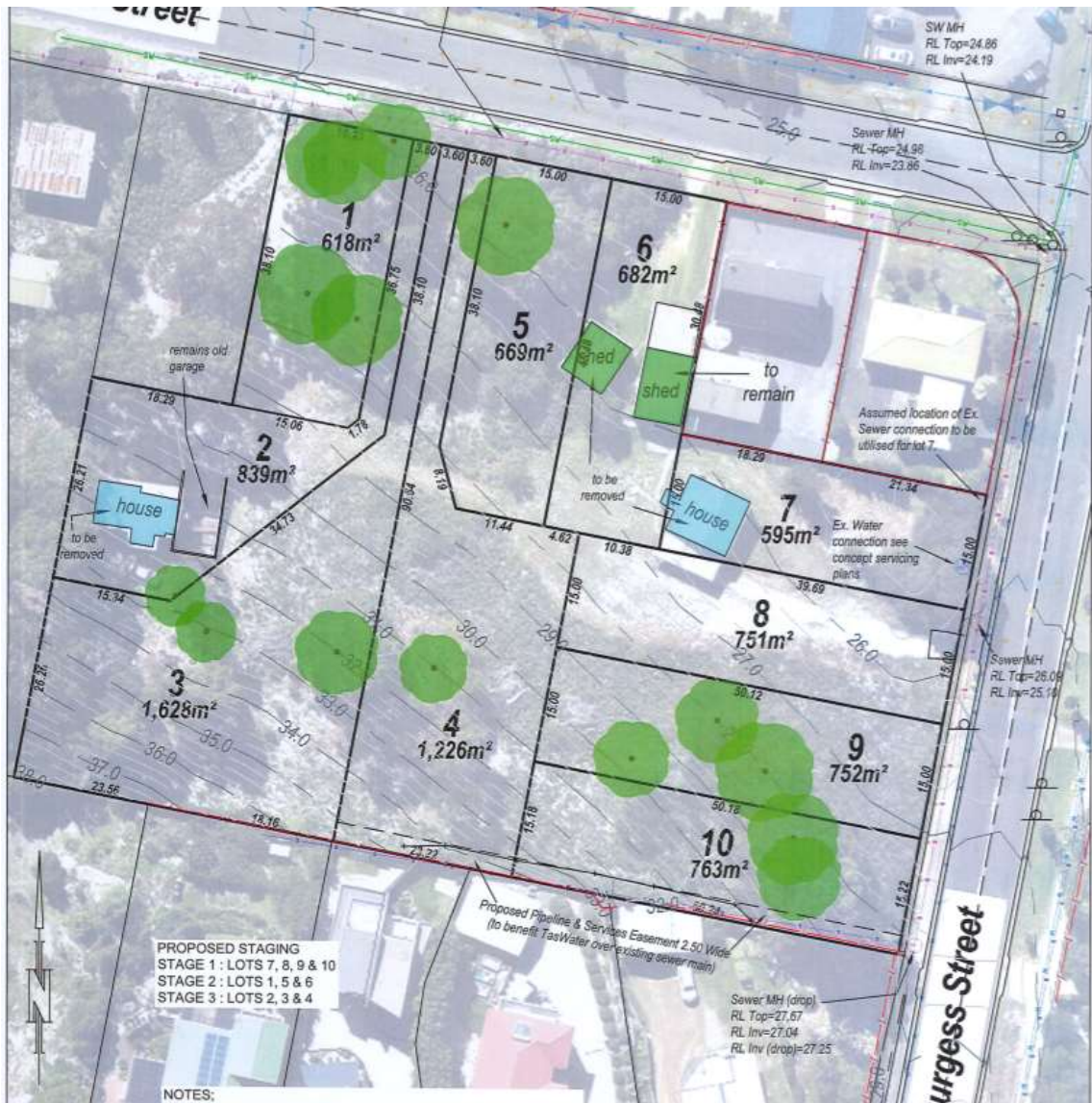
1. By Acceptable Solution, or if it cannot do this,
2. By Performance Criteria.

If a proposal meets an Acceptable Solution, it does not need to satisfy the Performance Criteria.

In assessing this application, the Planning Authority must exercise sound judgement to determine whether the proposal meets the relevant Performance Criterion and must consider the issues raised in the representations.

### **3. The Proposal**

The proposal is for the subdivision of land at 44 Burgess Street, Bicheno into 10 lots. The proposal includes works associated with the subdivision of land, and the demolition of some structures within the land.



**Figure 1. Site Plan**

**4. Risk and implications**

Approval or refusal of this application should have no direct financial risk for Council, other than should an appeal against the Authority’s decision be lodged or should the Planning Authority fail to determine the application within the statutory timeframe.

**5. Background and past applications**

Nil

**6. Site Description**

44 Burgess Street, Bicheno is a large residential allotment. There is presently a single dwelling and associated outbuildings. The site is moderately steep rising to the south west. There is moderate mature vegetation. The surrounding area is residential, with predominately single dwellings. The site has a frontage at both Burgess Street, and Tribe Street.



**Figure 2 - Site and locality.**



**Figure 3 - Approximation of steepness of the site where orange is 20% or higher and yellow is 14% - 20%**

## **7. Planning Instruments**

- 1) Glamorgan Spring Bay Planning Scheme 2015
  - 10. General Residential zone
  - E5.0 Road and Railway Assets Code
  - E6.0 Parking and Access Code
  - E7.0 Stormwater Management Code

## **8. Easements and Services**

There are no easements of note.

## **9. Covenants**

Nil

## **PART TWO**

### **10. Meeting the Standards - via Acceptable Solution**

The proposal has been assessed against the Acceptable Solutions provided in:

- 10.0 General Residential zone
- E5.0 Road and Railway Assets Code
- E6.0 Parking and Access Code
- E7.0 Stormwater Management Code

All standards were met by Acceptable Solution excepting those identified below. These have been assessed against the applicable performance criteria. It is noted here that in all instances a subdivision application requires a discretionary permit application, irrespective of the way in which the proposal complies with an applicable standard.

### **11. Meeting the Standards via Performance Criteria**

The standards that were not met by Acceptable Solution will need to satisfy the relevant Performance Criteria to be approved. These are:

- 10.0 General Residential zone
  - 10.6.1 (P1), (P2), (P3), (P4) and (P5) Lot Design.
  - 10.6.3 (P1) Ways and Public Open Space
- E5.0 Road and Railway Assets Code
  - E5.6.4 (P1) Existing road accesses and junctions

The Planning Authority must consider the representations and the Performance Criteria and make a determination on the application by 16 December 2021.

**PART THREE**

**12. Assessing the proposal against the Performance Criteria**

**Development Standards for Buildings and Works**

Zone Standards

Performance Criteria	Planner's response
<p><b>Clause 10.6.1 (P1) Lot Design</b></p>	<p>The Acceptable Solution for the standard requires that the size of each lot must comply with the minimum and maximum lot sizes specified in Table 10.1, except if for public open space, a riparian or littoral reserve or utilities.</p> <p>Lots 1, 2, 5, 6, 8, 9 and 10 exceed the maximum for development within 200m<sup>2</sup> of a local business zone (pursuant to the table 10.1). The proposal is therefore reliant on the performance criteria outlined below.</p>
<p><b>P1</b></p> <p><b>The size of each lot must satisfy all of the following:</b></p> <p><b>(a)</b></p> <p><b>variance above the maximum lot size in Table 10.1 only to the extent necessary due to demonstrated site constraints</b></p> <p><b>(b)</b></p> <p><b>be consistent with any applicable Local Area Objectives or Desired Future Character Statements for the area.</b></p>	<p>With respect to the performance criteria, the site has multiple constraints relating to stormwater capacity in the downstream network, access to the State Highway, and moderately steep sections to the south (particularly lot 10).</p> <p>Broadly, despite being within 200m of a local business zone, to provide a density that accords with the acceptable solution would present challenges in the developable area of each lot and services.</p> <p>The proposal is considered to comply when appreciating these site constraints in accordance with (a). for (b) there are no Local Area Objectives or Desired Future Character Statements.</p>
<p><b>Clause 10.6.1 (P2) Lot Design</b></p>	<p>The Acceptable Solution for the standard requires that the design of each lot must provide a minimum building area that is rectangular in shape and complies with a number of criteria in respect to the siting of that building area.</p> <p>Lots 1, 5 and 6, owing to their 15m wide frontage, are unable to provide a 10m x 15m area clear of the side boundary setbacks, whilst having the long axis of that area orientated toward north. All other lots would ordinarily comply with the acceptable solution.</p> <p>The proposal is therefore reliant on the performance criteria as outlined below.</p>



<p><b>The design of each lot must contain a building area able to satisfy all of the following:</b></p> <p>(a) <b>be reasonably capable of accommodating residential use and development;</b></p> <p>(b) <b>meets any applicable standards in codes in this planning scheme;</b></p> <p>(c) <b>enables future development to achieve maximum solar access, given the slope and aspect of the land;</b></p> <p>(d) <b>minimises the need for earth works, retaining walls, and fill and excavation associated with future development;</b></p> <p>(e) <b>provides for sufficient useable area on the lot for both of the following;</b></p> <p>(i) <b>on-site parking and manoeuvring;</b></p> <p>(ii) <b>adequate private open space.</b></p>	<p>With respect to the performance criteria, it is evident that the lots are able to be developed. A dwelling need only be 9m in length rather than 10m at a single story to comply with the acceptable solution of the standard. Further, dwelling design is unrestricted and often open plan living areas allow for solar access despite narrow facades.</p> <p>The proposal is considered to comply</p>
<p><b>Clause 10.6.1 (P3) Lot Design</b></p>	<p>The frontage for each lot must comply with the minimum and maximum frontage specified in Table 10.2, except if for public open space, a riparian or littoral reserve or utilities or if an internal lot.</p> <p>The proposal presents a slight variance above the frontage requirements for Lot 1 and Lot 10, and so is reliant on the performance criteria as outlined below.</p>
<p><b>P3</b></p> <p><b>The frontage of each lot must satisfy all of the following:</b></p> <p>(a) <b>provides opportunity for practical and safe vehicular and pedestrian access;</b></p>	<p>Each lot is, despite a variance above the maximum frontage requirements capable of vehicle access. Advice from StateGrowth and Council's Development Engineer has been provided.</p>

<p><b>(b)</b></p> <p><b>provides opportunity for passive surveillance between residential development on the lot and the public road;</b></p> <p><b>(c) is no less than 6m.</b></p>	<p>The proposal is considered to comply</p>
<p><b>Clause 10.6.1 (P4) Lot Design</b></p>	<p>The Acceptable Solution is for no lot to be an internal lot. The proposal includes three internal lots and so is reliant on the performance criteria.</p>
<p><b>An internal lot must satisfy all of the following:</b></p> <p><b>(a)</b></p> <p><b>the lot gains access from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land;</b></p> <p><b>(b)</b></p> <p><b>it is not reasonably possible to provide a new road to create a standard frontage lot;</b></p> <p><b>(c)</b></p> <p><b>the lot constitutes the only reasonable way to subdivide the rear of an existing lot;</b></p> <p><b>(d)</b></p> <p><b>the lot will contribute to the more efficient utilisation of residential land and infrastructure;</b></p> <p><b>(e)</b></p> <p><b>the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use;</b></p> <p><b>(f)</b></p> <p><b>the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;</b></p>	<p>The proposed internal lots are to be provided a shared access arrangement over access strips fronting Tribe Street.</p> <p>It is considered that bulk earthworks for the provision of a road would be excessive and evidently unnecessary for the provision of three internal lots.</p> <p>Excepting provision of a road which would reduce available frontage to lots 1 and 5, the inclusion of internal lots provides a sensible way of having an efficient utilisation of land for residential purposes.</p> <p>With regard to (e) it is not considered unreasonable that residential development should occur on the subject site. The definitive impact of residential develop cannot be fully quantified at the stage of subdivision, though it is appreciated that the combination of an internal lot, and an oversized lot designated for multiple dwellings has a likely potential for an adverse impact with regard to the reciprocal rights of way in the access strip.</p> <p>In this respect it is a recommended condition of approval that a covenant be entered into between the future lot owners and the Glamorgan Spring Bay Council that no more than two multiple dwellings may be constructed on either lot 2, 3 or 4 as shown on the subdivision plan.</p> <p>For (f) the internal lots have shared access over access strips, benefiting from reciprocal rights of way</p> <p>For (g) the access is 5.5m wide and reciprocal rights of way are expected for the utilisation for the full width of this access for each lot.</p> <p>For (h), the combined number of access strips does not exceed 3.</p> <p>For (i) the access is proposed to be sealed</p>

<p><b>(g)</b></p> <p><b>passing bays are provided at appropriate distances to service the likely future use of the lot;</b></p> <p><b>(h)</b></p> <p><b>the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;</b></p> <p><b>(i) a sealed driveway is provided on the access strip prior to the sealing of the final plan.</b></p> <p><b>(j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.</b></p>	<p>(j) is not considered relevant</p> <p>With respect to the above, and subject to recommended conditions, the proposal is considered to comply.</p>
<p><b>Clause 10.6.1 (P5) Lot design</b></p>	<p>The Acceptable Solution requires a subdivision be for no more than 3 lots. The proposal is for 10 lots, and as such is reliant on the performance criteria, as outlined below.</p>
<p><b>P5</b></p> <p><b>Arrangement and provision of lots must satisfy all of the following;</b></p> <p><b>(a) have regard to providing a higher net density of dwellings along;</b></p> <p><b>(i) public transport corridors;</b></p> <p><b>(ii) adjoining or opposite public open space, except where the public open space presents a hazard risk such as bushfire;</b></p> <p><b>(iii) within 200 m of business zones and local shops;</b></p>	<p>The proposal presents a medium density development of residential land within 200m of a local business zone. The lot is to be fully realised by the subdivision and the density is considered appropriate noting site constraints.</p> <p>The staging presents an orderly development based on frontages, and the development of access for the proposed internal lots. (d) is relevant insofar as the proposal relates to the public roads.</p> <p>(e) is not considered relevant.</p>

<p><b>(b)will not compromise the future subdivision of the entirety of the parent lot to the densities envisaged for the zone;</b></p> <p><b>(c)staging, if any, provides for the efficient and ordered provision of new infrastructure;</b></p> <p><b>(d)opportunity is optimised for passive surveillance between future residential development on the lots and public spaces;</b></p> <p><b>(e)is consistent with any applicable Local Area Objectives or Desired Future.</b></p>	
<p><b>10.6.3 (P1) Ways and Public Open Space</b></p>	<p>For this standard there is no Acceptable Solution. The proposal is reliant on the performance criteria as outlined below.</p>
<p><b>The arrangement of ways and public open space within a subdivision must satisfy all of the following:</b></p> <p><b>(a)</b></p> <p><b>connections with any adjoining ways are provided through the provision of ways to the common boundary, as appropriate;</b></p> <p><b>(b)</b></p> <p><b>connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate;</b></p> <p><b>(c)</b></p> <p><b>connections with the neighbourhood road network are provided through the provision of ways to those roads, as appropriate;</b></p> <p><b>(d)</b></p> <p><b>convenient access to local shops, community facilities, public open space and public transport routes is provided;</b></p>	<p>No ways or public open space are proposed as part of the proposal. therefore (a) - (g) are not considered relevant. With respect to (h) a condition is recommended to be imposed requiring payment of cash in lieu, in accordance with Council policy.</p> <p>(i) is of no relevance in that no ways or open space are proposed.</p>

<p><b>(e)</b></p> <p><b>new ways are designed so that adequate passive surveillance will be provided from development on neighbouring land and public roads as appropriate;</b></p> <p><b>(f)</b></p> <p><b>provides for a legible movement network;</b></p> <p><b>(g)the route of new ways has regard to any pedestrian &amp; cycle way or public open space plan adopted by the Planning Authority;</b></p> <p><b>(h)Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy.</b></p> <p><b>(i) new ways or extensions to existing ways must be designed to minimise opportunities for entrapment or other criminal behaviour including, but not limited to, having regard to the following:</b></p> <p><b>(i) the width of the way;</b></p> <p><b>(ii)the length of the way;</b></p> <p><b>(iii) landscaping within the way;</b></p> <p><b>(iv) lighting;</b></p> <p><b>(v)provision of opportunities for 'loitering';</b></p> <p><b>(vi) the shape of the way (avoiding bends, corners or other opportunities for concealment).</b></p>	
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Performance Criteria	Planner's response
<p><b>E5.6.4 (P1)</b></p>	<p>The Acceptable Solution requires new accesses comply with the SISD. The anticipated vehicle speed in Tribe Street is between 40 and 50km/h the proposed access for lot 5 is below 80m and therefore is reliant on the performance criteria as outlined below.</p>
<p><b>P1</b></p> <p><b>The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:</b></p> <p><b>(a) the nature and frequency of the traffic generated by the use;</b></p> <p><b>(b) the frequency of use of the road or rail network;</b></p> <p><b>(c) any alternative access;</b></p> <p><b>(d) the need for the access, junction or level crossing;</b></p> <p><b>(e) any traffic impact assessment;</b></p> <p><b>(f) any measures to improve or maintain sight distance; and</b></p> <p><b>(g) any written advice received from the road or rail authority.</b></p>	<p>The proposal has been referred to Council's development Engineer who has provided comment in the referrals section of this report. Broadly, it is considered that actual vehicle speed will be lower than the sign marked speed limit. Further there is a recommended condition of approval regarding accesses</p>

## **PART FOUR**

### **13. Referrals**

The proposal has been referred to Council's Development Engineer who has made the following comments:

The development involves the subdivision of an existing lot with frontage to Burgess Street and Tribe Street.

#### **E5.0 Road and Railway Assets Code & E6.0 Parking and Access Code**

To access to the road, the proposed subdivision complies with the E6.7.14 clause of the Parking and access code.

Lot 1,5 and 6 has individual access to Tribe Street. Lot 7 to 10 has individual access to Burgess Street.

The shared 5.5m wide driveway has been proposed for the Lot 2,3 and 4 should be constructed for the full length of the access strip as part of the subdivision. The surface treatment of the driveway is proposed to be all weather pavement. This complies with the standards and also meets the Australian/New Zealand Standards (AS/NZS 2890.1:2004) requirements.

The proposed subdivision complies with the Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected. The additional traffic generated by this subdivision along Tribe Street and Burgess Street will not create any operational or efficiency problems at the subdivisional junctions or along the road.

#### **E7.0 Stormwater Management Code**

The applicant proposes to direct stormwater from the subdivision to Councils existing drainage network via gravity at Tribe Street and at Burgess Street and therefore, it complies with the Acceptable solution A1 of E7.7.1.

As a recommended condition of approval, prior to the commencement of any works, Council require detailed engineering drawings with the stormwater management report with calculations. The purpose of stormwater management report is to ensure that the proposed stormwater management system is appropriate and does not overload the existing system and no nuisance is passed to neighbouring properties. The application involves more than 5 lots. As such WSUD principles are required for the treatment and disposal of SW. The applicant has not provided details of WSUD treatment however a condition requiring WSUD or the payment of a contribution so that treatment can be implemented downstream is recommended.

### **14. Representations**

The Proposal has been advertised for the statutory 14 day period and 4 representations have been received. Pursuant to clause 8.10.1 of the Scheme, in determining an application for any permit the planning authority must, in addition to the matters required by s51(2) of the Act, take into consideration any representations received pursuant to and in conformity with s57(5) of the Act.

With respect to these representations, matters to be considered in the planning scheme are outlined below, and a response is provided. The representations in their entirety have been appended to this report.

<b>Representation 1 points (objecting)</b>	<b>Response</b>
<b>Regarding stormwater for shed to be retained.</b>	It is a recommended condition of approval that the shed be demolished. It is not permissible to have a shed on an otherwise vacant residential lot.
<b>Regarding services in the road reserve and the retention of an existing driveway.</b>	Noted. The concern will be passed on to Councils Development Engineer who can consider it during any access works permit.
<b>Representation 2 points (objecting)</b>	Response
<b>Density of dwellings at rearward lots</b>	The proposed internal lots are oversized and internal lots. There is provision for the amenity of neighboring land to be considered where internal lots are proposed. It is considered reasonable that a condition be imposed in this respect, limiting the number of dwellings able to be constructed to two per internal lot. This will reduce the number of vehicle movements over shared rights of way. The condition is intended to be effected by way of a restrictive covenant.
<b>Building envelope</b>	Any development will be required to comply with the development standards of the zone. It is not considered appropriate to restrict development on these lots with respect to the building envelope, though noting above, the outcome would be a more modest development for what is otherwise an oversized lot.
<b>Noise</b>	The land is zoned General Residential. The use of the land for multiple dwellings is permitted. The noise of human behavior is not considered for residential uses in the zone.
<b>Water pressure</b>	The proposal has been referred to TasWater who have consented to the issuing of a permit subject to recommended conditions.
<b>Representation 3 points (objecting)</b>	Response
<b>Negative impact of building density, height and materials</b>	See above regarding building envelope.
<b>Water Pressure</b>	The proposal has been referred to TasWater who have consented to the issuing of a permit subject to recommended conditions.
<b>Representation 4 points (objecting)</b>	Response
<b>Concern regarding future development of lots.</b>	The proposed ordinary lots will at some time be developed. The regulation of development on these lots is pursuant to the planning scheme, which may allow for development which demonstrates compliance with an



	applicable standard either through the acceptable solution or the performance criteria. It is noted that owing to the internal lots having a shared access arrangement, the restriction on the number of dwellings is a reasonable step, which may alleviate this concern.
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## 15. Conclusion

The assessment of the application taken in association with the representations received identifies that the proposal satisfies the relevant provisions of the Glamorgan Spring Bay Interim Planning Scheme 2015 and therefore should be approved.

## 16. Recommendation

That:

Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* and the Glamorgan Spring Bay Interim Planning Scheme 2015, Subdivision application 2021/26 be approved for reasons outlined in the officers report, subject to the following 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. Use and development must be undertaken in the manner of stages as identified on the subdivision plan.
3. Use and development must comply with the requirements of TasWater specified by 'Submission to Planning Authority Notice' reference number, TWDA 2021/01572-GSB dated 27 October 2021 and attached to this permit.
4. Prior to the sealing of the final plan all dwellings including outbuildings must be demolished, and the areas of ground disturbance associated with the demolition of those structures must rehabilitated with grass.
5. A covenant must be prepared and entered into between the relevant lot owners and the Glamorgan Spring Bay Council, to the effect that the owners of lots 2, 3 and 4 will not construct more than two dwellings per lot.

### Final Plan

6. 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.
7. 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.
8. The final plan of survey must include easements over all drains, pipelines, wayleaves and services to the satisfaction of Council's Municipal Engineer.

9. Covenants or other restrictions must not conflict with, or seek to override, provisions of the planning scheme.
10. 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.
11. 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.

### **Public Open Space**

12. 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 the whole plan of subdivision as at the date of lodgement of the final plan or 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**

13. 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.

### **Stategrowth**

14. Provision of the new accesses along Burgess Street must be undertaken in accordance with Department of State Growth specifications and standards. Engineering drawings showing the extent of the accesses and associated works must be provided to the Department of Stategrowth for review and acceptance. These drawings will form part of an access works permit application, see Note.

### **Engineering**

15. The developer must provide a piped stormwater property connection to each lot capable of servicing the entirety of that lot by gravity, in accordance with Council standards and to the satisfaction of Council's General Manager.
16. 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.
  - (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.
17. Water Sensitive Urban Design Principles must be incorporated into the development. These Principles must be in accordance with, and meet the treatment targets specified within the Water Sensitive Urban Design Procedures

for Stormwater Management in Southern Tasmania, and be to the satisfaction of the Council's General Manager.

**Please note** the developer may, at the discretion of Council's General Manager, make a financial contribution 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 specified in Table E7.1 Acceptable Stormwater Quality and Quantity Targets of the Glamorgan Spring Bay Interim Planning Scheme 2015, or as otherwise agreed by Council's General Manager.

18. The internal driveway 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) Have a minimum sealed carriageway width of 5.5m;
  - (b) Have a sealed surface of asphalt, concrete or equivalent approved by Council's General Manager;
  - (c) Be Drained to an approved stormwater system;
19. Sealed vehicle accesses must located and constructed for those lots fronting Tribe Street, 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.
20. The existing crossovers along Tribe Street must be upgraded to meet the current requirements of LGAT standard drawing TSD-R09-v3.
21. The location of vehicle access must be revised with respect to the Safe Intersection Sight Distances and the proximity to the Burgess Street intersection.
22. 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.

### **Engineering Drawings**

23. The subdivision must be carried out in accordance with the current LGAT standard drawings and Tasmanian Subdivision Guidelines October 2013 or as otherwise agreed by Council's General Manager or required by conditions of this permit.
24. 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;
  - (g) all finished floor levels (FFL) must in Australian Height Datum (AHD);

Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.

### **Construction**

25. 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. Advice Prior to commence of any works, the developer must obtain a Works in Road Reserve Permit for any works within the road reserve and for the connection into a Council stormwater network.
26. 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 inspections by Council unless otherwise agreed by the Council's General Manager.
27. 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.

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

28. Prior to the works being placed on the maintenance and defects liability period an 'as constructed' drawing of all engineering works provided as part of this approval must be provided to Council to the satisfaction of the Council's General Manager. These drawings and data sheets 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**

29. 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.
30. Prior to placing the subdivision onto the 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.

### **Telecommunications and Electrical Reticulation**

31. Underground electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority.

### **The following advice is provided for information and assistance only.**

- a. Please read all conditions of this permit and contact the planner for clarification if required.
- b. Drainage discharge consent is required under Section 17B (1) of the Roads and Jetties Act 1935 for the concentration and discharge of drainage in the State road reservation. Application must be made to the Department of State Growth at prior to the commencement of works at;

[www.transport.tas.gov.au/roads\\_and\\_traffic\\_management/permits\\_and\\_bookings/stormwater\\_discharge\\_only](http://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/stormwater_discharge_only). Subsequent engineering drawings showing the extent of all service works, inclusive of any construction activity associated with drainage, sewer, water or utility connections must be provided to the Department for review and acceptance as part of a service works permit application.

- c. A valid works permit is required for all works undertaken in the State Road (Burgess Street) reservation. Details of the permit process and application forms can be found at: [www.transport.tas.gov.au/roads\\_and\\_traffic\\_management/permits\\_and\\_bookings/service\\_works\\_gas\\_water\\_electricity](http://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/service_works_gas_water_electricity) for service works and [www.transport.tas.gov.au/roads\\_and\\_traffic\\_management/permits\\_and\\_bookings/new\\_or\\_altered\\_access\\_onto\\_a\\_road\\_driveways](http://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/new_or_altered_access_onto_a_road_driveways) for access works.

Applications must be received by the Department of State Growth a minimum of twenty (20) business days prior to the expected commencement date for works in order to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.

- d. All costs associated with acting on this permit are borne by the person(s) acting on it.
- e. The permit does not take effect until 15 days after the date that it was served on you as the applicant and each representor provided that no appeal is lodged as provided by s53 of the *Land Use Planning and Approvals Act 1993*.
- f. This permit is valid for two years from the date of approval and will lapse unless it has been substantially commenced to the satisfaction of the Council Senior Planner or otherwise extended by written consent.
- g. The permit and conditions on it are based on the information submitted in the endorsed plans and documents. The Planning Authority is not responsible or liable for any errors or omissions. I encourage you to engage a land surveyor to accurately set out the location of buildings and works.
- h. The granting of this permit takes in no account of any civil covenants applicable to the land. The developer should make their own enquiries as to whether the proposed development is restricted or prohibited by any such covenant and what consequences may apply.
- i. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- j. Sealing of a final plan of survey is subject to a prescribed Council fee. Please refer to [www.gsbc.tas.gov.au](http://www.gsbc.tas.gov.au) for the fee current at the date of lodgement of the final plan or survey.
- k. Land Title Office fees must be paid directly to the Recorder of Titles.
- l. The developer is responsible to ensure that all necessary inspections are undertaken before proceeding past mandatory inspection points as detailed in the Tasmanian Subdivision Guidelines. A minimum of two full working days' notice must be provided to ensure Council can inspect at the requested time.
- m. The Final Plan of Survey will not be sealed until all works required by this permit are complete.
- n. The Final Plan of Survey is inclusive of any schedule of easement and Part 5 Agreement.
- o. Through the act of granting this permit the Glamorgan Spring Bay Council is not and is in no way to be construed as making any representation, providing any advice, issuing any guarantee or giving any assurance to any person or entity regarding the impact or potential impact of the effects of climate change on the proposed use and/or development or the subject land generally. It is the sole responsibility of the applicant and/or the land owner to investigate and satisfy themselves as to the impact or potential impact of the effects of climate change on the proposed use and/or development and the subject land generally.
- p. The applicant is advised to contact Aurora Energy on 1300 137 008 to ensure that the works do not impede on existing electricity easements and to ensure that proposed works are at a safe distance from powerlines.

- q. In the event that any suspected Aboriginal cultural material is encountered during surface or sub surface disturbances associated with development of the site, then the activity creating the disturbance should cease immediately, and Aboriginal Heritage Tasmania must be informed to enable further assessment of the situation. Go to <https://www.aboriginalheritage.tas.gov.au> for further assistance.

### **DECISION 229/21**

Moved Clr Keith Breheny, seconded Clr Michael Symons that:

Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* and the Glamorgan Spring Bay Interim Planning Scheme 2015, Subdivision application 2021/26 be approved for reasons outlined in the officers report, subject to conditions 1 to 31 and advice that follows.

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. Use and development must be undertaken in the manner of stages as identified on the subdivision plan.
3. Use and development must comply with the requirements of TasWater specified by 'Submission to Planning Authority Notice' reference number, TWDA 2021/01572-GSB dated 27 October 2021 and attached to this permit.
4. Prior to the sealing of the final plan all dwellings including outbuildings must be demolished, and the areas of ground disturbance associated with the demolition of those structures must be rehabilitated with grass.
5. A covenant must be prepared and entered into between the relevant lot owners and the Glamorgan Spring Bay Council, to the effect that the owners of lots 2, 3 and 4 will not construct more than two dwellings per lot.

### **Final Plan**

6. 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.
7. 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.
8. The final plan of survey must include easements over all drains, pipelines, wayleaves and services to the satisfaction of Council's Municipal Engineer.
9. Covenants or other restrictions must not conflict with, or seek to override, provisions of the planning scheme.
10. 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.
11. 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.

### **Public Open Space**

12. 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 the whole plan of subdivision as at the date of lodgement of the final plan or 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**

13. 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.

### **Stategrowth**

14. Provision of the new accesses along Burgess Street must be undertaken in accordance with Department of State Growth specifications and standards. Engineering drawings showing the extent of the accesses and associated works must be provided to the Department of Stategrowth for review and acceptance. These drawings will form part of an access works permit application, see Note.

### **Engineering**

15. The developer must provide a piped stormwater property connection to each lot capable of servicing the entirety of that lot by gravity, in accordance with Council standards and to the satisfaction of Council's General Manager.
16. 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.
  - (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.
17. Water Sensitive Urban Design Principles must be incorporated into the development. These Principles must be in accordance with, and meet the treatment targets specified within the Water Sensitive Urban Design Procedures for Stormwater Management in Southern Tasmania, and be to the satisfaction of the Council's General Manager.

**Please note** the developer may, at the discretion of Council's General Manager, make a financial contribution 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 specified in Table E7.1 Acceptable Stormwater Quality and Quantity Targets of the Glamorgan Spring Bay Interim Planning Scheme 2015, or as otherwise agreed by Council's General Manager.

18. The internal driveway 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) Have a minimum sealed carriageway width of 5.5m;
  - (b) Have a sealed surface of asphalt, concrete or equivalent approved by Council's General Manager;
  - (c) Be Drained to an approved stormwater system;
19. Sealed vehicle accesses must located and constructed for those lots fronting Tribe Street, 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.
20. The existing crossovers along Tribe Street must be upgraded to meet the current requirements of LGAT standard drawing TSD-R09-v3.
21. The location of vehicle access must be revised with respect to the Safe Intersection Sight Distances and the proximity to the Burgess Street intersection.
22. 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.

### **Engineering Drawings**

23. The subdivision must be carried out in accordance with the current LGAT standard drawings and Tasmanian Subdivision Guidelines October 2013 or as otherwise agreed by Council's General Manager or required by conditions of this permit.
24. 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;
  - (g) all finished floor levels (FFL) must in Australian Height Datum (AHD);

Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.

### **Construction**

25. 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. Advice Prior to commence of any works, the developer must obtain a Works in Road Reserve Permit for any works within the road reserve and for the connection into a Council stormwater network.



26. 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 inspections by Council unless otherwise agreed by the Council's General Manager.
27. 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.

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

28. Prior to the works being placed on the maintenance and defects liability period an 'as constructed' drawing of all engineering works provided as part of this approval must be provided to Council to the satisfaction of the Council's General Manager. These drawings and data sheets 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**

29. 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.
30. Prior to placing the subdivision onto the 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.

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

31. Underground electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority.

#### **The following advice is provided for information and assistance only.**

- a. Please read all conditions of this permit and contact the planner for clarification if required.
- b. Drainage discharge consent is required under Section 17B (1) of the Roads and Jetties Act 1935 for the concentration and discharge of drainage in the State road reservation. Application must be made to the Department of State Growth at prior to the commencement of works at;

[www.transport.tas.gov.au/roads\\_and\\_traffic\\_management/permits\\_and\\_bookings/stormwater\\_discharge\\_only](http://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/stormwater_discharge_only). Subsequent engineering drawings showing the extent of all service works, inclusive of any construction activity associated with drainage, sewer, water or utility connections must be provided to the Department for review and acceptance as part of a service works permit application.

- c. A valid works permit is required for all works undertaken in the State Road (Burgess Street) reservation. Details of the permit process and application forms can be found at:  
[www.transport.tas.gov.au/roads\\_and\\_traffic\\_management/permits\\_and\\_bookings/service\\_works\\_gas\\_water\\_electricity](http://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/service_works_gas_water_electricity) for service works and  
[www.transport.tas.gov.au/roads\\_and\\_traffic\\_management/permits\\_and\\_bookings/new\\_or\\_altered\\_access\\_onto\\_a\\_road\\_driveways](http://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/new_or_altered_access_onto_a_road_driveways) for access works.

Applications must be received by the Department of State Growth a minimum of twenty (20) business days prior to the expected commencement date for works

in order to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.

- d. All costs associated with acting on this permit are borne by the person(s) acting on it.
- e. The permit does not take effect until 15 days after the date that it was served on you as the applicant and each representor provided that no appeal is lodged as provided by s53 of the *Land Use Planning and Approvals Act 1993*.
- f. This permit is valid for two years from the date of approval and will lapse unless it has been substantially commenced to the satisfaction of the Council Senior Planner or otherwise extended by written consent.
- g. The permit and conditions on it are based on the information submitted in the endorsed plans and documents. The Planning Authority is not responsible or liable for any errors or omissions. I encourage you to engage a land surveyor to accurately set out the location of buildings and works.
- h. The granting of this permit takes in no account of any civil covenants applicable to the land. The developer should make their own enquiries as to whether the proposed development is restricted or prohibited by any such covenant and what consequences may apply.
- i. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- j. Sealing of a final plan of survey is subject to a prescribed Council fee. Please refer to [www.gsbc.tas.gov.au](http://www.gsbc.tas.gov.au) for the fee current at the date of lodgement of the final plan or survey.
- k. Land Title Office fees must be paid directly to the Recorder of Titles.
- l. The developer is responsible to ensure that all necessary inspections are undertaken before proceeding past mandatory inspection points as detailed in the Tasmanian Subdivision Guidelines. A minimum of two full working days' notice must be provided to ensure Council can inspect at the requested time.
- m. The Final Plan of Survey will not be sealed until all works required by this permit are complete.
- n. The Final Plan of Survey is inclusive of any schedule of easement and Part 5 Agreement.
- o. Through the act of granting this permit the Glamorgan Spring Bay Council is not and is in no way to be construed as making any representation, providing any advice, issuing any guarantee or giving any assurance to any person or entity regarding the impact or potential impact of the effects of climate change on the proposed use and/or development or the subject land generally. It is the sole responsibility of the applicant and/or the land owner to investigate and satisfy themselves as to the impact or potential impact of the effects of climate change on the proposed use and/or development and the subject land generally.
- p. The applicant is advised to contact Aurora Energy on 1300 137 008 to ensure that the works do not impede on existing electricity easements and to ensure that proposed works are at a safe distance from powerlines.
- q. In the event that any suspected Aboriginal cultural material is encountered during surface or sub surface disturbances associated with development of the site, then the activity creating the disturbance should cease immediately, and Aboriginal Heritage Tasmania must be informed to enable further assessment of the situation. Go to <https://www.aboriginalheritage.tas.gov.au> for further assistance.

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

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

Against: Nil

#### **4.2 Development Application 2021/234 - 50 Harveys Farm Road, Bicheno**

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This item was withdrawn on request of the applicant.

*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 230/21**

Moved Clr Keith Breheny, seconded Clr Cheryl Arnol that Council no longer acts as a Planning Authority at 2.14pm.

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

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

Against: Nil

*Town Planner, Mr Peter Coney left the meeting at 2.14pm.*

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## 5. FINANCIAL REPORTS

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### 5.1 Financial Reports for the period ending 30 November 2021

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Author: Director Corporate & Community (Mrs Elysse Blain)

Responsible Officer: Director Corporate & Community (Mrs Elysse Blain)

#### **ATTACHMENT/S**

1. Profit & Loss for the period ending 30 November 2021
2. Balance Sheet as at 30 November 2021
3. Statement of Cash Flows for the period ending 30 November 2021
4. Capital Works as at 30 November 2021

#### **BACKGROUND/OVERVIEW**

The financial reports for the period ended 30 November 2021 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>				
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.	Likely	Likely	High	By not adopting the recommendation Council is not endorsing the financial reports for the period ending the 31 July 2021. Council needs to endorse.

#### **OFFICER'S RECOMMENDATION**

That Council receives and notes the Financial Reports as attached to this report for the period ended 30 November 2021.

**DECISION 231/21**

Moved Clr Rob Churchill, seconded Clr Grant Robinson that Council receives and notes the Financial Reports as attached to this report for the period ended 30 November 2021.

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

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

Against: Nil





	<p>The policy of cleaning the hall works well for some but not for others. Most regular users leave the space in a good condition however the areas used are not always getting a covid clean after use. Investigation in to the cost of professional cleaners was investigated and the cost would consume all the profit from hall hire. The cost of professional clean of toilets on a weekly basis is \$50.</p> <p>There was a difficulty when the airconditioner was fixed and the mess not cleaned.</p> <p>Most of the kitchen has been itemised with the exception of cutlery and the hall cupboard.</p> <p>A new keybox has been installed inside for all keys. At the moment the Treasurer and Chair have access to the code.</p> <p>Discussion about a problematic incident when there was a quick change between users. We need all users to stick to their exact times and ensure all keys are returned on time.</p>		
Treasurers Report	<p>Report given by the Chair. Tabled document showing receipts and expenditure from 1<sup>st</sup> July to the 30<sup>th</sup> of October. There are a few bills outstanding that have not come in. Bonds are being held for the Bicheno Food and Wine Festival and the Ange Boxall Concert.</p> <p>Bluecoast Yoga received a refund of \$232 is on now a week by week payment. \$200 refund for the lake Pedder group as there was difficulties with the AV gear.</p> <p>New Hall website now working well</p> <p>Report accepted</p>	Mick/Kathleen	
General Business	<p>A) <b>Secretary position</b> now filled</p> <p>B) <b>AV Equipment</b> has been checked by a technician and the splitter does not work, HDMI cord is incorrect needs a data cord, or a laptop to be used, also the the projector screen is not correctly aligned.</p>		<p>Kathleen to forward forms to council to be a member.</p> <p>Kathleen going to check for a donation of a laptop. Meantime people</p>

	<p>C) <b>Fee schedule suggested changes.</b> Concern that one off hiring needs a lot of support. Regular users are relatively easy however one time users need a lot of time</p> <p>D) <b>Cleaning</b> is a concern that the cleaning of the hall is not Covid adequate, especially the toilets for groups over 25 persons. Decision to lock the male and female toilets and leave only the disability access available for small regular groups. The other toilets will be opened when a large group is booked. The upfront booking free to reflect the cleaning costs (\$50 toilet and \$50 hall) and to be non refundable. Forster's Cleaning service already cleaning the toilet weekly for the Paramedics and Library. Moved that Forster's Cleaning Service be contacted for cleaning after each irregular event. Passed Moved large groups are charged a booking fee to cover the cost of cleaning the toilets.</p> <p>E) <b>Piano and Stainless Steel bench.</b> Plan to sell these items by tender. The piano was not the property of the Hall but belonged to Mick and colleagues but he felt it could be sold. Anna declared an interest in the piano.</p>	Mick/Leon	<p>encouraged to bring their own. Mick to contact council and align screen</p> <p>Anna to provide a suggested list of fees to the committee</p> <p>Forster's Cleaning to be used after large bookings. Large bookings to pay a \$50 fee to pay for the cost of cleaning the toilets. Toilets to be locked at other times.</p> <p>Leon manage the sale by listing the items for sale by tender in Bicheno Buy/Swap/Sell.</p>
Other Business	<p>Local council maintains the hall and the committee can apply to the council for funds.</p> <p>Query about first Aide and AED machine.</p> <p>Regular updates in the Bicheno Forward</p> <p>Website has been created with freeware however if we pay \$35 (? amount need a month there would be a considerable advantage to the committee in managing bookings. Passed unanimously to upgrade to pay for the internet site.</p>	Mick/Leon	<p>Kathleen to speak to BChEalt Group about AED machine on the outside.</p> <p>Anna and Kathleen to draft information and provide to the Forward</p> <p>Anna and Amelia to arrange.</p>

Meeting closed 6:50pm

Next Meeting: to be announced

## **RECOMMENDATION**

That the Minutes of the Bicheno Memorial Hall Committee meeting held on 9 November 2021 be received, and that the appointment of Kathleen Davis as Secretary to the Committee be approved.

**DECISION 232/21**

Moved Cllr Cheryl Arnol, seconded Cllr Michael Symons that the Minutes of the Bicheno Memorial Hall Committee meeting held on 9 November 2021 be received, and that the appointment of Kathleen Davis as Secretary to the Committee be approved.

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

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

Against: Nil

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## **7. INFORMATION REPORTS**

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

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

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#### **ATTACHMENTS**

Nil

#### **PURPOSE**

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

#### **OFFICERS 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.

Council "Takes-up" donated (or contributed) assets associated with development of subdivisions as new roads, cul-de-sacs and associated stormwater are opened to the public. Neither the Long-Term Financial Plan nor the asset management plans make any allowance for donated assets.

This financial year, the value of donated assets is likely to be around 3.3% of councils existing road and hydraulic infrastructure value. Nine completed subdivisions will contribute \$3.635M in new assets. Between depreciation and maintenance costs the additional impost on operating budgets will be in the order of \$72,000 per year.

##### **CONSULTANT SERVICES**

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

- Vince Butler engaged to develop specifications for repairs to road infrastructure damaged in the March 2021 flood event. Activity continuing. Wielangta Rd solution report delivered.
- Stormwater Management Plan: Cameron Oakley continues to work through a multitude of inundation issues with the outcome to be a schedule of future works encompassing a number of years of forward works. Each of these projects will come before council for consideration in future capital works programs. Projects will be assessed on the basis of risk to form a priority for scheduling the program that will be presented to council.  
The South Orford Stormwater System Study - Ongoing.  
The North Orford study continued in conjunction with the Department of State Growth (DSG) who are jointly funding this project.  
Holkham Court culvert and drain works continued.  
The Stormwater Management Plan is being developed for presentation to council in coming months. Development of Stormwater Policy is progressing with new information and legal opinion being provided by the Derwent Estuary Project and the LGA.
- Grant fund project delivery: Graeme Edwards is retained to deliver a range of projects funded by commonwealth Grants. A number of sub-consultants are involved in these works also. Ongoing.
- Pitt and Sherry are developing tender design and specification for Vicary Street and The Esplanade intersection in Triabunna. Ongoing.
- Andrew Walter Constructions are carrying out test pits and developing a design report to inform repair options and costs for Nugent Road.

## **OPERATIONAL WORKS**

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

- Unsealed road inspections: 5 carried out
- Wielangta Road and Earlham Rd maintenance grading underway
- Green Hill Road maintenance grading carried out
- Old Coach Road priority repairs carried out
- Flacks Rd Coles Bay repairs completed
- Youngs Road Cranbrook repairs completed
- Warning signs erected on Buckland Rd in two locations due to seal failures
- Sealed road maintenance pot-holing ongoing
- Road shouldering numerous locations
- Storm clean up numerous areas
- Bresnehans Road drainage works completed

### **STORMWATER, DRAINAGE**

- Investigations, locations and repairs continued
- Pre-rainfall event storm checklist for problem locations implemented
- Clean up following major weather events twice in October
- Murray Street Swansea additional culvert installed and open drains cleaned out
- Initiating a trial of flexible concrete matting to prevent return visits to reinstate erosion at bridge verges
- Clearing blocked culverts, side entry pits and drains Orford & Triabunna

### **WASTE MANAGEMENT**

- Eftpos arrangements being implemented at transfer stations – implementation continued.
- Summer Hours commenced for all Transfer stations from 24<sup>th</sup> October.
- Fermentation of green waste trial No.2 planning commenced
- Minor vandalism occurred at Orford WTS – incident reported to police
- Green waste mulching scheduled for Coles Bay
- 2<sup>nd</sup> topsoil screen constructed and implemented at Swansea WTS

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

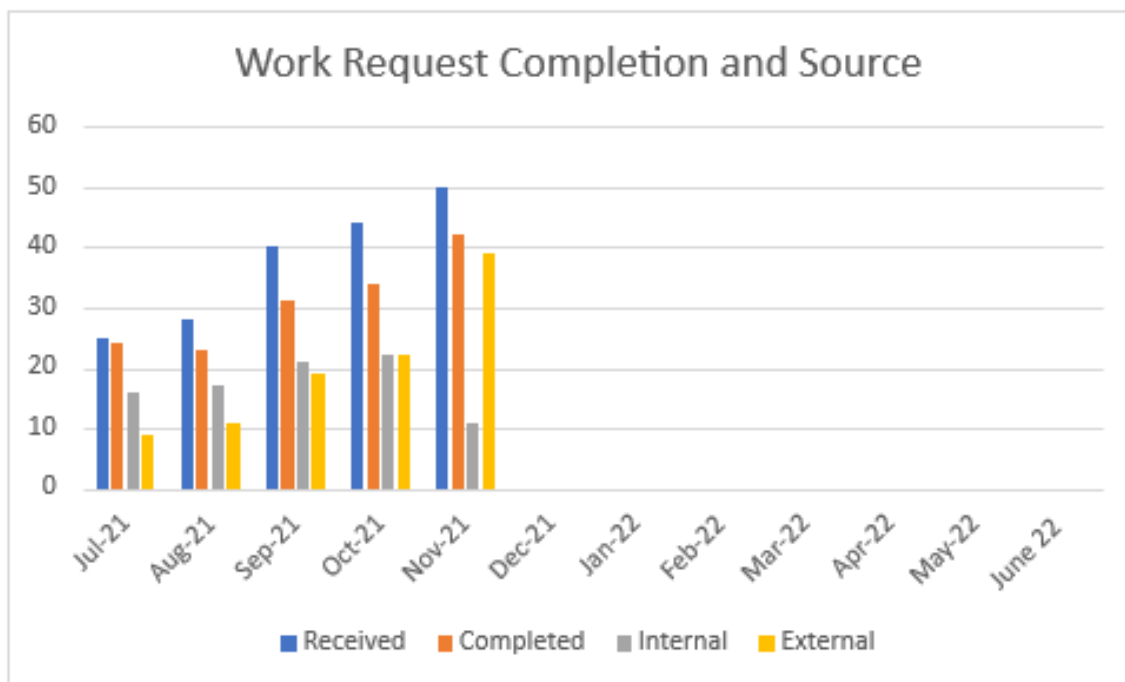
- 10 inspections for playgrounds the month completed
- Duck park playground equipment corrosion repair painting continued
- Nature strip and park/Reserve mowing continued
- Softfall for playground top ups delivered to store. Playgrounds to be topped up early summer.
- Tree trimming park and reserve areas – identified tree hazards numerous areas
- Garnet Ave Coles Bay septic tank crack repaired and holding tanks cleaned out
- Roadside slashing up to date
- Beach access signage for Dolphin Sands installed
- Roadside spraying Dolphin Sands and Cambria Drive completed
- Walking track maintenance underway – Orford, Bicheno, Triabunna, Swansea

### **EMERGENCY MANAGEMENT:**

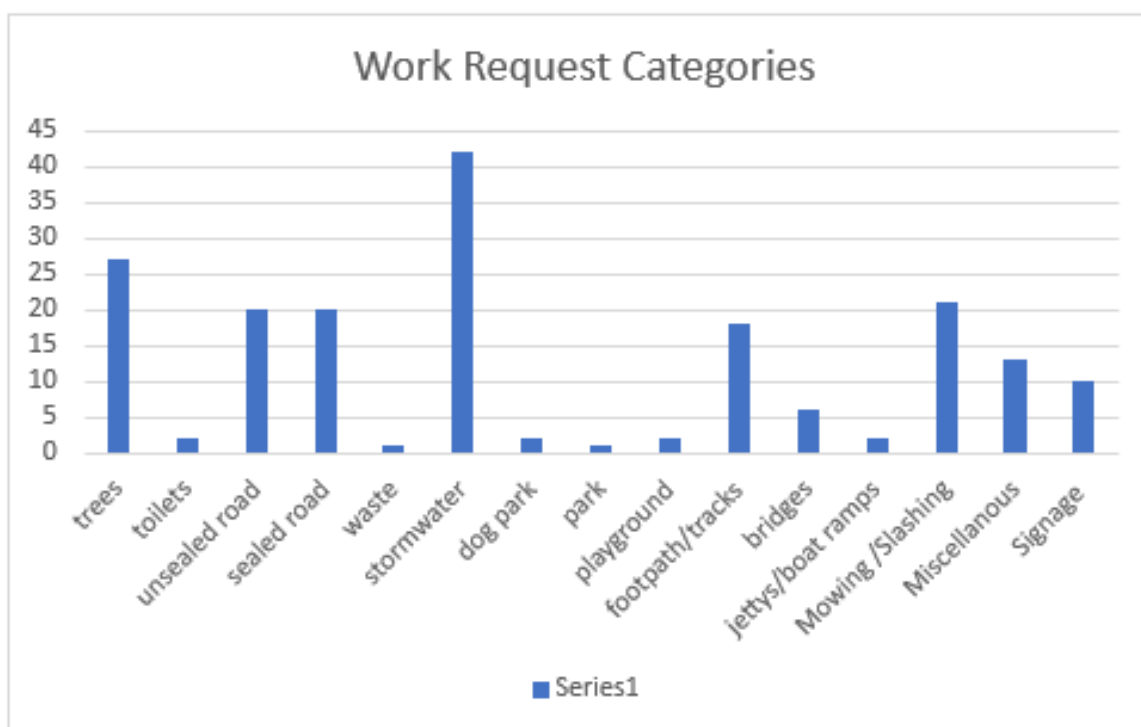
After hours rostering carried out as scheduled.

### **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

- Alma Rd and Fieldwick Drive drainage works ongoing
- Griffiths Rivulet Bridge - Precast works occurred in the contractors casting yard. TasNetworks relocation of power pole commenced.
- Bicheno BMX Track upgrade -Licence over area signed - construction to commence.
- Design for Triabunna School Crossing 99% - confirming details with school representatives prior to quotations
- Reseal program scope finalized. Contracts signed and works programmed for completion by 30<sup>th</sup> March 2022

## **Grant funded**

Generally the grant funded projects are experiencing delays as consultation with major stakeholders is slower to progress than anticipated.

- Swansea Main Street Paving: Concept commenced Community engagement phase commenced.
- Bicheno Tasman Highway Footpath: 95% complete.
- Coles Bay Foreshore Footpath: Concept design developing to inform consultation.
- Bicheno Gulch Foreshore and Esplanade Upgrade: Awaiting approvals prior to final design.
- Bicheno Triangle Upgrade: Design and consultation ongoing

## **GENERAL**

- A new Grant has opened for Preparing Australian Communities Program (PACP) Round 1. This fund round opens on the 10<sup>th</sup> December and includes eligibility of projects like the Orford Levy and associated flood mitigation works at Strawberry Court Orford. It is proposed to develop a grant for this location. Council will be required to take a licence from Crown over the area to do so and enquiries have been commenced with this in mind.
- Significant work for engineering staff resources continues to be generated by development activity with assessment of development plans and accountability of developers site works being upheld. Few developments have simple solutions for stormwater management with officers periodically relying on powers under the Urban Drainage to achieve appropriate design for proposed solutions and conformance.

## **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.

- Swansea Christmas Parade by SES – Road closure required

## **RECOMMENDATION**

That Council notes the information.

## **DECISION 233/21**

Moved Clr Keith Breheny, seconded Clr Annie Browning that Council notes the information.

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

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

Against: Nil

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

Boat Ramps & Jetties · Triabunna Marina · Council Buildings ·

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### PUBLIC AMENITIES AND BUILDINGS

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

- **Drought Communities Programme Round 2**

Projects under the Drought communities funding round 2 will be completed by the end of December except for one project.

The project to upgrade the intersection of Vicary Street and the Esplanade Triabunna has been delayed due to availability of contractors.

- **Local Roads and Community Infrastructure Program Phase 1**

Most projects under phase 1 of the LRCI program are complete.

Work to replace the entrance of the Buckland Hall is under way and should be completed by January 2022.

Work to improve the treatment room at the Bicheno Medical Centre has commenced. This will eventually allow for a second treatment bed to be installed there.

- **Local Roads and Community Infrastructure Program Phase 2**

Projects funded by Phase 2 of the Local Roads and Infrastructure grant program by the Federal Government are progressing with most of them completed.

- **Coles Bay Hall**

Plans for the replacement of the Coles Bay Hall annex have been finalised.

Pricing for the build, which will replace the library and medical room, is being sort from local builders within the municipality. A community grant application will be applied for to help with the costs of the construction.

- **Buckland Hall**

Work to replace the entrance stairs at the Buckland Hall is continuing.

The stairs will be replaced with new stairs and an access ramp for people with disabilities to the front of the building as well as the emergency exit at the side of the building.

### MARINE INFRASTRUCTURE

#### Boat Ramps and Jetties:

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

- **Bicheno Boat Ramp**

Marine and Safety Tasmania are currently tendering for quotes to extend the jetties at the Bicheno boat ramp. Work on these jetty extensions will commence well into the new year.

- **Yellow Sand Banks Boat Ramp**

An application was lodged with Marine and Safety Tasmania under the Recreation boating fund to replace the broken deck at the Yellow Sand banks boat ramp at a cost of \$7,000. This was approved by MAST.



### **Triabunna Wharf and Marina:**

Ongoing general maintenance and inspections are carried out as required.

- **Triabunna Marina**

The Triabunna Marina has full occupancy except for 5 small 8 metre berths that are available adjacent to the boat ramp.

The Council currently has 36 people on the waiting list for a marina berth for vessels more than 10 Metres in length.

Casual berthing is available for shorts stays through sub-leasing.

- Some worn and damaged piles at the original section of the Triabunna Marina have been replaced.

The six stern piles were replaced because they were worn and there was a risk of collapse. This expenditure was accounted for under the current budget.

### **RECOMMENDATION**

That Council notes the information.

### **DECISION 234/21**

Moved Clr Rob Churchill, seconded Clr Cheryl Arnol that Council notes the information.

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

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

Against: Nil

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

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### **8.1 Community Small Grant Application - Maria Voices**

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Author: Community & Communications Officer (Ms Eliza Hazelwood)

Responsible Officer: Director Corporate and Community (Mrs Elysse Blain)

#### **ATTACHMENT/S**

1. Submitted application from
2. Quotation (Public Liability Insurance) \$316.25
3. Quotation (PA System) \$898.00
4. Quotation (Gazebo) \$179.00

#### **PURPOSE**

Recommendation for Council to approve a Small Grant application of \$1,000 to assist the not for profit local choir group Maria Voices, with the purchase of public liability insurance, PA system and gazebo.

#### **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 dated 19 November 2021 is to assist the Maria Voices choir group to attend venues and perform for community events. The group seeks a contribution towards the purchase of equipment:

1. Public Liability Insurance, PA System and small Gazebo

#### **STRATEGIC PLAN REFERENCE**

##### **Guiding Principles**

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

##### **Key Foundations**

Cohesive, inclusive and resilient communities that work together across the region to make the most of our collective talents, skills and resources and help and support each other.

#### **STATUTORY IMPLICATIONS**

Nil

#### **BUDGET IMPLICATIONS**

Applications for funding are considered throughout the financial year until such time as the available funds are exhausted. There is a \$25,000 Community Small Grants Program provision in the 2021/22 budget. At 30 November 2021, \$15,200 of the budget is available to support this application.

**RISK CONSIDERATION/S**

Risk	Consequence	Likelihood	Rating	Risk Mitigation Treatment
<b>Adopt the recommendation</b>				
Nil.	Nil	Nil	Nil	
<b>Do not adopt the recommendation</b>				Council provide support for alternative fund raising.
The community group will not have public liability insurance which may discourage performances.	Possible	Low	Low	

**OFFICER'S COMMENTS**

This application satisfies the necessary criteria of the relevant policy.

**OFFICER'S RECOMMENDATION**

That Council approve the application for Small Grant funding of \$1,000 for the Maria Voices.

**DECISION 235/21**

Moved Clr Cheryl Arnol, seconded Clr Annie Browning that Council approve the application for Small Grant funding of \$1,000 for Maria Voices.

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

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

Against: Nil

## **8.2 Coles Bay Maintenance Services Contract**

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Author: Director Works and Infrastructure (Mr Peter Porch)

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

### **ATTACHMENT/S**

Nil

### **PURPOSE**

To present a summary of a Request for Quotation process for Operational activities at Coles Bay and Bicheno and seek Council's endorsement of the recommended submission.

### **BACKGROUND/OVERVIEW**

Council carries out General town maintenance, Parks and Reserves maintenance and back-up Transfer Station services at Coles Bay and Swanwick through contracted services and has done so for a few years. Also assistance is sought from this contract for peak season demands at Bicheno.

There has been a contract for services provided at Bicheno however none for Coles Bay and Swanwick to date. On discovering the absence of a contract staff have developed a scope of work based on existing services and gone through a request for quotation process to obtain best value and appropriate governance processes for the service contract.

Council does not have any staff in the Coles Bay, Swanwick area for these services. A part time, casual transfer station position is the only employed person in that area. While the Swansea crew carry out capital and civil works in this area operational works are carried out by a service provider.

The supply of services under this RFQ are for the Coles Bay/Swanwick/Bicheno area for Glamorgan Spring Bay Council owned/maintained facilities and public spaces.

The workload varies, however average hours per month are expected to be in the range of:

- Coles Bay/Swanwick- 150 to 200 hours/month
- Bicheno (if required in peak season)- 90 to 100 hours/month

This includes:

- Coles Bay/Swanwick- Mowing and vegetation management of parks and other GSBC public spaces as directed by Works Supervisor. GSBC supply and maintain suitable mower, brush cutter and all fuel/oils required for execution of these tasks.
- Coles Bay/Swanwick- Cleaning and general maintenance of public toilet facilities, park bench's/seats, boat ramps and playgrounds. GSBC supply all consumables and cleaning equipment/products for execution of these tasks. These tasks may need to be serviced 7 days per week in peak season and sometimes twice per day.
- Coles Bay/Swanwick- General town maintenance tasks, such as removal of fallen tree's/branch's, walking track repairs and emptying of all public non-residential waste bins operated by GSBC. After hours/weekend work may be required to respond to emergency or urgent works following inclement weather or public reports. As directed by Works Supervisor.
- Coles Bay/Swanwick- If/when required, relief waste transfer station attendant at the Coles Bay facility. As directed by Works Supervisor.
- Bicheno- As required support Bicheno town maintenance team with emptying public non-residential waste bins operated by GSBC and public toilet facility cleaning/maintenance. For example through the tourism peak period of November to April each year if required. These tasks may need to be serviced 7 days per week in peak season and sometimes twice per day.
- Successful respondent is to supply suitable motor vehicle/s (including fuel and maintenance costs) in safe, road worthy condition to execute the tasks.

## **STRATEGIC PLAN**

### **Key Foundation/s 4.**

Infrastructure and Services

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

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

- Set clear annual budget priorities to meet needs and community expectations in consultation with the community.

## **STATUTORY IMPLICATIONS**

- *Local Government Act 1993 under Section 333A - Division 2A Tenders and Contracts for goods and services.*
- *Local Government Regulations 2015 (S.R 2015, No.37) 28. Code for Tenders and Contracts*
- *Policy - Code for Tenders and Contracts*

## **BUDGET IMPLICATIONS**

Council currently funds the contract works from existing operational budgets. The contract was based on a schedule of rates for the hours worked. The extent of hours worked is monitored and controlled by the Works Manager within budget. The value of the services provided under this contract for 2020-21 year was in the order of \$183,000 plus GST.

## **RISK CONSIDERATIONS**

Key risks to Council include risks associated with tendering and contract management which incorporate required insurance certification for Public and Products Liability; Plant and Equipment; Vehicles and Workers Compensation.

Other risks include compliance with the requirements of the Local Government Act and Regulations and Councils Code for Tenders and Contracts for establishing contracts and tenders over \$100,000. Council's code for tenders and contracts requires that at least 3 written quotations be obtained for works between \$100,000 and \$250,000. Having identified in the procurement plan that alternative providers may be difficult to lure, Staff advertised the contract through the Public Tender process which isn't mandatory until \$250,000 threshold to ensure a wider coverage of potentially interested parties.

This RFQ process complies with the code for tenders and contracts and is implemented to manage these risks of non-conformance with the Act and Regulations.

<b>Risk</b>	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>	<b>Risk Mitigation Treatment</b>
<b>Adopt the recommendation</b>				
Financial and legal Risks associated with tender and contract management	Moderate	Unlikely	Low	Follow governance processes including code for tenders and contracts. Staff trained and competent in managing contracts
<b>Do not adopt the recommendation</b>				
No alternative capacity to provide the services	Likely	Likely	High	Continue the services on a month by month basis without contract protections

## **OFFICER'S COMMENTS**

### **The Tender**

The Request for Quotation was advertised in the Mercury and Examiner newspapers to cover the widest area possible and useful. Also the contract was advertised on Council's website. The specification was developed to provide an opportunity for potential new providers to consider establishing to carry out the service.

At the close of the quotation period Council received only the one submission from the current contractor who operates from Coles Bay and has a couple of staff in their employ.

The rates tendered are mostly unaltered from the present arrangement and the service provided is high quality and responsive to reactive works. Rates are similar to Council's cost of employment for direct employees with overheads and oncosts included. The contractor is familiar with the duties and locations works; is a well-known community member in Coles Bay and requires little supervision.

Certification for all required tasks e.g. spray certificate and chainsaw are covered as are insurances. The contract requires a mixture of works with Council equipment and works with contractor supplied vehicles, mowers etc and rates in the contract schedule vary subject to the provision of equipment.

The contract period is 1 year, plus 1 year, plus 1 year, giving a potential contract period of three years based on satisfactory performance in preceding years of contract anniversary. It also provides for contract termination in the event other alternative and cost-effective arrangements materialize.

The contract is likely to cost in the order of \$190,000 plus gst per year and is encompassed in the present budget allocations for operational works.

## **OFFICER'S RECOMMENDATION**

That Council award the contract for Coles Bay Maintenance Services to "Leave It To Me", Mowing Maintenance and Cleaning.

## **DECISION 236/21**

Moved Clr Michael Symons, seconded Clr Grant Robinson that Council award the contract for Coles Bay Maintenance Services to "Leave It To Me", Mowing Maintenance and Cleaning.

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

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

Against: Nil

*Senior Planner, Mr James Bonner entered the meeting at 2.32pm.*

### **8.3 Disposal of land – Spencer Street, Triabunna**

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Author: Director Planning and Development (Mr Alex Woodward)

Responsible Officer: General Manager (Mr Greg Ingham)

#### **ATTACHMENT/S**

1. Valuation, Office of the Valuer General

#### **PURPOSE**

To recommend that Council approve a variation to decision 256/20, made at the July 2020 meeting to dispose of lots at Spencer Street, Triabunna (CT62-72/55156 and CT98/55156) by way of direct sale for market valuation.

#### **BACKGROUND / OVERVIEW**

At the 28 July 2020 meeting, Council resolved that in accordance with s.177 of the *Local Government Act 1993*, that Council by absolute majority authorise the Acting General Manager, to develop a contract to transfer lots 62-72/55156 and 98/55156 to Centacare Evolve Housing for a proposed unit development. This was in return for development of lots 25-28/55156 into fully serviced (power, water and sewer) lots with road access in Spencer Street formed to a standard acceptable by Council's Engineer, from the Boyle Street intersection past the access to lot 28. This was also subject to a condition that the transfer of ownership being subject to the Development Application for the community housing units being approved.

Following this meeting, Centacare Evolve proceeded with the lodgement of the Development Application (DA 2021/32) and associated design and this was subsequently approved by Council at the September meeting. During the advertising period for this application a number of submissions were made concerning the suitability of the development and the perceived inadequate return for Council and the community. Following the Council meeting in September, Council staff met with several concerned residents and listened to their concerns. From this meeting staff then met with the proponents and discussed some of the concerns with the proponent. It was agreed that a new valuation be obtained to determine the current valuation of the property. At this stage a valuation was sought and produced by the Office of the Valuer General (See Attachment 1). An additional valuation was then sought to confirm the initial valuation by a local real estate agent. As observed in the report, the valuation of \$375,000 was the figure that was considered most accurate.

Whilst Council obtained the latest valuation, Centacare Evolve met with the Director of Housing and sought approval for the Director to purchase the land directly, rather than undertake the works to service the lots 25-28 as outlined in the original decision. This approval has now been granted. If a motion is passed then the plan for Centacare Evolve will still be to develop the lots as per the approved DA 2021/32, but to effectively purchase the block for the valuation of \$375,000.

Whilst this resolution goes some way to address the concerns of value for money, it does not address the concerns of some members about the type of development this proposal presents.

#### **STRATEGIC PLAN**

##### **Guiding Principle**

3. Attract and welcome people of all backgrounds, cultures and ages to live in our region
7. Communicate and explain Council's decisions and reasons in an open and timely manner.

##### **Key Foundation/s**

1. Our Governance and Finance
2. Our Community's Health & Wellbeing

## **What we plan to do**

- Manage cash flow tightly to ensure current liabilities can be paid from unrestricted (available) cash.
- Work with health professionals to enhance the physical and mental health of ageing people.

## **STATUTORY IMPLICATIONS**

Part 12, Division 1 outlines the requirements for the Purchase, acquisition, sale and lease of property. It is noted that Council previously made a decision to dispose of land at Spencer Street, Triabunna (CT62-72/55156 and CT98/55156). The initial resolution was under s177 of the Act and did not recognise this land as Public Land as identified in s177A of the Act.

It is further noted that as this is a change to the original motion, it requires a partial overturning of a decision, therefore regulation 18 of the Local Government (Meeting Procedures) Regulations 2015 will apply:

### **18. Motion to overturn decision**

- (1) For the purposes of this regulation, a decision may be overturned, wholly or partly, by –
  - (a) a motion directly rescinding or otherwise overturning the decision or part of the decision; or
  - (b) a motion that conflicts with, or is contrary to, the decision or part of the decision.
- (2) A council or council committee may only overturn a decision passed at a previous meeting held since the last ordinary election –
  - (a) by an absolute majority, in the case of a council; or
  - (b) by a simple majority, in the case of a council committee.
- (3) Any report given by the general manager to a council in respect of a proposed motion to overturn a decision of the council, or that will result in the overturning of a decision of the council, wholly or partly, is to include –
  - (a) a statement that the proposed motion, if resolved in the affirmative, would overturn that previous decision or part of that previous decision; and
  - (b) the details of that previous decision, or the part of that previous decision, that would be overturned; and
  - (c) advice as to whether or not that previous decision, or that part of that previous decision, directed that certain action be taken; and
  - (d) if that previous decision, or that part of that previous decision, directed that certain action be taken, advice as to whether or not that action has been wholly or substantially carried out

## **BUDGET IMPLICATIONS**

Once lots 25, 26 and 27/555156 are sold this will assist Council's cash flow by \$375,000. In addition, the transfer of lots will be subject to rates payable each year.



## **RISK CONSIDERATION/S**

<b>Risk</b>	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>	<b>Risk Mitigation Treatment</b>
<b>Adopt the recommendation</b> Some community members may still not be satisfied with the proposed development.	Negligible	Likely	Moderate	Ensure that the reasons for the decisions are adequately communicated.
<b>Do not adopt the recommendation</b> The original motion will stand and not present the best value for the Council or the community.	Minor	Possible	Moderate	Ensure that the original agreed works are carried out to a high standard.
Failure to continue with the disposal may place Council at litigation risk from the proponent.	Minor	Possible	Moderate	Seek legal advice on this matter.

## **OFFICERS COMMENT**

The previous decision on 28 July 2020 specifically stated that 'In accordance with s.177 of the Local Government Act 1993, that Council by absolute majority authorise the Acting General Manager, to develop a contract to transfer lots 62-72/55156 and 98/55156 to Centacare Evolve Housing for a proposed unit development in return for development of lots 25-28/55156 into fully serviced (power, water and sewer) lots with road access in Spencer St formed to a standard acceptable by Council's engineer, from the Boyle Street intersection passed the access to lot 28. With a condition that the transfer of ownership being subject to the Development Application for the community housing units being approved'.

It is recommended that the original decision 256/2020 in July 2020 be overturned to instead sell lots CT62-72/55156 and CT98/55156 directly to the Director of Housing for \$375,000.

If Council votes in the affirmative of the Officers recommendation, this will overturn the decision 256/2020 made on 28 July 2020.

There will be a new recommendation that the land be sold directly to the Director of Housing, instead of being transferred to Centacare Evolve for the servicing of lots CT25-28/55156.

The previous decision authorised the Acting General Manager, to develop a contract to transfer lots 62-72/55156 and 98/55156 to Centacare Evolve Housing condition that the transfer of ownership being subject to the Development Application for the community housing units being approved. As the Development Application has only recently been approved and these recent discussions taking place, this action has not occurred.

## **RECOMMENDATION**

That Council:

1. NOTE the Council report and Officers Comments, specifically that If Council votes in the affirmative of the Officers recommendation, this will partially overturn the decision 256/20 made on 28 July 2020, being the land will be sold directly to the Director of Housing, instead of being transferred to Centacare Evolve for the servicing of lots CT25-28/55156.
2. RESOLVE to overturn decision 256/20, made at the 28 July 2020 ordinary Council meeting to *authorise the Acting General Manager, to develop a contract to transfer lots CT62-72/55156 and CT98/55156 to Centacare Evolve Housing for a proposed unit development in return for development of lots CT25-28/55156 into fully serviced (power, water and sewer) lots with road access in Spencer St formed to a standard acceptable by Council's engineer, from the Boyle Street intersection passed the access to lot 28. With a condition that the transfer of ownership being subject to the Development Application for the community housing units being approved.*
3. Further RESOLVE to direct the General Manager to develop a contract with the Director of Housing Tasmania to sell lots in Spencer Street (CT62-72/55156 and CT98/55156) for an amount of \$375,000.

## **DECISION 237/21**

Moved Clr Keith Breheny, seconded Clr Grant Robinson that Council:

1. NOTE the Council report and Officers Comments, specifically that If Council votes in the affirmative of the Officers recommendation, this will overturn the decision 256/20 made on 28 July 2020, being the land will be sold directly to the Director of Housing, instead of being transferred to Centacare Evolve for the servicing of lots CT25-28/55156.
2. RESOLVE to overturn decision 256/20, made at the 28 July 2020 ordinary Council meeting to *authorise the Acting General Manager, to develop a contract to transfer lots CT62-72/55156 and CT98/55156 to Centacare Evolve Housing for a proposed unit development in return for development of lots CT25-28/55156 into fully serviced (power, water and sewer) lots with road access in Spencer St formed to a standard acceptable by Council's engineer, from the Boyle Street intersection past the access to lot 28. With a condition that the transfer of ownership being subject to the Development Application for the community housing units being approved.*

For:

Against:

## **DECISION 238/21**

An **AMENDED** motion was put:

Moved Clr Cheryl Arnol, seconded Clr Annie Browning that Council:

1. NOTE the Council report and Officers Comments, specifically that If Council votes in the affirmative of the Officers recommendation, this will overturn the decision 256/20 made on 28 July 2020.
2. RESOLVE to overturn decision 256/20, made at the 28 July 2020 ordinary Council meeting to *authorise the Acting General Manager, to develop a contract to transfer lots CT62-72/55156 and CT98/55156 to Centacare Evolve Housing for a proposed unit development in return for development of lots CT25-28/55156 into fully serviced (power, water and sewer) lots with road access in Spencer St formed to a standard acceptable by Council's engineer, from the Boyle Street intersection past the access to lot 28. With a condition that the transfer of ownership being subject to the Development Application for the community housing units being approved.*

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

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

Against: Nil

The Deputy Mayor put the amended motion as the substantive motion before the meeting.

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

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

Against: Nil

## **DECISION 239/21**

Moved Clr Rob Churchill, seconded Clr Grant Robinson that Council RESOLVE to direct the General Manager to develop a contract with the Director of Housing Tasmania to sell lots in Spencer Street (CT62-72/55156 and CT98/55156) for an amount of \$375,000.

### **THE MOTION WAS PUT AND CARRIED 6/1**

For: Deputy Mayor Jenny Woods, Clr Keith Breheny, Clr Annie Browning,  
Clr Rob Churchill, Clr Grant Robinson, Clr Michael Symons

Against: Clr Cheryl Arnol

## **8.4 Revised Budget 2021/22**

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Author: Director Corporate and Community (Mrs Elysse Blain)

Responsible Officer: Director Corporate and Community (Mrs Elysse Blain)

### **ATTACHMENT/S**

1. Revised Budget 2021/22

### **PURPOSE**

To recommend that Council adopts the Revised Budget 2021/22.

### **BACKGROUND / OVERVIEW**

The main purpose of the budget review is to update carry forward capital works project amounts and grants from last financial year. Other changes include the updated TasWater dividend now advised and an update to depreciation due to asset revaluations.

It is not the intent of this budget review to revise the whole budget, it is still managements intent to manage operational activities within the budget originally set by Council. The changes included are only high level in nature and/or in relation to capital work and grant specific projects.

### **STRATEGIC PLAN**

#### **Guiding Principle**

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

#### **Key Foundation/s**

1. Our Governance and Finance

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

- Manage cash flow tightly to ensure current liabilities can be paid from unrestricted (available) cash.

### **STATUTORY IMPLICATIONS**

Local Government Act 1993

### **BUDGET IMPLICATIONS**

The following changes to the budget have been included:

1. Update to TasWater dividend forecast to receive for this financial year. TasWater have advised councils that they can now expect a normal full year dividend allocation for 21/22, compared to the 50% allocated budgeted, plus councils may receive a back payment of missed dividends spread of the next 5 years depending on year end performance.
2. Allocation of specific capital works projects not identified in the original budget, for example Roads to Recovery resheeting projects and Local Roads and Community Infrastructure Round 3 projects have now been identified and included.
3. Change to capital works projects budgets where estimates are now different than the original budget. All capital projects with a revised budget are highlighted.
4. Update to Grant income, based on final carried forward grant figures from the prior financial year.
5. Update to depreciation due to revaluation of assets last financial year plus a 2% increase for 21/22 movements.
6. Update to balance sheet and cashflow respectively based on end of year performance (20/21) and budget changes noted above.

## **RISK CONSIDERATION/S**

<b>Risk</b>	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>	<b>Risk Mitigation Treatment</b>
<b>Adopt the recommendation</b>				
<ol style="list-style-type: none"> <li>1. This will increase transparency, both internally and externally, in relation to the capital works program being undertaken in 21/22.</li> <li>2. Will be easier to manage individual project budgets.</li> <li>3. Provide a current update on Councils likely financial position at 30 June 2022.</li> </ol>	Negligible	Unlikely	Low	To mitigate these risks, it is recommended that Council adopted the Revised Budget 21/22 as presented.
<b>Do not adopt the recommendation</b>				
<ol style="list-style-type: none"> <li>1. The capital works program will lack transparency and difficult to manage to budget without the revised carry forward figures listed.</li> <li>2. There would be a large variance, actual to budget, for depreciation and investment revenue.</li> <li>3. Risk to poor decision making, which may impact cashflow and stretch working capital beyond capacity.</li> </ol>	Moderate	Possible	High	To mitigate these risks, it is recommended that Council adopted the Revised Budget 21/22 as presented

## **OFFICER'S COMMENTS**

In summary, the following high-level comments are provided on the Revised Budget 21/22 compared to the original budget:

1. Operating net profit/loss for in the revised budget is expected to be \$450k loss, compared to \$787k loss in the original budget. Total Comprehensive Result (including capital income) is \$6.56m profit compared to \$6.06m in the original budget.
2. The capital works program will be similar at \$8.50m.
3. The final cash position is expected to be \$2.55m, compared to \$2.77m in the original budget.
4. Other actual to budget movements will be managed within the original budget allocations.

## **OFFICER'S RECOMMENDATION**

That Council approve the Revised Budget 21/22 as presented in the attachments.

**DECISION 240/21**

Moved Clr Grant Robinson, seconded Clr Cheryl Arnol that Council approve the Revised Budget 21/22 as presented in the attachments.

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

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

Against: Nil

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## **9. NOTICES OF MOTION**

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Nil.

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## **10. PETITIONS**

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Nil.



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## **11. QUESTIONS FROM COUNCILLORS**

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### **11.1 Questions on notice by Councillors**

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Nil.

### **11.2 Questions without notice by Councillors**

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#### **Clr Cheryl Arnol**

*I quote from the Message from the General Manager in the latest edition of Seaspeak -*

*Glamorgan Spring Bay Council is proud to be associated with volunteer groups and is committed to providing on-going support. Thank you from us!*

*If that is true, can the General Manager please explain to the Spring Bay Suicide Prevention Network why their request for printing of 80 copies of the service sheet for their annual remembrance service was denied on the basis that staff workload did not allow them to print it?*

*The annual remembrance service is something which is specific to the mental health and well-being of our community and it was the perfect opportunity for Council to have generated some renewed goodwill in the community. It is probably very timely to mention Foundation 2 in our Strategic Plan, part of which states support and facilitate community events that promote community health and well-being.*

*In terms of affording the staff workload, this message was conveyed to the Spring Bay Suicide Prevention Network in an email that would have taken more time to compose denying them the support than the time taken to actually print the sheets so could the General Manager please explain to me how this would have affected staff workload and going forward will this Council provide on-going support to volunteer groups?*

#### **Response from General Manager, Greg Ingham**

Council receives various requests for community assistance right across the board, and the Suicide Prevention Network is just one of them. We do have to consider these requests and we cannot as an organisation facilitate each and every request that we do get for in kind assistance.

I spoke to an officer who I thought could assist with this request, but it wasn't just as simple as taking the same amount of time an email would take, it was bit more than that. I made the decision that unfortunately we couldn't assist in this instance, but I stand by my comments in Council's SeaSpeak and remain committed to supporting volunteer groups and recognise the value that they provide to our community.

#### **Clr Keith Breheny**

*I am aware that in my position as Chair of the Committee for the Triabunna Hall that we recently received a resignation from a long serving member who was for personal reasons resigning from the Committee. There was a question raised as to the protocols of people resigning from that Committee, considering that it is section 24 Committee of Council.*

*Can you advise me of what is required, considering that there is a possibility that the current Chair will also be resigning on the basis that the Committee is functioning so well that they don't need as many members.*

*Is there a protocol that has to be followed to make sure this is done properly since we are approved by Council as members of those section 24 Committees, and is there a requirement to follow in relation to a resignation from that Committee?*

#### **Response from General Manager, Greg Ingham**

Any changes to a section 24 Committee, given that it is a Committee of Council under the Local Government Act, should come back to Council for approval.

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## **12. CONFIDENTIAL ITEMS (CLOSED SESSION)**

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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 23 November 2021**

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

**Item 2: Australia Day Awards**

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

**Item 3: Financial Hardship Application**

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

**Item 4: Commercial arrangements - Triabunna Marina**

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

### **RECOMMENDATION**

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

### **DECISION 241/21**

Moved Cllr Cheryl Arnol, seconded Cllr Keith Breheny that Council moves into closed session at 3.00pm.

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

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

Against: Nil

***The Deputy Mayor confirmed that the recording has been terminated.***

*Senior Planner, Mr James Bonner left meeting at 3.00pm*

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### **13. CLOSE**

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The Deputy Mayor declared the meeting closed at 4.07pm.

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

**Date:**

**Deputy Mayor Jenny Woods**