



ORDINARY COUNCIL MEETING MINUTES

TUESDAY 28 SEPTEMBER 2021

2:00PM

Council Chambers, Triabunna

NOTICE OF MEETING

Notice is hereby given that the next ordinary meeting of the Glamorgan Spring Bay Council will be held at the Triabunna Council Offices on Tuesday, 28 September 2021, commencing at 2:00pm

QUALIFIED PERSON CERTIFICATION

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

Dated this Thursday 23 September 2021



Greg Ingham
GENERAL MANAGER

IMPORTANT INFORMATION

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

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

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1. OPENING OF MEETING

The Mayor welcomed Councillors, staff and four members of the public and declared the meeting open at 2:01pm.

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

Present:

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

Apologies:

Nil

1.3 In Attendance

General Manager, Mr Greg Ingham
Executive Officer, Ms Jazmine Murray
Director Planning and Development, Mr Alex Woodward
Works Manager, Mr Darren Smith
Director Corporate and Community, Mrs Elysse Blain

1.4 Late Reports

Nil.

Senior Planner, Mr James Bonner entered the meeting at 2.02pm

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.

Please note that Clr Cheryl Arnol declared an interest in item 8.7

Please note that Clr Michel Symons declared an interest in item 4.2

2. CONFIRMATION OF MINUTES

2.1 Ordinary Meeting of Council – 24 August 2021

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on Tuesday 24 August 2021 at 2:00pm be confirmed as a true and correct record.

DECISION 153/21

Moved Deputy Mayor Jenny Woods, seconded Cllr Grant Robinson that the Minutes of the Ordinary Meeting of Council held on Tuesday 24 August 2021 at 2:00pm be confirmed as a true and correct record.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

2.2 Date and Purpose of Workshop/s Held

TUESDAY 14 SEPTEMBER 2021

In accordance with the requirements of regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 1:30pm to 5:00pm on Tuesday 14 September 2021 at the Council Offices, Triabunna.

Present

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

Apologies

Clr Michael Symons

In Attendance

Mr Alex Woodward, Director Planning and Development
Mrs Elysse Blain, Director Corporate and Community
Mr Peter Porch, Director Works and Infrastructure
Mr James Bonner, Senior Planner

Guests

Nil

Agenda

- House Appraisal – Rectory Street, Swansea
- Swanwick Erosion – Request for assistance, 92 Swanwick Drive
- Swansea Online Access Centre
- Emergency Action Manual – Triabunna Office Procedure
- DA2021/32 – multiple dwellings, Spencer St, Triabunna
- Medical Centre Communique
- Encounter Ferry

RECOMMENDATION

That Council notes the information.

DECISION 154/21

Moved Clr Rob Churchill, seconded Clr Annie Browning that Council notes the information.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

3. PUBLIC QUESTION TIME

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

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

In accordance with the Local Government (Meeting Procedures) 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 Question 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.

Mr Westley Button

- Q1. *How can a planning permit be submitted and approved by council when the planning department know that the application document has incorrect and misleading information as in application [REDACTED]. This site was inspected by the planning department prior to approval and the major earthworks done prior to the application were known to planning?*

Response from General Manager, Greg Ingham

Council assesses applications based on the information provided to Council by the applicant. At times, work has been conducted prior to approval and Council may require an application to be submitted to Council to ensure approval is sought. Works undertaken prior to the application being lodged were include in the assessment of the application.

- Q2. *Has the compliance officer been made aware of this breach of planning rules and has any action been taken in respect of NO planning permit for the major earth works that have now rendered this site unstable due to no compaction report nor engineering to Australian Standards.*

Response from General Manager, Greg Ingham

Council Officers are aware of the prior works and required an application to be submitted to Council to ensure the application was assessed appropriately and appropriate conditions placed on the permit. Compliance actions taken against any persons are private and confidential. Regarding matters relating to compaction or stability, these are addressed at the building application stage by an independent suitably qualified engineer.

Mr John Heck

- Q1. *The history of our successive Administrations failure of the responsibility in regards to the timely registration of title of Granted/Gifted lots of Howells Hill and the Delivery of Policy of associated successful DA is easy to prove.*

When and how much will the Community Organisations who successfully petitioned the then Minister for Housing for the lots atop Howells Hill below unformed Spencer Street between Robert and Selwyn Streets Granted/Gifted 9 of the 10 Lots now major part of DA 2021-32 for Community Use other than residential use or sale be financially compensated per the Sale of Land provisions of the Local Government Act and Land Acquisitions Act as there exists no other site in Triabunna suited for the use as per the successful DA intended for Road, Look Out, Vehicle Parking and Parkland. Existing Market value of \$110,000 per lot is not unreasonable.

Response from General Manager, Greg Ingham

The General Manager advised that the question will be taken on notice and a response will be provided in due course.

Mr Keith Pyke

Given the latest public notices on council's website stating "no submissions have been received" has surprised and shocked many local residents, I would ask you to confirm for us that Council will now follow up the EOI by (using the words in your statement) "The next step is for Council to continue to explore options and seek opportunities to ensure the ongoing provision of primary health services to our communities"

My research has identified at least one primary health practice that was unaware of the EOI process (reason's unknown) there indeed may be other known medical firms in Southern Tasmania who may not have sighted the EOI?

Q1. *Can you assure everyone in the Municipality because of what my personal research has identified that you will make direct contact with other primary health providers such as. Ochre Medical, GP Plus, Sorell Family Practice and others who may not have been aware of the EOI? In Southern Tasmania*

Response from General Manager, Greg Ingham

The General Manager advised that the question will be taken on notice and a response will be provided in due course.

Mr John Heck

Why are we here again with what's on the agenda as far as the development of the site of Howells Hill below Spencer Street? I can't understand it. This has been going on since 1992 and it has been ignored by the administration as I stated in my previous question. This had a successful DA, the only thing that has held it up has been the Council administration.

Q2. *The question is, is the Council concerned about being seen in a conflict of interest when you take into account the previous agenda of July 2020 with the minimal return that's being looked at for those sites for this community to lose the social, and financial advantages of what has been proposed for that site?*

Response from Mayor Robert Young

The matter on the agenda today which comes under the Planning Authority section, if Council decide to be a Planning Authority, is a Planning matter, not a Council matter. It doesn't fall within the normal business activities of Council, it is not governed by the Local Government Act, it is governed by the Land Use Planning and Approvals Act. The Council made a decision before the General Manager and I were on the scene in July 2020 about the particular site that's going to be the next item on the agenda. The matter is on the agenda only for questions of planning.

Deputy Mayor Jenny Woods raised a point of order in relation to the Mayor engaging with the members of the public present.

Mr Stephen Sweet

Q1. *I would like an answer to all the emails I have been sending to the Mayor and General Manager over the last two months which I have not had answered.*

Response from Mayor Robert Young

Thank you for raising that, my recollection is that your emails have dealt with the merits or demerits of the use of the land for the purposes of the development application that's before us. As a Planning Authority, it's not for the Planning Authority to consider anything outside the things authorised by it under the Land Use Planning and Approvals Act and it's not for the Council acting as a Planning Authority to consider the merits or demerits of the proposal, even if the Council is the owner.

Deputy Mayor Jenny Woods raised a point of order in relation to the Mayor engaging with the members of the public present.

Ms Rachel Wiencke

- Q1. *I understand the planning part that you've assessed the land for planning, but without community consultation that's the part I find difficult. You're saying the application has been assessed and it looks like a good site for what Wilson Homes are planning, but as you said before there needs to be consultation with the community about the services. It's more about the services and how that's going to affect the people not only living in the supposed planning application, but what our community needs also, that's my concern.*

Response from Mayor Robert Young

Council made a decision about this in July to the extent that it made that decision, those matters were considered so far as it's not a planning matter about whether or not to allow this operation to proceed. This is purely whether or not the plans submitted by the applicant comply with the Local Government Act and the Planning Scheme. If they do, the Council will be put in a position where they have to pass the motion because if they don't, and they don't give valid planning reasons why the motion was not passed, then the applicant may apply to appeal the decision.

Mr David Goodfellow

- Q1. *Why this parcel of land at the top of the Selwyn Street? Seven of those units are supposedly for disabled people where it's on a sloping block of land about 45 degrees, it does not seem a logical site.*

Response from Mayor Robert Young

A flat area would be much more convenient but that's a business decision, not a planning one. It appears that the matter was considered back in July 2020. If the coming item on the agenda is passed, the development may not proceed.

Mr John Heck

- Q3. *I think that what is before us and what you have said is correct as far as planning is concerned. I would hope that everyone here that's going to vote on this matter has actually been up to the site and had a look at the supposed steepness that you think may be acceptable, but the whole situation is a conflict of interest in respects to the serviceability and suitability of the site and the agreements that were made in July, if those agreements still exist, like I have asked for, what will the rate return be on this site and what the financial return to the community will be?*

Response from General Manager, Greg Ingham

The General Manager advised that the question will be taken on notice and a response will be provided in due course.

3.2 Questions on Notice

Clr Grant Robinson

- Q1. *It is pleasing to hear that Tassal is now paying the interest and principal repayments on the GSBC 30 year loan for the Prosser Plains Raw Water Scheme (PPRWS). Since the commencement of their contract with GSBC and up until September 2021, has Tassal paid the full amount required to meet the annual interest and principal loan repayments?*

Response from General Manager, Greg Ingham

Yes, Tassal are covering all interest and principal loan repayments.

- Q2. *Aside from the loan repayment figures and water usage costs, does / did Tassal contribute to any other operational costs or construction costs of the PPRWS? If so, which operational costs associated with the PPRWS are paid for solely by GSBC and which PPRWS construction costs were paid for solely by GSBC?*

Response from General Manager, Greg Ingham

Tassal are covering all operating costs to run the scheme. However, they are not contributing towards depreciation, therefore there is no funding to provide for replacement of the scheme or any major parts, that would be deemed capital or renewal in nature, during the life of the scheme.

Glamorgan Spring Bay Council constructed the asset, which was funded partially by Council through loan funds that Tassal is covering the repayments on and partially through Federal Government grant funds.

There seems to be a perception in the community that Tassal are not contributing to the operational costs to run the scheme nor to the loan repayment. This perception is incorrect and stated here for the record. Tassal also pay for the volumetric use of water from the scheme.

Deputy Mayor Jenny Woods raised a point of order in relation to Clr Grant Robinson putting questions without notice during public question time.

4. PLANNING AUTHORITY SECTION

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

RECOMMENDATION

That Council now acts as a Planning Authority at (Time:).

DECISION 155/21

Moved Cllr Michael Symons, seconded Cllr Keith Breheny that Council now acts as a Planning Authority at 2:32pm

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

4.1 Development Application 2021/32 - Corner Spencer Street and Selwyn Street, Triabunna

Proposal	Multiple Dwellings
Applicant	Wilson Homes Tasmania Pty Ltd
Application Date	27 January 2021
Statutory Date	6 October 2021
Planning Instruments	Glamorgan Spring Bay Interim Planning Scheme 2015
Zone	General Residential
Codes	5.0 Road and Railway Assets, 6.0 Parking and Access, 7.0 Stormwater Management
Specific Area Plans	N/A
Use	Class: Residential
Development	Discretionary
Discretions	3
Representations	13 including one petition
Attachments	A – Application Documents B – Representations
Author	James Bonner, Senior Town Planner

Executive Summary

Planning approval is sought for the construction of 18 multiple dwellings on vacant land at the corner of Spencer Street and Selwyn Street, Triabunna.

The proposal was advertised for two weeks from 23 July to 6 August 2021 and due to the public interest in the application Council agreed to extend the advertising period in accordance with section 57(5) of the Land Use Planning Approvals Act, 1993 (LUPA), for a further period from 6 August to 20 August 2021. It is noted that this is the maximum extension allowed under section 57(5).

This report assesses the proposal against the applicable standards for the relevant zones and codes listed above, 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 6 October 2021.

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

PART ONE

1. Statutory Requirements

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

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

The initial assessment of this application identified where the proposal met the relevant Acceptable Solutions under the planning scheme, and where 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 construction of 18 multiple dwellings with associated driveways, visitor parking spaces and landscaping (Figure 1). All the dwellings have two bedrooms with private open space areas and parking for two vehicles. Seven of the dwellings have been designed for accessible living to a silver standard under the Livable Housing Design Guidelines. The land the subject of the application comprises 11 residential lots and 1 lot identified as future road. The proposal includes the adhesion of the lots into one lot to facilitate the development.



Figure 1 - Extract of 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

The folio plans for the lots indicate the lots were created in 1973, though no development has occurred on them since they were created and the lots remained as vacant undeveloped land.

6. Site Description

The subject site is located on the western side of Spencer Street (unformed) and the southern side of Selwyn Street. The site is bound by residential development on all sides except to the east which is undeveloped land zoned Rural Resource under the interim planning scheme (Figure 2). The site is cleared of all vegetation except for a grass cover. The land slopes relatively steeply from east to west with a fall of approximately 14m from Spencer Street (unformed) to the adjoining lots to the west of the subject site.



Figure 2 – Site and locality

7. Planning Instruments

- 1) Glamorgan Spring Bay Interim Planning Scheme 2015
 - D10.0 General Residential Zone
 - E1.0 Bushfire-Prone Areas Code
 - E5.0 Road and Railway Assets Code
 - E6.0 Parking and Access Code
 - E7.0 Stormwater Management Code

8. Easements and Services

The subject site has access to all services and there are currently no easements on title over the lots.

9. Covenants

Nil

PART TWO

10. Meeting the Standards – via Acceptable Solution

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

- D10.0 General Residential Zone
- E1.0 Bushfire-Prone Area Code
- E5.0 Road and Railway Assets Code
- E6.0 Parking and Access Code
- E7.0 Stormwater Management Code

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

11. Meeting the Standards via Performance Criteria

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

10.4.3 (P2) Private open space areas

10.4.6 (P1) Site Coverage and private open space

E5.5.1 (P3) Vehicle movements

The Planning Authority must consider the representations and the Performance Criteria and make a determination on the application by 6 October 2021.

PART THREE

12. Assessing the Proposal against the Performance Criteria

Development Standards for Dwellings

Performance Criteria	Planner's response
Clause D10.4.3 Site Coverage and private open space for all dwellings	The acceptable solution (A2) for this standard requires a multiple dwelling, that has a floor area not entirely 1.8m above finished ground level, to have a private open space that is not less than 24m ² , and has a minimum horizontal distance of not less than 4. Dwellings 7-15 do not meet the size or dimension requirements and therefore are reliant on the performance criteria (P2) as outlined below.
<p>P2</p> <p><i>A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</i></p> <p><i>(a) conveniently located in relation to a living area of the dwelling; and</i></p> <p><i>(b) orientated to take advantage of sunlight.</i></p>	<p>It is considered that the private open space areas are conveniently located in relation to living areas and have been positioned to take advantage of sunlight. While the majority of the decks are only 2.2m wide they are capable of serving as an extension of the dwelling for dining and entertaining for a two bedroom dwelling.</p> <p>The decks for dwellings 7 and 10 are smaller in size and it is recommended that any permit include a condition that they be increased in size to be at least 18m², being a similar size to the other dwellings, so they are of an adequate size to meet the performance criteria of being capable of serving as an extension of the dwelling for outdoor relaxation and dining.</p>
Clause D10.4.6 Privacy for all dwellings	The acceptable solution for this standard requires a deck that is more than 1m above finished floor level to have a fixed screen of not less than 1.7m above floor level with a uniform transparency of not more than 25% when it is located less than 6m from a dwelling on the same site. The deck on dwelling 13 is within 6m of dwelling 18 and does not have a fixed screen, therefore the proposal is reliant on the performance criteria (P1), as outlined below.
<p>P1</p> <p>A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of:</p> <p>(a) a dwelling on an adjoining property or its private open space; or</p>	<p>All dwellings, except for dwellings 13 and 18, have been designed in accordance with the acceptable solution to not have windows or decks overlooking a habitable room or private open space of an adjoining dwelling. The deck on dwelling 13 is within 6m of habitable rooms of dwelling 18.</p> <p>There is a 4m separation between the deck and adjacent dwelling 18 and the deck on dwelling 13 is located 4m higher than dwelling 18. The elevation plan for dwelling 18 shows a retaining wall with landscaping between it and dwelling 13. In regard to the above horizontal and vertical separation and proposed landscaping, it is considered that the deck has been designed and screened so that it will minimise overlooking of dwelling 18.</p>

Performance Criteria	Planner's response
<p>(b) another dwelling on the same site or its private open space; or</p> <p>(c) an adjoining vacant residential lot.</p>	

Use and Development Standards under the Road and Railway Assets Code

Performance Criteria	Planner's response
Clause E5.5.1 Existing road accesses and junctions	The acceptable solution (A3) for this standard is that annual average daily traffic to and from a site using an existing access or junction in an area subject to speed limit of 60km/h or less must not increase by more than 20% or 40 vehicle movements per day. It is anticipated that vehicle movements would exceed the requirement and therefore the proposal is reliant on the performance criteria (P3), as outlined below.
<p>P3</p> <p>Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <p>(a) the increase in traffic caused by the use;</p> <p>(b) the nature of the traffic generated by the use;</p> <p>(c) the nature and efficiency of the access or the junction;</p> <p>(d) the nature and category of the road;</p> <p>(e) the speed limit and traffic flow of the road;</p> <p>(f) any alternative access to a road;</p> <p>(g) the need for the use;</p> <p>(h) any traffic impact assessment; and</p> <p>(i) any written advice received from the road authority.</p>	Council's engineers have reviewed the application and consider that the increase in traffic from the development would not unreasonably impact on safety or the efficiency of the road, subject to the inclusion of recommended conditions.

13. Referrals

The application was referred to TasNetworks, TasWater and Council's engineers who have provided advice and recommended conditions.

14. Representations

The proposal was advertised for two weeks from 23 July to 6 August 2021 and 10 representations were received, with a number of the representations requesting that Council extend the advertising period. Due to the public interest the advertising period was extended in accordance with section 57(5) of the Land Use Planning Approvals Act, 1993 (LUPAA), for a further period from 6 August to 20 August 2021. It is noted that this is the maximum extension allowed under section 57(5). During the extended advertising period a further 3 representations, including one petition with 161 signatures, were received.

Representation 1 points (objecting)	Response
Objects if the existing boundary fence is not replaced with a 1.8m or 2.1m high boundary fence.	The landscaping plan shows a 1.8m high fence around the proposed property boundary.
Representations 2, 3, 4 and 13 points (objecting)	Response
Public consultation is too short and should be extended.	The notification period was for two weeks and was extended for a further two weeks from the initial advertising period to 20 August 2021, being the maximum allowed under s57(5) of LUPAA.
The advertising notice said the development is on Spencer Street when it is on Selwyn Street and Spencer Street will remain unmade.	The notice for the extended advertising period clarified that the development is located on the corner of Selwyn Street and Spencer Street.
The location of the proposed development is inappropriate for the aging or people with a disability. The distance from the town centre and the steep gradient of Selwyn St.	While the proponent states that the development may be used by aged people or by people with a disability the application is for multiple dwellings and the planning scheme is silent on the matters raised and therefore it is not something that can be considered in the assessment.
The DA states that the units are for people already living in the region who are experiencing housing stress. Will the Council or applicant disclose who these people are?	While the proponent states that the development may be used by people living in the region, the planning scheme is silent on this matter and therefore it is not something that can be considered in the assessment.
The DA states that 7 units will be available to people with a disability. Will the development fully comply with gradient under Australian Standards?	<p>The proposal states that seven dwellings have been designed to a silver standard under the Livable Housing Design guidelines.</p> <p>The Livable Housing Design guidelines states that the silver standard "focuses on key structural and spatial elements that are critical to ensure future flexibility and adaptability of the home". The assessment has concluded that the accessible dwellings are capable of complying with the silver standard guidelines.</p>

The increase in traffic flow in Selwyn St is unacceptable. The traffic was supposed to be onto Spencer St. The dual access is very close, some 20 metres, and presents a danger to both traffic and pedestrians. The access to the units does not show the true wheel path of vehicles within the complex.	Council's engineers have reviewed the application and supporting information and considered that the accesses onto Selwyn Street will not unreasonably affect the safety or efficiency of the road.
The waste disposal truck will be required to reverse for a distance of 10m after emptying bins.	Each dwelling has been provided with a bin storage area. Bin collection is to occur in front of each dwelling except for dwellings 4-9 which will have a collection area located in front of dwelling 4 and a collection area in front of dwelling 9. The width of the driveway and bin collection areas have been designed to enable a garbage truck to move in a forward direction and not require a reversing manoeuvre.
The proposal takes up Open Space at the end of Howells Place which will deny residents access through the area. This Open Space is used daily by residents.	The proposal does not utilise land identified as being Open Space.
The stormwater management is unacceptable and is based on the assumption that 30% of the land on the previous subdivision is impervious. The detention of stormwater in two tanks is not feasible when 65mm of rain on a roof area of 75m ² will fill them.	Council's engineers have assessed the application and provided recommended conditions for any issued permit to address stormwater runoff from the development.
Cannot understand why Council does not revert to the original "Marina Views" subdivision and sell the 21 lots allowing people to build and the town develop. This would not impact on the access to the Open Space and Council would derive income from the rates.	This is not a matter for the assessment of the current application.
Representation 5 points (objecting)	Response
Not opposed to social housing, however there should be more discussion on the location of the project with community involvement and a public meeting.	The proposal includes information that it will be used as a form of social housing. However, under the planning scheme the application is for multiple dwellings and has been assessed as a multiple dwelling development.
An independent professional assessment should be made of the stormwater runoff and its effect on residences below.	Council engineers have assessed the stormwater runoff from the site and provided suitable recommended conditions for any issued permit.
Representation 6 points (objecting)	Response
The topography of the development at the top of Selwyn St is extremely steep and the street is poorly lit.	This is not something that can be considered under the planning scheme assessment.

There is no public transport, taxi service, proper footpaths and there is an inadequate medical service.	These are not matters that can be considered under the planning scheme assessment.
<p>The dwellings are not compliant with the silver level guidelines for handicapped people with varying degrees of mobility. i.e.</p> <ul style="list-style-type: none"> • Step free access, • all doors should be sliding with a minimum opening of 81 cm, • hallway width minimum 98cm, • shower bay 1m x 1.5m. 	The Livable Housing Design guidelines states that the silver standard “focuses on key structural and spatial elements that are critical to ensure future flexibility and adaptability of the home”. The assessment has concluded that the accessible dwellings are capable of complying with the silver standard guidelines.
The timing for public consultation was extremely short. Did not receive the notification until 29/7/21. Residents and public need more than 7 days to address all proposed developments.	The notification period was for two weeks and extended for a further two weeks from the initial advertising period to 20 August 2021, being the maximum allowed under s57(5) of LUPAA.
Representation 7 points (objecting)	Response
Concerned that their property valuation would be compromised by the development.	This is not a matter that can be considered under the planning scheme assessment.
The location is inappropriate for the disabled and aging community with any mobility concerns. The site is 1 kilometre from the local township and essential services with a steep gradient. There are limited employment opportunities in Triabunna.	These are not matters that can be considered under the planning scheme assessment.
Representation 9 and 10 points (objecting)	Response
Does not wish alteration to the property survey and designated roads, access and amenity as per original covenant.	The assessment is for the application as submitted and the previous subdivision pattern is not a matter that can be considered.
Representation 11 including petition points (objecting)	Response
The position is unacceptable and should be on level ground closer to all essential services.	These are not matters that can be considered under the planning scheme assessment.
The increased traffic flow on Selwyn Street has not been addressed in the application.	Council’s engineers have assessed the application and considered that the traffic will not unreasonably impact on the road network.
The stormwater management is based on assumption as is detailed in submissions already received by Council.	Council engineers have assessed the stormwater runoff from the site and provided

	suitable recommended conditions for any issued permit
Has the waste contractor seen and agreed with the proposal. Public liability would be an issue but has not been mentioned. To have a waste disposal truck reversing in an area for the aging and people with a disability would be too dangerous.	The width of the driveway and bin collection areas have been designed to enable a garbage truck to move in a forward direction and not require a reversing manoeuvre.
The development would compromise the value of surrounding properties whereas the original "Marina Views" subdivision would enhance it.	The assessment is for the application as submitted and does not take into consideration the previous subdivision pattern.
The time for public consultation has been too short and we would request a public meeting to inform all of the proposal. This proposal affects the whole community not just adjoining properties.	The proposal was advertised for two weeks from 23 July to 6 August 2021 and due to the public interest in the application Council agreed to extend the advertising period in accordance with section 57(5) of the Land Use Planning Approvals Act, 1993 (LUPA), for a further period from 6 August to 20 August 2021.
Representation 12 points (objecting)	Response
The proposal is on the wrong site as it is well away from the main activity centre without access to public transport.	These are not matters that can be considered under the planning scheme assessment.
The proposal introduces unsuitable higher density into a General Residential Zone with accommodation for some 30 plus vehicles.	The application meets the density standard for the number of multiple dwellings proposed.
Council does not have the right to sell a number of the lots.	This is not a matter that can be considered under the planning scheme assessment.
The additional pressures on basic services will be considerable. GP services cannot be guaranteed and already under pressure. The biological, psychological, social health factors for over 55s and some younger clients of Housing Division are of concern and it is doubtful if East Coast Health will cope.	This is not a matter that can be considered under the planning scheme assessment.

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 Glamorgan Spring Bay Interim Planning Scheme 2015 and therefore the application is recommended to be approved.

RECOMMENDATION

That:

Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Glamorgan Spring Bay Interim Planning Scheme 2015*, Development Application 2021 / 32, for the construction of 18 x multiple dwellings be approved with the following conditions:

This Permit is subject to all of the following conditions or restrictions:

1. Use and development must be substantially in accordance with the endorsed plans and documents unless modified by a condition of this permit.
Advice: any changes may either be deemed as substantially in accordance with the permit or may first require a formal amendment to this permit or a new permit to be issued.
2. Use and development must comply with the requirements of TasWater specified by 'Submission to Planning Authority Notice' reference number TWDA 2021/00649-GSB, dated 03/06/2021 and attached to this permit.
3. 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.
4. Prior to the issue of a building permit, all lots must be consolidated into a single title by adhesion or resurvey.
5. Outdoor clothes drying facilities must be provided to each dwelling.
6. Plans submitted for building approval must show the decks for dwellings 7 and 10 increased in size to at least 18m² so they are of an adequate size to be capable of serving as an extension of each dwelling for outdoor relaxation and dining.
7. The seven dwellings identified as being for accessible living are to be designed and constructed to a minimum Silver Standard as detailed in the Livable Housing Design Guidelines.

Stormwater

8. The developer is to provide a piped stormwater property connection capable of servicing the entirety of the site by gravity, in accordance with Council standards and to the satisfaction of Council's General Manager.
9. The developer must provide a piped minor stormwater drainage system designed to comply with all of the following:
 - a) be able to accommodate a storm with an Average Recurrence Interval (ARI) of 20 years, when the land serviced by the system is fully developed
 - b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.
Advice: The existing stormwater system downstream of the subdivision has insufficient capacity to accommodate increased runoff from the subdivision.
10. Stormwater from the development must be designed in accordance with an amended Stormwater Management Report to the satisfaction of Council's General Manager. The report must be prepared in accordance with the recommendations and procedures contained in the Australian Rainfall and Runoff 2019 Guidelines, and in particular Book 6, Chapter 7: Safety in Design Criteria and Book 9, Chapter 6: Modelling Approaches. This report, and any associated designs, must show:
 - a) the minor drainage system is able to accommodate a storm with an ARI of 20 years when the land serviced by the system is fully developed;

- b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure;
 - c) any measures required by the report to ensure that a tolerable risk for the development from flooding from overland flow is achieved, and there is no increased risk of flooding from overland flow onto adjacent land during the 5% AEP and the 1% AEP (inclusive of climate change).
- 11. The stormwater system for the development must incorporate Water Sensitive Urban Design Principles for the treatment of stormwater prior to discharging to the public stormwater system to achieve the quality targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 of the Glamorgan Spring Bay Interim Planning Scheme 2015, or to the satisfaction of the Council's General Manager. An Operations and Maintenance manual is to be provided with the final Water Sensitive Urban Design.
 Alternatively:
 The developer may, at the discretion of Council's General Manager, make a financial contribution to Glamorgan Spring Bay Council for the provision of stormwater treatment. The value of the contribution must be equal to the cost of implementing on site treatment to meet the targets specified in Table E7.1 Acceptable Stormwater Quality and Quantity Targets of the Glamorgan Spring Bay Interim Planning Scheme, or as otherwise agreed by Council's General Manager. Where partial treatment is provided on site a proportional contribution may be considered.
- 12. The certified designer(s) of the stormwater system (including WSUD) must confirm that the stormwater system is in accordance with the approved design and conditions of the planning permit.
 - a) The report must be prepared and certified by an experienced and licensed practicing engineer with relevant qualifications. Once amended the report will form part of the endorsed documents;
 - b) Or be to the satisfaction of Council's General Manager.
- 13. The stormwater treatment system must be maintained over the life of the development to ensure quality targets are maintained and water is conveyed so as not to create any nuisance to adjacent properties.

Road Works and Access

- 14. Roadworks and drainage must be constructed in accordance with the standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager. Unless approved otherwise by Council's General Manager, roadworks must include:
 - a) Selwyn Street extension
 - i. Minimum road reserve of 15 metres. (From existing Selwyn Street to centreline of Spencer Street)
 - ii. Fully sealed paved and drained carriageway with a minimum width of 6.9m (face of kerb to face of kerb).
 - iii. Concrete kerb and channel on both sides.
 - iv. Reinforced concrete footpath 1.5 metres wide on one side of the road.
 - v. Underground drains.
 - b) Proposed internal road
 - i. Internal road must be fully sealed paved and drained carriageway with a minimum width of 6.9m (face of kerb to face of kerb).
 - ii. Concrete kerb and channel.
 - iii. Underground drains.
 - iv. Each unit driveway must have minimum sealed width of 3.6m;
 - v. Minimum outside turning radius must be 7.6m.
- 15. The carriageway surface course must be constructed with a 10mm nominal size hot-mix asphalt with a minimum compacted depth of 35mm in accordance with standard

drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and the requirements of Council's General Manager, unless approved otherwise by the Council's General Manager.

16. Sealed vehicle accesses must be located and constructed in accordance with the standards shown on standard drawings TSD-R09-v1 Urban Roads Driveways and TSD-RF01-v1 Guide to Intersection and Domestic Access Sight Distance Requirements, prepared by the IPWE Aust. (Tasmania Division) and to the satisfaction of Council's General Manager.
17. The existing vehicle crossings to the subject land must be removed and the kerb, footpath and nature strip replaced consistent with the surrounding area and to the satisfaction of Council's General Manager.
18. The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed development works. Any work required is to be specified or undertaken by the authority concerned.

Engineering Drawings

19. Engineering design drawings to the satisfaction of the Council's General Manager must be submitted to and approved by the Glamorgan Spring Bay Council before development of the land commences.
20. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.

Construction

21. Prior to commence of works in the road reserve, the Developer/Contractor must obtain a Works in Road Reserve Permit for any works within the road reserve and for the connection into a Council stormwater network.
22. The developer must provide not less than forty-eight (48) hours written notice to Council's General Manager before reaching any stage of works requiring hold point inspections by Council unless otherwise agreed by the Council's General Manager.
23. Construction works must be carried out under the direct supervision of an approved practicing professional civil engineer engaged by the developer and approved by the Council's General Manager.
24. Alteration to natural ground levels of non-hardstand areas must not adversely impact adjoining properties through re-direction or channelling of stormwater.
25. 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.
26. 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.

‘As Constructed’ Drawings

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

Maintenance and Defects Liability Period

28. The road and stormwater works must be placed onto a twelve (12) month maintenance and defects liability period in accordance with Council Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.
29. Prior to placing the work onto the twelve (12) month maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council’s Standard Drawings, specification and the approved plans.
30. If Water Sensitive Urban Design elements are provided as part of the development, then WSUD elements are to be placed on an extended maintenance and defects liability period to be determined at the detailed design stage, but not less than twenty-four (24) months.

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 or 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>

DECISION 156/21

Moved Cllr Keith Breheny, seconded Cllr Rob Churchill that:

Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Glamorgan Spring Bay Interim Planning Scheme 2015*, Development Application 2021 / 32, for the construction of 18 x multiple dwellings at CT 55156/62-72 and CT 55156/98 be approved with the following conditions:

This Permit is subject to all of the following conditions or restrictions:

1. Use and development must be substantially in accordance with the endorsed plans and documents unless modified by a condition of this permit.
Advice: any changes may either be deemed as substantially in accordance with the permit or may first require a formal amendment to this permit or a new permit to be issued.
2. Use and development must comply with the requirements of TasWater specified by 'Submission to Planning Authority Notice' reference number TWDA 2021/00649-GSB, dated 03/06/2021 and attached to this permit.
3. 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.
4. Prior to the issue of a building permit, all lots must be consolidated into a single title by adhesion or resurvey.
5. Outdoor clothes drying facilities must be provided to each dwelling.
6. Plans submitted for building approval must show the decks for dwellings 7 and 10 increased in size to at least 18m² so they are of an adequate size to be capable of serving as an extension of each dwelling for outdoor relaxation and dining.
7. The seven dwellings identified as being for accessible living are to be designed and constructed to a minimum Silver Standard as detailed in the Livable Housing Design Guidelines.

Stormwater

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

Advice: The existing stormwater system downstream of the subdivision has insufficient capacity to accommodate increased runoff from the subdivision.

10. Stormwater from the development must be designed in accordance with an amended Stormwater Management Report to the satisfaction of Council's General Manager. The report must be prepared in accordance with the recommendations and procedures contained in the Australian Rainfall and Runoff 2019 Guidelines, and in particular Book 6, Chapter 7: Safety in Design Criteria and Book 9, Chapter 6: Modelling Approaches. This report, and any associated designs, must show:

- a) the minor drainage system is able to accommodate a storm with an ARI of 20 years when the land serviced by the system is fully developed;

- b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure;
 - c) any measures required by the report to ensure that a tolerable risk for the development from flooding from overland flow is achieved, and there is no increased risk of flooding from overland flow onto adjacent land during the 5% AEP and the 1% AEP (inclusive of climate change).
- 11. The stormwater system for the development must incorporate Water Sensitive Urban Design Principles for the treatment of stormwater prior to discharging to the public stormwater system to achieve the quality targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 of the Glamorgan Spring Bay Interim Planning Scheme 2015, or to the satisfaction of the Council's General Manager. An Operations and Maintenance manual is to be provided with the final Water Sensitive Urban Design.
 Alternatively:
 The developer may, at the discretion of Council's General Manager, make a financial contribution to Glamorgan Spring Bay Council for the provision of stormwater treatment. The value of the contribution must be equal to the cost of implementing on site treatment to meet the targets specified in Table E7.1 Acceptable Stormwater Quality and Quantity Targets of the Glamorgan Spring Bay Interim Planning Scheme, or as otherwise agreed by Council's General Manager. Where partial treatment is provided on site a proportional contribution may be considered.
- 12. The certified designer(s) of the stormwater system (including WSUD) must confirm that the stormwater system is in accordance with the approved design and conditions of the planning permit.
 - a) The report must be prepared and certified by an experienced and licensed practicing engineer with relevant qualifications. Once amended the report will form part of the endorsed documents;
 - b) Or be to the satisfaction of Council's General Manager.
- 13. The stormwater treatment system must be maintained by each of the owners of the titles. This obligation is to be secured by means of a covenant on the titles that are the subject of this application, over the life of the development, to ensure quality targets are maintained and water is conveyed so as not to create any nuisance to adjacent properties.

Road Works and Access

- 14. Roadworks and drainage must be constructed in accordance with the standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager. Unless approved otherwise by Council's General Manager, roadworks must include:
 - a) Selwyn Street extension
 - i. Minimum road reserve of 15 metres. (From existing Selwyn Street to centreline of Spencer Street)
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 - iii. Concrete kerb and channel on both sides.
 - iv. Reinforced concrete footpath 1.5 metres wide on one side of the road.
 - v. Underground drains.
 - b) Proposed internal road
 - i. Internal road must be fully sealed paved and drained carriageway with a minimum width of 6.9m (face of kerb to face of kerb).
 - ii. Concrete kerb and channel.
 - iii. Underground drains.
 - iv. Each unit driveway must have minimum sealed width of 3.6m;
 - v. Minimum outside turning radius must be 7.6m.

15. The carriageway surface course must be constructed with a 10mm nominal size hot-mix asphalt with a minimum compacted depth of 35mm in accordance with standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and the requirements of Council's General Manager, unless approved otherwise by the Council's General Manager.
16. Sealed vehicle accesses must be located and constructed in accordance with the standards shown on standard drawings TSD-R09-v1 Urban Roads Driveways and TSD-RF01-v1 Guide to Intersection and Domestic Access Sight Distance Requirements, prepared by the IPWE Aust. (Tasmania Division) and to the satisfaction of Council's General Manager.
17. The existing vehicle crossings to the subject land must be removed and the kerb, footpath and nature strip replaced consistent with the surrounding area and to the satisfaction of Council's General Manager.
18. The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed development works. Any work required is to be specified or undertaken by the authority concerned.

Engineering Drawings

19. Engineering design drawings to the satisfaction of the Council's General Manager must be submitted to and approved by the Glamorgan Spring Bay Council before development of the land commences.
20. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.

Construction

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22. The developer must provide not less than forty-eight (48) hours written notice to Council's General Manager before reaching any stage of works requiring hold point inspections by Council unless otherwise agreed by the Council's General Manager.
23. Construction works must be carried out under the direct supervision of an approved practicing professional civil engineer engaged by the developer and approved by the Council's General Manager.
24. Alteration to natural ground levels of non-hardstand areas must not adversely impact adjoining properties through re-direction or channelling of stormwater.
25. 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.
26. 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.

'As Constructed' Drawings

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

Maintenance and Defects Liability Period

28. The road and stormwater works must be placed onto a twelve (12) month maintenance and defects liability period in accordance with Council Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.
29. Prior to placing the work onto the twelve (12) month maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council's Standard Drawings, specification and the approved plans.
30. If Water Sensitive Urban Design elements are provided as part of the development, then WSUD elements are to be placed on an extended maintenance and defects liability period to be determined at the detailed design stage, but not less than twenty-four (24) months.

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.
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 - 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>

THE MOTION WAS PUT AND CARRIED 6/2

For: Mayor Robert Young, Cllr Keith Breheny, Cllr Annie Browning,
Cllr Rob Churchill, Cllr Grant Robinson, Cllr Michael Symons

Against: Deputy Mayor Jenny Woods, Cllr Cheryl Arnol

Deputy Mayor Jenny Woods and Cllr Cheryl Arnol raised a point of order in relation to Mayor Robert Young as the Mayor's past legal experience was deemed irrelevant to the issue at hand and outside the Planning Authority's current discussion.

Cllr Rob Churchill raised a point of order in relation to Cllr Cheryl Arnol on the basis that the discussion was outside the Planning Authority's current discussion.

Cllr Rob Churchill raised a point of order in relation to Deputy Mayor Jenny Woods on the basis that under the Land Use and Approvals Act the consultation period was extended for four weeks from two weeks and that Council can only consider matters on this item that relate to the Land Use and Approvals Act.

Cllr Michael Symons having declared an interest in item 4.2 left the meeting at 3.08pm.

4.2 Development Application 2021/226 - Unit 2/460 Courland Bay Road, Bicheno

Proposal	Dwelling
Applicant	William G Hunt
Application Date	6 August 2021
Statutory Date	5 October 2021
Planning Instruments	Glamorgan Spring Bay Interim Planning Scheme 2015
Zone	Rural Resource
Codes	6.0 Parking and Access
Specific Area Plans	N/A
Use	Class: Visitor Accommodation
Development	Discretionary
Discretions	2
Representations	3
Attachments	A – Application Documents B – Representations
Author	Peter Coney, Town Planner

Executive Summary

Planning approval is sought for the construction of an outbuilding at Unit 2 of 460 Courland Bay Road, Bicheno.

The proposal was advertised for two weeks and three representations were received.

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 05 October 2021.

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

PART ONE

1. Statutory Requirements

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

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

The initial assessment of this application identified where the proposal met the relevant Acceptable Solutions under the planning scheme, and where 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 construction of an outbuilding at Unit 2 of 460 Courland Bay Road, Bicheno.

4. Risk and implications

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

5. Background and past applications

No relevant background

6. Site Description

The site is a Rural parcel of land with an existing Visitor Accommodation building. The site is quite remote, though is part of a conglomeration of development within proximity to other rural land. The land otherwise is bound by the Freycinet National Park. The site is accessible from the southern end of Harveys Farm Road along what is known as Courland Bay Road, which traverses the National Park.



Image 1 - Site and locality where X is the development site. The left image shows the relationship with Bicheno, and the right shows the relationship with Rural zoned land surrounded by the Freycinet National Park.



Image 2-View of site from an adjoining property.

7. Planning Instruments

1) Glamorgan Spring Bay Planning Scheme 2015

- D26.0 Rural Resource Zone.
- E6.0 Parking and Access Code

8. Easements and Services

Nil of relevance

9. Covenants

Nil of relevance

PART TWO

10. Meeting the Standards – via Acceptable Solution

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

- 26.0 Rural Resource Zone.
- E6.0 Parking and Access Code

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

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:

26.4.2 Setbacks (P2) and (P4).

The Planning Authority must consider the representations and the Performance Criteria and make a determination on the application by 01 July 2021.

PART THREE

12. Assessing the proposal against the Performance Criteria

Development Standards for Buildings and Works

The proposal is setback approximately 43m from the north-east boundary and 30m from the western boundary. This causes for the proposal to be assessed against two performance criteria where for (P2) it relates to visual amenity and for (P4) it relates to Environmental values.

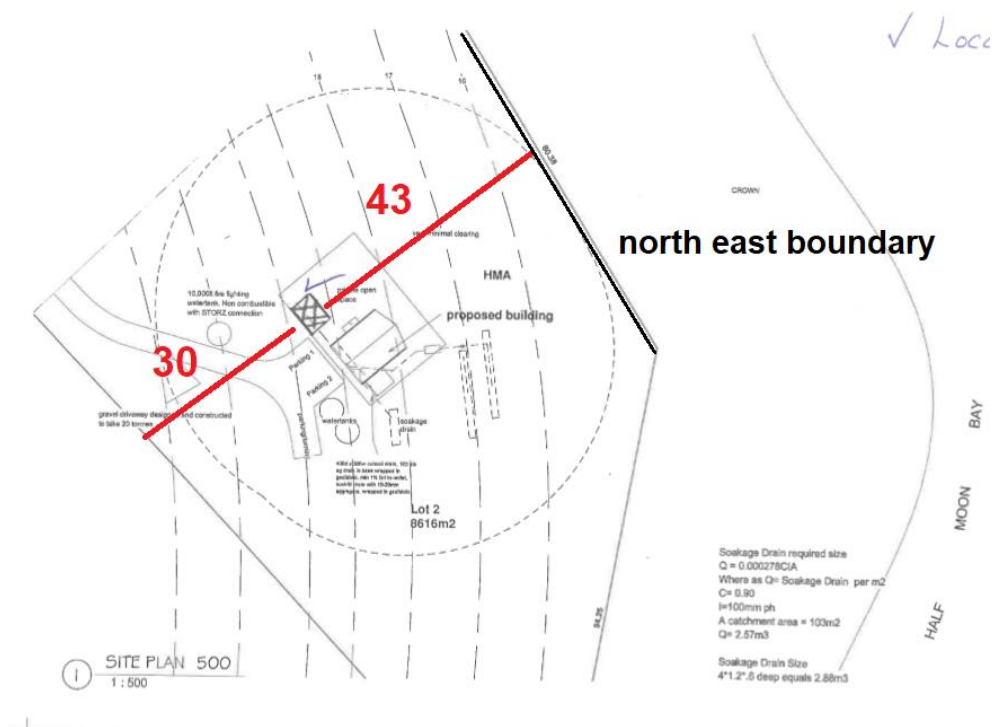


Image 3- Extract of drawings denoting setbacks and the location of the north east boundary.

Performance Criteria	Planner's response
Clause D26.4.2 (P2)	
<p>P2</p> <p>Building setback from side and rear boundaries must maintain the character of the surrounding rural landscape, having regard to all of the following:</p> <p>(a) the topography of the site;</p> <p>(b) the size and shape of the site;</p> <p>(c) the location of existing buildings on the site;</p> <p>(d) the proposed colours and external materials of the building;</p>	<p>For (a), it is understood from attending the area that the site is reasonably elevated and maintains a prominent position with respect to its' surroundings.</p> <p>For (b) and (c) it is considered colocation is the better outcome when minimising impacts of visual amenity.</p> <p>For (d) the colours are suitable, though expanses of walls nevertheless appear unnatural and a condition is recommended to assist.</p> <p>For (e), the prominence of the site is understood and a condition is recommended to assist in reducing the prominence of additional structures.</p> <p>For (f) no vegetation is proposed to be removed.</p> <p>With respect to the above and appreciating the site, it is recommended that the proposal be screened by vegetation at the north east elevation so as to reduce the visual prominence</p>

Performance Criteria	Planner's response
(e) visual impact on skylines and prominent ridgelines; (f) impact on native vegetation.	of the outbuilding, thus maintaining the character of the surrounding rural landscape.
Clause D26.4.6 (P1) Buildings and works must be setback from land zoned Environmental Management to minimise unreasonable impact from development on environmental values, having regard to all of the following: (a) the size of the site; (b) the potential for the spread of weeds or soil pathogens; (c) the potential for contamination or sedimentation from water runoff; (d) any alternatives for development.	It is considered the location of the outbuilding will have a negligible impact on environmental values owing to there being no need for clearance of vegetation, no impact of additional water treatment (ie additional load on soakage trenches), and no potential for the introduction of weeds or pathogens by virtue of the siting, or activity. The proposal is therefore considered compliant without the need for an alternative location.

13. Referrals

No Referrals were made as part of the assessment of the proposal.

14. Representations

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

Representation 1 points (objecting)	Response
Representor raises concern with the visibility of the shed when viewable from the Crown reserve.	The concern is understood, and it is a recommended condition of approval that the shed be sufficiently screened from view along the north east elevation so as to reduce prominence.
Representor raises concern with the visibility of the shed when viewable from adjoining properties.	See above.

Representor raises concern with the visibility of the shed, its size and the clearance of vegetation on the site.	See above.
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Conclusion

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

RECOMMENDATION

That:

Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* and the Glamorgan Spring Bay Interim Planning Scheme 2015, Development Application 2021 / 226, for the construction of an outbuilding at 169315/2 be approved subject to recommended 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. Prior to the commencement of works, a landscaping plan must be provided to the General Manager of the Glamorgan Spring Bay Council, which demonstrates the proposal will be sufficiently screened at the north east elevation, to reduce the visual prominence of the building. This landscaping must;

- a) include a variety of endemic plants capable of reaching a height at maturity of no less than 2m,
- b) be semi-advanced at the time of planting,
- c) be completed within six months of the commencement of works for the shed,
- d) be maintained to promote vigour,
- e) be replaced in the event of death or failure to thrive, and
- f) be maintained for the life of the development.

Once endorsed the landscaping plan will form part of the permit and must be complied with.

3. 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.

DECISION 157/21

Moved Cllr Grant Robinson, seconded Cllr Keith Breheny that:

Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* and the Glamorgan Spring Bay Interim Planning Scheme 2015, Development Application 2021 / 226, for the construction of an outbuilding at CT 169315/2 be approved subject to recommended 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. Prior to the commencement of works, a landscaping plan must be provided to the General Manager of the Glamorgan Spring Bay Council, which demonstrates the proposal will be sufficiently screened at the north east elevation, to reduce the visual prominence of the building. This landscaping must;
 - a) include a variety of endemic plants capable of reaching a height at maturity of no less than 2m,
 - b) be semi-advanced at the time of planting,
 - c) be completed within six months of the commencement of works for the shed,
 - d) be maintained to promote vigour,
 - e) be replaced in the event of death or failure to thrive, and
 - f) be maintained for the life of the development.

Once endorsed the landscaping plan will form part of the permit and must be complied with.

3. 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.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

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

Against: Nil

Cllr Michael Symons returned to the meeting at 3.13pm

The Mayor advised Cllr Michael Symons of the outcome of Council's decision in respect to Agenda item 4.2.

Under Regulation 25 of Local Government (Meeting Procedures) Regulations 2015, the Chairperson hereby declares that the Council is no longer 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 no longer acts as a Planning Authority at (Time:)

DECISION 158/21

Moved Deputy Mayor Jenny Woods, seconded Cllr Cheryl Arnol that Council no longer acts as a Planning Authority at 3.14pm.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

Senior Planner, Mr James Bonner left the meeting at 3.14pm

5. FINANCIAL REPORTS

5.1 Financial Reports for the period ending 31 August 2021

Author: Accountant (Mr Yasir Qayyum)

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

ATTACHMENT/S

1. Profit & Loss for the period ending 31 August 2021
2. Balance Sheet as at 31 August 2021
3. Statement of Cash Flows for the period ending 31 August 2021
4. Capital Works as at 31 August 2021

BACKGROUND/OVERVIEW

The financial reports for the period ended 31 August 2021 as attached to this report are presented for the information of Council.

As discussed at the Council workshop held on 7 May 2020 Council's management information reports including departmental financial reports, will in future not be submitted to Council via the Council Meeting Agenda. These information reports will be included in a Councillor Briefing Document which will be circulated bi-monthly initially for the first six months effective this month, then quarterly thereafter and will be publicly available on the website.

Council's major financial reports will continue to be reported in the monthly Council agenda.

STATUTORY IMPLICATIONS

Various legislation.

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 the 31 July 2021. Council needs to endorse.

OFFICER'S RECOMMENDATION

That Council receives and notes the Financial Reports as attached to this report for the period ended 31 August 2021.

DECISION 159/21

Moved Cllr Rob Churchill, seconded Cllr Keith Breheny that Council receives and notes the Financial Reports as attached to this report for the period ended 31 August 2021.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

6. SECTION 24 COMMITTEES

6.1 Minutes of Spring Bay Eldercare Committee Meeting – 30 August 2021

**MINUTES OF THE SPRING BAY ELDERCARE
COMMITTEE MEETING TO BE HELD AT THE COUNCIL
OFFICES, TRIABUNNA ON MONDAY 30th AUGUST 2021
COMMENCING AT 9.00 AM.**

1. PRESENT

Cheryl Arnol (Chair), Mrs Kath Fergusson, Mrs Lona Turvey, Mr Tony Brown, Mr Michael Fama

2. IN ATTENDANCE

Ms Elysse Blain, Director Corporate and Community
Ms Eliza Hazelwood, Community and Communications Officer

3. APOLOGIES

Clr Keith Breheny

4. CONFIRMATION OF MINUTES

7/21 *Moved:* Kath Fergusson
 Seconded: Lona Turvey

*that the minutes of the Spring Bay Eldercare Committee Meeting held
on 31ST May 2021 be confirmed as a true record of proceedings.*

Carried unanimously

5. BUSINESS ARISING

Transfer of funds to Reserve Account

Members provided background on the Reserve Account and the transfer of funds from the 'working account'.

ACTION: Ms Blain undertook to provide an updated financial report post meeting to the members.

6. FINANCIAL REPORT

The Financial Report will be provided as part of the report referred to in agenda item 4.

7. GENERAL BUSINESS

Members discussed with Ms Elysse Blain (Director Corporate and Community)

Process for a rental increase noting that the process is not documented. The Committee makes a recommendation to Council who is the final arbiter on rent rises. The rent was confirmed at \$125 per week at the present time

Clarification was provided in relation to the payment of outgoings and maintenance and the community connection with Rotary.

Committee has delegation to approve maintenance up to \$2,500. All other refurbishment must be approved by Council

Ms Hazelwood advised that there were 4 applications received prior to advertising but the advertising had not been completed.

ACTION: Confirmation that the refurbishment is complete and the advertising should be done as soon as possible.

ACTION: Ms Hazelwood to provide the committee with advertisement. The advertising period to be an initial two weeks due to already having 4 applicants.

ACTION: Mrs Turvey undertook to provide a list of the actions in relation to the committee's expectations and the processes undertaken in relation to tenanting and rent review.

8. OTHER BUSINESS

No other business

9. NEXT MEETING

To be determined at the completion of the actions listed. Members to communicate electronically.

RECOMMENDATION

That the Minutes of the Spring Bay Eldercare Committee meeting held on 30 August 2021 be received and noted.

DECISION 160/21

Moved Clr Cheryl Arnol, seconded Clr Keith Breheny that the Minutes of the Spring Bay Eldercare Committee meeting held on 30 August 2021 be received and noted.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

6.2 Minutes of Tasmanian Seafarers Memorial Committee Meeting – 13 September 2021

Minutes of Committee Meeting Monday 13th September 2021 at Council Chambers, Triabunna, 9.00 am.

Present: Graeme Elphinstone, Mick Desmond, John Hall, Kath Fergusson.

Apologies: Councillor Cheryl Arnol (unwell), Toni Parker (interstate).

Previous Meeting: notes from 26.08.2019 confirmed- Graeme Elphinstone/John Hall, carried.

Subsequent emailed communications confirmed, including those involving cancellation of the 2020 Service due to the outbreak of the COVID-19 pandemic. – Graeme Elphinstone/Mick Desmond, carried.

Business:

Plaques: 3 new plaques: 'Lady Denison', Kevin (Bruce) Haigh, Walter Coulson.

1 replacement ordered: Stephen Micheal Hartley.

Council's Adrian O'Leary has been very helpful in organising replacement of Hartley plaque and all installations, cleaning, etc.

TSM Service: Report from A/chairman -

Council: liaison with officers, for admin assistance, support of cadets & caterers for Service.

Catering: Morning tea: Triabunna School Association – normal fee, ref. Anna Izzard.

Cadets' lunch: Quote Triabunna Takeaway: choice to be given to TS Derwent prior to 17.10.2021.

Post service meal at individual payment: have not heard back from Boat Club yet

Minister: Mrs. Sue O'Rourke, (Rev. Ben Allen, apology)

Master of Ceremony: Bill Brundle has confirmed he will assist us again.

Government House: Governor HE The Honourable Barbara Baker and Emeritus Professor Don Chalmers, Aide-de-Camp: Flight Lieutenant Paula Chatwood. Leanne McDougall is Senior Executive Officer.

Navy: LCDR ANC Bill Mackay, TS Derwent will be coming to operate flags, bosun's whistle and memorial guard. (SBLT ANC Deborah Clarkin).

CPO Martyn Hancock RAN - can provide a bugler, a vocalist, and this year possibly a small chamber group for the hymns, anthem, and incidental music.

Notices: Have written to The Mercury re Road Closure notice.

Public notice ready to be printed for local display & local news sheets.

Have sent notice to TSIC.

Invitations: ready to be printed subject to information about post-service lunch information.

Need to issue on Thursday 23 September, RSVP Friday 8th October. Need to notify Government House of main attendees.

Address lists: for emails and mail postings mostly finished.

It was moved that the Report be accepted: Graeme Elphinstone/John Hall, carried.

Business arising:

Catering: Triabunna School Association agreed to provide morning tea at same cost as previous years (\$300) - (refer Anna Izzard)

Cadets' lunch: the quotation received from Triabunna Takeaway - \$12 plus \$2 drinks. (ref. May 2021 liaison).

It was moved Graeme Elphinstone/Mick Desmond that the Service catering costs as listed be accepted. Carried.

Kath to notify LCDR Mackay, TS Derwent; and to seek numbers by 15th Oct.

Spring Bay Boat Club has agreed to provide a BBQ lunch for \$10 at guests own expense & BYO drinks.

Music, Addresses: Kath to liaise with CPO Hancock re PA provision for vocalist and band, John to liaise with school re PA equipment for MC etc., which he had booked previously.

Other Business:

Seating: Kath to confirm with Rotary the booking of seating, and the carting to & from venue.

Signs: John to follow-up with DeNeefe Signs re provision of date numbers, and will display them when ready.

Notices: Portrait lay-out preferred. Kath to email copy to John for placing on yacht clubs' facebook, and liaise with PWS re display of signs, and seek toilet availability for official party, if required.

Site preparation: Commence set up from 8.30 am; Council workforce to tidy site in week beforehand. It was decided to seek a hall booking for the day in case of stormy, inclement weather. If the Service needs to relocate, Committee members could transfer wreaths from the hall to the Memorial afterwards.

Hospitality: Graeme to greet the Governor and escort her party to the Memorial, to be greeted there by Council representatives (?Mayor or D/Mayor), ADF & Committee reps., etc. – no more than 6 or 7, before being escorted to their seating.

Wreaths: There will be an opportunity during the Service for organisations and community to lay wreaths. Need to prepare a list for the MC to read out. RSVP's could indicate if laying, and MC to seek names in pre-service session.

Blessing of the Fleet: fishermen's wreath to be provided and laid by Toni & Ross Parker (enlist a standby in case they cannot get back from the mainland in time.)

COVID-19 Provisions: John suggested 4 x QR signs, need to erect on posts, + paper sheets for those without mobile phones to check in. May need sanitisers also. Kath to ask Eliza's advice re Council's help.

Finance: It would be helpful if the Committee could be provided with a financial statement as it is some years since the last one was provided.

Next Meeting: John Hall proposed a meeting be held before the Service, with email communication in the interim.

Meeting closed: 10.10am.

RECOMMENDATION

That the Minutes of the Tasmanian Seafarers Memorial Committee meeting held on 13 September 2021 be received and noted.

DECISION 161/21

Moved Clr Keith Breheny, seconded Clr Grant Robinson that the Minutes of the Tasmanian Seafarers Memorial Committee meeting held on 13 September 2021 be received and noted.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

Coles Bay Community Hall Committee Meeting Minutes

5pm 6th September 2021

Call to order

Nigel Carins called to order the regular meeting of the Coles Bay Community Hall Committee at 5pm on 06/09/2021 at the Coles Bay Community Hall.

Apologies from Kerrie Dean & Barb Barrett

Roll call

Present: Nigel Carins, Kristin Hoerlein, Liz Swain and Kathryn Whitchurch. Rob Churchill & Anne Melrose entered the meeting at 5.45pm.

Approval of minutes from last meeting

Minutes approved as circulated.

Moved Kathryn Whitchurch, 2nd Nigel Carins. Carried.

Treasurer's Report:

See attached spreadsheet, submitted by Kerrie, who is away.

Kerrie also reported she supplied all the necessary End of Year Info to the Council at the end of June.

Treasurer's report is endorsed

Moved Nigel Carins, 2nd Kristin Hoerlein. Carried.

Business Arising

- a). **FAI report from Liz.** Supplied as a cross reference for the activities in the community.
- b). **Update on Hall Annex plans.** Nigel has reported Adrian has taken the plans redrawn by Kristin to the council's draughtsman. Adrian will come back to us with the next steps to proceed. Rob has advised that now may be a good time to start applications for funding the renovation through grants. Nigel to check on our next steps for this project.

Moved Nigel Carins, 2nd Kristin Hoerlein. Carried.

c). **Signage.** Nigel was delegated to follow up with new signs, Anne also proceeded separately. We now have two signs.

1st is up on the annex building.

The 2nd will be placed in a suitable position for public information. There is a glass cabinet in storage which may be suitable to display the 2nd sign. – Nigel to investigate further.

Anne to be re-imbursed for the sign.

Moved Liz Swain, 2nd Kathryn Whitchurch. Carried.

d). **Update on repairs to tennis court, and the missing winder.** The repairs have been completed. Unfortunately, cracks have already started to appear.

It is proposed the secretary writes to council to inform them of the deterioration and request a visit to assess the current state and what can we do to improve. Is there recourse to go back to the firm that undertook the repairs?

The winder was fixed but is now broken again. Anne will organise for John Gough to repair it when he returns.

Moved Nigel Carins, 2nd Liz Swain. Carried.

e). **Garbage bin removal for the Hall.** Nigel Spoke with Leigh, of “Leave it to Me” who is contracted by council to remove garbage from other public areas in Coles Bay. Lee has informed Nigel it is not part of his contract. The committee has resolved to ask for Council to approve the extension of his contract to include garbage removal at the Hall. To be included in the “Issues” letter to council.

Moved Kathryn Whitchurch, 2nd Liz Swain. Carried.

Open discussion.

The new basketball hoop and backboard have been installed and are being used by the community. The line painting for the half court has been completed.

Secretary to write to Council with our thanks.

Moved Nigel Carins, 2nd Liz Swain. Carried.

Note to Committee members, Council will meet in the Coles Bay Community Hall on Wednesday 1st December, from 10.00am to 11.30am.

a). The spouting on the Annex needs cleaning, add this into the issues letter.

Moved Nigel Carins, 2nd Kathryn Whitchurch. Carried.

b). The ceiling in the Hall needs fixing. Council has a contractor carry out the repairs. Is there a date for this to happen?

To be added into the issues letter.

Moved Nigel Carins, 2nd Kathryn Whitchurch. Carried.

c). The hall committee is concerned with the current sewerage seepage leaking from the hall grounds, and the access road, Harold Street. We believe the seepage is from the raised garden beds installed by council and is a potential health risk in the public park. This needs the attention of council to rectify.

To be added into the issues letter.

Moved Nigel Carins, 2nd Liz Swain. Carried.

d). There is concern that the shrubs near the tennis court entrance may cause further ingress of roots to the tennis courts. It is proposed the shrubs be removed.

To be added into the issues letter.

Moved Anne Melrose, 2nd Liz Swain. Carried.

. **Next meeting Date:** Monday 6th December, 5pm in the Hall.

Nigel Carins adjourned the meeting at 6.00pm

Minutes submitted by Kristin Hoerlein.

Minutes approved by Nigel Carins.

RECOMMENDATION

That the Minutes of the Coles Bay Hall Committee meeting held on 6 September 2021 be received and noted.

DECISION 162/21

Moved Clr Cheryl Arnol, seconded Clr Rob Churchill that the Minutes of the Coles Bay Hall Committee meeting held on 6 September 2021 be received and noted.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

Attachment 1 - Agenda Item 6.3

Bank balance as at 30th April.	\$3475.11
Income	
Karma Arts.	\$ 40.00
Dept Justice.	\$373.00
Long Point Yoga.	\$100.00
	\$ 513.00
Bank Balance end of August.	\$3988.61
Cash on hand.	\$276.70
Less Payment to	\$100.00
John Gough for	
assistance with Tennis net.	\$ 176.70
Total Funds.	\$4166.31
Term deposit.	\$ 5,925.09

7. INFORMATION REPORTS

7.1 Director Works and Infrastructure - Mr Peter Porch

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

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.

Asset management activities required for the implementation and development of the set of asset management plans include asset locations in Geospatial mapping (GIS). The collection of council stormwater assets in GIS continues with unmapped assets being identified and mapped regularly. Activity to map and measure unknown infrastructure has included investigations in Orford, Coles Bay and Swanwick in the last month.

CONSULTANT SERVICES

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

- Vince Butler engaged to develop specifications for repairs to road infrastructure damaged in the March 2021 flood event. Funding for the repairs to the identified damage has been approved by State Government. Activity continuing.
- Stormwater Management Plan: Cameron Oakley continues to work through a multitude of inundation issues with the outcome to be a schedule of future works encompassing a number of years of forward works. Each of these projects will come before council for consideration in future capital works programs. Projects will be assessed on the basis of risk to form a priority for scheduling the program that will be presented to council.
A component of this work is the South Orford Stormwater System Study which is almost complete. This is to assess the stormwater system capacity and function from Shed Hill through Mary St to Walters Drive and Strawberry Hill Court. The draft has identified a number of measures required to improve this system to meet council's threshold limits.
This study with associated outcomes will ensure the design proposed for a levy along the Orford Rivulet does not have any negative consequences. AD Design and Consulting are carrying out these works. Ongoing.
The North Orford study commenced in conjunction with the Department of State Growth (DSG) who are jointly funding this project.
Holkham Crt works are yet to be delivered from the consultants working on this catchment zone. This consultant progress on this location has been disappointing being months overdue for delivery.
The Stormwater Management Plan is being developed for presentation to council in coming months.
- Grant fund project delivery: Graeme Edwards is retained to deliver a range of projects funded by commonwealth Grants. A number of sub-consultants are involved in these works also. Ongoing.
- Pitt and Sherry are developing tender design and specification for Vicary Street and The Esplanade intersection in Triabunna. Ongoing.
- Sustainable Engineering are developing plans for the Triabunna School Crossing.

OPERATIONAL WORKS

- Work Requests: 29 recorded for the month. 58% from internal inspections.
- 5 unsealed road inspections completed.

ROADS, BRIDGES, FOOTPATHS, KERBS

- Nugent Road, Buckland- maintenance grading completed (before grader leaves the area)
- Brockley Road bridges (X3) - design being developed to form concrete approaches to bridges to mitigate flood damage and reduce frequent reconstruction expenses.

- Nugent Road Bridge - 8 running boards require replacement. Road is currently carrying large volume of heavy traffic (log trucks) Programming replacement. Scheduled work.
- Cutting Grass Rd, Twamley Rd, Court Farm Rd, Woodsden Rd, McConnon Rd, Levendale Back Rd: maintenance grading complete
- East Shelly Rd Orford repair of failed pavement area complete
- Jetpatching of selected road sections commenced.
- Ada St Triabunna - section of footpath replaced.
- Jetty Rd Coles Bay - installation of guard rail (ex Shea's Bridge) at sudden drop underway.

STORMWATER, DRAINAGE

- New concrete crossover installed at Barrett St Bicheno to mitigate flooding.
- Replacement of visual barriers to Barton Ave pit completed.

WASTE MANAGEMENT

- Looking at ROSCO bin placements that council pay for to identify savings- removed ROSCO bin from Deep Water Jetty, Triabunna
- Fermentation of green waste trial No.1 at Orford WTS - in progress

PARKS, PLAYGROUNDS, RESERVES, WALKING TRACKS, CEMETERY

- 10 inspections for the month completed
- Painting underway on play/gym equipment at Duck Park, Swansea to protect from corrosion and extend service life. - ongoing.
- Annual playground inspection took place in mid-August to complete safety/compliance inspections of all the municipalities playgrounds. Minimal additional maintenance requirements discovered.
- Communities combating Pest and Weeds grant works continuing through to December.
- Private works conducted through Weed Action Fund - continued
- National Tree day plantings in conjunction with schools and community groups carried out successfully.
- Bicheno foreshore weed removal for Penguin habitat in conjunction with local residents conducted. 2 weed removal bees and one tree planting day.
- Bicheno cemetery renovation continued. General tidy up, removal of vegetation and dilapidated garden beds and rockeries.
- Tree trimming Barton Ave completed
- Maintenance of Bicheno Walking tracks completed.

EMERGENCY MANAGEMENT:

After hours rostering carried out as scheduled.

Attendance at Southern Regional Emergency Management Committee

Attendance at Southern Region Recovery Coordinators Meeting

Participation in Southern Region EMC desktop exercise - lockdown

Investigate and report to Health Tasmania on gaps in community resilience for potential future funding from State Government

SES Activity

- Planning for the Swansea Christmas parade
- Great to report no Motor Vehicle accidents for current financial year.
- Seeing more storm, flood related callouts reflecting a need to build resilience in our local communities.
- We are seeing repeated visits to the same addresses as it seems that residents are not take responsibility for their own property.
- Unit has been busy assisting land care and council with community tree planting and cleanups.
- Unit has assisted with traffic management during the recent Great Eastern Wine weekend.
- 15 active members
- All going well.

CAPITAL WORKS

- Spring Bay Boat Club storm water main construction commenced.
- Seal inspections continued for formation of reseal program for 2021-22
- Jetty Rd Bicheno beach access track works – completed
- Triabunna Medical Centre asphalt car park – completed
- Bicheno Medical Centre car park asphalt – completed
- Alma Rd and Fieldwick Drive drainage works – materials received works commence September
- Freycinet Fisheries Drive drainage and roadworks– Pipes delivered September program

Grant funded

- Swansea Main St Paving: Concept nearing Community engagement phase.
- Bicheno Tasman Highway Footpath: Contractor preparing for commencement
- Coles Bay Foreshore Footpath: Concept design developing to inform consultation.
- Bicheno Gulch Foreshore and Esplanade Upgrade: Awaiting approvals prior to final design.
- Bicheno Triangle Upgrade: Design and consultation ongoing.

PLANT AND VEHICLES

- Planned trade and sale of vehicles continued.
- Development of council small plant and equipment inventory progressed complete

GENERAL

- Officers are investigating options for an application associated with the Black Summer Bushfire Recovery Grant program. Glamorgan Spring Bay is named within the grant arrangements as a council area impacted and therefore eligible to submit applications. Officers met with fund administrators for a briefing and site visit to better understand the funding priorities. The grant round was extended by one month to close in early October.
- Officers provided letters of support to submissions from two industry providers for destination charging stations through the Electric Vehicle Charging Grants – Fast Charging, under the Tasmanian Climate Change Office. Grant applications closed 10th September. The outcome is expected to be made known in time to install within a year.

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.

- Seafarers Memorial Sunday 17th October – road closure required
- Swansea Christmas Parade by SES – Road closure required
- Freycinet Challenge 2nd and 3rd October - Road closure required
- Orienteering (schools only) Bicheno Oval 27/28 September
- Bicheno Beams sound and light show Lions Park August/September each night ten minutes sound by earphones via Bluetooth or app
- Bicheno Food and Wine Festival Lions Park 18 – 23rd November

RECOMMENDATION

That Council notes the information.

DECISION 163/21

Moved Cllr Keith Breheny, seconded Deputy Mayor Jenny Woods that Council notes the information.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

Manager Building & Marine Infrastructure, Mr Adrian O'Leary entered the meeting at 3.27pm

7.2 Manager Buildings & Marine Infrastructure – Mr. Adrian O’Leary

Boat Ramps & Jetties · Triabunna Marina · Council Buildings ·

PUBLIC AMENITIES AND BUILDINGS:

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

Drought Communities Programme Round 2

The Drought Relief Communities Programme Grant, round 2 projects have mostly been completed.

The improvement at the intersection of Vicary Street & the Esplanade Triabunna is progressing. Once the intersection is complete the new cenotaph will be installed.

Work to replace the front stairs and install a disability ramp at the Buckland Hall is programmed to commence soon.

Local Roads and Community Infrastructure Program Phase 1

There are a few projects of the LCRI Program phase 1 to be completed.

The Swansea Hall toilet re-furnishment is complete and the hall is available for use.

Work to improve the treatment room at the Bicheno Medical Centre is under Way.

Local Roads and Community Infrastructure Program Phase 2

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

- CCTV security at the Swansea Museum – Completed
- Asphalt and line mark the car park at Bicheno Medical Centre - Complete
- Asphalt and line mark the car park at the Triabunna Medical Centre - Complete
- Install a hands-free hand washing station on the deck at the Triabunna Wharf toilets – Completed.
- Improve the waiting area at the Triabunna Port for visitors to the port and guests booked on tour vessels – Complete.
- Install a basketball hoop at the Coles Bay Tennis Courts - Complete
- Install CCTV for security around the Emergency Services Building at Swansea - Complete

Swansea On-Line Access Centre

The Swansea Museum in Noyes Street has been offered as a possible location for the Swansea On-Line Access Centre.

Coles Bay Hall

Existing design plans for the Coles Bay Hall Library and Medical Room replacement are being finalised into construction drawings. This will enable accurate costings to be sort.

The new extension will replace the existing building, adjacent to the Coles Bay Hall, identified for replacement under the Asset Management Plans.



Basketball Hoop installed at the Coles Bay Tennis Courts

MARINE INFRASTRUCTURE

Boat Ramps and Jetties:

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

- **Bicheno Boat Ramp**

M.A.S.T. are progressing with obtaining expressions of interest for the jetty extensions at the Bicheno Boat Ramp.

Triabunna Wharf and Marina:

Ongoing general maintenance and inspections are carried out as required.

- **Triabunna Marina**

The Triabunna Marina has had two berth vacancies come available. There are 35 people on the waiting list for a marina berth at Triabunna. The vacancies will be offered to people on this list.

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

- Quotes are being sort for the replacement of some stern piles at the Triabunna Marina. These piles at the old section of the marina were identified for replacement under the Asset Management Plans.



Work to improve the visitor's waiting area at the Triabunna Port is complete.



RECOMMENDATION

That Council notes the information.

Deputy Mayor Jenny Woods left the meeting at 3.37pm

DECISION 164/21

Moved Cllr Grant Robinson, seconded Cllr Rob Churchill that Council notes the information.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Robert Young, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Annie Browning,
Cllr Rob Churchill, Cllr Grant Robinson, Cllr Michael Symons

Against: Nil

Deputy Mayor Jenny Woods returned to the meeting at 3.39pm

8. OFFICERS' REPORT REQUIRING A DECISION

8.1 Street Names – Bicheno Industrial Subdivision

Author: Senior Planner (Mr James Bonner)

Responsible Officer: Director Planning & Development (Mr Alex Woodward)

ATTACHMENT/S:

1. Subdivision Plan

PURPOSE

To recommend that Council supports the naming of three new streets (Industrial Road, Granite Avenue and Basalt Way) in a new industrial subdivision located off the Tasman Hwy at Bicheno approved by SA2018/16.

BACKGROUND / OVERVIEW

When a subdivision results in the construction of new roads, new street names are required. The assignment of place names, such as street names, is regulated under the *Place Names Act 2020* (the Act). Under the Act, Council is the responsible authority for the naming of roads and streets in accordance with the [Tasmanian Place Naming Guidelines](#).

Once a preferred name is chosen, the process must follow that outlined in the [Tasmanian Place Naming Guidelines](#). In the first instance, proposals for new street names must be directed to the relevant road authority, being Council in this instance.

Under the Act there are requirements for consultation. The level of consultation depends on the type of feature to be named, the significance to the community, and any impacts on any individual. There are no specific consultation requirements for naming new roads.

If Council supports the proposed names they are then submitted to [Placenames Tasmania](#) for final approval.

Once approved, the new names will be published on subsequent mapping publications and on the Land Information System Tasmania (the LIST).

The Proposal

Three street names have been put forward by the developer for consideration, as indicated on the attached subdivision plan:

1. Industrial Hub Road
2. Granite Avenue
3. Basalt Way

STRATEGIC PLAN

Guiding Principle

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

Key Foundation/s

4. Infrastructure and Services

What we plan to do

- Sustain a safe and well-maintained road network across the municipality.

STATUTORY IMPLICATIONS

Roads are required to be named in accordance with the *Place Names Act 2020*.

BUDGET IMPLICATIONS

There are no material financial implications arising from the recommendation on this report.

RISK CONSIDERATION/S

Risk	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation There may be some risk that the community feel the consultation was insufficient.	Negligible	Unlikely	Low	Ensure the decision is made in open Council.
Do not adopt the recommendation	Minor	Likely	Moderate	Provide direction on new street names for the industrial subdivision in Bicheno.

OFFICER'S ADVICE

[Placenames Tasmania](#) is a register of place names in Tasmania. It can be searched to ascertain if a name has already been used. A search reveals that the three names proposed are available for use.

It is recommended that proposed Industrial Hub Road is shortened to Industrial Road. This proposed change has been raised with the applicant who did not oppose the suggested change.

With regard to the consultation process, the choosing of street names for a new industrial subdivision is significant enough to warrant community consultation by Council. As the streets are located within a new industrial subdivision on the outskirts of Bicheno, it is considered that the publication of the report in the Council agenda, and consideration by Council is adequate consultation.

RECOMMENDATION

That Council resolve to support the proposed street names Industrial Road, Granite Avenue and Basalt Way for the Bicheno industrial subdivision and submits the names to Placenames Tasmania for approval.

DECISION 165/21

Moved Clr Michael Symons, seconded Clr Cheryl Arnol that Council resolve to support the proposed street names Industrial Road, Granite Avenue and Basalt Way for the Bicheno industrial subdivision and submits the names to Placenames Tasmania for approval.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

8.2 Natural Resource Management Section 24 Committee - Terms of Reference

Author: Director Planning & Development (Mr Alex Woodward)

Responsible Officer: Director Planning & Development (Mr Alex Woodward)

ATTACHMENT/S

1. Draft Terms of Reference
2. Existing Terms of Reference

PURPOSE

To recommend that Council endorses the updated Terms of Reference for Council's Natural Resource Management section 24 Committee.

BACKGROUND / OVERVIEW

Council's Natural Resource Management (NRM) Committee (the Committee) is a special committee of Council, established under section 24 of the *Local Government Act 1993*.

Following an organisational restructure, it was proposed that the Terms of Reference (ToR) for the committee be reviewed to ensure that the future work of the committee is in line with Council strategies and resources. This also provided an opportunity to introduce a standard ToR across all section 24 committees.

At the Committee Meeting on 18th May 2021, it was agreed that a sub-committee would be formed to negotiate the ToR with the Director Planning and Development. The sub-committee members were David Tucker (Vice Chair), Robyn Moore, Hayden Dyke and Alan Morgan. The sub-committee met with Alex Woodward at the Council Chamber on two occasions. Drafts of the proposed Terms of Reference were then exchanged by email and a final draft was produced.

Whilst the updated ToR has not fundamentally changed the purpose and functions of the committee, it has provided a clearer scope for the committee and rationalised membership to assist with management and coordination. It is noted that that maximum membership is now 11, which does not include the Council Officer. Other key organisational stakeholders (such as Parks & Wildlife Service, NRM South, Department of Defence etc) are now in a technical advisory role, rather than a voting membership. This still allows the contribution from these organisations but removes any potential conflicts of interest that may arise.

Officers would like to recognise the contribution of the sub-committee for working cooperatively towards a positive outcome.

The final draft was presented to the committee on the 8th September 2021 and were subsequently endorsed with some minor amendments. These amendments were supported by the committee and the Director Planning and Development. The draft ToR is now presented to Council for approval.

If Council approves the revised ToR, it is recommended the committee retain their membership until next year, following the conclusion of the Council elections. Following this time Expressions of Interest will be called for appointments.

STRATEGIC PLAN

Guiding Principle

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

Key Foundation/s

2. Our Community's Health & Wellbeing

What we plan to do

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

STATUTORY IMPLICATIONS

The ToR needs to be approved by Council to ensure compliance with s24 of the *Local Government Act 1993*.

BUDGET IMPLICATIONS

There are no material financial implications arising from the recommendation on this report.

RISK CONSIDERATION/S

Risk	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation The updated TOR means that the committee does not function as intended.	Negligible	Unlikely	Low	Monitor progress and review revised ToR in 12 months.
Do not adopt the recommendation The committee will not have a clear scope and purpose, resulting in confusion and conflict.	Minor	Possible	Moderate	Set clear priorities until such time as a new ToR can be developed and approved.

RECOMMENDATION

That Council approve the revised Terms of Reference for the Natural Resource Management Committee.

DECISION 166/21

Moved Cllr Cheryl Arnol, seconded Cllr Keith Breheny that Council approve the revised Terms of Reference for the Natural Resource Management Committee.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

8.3 Swanwick Foreshore Erosion

Author: Manager Buildings & Marine Infrastructure (Mr Adrian O’Leary)

Responsible Officer: Manager Buildings & Marine Infrastructure (Mr Adrian O’Leary)

ATTACHMENT/S

1. Photo document
2. Marine Solutions report
3. Quote from Gradco

PURPOSE

Request by ratepayer to protect property from coastal inundation at 92 Swanwick Drive, Swanwick.

BACKGROUND / OVERVIEW

Coastal erosion hazards such as that occurring at the Swan River mouth are the result of natural processes that have the potential to cause damage to property and other infrastructure. This is not uncommon throughout Australia. Coastal hazards are expected to be magnified by climate change and sea level rise presenting significant risk to Tasmanian communities. Glamorgan Spring Bay municipal area has extensive developed coastlines with dwellings or infrastructure in close proximity to the high water mark, which means, with climate change and development, coastal erosion issues will become more prevalent.

Council was approached in 2013 by a group of rate payers who own properties along Swanwick Drive bordering the Swan River near the mouth. Residents had concerns regarding erosion along the riverbank; the river was slowly eroding the land encroaching into the foreshore reserve bordering their properties. Council staff directed the group to Parks and Wildlife (PWS) who manage the foreshore reserve on behalf of the Crown.

It appears there wasn’t any assistance from PWS or the Crown at the time. The residents continued to approach Council for assistance.

Coastal erosion continued along the foreshore with three properties being impacted by the erosion resulting in loss of land. Council received a request from PWS that we serve a notice on these ratepayers to re-locate their septic trenches, as this was becoming an environmental hazard.

Councils’ Environmental Officer at the time, inspected the site and advised Council that the septic trenches, affected by the erosion, would need to be re-located. He also added that any existing sewerage would need to be disposed, away from the area. The critical fact being the sewerage could affect the local oyster farms close by.

A consultant was sourced by Council and an assessment undertaken. The consultant report recommended geo-fabric bags as an option to be placed along the foreshore in front of the properties affected by erosion. When work commenced in 2014, the foreshore adjacent to 92 Swanwick Drive was blocked by dead trees on the beachfront, this also precluded Council workers from installing the first bag there as they were unable to get machinery on the beach to clear the trees.

The first bag was installed adjacent to 90 Swanwick Drive and the work progressed North from there, works were completed by the end of 2015.

Since then, unknown people have cleared the trees that were forming some protection on the foreshore adjacent to 92 Swanwick Drive, this has exposed the primary dune which is now eroding. In 2018 Council budgeted for sandbags at 92 Swanwick Drive. This budget was retracted in the 2019/20 budget.

A previous request from the owners of 92 Swanwick Drive was submitted in June 2019 and a provision was made in the Council budget at the time. The owners have again requested Council to install more bags to help protect further erosion.

The matter was discussed at a Council Workshop on the 14 September 2021.

Under the Glamorgan Spring Bay Interim Planning Scheme 2015, the Coastal Erosion Hazard Code outlines requirements in relation to coastal hazards in the land use planning system. This Code applies to the front part of the property at 92 Swanwick Drive and the majority of other nearby properties and would apply to any potential future development.

It is noted that the property was purchased in 2017. In 2017 the land was subject to the interim scheme including the coastal erosion hazard code. Effectively the hazard was known and understood at this time and a Council search would have indicated that the land was subject to the interim planning scheme at the time of purchase.

Two more 20 metre geo-fabric bags placed on a deflection angle from existing rocks adjacent to the first bag placed back to the beach could help protect the property at 92 Swanwick Drive.

The sand pumping machinery the Council works crew used to fill the bags is no longer available. Gradco, a contractor, have the machinery and expertise in placing and filling the geo-fabric bags and a quote was sourced from them.

STRATEGIC PLAN

Guiding Principle

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

Key Foundation/s

4. Infrastructure and Services

STATUTORY IMPLICATIONS

There are no statutory requirements for Council to undertake works to protect private property where the causes of coastal erosion are natural processes taking place.

BUDGET IMPLICATIONS

The price to undertake the works is \$48,000.

RISK CONSIDERATION/S

Risk	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation Allows Council time to develop an appropriate Policy. Installing sandbags gives no guarantee that the coastal erosion is halted.	Moderate	Moderate	Moderate	Alternative solution sought
Do not adopt the recommendation Not installing the bags could mean further erosion to property	Moderate	Moderate	Moderate	Seek State Government assistance

OFFICER'S COMMENTS

The Council has previously installed protection bags along this foreshore. The owners of 92 Swanwick Drive feel Council has an obligation to do the same for their foreshore as was done for others along the same erosion point. Any bags installed on the foreshore become the responsibility of Council.

The issue with natural coastal erosion situations such as at the Swan River Mouth, is that once man-made obstructions/infrastructure is placed in the foreshore environment that infrastructure will continue to be impacted on by the natural processes. Council needs to carefully consider its obligations and commitment to ongoing works on the foreshore.

Council needs to establish a position in regard to the Swanwick Drive erosion situation and other coastal erosion situations as they may occur. It is recommended that Council develops a policy in regard to coastal erosion and inundation to assist with informing future decisions.

RECOMMENDATION

That Council:

1. Ceases any further involvement in coastal erosion mitigation at the Swanwick Drive vicinity, and elsewhere in the municipality and;
2. Develops a Policy on coastal erosion and inundation.

DECISION 167/21

Moved Cllr Grant Robinson, seconded Cllr Rob Churchill that Council:

1. Ceases any further involvement in coastal erosion mitigation at the Swanwick Drive vicinity, and elsewhere in the municipality and;
2. Develops a Policy on coastal erosion and inundation.

THE MOTION WAS PUT AND CARRIED 5/3

For: Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Grant Robinson

Against: Deputy Mayor Woods, Cllr Michael Symons

Abstention: Mayor Robert Young

Manager Buildings & Marine Infrastructure, Mr Adrian O'Leary left the meeting at 3.58pm

8.4 Bicheno Food and Wine Festival Request for Assistance

Author: Director Works & Infrastructure (Mr Peter Porch)

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

ATTACHMENT/S

1. Request Letter
2. Road Closure
3. Site Map

PURPOSE

Recommendation for Council to approve expenditure to support a community event in Bicheno.

BACKGROUND / OVERVIEW

Council provides a level of support in cash and kind to a number of community events each year. The Bicheno Food and Wine Festival is one event which Council has been pleased to support in past years. Other events drawing a level of support include the Freycinet Challenge, The Seafarer's Memorial Service (which is also supported by a Section 24 committee), Bicheno Beams, Swansea Christmas pageant and others.

Council has received a request to provide support to the Bicheno Food and Wine Festival scheduled for November this year and subject to Covid restrictions in place at the time.

The application from Matt Woodham, Event Manager for Bicheno Festivals is for a contribution similar to previous years in value and extent.

1. Supply of signage, bollards, witches hats, for approved road closures if required.
2. Wheelie bins including the supply of bin liners.
3. Supply of 2 trucks and driver for disposal of rubbish and recyclables during the event.
4. A cash contribution of \$2,000 toward portable toilet hire and cleaning contractors

The event drew 3200 visitors in 2019, the last time the event was held. Surveys carried out on 207 patrons identified 25% local and 75% from elsewhere in Tasmania.

Of those visiting, 7% stayed 1 night; 63% stayed 2 nights and 30% stayed 3 nights or more. 62% were return attendees to the festival.

The event attracted 90 stallholders, workers and families, 20 musicians and 26 volunteers.

With the Covid induced reduction in visitation to the coast, the event will provide a significant impetus to local businesses. Much is discussed about the resilience of community and the impact of reduced visitation to community relationships as well as business from the interruptions to normality caused by the pandemic. This event will provide a stimulus to business and an interruption to the psychosocial malaise to positively impact the community.

STRATEGIC PLAN REFERENCE

Guiding Principles

2. Our Communities Health and Wellbeing

Key Foundations

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

STATUTORY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

The expense is consistent with the 2019 years allocations and a reduction on the 2018 level of support.

RISK CONSIDERATION/S

There are a number of risks to Council associated with approval of events and permitting use of public open space. These are managed through standard operational processes.

A review of the issues associated with unauthorized overnight camping at the oval carpark and waste management issues at the same location has been undertaken with the event organiser and measures have been committed to mitigate these risks.

OFFICER'S COMMENTS

The events noted in the report background section, raise the question about the Community Small Grants Fund and whether event assistance, forms an aspect of this policy coverage. The Swansea Christmas Pageant organisers applied for funds under that mechanism however other events generally do not seem to, but receive support in kind to various modest values.

Reports have been provided in previous years for this event without reference to that policy.

OFFICER'S RECOMMENDATION

That Council approve the application for event assistance of \$2,000 and provide the assistance in signage, waste removal and bin provision as requested.

DECISION 168/21

Moved Cllr Michael Symons, seconded Cllr Grant Robinson that Council approve the application for event assistance of \$2,000 and provide the assistance in signage, waste removal and bin provision as requested.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

Director Planning & Development, Mr Alex Woodward left meeting at 3.59pm

8.5 Community Small Grant Application – Accessible Island Meditation

Author: Community & Communications Officer (Ms Eliza Hazelwood)

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

ATTACHMENT/S

1. Submitted application from Accessible Island Meditation
2. Quotation from AON

PURPOSE

Recommendation for Council to approve a Small Grant application for \$1,000 to support John Bilac to provide local meditation classes in Triabunna/Orford.

BACKGROUND / OVERVIEW

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

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

This application from Accessible Island Meditation dated and received 16 September 2021 is for a contribution towards development of meditation classes with the aim of creating a meditation community to improve wellbeing, health and quality of life of local residents. The grant goes towards the purchase of:

1. Liability Insurance for the program – quote \$256
2. Facility (hall) hire – estimate \$800
3. Printing community notices for awareness of the classes – estimate \$100
4. Community social event \$100

STRATEGIC PLAN REFERENCE

Guiding Principles

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

Key Foundations

Our Community's Health and Wellbeing: Cohesive, inclusive and resilient communities that work together across the region to make the most of our collective talents, skills and resources and help and support each other.

STATUTORY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Applications for funding are considered throughout the financial year until such time as the available funds are exhausted. There is a \$25,000 Community Small Grants Program provision in the 2021/22 budget. At September 2021 \$20,200 of the budget is available to support this application.

Risk	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Low	Rare	Low	
Nil.				
Do not adopt the recommendation	Possible	Moderate	High	Council reviews the application and reasons for not adopting the recommendation.
The community loses the opportunity to have a wellbeing program in the local area.				

OFFICER'S COMMENTS

This application satisfies the necessary criteria of the relevant policy.

OFFICER'S RECOMMENDATION

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

DECISION 169/21

Moved Cllr Rob Churchill, seconded Cllr Cheryl Arnol that Council approve the application for Small Grant funding of \$1,000 to Accessible Island Meditation.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

8.6 Community Small Grant Application – Swansea Community Christmas

Author: Community & Communications Officer (Ms Eliza Hazelwood)

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

ATTACHMENT/S

1. Submitted application from Swansea Community Christmas group.

PURPOSE

Recommendation for Council to approve a Small Grant application for \$1,000 to assist with the payment of insurance and application fees for the annual Swansea Christmas parade and festivities.

BACKGROUND / OVERVIEW

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

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

This application from Swansea Community Christmas group, dated 4 August 2021 and received on 16 September 2021, is for a contribution towards the insurance, license fees, decorations, prizes and youth activities to help fund the event, typically \$3,500 p/a.

STRATEGIC PLAN REFERENCE

Guiding Principles

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

Key Foundations

Our Community's Health and Wellbeing: Cohesive, inclusive and resilient communities that work together across the region to make the most of our collective talents, skills and resources and help and support each other.

STATUTORY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Applications for funding are considered throughout the financial year until such time as the available funds are exhausted. There is a \$25,000 Community Small Grants Program provision in the 2021/22 budget. At September 2021 there is \$20,200 the budget is available to support this application.

RISK CONSIDERATION/S

Nil

OFFICER'S COMMENTS

This application satisfies the necessary criteria of the relevant policy.

OFFICER'S RECOMMENDATION

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

DECISION 170/21

Moved Cllr Annie Browning, seconded Cllr Keith Breheny that Council approve the application for Small Grant funding of \$1,000 for the Swansea Community Christmas Parade.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

Cllr Cheryl Arnol having declared an interest in item 8.7 left the meeting at 4.09pm

8.7 Community Small Grant Application Report – Spring Bay Target Club

Author: Community & Communications Officer (Ms Eliza Hazelwood)

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

ATTACHMENT/S

1. Submitted application from Spring Bay Target Club
2. Quotation from ARB

PURPOSE

Recommendation for Council to approve a Small Grant application for \$1,000 from the Spring Bay Target Club for purchase of equipment to power new target throwers (traps).

BACKGROUND / OVERVIEW

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

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

This application from Spring Bay Target Club dated 16 September 2021 is for a contribution towards the purchase of items to the value of \$1,517 consisting of:

1. Solar panel, batteries and regulators \$1,517 (per quote from ARB).

STRATEGIC PLAN REFERENCE

Guiding Principles:

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

Key Foundations:

Our Environment - Collaborating with our communities to value, manage and improve our natural resources.

STATUTORY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Applications for funding are considered throughout the financial year until such time as the available funds are exhausted. There is a \$25,000 Community Small Grants Program provision in the 2021/22 budget. At September 2021 \$20,200 of the budget is available to support this application.

RISK CONSIDERATION/S

Nil

OFFICER'S COMMENTS

This application satisfies the necessary criteria of the relevant policy.

OFFICER'S RECOMMENDATION

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

DECISION 171/21

Moved Clr Rob Churchill, seconded Clr Grant Robinson that Council approve the application for Small Grant funding of \$1,000 to Spring Bay Target Club.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

Clr Cheryl Arnol returned to the meeting at 4.11pm

The Mayor advised Clr Cheryl Arnol of the outcome of Council's decision in respect to Agenda item 8.7.

8.8 Community Small Grant Application Report – Warrior Kids

Author: Community & Communications Officer (Ms Eliza Hazelwood)

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

ATTACHMENT/S

1. Submitted application from Warrior Kids
2. Program proposal

PURPOSE

Recommendation for Council to approve a Small Grant application of \$1,000 for Warrior Kids for preparing of exercise and education program guides for primary school students.

BACKGROUND / OVERVIEW

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

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

This application from Warrior Kids dated 16 September 2021 is for a contribution towards development of an 8 week program commencing 20 October 2021 each Wednesday at Bicheno Primary School, to enhance confidence of children moving towards high school years. It includes:

1. preparation of program guides for students approx. \$560
2. education on healthy eating weekly approx. \$240
3. merchandise in the form of wrist bands and rewards \$200

STRATEGIC PLAN REFERENCE

Guiding Principles:

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

Key Foundations:

Our Community's Health and Wellbeing: Cohesive, inclusive and resilient communities that work together across the region to make the most of our collective talents, skills and resources and help and support each other.

STATUTORY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Applications for funding are considered throughout the financial year until such time as the available funds are exhausted. There is a \$25,000 Community Small Grants Program provision in the 2021/22 budget. At September 2021 \$20,200 of the budget is available to support this application.

RISK CONSIDERATION/S

Nil.

OFFICER'S COMMENTS

This application satisfies the necessary criteria of the relevant policy.

OFFICER'S RECOMMENDATION

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

DECISION 172/21

Moved Deputy Mayor Jenny Woods, seconded Cllr Cheryl Arnol that Council approve the application for Small Grant funding of \$1,000 to Warrior Kids.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

9. NOTICES OF MOTION

Nil.

10. PETITIONS

A petition was submitted to Council containing 161 signatures opposing the development at Spencer Street and Selwyn Street, Triabunna and calling for a public meeting. This petition did not meet the requirements of section 57 of the Local Government Act 1993 ("the Act") and is therefore unable to be tabled as per the requirements of the Act. The lodger has been advised of the reason that the petition has not been tabled.

11. QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

11.1 Questions without notice by Councillors taken on notice – 24 August 2021

Clr Michael Symons

Through the Chair, Clr Michael Symons directed the following questions to the General Manager:

Councillors have potentially been given deficient and incomplete advice. As I advocated in the workshops you mention, a decision of this magnitude should not be made on "informal" advice.

In my opinion what may have been found if proper advice had been taken was:

Brighton Council, Georgetown Council and GSBC has not had a certificate issued annually for the last 8 years - the Director of Local Government has not requested one.

The same 3 councils are also excluded under the Local Government Act 1993 from having to provide AAR calculations to the Director of Local Government annually.

Following on from your answer above the question that I have is:

Q1. *Could you please advise who tabled this advice and provide a copy of such advice?*

Response from Mayor, Robert Young

The advice was given orally by a consultant hired by Council to advise Councillors on rates. That consultant indicated that they had consulted with Mr Shaun McElwaine as to the obligations contained in section 109 of the *Local Government Act 1993* which dealt with the Assessed Area Rating (AAR). It was oral advice; it was not provided in writing.

Unfortunately, the questions I asked have been incorrectly answered in that you have compared 2019/2020 financials and not 2018/2019 as requested.

You did answer that NRM wages were \$176,000 which lowers the 2018/2019 wages to \$3.689 million. There was no mention of wages made to medical practitioners in the period 2018/2019. In order to make a fair comparison those wages need to be excluded.

Q2. *Taking into account the adjusted wages figure 2018/2019 of \$3.689 million (not excluding any further deductions for medical practitioner wages) why are the wages in the 2021/2022 budget \$1.537 million or 44% higher than the 2018/2019 audited wages?*

My question still stands on the material and services if compared to the year I asked (2018/2019) and I would like an answer to the question.

Response from General Manager, Greg Ingham

There are many items which make up materials and services, in comparison to 2018/2019 to the 2021/22 budget there are some items which go up and some which even go down. The large line items that go up include contractors with a \$1.7million increase over the period, Doctors income due to the increase in East Coast Health Doctors planned for 2021/22, IT costs, the waste levy – which is now deferred, bank charges, insurance – which has almost doubled, fire levy and pensioner remission. Items like Doctors income paid, waste levy, fire levy and pensioner remission are offset by increased income.

The biggest increases in contractor costs are:

- \$250,000 increase in waste management contractor costs.
- \$400,000 increase in road maintenance contractor costs.
- \$680,000 increase in medical contractor costs for locum doctors (offset by increased income)
- \$50,000 for the PPRWS which was not commissioned in 2018/2019.
- \$100,000 increase in Parks & Reserves contractor costs for things like removal of dangerous trees.

It must be noted that the comparison from 2018/2019 to 2021/22 is over a 3 year period, just a 2% p.a. increase over materials and services on 2018/2019 figures across the board equates

to a \$350,000 increase. Council operations and the environment that we work in has changed significantly in this period, therefore it is not always easy to compare high level figures over such a period of time or in isolation without considering the full picture.

Thank you for your response on the loan borrowings. Having read your answers it seems to me that the comment made at the council meeting in June 2021 that this council "inherited unserviceable debt "is totally incorrect and misleading to the community.

Thank you for confirming that the Prosser Plains Raw Water Scheme is being paid for by an external party and the scheme is cost neutral to the ratepayers and council.

Q3. *Could you inform me what the general loan of \$1.5 million has been used for and whether those borrowings have taken our borrowing potential as a council to its maximum.*

Response from General Manager, Greg Ingham

This loan was provided to Council by the State Government due to COVID-19 as an interest free loan over 3 years. The loan funds are predominately to assist with the cash flow of federal grant projects, as Council has to fund the projects upfront and claim milestone payments after work is completed and audited. The loan funds were to also assist with the 2020/21 capital works budget for items like critical plant replacements and stormwater projects. Council currently has placed the \$1.5million in a bank account; to ensure the funds are available to repay the loan when required and these funds will only be accessed when and if required. As the impacts of COVID-19 on cashflow for Council in 2020/21 where not as severe as first expected, the funds have not been required to date.

Q4. *My next question relates to the Marina. To my untrained eye there seems to be a steady decline in revenue from a high of \$350,000 in 2019 down to \$310,000 in 2021. In the same period wages and depreciation have increased. Could you please provide advice on these concerns? Also did the closure of the Visitor Information Centre at Triabunna have any effect on the revenue stream of the Marina and Wharf?*

Response from General Manager, Greg Ingham

Marina income has reduced between 2019 and 2021 due to impacts of COVID-19 in two ways, firstly Council's decision to close the Visitor Information Centres and secondly, reduction in ferry service contribution due to less visitors to Maria Island.

11.2 Questions without notice from Councillors

Through the Chair, Cllr Grant Robinson directed the following questions to the General Manager:

Cllr Grant Robinson

- Q1. *Has Tassal paid GSBC the full annual amount of interest and principal loan repayments for each of the past three financial years, namely, 2018/19; 2019/20 and 2020/21? If so, where is this identified in GSBC financial reports?*

Response from General Manager, Greg Ingham

The General Manager will provide a written response for the Ordinary Council Meeting to be held on Tuesday 26 October 2021.

- Q2. *Tassal do not contribute to the depreciation costs of plant and equipment associated with the PPRWS, nor any replacement costs for the pipeline, plant, equipment or major parts, that may be necessary over the period of the 30 year loan. Other than annual maintenance, does this also mean that Tassal does not pay for incidental maintenance costs related to the pipeline, plant and equipment?*

Response from General Manager, Greg Ingham

In regards to the ongoing maintenance of the PPRWS, all future major repairs or renewals to the scheme will have to be funded by Council. Operational type repairs and maintenance would be covered by Tassal if within the annual provisions of the contract. Major assets of a capital nature would not be covered.

As you are aware, the scheme is identified in Council's Hydraulic Asset Management Plan. It accounts for approximately half of all Council's hydraulic asset values. The scheme alone is about \$8.5 million dollars' worth and the total hydraulic assets are about \$16.5 million. In answering your question, its important to note that in the early life of the asset there is unlikely to be major costs in terms of maintenance or failures. However, as the asset ages over time and certainly over the 30 year period of this maintenance those costs will have to be identified in Council's Asset Management Plans and funded accordingly.

Through the Chair, Cllr Michael Symons directed the following questions to the General Manager:

Cllr Michael Symons

My first question arises from the questions without notice from Cllr Robinson in relation to question two.

- Q1. *Is the volumetric use of the water over and above the operating payment that Tassal pays?*

Response from General Manager, Greg Ingham

Yes, that is correct.

My next question is in relation to the advice that Council received around AAR. Please note this question was directed to the General Manager, but was answered by the Mayor.

With regards to this answer can I ask the General Manager to clarify the following:

- Q1. *That answer given by the Mayor formed part of the advice given at the workshop held on the 11th of May?*
- Q2. *The advice given was from contract accountant Ms Marris Walters as a result of a phone conversation with Launceston lawyer Mr Shaun McElwaine?*
- Q3. *Can you confirm the following recollection of the advice given at that workshop by Ms Walters as being reasonably accurate summation of what was said?*

This is my recollection of what was said at the Workshop:

Ms Walters conveyed she had a brief phone conversation with lawyer Mr McElwaine whilst he was driving. Ms Walters went on to say he may potentially agree with her assumption that there could be issues as to the obligations for Glamorgan Spring Bay Council contained in section 109 of the Local Government Act 1993.

Ms Walters then went on to say that Mr McElwaine said his recollection of the Act could not be relied upon in this situation (whilst driving) and if proper sound advice was required Glamorgan Spring Bay Council would need to send a written brief to his office for consideration

Response from General Manager, Greg Ingham

The General Manager will provide a written response for the Ordinary Council Meeting to be held on Tuesday 26 October 2021.

Q4. *Could you advise if Mr McElwaine & Associates provided any written advice on the matter and if so, provide a copy of such advice?*

Response from General Manager, Greg Ingham

I can confirm that the company you refer to has provided written advice on the rating system. I will confirm with the Lawyer as to whether a copy of this advice can be provided to Councillors.

Wages and salaries in the audited results for the year ended 30th June 2019 were \$4.348 million. If we deduct the visitor centre wages (now closed) of \$0.489 million and the NRM department (now closed) \$0.176 million and include a conservative estimate of wages for the Doctor of \$0.200 million this leaves a net wages figure of \$3.483 million. The budgeted wages figure for 21/22 budget is \$4.976 million an increase in real wages of \$1.493 million or 42.9%.

Q5. *As this is the third time I have asked this question, could the General Manager please explain how an increase in wages over three financial years of \$1.493 million or 42.9% has occurred in times of national wage restraint.*

Response from General Manager, Greg Ingham

The General Manager will provide a written response for the Ordinary Council Meeting to be held on Tuesday 26 October 2021.

Through the Chair, Cllr Cheryl Arnol made the following statement:

Cllr Cheryl Arnol

Mayor I don't have a question for Council but rather, with your permission, I would like to address a question that was in the latest edition of the Great Oyster Bay News that named me and questioned why I didn't 'sign onto' the Statement of Expectations. The question was initially directed to the General Manager and he rightfully suggested that the question should be put to me so it seems appropriate to respond in a public forum as a Councillor.

The reason I did not sign the Statement of Expectations is very simple. The signing was voluntary. It has no legislative power and no penalty for breaches of the provisions contained in it.

There were several reasons why I did not sign it and I formally advised the then Minister for Local Government in April 2020 of those reasons which he accepted. I do not feel that it is appropriate to divulge the communication I had with the Minister suffice to say that the Statement of Expectations process was a very costly exercise that did not fully address the concerns about Glamorgan Spring Bay Council circulating at the time.

The Statement of Expectations reiterated the requirements of the Local Government Act in relation to how Councillors perform their duties. With no mandatory requirement for elected members to sign the Statement of Expectations, I saw no reason to do so when I have a legislated responsibility to abide by the requirements of the Local Government Act.

12. CONFIDENTIAL ITEMS (CLOSED SESSION)

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

Item 1: Minutes of Closed Session – Ordinary Council Meeting held on 27 July 2021

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

Item 2: Rheban Road Bridge Tender

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

RECOMMENDATION

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

DECISION 173/21

Moved Cllr Annie Browning, seconded Cllr Grant Robinson that Council moves into closed session at 4.26pm.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 8/0

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

Against: Nil

The Mayor confirmed that the recording of the meeting was terminated and the microphones were switched off.

13. CLOSE

The Mayor declared the meeting closed at 4.43pm.

CONFIRMED as a true and correct record.

Date:

Mayor Robert Young