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## **ORDINARY COUNCIL MEETING MINUTES**

TUESDAY 23 SEPTEMBER 2025

2:00 PM

Council Chambers, Triabunna

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## ACKNOWLEDGEMENT OF COUNTRY

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

## NOTICE OF MEETING

Notice is hereby given that the next Ordinary Council Meeting of the Glamorgan Spring Bay Council will be held at the Triabunna Council Offices on Tuesday 23 September 2025, commencing at 2:00 pm.

## QUALIFIED PERSON CERTIFICATION

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

**Dated** this Thursday 18 September 2025



Greg Tory  
**CHIEF EXECUTIVE OFFICER**

*The title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant s.61 of the Local Government Act 1993 (Tas).*

### IMPORTANT INFORMATION

- 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 43, these video/audio files will be retained by Council for at least 2 years and made available for viewing live, as well as online within 5 business days of the scheduled meeting. The written minutes of a meeting, once confirmed, prevail over the video/audio recording of the meeting.

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## 1 OPENING OF MEETING

The Mayor welcomed Councillors, staff and members of the public and declared the meeting open at 2:03pm.

### **Mayor's Opening Statement:**

*In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2025, please be advised that this meeting is being audio and visually recorded. I ask that all attendees remain respectful and considerate of others. Offensive, defamatory, or threatening language or behaviour will not be tolerated.*

### **1.1 Attendance and Apologies**

#### **Present:**

Mayor Cheryl Arnol  
Deputy Mayor Michael Symons  
Clr Rob Churchill  
Clr Neil Edwards  
Clr Kenneth Gregson  
Clr Carole McQueeney  
Clr Jenny Walker

#### **Apologies**

Nil.

#### **In Attendance**

Chief Executive Officer, Greg Tory  
Director Works and Infrastructure, Peter Porch  
Acting Director Planning and Development, James Bonner  
Administration Officer, Isabelle Clarkson  
Executive Officer, Jazmine Kerr

*In accordance with r.41 of the Local Government (Meeting Procedures) Regulations 2025, the Chairperson hereby requests Leave of Absence for Cllr Robert Young for this meeting of Council, for unexpected personal reasons.*

#### **DECISION 189/25**

Moved Cllr Jenny Walker, seconded Cllr Neil Edwards:

That Council grant Cllr Robert Young leave of absence for the meeting of Council held on Tuesday 23 September 2025.

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

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Kenneth Gregson, Cllr Carole McQueeney and Cllr Jenny Walker

Against: Nil

Abstention: Nil

#### **1.2 Late Reports**

Nil.

#### **1.3 Declaration of an Interest in a matter of a Councillor**

*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 The Model Code of Conduct for Councillors, in any item included in the Agenda.*

#### **Please note that:**

- **Cllr Kenneth Gregson** declared an interest in agenda item 8.3 Swansea Makers Market small grant application.
- **Cllr Carole McQueeney** declared an interest in agenda item 4.1 SA 2025/12 - 21 Residential Lots, Comprising 18 Residential Lots, a Road Lot & 2 Public Footpath Lots - 49 Rheban Road & West Shelly Road, Orford.

## **2 CONFIRMATION OF MINUTES**

### **2.1 Ordinary Meeting of Council - 26 August 2025**

#### **RECOMMENDATION**

That the Minutes of the Ordinary Meeting of Council held on 26 August 2025 at 2:00pm be confirmed as a true and correct record.

#### **DECISION 190/25**

Moved Cllr Jenny Walker, seconded Cllr Neil Edwards:

That the Minutes of the Ordinary Meeting of Council held on 26 August 2025 at 2:00pm be confirmed as a true and correct record.

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

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Kenneth Gregson, Cllr Carole McQueeney and Cllr Jenny Walker

Against: Nil

Abstention: Nil

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

### **TUESDAY 9 September 2025**

In accordance with the requirement of Regulation 10(3)(c) of the *Local Government (Meeting Procedures) Regulations 2025*, it is reported that a Council Workshop was held from 1:30pm to 4.10pm on Tuesday 9 September 2025 at the Council Offices, Triabunna.

#### **Present:**

Mayor Cheryl Arnol  
Clr Rob Churchill  
Clr Neil Edwards  
Clr Kenneth Gregson  
Clr Carole McQueeney (via remote video conference).  
Clr Jenny Walker,  
Clr Robert Young

#### **Apologies:**

Deputy Mayor Michael Symons

#### **In Attendance:**

Greg Tory, Chief Executive Officer  
Peter Porch, Director Works and Infrastructure  
James Bonner, Acting Director Planning and Development

#### **Guests**

- Nicole Bartholomeusz
- Christopher Turner

#### **Agenda**

- Cohealth Presentation - Update and Alignment
- SA 2025/12 - 21 Residential Lots, Comprising 18 Residential Lots, a Road Lot & 2 Public Footpath Lots - 49 Rheban Road & West Shelly Road, Orford
- Draft - Cybersecurity Policy
- MayShaw - Grant Request
- Spring Bay Maritime & Discovery Centre Inc (SBMDC) - Section 24 Committee
- Draft - Wielangta Forest Trail Business Case

## **THURSDAY 11 September 2025**

In accordance with the requirement of Regulation 10(3)(c) of the *Local Government (Meeting Procedures) Regulations 2025*, it is reported that a Council Workshop was held from 10:00am to 12:00pm on Thursday 11 September 2025 at the Council Offices, Triabunna.

### **Present:**

Mayor Cheryl Arnol  
Deputy Mayor Michael Symons (via remote video conference).  
Clr Rob Churchill  
Clr Neil Edwards  
Clr Kenneth Gregson  
Clr Carole McQueeney (via remote video conference).  
Clr Robert Young

### **Apologies:**

Clr Jenny Walker

### **In Attendance:**

Greg Tory, Chief Executive Officer  
Peter Porch, Director Works and Infrastructure  
James Bonner, Acting Director Planning and Development

### **Guests**

- Damian Mather
- Claudia Butler

### **Agenda**

- Triabunna Tomorrow Project meeting

### **RECOMMENDATION**

That Council notes the information.



**DECISION 191/25**

Moved Cllr Carole McQueeney, seconded Cllr Kenneth Gregson:

That Council notes the information.

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

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Kenneth Gregson, Cllr Carole McQueeney and Cllr Jenny Walker

Against: Nil

Abstention: Nil

### 3 PUBLIC QUESTION TIME

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

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

In accordance with the *Local Government (Meeting Procedures) Regulations 2025*, Questions on Notice must be provided at least 7 days prior to the Ordinary Meeting of Council at which a member of the public would like a question answered.

#### 3.1 Questions on Notice

Nil.

#### 3.2 Questions Without Notice

*Glamorgan Spring Bay Council will allow questions to be provided by written notice by 12 noon the day before the Ordinary Council Meeting by either emailing [general.manager@freycinet.tas.gov.au](mailto:general.manager@freycinet.tas.gov.au) or alternatively left in the post box outside the Council Chambers located at 9 Melbourne Street, Triabunna.*

Nil.

*Clr Carole McQueeney having declared an interest in item 4.1 left the meeting at 2:09 pm.*

## 4 PLANNING AUTHORITY SECTION

*Under Regulation 29 of Local Government (Meeting Procedures) Regulations 2025, 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 192/25**

Moved Cllr Jenny Walker, seconded Cllr Neil Edwards:

That Council now acts as a Planning Authority at 2:09pm.

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Kenneth Gregson and Cllr Jenny Walker

Against: Nil

Abstention: Nil

#### **4.1 SA 2025/12 - 21 Residential Lots, Comprising 18 Residential Lots, a Road Lot & 2 Public Footpath Lots - 49 Rheban Road & West Shelly Road, Orford**

<b>Proposal:</b>	Subdivision comprising 18 residential lots, one road lot and two footpath lots
<b>Applicant:</b>	MC Planners
<b>Application Date:</b>	18 June 2025
<b>Statutory Date:</b>	30 September 2025
<b>Planning Instruments:</b>	Tasmanian Planning Scheme - Glamorgan Spring Bay
<b>Zone:</b>	8.0 General Residential Zone & 29.0 Open Space Zone
<b>Codes:</b>	C2.0 Parking and Sustainable Transport Code, C3.0 Road and Railway Assets Code, C7.0 Natural Assets Code, C12.0 Flood Prone Areas Hazard Code, C13.0 Bushfire-Prone Areas Code
<b>Specific Area Plans:</b>	N/A
<b>Use:</b>	N/A
<b>Development:</b>	Subdivision
<b>Discretions:</b>	8.6.1 A2 - frontage less than 12m, 8.6.1 A4 - Axis of lots, 8.6.2 A1 - new road, C7.6.1 A1 - works within waterway buffer, C12.6.1 A1 - works within flood liable land, C12.7.1 A1 - Subdivision within flood liable land, C13.6.2 A1 – Subdivision works
<b>Representations:</b>	6
<b>Attachments:</b>	<ol style="list-style-type: none"><li>1. SA 2025-012 Exhibited Documents [4.1.1 - 221 pages]</li><li>2. SA 2025-012 Redacted Representations [4.1.2 - 14 pages]</li></ol>
<b>Author:</b>	James Bonner, Senior Planner

### **Executive Summary**

Planning approval is sought for a 21 lot residential subdivision. The application was advertised from 21<sup>st</sup> August to 4<sup>th</sup> September 2025. During the representation period six (6) submissions were received objecting to the proposal. The report assesses the proposal against the standards of the relevant zone, codes and considers the issues raised in the representations. The Planning Authority must consider the planner's recommendations and the matters raised in the representations and make a final determination by 30 September 2025.

## **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 a discretion was triggered. This report addresses only the discretions and 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 application is for a residential subdivision comprising 18 residential lots, one road lot and two footpath lots. The works include the construction of a new road to connect the subdivision to Integrity Way and Nautilus Drive and substantial stormwater works to connect the development to the public stormwater system and to also upgrade the existing system to address existing overland flooding.

No direct vehicular access is proposed to Rheban Road or West Shelly Road. Access to the subdivision and Rheban Road is proposed via Integrity Way and Nautilus Drive, with a footway to connect to Rheban Road and another to West Shelly Road.

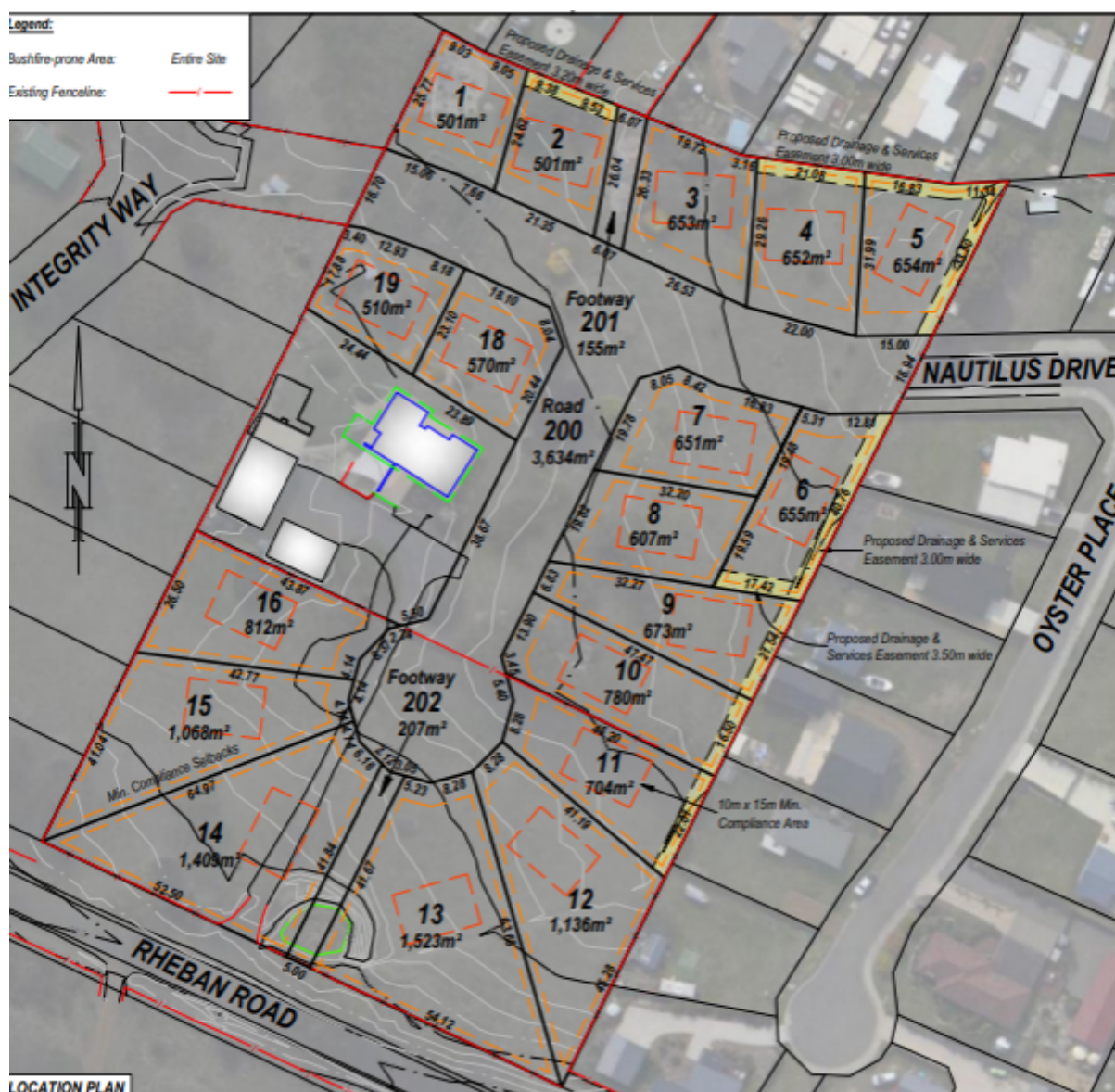


Figure 1 – Subdivision plan

#### 4. Risk and implications

Approval or refusal of this application should have no direct financial risk for Council, in relation to planning matters, 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

A 2-lot subdivision (SA2024/009) was approved in July 2024 to separate the existing house located on the original property from the balance land that is the subject of the current application.

#### 6. Site Description

The site is located within General Residential zoned land with developed residential lots located to the north, west and east. Land to the south on the opposite side of Rheban Road is primarily undeveloped Rural zoned land.

The site has an area of 2.02 ha and has frontage to Rheban Road, Nautilus Drive and an unformed road reserve to Integrity Way and West Shelly Road. The dwelling on the adjoining lot has a Right of Way access over the subject lot to Rheban Road.

The lot is substantially cleared of native vegetation with some remnant trees along the Rheban Road frontage and is relatively flat with a gentle fall to the north towards West Shelly Road.

A portion of the foreshore forms part of the proposal due to required stormwater infrastructure. The area of these works is generally cleared with some remnant native vegetation along the immediate foreshore where the stormwater discharge will occur.

## **7. Planning Instruments**

Tasmanian Planning Scheme – Glamorgan Spring Bay

## **8. Easements and Services**

The site is subject to an existing Right of Way (ROW) servicing lot 17 and pipeline and services easements. The ROW will be extinguished as a new access will be provided to the new road and the pipeline and services easements will be adjusted as required due to the proposed infrastructure works.

The proposal is serviced with electricity, water, sewer and stormwater.

## **9. Covenants**

Nil.

## **PART TWO**

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

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

- 8.0 General Residential Zone
- 29.0 Open Space Zone
- C2.0 Parking and Sustainable Transport Code
- C3.0 Road and Railway Assets Code
- C7.0 Natural Assets Code
- C12.0 Flood Prone Areas Hazard Code
- C13.0 Bushfire-Prone Areas Code

All standards were met by acceptable solution excepting those identified below which were assessed against the applicable performance criteria.

## 11. Meeting the Standards via Performance Criteria

The standards below could not meet the Acceptable Solution criteria and have been assessed against the relevant Performance Criteria.

- 8.0 General Residential Zone
  - 8.6.1 A2 - frontage less than 12m
  - 8.6.1 A4 - axis of lots
  - 8.6.2 A1 - new road
- C7.0 Natural Assets Code
  - C7.6.1 A1 - works within coastal protection area buffer
- C12.0 Flood-Prone Areas Code
  - C12.6.1 A1 - works within flood liable land
  - C12.7.1 A1 - subdivision within flood liable land
- C13.0 Bushfire-Prone Areas Code
  - C13.6.2 A1 – subdivision works

## PART THREE

## 12. Assessing the Proposal against the Performance Criteria

### 8.0 General Residential Zone

8.6.1 A2 – The acceptable solution is that all lots have a 12m wide frontage. Four lots have a frontage less than 12m and therefore require assessment under the performance criteria.

Performance Criteria	Planner's Response
P2 - Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to: (a)the width of frontage proposed, if any; (b)the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (c)the topography of the site; (d)the functionality and useability of the frontage; (e)the ability to manoeuvre vehicles on the site; and	<p>The four lots have the following frontage: Lot 9 frontage 6.83m Lot 12 frontage 8.28m Lot 14 frontage 10.3m Lot 15 frontage 8.28m</p> <p>None of the lots are accessed via a right of carriageway (ROW).</p> <p>Each lot has suitable width to allow for manoeuvrability on the site, is consistent with cul-de-sac frontage widths in the locality and is sufficient for the intended future use being a dwelling.</p> <p>The proposal is considered to have met the performance criteria.</p>



Performance Criteria	Planner's Response
(f)the pattern of development existing on established properties in the area, and is not less than 3.6m wide.	

## 8.0 General Residential Zone

8.6.1 A4 – The acceptable solution is that any lot with a new road must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north. Lots 7-11 and 15-19 do not meet the acceptable solution and therefore require assessment under the performance criteria.

Performance Criteria	Planner's Response
P4 - must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to: (a)the size, shape and orientation of the lots; (b)the topography of the site; (c)the extent of overshadowing from adjoining properties; (d)any development on the site; (e)the location of roads and access to lots; and (f)the existing pattern of subdivision in the area.	<p>The size, shape and orientation of the lots allow for adequate solar access for future dwellings that will have been designed to accommodate the lot orientation.</p> <p>The topography is relatively flat with no existing development in the vicinity of the subject lots.</p> <p>The road design is restricted due to the existing development lot and no access being proposed to Rheban Rd while providing connections into Integrity Way and Nautilus Dr. The road design has maximised the number of lots that are able to meet the acceptable solution.</p> <p>The pattern of subdivision is similar to that on the adjoining Integrity Way and Oyster Place developments.</p> <p>The proposal is considered to have met the performance criteria.</p>

## 8.0 General Residential Zone

8.6.2 A1 – The acceptable solution is that the subdivision does not include a new road. As the proposal includes a new road it does not meet the acceptable solution and therefore requires assessment under the performance criteria.

Performance Criteria	Planner's Response
P1 - The arrangement and construction of roads within a subdivision must provide an	The new road layout is a cul-de-sac that connects into the existing road stubs of Integrity Way and Nautilus Drive. It is clear from the road pattern that

Performance Criteria	Planner's Response
<p>appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to:</p> <p>(a) any road network plan adopted by the council;</p> <p>(b) the existing and proposed road hierarchy;</p> <p>(c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential;</p> <p>(d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;</p> <p>(e) minimising the travel distance between key destinations such as shops and services and public transport routes;</p> <p>(f) access to public transport;</p> <p>(g) the efficient and safe movement of pedestrians, cyclists and public transport;</p> <p>(h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the Guide to Road Design Part 6A: Paths for Walking and Cycling 2016;</p> <p>(i) the topography of the site; and</p> <p>(j) the future subdivision potential of any balance lots on adjoining or adjacent land.</p>	<p>it was the intention that development of the subject lot would include a connection into Integrity Way, Nautilus Drive and potentially West Shelly Road, thereby not requiring a direct connection to Rheban Road.</p> <p>The road layout provides a pedestrian and cycle path connection to Rheban Road and to West Shelly Road, noting that no vehicular access has been proposed to West Shelly Road. This provides good connectivity into the road network for vehicles entering and exiting the subdivision and also for pedestrians and cyclists wishing to access Rheban Road, the West Shelly foreshore or the East Shelly foreshore via Nautilus Drive and Jetty Road.</p> <p>It is noted that the road design was finalised in consultation with Council's Infrastructure and Works Directorate and it is considered that the subdivision will provide an appropriate level of access and convenience for vehicles, pedestrians and cyclists and the proposal meets the performance criteria.</p>

## C7.0 Natural Assets Code

C7.6.1 A1 – The acceptable solution is that works within a coastal protection area must be within a building area on a sealed plan or be a crossing or bridge. Stormwater works are proposed within the coastal protection buffer area and therefore assessment under the performance criteria is required.

Performance Criteria	Planner's Response
P1.1 - Buildings and works within a waterway and coastal protection	The stormwater works and outlet have been designed and located to minimise adverse impacts

Performance Criteria	Planner's Response
<p>area must avoid or minimise adverse impacts on natural assets, having regard to:</p> <p>(a)impacts caused by erosion, siltation, sedimentation and runoff;</p> <p>(b)impacts on riparian or littoral vegetation;</p> <p>(c)maintaining natural streambank and streambed condition, where it exists;</p> <p>(d)impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</p> <p>(e)the need to avoid significantly impeding natural flow and drainage;</p> <p>(f)the need to maintain fish passage, where known to exist;</p> <p>(g)the need to avoid land filling of wetlands;</p> <p>(h)the need to group new facilities with existing facilities, where reasonably practical;</p> <p>(i)minimising cut and fill;</p> <p>(j)building design that responds to the particular size, shape, contours or slope of the land;</p> <p>(k)minimising impacts on coastal processes, including sand movement and wave action;</p> <p>(l)minimising the need for future works for the protection of natural assets, infrastructure and property;</p> <p>(m)the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and</p> <p>(n)the guidelines in the Tasmanian Coastal Works Manual.</p>	<p>within the coastal protection buffer. There is no natural streambank, fish passage or wetland in the locality and the stormwater outlet is located over a rock shelf.</p> <p>The design will minimise impacts on natural processes through the location of the works and any permit will include conditions related to best practice construction methods to address impacts from erosion, sedimentation and runoff.</p> <p>The new and upgraded stormwater infrastructure is required for the subdivision and will significantly improve stormwater management for nearby lots on Integrity Way, Nautilus Drive and West Shelly Road.</p> <p>Any permit will include reference to the Wetlands and Waterways Works Manual and the Tasmanian Coastal Works Manual.</p> <p>The stormwater design aims to upgrade the existing stormwater system to address existing impacts to properties on Nautilus Drive and West Shelly Road as well as providing a new system for the subdivision and it is considered that the performance criteria has been met.</p>

## **C12.0 Flood-Prone Areas Code**

C12.6.1- There is no acceptable solution and therefore the performance criteria must be addressed.

<b>Performance Criteria</b>	<b>Planner's Response</b>
<p>P1.1 - Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the type, form, scale and intended duration of the development;</li> <li>(b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures;</li> <li>(c) any advice from a State authority, regulated entity or a council; and</li> <li>(d) the advice contained in a flood hazard report.</li> </ul> <p>P1.2 - A flood hazard report also demonstrates that the building and works:</p> <ul style="list-style-type: none"> <li>(a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and</li> <li>(b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.</li> </ul>	<p>Council has undertaken a peer review of the submitted Stormwater Report and is satisfied that sufficient information has been provided to justify that the works within flood affected areas will achieve and maintain a tolerable risk from flood.</p> <p>This is subject to a further stormwater management report undertaken in accordance with the recommended conditions in the draft permit.</p>

### **C12.0 Flood-Prone Areas Code**

C12.7.1 A1 – The acceptable solution is that each lot in a plan of subdivision must be able to maintain a building area, access and services outside of a flood-prone hazard area. Not all of the lots will meet the acceptable solution and therefore the performance criteria must be addressed.

<b>Performance Criteria</b>	<b>Planner's Response</b>
<p>P1 - Each lot, or a lot proposed in a plan of subdivision, must not create an opportunity for use or development that cannot achieve a tolerable risk from flood, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any increase in risk from flood for adjacent land;</li> </ul>	<p>Council has undertaken a peer review of the submitted Stormwater Report and is satisfied that sufficient information has been provided to justify that the works within the flood affected areas will achieve and maintain a tolerable risk from flood.</p> <p>This is subject to a further stormwater management report being undertaken in accordance with the recommended conditions in the draft permit.</p>

Performance Criteria	Planner's Response
<p>(b)the level of risk to use or development arising from an increased reliance on public infrastructure;</p> <p>(c)the need to minimise future remediation works;</p> <p>(d)any loss or substantial compromise by flood of access to the lot, on or off site;</p> <p>(e)the need to locate building areas outside the flood-prone hazard area;</p> <p>(f)any advice from a State authority, regulated entity or a council; and</p> <p>(g)the advice contained in a flood hazard report.</p>	

### **C13.0 Bushfire-Prone Areas Code**

C13.6.2 A1 – The acceptable solution is that roads will comply with Table C13.1, which requires the cul-de-sac turning circle to have a minimum 12m outer radius. The turning circle has a 9m outer radius and therefore the performance criteria must be addressed.

Performance Criteria	Planner's Response
<p>A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:</p> <p>(a)appropriate design measures, including:</p> <p>(i)two way traffic;</p> <p>(ii)all weather surfaces;</p> <p>(iii)height and width of any vegetation clearances;</p> <p>(iv)load capacity;</p> <p>(v)provision of passing bays;</p> <p>(vi)traffic control devices;</p> <p>(vii)geometry, alignment and slope of roads, tracks and trails;</p> <p>(viii)use of through roads to provide for connectivity;</p> <p>(ix)limits on the length of cul-de-sacs and dead-end roads;</p> <p>(x)provision of turning areas;</p>	<p>The road design allows for two-way movement on a sealed surface suitable for medium rigid fire-fighting vehicles.</p> <p>Passing bays and traffic control devices are not proposed and the location of driveways servicing the lots in the cul-de-sac head restricts the availability of on-street parking.</p> <p>The length of the cul-de-sac meets the acceptable solution and connectivity is provided via access to Integrity Drive and Nautilus Road.</p> <p>The cul-de-sac turning circle meets Tasmanian road design standards and a trafficable kerb and footpath will provide extra width for fire-fighting vehicles to manoeuvre.</p> <p>The Bushfire Hazard Report has assessed the requirements of the Code and determined that the proposal meets the performance requirements. The</p>

<b>Performance Criteria</b>	<b>Planner's Response</b>
(xi)provision for parking areas; (xii)perimeter access; and (xiii)fire trails; and (b)the provision of access to: (i)bushfire-prone vegetation to permit the undertaking of hazard management works; and (ii)fire fighting water supplies; and (c)any advice from the TFS.	Tasmanian Fire Service have also stated that they support the variation to the cul-de-sac head design.

### **13. Referrals**

The application was referred to TasWater, TasNetworks and Council's Infrastructure and Works Directorate for comment. Advice and recommendations were received from TasWater and Council's Infrastructure and Works Directorate.

### **14. Representations**

The application was advertised from 21<sup>st</sup> August to 4<sup>th</sup> September 2025. During the representation period six (6) submissions were received objecting to the proposal. A summary of concerns raised related to planning matters and responses are included in the table below. The complete submissions are included in the attachments to the report with personal details redacted for privacy reasons.

<b>Representation 1</b>	<b>Response</b>
Concern raised about how the previous subdivision was undertaken and for Council to ensure best practice and compliance is followed with the current application.	Noted.
<b>Representation 2</b>	<b>Response</b>
Request that vehicular access be restricted and bollards installed on the unformed road between West Shelly Road and the development site. Request that the unformed road between 50 and 52 West Shelly Road should be graded so stormwater drains into the proposed open drain. Request that the rock lined open drain instead be concrete to reduce ongoing maintenance.	The final design will be subject to engineering approval from Council's Infrastructure and Works Directorate who can take into consideration the requests made in regard to bollards and what impact changes to the stormwater infrastructure may have on the ongoing operation of the stormwater system.
<b>Representation 3</b>	<b>Response</b>

<p>The flood report is deficient in a number of areas such as modelling methods and assumptions, defining the catchment area, potential for pipe blockages, flash flooding risk, downstream and residual risks and the authors names and qualifications have not been included in the report.</p>	<p>Councils' engineers have had a peer review undertaken which has advised that the report, while lacking in detail, has provided sufficient information that the proposed upgrade to the existing system and the new stormwater infrastructure works will achieve and maintain a tolerable risk from flood. This is subject to a further detailed design report being undertaken in accordance with the recommended conditions in the draft permit.</p>
<b>Representation 4</b>	<b>Response</b>
<p>The supporting stormwater management report is not a flood hazard report and the stormwater report focuses on stormwater servicing and hydraulic design but does not address long term flood risk, tolerable risk criteria or compliance with the flood-prone hazard code.</p>	<p>Council's engineers have had a peer review undertaken which has advised that the report, while lacking in detail, has provided sufficient information that the proposed upgrade to the existing system and the new stormwater infrastructure works will achieve and maintain a tolerable risk from flood. This is subject to a further detailed design report being undertaken in accordance with the recommended conditions in the draft permit.</p>
<b>Representation 5</b>	<b>Response</b>
<ul style="list-style-type: none"> <li>• The proposed stormwater outlet on the foreshore carries a risk of erosion and environmental damage. Long-term stability is not assured without detailed design by a suitably qualified coastal engineer.</li> <li>• Several lots are within mapped flood hazard areas. Reliance on reshaped roadside drains and bypass channels does not remove the hazard.</li> <li>• The stormwater plan does not include on-site treatment such as biofiltration, swales or gross pollutant traps, instead it proposes a financial contribution to Council for future measures.</li> <li>• Future maintenance for the new drains, outlet and flood mitigation measures are not identified and leave the likelihood that liability may fall to Council.</li> </ul>	<ul style="list-style-type: none"> <li>• Detailed design of the stormwater foreshore outlet would be required at the engineering design stage should the application be approved.</li> <li>• A peer review of the stormwater plan has concluded that hazard is tolerable subject to the provision of a further detailed design report.</li> <li>• Council's preference is that stormwater treatment is undertaken at a location that suits Council using treatment devices that can be maintained cost effectively. A financial contribution is an option that provides Council with flexibility on the location and type of measures installed.</li> <li>• The upgraded and new stormwater infrastructure will become part of the public stormwater network managed by Council.</li> <li>• The lots that do not meet the 12m frontage all have a suitably sized frontage</li> </ul>

<ul style="list-style-type: none"> <li>• Several lots do not meet the 12m frontage and narrow lots creates constraints for driveways, manoeuvrability and built form.</li> <li>• A number of lots fail to achieve the acceptable orientation standard potentially reducing energy efficiency and liveability.</li> <li>• The cul-de-sac arrangement limits permeability and reduces local network connectivity compared with through road options.</li> <li>• Infrastructure is proposed within the foreshore reserve which may affect community access and amenity and places long-term management on Council.</li> <li>• The coastal hazard report does not meet the requirements of the Director's Determination for Coastal Inundation Hazard Areas.</li> </ul>	<p>that meets the performance criteria as assessed above.</p> <ul style="list-style-type: none"> <li>• The lots that do not meet the orientation standard have been assessed as being capable of meeting the performance criteria as discussed above.</li> <li>• Council's preference is that direct access onto Rheban Road and West Shelly Road is avoided and that access is gained via Integrity way and Nautilus Drive.</li> <li>• The stormwater infrastructure in the foreshore will require additional works, such as a pedestrian bridge, to ensure community access is maintained along the foreshore.</li> <li>• The stormwater infrastructure is a minor utility which is exempt from the Coastal Erosion and Coastal Inundation Codes.</li> </ul>
<b>Representation 6</b>	<b>Response</b>
<p>Concerned that current engineering proposal is not suitable an efficient enough to in high rainfall events to adequately address the run off that will be running through the location to the north east corner where it will congregate and block again due to the under engineered pipe through the Nautilus Drive properties allowing flooding to occur on West Shelly Road properties.</p> <p>We have been inundated with stormwater running through our property on several occasions.</p>	<p>Council's engineers have had a peer review undertaken which has advised that the report, while lacking in detail, has provided sufficient information that the proposed upgrade to the existing system and the new stormwater infrastructure works will achieve and maintain a tolerable risk from flooding as stated in the stormwater report.</p> <p>This is subject to a further detailed design report being undertaken in accordance with the recommended conditions in the draft permit.</p>

## 15. Conclusion

The assessment of the application taken in association with the representations received has identified that the proposal satisfies the relevant provisions of the Tasmanian Planning Scheme - Glamorgan Spring Bay and therefore the application is recommended to be approved subject to the recommended conditions.



## 16. Recommendation

### That:

Pursuant to section 57 of the Land Use Planning and Approvals Act 1993 and the Tasmanian Planning Scheme, SA2025/012 at 49 Rheban Road (188095/17), 51 Rheban Road (188095/1) Orford and lots 33287/1, 152580/2 and 182665/100 West Shelly Road Orford for a subdivision comprising 18 residential lots, one road lot and 2 footpath lots be approved with the following conditions.

### CONDITIONS

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

#### TasWater

2. Use and development must comply with the requirements of TasWater specified by 'Submission to Planning Authority Notice' reference number TWDA 2025/00801-GSB, dated 18/07/2025 and attached to this permit.

#### Final Plan

3. 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.
4. 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.
5. The final plan of survey must include easements over all drains, pipelines, wayleaves and services to the satisfaction of Council's Municipal Engineer.
6. Covenants or other restrictions must not conflict with, or seek to override, provisions of the planning scheme.

#### Public Open Space

7. 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 as at the date of lodgment of the final plan of survey.

The value is to be determined by a Land Valuer within the meaning of the *Land Valuers Act 2001* and as agreed to by the Council's Chief Executive Officer.

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

## **Construction Management**

8. Prior to construction works commencing a Construction Management Plan (CMP) is to be submitted and approved by Council's Chief Executive Officer. The CMP must include the following:

a) Soil and Water Management Plan (SWMP)

The developer must implement a Soil and Water Management Plan (SWMP) to ensure that soil and sediment do not leave the site during the construction process. A copy of the SWMP must be provided to the Council's Chief Executive Officer prior to the commencement of works.

b) Safety and Hours of Operation

The developer must prepare and submit a traffic and parking management plan to ensure the safe and efficient movement of traffic during construction. This plan must address vehicle access, parking provisions, potential disruptions, and any necessary detours, to be approved by the Council's Chief Executive Officer prior to the commencement of works. All works must be undertaken safely, with specific attention to safety protocols and procedures.

Works are to be confined to the hours of 7:00am to 6:00pm Monday to Friday and 9:00am to 6:00pm Saturday.

c) Erosion and Sedimentation Control

Erosion and sedimentation measures, including sediment fences and settlement pits, are to be installed and maintained on the lower side of each lot and outside any Waterway and Coastal Protection Area during all works on the site.

d) Topsoil

The topsoil on any areas required to be disturbed must be stripped and stockpiled in an approved location shown on the detailed soil and water management plan for reuse in the rehabilitation of the site. Topsoil must not be removed from the site until the completion of all works unless approved otherwise by the Council's Chief Executive Officer.

All disturbed surfaces on the land, except those set aside for driveways, must be covered with topsoil and, where appropriate, re-vegetated, through seeding or other suitable means, and stabilised to the satisfaction of the Council's Chief Executive Officer.

e) Vehicle and Equipment Cleaning

All vehicles and equipment associated with the construction of the development and/or operation of the use must be cleaned of soil prior to entering and leaving the site to minimise the introduction and/or spread of weeds and diseases, to the satisfaction of the Council's Chief Executive Officer.

f) Notification Prior to Construction

The subdivider must provide not less than forty-eight (48) hours written notice to the Council's Chief Executive Officer before commencing construction works on-site or within a council reserve.

g) Notification for Hold Point Inspections

The subdivider must provide not less than forty-eight (48) hours written notice to the Council's Chief Executive Officer before reaching any stage of works requiring hold point inspection by Council, unless otherwise agreed by the Council's Chief Executive Officer.

h) Professional Supervision

Subdivision works must be carried out under the direct supervision of a qualified practicing professional civil engineer engaged by the subdivider and approved by the Council's Chief Executive Officer.

i) Waste and Debris Management

Through the construction process or unless otherwise noted on the endorsed plans or approved in writing by the Council's Chief Executive Officer, the developer must:

- i. Ensure that soil, building waste, and debris do not leave the site other than in an orderly fashion and are disposed of at an approved facility
- ii. Not burn debris or waste on site
- iii. Promptly pay the costs associated with any alteration, extension, reinstatement, and repair or cleaning of Council infrastructure, public land, or private property
- iv. Ensure that public land, footpaths, and roads are not unreasonably obstructed by vehicles, machinery, or materials, or used for storage
- v. Provide a commercial skip (or similar) for the storage of construction waste on site and arrange for the removal and disposal of the waste to an approved landfill site by private contract.

j) Existing Infrastructure

A photographic record of Council's infrastructure is to be submitted prior to works commencing. The photos submitted will be relied upon if there is any damage during construction. 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. Any damage will be required to be fixed within 30 days or sooner to remove a safety issue.

## **Engineering**

9. The subdivision must be carried out in accordance with the Tasmanian Subdivision Guidelines October 2013 or as otherwise agreed by Council's Chief Executive Officer or required by conditions of this permit.
10. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's Chief Executive Officer, 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) corrugated and slotted subsoil drainage pipes of Class 1000 in road reserves, wrapped in a minimum of A14 Bidim non-woven geotextile;
- h) trafficable pit grates of Class D, including side entry pits, and non-trafficable pit grates of Class B;
- i) two strips of turf behind the back of kerb, with turf variety to be agreed upon by the Chief Executive Officer;
- j) a minimum 2-metre wide concrete shared cycle and pedestrian path/bridge over the open drain near the foreshore;
- k) footpath from the subdivision to Rheban road and from the subdivision to the West Shelly Road sealed in concrete, asphalt, or an equivalent material as agreed by the Chief Executive Officer.
- l) hydromulching of the open drain banks to control erosion and sediment.

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

11. Roadworks and drainage must be constructed in accordance with the standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's Chief Executive Officer.
12. Unless approved otherwise by Council's Chief Executive Officer roadworks must include -
  - a) Minimum road reserve of 15 metres and 25 metres at the cul-de-sac.
  - b) Fully sealed paved and drained carriageway with a minimum width of 6.9m (face of kerb to face of kerb) and 18 metres diameter at the cul-de-sac head.
  - c) Concrete kerb and channel both sides.
  - d) Reinforced concrete footpaths 1.50 metres wide on one side of the new road.
  - e) Underground stormwater drainage.
13. To the satisfaction of the Council's Chief Executive Officer, all internal driveways must:
  - a) have a minimum carriageway width of 3.6m for each lot;
  - b) have a sealed surface of asphalt, concrete or equivalent approved by Council's Chief Executive Officer;
  - c) drain to an approved stormwater system; and

- d) be in accordance with the requirements of an approved Bushfire Hazard Management Plan.
14. The carriageway surface course must be constructed with a 10mm nominal size hot-mix asphalt with a minimum compacted depth of 35mm in accordance with standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and the requirements of Council's Chief Executive Officer, unless approved otherwise by the Council's Chief Executive Officer.
15. Kerb ramps must be provided to accommodate the needs of people with disabilities in accordance with standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's Chief Executive Officer.
16. A reinforced concrete vehicle access must be provided to each lot and located and constructed 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 Chief Executive Officer.

*Advice: Prior to commencement 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. <https://gsbc.tas.gov.au/wp-content/uploads/2016/06/Work-Within-Road-Reserve-Permit.pdf>*

### **Landscaping**

17. The road reserve must be landscaped by trees or plants in accordance with a landscape plan prepared by a qualified horticulturist, landscape architect or other person approved by Council, and submitted to Council for endorsement with the engineering drawings. The landscape plan must
- a) Provide street trees at a rate of one tree per lot, or an average spacing of one tree per 20m of frontage. Trees must have a clean single trunk to 1.5m and a minimum pot size of 45L;
  - b) Provide each tree with a means of irrigation, a root guard to prevent damage to nearby underground infrastructure and an anti-vandalism tie down to prevent removal;
  - c) Be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each tree; and
  - d) Be completed prior to the sealing of the Final Plan of Survey for each stage of the subdivision.

### **Drainage**

18. The developer must provide a piped stormwater property connection to each lot capable of servicing the building area of each lot by gravity in accordance with Council standards and to the satisfaction of Council's Chief Executive Officer.
19. The developer is to provide a major stormwater drainage system designed to accommodate a storm with an ARI of 100 years.

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

20. 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 ARI of 20 years, when the land serviced by the system is fully developed;
  - b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.
21. Water Sensitive Urban Design Principles must be incorporated into the development. These Principles will be in accordance with, and meet the treatment targets specified within, the Water Sensitive Urban Design Procedures for Stormwater Management in Southern Tasmania and to the satisfaction of the Council's Chief Executive Officer.
- Alternatively, the developer may, at the discretion of Council's Chief Executive Officer, make a financial contribution to Glamorgan Spring Bay Council for the provision of stormwater treatment downstream of the proposed subdivision. The value of the contribution must be equal to the cost of implementing on-site treatment as agreed by Council's Chief Executive Officer. Where partial treatment is provided on site a proportional contribution may be considered. The contribution must be paid prior to sealing the Final Plan of Survey.
22. A revised Stormwater Management and Flood Hazard Report undertaken in accordance with the recommendations and procedures contained in the Australian Rainfall and Runoff 2019 Guidelines, and in particular Book 6, Chapter 7: Safety in Design Criteria and Book 9, Chapter 6: Modelling Approaches, is to be submitted.
- The revised report, and any associated designs, must:
- a) clearly show that the conditions of this permit are met by the proposed design. The report must also clearly show how the *Acceptable Stormwater Quality and Quantity Targets* in *Table E7.1* will be met;
  - b) include information regarding the software and underlying inputs used in the analysis. E.g. has the overland flow analysis used a rain-on-grid approach, what is the underlying terrain grid size, is the analysis a combined 2d surface flow with unsteady pit & pipe network etc;
  - c) include an allowance for future climate change. ARR has recently been revised and recommends that the effects of rainfall intensity increases be considered. It is appropriate as a minimum to apply the parameters derived from the SSP2-4.5 scenario (2.7 degC average increase) for the long term 2090 midpoint horizon;
  - d) include an analysis of a pit blockage consideration of the new major pit and driveway culvert crossing in Rheban Road. Particularly as the new major pit within the Rheban Road table drain servicing the full natural catchment will be subject to natural debris, it is necessary to confirm that subsequent road

overtopping can be confined to a flow path through the subdivision road reserve and not properties.

23. Any measures required by the report to ensure that a tolerable risk for the development from flooding is achieved, and there is no increased risk of flooding onto adjacent land during the 5% AEP and the 1% AEP (inclusive of climate change), must be included in the engineering design drawings and implemented prior to the sealing of the Plan of Survey for any stage of the subdivision.

### **Sealing of Final Plan**

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

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

25. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
26. 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.
27. The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

### **Telecommunications and Electrical Reticulation**

28. Underground electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's Chief Executive Officer.
29. Street lighting must be provided in accordance with the requirements of the responsible authority and to the satisfaction of Council's Chief Executive Officer.

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

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

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

31. Works within the road reserve are subject to a twelve-month maintenance and defects liability period commencing from the date of the submission of the notice of completion of works in accordance with the approved engineering plans and permit conditions.
32. If Water Sensitive Urban Design elements provided as part of the subdivision, then WSUD elements are to be placed on an extended maintenance and defects liability period to be determined at the detailed design stage, but not less than twenty-four (24) months.
33. Prior to placing the subdivision onto the twelve-month maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council's Standard Drawings, specification and the approved plans.
34. Erosion and sedimentation measures, such as sediment fences and settlement pits, are to be installed and maintained on the lower side of each lot during all works on the site and for the entire Defects Liability Period. These works are to comply with the approved Soil and Water Management Plan developed for the site.

**The following advice is provided for information and assistance only and imposes no direct obligation on the developer.**

- a. Chief Executive Officer being the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
- b. Please read all conditions of this permit and contact the planner for clarification if required.
- c. All costs associated with acting on this permit are borne by the person(s) acting on it.
- d. 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*.
- e. This permit is valid for two years from the date of approval and shall lapse unless it has been substantially commenced to the satisfaction of the Council Senior Planner or otherwise extended by written consent.
- f. 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.



- g. 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.
- h. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- i. The native vegetation approved for removal is limited to that necessary for the construction of buildings and works, the connection of services, vehicular access and the implementation of the Bushfire Hazard Management Plan. Clearing or adversely impacting other native vegetation on the property at any stage in the future may require a separate planning permit and advice should be sought from the Glamorgan Spring Bay Council prior to commencing any additional works.
- j. The following legislation may impose obligations that affect the approved or use development. This legislation is separate to the planning scheme and as such has not been considered by the Planning Authority in granting this permit. You may wish to obtain your own independent advice or discuss with the relevant Government department:
  - *Aboriginal Relics Act 1975* (Tasmanian)
  - *Threatened Species Protection Act 1995* (Tasmanian)
  - *Weed Management Act 1999* (Tasmanian)
  - *Environment Protection and Biodiversity Conservation Act 2000* (Commonwealth)
  - *Environmental Management and Pollution Control (Miscellaneous Noise) Regulations 2014* (Tasmanian)
- k. The *Environmental Management & Pollution Control (Distributed Atmospheric Emissions) Regulations 2007* prohibit backyard burning in incinerators or in the open on lots less than 2000m<sup>2</sup> and the burning of plastics, and other non-wood or non-vegetative material.
- l. 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.
- m. Land Title Office fees must be paid directly to the Recorder of Titles.
- n. 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.
- o. The Final Plan of Survey will not be sealed until all works required by this permit are complete.
- p. The Final Plan of Survey is inclusive of any schedule of easement and Part 5 Agreement.

- q. Construction waste, other than of a quantity and size able to be enclosed within a standard 140 litre mobile garbage bin, will not be accepted at Council's Waste Management Centres. All asbestos-based waste must be disposed of in accordance with the Code of Practice for the Safe Removal of Asbestos NOHSC: 2002(1988). No material containing asbestos may be dumped at Council's Waste Management Centres.
- r. 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.
- s. The applicant is advised to contact Aurora Energy on 1300 137008 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.
- t. The applicant is advised to refer to the Tasmanian Coastal Works Manual while undertaking development. <https://dpiwwe.tas.gov.au/conservation/coastal-management/managing-the-coast/tasmanian-coastal-works-manual>
- u. 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 193/25**

**MOVED** Deputy Mayor Michael Symons, **SECONDED** Cllr Neil Edwards:

That pursuant to section 57 of the Land Use Planning and Approvals Act 1993 and the Tasmanian Planning Scheme, SA2025/012 at 49 Rheban Road (188095/17), 51 Rheban Road (188095/1) Orford and lots 33287/1, 152580/2 and 182665/100 West Shelly Road Orford for a subdivision comprising 18 residential lots, one road lot and 2 footpath lots be approved with the following conditions noted 1 through to 34.

A **PROCEDURAL** motion was put:

Moved Cllr Gregson.

A decision on SA2025/12 be moved to the October 2025 Ordinary Council Meeting subject to the provision of the availability of the detailed design report to be undertaken in accordance with the recommended conditions in the draft permit.

**THE MOTION WAS LOST FOR A WANT OF A SECONDER.**

**THE ORIGINAL MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Kenneth Gregson and Cllr Jenny Walker

Against: Nil

Abstention: Nil

*Cllr Carole McQueeney returned to the meeting at 2:29 pm.*

*The Mayor advised Cllr McQueeney of the outcome of Council's decision in respect to agenda item 4.1.*

*Under Regulation 29 of Local Government (Meeting Procedures) Regulations 2025, 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 194/25**

Moved Clr Jenny Walker, seconded Clr Kenneth Gregson:

That Council no longer acts as a Planning Authority at 2:29pm.

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

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Kenneth Gregson, Clr Carole McQueeney and Clr Jenny Walker

Against: Nil

Abstention: Nil

## 5 FINANCIAL REPORTS

### 5.1 Financial Reports for August 2025

Author: Accountant (Mary Oyeyiola)

Responsible Officer: Chief Executive Officer (Greg Tory)

#### ATTACHMENT/S

1. Group Financial Statements 2025-08 [5.1.1 - 3 pages]
2. Capital Works Projects 2025-08 [5.1.2 - 2 pages]

#### BACKGROUND/OVERVIEW

The financial reports for the period ended August 2025 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 CONSIDERATION/S

Risk rating colour code:	Low	Medium	High	Extreme
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Area of Risk	Rating	Officer Comments
Contractual and Legal		
Environmental and Public Health		
Financial		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.
Industrial Relations		
Information Technology		
Natural Hazards		

Work Health and Safety		
Political and Governance		
Professional Indemnity		
Property and Infrastructure		
Public Liability		
Reputation		
Other		

### **OFFICER'S RECOMMENDATION**

That Council receives and notes the Financial Reports as attached to this report for the period ended August 2025.

### **DECISION 195/25**

Moved Clr Rob Churchill, seconded Clr Carole McQueeney:

That Council receives and notes the Financial Reports as attached to this report for the period ended August 2025.

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

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Kenneth Gregson, Clr Carole McQueeney and Clr Jenny Walker

Against: Nil

Abstention: Nil

## **6      SECTION 24 COMMITTEES**

## **7 INFORMATION REPORTS**

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

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

#### **ATTACHMENTS**

Nil.

#### **PURPOSE**

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

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

##### **ASSET MANAGEMENT**

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

August is a quiet month for technical activities relating to assets. Tasks relating to asset management were limited to the range of operational and capital activities summarised through the rest of the report.

##### **CONSULTANT SERVICES**

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

- Hydraulic assessment of subdivision engineering
- Civil engineering project management
- Specialist environmental reports to support applications for works on crown land

##### **OPERATIONAL WORKS**

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

- Unsealed road inspections for August: 7
- Maintenance grade of first 2klm of McNeil's Rd, Swansea - completed
- Numerous road/culvert/bridge repairs across the municipality after rain event on 26<sup>th</sup> July - completed
- Bresnehans Rd, Little Swanport maintenance grade - completed



- Pontypool roads maintenance grades - completed
- Maintenance grade some Swansea small, unsealed roads - completed
- Hermitage Rd maintenance grade - underway
- Cold mixing of potholes across the municipality - Ongoing across municipality- approx. 7 ton of cold mix placed for August. 24t of cold mix procured for Swansea/Triabunna depots.
- Two road failure box outs in Inkerman St, Triabunna - underway
- Road failure box out Elizabeth St, Orford - completed
- Cleanout debris under Rosedale Rd bridge (Bicheno) - completed
- Replace faded 40 speed signs on Freycinet Drive, Coles Bay - completed
- Roadside weed spraying of sealed and unsealed roads - ongoing

## **STORMWATER, DRAINAGE**

- Open drain and culvert/cross over maintenance - ongoing across municipality
- Prosser River reserve, install headwall and cleanout outlet to Prosser - completed
- Drain cleanouts Esplanade East, Triabunna - completed
- Open drain cleanouts Bernachi Drive, Orford - completed

## **WASTE MANAGEMENT**

- Mulching of green waste piles at all transfer stations - completed
- Bulk scrap metal collection from all four WTS's - scheduled for early September 2025
- Tyre recycling for all WTS's - Tyrecycle has taken the first truck load from Orford WTS
- Centrally relocating all waste concrete from GSBC work scopes to Orford WTS for crushing/recycling - 85% completed
- Degassing of all refrigerants from fridges/freezers at WTS's ready for recycling - - completed
- Screening of soil/material at Orford WTS - completed, approx. 1000t of good quality topsoil produced

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

- 13 weekly playground inspections for the month across the entire municipality.
- Coles Bay/Swanwick- Pressure cleaning of concrete paths/slabs in public places - completed
- Undertaking many small repairs to playground equipment identified in annual report - underway
- Contract arborist tree trimming in high-risk locations (parks and public spaces) across municipality-
  1. Jubilee Park, Swansea tree inspections and trimming - removal of dangerous tree complete
  2. Tree trimming and inspection on East Shelly foreshore - complete
- Mulching/weeding/trimming of Our Park gardens (Orford) - completed

- Install retaining wall behind new footpath on Swanwick Road, Swanwick - completed
- Remove numerous tree stumps, topsoil and seed- Cnr Hazard View Drive and Swanwick Rd - completed
- Mulching and trimming of gardens down Riverside Drive, Orford - completed
- Mulching and trimming of Swansea street garden beds - completed
- Swansea foreshore walking track around golf course (Waterloo Point) - currently closed due to damage sustained from extremely high tides in June, repair plan currently been scheduled. Now have PWS approval and planning the repair.
- Third party bushfire mitigation plan for Harold St Reserve and Rita Doris Reserve(Coles Bay) - plan received currently with PWS for approval

## BUILDINGS AND MARINE INFRASTRUCTURE

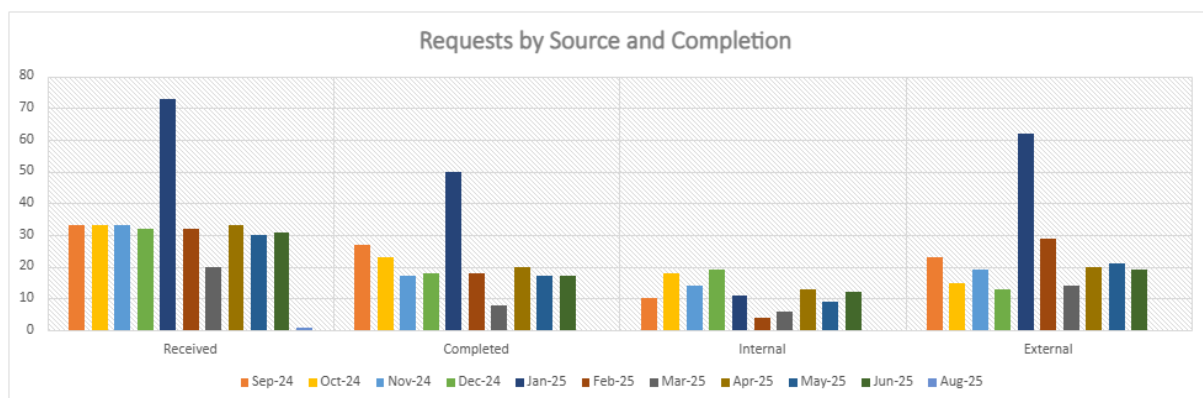
- Garnet Avenue toilets a pump failure replaced.
- A report has been provided by Hunter marine for the whole Marina area, some urgent repairs have been identified and have been repaired or are in the process of being repaired.
- Units: replaced two failing hot water systems unit 6 and 7. All lights renewed in one unit.
- The concrete ramp at Swansea football club has been renewed to make it safer for all users.
- Form 46 building inspections commenced

## EMERGENCY MANAGEMENT

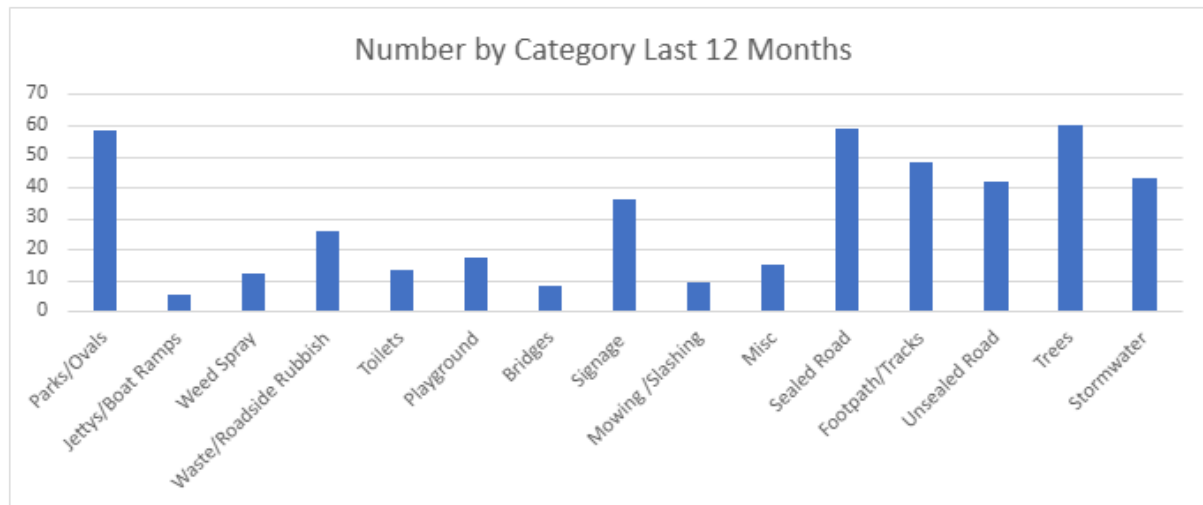
After hours rostering carried out as scheduled.

## 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

- Lions Park Playground – requests for quotations were called with prices for the works far exceeding expectations. The budget is significantly short and will require additional funds from council. As there is no additional budget allocation council should consider sale of land in Bicheno to support the open space expenditure. A separate report will be provided in due course for council consideration.
- Second Loo With a View – complete



- Contract for Pavement Rehabilitation and Bitumen Reseal being executed
- West Shelley Road kerb and pavement rehabilitation commenced
- Drain upgrade Riverside Drive Orford underway

- Wielangta Rd Bridge #53 upgrade - starting replacement on 6<sup>th</sup> October 2025
- Wielangta Rd Bridge #55 upgrade - currently sourcing material quotes
- Duck Park Swansea exercise equipment - New exercise equipment ordered
- Cnr Foster St and Waubs Esplanade, Bicheno. Install grated pit and safety rail for pedestrians - completed
- Install new culvert under road on corner of Bresnehans Rd and McKay's Rd, Little Swanport - completed
- Okehampton Rd, Triabunna- 6 full road culvert replacements, drain cleaning and other culvert cleanouts - completed
- Culvert failure in road on Buckland Rd, new culvert required for full width of road - completed
- Culvert failure under Esplanade, Coles Bay outside Iluka - completed
- Freycinet Drive, Fisheries. Install new culvert under road, clean open drains, install new head walls, rock line open drain - completed
- 25/26 FY footpath replacement plan
  1. Boyle St, Triabunna footpath replacement - completed
  2. Garnett Ave, Coles Bay footpath replacement out front of supermarket – Purchase Order (PO) issued to contractor
  3. Garnett Ave Coles Bay, install new footpath from public toilet to boat ramp area - PO issued to contractor, awaiting PWS approval
  4. Footpath extension corner of Julia St and River St, Swansea - underway
- 25/26 FY KC replacement plan
  1. St Margarets Crt, Swansea kerb install - underway
  2. Roberts St, Triabunna- replace 3 crossovers and 3 sections of kerb before resealing - scoping
- 25/26 West Shelly(Orford) cul-de-sac kerb install - completed
- 25/26 Cross St/Esplanade, Orford kerb install - completed
- 25/26- Concreting of part of Freycinet Drive(gravel section), Fisheries - PO issued to contractor, scheduled for early Sept
- Morrison St, Bicheno. Kerb install at cul-de-sac(at cemetery) and asphaltting - RFQ's sent out to suppliers
- First stage of Nailer Ave, Bicheno works - RFQ's sent out to suppliers
- Asphalt footpath to Bark Mill, Swansea - awaiting State Growth approval/permit
- New crib room for Bicheno depot - completed
- Bicheno Skatepark toilet is at floor level, Slab has been ground and sealed, concrete block walls are standing and core filled, the steel fabricators have been to measure up so works are progressing.
- Buckland amenities outflows upgrade programmed to commence before Christmas

## **Grant funded**

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

- Bicheno Triangle construction works progressing

- Black water station for Coles Bay - awaiting feedback from TasWater regarding proposed location at TasWater water fill station. Ongoing, very positive feedback from TasWater, next step is a site meeting with TasWater.

## **PLANT AND VEHICLES**

- 16t Swansea tip truck replacement- to be delivered on 10<sup>th</sup> Sept 2025
- Tender for new water cart/truck for grader crew - PO issued to successful supplier
- Replacement of one outdoor team utility - PO issued to successful respondent.
- New Coles Bay zero turn mower - to be delivered on 10<sup>th</sup> Sept 2025
- Late model second hand backhoe for Orford WTS to replace older unit - completed

## **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:

- Orford Winter Challenge - complete

## **RECOMMENDATION**

That Council notes the information.

## **DECISION 197/25**

Moved Cllr Carole McQueeney, seconded Cllr Jenny Walker:

That Council notes the information.

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

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Kenneth Gregson, Cllr Carole McQueeney and Cllr Jenny Walker

Against: Nil

Abstention: Nil

## **7.2 SERDA Strategic Plan | 2025 - 2030**

### **ATTACHMENTS**

1. FINAL SERDA Strategic Plan [7.2.1 - 9 pages]
2. SERDA Workshop Information [7.2.2 - 17 pages]

### **PURPOSE**

To receive and note the South East Region Development Association (SERDA) Strategic Plan 2025-2030.

### **BACKGROUND/OVERVIEW**

The 2025-2030 Strategic Plan outlines the way in which SERDA's operates and sets priorities, objectives, and actions over the coming period and indicates a continued alignment with Council's goals.

The plan is to be supported by additional work in identifying key projects which meet the criteria for inclusion as strategically relevant to the member councils in the organisation. That additional work will be scheduled in coming months to form an appendix to the Strategic Plan.

### **STRATEGIC PLAN REFERENCE**

#### **Key Foundations**

1. Our Governance and Finance

#### **This means**

Best practice governance, risk, and financial management.

### **STATUTORY IMPLICATIONS**

SERDA meets the requirements of the Local Government Act in its formation and operation.

### **BUDGET IMPLICATIONS**

There are no budget implications associated with this report.

### **RISK CONSIDERATION/S**

Nil.

### **RECOMMENDATION**

That Council notes the information.

**DECISION 198/25**

Moved Cllr Carole McQueeney, seconded Cllr Jenny Walker:

That Council notes the information.

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

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Kenneth Gregson, Cllr Carole McQueeney and Cllr Jenny Walker

Against: Nil

Abstention: Nil

### 7.3 Code of Conduct Investigation Outcome

#### **ATTACHMENTS**

1. Determination Report - Code of Conduct complaint - GSBC - Cr Carole Mc Queeney against Cr Michael Sy [7.3.1 - 11 pages]

#### **PURPOSE**

To table the Code of Conduct Panel's determination report in relation to a complaint made by Councillor Carole McQueeney against Councillor Michael Symons at the first meeting of the Council at which it is practicable to do so and which is open to the public in compliance with s. 28ZK(4) of the *Local Government Act 1993* (the Act).

#### **BACKGROUND/OVERVIEW**

##### **Receipt of determination**

Advice has been received from the Local Government Code of Conduct Panel (Panel) that the Panel has determined a complaint made by Councillor Carole McQueeney against Councillor Michael Symons. (Attachment 1).

Section 28ZK(2) of the Local Government Act requires that any person who receives a determination report must keep the determination report confidential until the report is included within an item on the agenda for a meeting of the relevant council.

Section 28ZK(4) of the Act requires that the General Manager is to ensure the Report is tabled at the first meeting of the Council at which it is practicable to do so and which is open to the public.

This is the first meeting at which it is practical to present the Determination report attached.

##### **Findings of the Code of Conduct Panel**

*In accordance with section 28ZL(c) of the Act, the Panel determines that Clr Symons has breached Part 1.3, Part 2, Part 3.1, Part 6.2, and Part 7.3 of the Code of Conduct. The Panel dismisses the complaint that Clr Symons has breached Part 6.1 of the Code of Conduct.*

*The Investigating Panel imposes the following sanctions on Clr Symons:*

- *A reprimand;*
- *A requirement to attend training. An appropriate training provider is to be advised by the Office of Local Government to the General Manager of the Glamorgan Spring Bay Council.*
- *A suspension from performing and exercising the powers and functions of his office as a councillor for a period of seven days. The suspension is to commence on the day following the date of the Council meeting in respect of which the determination report is included within an item on the agenda, in accordance with section 28ZK of the Act.*

Given this suspension period, Councillor Michael Symons may resume the role of Councillor (Deputy Mayor) on 1 October 2025.



## **STRATEGIC PLAN REFERENCE**

### **Key Foundations**

1. Our Governance and Finance

### **This means**

Best practice governance, risk, and financial management.

## **STATUTORY IMPLICATIONS**

*Local Government Act 1993*

*Local Government (Code of Conduct) Order 2024 Statutory Rules 2024, No. 43.*

## **BUDGET IMPLICATIONS**

There are no budget implications associated with this report.

## **RISK CONSIDERATION/S**

The code of conduct process is a mechanism within the Local Government Act for dealing with risks associated with matters expressed in the *Local Government (Code of Conduct) Order 2024 Statutory Rules 2024, No. 43*.

Any person may make a code of conduct complaint against a councillor in relation to an alleged breach by the councillor of the code of conduct.

Where a finding is made in support of the alleged breach, there are risk implications for councillors individually and all Council.

<b>Risk rating colour code:</b>	<b>Low</b>	<b>Medium</b>	<b>High</b>	<b>Extreme</b>
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<b>Area of Risk</b>	<b>Rating</b>	<b>Officer Comments</b>
<b>Contractual and Legal</b>		
<b>Environmental and Public Health</b>		
<b>Financial</b>		
<b>Industrial Relations</b>		
<b>Information Technology</b>		
<b>Natural Hazards</b>		
<b>Work Health and Safety</b>		
<b>Political and Governance</b>		Risks to the effective governance of council
<b>Professional Indemnity</b>		
<b>Property and Infrastructure</b>		

Public Liability		
Reputation		Risks to the public perception and reputation of councillors and council as an entity
Other		

### **OFFICER'S RECOMMENDATION**

That Council note the tabling of the Code of Conduct Panel's determination report in relation to a complaint made by Councillor Carole McQueeney against Councillor Michael Symons at this, the first meeting of the Council at which it is practicable to do so and which is open to the public, in compliance with s. 28ZK(4) of the *Local Government Act 1993*.

### **RECOMMENDATION**

That Council receive and note the report.

### **DECISION 199/25**

Moved Clr Jenny Walker, seconded Clr Kenneth Gregson:

That Council receive and note the report.

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

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Kenneth Gregson, Clr Carole McQueeney and Clr Jenny Walker

Against: Clr Neil Edwards

Abstention: Nil

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

### **8.1 Sale of 50 Beattie Avenue land and Lions Park Play Ground Upgrade**

Author: Acting General Manager (Peter Porch)

Responsible Officer: Director Works and Infrastructure (Peter Porch)

#### **ATTACHMENT/S**

1. Representations Received 50 Beattie Avenue Bicheno Land Sale [8.1.1 - 3 pages]
2. Council Resolution - 24 October 2023 - Disposal of Council Land - 50 Beattie Avenue [8.1.2 - 4 pages]

#### **PURPOSE**

To inform council of potential variances to budget associated with public open space infrastructure upgrade and propose a solution to maintain financial stability.

#### **BACKGROUND/OVERVIEW**

The 2024-25 capital program included an allocation of \$100,000 for upgrade to Lions Park play equipment. Based on the plan agreed in public consultation with the Bicheno community and approved by council for the site, quotes for the works were sought late last financial year.

The quotes are significantly more than the budget adopted for the works.

No one contractor can provide the playground as a complete package and combined quotes for the whole scope are in the order of \$270,000 leaving a shortfall of \$170,000 for council to find to initiate the works.

In order to meet the shortfall council has options to consider. In reviewing the land holdings and property uses for land council previously considered the sale of selected parcels of land. One of these was 50 Beattie Avenue.

Under section 178 of the Local Government Act 1993 (the Act), Council can sell, lease, donate, exchange or otherwise dispose of public land owned by it in accordance with the process set out in that section.

This report recommends that Council forms an intention under section 178 to exchange, lease or dispose of a 1824m<sup>2</sup> parcel of public land at Beattie Avenue, Bicheno (the Land) (CT 62307/50).

The council at its meeting held on 24th of October 2023 gave delegation to the General Manager to commence proceedings and advertise the potential sale of 50 Beattie Avenue, Bicheno.

An advertisement was placed in both the Mercury and Examiner newspapers on Thursday 2<sup>nd</sup> November and Friday 10th November 2023 giving 21 days' notice for comments. Notices were

also placed on notice boards in Triabunna. Submissions were to be received by close of business 23rd of November 2023.

At a workshop on the 9<sup>th</sup> April 2024, council was apprised of the outcome of the advertising and objections received. See attachment of representations received.

## **STRATEGIC PLAN REFERENCE**

### **Key Foundations**

#### **3. Infrastructure and Services**

#### **This means**

Planned asset renewal expenditure based on agreed asset management plans.

Cash flow managed to ensure current liabilities can be paid from unrestricted (available) cash.

Developing and implementing infrastructure provision strategies and plans that consider whole of municipality service priorities.

## **STATUTORY IMPLICATIONS**

### **Local Government Act 1993**

#### **178. Sale, exchange and disposal of public land**

- (1) A council may sell, lease, donate, exchange or otherwise dispose of public land owned by it in accordance with this section.
- (2) Public land that is leased for any period by a council remains public land during that period.
- (3) A resolution of the council to sell, lease, donate, exchange or otherwise dispose of public land is to be passed by an absolute majority.
- (4) If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to—
  - (a) publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and
  - (ab) display a copy of the notice on any boundary of the public land that abuts a highway; and
  - (b) notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.
- (5) If the general manager does not receive any objection under [subsection \(4\)](#) and an appeal is not made under [section 178A](#), the council may sell, lease, donate, exchange or otherwise dispose of public land in accordance with its intention as published under [subsection \(4\)](#).
- (6) The council must —
  - (a) consider any objection lodged; and
  - (b) by notice in writing within 7 days after making a decision to take or not to take any action under this section, advise any person who lodged an objection of —
    - (i) that decision; and
    - (ii) the right to appeal against that decision under [section 178A](#).
- (7) The council must not decide to take any action under this section in respect of land if —

- (a) any objection lodged under this section in respect of the land is being considered; or
- (b) an appeal made under [section 178A](#) , in respect of the land, has not yet been determined; or
- (c) the action is in contravention of a determination made in respect of an appeal under [section 178A](#) in respect of the land.

### **BUDGET IMPLICATIONS**

Proceeding with the necessary contracts for delivering the playground in Lions Park will significantly overspend the allocated budget. The proposed sale of land will more than compensate for the shortfall with surplus funds required to sit in the open spaces reserve for future open space development.

Timing of the sale will likely not be affected before the costs are incurred and it is proposed to use the reserves in the short term and replenish them from sale proceeds.

### **RISK CONSIDERATION/S**

Risk rating colour code:	Low	Medium	High	Extreme
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Area of Risk	Rating	Officer Comments
Contractual and Legal	Low	
Environmental and Public Health	Low	
Financial	Medium	Budget shortfalls need to be funded.
Industrial Relations	Low	
Information Technology	Low	
Natural Hazards	Low	
Work Health and Safety	Low	
Political and Governance	High	Proposed land sales must be undertaken in accord with legislation
Professional Indemnity	Low	
Property and Infrastructure	Medium	Provision of infrastructure following public consultation is critical to preserve faith with community
Public Liability	Low	
Reputation	Low	
Other	Low	

### **OFFICER'S COMMENTS**

Development of Lions Park is a well-supported community led project having a master plan to direct the outcomes. Land at 50 Beattie St has been identified as surplus and of very low public open space value. The land value can fund multiple open space development projects within Bicheno currently being advocated for by community.

### **OFFICER'S RECOMMENDATION**

That Council

1. RESOLVE under section 178 of the Local Government Act 1993 (the Act) to form an intention to dispose, exchange or lease of public land, being 50 Beattie Avenue, Bicheno (Title Ref: 62307/50) (the Land).
2. Proceeds with the playground construction for Lions Park, funding the budget shortfall from land asset sales and public open space financial reserves.

### **DECISION 200/25**

Moved Deputy Mayor Michael Symons, seconded Clr Neil Edwards:

That Council

1. RESOLVE under section 178 of the Local Government Act 1993 (the Act) to form an intention to dispose, exchange or lease of public land, being 50 Beattie Avenue, Bicheno (Title Ref: 62307/50) (the Land).
2. Proceeds with the playground construction for the Lions Park, funding the budget shortfall from the land asset sales and public open space financial reserves.

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

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Neil Edwards, Clr Kenneth Gregson, Clr Carole McQueeney and Clr Jenny Walker

Against: Clr Rob Churchill

Abstention: Nil

## **8.2 Draft Cybersecurity Policy**

Author: Acting Director Corporate and Communications (Danielle Tuck)

Responsible Officer: Acting Director Corporate and Communications (Danielle Tuck)

### **ATTACHMENT/S**

1. DRAFT CYBERSECURITY POLICY 1 [8.2.1 - 6 pages]

### **PURPOSE**

To recommend that Council adopts the draft Cybersecurity Policy as attached to this agenda item.

### **BACKGROUND/OVERVIEW**

In order to promote and continue to improve the good governance within Glamorgan Spring Bay Council, a draft Cybersecurity Policy has been developed. This initiative aligns with a recommendation identified by the Tasmanian Audit Office, which highlighted the importance of having a formal cybersecurity policy in place.

The purpose of this Policy is to establish clear guidelines, standards, and procedures to protect the confidentiality, integrity, and availability of the Council's information and information systems. It aims to reduce the risk of unauthorised access, disclosure, alteration, destruction, or disruption of information assets, while also promoting the responsible and secure use of technology across the organisation.

This Policy applies to all Council employees, councillors, contractors, and third parties who access Council information systems, networks, or services. It addresses the following key areas:

- Information Security Governance
- Risk Management
- Access Control
- Awareness and Training
- Incident Response
- Data Protection
- System and Network Security
- Vendor and Third-Party Management
- Compliance
- Continual Improvement

The policy encompasses the cybersecurity of all communications initiated and received and all documents and records held by council IT systems.

The development of this Policy represents a proactive step in ensuring the ongoing security and resilience of the Council's digital infrastructure.

The draft Cybersecurity Policy was presented to Council at a Workshop held on 9 September 2025. If adopted by Council, the Policy will be made available on Council's website and staff and Councillor intranet.

## **STRATEGIC PLAN REFERENCE**

### **Key Foundations**

1. Our Governance and Finance

### **This means**

Best practice governance, risk, and financial management.

## **STATUTORY IMPLICATIONS**

Nil.

## **BUDGET IMPLICATIONS**

Failure to adopt this cybersecurity policy could see Council exposed to significant financial risk. Without clearly defined security practices, the likelihood and impact of cyber incidents increase substantially. The associated costs include Emergency IT support, system recovery and downtime, legal fees, and potential ransom payments. Additionally, Council may face increased insurance premiums or even denial of coverage due to its higher risk profile.

## **RISK CONSIDERATION/S**

<b>Risk rating colour code:</b>	<b>Low</b>	<b>Medium</b>	<b>High</b>	<b>Extreme</b>
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<b>Area of Risk</b>	<b>Rating</b>	<b>Officer Comments</b>
<b>Contractual and Legal</b>		The Policy supports compliance with legal and regulatory requirements regarding data protection and cybersecurity. Lack of a policy may expose Council to legal risks.
<b>Environmental and Public Health</b>		
<b>Financial</b>		Helps reduce the risk of financial loss due to cyber incidents such as ransomware, fraud, or data breaches.
<b>Industrial Relations</b>		
<b>Information Technology</b>		Directly addresses risks related to system security, data protection, and unauthorised access. Provides a framework for secure IT operations and infrastructure.
<b>Natural Hazards</b>		
<b>Work Health and Safety</b>		



<b>Political and Governance</b>		Strengthens governance by aligning with Audit Office recommendations and promoting accountability in the management of digital assets.
<b>Professional Indemnity</b>		Reduces the risk of professional liability arising from data breaches or poor data management practices.
<b>Property and Infrastructure</b>		
<b>Public Liability</b>		Helps prevent data breaches that could expose sensitive public information, reducing Council's liability risk.
<b>Reputation</b>		Strong cybersecurity measures and policies enhance community trust and protect Council's reputation from the consequences of cyber incidents.
<b>Other</b>		

### **OFFICER'S COMMENTS**

It is essential that Council adopt this Cybersecurity Policy to proactively mitigate the risks associated with the increasingly complex and evolving cyber environment.

### **OFFICER'S RECOMMENDATION**

That Council adopts the Cybersecurity Policy as attached to this report item effective 23 September 2025.

### **DECISION 201/25**

Moved Deputy Mayor Michael Symons, seconded Cllr Jenny Walker:

That Council adopts the Cybersecurity Policy as attached to this report item effective 23 September 2025.

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

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Kenneth Gregson and Cllr Jenny Walker

Against: Cllr Carole McQueeney

Abstention: Nil

*Cllr Kenneth Gregson having declared an interest in item 8.3 left the meeting at 3:16 pm.*

### **8.3 Swansea Makers Market Small Grant Application**

Author: Community Development Coordinator (Bernadette Pogorzelski)

Responsible Officer: Chief Executive Officer (Greg Tory)

#### **ATTACHMENT/S**

1. Swansea Makers Market Small Grant Application [8.3.1 - 4 pages]

#### **PURPOSE**

Recommendation for Council to approve a Small Grant application for \$1,000 for Swansea Makers Market for event advertising and music hire.

#### **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.

Swansea Makers Market is an unregistered not for profit group who will be auspiced by the Glamorgan Spring Bay Historical Society Inc.

This application from the Swansea Makers Market, is for a contribution towards event advertising and music hire.

#### **Swansea Makers Market – Grant Application Support Statement**

The upcoming Swansea Makers Market, scheduled for the 15th and 16th of November, will mark the third instalment of this growing community initiative. Timed in the lead-up to the Christmas season, the event will once again be hosted at the Swansea Courthouse Arts Centre—a central and much-loved venue that supports local cultural activity.

Building on the strong success of previous markets, we anticipate participation from over 20 stallholders across the two-day event. The majority of these makers are based within the Glamorgan Spring Bay Municipality and will be showcasing a diverse range of handcrafted, locally produced goods—many of which are unique to Tasmania’s East Coast.

The Swansea Makers Market not only provides an important platform for local artisans and producers to exhibit and sell their work, but also strengthens community engagement by encouraging creativity, collaboration, and local enterprise. By supporting these makers, the market fosters economic sustainability and offers inspiration to others in the community to pursue creative endeavours of their own.

Funding support will help us to grow the market's reach and impact—supporting local talent, enriching the regional economy, and nurturing a vibrant, creative community on the East Coast.

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

Item	Cost
Event Advertising – purchase corflute signs	\$500
Hire of Band for event	\$500
<b>Total</b>	<b>\$1,000</b>

## **STRATEGIC PLAN REFERENCE**

### **Key Foundations**

#### **2. Our Community**

#### **This means**

Support and facilitation of social activities that promote community wellbeing.

Support for the arts, cultural activities, programs and events.

## **STATUTORY IMPLICATIONS**

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

### *77. Grants and benefits*

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

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

*a. in-kind assistance; and*

*b. fully or partially reduced fees, rates or charges; and*

*c. remission of rates or charges under Part 9.*

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

## **BUDGET IMPLICATIONS**

Applications for funding are considered throughout the financial year until such time as the available funds are exhausted. There is a Community Small Grants Program provision in the 2024/25 budget. As at 02 September 2025 there is \$19,000 of the budget available to support this application.

## RISK CONSIDERATION/S

Risk rating colour code:	Low	Medium	High	Extreme
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Area of Risk	Rating	Officer Comments
Contractual and Legal		
Environmental and Public Health		
Financial		
Industrial Relations		
Information Technology		
Natural Hazards		
Work Health and Safety		
Political and Governance		
Professional Indemnity		
Property and Infrastructure		
Public Liability		
Reputation		Risk of reputational damage from lack of Council support and missed opportunity for community development
Other		Swansea Makers Market will be required to find alternate funding for the vital role they play in our community.

## OFFICER'S COMMENTS

This application satisfies the necessary criteria of the relevant policy.

### Integrity Assessment:

The Swansea Makers Market will be auspiced by the Glamorgan Spring Bay Historical Society.

### Criteria Assessment:

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

### **OFFICER'S RECOMMENDATION**

That Council approve the application for Community Small Grant funding of \$1,000 to Swansea Makers Market for event advertising and hire of band.

### **DECISION 202/25**

Moved Cllr Rob Churchill, seconded Cllr Jenny Walker:

That Council approve the application for Community Small Grant funding of \$1,000 to Swansea Makers Market for event advertising and hire of band.

### **THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Carole McQueeney and Cllr Jenny Walker

Against: Nil

Abstention: Nil

*Cllr Kenneth Gregson returned to the meeting at 3:17 pm.*

*The Mayor advised Cllr Kenneth Gregson of the outcome of Council's decision in respect to agenda item 8.3*

## **9 COUNCILLOR MOTIONS WITH NOTICE**

Nil.

## **10     PETITIONS**

Nil.

## 11 COUNCILLORS

### 11.1 Councillor question time

Clr Gregson enquired whether the Council would support *Float to Survive Australia*, a program currently being developed and being run by Shane Gould in Bicheno. He also mentioned his attendance at a related workshop.

Clr Gregson further questioned the status of the public road leading to Watson's Gravesite. In response, Peter Porph advised that enquiries made so far have been inconclusive.

### 11.2 Comments/statements

Clr McQueeney made a statement regarding the Code of Conduct process given various statements made across the community. Clr McQueeney stated that, in relation to the recent Code of Conduct outcomes in Council, she hoped these outcomes would lead to more considered decision-making for the community.

*Clr Jenny Walker left the meeting at 3:21 pm.*

Clr Gregson acknowledged Peter Porph and displayed appreciation for his support to Council. He also recognised upcoming Mental Health Week and the Comedy Road show to be held in Swansea Town Hall.

Mayor Cheryl Arnol congratulated the Orford Golf Club Team of Fiona, Penny, Pauline and Jenny (Clr Walker) on their win in the prestigious Barclay Shield team competition.

Mayor Arnol read a post from the Minister for Police and Emergency Services Felix Ellis MP's Facebook page congratulating recipients of the rare and prestigious Commissioner's Medal for Distinguished Service.



## 12 CONFIDENTIAL ITEMS (CLOSED SESSION)

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2025*, the Mayor is to declare the meeting closed to the public in order to discuss the following matter/s:

**Item 1.1 Requests for Leave of Absence**

As per the provisions of Regulation 17 (2) (i) of the *Local Government (Meeting Procedures) Regulations 2025*.

**Item 1.2 Notification of Leave of Absence for parental leave**

As per the provisions of Regulation 17 (2) (j) of the *Local Government (Meeting Procedures) Regulations 2025*.

**Item 2.1: Minutes of Closed Session – Ordinary Council Meeting held on 26 August 2025**

As per the provisions of regulation 39 of the *Local Government (Meeting Procedures) Regulations 2025*.

### **RECOMMENDATION**

That Council moves into Closed Session at (time).

### **DECISION 202/25**

Moved Deputy Mayor Michael Symons, seconded Cllr Carole McQueeney,

**THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 6/0**

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Kenneth Gregson and Cllr Carole McQueeney

Against: Nil

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

## 13 CLOSE

The Mayor declared the meeting closed at 3:36pm.

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

**Date:**

**Mayor Cheryl Arnol**