



ORDINARY COUNCIL MEETING AGENDA

TUESDAY 24 JANUARY 2023

2:00 PM

Council Chambers, Triabunna

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 24 January 2023, commencing at 2:00 pm.

QUALIFIED PERSON CERTIFICATION

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

Dated this Thursday 19 January 2023



Greg Ingham
GENERAL MANAGER

IMPORTANT INFORMATION

- As determined by Glamorgan Spring Bay Council in April 2017, all Ordinary and Special Meetings of Council are to be audio/visually recorded and streamed live.
- A recording of the meeting will be available via the link on the Glamorgan Spring Bay Council website following the meeting.

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

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1 OPENING OF MEETING

The Mayor to welcome Councillors and staff and declare the meeting open at [time].

1.1 Acknowledgement of Country

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

1.2 Present and Apologies

1.3 Leave of Absence

In accordance with r.39 of the Local Government (Meeting Procedures) Regulations 2015, the Chairperson hereby requests Leave of Absence for Cllr Carole McQueeney for this meeting of Council, for the purposes of travel arranged prior to the 2022 Local Government Elections.

RECOMMENDATION

That Council grant Cllr Carole McQueeney leave of absence for the meeting of Council held on Tuesday 24th January 2023.

1.4 In Attendance

1.5 Late Reports

1.6 Declaration of Interest or Conflict

The Mayor requests Elected Members to indicate whether they have:

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

2 CONFIRMATION OF MINUTES

2.1 Ordinary Meeting of Council - 13 December 2022

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 13 December 2022 at 2:00pm be confirmed as a true and correct record.

2.2 Date and Purpose of Workshop(s) Held

TUESDAY 10 JANUARY 2023

In accordance with the requirement of Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council Workshop was held from 1:30pm to 5:00pm on Tuesday 10 January 2023 at the Council Offices, Triabunna.

Present:

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

Apologies:

Deputy Mayor Michael Symons (due to technical difficulties)

In Attendance:

Mr Greg Ingham, General Manager
Mr Alex Woodward, Director Planning and Development
Mrs Elysse Blain, Director Corporate and Community
Mr James Bonner, Senior Planner

Guests

- Mr Malcolm Reeve
- Mr Darren Fraser

Agenda

- Presentation by Ochre Health
- 10c Franklin Street, Swansea – DA 2021/107
- 18 Tasman Hwy, Bicheno – DA 2022/227
- Future of Local Government Review – Stage 2 Options Paper
- WH&S Review for Elected Representatives
- Review of Council Workshop Policy
- Proposed reduction in Council mowed areas
- Hydraulic Infrastructure Asset Management Plan update
- Parks and Recreation Asset Management Plan

RECOMMENDATION

That Council notes the information.

3 PUBLIC QUESTION TIME

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

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

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

3.1 Questions on Notice

Nil.

3.2 Questions Without Notice

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

4 PLANNING AUTHORITY SECTION

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

RECOMMENDATION

That Council now acts as a Planning Authority at [time].

4.1 DA2022/291 RA1533 Dolphin Sands Road, Change of use to Visitor Accommodation

Proposal:	Change of use to Visitor Accommodation
Applicant:	Sarah O'Connor
Application Date:	15/11/2022
Statutory Date:	01/02/2023
Planning Instruments:	Tasmanian Planning Scheme – Glamorgan Spring Bay
Zone:	Dolphin Sands Particular Purpose Zone
Codes:	C1.0 Signs Code, C2.0 Parking and Sustainable Transport Code, C3.0 Road and Railway Asset Code
Specific Area Plans:	N/A
Use:	Visitor Accommodation
Development:	Change of use to Visitor Accommodation
Discretions:	Dolphin Sands Particular Purpose Zone - P1.5.1 Amenity
Representations:	4
Attachments:	1. Representations DA2022/291 [4.1.1 - 6 pages] 2. Exhibited Documents DA2022/291 [4.1.2 - 8 pages]
Author:	Tiara Williams, Graduate Planner

Executive Summary

Planning approval is sought for the change of use of a four-bedroom dwelling to visitor accommodation. Visitor accommodation is a discretionary use within the Dolphin Sands Particular Purpose Zoning.

The application was advertised from 25 November 2022 to 09 December 2022 with 4 representations 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 01 February 2023.

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:

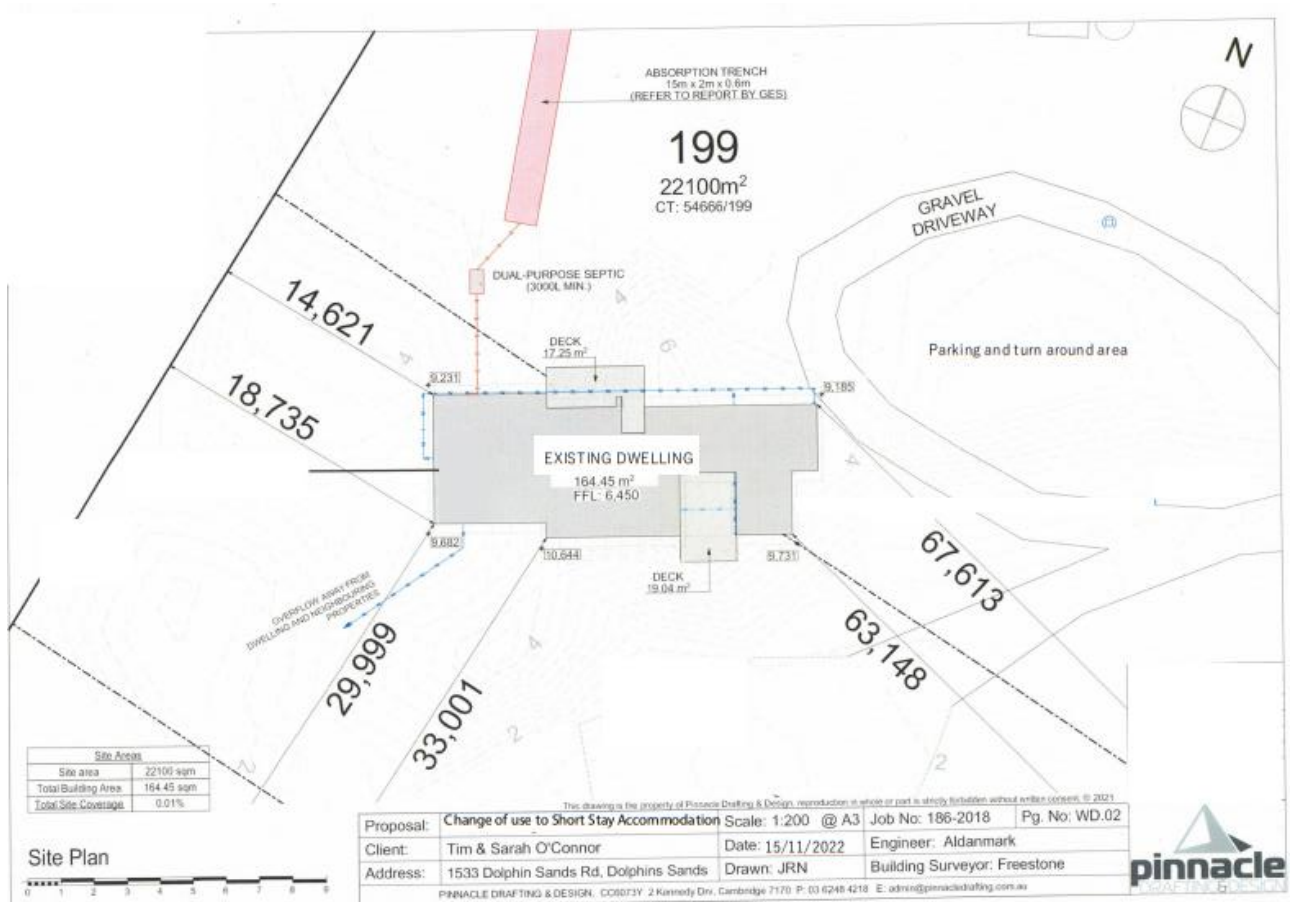
1. By Acceptable Solution, or if it cannot do this,
2. By Performance Criteria.

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 seeks to change the residential use of the existing dwelling to visitor accommodation. No works are proposed to the building.



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

The application for the dwelling (DA2019/345) was refused by Council and appealed. As a result of the appeal revised plans were provided and consent agreement was reached between the parties. The dwelling was approved by the Resource Management and Planning Appeal Tribunal (RMPAT) on 27 October 2020.

6. Site Description

The property at RA1533 Dolphin Sands Road CT 54666/199 consists of an existing four bedroom dwelling, the parcel of land is 22,100m² in size. The dwelling is situated 14.621m from the property boundary to the west and 63.148m to the east.



Figure 3: Locality Source: LIST Map

7. Planning Instruments

Tasmanian Planning Scheme – Glamorgan Spring Bay

8. Easements and Services

N/A

9. Covenants

N/A

PART TWO

10. Meeting the Standards via Acceptable Solution

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

- GSB-P1.0 Particular Purpose Zone – Dolphin Sands
- C1.0 Signs Code
- C2.0 Parking and Sustainable Transport Code
- C3.0 Road and Railway Asset Code

11. Meeting the Standards via Performance Criteria

The standards not met by Acceptable Solution need to satisfy the relevant Performance Criteria to be approved. These Are:

- GSB-P1.0 Particular Purpose Zone – Dolphin Sands
 - GSB-P1.5.1 Amenity

PART THREE

12. Assessing the Proposal against the Performance Criteria

GSB-P1.5.1 Amenity

A2 cannot be met as there is no acceptable solution therefore the performance criteria must be addressed.

Performance Criteria	Planner's Response
P2: Discretionary use does not cause or is not likely to cause, noise, dust, odour or lighting emissions that cause an unreasonable loss of residential amenity.	The visitor accommodation use is within an existing residential home and is keeping with the residential character of the area. It is unlikely to cause noise, dust, odour or lighting emissions exceeding those expected of a residential dwelling. The dwelling is located a significant distance from adjoining property boundaries and exceeds the acceptable solution for setbacks in this zoning requiring 10m setbacks from side boundaries.

Performance Criteria	Planner's Response
	The applicant is finalising an agreement with Freycinet Holiday Houses to manage the visitor accommodation. Enabling an additional point of contact for visitors and neighbour's concerns to assist in managing and maintaining amenity. Complies

13. Referrals

No referrals were made for this assessment

14. Representations

The application was advertised from 25 November 2022 to 09 December 2022 and four representations were received objecting to the proposal. A summary of concerns raised, and responses is included in the Table below. The submissions are included in the attachments to the report, with personal details redacted for privacy reasons.

Representation 1	Response
The representor raised concerns about the capacity of the wastewater system and questioned its compliance with Australian Standards.	Wastewater is not a consideration under the planning scheme.
Representation 2	Response
The representor raised concerns regarding bushfire risk and having visitors to the area who do not understand the nature and risk of bushfire in Dolphin Sands.	Change of use to visitor accommodation is exempt under the bushfire code as it is not considered hazardous or vulnerable. Therefore, bushfire risk and management are not considerations for this application under the Tasmanian Planning Scheme.
Representation 3	Response
The representor echoed concerns of bushfire addressed above. They highlighted concerns for loss of amenity regarding loss of peace and quiet in their bushland setting.	The noise generated by a visitor accommodation use that is located a significant distance away from adjoining houses is not considered to cause unreasonable loss of amenity or privacy.
Representation 4	Response
The representor echoed concerns about bushfire, noise and wastewater management addressed above.	The proposed dwelling to be used is located 65m from the closest adjoining building and exceeds the minimum setback requirements from adjoining property boundaries.

Additionally, they sighted concerns for privacy and loss of residential amenity.	Residential amenity is retained as the building is still residential in size and design, and the number of people using the property will not exceed those expected for a residential home or setting.
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15. Conclusion

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

16. Recommendation

That:

Pursuant to Section 57 of the Land Use Planning and Approvals Act 1993 and the Tasmanian Planning Scheme – Glamorgan Spring Bay, DA2022/291 at RA1533 Dolphin Sands Road, Dolphin Sands (CT 54666/199) be approved subject to the following conditions.

1. Use and development must be substantially in accordance with the endorsed plans and documents unless modified by a condition of this permit.
Advice: any changes may either be deemed as substantially in accordance with the permit or may first require a formal amendment to this permit or a new permit to be issued.
2. The visitor accommodation use is for providing short or medium-term accommodation for persons away from their normal place of residence.

The following advice is provided for information and assistance only

- a. Please read all conditions of this permit and contact the planner for clarification if required.
- b. All costs associated with acting on this permit are borne by the person(s) acting on it.
- c. Further and separate approval or consent may be required for the following:
 - i. Building and plumbing approval from Council under the *Building Act 2016*
 - ii. Certificate of certifiable work for Water and sewerage from TasWater under the *Water and Sewerage Industry Act 2008*
- d. The permit does not take effect until 15 days after the date it was served on you the applicant and the representor provided no appeal is lodged, as provided by s.53 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 Council's General Manager, or otherwise extended by written consent.
- f. 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.

4.2 DA2021/107 - Visitor Accommodation - 10C Franklin St, Swansea

Proposal:	11 x visitor accommodation units in 4-5 storey building
Applicant:	Seaspray Developments Swansea Pty Ltd
Application Date:	13/04/2021
Statutory Date:	27/01/2023
Planning Instruments:	Glamorgan Spring Bay Interim Planning Scheme 2015
Zone:	Local Business
Codes:	E5.0 Road and Railway Assets Code, E6.0 Parking and Access Code, E7.0 Stormwater Code
Specific Area Plans:	N/A
Use:	Visitor Accommodation
Development:	4-5 storey visitor accommodation building
Discretions:	20.0 Local Business Zone - cl20.4.1 building height, E5.0 Road and Railway Assets Code - E5.5.1 vehicle movements and E5.6.4 sight distance to intersection
Representations:	4
Attachments:	1. Exhibited Documents D A 2021-107 [4.2.1 - 39 pages] 2. Combined de-identified reps [4.2.2 - 3 pages]
Author:	James Bonner, Senior Planner

Executive Summary

Planning approval is sought for 11 x visitor accommodation units within a 4-5 storey building at 10C Franklin Street, Swansea. The application was advertised for two weeks from 02/12/2022 to 16/12/2022 and four representations were received objecting to the proposal.

The report assesses the proposal against the standards of the relevant zones, 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 27 January 2023.

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:

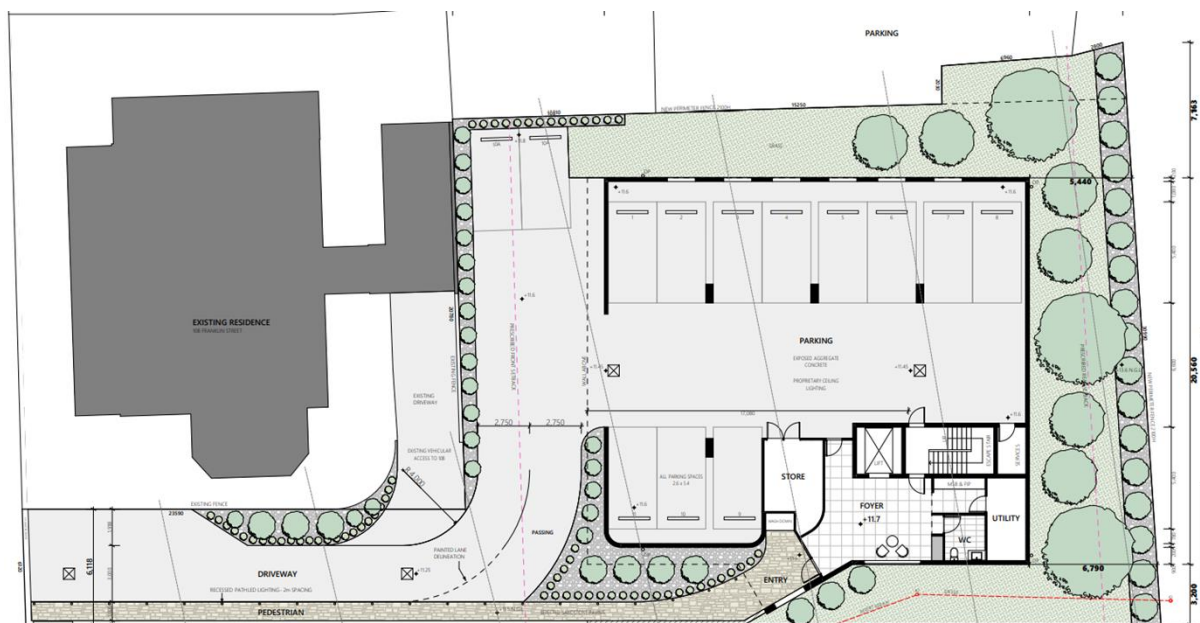
1. By Acceptable Solution, or if it cannot do this,
2. By Performance Criteria.

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 proposal is to build a 4-5 storey building with undercover parking to be used as visitor accommodation. The visitor accommodation comprises 3 x three-bedroom, 6 x two-bedroom and 2 x one-bedroom units. The proposal includes 2 parking spaces for 10A Franklin Street.



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

The subject lot was created via DA2008/238 and this is the first application submitted since the lot was created.

6. Site Description

The site is an internal vacant lot that shares a driveway with 10B Franklin Street. The site contains a mixture of grass and trees and shrubs that are predominantly located along the western side boundary and rear boundary. The site has a gradual slope towards Franklin Street.



Figure 2 – Site Source: LIST Map

7. Planning Instruments

The application was lodged and made valid prior to the Tasmanian Planning Scheme coming into force and therefore the application has been assessed under the Glamorgan Spring Bay Interim Planning Scheme 2015.

The property is zoned Local Business and the adjoining properties to the south are zoned General Residential. Figure 3 shows the location of the general residential zone in relation to the subject property. While the overlay relates to the Tasmanian Planning Scheme and not the Interim Scheme the boundary of the General Residential zone did not change as a result

in the change of Scheme and the figure has been included to show the location of the residential zone and local business zone.



Figure 3 – Locality with zoning Source: LIST Map

8. Easements and Services

The subject lot is subject to Right of Carriageway, Service Easement and Parking Easement that benefits 10A Franklin Street and a Right of Carriageway and Service Easement that benefits 10B Franklin Street.

9. Covenants

There are no covenants that have a bearing on the proposal.

PART TWO

10. Meeting the Standards via Acceptable Solution

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

- 20.0 Local Business Zone
- E5.0 Road and Railway Assets Code
- E6.0 Parking and Access Code
- E7.0 Stormwater 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 below standards could not meet the Acceptable Solution criteria and have been assessed against their relevant Performance Criteria.

- 20.0 Local Business Zone - cl20.4.1 building height
- E5.0 Road and Railway Assets Code - E5.5.1 vehicle movements and E5.6.4 sight distance to intersection

PART THREE

12. Assessing the Proposal against the Performance Criteria

20.0 Local Business Zone

cl20.4.1 building height (A1) – The acceptable solution is that building height must be no more than 9m. The building height exceeds 14.3m and as such the proposal does not comply with the acceptable solution and must meet the following performance criteria.

Performance Criteria	Planner's Response
P1 – Building height must satisfy all of the following: (a) be consistent with any Desired Future Character Statements provided for the area;	There are no Desired Future Character Statements for the area. Complies
(b) be compatible with the scale of nearby buildings;	The building height of 14.3m at the north elevation and 12.5m at the south elevation is not compatible with the scale of nearby buildings which are two storey to the north and west and single storey to the south and east. This is clearly demonstrated in the submitted streetscape plan. Does not comply

Performance Criteria	Planner's Response
(c) not unreasonably overshadow adjacent public space;	The building does not unreasonably overshadow adjacent public space. Complies
(d) allow for a transition in height between adjoining buildings, where appropriate	The building provides some transition in that the top floor is setback from the rear and sides, however it is considered that the transition provided does not satisfactorily address the difference in height between the proposed building and adjoining buildings. Does not comply

20.0 Local Business Zone

c120.4.1 building height (A2) – The acceptable solution is that building height within 10m of a residential zone must be no more than 8.5m. The building height is 12.5m within 10m of the residential zone and as such the proposal does not comply with the acceptable solution and must meet the following performance criteria.

Performance Criteria	Planner's Response
P2 - Building height within 10 m of a residential zone must be compatible with the building height of existing buildings on adjoining lots in the residential zone.	The proposed building is setback 5.44m to 6.77m from the adjoining residential zone to the rear of the subject lot. The existing buildings in the residential zone are single storey with a maximum height of 4.6m. The proposed building height within 10m of the zone is 12.5m comprising the main wall at 9.7m and the inset top level a further 2.8m. It is considered that the height of the building at 12.5m is not compatible with the height of the existing single storey dwellings at 4.6m and would have an unreasonable impact on residential amenity on adjoining lots. Does not comply

E5.0 Road and Railway Assets Code

E5.5.1 vehicle movements (A3) – The acceptable solution is that annual average daily traffic of vehicle movements to and from the site must not increase by more than 20% or 40 vehicle movements, whichever is the greater. Vehicles movements to and from the site will increase by more than 20% and as such the proposal does not comply with the acceptable solution and must meet the following performance criteria.

Performance Criteria	Planner's Response
P3 - Any increase in vehicle traffic at an existing access or junction in an area	The access allows for two-way movement and includes a passing bay at the driveway entrance. The driveway has been designed to allow to-way movement to and from Franklin St while also providing a pedestrian path from the

Performance Criteria	Planner's Response
subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to: a) the increase in traffic caused by the use; b) the nature of the traffic generated by the use; c) the nature and efficiency of the access or the junction; d) the nature and category of the road; e) the speed limit and traffic flow of the road; f) any alternative access to a road; g) the need for the use; h) any traffic impact assessment; and i) any written advice received from the road authority.	development to the street. The speed limit of Franklin St is 50km/h and there is no alternative access to the site. It is considered that the proposal would be safe and not unreasonably impact on the efficiency of the road. Complies

E5.0 Road and Railway Assets Code

E5.6.4 sight distance at accesses (A1)- The acceptable solution is that sight distances at an access or junction must comply with Table E5.1 which requires a safe intersection sight distance of 80m. The sight distance to the intersection of Franklin St and Victoria St is 60m and as such the proposal does not comply with the acceptable solution and must meet the following performance criteria.

Performance Criteria	Planner's Response
P1 - The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to: a) the nature and frequency of the traffic generated by the use;	The access is existing and no changes are proposed to the access from Franklin St. The vehicles using the access are anticipated to be passenger vehicles for guests and small service vehicles for cleaning the units between guests. The NSW RTA Guide to Traffic Generating Development estimates that for a motel type development there is around 3 trips per day from each motel room giving a total of 33 trips. A trip is a one-way movement. The road is flat and straight in this location and there are good sight lines to the intersection. It is considered that the location of the access and frequency of use

Performance Criteria	Planner's Response
b) the frequency of use of the road or rail network; c) any alternative access; d) the need for the access, junction or level crossing; e) any traffic impact assessment; f) any measures to improve or maintain sight distance; g) any written advice received from the road or rail authority.	will provide adequate sight distances to the intersection for vehicles entering and exiting the property. Sight distance looking west from the site should be maintained by requiring the proposed boundary fence to be no higher than 1.2m within 4.5m of the front boundary. The fence to the east is existing and includes slats that allow for viewing through the fence and there is no proposal to change it. Complies

13. Referrals

The application was referred to TasWater and Council's engineers who provided advice.

14. Representations

The application was advertised for two weeks from 02 December 2022 to 16 December 2022 and four representations were received objecting to the proposal. A summary of concerns raised, 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.

Representation 1	Response
1. The building comprises five floors and with the lift shaft looks to be over 15m. There are no other buildings in Swansea with more than 3 floors. 2. The building is of modern design and is out of keeping with the primary building streetscape. 3. Swansea is renowned for its heritage buildings and this building is located behind a heritage building. 4. It will impact the skyline view of many residents in the township of Great Oyster Bay. 5. 12 units are planned (two are numbered 11) and all will overlook neighbours houses and gardens.	1. The assessment has determined that the height of the building is not compatible with the scale of nearby buildings. 2. This is not a consideration under the planning scheme. 3. The application was referred to Heritage Tasmania who did not respond within the legislated time frame. 4. Building height is only a consideration for nearby properties and has been considered in the assessment. 5. There are 11 units with unit 11 being over two levels. The building meets the setback requirement (clause 20.4.2 A2) of half the height of the rear wall which is 9.7m.

6. The DA form states 16 spaces while only 12 spaces are shown on the plans. 7. The shadow diagrams appear somewhat minimalistic in regard to impact of shading neighbours. 8. The true purpose seems to be visitor accommodation, yet another Air BnB to unfairly compete with existing commercial businesses. 9. The proposed black aluminium walling and colorbond is the polar opposite to white facades of surrounding buildings. 10. Given the house in front is heritage listed, it is unclear how the land in question is not heritage listed.	6. Carparking has been provided in accordance with the Parking and Access Code of 1 space per unit. The 2 spaces located next to the building are for 10A Franklin St in accordance with the easement on title. 7. The shadow diagrams are considered to be acceptable and the building meets the minimum requirement of three hours sunlight to the adjoining residential zone. 8. The application is for visitor accommodation which is permissible in the zone. 9. The planning scheme only stipulates colour choice for the elevations facing a residential zone. 10. The property is listed as a State Heritage item, which was referred to the State Heritage office for consideration.
Representation 2	Response
1. The plan for visitor accommodation is total inappropriate for the existing landscape. 2. The design of the building is urban and screams "Gold Coast", completely unsympathetic to the town. 3. The footprint of the building is massive taking up most of the site and overshadowing of neighbouring properties. 4. The height of the building is excessive and nearly doubled that which is allowed. 5. The town needs residential accommodation not more visitor accommodation. 6. The building would dwarf the gorgeous Victorian home in front of it.	1. The assessment has determined that the height of the building is not compatible with the scale of nearby buildings. 2. Apart from the height of the building the planning scheme does not consider the design of the building and how it relates to existing buildings. 3. The property is zoned Local Business which does not restrict site coverage. The building meets the setback requirement to the adjoining residential properties in relation to potential overshadowing impacts. 4. The assessment has determined that the height of the building is not compatible with the scale of nearby buildings. 5. Visitor accommodation is permissible in the zone and this proposal provides a different style of visitor accommodation. 6. The assessment has determined that the height of the building is not compatible with the scale of nearby buildings.

Representation 3	Response
1. Swansea needs permanent accommodation, not visitor accommodation. 2. The DA does not fit into the Swansea landscape at all. 3. The overshadowing of the neighbouring properties as shown in the DA.	1. Visitor accommodation is an appropriate use in the Local Business zone. 2. The assessment has determined that the height of the building is not compatible with the scale of nearby buildings. 3. The shadow diagrams are considered acceptable and meets the minimum requirement of three hours to the adjoining residential zone.
Representation 4	Response
1. The height and bulk of the building would adversely impact on Swansea's historic town centre streetscapes and townscape. 2. The Norfolk Island Pine is of sufficient scale and character to enhance views of the proposed development from Franklin St and should be retained. 3. Vehicular access from Franklin St would be dangerous due to poor sight lines for drivers accessing the development. Pedestrians using Franklin St footpath would be at risk of collision with vehicles due to the poor sight lines and intensity of vehicle usage. 4. Dimensions of roading and parking spaces within the development site are minimal for the movement of cars and insufficient for trucks and service vehicles.	1. The assessment has determined that the height of the building is not compatible with the scale of nearby buildings. 2. Considering the works required for construction of the building and subsequent impact on the existing trees it is not considered feasible to retain the mature trees. 3. The access is existing and is the only access to the property and also provides parking for 10A and 10B Franklin St. Existing sight lines can be maintained by restricting the proposed western fence height to 1.2m within 4.5m of the frontage. 4. Parking spaces have been assessed as meeting the Australian Standard and it is unlikely that trucks or large service vehicles would enter the site once the development has been completed.

15. Conclusion

The assessment of the application taken in association with the representations received has identified that the proposal does not satisfy the relevant provisions of the Glamorgan Spring Bay Interim Planning Scheme 2015 and therefore the application is recommended to be refused.

16. Recommendation

Pursuant to Section 57 of the Land Use Planning and Approvals Act 1993 and the Glamorgan Spring Bay Interim Planning Scheme 2015, DA2021/107 at 10C Franklin Street, Swansea (CT 157330/3) for a 4-5 storey visitor accommodation building be refused for the following reasons:

- Failure to meet the requirements of clause 20.4.1 P1 (b) of 20.0 Local Business Zone of the Glamorgan Spring Bay Interim Planning Scheme 2015, in that the building height is not compatible with the scale of nearby buildings and does not contribute positively to the streetscape.
- Failure to meet the requirements of clause 20.4.1 P1 (d) of 20.0 Local Business Zone of the Glamorgan Spring Bay Interim Planning Scheme 2015, in that the building height does not allow for a transition in height between adjoining buildings.
- Failure to meet the requirements of clause 20.4.1 P2 of 20.0 Local Business Zone of the Glamorgan Spring Bay Interim Planning Scheme 2015, in that the building height within 10m of a residential zone is not compatible with the building height of existing buildings on adjoining lots in the residential zone and will result in an unreasonable impact on residential amenity.

The following advice is provided for information and assistance only

- a. Pursuant to section 57(7) of the Land Use Planning and Approvals Act 1993 (LUPAA) this letter is to serve notice to you as applicant of this decision.
- b. Pursuant to section 61 of LUPAA, the applicant may appeal against this refusal to the Appeal Tribunal. Any appeal must be instituted within fourteen days after the day on which this notice was served.
- c. To lodge an appeal or to obtain any information relating to the lodgement or conduct of an appeal please refer to the Appeal Tribunal website at <https://www.tascat.tas.gov.au/resource-and-planning/home>.

4.3 DA2022/227 - 5 x visitor accommodation buildings - 18 Tasman Hwy, Bicheno

Proposal:	5 x one bedroom visitor accommodation buildings
Applicant:	6ty ⁰
Application Date:	26/08/2022
Statutory Date:	31/01/2023
Planning Instruments:	Tasmanian Planning Scheme - Glamorgan Spring Bay
Zone:	8.0 General Residential Zone
Codes:	C2.0 Parking and Sustainable Transport Code, C3.0 Road and Railway Assets Code
Specific Area Plans:	N/A
Use:	Visitor Accommodation
Development:	5 x visitor accommodation buildings
Discretions:	8.0 General Residential Zone - 8.3.2 – visitor accommodation use and 8.5.1 - front setback and building envelope
Representations:	5
Attachments:	1. Exhibited Documents D A 2022-227 (1) [4.3.1 - 34 pages] 2. _ Representations de-identified [4.3.2 - 11 pages]
Author:	James Bonner, Senior Planner

Executive Summary

Planning approval is sought for a development comprising five (5) x two storey one bedroom visitor accommodation buildings and associated hardstand areas. The proposal was advertised for two weeks from 22 December 2022 to 12 January 2023 and five (5) representations were received objecting to the proposal.

The report assesses the proposal against the standards of the relevant zones, 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 31 January 2023.

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 proposal is for five (5) x two storey one bedroom visitor accommodation buildings with car parking provided for five (5) vehicles. It is noted that visitor accommodation is not a residential use and therefore the proposal has been assessed in the planning scheme as being a non-dwelling development.

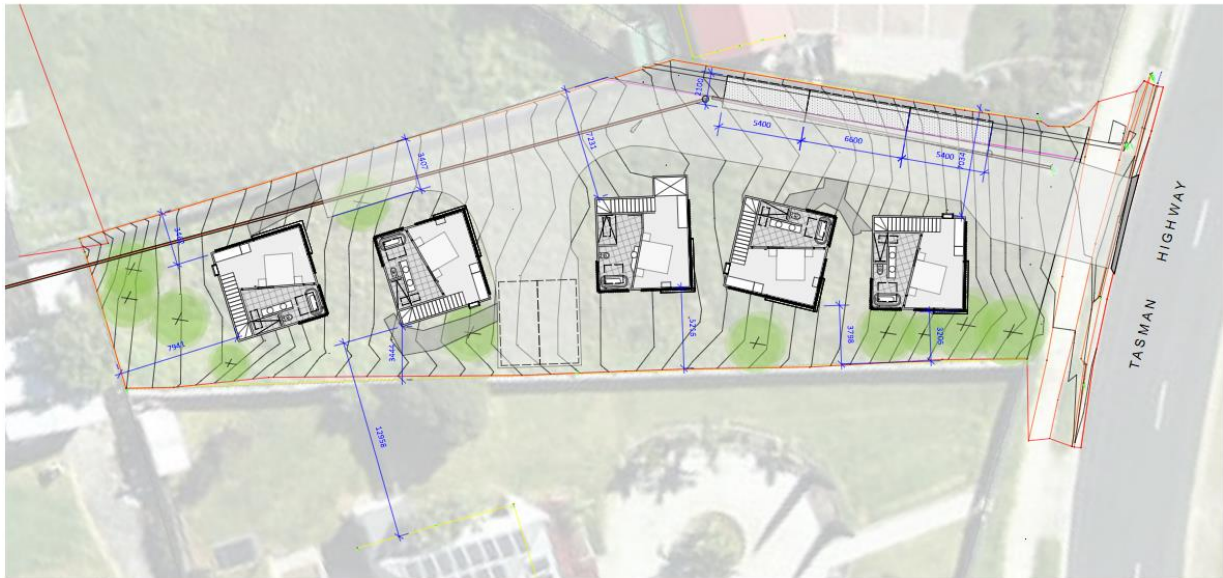


Figure 1 – Site Plan

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

An application (DA2021/317) for seven (7) visitor accommodation buildings of similar design was refused by Council at its meeting of 24/05/2022.

6. Site Description

The land rises approximately 4.7m from the road to the rear of the lot. The subject lot is cleared of native vegetation and is covered with a grass surface. There is no constructed access to the Tasman Highway. The lots adjoining the land and in the immediate vicinity generally present as single dwellings.



Figure 2 – Locality Source: LISTMap



Figure 3 – Site Source: LISTMap

7. Planning Instruments

Tasmanian Planning Scheme – Glamorgan Spring Bay

8. Easements and Services

The lot is burdened by a drainage easement running along the western boundary.

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
- C2.0 Parking and Sustainable Transport Code
- C3.0 Road and Railway Assets Code Agenda

All standards were met by Acceptable Solution excepting those identified below. These have been assessed against the applicable performance criteria.

11. Meeting the Standards via Performance Criteria

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

- 8.0 General Residential
 - cl 8.3.2 visitor accommodation
 - cl 8.5.1 - front setback
 - cl 8.5.1 - outside of building envelope

The Planning Authority must consider the representations and the Performance Criteria and make a determination by 31 January 2023.

PART THREE

12. Assessing the Proposal against the Performance Criteria

8.0 General Residential Zone

8.3.2 Visitor Accommodation (A1) - The acceptable solution is that visitor accommodation is within existing buildings and have a gross floor area of no more than 200m² per lot. The proposed visitor accommodation is not located within existing buildings and the gross floor area will exceed 200m². As such the proposal does not comply with the acceptable solution and must meet the following performance criteria.

Performance Criteria	Planner's Response
P1 - Visitor Accommodation must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to: (a) the privacy of adjoining properties	All the buildings are setback a minimum of 3m from lot boundaries with the deck for each building located on the ground floor and the development should not cause an unreasonable impact on privacy to adjoining properties. Complies
(b) any likely increase in noise to adjoining properties;	Each unit comprises one bedroom with a small deck and should not cause an increase in noise that would cause an unreasonable impact. Complies
(c) the scale of the use and its compatibility with the surrounding character and uses within the area;	Each building is quite modest in footprint being approximately 6m x 6m which is around the size of a double garage. The scale of the development with five two storey residential style buildings is compatible with the character and uses in the area which is a mix of residential and visitor accommodation. Complies
(d) retaining the primary residential function of an area;	While there are five buildings they are well spaced on the lot, meet the setback requirements from boundaries, present as residential buildings of modern design and retain the primary residential function of the area. Complies
(e) the impact on the safety and efficiency of the local road network; and	The proposal meets the relevant requirements of the transport codes in the provision of a suitable access and parking areas. Complies
(f) any impact on the owners and users rights of way	No rights of way over the lot. Complies

8.0 General Residential Zone

8.5.1 Non-dwelling development (A1) - The acceptable solution is that a building that is not a dwelling must have a front setback that is not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining properties on the same street. The setback for building 1 is 4.77m which is less than the setback of the dwelling located at 20 Tasman Hwy which is setback approximately 7.2m. As such the proposal does not comply with the acceptable solution and must meet the following performance criteria.

Performance Criteria	Planner's Response
P1 - A building that is not a dwelling, excluding for Food Services and local shop, must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.	The setback of building 1 has a minimum setback of 4.77m and meets the general minimum setback of 4.5m for a General Residential area. There are a variety of setbacks in the immediate area of lots fronting the Tasman Hwy and it is considered that the setback proposed is compatible with the existing streetscape. Complies

8.0 General Residential Zone

8.5.1 Non-dwelling development (A2) - The acceptable solution is that buildings are contained within the prescribed building envelope. Buildings 1, 2, 4 and 5 are outside of the building envelope. As such the proposal does not comply with the acceptable solution and must meet the following performance criteria.

Performance Criteria	Planner's Response
P2 - The siting and scale of a building that is not a dwelling must: (a), not cause an unreasonable loss of amenity, having regard to: (i), reduction in sunlight to a habitable room, excluding a bedroom, of a dwelling on an adjoining property; (ii), overshadowing the private open space of a dwelling on an adjoining property; (iii), overshadowing of an adjoining vacant property; or (iv), visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from an adjoining property; and	In regard to (a) (i) (ii) and (iii) shadow diagrams indicate that the buildings will not have an unreasonable impact on adjoining properties from overshadowing of habitable rooms, private open space or adjoining vacant properties. In regard to (a) (iv) it is considered that the buildings have been positioned on the lot such that they will not cause an unreasonable loss of amenity in regard to visual impacts when viewed from adjoining properties. Complies

Performance Criteria	Planner's Response
(b) provide separation between buildings on adjoining properties that is consistent with that existing on established properties in the area.	The separation between the buildings on adjoining properties is consistent with the area. Complies

13. Referrals

The application was referred to TasWater and Council engineers and comments and advice were received. State Growth provided owners consent for access onto the highway and stormwater discharge.

14. Representations

The proposal was advertised for two weeks from 22 December 2022 to 12 January 2023 and 5 representations were received objecting to the proposal. A summary of concerns raised, and responses is included in the Table below. The complete submissions are included in the attachments to the report, with personal details redacted for privacy reasons.

Representation 1	Response
Construction of 5 units on a typical residential block is not in keeping with residents expectations	The proposal is considered to meet the requirements of the planning scheme as detailed in the report.
Representation 2	Response
Five units is too many and the coming and going of holiday makers will have a detrimental effect on the liveability and wellbeing of permanent residents.	The proposal is considered to meet the requirements of the planning scheme as detailed in the report.
Representation 3	Response
1. The application has not provided detailed information demonstrating compliance with the planning scheme. The lack of information has impacted on the ability of the representor to make a satisfactory assessment of the proposal. 2. Application has not demonstrated compliance with clause 8.4.1 Development Standards for Dwellings. 3. The stormwater design report does not satisfactorily demonstrate how	1. It is considered that satisfactory information has been provided by the applicant for an assessment under the planning scheme to be undertaken and completed. 2. Clause 8.4.1 is not applicable to the application as the proposal is for visitor accommodation units which are not defined as being dwellings. 3. Stormwater from parking and access areas is assessed under the Parking and Sustainable Transport Code and Council's

stormwater will be managed on the site taking into consideration on site ground conditions. - Applicant has not demonstrated how the units will be managed when all 5 units are leased and what impact this will have on the adjoining properties. - The application has not stated if any signage is proposed. - The application has not stated if there will be an increase of more than 40 vehicle movements. If more than 40 then a Traffic Impact Assessment is required. - Applicant has not demonstrated that vehicles will leave in a forward direction or demonstrated that the safety of all road users is maintained. - Application has not provided an accessible parking space.	engineers have determined that the development can drain to the public stormwater system. - Each unit has only bedroom with a modest deck. A communal outdoor area has not been provided and it is considered that noise will not cause an unreasonable impact on adjoining properties. - The application does not include a proposal for signage. If signage is proposed that is not exempt under the planning scheme a further application for signage would be required. - Owners consent for the application involving access onto the Tasman Hwy has been provided by State Growth. The application was referred to the road authority (State Growth) who did not request further information and provided recommended conditions of consent. - The design of the parking areas allows vehicles to enter and exit in a forward direction. The application was referred to State Growth who did not raise any concerns with the access or vehicle movements. - The requirement for accessible parking is assessed under the Building Code of Australia and is determined at the building stage by the building surveyor.
Representation 4	Response
- The proposal has 5 pods in 1000m² which is a considerable number for a residential block of this size. - The proposal has 10 parking spaces which is too many and will cause pollution. - At two storey our privacy will be affected. - Every pod will probably have some kind of heating with noise or woodsmoke pollution. - The colour of the pods being black is very depressing colour which will affect people. - The development is not compatible with the character and use in the area.	- Each building is quite modest in footprint being around 6m x 6m which is around the size of a double garage. They are well spaced on the lot and meet the setback requirements. - The proposal includes 5 spaces being one for each building. - The buildings meet the boundary setback requirements with decks located on the ground floor. - Any heating appliance has to meet environmental health requirements regarding pollution from smoke or noise. - The planning scheme does not regulate colours in this zone.

7. It will put more pressure on water, electricity and sewerage and rubbish collection.	6. The proposal is considered to meet the requirements of the planning scheme as detailed in the report. 7. The application was referred to TasWater who provided recommended conditions. It is considered that the proposal will not impact on the collection of waste.
Representation 5	Response
- Does not contain enough application to be a valid application as detail is missing from the plans. - The development is not suitable to be built on a general residential lot. - The application for dwelling is not compliant with the development standards against multiple points of the planning scheme. Overshadowing drastically impacting on surrounding properties. - Overlooking particularly from bathroom windows is not suitable. Detail on plans is vague, no window schedule to show glazing and elevations are not clear. - The structures breach the building envelope as required by the planning scheme which are in place to minimise detrimental impact to neighbouring properties. - Front setback does not seem to be in keeping with the streetscape. - Large amount of concrete proposed with little detail on how stormwater will be managed. - Noise from vehicle movements impacting on neighbours. - Noise from guests holidaying, particular concern of couples and friends renting multiple units congregating in outdoor common areas. - What signage will be installed, will it be illuminated? - Could be strata titled in the future and sold without correct requirements for residential living.	- Sufficient information has been provided with the application to undertake an assessment under the planning scheme. - The assessment has considered that the development meets the performance requirements of the planning scheme. - The proposal is not for dwellings and therefore the dwelling standards in the scheme do not apply. Overshadowing of adjoining properties is within acceptable limits. - Buildings meet the setback requirements for non-dwellings and though not applicable they also meet the setbacks to side and rear boundaries for dwellings. Window schedules are not required for planning and while additional detail could have been provided in the plans to make them clearer to read, sufficient details has been provided to gain an understanding of orientation of the buildings. - While some portions of the buildings are outside of the building envelope, the assessment against the performance criteria considered that the proposal meets the requirements of the scheme. - The assessment considered that the proposal is compatible with the streetscape which has a variety of setbacks. - The planning scheme requires stormwater to be disposed to public infrastructure and Councils engineers are satisfied with the information provided. - Noise from vehicle movements of guests is unlikely to cause an unreasonable loss of amenity to neighbouring properties taking into consideration the type of

12. External lighting could cause a nuisance for neighbours. 13. Five wood heaters will create unacceptable amount of smoke. 14. 10 waste bins on collection day will look unattractive and cover the entire street frontage. 15. No landscaping or fencing detail of the finished development. 16. Stormwater report may include outdated information. A lot of the area is sodden with ground water and some blocks are not accessible by car. 17. Detail of sewer and water connections not provided. 18. A geotechnical report for soil classification has not been provided. 19. This development should be in a non-residential zone which would be a more appropriate zone.	vehicles expected and the location of the parking areas. 9. Each building consists of a single bedroom with small deck located on the ground floor. A common area is not shown on the plans and noise from the guests is anticipated to not cause an unreasonable impact. 10. Signage has not been included in the application. 11. Strata title is not proposed in the application. 12. External low level lighting for guests provided to aid guests in moving around the property at night. 13. Pollution from wood heaters is managed under environmental health requirements. 14. Waste collection is not a consideration of the planning scheme. 15. The planning scheme does not require landscaping and fencing details not required to be provided. Any fencing not deemed to be exempt would require a further approval. 16. The scheme only requires hardstand areas to be connected to the public stormwater, which is what is proposed. 17. The application was referred to TasWater who provided recommended conditions. 18. Geotechnical report is not required at the planning stage. 19. The assessment has considered the zone requirements in the assessment as detailed above.
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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.

16. Recommendation

That:

Pursuant to Section 57 of the Land Use Planning and Approvals Act 1993 and the Tasmanian Planning Scheme – Glamorgan Spring Bay, DA2022/227 at 18 Tasman Highway, Bicheno (CT 28091/2) for 5 x visitor accommodation buildings be approved with the following conditions:

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

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

2. Use and development must comply with the requirements of TasWater specified by 'Submission to Planning Authority Notice' reference number TWDA 2022/01791-GSB, dated 16/12/2022 and attached to this permit.

Visitor Accommodation Use

3. The buildings are only approved for visitor accommodation use and must not be occupied by the same person(s) for a period exceeding three months within any 12-month period and must not be occupied as residences.
4. Low level security lighting provided to external areas is to be baffled to ensure direct light does not extend into adjoining properties.
5. Waste storage areas are not to be visible from the road or encroach onto parking spaces, driveway or landscaped areas.
6. Air conditioning units located within 10m of the property boundary must be designed, located or otherwise treated to not cause an unreasonable loss of amenity to adjoining properties.

Construction

7. Plans submitted for building approval must include a Soil and Water Management Plan (SWMP) and this must be implemented to ensure soil and sediment does not leave the site during the construction process.

Advice: a series of Fact Sheets on [Soil and Water Management on Building Sites](#) and how to develop a SWMP is available on the Environment Protection Authority website.

8. Through the construction process to the satisfaction of Council's General Manager, and unless otherwise noted on the endorsed plans or approved in writing by Council's General Manager, the developer must:
 - a) ensure soil, building waste and debris does not leave the site other than in an orderly fashion and disposed of at an approved facility;
 - b) not burn debris or waste on site;
 - c) ensure public land, footpaths and roads are not unreasonably obstructed by vehicles, machinery or materials or used for storage;

- d) pay the costs associated with any alteration, extension, reinstatement and repair or cleaning of Council infrastructure or public land.
- 9. The developer must provide a commercial skip (or similar) for the storage of builders waste on site and arrange for the removal and disposal of the waste to an approved landfill site by private contract.

Advice: Builders 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.

Access and Parking

- 10. Roadworks and drainage must be constructed in accordance with the standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager.
- 11. To the satisfaction of Council's General Manager, the internal driveway and areas set aside for vehicle parking and associated access and turning must be provided in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney and must include all of the following:
 - a) Have a minimum width carriageway of 5.5m; or 3.6m carriageway with passing bays 5.5m wide x 6m long at the every 30m;
 - b) Have a sealed surface of asphalt, concrete or equivalent approved by Council's General Manager;
 - c) Be drained to an approved stormwater system.
- 12. To allow future access to the drainage easement as required, the parking spaces located in the drainage easement must comply with the following :
 - a) Have a paved or a compacted gravel surface designed, constructed and maintained to avoid dust or mud generation, erosion or sediment transfer on or off site;
 - b) The surface must be constructed with a durable all weather pavement;
 - c) Surface runoff must be drained to an approved stormwater system;
 - d) The planting of trees and plants within the easement being limited to species with shallow root systems which will not prejudice or damage the drain;
 - e) The developer being responsible for the cost of repairing any damage caused to the drain resulting from construction activities within the property or from structures/services being located in close proximity to the drain;
 - f) To the satisfaction of Council's General Manager.
- 13. To the satisfaction of Council's General Manager, surface water runoff from the internal driveway and areas set aside for vehicle parking and turning must be controlled and drained to avoid unreasonable impact to adjoining land.

14. Basic drawings showing the extent of the new 6 m wide access, including removal of the exiting access kerb crossover and all other associated works must be provided to the Department of State Growth for review and acceptance as part of an access works permit application, see Note 1.
15. Engineering drawings showing the extent of all service and drainage works within the State road reservation must be provided to the Department of State Growth for review and acceptance as part of a service works permit application, see Note 1.

NOTE 1: A valid works permit is required for all works undertaken in the State road (Tasman Highway) reservation. Details of the permit process and application forms can be found at: www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/new_or_altered_access_onto_a_road_driveways for the access work component and www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/service_works_gas_water_electricity for service and drainage works. Applications must be received by the Department of State Growth a minimum of twenty (20) business days prior to the expected commencement date for works in order to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.

NOTE 2: Approval is required from the Department of State Growth to concentrate and discharge stormwater or drainage onto the State road network. Details of the permit process and application forms can be found at: www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/stormwater_discharge_only.

Stormwater Management

16. The developer must provide a piped stormwater property connection capable of servicing the site by gravity in accordance with Council standards and to the satisfaction of Council's General Manager.
17. The developer must provide a piped minor stormwater drainage system designed to comply with all of the following:
 - a) be able to accommodate a storm with an Average Recurrence Interval (ARI) of 20 years, when the land serviced by the system is fully developed
 - b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.
18. Prior to Council issuing plumbing completion the certified designer(s) of the stormwater system must confirm that the stormwater system is constructed in accordance with the stormwater design report (prepared by Exceed Engineering), approved engineering plans, and conditions of the planning permit.
19. The onsite detention and stormwater treatment system must be maintained for the life of the development to ensure quantity and quality targets are achieved and stormwater does not create a nuisance to adjacent properties.

The following advice is provided for information and assistance only

- a. Please read all conditions of this permit and contact the planner for clarification if required.

- b. All costs associated with acting on this permit are borne by the person(s) acting on it.
- c. Further and separate approval or consent may be required for the following:
 - i. Building and plumbing approval from Council under the *Building Act 2016*
 - ii. Certificate of certifiable work for Water and sewerage from TasWater under the *Water and Sewerage Industry Act 2008*
- d. The permit does not take effect until 15 days after the date it was served on you the applicant and the representor provided no appeal is lodged, as provided by s.53 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 Council's General Manager, 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. In the event that any suspected Aboriginal cultural material is inadvertently encountered during surface or sub surface disturbance, please consult the Unanticipated Discovery Plan at <http://www.aboriginalheritage.tas.gov.au/Documents/UDP.pdf>

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

RECOMMENDATION

That Council no longer acts as a Planning Authority at [time].

5 FINANCIAL REPORTS

5.1 Financial Reports for the period ending 31 December 2022

Author: Director Corporate & Community (Elysse Blain)

Responsible Officer: Director Corporate and Community (Elysse Blain)

ATTACHMENT/S

1. Group Financial Statements 2022-12 (1) [5.1.1 - 5 pages]

BACKGROUND/OVERVIEW

The financial reports for the financial year to date ended 31 December 2022 attached to this report are presented for the information of Council.

STATUTORY IMPLICATIONS

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

BUDGET IMPLICATIONS

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

RISK CONSIDERATIONS

Risk	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation				
There are no material risks from adopting this recommendation.				
Do not adopt the recommendation				
By not receiving and reviewing the major financial reports on a regular basis, such as the Profit & Loss, Statement of Cash Flows, Capital Works and Balance Sheet, Council risks not meeting its financial management obligations.	Likely	Likely	High	By not adopting the recommendation Council is not endorsing the financial reports for the period that represents the financial health of the operation. Council needs to endorse.

OFFICER'S RECOMMENDATION

That Council receives and notes the Financial Reports as attached to this report for the financial year to date ended 31 December 2022.

6 SECTION 24 COMMITTEES

6.1 Coles Bay Hall Committee Minutes - 5 December 2022

Coles Bay Community Hall Committee Meeting Minutes

5pm, 5th December 2022

Meeting Facilitator: Nigel Carins

Nigel Carins called to order the regular meeting of the Coles Bay Community Hall Committee at 5pm on Monday, 5th December 2022, at the Coles Bay Community Hall.

No apologies.

Present: Nigel Carins, Kristin Hoerlein, Barb Barrett, Anne Melrose & Rob Churchill. Kathryn Whitchurch & Liz Swain via phone link.

Minutes approved as circulated.

Moved Liz Swain, 2nd Nigel Carins. Carried.

Minutes from the previous AGM were approved at the meeting 21st February 2022.

Annual Report provided by Nigel Carins. Please see attached document.

Treasurer's Report is endorsed. Please see attached.

Payment has been made by the Electoral Commission for use of the hall. We have no information where this has been deposited. Rob Churchill to check with council.

Moved Nigel Carins, 2nd Anne Melrose. Carried.

The Yearly End of Financial Report was provided at the meeting 22nd August 2022.

Call for votes on committee members:

- a). Position of Chairperson: Nigel Carins nominated by Liz Swain, seconded by Kathryn Whitchurch. Carried.
- b). Position of Secretary: Kristin Hoerlein nominated by Barb Barrett, seconded by Anne Melrose. Carried.
- c). Position of Treasurer: Barb Barrett is nominated by Nigel Carins, seconded by Kristin Hoerlein. Carried.
- d). Committee members are Anne Melrose, Kathryn Whitchurch, Liz Swain & Rob Churchill.

Open issues

- a) Update on Annex renovation grant application. – SUCCESS!

We have received confirmation of our positive result from the 2022 COMMUNITY INFRASTRUCTURE GRANT ROUND.

We would like to thank all involved in contributing to the application, including previous committee members who kept the project rolling.

Special mention of thanks to Jen Hackett for her input towards this result.

- b) Hit-up wall. We have one quote for the hit-up wall, built as a solid block wall, for \$6,000.00.

Fulton Hogan have been approached, with no response yet.

Resolved to obtain a second quote and keep the hit-up wall on the agenda.

Moved Anne Melrose, 2nd Barb Barrett. Carried.

General discussion.

- a) Review of Hall charges. Hall charges have not increased in two years.

The cleaning fee for non-community / commercial events has increased from \$75.00 to \$110.00. We pay for the cleaning supplies.

Sporting groups (i.e., Pickle-ball. Badminton) currently have a policy of a gold coin donation. This has been confirmed to continue.

Note: there is no guide from council for 2022 – 2023 rates.

Rob will bring in a comparison of other Hall charges to help with a decision if an increase is needed, including how they charge for GST. Rob also to check who pays for the cleaning supplies at the other halls.

A modest increase may go towards funding extras required with the renovation.

Rob's research to help in deciding whether to increase charges.

Moved Nigel Carins, 2nd Anne Melrose. Carried.

a) No FAI report.

b) New issues: bring ideas for future fundraising to the next meeting.

Discussion on Solar Panels raised by Nigel, regarding the annex renovation. It is not a priority to install panels if the new build can incorporate them in the future. To be future proof is a good standard and advertisement for the building.

Anne met Phil from council, testing whether the tennis courts are causing the extra water runoff in the surrounding streets.

Next meeting: Monday 6th March 2023. 5pm in the hall.

Nigel Carins adjourned the meeting at 7.30pm

Minutes submitted by Kristin Hoerlein.

Minutes approved by Nigel Carins.

Annual Report – Coles Bay Hall Committee

Annual Report December 2022

- Many thanks to the committee members for their support for this facility and in particular for their support towards the rebuild of the annex project.
- Special thanks to Kristin and Barb in their respective roles as Secretary and Treasurer, and to Rob Churchill for his liaison with council on this community's behalf.
- Projects achieved this last year include the locked notice board, the erection of the basketball backboard and painting of lines on the court, the purchase of the pickle ball equipment and thanks to FAI the installation of the drink water station outside the toilet block and most importantly the consultation over the plans for the new annex. The grant writing was outsourced to the "Red Tape Busters," but we and Adrian O'Leary had to provide quite a bit of information to be included in the application, including the letters of support from the community.
- Hall bookings during the last twelve months have increased over the previous year, most probably the post Covid syndrome and Pickleball and Badminton are the most popular at present. A group of us are also interested in getting indoor bowls up and running again. Disappointingly Yoga has not restarted since Covid. The annex use for Mah-jong still goes along very strongly fulfilling a unique social connection for these players.

Projects for the future?

- The Tennis Hit up wall which we proposed to Fulton Hogan does not look like it will be funded by them. To be honest they have not responded to my enquires. I suggest we now make it a community project with a few fundraisers as it will cost approximately \$6k to build as a block wall, with the appropriate building approvals.
- Finally, I am very pleased to let you know we have been successful in securing the grant. The deed will be put together over the next few weeks, they have asked not to advertise to widely until its official & Council signs the deed. The deed will be signed after Christmas & then Adrian will organise construction drawings ready for tender.

Nigel Carins
Chairperson

Treasurer's Report

Dec-22				
	Opening Bank balance Dec 2022		\$ 4,599.86	
				\$ 4,599.86
Income	Mrs Kayla Marie Love		\$ 50.00	
	11/10 Hall Pickle Ball		\$ 47.60	
	16/10 Hall Pickle Ball		\$ 123.50	
	Total			\$ 221.10
Cash on Hand			\$ 131.70	
				\$ 131.70
Expenditure	Pickle Ball equipment		-\$303.41	
	Swansea Mens Shed Donation re cabinets		-\$100.00	
				-\$ 403.41
	Term deposit		\$ 5,975.41	
	interest		\$ 17.93	
				\$ 5,993.34
Total				\$ 10,542.59

RECOMMENDATION

That the Minutes of the Coles Bay Hall Committee meeting held on 5 December 2022 be received and noted.

6.2 Spring Bay Eldercare Committee Minutes - 11 July 2022

Location: Meeting Room, Triabunna Council Offices

Date: Monday 11 July 2022 9:00am

1. ATTENDANCE

Attendees:

Clr Keith Breheny (Council representative) Via phone conference.

Cheryl Arnol (Chair)

Mrs Kath Fergusson

Mrs Lona Turvey

Mr Michael Fama

Ms Elysse Blain (Director Corporate and Community

Mr Alex Woodward

Ms Eliza Hazelwood (Community & Communications Officer)

Apologies: Mr Tony Brown (COVID-19 Quarantine/Isolation – as per Government Regulations)

2. CONFIRMATION OF MINUTES

MOVED Kath Fergusson, **SECONDED** Lona Turvey

That the minutes of the Spring Bay Eldercare Committee held August 2021, be confirmed as a true record of proceedings.

CARRIED

MOVED Kath Fergusson, **SECONDED** Lona Turvey

That the minutes of the Spring Bay Eldercare Committee held 23 May 2022, be confirmed as a true record of proceedings.

CARRIED

3. BUSINESS ARISING

NIL.

4. NEW LEASE AGREEMENT

- The REIT Lease Agreement may be more difficult for our tenants to understand. **C. Arnol** recommends that the agreement be more reader friendly and suggest that the fonts, size and lay out of the document be looked at.
- **A. Woodward** suggests that a Legal document be used to protect the tenant and the owner. Legal Aid can give assistance to both parties involved in the agreement.
- **A. Woodward** confirmed that the document is Copyright and only the schedule/ additional clauses can be added, and the document can not be reproduced or changed. Irrelevant clauses can be drawn over as N/A.
- A schedule / Rules of agreement will be required with the lease agreement in plain English.
- The Tenancy will be for a 12–24-month period and will then reviewed and signed again to renew the lease. Council have no intention of moving the occupant out, but this does give both parties the opportunity to end the tenancy and a security of tenure if either party are not satisfied with the arrangement.

RECOMMENDATION

That the Minutes of the Spring Bay Eldercare Committee meeting held on 11 July 2022 be received and noted.

6.3 Triabunna Community Hall Committee Minutes - 20 December 2022

Triabunna Community Hall Committee (TCHC)

Meeting Minutes
20/12/22

Opening

The regular meeting of the Triabunna Community Hall Committee (TCHC) was called to order at 2pm on 20/12/22 in the TCH by temporary Chairperson Gavan Barber,.

Present

Malcolm Bishop, Kaylene Lee, David Kirk, Secretary/Treasurer Gavan Barber & Council Rep Robert Young

Apologies

Nil

Declaration of Interest/Conflict

Nil

Election of Officers

Gavan Barber was nominated to be temporary Chair for this section of the meeting – unanimous decision
Gavan declared all positions vacant

Nominations for Chairperson were called for:

David Kirk nominated by Malcolm Bishop, seconded by Kaylene Lee

Outcome:

David Kirk was the only nomination

Result:

David Kirk declared Chairperson of the TCHC

Nominations for Secretary were called for:

Gavan Barber nominated by Malcolm Bishop, seconded by Kaylene Lee

Outcome:

Gavan Barber was the only nomination

Result:

Gavan Barber declared Secretary of the Triabunna Community Hall Committee

Nominations for Treasurer were called for:

Gavan Barber nominated by Malcolm Bishop, seconded by Kaylene Lee

Outcome:

Gavan Barber was the only nomination

Result:

Gavan Barber declared Treasurer of the Triabunna Community Hall Committee

Gavan Barber declared the election of Officers completed and handed over the Chair to David Kirk, the elected Chairperson.

David welcomed everyone to the Committee.

Approval of Minutes

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

MOVED: Robert Young
SECONDED: Kaylene Lee
CARRIED: Unanimously

Business Arising from Minutes

- Tapestries – discussion of what happened about the tapestries.
ACTION: Kaylene Lee to contact Adrian O’Leary about which tapestries still have to be moved/swapped.
- Refund of Spirit Super booking fee
ACTION: Gavan reported that the refund of Spirit Super booking cheque refund has been posted.

Correspondence

- Resignation letters from Keith Breheny & Grant Robinson.
ACTION: Chairperson to write letters of thanks to both Keith Breheny & Grant Robinson.

Financial Report

Balance in account at date of meeting is \$7,294.56.

Robert Young asked where income is derived from, and it was explained that all income is from hall hire.

Acceptance of Financial Report

MOVED: Robert Young
SECONDED: Malcolm Bishop
CARRIED: Unanimously

New Business

Nil

Other Business

- **Hall Gutters**
David Kirk reported that the south/east gutters of the hall have large weeds growing in them, and are blocked again.
ACTION: David Kirk contacted Adrian O’Leary, who is waiting on a cherry picker to be able to do the work, he could not provide a time frame.
- **Cleaning of hall**
Gavan Barber to contact the dance group re checking that the toilets and floor are cleaned after each hire session, as the committee is not happy with the standard of cleaning. It was noted this will be the second time that we have requested that the cleaning is carried out properly.
Discussion ensued about the possibility of charging a refundable deposit for cleaning costs incurred by the committee in future,
ACTION: agenda item for the next meeting.
Spring Clean of Hall

ACTION: In the meantime, it was decided Gavan to contact Heru & Michelle to organise a spring clean of the hall.

- **Invoice to Meals on Wheels - Kaylene**

Kaylene reported that invoices have not been issued for Meals on Wheels annual hall hire for some time.

ACTION: Gavan Barber to check the records and issue invoice/s to Meals on Wheels.

- **Dates for next meetings**

31/1/23 10:30am

18/4/23 11:00am

25/7/23 11:00am

24/10/23 11:00am

- **Robert Young asked the Chair how people go about hiring the hall**

As he had experienced difficulty in finding out who was on the Committee and wondered how potential hall hirers went about hiring the hall and the schedule of fees. Gavan explained contact details for hall hire are listed under Section 24 Committees on the Council website. Gavan Barber is the contact person for the Triabunna Hall and Council refer all enquiries to Gavan.

Robert suggested the possibility of having some form of brochure outlining the facilities and hire costs.

ACTION: Promotional brochure to be discussed at next meeting

- **Robert Young requested Gavan Barber send him contact details for committee members.**

ACTION: Gavan Barber to send contact details to all Committee Members

- **Robert Young raised the issue of who has keys to the Hall, he was informed that current committee members have keys, no TCH key to be issued to Robert Young at his request.**

Close

Meeting was closed at 2:50pm by temporary Chairperson Gavan Barber,

Next meeting - 10:30am on January 31, 2023, @ the TCH

Minutes submitted by: Gavan Barber

Approved by: David Kirk

Motion / Action Tracking

ACTION: Chairperson to write letters of thanks to both Keith Breheny & Grant Robinson.

ACTION: David Kirk contacted Adrian O'Leary re gutters, who is waiting on a cherry picker to be able to do the work, he could not provide a time frame.

ACTION: Refundable deposit for cleaning to be an agenda item for the next meeting.

ACTION: In the meantime, it was decided Gavan to contact Heru & Michelle to organise a spring clean of the hall.

ACTION: Gavan Barber to check the records and issue invoice/s to Meals on Wheels.

ACTION: Promotional brochure to be discussed at next meeting

ACTION: Gavan Barber to send contact details to all Committee Members

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RECOMMENDATION

That the Minutes of the Triabunna Community Hall Committee meeting held on 20 December 2022 be received and noted.

7 INFORMATION REPORTS

7.1 Director Works and Infrastructure - Peter Porch

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

ATTACHMENTS

Nil

PURPOSE

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

OFFICER'S COMMENTS

ASSET MANAGEMENT

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

Work has been carried out to review the Hydraulic Infrastructure Asset Management Plan (AMP) with a draft revision to go to council's January workshop and meeting. This plan contains a significant amount of change due to the amount of "found" assets incorporated into the plan. Parks, Buildings, Marine Infrastructure are to be reviewed in early 2023 and the Strategic AMP will be reviewed when all the others are completed, to enable a complete picture of the asset renewal ratio to be presented.

CONSULTANT SERVICES

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

- 2 Heritage assessments have been completed by consultants for works proposed on the coastline.
- Preparation of civil design solutions for the road slips continues
- Major project delivery continues.
- Hydrological engineering advice continues as necessary to inform catchment plans and development assessments.
- Bridge condition assessment 6 monthly inspections complete and report provided.

OPERATIONAL WORKS

ROADS, BRIDGES, FOOTPATHS, KERBS

- Repair of road failure on Levendale Back road due to culvert collapse

- Sealing of road repairs at numerous locations in Coles Bay
- Trial of small scale pavement rehabilitation at Orford Bowls Club reviewed and method for future works being modified.
- Numerous maintenance grades on minor roads around Orford
- Rheban Rd Maintenance grade completed
- Open drain maintenance numerous locations
- Brockley road flooding repairs completed twice
- Road closures implemented on numerous roads due to flooding
- Roadside slashing contract continued
- Swanston Road maintenance grade completed

STORMWATER, DRAINAGE

- Open drain cleaning across the council area continued
- Working with owners of private stormwater system in Swanwick to improve stormwater performance. Met with Golf Club to discuss options for redirecting water overflow from irrigation dams.
- Numerous properties visited to discuss stormwater dispersion onto land surface and impact on neighbours
- Stormwater extension completed at 9 Jetty Road Coles Bay for property connections, grates and service development

WASTE MANAGEMENT

- Information is being gathered to inform a tender for the receipt of Land fill from council's kerbside and transfer station collections. Council's current contract expires at the end of June. Forward notice has been provided that the cost of this service will increase in the order of \$130,000 per year from next financial year.
- Summary of waste increases to be included in the budget development for 2023-24:

Service	Additional cost
Waste receipt at landfill	\$130,000
State Govt Landfill tonnage fee increase (doubling)	\$61,000
Kerbside Collection contract increase	\$389,000
Green waste processing	\$80,000
Total	\$660,000

These impacts combined represent a 46% increase in the cost of waste services in the next financial year.

- Cardboard collection arrangements at transfer stations have been modified to require cardboard boxes to be folded and fed in through a narrow opening. This change has been made to enable more cardboard to be taken as recycling. Previous collection resulted in contamination and water logging rendering the recycling effort wasted as the cardboard would then be sent to landfill incurring additional cost.

PARKS, PLAYGROUNDS, RESERVES, WALKING TRACKS, CEMETERIES

- Waub's Dune rehabilitation project commenced. Letters provided to property owners and discussion held on site with some. Temporary exclusion fences with signage installed at beach edge and signs at tracks from residences.
- Weed spraying programs continued.
- State Growth spraying contract commenced

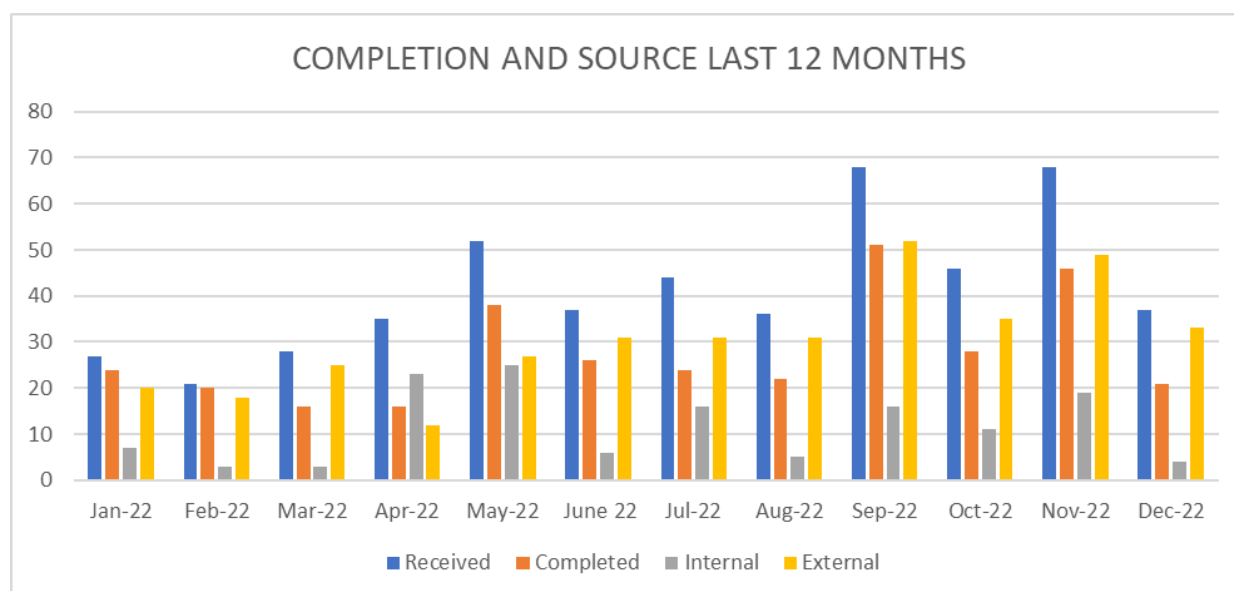
EMERGENCY MANAGEMENT

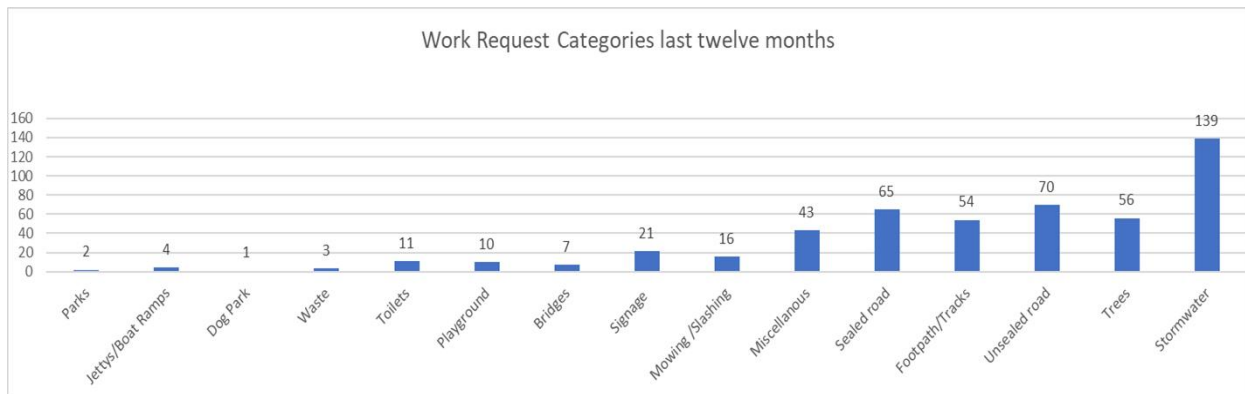
After hours rostering carried out as scheduled.

GSBC hosted a desktop exercise based on riverine flooding of the Orford area. The aim of the exercise was to explore the initial 24-72 hours management of a rare flood around Orford to inform the finalisation of the Community Protection Flood Response Plan and Guide which will be released soon by SES.

December produced more heavy rainfall across the municipality with 93mm recorded at Friendly Beaches in a 24-hour period. Low level flooding occurred in localised areas while the continued presence of the high-water table continued to create concerns for residents and property owners throughout the council area.

CUSTOMER REQUESTS





CAPITAL WORKS

- Development Application Request lodged with Parks for the Bicheno Skate park project.
- Reseal program tentatively booked for February /March. Freycinet Drive to be done towards the end of the program to reduce impact on tourist traffic.

Grant funded

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

- Tenders for Bicheno Triangle closed. Tenders being reviewed.
- Swansea footpath works continue. Unexpected delays have occurred due to TasWater late advice of main replacement within the footpath envelope. While the advice was late it is appreciated that the mains are being done ahead of the work to protect the new footpath.
- Coles Bay Foreshore Walk: Design revised to incorporate public feedback – survey released with updated design.
- The Gulch – awaiting Parks advice to inform the DA.
- Black Summer Bushfire Project: widening of section of Swanston Road to facilitate emergency response completed.

PLANT AND VEHICLES

- Replacement truck delayed to February
- Replacement utility arrived
- Major repairs carried out on Grader transmission and scheduled service. Replacement grader hired in while council's grader off the road.

GENERAL

As annual rainfall statistics come in to complete the year, Parks identify 2022 as the wettest year on record for Coles Bay. Bureau of Meteorology data sets show Bicheno only one more heavy rain away from the highest rainfall recorded. Orford is slightly above the 95th Percentile and Swansea between the 90th and 95th percentiles.

Rainfall at these levels causes a great deal of distress to residents across the council area and changes the working priorities for staff and council directed contractors.

This year, the two Brockley Road bridges, Rosedale Road, Glen Gala Road, Grange road and Old Coach Roads have been closed due to flooding between eight and ten times and other roads occasionally.

RESERVE BOOKINGS AND ROAD CLOSURES

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

- ANZAC Day 2023, Triabunna, next expected road closure.

RECOMMENDATION

That Council notes the information.

8 OFFICERS' REPORT REQUIRING A DECISION

8.1 2023 National General Assembly

Author: General Manager (Greg Ingham)

Responsible Officer: General Manager (Greg Ingham)

ATTACHMENT/S

1. 2023-01-03 National General Assembly call for motions [8.1.1 - 1 page]
2. NG A 23- Call-for- Motions- Discussion- Paper Final Dec 22 [8.1.2 - 20 pages]

PURPOSE

The purpose of this report is to provide Council with information and the opportunity to submit a motion(s) for debate at the National General Assembly to be held in Canberra in June 2023.

BACKGROUND/OVERVIEW

As the national voice of Local Government, the Australian Local Government Association (ALGA) advocates on behalf of Australia's 537 Councils for funding and policy outcomes that support Local Government.

The ALGA has announced that the theme for the 2023 National General Assembly is "Our Communities, Our Future". The ALGA is seeking motions from Councils to guide the ALGA's Board, in particular, where they identify opportunities for reforming and creating new Federal Government programs and policies that will support Councils to build stronger communities into the future.

The attached discussion paper has been prepared by ALGA to assist Councils in developing motions. Councils motion(s) can address one or more of the issues identified in the discussion paper.

Motions need to meet the following criteria:

1. Be relevant to the work of local government nationally.
2. Not be focused on a specific jurisdiction, location or region – unless the project or issue has national implications.
3. Be consistent with the themes of the NGA.
4. Complement or build on the policy objectives of ALGA and your state or territory local government association.
5. Be submitted by a council which is a financial member of their state or territory local government association.
6. Propose a clear action and outcome i.e. call on the Australian Government to act on something.
7. Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions

that are not directly relevant to the work of, or in the national interests of, local government.

8. Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
9. Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
10. Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally

All motions should have a clear national objective, a summary of key arguments in support of the motion, and the endorsement of Council.

Motions can be lodged online at alga.asn.au until 11:59pm Friday 24 March 2023.

STRATEGIC PLAN REFERENCE

Guiding Principles

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

Key Foundations

1. Our Governance and Finance

What we plan to do

- Advocate and lobby effectively on behalf of the community.

STATUTORY IMPLICATIONS

N/A

BUDGET IMPLICATIONS

N/A

OFFICER'S RECOMMENDATION

That Council considers the 2023 National General Assembly discussion paper and associated information as presented for submitting a motion (s) for debate at the June 2023 National General Assembly.

8.2 Review of Council Workshop Policy

Author: Executive Officer (Jazmine Kerr)

Responsible Officer: General Manager (Greg Ingham)

ATTACHMENT/S

Nil

PURPOSE

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

BACKGROUND/OVERVIEW

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

The updated Policy applies to all Councillors, staff and external parties who are involved in Workshop activities of Glamorgan Spring Bay Council, and is to be applied during all Council Workshops. The updated Policy addresses the following key items:

- Not a decision-making forum
- Who attends these sessions
- Who Chairs the session
- Timing of Workshops
- Record Keeping

The current Policy which was adopted in January 2022 has been notably updated, with an emphasis on the fact that a Council Workshop is not a decision-making forum. The Policy has also been simplified and aligns with other good practice Council Workshop Policies in Tasmania.

The updated Policy was discussed at a Council Workshop held on the 10 January 2023. If adopted by Council at the January 2023 Council Meeting, the Policy will be made available on Council's website and staff and Councillor Intranet.

STRATEGIC PLAN REFERENCE

Guiding Principles

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

Key Foundations

1. Our Governance and Finance

What we plan to do

- Develop and foster a strong, supportive and respectful organisational culture.

STATUTORY IMPLICATIONS

- Local Government Act 1993 (Tas)
- Glamorgan Spring Bay Council Code of Conduct

BUDGET IMPLICATIONS

N/A

RISK CONSIDERATION/S

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

OFFICER'S COMMENTS

The Council Workshop Policy has been reviewed following the recent Local Government Elections and is recommend for adoption.

OFFICER'S RECOMMENDATION

That Council adopts the Council Workshop Policy as attached to this report item, effective 24 January 2023.

8.3 Coles Bay Foreshore Path

Author: Director Works & Infrastructure (Peter Porch)

Responsible Officer: Director Works and Infrastructure (Peter Porch)

ATTACHMENT/S

1. Coles Bay January 23 Survey [8.3.1 - 7 pages]
2. Coles Bay Dec 2022 consultation [8.3.2 - 10 pages]

PURPOSE

To provide Council with an update of the final round of consultation for this project and present the plans with which it is proposed to go to tender for the construction of the project.

BACKGROUND/OVERVIEW

In March 2020 council entered into a Community Development Grant agreement with the Federal Government. The project as per the deed is to: Construct a gravel footpath being approximately 1.0km in length, along the Coles Bay foreshore between Iluka Village/Muir's Beach and the Coles Bay Jetty. Construction of the new footpath will be at least 1.5m wide and include a constructed boardwalk section, handrails, wayfinding signage, at least 6 path seats and at least 2 lookout platforms.

The project has undergone a great deal of public consultation with issues relating to disabled access and safety of the walking and cycling community being raised. Parks consultation has occurred, and it is noted that the road parcel managed by council is limited to the edges of the road seal. There is no road corridor as such. From the edge of the road is Parks land managed by Parks.

The original concept and budget prepared in 2014 incorporated a significant portion of the track as a shared roadway and other sections exclusively through the bush or rocky foreshore. This concept did not adequately address the elements of disability access and safe walking and cycling, nor consider the increase in construction costs in the intervening years.

Consideration was given to implementing a dedicated shared path along the roadway incorporating one way traffic. Residents along the route were visited and measures to improve driveway access considered. This proposal was taken to the public in April of 2021 and met with strong disapproval.

Officers then carried out a survey of the original track alignment and considered how the track might be built to incorporate all concerns. A site meeting with experienced track builders to discuss buildability and the level of documentation required for tendering was held to inform the project. There are sections that were considered unbuildable for the money granted. This reduced the amount of gravel track proposed in this final design.

A public meeting was held in the Coles Bay Hall to review the plans and further feedback on the proposal was gathered resulting in further modifications to the design. The community

requirement for two-way traffic to be maintained was listened to and incorporated in this final design as was the desire for families to have safer cycling through this linkage.

STRATEGIC PLAN REFERENCE

Guiding Principles

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

Key Foundations

4. Infrastructure and Services

What we plan to do

- Create an informed and involved community by developing relevant and accessible communication channels.
- Sustain a safe and well-maintained road network across the municipality.

STATUTORY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Grant fund allocation \$1.0M for design and construction.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation			Low	Conform to council's code for tenders and contracts
Tender process to manage				
Do not adopt the recommendation	Possible	Moderate	Moderate	Refund Federal Grant funds
Advise the funding partner the project is not proceeding. Jeopardise future grant submissions.				

OFFICER'S COMMENTS

The project has undergone significant consultation with the community and Parks. There are concerns for safety and amenity that need to be included which were not originally considered for the project. The cost of implementing the level of amenity desired by the community is beyond the funding for this project however a track can be built on a similar

alignment to the existing; two-way traffic can be maintained; walking, cycling and disability access can be provided with the proposed design.

The final design was placed on council's website between the 12th December and the 14th January. This was advertised through the email networks for the Coles Bay area and the following means:

- Public Notice displayed at the Coles Bay Post Office/IGA and the General Store from 22nd December.
- Council Website – from 13 December 2022
- Facebook - posted 13 December 2022 and 21 December 2022
- Advertised in the East Coast View - January 2023 edition (Note this edition was released later than expected)
- Advertised in the Great Oyster Bay News - 9 January edition 2023. The Great Oyster Bay News are having a break over Christmas; therefore, it will only be advertised once in the weekly newsletter.
- Bicheno Forward Newsletter - January 2023 edition
- Emailed to Community Representative Groups
- Emailed to Coles Bay contacts that are subscribed/ have chosen to receive email news about Coles Bay.

The Facebook post reached 538 people with 42 engaging with the post.

40 people responded to the survey with the results and comments included in the Attachments to this report. 2 other submissions were received and reviewed. One submission does not support the project at all in any form. The other asked questions about future stages and indicated a priority for the proposed section over other later stages.

The survey response is not strong in terms of numbers of respondents yet it provides a measure of the acceptance of the present design and provides responses to include in aspects of the project for seating location and signage.

In any form proposed to date, the project is not fully supported by the community in all aspects. That includes the original proponents plan and the variations in design proposed since then. The whole community will not be satisfied with the outcome of this project in any form that council can fund.

From the direct community engagement sessions conducted at Coles Bay, it is clear that there is strong community support for improved vehicle and pedestrian/cycling access through the area. There is nowhere else to walk so a positive aspect of the project is that it provides a solution and mitigates the risks of the present arrangements. The project also provides off road walking where it is practical to deliver it.

The grant deed requirements can be met with the present design as can the core aspects of the original proponent's concept.

It is proposed to move forward with the design which meets the basic requirements of the deed and inclusion of affordable solutions to the key messages received from the public

through the extensive design and consultation process. Tendering the works is proposed for February with a view to completion by end of financial year.

OFFICER'S RECOMMENDATION

That council notes the information and seeks a further report from the General Manager on the outcome of the tender process.

8.4 Hydraulic Infrastructure Asset Management Plan

Author: Director Works & Infrastructure (Peter Porch)

Responsible Officer: Director Works and Infrastructure (Peter Porch)

ATTACHMENT/S

1. Draft Hydraulic Infrastructure AMP 2023 [8.4.1 - 56 pages]

PURPOSE

To present the review of the Hydraulic Infrastructure Asset Management Plan for adoption.

BACKGROUND/OVERVIEW

Council first developed a Hydraulic Infrastructure Asset Management Plan (AMP) in 2020. The plan incorporated all known assets within the category. It also recommended divesting the Swanwick sewerage system and incorporated The Prosser Plains Raw Water Scheme (PPRWS) assets.

In the intervening two years the known asset listing and value of basic pit and pipe infrastructure has more than doubled; the Swanwick Sewerage system has been adopted by council and attracts sufficient income to be self-sustaining and the PPRWS infrastructure has been removed from the asset class. The removal is based on the PPRWS scheme being a self-sustainable contract that sits outside the renewable Hydraulic infrastructure portfolio funded by the community. The PPRWS system will be dealt with in the Strategic Asset Management Plan along with other ancillary items.

In the two years since the first version of this AMP a significant body of work has been done to address the key identified deficiencies to achieve the following:

- Identify and geographically map all known and discovered stormwater infrastructure
- Recognise the value of the discovered assets and add this to the data base record
- Develop a Stormwater Management Plan (SMP)
- Develop Catchment Plans for key Urban areas to inform the SMP

Version one of the AMP identified an asset portfolio with a value of \$7,274,660 (exc PPRWS) This version incorporates the now known asset portfolio extent and current value of \$17,917,671

There are three funding concerns that the intervening work has identified. These are:

Funding Concerns	Summary
1. Renewal of existing assets	Renewal means replacement of what we already own. It does not include upgrade of existing or construction of new assets. Council is underfunding asset renewal by \$104,000 per year.
2. Upgrade of assets	Where assets do not meet a level of service, the additional cost to provide greater service. For example to upgrade a pipe from a 300mm pipe to a 750mm pipe. The upgrade is the additional cost

	between providing a replacement 300mm pipe and the cost to install a 750mm pipe. Council has an identified project list from the existing catchment plans in the order of \$5M. +/- 40%. There is no budget at all for any of these works.
3. Development pressure	Where a development requires some contribution from a developer, but also a contribution from council. For example, to upgrade a culvert on Old Coach Road that could be required as a result of new subdivision. The subdivision adds 10% additional water volume to the volume produced by the broader catchment. The culvert is already undersized and will require an upgrade that is three times the existing pipe capacity. Council would have to contribute 90% of the upgrade cost. Upgrade estimate \$450,000. Council contribution \$405,000. This demand and contribution is extremely variable and may vary from the example above to a matter of a few thousand dollars annually.

STRATEGIC PLAN REFERENCE

Guiding Principles

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

Key Foundations

4. Infrastructure and Services

What we plan to do

- Planned asset renewal expenditure based on agreed asset management plans.

STATUTORY IMPLICATIONS

Local Government Act – Strategic Plans

Urban Drainage Act 2013

5. Council to provide adequate public stormwater systems

(1) A council must, in accordance with the objects of this Act, provide for such public stormwater systems as may be necessary to effectively drain the urban area of the council's municipal area.

(2) If a complaint is made to the Minister that a council has failed or neglected to make provision in accordance with [subsection \(1\)](#), the Minister may investigate the complaint.

(3) If, after investigating a complaint, the Minister is satisfied that the council has failed or neglected to perform its duty, he or she may make an order declaring the council to be in default and directing it to make provision in accordance with [subsection \(1\)](#) within such period as may be specified in the order.

(4) A council may appeal to the Appeal Tribunal against an order under [subsection \(3\)](#) within the period specified in the order.

(5) The Appeal Tribunal is to hear and determine an appeal in accordance with the [Tasmanian Civil and Administrative Tribunal Act 2020](#).

(6) A council must –

(a) comply with an order under [subsection \(3\)](#) within the period specified; or

(b) lodge an appeal in accordance with [subsection \(4\)](#).

Penalty: Fine not exceeding 1 000 penalty units.

(7) If a council fails to comply with any requirement of an order within the period specified, the Minister may take whatever action he or she considers necessary to rectify the council's default, and all the costs and expenses of and incidental to the Minister's action must be paid by the council to the Crown.

10. Stormwater system management plans

(1) A council must develop a stormwater system management plan for the urban area of its municipal area within 6 years after the day on which this Act commences.

(2) A stormwater system management plan is to specify –

(a) plans for the management of any assets used for the delivery of a stormwater service; and

(b) the level of risk from flooding for each urban stormwater catchment in the public stormwater system; and

(c) any other matters prescribed in the regulations or that the council considers appropriate.

BUDGET IMPLICATIONS

There is a significant budget concern for council in the provision of stormwater infrastructure.

RISK CONSIDERATION/S

Risk	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation			Low	No mitigation required.
No risk				
Do not adopt the recommendation	Possible	Moderate	Moderate	No mitigation available
Identified plans not available to reinforce grant applications and inform LTFP.				

OFFICER'S COMMENTS

The AMP, and the additional documents developed in the last two years identify significant deficiencies in council's stormwater systems and in the provision for renewal of stormwater assets.

The AMP identifies a budget requirement for an additional average value of \$105,000 for renewal through depreciation.

The development of the plan has identified a multitude of works that require funding to upgrade council's stormwater systems to the standard required of developers. That is to

provide a 1:20 year capacity within piped systems and 1:100 year (plus climate change) for overland flows.

While an estimate of \$5M has been placed on these works there is little detailed design to validate the assumptions in the estimate. There are also more catchments exhibiting problems that have yet to be assessed. Additionally, some of this work may attract a level of grant funding. Other parts of this work may attract developer contributions. The \$5M value can probably be halved in terms of a required council contribution for the purpose of a ten-year plan with an estimate of \$250,000 per year required to upgrade systems to meet the required service level.

So while the AMP identifies a shortfall in renewal only funding there is another factor to consider in this Statutory requirement:

(1) A council must, in accordance with the objects of this Act, provide for such public stormwater systems as may be necessary to effectively drain the urban area of the council's municipal area.

The value that council is encouraged to consider in meeting stormwater requirements is the combination of renewal and upgrade amounting to \$355,000 per year in additional funding.

OFFICER'S RECOMMENDATION

That council adopts the Hydraulic Infrastructure Asset Management Plan 2023 and considers the implications of the funding shortfall in the review of the Long-Term Financial Plan and 2023-24 budget development.

8.5 Parks and Recreation Asset Management Plan Review

Author: Director Works & Infrastructure (Peter Porch)

Responsible Officer: Director Works and Infrastructure (Peter Porch)

ATTACHMENT/S

1. Draft Parks Recreation Asset Management Plan 2023 [8.5.1 - 52 pages]

PURPOSE

To present the review of the Parks and Recreation Asset Management Plan for adoption.

BACKGROUND/OVERVIEW

Council first developed a Parks and Recreation Asset Management Plan (AMP) in 2020. The plan incorporated most known assets within the category with a few exceptions, like light poles. A review has been conducted of council's Parks and Recreation assets as a part of the preparation for Long-Term Financial Plan review and budget development for the 23-24 financial year.

While the assets held in this portfolio are low in value compared to maintenance costs, the values in the plan attributed to maintenance and operations encompass some abstract elements like street lighting. They also encompass all town maintenance and previous core NRM activities.

Key things to note from this review:

- Since the first plan was developed two years ago, asset values have been added to due to the completion of projects funded through grant programs.
- While Assets added to council's asset portfolios through "free money" grants have a positive impact on community, they have a negative impact on council's financial performance through the increase in depreciation to fund renewal and additional maintenance cost.
- The operation and maintenance of councils Parks and Reserves is largely carried out on land which is not included in the asset valuations. These activities include weed management and mowing. Additionally, street lighting, town maintenance and previous ongoing NRM activities delivered by staff are incorporated into the Parks and Reserves asset management plan operations and maintenance costs.
- Council presently offers a service that almost all councils do not offer, in the mowing of urban nature strips. The writer does not know of another council in Tasmania or interstate that provides this very high level of service.
- Council should carefully consider how it will fund the renewal and maintenance of new acquisitions of recreation infrastructure where grants enable this.
- Every subdivision with open space land provision or creek lines converted to drainage easements increase council's maintenance costs through additional mowing, weed control and where street lights are included, street lighting costs.

The first plan had a combined asset value of **\$7,551,000**. The asset portfolio value has increased to **\$9,344,912** at present with additional assets yet to incorporate in future updates, like council's power poles and the grant funded projects presently underway.

The original plan identified a shortfall in funding of \$244,923 per year. This has decreased to a shortfall of **\$190,604** with a review of the model used.

The original plan identified an asset renewal ratio of 50.02% where the asset renewal ratio is presently **38.89%** due to the addition of new assets contributed through grant programs.

There is enough money in the forward plan to replace 2 out of every 5 assets that reach failure point which means we have an asset renewal backlog.

The plan identifies a budget requirement for an additional average value of \$190,000 each year for renewal through depreciation.

Council conducts a high level of service with nature strip mowing at a cost in the order of \$300,000 per year.

So while the AMP identifies a shortfall in renewal only funding there is an opportunity to review levels of service to find operational savings by reducing the level of service delivered to nature strips.

Council may consider ceasing what might be considered over servicing of nature strips and directing those funds to the underservicing of asset renewal. Still providing services through renewed assets and redirecting the servicing funds.

The value that council is encouraged to consider in meeting Parks and Recreation requirements is the shortfall on renewal amounting to \$190,000 per year in additional funding, that could be met, with spare change, from the cessation of nature strip mowing.

STRATEGIC PLAN REFERENCE

Guiding Principles

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

Key Foundations

1. Our Governance and Finance
4. Infrastructure and Services

What we plan to do

- Planned asset renewal expenditure based on agreed asset management plans.
- Maintain public amenities and recreational facilities.

STATUTORY IMPLICATIONS

Local Government Act – Strategic Plans

BUDGET IMPLICATIONS

There is an identified funding gap of \$190,000 per year for the renewal of Parks and Recreation assets.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation			Low	N/A
Currency of asset plan achieved				
Do not adopt the recommendation	Possible	Moderate	Moderate	Further workshop with council to resolve issues preventing adoption
Currency of asset management plan at risk				

OFFICER'S COMMENTS

The review of council's asset management plan for Parks and Recreation contains good and challenging items to consider.

The asset renewal shortfall is growing with the creation of new assets. There is significant pressure from the community to continue to develop new infrastructure, for example: Foot-Bridge over the Meredith River, Walking and Cycling paths, improved active facilities for youth at each township. All new facilities increase the demand for renewal and maintenance funding putting pressure on rate income.

There is opportunity for council to consider where there is overservicing in comparison to other council municipalities across Australia. One such activity that is readily identifiable is the mowing of nature strips in our townships. At a cost in the order of \$300,000 per year, there is an opportunity for council to engage with the community on cost of services and expectations of customers.

At present, the community will pay for mowing of nature strips as is current practice, and have to find additional funds from rate revenue for asset renewal. Unless the community is satisfied to see playgrounds and skate facilities not being replaced when they come to the end of their useful life there is no other option but to choose an affordable level of service and discontinue nature strip mowing or pay more through a rate increase.

This conversation with the community is important for council to consider in determining how it will fund the increasing renewal cost demand across this asset group and most of the other asset groups as well where shortfall in renewal budgeting has been identified.

OFFICER'S RECOMMENDATION

That council adopts the Parks and Recreation Asset Management Plan 2023 and considers the implications of the funding shortfall in the review of the Long-Term Financial Plan and 2023-24 budget development.

8.6 Community Small Grant Application - Rural Alive & Well

Author: Community & Communications Officer (Eliza Hazelwood)

Responsible Officer: Director Corporate and Community (Elysse Blain)

ATTACHMENT/S

1. Community Small Grant Request - Rural Alive & Well [8.6.1 - 1 page]
2. RAW - Registered Charity [8.6.2 - 3 pages]

PURPOSE

Recommendation for Council to approve a Small Grant application for \$935.00 for a Glamorgan Spring Bay municipal Rural Alive & Well (RAW) officer's mobile phone plan.

BACKGROUND/OVERVIEW

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

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

This application from Rural Alive & Well, dated 22 December 2022 is for a contribution towards a Glamorgan Spring Bay municipal Rural Alive & Well (RAW) officer's mobile phone plan.

RAW's mission is to build healthy and resilient rural communities, to reduce the prevalence of suicide in ages 14 years and above.

RAW specialises in providing a proactive outreach and one-on-one psychosocial support service which address situational stressors and increases protective factors, to minimise the risk of suicide. RAW are passionate about delivering genuine and authentic, early-intervention suicide prevention for rural and remote communities.

RAW is 'non-clinical', genuine and non-intrusive. The service is confidential with no fees for participants. The proactive outreach support delivered by RAW is at no cost to individuals. Supports offered are non-clinical and operate using a person-centred shared goals approach. RAW adopts a culturally sensitive, strengths-based, and collaborative approach to delivering services. The team come from a range of backgrounds and receive training and ongoing support to provide evidence-informed care to people.

Council have been providing financial support to RAW by reimbursing the Glamorgan Spring Bay RAW Officer's monthly costs of the mobile phone plan for the past 5 years (commencing 2018). The financial support that the Council have provided has enabled a RAW staff member

to maintain contact with participants around our community and build a strong relationship with the individuals that require support.

During 2022, RAW has provided one on one support to over 160 individuals. The participants saw a total of 515 interactions with 356 of these being face-to-face.

Estimated costs:

Item	Cost
17 Months of a \$55 Monthly Telstra Mobile Plan	\$935.00
Total	\$935.00

*Note: In the past year Telstra increased the service plans offered and available which the above amount is inclusive of.

STRATEGIC PLAN REFERENCE

Guiding Principles

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

Key Foundations

2. Our Community's Health and Wellbeing

What we plan to do

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

STATUTORY IMPLICATIONS

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

77. Grants and benefits

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

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

a. in-kind assistance; and

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

c. remission of rates or charges under Part 9.

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

BUDGET IMPLICATIONS

Applications for funding are considered throughout the financial year until such time as the available funds are exhausted. There is a \$25,000 Community Small Grants Program provision in the 2022/23 budget. As at 12 January 2023 there is \$23,292 of the budget available to support this application.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation				Nil
Nil				
Do not adopt the recommendation	Possible	Moderate	Moderate	Council reviews the application and reasons for not adopting the recommendation and provides alternative funding opportunities for the organisation.
RAW may not find alternate funding to provide this service to our community.				

OFFICER'S COMMENTS

This application satisfies the necessary criteria of the relevant policy.

Integrity Assessment:

The Rural Alive & Well are a registered not-for-profit organisation (Registered Charity information attached)

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 \$935.00 to Rural Alive & Well.

8.7 Community Small Grant Application - Bicheno Surf Life Saving Club

Author: Community & Communications Officer (Eliza Hazelwood)

Responsible Officer: Director Corporate and Community (Elysse Blain)

ATTACHMENT/S

1. Bicheno Surf Lifesaving Club - Community Small Grant Application [8.7.1 - 3 pages]
2. Bicheno Surf Lifesaving Club - Community Small Grant Application (Additional Information) [8.7.2 - 3 pages]
3. Quotation - First Aid Equipment [8.7.3 - 12 pages]
4. Quotation - Operator First Aid Kit Orange Case [8.7.4 - 1 page]
5. Quotation - Mobile Whiteboard [8.7.5 - 1 page]
6. Bicheno Surf Lifesaving Club - Projects Outlined Costs [8.7.6 - 2 pages]

PURPOSE

To recommend that Council approve a Community Small Grant application for \$1,000 to the Bicheno Surf Life Saving Club for contribution towards a first aid kit and mobile whiteboard.

BACKGROUND/OVERVIEW

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

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

This application from Bicheno Surf Life Saving Club Inc, dated 9 December 2022 is for \$1,000 of Community Small Grant funding to help them purchase a first aid kit and mobile whiteboard and a trauma kit. This is to facilitate ongoing training required to educate the youth and senior lifesaving volunteers.

Item	Cost
Mobile whiteboard	\$415.00
First Aid Kit	\$449.48
Trauma Kit	\$135.52
Total	\$1,000.00

STRATEGIC PLAN REFERENCE

Guiding Principles

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

Key Foundations

2. Our Community's Health and Wellbeing

What we plan to do

- Encourage and support 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 \$30,000 Community Small Grants Program provision in the 2022/23 budget. As at 31 December 2022 there was \$23,292 of the budget available to support this application.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation				Nil
Nil				
Do not adopt the recommendation	Possible	Moderate	Moderate	Council reviews the application and reasons for not adopting the recommendation.
Bicheno Surf Life Saving Club will be required to find alternate funding for the vital role they play in our community.				

OFFICER'S COMMENTS

Integrity Assessment:

The Bicheno Surf Life Saving Club are a registered incorporated association **Registration Number: # IA11662 | BICHENO SURF LIFE SAVING CLUB INC.**

This application satisfies the necessary criteria of the Community Small Grant policy. The Bicheno Surf Life Saving Club is a vital part of our community and offers important lifesaving services to the many beachgoers in the Bicheno Township.

Criteria Assessment:

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

OFFICER'S RECOMMENDATION

That Council approve the application for Community Small Grant funding of \$1,000 to the **Bicheno Surf Life Saving Club Inc** for the First Aid Kit, Trauma Kit, and Mobile Whiteboard.

8.8 Revised Budget 2022/23

Author: Accountant (Brendan Ryan)

Responsible Officer: Director Corporate and Community (Elysse Blain)

ATTACHMENT/S

1. Group Financial Statements 2022-12 - BUDGET UPDATE REPORTS [8.8.1 - 6 pages]

PURPOSE

To recommend that Council adopts the Revised Budget 2022/23.

BACKGROUND/OVERVIEW

The main purpose of this budget review is to update the budget for any significant changes that have occurred as the year has progressed. In this case the items identified as relevant were to capture receipt of additional revenue items and allocation of this to the highest priorities in the capital budget.

It is not the intent of this review to revise the whole budget as it is still the intent to manage operational activities within the original budget approved by Council. The changes included are high level in nature.

STRATEGIC PLAN REFERENCE

Guiding Principles

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

Key Foundations

1. Our Governance and Finance

What we plan to do

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

STATUTORY IMPLICATIONS

Local Government Act 1993

BUDGET IMPLICATIONS

The following activities make up the budget revision items:

1. Recognise Grant funding income of \$29,400 received from State Emergency Services in December 2022 from the Natural Disaster Risk Reduction Grant Program for stormwater works at Holkham Court Orford with costs incurred in the prior financial year.

2. Recognise refund from Westpac of \$101,200 received in September 2022 for bank administration error of fees charged.
3. Recognise unsuccessful application for Grant Funding of \$236,000 for capital renewal works at 17 Acre Creek Bridge Wielangta Road scheduled for June 2023. No costs have or will be incurred and budgeted Council funding for this project of \$79,000 is to be reallocated.
4. Deferral of budgeted stormwater capital works project to upgrade the culvert at 15 Old Spring Bay Rd Swansea due to revised cost estimates for the work that will far exceed the budget value and will require redesign in the future. The \$97,000 Council funded budget to be reallocated.
5. Increase the Council funded budget allocation to capital works project Roads Reseal Program by \$170,000 from \$42,200 to \$212,200. The funding will come from Natural Disaster Risk Reduction Grant \$29,400 (item 1 above), 17 Acre Creek reallocation of Council funds \$79,000 (item 3 above), and the balance \$61,600 from the Westpac fee refund (item 2 above). This top up is in addition to the Roads to Recovery capital federal grant funding of \$401,100.
6. Increase the Council funded budget allocation to capital works project Swansea Main Street Paving from zero to \$76,500, to be funded from a reallocation from capital project 15 Old Spring Bay Road culvert (item 4 above). This is in addition to the capital federal grant funding adjusted value of \$870,000.
7. Increase the Council funded budget allocation to capital works project Pit and Pipe infill by \$20,500 from \$70,000 to \$90,500, to be funded from a reallocation from capital project 15 Old Spring Bay Road culvert (item 4 above).
8. Allocate the remaining Westpac fee refund of \$39,600 to the following small capital projects: Triabunna offices air conditioning system upgrade \$30,300, Triabunna Depot kitchen and bathroom refurbishment, supply new Council Chambers chairs and minor information technology equipment.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation	Negligible	Unlikely	Low	Nil
1. Account for unplanned income and reallocate capital program to highest priority with funding available.				
Do not adopt the recommendation	Moderate	Possible	High	To mitigate these risks, it is recommended that Council adopted the Revised Budget 22/23 as presented.
1. Available funding is not allocated effectively to priority activities. 2. Risk that allocated funding is unspent where projects are no longer proceeding				

OFFICER'S COMMENTS

The financial statements consisting of the Profit and Loss, Statement of Financial Position, Cashflow and Capital Detail Reports have been amended to account for the 2022/23 budget revision showing comparison to the original budget. Notes provided on each statement outline change details. The key changes for each report are outlined below.

1. Profit and Loss Statement:
 - Net Profit (Loss) [excludes Capital income] position has improved by \$101,200.
 - Total Comprehensive Result (incl Capital Income) has decreased by \$105,400.
2. Statement of Financial Position
 - Property Infrastructure Plant and Equipment has decreased by \$105,400.
 - Equity current year earnings has decreased by \$105,400.
3. Statement of Cashflows
 - Revenue other income increased by \$101,200.
 - Payments to suppliers spent on capital projects decreased by \$140,000.
 - Payment for Property Plant and Equipment increased by \$34,600.
 - Receipt of capital grants decreased by \$206,600.
4. Capital Works Detail Report
 - Council funded capital works increased by \$130,600
 - Externally funded capital works decreased by \$236,000

RECOMMENDATION

That Council approves the Revised Budget for 2022/2023 as presented in the attached revised Profit and Loss, Statement of Financial Position and Statement of Cashflows and Capital Works Detail reports.

9 NOTICES OF MOTION

Nil.

10 PETITIONS

Nil.

11 QUESTIONS FROM COUNCILLORS

11.1 Questions on Notice by Councillors

Nil.

12 CONFIDENTIAL ITEMS (CLOSED SESSION)

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

Item 1: Minutes of Closed Session – Ordinary Council Meeting held on 13 December 2022

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

Item 2: Prosser Plains Raw Water Scheme

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

Item 3: Bicheno Triangle Tender Outcome

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

RECOMMENDATION

That Council moves into Closed Session at [time].

The Mayor to confirm that the recording has been terminated.

13 CLOSE

The Mayor to declare the meeting closed at [time].

CONFIRMED as a true and correct record.

Date: **Mayor Cheryl Arnol**