



ORDINARY COUNCIL MEETING AGENDA

TUESDAY 26 APRIL 2022

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 26 April 2022, 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 21 April 2022



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 In Attendance

1.4 Late Reports

1.5 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 - Tuesday 22 March 2022

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on Tuesday 22 March 2022 at 2:00pm be confirmed as a true and correct record.

2.2 Date and Purpose of Workshop(s) Held

Tuesday 12 April 2022

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 4.30pm on Tuesday 12 April 2022 via remote video conference.

Present:

Mayor Robert Young
Deputy Mayor Jenny Woods
Clr Cheryl Arnol
Clr Annie Browning
Clr Rob Churchill

Apologies:

Clr Keith Breheny
Clr Grant Robinson
Clr Michael Symons

In Attendance:

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

Guests

Nil.

Agenda

- DA 2022/48 – 55 Waubs Esplanade Bicheno
- DA 2022/33 - 50 Harveys Farm Road, Bicheno
- Local Government Association Tasmania Call for Motions
- Commonwealth Grant Projects
- Capital Budget Draft 2022-23
- Communication and Engagement Framework

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 DA2022/33 - 50 Harveys Farm Rd, Bicheno

Proposal:	Dwelling and visitor accommodation building
Applicant:	Shane Gould Enterprises Pty Ltd
Application Date:	17 February 2022
Statutory Date:	02 May 2022
Planning Instruments:	Tasmanian Planning Scheme – Glamorgan Spring Bay
Zone:	11.0 Rural Living
Codes:	C2.0 Parking and Sustainable Transport Code, C3.0 Road and Railway Assets Code, C7.0 Natural Assets Code
Specific Area Plans:	N/A
Use:	Residential and Visitor Accommodation
Development:	Dwelling and Visitor Accommodation
Discretions:	Rural Living Zone – cl 11.3.2 (P1) C2.0 Parking and Sustainable Transport Code – cl C2.6.1 (P1) C7.0 Natural Assets Code – cl C7.6.1 (P1)
Representations:	5
Attachments:	1. Exhibited Documents - D A 2022-33 [4.1.1 - 79 pages] 2. Representations D A 2022-33 [4.1.2 - 8 pages]
Author:	James Bonner, Senior Planner

Executive Summary

Planning approval is sought for a dwelling and one visitor accommodation building at 50 Harveys Farm Road, Bicheno. One visitor accommodation unit and a shed currently exist on the subject lot.

The proposal was advertised for two weeks from 11th March to the 25th of March and 5 representations were received objecting to the proposal.

This report assesses the proposal against the standards of the relevant zone and codes, and considers the issues raised in the representations. The Planning Authority must consider the planner's recommendation, and the matters raised in the representations and make a final determination by 2nd May 2022.

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 a dwelling and one visitor accommodation building. The site plan identifies the uses as 01 - existing visitor accommodation, 02 – new visitor accommodation, 03 – new dwelling, and 04 - existing shed.

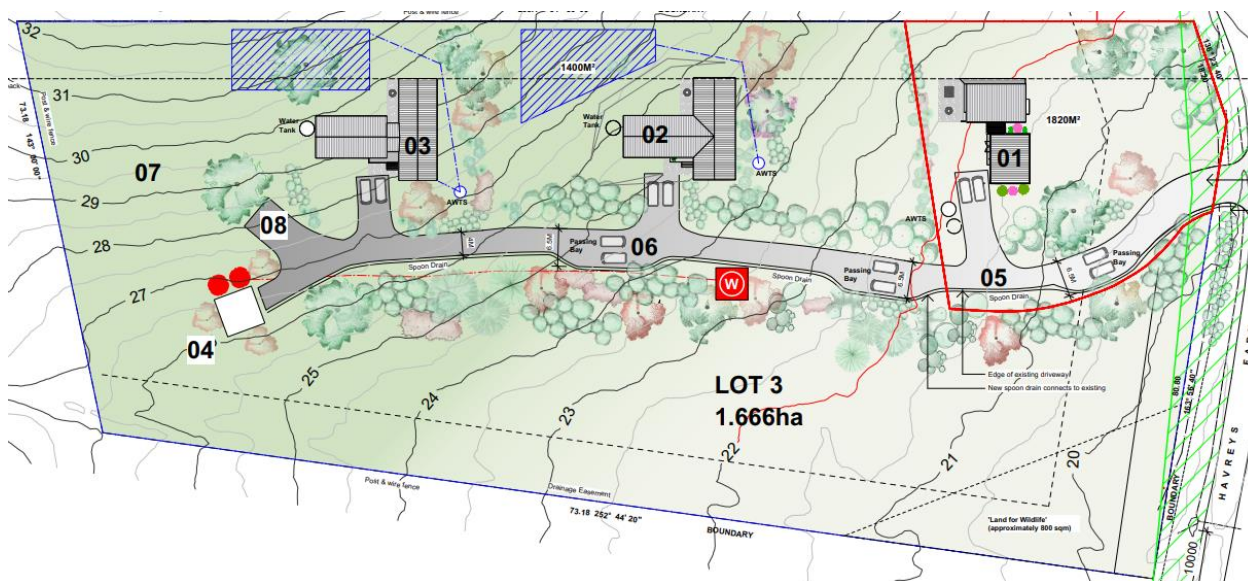


Figure 1 – Site Plan

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

- DA2021/234 - dwelling and three visitor accommodation buildings withdrawn by the applicant on 13 December 2021.
- DA2020/307 - change the use of the dwelling to visitor accommodation approved on 04 January 2021.
- DA2019/238 - lot is dwelling approved on 18 November 2019.

6. Site Description

The proposal is to be sited on a predominately cleared lot at 50 Harveys Farm Road, Bicheno. There is presently a visitor accommodation building sited at the front of the lot and a shed towards the rear. The land rises from the road to the rear of the lot with a steeper gradient towards the rear of the lot. The immediate vicinity is characterised by properties with single dwellings and outbuildings of varying sizes. There is a vineyard and cellar door development located behind the subject lot and an abalone farm located across the road to the east. A broader examination of the surrounding area includes more heavily vegetated lots as can be seen in figure 2 below.



Figure 2 – Aerial Photo showing locality. Source LISTMap



Figure 3 – Aerial photo of lot. Source LISTMap



Figure 4 – View of site from driveway entrance towards existing visitor accommodation



Figure 5 – Site looking west from Harveys Farm Road

7. Planning Instruments

Tasmanian Planning Scheme – Glamorgan Spring Bay

8. Easements and Services

The subject lot is burdened by a drainage easement along the southern boundary that benefits Lot 4 located to the west.

9. Covenants

Nil

PART TWO

10. Meeting the Standards via Acceptable Solution

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

- 11.0 Rural Living Zone
- C2.0 Parking and Sustainable Transport Code
- C3.0 Road and Railway Assets Code
- C7.0 Natural Assets Code

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

- 11.3.2 Visitor Accommodation (P1)
- C2.6.1 Surfacing (P1)
- C7.6.1 Works within waterway area (P1)

The Planning Authority must consider the representations and the Performance Criteria and make a determination on the application by 2 May 2022.

PART THREE

12. Assessing the Proposal against the Performance Criteria

11.0 Rural Living Zone

11.3.2 Visitor Accommodation (A1) - The acceptable solution is that visitor accommodation is in existing habitable buildings and there is a gross floor area of not 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
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	The visitor accommodation building is located 10m off the northern boundary with much larger setbacks to remaining boundaries and meets the acceptable solutions in the zone standards. The boundary to the north is an access handle for the adjoining lot 4 located to the rear of the subject lot. The proposal meets the performance criteria.
(b) any likely increase in noise to adjoining properties;	Due to the location of the visitor accommodation building on the lot and separation distance to adjoining lots it is unlikely to result in an unreasonable loss of residential amenity to adjoining lots due to any increase in noise. The proposal meets the performance criteria.
(c) the scale of the use and its compatibility with	The proposal will result in two visitor accommodation buildings of modest size that are of a scale and use that will not cause an

Performance Criteria	Planner's Response
the surrounding character and uses within the area;	unreasonable loss of amenity to the surrounding area. The buildings have a separation between them of 18m with the new visitor accommodation building being located approximately 80m from the front boundary. The land around and in front of the buildings is proposed to be landscaped. The proposal meets the performance criteria.
(d) retaining the primary residential function of an area;	The visitor accommodation buildings are single storey with a residential scale in relation to floor area and height that will not result in an unreasonable loss of amenity having regard to the primary residential function of the area. The proposal meets the performance criteria.
(e) the impact on the safety and efficiency of the local road network; and	The visitor accommodation will generate limited vehicle movements per day that will be under the requirements of the Road and Railway Assets Code and are unlikely to impact on the safety and efficiency of the road network to an extent that would result in unreasonable loss of amenity to the area. The proposal meets the performance criteria.
(f) any impact on the owners and users rights of way.	N/A as no rights of way over the lot.

C2.0 Parking and Sustainable Transport Code

C2.6.1 Surfacing and Drainage (A1) - The acceptable solution is that access ways, manoeuvring and circulation spaces must be constructed with a durable all-weather pavement, be drained to the public stormwater system, or contain stormwater on the site; and, in the Rural Living zone, be surfaced by sealed surface. The proposal is for a compacted gravel driveway. As such the proposal does not comply with the acceptable solution and must meet the following performance criteria.

Performance Criteria	Planner's Response
All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to: (a) the nature of the use;	The compacted gravel surface is suitable for the intended visitor accommodation and residential use. The proposal meets the performance criteria.

Performance Criteria	Planner's Response
(b) the topography of the land;	The lot has a gentle cross slope towards the road in which a gravel surface will remain useable in all weather conditions. The proposal meets the performance criteria.
(c) the drainage system available;	The driveway will be drained to a spoon drain for a combination of onsite disposal and discharge to the Council drainage infrastructure in Harvys Farm Road as shown in the submitted Stormwater Management Plan. The proposal meets the performance criteria.
(d) the likelihood of transporting sediment or debris from the site onto a road or public place;	The gravel driveway will be compacted and considering the gradient of the land, the proposed drainage system and existing sealed driveway entrance the likelihood of transporting sediment onto the road is low. The proposal meets the performance criteria.
(e) the likelihood of generating dust; and	The gravel driveway will be compacted and the likelihood of generating dust that would cause a nuisance is low. The proposal meets the performance criteria.
(f) the nature of the proposed surfacing.	The nature of the proposed surfacing is acceptable for the locality and proposed use. The proposal meets the performance criteria.

C7.0 Natural Assets Code

C7.6.1 Works within waterway area (A1) - Works within a waterway area must be within a building area on a sealed plan. A portion of the proposed driveway and the guest parking area near the existing shed is located within the waterway protection area and not within a building area. As such the proposal does not comply with the acceptable solution and must meet the following performance criteria

Performance Criteria	Planner's Response
Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to: (a) impacts caused by erosion, siltation, sedimentation and runoff; (b) impacts on riparian or littoral vegetation;	The works for the driveway to the existing shed and parking area for guests is relatively minor and minimises any adverse impact on natural assets due to its proximity to the waterway and the existing vegetation on the site. The parking area is located on the edge of the waterway protection area and is outside of the 1% AEP overland flow path modelled in the submitted Stormwater Management Plan. The proposal meets the relevant performance criteria.

Performance Criteria	Planner's Response
(c) N/A; (d) N/A; (e) the need to avoid significantly impeding natural flow and drainage; (f) N/A; (g) N/A; (h) the need to group new facilities with existing facilities, where reasonably practical; (i) minimising cut and fill; (j) N/A; (k) N/A; (l) N/A; (m) the environmental best practice guidelines in the <i>Wetlands and Waterways Works Manual</i> ; and (n) the guidelines in the <i>Tasmanian Coastal Works Manual</i> .	

13. Referrals

The application was referred to TasWater who provided conditions in their Submission to Planning Authority Notice (SPAN) and to Council's engineers who provided recommended conditions.

14. Representations

The proposal was advertised for two weeks from 11 March to the 25 March and 5 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
1. The proposal is not much different to the last proposal that was withdrawn. The developer should declare how many dwellings in total are proposed. 2. The spoon drain beside the driveway feeds into the Council infrastructure which often causes flooding problems.	1. The current application is for a dwelling and visitor accommodation. Council can only assess what is applied for not what may or may not happen in the future. If further applications are lodged, they will be assessed on their merit at that time.

3. Harveys Farm Road is not suited to this type of development and access to the property is on a dangerous bend with limited vision.	<p>2. The proposal is to detain stormwater onsite to match pre-development flows. Council's engineers have reviewed the application and provided recommended conditions for ongoing management.</p> <p>3. The proposal meets sight distance requirements.</p>
Representation 2	Response
<p>1. Concerned that dwelling would be used for visitor accommodation.</p> <p>2. Request for Council to monitor effluent management system.</p> <p>3. Objects to future subdivision and strata title.</p>	<p>1. Proposal is for a dwelling any change of use would require a further application.</p> <p>2. This is not a matter that can be addressed via the planning process. Council will investigate and respond to any sewerage management issues should they arise.</p> <p>3. Subdivision and strata title is not included in the current application.</p>
Representation 3	Response
<p>1. Concerned with stormwater and wastewater runoff and impacts to adjoining properties.</p> <p>2. Noise and activities associated with up to 8 houses on the lot with boats, cars and trailers will detract from the ambience of the area.</p>	<p>1. See response above.</p> <p>2. The proposal is for a single dwelling and one additional visitor accommodation building only. The visitor accommodation buildings are not dwellings and cannot be used for permanent occupation.</p>
Representation 4	Response
<p>1. The proposed development fails to protect residential amenity through increased noise, scale, and traffic generation and is not compatible with the residential character of the area.</p> <p>2. The number of dwellings will have a significant impact on overburdened infrastructure on Harveys Farm Road including increased traffic and demand on water supply.</p>	<p>1. The proposal results in three buildings of residential scale with one proposed to be used as a dwelling. The scheme states that use must not have an unreasonable impact on the amenity and it is considered that while the use may have some impact on visual amenity and generate additional vehicle movements, it will not have an unreasonable impact.</p> <p>2. The potential increase in vehicle movements is within acceptable standards for the road network and TasWater has not raised any concern regarding water supply.</p>
Representation 5	Response
1. Increased traffic on Harveys Farm Road will make it a more hazardous road.	1. See traffic response above.

2. Proposal is for an additional 1 x3 bedroom and 1 x 2 bedroom. Potential guests for all the buildings is up to 17 visitors every night. Such density is not in keeping with the semi-rural lifestyle of the area. 3. Decreased air quality from wood heaters. 4. Increased stormwater runoff and potentially greywater from washing machines and outdoor showers may impact on the quality of the dam water downstream. Also, contamination from painters and builders waste during construction. 5. Increased light pollution will result from the additional buildings and will impact on animals and traffic.	2. The proposal is for a two-bedroom visitor accommodation building and three-bedroom residence. It is considered that the three buildings and their uses are of a density that is not unreasonable for the lot. 3. This is not a planning consideration. Smoke from wood heaters is managed under different legislation. 4. Effluent from the development will be treated and disposed of via on-site effluent management systems. Stormwater is proposed to be managed on site as discussed above. Pollution from construction works is managed via environmental legislation. 5. The two proposed buildings are setback approximately 80m and 130m from Harveys Farm Road.
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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, DA2022/33, at 50 Harveys Farm Road, Bicheno (CT45761/3) for the construction of a dwelling and a visitor accommodation building 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. Advertising signage for the visitor accommodation is to be limited to a maximum of one sign no greater than 0.2m² in size and located within the property boundary. No additional signs are to be displayed without separate approval.

3. The visitor accommodation building is approved to provide short or medium-term accommodation for persons away from their normal place of residence.
4. Use and development must comply with the requirements of TasWater specified by 'Submission to Planning Authority Notice' reference number TWDA 2022/00258-GSB, dated 08/03/2022 and attached to this permit.
5. 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.
6. Landscaping is to be undertaken in accordance with the approved plans and maintained for the life of the development to the satisfaction of the Council's General Manager.
7. To the satisfaction of the 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:
 - a. have a minimum width carriageway of 4.0m;
 - b. have 5.5m wide x 6m long passing bays;
 - c. have a durable all-weather surface to avoid dust or mud generation, erosion and sediment transfer off site;
 - d. be in accordance with the requirements of an approved Bushfire Hazard Management Plan.
8. The following conditions must be registered as being a covenant on title prior to the use commencing:
 - a. All stormwater run-off from roof surfaces generated as a result of development must be collected and directed into detention tank(s) to provide an on-site capacity of minimum 2,000 Litres for the dwelling and visitor accommodation building for the purpose of detention;
 - b. The detention tank must be installed prior to occupation of a dwelling or completion of any structure requiring stormwater drainage;
 - c. Each detention storage must be fitted with a properly sized orifice plate to the satisfaction of Council's General Manager;
 - d. The property owner is responsible for the ongoing operation and maintenance of the detention tanks, which must be operated and maintained in accordance with an Operation and Maintenance Manual approved by Council's General Manager;
 - e. All stormwater run-off from impervious surfaces and detention tanks generated as a result of any development must drain to a legal discharge point to the satisfaction of Council's General Manager.
9. 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.

10. 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.
11. 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. All asbestos-based waste must be disposed of in accordance with the Code of Practice for the Safe Removal of Asbestos NOHSC: 2002(1988). No material containing asbestos may be dumped at Council's Waste Management Centres.
12. Stormwater drainage must be undertaken in accordance with the endorsed Stormwater Management Plan and in accordance with a Plumbing Permit issued by the Permit Authority in accordance with the *Building Act 2016*.

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 issue of this permit does not ensure compliance with the provisions of the *Tasmanian Threatened Species Protection Act 1995* or the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*. The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Policy and Conservation Assessment Branch of the

Department of Primary Industry, Parks, Water and Environment or the Commonwealth Minister for a permit.

- h. To minimise the spread of weeds and plant diseases through the site and region it is recommended that
 - i. Construction vehicles and equipment be washed or shaken down to remove soil prior to entering or leaving either the construction site of the transport depot
 - ii. Any gravel and earth products introduced to the site should be obtained from certified weed-free and disease-free sources.
- i. 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.
- j. 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>

4.2 DA2022/48 - 55 Waubs Esplanade, Bicheno

Proposal:	Relocated Dwelling
Applicant:	Paul Miltenburg
Application Date:	02 March 2022
Statutory Date:	02 May 2022
Planning Instruments:	Tasmanian Planning Scheme - Glamorgan Spring Bay
Zone:	8.0 General Residential
Codes:	C2.0 Parking and Sustainable Transport Code; C3.0 Road and Railway Assets Code
Specific Area Plans:	N/A
Use:	Residential
Development:	Dwelling
Discretions:	8.0 General Residential Zone - cl 8.4.2 (P3) C2.0 Parking and Sustainable Transport Code cl 2.6.1 (P1)
Representations:	3
Attachments:	1. Exhibited Documents - D A 2022-48 [4.2.1 - 8 pages] 2. Representations - D A 2022-48 [4.2.2 - 4 pages]
Author:	James Bonner, Senior Planner

Executive Summary

Planning approval is sought for the construction of a relocated dwelling at 55 Waubs Esplanade, Bicheno.

The proposal was advertised for two weeks from 11th March to the 25th of March and three representations were received objecting to the proposal.

This report assesses the proposal against the standards of the relevant zone and codes, and considers the issues raised in the representations. The Planning Authority must consider the planner's recommendation, and the matters raised in the representations and make a final determination by 2nd May 2022.

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 the placement and construction of a relocated dwelling on the subject lot. The dwelling has been positioned close to the western boundary of the lot to allow a further dwelling to the east on the proposed lot approved by SA2021/11. It is noted that while a permit for subdivision has been issued the permit has not to date been acted upon.

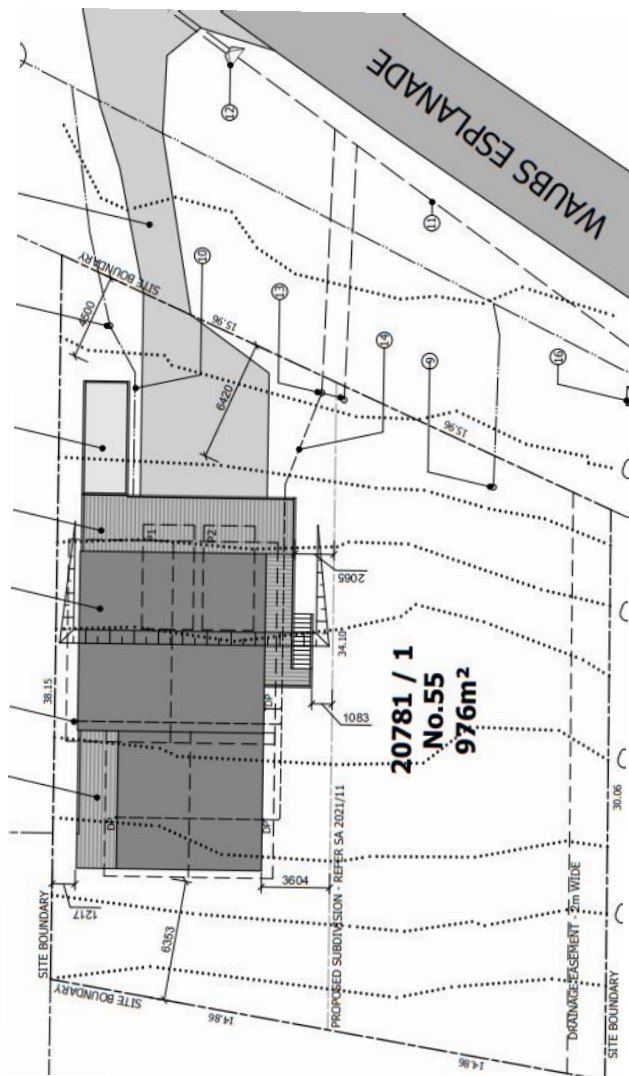


Figure 1 – Site Plan

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

- SA2021/11 - two lot subdivision approved 13 July 2021
- BA2017/76 - demolition of dwelling approved 13 June 2017
- DA2017/92 - demolition of dwelling approved 05 June 2017

6. Site Description

Since the existing dwelling was demolished the lot has remained vacant and is cleared of vegetation apart from grass. The lot has a gradual slope up from the road with an increase in height of approximately 5m from front to rear.



Figure 2 – Aerial photo showing locality. Source LISTMap



Figure 3 – Aerial photo of lot. Source LISTMap

7. Planning Instruments

Tasmanian Planning Scheme – Glamorgan Spring Bay

8. Easements and Services

Nil

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

11. Meeting the Standards via Performance Criteria

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

- 8.4.2 Building Envelope (P3)
- 2.6.1 Surfacing of driveway (P1)

The Planning Authority must consider the representations and the Performance Criteria and make a determination on the application by 2nd May2022.

PART THREE

12. Assessing the Proposal against the Performance Criteria

8.0 General Residential Zone

8.4.2 Setbacks and building envelope for all dwellings (A3) - The acceptable solution is that a dwelling is contained within a building envelope as specified in the scheme. The proposed dwelling does not fit within the building envelope due to the setback from the western boundary. As such the proposal does not comply with the acceptable solution and must meet the following performance criteria.

Performance Criteria	Planner's Response
The siting and scale of a dwelling must: (a) not cause an unreasonable loss of amenity to adjoining properties, having regard to: (i), reduction in sunlight to a habitable room (other than 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	While the dwelling may result in a loss of sunlight to the adjoining property to the west, due to the orientation of the lot it will not result in an unreasonable loss of sunlight from overshadowing to the dwelling or private open space area. The proposal meets the performance criteria. There is no vacant land adjoining the subject lot. It is noted that the future vacant lot to the east approved as part of the subdivision cannot be considered as the subdivision has not yet been acted upon. The proposal meets the performance criteria. The dwellings bulk and scale is not excessive and is typical for a two-storey dwelling, even though it is of single storey construction elevated to provide under cover car parking. The dwelling is within the height limit of 8.5m and will not cause an unreasonable loss of amenity when viewed from adjoining properties. The proposal meets the performance criteria.

Performance Criteria	Planner's Response
of the dwelling when viewed from an adjoining property;	
(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and	The separation of 1.27m to the boundary to the west while less than the acceptable solution in the scheme, is consistent with that existing on established properties which have varying degrees of separation between dwellings. It is noted that the west elevation plan provides for privacy screening to western windows as required by the planning scheme. The proposal meets the performance criteria.
c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on: (i) an adjoining property; or (ii) another dwelling on the same site.	The dwelling will not cause an unreasonable reduction in sunlight to existing solar panels on adjoining properties. The proposal meets the performance criteria.

C2.0 Parking and Sustainable Transport Code

2.6.1 Construction of parking areas (A1) – The acceptable solution is that parking areas in the General Residential zone be constructed with a durable all-weather pavement that is sealed with concrete, asphalt, or equivalent material. The proposal is for a gravel driveway and crossover. As such the proposal does not comply with the acceptable solution and must meet the following performance criteria.

Performance Criteria	Planner's Response
All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to: (a) the nature of the use; (b) the topography of the land; (c) the drainage system available;	<p>The proposal is located within a developed urban zone in which there is an expectation that driveways will be sealed as development occurs.</p> <p>The lot grades down to the road and there is a likelihood of sediment being transported onto the road from the proposed gravel surface. Council's engineers have recommended that a sealed surface be provided for the driveway and crossover.</p> <p>The performance criteria have not been met and it is recommended that any permit includes a condition requiring the driveway and crossover to be sealed.</p>

Performance Criteria	Planner's Response
(d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likelihood of generating dust; and (f) the nature of the proposed surfacing.	

13. Referrals

The application was referred to Councils engineers who have provided recommended conditions.

14. Representations

The proposal was advertised for two weeks from 11th March to the 25th March and 3 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
1. The stated area of 976m ² is misleading at the lot has been or is about to be subdivided. 2. The proposed dwelling is only 1.27m from the house next door and this measurement is less when the roof overhang is taken into account. This is extremely close especially in the case of fire. 3. A suspended industrial steel container swimming pool is not desirable. No mention of the height and finish coating. Height of privacy screening is too low, what is it to be constructed of? 4. Will the relocated house be stored on the ground before reconstruction commences and if so for how long? 5. Does the Council have any requirements that exterior materials will be finished to a high standard? 6. The application form is missing details such as property ownership.	1. A subdivision of the lot into two lots was approved in July 2021. To date the subdivision has not been acted upon and therefore this application is to be assessed under the current registered lot. 2. The separation to the adjoining lot is assessed as being reasonable as discussed in the performance criteria assessment. Fire separation is not a matter that can be addressed at the planning stage. 3. At its highest point the pool will be 3m from the ground. The privacy screen is anticipated to be for the privacy of the pool users rather than adjoining properties and is not a requirement of the scheme. 4. If a planning permit is issued, the placement of the building is a matter for the building permit. 5. No, there are no requirements in the planning scheme for colours or finishes in the general residential zoned area.

	6. Personal details were removed for privacy reasons.
Representation 2	Response
1. Objects to the building being in excess of the building height for this protected area.	1. The building height of 7m meets the acceptable solution which is 8.5m high for a general residential zone.
Representation 3	Response
1. As the proposed house is being relocated, what is its condition? 2. The drawings for the house show only one outside entrance. 3. The swimming pool is a second-hand shipping container, how second-hand can that be? 4. How long do security screens need to stay in place? 5. The application is a bit unusual as the owners ID has been covered up. 6. There is no water supply at the moment to the site. 7. The stormwater for the site will not be able to go into the mains because of capacity.	1. This is a matter for the building permit stage. 2. The plans show an entry door and doors onto the deck from the dining room. 3. This is a matter for the building permit stage. 4. Any privacy screens required by the planning scheme are required to be permanently in place. 5. The details have been removed for privacy reasons. 6. This is a matter for TasWater. 7. The planning scheme does not have a stormwater code and this matter will need to be addressed at the building stage.

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*, DA2022/48, at 55 Waubs Esplanade, Bicheno (CT20781/1) for the construction of a dwelling 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. 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.

3. To the satisfaction of Council's General Manager, the internal driveway and areas set aside for vehicle parking must have a sealed surface of either concrete, asphalt, two-coat spray seal, pavers or similar and have appropriate drainage.
4. The vehicular access must be constructed from the edge of the public road to the boundary of the lot in accordance with IPWEA (Tasmania) Urban Roads – Driveways TSD-R09, and Urban Roads – Footpaths TSD-R11 and to the requirements of Council's General Manager. A Council inspection of the works is required prior to concrete pour and at completion unless alternative arrangements have been made with Council. Forty-eight hours' notice is to be provided prior to inspection.

Advice: Standard drawings are available at www.lgat.tas.gov.au/

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

5. 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.
6. 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. All asbestos-based waste must be disposed of in accordance with the Code of Practice for the Safe Removal of Asbestos NOHSC: 2002(1988). No material containing asbestos may be dumped at Council's Waste Management Centres.

7. Stormwater drainage must drain to a legal discharge point to the satisfaction of Council's General Manager and in accordance with a Plumbing Permit issued by the Permit Authority in accordance with the *Building Act 2016*.

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 issue of this permit does not ensure compliance with the provisions of the Tasmanian *Threatened Species Protection Act 1995* or the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*. The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Policy and Conservation Assessment Branch of the Department of Primary Industry, Parks, Water and Environment or the Commonwealth Minister for a permit.
- h. The granting of this permit takes in no account of any civil covenants applicable to the land. The developer should make their own enquiries as to whether the proposed development is restricted or prohibited by any such covenant and what consequences may apply.
- i. 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 March 2022

Author: Director Corporate & Community (Elysse Blain)

Responsible Officer: Director Corporate and Community (Elysse Blain)

ATTACHMENT/S

1. Group Financial Statements 2022-03 [5.1.1 - 3 pages]
2. Capital Works Projects 2022-03 [5.1.2 - 3 pages]

BACKGROUND/OVERVIEW

The financial reports for the period ended 31 March 2022 as attached to this report are presented for the information of Council.

STATUTORY IMPLICATIONS

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

BUDGET IMPLICATIONS

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

RISK CONSIDERATIONS

Risk	Consequence	Likelihood	Rating	Risk Mitigation Treatment
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 ending 31 July 2021. Council needs to endorse.

OFFICER'S RECOMMENDATION

That Council receives and notes the Financial Reports as attached to this report for the period ended 31 March 2022.

6 SECTION 24 COMMITTEES

6.1 Natural Resource Management Committee Minutes - 16 March 2022



NATURAL RESOURCE MANAGEMENT COMMITTEE MINUTES No. 72

WEDNESDAY 16th March 2022

Swansea Town Hall, Swansea

Time Commenced: 10am

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1. OPENING OF MEETING

1.1 Acknowledgement of Country

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

1.2 Present and Apologies

Present:

Cheryl Arnol (Chair), David Tucker (Vice Chair), Jane Wing, Gary Stoward, Alan Morgan, Diana Nunn, Kate Hibbert, Alex Woodward, Amanda Brooks, Alena Hrasky, Robyn Moore

Apologies:

Jennifer Hemmer, Steve Heggie, Kath Hitchcock, Di Clark

The Chair acknowledged David Tucker and others for their assistance over the previous few meetings due to unavoidable absences.

1.3 Declaration of Interest

Nil

2. CONFIRMATION OF MINUTES

2.1 Unofficial Notes of NRM Meeting No. 71 – 24th November

As the 24th November meeting 2021 did not have a quorum the previous notes were accepted.

Jane wing identified that the notes from the previous meeting should be amended to state that the Masterplan item as received and noted rather than endorsed/agreed.

2.2 Matters arising from minutes

- 1. EOI for new Committee Member:** deferred to item In general business.
- 2. Weed Control on State Growth Highways:** Council wrote to State Growth and subsequently arranged a meeting with Jill Jones and Liza Fallon, Alex, Peter Porch, and David Tucker. Meeting was productive and discussed the history of the arrangement. Jill asked if GSBC were still in a position to tender, and Peter said it would be considered and would liaise further with them. Jill agreed to organise identified outbreaks to be treated. Cheryl identified the importance of knowing the history. Discussed options for replacing signage of wash-down areas. Further meeting to be conducted.
- 3. Public Convenience Strategy:** Ongoing – It was suggested that East Coast Tourism being a conduit to look into potential grant funding and application writing.

4. **Use of washdown facility at the wharf:** Jane to speak to Kath Hitchcock about this. This matter will be referred to the Marine Infrastructure Committee.
5. **Water Management Plans for East Coast Rivers:** Response received on the 17th Jan 2022 with some responses. David read out the letter and expressed concerns with these responses. Recommend that a meeting is requested with the Director Department of Natural Resources and Environment Tasmania.

ACTION – Alex to organise.

6. **Joint workshop between Elected Council Members and the NRM Committee:** Cheryl thanked David and Alan for the presentation.

Alan provided an overview of the meeting – At the last meeting of 2021, members of the NRM Committee asked for the opportunity to meet with Councillors to inform them of our activities and concerns. David Tucker and Alan Morgan were granted the chance to speak at a Council Workshop on February 8. Because of Council's Covid restrictions it was held by Zoom and it was not open to observers from the Committee.

The meeting was chaired by the General Manager. All Councillors were present except Cr Woods and Cr Symons. The Director Development and Planning and the Director of Works and Infrastructure were also present. David presented a list of some of the past achievements of the NRM Committee since its inception.

Alan spoke to a PowerPoint presentation highlighting our current concerns as a committee.

Both presentations have since been circulated to all members.

After the presentations, as Chairman, the General Manager invited Councillors to ask questions or make comment following our presentations. We do not have a record of the comments and questions and therefore our recollections are general and more indicative than precise. From the ensuing discussion, it was our impression was that, as a group, Council is not well informed of the NRM Committee and Teams past activities.

To our dismay, none of the questions from Councillors where about our underlying concerns but rather distractions to specifics. The use of Zoom limited our perception of how others on Council reacted. Such comments as "I don't have time to read all the S24 Committee meeting minutes" and "I am too busy to go to Committee meetings" reinforce our concerns that the relationship between our Committee and Council are badly in need of repair.

Conclusion and Recommendations

We concluded that there remains a significant gap in Council's understanding of the NRM Committee's role and functions. To this end we make the following suggestions.

1. *The NRM Committee meeting agenda and minutes be sent to all Councillors to inform them as a matter of courtesy and information.*
2. *NRM Committee members as private citizens maintain targeted communication with their local Councillors on matters arising from NRM meetings and of general concern.*

The proposed recommendations were not adopted. Cr Arnol and Alex Woodward agreed to discuss how the intent of these recommendations could be achieved within existing council protocols.

7. **Deer Zoning:** Submission made but no further response received.

8. Dolphin Sands native species gardens: To be organised in the future with Amanda and Robyn

9. Calici virus release program: Amanda spoke with Glenn Graves from NRE in February about the possibility of a virus release. In short there will be no controlled release of any virus to assist in the management of rabbits this year, and this is state-wide.

Reason: rabbits are still breeding due to the season being wet causing green grass shoots encouraging female rabbits to keep breeding. Young rabbits under 3 months of age can develop immunity to the virus.

There needs to be at least 3 dry months which breaks the breeding cycle of female rabbits. This break creates an increased age of rabbits in general that are then more susceptible to the virus.

10. Coles Bay Sewerage: Alex provided an overview of the work that is being undertaken in Coles Bay. Upgraded signage is being installed, water sampling is being conducted weekly instead of monthly (Nov – March), auditing of high-risk systems being undertaken and failing systems being issued with notices.

3. COMMITTEE CORRESPONDENCE

3.1 Correspondence In/Out

- 3.1.1 Email - State Highway weed spread control
- 3.1.2 Wild rabbit calicivirus update
- 3.1.3 Correspondence from Minister Barnett
- 3.1.4 Project Update 5 – Moulting Lagoon and Apsley Marshes
- 3.1.5 Funding Options for Farmers re biodiversity on their farms
- 3.1.6 STCA Board Update

Note that the correspondence is received. 3.1.4 and 3.1.5 be moved to information reports.

4. INFORMATION REPORTS

4.1 Coastal Erosion/Mitigation – Discussion on Council's Policy

Alan raised that it would be beneficial for the NRM Committee to be kept abreast as to where Council's Strategy and Policies are on coastal erosion/mitigation. Alex confirmed that Council Officers will present a future item and keep the committee informed. Alex is the NRM rep.

4.2 GSBC Weed Management Plan 2022-2026

Amanda updated that the Plan has been reviewed and sent to Karen Stewart at NRE and will send around to the committee once received back from NRE.

4.3 Update on Orford Foreshore Masterplan

Alex updated the committee to advise that the consultant had now collated initial feedback and further developed the draft The Orford Foreshore Master plan would be presented to the March Council meeting for endorsement to proceed with broad community consultation. It was agreed that a sub-committee of the NRM Committee would be formed to provide feedback from the group. Jane volunteered to be part of this sub-committee.

4.4 NRM Committee Presentation to Council – GSBC Website and Notice of Meetings

Refer to item 2.2.6 and Alan's response.

The recommendations were further discussed, and it was agreed that Alex is to work with Cheryl on how this can be implemented. Alan also requested that the NRM Terms of Reference to be updated on the website.

4.5 Bicheno Irrigation Scheme

David provided an overview of the recent announcement by Barnaby Joyce.

Specifically:

- \$17.1 million for a distribution network for recycled water and a 100 megalitre storage dam in the Bicheno region, providing an additional 64 megalitres per year initially and increasing to 83 megalitres by 2050; and
- \$3 million to upgrade the 140-year-old Lake Leake Dam to extend its useful life by a further 100 years, maintaining 14.6 gigalitres per year of water for crop and livestock production.

Alex advised Council has not been involved in discussions to date.

4.6 Expression of Interest – NRM Committee Member Applications Received

One EOI was received submitted by Howard Colvin. The application was reviewed and considered to be highly qualified and suitable for the role.

Moved Robyn Moore; Seconded Gary Stoward

That the Committee recommends to Council that Howard Colvin be appointed to the NRM Committee immediately to fill the vacant position.

In favour: Unanimous

4.7 Impact of Tasmania Planning Commission decision 4th February 2022 re Coles Bay Swanwick

Alex advised that the latest update was that due to the change in Local Provision Schedule in the newly implemented Planning Scheme, a substantial number of applications will now be discretionary due the rules regarding setbacks.

4.8 Response to Jane Wings Questions on Notice

Jane provided the following questions on notice and Alex provided the following responses:

- 1) *An update on what Council are doing on the NRM front. As Nicky Meeson is leaving and Terry Higgs has left that currently only leaves three part time officers (I believe). Could we have an update on what Council are doing on the NRM front, what aspects of NRM are being undertaken, which officers are involved, how many hours are allocated and how Council will cover the roles that Terry & Nicky fulfilled?*

The current staffing arrangements are as follows:

Amanda Brooks – 0.8 FTE (Full Time Equivalent)

Nona Barker – 0.6 FTE

Jarrold MacLaine – 0.6 FTE

Nicky Meeson – 0.4 FTE

The operational funds from Terry Higgs' role have been utilised for increasing the hours of the above staff to work on NRM activities. In addition, some of the funding has been allocated to the Compliance budget to ensure Fire Abatements continue to be actioned. Finally, there is an amount allocated to deal with tree inspections where necessary. All of Terry's previous activities are continuing to be actioned by all of these staff.

Nicky Meeson is still employed by GSBC and is currently on leave until June 2022. Nicky has tendered her resignation following this date and Council is in the process of reviewing the position description to advertise in May 2022.

Council still continues to deal with weed management, notifications and enforcement, revegetation and parks and reserves management through Amandas team. The Compliance Officer deals with Fire Abatements, general NRM compliance and signage etc. Nicky's role is being reviewed and will largely incorporate the key aspects of the role as it was.

Finally, NRM activities are not siloed to one department, these are now incorporated into all departments, including but not limited to I&W, Communications, Customer Service and Development & Planning.

- 2) *An update on Council's recycling capabilities, ie what can be taken to municipal WMC and also what can be recycled at the Council Offices ie we were able to take used toothpaste tubes etc into Council Offices. There seems to be confusion in the municipality about what can be recycled at WMC and what cannot. I don't think there is any info on Council's website.*

Councils recycling abilities are limited by the contractors available and the markets available to them for the various material types.

In short, all recyclable household items are aggregated into one recycling skip bin including toothpaste containers and batteries (other than car batteries). Oils are also collected separately.

The bins are delivered to Recycal council's currently contracted provider for separation and materials recovery.

GSBC is a member council participating in the Southern Tasmania Waste Group future comingled recycling contract initiative to improve recycling capability in the south of Tasmania.

A tender for the service is being developed by the group to commence at the conclusion of the current contract.

- 3) *Can we have an update on green waste. This info is on the website - "Green waste management costs are increasing to meet environmental standards. As a result council will charge minimal fees on the delivery of green waste to all transfer stations commencing 1st August 2021 to fund the required changes in practices"*

A fermentation trial has been carried out with limited success. The costs and logistics for the operation are going to be prohibitive. Enquiries into simply chipping for mulch are continuing.

Initiatives by others relating to Bio-char are being monitored however this is likely to be the most cost prohibitive.

All alternatives to burning require additional costs to operations which are proposed to be met by green waste charges.

****Alex left the meeting at 12:55pm****

4.9 Membership given the number of non-attendees without apologies

Clr Arnol suggested that as Council was undertaking a review of all s.24 Committees and there was only a maximum of 2 NRM meetings until the end of the term of this Council, that the matter sit in abeyance.

4.10 Project Update 5 - Moulting Lagoon and Apsley Marshes

Jennifer provided the following update via email

Moulting Lagoon and Apsley Marshes project

- Hydrological restoration works commence tomorrow (Thursday 17th March) at two properties.
- Weeding (willows, gorse) commences next week
- 9Ha of revegetation will be planted by the end of the financial year, and stock exclusion fencing will be installed by the end of FY

Carbon + Biodiversity pilot

In response to the email circulated by Alan about biodiversity on farms, our Senior Project Officer, Laurel McGinnity, has provided the following update:

- The Australian Government is running the Carbon + Biodiversity Pilot round 2 in six eligible Natural Resource Management regions, including southern Tasmania (incorporating the GSBC area).
- The Pilot is a key part of the Australian Government's \$66.1 million Agriculture Biodiversity Stewardship Package and will reward farmers who plant native trees and shrubs on their property, to store carbon and improve Australia's biodiversity.
- While this program will deliver future income streams through carbon credits for farmers, it also has the potential for improved landscape outcomes such as vegetation corridors, improved soil and erosion outcomes, shelter and shade for stock, improved habitat with potential pollination benefits and reduced land degradation.
- NRM South is the local NRM partner helping the government to implement the pilot in our region.
- Round 2 of the pilot builds on the success and learnings of round 1, which saw up to \$4 million in funding offered to 65 projects across six NRM regions. This included the Northern Tas NRM region.
- Applications for round 2 of the pilot closed on the 3rd March 2022 and successful participants are expected to be notified in April 2022.

Future Drought Fund Innovation Grants Scheme

- NRM South was successful in its proposal to this scheme to deliver the project "Co-developing and improving digital tools for increased drought resilience with, and for, Tasmanian farmers" this was supported by farmers on the East coast.
- The pilot study will drive improved drought resilience through a state-wide rollout of the Farming Forecaster decision support tool in drought-affected regions of Tasmania. This project builds on a NSW trial and the FDF funded Tasmanian pilot.
- [Future Drought Fund: \\$29 million to deliver innovation in drought resilience | Ministers \(awe.gov.au\)](https://www.awe.gov.au/future-drought-fund)

Amanda Brooks left the meeting at 1:15pm

5. ROUND TABLE

5.1 Round Table

Alan Morgan mentioned:

Delighted to see that the notice of meeting for the NRM Committee was posted on the GSBC Website. Noted the advice about Priority Projects. Further amendments to the website are necessary.

1. Updating of NRMC Terms of Reference. Currently the 2018 version is on display.
2. More accurate description of Director of Planning and Development responsibilities to include Weeds and Natural Resource Management. These functions are to be found elsewhere on the website yet do not appear as anybody's responsibility. Need consistency."

Gary Stoward mentioned:

Gorse clearing activity on Tuesday 8th March was very successful. The task was to remove gorse from the emergency access way from Cambria Drive to the Cambria airstrip. A fire truck was on site to safeguard chainsaw operation. Cleared about 90% of the planned area. Had 8 people on site utilising 2 chain saws (1 X SES) and a pole saw (local resident). Amanda from council on site for the 10.00am briefing - then stayed with her chainsaw until we finished at 1.00pm.

Special thanks Swansea SES and TFS. Without their support the planned work would not have been as successful.

Track is now safe and open for 2-wheel drive vehicles.

Kate Hibbert mentioned:

- Currently undertaking significant works to repair a number of roads (fire trails) within the BMTA, to be completed prior to winter.
- The Tasmanian Devil Program recently completed the first of their two planned annual surveys at the BMTA. They release a small number of devils onto the site from Maria Island every second year, around June, and will be doing so this year.

6. NEXT MEETING

The NRM Committee Meeting are proposed to be held on the 3rd Wednesday every 3 months during 2022. (Covid protocols will apply)

18th May 2022	Swansea
17th August 2022	Triabunna
16h November 2022	Swansea

The Chair, Cllr Cheryl Arnol closed the meeting at approximately 2.30pm and thanked everyone for their attendance.

RECOMMENDATION

That the Minutes of the Natural Resource Management Committee meeting held on 16 March 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.

Works continue on the preparation of technical information for Councils renewed and new assets from the current financial year. Technical skills for the higher level of asset system management have been sourced through Brighton Council for quite a few years however this resource is no longer available to council. Arrangements have been made to source these skills from the system owners, Assetic, who will provide a level of training to council staff to enable some of the more basic asset take-up and data entry to be done with internal resources.

CONSULTANT SERVICES

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

- Stormwater Management: Cameron Oakley continues to work through the continuing development of the stormwater catchment planning with the south Orford catchment area now complete. From available funds one more catchment is likely to be able to be modelled. This will complete around half of the urban catchment modelling required for council.
- The North Orford study continued in conjunction with the Department of State Growth (DSG) who are jointly funding this project with a draft of maps received for review and comment back to the designer.
- Holkham Crt culvert and drain design works are complete with plans for culverts now provided to enable the upgrade of the culverts in Holkham Court to progress.

- Grant fund project delivery: Graeme Edwards is retained to deliver a range of projects funded by commonwealth Grants. A number of sub-consultants are involved in these works also. Ongoing.
- Andrew Walter Constructions has provided the results from test pits and provided preliminary costs for reconstruction of selected sections of Nugent Road. Alma Road will undergo the same process.

OPERATIONAL WORKS

ROADS, BRIDGES, FOOTPATHS, KERBS

- Unsealed road inspections completed: 5
- Glen Gala Rd, Cranbrook, maintenance grade- complete
- Flacks Rd, Coles Bay, maintenance grade- complete
- River and Rocks Rd, Coles Bay, maintenance grade- complete
- Rosedale road maintenance grade 80% completed
- Charles St. Orford. Chasing contractor for date for works to be done.
- Rosedale Bridge- clearing of debris/rocks - completed
- Orford Rivulet bridge, planning cleanout under bridge of rubble/material to maintain water flow volume under bridge- April to execute
- Approved bridge maintenance - (1) Culvert List 50, Orford Rivulet, Wielangta Road - Twin 3.10m dia. 'Multi-plate' Culvert, (2) List 44 Bridge 100V Unnamed Ck Glen Gala Road, (3) List 47, Bridge Griffiths Rivulet, Wielangta Road and (4) List 13 Bridge No 2001, Larges Creek, Bresnehans Road. Little Swanport- Completing work scopes, programmed for April/May
- Nugent Rd bridge (Unemployed Gully)- replacing damaged wooden rail on southern side of bridge- commenced
- Pothole repairs continued – Bicheno 70%. Coles Bay and Swanwick completed.

STORMWATER, DRAINAGE

- Rosedale Rd, Bicheno- open drains upgrade/repairs- underway
- Open drain clearing and culvert repairs at numerous locations on Maria St, Spring Beach, Harvey Farm Rd- completed

WASTE MANAGEMENT

- Winter hours for Transfer Stations commence on the 2nd May.
- Children at WTS's- signage to be installed at each WTS stating "Children to stay in vehicles"- completed
- New access road to Bicheno WTS - Construction underway by developer
- Metal recycling at all WTS's - Recycal have completed this across all WTS's in March
- High vis chain and "CLOSED" signage erected at bins at Orford WTS as a safety barrier- completed

PARKS, PLAYGROUNDS, RESERVES, WALKING TRACKS, CEMETERIES

- 13 weekly playground inspections for the month across the entire municipality.
- Soft fall to replenish playgrounds- ongoing as resources are available.
- QR COVID check in signage for all playgrounds – costs incurred in installing: \$3,385. While costs of some measures for managing Covid are being met for businesses through the Covid-19 and Emergency Support, Grants and Loans, Council is unlikely to meet the criterion for the purposes of the recompense arrangements. Guidelines will be released on April 21st to enable confirmation of this assessment.
- Tree trimming in high-risk locations (parks and public spaces) across municipality - Ongoing
- Bicheno walking tracks- ongoing maintenance due to weather events.
- Nature strip mowing Orford/Triabunna/Buckland - April round complete

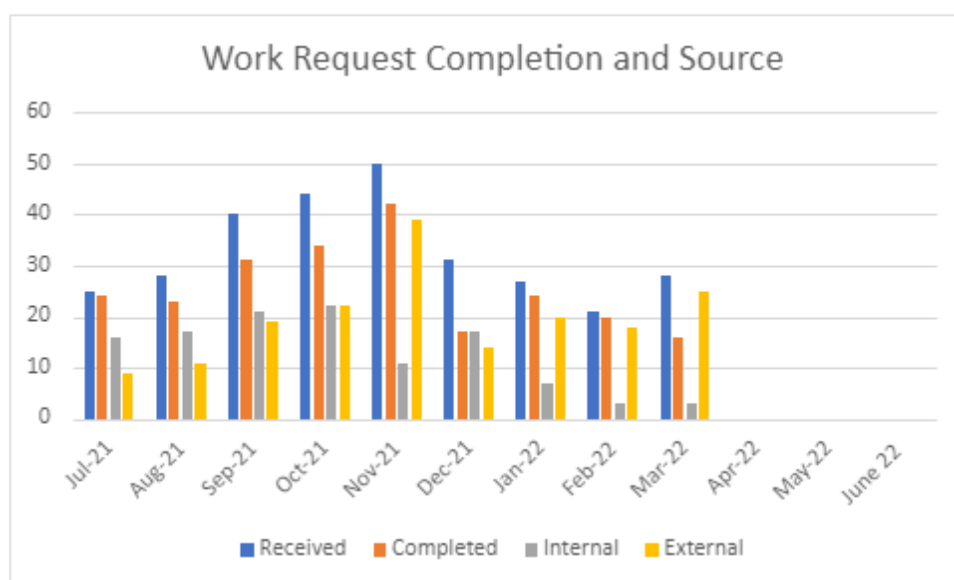
EMERGENCY MANAGEMENT

After hours rostering carried out as scheduled.

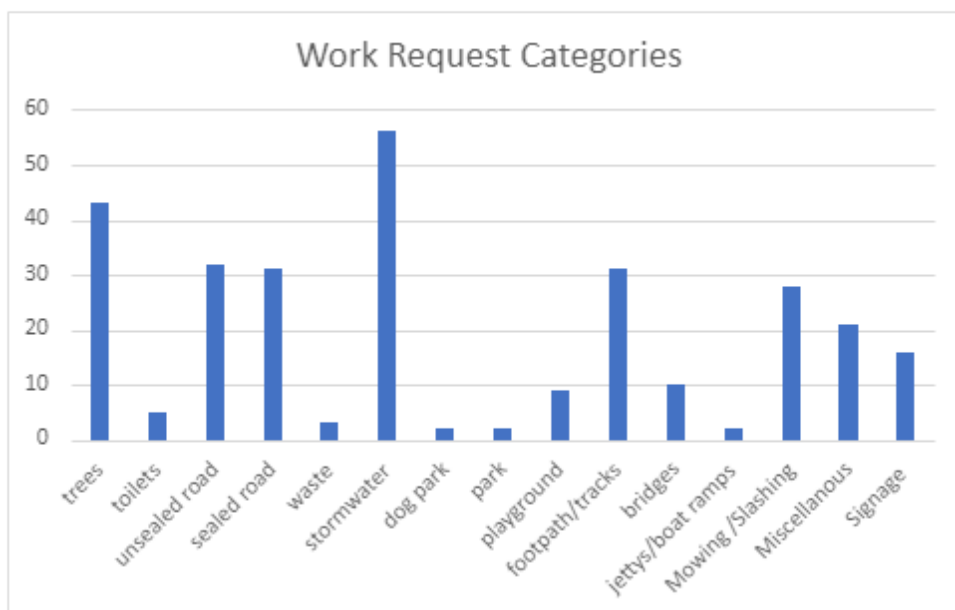
Attendance to fallen tree on Wielangta Road.

CUSTOMER REQUESTS

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



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



CAPITAL WORKS

- Strip Road culvert concreting – completed successfully. This project was funded from LRCIP grant round 2 and is designed to protect a roadway which washes out after heavy rain. The works will prevent the washing out enabling staff to attend to other wash out priorities and reduce reinstatement costs. The investment of capital funds is likely to be recouped in three years of normal weather.



- Reseal works continued and are programmed to occur through to April.
- Resheeting projects are on program with the list roads almost complete.
- Rosedale roadside drains reconstruction (March 2021 flood damage) works complete
- Buckland Walking Trail rehabilitation - complete
- Vicary and Esplanade Intersection works progressing

Grant funded

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

- Road to Recovery – Generally projects progressing as planned.
- Proposed projects listed for LRCIP Phase 3 Grant funding have now been confirmed and approved by the Australian Government. Projects funded under this program which are now able to proceed comprise the following list:
 - Nugent Road Buckland Rehabilitation works 2000m2 nominal \$160,174 - report on the road base materials received with recommendations for stabilisation being considered. Staff to meet with Forico representatives to discuss log truck movement damages.
 - Alma Road Orford Rehabilitation works 1500m2 nominal \$106,000 - contractor preparing a report
 - Charles St Orford rehabilitation works 700m2 nominal \$35,000 - contractor engaged – awaiting works to be done.
 - Triabunna School Crossing relocation \$35,000 - chasing quotes
 - Swansea Court House Amenities refurbishment \$75,000
 - Triabunna Marina Shelter \$15,000
 - Coles Bay Community Hall Annexe \$180,000
 - Swansea Cricket Practice Nets \$35,000
 - Spring Beach Toilet Refurbishment \$65,000
 - Saltworks New Toilet Block \$100,000
- Black Summer Bushfires Grant – Deed signed. Planning for elements of the program commenced.
- Bridges Renewal Fund grant application for 17 Acre Creek Bridge replacement for 2022-23 capital renewal program pending.
- Bicheno Triangle – Tender documents being prepared - separate report.
- Coles Bay Foreshore Path – Public consultation on site took place in February. Further information gathering continues with a blending of the original gravel path and some shared roadway the likely outcome.
- Community consultation at the Gulch planned for 16th April. Continuing to work through the Parks RAA process.
- Swansea Street Upgrade – Stage 2 community consultation carried out. Generally people are accepting of the proposal with a range of enquiries received about the conditions of the grant and project selection process more so than the works themselves. Businesses are naturally concerned about impacts to their business operations while the works progress. The timing of the works through the slow months will mitigate this to a degree with contract requirements included to further minimise disruption to businesses.

PLANT AND VEHICLES

- Replacement trucks arrived as advised – tray construction underway.

GENERAL

- Planning progresses to identify the renewal priorities for budget draft development for the 2022-23 financial year capital program

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:

- Bicheno Beams Light festival Lions Park 10 minutes every night in July
- Bicheno Night Markets
- ANZAC Day Triabunna RSL March

RECOMMENDATION

That Council notes the information.

7.2 Manager Buildings and Marine Infrastructure - Adrian O'Leary

Boat Ramps and Jetties; Triabunna Marina; Council Buildings

PUBLIC AMENITIES AND BUILDINGS

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

Drought Communities Program Round 2

All projects under the Drought Communities Program Round 2 are complete except for one project currently in progress.

The new intersection at the Triabunna RSL will be completed by the end of April 2022. Works were delayed briefly. The new Cenotaph, which was ordered by the Glamorgan Spring Bay Council last year, has now been installed adjacent to the Triabunna RSL.

An extension of time was granted to the Council by the Federal Government for a few projects under the grant program. Some projects were delayed due to heavy workloads and severe weather conditions throughout the State.

This program is now complete, a final report will be submitted to the Federal Government.

Local Roads and Community Infrastructure Program Phase 1

Most of the projects under LRCI Program Phase 1 are complete except for the construction of a new disability access ramp at Buckland Hall, this project should be completed by the end of April. This project was also delayed, mostly by the rainy weather being experienced on the East Coast, but also by the increase of building activity throughout the State.

Local Roads and Community Infrastructure Program Phase 2

The projects being carried out under the LRCI Program Phase 2 are in progress with the majority of the projects now complete. Some stormwater projects are still under construction. The program has been extended until the end of June 2022.

Local Roads and Community Infrastructure Program Phase 3

The projects submitted to the LRCI program Phase 3 by the Glamorgan Spring Bay Council have been accepted and these works can now progress.

Projects approved include the following:

- Spring Beach toilet re-furnishment
- A single disable accessible toilet at Saltworks boat ramp
- Cricket practice nets at Swansea Recreation ground
- A new shelter for the Triabunna marina
- Upgrade community toilet facilities at the Swansea Court House

Coles Bay Hall

Phase 3 grant funding towards the replacement of the annexe rooms at the Coles Bay Hall has also been approved. The new extension will accommodate a new medical practitioner's room, library, meeting room and an upgraded kitchen. An outdoor area overlooking the Tennis courts are also included in the extension.

Construction design plans and costing are now complete, with an application for Planning being submitted.

An application for additional funding will be submitted to the Community Grants program to add to the \$180K already in the budget for these works.

Triabunna Recreation Ground

Grant funding has been received from the State Government to improve the changeroom facilities at the Triabunna Recreation Ground. This was an election commitment, with the works commencing after this football season.

The upgrades to the facilities should be completed by the end of October 2022.

MARINE INFRASTRUCTURE

Boat Ramps and Jetties

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

Gordon Street Boat Ramp

An application has been submitted to Crown Land Services for consent to lodge a Development Application enabling Marina and Safety Tasmania to upgrade and extend the boat ramp landing at the Gordon Street boat ramp. These works will be funded by MAST.

Bicheno Boat Ramp

Work on the jetty extensions at the Bicheno Boat ramp has commenced. New piles were installed with the rest of the construction taking place after Easter. These works were delayed until after the summer season when the boat ramp is not so busy.

Yellow Sand Banks Road Boat Ramp

Work will commence after Easter to concrete the Yellow Sand Banks boat ramp. These works have been approved by Parks and Wildlife and a Planning Permit is in place. All work on this project is funded by Marine and Safety Tasmania.

Work to repair the existing jetty at Yellow Sand Banks boat ramp is complete. This work was funded by the Marine and Safety Tasmania.

Swansea Boat Ramp

No work is planned for the Swansea Boat ramp at Jubilee Beach.

As with all boat ramps, Marine and safety Tasmania advise people to check weather conditions and tides before using these facilities.

Triabunna Wharf and Marina

Ongoing general maintenance and inspections are carried out as required.

Triabunna Marina

Work to improve access to some berths along the original section of the marina is continuing.

Grant funding to build another shelter at the Triabunna Marina has been approved under the Local Roads and Community Funding Phase 3. The new shelter will be built near the visitors' terminal.

Spare connectors for the marina floating pontoons are now kept in stock at the depot for any future problems with the pontoons. This will allow for immediate repairs.

There are now 51 people on Councils' marina berth waiting list. All berths in the marina are leased.

RECOMMENDATION

That Council notes the information.

8 OFFICERS' REPORT REQUIRING A DECISION

8.1 Draft Communication and Engagement Framework

Author: General Manager (Greg Ingham)

Responsible Officer: General Manager (Greg Ingham)

ATTACHMENT/S

1. Draft - Communication & Engagement Framework [8.1.1 - 13 pages]

PURPOSE

The purpose of this report is to present to Council the Communication and Engagement Framework for consideration and adoption.

BACKGROUND/OVERVIEW

In order to promote and continue to improve the good governance within Glamorgan Spring Bay Council, a draft Communication and Engagement Framework ('The Framework') has been developed.

The Framework incorporates proven best practise Frameworks in Australia. The Framework is based on International Association of Public Participation (IAP2) spectrum, which is used globally as a guide for community engagement. The Framework aligns with Council's strategic plan 2020 – 2029 and reflects the purpose, vision, values, and objectives of that plan.

The Framework outlines how Council will communicate and engage with the community, as well as key initiatives and actions that we will take to improve communication and engagement between Council, stakeholders and the community.

Key elements addressed in the Framework are:

- Key Communication and Engagement Objectives
- Principles that Guide the way we communicate and engage
- Why we communicate and engage?
- Who we communicate and engage with?
- How we communicate and engage

The Communication and Engagement Framework was identified as a key result area in the General Manager's Key Performance Indicators between the period of June 2021 to May 2022.

The draft Framework was presented to Council at a Workshop held on the 12 April 2022.

If adopted by Council at the April 2022 Ordinary Meeting, the Framework will be made available on Council's website and Staff Intranet.

STRATEGIC PLAN REFERENCE

Guiding Principles

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

Key Foundations

2. Our Community's Health and Wellbeing

What we plan to do

- Create an informed and involved community by developing relevant and accessible communication channels.

STATUTORY IMPLICATIONS

Nil.

BUDGET IMPLICATIONS

Nil.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor	Possible	Moderate	Officers will consider the feedback and provide a report to Council following the conclusion of the consultation.
There may be some feedback from the Community on the Framework				
Do not adopt the recommendation	Low	Low	Low	Review and amend the Framework for presentation at a future Council Meeting.
By not having a Communication and Engagement Framework in place, governance control is reduced which may lead to confusion and ambiguity.				

OFFICER'S RECOMMENDATION

That Council adopts the *Communication and Engagement Framework* as attached to this report.

8.2 Delegation Register Review

Author: General Manager (Greg Ingham)

Responsible Officer: General Manager (Greg Ingham)

ATTACHMENT/S

1. Delegations Register - Glamorgan Spring Bay Council - 2022 Review [8.2.1 - 103 pages]

PURPOSE

The purpose of this report is to submit the revised Glamorgan Spring Bay Council Delegation Register to Council for review, consideration, and adoption.

BACKGROUND/OVERVIEW

Council's existing *Instrument of Delegation to General Manager* was last reviewed in October 2020, however, in light of organisational change and operational effectiveness, particularly with respect to sub-delegation, in addition to updated legislation in the interim, the delegations require a review. In order to promote and continue to improve the good governance within Glamorgan Spring Bay Council, a review of the *Instrument of Delegation to General Manager* has been undertaken.

Following a review of the existing *Instrument of Delegation to General Manager* and investigating similar registers that other Tasmanian Councils have adopted, it was identified that *Delegations Register* would be a more closely aligned name for the document, as section 64(2) of the *Local Government Act 1993* refers to the General Manager keeping a 'register' of any delegation. The review also identified that the current *Instrument of Delegation to General Manager* would benefit from the addition of certain sections of various Acts and current officer and position sub-delegations.

It should also be noted that a separate Instrument of Delegation will need to be drafted for each position that requires sub-delegations from the General Manager.

STRATEGIC PLAN REFERENCE

Guiding Principles

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

Key Foundations

1. Our Governance and Finance

What we plan to do

- Advocate and lobby effectively on behalf of the community.

STATUTORY IMPLICATIONS

- Local Government Act 1993, in particular S.22 and S.64
- Various Acts as outlined within the Delegation Register

BUDGET IMPLICATIONS

There are no budgetary implications associated with this recommendation.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation Some delegations can have significant consequences if not utilised correctly.	Unlikely	Moderate	Moderate	Sub-delegation only provided to trained staff with procedures outlined on how to use delegations.
Do not adopt the recommendation Council would be unable to fulfill its statutory obligations	Almost Certain	Major	Extreme	Review and submit at a future Council meeting

OFFICER'S COMMENTS

The review was undertaken with advice from the Local Government Association of Tasmania who had sought legal advice on the updates. It is recommended for adoption.

OFFICER'S RECOMMENDATION

That Council delegates the powers and functions contained within the Delegation Register as attached to this report.

8.3 Bicheno Beams

Author: Community & Communications Officer (Eliza Hazelwood)

Responsible Officer: General Manager (Greg Ingham)

ATTACHMENT/S

1. Bicheno Beams - Request for Event Support Application [**8.3.1** - 1 page]
2. Bicheno Beams 2022 Event Funding Request [**8.3.2** - 1 page]
3. Letter of Authority Bicheno Beams [**8.3.3** - 1 page]

PURPOSE

Recommendation for Council to approve event expenditure of \$2,650 to the sub Committee of the Bicheno Development Association for the "Bicheno Beams" event in July 2022.

BACKGROUND/OVERVIEW

Council periodically provides a level of financial and in-kind assistance to community events that aim to involve, engage and provide benefit to community groups within the Glamorgan Spring Bay municipality. Events supported by Glamorgan Spring Bay Council celebrate and engage local communities and promote tourism to our region. Councils ongoing support to organisations and groups assists in the delivery of events in the Glamorgan Spring Bay municipal area that have creative, community and economic outcomes.

Council has received an application for event support of \$2,650 from David Reed representing a sub Committee of the Bicheno Community Development Association (BCDA) (incorporated number 02958C), who have been tasked to organise the Bicheno Beams event. The BCDA is a not for profit incorporated association. The BCDA will be the funding recipient on behalf of the Sub Committee.

This request is for

1. Truck and crane hire to move equipment before and after the event to and from Lions Park using local supplier Bicheno Carriers for \$1,650
2. Use of the Bicheno Lions Park, owned by Council, no fee applicable.
3. A cash contribution of \$1,000 towards website development and other marketing and media for the event.

The event Bicheno Beams is a laser light show that is scheduled for four weeks of July 2022, consisting of multi coloured lasers into the night sky choreographed to a music track streamed online that resonates with indigenous undertones and pulsating rhythms. The experience is enhanced by a personal 'meet and greet' from local volunteers who host the show each night.

Bicheno Beams was established in August 2021 with the support of Federal grant funding under the the Recovery for Regional Tourism program Last year (2021) 7,000 visitors attended the event over a 6 week period. The Bicheno Beams event project puts a focus on the East Coast at Bicheno as a winter destination, builds confidence and assists to continue economic activity into the off season.

Council supported this event in the 2021 year with the following contributions:

- Storage of x2 containers at the Council Depo, Bicheno
- OneMusicAustralia - Use of Council copy right music licence.

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.
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
2. Our Community's Health and Wellbeing

What we plan to do

- Set realistic budgets and monitor income and expenditure closely.
- Support and facilitate social and community events that promote community health and wellbeing.

STATUTORY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Council has a modest budget allowance for small grants and events. Several of each have been approved to date and the table below includes a summary of expenses to February 2022.

	Small Grants	Events
2021-22 Budget	\$25,000	\$30,000
Approvals to 31 Mar 2022	\$14,800	\$3,600
Balance Available	\$10,200	\$26,400

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation	Nil	Nil	Nil	
Nil				
Do not adopt the recommendation	Moderate	Moderate	Moderate	
The BCDA sub committee may be limited in what output it can produce for the event subject to other funding sources.				

OFFICER'S COMMENTS

This event is a good way of bringing local people together in the winter period and boosting morale in rural areas. Particularly for isolated families, recreational events are an opportunity to connect with neighbours and offer a much-needed social outlet for rural people.

This assessment supports the request for funding, in return for display of Council branding as a sponsor on electronic advertising for the event.

OFFICER'S RECOMMENDATION

That Council approve the application for event assistance by way of a \$1,000 cash contribution, and that Council approve \$1,650 for the truck and crane equipment hire.

8.4 Natural Resource Management Committee New Committee Member

Author: Director Planning & Development (Alex Woodward)

Responsible Officer: Director Planning and Development (Alex Woodward)

ATTACHMENT/S

1. NRM Committee EOI - H Colvin Feb 2022 [8.4.1 - 3 pages]

PURPOSE

To advise Council on the recent recruitment process to fill vacant committee positions for the Natural Resource Management Committee and to seek endorsement of a new committee member.

BACKGROUND/OVERVIEW

Council's Natural Resource Management Committee (the Committee) is a special committee of Council, established under section 24 of the *Local Government Act 1993*. Councillor Cheryl Arnol is appointed as the Councillor Representative and Chair of this Committee.

Recently the Terms of Reference (TOR) for the committee was updated and at approximately the same time there was a resignation of a committee member resulting in some vacancies on the Committee. Following this, the committee resolved to undertake an Expression of Interest (EOI) process to seek new members.

The TOR's set out the following process for the appointment of community representatives:

All Committee members are appointed by Council following an expression of interest process with responses from individuals representing a geographical area and/or interest group. Expressions of interest (EOI) will be by public advertisement in local newspapers/newsletters, on Council's website, Council noticeboards, via direct contact with those who can provide expertise and by other methods deemed appropriate. An EOI form will be given to prospective committee members to provide, for example, contact details, skills, interests, any potential conflicts of interest and reasons for wanting to join a specific Section 24 Special Committee of Council.

The Council has the final responsibility for determining the membership....

To achieve the desired balance, specifically within the NRM Committee, the following are listed as a suggested range of skills and knowledge to be considered to guide this process:

- *Primary production inc. agriculture, forestry, aquaculture, commercial fishing, viticulture;*
- *Conservation and environmental management;*
- *Catchment management;*
- *Community activities and development, established community groups;*
- *Cultural heritage;*
- *Water and irrigation industry;*

- *Academic disciplines such as ecology, engineering, and biological sciences;*
- *Tourism and hospitality;*
- *Education.*

In accordance with those requirements, the following process was followed:

- The EOI was published in both the Mercury and the Examiner, Council's Facebook Page and Website and ran for four (4) weeks, closing on the 11th March.
- One (1) expressions of interest was received from Howard Colvin within the EOI period (see Attachment 1).
- Following the closure of the EOI, Howard Colvin's application was presented to the committee for their consideration at the meeting held on the 16th March 2022. The committee were impressed with Howard Colvin's past experience and qualifications and felt he would be a suitable candidate.
- The following resolution was passed unanimously by the committee:
"The Committee recommends to Council that Howard Colvin be appointed to the NRM Committee immediately to fill the vacant position"

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

5. Our Environment

What we plan to do

- Invest in external expertise and capacity to complement GSBC resources.

STATUTORY IMPLICATIONS

As noted above, an EOI process was undertaken in accordance with the Terms of Reference to fill community representation on the Committee.

BUDGET IMPLICATIONS

There are no material financial implications

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation				
There are no material risks associated with this recommendation				
Do not adopt the recommendation				
There are no material risks associated with this recommendation				

OFFICER'S COMMENTS

As outlined above, the Expression of Interest process followed the Terms of Reference and an application was received from Mr Howard Colvin. The committee reviewed Mr Colvin's skills and qualification and felt that he would be an excellent candidate for the position. MR Colvin's submission was endorsed unanimously. It is recommended that Council appoint Mr Colvin to the Natural Resource Management Committee.

OFFICER'S RECOMMENDATION

That Council endorse the appointment of Howard Colvin to the Natural Resource Management Committee and congratulate him on his appointment.

8.5 Prosser River Mouth Advisory Section 24 Committee

Author: Director Planning & Development (Alex Woodward)

Responsible Officer: Director Planning and Development (Alex Woodward)

ATTACHMENT/S

1. Amended- Prosser- River- Mouth- Master- Plan- Working- Group- Terms- Of- Reference V 1.6 [**8.5.1** - 3 pages]

PURPOSE

To recommend that the Prosser River Mouth Advisory Section 24 Committee is disbanded.

BACKGROUND/OVERVIEW

In 2018 Council agreed establishing a working group involving representatives from Council, residents/ratepayers, and relevant stakeholder groups to assist with the development of a masterplan for the Prosser River Mouth. The working group was officially declared as a Section 24 Committee and developed Terms of Reference (see Attachment 1).

The committee met several times following that appointment, however unfortunately, a Masterplan was not able to be endorsed and the committee ceased to meet in 2020.

In mid 2021, Council Officers met with Parks and Wildlife Services and an agreement was reached to engage a consultant to develop a Masterplan for the site and the community would be able to have input through a planned consultation process. This process would include specific stakeholder engagement, along with broader community consultation. In August 2021, correspondence was sent to all the previous Section 24 Committee members that it was the intention of officers to place a recommendation to Council to officially disband this committee and that they would have the opportunity to provide input through stakeholder meetings and community consultation. Two responses were received, with one only providing some concerns about the ongoing status of the area.

The Draft Masterplan has since been developed and several key stakeholders including many of the previous committee members have been directly consulted. The broader community will also be consulted in the coming weeks.

To ensure that there is no confusion surrounding the status of the committee in relation to the new Draft Masterplan, it is recommended that Council officially disbands the committee.

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

5. Our Environment

What we plan to do

- Invest in external expertise and capacity to complement GSBC resources.

STATUTORY IMPLICATIONS

Under Section 24 of the Local Government Act 1993, Council may establish on such terms and for such purposes as it thinks fit, special committees. As such it also has the delegated authority to disband them.

BUDGET IMPLICATIONS

There are no budgetary implications regarding this recommendation.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation	Possible	Minor	Low	Ensure that those previous Committee members can share their views on the new Masterplan through the consultation process.
Whilst the committee members have been notified of the intention to disband the committee, there may be some members who are not agreeable to the decision.				
Do not adopt the recommendation	Possible	Moderate	Moderate	Revise the Guidelines for Special Committees.
Council would not be complying with the Guidelines for Special Committees.				

OFFICER'S COMMENTS

Officers acknowledge the work of the previous committee in attempting to develop the Masterplan. However, as the process has since moved forward and the committee has not been functioning for approximately two years, it is recommended that Council formally disband the committee to ensure that there is clarity on this matter.

OFFICER'S RECOMMENDATION

That Council:

1. Note and acknowledge the work of the Prosser River Mouth Advisory Section 24 Committee from 2018 to 2020; and
2. Disband the Prosser River Mouth Advisory Section 24 Committee effective immediately.

8.6 Plastic Free Places Tasmania Program

Author: Director Works & Infrastructure (Peter Porch)

Responsible Officer: Director Works and Infrastructure (Peter Porch)

ATTACHMENT/S

1. Letter from Minister for Environment [8.6.1 - 2 pages]

PURPOSE

To determine Council's level of engagement with the Plastics Free Program being offered by the State Government

BACKGROUND/OVERVIEW

The Plastic Free Places Tasmania program is about to start operating in the local council areas of Kingborough, Clarence, Sorell, Burnie & Devonport, which were the other areas identified by the State Government for inclusion into the program.

The State Government is enquiring whether Glamorgan Spring Bay Council would like the program to commence in our Local Government Area as well. If so, State Government will be able to work with any of our local food retailers who would like assistance to switch away from using single-use plastics. There will be no cost to council or to your retailers - the program is fully funded by the Commonwealth Government (at this stage, the program is funded until February 2023). The programs been running for 5 years across Australia and have saved businesses using over 10 million pieces of single-use plastic.

If council is interested in the program, all being asked is that council put out some communications to our local businesses through known channels (templates for this can be provided) so businesses can hear about it and have the opportunity to join.

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

5. Our Environment

What we plan to do

- Review and update existing Council strategies and plans.

STATUTORY IMPLICATIONS

None Identified

BUDGET IMPLICATIONS

Community Liaison required within existing operational budget.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation			Low	Risk mitigation achieved
Reduce the risks associated with pollution from single use plastics				
Do not adopt the recommendation	Certain	Minor	Moderate	Risk ensured
Opportunity for positive environmental outcome lost				

OFFICER'S COMMENTS

The Letter provided as an attachment, from the Minister for Environment, the Hon Roger Jaensch provides further details on the workings of the program.

Key requirements from council are:

- Assistance to promote the program to local food retail businesses
- Introductions to any relevant stakeholder organisations, e.g. trader's associations, business associations, Chambers of Commerce, tourism associations.
- Promotion of the program and its members to the local community through media or social media opportunities.
- Assist with and media (provide quotes or attend media opportunities).

The delivery agent, Boomerang Alliance will work directly with council to provide this assistance.

It is considered a worthwhile initiative in combatting the proliferation in single use plastics and the harm this causes to marine life and beach amenity. These are two very important elements of this communities lifestyle and interests.

OFFICER'S RECOMMENDATION

That Council advises the Minister for Environment that Glamorgan Spring Bay would be pleased to participate in this program and actively engages with the program delivery agents to play councils part in minimising environmental harm.

8.7 Buckland Footpaths request

Author: Director Works & Infrastructure (Peter Porph)

Responsible Officer: Director Works and Infrastructure (Peter Porph)

ATTACHMENT/S

1. Buckland footpaths request [8.7.1 - 3 pages]

PURPOSE

To provide a request from Buckland residents to council, for footpath provision for consideration in future capital works programs.

BACKGROUND/OVERVIEW

Correspondence has been received comprising a request for the provision of footpaths in Buckland township along the route of the Tasman Highway, particularly for pedestrian access to bus stops, and signed by 29 residents. It is not identified as a petition but may be considered as such in all but name.

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

- Sustain a safe and well-maintained road network across the municipality.
- Develop plans, policies and guidelines for built assets.

STATUTORY IMPLICATIONS

Local Government Act 1993

Local Government Highways Act 1982

Roads & Jetties Act 1935

BUDGET IMPLICATIONS

Capital works – future capital works program or grant funded opportunity.

RISK CONSIDERATION/S

The project is proposed to mitigate risks to pedestrians. Councils embedded Risk Management Strategy processes will be applied to future capital works allocations.

OFFICER'S COMMENTS

There are many areas where there is inadequate footpath provision across the municipality and this is one of them. The Highway speed through this area is 80kph and the bus stop for highway travel is on the northern side of the highway. There is another stop for school pick up on the northern end of Cruttenden St also not serviced by footpath.

The bridge has a footpath inbuilt on the northern side. Provision of footpath will have to include consideration of appropriate locations to cross the highway. Being a road managed by the Department of State Growth, any plan to develop footpaths will be done in consultation with State Growth and funds if able to be drawn from the State directed to any proposed stage of the works.

Footpath construction, where not provided by development, is through new capital provision and financed from provisions within the Long-Term Financial plan or alternatively grants where the funding conditions align. Council's draft 10 year capital works program will include the request now received for future funding consideration.

With the project noted it is proposed to refer the request to future capital works program and grant funding opportunities for works of a kind, where councils strategic risk considerations can inform prioritisation of projects.

OFFICER'S RECOMMENDATION

That the project be referred for consideration of inclusion in future capital works programs and grant funding opportunities for works of a kind, where councils strategic risk considerations can inform prioritisation of projects.

8.8 Bicheno Triangle Final Design for Tender

Author: Director Works & Infrastructure (Peter Porch)

Responsible Officer: Director Works and Infrastructure (Peter Porch)

ATTACHMENT/S

1. Bicheno Triangle Park Structure 03 [8.8.1 - 9 pages]
2. Burgess Street Bicheno (ACCESS) - MG Accessibility AUDIT [8.8.2 - 35 pages]

PURPOSE

To present the final design for the Bicheno Triangle Project and seek council approval for tender and construction stages of the project.

BACKGROUND/OVERVIEW

The Bicheno Triangle project is a product of the Bicheno Community having been brought forward from community members as a project of significance for the community. The project seeks to create a modest but iconic structure in the Triangle land parcel which is useful and novel.

Commonwealth Grant funds were successfully secured during 2020 to enable the project, which had undergone significant design and consultation at its inception, to be developed to detailed design stage for tender and construction.

With sometime between the original concept design and the grant approval, there was a view that there may be some change in community perception about what sort of structure was appropriate for the site and various alternative ideas were tested in the community with limited success.

The final design being presented to council for adoption has been widely commented on and is considered to meet the terms of the funding grant and meet the needs and expectations of many within the community and provide benefits for visitors to Bicheno. As the design has evolved it sought to be many things however the reality is that any structure will not meet the aspirations of all within the community and the final structure meets practical requirements for accessibility and functionality.

The proposed structure provides necessary amenities, introduces fencing of the area from the highway and provides a resting area and visually interesting focal point at a much-visited shopping locality.

The proposed structure does not require a Development Application as the purpose of the structure fits within discretionary use. It is proposed to tender the works and provide a further report to council on the results of the tender process with a recommendation relating to the tender outcome.

STRATEGIC PLAN REFERENCE

Guiding Principles

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

Key Foundations

4. Infrastructure and Services

What we plan to do

- Maintain public amenities and recreational facilities.
- Develop plans, policies and guidelines for built assets.

STATUTORY IMPLICATIONS

Disability and Discrimination Act 1992

The Disability (Access to Premises – Buildings) Standards 2010

The Tasmanian Building Act and Regulations 2016

Building Code of Australia

Australian Standard 1428.1 2001 & 2009 Design for Access and Mobility – General Requirements for Access – New Building Works

BUDGET IMPLICATIONS

The project construction budget is in the order of \$520,000 within the capital works program funded from an Australian Government Grant. A portion of the grant has been dedicated to consultant fees including project management, design and disability audit fees to enable the project to be tender ready.

RISK CONSIDERATION/S

Risk		Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation	Proceed to tender			Low	Funds dedicated to the construction phase
Do not adopt the recommendation	Further community consultation	Possible	Moderate	Moderate	Further funds attribution to consultation processes

OFFICER'S COMMENTS

The project, brought to council by the community, has been through extensive consultation processes initially and to confirm a disabled compliant design option.

It is considered that further community consultation will not identify any new perspectives on the project. The proposed structure provides improved amenity and passive recreation opportunity for the site and enhances the site while providing some important safety measures for park users.

It is the officer's recommendation to proceed to tender with the detailed design as soon as practical and provide a further report to council on the outcome of the tender process with a view to being able to establish a construction contract and complete the objective of the grant funding from the Australian Government.

OFFICER'S RECOMMENDATION

That council endorse the proposed design and authorise officers to proceed to tendering with a view to construction.

8.9 Wielangta Road Response to State Government

Author: Director Works & Infrastructure (Peter Porch)

Responsible Officer: Director Works and Infrastructure (Peter Porch)

ATTACHMENT/S

1. Letter to Glamorgan Spring Bay Council - Wielangta Road [8.9.1 - 1 page]

PURPOSE

To determine councils' position with regard to a State Government proposal to seal Wielangta Road.

BACKGROUND/OVERVIEW

State Government has written to council to determine council's view on a proposal to seal Wielangta Road. The proposal originated from the temporary closure of the Tasman Highway at Paradise Gorge during 2021.

During the closure, the road was upgraded and maintained by State Growth in order to sustain Average Daily Traffic (ADT) of up to 2000 vehicles per day generated by the detour through Wielangta Road. (State Growth provided Figures)

Interest in sealing the road was raised by some sectors of the community and its tourism value considered as a positive with improved linkage to the Tasman Peninsula. Other interests consider the road is better left unsealed and prefer not to encourage additional traffic.

The road provides a linkage to bush cycling trails that have a Mountain Bike Proposal developed but not yet successfully attracting funds, in addition to the Sandspit Reserve and Three Thumbs Lookout.

Council has taken ownership of half the road, to the council boundary with twelve bridges in it, 6 of which are scheduled to replace within the next 18 years. Total replacement cost of these bridges is \$3.1M. The other half of the road from council's boundary to the south is effectively owned by state authorities.

The road requires considerable expenditure on upgrading to prepare it to receive a sealed surface.

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

- Advocate and lobby effectively on behalf of the community.
- Sustain a safe and well-maintained road network across the municipality.

STATUTORY IMPLICATIONS

Local Government (Highways) Act 1982
Roads and Jetties Act 1935

BUDGET IMPLICATIONS

The terms of the budget considerations are not raised in any form. This leaves a question regarding costs and how they are to be met in the short and long term.

The Australian Road Research Board's Manual for unsealed roads recommends that a cost benefit analysis of sealed versus unsealed road composition is in favour of unsealed where ADT movements are less than 100 vehicles per day. This gradually turns around to where vehicle movements of 250 per day and above are in favour of a sealed road.

The traffic data for Wielangta Road provided by the Department of State Growth and our own traffic counts advise that the ADT for Wielangta Rd are 92 vehicles per day.

This situates the road in the unviable category for road sealing consideration. However, the unsealed state of the road presently demands a level of maintenance that exceeds the annual requirements of a sealed road. Were the road to be sealed at the expense of other levels of Government, there would be a period of very low maintenance for a number of years which would be beneficial in the short term.

The value of the upgraded asset would be a new capital acquisition for council and would likely increase the annual depreciation of the road asset category by around 15%. The impact on rate revenues could be as much as 2 - 3% per year. This is a significant impost to the community and council's operational expenses requiring a review of the Long-Term Financial Plan.

RISK CONSIDERATION/S

Risk Options	Likelihood	Consequence	Rating	Risk Outcome
Option 1	Possible	High	High	Accept the upgraded asset Accept a higher level of service from the road Accept a 2 - 3% impost on rate revenue
Support the road upgrade				
Option 2	Possible	Low	Low	Do not accept the upgrade No impact on council's long-term financial plans Manage the road within existing planned capacity
Do not support the road upgrade				

OFFICER'S COMMENTS

The terms of the funding for the road upgrade are not made clear. There was a suggestion made by Minister Fergusson that the Government would discuss funding with stakeholders, council being one of the major ones having ownership of half the road.

State Government is not prevented from contributing as much as it determines towards the upgrade of a council owned road. Council has no provision for the upgrade of the road in its ten-year capital works program and Long-Term Financial Plan.

Understanding that with infrastructure "gifts" there is no free lunch, there are costs that council would have to acknowledge and accept in its long-term plans. The road asset management plan would require a review as well as the Financial Strategy and Long-Term Financial Plan.

The cost of the road upgrade is expected to be significant, and the value of the upgrade would add to council's asset ownership values impacting directly on the depreciation schedule for roads. Given the notional values discussed for the road upgrade and the length of road under council ownership it is likely that the increase in depreciation (renewal) allocation could be as high as \$200,000 per year. This is equivalent to a rate revenue impact in the order of 2 - 3%.

Council may wish to consider if the increased level of service offered by the upgrade to a sealed surface is worth the impost on revenues and if the ownership of the road may not be better placed with State Government should that option arise.

OFFICER'S RECOMMENDATION

That Council supports the sealing of Wielangta Road only if the road ownership is transferred to State Government. Otherwise, council prefer the road to remain unsealed.

9 NOTICES OF MOTION

9.1 Notice of Motion - Cllr Michael Symons

BACKGROUND

There has been another sewerage overflow at Bicheno. It occurred over Easter on the northern end of the foreshore track between Murray Street and Allen Street. This is not the first time this has happened. You may remember the last time this came to Council's attention it turned into a situation where a land owner was accused of illegally clearing foreshore for their own benefit, when in fact they had only allowed Tas Water through their property to repair broken pipes who left a clearing. The point being is that no progress was made on the problem - the sewerage spill.

Moved Cllr Michael Symons, seconded

That Council write to Tas Water and have them acknowledge that there are sewerage overflow problems on the northern end of the foreshore track between Murray Street and Allen Street Bicheno, and request answers to the following questions:

- What is the issue causing the overflows?
- What process is in place to upgrade the system?
- What is the time line for any proposed action on making upgrades?

10 PETITIONS

Nil.

11 QUESTIONS FROM COUNCILLORS

11.1 Questions on Notice by Councillors

Nil

11.2 Questions Without Notice by Councillors

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: Orford Transfer Station Lease

As per the provisions of Regulation 15 (2) (e) *the security of - (i) the council, councillors and council staff; or (ii) the property of the council.* 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 Robert Young