



GLAMORGAN SPRING BAY
COUNCIL

Notice of Meeting and Agenda

For the Ordinary
Meeting of
Council to be
held at the
Triabunna
Council Offices

25th September, 2018

NOTICE OF ORDINARY 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, 25th September, 2018 commencing at 5.00pm.



Dated this Wednesday 19th September, 2018

David Metcalf
GENERAL MANAGER

"I certify that with respect to all advice, information and recommendations provided to Council with this agenda:

- 1. The advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation, and***
- 2. Where any advice is given directly to the Council by a person who does not have the required qualifications or experience, that person has obtained and taken into account in that person's general advice the advice from any appropriately qualified or experienced person. "***

Note : Section 65 of The Local Government Act 1993 states –

- (1) A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.***
- (2) A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless the general manager certifies in writing that such advice was obtained and taken into account in providing general advice to the council or council committee.***



David Metcalf
GENERAL MANAGER

Table of Contents

AUDIO/VIDEO RECORDING OF ORDINARY MEETINGS OF COUNCIL	5
1. OPENING	5
1.1 PRESENT AND APOLOGIES	5
1.2 IN ATTENDANCE	5
1.3 DECLARATION OF PECUNIARY INTERESTS.....	5
2. CONFIRMATION OF MINUTES.....	6
2.1 ORDINARY MEETING OF COUNCIL – AUGUST 28, 2018.....	6
2.2 WORKSHOP HELD – AUGUST 28, 2018	6
3. PLANNING AUTHORITY SECTION.....	7
3.1 DA18134 – 8 ALLEN STREET, BICHENO	8
3.2 DA18140 – AMOS FAMILY CEMETERY, CRANBROOK	41
3.3 DA18179 – BICHENO COMMUNITY HEALTH GROUP INC, EXTENDED OPENING HOURS 94-96 FOSTER ST, BICHENO	77
3.4 AM2018-06 – REZONE, 38 VICARY ST, TRIABUNNA	85
4. PUBLIC QUESTION TIME	90
5. INFORMATION REPORTS.....	91
5.1 GENERAL MANAGER, DAVID METCALF.....	91
5.2 MANAGER WORKS, MR TONY POLLARD.....	103
5.3 MANAGER DEVELOPMENT & COMPLIANCE – MR. SHANE WELLS	108
5.4 MANAGER COMMUNITY DEVELOPMENT & ADMINISTRATION – MRS. LONA TURVEY	114
5.5 MANAGER BUILDINGS & MARINE INFRASTRUCTURE, MR ADRIAN O’LEARY	118
5.6 MANAGER NATURAL RESOURCE MANAGEMENT, MS MELANIE KELLY.....	123
6. MINUTES OF SECTION 24 COMMITTEES.....	128
6.1 SPRING BAY ELDERCARE COMMITTEE MINUTES (DRAFT)	129
6.2 TRIABUNNA COMMUNITY HALL COMMITTEE MINUTES, AUGUST 13 2018 (DRAFT).....	132
6.3 TRIABUNNA COMMUNITY HALL COMMITTEE MINUTES, MAY 21 2018.....	135
6.4 TRIABUNNA COMMUNITY HALL COMMITTEE MINUTES, FEBRUARY 19 2018.....	138
7. OFFICERS’ REPORTS REQUIRING A DECISION.....	141
7.1 PERSONAL & PRIVATE INFORMATION POLICY.....	141
7.2 CODE OF CONDUCT PANEL – DETERMINATION REPORT	148
7.3 EASTCOAST REGIONAL DEVELOPMENT ORGANISATION INC.	153
7.4 SWANSEA PRIMARY SCHOOL.....	154

8.	NOTICE OF MOTION	156
8.1	ELDERCARE UNITS, TRIABUNNA	156
9.	MISCELLANEOUS CORRESPONDENCE.....	157
9.1	DEPARTMENT OF EDUCATION: 2018 INTAKE AREA REVIEW	157
9.2	CITY OF HOBART: COMPULSORY VOTING LOCAL GOVERNMENT ELECTIONS	161
9.3	UPDATE FROM NATIONAL TRUST TASMANIA	163
9.4	DEPARTMENT OF COMMUNITIES TASMANIA: REVIEW OF THE MODEL FOR RETURNING LAND TO THE ABORIGINAL COMMUNITY	165
10.	MOTION TRACKING DOCUMENT.....	166
11.	QUESTIONS WITHOUT NOTICE	168
12.	CLOSE.....	168

Audio/Video Recording of Ordinary Meetings of Council

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 link is available on the Glamorgan Spring Bay Council website to the YouTube platform, where the public can view the meeting live and watch recordings of previous Council meetings.

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.

1. Opening

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

1.1 Present and Apologies

1.2 In Attendance

1.3 Declaration of Pecuniary Interests

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2005, the Mayor requests Elected Members to indicate whether they or a close associate have, or likely to have, a pecuniary interest in any item included in the Agenda.

2. Confirmation of Minutes

2.1 Ordinary Meeting of Council – August 28, 2018

Recommendation

That the Minutes of the Ordinary Meeting held Tuesday 28th August 2018 be confirmed as a true and correct record.

2.2 Workshop Held – August 28, 2018

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held at 3pm on Tuesday 28th August 2018 in Triabunna to meet with representatives of FAI Inc to discuss the draft Freycinet Master Plan (duration 1 hour) followed by a Councillor discussion of the Master Plan and future actions/Council involvement (duration 45 minutes).

In attendance: Mayor Michael Kent, Deputy Mayor Cheryl Arnol, Clr Jenifer Crawford, Clr Britt Steiner, Clr Jenny Woods, Clr Mick Fama, Clr Debbie Wisby.

Recommendation

That Council notes this information.

3. PLANNING AUTHORITY SECTION

Under Regulation 25 of *Local Government (Meeting Procedures) Regulations 2005* 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 3 of the Agenda.

Recommendation

That Council now acts as a Planning Authority. (Time:)
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3.1 DA18134 – 8 Allen Street, Bicheno

Planning Assessment Report

Proposal:	Additions & Alterations to Dwelling & Outbuilding
Applicant:	MyBuild Homes
Location:	8 Allen Street, Bicheno
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)
Zoning:	General Residential Zone
Application Date:	26 June 2018
Statutory Date:	28 September 2018 (by consent of applicant)
Discretions:	Three
Attachments:	Appendix A – Application documentation
Author:	Theresa Williams, Consultant Planner

1. Executive Summary

- 1.1. Planning approval is sought for a house extension at 8 Allen Street, Bicheno, CT64195/14.
- 1.2. The application is for a No Permit Required use class in the General Residential zone, however it relies on Performance Criteria and is therefore discretionary.
- 1.3. The proposal was advertised twice, as revised plans were received after the first advertising period closed.
- 1.4. Valid representations were received during both advertising periods.
- 1.5. The proposal is recommended for conditional approval.
- 1.6. The final decision must be made by the Planning Authority due to the receipt of representations during the public exhibition period.
- 1.7. Key planning issues relate to the impact on the adjoining properties in terms of privacy and setbacks. The planning scheme provides guidance through the building envelope and privacy provisions. The proposal meets the Acceptable Solutions with the exception of these two areas, for which the proposal meets the Performance Criteria. The proposal is considered to be in keeping with the requirements of the General Residential zone and is recommended for conditional approval.

2. Legislative & Policy Content

- 2.1. The purpose of this report is to enable the Planning Authority to determine application DA 2018/134.
- 2.2. This determination must be made no later than 28 September 2018 which has been extended by the consent of the applicant.
- 2.3. The relevant legislation is the *Land Use Planning and Approvals Act 1993 (LUPAA)*. The provisions of LUPAA require a planning authority to take all reasonable steps to ensure compliance with the planning scheme.
- 2.4. This report details the reasons for the officer recommendation. The Planning Authority must consider this report but is not bound to adopt the recommendation. Broadly, the Planning Authority can either: (1) adopt the recommendation, or (2) vary the recommendation by adding, modifying or removing recommended reasons and conditions or replacing an approval with a refusal (or vice versa). Any alternative decision requires a full statement of reasons to comply with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2005*.
- 2.5. This report has been prepared with appropriate regard to the State Policies that apply under the *State Policies and Projects Act 1993*.
- 2.6. This report has been prepared with appropriate regard to Council's Strategic Plan and other Council policies, and the application is not found to be inconsistent with these. Nevertheless, it must be recognised that the planning scheme is a regulatory document that provides the overriding consideration for this application. Matters of policy and strategy are primarily a matter for preparing or amending the planning scheme.

3. Risk & Implications

- 3.1. Approval or refusal of this application will have no direct financial implications for the Planning Authority, outside the implications should an appeal against Council's decision be lodged.
- 3.2. Implications for Council include general matters related to rate income, asset maintenance and renewal and responding to future building applications, however these are not significant issues given the scale of the proposal.

4. Relevant Background and Past Applications

- 4.1. The site contains an existing residence, with two outbuildings at the front combined with a carport under one roof.

5. Site Detail

- 5.1. The site consists of one lot located at 8 Allen Street, Bicheno, in the General Residential zone of the Glamorgan Spring Bay Interim Planning Scheme 2015.
- 5.2. The total size of the site is approximately 845m². Vehicle and pedestrian access is via Allen Street, with secondary pedestrian access via the Crown Land Coastal reserve to the north.
- 5.3. The site is flat and there are no threatened species on the site.
- 5.4. Land to all sides is within the General Residential zone, with the exception of the Crown Land to the north, zoned as Open Space.



Figure 1: Aerial imagery – site and surrounds



Figure 2: Aerial imagery – subject site

6. Proposal

- 6.1. Planning approval is sought for extensions to the existing buildings on site.
- 6.2. The applicable use is single dwelling, at 8 Allen Street, Bicheno.



Figure 3: Subject site from street, driveway crossover



Figure 4: Site from Crown Land, looking south, neighbouring residences visible



Figure 5: Crown Land and boundary profiles to the north

7. Assessment against planning scheme provisions

- 7.1. An application must meet every applicable Standard to be approved.
- 7.2. Each standard can be met by either an acceptable solution or performance criteria. If a performance criteria is relied upon, an application is discretionary and may be approved or refused depending on if the Performance Criteria is satisfied.
- 7.3. The following provisions are relevant to the proposed use and development;
 - General Residential Zone
 - E6.0 Parking and Access Code
 - E7.0 Stormwater Management Code
 - E15.0 Inundation Prone Areas Code
 - E16.0 Coastal Erosion Hazard Code
- 7.4. The proposal is classified as Residential. This is a No Permit Required use in the General Residential zone. The proposal relies on Performance Criteria and is therefore subject to the discretionary application process.
- 7.5. General Residential Zone:
 - 7.5.1. Extensions to the existing buildings are proposed. This would include extensions to the existing ground floor, deck and outbuildings and the construction of a second story.

- 7.5.2. Two parking spaces within the garage are proposed, with additional parking in the driveway. The carparking is in keeping with Table E6.1.
- 7.5.3. The maximum height will be approximately 7.4m excluding protrusions.
- 7.5.4. Total site coverage is proposed to be less than 50%, and more than 25% of the site is to be free of impervious materials.
- 7.5.5. Setback requirements are standard for the General Residential zone. These also include as standard practice a *“building envelope – means the three dimensional shape within which buildings are to occur”*.
- The residence is proposed to be outside the building envelope.
- 7.5.6. As marked on the plans, the deck will be above 1m from the natural ground level. The land is to be filled so that the deck is less than 1m above finished ground level to avoid the need for balustrades.
- 7.5.7. The bedroom window on the eastern side will be 1.7m above the floor level and opaque. The deck on this side is screened.
- 7.5.8. The habitable rooms on the western side have floor levels of 1m or less above natural ground, with the exception of those that exit onto the deck.
- 7.5.9. The existing access is sufficient.

- 7.6. The proposal meets the Acceptable Solutions for E6.0 Parking and Access Code and E7.0 Stormwater Management Code.
- 7.7. In regards to E15.0 Inundation Prone Areas Code, the site has not been mapped in detail and is within an investigation area. The guide is therefore Table E15.1. The property sits above the minimum AHD and is fronted by over 40m of rock. It is also in a well established residential area. The application complies with all applicable Standards in E15.0.
- 7.8. The proposal complies with the Acceptable Solution of each applicable Standard other than the following where the proposal is reliant on the associated Performance Criteria.

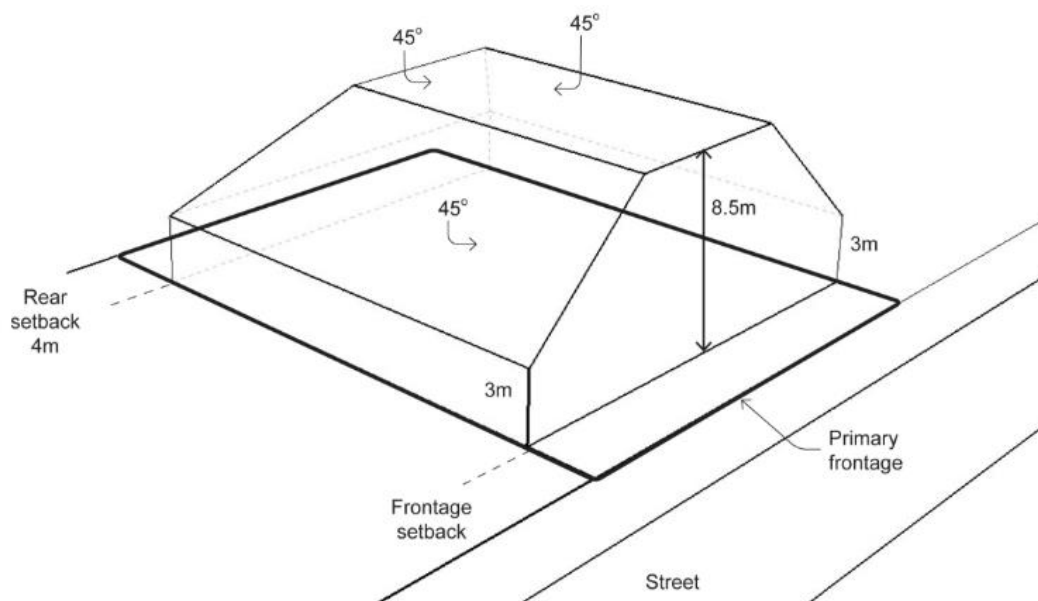
General Residential Zone			
		Acceptable Solution Requirement	Proposed
1	Development (Building Envelope) Clause 10.4.2 A3	<p>A dwelling....must:</p> <p>(a) be contained within a building envelope...:</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing</p>	<p>A corner of the second storey as proposed would be outside the building envelope on the eastern side as shown on plan A09.</p> <p>The side setback to the western side would be outside the building envelope. This is with respect to the block wall around the lower deck.</p> <p>The lower deck will also be outside the building envelope where part of the deck is within 4m of the rear (foreshore) boundary.</p>

		<p>(ii) building built on or within 0.2m of the boundary of the adjoining lot; or does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser)</p> <p>Diagrams 10.4.2A&B detail the building envelope.</p>	<p>It is noted that the existing residence is already outside the building envelope on the western boundary.</p>
2	<p>Development (Privacy for all dwellings)</p> <p>Clause 10.4.6A1</p>	<p>A balcony or deck that has a finished floor level more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <p>(a) side boundary, unless the balcony or deck has a setback of at least 3m from the side boundary.</p>	<p>The finished floor level of the lower deck is 1.43 above natural ground level and at the height of the existing deck.</p> <p>The lower deck is sufficiently screened on the eastern side.</p> <p>The screening on the western side is not clarified, thus the performance criteria are applicable. The height of the block wall above the deck scales at approx. 1.65m. The block wall does not extend the full length of the deck leaving a section of deck with no privacy provisions.</p>
Codes			
3	<p>Buildings & Works - E16 Coastal Erosion Code</p> <p>E16.7.1</p>	Erosion Investigation area	<p>The proposal is within a mapped Erosion Investigation Area.</p>

7.9. Discretion 1 – Development (Building Envelope)

- 7.9.1. The planning scheme provides for a defined building envelope in Clause 10.4.2 A3, through Diagrams 10.4.2A&B.

Diagram 10.4.2A. Building envelope as required by subclause 10.4.2 A3 (a)



7.9.2. The existing proposal before Council includes a design which sits outside the Building Envelope prescribed in the Acceptable Solution.

7.9.3. The existing residence already sits outside this building envelope. The proposal would reduce this setback of the deck to the adjoining property from (approximately) 10cm to 0cm

7.9.4. The Performance Criteria is as follows:

The siting and scale of a dwelling must:

(a) not cause unreasonable loss of amenity by:

- (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*
- (ii) overshadowing the private open space of a dwelling on an adjoining lot; or*
- (iii) overshadowing of an adjoining vacant lot; or*
- (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and*

(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

7.9.5. The siting and scale of the dwelling must be considered as a standalone provision.

7.9.6. The proposal sits outside the building envelope when viewed in relation to a small corner of the proposed second storey, the stairs at the front and the extension along the western side.

7.9.7. The performance criteria provide for consideration of sunlight, overshadowing and visual impacts. There is no explicit mention of privacy in this clause, just a mention of separation between dwellings. In order to determine the intention of this separation, we look to the Objectives of 10.4.2:

- (a) *provide reasonably consistent separation between dwellings on adjacent sites and dwelling and its frontage; and*
- (b) *assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and*
- (c) *provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and*
- (d) *provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.*

These Objectives reinforce that the intention of this separation is for visual impact and consistency as well as access to sunlight, rather than privacy.

For clarification, Clause 10.4.6 provides for consideration of privacy, discussed later in this report.

7.9.8. The shadow diagrams demonstrate that there will be a slight increase in overshadowing of the adjoining properties as a result of the proposed extensions. This increase mainly affects the outbuildings, decks, parking spaces and to a smaller extent, the bedrooms, of the adjoining houses.

The question is whether this increase in overshadowing causes “an unreasonable loss of amenity”. The adjoining residences will retain the majority of their sunlight. The habitable rooms (other than bedrooms) are towards the north of these properties, where the sunlight is not being significantly affected. Whilst number 10 will lose some afternoon sunlight to the deck and number 6 will lose some to the yard between the house and the road, the properties also contain private open space areas to the north of the houses, within the area not affected by overshadowing of the proposed extensions.

The proposal is considered to comply with cl. 10.4.2 P3 (a)(i) & (ii). There are no adjoining vacant lots, thus cl.10.4.2 P3 (a)(iii) is not applicable.

7.9.9. Clause 10.4.2 P3(a)(iv) requires the consideration of the ‘*visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot*’.

The proposed second storey will be slightly outside the permitted eastern side of the building envelope when viewed from the northern boundary. The proposed design has this second storey sitting over 4m from this boundary, behind the building line of the remainder of the house and the outbuilding. It will extend along approximately 16% of this boundary line.

There are few two storey buildings currently within this section of the street. Further along the street, the two storey residences sit within 1.5m of the side boundaries, without the staggered design that this application proposes.

The design will bring the house closer to the residence to the west. The residence to the west, including the deck, sits higher than the proposed extension to 8 Allen Street. The main visual impact will be from the brick wall, which will be approximately 9m long, or just under 17% of the length of the boundary. It will be over 4.5m from the adjoining residence.

The area contains a number of residences and outbuildings that sit along the boundary. For example, the property to the west contains an outbuilding of approximately 8.5m that sits on the boundary. The majority of houses are oriented at an angle to maximise sunlight, and many are within close proximity to the side boundaries.

In this comparison, it can be determined that the scale, bulk and proportions will create similar visual impacts to those in the surrounding area, and that the staggered design of the second storey minimises this effect. As such, it cannot be considered as an unreasonable loss of amenity.

- 7.9.10. The proposal is considered to comply with cl. 10.4.2 P3 (a)(iv).
- 7.9.11. The final consideration in this matter is the separation between the dwellings.
- 7.9.12. The setbacks from other dwellings in the area are varied. Nearby examples (including the existing setbacks on this site) are consistently around 4m. The proposed extensions will retain this separation between dwellings, with the separation to the adjoining dwellings proposed sitting at (approximately) 4.4m and 3.6m.
- 7.9.13. It is concluded that the proposal complies with clause 10.4.2 P3 (b).
- 7.9.14. The proposal is considered to comply with cl.10.4.2 P3.

7.10. **Discretion 2 – Development (Privacy for all dwellings)**

- 7.10.1. The proposal provides for sufficient screening on the eastern elevation for both upper and lower decks.
- 7.10.2. On the western elevation, there is sufficient separation to the upper deck. The plans do not however, clarify the screening on the western elevation in regards to the lower deck.
- 7.10.3. The plans when scaled, show the wall along this side will be close to 1.65m above the deck. The wall does not run the full length of the deck. Demonstration with the Acceptable Solution has not been made, thus the Performance Criteria are applicable (relevant sections only):

A balcony, deck... that has a finished surface or floor level more than 1m above natural ground level, must be screened, or otherwise designed to minimise overlooking of:

(a) a dwelling on an adjoining lot or its private open space

- 7.10.4. The existing deck is more than 1m above natural ground level, and the proposed new deck will be at the same level as that existing deck.
- 7.10.5. The proposal will provide for a wall which sits along the boundary on the western elevation adjoining the deck. The dwelling to the west also has a substantial freestanding timber screen wall in place.

The height of this wall is not entirely clear. It is considered that ensuring that this wall is a minimum of 1.7m above the level of the deck will ensure that the deck is sufficiently screened to minimise overlooking of the dwelling to the west. It is also recommended that the screening treatment of the eastern elevation be extended to the western elevation for that part of the deck where there is no wall. It is recommended that a condition to this effect be placed on any permit issued.

7.11. Discretion 4 – Coastal Erosion Hazard Area

- 7.11.1. The site is within a mapped Erosion Investigation Area.
- 7.11.2. The site is fronted by over 40m of rock and sits above the 10m contour, and is in an established residential area.
- 7.11.3. Given the elevation, shoreline materials and significant setback, the proposal is concluded to comply with the remaining provisions of E16.7.1, without additional information, as per E16.5.2.

8. Referrals

- 8.1. No comments. Standard conditions for development in the General Residential zone would apply.

9. Concerns raised by representors

The following table outlines the issues raised by the representations.

Note that all comments have been considered, including those made on both the original plans and the revised plans.

Public Notification # 1	
Issue	Response
Long term impact of this type of design on the street and municipality.	The planning system dictates that the proposal must be considered on its individual merits.
Loss of privacy to two front bedrooms of 6 Allen Street.	<p>Clause 10.4.6 provides for consideration of privacy.</p> <p>The plans for the deck (refer to drawings A08 and A09) show the floor level of the deck to be more than 1m above natural ground level. The deck has a brick wall along the majority of the length.</p> <p>The proposal complies with cl.10.4.6 P1, and the acceptable solutions for cl10.4.6 A2 and A3.</p>
Early morning shadowing on bedrooms of 6 Allen Street.	The existing building overshadows the adjoining houses. The shadow diagrams since provided by the applicant illustrate that the change will not cause additional unreasonable loss of light. Note that the provisions explicitly exclude consideration of access to sunlight for bedrooms.
Overshadowing of second storey on front door of 6 Allen Street.	Agreed. The Scheme provides for protection of sunlight to habitable rooms and private open space of adjoining properties. On this site, the front door is neither of these.

Plans are insufficient and inaccurate.	<p>It appears that the plans do not accurately represent the adjoining residences. The original plans did not show natural ground level. The revised plans (available during the second round of public notification) have natural ground level marked, more clearly showing the floor level of the proposed deck.</p> <p>The assessment has been undertaken based on the demonstration on the plans for 8 Allen Street combined with on site inspection for 6, 8 and 10 Allen Street. If approved, the constructed residence is bound to comply with the plans as submitted to Council for assessment.</p>
Previous developments and planning regulations have maintained a more sensitive approach to development.	Noted. Council only has capacity to assess an application under the existing provisions. There is capacity for Council to review the provisions in the ongoing updating of the planning scheme.
Recognises that the proposal meets the planning requirements.	Noted.
Negative impact on users of the public reserve to the north.	The Scheme does not explicitly consider the users of the public reserve. There is some consideration given within the building envelope / rear setback requirements. Compliance of the proposal with these provisions is discussed above.
Does not comply with 10.4.2 .	<p>The proposal complies with 10.4.2 A1 and A2. Note that frontage is defined in the Scheme as being a boundary which abuts a road.</p> <p>The proposal does not comply with cl.10.4.2 A3. Assessment against the performance criteria is provided above.</p>
Comparison in the LPS to the new planning scheme.	Noted. The planning authority only has the capacity to assess the application against the current provisions.
Gradual encroachment on coastal reserve, sets a precedent.	It is agreed that the proposal will sit closer to the coastal reserve than the other properties along this line. Clause 10.4.2 provides the assessment criteria for this issue.
Impacts on light for 10 Allen Street – no shadow diagrams provided.	Shadow diagrams have since been provided by the applicant (Appendix C). These demonstrate compliance with cl. 10.4.2 P3 which considers overshadowing.
Not in keeping with the character of the location, negatively impacts amenity of the local community.	The acceptable solutions and performance criteria provide the applicable guidelines for determining character and amenity.
Not in keeping with the coastal landscape values – height increase and setback reduced from the established setback, no vegetation buffer.	<p>The proposal is within the height limit.</p> <p>The setback to the coastal reserve is assessed against cl.10.4.2 A3, which does not consider these values.</p>
Impact on privacy for habitable rooms and private open space for 10 Allen Street – references Objective 10.4.6, cl.10.4.6 A1.	Cl.10.4.6A1 requires that a deck be setback 3m from a boundary if it is over 1m in height. The plans show the lower deck to have a floor level of just over 1m in height. The proposal has been assessed against the Performance Criteria, and is found to have

	met these, subject to condition.
Plans show 10 Allen Street as crossing the boundary.	Noted. The location of 10 Allen Street was confirmed by a site visit.
Materials and finishes are not indicated on plans.	The plans indicate a mix of cladding and a solid material such as render or similar.
Does not comply with the Coastal Proximity Zone provisions.	These provisions are not applicable to land in the General Residential zone.
Public Notification # 2 – additional issues raised	
Issue	Response
Privacy concerns for #10 Allen St have been resolved.	The readvertised plans provide screening to maintain privacy for #10 Allen Street.
Additional information regarding overshadowing of the deck at 10 Allen Street.	<p>Clause 10.4.2 A3/P3 addresses overshadowing of private open space on adjoining properties.</p> <p>This is discussed in detail above. It is noted that 10 Allen Street contains significant open space outside the area covered by the deck, the majority of which will not lose sunlight.</p>
Omissions and errors on the plans.	The plans, combined with site inspection, provide sufficient information to assess the proposal, as required under the Scheme. Whilst the plans may not mark the total height, they are able to be accurately scaled to determine the height. The true north has been identified by site inspection. The proposed fencing is exempt under the Scheme – if significant fencing is proposed, it will require a separate planning approval, a point which is noted on every permit issued within the General Residential zone. Finally, the application is for a residential extension, and not multiple dwellings. If the use proposed is for multiple dwellings, a new application would be required.
Concerned that the proposal does not meet 10.4.2(a).	This objective is provided to guide assessment. The relevant assessment reference for this application is 10.4.2P3(b), which is discussed above in detail, and the proposal is determined to comply. It is important to note that 10.4.2P3(b) refers only to separation between dwellings, rather than boundaries or open space areas.
Flaws in the Planning Scheme.	Noted. The planning authority only has the capacity to assess the application against the current provisions.
Height restrictive covenants.	Covenants such as this are a contract between the landowners, rather than a provision under the planning system. The planning authority does not have the power to incorporate these into the assessment.
The proposal should be revised so that the height and setback are consistent with the existing properties.	The planning authority must assess the application that is before it.

Long term impact of larger scale designs into the future, notes the differences between the larger cities and a small town like Bicheno, and the lack of this differentiation in the planning scheme.	<p>If the Council wish to, it is possible to look into a larger strategic approach, with research into design characteristics for the broader area into the future. That can then be presented to the Planning Commission as an amendment to the planning scheme. These types of amendments traditionally need to have very strong supporting documentation.</p> <p>In regards to this proposal, all that can be done is to assess the proposal that is before Council.</p>
Loss of privacy to number 6 Allen Street, due to the moving forward of number 8.	This is addressed in the Scheme through 10.4.6A1/P1, which is addressed in detail above. The proposal is to have a wall 1.7m in height above the deck to maintain privacy to number 6 Allen Street. This is recommended to be reinforced via condition.
Overshadowing.	The loss of sunlight to these rooms that will occur is not sufficient to qualify as causing an unreasonable loss of amenity. These rooms will lose a small amount of early morning sun, however they are well oriented to retain significantly more sun than most residences in the General Residential zone ever receive.
Previous design choices by owner of number 6 Allen Street have been taken with sensitivity to the adjoining properties.	Noted.
Loss of penguin breeding ground.	The properties through this area are regularly used by the Little Penguins for breeding and moulting. The loss of the small section of vegetation is not considered to be a significant impact, given the extensive number of sites available in the surrounding areas. The site works will however have the potential to impact any birds that are on site during construction work. Any approval should be conditioned to manage this impact.
The top of the building is outside the building envelope on the eastern side.	Agreed. The proposal has been assessed against the performance criteria.
The assessment is a "Done Deal".	The assessment has not been completed. The proposal will be determined at the Council meeting on the 25 of September 2018. If it is found that illegal works have been conducted, this will be addressed through the necessary legal channels.
The owner has not contacted the neighbours.	This is a matter for the property owners. The legal notification requirements of the planning authority have been met.

10. Conclusion

The proposal satisfies the relevant provisions of the *Glamorgan Spring Bay Interim Planning Scheme 2015* as outlined in this report and is recommended for conditional approval.

11. Recommendations

That:

- A. Pursuant to Section 57 of the Land Use Planning & Approvals Act 1993 and the Glamorgan Spring Bay Interim Planning Scheme 2015, the application for a residential extension at 8 Allen Street, Bicheno (DA2018/134) be APPROVED subject to the following conditions:

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

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

2. The solid wall along the western portion of the lower deck is to be a minimum of 1.7m in height, when measured from the finished floor level of that deck.
3. The western side of the lower level deck that is not adjoining the solid wall must be provided with a 1.7m high screen to match that proposed for the eastern side of the deck.
4. Use of the outbuildings must be limited to residential storage and related residential activities only and must not be used for human habitation.
5. Prior to the commencement of use, at least two (2) car parking spaces must be provided on site and must be available for car parking at all times.

Each space must be at least 5.4m long and 2.4m wide with an additional 0.3m clearance from any nearby wall, fence or other obstruction.

6. The internal driveway and areas set aside for vehicle turning must have a minimum width driveway of 3.6m.

Please note, if a Bushfire Hazard Management Plan and/or Building Attack Level (BAL) assessment is required through the building approval process, the minimum width may need to be increased to 4.0 with passing bays.

7. To the satisfaction of Council's General Manager, the internal driveway including turning areas and any area set aside for vehicle parking must:

- (a) Be constructed with a durable all weather pavement;
- (b) have a sealed surface of either concrete, asphalt, two coat spray seal, pavers or similar;
- (c) Be formed to ensure stormwater is suitably contained, drained and managed;
- (d) Be fully complete within six months of the commencement of use.

8. To the satisfaction of Council's General Manager, surface water runoff from the internal driveway and areas set-aside for vehicle parking and turning must be controlled and drained to avoid unreasonable impact to adjoining land and directed to a legal point of discharge.

Advice: The design of drainage associated with driveways, parking areas and buildings is regulated under the Building Act 2016 and may require a Certificate of Likely Compliance or Plumbing Permit under the Building Act 2000.

9. 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 to be disposed of at an approved facility.
 - (b) Not burn debris or waste on site.
 - (c) Promptly pay the costs associated with any alteration, extension, reinstatement, repair or cleaning of Council infrastructure, public land or private property.
 - (d) Ensure public land, footpaths and roads are not unreasonably obstructed by vehicles, machinery or materials or used for storage.
10. No top soil is to be removed from the site.
11. The developer shall provide a commercial skip 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.
12. 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 development. Any work required is to be specified or undertaken by the authority concerned.

Advice: The developer may submit photographs showing the existing condition of roads, footpaths, kerb and gutter and similar in the nearby area as evidence of the existing conditions prior to any works occurring.
13. A suitably qualified person should be employed to ensure that no penguins are on the area of the site to be worked on that day. This check must be conducted each day, prior to any work occurring on external surfaces.



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Drawing Schedule

A01	Cover Page	29.08.18
A02	Existing Site Plan	29.08.18
A03	Existing Floor Plan	29.08.18
A04	Demolition Plan	29.08.18
A05	Proposed Site Plan	29.08.18
A06	Proposed Ground Floor Plan	29.08.18
A07	Proposed First Floor Plan	29.08.18
A08	East & South Elevations	29.08.18
A09	North & West Elevations	29.08.18
A10	Shadow Diagram - Existing Site 9am	29.08.18
A11	Shadow Diagram - Existing Site 3pm	29.08.18
A12	Shadow Diagram - Proposed Site 9am	29.08.18
A13	Shadow Diagram - Proposed Site 3pm	29.08.18
A14	3D Views	29.08.18
A15	3D Views	29.08.18

Existing Total Floor Area

	m ²	sq
Existing Deck	13.95	1.50
Existing Garage	21.09	2.27
Existing Ground Floor	149.52	16.09
Existing Storage	19.04	2.05

New Total Floor Area

	m ²	sq
Deck	57.87	6.23
First Floor	48.52	5.22
Garage	40.29	4.34
Ground Floor	211.30	22.74
Polio	11.63	1.25
Storage	19.04	2.05



PROPOSED MODIFICATIONS FOR MRS ROBERTSON

not for building
approval
**PLANNING
ONLY**

LOCAL COUNCIL
GLAMORGAN SPRING BAY COUNCIL

ACCELERATION COMPLIANCE NAME
SABA CHICAGO

ACCELERATION COMPLIANCE NUMBER
CC - 7295

PROJECT
**PROPOSED
MODIFICATIONS
8 ALLEN STREET,
BICHENO**

TITLE FOOD REFERENCE: 041195714

CLIMATE ZONE: 7

SOIL CLASSIFICATION: N/A

DESIGN WIND SPEED: N/A

SEA LEVELS: N/A

SITE HAZARDS: N/A

DATE: 10.05.18

REVISED DATE: 29.08.18

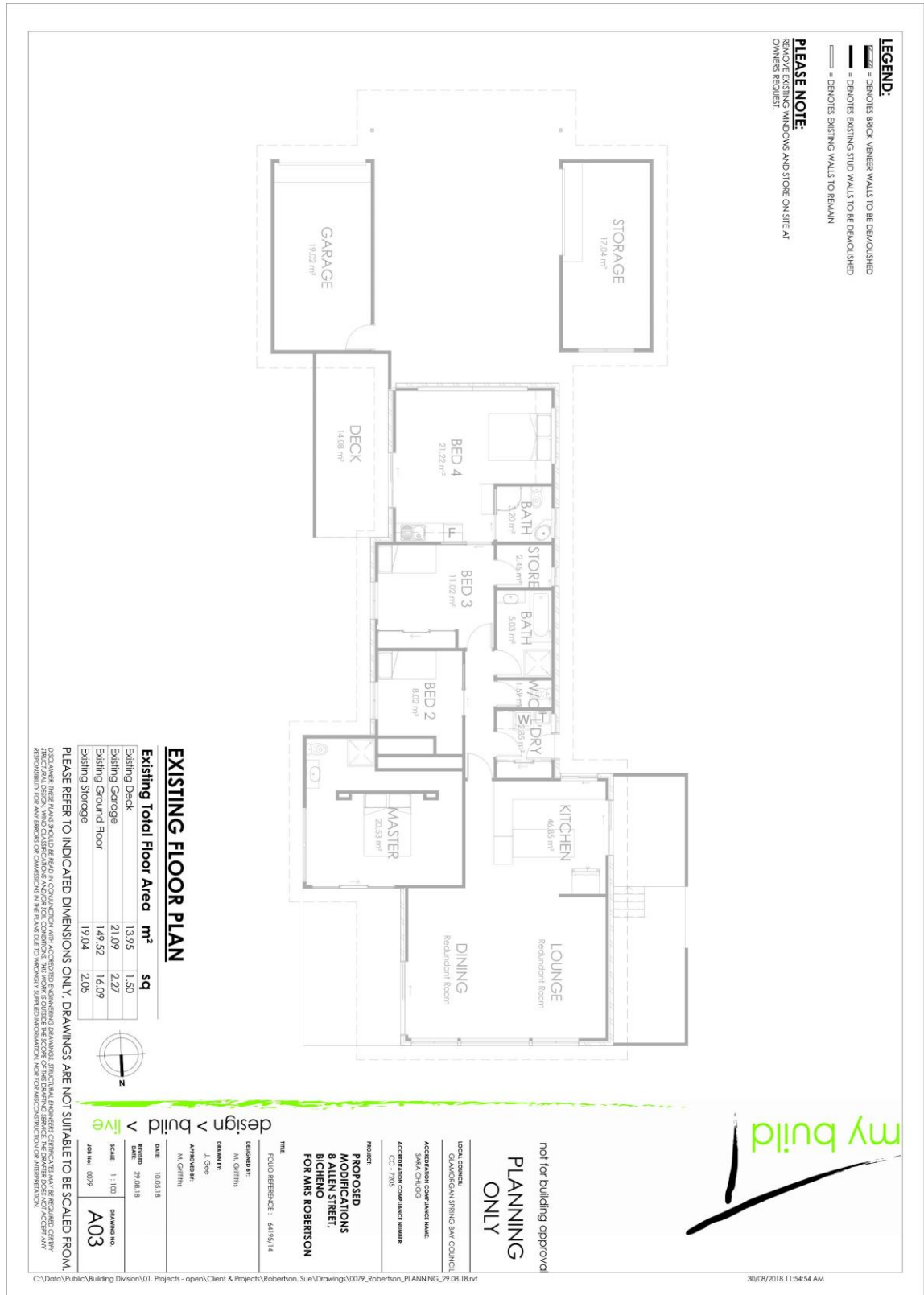
NO.	DATE	DESCRIPTION

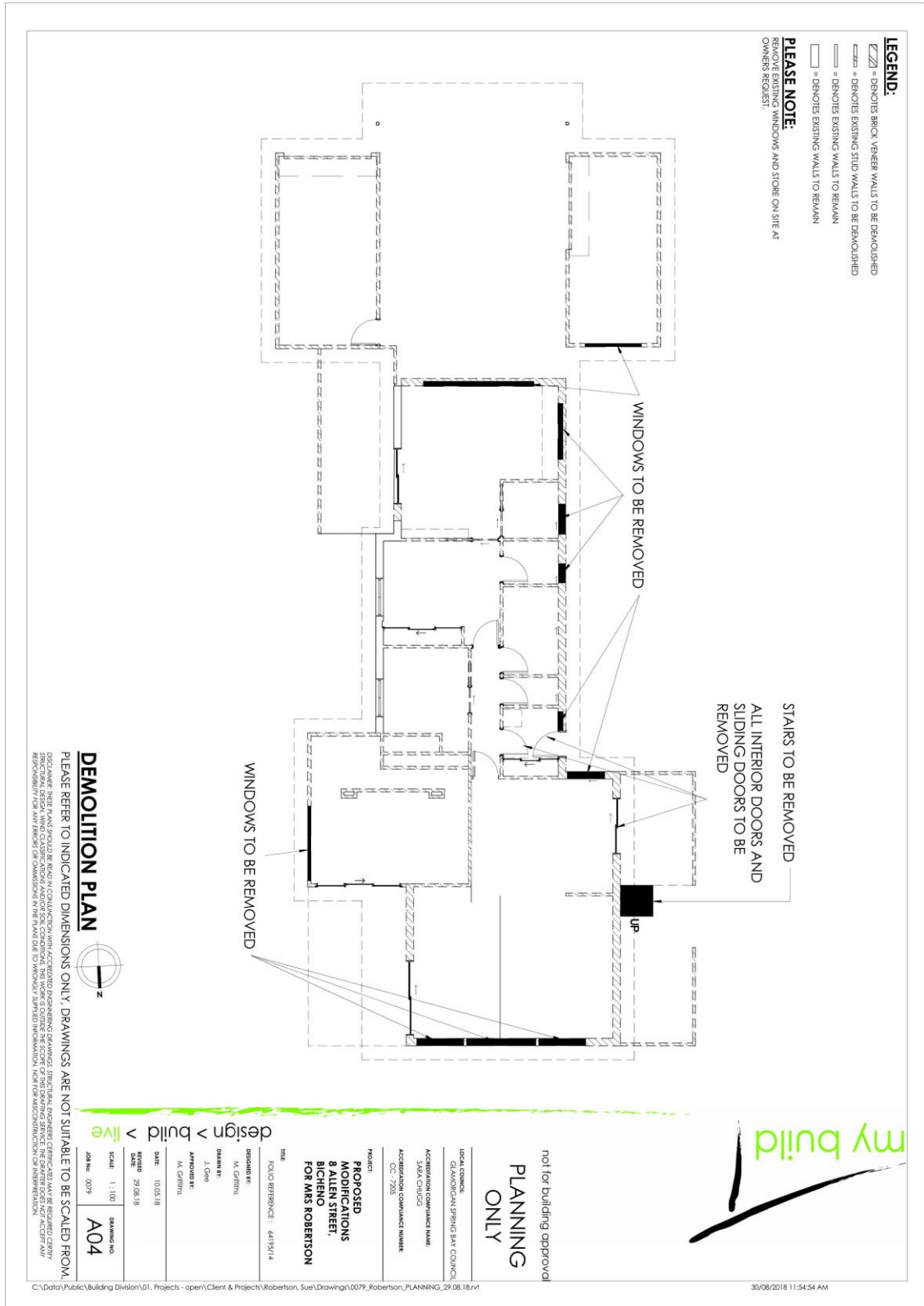
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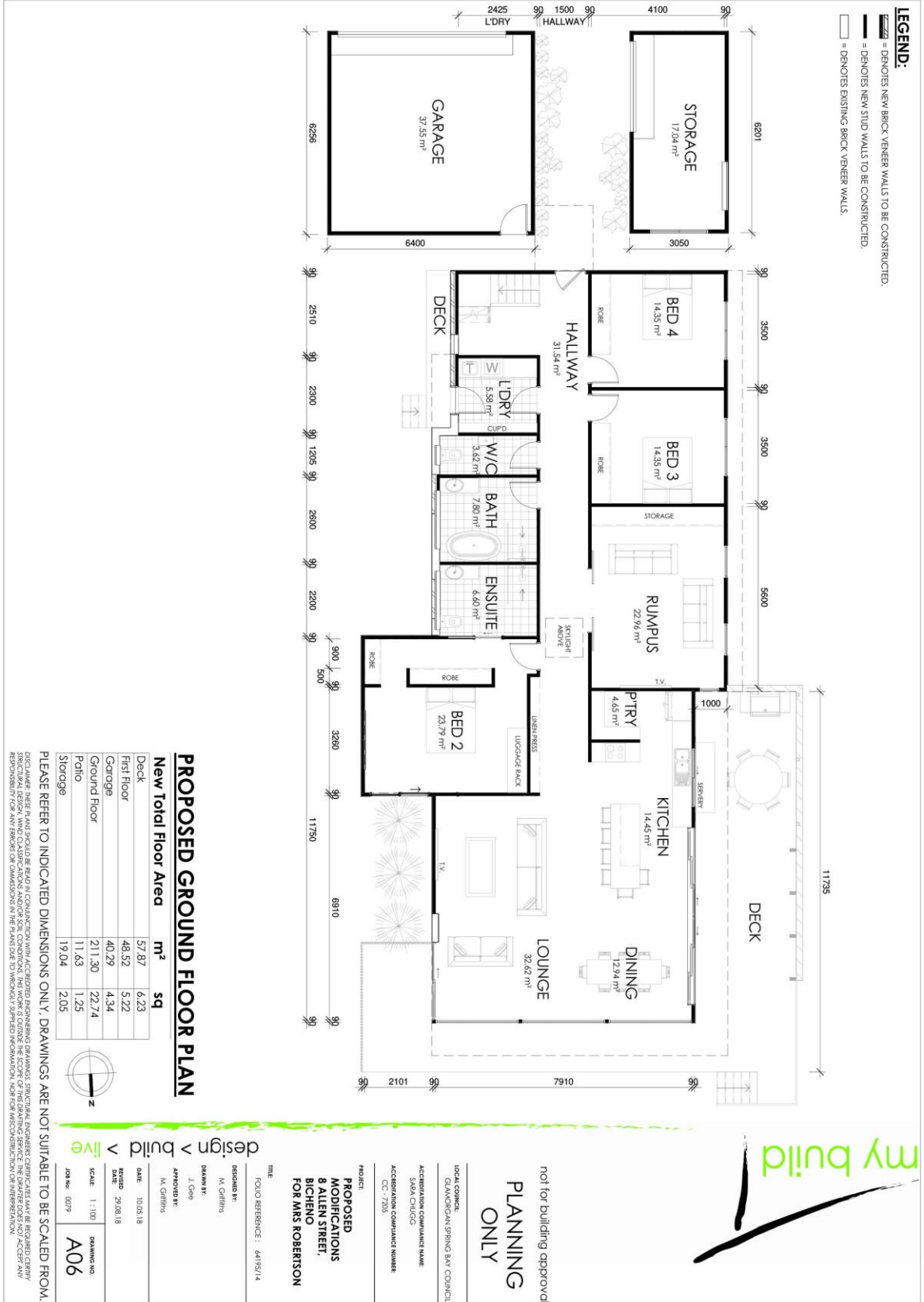
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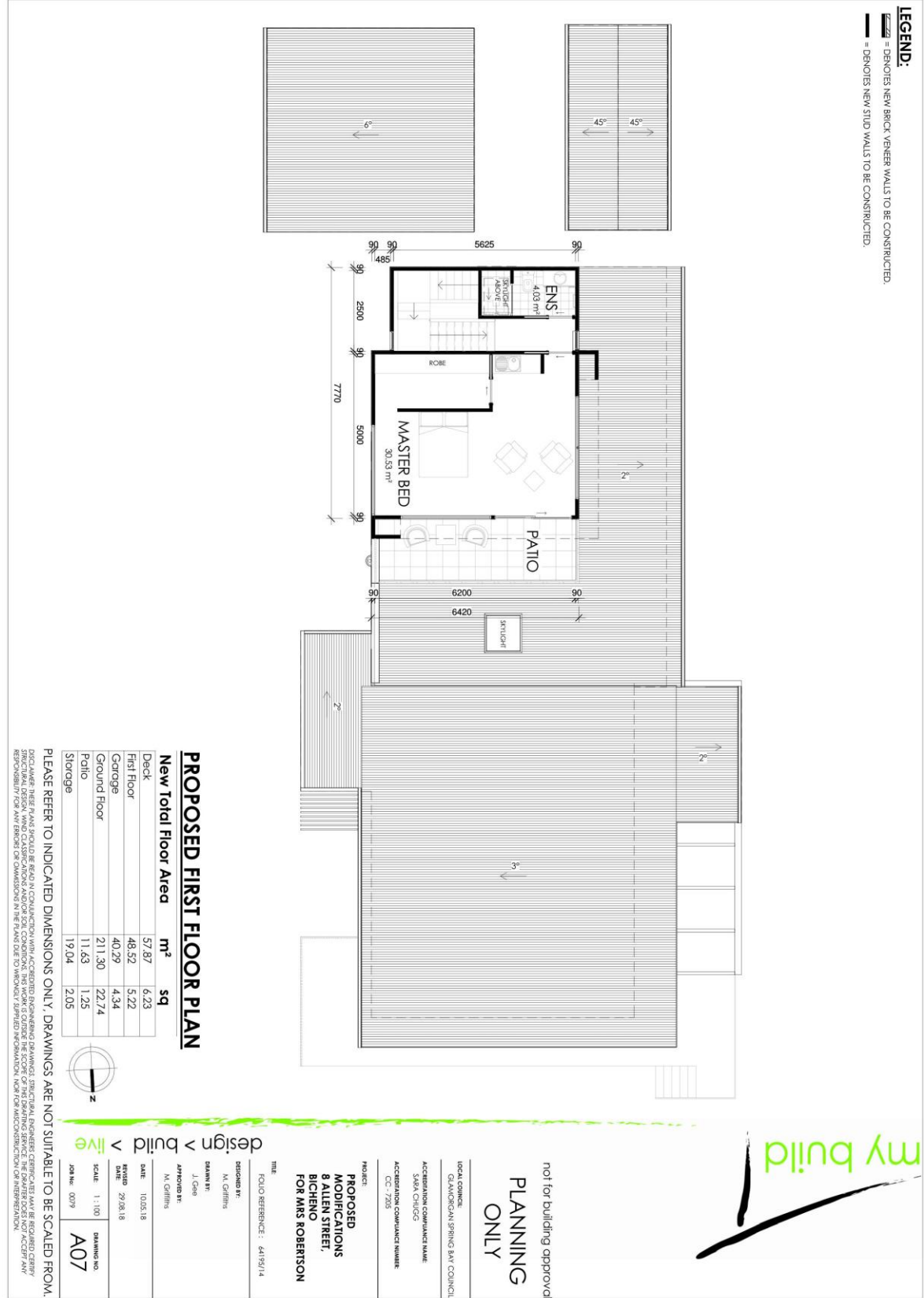


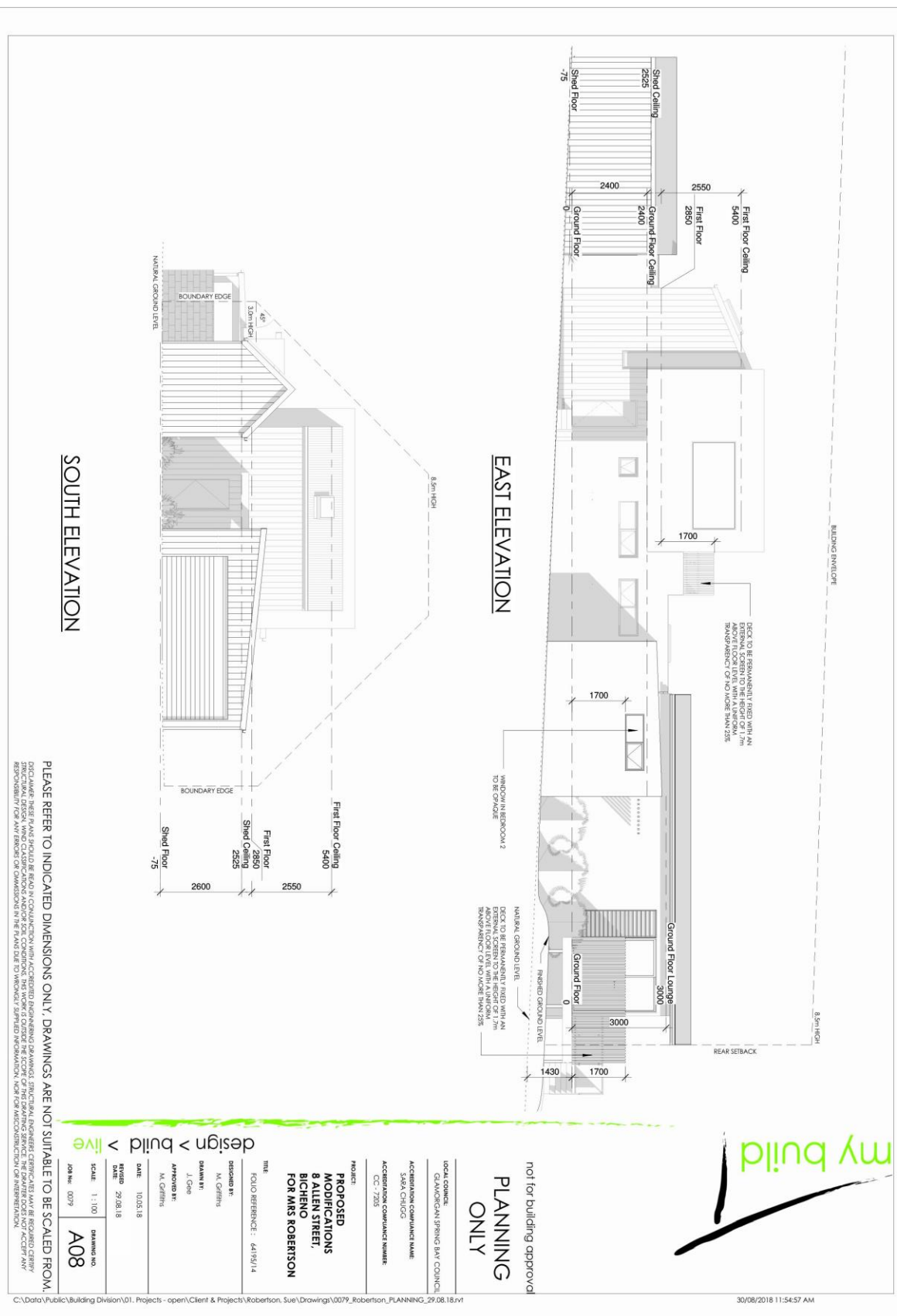


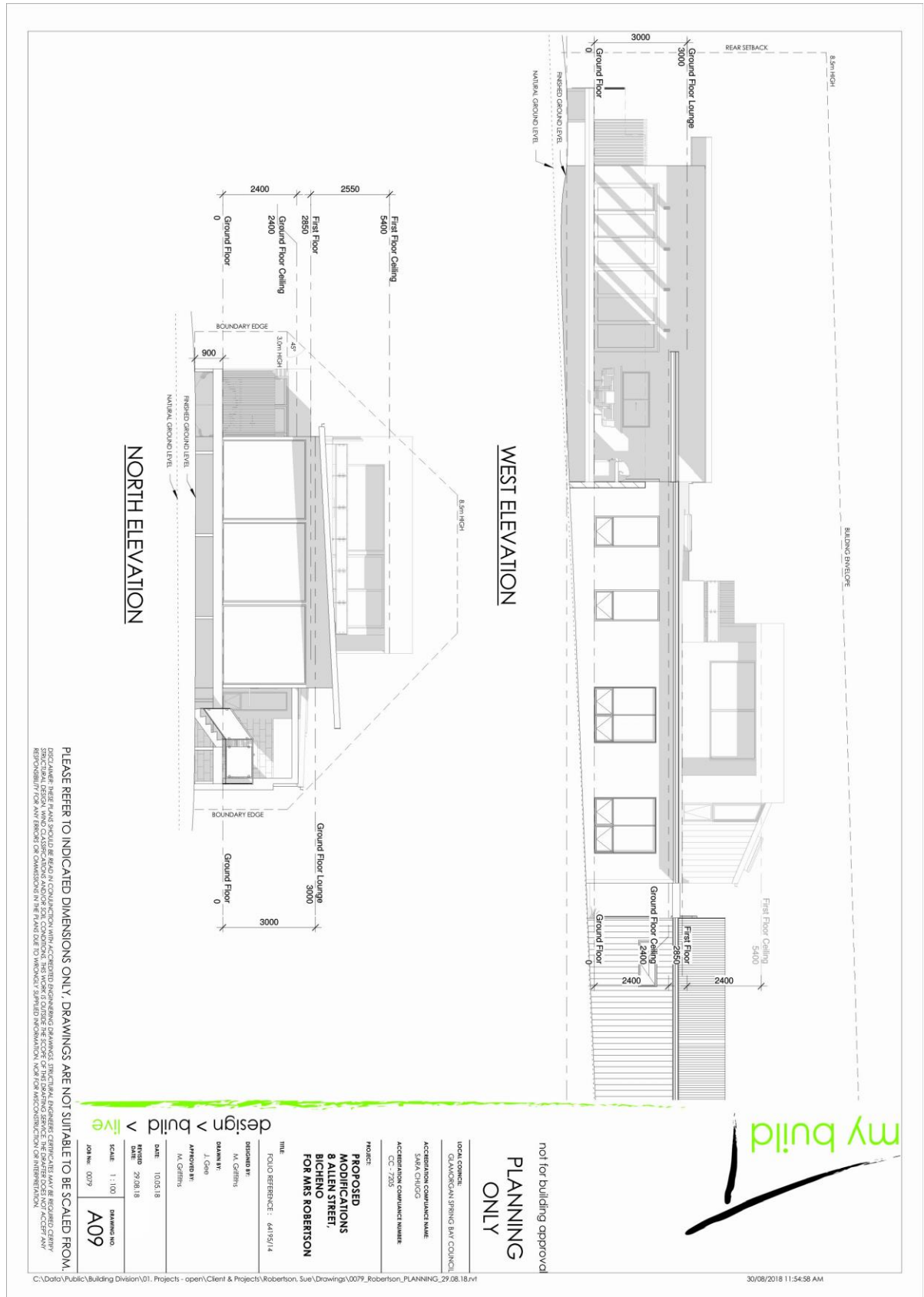










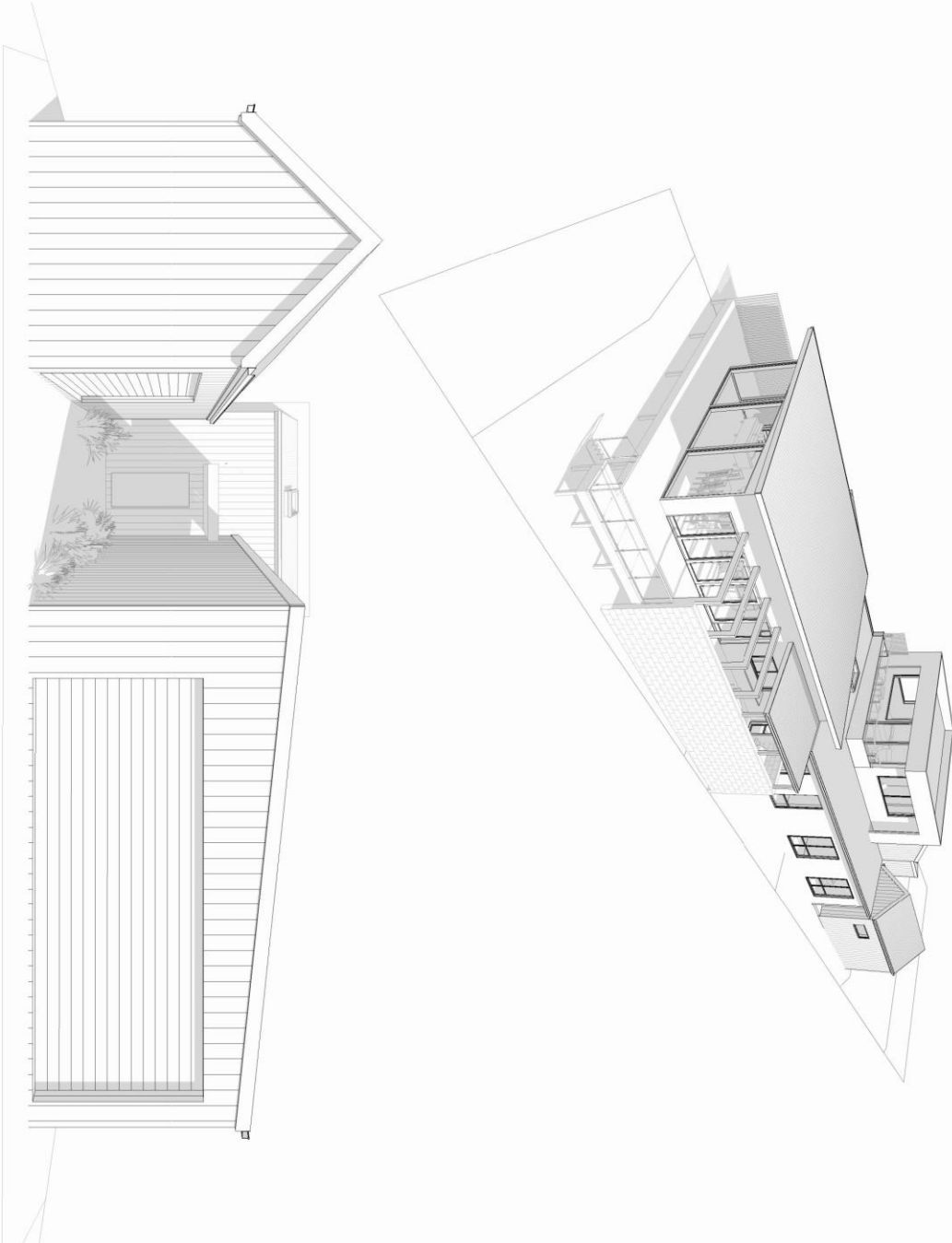












my build

not for building approval
PLANNING ONLY

LOCAL COUNCIL	GLAMORGAN SPRING BAY COUNCIL
ACCOMMODATION COMPLIANCE NAME	SARA CHLOE
ACCOMMODATION COMPLIANCE NUMBER	CC-7289
PROJECT	PROPOSED MODIFICATIONS 8 ALLEN STREET, BICHENO FOR MRS ROBERTSON
TITLE	FOLD REFERENCE : 6419/14
DESIGNED BY	M. Griffiths
DRAWN BY	J. Cole
APPROVED BY	M. Griffiths
DATE	10.05.18
REVIEWED	29.08.18
SCALE	
JOB NO.	0079
DRAWING NO.	A15

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DRG CHANG THESE PLANS SHOULD BE READ IN CONJUNCTION WITH ACCEPTED ASSUMING DAMAGE. STRUCTURAL ENGINEER CERTIFICATE MAY BE REQUIRED CERTIFY STRUCTURAL DESIGN WHO CLASSIFICATIONS AND/OR SOIL CONDITIONS. THIS WORK IS OUTSIDE THE SCOPE OF THE DRAWING SERVICE. THE DRAWER DOES NOT ACCEPT ANY RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS IN THE PLANS DUE TO INCOMPLETELY SUPPLIED INFORMATION. NOTE FOR MISCONSTRUCTION OR INTERPRETATION.

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design > build > live

29th August 2018

Glamorgan Spring Bay Council
P.O. Box 6,
Triabunna TAS 7190

Re: 8 Allen Street, Bicheno – Further information Request.

To whom it may concern,

10.4.6 Privacy for all Dwellings

A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:

- (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3m from the side boundary; and**
- (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4m from the rear boundary; and**
- (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m:**
 - (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or**
 - (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.**

The First Floor and Ground Floor decks both have screening with a uniform transparency of no more than 25% on the Eastern side of the dwelling, refer to drawing A08 ' East Elevation'.

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Design Accreditation No. CC6580
Building Accreditation No. CC1171

A2

A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):

- (a) The window or glazed door:
- (i) is to have a setback of at least 3 m from a side boundary; and
 - (ii) is to have a setback of at least 4 m from a rear boundary; and
 - (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and
 - (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site.
- (b) The window or glazed door:
- (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or
 - (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or
 - (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.

The window to Bedroom 2 on the Eastern side complies with acceptable solution 'b' as the sill height is 1.7m above the floor level, opaque frosted glass and is 1.6m away from a window or glazed door to a habitable room of another dwelling (see Site plan showing dimension).

We hope that this statement of design rational satisfies any queries regarding our reference to the performance criteria of the Glamorgan Spring Bay Council Planning Scheme.

Kind Regards,



Jocelyn Gee

Trainee Building Designer

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Design Accreditation No. CC6580
Building Accreditation No. CC1171

3.2 DA18140 – Amos Family Cemetery, Cranbrook

Planning Assessment Report

Proposal:	Retrospective approval – tree removal
Applicant:	A Greenhill
Location:	Lot 1 Glen Gala Road, Cranbrook (CT198605/1)
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)
Zoning:	Significant Agricultural Zone
Application Date:	4 July 2018
Statutory Date:	30 August 2018 (by consent of applicant)
Discretions:	Two
Attachments:	Appendix A – Application documentation (including extension(s) of time) Appendix B – Independent heritage assessment Appendix C – Representation Appendix D – Applicant's response to representation
Author:	Theresia Williams, Consultant Planner

1. Executive Summary

- 1.1. Retrospective planning approval is sought for the removal of two trees on land known as Amos Family Cemetery, Glen Gala Road, Cranbrook (CT198605/1).
- 1.2. The application is for a non-conforming use (Crematoria & Cemeteries) in the Significant Agricultural Zone and is also reliant on performance criteria.
- 1.3. One statutory representation was received.
- 1.4. The proposal is recommended for conditional approval.
- 1.5. The final decision must be made by the Planning Authority or by full Council acting as a planning authority due to the receipt of representations via the public exhibition period.
- 1.6. The key planning issues relate to the heritage value of the tree(s) and the fact that a cemetery is a prohibited use in the zone, thus the non-conforming use provisions are applicable. The removal of the trees is not an intensification of the prohibited use. Independent expert advice was obtained regarding the heritage values as well as legal advice. The proposal is considered to comply with the performance criteria, subject to conditions recommended to be applied to any permit issued.

2. Legislative & Policy Content

- 2.1. The purpose of this report is to enable the Planning Authority to determine application DA 2018/140.
- 2.2. This determination must be made no later than 30 August 2018.
- 2.3. The relevant legislation is the *Land Use Planning and Approvals Act 1993 (LUPAA)*. The provisions of LUPAA require a planning authority to take all reasonable steps to ensure compliance with the planning scheme.
- 2.4. This report details the reasons for the officer recommendation. The Planning Authority must consider this report but is not bound to adopt the recommendation. Broadly, the Planning Authority can either: (1) adopt the recommendation, or (2) vary the recommendation by adding, modifying or removing recommended reasons and conditions or replacing an approval with a refusal (or vice versa). Any alternative decision requires a full statement of reasons to comply with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2005*.
- 2.5. This report has been prepared with appropriate regard to the State Policies that apply under the *State Policies and Projects Act 1993*.
- 2.6. This report has been prepared with appropriate regard to Council's Strategic Plan and other Council policies, and the application is not found to be inconsistent with these. Nevertheless, it must be recognised that the planning scheme is a regulatory document that provides the overriding consideration for this application. Matters of policy and strategy are primarily a matter for preparing or amending the planning scheme.

3. Risk & Implications

- 3.1. Approval or refusal of this application will have no direct financial implications for the Planning Authority, outside the implications should an appeal against Council's decision be lodged.

4. Relevant Background and Past Applications

- 4.1. The site was the location for a recent application to Council for a new access road and the retrospective approval for the removal of two trees.
- 4.2. The previous application was subject to an appeal lodged with the *Resource Management and Planning Appeals Tribunal*. That appeal is currently on hold, awaiting the determination of this application.
- 4.3. The applicant states that the trees were removed following advice provided by Council that no permit was required. I am advised by Council staff that there is no written record or recollection of this advice being provided. The person who removed the trees is very much certain that such advice was given.
- 4.4. Given that Heritage Tasmania had at that point provided an exemption, and that Code listings are frequently general in nature, intended to provide a description of the site for location purposes rather than detailing heritage values, it is not unreasonable that it may have been concluded that the proposal was indeed exempt under the Code.

5. Site Detail

- 5.1. The site is a 698m² land title within a larger working farm. It is within the Significant Agricultural Zone of the *Glamorgan Spring Bay Interim Planning*

Scheme 2015.

- 5.2. The site contains a private family cemetery of the Amos family.
- 5.3. Access is potentially available via a reserved road known as Glen Harriot Lane from Glen Gala Road and private right of between leading from this reserve road to the cemetery lot. The access is not currently constructed. An informal access track exists on ground near the reserve road but located on the farm that surrounds the cemetery.
- 5.4. The site is bordered entirely by farming land. More broadly, the Tasman Highway sits to the west, the Swan River to the east, and Cranbrook to the south west. The Glen Gala residence itself is to the south east.
- 5.5. The upgrading of the access that was included in the decision before RMPAT does not form part of this application.

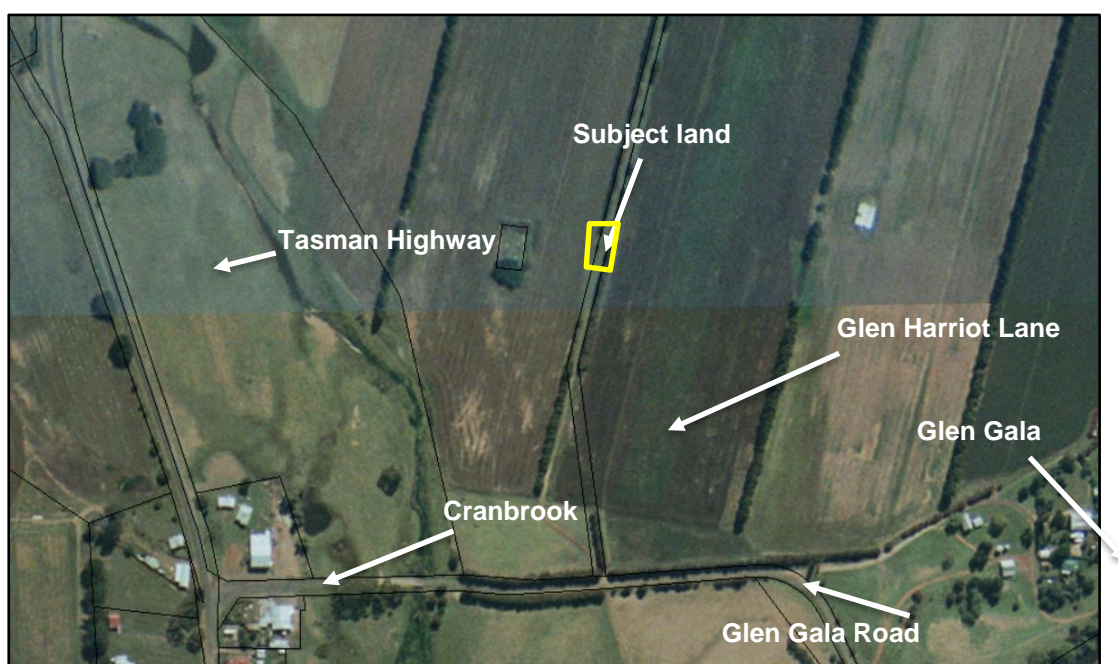


Figure 1: Site context

6. Proposal

- 6.1. Planning approval is sought for the retrospective approval for the removal of two mature oak trees on the site.
- 6.2. The trees were located on the southern boundary of the site, within close proximity of the gravestones.



Figure 2: Site context – family cemetery within working farm



Figure 3: Site photo – trees as removed

- 6.3. Identified in Table E13.1 Heritage Places Item 25 as the “Amos Family Cemetery, 45 Glen Gala Road, CT105790/1&2, CT51245/1, Group of graves and burial sites as well as a mature exotic tree association with the Amos family, Tasmania Heritage Register ID 1521”.
- 6.4. It is noted that the land titles listed in this description are no longer up to date, nor is the address of 45 Glen Gala Road applicable to the site on which the “graves and burial sites as well as mature exotic tree” sit.
- 6.5. The application is supported by:
 - Planning statement prepared by Commercial Project Delivery Pty Ltd;
 - Owner notification;
 - Certificate of Exemption from the Tasmanian Heritage Council; and
 - Independent Heritage Impact Assessment by Paul Davies Pty Ltd.
- 6.6. Further, Council staff have engaged Paul Johnson Architects to provide an independent heritage review, and Abetz Curtis Lawyers to provide additional legal advice.

7. Assessment against planning scheme provisions

- 7.1. An application must meet every applicable standard to be approved. Each standard can be met by either an acceptable solution or a performance criteria. Where a performance criteria is relied upon an application is discretionary and the application may be approved or refused.
- 7.2. The following provisions are relevant to the proposed use and development;
 - Changes to an Existing Non-conforming Use
 - Significant Agricultural Zone
 - E13.0 Historic Heritage Code
- 7.3. The proposal complies with all applicable acceptable solutions for the Significant Agricultural Zone.
- 7.4. The proposal is for development (demolition) within the use class of Cemetery. A cemetery is a Prohibited use class within the Zone, as such the non-conforming use provisions are applicable.
- 7.5. Clause 9.1.1. addresses development under a non-conforming use:

9.1 Changes to an Existing Non-conforming use

9.1.1 Notwithstanding any other provision in this planning scheme, whether specific or general, the planning authority may at its discretion, approve an application:

(a) to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme; or

(b) to extend or transfer a non-conforming use and any associated development, from one part of the site to another part of that site; or

(c) for a minor development to a non-conforming use,

where there is –

(a) no detrimental impact on adjoining uses; or

(b) the amenity of the locality; and

(c) no substantial intensification of the use of any land, building or work.

In exercising its discretion, the planning authority may have regard to the purpose and provision of the zone and any applicable codes.

- 7.6. The proposal does not bring the non-conforming use into greater conformity, nor does it transfer the use to another part of the site. The reliance is upon the proposal being a “minor development to a non-conforming use”. In determining whether the proposal is minor or not, the purpose and provisions of the zone as well as the requirements of the Historic Heritage Code must be considered. This includes the heritage value of the tree listed in the Scheme.
- 7.7. The removal of the tree(s) has no detrimental impact on adjoining uses, nor does it substantially intensify the use. The amenity of the locality is the final point. The amenity of the locality in this situation relates to both the overall amenity of a working agricultural land area, as well as the impact on the inherent heritage amenity. In order to determine this, we move below to the Performance Criteria under the Historic Heritage Code and the statements provided by the heritage experts.
- 7.8. The proposal complies with all applicable acceptable solutions other than the following where the proposal is reliant on the associated performance criteria.

Historic Heritage Code			
		Acceptable Solution Requirement	Proposed
1	Development Standards for Heritage Places (Demolition) Clause 13.7.1	No Acceptable Solution	The Performance Criteria requires that the development must not result in the loss of significant fabric, form, items ...or landscape elements that contribute to the historic cultural heritage significance of the place unless the four criteria listed are satisfied. In this situation, there is debate around: <ul style="list-style-type: none"> • whether the tree(s) in question have historic cultural heritage significance; and • if so, whether these four criteria are met.
2	Use – Non-conforming Use	No Acceptable Solution	All development under this clause is Discretionary. The assessment provisions

	Clause 9.1.1		have regard to the potential for detrimental impact on adjoining uses, local amenity and whether there is substantial intensification of the use.
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7.9. Discretion 1 - Development Standards for Heritage Places (Demolition)

7.9.1. There is no acceptable solution.

7.9.2. The Performance Criteria provide that:

Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied:

- (a) *there are environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;*
- (b) *there are no prudent and feasible alternatives;*
- (c) *important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained;*
- (d) *significant fabric is documented before demolition*

7.9.3. The heritage assessment provided with the application concludes that the works do not result in the loss of significant fabric, form ... landscape elements that contribute to the historic cultural heritage significance of the place. That assessment notes:

I conclude that the trees had minor heritage significance as they were part of the historic site, even if not intentionally planted. They appear not to be cultural plantings and their location in relation to the graves strongly suggests that they self sown. It is possible an oak tree was planted at some time and that these came from that, but I have not been able at this time to ascertain that. In any case this would not change their level of significance.

Trees usually make a visual contribution to a site and from photographs the trees did make a pleasant visual contribution to the setting. This is not a heritage contribution however.

There appears to be evident damage to the graves arising from the trees and I agree with the Heritage Tasmania assessment that it was reasonable to allow the trees to be removed to prevent future damage to the grave sites.

I conclude that the works had an acceptable heritage outcome.

7.9.4. Council has sought an independent heritage assessment of the proposal, which addressed the performance criteria as follows:

The potential for disturbance of the headstones given the close proximity of the trees is of concern, as they appear to be resulting in displacement and in the future could result in a collapse. It is reasonable to assume, the headstones are the identified heritage items of the place, and their conservation should be given priority over the trees.

a)

While there appears to be no relevant environmental, safety or economic reasons of greater value to the community than the historic cultural heritage values of the place, the cemetery does have social value to the community. The retention of the headstones without damage, as the identified heritage items, should be given priority over the trees as greater value to the community.

b)

As the trees are the cause of the potential disturbance of the headstones, the most 'prudent and feasible alternative' is the removal of the trees. The important structures, the headstones, would be retained in reasonable condition.

c)

No structural or façade elements are part of this place.

d)

There are photographs in the application that document the trees prior to demolition.

- 7.9.5. The conclusion of this independent assessment was that the trees are (were) significant to the cultural heritage significance of the place, and their removal would only be acceptable in heritage terms if:

- (a) they were damaging the headstones; and
- (b) a management plan were introduced to maintain the cultural heritage significance of the site.

The independent assessment also found that if the trees had remained, they would have caused damage to the heritage value of the site in and of themselves.

The independent heritage assessment states that the demolition, in conjunction with the imposition of certain conditions, satisfies the performance criteria.

- 7.9.6. Based on this professional, independent advice, the proposal is considered to satisfy the performance criteria.

- 7.9.7. Council has sought legal advice to ensure that the translation of the recommendations within the independent heritage assessment both retain the intention of the original wording of these recommendations, as well as meeting the requirements for conditions to be imposed on a permit.

- 7.9.8. The proposed conditions are for works exempt under E13.4.1(k)(viii) as they will be for plantings that are not part of the general description column, and they are to be part of a vegetation management agreement or property management plan, approved by the relevant agency.

7.10. Discretion 2 – Non-conforming Use

- 7.10.1. Now that compliance with the Historic Heritage Code performance criteria has been established, we can now consider more fully the compliance with cl.9.1.1.

- 7.10.2. As previously stated, the development does not have any potential for detrimental impact on adjoining uses, nor does it substantially intensify the use, and the

proposal therefore complies with (the second) cl.9.1.1(a) and (c).

- 7.10.3. The amenity of the locality is the remaining point of consideration. This must be considered under the amenity of the zone, as well as the amenity of the site from an historic heritage perspective.
- 7.10.4. The site is within a working agricultural landscape. Tree removals and replantings are a common occurrence within this landscape, and the retrospective approval of the removal of these trees is in keeping with this working landscape.
- 7.10.5. The historic heritage amenity of the site is more complex. This is determined by a number of factors, as detailed in the application documentation, as well as the independent heritage statement obtained by Council in the course of this assessment.

The conclusion in the application statement is:

“that the trees had minor heritage significance.....not cultural plantings.....reasonable to allow the trees to be removed to prevent future damage to the grave sites.

I conclude that the works had an acceptable heritage outcome.”

Council sought independent assessment of the application from a qualified heritage architect. This independent assessment found that:

- the trees are / were not heritage items in themselves, rather they contribute(d) to the setting of the heritage cemetery.
 - the demolition, without further reparation, results in non-compliance with E13.7.1.
 - the placing of certain conditions would however result in compliance with E13.7.1.
- 7.10.6. Given that the trees contribute to the heritage setting, they therefore contribute(d) to the heritage amenity.
- 7.10.7. If the addition of conditions brings the proposal into compliance with the heritage setting, it is concluded that, subject to these conditions being placed on any permit issued, the demolition complies with cl. 9.1.1 through the proposal being a minor development (in the context of this clause and E13.4.1(k)(viii)) to a non-conforming use and there being no detrimental impact on the amenity of the locality.

8. Referrals

8.1. Heritage Tasmania

- 8.1.1. The proposal was referred to Heritage Tasmania and granted a Certificate of Exemption.
- 8.1.2. Heritage Tasmania stated that “the trees are not significant memorial plantings”.

9. Concerns raised by representors

9.1. The following table outlines the issues raised by the single representor.

Issue	Response
Enforcement action should be taken, given that the trees were removed without the necessary approvals	<p>The representor's position is noted on this matter.</p> <p>The planning system in Tasmania provides for retrospective consideration of planning matters. This retrospective application is the only matter at hand.</p>
<p>Matters to do with the previous application:</p> <ul style="list-style-type: none"> that application was invalid requests for mediation 	<p>The matters to do with the previous application are not able to be considered in the determination of the current application. It is not accepted that the original application is invalid.</p> <p>The applicant of the previous application wishes to remove the originally proposed access as plans for a trust structure of the land no longer appear necessary.</p> <p>In terms of mediation, Mr Shane Wells advises that he was the individual that initiated discussions on possible mediation with both parties. That avenue was abandoned as it was evident that no mediated outcome would be obtained.</p>
The proposal does not comply with the Historic Heritage Code	Compliance with the Historic Heritage Code is discussed in detail above. Based on expert advice, the proposal is considered to comply with this Code, subject to the inclusion of conditions on any permit issued.
The proposal does not comply with 8.2.1	8.2.1 relates to classification of a proposal into a use class. The proposal has been classified as "Crematoria and Cemeteries".
The heritage assessment provided with the application was a desktop assessment only	Noted.
The trees are significant because they were listed in the Code, irrespective of the intent behind the plantings	<p>It has been unable to be determined whether these trees were deliberately planted or self seeded. There is no family record of these as intentional plantings. Both heritage assessments (provided with the application at an independent assessment sought by Council) note that it is unlikely that these were deliberate plantings, given their proximity to the gravestones.</p> <p>The heritage assessments available to Council differ on their interpretation of the importance of the intention behind the existence of the trees.</p>
Mr Davies does not explain the term "cultural plantings" or provide any reference or basis for relying upon it.	Noted.

The representors understand that these trees were deliberately planted to mark the family centenary in 1921, thus disputing the position that these trees were self sown.	The applicant and the representor provide differing versions of family history. The independent heritage assessment provides that it cannot be concluded with certainty whether these were deliberately planted, noting the “adhoc position within the cemetery, without a discernible geometric rationale and close to headstones, suggests they are not related to the cemetery”.
Disputes that the trees were impacting on the gravestones.	<p>The trees have been cut down. Photographs provided with the application show one tree in close proximity to a gravestone which is leaning over slightly. One of the site photos taken for this assessment (Figure 3) shows the other tree stump is located in between two gravestones.</p> <p>Advice included in the application, as well as the independent heritage advice sought by Council is that it is unusual for trees to be deliberately planted this close to grave sites due to the risk of damage.</p>
Questions the removal of both trees when the applicant states that only one was impacting on the gravestones	<p>The listing in the Scheme refers to one tree: “Group of graves and burial sites as well as a mature exotic tree association with the Amos Family”.</p> <p>It is not stated in the Scheme which tree it refers to.</p>
Tasmanian Heritage Council did not visit the site and did not determine land ownership.	Noted.
The test that the Tasmanian Heritage Council applies is different to that under the Heritage Code.	Agreed. The Council accepted the Tasmanian Heritage Council exemption and the proposal is being assessed against the Heritage Code.
Questions compliance with the Objective of E13.7.1 (loss of historic cultural heritage values)	<p>The representor states that historical cultural heritage values have been lost, and as such, the proposal does not comply with E13.7.1.</p> <p>The assessment criteria to determine compliance is E13.7.1 P1, which is discussed above. Two statements have been provided for the which address the matter of compliance with E13.7.1P1 (by the applicant and an independent assessment obtained by Council), in relation to the potential loss of significant cultural heritage values.</p> <p>The independent assessment obtained by Council resolves that the proposal would comply with E13.7.1P1 via condition.</p>
Ms Lyne’s statement that the removal of the trees does not result in the loss of significant items or landscape elements is unsustainable.	<p>There are two specialist statements addressing whether the removal of the trees results in loss of heritage elements.</p> <p>The representor, however, has not submitted a specialist position. It is Council’s understanding that the representor commissioned a consultant to complete an assessment. This has not been presented to Council at this date.</p>

Failure to establish environmental, social or economic reasons to justify removing the trees.	<p>The independent assessment commissioned by Council provides social reasons, stating:</p> <p><i>...the cemetery does have social value to the community. The retention of the headstones without damage, as the identified heritage items, should be given priority over the trees as greater value to the community.</i></p> <p><i>The important structures, the headstones, would be retained in reasonable condition.</i></p> <p>The Scheme requires that environmental, social, economic OR safety reasons are given. There is no requirement to demonstrate reasons against all four of these considerations.</p>
Irrigation implications	Noted. The cemetery has been removed from the farm water access plan for Glen Gala, therefore the airspace above the cemetery will not be used for irrigation.
No evidence to support any economic benefit to the community E13.7.1P1 (a)	Noted. It is not necessary to demonstrate economic benefit to the community, as social benefit have been evidenced.
No evidence to support compliance with E13.7.1P1 (b)	Noted. The only alternative would have been to leave the trees in situ. The independent assessment provided to Council states that this would not have been prudent, given it would have resulted in further damage to the graves, thus demonstrating compliance with E13.7.1P1(b).
No evidence to support compliance with E13.7.1P1 (c)	E13.7.1 P1 (c) refers to the retention of important structural or façade elements, of which there are none, unless the gravestones themselves could be classed as 'structural'. The gravestones are being retained as a result of the removal of the trees.
Council should seek specialist heritage advice in the assessment of the application	Council has sought specialist heritage advice.

9.2. The applicant has provided a response to the representation, which is included as Appendix D.

10. Conclusion

10.1. The application satisfies the relevant provisions of the *Glamorgan Spring Bay Interim Planning Scheme 2015* as outlined in this report and is recommended for approval.

11. Recommendations

That:

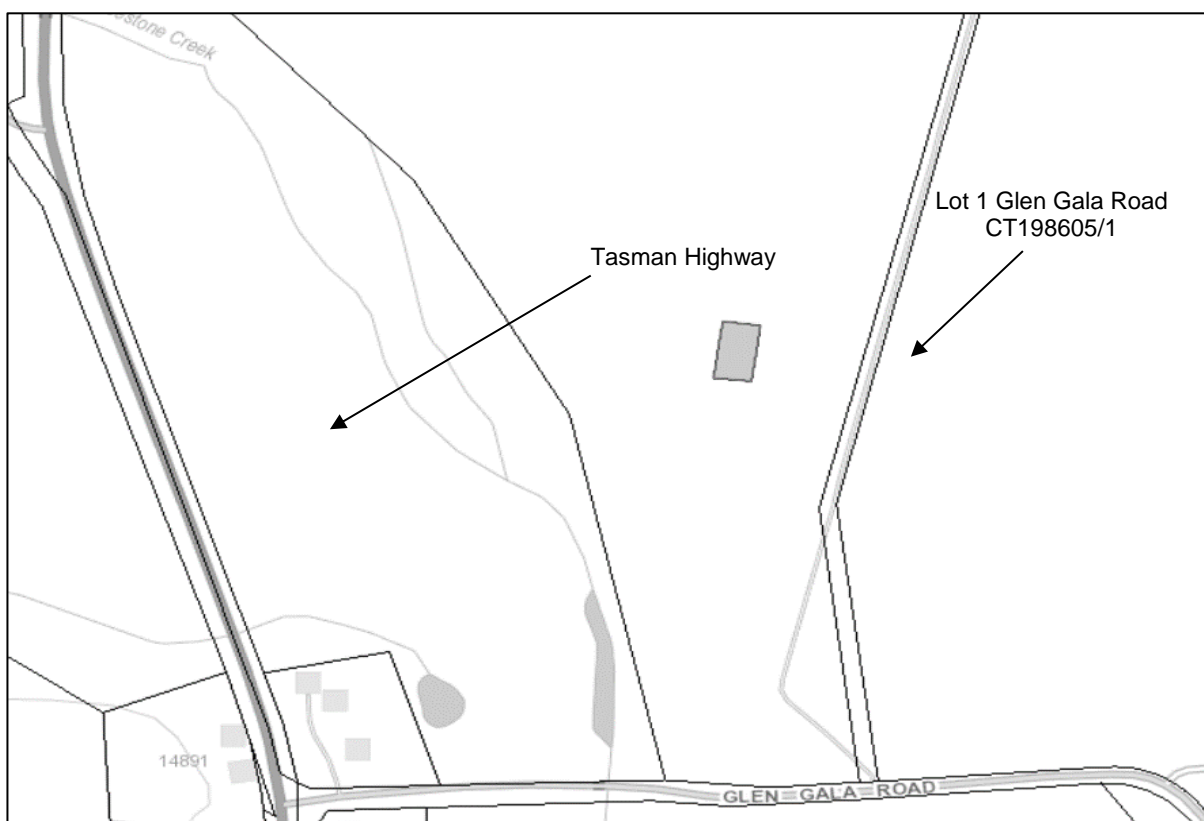
- A. Pursuant to Section 57 of the Land Use Planning & Approvals Act 1993 and the Glamorgan Spring Bay Interim Planning Scheme 2015, that the application for retrospective approval for Demolition of a non-conforming use (Crematoria and Cemetery - tree removal) (DA2018/00140) at the Amos Family Cemetery on the land known as Lot 1 Glen Gala Road, Cranbrook, CT198605/1 be APPROVED subject to the following conditions:

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

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

2. The cemetery must be managed into the future by a conservation plan that:
 - a. Has been prepared by an ICOMOS heritage professional with experience in the care and maintenance of cemeteries. The plan is to be completed with reference to the 'Guidelines for Cemetery Conservation', produced by the National Trust of Australia (New South Wales), the NSW Planning Department Heritage Branch, 2009;
 - b. Recommends actions for the removal to ground level or other sensitive treatment of the tree stumps, the subject of the development application DA20180140;
 - c. Provides for new, but not replacement, memorial planting(s) that at maturity will re-establish the cemetery as a landmark, within the lot boundaries where the planting(s) will not detrimentally impact the existing monuments on site; and
 - d. Is submitted to Council's General Manager and Heritage Tasmania prior to the commencement of any works on the site.

DEVELOPMENT APPLICATION 180140
Demolition – non-conforming use (Crematoria &
Cemetery – tree removal)
Lot 1 Glen Gala Road, Cranbrook



COMMERCIAL PROJECT DELIVERY

Project + Development + Construction Management



PO Box 210
Newstead TAS 7250

June 26, 2018

Glamorgan Spring Bay Council
PO Box 6
Triabunna
TAS, 7190

Dear Sir/Madam

Development Application – Tree removal (retrospective) – Lot 1 Glen Gala Road, Cranbrook

Please find enclosed documentation requesting planning approval for the removal of two trees at Lot 1 Glen Gala Road, Cranbrook (CT198605/1).

The subject site is within the Significant Agricultural Zone under the *Glamorgan Spring Bay Interim Planning Scheme 2015* ('the planning scheme'). There are no overlays applying to the site. The Historic Heritage Code applies as the site is listed on both the Tasmanian Heritage Register and in the planning scheme.

Background and Context

Given the history of this matter, I provide a summary of events that have transpired to date to provide some context as follows:

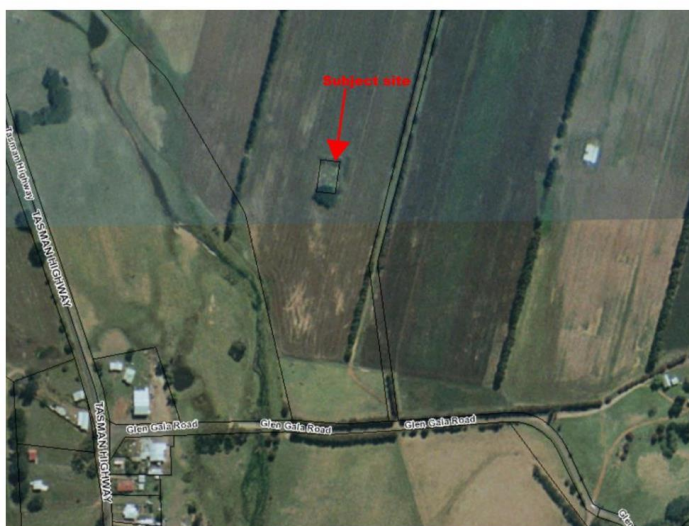
- The reason for the applicant seeking approval to remove the trees is twofold:
 1. The primary reason for the tree removal was to enable the irrigation of the surrounding farming property to be changed from the old style high pressure gun irrigation to best practice, low pressure pivot system. The trees needed to be removed to enable the pivot to pass over the top of the cemetery due to their height. A benefit of the change in irrigation practices is that the lower pressure from the pivot irrigation will have less of an impact on the gravestones which are the primary heritage value of the site.
 2. A secondary reason for the removal is the fact that the trees were actually impacting on the integrity of the headstones due to their close proximity.

- The applicant sought a Certificate of Exemption (#999) from the Tasmanian Heritage Council in respect of the tree removal works which was granted on the 17th May 2016. A copy of the certificate is included as an enclosure. The exemption details the basis for the decision and notes that the oak trees 'are not significant memorial plantings.'
- The exemption advised the applicant to consult with Council regarding any planning requirements. The applicant duly contacted Council and it is understood that verbal advice was that no planning approval was required.
- Following the THC exemption and verbal advice from Council, my client, acting in good faith, subsequently removed the trees.
- Following the tree removal in February 2017, several parties submitted 'notice of suspected contravention under s63B to Council. The notice requested that Council investigate where the tree removal did require planning approval.
- The above investigation found that the site is listed on both the Tasmanian Heritage Register and the planning scheme. The construct of the planning scheme is such that any exemption by the THC does not also provide an exemption under the planning scheme. Accordingly, Council found that a permit was required for the tree removal.
- Whilst it is recognised that it is not relevant to this particular application, it is noted that the Local Historic Heritage Code under the Statewide Planning Provisions will not apply to places entered on the Tasmanian Heritage Register. Therefore in the future, confusion around exemptions granted by the THC and whether a permit is required under LUPAA will be resolved.
- My client, the applicant, lodged an application with Council on 30th May 2017 (valid 5th June 2017) for the removal of the trees (retrospective) and construction of a new access road.
- That application was advertised between 1st and 16th August 2017. During that period six representations were received.
- Council issued a permit (DA 2017/00127) for the tree removal and new access road on 13th March 2018.

- A notice of appeal was received by the Resource Management and Planning Appeal Tribunal on the 27th March 2018. At the time of lodgement of this application, that appeal is still before the Tribunal.
- However, the Tribunal has been advised that a new application will be lodged and we have applied to have the matter adjourned pending the resolution of this application.
- This current application seeks to deal with the matter of the tree removal. The access road is no longer proposed.

Subject Site

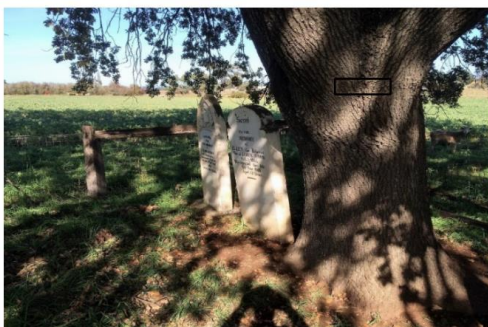
The subject site is a 698m² parcel of land located to the north-east of the junction of Glen Gala Road and the Tasman Highway as shown in Figure 1. The cemetery is situated approximately 300m east of the Tasman Highway and 250m north of Glen Gala Road. It contains a private family cemetery of the Amos Family. Access to the cemetery is from Glen Gala Road via Glen Herriot Lane, a reserved road running in a northerly direction from Glen Gala Road on the eastern side of the cemetery with a connecting right of way.



Base image from theLIST (www.thelist.tas.gov.au). © State of Tasmania.

Figure 1 - Location Plan

A hawthorn hedge is located along the northern edge of the cemetery plot and two oak trees (subject of this application) were located at the southern end amongst the gravestones. Photos 1-3 below depict the site and trees prior to their removal.



Photos 1-3 – Images of Cemetery and Trees subject to the application

The proposed development application relates to the following title, a copy of which is included as an enclosure to this correspondence:

Address	Owner(s)	Title Reference	Land Area
Lot 1 Glen Gala Road, Cranbrook	Alfred John Amos (noting the representatives are Heather O'Dea, David Amos and Pamela Harper)	198605/1	698m ²

Proposed Works

Approval is sought (retrospectively) to remove two oak trees from the subject site, the location of which is indicated on Figure 2.

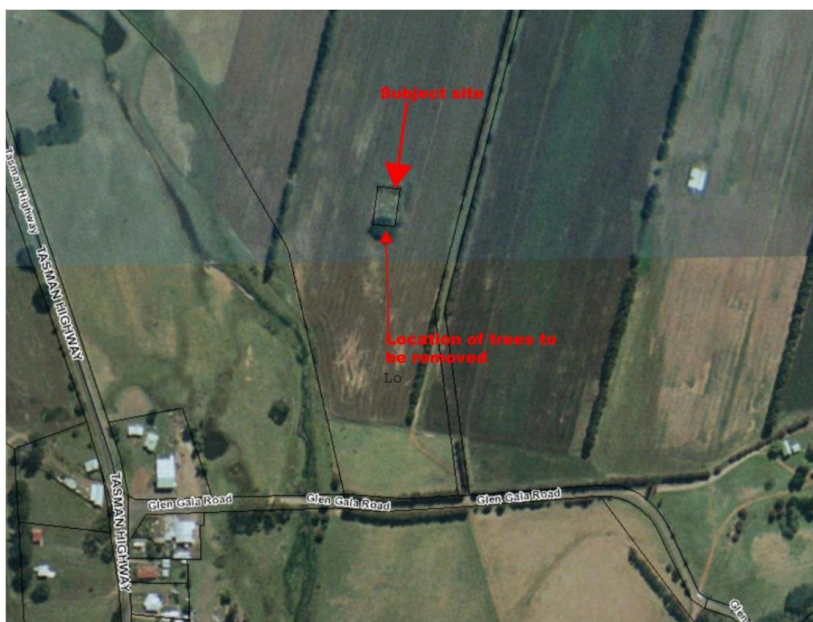


Figure 2 - Location of Trees to be removed

Planning Assessment

The following section provides an assessment of the proposed tree removal against the relevant standards of the Planning Scheme.

Clause 27.0 Significant Agriculture Zone

The subject site is zoned Significant Agriculture under the Planning Scheme. An assessment is made against the standards of the zone as follows:

27.3 Use Standards

Not applicable. The proposed works do not constitute a change in use nor a change in how the existing use operates.

27.4 Discretionary Standards for Buildings and Works

Not applicable. No buildings are proposed. The works (tree removal) do not require assessment under any of the provisions listed.

27.5 Development Standards for Subdivision

Not applicable. The proposed tree removal does not constitute subdivision.

Clause E13.0 Historic Heritage Code

The Historic Heritage Code applies as Table E13.1 Heritage Places specifically lists the site and includes **one** of the trees in the description as per the following extract:

Ref. No.	Name, Location and/or address	C.T	General Description	Specific Extent
25	Amos Family Cemetery 45 Glen Gala Road, Cranbrook	CT105790/1 & 2 CT51245/1	Group of graves and burial sites as well as a mature exotic tree associated with the Amos family	Tasmanian Heritage Register ID 1521

The Tasmanian Heritage Register datasheet also does not provide clarity as to which of the two mature exotic trees is included in the listing. More likely, the reference to the tree is to describe

the place rather than specific inclusion of the tree which is affirmed in the Heritage Impact Assessment provided by Paul Davies and included as an enclosure to this letter.

Further, it is noted that the two titles referenced do not constitute the actual title on which the Cemetery is located.

Code Purpose

<i>E13.1.1</i>	<i>To recognise and protect the historic cultural heritage significance of places, precincts, landscapes and areas of archaeological potential by regulating development that may impact on their values, features and characteristics.</i>
----------------	---

Response: The Heritage Impact Assessment that accompanies this application has affirmed that the removal of the trees has an acceptable heritage outcome given they are not the item of primary significance on the site and their removal will prevent further damage to the grave sites.

13.7 Development Standards for Heritage Places

E13.7.1 Demolition

Objective

To ensure that demolition in whole or part of a heritage place does not result in the loss of historic cultural heritage values unless there are exceptional circumstances.

Acceptable Solution

A1
No acceptable solution

Performance Criteria

P1
Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied;
(a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;
(b) there are no prudent and feasible alternatives;
(c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained;
(d) significant fabric is documented before demolition.

Complies with P1

Assessment against this provision is provided due to demolition being defined in Clause 4.1 of the Planning Scheme as being 'the intentional damaging, destruction or removal of any building or works in whole or in part.' 'Works' is as defined in the Act (LUPAA) which is as follows: 'Includes any change to the natural or existing condition or topography of land including the removal, destruction or lopping of trees and the removal of vegetation or topsoil, but does not include forest practices, as defined in the Forest Practices Act 1985, carried out in State forests.'

On this basis, the removal of trees is being assessed as demolition for the purposes of this application.

The removal of the two oak trees does not result in the loss of significant fabric, form, items, outbuilding or landscape elements that contribute to the historic cultural heritage significance of the place. Paul Davies Heritage Impact Statement (HIA) which has found that the trees are unlikely to be a cultural planting and whilst of horticultural interest not necessarily of cultural heritage significance. Paul has outlined three indicators that the trees may not be cultural plantings as follows:

1. *How old they are*
2. *Their location with the graveyard, often a cultural planting will relate to an entry, a high point, a path, a vista or view etc.*
3. *How they relate in location to gravesites as cultural plantings of scale (such as oak trees) are never planted intentionall in close proximity to a grave nor are graves under the canopy of trees if that can be avoided.*

On the basis of the HIA, it is submitted that the removal of two trees satisfies all parts of P1 as follows:

(a) It is submitted that the removal of the trees to prevent further damage to the gravestones which are assessed as having a greater heritage significance than the trees (refer HIA) is one reason for their removal. A second is that economically, their removal allows the surrounding agricultural land to be farmed more sustainably and productively therefore providing economic and environmental reasons for their removal.

(b) There are no prudent and feasible alternatives. Unless the trees were removed, the gravestones which are of heritage significance, would continue to be impacted upon detrimentally.

(c) Not applicable.

(d) The trees have been photographed prior to their removal.

E13.7.2 Buildings and Works other than Demolition

Objective

To ensure that development at a heritage place is:

- (a) undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance; and*
- (b) designed to be subservient to the historic cultural heritage values of the place and responsive to its dominant characteristics.*

Acceptable Solution

A1

No acceptable solution

Performance Criteria

P1

Development must not result in any of the following:

- (a) loss of historic cultural heritage significance to the place through incompatible design, including in height, scale, bulk, form, fenestration, siting, materials, colours and finishes;*
- (b) substantial diminution of the historic cultural heritage significance of the place through loss of significant streetscape elements including plants, trees, fences, walls, paths, outbuildings and other items that contribute to the significance of the place.*

Complies with P1

This provision applies to works other than for demolition therefore it could be argued that it does not apply if Clause E13.7.1 is deemed to apply. However, in the interests of completeness, an assessment against P1 is provided below.

The proposed tree removal meets each of the matters to be considered under P1 as follows:

- (a) Not applicable. No new works are proposed.
- (b) As outlined in the HIA, the trees are considered to have minor heritage significance. Whilst the trees made a pleasant visual significance, this was not a heritage contribution. Further, it is noted that (b) refers only to significant streetscape elements and the graveyard is set well back from any streetscape and therefore the removal of trees does not impact on a streetscape,

Conclusion

It is submitted that the information contained within this application is sufficient to enable it to be considered. Accordingly, it is requested that an invoice for the fees be raised and submitted for payment,

Yours faithfully



Chloe Lyne
Planning and Development Consultant
Commercial Project Delivery
Mobile: +61 (0)408 397 393
www.cpdelivery.com.au

Enclosures:

Certificate of Title
Certificate of Exemption from Tasmanian Heritage Council
Heritage Impact Assessment by Paul Davies

SEARCH OF TORRENS TITLE

VOLUME 198605	FOLIO 1
EDITION 3	DATE OF ISSUE 28-Nov-2017

SEARCH DATE : 24-Apr-2018

SEARCH TIME : 02.02 PM

DESCRIPTION OF LAND

Parish of RIVERSDALE, Land District of GLAMORGAN
Lot 1 on Plan 198605
Derivation : Part of 986 Acres Gtd. to J. Amos.
Prior CT 2548/72

SCHEDULE 1

M662221 HEATHER GREER O'DEA, DAVID ANGUS AMOS and PAMELA MARY
HARPER as personal representatives of Alfred John
Amos Registered 28-Nov-2017 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
BENEFITING EASEMENT: a right of way over the Roadway shown on
Plan No. 198605.

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

OWNER		PLAN OF TITLE		Registered Number	
FOLIO REFERENCE CT 2548 / 72		LOCATION GLAMORGAN - RIVERSDALE		P198605	
GRANTEE		FIRST SURVEY PLAN No.		APPROVED - 2 MAY 1997	
		COMPILED BY LTO		<i>Michael Dine</i> Recorder of Titles	
		SCALE 1: 400		LENGTHS IN METRES	
MAPSHEET MUNICIPAL CODE No. 112	(5834-13)	LAST UPI No 1600578	LAST PLAN No.	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	

LOT 1
698m²

ROADWAY

GLEN
HERRIOT
LANE
(TO GLEN GALLA ROAD)

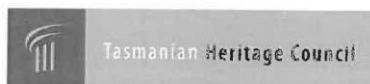
(551/17D)

(D.105790)

(D.105790)

(D.105790)

DAB



Tasmanian Heritage Council
GPO Box 618 Hobart Tasmania 7000
103 Macquarie St, Hobart Tasmania 7000
Tel: 1300 850 332
enquiries@heritage.tas.gov.au
www.heritage.tas.gov.au

PLANNING REF: n/a
EXEMPTION NO: 999
REGISTERED PLACE NO: 1521
FILE NO: 09-27-42THC
APPLICANT: Adam Greenhill
DATE: 17 May 2016

CERTIFICATE OF EXEMPTION

(Historic Cultural Heritage Act 1995)

The Place: Amos Family Cemetery, Glen Gala Road, Cranbrook (located within the northern portion of 'Gala', 56 Glen Gala Road, Cranbrook).

Thank you for your application for a Certificate of Exemption for works to the above place.

Your application has been approved by the Heritage Council under section 42(3)(a) of the *Historic Cultural Heritage Act 1995* for the following works:

Works: Removal of two oak trees from cemetery and pruning of hawthorn hedge.

Documents: Text document with three colour photographs titled 'Submission to remove oak trees from Amos family graveyard' by Adam Greenhill (undated); received by THC 22/04/2016.

Aerial image (GoogleEarth) generated 4:20pm on 26/04/2016, showing location of the cemetery in relation to a proposed pivot irrigator; received by THC 26/04/2016.

Aerial image titled 'Gala Estates' (iFarm) showing the circular perimeter of the area proposed for pivot irrigation; received by THC 26/04/2016.

Comments: Information obtained from the Amos family, including a photograph taken after 1939 which shows part of the cemetery including a juvenile oak tree, indicate that the trees were planted in the period 1930-1950. The trees are not significant memorial plantings.

A copy of this certificate will be forwarded to the local planning authority for their information. A planning, building or plumbing permit from the local planning authority may be required for the works. Further advice regarding these requirements should be obtained from the local council or planning authority.

Further information on the types of work that may be eligible for a Certificate of Exemption is available in the Tasmanian Heritage Council's *Draft Works Guidelines*. The *Guidelines* can be downloaded from www.heritage.tas.gov.au

Please contact the undersigned on 1300 850 332 if you require further information.

Ian Boersma

Works Manager – Heritage Tasmania
Under delegation of the Tasmanian Heritage Council



26th June 2017

Jane Wing
Glamorgan-Spring Bay Council
9 Melbourne Street
TRIABUNNA TAS 7190

Email : jane@freycinet.tas.gov.au

Dear Jane,

RE HERITAGE IMPACT ASSESSMENT - AMOS CEMETERY OAK TREES, 45 GLEN
GALA ROAD CRANBROOK

BACKGROUND

I have been requested to provide heritage advice to accompany a retrospective development application to address the removal of two oak trees located within a family graveyard at 45 Glen Gala Road Cranbrook.

I have been provided with the previous applications, photos of the site with and without the trees, the relevant data sheets and listings for the site and approvals from Heritage Tasmania and the Glamorgan-Spring Bay Council.

I have arranged to visit the site on Friday, June 30 to inspect the grave sites and the area but due to the requirement to lodge an application prior to that date I have provided a desktop assessment. I reserve the right to provide a further assessment once the site has been visited and inspected in detail.

PROPOSAL

The proposal was (as the work has been carried out) straightforward. It was to remove two oak trees within the graveyard that were situated between and adjacent to historic graves.

As far as I can ascertain, an exemption application for the work was applied for and granted from Heritage Tasmania. On the basis of the general advice in that consent, Glamorgan-Spring Bay Council was approached to determine if a DA was required. I am advised that they did not require this application and the owner removed the trees as approved by the THC.

Subsequently, on the basis of a complaint, Glamorgan-Spring Bay Council requested that a retrospective DA be submitted. This took place and it was approved.

That decision was appealed by the objector and proceedings commenced.

I was engaged to provide heritage advice as part of that appeal but that has now changed to submitting a further DA and this assessment forms part of that application.

I set out the background, not as it necessarily affects the heritage values of the place and how they are considered, but to put into context why it has not been possible to make an assessment with the trees in place, which would, understandably be a preferred process.

180 Darling Street Balmain NSW 2041
E pdavies@heritage-architects.com.au

PO Box 296 Balmain NSW 2041
ABN 65 074 633 015

T + 61 2 9818 5941 F + 61 2 9818 5982
Nominated Architect Paul Davies Reg No. 6653

DISCUSSION OF HERITAGE VALUES

Significance

The gravesites are heritage listed on both the local and State heritage registers. There would appear no doubt that the site is significant. It is a private family burial ground that has been in use for a long period of time, it is not a public cemetery or burial ground.

There are a number of graves and headstones in the cemetery that all appear to relate to the Amos family.

The THC citation, which is brief, describes the places as *"This is a group of graves and burial sites as well as a mature exotic tree"*.

And

"The site is associated with the Amos family".

The site is registered only under criteria f and g of the Tasmanian Cultural Heritage Act:

F *This graveyard is of historic cultural heritage significance because of its social and historical association with the general community as a religious and townscape landmark.*

G *This graveyard is of historic cultural heritage significance because of its social and historical association with the general community as a religious and townscape landmark.*

It appears from other material examined that the THC data sheet is not accurate in a number of areas.

- i There were two exotic trees not one.
- ii It is not a religious and townscape landmark nor does it have social and historical association with the local community.

I would suggest that these errors have arisen as a result of the listing not being checked when entered as occurred with many of the early State heritage listings that were simply transferred from a local to a state listing.

This does not however mean that the site is not significant.

The place is strongly associated with the Amos family and has an obvious and clear social and historic significance to them. This is of local significance and may be of State significance.

The place is also of historic and social significance as a family burial area, on private land, that remains in use and which has had a long history of use.

While private burials have taken place in a range of places, they are not common and this site has a long connection with the land, early settlement and long-term family ownership of the property.

Trees

I would also suggest that the citation incorrectly considers the mature exotic tree as significant.

It is not uncommon for what is termed a cultural planting to be included in a heritage listing on a site such as a burial ground. Cultural plantings are common in such a location. However, it has to be established that the trees (2) were cultural plantings as it is the intent of the plantings that leads to significance.

This is important as graveyards often have self-sown plantings, which may be of horticultural interest but which are not necessarily of cultural heritage significance.

Indicators that the trees may not be cultural plantings can be:

- how old they are

- their location with the graveyard, often a cultural planting will relate to an entry, a high point, a path, a vista or view etc.
- how they relate in location to gravesites as cultural plantings of scale (such as oak trees) are never planted intentionally in close proximity to a grave nor are graves located under the canopy of trees if that can be avoided.

The photos (to be confirmed by site inspection) show that the trees were located immediately adjacent to and between grave sites. This is not typical or likely for a cultural planting.

The photos also show that the trees while reasonably mature were not old trees that would date back to the early period of use of the burial ground.

It appears that the trees, even if intentionally planted (which appears unlikely), were not cultural plantings.

There is also the question of current or potential damage to grave sites and funerary elements such as grave surrounds and headstones from trees being located close to those elements.

From the photographs seen, the location of the trees was very close to grave sites. The alignment of the Ellen Amos headstone of 1861 is clearly affected by the tree which was only a few centimetres from it. The other adjoining grave is also damaged although it is difficult to ascertain from photos how that damage took place.

I note that Heritage Tasmania make reference to the trees damaging the graves as a reason for granting their exemption to undertake the work.

State and Local Heritage Listing

While there are distinct and separate heritage assessments required where a place is on both the local and state heritage register as they are under separate legislation, the actual process and assessment required is the same.

The question of impact is always one of is there an unacceptable adverse heritage impact on the heritage values of the item?

In this case the heritage values are relatively straight forward at both local and state level.

The graves, their funerary art and the setting of a fenced enclosure within a working property are all of significance and combine to create the heritage values of the place.

Creating the burial ground was intentional and is significant, each family grave that has been added is significant, as all graves are inherently significant and also as they are a family burial ground.

If there had been planned plantings, either of trees or plants, they would most likely be culturally significant, however that appears not to be the case. I would on that basis conclude that the trees, while pleasant and moderately mature specimens, had little significance to the historical or social values of the site.

COMPETING CULTURAL VALUES

There is also the question of competing cultural values.

I have worked on a range of cemeteries and have removed plantings from and around gravesites where they have damaged or had potential to damage graves. There have been a range of debates over the competing values of historic elements such as graves and their construction and the value of trees (often non-heritage listed).

It is almost always the case, unless there is a very specific heritage value attached to a planting, that gravesites are of greater significance than a planting and their value should be conserved as a priority.

It is noted that the application clearly states the reasons for removing the trees and they are not ones relating to cultural values but rather to irrigation. That is reasonable, but the heritage assessment process has to consider the impact on heritage values and not ease of function of the farm. The application also notes that the current watering system is not desirable in its potential impact on the graves as it allows direct sprays of water to hit grave sites. I would agree that this is undesirable but can make no comment on other possible solutions to the problem.

The only considerations therefore that require heritage assessment are whether the trees are of cultural heritage significance and whether their removal in relation to the damage to adjoining gravesites and elements is justified.

HERITAGE IMPACT ASSESSMENT

I conclude that the trees had minor heritage significance as they were part of the historic site, even if not intentionally planted. They appear not to be cultural plantings and their location in relation to the graves strongly suggests that they self sown. It is possible an oak tree was planted at some time and that these came from that, but I have not been able at this time to ascertain that. In any case this would not change their level of significance.

Trees usually make a visual contribution to a site and from photographs the trees did make a pleasant visual contribution to the setting. This is not a heritage contribution however.

There appears to be evident damage to the graves arising from the trees and I agree with the Heritage Tasmania assessment that it was reasonable to allow the trees to be removed to prevent future damage to the grave sites.

I conclude that the works had an acceptable heritage outcome.

Yours faithfully



Paul Davies
B Arch MBEnv Bldg Cons AIA
Chartered Architect

Paul Johnston Architects

Heritage Review – 15 August 2018

Proposed removal of trees from the Amos Family Cemetery

Introduction

Paul Johnston Architects have been engaged by Glamorgan Spring Bay Council to provide a review of the Heritage Statement provided with Development Application Tree Removal DA18140 letter - Lot 1 Glen Gala Road, June 26 2018, and provide comment regarding the provisions of the Heritage Code.

We have not visited the site and rely on information provided by Land Use Planning Pty Ltd, including photographs of the site, application for Development Approval and Representation, cited in this review.

We appreciate that an application is before Council for the removal of trees within the area known as the 'Amos Family Cemetery.' This application is for retrospective approval, as the trees have been felled to a level above ground.

The proposal

The Amos Family Cemetery, 45 Glen Gala Road Cranbook, is identified as a Heritage Place, no. 25, in the E.13.1 Table of Heritage Places within the *Glamorgan Spring Bay Interim Planning Scheme 2015*. The following general description is provided:

Group of graves and burial sites as well as a mature exotic tree association with the Amos family.

The current application will be assessed under the Historic Heritage Code, namely clause E13.7.1, as the proposed work that has been undertaken fits the definition of demolition.

E13.7.1 Demolition

Objective

To ensure that demolition in whole or part of a heritage place does not result in the loss of historic cultural heritage values unless there are exceptional circumstances.

No acceptable solution is provided for this clause.

P1

Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied;

(a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;

(b) there are no prudent and feasible alternatives;

(c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained;

(d) significant fabric is documented before demolition.

The requirements of the Code require the determination of the historic cultural heritage significance of the trees proposed to be removed. The definition of historic cultural heritage significance is that which is included in the *Historic Cultural Heritage Act 1995*. – ‘Historic Cultural Heritage Significance, of a place, means its significance in terms of the registration criteria.’

The place is also included on the Tasmanian Heritage Register and subsequently a certificate of exemption (17 May 2016) was issued for:

‘Removal of two oak trees from cemetery and pruning of hawthorn hedge.’

This certificate was issued despite the THC Data sheet describing the place as:

‘This is a group of graves and burial sites as well as a mature exotic tree’.

The Exemption Certificate makes the following comments:

‘Information obtained from the Amos family, including a photograph taken after 1939 which shows part of the cemetery including a juvenile oak tree, indicate that the trees were planted in the period 1930-1950. The trees are not significant memorial plantings.’

This conclusion is supported by the Heritage Impact Assessment (HIA) by Paul Davies (26 June 2017), who concludes that the trees had ‘minor heritage significance’, through their location within the cemetery with some indication of social value through association with the Amos family. However, in Davies’ opinion, as they were not ‘cultural plantings’ or ‘intentionally planted’, their significance does not warrant their conservation. Davies’ opinion in this regard is based on a visual appraisal of photographs suggesting that the location of the trees within the cemetery indicates that they were not intentionally planted and thus not cultural plantings. Davies further justifies the tree removal with the opinion that one of the trees were displacing the headstones and consequently, the removal of this tree would allow for the conservation of that headstone.

The Davies HIA does not provide any documentary research supporting his opinion. In this respect, the research by Heritage Tasmania, cited as comments and referring to ‘information obtained from the Amos family...’ is the only documentary evidence that supports a significance assessment of the trees.

There is also to consider, however, the representation forwarded by Heather O’Dea, Pam Harper, and David Amos (24 July 2018). They assert that ‘the trees were planted in 1921 for the purpose of commemorating the centenary of the Amos family arrival at Cranbrook.’. In this respect the claim suggests the trees were intentionally planted and thus they are cultural plantings.

There is no documentary evidence supporting this claim.

The comments by Heritage Tasmania ‘indicate that the trees were planted in the period 1930-1950’, rather than the previous decade.

Discussion

It is beyond the scope of this review to provide a significance assessment of the subject trees. And importantly, it should be recognised that the trees have been removed and cannot be reinstated.

Given the lack of documentary evidence, it is difficult, if not impossible, to be conclusive as to the origins of the trees. Their adhoc position within the cemetery, without a discernible geometric rationale and close to headstones, suggests they are not related to the cemetery.

An initial review of the document '*Assessing Historic Heritage Significance: Criteria and Threshold Guidelines for application with the Historic Cultural Heritage Act 1995*', should be referred to when considering 'historic heritage significance'.

The application of criterion G '*It has a special association with the life or work of a person, or group of persons, of importance in Tasmania's history*', relates to the potential significance of the trees to the Amos family. While the cemetery headstones provide the evidence of the relationship, the trees do not.

While the trees do not constitute heritage items in themselves they may *contribute* to the heritage significance of the cemetery. This is a common occurrence with natural values that may not have historical records, but as living things that grow over time they have special meaning and by the nature of their prominence and longevity, they are familiar elements within the landscape. In respect to the Amos family cemetery, I would suggest that the trees located within the cemetery were landmarks to the local community that signified the location of the cemetery.

The Burra Charter, the guiding document for heritage conservation, recognises the importance of 'setting' to heritage items.

Article 8 states:

Conservation requires the retention of an appropriate visual setting and other relationships that contribute to the cultural significance of the place.

I would suggest that the trees, rather than being heritage items in themselves, contributed to the setting of the heritage cemetery. I further suggest that this may be the intention of their inclusion in the E.13.1 Table of Heritage Places listing of the cemetery.

In this respect, and according to the provisions of the Historic Heritage Code E13.7.1 Demolition, the removal *has resulted* 'in the loss of significant fabric, form, items, outbuildings or landscape elements that **contribute** to the historic cultural heritage significance of the place'.

However, should the setting be repaired, with new planting that re established the cemetery as a landmark, then there would be no loss of significant landscape elements. if this new planting was managed to ensure no future detriment to the monumental headstones, then it would result in an improved heritage outcome.

While no new plantings are proposed with these works, I suggest that reparation of the site and its significance should be considered in any application for the removal of landscape elements that contribute to the historic cultural heritage significance of a place, as part of the ongoing future management of heritage values for that place.

The implementation of management plan, in accordance with recognized heritage guidelines, that includes replacement plantings, will result in there being no loss of significant fabric, form or landscape elements that contribute to the cultural heritage significance of the place. The landmark quality of the place, the setting of the cemetery, will be maintained into the future.

However, the current application makes no allowance for replanting or the provision of a future management plan, therefore, the proposal to remove the trees should be considered as demolition.

The clause E13.7.1 requires that should Demolition be proposed then all of the following need to be satisfied:

- a) *there are environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;*
- b) *there are no prudent and feasible alternatives;*
- c) *important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained;*
- d) *significant fabric is documented before demolition.*

The potential for disturbance of the headstones given the close proximity of the trees is of concern, as they appear to be resulting in displacement and in the future could result in a collapse. It is reasonable to assume, the headstones are the identified heritage items of the place, and their conservation should be given priority over the trees.

a)

While there appears to be no relevant environmental, safety or economic reasons of greater value to the community than the historic cultural heritage values of the place, the cemetery does have social value to the community. The retention of the headstones without damage, as the identified heritage items, should be given priority over the trees as greater value to the community.

b)

As the trees are the cause of the potential disturbance of the headstones, the most 'prudent and feasible alternative' is the removal of the trees. The important structures, the headstones, would be retained in reasonable condition.

c)

No structural or façade elements are part of this place.

d)

There are photographs in the application that document the trees prior to demolition.

Conclusion

It is concluded then, that given the likely damage that may occur to the headstones if the trees were not removed, the removal of the trees, meets the requirements of clause E13.7.1.

There is no documentary evidence supporting the assertion that the trees were planted with the intention of a memorial. The trees are therefore not heritage items in themselves, but do contribute to the setting of the cemetery.

As with all landscape vegetation that contribute to the heritage values of a place, trees should be replanted so that the landmark qualities of the place are maintained into the future.

Recommendation

While it is recommended that the removal of the trees is approved, In order to meet the provisions of the Planning Scheme, I suggest the following conditions may be placed on that approval.

- The cemetery should be managed into the future by a conservation plan prepared by an ICOMOS heritage professional with experience in the care and maintenance of cemeteries. The plan should be completed with reference to the '*Guidelines for Cemetery Conservation*', produced by the National Trust of Australia (New South Wales), the NSW Planning Department Heritage Branch, 2009.
- The plan shall have regard to the condition of headstones and recommend actions for the removal or otherwise of the tree stumps.
- The plan shall seek the participation of the Amos family and provide for new planting.
- The plan shall provide guidance to ensure that the irrigation system(s) employed in the adjacent land do not impact on the historic heritage values of the place.

Paul Johnston **architects**

3.3 DA18179 – Bicheno Community Health Group Inc, Extended Opening Hours 94-96 Foster St, Bicheno

Planning Assessment Report

Proposal:	Business & Professional Services (Existing Use)- Extended opening hours
Applicant:	Bicheno Community Health Group Inc.
Location:	94-96 Foster Street, Bicheno
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)
Zoning:	General Residential Zone
Application Date:	8 August 2018
Statutory Date:	25 September 2018
Discretions:	One
Attachments:	Appendix A – Application documentation
Author:	Theresa Williams, Consultant Planner

1. Executive Summary

- 1.1. Planning approval is sought for an extension to the existing operating hours for the Business & Professional Services (Medical Centre) at 94-96 Foster Street, Bicheno, CT59170/8 & CT59170/9.
- 1.2. The application is for a discretionary use class in the General Residential zone.
- 1.3. Fourteen valid representations were received. Thirteen of these were of a pro-forma style.
- 1.4. The proposal is recommended for conditional approval.
- 1.5. The final decision must be made by the Planning Authority due to the receipt of a representation during the public exhibition period.
- 1.6. Key planning issues relate to the extension of an existing discretionary use. The proposal meets all Acceptable Solutions.

2. Legislative & Policy Content

- 2.1. The purpose of this report is to enable the Planning Authority to determine application DA 2018/179.
- 2.2. This determination must be made no later than 25 September 2018 which has been extended by the consent of the applicant.
- 2.3. The relevant legislation is the *Land Use Planning and Approvals Act 1993 (LUPAA)*. The provisions of LUPAA require a planning authority to take all reasonable steps to ensure compliance with the planning scheme.

- 2.4. This report details the reasons for the officer recommendation. The Planning Authority must consider this report but is not bound to adopt the recommendation. Broadly, the Planning Authority can either: (1) adopt the recommendation, or (2) vary the recommendation by adding, modifying or removing recommended reasons and conditions or replacing an approval with a refusal (or vice versa). Any alternative decision requires a full statement of reasons to comply with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2005*.
- 2.5. This report has been prepared with appropriate regard to the State Policies that apply under the *State Policies and Projects Act 1993*.
- 2.6. This report has been prepared with appropriate regard to Council's Strategic Plan and other Council policies, and the application is not found to be inconsistent with these. Nevertheless, it must be recognised that the planning scheme is a regulatory document that provides the overriding consideration for this application. Matters of policy and strategy are primarily a matter for preparing or amending the planning scheme.

3. Risk & Implications

- 3.1. Approval or refusal of this application will have no direct financial implications for the Planning Authority, outside the implications should an appeal against Council's decision be lodged.

4. Relevant Background and Past Applications

- 4.1. The site contains the existing Bicheno Health and Resource Centre, which has been operating under a previous permit for over 18 years. The current hours of use are:
 - 8:30am to 5 pm, Monday to Friday; and
 - 2 nights a week until 9:30pm.

5. Site Detail

- 5.1. The site consists of two lots located at 94-96 Foster Street, Bicheno, in the General Residential zone of the Glamorgan Spring Bay Interim Planning Scheme 2015.
- 5.2. The total size of the site is just over 2,000m². Vehicle and pedestrian access is via Foster Street.
- 5.3. The site is relatively flat, and contains the existing Health and Resource Centre, including parking and outbuildings.
- 5.4. The site and surrounds are within the General Residential zone. No overlays are applicable.



Figure 1: Aerial imagery – site and surrounds



Figure 2: Aerial imagery – subject site

6. Proposal

- 6.1. Planning approval is sought for an extension to the opening hours to 8am-6pm, 7 days a week.
- 6.2. The two nights a week of extended opening hours (until 9pm) are retained as part of the previous permit, and are not part of this application.
- 6.3. The applicable use class is Business and Professional Services.



Figure 4: Subject site from street

7. Assessment against planning scheme provisions

- 7.1. An application must meet every applicable standard to be approved.
- 7.2. Each standard can be met by either an acceptable solution or performance criteria. If a performance criteria is relied upon, an application is discretionary and may be approved or refused depending on if the performance criteria is satisfied.
- 7.3. The following provisions are relevant to the proposed use and development:
 - General Residential Zone; and
 - E6.0 Parking and Access Code
- 7.4. The proposal is classified as Business and Professional Services. This is a Discretionary use class in the General Residential zone.
- 7.5. The General Residential zone specifically provides for non-residential uses to operate between 8am and 6pm.
- 7.6. The proposal complies with all applicable acceptable solutions. As a discretionary use class, the proposal must also be assessed against the Zone

Purpose Statements:

10.1.1.1 *To provide for residential use or development that accommodated a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.*

10.1.1.2 *To provide for compatible non-residential uses that primarily serve the local community.*

10.1.1.3 *To provide for the efficient utilisation of services.*

7.7. The proposed operating hours do not provide any residential use or development, nor do they remove the ability for the provision of residential development on other properties.

7.8. The site provides a number of health services to the local community.

7.9. The use of the existing site is an efficient use of existing services.

7.10. The proposal complies with the Zone Purpose Statements.

8. Referrals

8.1. No issues were raised.

9. Concerns raised by representors

The following table outlines the issues raised by the representation.

Issue	Response
Original Plans	
Refers to previous permit issued for the original development and notes that "the occasional ambulance is not an issue".	Noted. The previous proposal is not applicable to this current application. The application must be considered on its own merits.
Objects to the extension of operating hours.	Whilst the representation does not articulate this, it is understood that the objection is intended to protect the amenity of the nearby residents. The Scheme provides specifically for ensuring that "non-residential use does not unreasonably impact residential amenity" in the form of operating hours, decibel & lighting limits and commercial vehicle restrictions. All of these are to be met by the proposed extension of operating hours.
The facilities at St Mary's, St Helen's and Swansea can provide the services proposed by the extension of operating hours.	Noted. It is acknowledged that the proposal will provide services in addition to those in the other towns.
Social peace and quiet will be disturbed on weekends and public holidays, hours extend beyond a working day.	The planning scheme sets the acceptable solution for operating hours at 8am to 6pm. The proposed extension of hours is in line with this Acceptable Solution.

	<p>Two other limitations (noise and traffic) are provided in the Scheme for businesses in the General Residential zone. The proposal meets these as well.</p> <p>The only other guide in the Scheme is from the Zone Purpose Statements, which reference 'compatible' non-residential uses. These are assessed above, however to assess the compatibility, reference must also be made to the Acceptable Solutions, which the proposal meets.</p>
The development would be better suited to a building in the Bicheno CBD.	<p>If the proposal could not meet the provisions of the Scheme, then the development would need to be located elsewhere if it were to occur.</p> <p>The only determination that can be made is whether this proposal meets these provisions.</p>
Increased traffic	The proposal is limited to the commercial traffic amounts detailed in the Acceptable Solutions within the Scheme, through the recommended conditions.

10. Conclusion

The proposal satisfies the relevant provisions of the *Glamorgan Spring Bay Interim Planning Scheme 2015* as outlined in this report and is recommended for conditional approval.

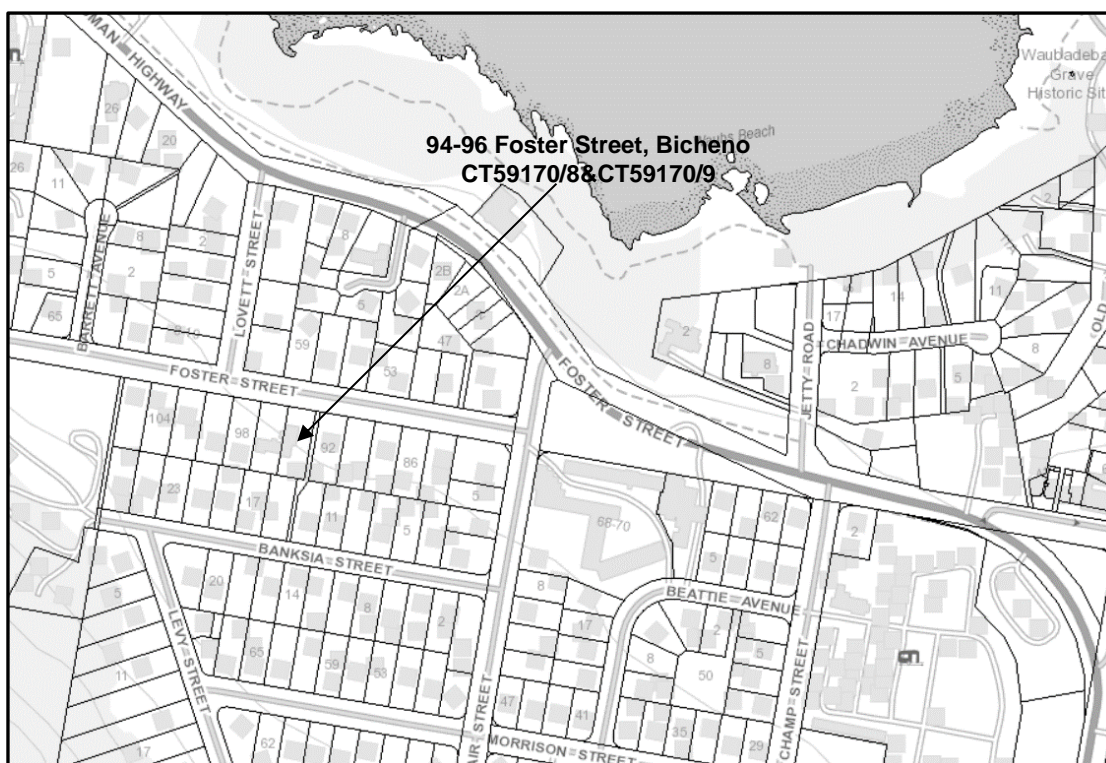
11. Recommendation

That:

- A. Pursuant to Section 57 of the Land Use Planning & Approvals Act 1993 and the Glamorgan Spring Bay Interim Planning Scheme 2015, that the application for a new residence at 94-96 Foster Street, Bicheno (DA2018/179) be APPROVED subject to the following conditions:
 1. Use and development must be substantially in accordance with the endorsed plans and documents unless modified by a condition of this permit.

Advice: Any changes may either be deemed as substantially in accordance with the permit or may first require a formal amendment to this permit or a new permit to be issued.
 2. External lighting must be turned off between 6pm and 8am, with the exception of security lighting.
 3. Security lighting must be baffled to ensure they do not cause light to spill onto adjoining private land.
 4. Commercial vehicle movements must be limited to 20 vehicle movements per day, and be within the hours of:
 - a. 7am to 5pm weekdays; and
 - b. 9am to 12 noon Saturdays.

DEVELOPMENT APPLICATION 180179 **Business & Professional Services (Medical Centre) –** **Extension of operating hours** **94-96 Foster Street, Bicheno**



Bicheno Community Health Group Inc.
94 Foster St. Bicheno Tasmania
PO Box 161 Bicheno 7215
Phone: 0467 971 474
ABN: 45453256209

RECEIVED
06 AUG 2018
BY:

25 July 2018.

Shane Wells
Planning Officer
Glamorgan Spring Bay Council
PO Box 6
TRIABUNNA TAS 7190

Dear Shane

As previously discussed, please find enclosed a Planning Application regarding the hours of use for the Bicheno Health and Resource Centre located at 94 Foster Street, Bicheno.

The application seeks a variation to the restrictions imposed some 18 years ago, and will bring the hours of operation in line with those currently allowed. The hours of use now are 8.30am to 5 pm Monday to Friday, 2 nights per week until 9.30pm for health issue related meetings, and not to be used on public holidays and weekends.

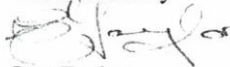
We are seeking the change to facilitate the use of the Health and Resource Centre at weekends by local and visiting service providers. In the past 6 months, a naturopath/rehabilitation provider; a massage therapist; an alternative therapist and a Primary Health Tasmania Mindfulness program teacher have all sought to use the Centre at weekends to deliver both free and fee paying services to the Community. The Centre would also then be available to a youth worker and other services aimed at secondary school aged community members who are either at St Marys District High School or boarding in the city on weekdays.

The change would also legitimate the actual hours of the General Practice and allow, in the future, the provision of a weekend medical or paramedic services.

We propose that the hours would be 8.00am to 6.00pm, 7 days a week with the retention of the average of 2 nights per week on week nights, to 9.30pm as was previously approved.

Thank you for your consideration and support.

Yours sincerely



Lyn Taylor
Chairperson

Bicheno Health Group Community Car



3.4 AM2018-06 – Rezone, 38 Vicary St, Triabunna

Planning Assessment Report

Proposal:	Rezone from Community Purpose Zone to General Residential Zone
Requested by:	N/A
Location:	38 Vicary Street, Triabunna
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)
Application Date:	N/A
Statutory Date:	N/A
Attachments:	Supporting Report
Author:	Shane Wells, Manager Development & Compliance

1. Executive Summary

- 1.1. 38 Vicary Street, Triabunna contains the former Council chambers and is within the Community Purpose Zone.
- 1.2. Council has resolved to sell the land. As the land will no longer be in public ownership the Community Purpose Zone is neither fair nor orderly planning.
- 1.3. It is proposed to rezone all of the land to the General Residential Zone consistent with the zoning of the adjoining land.
- 1.4. Further details are provided in the attached supporting report.

2. Legislative & Policy Content

- 2.1. The purpose of this report is to enable the Planning Authority to determine whether or not to initiate the planning scheme amendment.
- 2.2. The relevant legislation is the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA establish the test of whether a planning scheme amendment is reasonable or not.
- 2.3. This report details the reasons for the officer recommendation. The Planning Authority must consider this report but is not bound to adopt the recommendation. Broadly, the Planning Authority can either: (1) adopt the recommendation, or (2) vary the recommendation by adding, modifying or removing recommended reasons and conditions or replacing an approval with a refusal (or vice versa). Any alternative decision requires a full statement of reasons to comply with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2005*.
- 2.4. This report has been prepared with appropriate regard to the State Policies that apply under the *State Policies and Projects Act 1993*.

3. Risk & Implications for Council services and assets

- 3.1. Approval or refusal of this application will have no direct financial implications for the Planning Authority.
- 3.2. Implications for Council include general matters related to rate income, asset maintenance and renewal and responding to future building applications.

4. Approval Process

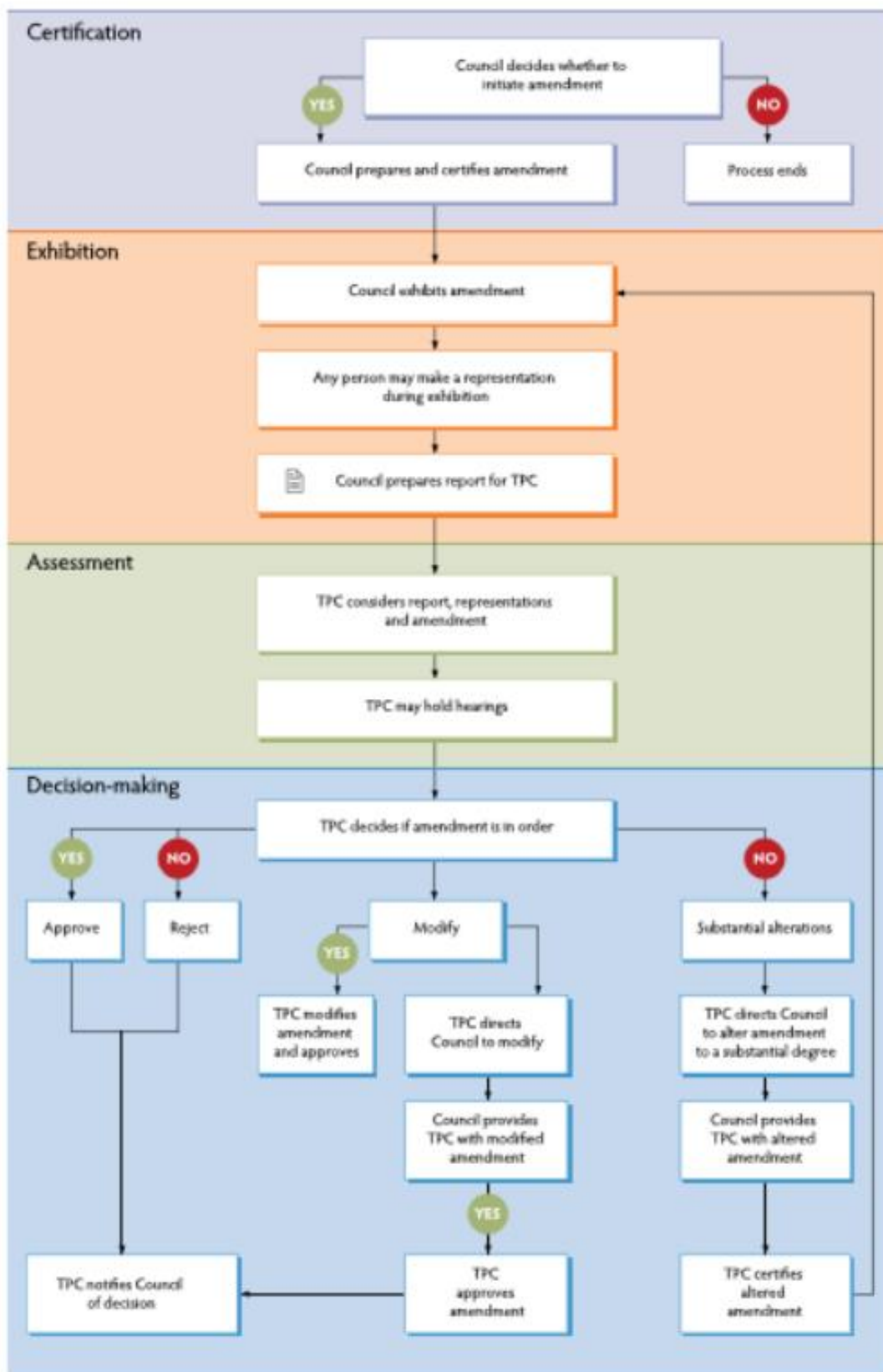
- 4.1. Below is a flow chart of the amendment process. The major steps are; (1) initiation, (2) public exhibition, (3) s.39 report on representations, (4) referral to Tasmanian Planning Commission (TPC), and (5) TPC hearings and decisions.
- 4.2. It should be noted that if initiated, the matter must be determined by the TPC. Further, public exhibition can only occur after initiation. Following public exhibition Council can recommend any modifications to the amendment, which the TPC will consider in making their determination.
- 4.3. If not initiated, the request is declined. The proponent may ask the TPC to review Council's handling of their request.

5. Referrals

- 5.1. Referrals to TasWater, Department of State Growth (DSG), Crown Land Services, Heritage Tasmania and Aboriginal Heritage Tasmania will occur during the public exhibition of the amendment.

Approval process for amendment of planning schemes

Part 3, Land Use Planning and Approvals Act 1993



6. Conclusion

- 6.1. The planning scheme amendment consistent with regional and local land use strategy and the requirements of LUPAA.
- 6.2. On this basis it is recommended that Council initiate and certify draft amendment AM 2018/06 to rezone 38 Vicary Street, Triabunna from the Community Purpose Zone to General Residential Zone & to apply a site specific provision for certain Resource Processing uses.

RECOMMENDATION:

That, as provided for by the provisions of section 3 of schedule 6, of the Land Use Planning and Approvals Act 1993 (LUPPA):

- A. Pursuant to section 34(1)(b) planning scheme amendment AM 2018/06 be initiated and certified as being in accordance with sections 30(0) and 32 of LUPAA to rezone 38 Vicary Street, Triabunna (CT 130934/4) and sections of adjoining road reservation in Henry Street and Vicary Street from Community Purpose Zone to General Residential Zone as detailed in the Attachment;**
- B. Pursuant to section 38 AM 2018/06 be placed on public exhibition for no less than 28 days.**
- C. Pursuant to section 39 if no representations are received during public exhibition, Council directs the General Manager to advise the Tasmanian Planning Commission in writing that no representations have been received.**

Under Regulation 25 of Local Government (Meeting Procedures) Regulations 2005, 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 3 of the Agenda.

Recommendation
That Council no longer acts as a Planning Authority. (Time:)

4. 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 Act questions on notice must be provided at least 7 days prior to the Ordinary Meeting of Council at which you a member of the public would like a question answered.

Asking a question is easy and members of the public are encouraged to ask any question they have (limit of two (2) questions per person per meeting).

Prior to the commencement of an Ordinary Meeting of Council, the Mayor approaches the public gallery and requests that those who would like to ask a question during public question time indicate at that point they would like to do so and give the Mayor their name.

A short instruction sheet outlining the Glamorgan Spring Bay Council procedure for asking a question during Public Question Time will be provided at the Ordinary Meeting of Council to assist members of the public on how to do this. Public question time can be a maximum of 15 minutes only.

PLEASE NOTE: All members of the public wishing to ask a question during Public Question Time are asked to utilise the **wireless microphone provided** to ensure quality of sound both in the Council meeting room and for audio recording and live streaming purposes.

5. Information Reports

5.1 General Manager, David Metcalf

Council Governance · Corporate Services · Medical Services · Economic Development · Safety & Risk Management
· Visitor Centres

Council Governance

Council meetings are being conducted monthly with special meetings being called by the Mayor or Councillors when required. Council meetings are usually held on the fourth Tuesday of the month and commence at 5.00pm. Generally workshops are scheduled on the second Tuesday of each month and on the day of a Council meeting, unless otherwise required. The September Council meeting is on Tuesday 25th at 5.00pm in Triabunna.

Live Streaming of meetings is progressing well since commencing in November 2017. From November 2017 to July 2018, an average of 15 people per month have viewed the Council meeting live online via the YouTube platform as the meeting took place. The total number of views for each meeting video on YouTube as of 17th September 2018 is.....

26 September 2017	128 views
24 October 2017	49 views
28 November 2017	57 views
12 December 2017	82 views
9 January 2018	96 views
30 January 2018	179 views
20 February 2018	169 views
27 February 2018	351 views
27 March 2018	97 views
24 April 2018	160 views
22 May 2018	78 views
26 June 2018	83 views
24 July 2018	211 views
28 August 2018	101 views

Medical Services

Council operates administration services for the Bicheno General Practice and Dr Winston Johnson in Triabunna.

Corporate Services

Review of Council reporting underway. Several long term reports need updating. Will be presented to the new Council and workshopped in advance. The Annual Plan for 2018/2019 was adopted at the August 2018 meeting.

Cash and Investments

Cash and Investments at the end of August 2018 were \$3,976k against August 2017 \$3,577k, August 2016 \$3,168k and August 2015 \$3,256k. Considering the level of capital works carried out in the last five years, and the transfer of cash to enable the purchase of the new Council offices in Triabunna (settled on 20th December 2013), and the building of the new emergency services building in Swansea (completed in 2016), it is a pleasing result. This has caused a cash drain of over \$2 million whilst other capital and new works have been above the KPI set by the audit office. Surplus properties are being placed on the market.

A contract for purchase has been received for the old SES building in Swansea and the old Council chambers in Triabunna. The block at Harvey's Farm Road Bicheno has been transferred to the State Government for valuation.

The short-term borrowings from the last financial year will be repaid on or before 14th September 2018. Treasury have advised that they have approved borrowings for this financial year of \$6 million should they be required.

Statement of Cash Flows

Glamorgan Spring Bay Council

For the 2 months ended 31 August
2018

Account	Jul-Aug 2018
Operating Activities	
Receipts from customers	8,898,139.29
Payments to suppliers and employees	(2,068,780.75)
Cash receipts from other operating activities	8,830.95
Net Cash Flows from Operating Activities	6,838,189.49
Investing Activities	
Proceeds from sale of property, plant and equipment	28,128.36
Payment for property, plant and equipment	(156,508.81)
Other cash items from investing activities	(4,084,911.39)
Net Cash Flows from Investing Activities	(4,213,291.84)
Financing Activities	
Other cash items from financing activities	(48,699.47)
Net Cash Flows from Financing Activities	(48,699.47)
Net Cash Flows	2,576,198.18
Cash and Cash Equivalents	
Cash and cash equivalents at beginning of period	1,399,707.81
Cash and cash equivalents at end of period	3,975,905.99
Net change in cash for period	2,576,198.18

Property Information

Property transactions for the YTD in August are 23.0% up on last year. This is showing a very pleasing trend as investors and families invest in our area. There are an extra 35 property transactions this financial year in two months compared to the year before.

<u>Property Settlement Certificates</u>								
	132-2015	337-2015	132-2016	337-2016	132-2017	337-2017	132-2018	337-2018
July	42	17	42	18	47	18	64	25
August	30	14	50	26	58	28	60	37
September	34	18	43	20	51	27		
October	40	18	37	18	57	37		
November	43	24	53	30	60	32		
December	48	21	35	17	38	18		
January	62	28	46	23	59	29		
February	45	26	72	33	51	20		
March	46	21	87	41	53	23		
April	39	24	48	21	61	31		
May	58	31	50	27	56	31		
June	26	10	31	16	38	21		
Total	513	252	594	290	629	315	124	62
TOTAL		765		884	944		186	

CURRENT RATES BALANCE 31st August 2018	
Balance Brought Forward	\$70,035.30
Plus:	
Interest Charged	\$1,621.99
Rates Levied	\$7,814,685.27
Debit Journals	\$9,498.00
Sub Total	\$7,895,840.56
Less:	
Receipts	\$3,674,769.28
Pension Rebates	\$242,288.18
Credit Journals	\$48,578.54
Supplementary Credits	\$8,510.89
Discounts	\$78,077.27
Rates Balance	\$3,843,616.40
Discount Date/Rate 03/08/2018 3.0%	
Installments	
	3/08/2018
	5/10/2018
	11/01/2019
	5/04/2019

Human Resources

A further EBA meeting has been arranged to finalise the EBA this month. Work has been undertaken to restructure existing terms and conditions by more flexible provisions whilst still maintaining a sustainable cost position.

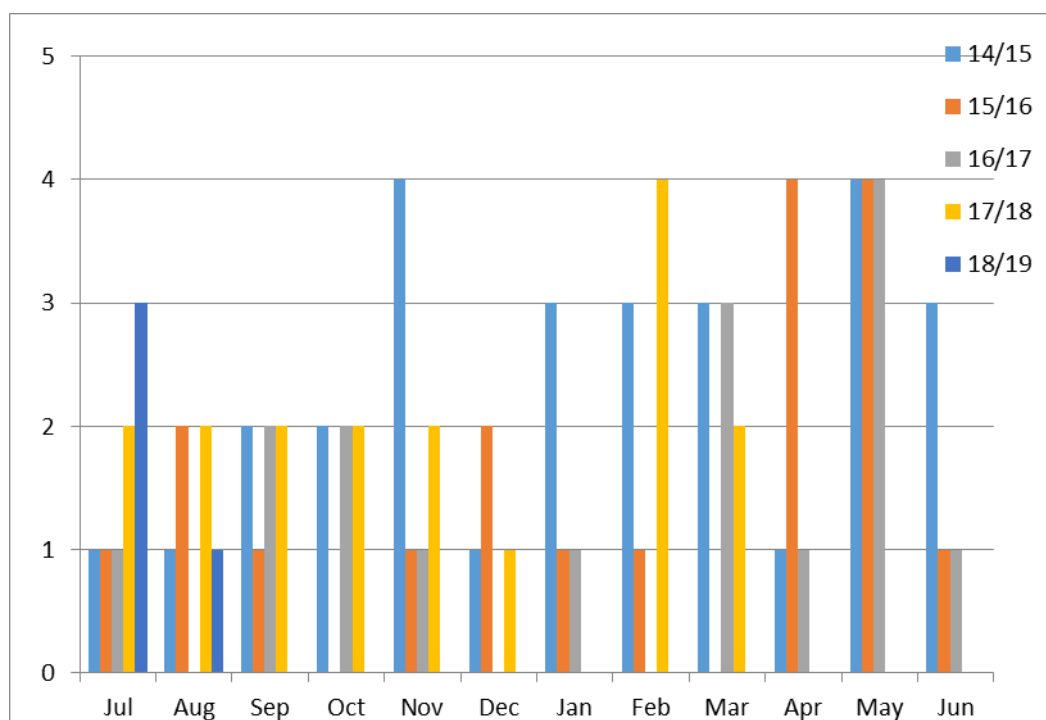
Good progress has been made with the advertised Planner vacancy. It is expected this role could be filled with the potential for multiple part-time positions without additional budget impost. The Compliance Coordinator position has been filled along with the town services vacancy.

Work is still underway as part of a longer term project to update position descriptions and employment contracts. Staff employed outside of the EBA have also had wage rates reviewed to ensure ongoing compliance with minimum rates required by law in Modern Awards post the Fair Pay Commission annual ruling adjustment.

Health, Safety, Other

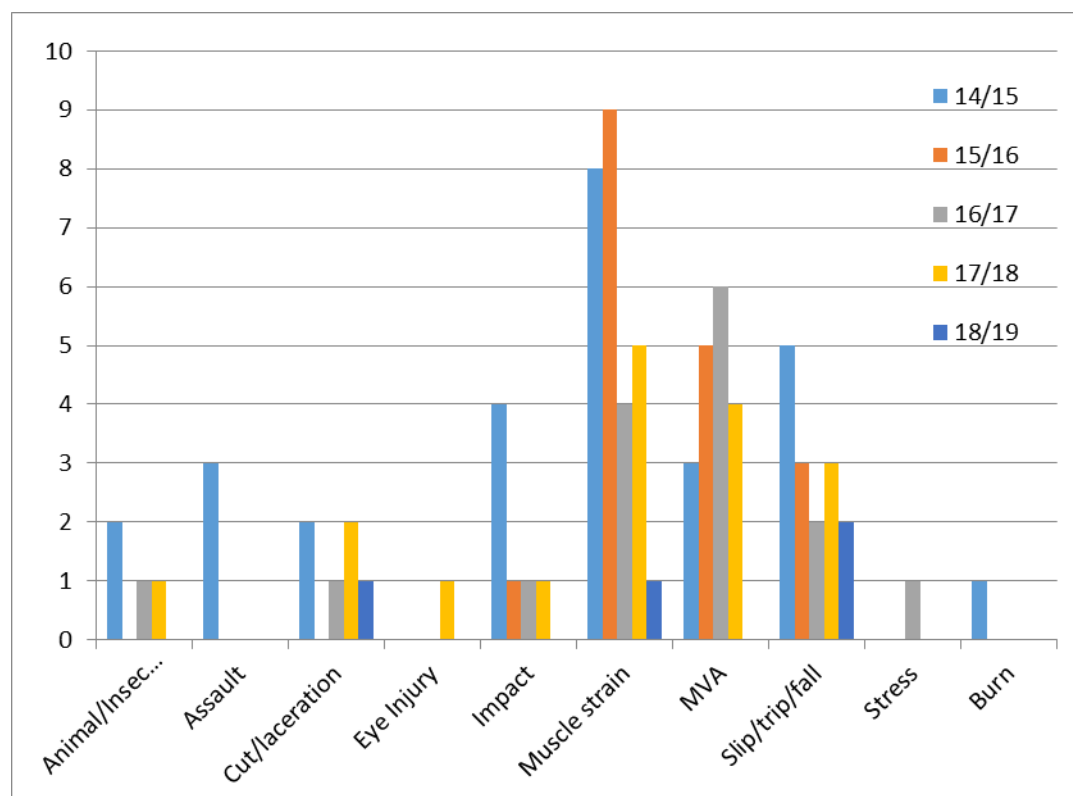
There were two (2) lost time injuries YTD amounting to 87 lost time hours. There have been no motor vehicle claims this year. There have been 4 workplace reported incidents YTD, no community incidents reported YTD and there were no staff resignations in August.

Incident / Accident Reporting Numbers 2013 till August 2018



Analysis: Incident / Accident reports for 2018 are trending as per last few years.

Incident / Accident Reporting by type 2013 till August 2018



Analysis: The incident / accident reporting for 2018 mirror the report types from previous years. The only identifiable trend in the reporting for 2018 is that MVA and muscle strain remains the main incident / accident area.

Visitor Centres

Glamorgan Spring Bay Council operates three visitor centres throughout the municipal area. They are all Yellow "I" centres. Visitor numbers through the centres are up by 11% on last year to date, meaning an extra 644 visitors have used the network. Triabunna has seen the largest increase of the visitor numbers since last October.

Visitor Numbers												
MONTH	BICHENO 2016-2017	BICHENO 2017-2018	BICHENO 2018-2019	SWANSEA 2016-2017	SWANSEA 2017-2018	SWANSEA 2018-2019	TRIABUNNA 2016-2017	TRIABUNNA 2017-2018	TRIABUNNA 2018-2019	TOTAL 2016-2017	TOTAL 2017-2018	TOTAL 2018-2019
JULY	819	886	898	749	809	956	1095	1459	1715	2663	3154	3569
AUGUST	659	736	529	634	765	899	924	1234	1536	2217	2735	2964
SEPTEMBER	1405	1285		1143	973		1317	2566		3865	4824	0
OCTOBER	2112	2395		1635	1965		2192	3990		5939	8350	0
NOVEMBER	2493	2829		2208	2473		2414	5431		7115	10733	0
DECEMBER	2877	3368		2633	2424		3338	7057		8848	12849	0
JANUARY	4886	6111		4670	4689		6567	10252		16123	21052	0
FEBRUARY	4704	4733		4778	3774		7734	9213		17216	17720	0
MARCH	3629	4387		4505	3079		6167	9744		14301	17210	0
APRIL	2331	2829		2420	2266		6050	6526		10801	11621	0
MAY	1086	1158		1241	1341		1985	2652		4312	5151	0
JUNE	706	863		685	878		1174	1789		2565	3530	0
TOTAL	27707	31580	1427	27301	25436	1855	40957	61913	3251	95965	118929	6533



Profit & Loss				
Glamorgan Spring Bay Council				
ADMIN CORP,ECONOMIC,GOVERNANCE,SAFETY & RISK,TOURISM				
For the month ended 31st August 2018				
	YTD Actual	YTD Budget	Var AUD	Var %
Income				
CONTRIBUTIONS	\$0.00	\$29,625.00	-\$29,625.00	-100.0%
GRANTS	\$0.00	\$0.00	\$0.00	
INTEREST	\$5,102.05	\$7,600.00	-\$2,497.95	-32.8678%
INVESTMENTS:DIVIDENDS WATER CO	\$16,288.00	\$41,443.00	-\$25,155.00	-60.6978%
NET GAIN/(LOSS) ON ASSETS	\$0.00	\$0.00	\$0.00	
OTHER INCOME	\$249,154.31	\$247,000.00	\$2,154.31	0.8722%
RATES AND CHARGES	\$6,080,267.34	\$6,061,252.00	\$19,015.34	0.3137%
SHARE OF GENERAL RATE	\$752,850.00	\$752,850.00	\$0.00	0.0%
STATUTORY FEES AND FINES	\$18,565.39	\$7,000.00	\$11,565.39	165.2199%
USER FEES	\$0.00	\$0.00	\$0.00	
Total Income	\$7,122,227.09	\$7,146,770.00	-\$24,542.91	-0.3%
Gross Profit	\$7,122,227.09	\$7,146,770.00	-\$24,542.91	-0.3434%
Less Operating Expenses				
DEPRECIATION AND AMORTISATION	\$18,965.00	\$18,965.00	\$0.00	0.0%
EMPLOYEE BENEFITS	\$93,290.23	\$109,299.00	-\$16,008.77	-14.6468%
FINANCE COSTS	-\$3,670.56	-\$3,671.00	\$0.44	0.012%
IMPAIRMENT OF RECEIVABLES	\$0.00	\$0.00	\$0.00	
MATERIALS AND SERVICES	\$642,194.85	\$674,455.00	-\$32,260.15	-4.7831%
OTHER EXPENSES	\$22,435.70	\$26,500.00	-\$4,064.30	-15.337%
Total Operating Expenses	\$773,215.22	\$825,548.00	-\$52,332.78	-6.3%
Operating Profit	\$6,349,011.87	\$6,321,222.00	\$27,789.87	0.4396%



Profit & Loss				
Glamorgan Spring Bay Council				
Visitor Centres				
For the month ended 31st August 2018				
	YTD Actual	YTD Budget	Var AUD	Var %
Income				
CONTRIBUTIONS	\$0.00	\$0.00	\$0.00	
GRANTS	\$0.00	\$0.00	\$0.00	
INTEREST	\$0.00	\$0.00	\$0.00	
INVESTMENTS:DIVIDENDS WATER CO	\$0.00	\$0.00	\$0.00	
NET GAIN/(LOSS) ON ASSETS	\$0.00	\$0.00	\$0.00	
OTHER INCOME	\$9,500.00	\$9,500.00	\$0.00	0.0%
RATES AND CHARGES	\$0.00	\$0.00	\$0.00	
SHARE OF GENERAL RATE	\$195,000.00	\$195,000.00	\$0.00	0.0%
STATUTORY FEES AND FINES	\$0.00	\$0.00	\$0.00	
USER FEES	\$54,000.00	\$60,000.00	-\$6,000.00	-10.0%
Total Income	\$258,500.00	\$264,500.00	-\$6,000.00	-2.3%
Gross Profit	\$258,500.00	\$264,500.00	-\$6,000.00	-2.2684%
Less Operating Expenses				
DEPRECIATION AND AMORTISATION	\$670.00	\$670.00	\$0.00	0.0%
EMPLOYEE BENEFITS	\$42,068.23	\$42,000.00	\$68.23	0.1625%
FINANCE COSTS	\$0.00	\$0.00	\$0.00	
IMPAIRMENT OF RECEIVABLES	\$0.00	\$0.00	\$0.00	
MATERIALS AND SERVICES	\$18,162.33	\$18,000.00	\$162.33	0.9018%
OTHER EXPENSES	\$0.00	\$0.00	\$0.00	
Total Operating Expenses	\$60,900.56	\$60,670.00	\$230.56	0.4%
Operating Profit	\$197,599.44	\$203,830.00	-\$6,230.56	-3.0567%



Profit & Loss				
Glamorgan Spring Bay Council				
MEDICAL SERVICES				
For the month ended 31st August 2018				
	YTD Actual	YTD Budget	Var AUD	Var %
Income				
GRANTS	\$0.00	\$0.00	\$0.00	
INTEREST	\$9.90	\$27.00	-\$17.10	-63.3333%
OTHER INCOME	\$143,387.43	\$140,000.00	\$3,387.43	2.4196%
RATES AND CHARGES	\$313,416.00	\$313,416.00	\$0.00	0.0%
USER FEES	\$0.00	\$0.00	\$0.00	
Total Income	\$456,813.33	\$453,443.00	\$3,370.33	0.7%
Gross Profit	\$456,813.33	\$453,443.00	\$3,370.33	0.7433%
Less Operating Expenses				
DEPRECIATION AND AMORTISATION	\$14,700.00	\$14,700.00	\$0.00	0.0%
EMPLOYEE BENEFITS	\$75,359.76	\$96,879.00	-\$21,519.24	-22.2125%
MATERIALS AND SERVICES	\$139,061.89	\$137,097.00	\$1,964.89	1.4332%
Total Operating Expenses	\$229,121.65	\$248,676.00	-\$19,554.35	-7.9%
Net Profit	\$227,691.68	\$204,767.00	\$22,924.68	11.1955%



Profit & Loss				
Glamorgan Spring Bay Council				
For the month ended 31 August 2018				
	YTD Actual	YTD Budget	Var AUD	Var %
Income				
CONTRIBUTIONS	\$15,601.00	\$45,625.00	-\$30,024.00	-65.806%
GRANTS	\$267,888.00	\$269,348.00	-\$1,460.00	-0.542%
INTEREST	\$5,111.95	\$7,627.00	-\$2,515.05	-32.9756%
INVESTMENTS:DIVIDENDS WATER CO	\$44,570.58	\$41,443.00	\$3,127.58	7.5467%
NET GAIN/(LOSS) ON ASSETS	\$21,000.00	\$0.00	\$21,000.00	
OTHER INCOME	\$460,907.80	\$430,156.00	\$30,751.80	7.149%
RATES AND CHARGES	\$7,645,714.34	\$7,648,000.00	-\$2,285.66	-0.0299%
STATUTORY FEES AND FINES	\$104,769.20	\$79,333.00	\$25,436.20	32.0626%
USER FEES	\$272,783.65	\$292,900.00	-\$20,116.35	-6.868%
Total Income	\$8,838,346.52	\$8,814,432.00	\$23,914.52	0.3%
Gross Profit	\$8,838,346.52	\$8,814,432.00	\$23,914.52	0.2713%
Less Operating Expenses				
DEPRECIATION AND AMORTISATION	\$229,838.00	\$235,838.00	-\$6,000.00	-2.5441%
EMPLOYEE BENEFITS	\$562,042.26	\$828,783.96	-\$266,741.70	-32.1847%
FINANCE COSTS	-\$12,585.43	-\$12,586.00	\$0.57	0.0045%
MATERIALS AND SERVICES	\$1,193,119.53	\$1,225,011.25	-\$31,891.72	-2.6034%
NET GAIN/(LOSS) ON ASSETS	\$0.00	\$0.00	\$0.00	
OTHER EXPENSES	\$22,435.70	\$26,500.00	-\$4,064.30	-15.337%
Total Operating Expenses	\$1,994,850.06	\$2,303,547.21	-\$308,697.15	-13.4%
Operating Profit	\$6,843,496.46	\$6,510,884.79	\$332,611.67	5.1085%



As at 31 AUGUST 2018					
Department	DESCRIPTION	Budget Est	YTD	On-Site Progress	Comments
Roads, Footpaths, Kerbs					
Coles Bay - Freycinet Drive	Kerbing Esplanade to Reserve Road				(Freycinet Master Plan?) Continual flooding issues
Bicheno - Foster Street Kerb	Murray St to Barrett Ave - North Side 95m				
Bicheno - Foster Street Kerb	Barrett Ave to Lovett St - North Side 95m				
Bicheno - Foster Street Kerb	Barrett Ave to Lovett St - South Side 95m				
Bicheno - Foster Street Footpath	Barrett Ave to end (medical centre) 130m				
Bicheno - Foster Street Footpath	Murray St to Barrett Ave - North Side 130m				
Bicheno - Burgess Street Footpath	Weily Ave to Douglas Street - east side				
Triabunna - Vicary St, Stage 1	Vicary St - Tas Hwy to school boundary and 100m Esplanade				NOTE: RSL Grant \$10,000 for parking in Esplanade
TOTAL		222,500	0		
PG, Walking Tracks, Cemeteries					
Bicheno Triangle Upgrade	Development construction (stage one)			In Progress	BCDA \$4,875 / CIF Grant \$206,373 / Council \$404,26
Bicheno Footpaths - Pedestrian Village Plan	Construct Waubs Bay Walk			In Progress	DAP grant \$36,413k / Council \$72,827
Buckland Walk	Construct River Walk				Govt support \$10k / Council \$22k
Triabunna RecGround Playground	Install new net climber			COMPLETE	Residual from 17/18 for installation
Triabunna - Cemetery	Concrete burial beams in new lawn section				
TOTAL		770,255	194,544		
Stormwater, Drainage					
Coles Bay - Harold St	Stormwater network extension				Continual flooding issues
Stormwater Catchment Plans	Orford and Swansea			In Progress	
TOTAL		49,000	5,730		
Bridges and Culverts					
Swansea - Old Spring Bay Road	Road Culvert Crossing				
TOTAL		78,500	5,730		
Council Buildings					
Bicheno Medical Centre	Monitored Security Installation				
Bicheno Medical Centre	Installation of reverse cycle air-conditioning				
Orford Hall	Toilet Extension			In Progress	TCF Grant received - \$62,125
Swansea Loo with a View	New constructed toilets / disability access			In Progress	
TOTAL		400,400	100,535		
Triabunna Marina					
Triabunna - New Tourist Berth Facility	New Berth				
Triabunna - Stage 1 Marina	Access Road and Parking				
Spring Bay Harbour	Straightening Port entrance				
TOTAL		335,000	0		
Plant & Equipment					
Water Cart	13,000 litre capacity				
Truck and Trailer	33 Tonne load capacity				
TOTAL		310,000	0		
Waste Transfer Stations					
WTS Tip Shop	Tip Shop Construction				Costing related to Orford site only
TOTAL		55,000	0		
Grant Matching					
General					
TOTAL		200,000	0		



As at 31 AUGUST 2018					
CAPITAL RENEWAL // B-BICHENO S-SWANSEA C-COLES BAY T-TRIABUNNA BU-BUCKLAND O-ORFORD A-ALL AREAS					
Department	Description	Budget Est	YTD	On-Site progress	Comments
Sealed Road Reseals					
B - Foster Street	Lovett St to Barrett St				
B - Foster Street	Barrett St to Murray St				
C - Hazards View Drive	Coles Bay Rd to Seal Change				
C - Muirs Place	Hazards View Rd to End				
C - Oyster Bay Court	Hazards View Rd to End				
O - Rudd Avenue	Walpole to Seal Change				
O - Rudd Avenue	Seal Change to End				
S - Cathcart Street	Hwy to Seal Change				
S - Cathcart Street	Seal Change to Seal Change				
S - Cathcart Street	Seal Change to Wedge St				
S - Wedge Street	Cathcart to Seal Change				
S - Wedge Street	Seal Change to Groom St				
S - Old Coach Road	Tasman Hwy to End Seal				
Bicheno	Jetpatcher Costs				
Buckland	Jetpatcher Costs				
Coles Bay	Jetpatcher Costs				
Orford	Jetpatcher Costs				
Swansea	Jetpatcher Costs				
Triabunna	Jetpatcher Costs				
TOTAL		347,120	0		
Sealed Road Pavements					
Swansea Road Repairs	General Road Repairs Swansea				includes Dolphin Sands
Swansea - Cooks Court	Asphalt overlay and drainage				
Swansea - Old Spring Bay Road	R2R Asphalt sealing for kerb and gutter			COMPLETE	RTR residual from 17-18 capex project
Bicheno Road Repairs	General Road Repairs Bicheno				
Coles Bay Road Repairs	General Road Repairs Coles Bay				
Orford Road Repairs	General Road Repairs Orford				includes Spring Beach
Orford Road Recon - Louisville Road	R2R Louisville Road recon - Tasman Hwy to Benarchie Drive				RTR Fully Funding
Orford Bowls Club Carpark	Extend and asphalt existing front carpark area				OBC grant \$12,000 - Council contribution \$39,000
Buckland Road Repairs	General Road Repairs Buckland				
Triabunna Road Repairs	General Road Repairs Triabunna				
TOTAL		944,405	26,986		
Unsealed Road Pavements					
B - Rosedale Road	500m			In Progress	
Bu - Buckland Woodsdale Road	1000m - final section				Resheet / Seal
O - Paradise Court	300m				
O - Wielangta Road	5000m			In Progress	\$115,000 income from DPIPWE
S - Old Coach Road	2000m				
S - Saltworks Road	770m				Resheet / Seal
T - Seaford Road	1500m				
Gravel Roads - General	Resheeting - general				
TOTAL		679,000	28,220		
Kerb & Gutter					
S - Wellington Street	replace section adj MayShaw onstreet carpark			COMPLETE	
TOTAL		32,000	37,429		
Footpaths					
S - St Margarets Court					
S - Wellington Street	replace section adj MayShaw onstreet carpark			COMPLETE	
TOTAL		66,500	8,864		



CAPITAL RENEWAL cont. // B-BICHENO S-SWANSEA C-COLES BAY T-TRIABUNNA BU-BUCKLAND O-ORFORD A-ALL AREAS					
Department	Description	Budget Est	YTD	On-Site progress	Comments
Parks & Reserves					
Park Furniture replacement	Replacement of sub-standard seating and picnic tables				
Bicheno Lions Park Perimeter Fence	Replacement of corroded fence and posts \$100/m				
Bicheno Walking Track	Foster St section (Murray St to Sealife Centre) to asphalt				
Swansea - Playground Equipment	Duck Park - replace substandard equipment				
Swansea - Tennis Court	Resurfacing contribution				
Triabunna Seafarers Memorial	Replace Flag Pole Mast				
Park / Street bins - General	Replace old larger bins where required				
Foreshore Management	Foreshore reserves / Bicheno, Coles Bay, Swansea, Orford				
Coastal Hazards Report	Identify and Prioritise Coastal Hazards in GSBC area				
Playground Repairs - General	Infrastructure Upgrade programme				
TOTAL		170,000	0		
Stormwater & Drainage					
Bicheno - Burgess Street S/W pipe	Replace stormwater pipe - 140m (Tasman Hwy to Foster St)				
Bicheno - Stormwater / Foreshore	Extend sw pipes across foreshore (Lovett to Jetty Rd) Stage 1				
Coles Bay - Freycinet Drive	Stormwater upgrade				
Orford - Rheban Road	Address flooding - West Shelly- location / design / approvals				
Triabunna - Lord St / Ada St	Replace undersize sw pipes to prevent property flooding				
All Towns - Annual Programme	Replace sub-standard stormwater pits / grates				
TOTAL		291,000	0		
Council Buildings					
Bicheno - Gulch Toilet	Upgrade sewer pumpstation and power				
Coles Bay Hall	Septic Trenches				
Coles Bay Hall	Engineering Drawings for Extension				
Swansea Depot Truck Shed	Bird proof existing truck sheds			In Progress	
Swansea Depot Sheds	Storage bays - 2 Museum / 3 Depot / 2 Building Dept / 2 NRM				
Swansea SES	Install backup generator				
Triabunna RecGround Clubrooms	New toilets and extension / demolish public amenities				
Asbestos Assessment and Register	For all Council Buildings as per Building regulations				
TOTAL		334,422	0		
Marine Infrastructure					
Bicheno Coastal Erosion Control	Erosion control at Waubs Beach adj Lifesaving Facility				
Swan River Road Boatramp	Replace Jetty				
Swanwick Coastal Erosion Control	Erosion control Sandpiper Beach				
TOTAL		178,000	0		
Bridges and Culverts					
General Structures					
TOTAL		25,000	0		
Plant & Equipment					
Small plant replacement	All Depots				
Works Replacement Vehicles	Account 165 Dep -REGONUMBER				
Swansea Const - Tipper Truck 16T GVM	Replacement Vehicle				
Triabunna Maint - Small Tipper 8T GVM	Replacement of extg TM Utility				
Works Supervisor's Utility	Replacement 150,000 kms				
Replacement Vehicles/Policy	As per new policy - Lease				
TOTAL		339,000	0		
CAPITAL TOTAL		\$5,827,102	\$376,339	6.46%	COMPLETED DOLLAR VALUE

5.2 Manager Works, Mr Tony Pollard

Roads, Footpaths, Kerbs- Waste Transfer Stations- Garbage, Recycling Services- Town Maintenance - Parks, Reserves, Walking Tracks, Cemeteries - Stormwater Drainage - Bridges, Culverts - Emergency Management, SES

ROADS, FOOTPATHS, KERBS:

NORTH

- Maintenance works undertaken when required during the month.

SOUTH

- Maintenance works undertaken when required during the month.
- Unsealed road network being systematically inspected with surface, signage and culverts being maintained as required. Roads currently being addressed: Buckland Rd, Back Levendale Rd and Cutting Grass Marsh Road.

WASTE TRANSFER STATIONS:

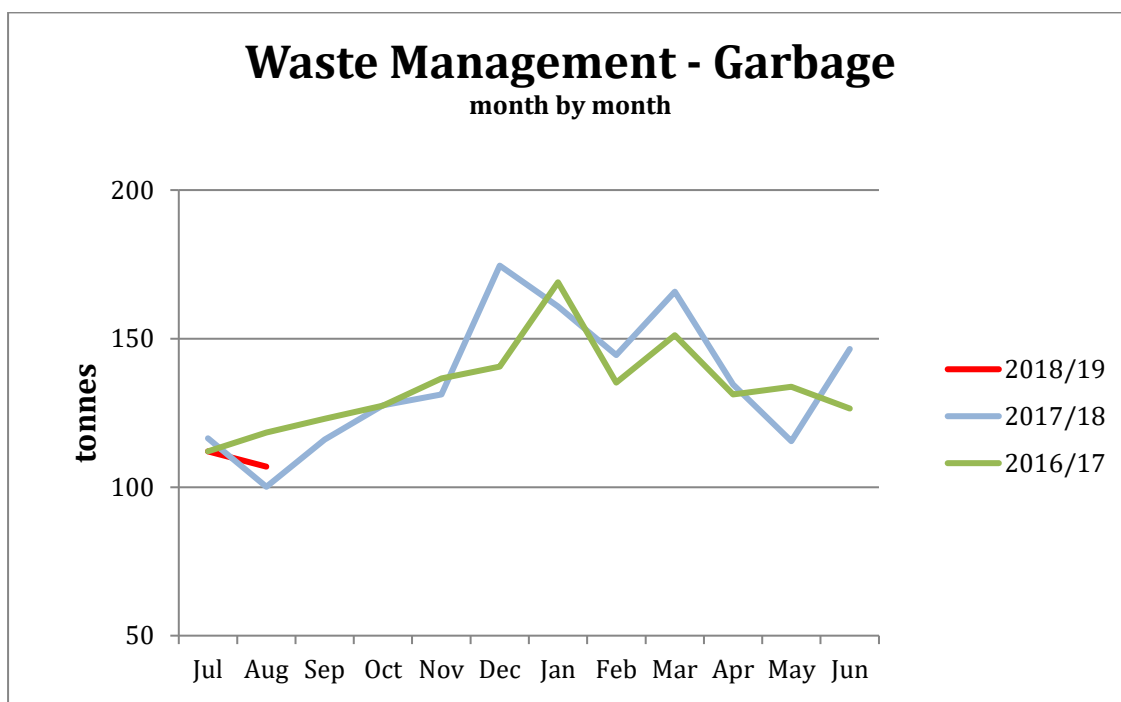
- All waste transfer stations are operating within prescribed EPA guidelines.
- Council conducted the following recent greenwaste burns:
Bicheno, Swansea and Orford - waste transfer stations on Thursday 23rd August 2018.
The activities were in accordance with EPA guidelines

GARBAGE, RECYCLING SERVICES:

- JJ Richards current waste management contract expires in September 2022.
- Recyclable commodity markets have been severely affected by the imposition of much lower contamination tolerances in recyclable commodities by China and subsequently other Asian countries. As a result, JJ Richards have been liaising with Council to discuss the introduction of a gate fee at the Launceston Materials Recovery Facility MRF to offset their newly applied charge for recycle product.

<u>MONTH</u>	<u>BICHENO Collection & WTS</u>	<u>BICHENO WTS only</u>	<u>COLES BAY WTS only</u>	<u>SWANSEA WTS only</u>	<u>ORF-TRIA-CB- SW Collection & ORF WTS</u>	<u>ORFORD WTS only</u>	<u>TOTAL (tonnes)</u>
-	-	-	-	-	-	-	-
JULY '18	30.50	4.63	16.40	25.66	96.18	10.01	168.74
AUG	33.92	9.75	15.86	18.94	93.02	10.29	161.74
SEPT							0.00
OCT							0.00
NOV							0.00
DEC							0.00
TOTALS	64.42	14.38	32.26	44.60	189.20	20.30	330.48

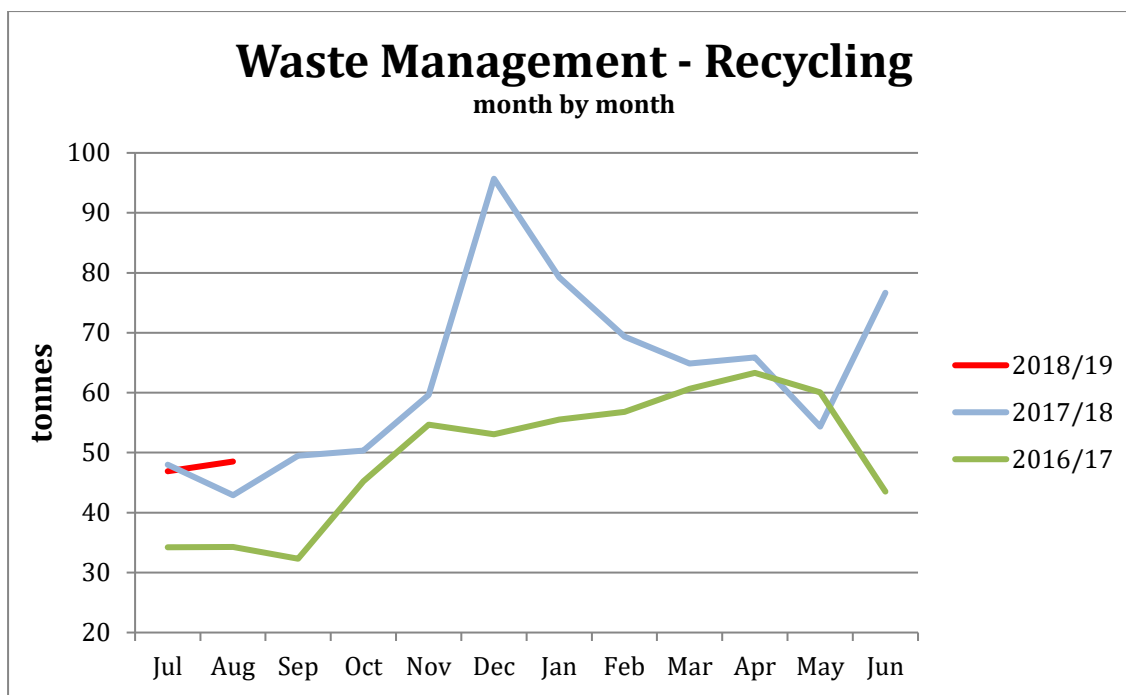
Garbage deposited at transfer stations and transported to Copping landfill site (tonnes)
(Includes kerbside collected waste)



Kerbside garbage collected and transported to waste transfer stations: (tonnes)

<u>MONTH</u>	<u>BICHENO</u>	<u>COLES BAY</u>	<u>SWANSEA</u>	<u>TRIABUNNA</u>	<u>ORFORD</u>	<u>TOTAL BINS</u>	<u>TOTAL (tonnes)</u>
JULY '18	2156	1281	2163	2045	1692	9337	112.04
AUG	2014	1155	2061	2077	1601	8908	106.90
SEPT							0.00
OCT							0.00
NOV							0.00
DEC							0.00
TOTALS	4170	2436	4224	4122	3293	18245	218.94

Kerbside Garbage Collected: Bin numbers



Kerbside recyclables collected and transported directly to Sorting Facility: (tonnes)

MONTH	BICHENO	COLES BAY	SWANSEA	TRIABUNNA	ORFORD	TOTAL BINS	TOTAL (tonnes)
JULY '18	988	643	1017	889	371	3908	46.90
AUG	916	570	954	878	726	4043	48.52
SEPT							0.00
OCT							0.00
NOV							0.00
DEC							0.00
TOTALS	1904	1213	1971	1767	1097	7951	95.41

Kerbside recyclables collected: Bin numbers

TOWN MAINTENANCE:

- Ongoing general maintenance is being carried out in all our town areas to ensure an acceptable level of overall presentation is maintained.

PARKS, RESERVES, WALKING TRACKS, CEMETERY:

- Continuation of general maintenance within our townships and along foreshore areas.

STORMWATER, DRAINAGE:

- A number of rural road's culverts and sidedrains have been reshaped and cleaned.

BRIDGES, CULVERTS:

- Ongoing maintenance when required.
- Design work is currently underway for the proposed future replacement of the twin concrete box culverts on Orford Rivulet under Rheban Road adjacent Strawberry Hill Court. This creek crossing on the major collector road connecting Orford and Spring Beach has always posed problems during high intensity rain events due to undersizing. The replacement would be a single span concrete bridge to eliminate debris blockages and reduce road flooding issues. The road pavement would be realigned and the new structure would also incorporate a concrete walkway on the northern side for pedestrian safety to extend the footpath network closer to the Shelly Beach area.

EMERGENCY MANAGEMENT:

- High winds last month resulted in eight callouts over two days with loose roofing and trees down. Jobs were in Orford, Triabunna, Little Swanport and Swansea as well as clearing the highway to get to Triabunna around midnight during the worst of the weather.
- Two motor vehicle accidents; one included an extrication of the elderly driver by our volunteers having to remove the entire driver's side of the vehicle. A fantastic job was done by the volunteers especially considering that both the unit and deputy unit manager were away and the crew was under the leadership of new members.
- Our new Ford Ranger dual cab has arrived and is in operation. We are still waiting on a purpose built rescue pod to be manufactured which will be put on the vehicle as soon as it is ready. Huge thank you to Council for the support in the changeover of this vehicle.

Visit our website at www.swansea-ses.weebly.com

Kelvin Jones ESM

Unit Manager Glamorgan Spring Bay SES

2018–2019 CAPITAL WORKS UPDATE

- Stage 1 of the Bicheno Triangle redevelopment project is progressing well. Civilscape, the successful contractor, mobilised onsite on Monday 23rd July. The project has an estimated completion date of Friday 26th October 2018. All concrete kerb/gutter and footpaths within the Stage 1 area have been completed. Now that the contamination and granite issues have been resolved, works are progressing at a good steady pace. The onsite workers have received numerous positive comments from the local community about the overall upgrade.
- The placement of a concrete footpath along Jetty Road – Bicheno and Foster St (part) is complete. Due to the adjacent undeveloped allotment along Foster St, a gravel path has been constructed as a temporary link from the new concrete path to the new Bicheno Triangle development works. The concrete path forms part of the overall Development Action Plan DAP proposal for the 'Bicheno Pedestrian Village' Strategy and is named the "Waubs Bay Walk".
- Wielangta Road reconstruction works have recommenced with approximately 5 kms remaining. The full length of the road is 21.50 kms from Orford township to the southern Council boundary. Roadside drains are currently being reshaped prior to gravel resheeting. Works are expected to be completed by early October to meet the requirements of the Grant Deed.



Profit & Loss				
Glamorgan Spring Bay Council				
WORKS DEPARTMENT				
For the month ended 31 August 2018				
	YTD Actual	YTD Budget	Var AUD	Var %
Income				
GRANTS	\$256,348.00	\$256,348.00	\$0.00	0.0%
OTHER INCOME	\$25,220.20	\$28,051.00	-\$2,830.80	-10.0916%
RATES AND CHARGES	\$2,150,777.00	\$2,150,777.00	\$0.00	0.0%
SHARE OF GENERAL RATE	\$1,280,582.00	\$1,280,782.00	-\$200.00	-0.0156%
USER FEES	\$7,397.72	\$9,900.00	-\$2,502.28	-25.2756%
Total Income	\$3,720,324.92	\$3,725,858.00	-\$5,533.08	-0.1%
Gross Profit	\$3,720,324.92	\$3,725,858.00	-\$5,533.08	-0.1485%
Less Operating Expenses				
DEPRECIATION AND AMORTISATION	\$134,010.00	\$140,010.00	-\$6,000.00	-4.2854%
EMPLOYEE BENEFITS	\$186,268.36	\$306,116.96	-\$119,848.60	-39.1512%
FINANCE COSTS	-\$1,344.99	-\$1,345.00	\$0.01	0.0007%
MATERIALS AND SERVICES	\$300,037.26	\$283,152.25	\$16,885.01	5.9632%
PLANT HIRE - INTERNAL CHARGES	\$36,505.00	\$39,849.00	-\$3,344.00	-8.3917%
Total Operating Expenses	\$655,475.63	\$767,783.21	-\$112,307.58	-14.6275%
Operating Profit	\$3,064,849.29	\$2,958,074.79	\$106,774.50	3.6096%

5.3 Manager Development & Compliance – Mr. Shane Wells

Animal Control - Engineering & Technical Services - Environmental Health - Statutory Building - Statutory Planning

Animal Control

Renewal notices were issued along with the rate notices. Two warnings were issued. This department is operating only with the Regulatory Services Officer/Municipal Inspector.

Engineering & Technical Services

This department provides general engineering and technical advice regarding development applications. This department currently consists of 0.4 FTE Contract Engineer, with assistance from the Regulatory Services Officer.

Environmental Health

For the month, 11 food premises were inspected. 23 food business registrations were renewed this month. 0 temporary food business registrations were issued for the month. YTD zero place of assembly licence has been issued, 0 immunizations have been conducted YTD and there are one suppliers of private water.

This department consists of a permanent full time Health Administration Officer and a Contract Environmental Health Officer with assistance from the Regulatory Services Officer conducting abatement inspections.

Statutory Building

For the month, 19 applications were received 19 approvals granted. The building department currently consists of a Permanent full time Building Administration Officer and 2 contractors namely a building surveyor and a plumbing inspector. Applications are being processed within the required timeframes.

Statutory Planning

For the month, 31 applications were received and 16 approvals granted. Of the applications, 6 had a no permit required status. The planning department consists of 1 permanent part-time Planning Administration Officer and consultant planner as required. Other resources are contracted as required. Applications are being processed within the required timeframes.

Bendigo Bank

The Bendigo Bank Agency opened on 21st August 2013 and operates from the Regulatory Services Department. Three staff members are trained to perform the Agency requirements of the Bank. This month there were 127 deposits (161 YTD), 27 withdrawals (150 YTD), 8 transfers (19 YTD), 0 new account enquiries (1 YTD) and 13 general enquiries (30 YTD). There have been no days this month where no transactions/enquires have occurred. There were no days for this financial year where the Agency was closed due to Annual Leave and Sick Leave.

AUGUST 2018		
PLANNING	MONTH	YTD
Application Received	31	61
Applications Approved	16	46
Applications Refused	0	0
Applications Withdrawn	0	0
NPR – No Permit Required approvals	5	9
Visitor Accommodation (Units) Approvals	3	7
BUILDING		
Application Received	26	48
Applications Approved	19	38
ANIMAL CONTROL		
Dogs Registered	0	0
Kennel Licences Issued/Renewed	0	0
Dogs Impounded	1	1
Dogs Seized	0	0
Dogs Surrendered	0	0
Dogs Euthanized	0	0
Warnings Issued	1	3
Complaints	0	0
Infringements	0	0
Lost Dog calls	1	1
Other	0	0
ENVIRONMENTAL HEALTH		
Immunisations	0	0
Food Business Registrations	23	135
Temporary Food Business Registrations	0	0
Food Business Inspections	11	22
Place of Assembly Licences	0	0
Environmental Nuisances	0	0
Littering	0	0
Abatement Notices	0	0
Notifiable Diseases	0	0
Recreational Water Sampling	0	0
Public Pool & Spa Sampling	0	0
Suppliers of Private Water	0	0
Water Carriers	1	1
Regulated System Registration	0	0
Major Incidents notified to DPIPWE	0	0
BENDIGO BANK		
Deposits	127	161
Withdrawals	27	150
Transfers	8	19
New Accounts	0	1
Other	13	30
No of days whereby no transactions/enquiries carried out	0	0

APPLICATIONS RECEIVED AND APPROVED FOR AUGUST 2018

Type: D – Discretionary P – Permitted E – Exempt NPR – No permit required

PLANNING DA No	TYPE	LOCATION	DESCRIPTION	LODGED	STATUS
2018 / 00170	D	8 Oyster Place, Orford	Outbuilding	3-Aug-18	Approved
2018 / 00171	D	Crown Land, Bicheno	Additions and alterations, change of use and signage	3-Aug-18	Approved
2018 / 00172	D	10 Allen Street, Bicheno	Addition to dwelling (deck) & addition to outbuilding	3-Aug-18	In progress
2018 / 00173	D	5 Franklin Street, Swansea	Additions/Alterations to Dwelling & New Outbuilding	3-Aug-18	In progress
2018 / 00174	D	4 Parsons Lane, Coles Bay	Change of Use to Visitor Accommodation	7-Aug-18	In progress
2018 / 00175	D	2 Addison Street, Swansea	Dwelling	7-Aug-18	In progress
2018 / 00176	D	66 Crossins Road, Swansea; Tasman Highway, Swansea	Dwelling	6-Aug-18	In progress
2018 / 00177	D	274 Crossins Road, Swansea; Tasman Highway	Dwelling	9-Aug-18	In progress
2018 / 00178	D	69 Old Spring Bay Road, Swansea	Outbuilding, change of use of outbuilding, and visitor accommodation	8-Aug-18	In progress
2018 / 00179	NPR	94\96 Foster Street, Bicheno	Change of Hours	8-Aug-18	Approved
2018 / 00180	NPR	RA18168 Tasman Highway, Bicheno	Caravan Park (RV Park)	6-Aug-18	Approved
2018 / 00181	D	7 Noyes Street, Swansea	Additions and alterations to Dwelling	13-Aug-18	In progress ^c
2018 / 00182	NPR	5 Trochus Street, Orford	Outbuilding	13-Aug-18	Approved
2018 / 00183	D	6 Wedge Street, Swansea	New Dwelling	14-Aug-18	In progress
2018 / 00184	D	3 Wedge Tail Circuit, Bicheno	Dwelling	16-Aug-18	In progress
2018 / 00185	P	13 Apsley Court, Bicheno	Home Business	14-Aug-18	In progress
2018 / 00186	P	5 Nautilus Drive, Orford	Outbuilding	16-Aug-18	In progress
2018 / 00187	P	28-34 Henry Street, Triabunna	Multiple dwellings (one additional)	16-Aug-18	In progress



PLANNING DA No	TYPE	LOCATION	DESCRIPTION	LODGED	STATUS
2018 / 00188	D	1/34 Henry Street, Triabunna; 2/34 Henry Street, Triabunna; 28-34 Henry Street, Triabunna	Strata	20-Aug-18	In progress
2018 / 00190	D	21 Charles Street, Triabunna	Strata	20-Aug-18	In progress
2018 / 00191	P	13 Shaw Street, Swansea	Change of Use to Visitor Accommodation	20-Aug-18	In progress
2018 / 00192	D	23 Bradley Drive, Coles Bay	Change of Use to Visitor Accommodation	21-Aug-18	In progress
2018 / 00193	D	49 Slipway Road, Triabunna	Raw Water Pipeline	23-Aug-18	In progress
2018 / 00194	P	West Shelly Road, Orford; 45 West Shelly Road, Orford	Jetty Extension	23-Aug-18	Approved
2018 / 00195	NPR	961 Coles Bay Road, Coles Bay	R V Camping	23-Aug-18	Approved
2018 / 00196	D	37 Jetty Road, Coles Bay	Visitor Accommodation Unit	24-Aug-18	In progress
2018 / 00197	D	RA303 Alma Road, Orford	Visitor Accommodation	24-Aug-18	In progress
2018 / 00198	NPR	17 Gordon Heights, Bicheno	Dwelling	28-Aug-18	In progress
2018 / 00199	NPR	40 Franklin Street, Swansea	Part Change of Use to Cafe	3-Aug-18	Approved
2018 / 00200	P	13 Bailey Street, Bicheno	New Dwelling	3-Aug-18	Approved
2018 / 00201	P	14 Redbill Drive, Bicheno	New Dwelling	3-Aug-18	In progress

SUBDIVISION SA No	LOCATION	DESCRIPTION	STATUS	RECIEVED	APPROVED
Nil lodged					

BUILDING BA No	LOCATION	DESCRIPTION	STATUS	RECIEVED
2018 / 00127	RA9 Swanwick Drive, Coles Bay	Dwelling	In progress	8-Aug-18
2018 / 00128	16 Erica Street, Orford	Dwelling	Approved	8-Aug-18
2018 / 00129	RA11 Holkham Court, Orford	Outbuilding & Retaining Wall	Approved	8-Aug-18
2018 / 00130	4 Franklin Street, Swansea	Plumbing Only	Approved	9-Aug-18
2018 / 00131	54B Charles Street, Orford	Dwelling	Approved	13-Aug-18
2018 / 00132	103 Harveys Farm Road, Bicheno	Dwelling & Garage	Approved	8-Aug-18
2018 / 00133	13 Cathcart Street, Swansea	Dwelling, Shed & Deck	Approved	17-Aug-18
2018 / 00134	96 Gordon Street, Swansea	Dwelling, Deck, Carport & Shed	In progress	28-Aug-18
2018 / 00135	71 Gordon Street, Swansea	Dwelling, Deck, Carport & Shed	Approved	20-Aug-18
2018 / 00136	6 French Street, Orford	Dwelling	In progress	21-Aug-18
2018 / 00137	29 East Shelly Road, Orford	Storeroom	Approved	21-Aug-18
2018 / 00138	9 Royle Avenue, Coles Bay	Garage	Approved	16-Aug-18
2018 / 00139	5 Trochus Street, Orford	Outbuilding	Accepted	20-Aug-18
2018 / 00140	31 Rheban Road, Orford	Plumbing Only	Approved	30-Aug-18
2018 / 00141	8 Denison Court, Bicheno	Dwelling	Approved	20-Aug-18
2018 / 00142	35 Bernacchi Drive, Orford		In progress	28-Aug-18
2018 / 00143	RA365 Harveys Farm Road, Bicheno	Visitor Accommodation	In progress	3-Sep-18
2018 / 00144	46 Barton Avenue, Triabunna	Dwelling & Ancillary Dwelling	In progress	3-Sep-18
2018 / 00145	2 French Street, Orford	Out Building	In progress	27-Aug-18
2018 / 00146	RA10922 Tasman Highway, Little Swanport	Sales of Wine	In progress	4-Aug-18
2018 / 00147	7 Inkerman Street, Triabunna	Entry Patio & Timber Deck	In progress	3-Aug-18
2018 / 00148	RA710 Dolphin Sands Road, Dolphin Sands	Plumbing Only	In progress	7-Sep-18
2018 / 00149	1 Selwyn Street, Triabunna	Carport	In progress	4-Sep-18

2018 / 00150	28A Charles Street, Orford	Ancillary Apartment / Granny Flat	In progress	
2018 / 00151	13 Inkerman Street, Triabunna	Deck	Completed	29-Aug-18
2018 / 00152	RA639 Dolphin Sands Road, Dolphin Sands	Plumbing Only	Approved	

Profit & Loss				
Glamorgan Spring Bay Council				
REGULATORY SERVICES				
For the month ended 31 August 2018				
	YTD Actual	YTD Budget	Var AUD	Var %
Income				
CONTRIBUTIONS	\$15,601.00	\$16,000.00	-\$399.00	-2.4938%
GRANTS	\$0.00	\$0.00	\$0.00	
OTHER INCOME	\$33,471.49	\$2,017.00	\$31,454.49	1559.469%
RATES AND CHARGES	\$369,254.00	\$370,000.00	-\$746.00	-0.2016%
SHARE OF GENERAL RATE	\$121,338.00	\$121,338.00	\$0.00	0.0%
STATUTORY FEES AND FINES	\$86,203.81	\$72,333.00	\$13,870.81	19.1763%
USER FEES	\$11,920.00	\$11,000.00	\$920.00	8.3636%
Total Income	\$637,788.30	\$592,688.00	\$45,100.30	7.6%
Gross Profit	\$637,788.30	\$592,688.00	\$45,100.30	7.6095%
Less Operating Expenses				
DEPRECIATION AND AMORTISATION	\$4,093.00	\$4,093.00	\$0.00	0.0%
EMPLOYEE BENEFITS	\$45,828.76	\$114,177.00	-\$68,348.24	-59.8617%
FINANCE COSTS	\$0.00	\$0.00	\$0.00	
MATERIALS AND SERVICES	\$57,796.05	\$72,311.00	-\$14,514.95	-20.0729%
PLANT HIRE - INTERNAL CHARGES	\$0.00	\$0.00	\$0.00	
Total Operating Expenses	\$107,717.81	\$190,581.00	-\$82,863.19	-\$0.43
Operating Profit	\$530,070.49	\$402,107.00	\$127,963.49	\$0.32

5.4 Manager Community Development & Administration – Mrs. Lona Turvey

Community Development & Administration Services

Reclink Youth Football League 2018

On Thursday, 23rd August, 2018, approximately 130 students from Oatlands, Bothwell, Campania, Tasman and Triabunna Districts Schools, participated in the Reclink Youth Football League Gala Day at the Hutchins School oval.

Reclink provides a wonderful opportunity for both girls and boys attending country schools, which are often disadvantaged by size and distance, to participate in competitive football.

The Gala Day was sponsored by Reclink Australia and supported by the Southern Midlands and Glamorgan Spring Bay Councils.

The founder of Reclink, Peter Cullen and the Chief Executive Officer, John Ballis, flew over from Melbourne to join Reclink Tasmanian State Manager, Richard Allanby, for the event.

All secondary students from the Triabunna School also attended the event to support their school players.

The East Coast Roos competed against the Oatlands Hawks which was a very evenly contested game, however, the Oatlands Hawks in the end were the victors, the final score being 2.3 (15) to 1.3 (9).

Medals were presented to all players of each team to commemorate the occasion and the Greg Hunt Memorial Trophies were presented to the two winning teams – Oatlands and Tasman. A barbecue lunch followed.

Organisers are indebted to the Hutchins School, who not only provided the ground but made all its facilities available, as well as providing students to undertake the tasks of goal and boundary umpiring, score and time keeping and a Grade 6 student sang the National Anthem at the beginning of the games.

Current AFL caller, David Lithgow, better known as “Flash” and former Melbourne AFL player Garry Baker provided the commentary.

Reclink Australia is a not-for-profit organisation whose aim is to enhance the lives of people experiencing disadvantage or facing significant barriers to participation, through providing new and unique sports and arts opportunities and specialist recreation programs.

National Boys Choir of Australia

The National Boys Choir of Australia will be performing at the Triabunna Community Hall on Tuesday, 25th and Wednesday, 26th September, 2018.

The choir, which is perhaps recognised by most Australians from the Qantas television commercials, were last in Tasmania in 2013.

This year's repertoire will feature two suites of songs by American composer Aaron Copland, *The Lord Bless You and Keep You* by John Rutter (as featured at the recent Royal Wedding), choral selections from the musical *Oliver*, *I still Call Australia Home* as performed by the choir for Qantas and a variety of other works from different eras.

The choir has toured internationally on sixteen occasions over its fifty-three year history, with destinations including United Kingdom, France, Italy, Germany, Austria, Japan, United States, Taiwan, China, New Zealand and the Philippines, giving performances in venues ranging from Disneyland in three countries to St. Peter's in Rome.

Seniors' Week 2018

Second Sight, a one act play, will be held in the Triabunna Community Hall on Saturday, 13th October as part of Senior's Week. There will be two performances – 1.00 p.m. and 4.00 p.m.

This new play, written by Tasmanian playwright, Alwyn Lewis, was recently performed at the Victorian One Act Play Festivals where it picked up eleven (11) awards.

In keeping with the official Seniors Week 2018 theme "food, glorious food" a delicious afternoon tea will be served.

Health Lifestyle Programme

Obesity and overweight is a huge problem facing Australia today. Sedentary living and overweight is being identified as the cause of, or contributing to, many illnesses such as heart disease, high blood pressure, cancer, diabetes osteoarthritis, breathing problems, to name just a few. To try to assist people in our community to lose weight and stay healthy, a programme called Healthy Lifestyle has been devised in consultation with one of our general practitioners and a councillor.

The Healthy Lifestyle Program began on 22nd August at the South-East Trade Training Centre (Triabunna Campus) with six participants referred by a local general practitioner.

The programme will consist of weekly meetings at which there will be guest speakers such as a psychologist, dietician and exercise physiologist, as well as cooking demonstrations/classes.

The programme will run over twelve weeks and the participants will be given medical checks every four weeks. At the end of the twelve weeks, an evaluation will be conducted to evaluate its effectiveness.

Swansea Concert

The Sing For Your Life! Choir and Suncoast Singers will be performing at the Swansea Town Hall on Friday, 9th November at 2.00 p.m.

The Sing For Your Life! Choir is a community choir based in Hobart. Since starting up in 2005 with about a dozen members, the choir now has more than 120 singers regularly rehearsing and performing together.

The choir sings a range of songs from around the world. Highlights in recent years have included performing at many festivals, fundraisers and other events. In 2016, more than sixty choir members travelled to Ireland to sing in the Cork International Festival and they are heading to Cork again in 2019.

The Suncoast Singers consist of about 40 singers and are based at St. Helens. Their music style is swing, pop, gospel a cappella.

Glamorgan Spring Bay Photography Competition

The photography competition has been judged and the **Overall Winner** is **John Smith** from Bicheno with his image "Diver Over Sponge Garden" taken at Governor Island Marine Park, Bicheno.

The winner of the **Mayor's Choice Award** is "Pelican Brief, Bicheno.

Runners Up (in no particular order) are"-

Emma Taylor, "Early Rise", Millington Beach, Orford.
 Kirsty Pilkington, "Cape Barren Goose", Maria Island.
 Jennie Reid, "Julie's Place", Triabunna.
 Craig Seabourne, "Swansea Waterfront", Swansea.
 Barbara Townsend, "Seagulls at Cod Rock", Bicheno.
 Ian Ramsay, "At the Gate", Swansea.
 Maurice Banks, "Sunset Over Kelvedon Lagoon", Kelvedon.
 Maree Woolley, "Layers", Spring Beach, Orford.
 David Read, "Out of the Mist", Triabunna.
 Sonia Kubank, "Welcoming Committee", Maclean Bay Wines, Bicheno.
 William Vagg, "Timber Boat Shed Nestled on the Bank of Rospin's Beach", Orford.

2019 Calendar

The 2019 calendar has been printed and will be available for sale at the Council offices at Triabunna and various businesses throughout the municipal area. The calendar will sell for \$10 and profits from the sales will go towards youth activities.

COMMUNITY SMALL GRANTS PROGRAM

NAME	DONATED	COUNCIL MINUTE
Bicheno Primary School Association	\$1,000	89/18
Lions Club of Spring Bay Inc. – "Cars on the Coast"	\$1,000	90/18
Spring Bay Neighbourhood Watch	\$1,000	91/18
Swansea Community Christmas Group	\$1,000	92/18
Total	\$4,000	



Profit & Loss				
Glamorgan Spring Bay Council				
COMMUNITY DEVELOPMENT AND ADMINISTRATION				
For the month ended 31 August 2018				
	YTD Actual	YTD Budget	Var AUD	Var %
Income				
GRANTS	\$0.00	\$0.00	\$0.00	
OTHER INCOME	\$1,643.13	\$2,688.00	-\$1,044.87	-38.8717%
RATES AND CHARGES	\$0.00	\$0.00	\$0.00	
SHARE OF GENERAL RATE	\$467,293.00	\$467,293.00	\$0.00	0.0%
USER FEES	\$0.00	\$0.00	\$0.00	
Total Income	\$468,936.13	\$469,981.00	-\$1,044.87	-0.2%
Gross Profit	\$468,936.13	\$469,981.00	-\$1,044.87	-0.2223%
Less Operating Expenses				
DEPRECIATION AND AMORTISATION	\$7,000.00	\$7,000.00	\$0.00	0.0%
EMPLOYEE BENEFITS	\$41,955.58	\$62,996.00	-\$21,040.42	-33.3996%
FINANCE COSTS	\$0.00	\$0.00	\$0.00	
MATERIALS AND SERVICES	\$21,267.24	\$22,180.00	-\$912.76	-4.1152%
PLANT HIRE - INTERNAL CHARGES	\$0.00	\$0.00	\$0.00	
Total Operating Expenses	\$70,222.82	\$92,176.00	-\$21,953.18	-23.8166%
Operating Profit	\$398,713.31	\$377,805.00	\$20,908.31	5.5342%

5.5 Manager Buildings & Marine Infrastructure, Mr Adrian O'Leary

Boat Ramps & Jetties · Triabunna Marina · Council Buildings · Planning, Building & Technical Compliance when required ·

Public Amenities and Buildings:

- General building maintenance to all buildings is carried out when required.
- **Swansea Loo with a View**
Construction has commenced on the Loos with a View toilet facilities at Jubilee beach, Swansea. The main steel frames and gangway fabrication have been ordered and are under production off site as per the engineering specifications. TasWater has supplied the Certificate of Certifiable Works enabling the project to commence.
- **Orford Community Hall**
Work is continuing on the Orford Community Hall. The main extension including the concrete slab, foundations, frame, roofing and exterior cladding is now complete. All the in wall plumbing and electrical have been installed and the plasterer is currently lining all the interior walls. Once complete the extension to the hall will include new toilet facilities including a disabled access toilet and an additional storage room and a new rear access with a disability access ramp.



Image: Orford Community Hall Extension

- **Coles Bay Hall**

Air conditioning units have been installed in the Library and Doctors room at the Coles Bay Hall. These air-conditioning units can be transferred within the building once future building extensions are complete.

Security for the visiting doctor has been installed in the hall and will be monitored by Mekina Security.

- **Triabunna Wharf Wash Down Bay**

The Wash Down Bay adjacent to the new toilet block at the Triabunna wharf is complete. On behalf of Parks and wildlife, Council has erected signage informing the public what the wash down bay is for. The new facility when opened will enable people to wash down boots and shoes, bicycles and wheel chairs. The wash down bay will help prevent the transfer of unwanted seeds to and from Maria Island. This is a joint project of Friends of Maria Island, Parks and Wildlife and Council, funded by the Australian Government via NRM South.



Image: Triabunna Marina Wash Down Bay

- **Triabunna Hanging Gardens**

The Hanging Gardens project, which the University of Tasmania is funding, is under construction. The steel fence structure, which will house the planter pots, is currently being pre-fabricated off site, is to be 2.4 metres high, and will be installed along the fence line around the Telstra building on the corner of Vicary and Melbourne Streets, Triabunna. The garden wall feature will enhance the Streetscape along Vicary Street and the plants will be managed and maintained by Council's Works Department, N.R.M team and the Triabunna School.



Council Buildings			
Category	No.	Sub-Category	No.
Community Facility	27	Halls	9
		Community Service Buildings	18
Municipal Facility	16	Council Depot structures	13
		Administrative Office structures	3
Recreation Facility	12	Change Rooms	2
		Club Rooms	4
		Pavilion	1
		Playing Surface (Tennis)	1
		Misc. Structures	4
Public Toilets	18	Toilets	18
Shelters & Monuments	14	Monuments	1
		Public Shelters	13
Waste Management Facility	4	Buildings & Sheds	4
Total Buildings Listed	91		91

MARINE INFRASTRUCTURE:

Boat Ramps and Jetties:

- General maintenance is carried out on Council owned boat ramps and jetties.
- **All Boat Ramps**
Glamorgan Spring Bay Council's Natural Resource Management team have cleaned all the public boat ramps in the Municipality ready for the summer period. They have used the high-pressure steam cleaner to remove and reduce the algae growth so they will not be slippery and dangerous.
- **Swansea Swan River Road Boat Ramp**
Council was successful in securing Recreational boating fund money to replace the Swan River Road boat ramp jetty. The design for the new floating landing platform is being finalised between Council and MAST. The existing ramp jetty is badly weathered and constantly needing repair.

Triabunna Wharf and Marina:

- Ongoing general maintenance and inspections are carried out as required.
- **Spring Bay Harbour Expansion Plan**
The Spring Bay Harbour expansion and Maria Island Ferry Terminal concept plans have been developed and are on the Council's web site. The Council has received positive feedback on the plans that will expand the Triabunna Port into Spring Bay. The design is to accommodate future needs for the local fishing fleet, increased visitation to Maria Island, expansion of tour boat businesses and general recreational boating.



Prosser River:

- **Prosser River Stabilisation Project**

The Prosser River Stabilisation Project had been put on hold for a few weeks while Gradco wait to receive a new sand pumping machine. The company decided to purchase the pump to have in the state for these and future works rather than the high cost of hiring the machine from the mainland. They expect the works will take a further four weeks to complete. These works include completion of the training walls, re-nourishment of Raspins Beach and final clean up around the site.

Council Marine Infrastructure	
Public Boat Ramps throughout Municipality	14
Fishing Boats paying yearly fee at the Triabunna Wharf	4
Marina Berths occupied by Commercial Fishing Boats (Triabunna)	34
Marina Berths occupied by Recreational Boats (Triabunna)	63
Marina Berths occupied by Ferries or Tour Boat operators	3
Waiting list for Large Commercial Fishing Boat Berths (Triabunna)	5
Waiting list for Recreational Boat Berths (Triabunna)	13
Available Small Boat Berths (Triabunna)	7



Profit & Loss				
Glamorgan Spring Bay Council				
BUILDINGS AND MARINE INFRASTRUCTURE				
For the month ended 31 August 2018				
	YTD Actual	YTD Budget	Var AUD	Var %
Income				
CONTRIBUTIONS	\$0.00	\$0.00	\$0.00	
GRANTS	\$3,640.00	\$5,000.00	-\$1,360.00	-27.2%
OTHER INCOME	-\$95.45	\$100.00	-\$195.45	-195.45%
RATES AND CHARGES	\$0.00	\$0.00	\$0.00	
SHARE OF GENERAL RATE	\$421,354.00	\$421,354.00	\$0.00	0.0%
STATUTORY FEES AND FINES	\$0.00	\$0.00	\$0.00	
USER FEES	\$199,465.93	\$210,000.00	-\$10,534.07	-5.0162%
Total Income	\$624,364.48	\$636,454.00	-\$12,089.52	-1.9%
Gross Profit	\$624,364.48	\$636,454.00	-\$12,089.52	-1.8995%
Less Operating Expenses				
DEPRECIATION AND AMORTISATION	\$48,400.00	\$48,400.00	\$0.00	0.0%
EMPLOYEE BENEFITS	\$31,410.34	\$47,256.00	-\$15,845.66	-33.5315%
FINANCE COSTS	-\$7,569.88	-\$7,570.00	\$0.12	0.0016%
MATERIALS AND SERVICES	\$5,805.13	\$10,630.00	-\$4,824.87	-45.3892%
PLANT HIRE - INTERNAL CHARGES	\$200.00	\$200.00	\$0.00	0.0%
Total Operating Expenses	\$78,245.59	\$98,916.00	-\$20,670.41	-\$0.21
Operating Profit	\$546,118.89	\$537,538.00	\$8,580.89	\$0.02

5.6 Manager Natural Resource Management, Ms Melanie Kelly

Natural Resource Management: Sustainability: Catchments To Coast

Programs and Projects

Continue to support integrated catchment management through the Catchments to Coast (C2C) program and the implementation of catchment management plans.

Catchment plans

Dr Nicky Meeson is working on the review of the draft Prosser Catchment Plan in consultation with the relevant stakeholders. Catchment maps are being prepared.

Bushwatch

Illegal firewood harvesting

A report detailing the extent of the illegal firewood harvesting on Sustainable Timbers Tasmania land in Buckland is complete. It will be tabled for discussion at the next Illegal Firewood Harvesting working group meeting.

Catchments to Coast

NRM South are still in negotiations with the Federal and State Government regarding funding arrangements moving forward. Our discussions with NRM South are ongoing regarding our role in developing another tender. Moulting Lagoon has been clearly identified as a priority for a five year funding proposal.

Continue to implement the GSB Weed Management Plan.

Response to requests for advice and support around weed issues is ongoing.

Negotiations for the weed control contract for State Growth over 18/19 is underway.

A mail out to property owners whose properties are known to contain serrated tussock has been completed. This included a letter reminding property owners of their responsibilities under the *Weed Management Act 1999* and a Weed Action Plan which the NRM team can assist them in preparing. Part of this process will include property visits and mapping.

Early discussions underway with the new Southern Cat Coordinator regarding support for cat management activities with an initial focus on the Bicheno Coastal Reserve penguin colony.

Continue to be involved in and seek funding/resources from regional, state and national NRM programs.

Ongoing

Planning is in process for the 'Science Stories VR Roadshow' event. So far Tassal and the Devil Roadkill Virtual Fencing Project have committed to participating. Dates for the Sept-Oct holidays are currently being negotiated. Necessary equipment is now being procured.

Ongoing.

The Bushfire Mitigation Grant project at Dolphin Sands is now complete. The last installment of funding will be received once an audited final report is submitted.

Ensure that Council continues to meet relevant NRM legislative obligations and communicates this to the community via newsletters and other forums.

Ongoing including participation in the statewide planning scheme as it relates to the management of natural resources.

Continue to support the GSB NRM Committee as a key link between Council and the community on NRM issues, as well as supporting other community groups with NRM objectives.

GSB NRM Committee meeting no.60 was held on 5th September at the Bicheno Memorial Hall. Thank you to the students from the Bicheno Primary School Leadership Group and the school principal for presenting to the Committee on their inspiring sustainability and environment initiatives and projects. Congratulations Bicheno Primary School.

The next GSB NRM Committee meeting will be held on Wednesday 14th November – venue to be confirmed.

The GSB NRM team continues to provide support to other community groups including the Bicheno Earth and Ocean Network, the Friends of Rocky Hills, the Dolphin Sands Ratepayers Association (DSRA), the Swanwick Association, Friends of Triabunna Reserves, the Bushland Gardens Committee and the Orford Community Group (OCG) as well as individual volunteers.

Successful National Tree Day (NTD) events were held in collaboration with the Friends Of Triabunna Reserves (FOTR), the Triabunna High School (THS), and the Orford Community Group. Children from Triabunna Child Care Centre assisted with planting at the FOTR site. Additional NTD activities occurred in Bicheno with voluntary participation at the health centre from many willing folks. NRM Works Coordinator held a native plant propagation activity with students at THS at their 24 Carrot Garden event.

The Friends of Maria Island successfully applied for funding from NRM South to install biosecurity 'wash down' infrastructure and signage at the Triabunna Marina and on Maria Island. This project involves significant in-kind contributions from PWS and GSBC. The biosecurity wash down infrastructure has been installed at the Triabunna Marina near the departure point for the Maria Island ferry. Associated signage is expected to be installed this month at the Marina.

Continue to work and develop partnerships with Parks and Wildlife Service, Crown Land Services, TasWater, DPIPW, Department of State Growth, service providers, contractors and other agencies with regards to NRM values on public land.

Ongoing follow up with a number of agencies regarding weed issues and management for special values.

Discussions underway with Crown Land Services regarding a more cooperative and strategic way forward with regards to managing Crown Land across the municipality.

Continue to participate in a range of climate change mitigation and adaptation initiatives, including the implementation of the Climate Change Corporate Adaptation Plan (CCCAP).

Communities and Coastal Hazards Project

Due to the recent success of the Regional Climate Change Initiatives funding applications to the STCA, and the subsequent formation of sub-working groups, the GSB Communities and Coastal Hazards Project will be informed by the newly funded Regional Coastal Hazards Strategy and associated projects which will enable collective leverage of resources across southern Tasmanian councils. A briefing on the roll out of these projects will be provided to the working group in the next few weeks.

Cities Power Partnership

Other Tasmanian Councils have signed up and initial discussions around joint initiatives are underway. A plan for how council will achieve its pledges is currently being prepared. Ongoing.

Continue support for annual community events such as National Tree Day, Clean Up Australia Day, Tidy Towns as well as other markets, festivals and school activities.
Ongoing.

A working group has been formed to tackle the issue of marine debris and other litter. The working group is a sub group of the NRM Committee and members include NRM Committee representatives from industry, council, Parks and invited representatives from other organisations. Planning is underway for the community clean up and probable date for the community celebration has been set for Saturday Nov 3rd. Council's Sustainability Officer has been appointed by the group to coordinate the clean up and celebration with in kind and financial support also being offered by various businesses. The event as a whole is called The Great Eastern Clean Up and clean up activities will take place throughout the month of October. Promotional and informational materials are currently being prepared for a planned release mid September.

Continue to work with Council's Regulatory Services Department to ensure that development assessments strive to meet Triple Bottom Line Principles.
Ongoing input into planning applications as required.

Continue participation and development of sustainability initiatives, in particular energy use, sustainable waste management, community gardens, both for Council and the community.

Sustainability Officer has met with Triabunna and Swansea Schools to discuss improving recycling and opportunities for reducing waste. Including assisting with submission for funding to run a wax wrap workshop and changing ratio of waste and recycling bins and installing Terracycle oral care collection systems. Ongoing.

An education and community awareness campaign is being developed in collaboration with Council's Works Department to promote Council's new free E-waste collection for state of the art recycling, including e-waste, battery, lighting, x-ray and specialized metals collection and recycling service with CMA Ecocycle now available at all four GSB Waste Transfer Stations. Promoting the scheme is now in process. For example an article was published in Bicheno Forward which has elicited several positive responses. Ongoing.

Sustainability Officer is currently working with Bicheno Food & Wine Festival towards making the event zero waste in 2019. Sustainability Officer is also assisting Festival organisers in their negotiations with Works Department for waste collection, separation and disposal for 2018 festival. Ongoing.

The reusable coffee cup project has made significant progress with the development of a collaborative proposal with East Coast Tourism with a focus on Great Eastern Drive branding. Sponsorship is currently being negotiated. Ongoing.

Develop systems and capacity to protect and enhance Aboriginal Heritage values whilst building relationships with the community.
Ongoing

Continue to work with Council's Works Department, community and other relevant agencies in the strategic management of Council owned, leased and licensed public reserves, with a particular focus on the protection of natural assets through the implementation of vegetation management plans for reserves in each town.
Ongoing.

Ongoing fire management work has commenced along fire breaks and public land in Dolphin Sands.

Dumping of garden waste on coastal reserves continues to be an issue with a report to Council to be prepared outlining a strategic response going forward.

A draft Masterplan for the Orford Bird Sanctuary and surrounds is being developed to ensure the protection of the values into the future.

Development and implementation of action plans, strategies and policies in consultation with relevant sections of Council and other key stakeholders. In particular the Native Flora and Fauna Management Plans, Weed Management Plan and Catchment Management Plans.
Ongoing.

Research into the establishment of the Pulchella Community Nursery is ongoing.

Continue to initiate, encourage and participate in skills development and training opportunities, and make these available to community whenever possible.
Ongoing

Profit & Loss				
Glamorgan Spring Bay Council				
NRM				
For the month ended 31 August 2018				
	YTD Actual	YTD Budget	Var AUD	Var %
Income				
GRANTS	\$7,900.00	\$8,000.00	-\$100.00	-1.25%
OTHER INCOME	\$0.00	\$800.00	-\$800.00	-100.0%
RATES AND CHARGES	\$0.00	\$0.00	\$0.00	
SHARE OF GENERAL RATE	\$244,000.00	\$244,000.00	\$0.00	0.0%
USER FEES	\$0.00	\$2,000.00	-\$2,000.00	-100.0%
Total Income	\$251,900.00	\$254,800.00	-\$2,900.00	-1.1%
Gross Profit	\$251,900.00	\$254,800.00	-\$2,900.00	-1.1381%
Less Operating Expenses				
DEPRECIATION AND AMORTISATION	\$2,000.00	\$2,000.00	\$0.00	0.0%
EMPLOYEE BENEFITS	\$45,861.00	\$50,060.00	-\$4,199.00	-8.3879%
FINANCE COSTS	\$0.00	\$0.00	\$0.00	
MATERIALS AND SERVICES	\$8,794.78	\$7,186.00	\$1,608.78	22.3877%
PLANT HIRE - INTERNAL CHARGES	\$1,500.00	\$2,300.00	-\$800.00	-34.7826%
Total Operating Expenses	\$58,155.78	\$61,546.00	-\$3,390.22	-5.5084%
Operating Profit	\$193,744.22	\$193,254.00	\$490.22	0.2537%

Recommendation:

That the Management Reports be received and noted.

6. Minutes of Section 24 Committees

COMMENTS:

Minutes of any Section 24 Committee Meetings, which have been submitted will be discussed at this time.

- 6.1 Spring Bay Eldercare Committee Minutes, September 10 2018 (Draft)**
- 6.2 Triabunna Community Hall Committee Minutes, August 13 2018 (Draft)**
- 6.3 Triabunna Community Hall Committee Minutes, May 21 2018**
- 6.4 Triabunna Community Hall Committee Minutes, February 19 2018**

David Metcalf
General Manager

Recommendation:

That the minutes be received and the recommendations within adopted.

6.1 Spring Bay Eldercare Committee Minutes (Draft)

MINUTES OF THE SPRING BAY ELDERCARE COMMITTEE MEETING HELD AT THE COUNCIL OFFICES, TRIABUNNA, ON MONDAY, 10th SEPTEMBER, 2018 COMMENCING AT 9.04 A.M.

PRESENT

Deputy Mayor, Cr. Cheryl Arnol (Chairperson), Kathleen Fergusson, John Castle, Tony Brown and Mick Fama.

IN ATTENDANCE

Lona Turvey, Manager Community Development.

APOLOGIES

Murray Watson

CONFIRMATION OF MINUTES

2/18 *Moved T Brown, seconded K. Fergusson, that the minutes of the Spring Bay Eldercare Committee Meeting held on 7th August, 2018, be confirmed as a true record of proceedings, subject to the following amendments:-*

- *Mick Fama to be included as an apology.*
- *The wording "hard-wired photoelectric" under Item 5.1 Smoke Detectors to be deleted.*

CARRIED

GENERAL BUSINESS

5.1 Report on Applicants for Unit 8

Mrs Fergusson provided a report on the applicants for Unit 8.

There were two applicants for the vacant unit – one lady and one man. The applicants were interviewed by Mrs. Fergusson and Mrs Turvey on Thursday, 30th August, 2018.

After careful consideration of the applicants, it was decided to recommend that the unit be offered to the lady, subject to her providing a medical certificate from her general practitioner stating that she is capable of living independently.

Resolved that the recommendation be accepted.

5.2 Discussion on Council's Decision – Agenda Item 6.1 (Minute No. /18)

Mrs. Fergusson provided the Committee members with a copy of her comments in regard to Council's decision at the Ordinary Meeting held on 28th August, 2018, that heaters be purchased from the reserves held by the Spring Bay Eldercare Committee.

1. Disappointed that councillors lack confidence in the Committee, three (3) members of which have served for a period of 33 years each, one a professional electrician, another a builder. All committee members are volunteers who only make considered recommendations after long and careful debate.
2. If councillors had concerns or wished more information about the committee's recommendation, those concerns should have been brought back to the committee as suggested by the Mayor.
3. The malfunctioning heater in Unit 3 has been serviced and is now working. (Refer Item 6.2)
4. The existing heaters which replaced the original heaters are IXL 4.5 models and should be quite adequate to heat the 36 square metre units (or 4 squares in old measurements).
5. Heat pumps are costly to install – rough estimate \$3,000 each. They would be difficult to install as there is inadequate wall space for inner and outer components to be located in the living areas, leaving the only option being the bedroom which would be unsuitable due to noise irritation for the elderly occupants and whole unit heating efficiency and amenity. (Fire walls separate each of the units in the 3 unit buildings.)
6. Current account and reserves account finances are clearly misunderstood by some councillors.
7. The energy audit recommended is considered unnecessary as our electrician member will be checking heaters and stoves when he installs the new smoke alarms. Solar hot water systems have been installed. Council's building officers conduct unit inspections annually. There is insulation in the ceilings.

The matter was discussed and it was the view of the committee that, if reverse cycle heaters are to be installed in the six (6) units, the rent should be increased by \$10 to \$125 per week, effective from 1st March, 2019, to maintain the equity of the reserve account.

Cr. Arnol suggested that she would prepare a notice of motion to take back to Council for its consideration, with the following recommendation:-

That Council approves an increase of \$10 per week, effective from 1st March, 2019, for a rental of \$125 per week until 30th June, 2020 for the Eldercare Units, Elder Court, Triabunna.

The Eldercare Committee agreed to this course of action.

ANY OTHER BUSINESS

Mrs. Turvey advised that a letter of resignation had been received from Mr. Murray Watson due to his many other community commitments.

It was resolved that:

- Mr. Watson's resignation be accepted with regret and that the RSL be advised of the situation and be asked to nominate a replacement which will take effect after the upcoming elections.
- A letter be sent to Mr. Watson, thanking him for his contribution and assistance during his time on the committee.

There being no further business, the meeting closed at 10.20 a.m.

Confirmed
Chairperson

6.2 Triabunna Community Hall Committee Minutes, August 13 2018 (Draft)

Triabunna Community Hall Committee

Meeting Minutes

13/08/18

Opening

The regular meeting of the Triabunna Community Hall Committee was called to order at 5:06pm on 13/08/18 in TCH by Chairperson, Councillor Jenny Woods.

Present

Chairperson Councillor Jenny Woods, Malcolm Bishop, Kaylene Lee, Tony Pollard, Judy Mollineaux, Keri Handley & Secretary/Treasurer Gavan Barber

Apologies

David Kirk, Howard Harris

Approval of Minutes

Minutes of committee meeting on 21/5/18 & special meeting on 25/6/18, as circulated, were accepted.

MOVED: Judy
SECONDED: Keri
CARRIED: Unanimously

Business Arising from Minutes

- Gavan informed meeting that the centre toilet in the female toilets has been repaired.
- Cleaning of the Hall – Jenny has contacted Adrian O’Leary and will contact Mark to arrange cleaning of windows. Adrian will hire a cherry picker to clean the high windows at the front of the hall.
- Tapestries – they are not going to be lowered as there is insufficient structural material on mezzanine to mount them any lower.
- Kitchen – Jenny has spoken to the General Manager about funding for upgrade and he stated that it needs to be of commercial standard. Jenny will contact the Environmental Health Officer (Natalie) to get guidance on the issue, and invite her to the next meeting to discuss the kitchen with the committee.

Correspondence

- 2019 screening schedule for the Orford Odeon tabled. Tony to have the dates put in the hall’s calendar at Council.

Page | 1

Financial Report

Balance in account at date of meeting is \$6,808.19.

Acceptance of report:

MOVED: Gavan
SECONDED: Malcolm
CARRIED: Unanimous

New Business

- **Insufficient Hall Lighting - Tony**

Discussion ensued about general lighting in hall for meetings or elections. Tony asked if it was possible to remove the diffusers from the main lights to increase the amount of light, Gavan stated that that would expose the fittings & globes in the lights and detract from their look.

Gavan is having a meeting with Adrian O'Leary and Tony Brown about lighting on 16/8/18 at 10am, there is already wiring installed for extra lighting. Jenny will also attend the meeting with Adrian.

- **Neighbourhood Watch - Keri**

Neighbourhood Watch carries out projects in the community, eg reflective house numbers to make locating houses at night easier and a security camera on the IGA corner in Triabunna. This year's fundraiser will be funding toward the purchase of an automated defibrillator for the Triabunna Community Hall. There are currently a number installed around Orford & Triabunna, but the hall is the largest venue without one. Clive Parr has met with the General Manager and has been given permission to install a defibrillator in the hall. Keri has consulted with the ambulance service as to location and the conclusion is that it will be installed in the alcove of the foyer on the right-hand side of the main servery. Keri has consulted with Phil Pyke of the volunteer ambulance service as to the most appropriate unit to buy, and Phil will provide training to the Hall Committee and Neighbourhood Watch. Ambulance Tasmania will service and replace the battery every 18 months.

ACTION: Keri to relay the hall committee's thanks and appreciation for their efforts in providing the defibrillator.

- **Hall Security – Gavan**

General discussion about doors not being secured correctly. Maybe the weather seals need changing for something a bit thinner to allow the door to close more securely.

ACTION: Talk to Adrian O'Leary about checking all the door locks.

- **Hall Hire Fees – Jenny**

Hall hire fees set by Council for 2018/19 have not changed from 2017/18, but the fee structure in the Council's Fees and Charges makes it difficult to set a fee for events.

it was decided to simplify the structure and have set fees for particular events:

Hall Hire – hourly rate (not for profit)	\$10
Hall Hire – half day rate (not for profit)	\$20
Hall Hire – full day rate (not for profit)	\$50
Hall Hire – evening rate (not for profit)	\$20
Hall Hire – half day rate (commercial)	\$70
Hall Hire – full day rate (commercial)	\$150
Hall Hire – evening rate (commercial)	\$50
Large events – weddings/birthdays	\$200
Prepaid bond relating to large events	\$200

We are currently unsure when Council is going to start charging the hall committee for the electricity used at the hall, this will depend on when a separate meter for the Triabunna Gatehouse is installed in the meter box to split the power for the Gatehouse away from the hall. This will mean that we may have to revisit the hall hire charges again once the committee starts paying for electricity.

Kaylene Lee left meeting and the committee had a discussion re fee for Meals on Wheels and it was decided to keep the fee at \$100 for the year. Kaylene was recalled to the meeting and informed of the decision.

Gavan Barber left meeting and the committee had a discussion re fee for Orford Odeon and it was decided to keep the fee at \$100 per movie. Gavan was recalled to the meeting and informed of the decision.

Fees for Spring Bay Yoga to be kept the same as previous year, \$10 per session.

Fees for Rhythmic Dance Studio to be increased from \$40 to \$50 per session

Hall hire fees to be discussed again before the next budget workshops held by Council, hopefully we will have updated costs on electricity by then

- **Other Business**

- Tony asked Gavan (as representing the Orford Odeon) why the tapestries were covered up at each movie since they were installed approx. 3 months ago. Gavan said that they did not fit in with the décor of the Odeon for the movies.

Tony said that he has spoken to David Metcalf about the complaint Council recently received and he has instructed that the tapestries were placed in the hall for display purposes and that they are not to be covered up by any person/s hiring the hall

6.3 Triabunna Community Hall Committee Minutes, May 21 2018

Triabunna Community Hall Committee

Meeting Minutes

21/05/18

Opening

The regular meeting of the Triabunna Community Hall Committee was called to order at 5:30pm on 21/05/18 in TCH by Chairperson, Councillor Jenny Woods.

Present

Chairperson Councillor Jenny Woods, Malcolm Bishop, Howard Harris, Kaylene Lee, Tony Pollard, Judy Mollineaux, Keri Handley & Secretary/Treasurer Gavan Barber

Apologies

David Kirk

Approval of Minutes

Minutes as circulated were accepted.

MOVED: Keri
SECONDED: Gavan
CARRIED: Unanimously

Business Arising from Minutes

- Kaylene informed meeting that the air-conditioning was on again when she came in on Sunday to do Meals on Wheels. Gavan has checked the programming in the past and it has been OK. It was suggested that reminder notices be put on all doors reminding people to turn off all lights and air-conditioning.
ACTION: Gavan will check the programming again and put notices on all doors.
- Cleaning of the Hall – Jenny was to contact Adrian O’Leary, nothing has been resolved to date and Jenny will contact Adrian again. Keri wants to know what is happening as we need to do some seasonal cleaning in the Hall, especially windows.
ACTION: Councillor Jenny Woods to contact Adrian O’Leary re using local commercial cleaner (Mark?)
- Storage cupboard under stairs – Keri informed the meeting that the shelving had been acquired and installed, and the space is now much more functional.
- Some of the remnants of old staples, that were once used to affix stuff to the walls, have been removed.
ACTION: Gavan will remove the remainder as they are found.

Page | 1

Correspondence

- NIL

Financial Report

Balance in account at date of meeting is \$5,318.19.

Acceptance of report:

MOVED: Gavan
SECONDED: Keri
CARRIED: Unanimous

New Business

- **General Cleaning - Kaylene**

When Kaylene comes in on the weekends to do Meals on Wheels she has been checking the toilets and cleaning where necessary, sometimes they have been left in a less than satisfactory state especially after the dance group use the hall. Kaylene will in future be checking the toilets and cleaning where required. Also, Kaylene requested to borrow an urn to use at the Brighton Show in November – the committee were in agreement.

- **Official Opening - Keri**

Keri questioned as to where we are at re having an official opening for the Hall – nothing has been done at this stage. Jenny suggested that we could form a sub-committee to discuss options re the opening. Howard suggested that the school should be involved re stage use and that the TAS Community Fund could hold a grant writing forum as part of the opening. It was decided to hold a special meeting to only discuss the Official Opening of the Hall. Gavan will search the minutes of all discussions relevant to the opening and circulate them to the committee prior to the meeting.

ACTION: Special meeting at 5pm on 25/6/18.

- **Other Business**

- Gavan raised the fact that he had contacted Adrian O'Leary re the kitchen refurbishment, and that Adrian was going to discuss it with David Metcalf and/or raise it during a budget meeting. Gavan has not heard back from Adrian at this stage. Gavan has also emailed Adrian that the centre in the female toilets is loose on the base and needs fixing as a priority.
- Tapestries – 6 of them have now been installed across the face of the mezzanine. Keri discussed some feedback that she had received from Eileen Bailey, Patricia Kirk and Sue Nettlefold concerning the installation. The consensus was that they are too high and need to be lowered approx. 300mm. They are currently hung on large cup hooks attached the top rail of the mezzanine. They will be lit appropriately, the remaining 5 will be installed in the Orford Hall.

ACTION: Councillor Jenny Woods to contact Adrian O'Leary re lowering the tapestries

- Councillor Jenny Woods stated that she wished to apologise for having not been there for the committee due to personal issues, and consequently she never got to submit the grant for the kitchen that Howard passed on to her. She is concerned that the current quote is an overkill and disjointed.

Jenny wanted everyone to have a further look at the kitchen and discuss the layout. Keri stated that having spoken to people that have used the kitchen and that there are core elements that are required as per the design, she is concerned that we are now going back to square one and going over the whole thing again. Keri stated that everything has to meet the appropriate standards and that all crockery and cooking utensils have to be stored in hygienic conditions. Jenny was concerned that the stove was on the wrong place, Gavan stated that the design was to separate the functions into a prep/cooking area, a plate-up area and a serving area. The 2 serveries were installed to allow the serving of food from one and drinks from the other. It was also suggested that the external kitchen door and smaller servery could be closed off to create more wall space for cupboards. Keri was concerned that this could contravene fire regulations and asked that Jenny talk to Adrian O'Leary about it.

ACTION: Councillor Jenny Woods will take the Bunnings plan to David Metcalf to discuss it with him.

Close

Meeting was closed at 6:30pm by Chairperson, Councillor Jenny Woods. **Next meeting - 5:00pm on August 13, 2018, @ the TCH**

Minutes submitted by: Gavan Barber

Approved by: Councillor Jenny Woods



6.4 Triabunna Community Hall Committee Minutes, February 19 2018

Triabunna Community Hall Committee

Meeting Minutes

19/02/18

Opening

The regular meeting of the Triabunna Community Hall Committee was called to order at 5:40pm on 19/02/18 in TCH by Secretary/Treasurer Gavan Barber, having been selected to chair the meeting in the absence of Chairperson, Councillor Jenny Woods.

Present

Malcolm Bishop, Howard Harris, David Kirk, Tony Pollard, Keri Handley & Secretary/Treasurer Gavan Barber

Apologies

Judy Mollineaux, Kaylene Lee

Absent, Chairperson Councillor Jenny Woods (Tony Pollard rang Jenny and apology conveyed)

Approval of Minutes

Minutes as circulated were accepted.

MOVED: David
SECONDED: Keri
CARRIED: Unanimously

Business Arising from Minutes

- Orford Odeon schedule for 2018 has been sent to Council for inclusion on the TCH booking planner.
- Air-conditioning – Gavan has checked the programming and all seems to be working. Keri stated that when she was conducting Yoga on 16/2/18 the air-condition had turned on as per programming and was working OK (Keri manually shut it down when she left).
- Festival of Small Halls – Gavan did contact Lona Turvey (Manager Community Development) to see whether the performers at the Festival would need to use any of the TCH's equipment and was informed that they would bring all their own equipment. The Festival of Small Halls was a great success with a capacity audience attending, and the performers were impressed with the facilities in the Hall.
- Cleaning of Hall – Still unresolved as Chairperson, Councillor Jenny Woods was an apology for this meeting.
- Tapestries – Still unresolved; Chairperson, Councillor Jenny Woods to update at next meeting meeting.
- Booklet for use of Hall is ongoing.
- Spring Bay Yoga Schedule – has been adjusted and Keri informed the meeting that Yoga will only be on Friday mornings only (not on Wednesday any more). Tony will arrange to take the Wednesday booking out of the TCH booking planner at Council.
ACTION: Tony to contact Sue Nettlefold.
- Window in female toilet – glass repaired, still to have frosting sheet put on glass.
ACTION: Gavan will follow up with Adrian O'Leary.

Page | 1

- Toilet and backstage lights are still being left on at times – everybody must be vigilant about turning off the lights.

Correspondence

- Hall booking form from Rhythmic Dance Studio to hire the Hall on Thursdays.
- Quote for kitchen cupboards from Bunnings.
- Email from Electoral Commission to use Hall for upcoming State election.

Financial Report

Balance in account at date of meeting is \$4,798.19.

Acceptance of report:

MOVED: Gavan
SECONDED: Tony
CARRIED: Unanimous

New Business

- **Kitchen Plan from Bunnings - David**

General discussion about quote from Bunnings. The Bunning's kitchen specialist suggested that the bench in front of the fireplace be retained and drawer units be installed under it (included in quote). The remainder of the units will replace the existing sink unit and go under the serveries and replace the corner unit by the stove. The quote does not include stove, rangehood, sinks & taps (re-use existing sinks and taps). The Bunnings consultant also suggested that an island bench be retained, but probably a smaller version, and that overhead cupboards could be installed above the corner unit next to the stove/rangehood. We need to check with Adrian O'Leary as to what we have to do with the floor to comply with regulations. We need to get quotes for stove, rangehood and installation so that we can present a completed kitchen figure to Adrian O'Leary.

ACTION: Gavan to write to Adrian O'Leary asking whether Council had any funds to contribute toward the cost of the refurbishing the kitchen.

- **Storage Cupboard under stairs - Keri**

The space under the stairs in a complete shemozzle, and there needs to be some sort of shelving installed.

ACTION: Sue Nettlefold (Spring Bay Yoga) will purchase suitable shelving units.

- **Maintenance, walls - Keri**

Members of Spring Bay Yoga have noticed that there are some remnants of staples remaining in the walls (left overs from hall use years ago)

ACTION: Gavan will go over the walls and remove all remaining staples.



- **Other Business**

- Dance group booking for Thursday each week – when they initially made contact with Gavan they were quoted \$40 per session, and when the hire form was completed the amount was \$20 per session.

ACTION: Gavan will contact the dance group to inform them of the error and update arrangement.

- Electricity bills – The Triabunna Gatehouse still runs off of the Hall's electricity meter and Council is still waiting for this to be changed. When this has been corrected then Council will know exactly how much the Hall costs.

Close

Meeting was closed at 6:18pm by Secretary/Treasurer Gavan Barber. **Next meeting - 5:30pm on May 21, 2018, @ the TCH**

Minutes submitted by: Gavan Barber

Approved by: Councillor Jenny Woods

7. Officers' Reports Requiring a Decision

7.1 Personal & Private Information Policy

Responsible Officer – General Manager

Comments

It has been identified by the Ombudsman Tasmania that Council has a gap in its public policies as related to the *Personal Information Protection (PIP) Act 2004*.

As a result a new Personal and Private Information Policy has been developed by solicitors which is focused on providing information to the general public as to Council's obligations and practices as related to the management of private and confidential information. It includes a complaints process. The policy has been developed to ensure it complies with the *PIP Act 2004*.

Council's employment contracts (updated in the last two years) are incorporative of obligations to employees to ensure they comply with the PIP Act 2004 by way of confidential information clauses. This also extends to workplace policies.

Statutory Implications

Personal Information Protection (PIP) Act 2004

Budget Implications


Nil

Recommendation

That Council endorses the Personal and Private Information Policy as presented.

Attachment: Personal & Private Information Policy

Attachment Item 7.1: Personal & Private Information Policy

 GLAMORGAN SPRING BAY COUNCIL	POLICY – PERSONAL & PRIVATE INFORMATION	Policy #	
		Version	Date
Minutes Dated	Approved By: Council Decision No.	Review Date As required but no later than 2020	

1. OBJECTIVE

To ensure that information gathered by Council is protected; and that on the collection of the information, it is kept private.

2. SCOPE

This Policy applies to all councillors, Council employees, contractors, workplace participants and volunteers of Council.

3. DEFINITIONS

‘Personal Information’ means any information or opinion in any recorded format about an individual whose identity is apparent or is reasonably ascertainable from the information or opinion.

‘Sensitive Information’ means personal information or an opinion relating to personal information about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, beliefs, membership of a professional or trade association, membership of a trade union, preferences or practices, criminal record and health information about an individual.

For the avoidance of doubt both Personal Information and Sensitive Information both constitute confidential information in respect of all other Council policies and procedures.

3. PROCEDURE

3.1 Collection of Personal Information

3.1.1 Council will only collect Personal Information that is necessary for it to perform its functions.

3.1.2 Council will collect Personal Information about individuals directly from them wherever it is reasonable and practicable to do so.

3.1.3 There may be circumstances where Council is required or obligated by law to collect Personal Information.

3.1.4 Personal Information obtained by Council may include a person's:

- (a) name;
- (b) address;
- (c) telephone number(s);
- (d) date of birth;
- (e) occupation;
- (f) email address;
- (g) tax file number or Centrelink reference number (or other similar identification required for State or Australian Government processes);
- (h) bank details; or
- (i) vehicle registration details.

3.1.5 There are various purposes for the obtaining of Personal Information, which may include:

- (a) to provide services, as requested by the individual;
- (b) to follow up on complaints or issues;
- (c) to confirm attendance at meetings, functions etc.;
- (d) where an individual has been included on a mailing or distribution list;
- (e) to facilitate the collection of fees and charges;
- (f) to facilitate payments; or
- (g) to undertake law enforcement activities.

3.1.6 After collecting Personal Information, Council will take all reasonable steps to ensure an individual is made aware of:

- (a) Council's identity and how to contact it;
- (b) the individual's rights in regards to accessing the Personal Information collected;
- (c) the purpose for collecting the Personal Information;
- (d) the intended recipients of the Personal Information;
- (e) legislation that requires the Personal Information to be collected; and
- (f) the consequences, if any, of not providing all or part of that Personal Information.

3.2 Unique Identifiers

3.2.1 Council will not assign unique identifiers to individuals unless the assignment of the identifier is necessary to perform any Council functions.

3.2.2 Council will not adopt a unique identifier for an individual, if the same unique identifier has been assigned to that individual by another Personal Information custodian, unless:

- (a) that adoption is necessary for Council to carry out any of its functions efficiently;
or
- (b) it has obtained the consent of the individual to the use of that same unique identifier.

3.3 Anonymity

Council will, where it is lawful and practicable, give individuals the option of remaining anonymous when entering into transactions with Council.

3.4 Sensitive Information

- 3.4.1 Sensitive Information will only be obtained where an individual provides consent or it is permitted under the *Personal Information Protection Act 2004* (Tas).
- 3.4.2 Sensitive Information will be treated with the upmost security and confidentiality, and only used for the purpose for which it was collected.

3.5 Complaints

- 3.5.1 Complaints relating to privacy or the provision of Personal Information should be made directly to the General Manager.
- 3.5.2 In accordance with the provision of the *Personal Information Protection Act 2004* (Tas) all complaints must be lodged in writing to Council. Council will endeavour to respond to a complaint within twenty (20) business days (i.e. four weeks).
- 3.5.3 If a councillor has submitted a written complaint on a person's behalf, Council will also endeavour to respond to the councillor within twenty (20) business days (i.e. four weeks).
- 3.5.4 Where it is not possible to meet this deadline, e.g. where a complaint is a complex, the General Manager or delegated Council Officer will endeavour to keep the complainant informed of any progress.
- 3.5.5 The General Manager will inform the complainant of the findings on completion of an investigation.
- 3.5.6 If the complainant is not happy with the outcome of the complaint, or the process by which the complaint was handled by Council, the complainant may contact the Ombudsman's Office.

4. DELEGATION

Executive Officer

5. RESPONSIBILITY

5.1 Use and disclosure of Personal Information

- 5.1.1 Council will only use or disclose Personal Information about an individual for the purpose for which it was collected, or if it is to be used or disclosed for any other purpose this will be in accordance with the exception described in the Personal Information Protection Principles found in the *Personal Information Protection Act 2004* (Tas).
- 5.1.2 Council will take all necessary measures to prevent unauthorised access to or disclosure of Personal Information.

- 5.1.3 Council will only disclose Personal Information to a third party or external organisation, with the express consent of the individual concerned, pursuant to a right to information request made under the *Right to Information Act 2009* (Tas) or when it is required to by law.
- 5.1.4 Any external contractors engaged by Council must agree to be bound by the provisions of the *Personal Information Protection Act 2004* (Tas) the Personal Information Protection Principles and this Policy.
- 5.1.5 Information provided to these contractors is limited to the information required by them to provide services to individuals on behalf of Council.
- 5.1.6 Council will disclose Personal Information to other agencies in the course of investigating and defending of legal claims against Council. This includes Council's solicitors, consultants, insurers and investigators.
- 5.1.7 Where authorised or required by law, and provided it is consistent with this Policy and the *Personal Information Protection Act 2004* (Tas), Council may disclose Personal Information to:
- (a) debt collection agencies;
 - (b) Commonwealth of Tasmanian government agencies; and
 - (c) law enforcement agencies including the Courts, Tasmanian Police or the Federal Police,

5.2 Disclosure of Personal Information outside Tasmania

Council will transfer Personal Information to a region outside Tasmania only if authorised by law or with the consent of the individual.

5.3 Data Quality

Council will take all reasonable steps to ensure that the Personal Information it collects, uses, holds or discloses is accurate, complete, up-to-date and relevant to its functions and activities.

5.4 Data Security

- 5.4.1 Council will take all reasonable steps to ensure that Personal Information is stored safely and securely.
- 5.4.2 Council will take all reasonable steps to ensure that Personal Information held by it is protected from misuse, loss, and unauthorised modification and disclosure regardless of the format in which the Personal Information is held.
- 5.4.3 Personal Information may be stored by Council electronically or in hardcopy.

5.4.4 Any Personal Information provided to Council, which is no longer necessary for Council's purposes, will be disposed of using secure destruction. However, under the *Archives Act 1983*, some information is required to be kept for specified periods or permanently. Other legislation may also dictate periods of time Personal Information must be retained.

5.4.5 Personal Information that is required to be stored for a period of time will be stored either on Council premises or at the State Archives Office.

5.4.6 Council may combine or link Personal Information held about an individual.

5.4.7 Council officers will only be provided with access to Personal Information that is necessary for them to carry out their functions within Council.

5.5 Openness, accessing and correcting Personal Information

5.5.1 An individual has the right to make a written request to access to the Personal Information Council holds about them.

5.5.2 Requests to access or correct Personal Information held by Council should be addressed to:

The General Manager
Glamorgan Spring Bay Council
PO Box 6
TRIABUNNA TAS 7190

5.5.3 On request Council will take reasonable steps to advise a person in general terms of:

- (a) the sort of Personal Information held by Council about them;
- (b) the purposes for which Council holds the Personal Information about them; and
- (c) how Council collects, holds, uses and discloses that Personal Information.

5.5.4 If, upon accessing their Personal Information the individual believes the Personal Information is incorrect, inaccurate, out of date or misleading, the individual can request the information be corrected or amended. Amendments to Personal Information are established under the *Personal Information Protection Act 2004* (Tas). A request to amend information, in accordance with the *Personal Information Protection Act 2004* (Tas), must be in writing and addressed to the General Manager (mailing details as listed above).

5.5.5 The request to amend the Personal Information must specify a postal or email address to which the notice is to be sent; give particulars of the Personal Information the person believes is incomplete, incorrect, out of date or misleading; and specify the amendments that the person wants made to that information.



5.5.6 A person not satisfied with the handling or outcome of their request to access or correct Personal Information, can lodge a complaint with the Ombudsman.

6. REPORTING

7. STATUTORY REQUIREMENTS

Archives Act 1983

Personal Information Protection Act 2004 (Tas)

Right to Information Act 2009 (Tas)

8. ATTACHMENTS

Nil

7.2 Code of Conduct Panel – Determination Report

Responsible Officer – General Manager

Comments

In accordance with Section 28ZK subsection (4) of the Act, a copy of any Code of Conduct Panel Determinations must be tables at the first open meeting of Council at which it is practicable to do so.

The Code of Conduct Panel has made the attached determination in relation to a complaint lodged by Mr Steve Mav against Cllr Cheryl Arnol.

Statutory Implications

Section 28ZK subsection (4), *Local Government Act 1993*.

Budget Implications

Nil

Recommendation

That Council receives and notes the Glamorgan Spring Bay Council Code of Conduct Determination Report, 18 July 2018.

Attachment: Glamorgan Spring Bay Council Code of Conduct Determination Report, 18 July 2018.



Attachment Item 7.2: Glamorgan Spring Bay Council Code of Conduct Determination Report, 18 July 2018.

CODE OF CONDUCT PANEL

GLAMORGAN SPRING BAY COUNCIL CODE OF CONDUCT

Complaint by Mr Steve Mav against Deputy Mayor Cheryl Arnol

Determination made 18 July 2018

Local Government Act 1993

Code of Conduct Panel: Jill Taylor (Chairperson), Gretel Chen (Legal Member) and Penny Cocker (Member)

1. Summary of the complaint

Mr Steve Mav lodged a Code of Conduct Complaint dated 7 May 2018 (the Complaint) against Deputy Mayor (Councillor) Cheryl Arnol.

The Complaint alleges that Councillor (Cr) Arnol contravened Parts 7 and 8 of the Glamorgan Spring Bay Council's Model Code of Conduct, which was endorsed in May 2016. Specifically, Mr Mav alleges that on 3 May 2018, whilst he was driving his motor vehicle, he received a phone call from Cheryl Arnol during which he claims she spoke to him in a rude, threatening and aggressive manner.

The following are the relevant extracts from the Code of Conduct:

7. Relationships with community, councillors and council employees

A councillor is to be respectful in his or her conduct, communication and relationships with members of the community, fellow councillors and Council employees in a way that builds trust and confidence in the Council.

8. Representation

A councillor is to represent himself or herself and the Council appropriately and within the ambit of his or her role, and clearly distinguish between his or her views as an individual and those of the Council.

2. Investigation

The Chairperson of the Code of Conduct Panel (the Chairperson) conducted an initial assessment of the complaint and determined on 23 May 2018 that it was to be investigated and determined by a Code of Conduct Panel (the Panel) in accordance with section 28ZA(1)(e) of the *Local Government Act 1993* (the Act).

The Panel subsequently determined that it would hold a hearing into the matter.

The Panel received and considered the following documents prior to the hearing:

- Code of Conduct Complaint dated 7 May 2018 including an attached copy of an email from Mr Mav to Mayor Kent dated 3 May 2018;
- Copy of Parts 7 and 8 of the Glamorgan Spring Bay Council's Code of Conduct endorsed on 19 May 2016;
- Statutory declaration of Mr Imran Assi dated 2 July 2018;
- Documents provided by Cr Arnol in letter dated 6 June 2018 which included:

- Statutory declaration of Cr Arnol dated 7 June 2018
- Diary notes relating to a conversation with Mr Mav on 3 May 2018
- Email exchange between Cr Arnol and Mayor Kent dated 3 May 2018
- Copy of a record of telephone calls from Cr Arnol's phone on 3 May 2018
- Letter addressed "Dear neighbour" dated 23 April 2018 from Mayor Kent supporting Mr Mav's election to the Legislative Council; and
- Letter addressed to Chairperson of the Panel from Mr Mav dated 30 June 2018.

At the hearing Cr Arnol read from a prepared statement, at the conclusion of which, copies were given to the Panel and Mr Mav. Mr Mav was afforded time to consider Cr Arnol's written statement and was asked if he wanted to make any further comment. He did not.

3. Summary of Hearing

The hearing was convened on 18 July 2018 at the East Coaster Resort, 1 Louisville Road, Orford. Both Mr Mav and Cr Arnol attended and took an oath prior to giving evidence. Cr Jenny Woods attended the hearing as a support person for Cr Arnol.

The Chairperson outlined the substance of the complaint and the procedure the Panel would follow, including options available to the Panel if the Complaint was upheld.

The Panel asked Mr Mav whether he had forwarded his complaint through the General Manager of the Glamorgan Spring Bay Council and paid the relevant statutory fee. Mr Mav confirmed that this had been done.

Mr Mav was then asked to speak to his complaint.

Mr Mav commenced by reading from an email dated 3 May 2018 sent at 8.39pm from him to Mayor Michael Kent which was attached to the Complaint. He then read from a letter from the Chairperson of the Panel dated 12 June 2018, which sought the following additional information:

1. A copy of the "personal letter" signed by the Mayor which was referred to in the email to the Mayor dated 3 May 2018
2. A statement from witness, Mr Imran Assi in the form of a Statutory Declaration outlining exactly what Mr Assi recalled of the telephone conversation between Mr Mav and Cr Arnol on 3 May 2018
3. An account of what exactly was said by Cr Arnol during the telephone conversation of the 3 May 2018 which formed the basis of the complaint.

As a result of receiving this request, Mr Mav provided a statutory declaration of Mr Assi, and further details of his recollection of the telephone call of 3 May 2018. He did not provide a copy of the letter from the Mayor as, by that time, he had received copies of Cr Arnol's documents which included the copy of the Mayor's letter.

The Panel asked Mr Mav whether he advised Cr Arnol at the start of the telephone conversation on 3 May 2018 that he had someone in his motor vehicle at the time of her call. He replied that he did not as there was not any time to do so. He was asked whether Cr Arnol had identified herself as the Deputy Mayor or a Councillor during the telephone conversation to which he replied that he had assumed that Cr Arnol was calling him in her capacity as a councillor.

When questioned about the basis for his assumption Mr Mav indicated that it was his belief at the time, but he was not able to identify a basis for that belief.

Mr Mav told the Panel that during the phone call Cr Arnol spoke in a rude and aggressive manner, demanding to know where he was. He said he replied by asking "Who is this?". At

that point, he claimed that the caller said she was Cheryl Arnol and said words to the effect "Do you know you've committed fraud?". He said he was surprised by this and asked Cr Arnol why she was saying such a thing. He said that Cr Arnol referred to a letter signed by Mayor Michael Kent to which Mr Mav replied that he did not want to get involved in matters between Cr Arnol and the Mayor. He added that he responded that he had not committed "fraud" before the conversation was terminated.

In his letter to the Chairperson dated 30 June 2018 Mr Mav states that Cr Arnol identified herself as Cheryl Arnol at the start of the conversation. There is no other mention within that letter or the Complaint documentation of Cr Arnol identifying herself or holding herself out as a Councillor or the Deputy Mayor of Glamorgan Spring Bay Council.

Consideration was also given to the statutory declaration of Mr Imran Assi. Mr Mav noted that Mr Assi confirmed that Cr Arnol spoke in an angry tone and was speaking over Mr Mav during the telephone call. Mr Assi also states that Cr Arnol identified herself as "Cheryl Arnol". Throughout the statutory declaration Mr Assi refers to Cr Arnol as "Cheryl". Mr Assi makes no reference to Cr Arnol identifying herself as a Councillor or the Deputy Mayor of Glamorgan Spring Bay Council.

Cr Arnol was invited to ask questions of Mr Mav but declined to do so.

Cr Arnol was then invited to respond to the Complaint.

Cr Arnol told the Panel that she believed the Complaint was frivolous and vexatious. She said that she did not demand to see Mr Mav but rather was taking him up on his offer to meet with any elector. She said that she identified herself as Cheryl Arnol and not as the Deputy Mayor or Councillor. She said that she did ask where he was but only after she identified herself and did not get angry or aggressive.

Cr Arnol denied that she accused Mr Mav of fraud but did say that some of the content of the Mayor's letter could be construed as fraudulent. Cr Arnol said that she did not become angry and aggressive and that she was forced to end the telephone call as Mr Mav was getting angry.

According to telephone records provided by Cr Arnol the telephone conversation with Mr Mav lasted for 1 minute 6 seconds.

The Panel asked Cr Arnol what the purpose of her call to Mr Mav was. She replied that she wanted to ask him about what he was offering as a candidate for the Upper House seat of Prosser. Cr Arnol was asked whether she identified herself as an elector when she made the phone call. She said that she did not, but "certainly" did not say she was speaking on behalf of Council.

In her statutory declaration and her statement to the Panel Cr Arnol denied giving Mr Mav "the clear impression" she was speaking in her capacity as Deputy Mayor. She said that "at no time" did she introduce herself as Councillor or Deputy Mayor nor did she portray herself as speaking for Council.

Cr Arnol says in her statutory declaration that she hung up after about 60 seconds as Mr Mav was rude, threatening and aggressive towards her.

Cr Arnol told the Panel that Mr Mav was one of several candidates that she had contacted in her capacity as an elector in Prosser.

When questioned by the Panel as to the quality of the telephone reception during the call, both Mr Mav and Cr Arnol said that it was "not the best quality". Cr Arnol said that because of this she had to speak loudly to be heard but denied that she had shouted.

4. Determination

The Panel determines the following in relation to the relevant parts of the Glamorgan Spring Bay Council's Code of Conduct:

7. Relationships with community, councillors and council employees

A councillor is to be respectful in his or her conduct, communication and relationships with members of the community, fellow councillors and Council employees in a way that builds trust and confidence in the Council.

The Panel dismisses the Complaint in relation to Part 7.

The Panel is not satisfied that Cr Arnol made and conducted the telephone call on 3 May 2018 in her capacity as a Councillor of the Glamorgan Spring Bay Council.

8. Representation

A councillor is to represent himself or herself and the Council appropriately and within the ambit of his or her role, and clearly distinguish between his or her views as an individual and those of the Council.

The Panel dismisses the Complaint in relation to Part 8.

Part 8 of the Code of Conduct requires a councillor to clearly distinguish between their individual views and those of Council. Whilst the Panel finds that Cr Arnol did not state that she was calling Mr Mav as an elector in the Prosser division of the Legislative Council, it also finds that she did not indicate that she was calling him as an elected member of the Glamorgan Spring Bay Council. In those circumstances and taking into account the very brief nature of the call and the fact that Mr Mav was conducting a political campaign for election to the seat of Prosser, the Panel is not satisfied that Cr Arnol was making and conducting the telephone call in her capacity as a Councillor of the Glamorgan Spring Bay Council.

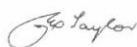
5. Summary

Whilst Cr Arnol did not identify herself as a councillor during the telephone conversation, she did not state that she was calling as an elector in the upcoming Legislative Council elections. The Panel acknowledges that when a person who is an elected member of local government and well known in their community contacts others, it can be incorrectly assumed that they may be doing so in their local government capacity.

Therefore, given the potential for confusion, Councillors should consider making clear the capacity in which they are acting when communicating with others.

6. Right to Review

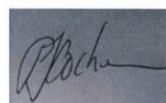
A person aggrieved by the determination of the Code of Conduct Panel is entitled under section 28ZP of the Act to apply to the Magistrates Court (Administrative Appeals Division) for a review of that determination on the grounds that the Code of Conduct Panel has failed to comply with the rules of natural justice.



Jill Taylor
Chairperson



Gretel Chen
Legal Member



Penny Cocker
Member

7.3 Eastcoast Regional Development Organisation Inc.

Responsible Officer – Manager Community Development & Administration

Background

An application has been received from the Eastcoast Regional Development Organisation Inc., seeking financial assistance of \$1,000 towards the cost of purchasing a gallery hanging system for the multi-functional space at The Village.

The repurposing of the large open fronted 'L-shaped' shed at The Village is nearing completion. The building has a store-room, pottery studio and in the final stage a large multi-functional space. This space will be available for a wide range of uses, including a gallery for larger exhibitions.

A quote has been received from Quadro-Nostro in Hobart to supply the components of a quality hanging system for the total space amounting to \$2,520.00, including GST. A donation of \$600 has been received towards this project.

It is proposed to purchase all the track required and hangers and hooks as funds allow. The balance of hangers and hooks will be purchased as funds are raised. The system will be installed by volunteers.

Statutory Implications

Not applicable

Budget Implications

A total of \$20,000 has been allocated in the budget for the Community Small Grants Program.

Recommendation

That Council approves a grant of \$1,000.00 to the Eastcoast Regional Development Organisation Inc., towards the cost of purchasing a gallery hanging system for the multi-functional space at The Village.

7.4 Swansea Primary School

Responsible Officer – Manager Community Development & Administration

Background

An application has been received from the Swansea Primary School, seeking financial assistance of \$600, to implement The Plastic Free Lunch Box Project.

Since the Youth Council meeting held on 3rd July, 2018, the Swansea Primary School student leaders have been talking about how they can reduce their environmental impact during school hours. Inspired by a talk given by Council's Sustainability Officer, Cynthia Maxwell-Smith, students have been researching possible ways to further reduce waste at lunch times.

Swansea Primary School student leaders would like to make their own beeswax lunch wraps and help implement the Plastic Free Lunch Box Project in their school.

The Plastic Free Lunch Box Project involves educational school workshops that are inspiring and empowering a generation of Tasmanian children to tackle plastic pollution at the source and to reduce waste and litter in their playground, school community and beyond. Workshops inform children about the environmental harm caused by single use plastics and guide them to focus on solutions that address plastic pollution at the source. This like refusing plastic items where possible, dreaming up alternatives to plastic and reusing what we already have rather than buying new things. At the workshops, children also make their own beeswax wrap to use for their sandwich or snacks at school. Beeswax wraps are a reusable and sustainable alternative to plastic cling wrap and zip lock bags, which are some of the most common and avoidable plastic items littering school grounds and nearby beaches across Tasmania and everywhere else!

Beeswax wraps can last for years, can be recoated in was if they are damaged and can be composted when they reach the end of their life.

Swansea Primary School implementing a Plastic Free Lunch Box Project in their school will help Council work towards its goal of zero waste and the reduction of litter in the area. It will also encourage young people to have a greater awareness about the environmental impacts of their decisions and to think creatively about ways to use natural and recycled materials to reduce waste.

The project is also in line with the Australian Curriculum and the Early Years Learning Framework. Education for sustainability develops the knowledge, skills, values and world views necessary for people to act in ways that contribute to more sustainable patterns of living. It enables individuals and communities to reflect on ways of interpreting and engaging with the world. Sustainability education is futures-oriented, focusing on protecting environments and creating a more ecologically and socially-just world through informed action.

Actions that support more sustainable patterns of living require consideration of environmental, social, cultural and economic systems and their interdependence. This learning will also impact families as the children share what they have learnt with parents and siblings.

The project will be held in partnership with Plasticwise Taroona a Tasmanian volunteer run community organization dedicated to reducing the amount of plastic waste ending up in our oceans and landfills.

The total cost of the project is \$600 which includes the workshop and materials.



Statutory Implications

Not applicable

Budget Implications

A total of \$20,000 has been allocated in the budget for the Community Small Grants Program.

Recommendation

That Council approves a grant of \$600 to the Swansea Primary School towards the cost of implementing The Plastic Free Lunch Box Project.

8. Notice of Motion

8.1 Eldercare Units, Triabunna

Author: Deputy Mayor Cheryl Arnol

Moved: Cllr Arnol

Seconded:

Background

The Eldercare Committee met on 10th September 2018 to discuss the decision of Council to install reverse cycle heating in the 6 units utilising funds from the reserve account. As a result of the decision the Committee is now seeking approval for a further rent increase to maintain equity of the reserve account.

The tenants are provided with all white goods (replaced as necessary), solar hot water systems, unlimited water use, maintenance of the units and maintenance of common area garden. The rental income funds these services as well as paying the rates, water account and refurbishing of any vacant unit prior to re-letting. Surplus rental funds are transferred to the reserve account at the end of each financial year. The Committee believes that the reserve account should continue to be increased as, with an ageing population, there will come a time when the planned additional units for the site will be required as affordable housing becomes unavailable on the open rental market.

With the inclusion of reverse cycle heating, the Committee is of the view that the rent should be increased by \$10 to \$125 per week effective from the 1st March 2019 and seeks Council approval to implement same. A comparable one-bedroom rental property catering for older members in the municipal area is currently \$140 per week. Tenants are eligible for rent assistance as well as a heating allowance.

It is the recommendation of the Committee that there be no further rental increases prior to 1 July 2020.

Statutory Implications

None applicable

Budget Implications

None applicable

Recommendation

That Council approves an increase of \$10 per week effective from 1 March 2019 for a rental of \$125 per week until 30th June 2020 for the Eldercare Units, Elder Court, Triabunna.

9. Miscellaneous Correspondence

9.1 Department of Education: 2018 Intake Area Review

Department of Education
OFFICE OF THE SECRETARY

GPO Box 169, HOBART TAS 7001 Australia
OfficeoftheSecretary@education.tas.gov.au
Ph (03) 6165 5757



File no: DOC/18/122821

3 September 2018

Mr David Metcalf
The General Manager
Glamorgan Spring Bay Council

Re: 2018 INTAKE AREA REVIEW

The Department of Education (DoE) is undertaking a review of government school intake areas as part of the implementation process for the *Education Act 2016*. We are seeking feedback from the Tasmanian community to help inform the development of an updated intake area for each government primary and combined (district) school, to apply from 2021.

Why are intake areas important?

Intake areas ensure that every child in Tasmania is able to exercise their entitlement to access a local Tasmanian government school - a precondition for increased participation and engagement in education.

Intake areas are essential for schools to be able to plan for expected student enrolments and make sure they have the facilities and staff they need to best support their students' learning.

Enrolment of a child at their intake area school helps them experience and become part of a strong, diverse and supportive local community close to home.

Why is the review taking place?

At present, many schools are using school intake area maps that were created in 2005. Many of these maps no longer accurately reflect enrolment, demographic and transport patterns.

The *Education Act 2016* requires the Secretary, DoE, to publish intake areas for each government school at least once in every 5 years. This requirement means that intake area data will remain current and be regularly reviewed, ensuring appropriate adjustments as populations change, and ensuring equity in the provision of education.

How you can be involved

DoE has released a set of intake area maps for consultation on its website at:
<https://www.education.tas.gov.au/about-us/school-directory/school-intake-area-maps/>



We invite you to provide feedback and raise any issues you would like us to take into account in finalising the new intake areas. To this end we have designed a survey specifically for Local Councils at:

<https://www.surveymonkey.com/r/intakeareareviewcouncilfeedback>

If you wish to provide feedback please complete the survey by **26 October 2018**.

I ask that, where possible, each Council provide only one formal source of feedback using the survey. There are other avenues for individuals to provide separate feedback, outlined on the DoE website, noted above.

Your feedback will help us to make any required changes to the maps for consultation, before releasing them again to the Tasmanian community for further feedback.

If you require any further information in order to provide your feedback please contact Kasia Kremzer-Kozlowska on (03) 6165 6154 or email intake.areas@education.tas.gov.au

I have included at the bottom of this letter the answers to some *Frequently Asked Questions*, which you may find of interest.

Thank you for your cooperation in the intake area review process and we look forward to any feedback you may wish to provide.

Yours sincerely

Tim Bullard
SECRETARY

Frequently Asked Questions

Q. What is the scope of the review?

The review will focus on primary school and combined (district) school intake areas and the intake area maps for consultation would only apply to new enrolments in Tasmanian government primary and combined schools from 2021.

Government high schools do not have geographical intake areas, but are linked to a number of intake primary schools (previously referred to as 'feeder' or 'associated' schools) from which they draw their enrolments.

Q. How were the maps for consultation developed?

DoE acknowledges that a wide range of stakeholders, including Councils, have already provided valuable feedback on intake areas during an earlier consultation process held in 2012/13.

The maps for consultation are based on stakeholder feedback from that earlier consultation process, which considered factors such as:

- current school building infrastructure and current utilisation
- current student enrolment data
- distance of home address to local school
- school closures and amalgamations since 2005
- road and transport infrastructure
- natural geographic boundaries.

Since the time that feedback was received, the only additional adjustments reflected in the maps for consultation have been to:

- ensure the intake areas do not rely on unfeasible travel routes
- align the intake area boundaries with property boundaries, postcode boundaries, natural features or roads so it is clearer which intake area any particular address falls within.

Given the time that has passed since the earlier consultation process, there may now be new factors you wish to bring to our attention with regard to the maps for consultation.

Q. How do I view the intake area maps for consultation?

All the maps for consultation can be viewed in PDF form at

<https://documentcentre.education.tas.gov.au/Pages/SchoolIntakeConsultations/a-z.aspx>

The maps can also be viewed in detail on two different online platforms:

i) a web application, at: <https://dpiwwe-au.maps.arcgis.com/apps/webappviewer/index.html?id=d6cf08dbd79e472fba48505abf0373eb>

ii) the LISTmap, an online mapping tool, at: <https://maps.thelist.tas.gov.au/listmap/app/list/map?bookmarkid=274130>

The LISTmap works best on desktop computers and laptops while the web application works best on tablets and mobile devices. DoE has produced two short instructional videos which show how to



compare the intake area maps for consultation with the current intake areas on the two different platforms:

DoE Intake Areas Web Application Help <https://youtu.be/mG3gqmDJX4w>

DoE Intake Areas LISTmap Help <https://youtu.be/myUVbC5hYqo>

Q. How will feedback from Councils be used?

An analysis of the feedback from all stakeholders will be undertaken to determine key themes and concerns. This feedback will inform any necessary changes to the initially released maps for consultation, with revised maps released to the Tasmanian community for a second consultation phase.

The feedback will be used to establish the potential impact of updated boundaries, guide DoE's planning for any changes, and determine the final boundaries to apply from 2021.

No individual submissions or survey responses will be published, however a report summarising the key themes and issues that arose from the review will be made public.

Q. Who will be affected by changes to intake area boundaries?

New intake areas will apply from 2021 onwards, to newly enrolling families.

Currently enrolled students, and the siblings of currently enrolled students, will not be affected by any changes to intake area boundaries.

There will be no changes to boundaries for enrolments in 2018, 2019 and 2020 with existing boundary lines continuing to apply.

The new boundaries will not affect school arrangements for students moving from a primary school to a high school.

The finalised maps will be available in time for families and schools to plan for any changes.

The intake area review will not affect the out-of-area enrolment processes applied by schools. Parents will still be able to seek enrolment of their child at a school outside of the intake area, provided that the school has capacity.

9.2 City of Hobart: Compulsory Voting Local Government Elections



Enquiries to: Paul Jackson
☎: 6238 2711
✉: coh@hobartcity.com.au
Our Ref: 13-10-1

13 September 2018

Mr David Metcalf
General Manager
Glamorgan/Spring Bay Council
Via Email: admin@freycinet.tas.gov.au

Dear Mr Metcalf

COMPULSORY VOTING LOCAL GOVERNMENT ELECTIONS

I write to you in relation to compulsory voting at local government elections.

The Hobart City Council has a long standing position that voting at a local government level should be compulsory, however despite a number of reviews, voting remains optional.

During the 2014 elections the average return rate of postal ballots across the State was just 54.58%. By comparison, and to demonstrate a clear pattern of decline the return rate for the past four elections (spanning 11 years) was;

- 2014 - 54.58%
- 2011 - 54.28%
- 2009 - 55.54%
- 2007 - 57.43%

The Hobart City Council at its meeting held on 23 July 2018 considered a notice of motion requesting that the low rate of voter participation and the high number of informal votes cast at the 2014 election be addressed.

It further requested that consultation be undertaken with other Tasmanian Council's and the State Government with a view to introducing compulsory voting for Local Government elections.



As I am sure all Council's are, the City of Hobart is again actively promoting the election using the 'make your mark' branding with the aim that voter participation will increase in the forthcoming election. However, with the declining trend of poor voter response state-wide, the Councils desire is to see the introduction of compulsory voting at local government elections.

Accordingly, I am writing to all Tasmanian Council's again seeking support in requesting that the Local Government Association of Tasmania lobby the State Government to review compulsory voting at a local government level.

Yours sincerely

(N D Heath)
GENERAL MANAGER



9.3 Update from National Trust Tasmania



**NATIONAL
TRUST**
Tasmania



8th August 2018

Mayor Michael Kent
Glamorgan Spring Bay Council
PO Box 6
TRIABUNNA TAS 7190

Dear Mayor Kent

An update from the National Trust of Australia (Tasmania)

I write to inform you of some significant changes occurring for the National Trust of Australia (Tasmania) (NTT).

For many years the primary role of the NTT has been seen as 'looking after old buildings'. However, we see our role as much more than this. We believe the NTT has a role to play in acting as a custodian of Tasmania's heritage, culture and stories, as told through the places that matter to us as a community.

In October 2018, we welcomed a new Board, and in recognition that the current business model wasn't working to the best effect, the Board has recently completed a review of the NTT business model.

The aim of this review has been to ensure the ongoing viability and sustainability of NTT both now and into the future. A number of initiatives have been identified for implementation as part of the review and we are about to embark on a significant period of change and transition.

The Trust is, ultimately, a community organisation. We exist for the community and our current business model relies heavily on the generosity of many community members volunteering their time and other resources to ensure we can provide many of our services.

One of the first initiatives we will be implementing is the introduction of a new volunteer management system. This new system meets national standards in relation to volunteer management. With over 400 volunteers across the State, we recognise their invaluable contribution to the work we do and are committed to ensuring they are supported in line with best practice.

We acknowledge that periods of change and transitioning to new ways of working can be unsettling for our volunteers and members of our community more broadly, and it is our commitment to work closely with volunteers and the community to keep them informed of changes as we progress these initiatives.

ABN 98 258 180 740

STATE HEADQUARTERS

Public Buildings Cnr St John & Cameron Streets, Launceston TAS 7250 | PO Box 443, Kings Meadows TAS 7249
T 03 6344 6233 | E admin@nationaltrusttas.org.au

RUNNYMEDE | CLARENDON | HOBART CONVICT PENITENTIARY | FRANKLIN HOUSE | HOME HILL | OAK LODGE | THE OLD UMBRELLA SHOP | PENGHANA | MT LYELL MINE MANAGERS OFFICE | LATROBE COURT HOUSE MUSEUM | THE AUSTRALIAN FLY FISHING MUSEUM | THE TASMANIAN HERITAGE FESTIVAL | HERITAGE ADVOCACY | HERITAGE TOURISM | HERITAGE CONSERVATION | APPEALS PROGRAM | EDUCATION PROGRAMS | VENUE HIRE | MEMBER PROGRAMS | HERITAGE VOLUNTEERING

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NATIONAL TRUST Tasmania



There is no doubt the NTT is entering an exciting period, which will position us as an engaging, relevant and contemporary organisation for the Tasmanian community. We have many exciting initiatives that will be rolling out in the coming months and we look forward to keeping you updated as these progress.

Should you have any questions about any of our work or the new initiatives or receive any enquiries from your constituents about these changes we would welcome you forwarding them to us. I can be contacted via email – matthew.smithies@nationaltrusttas.org.au or by phone – 03 6344 6233.

Please don't hesitate to contact me at any time.

Many thanks for your continued support.

Yours sincerely

Matthew Smithies
Managing Director

ABN 98 258 180 740

STATE HEADQUARTERS

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| THE TASMANIAN HERITAGE FESTIVAL | HERITAGE ADVOCACY | HERITAGE TOURISM | HERITAGE CONSERVATION APPEALS PROGRAM |
EDUCATION PROGRAMS | VENUE HIRE | MEMBER PROGRAMS | HERITAGE VOLUNTEERING

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9.4 Department of Communities Tasmania: Review of the Model for Returning Land to the Aboriginal Community

10. Motion Tracking Document

Last updated 18/09/2018

Meeting Date	Item No.	Decision Number	Title	Action Officer	Progress	Completed
25 th November	8.2	150/14	Solis	GM	The General Manager to affirm commitment to the project with all interested parties and progress negotiations with potential developers as relevant.	In Progress
23 rd February	9.3	30/16	Sale of Council Properties	GM	Process to commence according to Section 177/178 with amendment to advertising as per motion. Council Workshop held on 17 th January 2017 prior to report for January 2017 OMC. Update as per Decision 46/15 above.	In Progress
27 th September	8.5	130/16	Communities and Coastal Hazards Local Area Report – Triabunna and Orford	MNRM	Final report endorsed. Further workshops and community discussions to take place in relation to key future actions/steps. Workshop held in December 2016. Manager NRM formulating action plan/next steps for 2017. Meeting with Climate Change Office end of June 2017.	In Progress
27 th September	8.6	131/16	Review of the draft Prosser River Catchment Management Plan	MNRM	Approval by Council to conduct review. Update on workshop dates in Manager NRM report for April 2017. Latest workshop held in June 2017.	In Progress

Action Officer codes: MW = Manager Works, MRS = Manager Regulatory Services, MCD = Manager Community Development, MBMI = Manager Buildings and Marine Infrastructure, MNRM = Manager NRM

Meeting Date	Item No.	Decision Number	Title	Action Officer	Progress	Completed
24 th January	8.1	13/17	Tea Tree Rivulet Dam Approval and Construction (including approval of borrowing/budget amendments)	GM	Council approval for GM to progress the project.	In Progress
24 th January	8.7	18/17	State Growth Road Trade	MW	Manager Works and GM to progress discussions.	In Progress
27 th June	8.5	88/17	Section 137 – Notice of Intention to Sell Land	GM	Service of notice to be progressed by admin staff.	In Progress
27 th February	7.1	20/18	Approval of borrowing budget amendments, pipeline approvals and construction.	GM	GM authorised to proceed with Stage 1 Prosser Plains Raw Water Scheme (PPRWS) and Council to enter into an agreement with Tassal for delivery of raw water to Okehampton Bay on full cost recovery basis.	In Progress
24 th April	7.3	50/18	Kerbside Vendors Policy	MPSP	Community consultation to commence. Submissions due 1 August, 2018.	In Progress
24 th April	7.4	51/18	By-Law Review/Renewal	MRS	Regulatory impact statement to be prepared for Council.	In Progress
26 th June	7.2	64/18	GSBC Community Strategic Plan	GM	Council to commence review prior to elections. Initial planning workshop to be scheduled.	In Progress
28 th August	7.1	88/18	Annual Plan and Budget Estimates 2018-19	GM	Endorsed by absolute majority.	Complete
28 th August	7.3	89/18	Bicheno Primary School Association	MCD	Grant approved and disbursed	Complete
28 th August	7.4	90/18	Lions Club of Spring Bay Inc – Cars on the Coast	MCD	Grant approved and disbursed	Complete
28 th August	7.5	91/18	Spring Bay Neighbourhood Watch	MCD	Grant approved and disbursed	Complete
28 th August	7.6	92/18	Swansea Community Parade and Festivities	MCD	Grant approved and disbursed	Complete

Action Officer codes: MW = Manager Works, MRS = Manager Regulatory Services, MCD = Manager Community Development, MBMI = Manager Buildings and Marine Infrastructure, MNRM = Manager NRM

Recommendation:

That Council receives and notes the information contained within the Motion Tracking Document.

11. Questions Without Notice

12. Close

The Mayor to declare the meeting closed at (Time).

The live streaming and recording of meetings will now be switched off. Mayor to check that the streaming has been terminated.

CONFIRMED as a true and correct record.

Date:

Mayor Michael Kent AM