



## GLAMORGAN SPRING BAY COUNCIL

### ORDINARY COUNCIL MEETING 28 APRIL 2020

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## APPLICATION FOR PLANNING PERMIT CHANGE OF USE TO VISITOR ACCOMMODATION

### Section 58 of *Land Use Planning and Approvals Act 1993*

To: 

Planning Authority

#### The Proposal:

(Must tick one)



#### Interim Planning Schemes:

Change of use to Visitor Accommodation if:

- guests are accommodated in existing habitable buildings;
- the use has a gross floor area of not more than 200m<sup>2</sup> per lot;
- the use is not within a strata scheme<sup>2</sup> that includes another lot, as defined in section 3 of the *Strata Titles Act 1998*, that is used for Residential use; and
- the land is within one of the following zones:
  - General Residential;
  - Inner Residential, excluding land within the Battery Point Heritage Precinct 1 (BP1);
  - Low Density Residential;
  - Rural Living;
  - Environmental Living;
  - Village.



#### Sullivans Cove Planning Scheme 1997:

Change of use to Bed and Breakfast Establishment or Visitor Accommodation, where guests are accommodated in existing habitable buildings and the use has a floor area of not more than 200m<sup>2</sup> per lot, and the land is within the Activity Area 1.0 Inner City Residential (Wapping).

#### Description:

Brief description of the proposed change of use, including whether the whole or part of the building(s) are to be used:

#### Applicant: Who is making the application?

Applicant Name: 

Business /

Company Name: 

Postal Address:

Phone  
No:

Email address:

<sup>2</sup> Strata scheme means the complex of lots and common property (together with the system of administration and management) created on the registered strata plan.

**The Land: Detail address and title particulars of the land for the proposed change of use**

Street Address:

52 Old Spring Bay Road

Swansea

7190

Certificate of Title  
Reference No.

142063/6

Describe the way the land is used now:

Visitor Accommodation (Air BnB)

**The Owner: Owner's name and address, if land is not in applicant's ownership**

(If more than one owner, all names and addresses must be provided)

Owner Name:

Shane Leigh Jackson

Business /  
Company Name:

Postal Address:

10 Venice Street

Phone  
No:

Howrah

TAS

Email address:

shane.jackson@psa.org.au

**The Applicant: Is the applicant the owner of the land?**

(Must tick one)

☐

Yes - please complete Section A below.

☒

No - please complete Section B below, and if relevant Sections C and D.

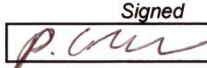
**Section A: Owner's Verification**

I/we am/are the owner(s) of the land.

	Name: [print]	Signed	Date
Owner(s):	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Section B: Applicant's Verification**

I/we, the applicant declare that the owner /each of the owners of the land have been notified of the intention to make this application.

	Name: [print]	Signed	Date
Applicant:	Ireneinc Planning		12/02/2020

**Section C: If the application involves land owned or administered by a council**
The  consents to the making of this permit application.

	Name: [print]	Signed	Date
General Manager:	<input type="text"/>	<input type="text"/>	<input type="text"/>




**Section D: If the application involves land owned or administered by the Crown**

The application must be signed by the Minister or relevant delegate responsible for the land and accompanied with written permission.

**Declaration (to be completed for all applications)**

I declare that the information I have given in this permit application to be true and correct to the best of my knowledge.

	<i>Name: [print]</i>	<i>Signed</i>	<i>Date</i>
Applicant:	Ireneinc Planning		13/02/2020

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**Personal Information Protection Statement**

As required under the *Personal Information Protection Act 2004*

1. Personal information is managed in accordance with the *Personal Information Protection Act 2004* and may be accessed by the individual to whom it relates, on request to the relevant planning authority.
  2. Information can be used for other purposes permitted by the *Local Government Act 1993* and regulations made by or under that Act, and, if necessary, may be disclosed to other public sector bodies, agents or contractors of the relevant planning authority.
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**Planning Application Checklist**

The Planning Authority requires the following to assess this Planning Application, with all documentation provided as required by the planning authority:

- (a) Completed Planning Application Form - all relevant sections filled in and signed by land owner (if required) and applicant.
- (b) A copy of the current certificate of title for all land to which the permit sought is to relate (available from Service Tasmania or from [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)).
- (c) Either:
  - (i) a basic floor plan of the existing habitable building(s) to scale, including identification of the gross floor area for the proposed change of use to visitor accommodation, or
  - (ii) a signed declaration by the applicant confirming the area of the existing habitable building(s) for the proposed change of use to visitor accommodation has a gross floor area<sup>3</sup> of not more than 200m<sup>2</sup>
- (d) Payment of the prescribed fee (up to \$250.00).

Failure to provide the required information may result in your application not being able to be accepted or processed.

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<sup>3</sup> Or floor area in the case of the Sullivans Cove Planning Scheme 1997.

## BUILDING SELF-ASSESSMENT FORM

### Director's Determination – Short or Medium Term Visitor Accommodation

#### Section 20(1)(e) of *Building Act 2016*

This building self-assessment form must be completed in the following situations where the property is used or intended to be used for visitor accommodation, and a fee is being charged for such use:

- owner occupiers of residential premises of more than four bookable rooms, or
- investment properties or shacks (not occupied by the owner) that have a gross floor area of not more than 200m<sup>2</sup> per lot used for visitor accommodation.

The completed form must be lodged with the relevant Permit Authority.

If any premises intended to be let for short-term visitor accommodation is a lot in a strata title scheme, and any other premises in that scheme are occupied as a residence by long term residents, the proponent is not permitted to use the building self-assessment process, unless the premises is located within Activity Area 1.0 Inner City Residential (Wapping) under the Sullivans Cove Planning Scheme 1997.

To:  Permit Authority  
 Address  
  Suburb/postcode

#### Owner / Occupier details:

*(Only an owner or occupier may complete this form)*

Owner / Occupier:   
(Delete one not applicable)  
 Postal Address:  Phone No:   
   
 Email address:

#### Address of Property used or intended to be used for Visitor Accommodation:

Street Address:   
   
 Certificate of Title Reference No.

#### Owner / Occupier Declaration:

I/we, as the owner / occupier of the property, declare that the property meets the following minimum building requirements, as set out below:

Owner/Occupier:  Name: [print]  Signed  Date  
(Delete one not applicable)

**Occupancy Permit:**

(Must tick one)

The owner or occupier is to declare that –

- ☒ (a) if an occupancy permit has been issued, the premises is fit for occupation consistent with that permit, and the maximum number of occupants stated on the permit will not be exceeded;

OR

- ☐ (b) an occupancy permit or occupancy certificate was not required (as the premises was constructed / altered before 1994).

**Plumbing:**

(Must tick (a) or (b) and (c) or (d))

The owner or occupier is to declare that –

- ☒ (a) the premises is connected to a reticulated sewerage system;

OR

- ☐ (b) the premises is connected to an on-site wastewater management system that:
- is in good working order and will be maintained to perform to the same standard as it was designed; and
  - has a land application distribution area designed, installed and in good serviceable condition; and
  - the maximum number of occupants of the premises the system is designed for is not exceeded; and
  - there is a maintenance contract in place for the servicing of the system.

- ☒ (c) the premises is connected to a reticulated drinking water supply system;

OR

- ☐ (d) a private drinking water supply (including from a tank, well, dam, etc.) is provided for the premises that meets the requirements of the *Public Health Act 1997*.

**Essential Building Services:**

(Must tick one)

The owner or occupier is to declare that –

- ☐ (a) regarding Essential Building Services, the premises has an approved schedule of maintenance, and fire safety features are maintained in accordance with Part 7 (regulations 72 to 78) of the *Building Regulations 2016* and the Director's Maintenance of Prescribed Essential Building Services Determination;

OR

- ☒ (b) the premises is not required to have an approved essential maintenance schedule, but the following fire safety features are installed and maintained in accordance with manufacturer's instructions:
- a smoke alarm with a 10-year non-removable lithium battery, or
  - a hard wired smoke alarm (and are interconnected where there is more than one alarm fitted);
- (a) if any storey of the premises contains a bedroom –
- (i) installed in every corridor, or hallway, situated in the storey, that is associated with a bedroom; and

- (ii) if there is no corridor, or hallway, situated in the storey, that is associated with a bedroom, between that part of the premises containing the bedroom and the remainder of the premises; and
- (b) in any other storey of the premises that does not contain a bedroom.
- If multistorey premises are let for visitor accommodation:
  - i. emergency evacuation lighting is provided; and
  - ii. exits are provided that are clearly marked and mapped for the visitor.



## SEARCH OF TORRENS TITLE

VOLUME 142063	FOLIO 6
EDITION 4	DATE OF ISSUE 21-Nov-2008

SEARCH DATE : 13-Jan-2020

SEARCH TIME : 02.42 PM

DESCRIPTION OF LAND

Town of SWANSEA

Lot 6 on Sealed Plan 142063

Derivation : Part of 10 Acres Gtd. to William Woollett and  
Part of 5A-3R-5Ps. Gtd. to A.R. Graham

Prior CT 140505/1

SCHEDULE 1C574932 TRANSFER to SHANE LEIGH JACKSON Registered  
17-Nov-2004 at noonSCHEDULE 2

Reservations and conditions in the Crown Grant if any  
SP142063 EASEMENTS in Schedule of Easements  
SP142063 COVENANTS in Schedule of Easements  
SP142063 FENCING COVENANT in Schedule of Easements  
C579413 AGREEMENT pursuant to Section 71 of the Land Use  
Planning and Approvals Act 1993 Registered  
04-Oct-2004 at noon  
C701882 MORTGAGE to Commonwealth Bank of Australia  
Registered 31-May-2006 at noon  
C887004 MORTGAGE to Commonwealth Bank of Australia  
Registered 21-Nov-2008 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**www.thelist.tas.gov.au**

<b>SCHEDULE OF EASEMENTS</b>	Registered Number
<b>NOTE:</b> THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	<b>SP142063</b>

PAGE 1 OF 2 PAGE/S  
2

**EASEMENTS AND PROFITS**

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

LOT 3 IS SUBJECT TO A RIGHT OF DRAINAGE (APPURTENANT TO LOT 1 ON P142233) OVER THE DRAINAGE EASEMENT 3.00M WIDE PASSING THROUGH SUCH LOT.

**COVENANTS**

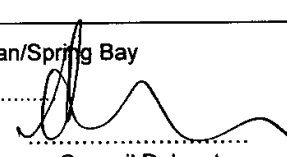
The owners of each Lot on the plan covenant with the Council, D.D.G. Nominees Pty Ltd and the owners for the time being of each and every other Lot shown on the plan to the intent that the burden of these covenants may run with and bind the Covenantor's Lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of each and every other Lot shown on the plan as well as the balance of the land owned by D.D.G. Nominees Pty Ltd of which each Lot forms part to observe the following stipulations:-

1. Not to remove or permit to be removed trees from any Lot nor to lop any branches from trees overhanging any Lot without the prior consent of the Council.
2. Not to erect or permit to be erected any dwelling, outbuilding or other structure forward of the 4.5m building setback line shown on the Plan.

The owners of each Lot on the plan covenant with D.D.G. Nominees Pty Ltd and the owners for the time being of each and every other Lot shown on the plan to the intent that the burden of these covenants may run with and bind the Covenantor's Lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of each and every other Lot shown on the plan as well as the balance of the land owned by D.D.G. Nominees Pty Ltd of which each Lot forms part to observe the following stipulations:-

1. Not to erect or permit to remain on any Lot any portable dwelling or any dwelling which has been re-located from any other place.

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: D.D.G. Nominees Pty Ltd FOLIO REF: 140505/1 SOLICITOR & REFERENCE: Dobson Mitchell & Allport 59 Harrington Street HOBART TAS 7000 Mr. J. Upcher	PLAN SEALED BY: Glamorgan/Spring Bay DATE: 25/8/04 5401002 REF NO.	 Council Delegate
<b>NOTE:</b> The Council Delegate must sign the Certificate for the purposes of identification.		

<b>ANNEXURE TO SCHEDULE OF EASEMENTS</b> PAGE 2 OF 2 PAGES	Registered Number <b>SP142063</b>
SUBDIVIDER: D.D.G. Nominees Pty Ltd FOLIO REFERENCE: 140505/1	

2. Not to erect or permit to be erected a shed, garage, outbuilding or similar structure on any Lot that exceeds 3 metres above natural ground level and is more than 6 metres wide and 6 metres deep in measurement.
3. Not to erect or permit to be erected a shed, garage or outbuilding on any Lot until a residential dwelling on that Lot has been completed or substantially completed.

**FENCING COVENANT**


The owner or owners of the Lots shown on the Plan covenant with the Vendor D.D.G. Nominees Pty Ltd that the Vendor shall not be required to fence.

**BALANCE INTERPRETATION:**

THE "BALANCE" MEANS THE BALANCE AT THE DATE OF ACCEPTANCE HEREOF OF LAND COMPRISED IN FOLD OF THE REGISTER VOLUME 140505 FOLIO 1 AFTER ACCEPTING THEREOUT OF THE LOTS SHOWN ON THE PLAN

EXECUTED by **D.D.G. NOMINEES PTY LTD** )  
(ACN 009 511 844) in accordance with Section )  
127(1) of the Corporations Act 2001 )

  
.....  
Director

  
.....  
Director/Secretary

**NOTE:** Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.



## 52 OLD SPRING BAY ROAD, SWANSEA



## 52 OLD SPRING BAY ROAD, SWANSEA

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**Planning Submission to Glamorgan Spring Bay Council - Visitor Accommodation**

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# 1. INTRODUCTION

Ireneinc Planning and Urban Design have been engaged by Shane Jackson, to prepare an application for a change of use to Visitor Accommodation at 52 Old Spring Bay Road, Swansea.

This application is accompanied by the following documents:

- Certificate of title; and
- Existing floor plans

## 1.1 SUBJECT SITE

The site is located at 52 Old Spring Bay Road, Swansea and is comprised of a single Certificate of Title CT 142063/6.

The following figure describes the subject site and indicates the area subject to the proposed change of use:

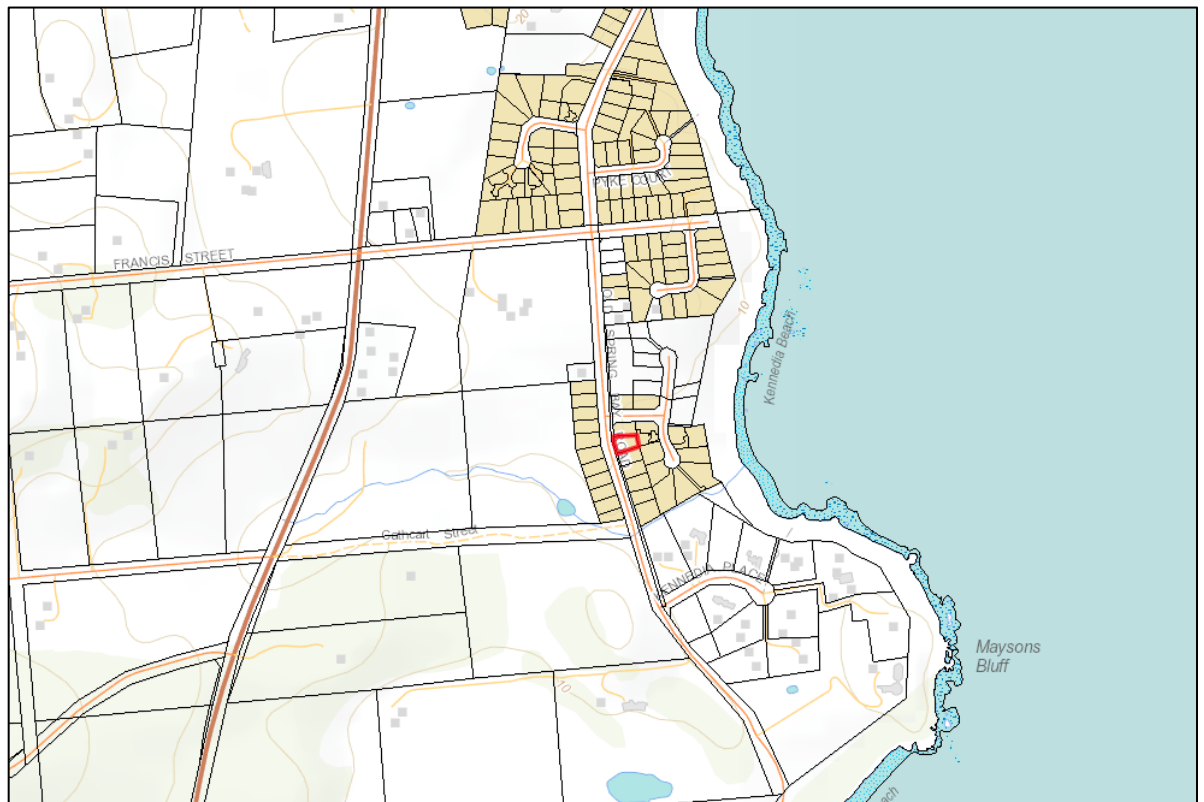


Figure 1: Topographic plan location (from [www.theLIST.tas.gov.au](http://www.theLIST.tas.gov.au) © State of Tasmania)





**Figure 2: Aerial (from [www.theLIST.tas.gov.au](http://www.theLIST.tas.gov.au) © State of Tasmania)**

The site is within an existing residential area which is characterised by both single dwellings and a number of visitor accommodation (AirBnB) listings.

## 1.2 PROPOSED

The existing dwelling is currently used for visitor accommodation and this application seeks to gain a permit for its continued use. No new development is required or proposed.

The existing building contains 5 bedrooms, supporting a maximum of 11 guests at any one time under one booking.

## 2. PLANNING SCHEME PROVISIONS

The site falls within the provisions of the *Glamorgan Spring Bay Interim Planning Scheme 2015*. The relevant provisions are addressed in the following sections.

### 2.1 ZONING

The subject land is located within the General Residential Zone.



Figure 3: Zone plan (from [www.theLIST.tas.gov.au](http://www.theLIST.tas.gov.au) © State of Tasmania)

#### 2.1.1 ZONE PURPOSE

##### 10.1.1 Zone Purpose Statements

10.1.1.1 - To provide for residential use or development that accommodates 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.

The proposal is consistent with the zone as it a compatible non-residential use of an appropriate scale. The proposal consists of a single dwelling being used for visitor accommodation as a holiday unit. This change of use does not increase any demand on public infrastructure or utilities beyond that which would be required for a residential use. The accommodation would indirectly serve the community by providing the opportunity for tourism dollars to be invested in local businesses.

## 2.2 USE

Planning Directive No. 6 applies as the use of the site is for Visitor Accommodation within a residential zone. Visitor Accommodation is defined as follows:

*use of land for providing short or medium term accommodation, for persons away from their normal place of residence, on a commercial basis or otherwise available to the general public at no cost. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.*

Visitor Accommodation is a permitted use within the zone, with no use qualification.

### 2.2.1 USE STANDARDS

The following Use Standards are relevant to the proposal.

Clause 10.3.2 has been amended to reflect Planning Directive No. 6.

#### 10.3.1 Non-residential development

**Objective:** *To ensure that non-residential use does not unreasonably impact residential amenity.*

SCHEME REQUIREMENT	PROPOSAL RESPONSE
<b>A1</b> - <i>Hours of operation must be within 8.00am to 6.00pm, except for office and administration tasks or visitor accommodation.</i>	The use is for visitor accommodation, therefore the application is exempt from A1.
<b>A2</b> - <i>Noise emissions measured at the boundary of the site must not exceed the following:</i> <i>(a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;</i> <i>(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am;</i> <i>(c) 65dB(A) (LAmix) at any time.</i> <i>Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.</i>	<p>The use is already in operation and it is not anticipated that noise emissions from the site would increase over existing.</p> <p>Noise can be controlled through conditions on a permit.</p> <p>The application is considered capable of demonstrating compliance with A2.</p>

Noise levels are to be averaged over a 15-minute time interval.	
<p><b>A3</b> - External lighting must comply with all of the following:</p> <p>(a) be turned off between 6:00 pm and 8:00 am, except for security lighting;</p> <p>(b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.</p>	<p>Does not apply.</p> <p>No external lighting is proposed.</p>
<p><b>A4</b> - Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of:</p> <p>(a) 7.00 am to 5.00 pm Mondays to Fridays inclusive;</p> <p>(b) 9.00 am to 12 noon Saturdays;</p> <p>(c) nil on Sundays and Public Holidays.</p>	<p>Does not apply.</p> <p>No commercial vehicle movements are proposed or required.</p> <p>No changes to existing garbage removal is required (council run kerbside collection).</p>

### 10.3.2 Visitor Accommodation

**Objective:** That Visitor Accommodation:

- (a) is compatible with the character and use of the area;
- (b) does not cause an unreasonable loss of residential amenity; and
- (c) does not impact the safety and efficiency of local roads or rights of way.

SCHEME REQUIREMENT	PROPOSAL RESPONSE
<p><b>A1</b> - Visitor accommodation must comply with all of the following:</p> <p>(a) accommodate guests in existing habitable buildings; and</p> <p>(b) has a floor area of no more than 200m<sup>2</sup> per lot.</p> <p><b>P1</b> - Visitor Accommodation must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to:</p> <p>(a) the privacy of adjoining properties;</p> <p>(b) any likely increase in noise to adjoining properties;</p> <p>(c) the scale of the use and its compatibility with the surrounding character and uses within the area;</p> <p>(d) retaining the primary residential function of an area;</p>	<p>The dwelling has a floor area of 203m<sup>2</sup>; therefore, the application requires assessment against P1.</p> <p>(a) The dwelling is already used for visitor accommodation and the formalisation of this use will not result in any additional impacts on the amenity or privacy of neighbours. The number of guests in the dwelling is limited to the capacity reasonable for a 5-bedroom home.</p> <p>No internal or external modifications are proposed to the building that would result in any loss of privacy.</p> <p>(b) The intensity of the use is considered to be similar to that of a residential use and it is not anticipated to result in an increase in noise that would impact on the residential amenity of surrounding dwellings. As specified under</p>



<p><i>(e) the impact on the safety and efficiency of the local road network; and</i></p> <p><i>(f) any impact on the owners and users rights of way.</i></p>	<p>(c) &amp; (d) there are already a number of other AirBnB properties within the locality.</p> <p>(c) &amp; (d) The area is typified by single dwellings, with approximately 13 other visitor accommodation sites (in the form of AirBnB's) within a 1.5km radius of the subject site. The intensity of the use is similar to that which already occurs within the locality and is therefore considered appropriate for the area.</p> <p>(e) The change of use does not increase the potential number of vehicles accessing the site beyond that which would be typical for a residential single dwelling. A maximum of two vehicles are anticipated at any given time. In addition, the Parking and Access Code specifies that visitor accommodation need only provide 1 parking space per unit.</p> <p>(f) n/a</p>
<p><i>A2- Visitor Accommodation is not for a lot, as defined in the Strata Titles Act 1998, that is part of a strata scheme where another lot within that strata scheme is used for a residential use.</i></p>	<p>The site/lot is not subject to strata scheme.</p>

## 2.2.2 DEVELOPMENT STANDARDS

Clause 10.5.1 requires that all non-dwelling development comply with the following standards as if it were a dwelling:

- 10.4.2 A1 and A3;
- 10.4.3 A1 (a) and (c);
- 10.4.7 A1.

Given that the application is for a change of use and no new development or alterations are proposed, the aforementioned clauses are not applicable.

## 2.3 ROAD AND RAILWAY ACCESS ASSETS CODE

This Code provides for the use or development of land:

- (a) *that will require a new vehicle crossing, junction or level crossing; or*
- (b) *that intensifies the use of an existing access; or*
- (c) *that involves a sensitive use, a building, works or subdivision within 50m metres of a Utilities zone that is part of:*
  - (i) *a rail network;*
  - (ii) *a category 1 - Trunk Road or a category 2 - Regional Freight Road, that is subject to a speed limit of more than 60km/h kilometres per hour.*

No changes are proposed to the existing access to the site. Guests will access the site in private vehicles, and no commercial vehicles movements are required or proposed. The proposed use is to be of a similar nature and intensity to that of a residential use. There will be periods where vehicular movement will be of a lesser intensity, during the off-season and winter months where demand for visitor accommodation is lower.

Therefore, it is considered that the proposed use does not result in an intensification of use of the existing access to the site, and the provisions of the code do not apply.

## 2.4 PARKING AND ACCESS CODE

The following is an assessment of the proposed development in response to the provisions of E6.0 Parking and Access Code.

### 2.4.1 USE STANDARDS

#### **E6.6.1 Number of Car Parking Spaces**

**Objective:** To ensure that:

(a) there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.

(b) a use or development does not detract from the amenity of users or the locality by: preventing regular parking overspill; minimising the impact of car parking on heritage and local character.

SCHEME REQUIREMENT	PROPOSAL RESPONSE
<p><b>A1 - The number of on-site car parking spaces must be:</b></p> <p>(a) no less than the number specified in Table E6.1;</p> <p>except if:</p> <p>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p>	<p>Under Table E6.1 a visitor accommodation holiday unit requires 1 space per unit and 1 space per managers residence. As there is only one holiday unit on the site and no managers residence, therefore the required number of parking spaces is 1.</p> <p>The site has two jockey car spaces available, one open space and one in the existing carport.</p> <p>The application complies with A1.</p>

#### **E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability**

**Objective:** To ensure that a use or development provides sufficient accessible car parking for people with a disability.

SCHEME REQUIREMENT	PROPOSAL RESPONSE
<p><b>A1 - Car parking spaces provided for people with a disability must:</b></p> <p>(a) satisfy the relevant provisions of the Building Code of Australia;</p> <p>(b) be incorporated into the overall car park design;</p> <p>(c) be located as close as practicable to the building entrance.</p>	<p>The proposed use generates a requirement for 1 car parking space. The Building Code specifies that disabled parking need not be provided where there is a total of not more than 5 car parking spaces, so as not to restrict the use of the car parking space only for people with a disability.</p>

	Therefore, no disabled parking is required to be provided.
--	--

### **E6.6.3 Number of Motorcycle Parking Spaces**

**Objective:** To ensure enough motorcycle parking is provided to meet the needs of likely users of a use or development.

SCHEME REQUIREMENT	PROPOSAL RESPONSE
<i>A1 - The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.</i>	Only 1 car parking space is required, therefore no motorcycle parking is required.

### **E6.6.4 Number of Bicycle Parking Spaces**

**Objective:** To ensure enough bicycle parking is provided to meet the needs of likely users and by so doing to encourage cycling as a healthy and environmentally friendly mode of transport for commuter, shopping and recreational trips.

SCHEME REQUIREMENT	PROPOSAL RESPONSE
<i>A1 - The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.</i>	Visitor accommodation does not generate a requirement for bicycle parking under Table E6.2.

## **2.4.2 DEVELOPMENT STANDARDS**

As no changes are proposed to the car parking or access arrangements on the site, the development standards are not applicable.

## **2.5 STORMWATER MANAGEMENT CODE**

The Code does not apply to use and no development is proposed. Therefore, the code does not apply.

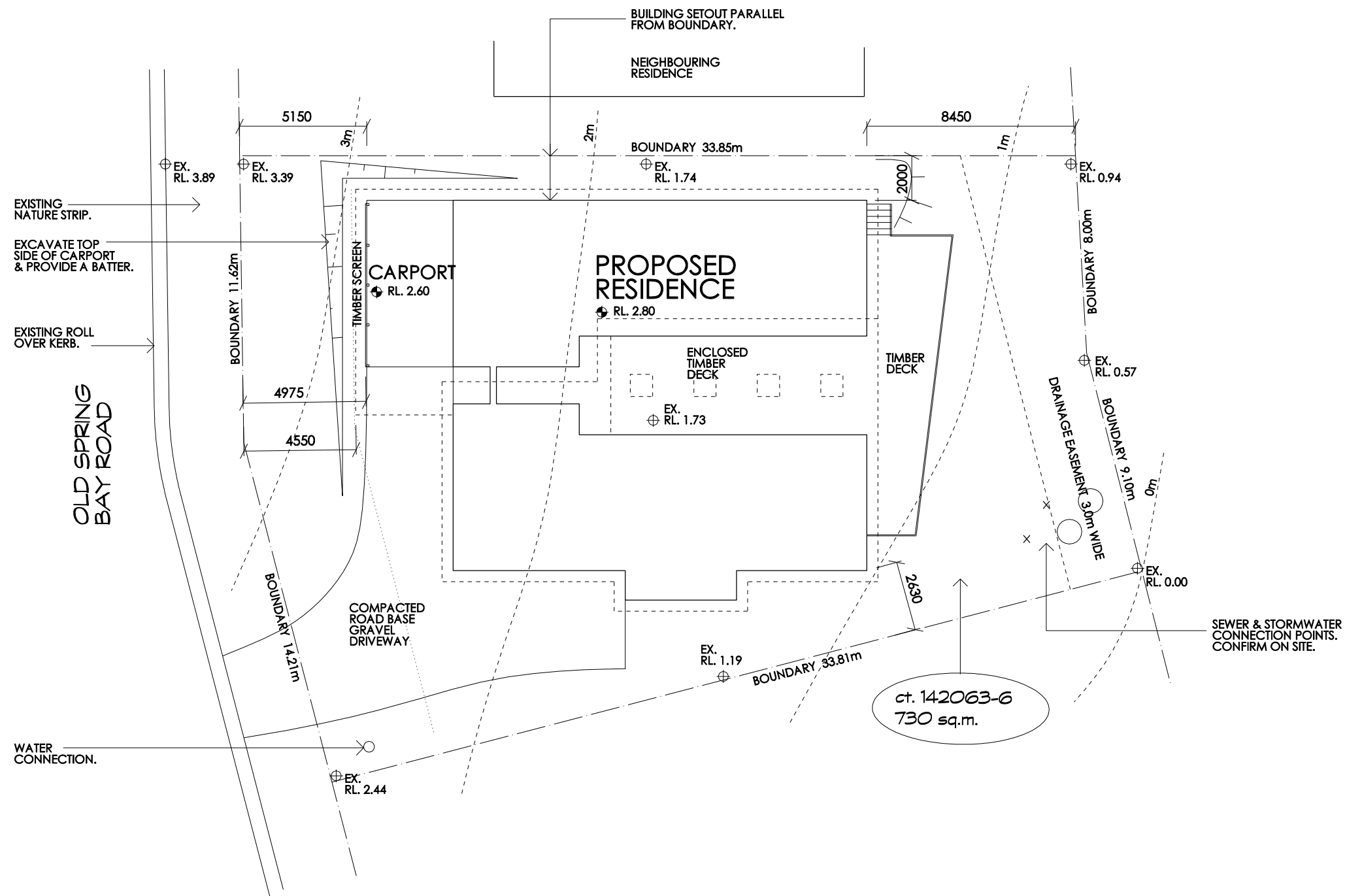
### 3. CONCLUSION

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The site is located within a residential area of Swansea. The site has been used for visitor accommodation and this application seeks to bring the use into conformity with the requirements of the planning scheme.

No development is proposed in this application. The house is to be used as a private holiday unit and will not place any additional demand on public services or infrastructure as a result. The use is to be short-term accommodation, allowing for a maximum of 11 guests in the 5-bedroom dwelling.

The application is considered to comply with all relevant acceptable solutions and/or performance criteria of the *Glamorgan Spring Bay Interim Planning Scheme 2015*.




# SITE PLAN

SCALE 1:200

**NOTE:**  
- CONFIRM ALL LEVELS ON SITE  
BEFORE COMMENCEMENT.

## SITE PLAN LEGEND



EXISTING LEVELS  
 NEW LEVELS  
 STORMWATER LINE  
 SEWER LINE

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# TASMANIAN BUILDING DESIGN

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howrah 7018

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cc 652

residential  
commercial

— p r o j e c t —

PROPOSED RESIDENCE  
AT 52 OLD SPRING BAY  
ROAD, SWANSEA.

— c | l | e n t —

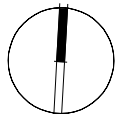
MR. S. JACKSON

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— d r w g .   t i t l e —

## SITE PLAN

project  
north



Verify all dimensions on site. Figured dimensions take precedence over scale readings.

scale

1:200

plot date

20/05/2015

approval

preliminary

proj. no.

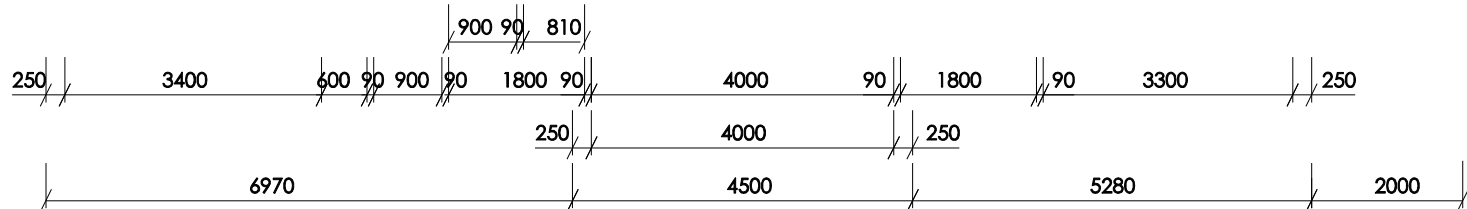
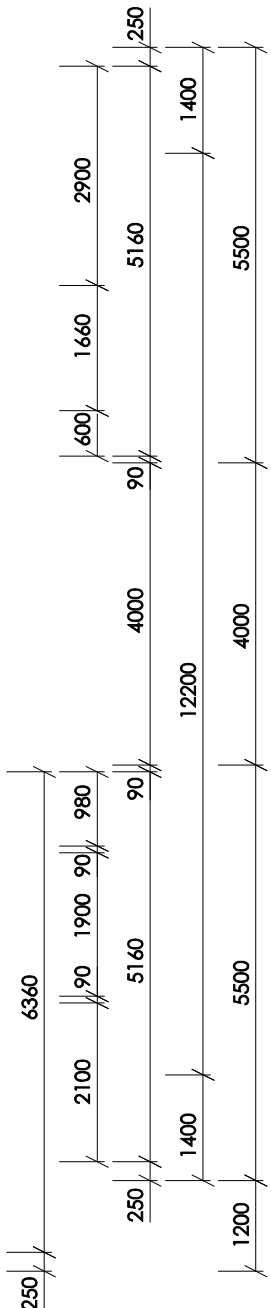
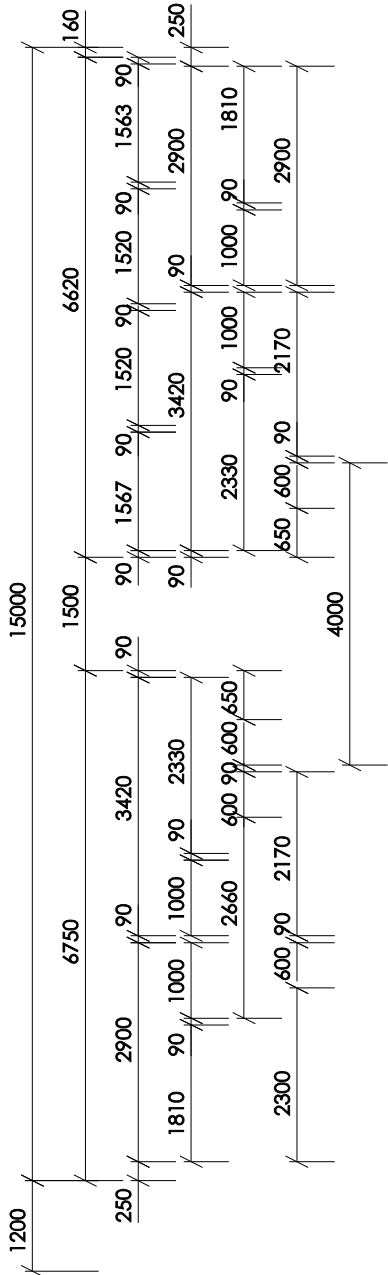
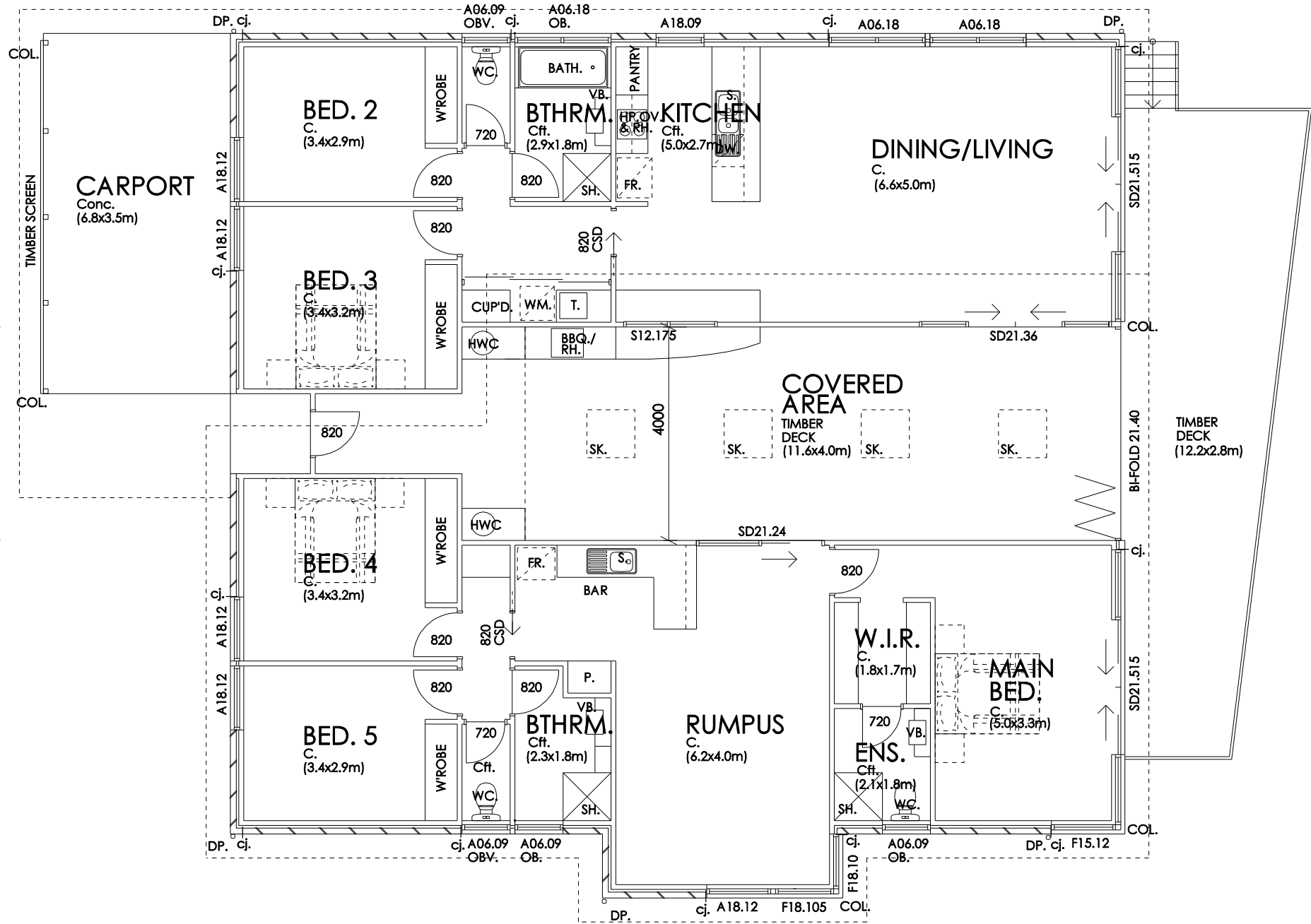
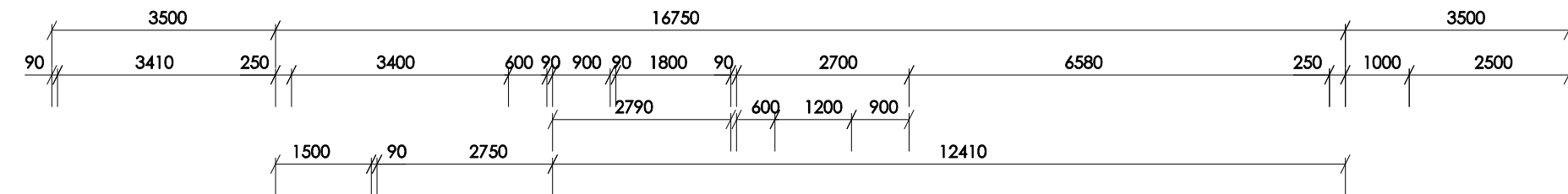
10.18

drwg no.

skO1

rev.

1



# FLOOR PLAN

SCALE 1:100

TOTAL FLOOR AREA :- 203 sq.m, 21.9 sq.  
CARPORT/ENTRY AREAS:- 27 sq.m, 2.9 sq.  
DECK AREA:- 85 sq.m., 9.1 sq.

FLOOR PLAN LEGEND	
	BRICKWORK WALLS
	90mm STUD WALLS.
	NEW LEVELS
C.	CARPET
Cft.	CERAMIC FLOOR TILES
Conc.	CONCRETE FLOOR FINISH
CJ.	CONTROL JOINT

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cc 652

residential  
commercial

— p r o j e c t —

PROPOSED RESIDENCE  
AT 52 OLD SPRING BAY  
ROAD, SWANSEA.

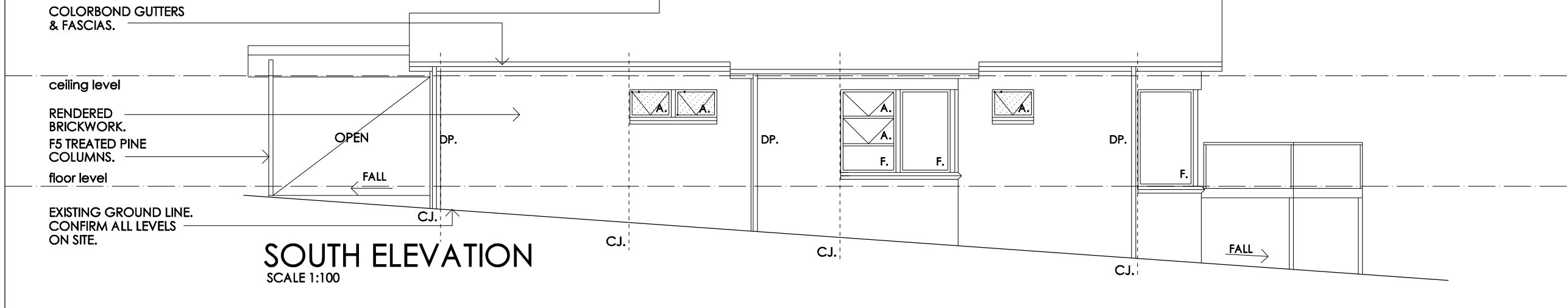
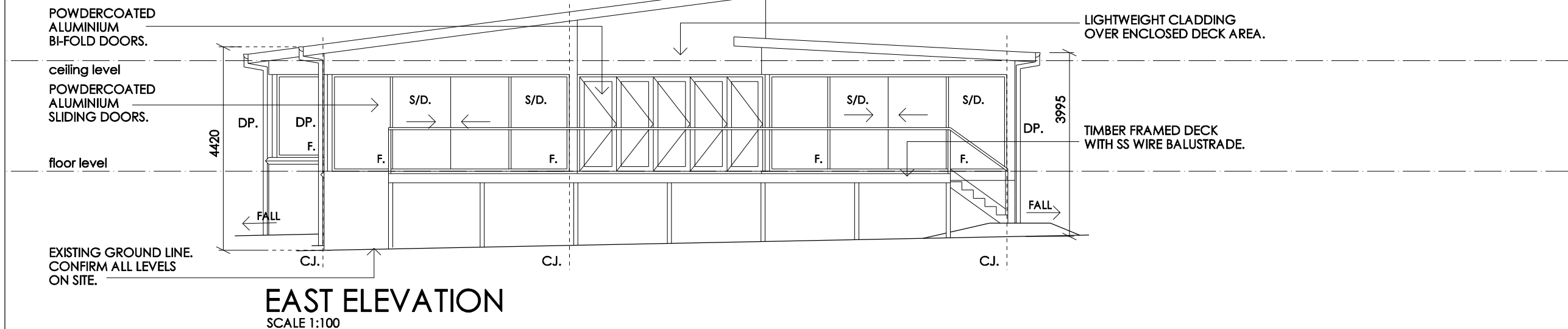
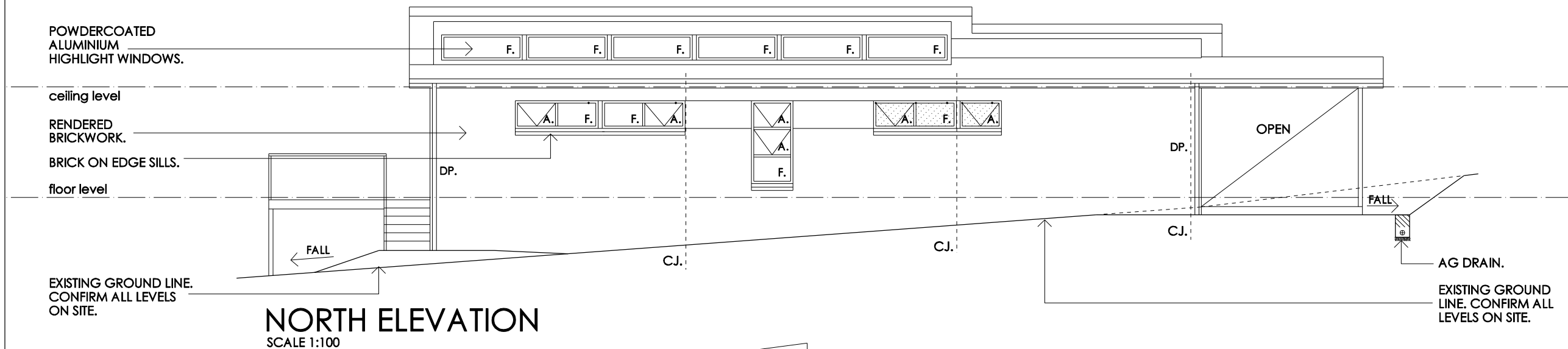
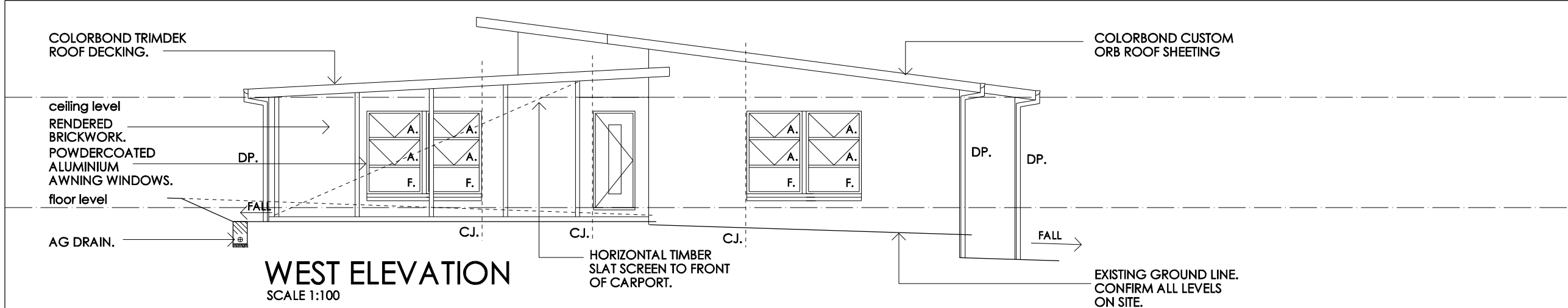
— c l i e n t —

MR. S. JACKSON

— d r w g . t i t l e —

FLOOR PLAN

project north	Verify all dimensions on site. Figured dimensions take precedence over scale readings.
scale	1:100
plot date	20/05/2015
approval	preliminary
proj. no.	10.18
drwg no.	sk02 <div>rev. -</div>



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**TASMANIAN BUILDING DESIGN**

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cc 652

residential commercial

— p r o j e c t —

PROPOSED RESIDENCE  
AT 52 OLD SPRING BAY  
ROAD, SWANSEA.

— c l i e n t —

MR. S. JACKSON

— d r w g . t i t l e —

ELEVATIONS

project north	Verify all dimensions on site. Figured dimensions take precedence over scale readings.
scale	1:100
plot date	20/05/2015
approval	preliminary
proj. no.	10.18
drwg no.	sk03 - rev.



**Maree Tyrrell**

---

**From:** [REDACTED]  
**Sent:** Thursday, 12 March 2020 9:36 AM  
**To:** Planning  
**Subject:** DA2020/07 property file 3-2300-258

**Categories:** [REDACTED]

Development Application change of use to visitor accommodation at 52 Old Spring Bay road, Swansea. I am surprised at this application the premises has been operating as visitor accommodation for over 3 years. There has been Hen nights, buck nights, sporting club weekends and Asian tour groups with up to 20 people staying at a time. My objection to the application is

- (1) Noise would it be possible to have a curfew on noise after midnight?
- (2) Lighting the external lighting is left on all night (mostly with the Asian visitors).

My main bedroom window is below and approximately 5 metres from the lighting and it is extremely bright and I find it very disturbing with the noise and brightness to try and sleep.

[REDACTED]

[REDACTED]

**Maree Tyrrell**

---

**From:** [REDACTED]  
**Sent:** Monday, 16 March 2020 9:09 AM  
**To:** Planning  
**Subject:** FW: 52 Old Spring Bay Road

---

**From:** [REDACTED]  
**Sent:** Saturday, 14 March 2020 2:50 PM  
**To:** GSBC Admin <admin@freycinet.tas.gov.au>  
**Subject:** Fwd: 52 Old Spring Bay Road

Sent from my iPad

Begin forwarded message:

**From:** [REDACTED]  
**Date:** 13 March 2020 at 2:54:17 pm AEDT  
**To:** [admin@freycinet.tas.gov.au](mailto:admin@freycinet.tas.gov.au)  
**Subject:** 52 Old Spring Bay Road

Refer change of use Visitor Accommodation

We have a complaint about 52 Old Spring Bay Road [REDACTED] of many occasions noticed that the number of occupants to be above 15 & we only believe it is approved for 11 also parking if more than 11 people there you would need 5 more car spots so have noticed that they have parked on the footpath & front lawn plus outside lighting front & back is left on all night & I believe in their application they have said there is no external lighting which is not true & it is extremely bright we all so notice the the up keep of the outside lawns & gardens are not maintained regularly. Plus the noise when this many people are staying there is very loud . Your sincerely .....

Signed [REDACTED]

# Rep 3

**Maree Tyrrell**

---

**From:** [REDACTED]  
**Sent:** Wednesday, 18 March 2020 9:58 AM  
**To:** Planning  
**Subject:** FW: image000000.jpg  
**Attachments:** image000000.jpg

[REDACTED]

Re planning application for 52 old spring bay road. Further to the response sent by me on the 12/03 this picture was taken last night at 21.10pm 17/03 of the rear of 52 old spring bay lighting ( the lighting they don't have according to their application) which shines down into my bedroom window which is only 5-8 meters away. My opinion is that no external lighting should be left on after 1 hour after sunset. I have counted the number of lights on the rear and the total is 8.

[REDACTED]

Sent from [Mail](#) for Windows 10

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[REDACTED]



## Attachment B - Agenda Report Item 3.2

31 March, 2020

[REDACTED]

Mr Chris Schroeder  
General Manager  
Glamorgan Spring Bay Council  
9 Melbourne Street  
Triabunna TAS 7190

**RE: Development Application DA 2019 / 345 – Round 2**  
**1533 Dolphin Sands Road, Dolphin Sands**

Dear Mr Schroeder,

[REDACTED]

Please take this letter as my representation against the development application DA2019/345 for a dwelling at the address 1533 Dolphin Sands Road.

[REDACTED]

[REDACTED] and I wish to raise some issues that concern us having read through the application, plans and geographical reports.

I feel that I should start off by pointing out that the first time this development application was advertised, it was not only done so to coincide with the first week back of school, but both posted notices were shockingly obscured and we only saw it when walking rather than driving by, so very few shack/land owners would have been aware. In this second round, the notices are no better positioned, and in fact as they are posted over the top of the old ones, there is nothing to suggest to passers-by there has been a re-advertising. On top of that, the Caronavirus lock-downs that have been developing over the last few weeks have again pretty much assured the developer that few if any shack/land owners would have been given sufficient opportunity to see the notices.

To keep this simple, [REDACTED] were permanent residents and undertook their own development application 10 years ago. At the time they applied to build on the same dune line that the applicant from 1533 has done. The site was rejected in order to protect the dune. That area is now, and may have been then also, listed as a place prone to coastal erosion.

They then applied to build on the elevated land by the road, however the application was rejected as there was an existing 2 room shack on the property and only 1 building with plumbing was permitted per address. In a similar manner, there is also an existing shack on 1533 Dolphin Sands Road. It is described as a shed but has previously been described in the real-estate as a 3 bedroom dwelling and is certainly no smaller than the original 2 bedroom shack on our property that caused the previous owner's application to be rejected.

A final application for building on our land resorted to extending the existing 2-bedroom shack and making it into a 3-bedroom house. In addition to the requirement to install a fire-fighting water tank and new septic system, one final condition was placed on the approval. That condition was that despite having 5 Acres of land over which to extend the septic pits, the maximum loading that was to

be put through was a 5 person loading because, despite having irrigation and being permanent residents, there was insufficient soil quality to support ongoing grass growth. Page 95 of application DA2019/345 (GES Septic Report) also stipulates “.....absorption area must be kept with adequate grass cover to assist in evaporation of treated effluent...issues of conditions of the absorption area...may result in unacceptable health and environmental risks.” The Inundation Prone Areas Code (IPAC) Overlay on page 42, item 3.4.2 shows their land is higher than ours, and that the previous owners were unable to maintain sufficient grass coverage as full-time residents. The room sizes in the plans for #1533 are considerable and the stated occupancy and loading is for 6 people. This is inconsistent with the advisory given to the previous owners of our land. The bore is now often dry, rainfall low, and so much vegetation is dying back. With the load demanded by the design and size of #1533 and the environment as it is, we have little confidence in the ability of their septic system to retain waste long enough before it filters deep and gets taken into what little ground water there is. That water is already very heavy in iron and salts due to the low rainfall.

On these grounds stated above, we appeal that the application DA2019/345 is also rejected.

Whilst on the subject of consistency, I would like to raise our concern that the building site in question is set higher than all but one other house in this area. That house [REDACTED] who has taken extreme measures to ensure their house was and is unable to be seen from the beach, from our land or from the land of number 1533, by allowing maximum set-back from the coast, undertaking extensive planting of tall trees between the house and all four boundaries, not having high ceilings or windows overlooking the beach. That now said, the house proposed for #1533 would stick out terribly high in the dunes and be an obtrusive eye-sore. It would be very out of character, overlooking the beach so close to Bagot Point and the Swan River when no other house or shed does. It is certainly not consistent with the area and would be a significant detriment to the amenity of this area.

I see that erosion has been investigated in depth as part of the documents submitted on behalf of #1533 but I have also noted that the figures used in those calculations are inconsistent and rather old. Our property has had the coastal dune surveyed approximately every 2 years and the results reveal very little change until after 2013. From that year the erosion seems to have become increasingly worse, results from last July's survey revealing the aspect of the beach has changed by 77cm. The change seems to coincide with more regular and more aggressive storms. In the last few years, although rainfall has dropped here by up to 60% according to nearby readings taken by DPIPW, surges from the Swan River have combined with incoming tides to aggressively erode beach front dunes from Bagot Point to as far along the beach as #1204, 5 properties along beyond #1533. There seems to be no accounting for this in the calculations submitted, although by using similar overlays as those provided by the developer (See Image 1 attached) the eastern end of Nine Mile Beach is clearly identified as being far less stable than the majority of the nine miles.

Attached is a layered map created using images from the application and an online state government mapping tool [maps.thelist.tas.gov.au](https://maps.thelist.tas.gov.au). I was able to accurately align the images by lining up vegetation, and the boundaries and beach line confirmed the alignment. By overlaying these images two things can be clearly seen in my attachment 4. One is that the imagery of the driveway varies on all three images, crossing the neighbouring boundary in two of the three layers. The other is that, with boundaries, beach line, vegetation all lined up, the coastal beach reserve layer in red also lines up perfectly, but the orange erosion area layer does not. The map provided with the application shows a narrower erosion area than is on the official government web site. If I were to shade in missing banding, the house is not just mostly in the Coastal Erosion Hazard Code area but entirely within it.



The figures provided by the developer do not appear to account for the regular aggressive southerly winds we get. Erosion of our dunes seems to be more impacted by wind than water, although once the dunes have been eroded, it is easier for the water to wash through. Another local resident once bulldozed the dune to allow him to launch a boat directly off the beach, and this quickly resulted in a catastrophic collapse and redesign of the surrounding dune by waves. When the application was made to build on the dune, the land was green and lush, rainfall and aquifer abundant, and storms rare. Now everyone can appreciate why their application was rejected and are thankful that no houses have been permitted to build on those dunes in this erosion prone area. On this evidence I would contest the relevance of the figures presented by #1533 as being too reserved and failing to address all the factors.

If water erosion on its own was the issue, then I may agree with the figures presented on behalf of #1533, however in this location, in this environment, there is much more involved. There is a compounding effect of low rain causing thinning of vegetation, which in turn supports fewer animals, which combined mean less nutrients back into the sand, which means less ability to hold water, and the cycle worsens each round. Together with the other harsh elements of nature here and there is much more at play than just water erosion. Wind alone counts for considerable movement of dune sand. The slightest disturbance to a dune and the sand is so fine it is picked up and can be carried not only over the top of the property, but right over the top of Dolphin Sands as we have just recently witnessed. According to documents published by the Queensland government, sand grains as small as 0.1-0.5mm can be carried for several kilometres, with finer top sand able to be carried for hundreds of kilometres.

Figure 9 cross section on page 52 is based on erosion in 50 years' time. It illustrates shore regression to within 30m of the house. Considering the coastal reserve will move inland following erosion, and the boundary setbacks required, it seems to me that the application itself proves that building in this location would be in violation of these provisions. They have proven scientifically that within the demanded 50-year lifespan of the house, it will not remain compliant. For this reason, the application to build within this area of coastal erosion must be rejected.

I walked 2km from Bagot Point, covering the foreshore where most erosion is experienced (as also reflected by Image 1) taking photographic evidence of every beachfront property along this eastern stretch of Dolphin Sands. Image 2 attached shows photographs taken in front of two houses that appear to have been permitted to build within the band identified as having moderate coastal erosion hazard. The beachfront sand dunes at these, and only these two properties, show substantial erosion as well as loss of vegetation vital for securing further erosion of those dunes. Dune height dips to half that of all other frontages, and vegetation is notably of poor health. Whilst the developer may site these two addresses as having similar setbacks to their proposal, it is obvious that locating a house in the CEHC Area will have severe negative impact on the future viability of the dunes. #1457 was not originally visible from the beach, not even the antenna, but erosion to the sand dunes directly in line with the house has resulted. #1204 is located at the very western end of the high dune mobility zone depicted in image 1. The Photo reveals significantly retardation of vegetation as well as some localised erosion directly in front of the house. Taking into consideration the overlay map and the actual localised erosion within that identified area of beachfront, we request that application DA2019/345 is rejected based on being within the CEHC and HDM areas.

██████████ is very low, and the floor level of our house is exactly 2m AHD. We feel secure that, whilst the dunes in front are protected, we will have generations of family able to live here before the land is no longer viable. Based on the local experience of long-time land owners and long-term locals I appeal to you not to allow any landowner, be it #1533 or another, to build near them and compromise the safety they provide. The land at #1533 is high and it extends much further inland than ours or either of our neighbours. For this reason there are many potential building sites that would be far more suited to the new dwelling, and by moving to higher ground and further inland, the house would not need to be elevated so high from the ground level as it is. In fact, there is so much room between floor level and the ground that an entire second floor could fit within, something else that is very much out of character with the area. With a boundary approximately twice the depth of our own, and ██████████ between, setback from the beach can be significant and would also allow a shorter driveway, improving safety in the very likely event of bushfire.

The height of the building is an issue. Although they describe the house as one storey, it has the physical appearance of at least 2 storeys. From the dune at the beach it would seem that the building has almost the mass of a conventional 3 storey house at over 11m AHD. Not only is the floor level raised so high above ground level as to accommodate a whole extra storey below, but the raked ceilings just get higher and higher and then there is a further level of upper windows adding even more height. I am led to understand building heights are normally restricted to 5m above NGL. This application is not normal as it is seeking approval to build in the CEHC exclusion area. Owing to the vulnerability of the CEHC area, no building should be permitted for any reason, however if there are no alternatives (i.e. land is too shallow to otherwise build elsewhere) heights should be more restrictive than the normal 5m, and certainly no exception to the 5m limit.

Elevation plans only list the height to NGL for the lower level roof instead of the overall height at the high roof. I calculated that the South facing side is at least 7.097m and the North facing side at least 7.146m above the current sand hill, already exceeding the maximum height limit by 42% and 43% respectively. These heights do not include approximately 1m of raked roof line that extends even higher above the main roof line. Page 88 of their application (page 5 of the Geo Environmental Solutions Report) states "the top 500mm of soil profile should not be used owing to the low bearing capacity", effectively resulting in those stated heights being over 8m, effectively 8.597m and 8.646m respectively, or over 170% of the 5m limit. Page 53/Figure 10 also shows that the house would be built over unstable ground. As NGL is based on stable ground but a lot of the house is to be built over actively mobile sand dune in an area already acknowledged as being prone to erosion the NGL must be adjusted accordingly. The actual height of this house above natural ground level is clearly much higher than recorded on the elevation plans provided.

Nowhere on the plans is there an indication as to how much will be visible by neighbours and by those on the beach. Nine Mile Beach and Wine Glass Bay are iconic beaches surrounded by amazing nature. To overlook either of these closely related beaches above the dunes would ruin the feeling of immersing in nature that one gets here. If any part of the building is going to be able to be seen from the beach at low tide or from the waterfront dune whilst traversing to and from the beach, it would have a devastating effect on the character of the area and on the amenity that natural character provides us. Neighbouring properties at #1519 and #1238, as well public using the adjacent public right-of-way and #1230 will all have direct line of sight of the building due to its excessive height. Please reject any application, including this one, if any part of the building would protrude above the dunes. Keep dune lines reserved for nature and do not allow the house to be built so high over the beautiful dunes.

A dune profile survey was completed in July 2019. When coupled with heights specified in the applicant's plans, this profile enables accurate calculation of visibility from the beach. On the day in question, the tide was 61.01m south of the coastal reserve boundary. The front of the house at #1533 is 30m back from the boundary according to Figure 4 (page 110). The coastal reserve extends 100' or 30.48m from the boundary according to the Folio plan on page 27. The front sand dune rise was measured to be 5.37m AHD. The beach at 61.01m is 0.20m AHD. Based on figures provided by the applicant over a number of pages, I calculate the roof of the house to be 11.16m AHD. According to Architectural Graphic Standards, the accepted line of sight is taken to begin at 168cm above ground. Line of sight from the tide line over the front sand dunes extends an angle of 3.27° and, at the front of the house, 121.49m away, arrives at 8.82m AHD. Unfortunately the figures in the new attachment by Jason Nickerson are blurred and not readable however to counter his claims to council on 28 February where he addresses height issues against P1 criteria, there would have been 2.34m of the house visible from the beach at that time. More of the house would have been visible at full low tide. From the public reserve dune, the entire bulk would be visible. The many users of the public right-of-way between #1230 and #1238 would also view much of the obtrusive bulk as they look towards Coles Bay and The Hazards. Mr Nickerson claims that Performance Criteria P1 c is met because of minimised bulk due to dunes and vegetation. Their own report confirms that the dunes will erode, and the bushfires of last year proved that vegetation that took decades to grow can all be lost in an instant.

A by-product of living near the water is that sound and light travel and almost seem to magnify. The out-of-character height of the house for #1533 will by its very design and elevation allow sound and light to be carried far greater than would be the case if built behind dunes or behind vegetation. Fire regulations and the salty, wind-swept dunes around the house would prevent any vegetation tall enough to provide any reasonable barrier. Where a noise or a light left on might seem inconsequential in suburbia, out here in the pitch of night with no cars or motors, air conditioners or stereos, no sidewalk light, shop lights, or traffic lights, any slightest sound will carry and will break the amenity of nature. See Image 3 for one of the great amenities enjoyed here in the total darkness. Dolphin Sands is zoned as having its own Particular Purpose, and I understand why. It is a special place and what makes it so special must be protected by not allowing houses to be so elevated, to be on the dunes, or to have such high ceilings with so many tall windows facing neighbours or the beach reserve.

We are also shocked that the house proposes to be built facing *along* the beach. All other houses face directly toward Great Oyster Bay. Being beach-front land, we all consider the primary boundary to be the one facing the beach, not the one facing the road. All houses have their beach-facing side running parallel to the beach, parallel to the dunes and, if viewed from above, parallel to the Swan River. Surely it cannot be in keeping with the character of the neighbourhood to allow this house, this elevated house, to run a completely different line to all others. It would not match other houses and it would not match the natural lines. In addition, we have serious concern that by having the house twisted, it is facing along the beach and will overlook not only us when on the beach but our mutual neighbour in between, both on the beach and on their land. Privacy is expected here, and for this reason I must object strongly to the misalignment of the house at #1533.

“Round Two” of the application that has been re-advertised addresses some issues to do with height. There are a number of photos with addresses claiming to support their building height and positioning within the Coastal Hazard Erosion Code area, and I am happy to respond to each:

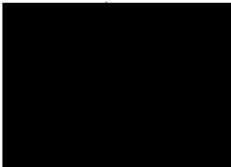
- #1204 is certainly an eye-sore to many residents here but, as I outline elsewhere in my letter, that has come at a cost to the environment through increased erosion and vegetation regression, as well as having is not relevant to the application. It is the first eastern-most property listed on the dune mobility overlay not to be covered by the overlay for having highly mobile dunes. #1533 is well within the highly mobile area. It is also less elevated, has regular ceiling heights, no raked roofline and is not built-in underneath. It also has less floor area.
- #684 is in the middle of Dolphin Sands and so irrelevant to the surrounding area of #1533. It does have a raked ceiling but a much smaller footprint than #1533. It is also built on historic Aboriginal land and was not permitted to build closer to the road due to the existence of Middens.
- #1062 is further from #1533 than Bagot Point is the other direction, so again is not “surrounding area”. It is set a good 20m+ further back from the coastal area in a hollow, not raised up over a sand dune.
- #1024 does have a raised section but is built in the lower point of the land rather than over a dune and is at least 15m further back from the Coastal Erosion area. It also does not have the high ceilings or window area planned for #1533.
- #778 had the same historic restrictions as #684 above. It is open underneath, no raked roof and no high windows.
- #157 is not only on 10 Acres rather than 5 and at the far western end of Dolphin Sands, but is inland of the road, has minimal window area and heavy bush between it and the beach.
- #1446 is also inland of the road, is apparently 2m lower than #1533, has heavy vegetation around it and between it and the beach, and does not have a raked roof line or high windows.

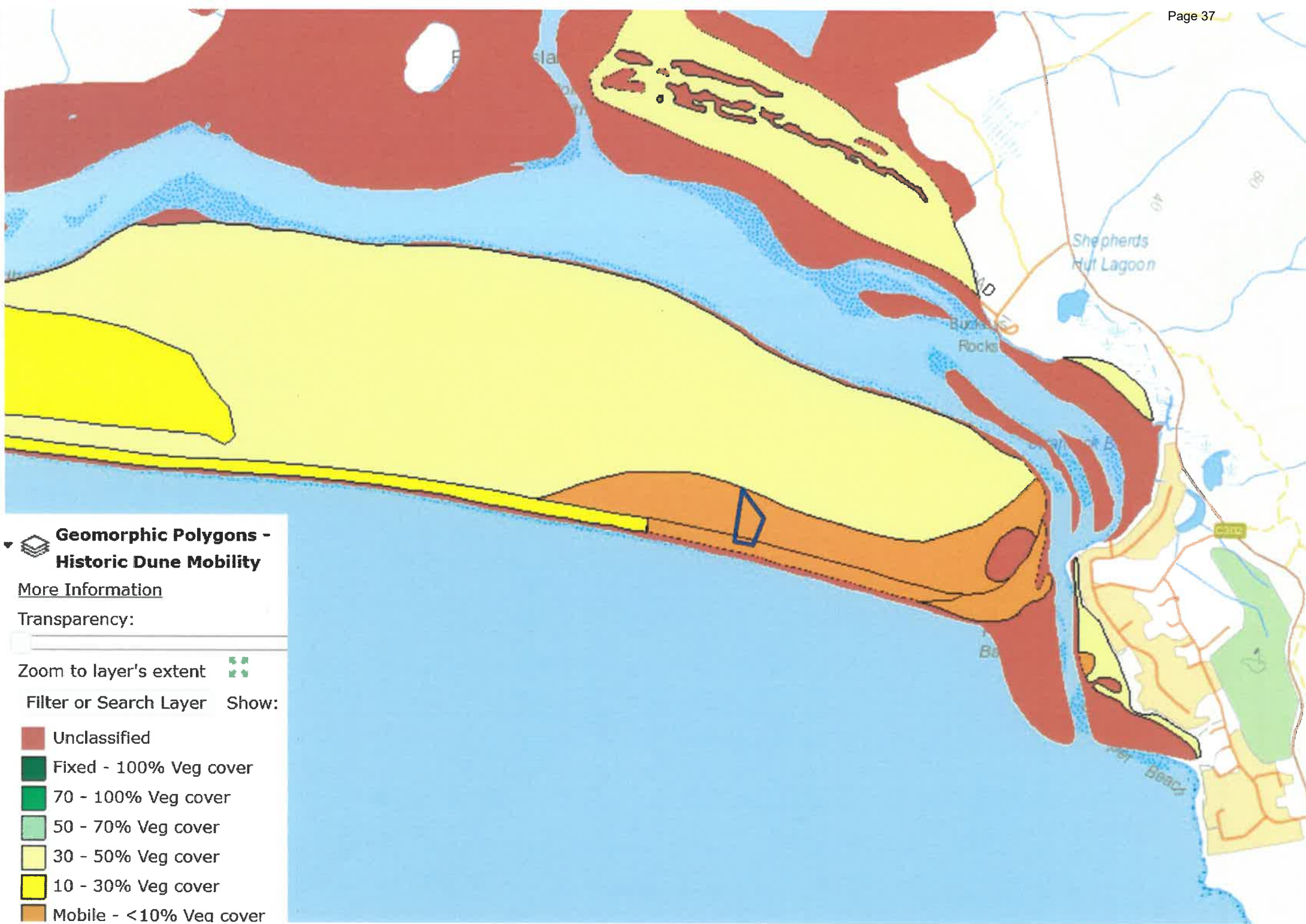
We were all attracted to Dolphin Sands by the peace and quiet, by the lack of infrastructure and development, and by the privacy offered on our land and on the beach. It is an incredible place. This final few kilometres of the spit are by far the most natural, not only in the way they have been protected from development, but in the setting so close to the river, the wetlands, the bay, the beach and the Hazards as the backdrop which seems so close from here. Since the fires almost a year ago the wildlife from affected land has sought refuge here in the few remaining unburned properties. We were very fortunate that the fire stopped midway through #1533 before crossing the road and burning the other side. This means however that there is now a great responsibility for all land owners starting with #1533 right through to those at Bagot Point to ensure the coastal dunes are kept well clear of, are protected from any sort of development, and remain a natural habitat for that wildlife. There is a natural line of vegetation extending all the way along Dolphin Sands, growing on the dune identified as the building site at #1533, and which must be protected as it has always been home to bird life, wallaby and other wildlife, and they rarely stray from that line. Fauna protected by the Biodiversity Protection Area has been driven east by the devastation, a fact confirmed by Mark Wapstra’s report provided by the developer, but it will come back and will need that land in the erosion zone undisturbed when that time comes. To protect it, the building must be pushed back out of the dune area or rejected entirely.

We hope you take our thoughts seriously. The property I represent is now held by [REDACTED] & [REDACTED] belonging to my husband and myself, and it will become our retirement place in the future, so we are heavily committed to protecting the qualities, the character and the amenity of the area for the long-term. I have not submitted a representation on a planning application before, however on this occasion consider it too far from acceptable to ignore, especially when it impacts not only our own amenity, but that of the wildlife, our way of life, and the character and nature of the local area.

Thank you.

Kind Regards,







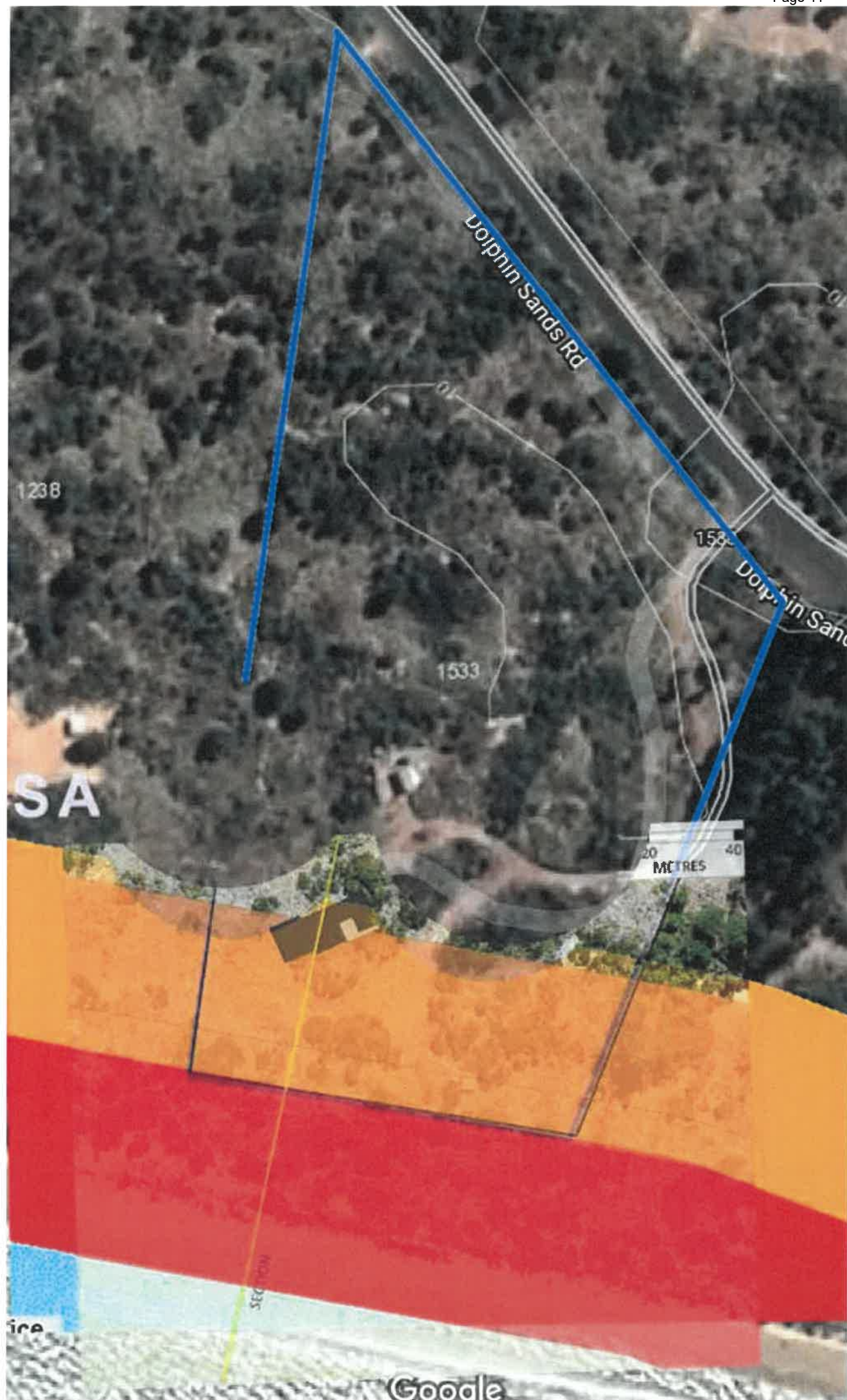


#1457 Sand Dune dips and vegetation dead due to very localised erosion immediately in front of house.









**Maree Tyrrell**

---

**From:** [REDACTED]  
**Sent:** Wednesday, 1 April 2020 8:07 PM  
**To:** Planning  
**Subject:** Fwd: DA 2019-345

**Categories:** [REDACTED]

[REDACTED]

Begin forwarded message:

**From:** [REDACTED]  
**Date:** 1 April 2020 at 6:41:31 pm AEDT  
**To:** olanning@freycinet.tas.gov.au  
**Subject:** DA 2019-345

Dear General Manager


We are concerned about the plans for the above property.

The proposed building is within the Coastal Erosion Hazard Code area.

The main roof level is 7.146m above ground, which is very high and out of character with properties at Dolphin Sands.

Thank you

[REDACTED]

  
1.04.2020

General Manager  
Glamorgan Spring Bay Council  
9 Melbourne Street  
Triabunna 7190

Dear Sir,

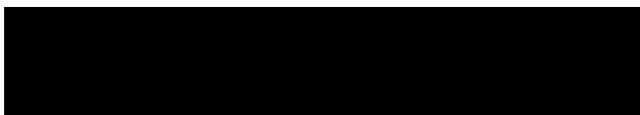
As former property owners at Dolphin Sands for over 20 years we are saddened to see that the council is allowing inappropriate dwellings to be built. It has come to our attention that the owners of 1533 Dolphin Sands Road not only plan to build a dwelling of 7 metres in height but to situate at least two thirds of this dwelling on a Coastal Erosion Hazard Area.

We strongly object to the loose interpretation of the building code in relation to height and the positioning shown on the plan and its proximity to the beach. Despite the owners illustration we strongly suspect that the dwelling will be visible from the beach which contravenes council regulations.

This fragile beautiful area deserves to be preserved and protected from inappropriate development.

We trust that our concerns will be seriously considered when the final application comes before council.

Your sincerely





**Maree Tyrrell**

---

**From:** [REDACTED]  
**Sent:** Wednesday, 1 April 2020 10:03 PM  
**To:** Planning  
**Cc:** Robyn Bevilacqua  
**Subject:** Fwd: Representation DA2019/345 for 1533 Dolphin Sands Road  
**Attachments:** Letter to General Manager.pdf; Appendix A - Line of Sight.pdf; Appendix E - ROW Erosion.pdf; Appendix B - Existing Dwelling.pdf; Appendix C - Vegetation.pdf; Appendix D - Notice.pdf; Appendix F - CEHC Overlay.pdf; Appendix G - Dune Mobility.pdf

**Categories:** [REDACTED]

Good Evening

I am re-submitting documents pertaining to representation against **DA2019/345 for 1533 Dolphin Sands Road** addressed to the General Manager for review.

With the exception of the addendum below, all documents attached are per my original representation. I feel there has been insufficient further support for approval contained in the revised application documents.

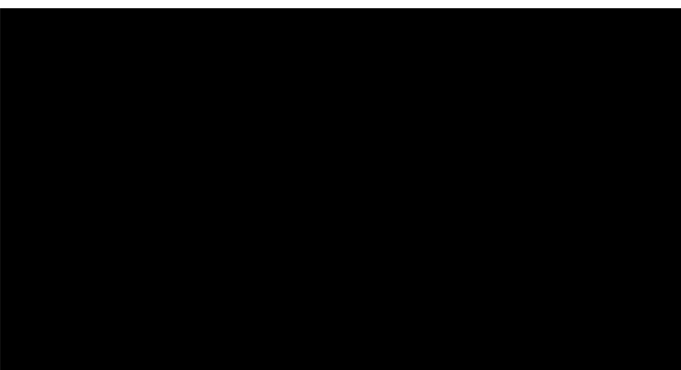
#### **ADDENDUM 1**

I will take this opportunity to make it known that of the 10 pages of addresses and photographs of dwellings added to the end of the application documents none are surrounding the address in question, nor do any share the same characteristics and siting within any reasonable distance to the area.

It had been my intention to address new information provided in the re-advertised planning application however self-isolation requirements have prevented any further inspection of 1533 Dolphin Sands Road, and information I requested from Glamorgan Spring Bay Council has not been received in time to meet the closing date for representations.

There are still critical heights missing from the elevation plans for this dwelling. Some additional height information has been presented and has allowed me to calculate that the finished height will exceed 8m. Without further information clarifying all AHD and NGL heights it is impossible to calculate accurate data and impractical to speculate.

Regards



Date: Thu, 20 Feb 2020 at 09:23

Subject: Representation DA2019/345 for 1533 Dolphin Sands Road

To: <[planning@freycinet.tas.gov.au](mailto:planning@freycinet.tas.gov.au)>

Good Morning

Attached are documents pertaining to representation against **DA2019/345 for 1533 Dolphin Sands Road** addressed to the General Manager for review.

Please acknowledge receipt of this email.

Sincerely



16 February 2020

General Manager  
Glamorgan Spring Bay Council  
9 Melbourne Street  
Triabunna TAS 7190

**RE: DA2019/345 for 1533 Dolphin Sands Road**

To The General Manager

I am a regular visitor to the Dolphin Sands area - both for business and pleasure - and take an active interest in the area. I noted on the Glamorgan Spring Bay Council web site two properties with planning application submitted to you. The one noted above has raised concerns for me, and not just because the application notice was almost entirely obscured.

After 35 years' experience related to wind and water erosion at projects around the world I am deeply concerned about the proposed location of the dwelling on this site. In particular, the building proximity to the coastal protection area, and to the dunes within and adjacent to the coastal erosion hazard zone. The "estimated" modelling values quoted in the submission are based on old data, much being 9 or more years old despite much more recent data being available. Calculations submitted also fail to take into account the rapid increase in wind, storm surge and average temperatures experienced over the past few years – perhaps for the same reason that the geo-environmental assessment failed to use up-to-date data. It also fails to address the effect of bushfires, yet another factor which acts to accelerate coastal instability and erosion. Global warming and general climate change is accelerating, impacting our coastlines at a rate never before recorded. Planning for land use must take this unprecedented acceleration into account and local council has a responsibility now more than ever before to plan further ahead as data projection times are no longer staying their course.

In the aftermath of the 2019 bushfires, of which the site in question fell victim, vegetation is no longer holding back dune creep. It is also abundantly clear that the coastal wattle that was once prevalent along the secondary dunes of Nine Mile Beach has reached the end of its lifespan and is no longer able to survive, with very little vegetation remaining on any allotment compared to previous years. What were once considered secondary dunes, with trees and shrubs, are now clearly primary dunes, with soft, loose sand actively moving inland. The impact was obvious this weekend as the strong Southerly winds were carrying large amounts of sand off the

dunes, over the allotment and over the road. There is no question that the first three or four sets of dunes back from the foreshore will experience active movement for a number of years until such time that substantial tall and deep-rooted vegetation can be re-grown. What may have been stabilised dunes in the past are certainly now active or soon will be, and that may last indefinitely judging by global forecasts.

Siting of a structure the size of this on the soft dunes will interrupt natural dune creep, allowing higher than normal erosion around the structure and will lead to inundation prone areas being exposed significantly earlier than otherwise would be the case. This is to be even more pronounced as the proposed structure is sited at an obscure angle to the natural lay of the dune and prevailing winds. Not only do the cross-section illustrations on pages 20-21 of the report fail to address the western end of the structure that will be nearest the erosion area, but the angle it is placed on will critically accelerate wind erosion compared to being sited square-on in alignment with the natural dunes. If a dune cannot be allowed to creep naturally it will lose its integrity and succumb to the forces of the wind and tide, and no amount of reconstruction can protect better than the original natural dune. The result will be erosion of primary and secondary dunes of neighbouring properties from the side and rear and the inundation of residences at three of the five neighbouring allotments, being 1220, 1238 and 1501 Dolphin Sands Road, depicted in figure 4 IPAC Overlay, section 3.4.2 of the applicants submission.

The projections provided also fail to address the impact of the Swan River on coastal erosion. Severity of erosion increases with proximity to a river mouth. Erosion will naturally be significantly more aggressive within at least a 2km, up to 3km radius of the river mouth at Bagot Point and changing the natural dynamics of primary or secondary dunes within this zone would only serve to accelerate this action further.

The situation of the structure on or above the dunes will also result in significant repeat foot traffic over and around the dune, further accelerating the erosion as well as not allowing for the appropriate establishment of vegetation to develop and shore the soil. An example of the damage can be seen at the end of a fire access road situated between 1230 and 1238 Dolphin Sands Road. Originally a narrow goat track climbed over the dune to Nine Mile Beach. Once the fire road was established and foot traffic increased, the vegetation died off, the track became lower and wider to the point that the tide now washes through the dune and removes large amounts of protective foreshore as it eats into the sand. Native vegetation has been killed by the invading sea water for a distance of 20m on each side of the now exposed walkway. With increased salinity killing vegetation both along the foreshore and inland, the erosion of primary and secondary dunes will be even further accelerated.

There appears to be comparatively very little vegetation on this allotment, a common problem with beach frontages this close to the Swan River. The only species that are growing or appear to have been growing in any notable quantity are small scatterings of the receding coastal *Acacia Longifolia* and the introduced marram grass weed, and these are not sufficient to stabilise this land. Any existing vegetation on primary and secondary dunes must be protected by prohibiting development nearby, and further planting and growth should be encouraged such

that the predominant Southerly winds pushing inland will be forced to give up sand particulates as they pass through the vegetation. This process is the only way to naturally strengthen the protective dunes. Such pre-emptive planting is nowhere more pronounced than at the neighbouring property of 1519 Dolphin Sands Road, where the residential structure has been built on the fourth set of dunes, closer to the road and well set back from the vulnerable primary and secondary dunes. Heavy planting of trees and shrubs has obviously been undertaken on that allotment over a long period. A similar siting of the structure and reinforcement of secondary dunes would be my expectation for all nearby coastal properties, including that of 1533 Dolphin Sands Road, if Council is reasonably seeking to protect the dunes and low-lying areas of both applicant and neighbours and subsequently the stability of the whole sand spit.

Accelerated erosion leading to inundation potentially poses a catastrophic impact on water quality in the natural aquifer, a vital life-source for not only larger trees but for many residents. This has become especially pertinent following the dramatic drop in rainfall figures in the immediate area over the past 18 months, during which time salinity and iron levels in bore water have already notably increased. Council is bound to protect the health of residents and must take all possible precautions to ensure the aquifer remains healthy, and this includes ensuring no development is permitted on or adjacent to primary or secondary dunes.

As both visitor and potential future resident, I also must raise the concern of the negative visual impact on the coastline that would result from building on the primary or secondary dunes. Attracted to return to this area by the looming backdrop of The Hazards, it is a credit to both past and present residents as well as the Glamorgan Spring Bay Council that there is an uninterrupted ridge line viewable from Nine Mile Beach, with not so much as a boatshed to detract from the natural setting. Not a single building within 2km in either direction of this property along Nine Mile Beach can be seen when standing at the low tide mark or in shallow waters. There have been no elevation drawings provided by the applicant to illustrate line of sight from the coastal reserve on Nine Mile Beach, however a personal observation of the dunes from the beach would suggest that the proposed building would be the only visible structure in that area, will disrupt the currently unbroken ridge line and will be detrimental to the natural values of the immediate neighbourhood.

The applicant has submitted out-of date figures in calculations and misleading graphics of the actual line of the coastal erosion hazard area. They have incorrectly stated the extent to which the dwelling will sit within the erosion hazard area and failed to make clear that the driveway and parking area extends even further into the erosion hazard area. The notation of the existing 3 bedroom dwelling as being *sheds* is clearly a further step to mislead both the public and council. Despite this area being primarily a holiday destination, the application was lodged only in time to correspond with the return to school and when no one would see the notice – although as displayed in appendix D, the notice was hardly posted in a fair and

proper manner. All this leads me to wonder what else the applicant is manipulating or hiding.

I applaud the Glamorgan Spring Bay Council for having protected this end of Dolphin Sands and Nine Mile Beach so well in the past and appeal to you to continue doing so by denying the applicant's application for discretionary approval subject to the building structure being aligned with the natural direction of the dunes, moved north and safely away from the vulnerable primary and secondary dunes, the coastal erosion hazard zone and away from the currently uninterrupted sky line and sand ridge line as viewed from on and along Nine Mile Beach as well as neighbouring allotments.

Sincerely,



### **Attachments:**

Appendix A	Showing the natural character of the skyline and dunes visually uninterrupted by any man-made structure. All existing dwellings are hidden behind vegetation and/or sited below natural dune heights.
Appendix B	A view of the exiting dwelling that the applicant fails to identify.
Appendix C	Vegetation is receding.
Appendix D	GSBC Notice
Appendix E	Evidence of recent wind and water erosion due to land use.
Appendix F	CEHC overlay identifying misleading data use by applicant.
Appendix G	Historical Dune Mobility





## Appendix A

Showing line of sight over dunes which is completely unbroken by buildings in either direction as all residences this close to Bagot Point have been set back and below the dunes. This has the dual benefit of protecting the dunes from erosion whilst preserving the amenity of the area which is so close to The Hazards and Freycinet National Park, a vital characteristic of this end of Nine Mile Beach that musty musty be preserved for tourists and residents.





## Appendix B

Existing 3 bedroom dwelling at 1533 Dolphin Sands Road as seen from fire road. Ideal location, hidden in behind dunes, but misleadingly identified in the application as "sheds". Also seen here is evidence of coastal die-back of vegetation giving rise to destabilisation and active movement of dunes.







#### Appendix C.

Above: Bushfire has destroyed vegetation and soil now actively mobile.

Below: Receding water table causing vegetation dieback.



Above: Dying vegetation with dune soil only being held by Marram Grass, a weed identified for removal.

Below: Proposed building and parking sites will require removal of much of the only healthy vegetation on the site.







#### Appendix D

A photograph of the Notice placed by Glamorgan Spring Bay Council which is all but invisible to the public due to being obscured by a fallen tree branch, being placed on an angle facing away from the roadway, and being placed some distance from the road side.

A second notice was similarly obscure near the driveway, neither of which would have been seen if I had not already been accidentally made aware of the application by the GSBC website.

Coupled with out-of date figures in calculations, and misleading graphics of the actual line of the coastal erosion hazard area and the use of the term "sheds" to describe what is in fact an existing dwelling leads me to wonder what else the applicant is manipulating or hiding.



## Appendix E

Near-by public right-of-way via recently constructed fire road.

Left: die-back of all vegetation including grasses for 20m either side of the erosion due to salt water being able to drive through and behind dune.

Bottom Left: within 2 years, a goat-track over the dune has become a wide and level access route, allowing tidal erosion on the inland side of the primary dune.

Below Right: The primary dune has not only suffered from vegetation dieback as a result of man-made erosion, but the line of the dune has been driven inland by approximately 2 meters and reaching up to 50m in either direction along the foreshore as winds, high tide and storm surge all eat away at the protective dune, empowered by being able to drive through the walkway. Allowing a dwelling to be constructed on any part of a dune within the coastal erosion hazard area would have similar consequences as winds will eat away much faster than could naturally happen.



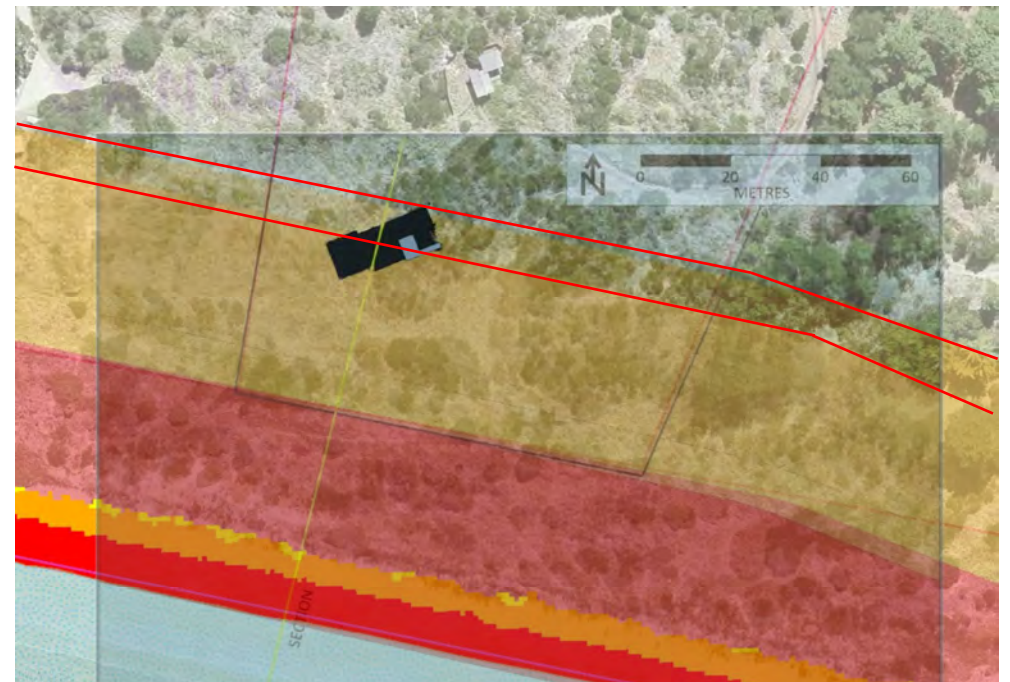
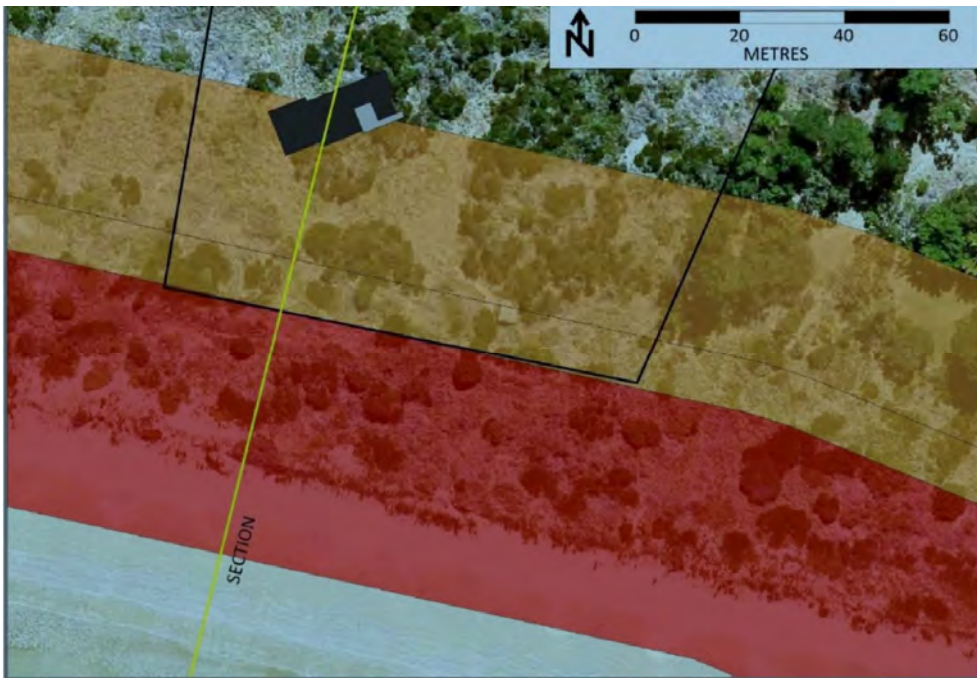
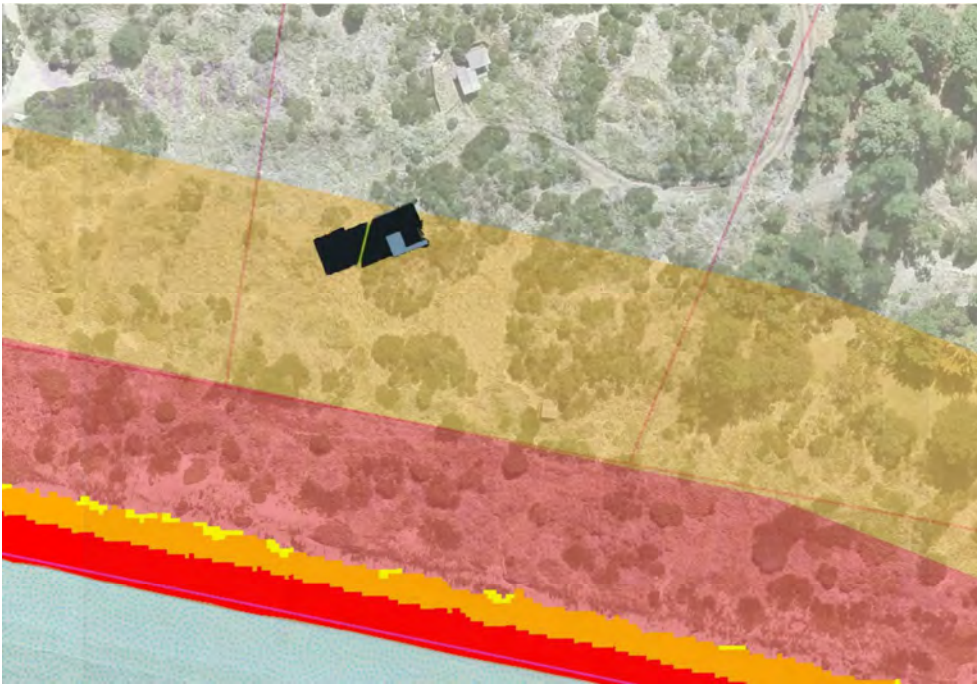


## Appendix F

Left: The Coastal Erosion Hazard Band as depicted in 2016 (source DPIPWE) with a site overlay of the proposed dwelling entirely encompassed by the erosion zone.

Bottom Left: The CEHC as depicted by the applicant using outdated 2013 data.

Below Right: An overlay showing the erosion zone has grown 7.66m inland between 2013 and 2016. By this projection, the erosion hazard is now a further 7.66m inland than depicted even in the 2016 DPIPWE overlay, potentially even more given the recent vegetation die-back and bush fires.



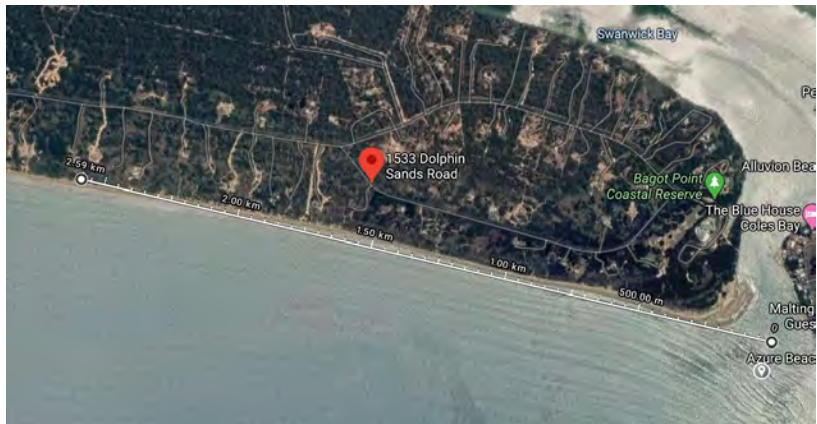


Appendix G - Dune Mobility

Left: Map showing historical dune mobility for Nine Mile Beach, Dolphin Sands and the the greater area. As anticipated through my 35 years' experience with wind and water erosion, the graphic clearly illustrates the ongoing susceptibility of dunes and fore shores located within close proximity to the river mouth at Bagot Point.

Bottom Left: This magnified section shows the erosion hazard area being of particular significance within 2.6km of the river mouth. The applicant's allotment is located a full kilometer inside of that zone. No houses currently sit on or above primary or secondary dunes, mobile or otherwise, within this critical area. The applicant is seeking to build on mobile dunes within the classified coastal erosion hazard zone and within an area historically classified as having highly mobile dunes with less than 10% stability. Any stability gained in these dunes will quickly revert to mobility, especially in light of recent vegetation die-off, bush fires, receding water table and substantially reduced rainfall levels.

Below: Google Maps result with distance marker from the mouth of the Swan River reading 1.54km to applicant's allotment and 2.59km to end of mobile dune area..



April 1<sup>st</sup>, 2020



The General Manager  
Glamorgan Spring Bay Council  
9 Melbourne St  
Triabunna TAS 7190

**RE: DA2019/345 – Dwelling - 1533 Dolphin Sands Rd, Dolphin Sands**

Dear Sir,

A [REDACTED] 1533 Dolphin Sands Road I hereby submit my representation in relation to the proposal. The current residence on Lot 199 is many years old and I do not object to its redevelopment in principal, however I do have several concerns regarding the details in the application, especially to do with the location chosen for the new residence.

The concerns I wish to raise are as follows:

1. The proposed residence is to be located in an area subject to erosion. This has potential to destabilise the surrounding dunes and pose flood risk to our property which is generally a lower lying land.
2. The proposed residence location is on a sand dune rather than behind it, posing increased risk of erosion in an area already subject to erosion.
3. The proposed driveway and parking extend deep into the erosion prone area. Increased use of land in this area will damage the dunes and make them more prone to wind erosion.
4. The proposed driveway and parking are located within an identified coastal weed area, meaning that weeds will be transported up the driveway which runs adjacent to our property, and along the public road, spreading weeds throughout an area already struggling to grow native vegetation. Weeds have not been a problem before owing to good vegetation cover but are likely to be a developing issue following recent bushfires killing off large areas of vegetation.
5. The coastline recession analysis is based on data approximately 10 years and not representative of the recent increases. We have experienced far hotter weather, extended periods without rain, drop in ground water levels, dying of vegetation and frequent stronger winds than I have know in my 33 years here. To project ahead to 2070 with out-of-date data and to not take into account the changing global climate is underestimating the timeline for erosion and destabilisation of dunes and subsequent inundation.
6. The proposed residence is situated at an angle not sympathetic to the natural lay of the land. This will be detrimental to the visual amenity of the area, goes against the natural characteristics of the sand ridges which run straight and face the water directly, not at an angle. No other residence is out of alignment with the beach. The angle also raises the concern of privacy. With young children regularly using the beach in front of my property I am concerned that by skewing the aspect of the proposed residence, they are overlooking

the beach in front of my land, not that in front of their own. Whilst it is a public beach, there is an expectation of privacy given the remoteness of the area and the smallest land size being 5 Acres. This amenity is a foremost criterion in the appeal for this area and is underlined in the zone purpose statement 34.1.1.2 *To ensure that use or development has minimal disturbance to the natural environment and visual amenity of the area.*

7. The proposed residence is identified as being 1 storey, however the physical bulk and appearance is that of a tall two and a half storey residence as it is elevated more than a reasonable height and the roof level facing south steps up. The lowest point above ground is 7.097m, increasing to as much as 8.146m above ground (DA04). There are no waterfront residences in the surrounding area with building bulk of 2 or 2.5 storeys. Only one of the photos provided to support claims of consistency are actually nearby; unlike the proposed residence, that property is not beachfront and does not have elevated ceilings or overbearing presence. Regardless of use and design, having the elevation of a 2+ storey residence is out of character and stands against the zone development standard outlined under 34.4.1
8. The proposed residence is located so close to the beach that it will be visible from the beach which is out of character with the surrounding area. I bring to your attention a statement by the Director of Pinnacle Drafting and Design that the residence will not be seen from the beach. His included illustrations (appearing only in the second version of the application) fail to support his claim. The first illustration, a man looking over a dune, lacks any building placement reference or distance measurements, and the second is of insufficient resolution to allow interpretation. It is my assumption that his statement refers to not being able to see the house if standing in close proximity to the top of the beach. None of the proposed residence should be visible from any part of the beach, including the waters inside of the sand bar, as this will ruin the natural, remote and private amenity of this part of Dolphin Sands. Page 20 of the Geo-Environmental Solutions report contains a site cross-section (figure 9) demonstrating that the beach front dune will be eroded well before the residence has fulfilled its purpose. This report identifies that erosion will lead to increasing visual exposure to the proposed dwelling from both beach and water as a result of both dune removal and elevated beach and water floor. As this issue has been brought to our attention it must be considered when assessing the impact on amenity and character, overlooking and the implications for setback on future erosion.
9. Zone regulation 34.4.2 requires setback be compatible with prevailing setbacks on nearby lots. Compatible – “(of two things) able to exist or occur together without problems or conflict”. Prevailing – “having most appeal or influence”. The main feature here is the beach and the natural flow of the sand dunes. No neighbouring land has beach side setback falling within the Coastal Erosion Hazard Code (CEHC) and this has increased the appeal of this area. To permit construction within the CEHC, for any reason, would be irresponsible, would create problems for neighbours, and would certainly generate conflict. This regulation cannot be met.
10. Zone regulation 34.4.2 further requires regard to amenity of adjoining lots and the visual impact of buildings when viewed in the landscape and from the foreshore. The setback from the boundary facing the beach and coastal reserve is insufficient and not consistent. The proposed set back would place the dwelling much closer to southern boundary fronting the coastal reserve than any other nearby property. The setback shown on the location plan DA01 is 30m however the measurement appears to be taken from the

outer of two lines. This outer line does not seem to accurately reflect the property boundary, which, when looking directly at the survey boundary marker on my property, aligns more to the inner line depicted in DA01, making the setback closer to only 19.3m. The amenity of the natural flow of the dunes would be removed, as would there be visual impact caused by the building when the dunes and tree lines are viewed from both within the landscape and on the foreshore.

I bring your attention once again to the letter by the Director of Pinnacle Drafting and Design, wherein he claims that the bulk of the dwelling is minimised by dunes and vegetation. The residence is built on top of the dune, despite a lower point already cleared behind the dune. Dunes cannot mask the bulk when the bulk is prominently throned upon said dune. Page 7 of the Ecological Assessment identifies from field assessment that the most significant vegetation is SAL cover of variable height (to ca. 5m). The residence is elevated over one of the higher points on southern part of the property, reaches as much as 8.146m above ground and must maintain a clearance for bushfire hazard purposes. The only different vegetation is on my land. This vegetation has been painstakingly planted and watered over 44 years to retard erosion and improve the natural amenity of the area. In this time there have been at least 4 significant bushfires, the last coming within 4m of these trees. Given the significant risk of bushfires in this area, no residence should gain approval by citing vegetation cover as a means to reduce the impact of bulk.

11. Being adjacent to the beach (an Environmental Management Zone) the setback of adjacent dwellings and buildings should be consistent with the objectives of that zone also. Under Zone regulation 29.4.2, the setback from the reserve should be no less than 30m. As stated above, the measurement shown on DA01 may not be correct and are certainly not in keeping with nearby setbacks at similar elevations. As stated in point 8 above, erosion projections are that the dunes will move inland. The Coastal reserve will be adjusted accordingly and within the 50 year time-frame projected, the proposed residence would be inside of the actual Coastal Reserve itself.
12. The proposed residence location is in conflict with the main fauna corridor which runs the length of the second and third dunes back from the beach. These are the only bands of vegetation that provide safe harbour for wildlife without having to pass through open ground. The dune which is to be built on is also a known nesting area for the critically endangered Curlew and, until the recent fires, was breeding ground for three pairs of critically endangered Swift Parrot amongst other birds.
13. Locating the proposed dwelling within the fauna corridor will result in less wildlife movement through the property. This fauna corridor served to aid wildlife escaping the recent bushfire and now serves as a vital link for feeding on my land before returning. Less wildlife movement will result in less nutrients for vegetation, leading to instability of the dune. This is counter to the zone purpose statement at 34.1.1.1 *To protect the environmentally fragile nature of the Dolphin Sands area particularly with respect to land stability, vegetation, wildlife and landscape amenity.*
14. The proposed residence is elevated higher than any other in such proximity to the beach to the extent that noise and light pollution will carry to the coastal reserve and neighbouring properties. Even if the residence were unable to be seen directly from the beach or neighbouring property, illumination would be cast as a consequence of both elevation and high windows, shattering the amenity of the area. The pitch black of a moonless night is stunning and a much-loved amenity here. Sound is carried much longer distances from



elevated places and even further over water. No guarantee by the current owner to ensure noise levels are controlled or to install heavy block-out curtains would serve to right this issue because the owner may sell, rent out or even list the residence for short-stay rental with no control over how the occupants use it. This issue is counter to regulation 34.3.1 P2 which has no acceptable solution.

15. As well as being angled to overlook my property and compromising the privacy of myself and family, the height of the finished residence exceeds the 5.0m maximum limit stipulated under solutions to Particular Purpose Zone 3, Section 34.4.1. The East Elevation shown on DA05 only lists the height of the lower roof line, which is 6.882m, however it fails to list the height of the upper roof as viewed from this elevation. By calculation from scale, it appears to be at least 7.8m, making it 2.8m above that permitted. Further-more the NGL stipulated is of loose surface sand and not stable ground. The instability of the ground is confirmed on page 5 of the GES report which lists the top 0.5m being unstable, effectively raising the quoted height levels by a further half metre. The elevation from the south, as viewed from the front dunes or from the waterway, is also between at least 2.8m higher than permitted, even before recalculating for the half metre of loose surface cover. Viewed from the West or North the height is again omitted from the drawings however can be scaled to approximately 8.2m, or 3.2m above the permitted 5m height limit. At the heights given, the proposed dwelling fails to satisfy 34.4.1 P1 criteria:
  - a. It is very obtrusive, towering over the landscape.
  - b. It is not consistent with the surrounding pattern of development, which has no property on a water-front block visible either due to significant set-back from the beach frontage or due to positioning low down behind dunes.
  - c. It does unreasonably impact the amenity of our lot from both overlooking and visual bulk.
16. The ceiling level quoted as 2.4m on DA05 is misleading as it represents only the unseen north facing elevation. The other three elevations are those that would be seen from neighbouring properties, coastal reserve and the water. As the ceiling slopes upward and also steps upward, the height can be calculated by scale to approximately 3.6m-3.8m, a height completely inconsistent and far out of character with any other dwelling and not at all in sympathy for the low natural environment in which it stands.
17. Elevation drawings DA04 and DA05 fail to identify the overall building height as noted in point 15 above. They also incorrectly identify the natural ground level (NGL) from where the height is measured. As the proposed location for the dwelling is within the Coastal Erosion Hazard band, the soil is to be considered soft and actively mobile. Page 5 of the GES report suggests the top 500mm is mobile and should not be used.
18. A major concern and recognised common cause of death for the critically endangered Swift Parrot is flying into large windows. This land has been a known breeding ground in recent years. With the extreme expanse and height of the windows which face south east within the known breeding ground for the Swift Parrot it would be unreasonable to permit the proposal without both relocation and reduced window area.
19. The location and noise abatement measures applying to any air conditioning units, generators or water pumps have not been identified and are relevant due to the high

elevation and proximity to the coastal reserve. Peace and quiet is another highly valued amenity of this natural and remote area and I put forward that this aspect of design build must be incorporated for this area which is zoned as Special Purpose and is set between Moulting Lagoon Ramsar Site, Nine Mile Beach Coastal Reserve, and Freycinet National Park. Such situation with so much of nature's influence must demand special care.

20. The design of the proposed dwelling incorporates a raised ceiling level in the dining and lounge, however the heights indicated in the submission only advise the heights of the lower ceilings. This factor is important because it will impact the visual bulk from our property as well as from the coastal reserve and water. It is also important as higher ceilings and windows will result in greater light pollution. This area has no streetlights and no exposed buildings protruding above dune lines which gives it the highly desirable characteristic of being ideal for astronomical observations, study, photography and general enjoyment. The potential amount of light pollution will be catastrophic to this amenity enjoyed by neighbouring residents. These windows are south-east facing and reducing their size will not only reduce light pollution but will be more in line with government home design guidelines for heating techniques for non-north facing windows.
21. The proposed driveway development appears to cross onto my property when viewed on maps provided by the Lands Titles Office. There is an apparent boundary discrepancy between the images by Pinnacle Drawing and Design and those provided to me by the Lands Titles Office in Hobart.
22. The proposed driveway development would cross over roots of large pine trees planted inside of my western boundary. These trees provide stability for sand dunes, increased privacy, protection from wind, and are a general boost to the natural amenity of the area. Developing the roadway which runs alongside that boundary, if not over it, poses risk to the health of those trees.
23. A map of the Coastal Erosion Hazard Code band which extends along the dunes is provided by Pinnacle Drawing and Design, however again it differs in alignment to the map provided by the Department of Primary Industries, Parks, Water and Environment. The map obtained independently shows the band covering more of the dune, proposed dwelling area and proposed driveway area than that by Pinnacle Drawing and Design. As building and land use should not be undertaken in this band, the extent to which the proposed dwelling is engulfed within the band should result in rejection of the application.
24. The report by Geo-Environmental Solutions incorrectly identifies two existing buildings as sheds when they are in fact being used as a house with water tank.
25. A site plan by Pinnacle Drawing and Design, identified as Page No DA02, shows that collected rainfall overflow will be directed forward of the residence and into the coastal erosion hazard band. This action has the potential to increase erosion on the sand dune. Overflow water should be directed to where the sand is more stable.
26. Data obtained online shows the proposed location for the dwelling to be coastal potential fauna habitat.
27. The proposed location of the dwelling is within a band identified under the Coastal Erosion Hazard Code (CEHC), and under Particular Purpose Zone 3 Section 34 E16.7.1 must meet all performance criteria, without which there can be no acceptable solution. As the report only

address water erosion and not other forms such as wind erosion and water run-off, condition C is not met. As the height of the building protrudes above the dunes allowing it to be seen from the dunes and our property, condition F is not met. As the angle of the dwelling is not consistent with the natural lines of the beach and dunes, condition F is again not met. As the dwelling is to be above a dune which is actively mobile, condition J is not met. Approval of the dwelling in its proposed location would be in conflict with condition J as dunes become even more mobile when built over due to limiting the penetration of water, roots no longer binding the soil and new nutrients being unable to feed new or existing vegetation. Required conditions of E16.7.1 cannot be met and the application cannot proceed.

28. The Particular Purpose Zone Statement states:

under 34.1.1.1: *To protect the environmentally fragile nature of the Dolphin Sands area particularly with respect to land stability, vegetation, wildlife and landscape amenity.*  
and under 34.1.1.2: *To ensure that use or development has minimal disturbance to the natural environment and visual amenity of the area.*

In order to uphold the purpose for this special purpose zone, every step must be taken to keep development, building and activity off the dunes, and especially those identified as being in the Coastal Erosion Hazard band. Consideration must be given that the proposed location for the dwelling is on a dune that is losing vegetation cover and stability and which has been identified in the geo-environmental report as having no identifiable water table, meaning that vegetation is certain to suffer ongoing loss and any existing stability will worsen considerably. The purpose of this special zoning is to protect, and to protect requires consideration of the future. In providing the protection required by this section of the planning scheme, it would be a failure to only consider a limited period of time as done by the geological report. That report only addresses the life expectancy of that dwelling, and not the impact that the dwelling will have on erosion, on the vegetation, on the wildlife that only passes through that specific dune, on the wildlife that only nests there, or on the future amenity for neighbours.

29. Maps obtained online via <https://maps.thelist.tas.gov.au/>, as referred to me by the Department of Primary Industries, Parks, Water and Environment list many characteristics of the area. These characteristics highlight the importance of taking every extreme measure to protect the surrounding environment and include:

- a. Foreshore having Very High biological value and being vulnerable to disruption to natural creep and increased erosion.
- b. High tourism value
- c. Very High natural value.
- d. Coastal Vulnerability with open sandy shore backed by soft sediment plain with potential erosion and shoreline recession vulnerability
- e. Significantly disturbed foreshore with only moderate condition
- f. Coastal fauna significance with endangered species
- g. Altered coastal native vegetation requiring management.
- h. Coastal potential fauna habitat

i. Area of soft sediment landform.

30. The proposed capacity of the dwelling being 6 persons is too large for safe ongoing operation and maintenance of the septic system. The report by GES clearly states that, based on a dwelling for 6 persons, the sewerage system will be dependent on growing grasses over the pit for roots to take up waste. Page 3 of the GES report states that the soil has a low cation exchange capacity for the absorption of nutrients from effluent. This means effluent can be carried deep into the ground by water where it can interact with the water table. Page 8 of the same report goes on to comment: *The soil on the site has a sandy texture and a low CEC, therefore the soil system has a low capacity to cope with the applied nutrient load from the system. The planting of deep rooted grasses is recommended to encourage nutrient uptake.*

This is a potential hazard for the ground water, our main source of drinking water. Given the erosion, vegetation dying off, bushfire damage, low rainfall, increasing temperatures, and strong winds with salt content, the likelihood that grass can be successfully grown and maintained is extremely low. Staff from the Department of Primary Industries, Parks, Water and Environment have tried on numerous occasions to grow deep rooted grass on our property without success.

31. Amenity is not being preserved for neighbouring residents. This remote location provides a special array of amenity, including:
- a. Peace and tranquillity on our property and the coastal reserve. The excessive elevation of the proposed dwelling will allow sound to carry.
  - b. Views of nature across dunes, vegetation and water. undisturbed by man-made obstacles or structures. The elevation of the proposed dwelling and location on the dunes will make it stand out.
  - c. Privacy anywhere on our property without being overlooked. The proposed dwelling is angled towards our property and has large expanse of window area.
  - d. Privacy on the beach without being overlooked. The proposed dwelling is angled towards the beach in front of our property and has large expanse of window area.
  - e. Complete absence of streetlights and light from other dwellings entering our property or the coastal reserve. The elevation of the proposed dwelling will allow light to enter the coastal reserve and our property.
  - f. Clear night sky unspoiled by light pollution, allowing observation and photography unable to be taken elsewhere. The expanse of window area will allow light to impact the dark clear night sky and impact on night time photography of the stars.
  - g. Unfenced property boundaries, allowing flowing nature.
  - h. The free movement of wildlife from property to property to property. The location of the proposed dwelling is on a known wildlife corridor.
  - i. Fresh healthy air.
  - j. Fresh health water from both rainfall and bore. Our bore water quality may be impacted by the volume of waste generated by a 6 person dwelling.
  - k. Natural flow of dunes without visible buildings

- l. Relaxed lifestyle
- m. Low traffic movement and low traffic speed.
- n. No man-made structures visible from the beach, dunes or as far out as the sand-bar depth in the bay.
- o. Residential area with very little activity
- p. Neighbours respecting the privacy of each other.

32. Building within the Coastal Erosion Hazard band falls subject to the Coastal Erosion Hazard Code section E, objectives of which include:

- b. Minimum impact on natural coastal processes, however the angle of the dwelling will change the natural wind erosion process.
- c. protecting vulnerable coastal areas including landward transgression of sand dunes, however building over a sand dune is denying this natural landward transgression.
- d. Minimum impact on water quality in potable water supply catchment areas, however the sand is not capable of holding the effluent.

33. In keeping with the CEHC Code, Section E.16.1.1 identifies a purpose of the provisions to preclude development that will adversely impact coastal dynamics in a way detrimental to the development site and other property. Whilst there may be little detrimental impact on the development site, both neighbouring properties as well as my other neighbouring property all stand to suffer inundation earlier due to the unnatural effect on erosion caused by the angle and location of the proposed dwelling in an area suffering decreased stability within the CEH band.

34. CEHC Code section E16.7.1 includes the following:

- a. *not increase the level of ...hazard for adjoining or nearby properties.*, however inundation due to premature erosion will increase the hazard due to the water and the presence of snakes and insects that it will attract. Premature inundation will also create a hazard as it destabilises the hill on which my residence sits.
- f. *important natural features are adequately protected*, yet we have already determined that the sand dunes are the prominent natural feature and they are not being protected by building on them, nor is their appearance being protected by building at an obscure angle to the natural lay and at such an intrusive height.
- j. *not be located on an actively mobile landform*, yet this dune is rapidly becoming mobile, and is even identified on page 5 of the GES document as having the top 500mm unstable.

I believe there are more suitable sites further inland from the proposed location for the dwelling which will allow the coastal erosion hazard band to remain protected, and will allow the dwelling to be sited lower on the land so as to not make such undue impact on the character of the area and the amenity of neighbours and beach goers. Due to the risks associated with the load in effluent it would seem responsible to reduce the capacity of the dwelling below 6 persons. Finally straightening the alignment of the dwelling to the beach and a lowering of both overall and ceiling heights to be more in keeping with those of surrounding dwellings would protect the natural landscape.

Thank you for taking the time to read the above points. I wish I could include more photos, local measurements and other evidence. This planning notice has been advertised at a time when getting access to services is not possible, a [REDACTED]  
[REDACTED]

Yours Faithfully,





View from beach with no buildings visible above the dune lines.



Wildlife Corridor in line with the proposed building on dune.





Existing dwelling as seen from the top of the primary beach dune, located below vegetation and dune heights.

Existing dwelling as seen from my property boundary line. Located below the vegetation line.



Neighbouring dwellings also below dune and vegetation lines.





My house as viewed  
from the top of the  
dune in the coastal  
reserve.



My neighbour's house as viewed  
from the top of the dune in  
the coastal reserve.

No residences visible  
in any manner all the  
way to Bagot Point.  
Viewed from on top of  
the coastal reserve dune.



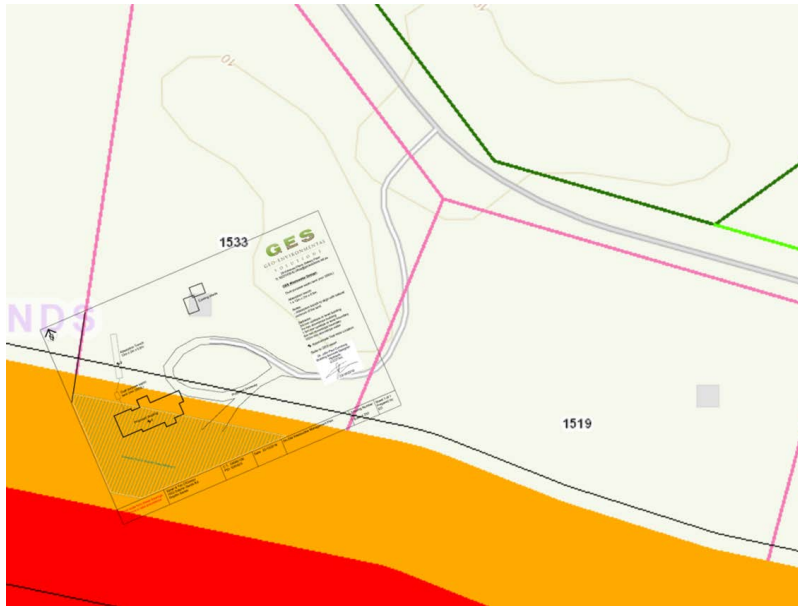


1238 Dolphin Sands Road, and other neighbour to 1533. This is low and well beneath the dune height.

The next property at 1230 has no house.



1220 Dolphin Sands Road, again set so low behind the dunes that it cannot be seen even standing on the highest point of the coastal reserve dune.



Online map from The List marking band subject to coastal erosion hazard code with an overlay from the GES document. The difference in CEHC shaded area is significant as it engulfs the dwelling site as well as the septic tank.



This online image matches the mapping provided by the Lands Titles Office. Both this map and the graphic above show the driveway development as crossing onto our land.



Attachment C - Agenda Report Item 3.2

The proposed location is on the sand dune capped with boobyalla.





*Looking west – no dwellings in sight*





*Looking east – no dwellings in sight*





*Looking south – Nine Mile Beach low tide clearly visible from sand dune*





Attachment E - Agenda Report Item 3.2
















Atypical view of dwelling – while a view like this is common along a major portion of Dolphin Sands Road, this is the only example in this end section of Dolphin Sands Road.



## Attachment - Agenda Report Item 7.3

	<b>POLICY – RECRUITMENT</b>	<b>No :</b>	
		<b>Version</b> <b>01</b>	<b>Date</b> <b>15/04/20</b>
<b>Minutes Dated</b>	<b>Approved By : Council</b> <b>Decision No :</b>	<b>Review Date -</b> <b>As required but no</b> <b>later than 2023</b>	

**1. OBJECTIVE**

To ensure the Council can attract and appoint staff that are suitably qualified whilst minimising selection costs and any potential legal claims arising out of selection decisions.

**2. SCOPE**

Applies to all Council staff appointments.

**3. DEFINITIONS**

**Advertising selection:** a process of seeking interest from parties for a specific position vacant via various media avenues.

**Casual appointment:** a position with Council which results in irregular hours and pattern of work.

**Conflict of interest:** the perceived or actual view that a person has an interest and also has the capacity to influence or make a recruitment and selection decision.

**Direct selection:** a process to offer a person an ongoing or fixed-term appointment with Council without an advertising process.

**Expression of interest:** a process on Council's website only that seeks to build a register of persons for consideration for casual positions.

**Fixed-term appointment:** a position with Council that is budgeted or only available for a set period of time i.e. leave coverage, project funded.

**Hiring manager:** the position that the vacant position reports to hierarchically

**Media:** includes but is not limited to local print distributions, newspapers, industry specific forums, social media, recruitment and selection mediums, Council website.

**Ongoing appointment:** a position with Council that is budgeted for on an ongoing basis (no set end date of employment).



**Staff:** Means employees directly engaged by Council at the time an advertisement is placed and for casuals it includes any casuals who have attended for work in the three months prior to advertisement. For the avoidance of doubt staff does not include consultants, contracted service providers or people working at Council from third party providers i.e. labour supply and hosting.

#### **4. PROCEDURE**

##### **External Advertising Selection**

Advertising with a view to invite interest from people other than existing Council staff. Normally used for positions which are fixed-term or ongoing.

The media used for advertising should be considered specific to the position vacant and in terms of reach of media against spend. Adverts can vary across media however must all revert back to Council's website to obtain the standard position application information.

Positions advertised externally would normally be provided with a minimum of 7 calendar days to apply. Positions do not need to contain a closing date provided there is a process communicated for reviewing applications received in each advertising role.

The selection is normally based upon a process of:

- Application submitted which includes an application form, pre-employment health form, cover letter and response to selection criteria as set out in the position description.
- A panel made up of normally three people is formed for making selection of which the hiring manager heads and on which gender representation is preferred.
- Shortlisting of applications by at least two panel members against the selection criteria. Applicants are identified for interview, further consideration (reserve) or not to progress further.
- Interviews are progressed by the full panel based on common set of questions against selection criteria and application submitted.
- Preferred applicants are identified post interview and applicants may then be progress through other selection activities including but not limited to; additional or onsite interview, tours of municipality, aptitude testing, psychometric testing, police and financial checks.

Referees will be obtained, ideally two. Referees can be obtained post interview to further explore and/or confirm findings, or prior to interview to enable information to be further tested through interview processes.

Any person involved in a selection process that could be considered to have a real or perceived conflict of interest is required to declare this to the hiring manager and/or General Manager. The hiring manager and/or General Manager will determine if the conflict of interest declare presents an inability to continue in the process and if so make arrangements for others to take the persons role on.

Selection processes will also include pre-employment medical screening based on risks identified and disclosures made in the pre-employment health form. No offer of employment will be made until such time a medical is completed.

Costs incurred through the recruitment process for tests, travel and similar will be at the cost of Council.

The hiring manager or their delegated panel member will record the decision to offer the preferred applicant the role, clearly setting out the selection criteria that the preferred applicant met at the higher level compared to others. This documentation may be required to defend any claim brought against Council relating to discrimination or conduct by Council in terms of conflict.

If the General Manager is not involved in the panel, they will be appraised of the selection process prior to any offer being made given the General Manager's direct responsibility for employment under the Local Government Act (1993).

### **Internal Advertising Selection**

Advertising with a view to invite interest only from existing Council staff. Normally used for positions which are fixed-term or ongoing. This process is used when there is a view that there is sufficiently qualified staff within Council that would be interested in a vacant position.

Internal advertising can be via Council's intranet or all staff email circulation.

Positions advertised internally would normally be provided with a minimum of 7 calendar days to apply and up to 14 days.

The selection is usually based upon a process of:

- Application submitted which includes a pre-employment health form, cover letter and response to selection criteria as set out in the position description.
- A panel made up of normally three people is formed for making selection of which the hiring manager heads and on which gender representation is preferred.
- Shortlisting of applications received by up to two panel members against the selection criteria. Applicants are identified for interview, further consideration (reserve) or not to progress further.
- Interviews are progressed by the full panel based on common set of questions against selection criteria and application submitted.
- Preferred applicants are identified post interview and applicants may then be progress through other selection activities including but not limited to; aptitude testing, psychometric testing, police and financial checks.

Any person involved in a selection process that could be considered to have a real or perceived conflict of interest is required to declare this to the hiring manager and/or General Manager. The hiring manager and/or General Manager will determine if the conflict of interest declare presents an inability to continue in the process and if so make arrangements for others to take the persons role on.

Selection processes may include pre-employment medical screening based on risks identified and disclosures made in the pre-employment health form. No offer of employment will be made until such time a medical is completed.

Costs incurred through the recruitment process for tests, travel and similar will be at the cost of Council.

The hiring manager or their delegated panel member will record the decision to offer the preferred applicant the role, clearly setting out the selection criteria that the preferred applicant met at the higher level compared to others. This documentation may be required to defend any claim brought against Council relating to discrimination or conduct by Council in terms of conflict.

If the General Manager is not involved in the panel, they will be appraised of the selection process prior to any offer being made given the General Manager's direct responsibility for employment under the Local Government Act (1993).

### **Expressions of Interest**

A process used to obtain interest from people looking for work with Council or when Council are seeking to build a register of applicants for a specific area. Normally used for positions which are casual.

Expressions of interest do not have an open or close date.

### **Direct Selection**

Direct selection is a process of appointing a person to a casual, fixed-term or ongoing vacancy on the basis of:

- considering people who are currently employed,
- from a past advertising processes,
- obtained through expressions of interest.
- on the basis of a referral.

A direct selection process may not require a person to complete an application form, cover letter or selection criteria response for the vacant role unless requested to do so by the hiring manager. Interview may also be via the hiring manager only and it is at the hiring manager's discretion whether to obtain referee checks. A pre-employment medical will be required. A police and financial check will be required if position relevant.

Costs incurred through the recruitment process for tests, travel and similar will be at the cost of Council.

For a direct selection appointment the hiring manager must seek written approval from the General Manager outlining the reasons why direct selection is being sought, the applicant and their assessment of their capacity to fill the position and explicitly cover off conflict of interest considerations.

If the hiring manager is the General Manager, the approval is to be sought from the Mayor. The Mayor can not unreasonably withhold approval and must put in writing approval or in the case of decline, reasons for decline.

Common reasons for considering a direct selection process include:

- Employment period is short in nature i.e. casual or short fixed-term.
- Specialist skills, knowledge and experience are required and there is a known short supply of this.
- Past difficulty attracting or recruiting for the role or like roles and the need to actively seek and approach staff within existing roles at other organisations to fill the position.
- If there is only one applicant for the role post an advertising process.
- There is an urgent need to make an appointment to the role i.e. time critical position.

## **5. IMPLEMENTATION**

The General Manager has responsibility for the implementation of this policy.

## **6. DELEGATION**

The hiring manager and/or General Manager can delegate any part of the selection process to other panel members and or external agencies or consultants.

## **7. RESPONSIBILITY**

The General Manager is responsible for all staffing appointments as per the Local Government Act 1993 (Tasmania).

The General Manager is responsible for reporting any direct appointment decisions of positions which report hierarchically directly to the General Manager to the Mayor prior to progressing the direct appointment to offer.

## **8. REPORTING**

The General Manager is responsible for reporting any direct appointment decisions of positions which report hierarchically directly to the General Manager to the Mayor prior to progressing the direct appointment to offer.

## **9. STATUTORY REQUIREMENTS**

Antidiscrimination Act 1998 (Tasmania)  
Local Government Act 1993 (Tasmania)


## **10. REFERENCES**

Nil.

## **11. ATTACHMENTS**

Nil.

## Attachment - Agenda Report Item 7.4

	<b>POLICY – CORPORATE CREDIT CARD</b>	<b>Policy 6.1</b>	
		Version 1 <b>Version 2</b>	June 2016 <b>April 2020</b>
<b>Minutes Dated</b>	<b>Approved By: DRAFT Decision No.</b>	<b>Review Date</b> <b>As required but no later than 2020</b>	

## 1. OBJECTIVE

Glamorgan Spring Bay Council corporate credit cards are provided to Council personnel to enable the purchase of goods in the following situations:

- ONLY for Council business activities
- For minor purchases where a Council order is not able to be accepted
- For the purchase of goods in accordance with Council's Procurement Policy

Glamorgan Spring Bay Council corporate credit cards do not have a cash advance facility.

This policy applies to all Council corporate credit cards.

## 2. SCOPE

This policy provides a clear framework to:

1. Allow the use of corporate credit cards
2. To provide Glamorgan Spring Bay Council personnel issued with a corporate credit card, clear and concise guidelines outlining corporate credit card use.
3. To reduce the risk of fraud and misuse of the corporate credit card.

The application of this policy is to be in conjunction with the Glamorgan Spring Bay Council Code of Conduct and any legislative requirements of the Local Government Act that may be enforced.

## 3. PROCEDURE

### 3.1 Risk Management Strategy

Each active credit card represents a risk of accidental or intentional misuse of public funds and each credit limit is the extent of that risk. To minimise risks associated with credit cards, Council must:

- Allocated credit cards according to departmental need, and avoid allocating on an ad hoc or individual basis;
- Only issue cards to organisational roles where the operational benefits of efficient purchasing outweigh the increase in risk;
- Maintain control on the total number of credit cards issued and their combined purchasing potential (or credit limit) at any one time;
- Control the credit limit available on each card to an appropriate amount required to facilitate efficient purchasing for each role, considering the alternative payment options available; and

- Ensure Cardholders adhere to the procedures and responsibilities set out by the policy by placing an onus of evidence for each purpose upon the Cardholder.

### **3.2 Issue of Cards**

Corporate credit cards will only be issued when it is established that the anticipated usage of the card warrants such.

Before a card is issued, each cardholder must sign the Corporate Credit Card Agreement confirming that they have read and fully understood and will be bound by this policy and associated procedures.

Once the card is issued, the corporate credit card must be signed on the reverse side of the card.

The individual cardholder is responsible for the security and use of their card. The card is not to be used for any use other than what is outlined in this policy.

Upon termination of employment or office of Council, the credit card must be returned to Council with a full acquittal of expenses.

The General Manager has the right to terminate a card at any time.

### **3.3 Limitations**

The cardholder is responsible for the safe custody and security of the card and liable for any misuse and associated costs. The cardholder is responsible for resolving use and transaction disputes and ensuring that use of the card is ethical and strictly in accordance with this policy.

Credit cards are provided strictly for business-related purchasing only. Cardholders must be able to justify and prove their purchasing decisions to Council in a manner that allows Council to be able to justify and validate their endorsement of purchasing decisions to auditors and the public.

Only the designated cardholder may use the credit card. The cardholder must not let any other person use the credit card assigned or account or record or share the credit card number, including other Council staff or elected members.

The cardholder may use their credit card to purchase work-related items on behalf of another Council staff or elected member, provided the expense is appropriate and approved in accordance with this policy.

Corporate credit cards shall only be used as follows:

3.3.1 For the carrying out of Council authorised business including reasonable travel, accommodation and meal expenses.

3.3.2 Purchases on the corporate credit card are to be made in accordance with 'Glamorgan Spring Bay Council's Code of Tenders and Contracts'.

3.3.3 Transactions for expenses that are budgeted for and have been demonstrably approved.

3.3.4 For the meeting of Council liabilities where it efficient to do so, a purchase



order will need to be completed.

3.3.5 No private expenditure shall be incurred.

### **3.4 Approval of Credit Card Expenditure**

3.4.1 Corporate credit card accounts are updated daily on the Xero system and must be reconciled within 7 days of the expenditure.

3.4.2 Transactions will be supported by a tax invoice/invoice stating the type of goods purchased, amount of goods purchased and the price paid for the goods. The receipt shall meet the requirements of the Goods and Services Tax Act 1999 to enable a GST rebate to be applied.

3.4.3 If no supporting documentation is available, the cardholder will provide a declaration detailing the nature of the expense and must state on that declaration 'all expenditure is of a business nature'. Approval of this expense is referred to the General Manager and in the case of the General Manager, must be referred to the management group (also known as MANEX). The Mayor will regularly review the expenditure on the General Manager's card after it has been referred to MANEX.

3.4.4 Should approval of expenses be denied by the General Manager, recovery of the expense shall be met by the cardholder.

### **3.5 Limits**

Each card will be limited to a maximum of \$5,000 for the General Manager and the Manager Works and \$3,000 for any other approved Council Officers.

### **3.6 Procedure For Lost, Stolen And Damaged Cards**

The loss or theft of a credit card must be immediately reported by the cardholder to the card provider regardless of the time or day discovered. The cardholder must also formally advise the General Manager of the loss or theft on the first available working day.

Advice of a damaged card is to be provided to the General Manager or Senior Finance Officer who will organise replacement.

### **3.7 Breach of Principles**

Any breaches of this policy by any cardholder, staff or elected member, depending on the nature and extent of the breach, may result in:

- Counselling and retraining in the policy and requirements;
- Reimbursement of costs to Council;
- Cancellation of card;
- Disciplinary action in accordance with Council's Disciplinary Procedure; or
- Referral to police or civil proceedings.

If any person becomes aware of policy breaches or misuse, report them immediately to the General Manager.

### **3.8 Monitoring and Review**

This Policy will be reviewed every four (4) years or earlier in the event of relevant changes to legislation or related policies, procedures or if deemed necessary by the General Manager or Council.

In accordance with the Statutory Rules for Audit Panels, the council Audit Panel will review the internal controls which are in place for the payment of credit card purchases and will review this policy annually and if necessary recommend any required changes.

## **4. RESPONSIBILITY**

The cardholder is responsible for all transactions for which the council credit card is used.

The cardholder is responsible for ensuring that their council credit card is maintained in a secure manner and as far as practicable guarded against improper use.

The cardholder is responsible for ensuring that the reconciliation of their credit card, once provided or alerted to electronically by the responsible officer, is completed within seven days of issue/alert.

The General Manager will be the ultimate arbiter of disputed transactions involving staff. Where a disputed transaction involves the General Manager, the ultimate arbiter will be MANEX.

## **5. STATUTORY REQUIREMENTS**

N/A

## **6. REFERENCES**

Refer to Glamorgan Spring Bay Council's delegations for approval limits.

## **7. ATTACHMENTS**

A Corporate Credit Cardholder Agreement.

## Attachment A: Corporate Credit Cardholder Agreement



### GLAMORGAN SPRING BAY COUNCIL CORPORATE CREDIT CARDHOLDER AGREEMENT

I (insert cardholder name) .....

.....acknowledge and accept the conditions of use of the Glamorgan Spring Bay Council Corporate Credit Card, as listed:

1. Ensure corporate credit cards are maintained in a secure manner and guarded against improper use.
2. Corporate credit cards are to be used only for Glamorgan Spring Bay Council official activities. There is no approval given for any private use.
3. All documentation regarding a corporate credit card transaction is to be retained by the cardholder/Senior Finance Officer and produced as part of the reconciliation procedure.
4. Credit limits are not to be exceeded. The credit card limit is \$.....
5. Observe all cardholder responsibilities as outlined by the card provider.
6. Purchases on the corporate credit card are to be made in accordance with Glamorgan Spring Bay Council's Code of Tenders and Contracts.
7. Reconciliation is to be completed within 7 days of the date of credit card statement being issued on the supplied template.
8. Transactions will be supported by a tax invoice stating the type of goods or services purchased, amount of goods purchased and the price paid for the goods or services. The receipt shall meet the requirements of the Goods and Services Tax Act 1999 to enable a GST rebate to be applied.
9. Transactions shall be accompanied by a detailed explanation of why the expense was incurred.
10. Transactions shall be accompanied by a job number for costing purposes.
11. If no supporting documentation is available the cardholder will provide a declaration detailing the nature of the expense and must state on that declaration 'all expenditure is of a business nature'. Approval of this expense is referred to the General Manager.
12. Should approval of expenses be denied by the General Manager, the recovery of the expense shall be met by the cardholder.
13. The cardholder shall sign and date the corporate credit card statement with supporting documentation attached stating 'all expenditure is of a business nature'.
14. Lost or stolen cards shall be reported immediately to the card provider and a written account of the circumstances shall be provided to the General Manager on the next working day.
15. Credit cards are to be returned to the General Manager on the employee's resignation with a full acquittal of expenses.

Failure to comply with any of these requirements could result in the card being withdrawn from the employee. In the event of loss or theft through negligence or failure to comply with the Glamorgan Spring Bay Council Corporate Credit Card Policy any liability arising may be passed to the cardholder.

The use of a Glamorgan Spring Bay Council Corporate Credit Card is subject to the provisions of the Code of Conduct of Glamorgan Spring Bay. Serious transgression of the above listed responsibilities or the code of Conduct may result in an appropriate referral under the Crimes Act 1900 and/or termination of employment.

Signed: (cardholder)

.....

Date: (insert date)

.....

Witness Name: (insert name)


.....

Witness Signature: (signature)

.....

Date: (insert date) .....



 GLAMORGAN SPRING BAY COUNCIL	<b>POLICY – FRAUD CONTROL</b>	<b>Policy 3.12</b>	
		Version 1 Version 2	Aug 2015 April 2020
<b>Minutes Date :</b>	<b>Approved By: DRAFT</b>  <b>Decision No.</b>	<b>Review Date</b> <b>As required but no later than April 2022</b>	

**PLEASE NOTE: ANY COUNCILLOR, STAFF MEMBER OR MEMBER OF THE COMMUNITY WHO HAS REASON TO SUSPECT THAT A FRAUD HAS OCCURRED SHOULD IMMEDIATELY NOTIFY THE GENERAL MANAGER. IN THE CASE OF THE GENERAL MANAGER, THE MATTER SHOULD BE REPORTED TO THE MAYOR AND THE CHAIR OF THE AUDIT PANEL.**

## **1. PURPOSE**

To set a framework for deterring, preventing and investigating any fraudulent acts in relation to any employee, contractor or elected member of the Glamorgan Spring Bay Council.

## **2. OBJECTIVE**

Glamorgan Spring Bay Council is committed to the deterrence, prevention and investigation of all forms of fraud. Fraud can be damaging to the Council through financial loss, bad publicity and loss in public confidence.

The objective of the policy is to:

- Protect Council's assets and reputation;
- Ensure a sound ethical culture of the Council;
- Ensure all staff are committed to identifying risk exposures to fraud and for establishing procedures for prevention and detection; and
- Ensure Councillors and staff are aware of the responsibilities in relation to ethical conduct through the Code of Conduct.

## **3. SCOPE**

This policy covers guidelines and responsibilities regarding appropriate actions that must be followed to increase the awareness of, and, for the investigation of fraud. Management of the risk of exposure is an important area to monitor and the Council needs to be assured that effective mitigating controls are in place to reduce the opportunity to commit fraud and detect its occurrence should preventative controls not operate effectively.

Glamorgan Spring Bay Council has a zero tolerance of fraud and corruption. Individuals must, at all times, conduct themselves in a manner consistent with the Law and Glamorgan Spring Bay Council regulations, policies and procedures.

## **4. DEFINITIONS**

Fraud is defined as "inducing a course of action by deceit or other dishonest conduct, involving acts or omissions or the making of false statements, orally or in writing, with the object of obtaining money or other benefit from, or evading a liability to, the Council".

Some examples of fraud include:

- Unauthorised use of Council's plant, furniture and equipment;
- Any misappropriation of funds;
- Accepting gifts from contractors, consultants and customers;
- Falsification of expense claims; and
- Inappropriate use of position to obtain goods and services.

A number of these issues are specifically covered in the "Glamorgan Spring Bay Council – Councillor Code of Conduct", which has been issued to all Councillors. A staff Code of Conduct is available within the Workplace Behaviour Toolkit.

Corruption is defined as a "dishonest activity in which a director, executive, manager, employee or contractor for an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity. The concept of 'corruption' within this standard can also involve corrupt conduct by the entity, or a person purporting to act on behalf of and in the interest of the entity, in order to secure some form of improper advantage for the entity either directly or indirectly".

## **5. POLICY**

- a. Applicability
- b. Education and Awareness
- c. Roles and Responsibilities
- d. Procedures
- e. Prevention
- f. Disciplinary Action
- g. Fraud Control Program
- h. Internal Control Review
- i. Maintaining and Monitoring Adequacy of Insurance

### **A. Applicability**

This policy applies to all Councillors, Committee Members, Employees, Contractors, Consultants and Volunteers of the Glamorgan Spring Bay Council.

### **B. Education and Awareness**

The likelihood and impact of fraudulent behaviour will be minimised by promoting a sound ethical environment. This approach reduces the risk of fraud, and allows greater reliance of the integrity of employees rather than on direct measures.

It is the responsibility of all employees, Councillors, Committee Members, contractors, consultants and volunteers to set an example through ethical and prudent use of Council assets and resources. Staff and Councillors have a duty to advise management of any concerns they have about the conduct of Council affairs or the use of Council assets and resources.

The Fraud Control Policy will be brought to the attention of all current and new staff. Staff with particular responsibilities such as cash handling, purchasing authority and account payment, will be given specific training in approved procedures for transactions in accordance with current policies of Council.

It is recommended to engage the Integrity Commission to conduct regular information sessions in relation to fraud control.

## **C. Roles and Responsibilities**

The General Manager has primary responsibility for ensuring this Policy is complied with. The General Manager may appoint a dedicated Fraud Control Officer to assist in this responsibility.

### **C.1 Councillors / Committee Members**

Councillors and Committee Members shall be aware of requirements to comply with this Policy. Councillors must be aware of and adhere to the provisions of the *Local Government Act 1993* and Code of Conduct. Council will support policies and measures taken to prevent, detect and resolve suspected instances of fraud.

### **C.2 Audit Panel**

The role of the Audit Panel is to assist Council in providing a transparent and independent process in its financial and risk management practices to ensure accountability to the community in the governance, management and allocation of resources.

The Audit Panel will review the risk management framework and ensure that procedures exist for the effective identification and management of Council's financial, governance, business and environmental risks, including fraud and corruption.

### **C.3 Senior Staff**

Senior Management and any other person supervising employees or contractors carry a shared responsibility and accountability to actively support and implement the Policy.

Achievement of this is assisted by:

- Compliance with Council policies, rules and regulations;
- Ensuring Councillors and Committee Members are aware of their obligations as included in the 'Glamorgan Spring Bay Council – Code of Conduct';
- Ensuring staff are aware of their responsibilities through adequate induction, training, supervision and written procedures;
- Responding to issues raised by both the internal and external auditors.

All suspected cases or incidents of fraud are to be reported to the General Manager. The General Manager will promptly investigate such cases or incidents in accordance with the Fraud Control Investigation Procedure (**Annexure A**).

### **C.4 Employees / Contractors / Consultants / Volunteers**

Employees and others engaged to work for Council have a responsibility to demonstrate fairness, integrity and sound professional and ethical practice at all times in every aspect of their engagement.

Employees have a responsibility to understand and comply with Council's Code of Conduct and related policies and procedures.

Council employees are encouraged to report all incidents of suspected fraudulent or corrupt conduct, serious mismanagement or substantial waste of public resources.

### **C.5 Fraud Control Officer**

The Fraud Control Officer (if appointed) has responsibility for the development and review of Council's Fraud Control Investigation Procedure, Fraud Prevention Strategy and the Fraud Prevention and Risk Management Strategy and ensure that the requirements are implemented and functioning at Council.

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## **D. Procedures**

The Fraud Control Investigation Procedure (**Annexure A**) must be followed for all investigations of fraud.

## **E. Prevention**

The most effective way to prevent the occurrence of fraud and corruption is to promote an ethical environment fully supported and demonstrated by management and in which strong and effective internal controls have been implemented.

The following fraud minimisation procedures are to be followed:

- Maintenance and communication of a Code of Conduct for Councillors and staff;
- Training in relation to fraud awareness and prevention for staff and managers;
- Maintenance of an effective internal control system and internal control culture;
- Development of a fraud risk assessment process;
- Assessing and documenting fraud risk as part of the Risk Register;
- Employment Screening;
- Robust IT security policies and processes;
- Effective policies relating to the use of Council assets;
- Appropriate Human Resource policies dealing with annual leave, secondary employment and conflict of interest; and
- Appropriate purchasing policies and practices.

## **F. Disciplinary Action**

If an investigation report concludes there has been a breach of the 'Glamorgan Spring Bay Council - Code of Conduct', or any other applicable procedure, action taken will be in line with the disciplinary procedures.

## **G. Early Warning Signs**

The following are some behavioural warning signs all Senior Staff and employees need to be aware of relating to potential fraudulent behaviour:

- Refusing to take leave;
- Resigning suddenly or failing to attend work for no apparent reason;
- Drugs or alcohol abuse;
- Senior staff/employee who over rides internal controls;
- Persistent anomalies in work practices; and
- Obvious lifestyle changes that are in conflict with employee's normal financial position.

## **H. Internal Control Review**

Following an investigation where fraud is substantiated, the General Manager and/or Fraud Control Officer will conduct a review of the relevant controls and determine the level of corrective action to be undertaken.

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## **I. Maintaining and Monitoring Adequacy of Insurance**

Insurance will be obtained and maintained to safeguard against loss and ensure continuation of business processes. Adequacy of insurance policies is to be assessed by management at least annually.

## **6. RESPONSIBILITY**

It is the responsibility of all Staff, Councillors, Contractors, Consultants and Volunteers to ensure that this policy is adhered to at all times.

## **7. REFERENCES**

*Local Government Act 1993*

Staff & Councillor Code of Conduct Policies

Disciplinary Procedures Policy

Australian Standard 8001-2208 *Fraud and Corruption Control*

Public Interest Disclosures ACT 2002

## **8. REVIEW & APPROVAL PROCESS**

Policy to be reviewed in 2 years or at any time deemed necessary by Council.

## **9. ATTACHMENTS**

- A. Fraud Control Investigation Procedure
- B. Fraud Prevention Strategy
- C. Fraud Detection and Risk Management Strategy

### **Disclaimer**

That this policy be read in conjunction with any or all other Council Management Policies

## **ANNEXURE A**

### **FRAUD CONTROL INVESTIGATION PROCEDURE**

This procedure covers appropriate actions and responsibilities that must be followed for the investigation of fraud.

#### **Process**

1. Any employee, contractor, consultant or volunteer who has reason to suspect that a fraud has occurred shall immediately notify his / her Supervisor. If the employee has reason to believe that the employee's Supervisor may be involved, the employee is to immediately notify the General Manager. The employee, contractor, consultant or volunteer shall keep this information confidential. (Note: Should the incident relate to the General Manager, the matter should be reported directly to the Mayor and Chair of the Audit Panel).
2. Any Councillor or Committee Member who has reason to suspect that a fraud has occurred shall immediately notify the General Manager. The Councillor/Committee Member shall keep this information confidential. (Note: Should the incident relate to the General Manager, the matter should be reported directly to the Mayor and the Chair of Audit Panel).
3. The Supervisor, when receiving notification of suspected fraud, will immediately contact the General Manager. The Supervisor will not attempt to investigate the suspected fraud and will keep the information confidential.
4. The General Manager will promptly investigate the fraud upon notification of the details.
5. At the conclusion of the initial investigation of a Councillor, the General Manager will determine whether the matter should be referred to the Local Government Division Code of Conduct Panel.
6. At the conclusion of an investigation of a Committee Member, employee, contractor, consultant or volunteer the General Manager will prepare a record.

The record will contain:

- The allegation/s;
- An account of all relevant information received, and, if the General Manager has rejected the evidence as being unreliable, the reasons for this opinion being formed;
- The conclusions reached and the basis for them; and
- Any recommendation arising from the conclusions.

Following the completion of the record the General Manager will determine what further action might be required.

#### **Related Documents**

- Fraud Control Policy
- Code of Conduct

#### **Review of Procedure**

The Fraud Control Investigation procedure will be reviewed biennially.

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## **ANNEXURE B**

### **FRAUD PREVENTION STRATEGY**

Council's fraud prevention strategy involves the following:

#### **Organisational Integrity and Leadership**

The most effective form of fraud prevention is the establishment of an organisational culture that rejects fraudulent and corrupt practices. Commitment from Senior Staff and Councillors is essential in establishing a behaviour model for all staff, committee members and volunteers.

Council will establish and maintain a fraud-resistant culture by:

- (a) Employing managers and supervisors who will be positive role models for ethical behaviour;
- (b) Adopting and enforcing policies that emphasise the importance of ethical behaviour;
- (c) Issuing clear standards and procedures to minimise opportunities for fraudulent and corrupt behaviour, and enhance detection mechanisms; and
- (d) Ensuring all staff are accountable for their own actions.

#### **Employee Education and Awareness**

Employees will be made aware of Council's ethical conduct expectations by:

- (a) The inclusion of ethical conduct requirements within the Induction Manual for new employees;
- (b) An ongoing program of inclusion of ethical behaviour expectations within all position descriptions for new and existing positions; and
- (c) Ongoing review and implementation of the staff Code of Conduct.

Staff with particular responsibilities, such as cash handling and purchasing authority, will be given specific training in approved cash handling and purchasing procedures.

#### **Customer and Community Awareness**

Fraudulent activity may be detected as a result of complaints from Council customers or other members of the public. It is essential that the community understands the impact of fraudulent and corrupt activity and the importance of exposing such behaviour. In order to increase community awareness and encourage the reporting of fraudulent and corrupt conduct, Council will:

- (a) Publish the Code of Conduct on Council's website; and
- (b) Where possible provide feedback to all persons who report suspected corrupt or fraudulent conduct.

#### **Regular Review of Policies and Procedures**

In addition to ongoing policy development directed at emphasising ethical behaviour and fraud prevention and detection, Council is committed to the ongoing review of existing policies and procedures.

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## **ANNEXURE C**

### **FRAUD DETECTION AND RISK MANAGEMENT**

Council's fraud detection strategy involves the following:

#### **Encouraging Disclosure**

It is recognised that most fraudulent activity is detected by employees of Council, and to a lesser extent, by members of the public. Council will encourage the reporting of fraudulent conduct by:

- (a) The inclusion of training on fraud awareness and reporting procedures in induction of new employees;
- (b) Awareness training for all staff on all Council's Codes of Conduct and reporting of fraudulent and corrupt activity on an annual basis to the Auditor General and in the Council's Annual Report;
- (c) Advertising on Council's website of the various methods by which members of the public can report instances of fraudulent conduct that they may suspect; and
- (d) Where possible providing feedback to people who report suspected fraud.


#### **Internal Auditing**

Council will minimise opportunities for undetected fraudulent activity via a robust internal audit program. The General Manager shall establish and implement a detailed strategy and procedures, incorporating internal audit guidelines in order to give this policy effect. Such a program shall include:

- (a) Quarterly audits of purchasing and disposal transactions;
  - (b) Annual audits of financial system security;
  - (c) Annual audits of cash float and petty cash balances;
  - (d) Annual stock takes of Council inventory;
  - (e) Annual reviews of physical asset security;
  - (f) Appropriate separation of duties identified;
  - (g) Annual audits of compliance with adopted cash handling procedures; and
  - (h) Implementation and monitoring of recommendations by Council's external auditors.
  - (i) Review of all aspects of the internal audit function by the Internal Audit Committee.
-



## Attachment - Agenda Report Item 7.6

	<b>POLICY – ASSET MANAGEMENT</b>	Version 1 Version 2 Version 3 <b>Version 4</b>	April 2007 March 2009 May 2014 <b>April 2020</b>
<b>Minutes Dated</b>	<b>Approved By: DRAFT</b> Decision. No.	<b>Review Date</b> No later than April 2024	

## 1. PURPOSE

To set guidelines for implementing consistent asset management processes throughout the Glamorgan Spring Bay municipal area.

## 2. OBJECTIVE

To ensure adequate provision is made for the long-term replacement of major assets by:

- Ensuring that Council's services and infrastructure are provided in a sustainable manner, with the appropriate levels of service to ratepayers, residents, visitors and the environment.
- Safeguarding Council assets including physical assets and employees by implementing appropriate asset management strategies and appropriate financial resources for those assets.
- Creating an environment where all Council employees have an integral part in overall management of Council assets by creating and sustaining asset management awareness throughout the organisation by training and development.
- Meeting legislative requirements for asset management.
- Ensuring resources and operational capabilities are identified and responsibility for asset management is allocated.
- Demonstrating transparent and responsible asset management processes that align with demonstrated best practice.

## 3. SCOPE

This policy applies to all asset classes which are owned and maintained by Council.

## 4. POLICY

### 4.1 Background

- 4.1.1 Council is committed to implementing a systematic asset management methodology in order to apply appropriate asset management best practices across all areas of the organisation. This includes ensuring that assets are planned, created, operated, maintained, renewed and disposed of in accordance with Council's priorities for service delivery.
- 4.1.2 Council owns and uses approximately \$120 million dollars (30/6/19) of non-current assets to support its core business of delivery of asset based services to the community.
- 4.1.3 Asset management practices impact directly on the delivery of asset based services to the community. and disciplined asset management is required to achieve our strategic service delivery objectives.
- 4.1.4 Adopting asset management principles will assist Council in achieving its Strategic Longer-Term Plan and Long-Term Financial objectives.
- 4.1.5 A strategic approach to asset management will ensure that the Council delivers a sustainable level of service through its assets. This will provide positive impact on;
  - Community and employees;
  - Council's financial position;
  - The ability of Council to deliver the expected level of service and infrastructure;
  - The political environment in which Council operates; and

- The legal liabilities of Council.

## 4.2 Policy Details

### 4.2.1 Asset Planning and Budgeting:

Council is committed to implementing asset management practices to ensure that all assets are planned, created, operated, maintained, renewed and disposed of in accordance with identified priorities and in line with the objectives of the adopted Long-Term Financial Plan and Asset Management Plans by:

- Ensuring the asset renewal and maintenance programs will be met prior to any new or additional assets considered.
- Effective asset life-cycle management whereby all capital investment expenditure is approved in conjunction with a clear understanding of the impact on recurrent operational expenditure budgets.
- Undertaking preventative maintenance programs to ensure that the lowest life-cycle cost is achieved, and asset values are maintained.

### 4.2.2 Asset Operations and Maintenance:

To ensure Council's assets are maintained and operated properly Council will:

- Undertake appropriate planned maintenance regimes to assist its assets in meeting their expected design lives in the most cost-effective manner
- Ensure maintenance plans are designed to incorporate a cost benefit approach.
- Capture information about the activities undertaken to assist it in the analysis of current and/or future expenditure requirements.

### 4.2.3 Asset Accounting and Costing

The asset accounting and costing arrangements, at Council, will allow:

- Maintenance of detailed asset registers on all assets owned or under control of Council;
- Effective economic lives will be given to each of Council's assets with the written down value and depreciation value determined in accordance with current accounting standards and requirements;
- Depreciation will be calculated on an appropriate basis with the objective being to use a method that best reflects the consumption of the asset or provides an indication of future cash flows necessary to sustain the asset condition to the required level of service;
- Assets to be revalued in accordance with the Australian Accounting Standards;
- Planned asset acquisitions, modifications or disposals will proceed in accordance with the Council's capitalization and disposal procedures.

## 4.3 Principles

4.3.1 A consistent Asset Management Strategy must exist for implementing systematic asset management and appropriate asset management best-practice throughout all departments of Council.

- All relevant legislative requirements together with political, social and economic environments are to be considered as important to effective asset management.
- Asset management principles will be integrated within existing planning and operational processes.
- Asset Management Plans will be developed for major service/asset categories. The plans will be informed by community consultation and financial planning and reporting.
- An inspection regime will be used as part of asset management to ensure agreed service levels are maintained and to identify asset renewal priorities.
- Asset renewals required to meet agreed service levels and identified in adopted asset management plans and long-term financial plans will form the basis of annual budget estimates with the service and risk consequences of variations in defined asset renewals and budget resources documented in budget documentation.
- Service levels defined in adopted asset management plans will form the basis of annual budget estimates
- Asset renewal plans will be prioritised and implemented progressively based on agreed service levels and the effectiveness of the current assets to provide that level of service.
- Systematic and cyclic reviews will be applied to all asset classes and are to ensure that the assets are managed, valued and depreciated in accordance with appropriate best practice and applicable Australian Standards.

reported and considered in all decisions relating to new services and assets and upgrading of existing services and assets.

- Future service levels will be determined in consultation with the community.
- Training in asset and financial management will be provided for councillors and relevant staff.

## 5. LEGISLATION

Local Government Act 1993

AASB 13 Fair Value Measurement

AASB 116 Property, Plant and Equipment

## 6. RELATED DOCUMENTS

Asset Management Strategy and associated Asset Management Plans

Long Term Financial Plan

## 7. RESPONSIBILITY


**Councillors** are responsible for adopting the policy, allocation of resources, providing high level oversight of the delivery of the organisation's asset management strategy and plan and maintaining accountability mechanisms to ensure that organisational resources are appropriately utilised to address the organisation's strategic plans and priorities.

The **General Manager** has overall responsibility for developing an asset management strategy, plans and procedures and reporting on the status and effectiveness of asset management within Council.

## 8. REVIEW DATE

**This policy has a life of 4 years**

## Attachment - Agenda Report Item 7.7

	<b>POLICY - RATE RELIEF FOR RELIGIOUS ORGANISATIONS</b>	<b>3.8</b>	
		<b>Version 3</b>	<b>D a t e 17/04/2020</b>
<b>Minutes Dated</b>	<b>Approved By : Council Decision No .</b>	<b>Review Date - April 2022</b>	

**1. OBJECTIVE**

To allow religious organisations rate relief from particular classes of property.

**2. SCOPE**

The purpose of this policy is to recognise the contributions religious organisations make to the community, and in recognising their status as a charitable organisation, by granting a reduction in rates and charges.

**3. DEFINITIONS**

Nil.

**4. PROCEDURE**

Initially in order to qualify for the rate reduction under this policy, religious organisations must apply in writing to the General Manager.

If approved, the rebate will then be applied to the property automatically every subsequent financial year.

**A. Churches General Rates**

In accordance with Section 87 of the Local Government Act Council will exempt all religious bodies from general rates for land that is used exclusively for religious purposes.

**Service Rates & Charges**

Council will provide a rebate from service charges to all religious organisations that are exempt from general rates under Section 87. The amount of the donation will be exactly 50% of all levied service charges, these being: medical and waste management, for each property.

**B. Religious Organisations Dwellings General Rates**

Where a religious organisation owns a dwelling exclusively for the purpose of housing a minister or priest, a 50% reduction from general rates for that dwelling will be applied. If



the dwelling is leased or occupied by any other person or organisation, 100% of the general rate will be levied.

### **Service Rates & Charges**

Full service rates will be charged on the dwelling, irrespective of whether it is occupied by a minister or priest or leased to another person or organisation.

### **C. Cemeteries General Rates**

In accordance with Section 87 of the Local Government Act 1993, Council will exempt all religious bodies from general rates for land that is used exclusively for religious purposes, including cemeteries.

### **Service Rates & Charges**

Council will provide a rebate to all religious organisations that are exempt from general rates under Section 87. The amount of the donation will be 100% of all levied service charges, these being: medical and waste management, for each property used as a cemetery.

## **5. IMPLEMENTATION**

This policy is current practice.

## **6. DELEGATION**

This policy is delegated to the General Manager.

## **7. RESPONSIBILITY**

It is the responsibility of the General Manager to approve any remission under this policy.

## **8. REPORTING**

Nil.

## **9. STATUTORY REQUIREMENTS**


Section 87 of the *Local Government Act 1993* deals with exemption of rates.

## **10. REFERENCES**

Nil.

## **11. ATTACHMENTS**

Nil.

	<b>POLICY - RATE RELIEF FOR COMMUNITY GROUPS</b>	<b>3.7</b>	
		<b>Version 3</b>	<b>D a t e 17/04/2020</b>
<b>Minutes Dated</b>	<b>Approved By: Council Decision No</b>	<b>Review Date - April 2024</b>	

## 1. OBJECTIVE

To recognise the contributions community groups and organisations make to the community and to assist them by providing rate relief.

## 2. SCOPE

This policy covers all forms of community groups and organisations.

## 3. DEFINITIONS

Nil.

## 4. PROCEDURE

This policy refers only to the general rates that are payable on the proportion of land that is owned or used by the organisation. Commonwealth, Crown, State and Council owned land is exempt from this policy. All organisations listed below are required to pay all service rates and charges in full. A remission on general rates can only be considered initially upon receipt of a written request from the organisation to the General Manager.

### Type of Organisation:

#### A. Clubs - 100% remission in general rates

- Examples of such organisations are Scouts, Girl Guides, Retired Servicemen's League and similar.

#### B. Sporting Bodies – 50% remission on general rates

- Examples of such organisations are Cricket, Football, Tennis, Badminton, Soccer Clubs, Sporting Shooters Clubs, Boating Clubs, Golf, Bowls and the like.

#### C. Community Organisations - 50% remission on general rates

- Examples of such organisations are Men's/Community Sheds, Museum, Art Gallery and the like.

#### D. Not For Profit Organisations - 50% remission on general rates

- Examples of such organisations are St Vincent De Paul, Salvation Army and the like.

**E. Health Facilities -No remission from general rates**

- Examples of such organisations are Nursing Homes, Retirement Homes, Child Care Centres, Doctors Surgeries, Specialist Consultancy Practices, and the like.

**Criteria:**

- To qualify for a remission the property must be solely used for public or community purposes. If the property is used for any other purpose then no remission on general rates is available.
- The organisation must apply in writing each year.

**5. IMPLEMENTATION**

This policy is current practice.

**6. DELEGATION**

This policy is delegated to the General Manager.

**7. RESPONSIBILITY**

It is the responsibility of the General Manager to ensure this policy is implemented.

**8. REPORTING**

Nil.

**9. STATUTORY REQUIREMENTS**

Section 129 of *the Local Government Act 1993*.

**10. REFERENCES**

Nil.

**11. ATTACHMENTS**

Nil.



**GLAMORGAN SPRING BAY  
COUNCIL**

Glamorgan Spring Bay Council

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# **Financial Hardship Assistance Model Policy**

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Version [1.0]

Adopted:  
**DRAFT 28 April 2020**



## Document Control

<b>Policy Name</b>	<b>Financial Hardship Assistance Policy</b>
<b>First issued/approved</b>	28 April 2020
<b>Source of approval/authority</b>	Council
<b>Last reviewed</b>	
<b>Next review date</b>	July 2021
<b>Version number</b>	1.0
<b>Responsible Officer</b>	General Manager
<b>Department responsible for policy development</b>	Governance
<b>Related policies</b>	<ul style="list-style-type: none"> <li>• <i>Local Government Act 1993</i>, Part 9 – Rates and Charges</li> <li>• Rates and Charges Policy</li> <li>• Rate relief for Community Groups</li> <li>• Rate relief for Religious Organisations</li> </ul>
<b>Publication of policy</b>	Website

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# 1 Introduction

## 1.1 Purpose

The purpose of this policy is to enable Council to provide assistance to community members who are suffering financial hardship by providing an appropriate level of relief from Local Government rates.

## 1.2 Scope

### 1.2.1 Application and Intent

This policy applies to ratepayers experiencing genuine and serious financial hardship and needing assistance to meet both their basic needs and their rate payment obligations to Council. It is not intended to be used to maintain financial positions for those who do not need it and are not genuinely impacted by serious financial hardship.

This policy applies only to Council rates and charges levied in accordance with Part 9 – Rates and Charges of the *Local Government Act 1993*. This policy does not apply to rates or fees collected on behalf of other authorities in accordance with section 88 of the *Local Government Act 1993*, such as fire service contributions collected pursuant to section 79B of the *Fire Service Act 1973*.

### 1.2.2 Background

This policy was developed and implemented during the 2020 COVID-19 coronavirus pandemic that is spreading across the world. To respond to the disease, governments around the world are shutting down social activities and interaction to prevent transmission, which is necessarily causing significant impacts on many economic activities and transactions. As a result, many people have lost jobs, their clients or their business, destroying incomes and spending. Council is determined to assist those most critically impacted by the economic slowdown caused by the pandemic with a robust and fair hardship policy.

Despite this, serious financial hardship can occur at any time, so this policy is designed to address a range of circumstances.

## 1.3 Principles

This policy will be applied in accordance with the following principles:

- (1) Consistent, equitable and respectful treatment of all residents and ratepayers that is sensitive to their specific circumstances.
- (2) Maintaining Council's ability to provide essential services to our community through appropriately applied rating.
- (3) Assisting ratepayers who are suffering serious financial hardship, so that they may overcome these circumstances and return to financial stability and contributing equitably to local services.
- (4) Ensuring that those able to contribute to local services, continue to do so.
- (5) Minimising the opportunity for misuse, exploitation or fraud by ensuring decisions made to provide special relief or assistance are supported by sufficient evidence.
- (6) Maintaining confidentiality and privacy of applicants and ratepayers, their applications and any information provided.

## 1.4 Related Policies and Legislation

This policy relates to and depends on other Council policies, as well as Tasmanian Government legislation, including:

- *Local Government Act 1993*, Part 9 – Rates and Charges<sup>1</sup>, particularly:
  - Section 86A – General principles in relation to making or varying rates
  - Sections 125-127 – Postponement of payment
  - Section 128 – Late payments
  - Section 129 – Remission of rates
- *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*<sup>2</sup>
- Rates and Charges Policy (pursuant to section 86B of the *Local Government Act 1993*).

## 1.5 Policy Review and Update Cycle

This policy is to be reviewed initially in July 2021 and thereafter, every four years.

# 2 Policy

## 2.1 Genuine Financial Hardship

According to the Australian Taxation Office (ATO)<sup>3</sup>, individuals are considered to be in serious hardship when they are unable to provide the following for themselves, their family or other dependants:

- (1) Food;
- (2) Accommodation;
- (3) Clothing;
- (4) Medical treatment;
- (5) Education;
- (6) Other basic necessities.

A number of factors can contribute to or trigger serious financial hardship, including:

- (1) Loss of employment of the property owner, family member or household primary income earner;
- (2) Serious illness, including physical incapacity, hospitalization, or mental illness of the property owner or family member;
- (3) A natural disaster;
- (4) A public health emergency or declared state of emergency;
- (5) Family tragedy;
- (6) Family breakdown;
- (7) Financial misfortune;
- (8) Other serious or complicating circumstances.

Community wide issues and circumstances, such as the COVID-19 pandemic, may impact financial hardship, but hardship is always assessed at an individual level, and requires reviewing personal circumstances.

Serious financial hardship involves both low income/cash flow and a low asset base. Personal property portfolios beyond a primary residence [or a business's primary operating space] can be employed to

<sup>1</sup> See: <https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-095#HP9@HD9@EN>

<sup>2</sup> See: <https://www.legislation.tas.gov.au/view/whole/html/inforce/current/act-2020-011>

<sup>3</sup> See: <https://www.ato.gov.au/General/Financial-difficulties-and-serious-hardship/Individuals-with-serious-hardship/>

improve an applicant's cash flow and financial sustainability. Applications for assistance on residential investment properties will not be considered.

## 2.2 Evidence of Financial Hardship

Applicants will need to provide evidence of their circumstances of financial hardship to justify Council's special consideration of their case. The type of evidence required will depend on your circumstances and may include, for example, one or more of the following:

- Assessment by an independent accredited financial counsellor demonstrating an inability to both pay rates and to rearrange asset portfolios to facilitate payment;
- A statutory declaration from an appropriate and independent professional, familiar with the applicant's circumstances (e.g. a family doctor for health-related evidence, a bank official, insurance policy manager, etc.);
- Pending disconnection of essential services, like water, electricity, gas (does not include mobile phone or internet bills);
- Notice of impending legal action;
- Letter from charitable organisation regarding loss of employment or inability to provide for basic necessities;
- Bank notice for example, overdraft call or mortgaged property repossession;
- Employer notice of redundancy or termination of employment;
- Overdue medical bills;
- Letter from doctor verifying the inability to earn an income due to illness or caring for a sick family member;
- Final notice from school regarding payment of mandatory fees;
- Funeral expenses;
- Repossession notice of essential items, like a car or motorcycle.

## 2.3 How Council can Help

The *Local Government Act 1993* provides Council with three methods of rate relief:

- (1) Postponing rate payments (sections 125-127)
- (2) Remission of late payment penalties or interest (section 128)
- (3) Remission of rates (section 129)

### 2.3.1 Postponing Rate Payments – Deferral Arrangements

In confirmed cases of financial hardship, Council may choose deferral of individual rates payments within a defined period, in whole or in part, to be paid back at a later date, subject to any conditions Council determines. The deferral arrangement applies to specified payments and other rate payments are not affected and continue to accrue as normal.

The terms of rate deferral arrangements will be proportionate to the applicant's demonstrated financial hardship circumstances, so supplying sufficient evidence of these circumstances is important for developing the appropriate terms.

Rate payment deferrals approved under this section are typically deferred by 3 months. However, rate deferral arrangements can only defer individual payments up to a maximum of two (2) years and only in the most serious circumstances.

In response to the COVID-19 pandemic, Council will approve deferral arrangements for 6 months for ratepayers meeting hardship requirements.



All deferred payments must be repaid as specified in accordance with the deferral arrangement, otherwise regular late payment penalties and/or interest will apply.

Ratepayers who are subject to a deferral arrangement who overcome their financial hardship circumstances are encouraged to begin repaying their deferred rates payments as early as they are able.

Note that Council may revoke any postponement of rates payments at any time, in accordance with section 127 of the *Local Government Act 1993*, by giving 60 days' notice in writing to the ratepayer.

### 2.3.2 Remitting Late Payment Penalties and Interest

For typical circumstances that are not of financial hardship, rates must be paid by the due date and Councils may charge a penalty or daily interest or both for each late payment. However, for confirmed cases of financial hardship, Council may waive either the applicable late payment penalties, or the interest accumulated, or both, for a specified period that relates to the period of financial hardship.

Council will not charge any ratepayers any late payment penalties or interest for late rate payments during the 2020 COVID-19 state of emergency from 1 April 2020 until 30 June 2020.

### 2.3.3 Remitting Rates

Remission of any rates, late payment penalties or interest, in part or in full, is reserved only for the most serious and exceptional of financial hardship cases. Even in these cases, deferral of rate payments must be applied for and granted first, before an application for rates remission can be considered.

After the applicant has entered into a deferral arrangement with Council, the applicant may apply for remission of rates. The application must demonstrate:

- (1) Financial hardship;
- (2) Exceptional and serious circumstances;
- (3) How the applicant's exceptional financial hardship circumstances make the maximum term deferral arrangement under section 2.3.1 unfeasible and unreasonable to fulfil; and
- (4) How enforcing fulfilment of the maximum term deferral arrangement would only deepen the seriousness of applicant's financial hardship and critically impact their ability to provide for the basic living necessities (food, accommodation, clothing, medical treatment) of the applicant and dependents.

In the interests of community fairness and equity, wherever possible and appropriate in determining rates remission applications:

- (1) Deferral arrangements are preferable to rates remission;
- (2) Amounts or proportions of rates to be remitted is capped at 50% of the general rate or \$1000, whichever is the lesser amount; the remainder subject to payment arrangements;
- (3) Instances of rates remission are limited to no more than one rates remission per applicant.
- (4) Any remission granted will apply to the property and not to individual property owners. In the case of multiple owners only one application will be accepted per property.

## 3 Applications

### 3.1 Applying for Financial Hardship Assistance

To seek financial hardship assistance from Council, an application must be made in writing, addressed to the General Manager, marked confidential and submitted as follows:

- Emailed to [rates@freycinet.tas.gov.au](mailto:rates@freycinet.tas.gov.au); or
- Mailed to PO Box 6, Triabunna TAS 7170.

Should you have any question or require help to apply for financial assistance, please contact Council's Rates Officer on 6256 4777 or email [rates@freycinet.tas.gov.au](mailto:rates@freycinet.tas.gov.au) and the officer will contact you via phone or email as requested.

Applications must:

- Demonstrate and provide evidence for financial hardship and circumstances (see section 2.2 – Evidence of Financial Hardship);
- Describe the type of assistance sought, being:
  - Postponing rate payments (a deferral arrangement);
  - Postponing or waiving late payment penalties or interest;
  - Remitting rates, late payment penalties or interest, in part or in full;
- Address the requirements of the relevant subsections of section 2.3 – How Council can Help

### 3.2 Assessing Applications & Delegation

Applications for deferral arrangements must be decided by:

- (1) For amounts less than \$2,500 – the Senior Finance Officer; or
- (2) For amounts of \$2,500 or greater – General Manager

Applications for remission of any rates must be decided by Council in a closed confidential section of a meeting and requires an absolute majority to be approved (a minimum of 5 elected members must agree to be approved).

Application for remission of any late payment penalties or interest charges under \$50 may be approved by the General Manager. Any amounts greater than \$50 must be decided by Council in a closed confidential section of a meeting and requires an absolute majority to be approved (a minimum of 5 elected members must agree to be approved).

## Glamorgan-Spring Bay Council – Pandemic Response Plan

COVID-19 (Coronavirus) was declared a “disease of pandemic potential” in Australia on January 21, 2020 and recognised as a pandemic by the World Health Organisation on Wednesday 11 March 2020. In Tasmania, the State Government first declared a Public Health Emergency on Tuesday 17 March 2020, before declaring a State of Emergency just two days later on 19 March 2020.

The disease is easily transmissible, spreading rapidly through communities and displaying exponential growth as it spreads. As at 24 March 2020, the disease has killed at least 16,000 people worldwide, spread to 173 of 195 countries and overwhelmed the health systems of a number of nations since first discovered just five months earlier in late November 2019. If not addressed early and effectively at a local level, it will have a profound impact on the communities of Glamorgan Spring Bay and threaten the continuity of many of Council’s essential services. This plan seeks to enact the early and effective action of Glamorgan Spring Bay Council to ensure maximum suppression of the virus and its impact on our communities.

This is a dynamic document to help establish, guide and implement actions in response to the Covid-19 pandemic. The framework was endorsed by Council on 28 April 2020 and will be reviewed frequently and updated as required.

This Pandemic Response Plan has the following objectives in overriding priority order:

- 1. *The safety and well-being of our visitors, staff, volunteers and the community is our top and overriding priority.***
- 2. *Slowing the spread of the disease through minimising exposure to infection, reducing social contact and increasing social distancing.***
- 3. *Maintaining the essential services of council to our communities wherever possible while achieving the above objectives.***

Actions will be focused on the following activities:

1. Rapidly reducing spread of infection through:
  - a. Social distancing and working remotely
  - b. Reducing public gatherings
  - c. Cleaning and hygiene
2. Communicating the situation to our community
3. Maintaining essential services

The Plan has the following three stages with clear thresholds that trigger the appropriate actions:

**Stage One** – occurs when the World Health Organisation has recognised the disease as a pandemic and the first recorded case occurs in Australia. The pandemic threat has little or no immediate health impacts on the community or health services and can be managed within available resources. The pandemic is in its early days, with only small numbers of cases in Tasmania from overseas and community transmission is not confirmed. While the situation appears fine, rapid disease spread means failure to act now will leave no time or resources to act later.

**Stage Two** – occurs immediately when community transmission is first confirmed in Tasmania. Rapid spread is likely already occurring if contact tracing cannot comprehensively contain transmissions.

**Stage Three** – occurs immediately if item 4) occurs:

- (1) seven days of new confirmed community transmission cases of COVID-19 within Tasmania that indicate exponential growth is occurring; or
- (2) the first confirmed case of COVID-19 within the Glamorgan Spring Bay municipal area, or in any neighbouring local government areas, including Break O'Day Council, Northern Midlands Council, Southern Midlands Council, or Sorell Council; or
- (3) either the Royal Hobart Hospital or the Launceston General Hospital report that they have reached or exceeded capacity.
- (4) By Order of the Government.

The pandemic has (or is about to have) a severe impact across the community and requires whole-of-government coordination of the response. A concerted effort to minimise disruption and maintain essential services is needed.

A process for standing down will be determined and implemented as necessary.

<b>Stage 1- Reduce the Risk and Prepare</b> <b>This stage requires immediate implementation and is designed to reduce the virus being spread within the workplace and community and prepare for Stage 2.</b>		
Actions	Trigger or timeframe	Comms
<b><i>Reduce infection spread – Social distancing and working remotely</i></b>		
1. A series of social distancing measures start being implemented as a first response to limit contact and minimize risk for CSO's and Development Services Staff. E.g. imposing 1.5m barriers, limit person to person contacts	Immediately	Done
2. All outdoor staff briefed on the situation and the importance of social distancing and personal hygiene emphasised. Specific additional measures implemented.	Date: <span style="background-color: yellow;"> </span>	Briefings completed by Works Supervisor
3. All external non-essential meetings, training, Council funded events/trips to be cancelled and then reviewed on a fortnightly basis.	Immediately	Done
4. Advise all staff to stay at home if unwell and stay at home until symptom free.	Immediately	Done
5. High risk/vulnerable staff to be directed to work from home where possible (or self-nominated on a case by case basis).	ASAP	
6. Council meetings to be held in alternative larger meeting venue (Triabunna Hall) that allows for enhanced social distancing. Prepare for online or teleconference meetings in Stage 2.	Immediately	Done
7. Parents and carers preparing to work from home.	School closures	Done
8. Prepare for as many staff as possible to work from home.	Immediately	Done



<b>Stage 1- Reduce the Risk and Prepare</b> <b>This stage requires immediate implementation and is designed to reduce the virus being spread within the workplace and community and prepare for Stage 2.</b>		
Actions	Trigger or timeframe	Comms
9. Non-core community facing staff at home (e.g. gym & fitness instructors, community program staff, museum staff, visitor information staff, etc.).	Immediately	Closed until further notice. Staff will be reassigned where possible or continue to be paid in line with their normal roster and support is available through the employee assistance program if required.
<b><i>Reduce infection spread – Reducing public gatherings</i></b>		
10. Council meeting rooms will be closed to the public until further notice.	Date of closure: <span style="background-color: yellow;"> </span>	CSO's contacting bookings from [DATE]
11. Clubrooms and halls will no longer be cleaned by Council staff and a reduced maintenance regime applied to sporting grounds. Sporting and community groups will be asked to cease or modify activities accordingly. Volunteering is to cease.	Date of cessation: <span style="background-color: yellow;"> </span>	Letter being sent out to facility users with further details. Notices placed at appropriate locations.
12. All council events cancelled/postponed (youth groups/BYCF, SAG come and try, LAAG meetings etc.).	Immediately	Notification through social media, Council's website and directly contacting those involved
13. All public buildings to be closed and to undergo closure procedures.	Phased in over two weeks	Notification through social media, Council's website and directly contacting those involved. Notices placed at appropriate locations.
<b><i>Reduce infection spread – Cleaning and hygiene</i></b>		
14. Secure supplies (gloves, hand sanitiser, cleaning sanitiser, bleach, sanitising wipes, face masks).	Ongoing	
15. Provide hand sanitiser and gloves for front desk staff. Money handling and cash transactions actively discouraged and gloves and sanitiser used before and after each cash transaction.	Phased in over two weeks	Notifications to public in front desk area.

<b>Stage 1- Reduce the Risk and Prepare</b> <b>This stage requires immediate implementation and is designed to reduce the virus being spread within the workplace and community and prepare for Stage 2.</b>		
Actions	Trigger or timeframe	Comms
16. Increase cleaning regime at Council offices.	Immediately	Deep clean complete.
<b><i>Communicate the situation</i></b>		
17. Begin advising community and customers that face-to-face delivery may close and to start using remote services, including telephone enquiries and electronic payment methods.	Ongoing	Done
18. Distribute latest Department of Health advice to all staff and councillors.	Immediately, updated weekly	Ongoing
19. Communicate latest Department of Health advice and Council's state of readiness (e.g. response Stage and example actions taken) to the community through social media, website notices and local newsletters/papers.	Immediately, updated weekly	
20. Monitor official sources of advice on COVID-19 and act on them as appropriate.	Daily	
21. For commercial and/or community tenancies, exclusive leases and similar on Council land where there is no Council management (Scouts, Surf Lifesaving, Men's Shed, Lions Club etc.), make recommendations and provide advice to the tenant to encourage early and prudent action as appropriate.	Phased in over two weeks	
<b><i>Maintain essential services</i></b>		
22. Establish Emergency Infrastructure Team and activate Emergency Management Team. - prioritisation of works to be undertaken.	Immediately	As per Council's Emergency Management Plan
23. Key staff to be identified and isolated (GM, Comms, Managers across essential service areas, IT, IM, Payroll/Finance).	ASAP	

<b>Stage 1- Reduce the Risk and Prepare</b> <b>This stage requires immediate implementation and is designed to reduce the virus being spread within the workplace and community and prepare for Stage 2.</b>		
Actions	Trigger or timeframe	Comms
24. Essential services maintained according to specific plan for each service area. Measures to reduce risk of infection (social distancing, hygiene) emphasised.	Ongoing	Essential services means only services that support public health and safety, risk and time critical statutory obligations and emergency response. Refer below.
25. Preparation to reduce less essential services in readiness for Stage 2 (less essential services listed below).	Immediately	
*Commercial tenancies, exclusive use leases where there is no Council management, we will make recommendations to the tenant but won't be mandating any action (Scouts, Surf Lifesaving, Men's Sheds, Lions Club, etc.)		

<b>Stage 2 – Readiness for Pandemic Outbreak</b> <b>Stage to be implemented upon Person to Person Community Transmission of Covid-19</b>		
<b>Actions</b>	<b>Trigger or timeframe</b>	<b>Comms</b>
<b><i>Reduce infection spread – Social distancing and working remotely</i></b>		
1. All staff working from home full time wherever possible and where resources allow.	Immediately	
2. Outdoor staff may be required to be on standby for immediate recall by the Emergency Infrastructure Team. One person per vehicle only.	Immediately	If on standby, staff need to be available during normal working hours, to be called into work.
3. Limit face to face contact (direct customers to call or email enquiries).	Immediately	Potential for a drop off point for documentation such as building plans etc.
4. Allowing staff to redeploy and assist where required (triage centres/traffic management).	Immediately	
<b><i>Reduce infection spread – Reducing public gatherings</i></b>		
5. All public buildings to be closed without delay.	Immediately	Minimal Public Toilets to be open in each town. To be communicated to staff and public through website and local papers.
<b><i>Reduce infection spread – Cleaning and hygiene</i></b>		
6. Cash transactions phased out where possible, appropriate hygiene practices in place. Contactless and remote payments preferred.	Within one week.	Waste Management Centres reduced hours.

<b>Stage 2 – Readiness for Pandemic Outbreak</b> <b>Stage to be implemented upon Person to Person Community Transmission of Covid-19</b>		
Actions	Trigger or timeframe	Comms
7. Front desk services closed, and strict social distancing and personal hygiene measures (gloves, sanitiser, face masks) employed. Hand delivered documents to be left in post box at Council Office.	Immediately.	Closed to public. Staff advised, signs up.
<b><i>Communicate the situation</i></b>		
8. Continue to communicate latest Department of Health advice and Council's state of readiness (e.g. response Stage and example actions taken) to the community through social media and website notices	Immediately, updated weekly	
<b><i>Maintain essential services</i></b>		
9. Essential services maintained according to specific plan for each service area. Measures to reduce risk of infection (social distancing, hygiene) strictly enforced.	Immediately	
10. Less essential services delivered remotely or reduced strategically in a manner that improves social distancing and reduces risk of infection.	Immediately	

<b>Stage 3 – Disease Outbreak and Lockdown</b> <b>Stage implemented upon outbreak of widespread pandemic in Tasmania</b>		
Actions	Trigger or timeframe	Comms
<b><i>Reduce infection spread – Social distancing and working remotely</i></b>		
1. All staff at home or under lockdown direction from the Australian and Tasmanian Governments. Bare minimum essential staff only, with strict enforcement of measures to reduce risk of infection (social distancing, hygiene).	Immediately	
<b><i>Reduce infection spread – Reducing public gatherings</i></b>		
2. Close all sites. Bare minimum access to functional areas only limited to staff necessary to maintain essential services.	Immediately	EMT to announce.



<b>Stage 3 – Disease Outbreak and Lockdown</b> <b>Stage implemented upon outbreak of widespread pandemic in Tasmania</b>		
Actions	Trigger or timeframe	Comms
<b><i>Reduce infection spread – Cleaning and hygiene</i></b>		
3. Front desk services closed.	Immediately	Done
4. No cash or in person payments. Remote payments only where roles are staffed through remote arrangements.	Immediately	Done
<b><i>Communicate the situation</i></b>		
5. Communicate latest National and State Department of Health advice and requirements. Communicate Council's state of closure.	Immediately, updated weekly	Public notification via Council's Facebook Page and Website
<b><i>Maintain essential services</i></b>		
6. Essential services maintained according to specific plan for each service area. Measures to reduce risk of infection (social distancing, hygiene) strictly enforced.	Immediately	
7. Less essential services shutdown completely unless able to be delivered remotely while under lockdown/quarantine/self-isolation.	Immediately	

***Essential Council Services that must be maintained:***

- Waste management services
- Information technology services and remote staff access
- Emergency management and public health services
- Statutory services, including:
  - Heavy vehicle access permitting
  - Engineering services
  - Planning permitting

- Building and plumbing permitting via permit authorities
  - Environmental health services
- Medical centres
- Financial management and payroll
- Maintaining road access, especially for emergency and freight services

***Less-Essential Council Services that can be reduced or postponed as needed:***

- Natural resource management and weed management
- Animal control
- Facilities hire
- Tourism and visitor information support
- Museum
- Front desk enquiry and payment services
- Community development
- Some outdoor staff

Useful links:

- Tasmanian Government: <https://www.coronavirus.tas.gov.au/>
- Tasmanian Department of Health: [https://health.tas.gov.au/publichealth/communicable\\_diseases\\_prevention\\_unit/infectious\\_diseases/coronavirus](https://health.tas.gov.au/publichealth/communicable_diseases_prevention_unit/infectious_diseases/coronavirus)
- Tasmanian Department of Education: <https://www.education.tas.gov.au/about-us/alerts/>
- Australian Government: <https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert>
- World Health Organisation: <https://www.who.int/emergencies/diseases/novel-coronavirus-2019>
- Live worldwide data tracking and maps: <https://ncov2019.live/data>



GLAMORGAN SPRING BAY  
COUNCIL

Glamorgan Spring Bay Council

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# Remote Meeting Guide

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# 1 Introduction

## 1.1 Background and Context

Under the *Local Government (Meeting Procedures) Regulations 2015*, councils must meet at least once in each month (an ordinary meeting; section 4) and each meeting (ordinary or special, open or closed) must have an absolute majority of councillors present – in-person – to conduct any Local Government business at all (a quorum; section 11).

The purpose of a minimum number of elected representatives is clear: to ensure that decisions reflect democratic representation. However, the purpose of in-person attendance is implicit: it allows for smoother, more constructive meetings, for clear and fair management of meeting procedures, establishes attendee identities and reduces the opportunities for disruption. It also provides for easier public participation and transparency around the democratic decision-making process.

However, the outbreak of the COVID-19 pandemic has made meeting in-person a substantial transmission risk and a danger to public health, requiring extraordinary physical distancing measures to arrest the rapid spread of the virus. The Tasmanian Government has passed the new *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, which amongst other things, allows council meetings not to be held in person and other actions that support the meeting process, such as electronic signatures.

The holding of a remote council meeting is conditional on an electronic recording of the meeting being made available to the public on the council website, and as far as reasonably practicable, being made available in real time.

This guide has been developed to assist council elected members and staff in setting up and conducting effective remote meetings.

## 1.2 Purpose

The purpose of this guide is to facilitate, to the greatest extent possible, remote council meetings that provide transparency and enable community participation during the COVID – 19 emergency. At the same time ensuring consistency with provisions of the Ministerial Notice, *Local Government Act 1993* and *Local Government (Meeting Procedures) Regulations 2015*.

The guidelines provide advice on good practice for remote meetings to support this purpose.

## 1.3 Supporting Legislation

This guide relates to, and intends to support compliance with, the following legislation:

- *Local Government Act 1993* (LG Act):
  - Section 18(3), council meeting procedures
  - Section 23 (3), council committee meeting procedures
  - NB. Councils may need to review and update their own procedures relating to Section 24(3)
  - Section 48 – Declaration of pecuniary interest by councillor
- *Local Government (Meeting Procedures) Regulations 2015*<sup>1</sup> (LGMPR):
  - Part 2 – Meetings

<sup>1</sup> See: <https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2015-038#HP2@HD1@EN>

- *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*<sup>2</sup> (COVID Act):
  - Part 4 – Reduction of Public Physical Contact
  - Notice under sections 18 and 19 – Tasmanian Government Gazette, Special Gazette 21963, 3 April 2020<sup>3</sup>

## 2 Preparing for Remote Meetings

### 2.1 Choosing a Remote Meeting Platform

Wherever possible, it is recommended to hold formal council meetings using an online web conferencing platform. There is an extensive range of platforms available, for example:

- Microsoft Teams: [teams.microsoft.com](https://teams.microsoft.com) or [download here](#)
- LogMeIn GoToMeeting: [www.gotomeeting.com](http://www.gotomeeting.com)
- Cisco WebEx: [www.webex.com](http://www.webex.com)
- Zoom: [zoom.us](https://zoom.us) (but note that Zoom has had critical security vulnerabilities in the past so an up-to-date version must be used: <https://www.windowscentral.com/zoom-vulnerability-can-leak-your-windows-login-name-and-password>)
- Skype or Skype for Business: [www.skype.com](http://www.skype.com)
- See this link for a more complete list and comparison:
  - [https://en.wikipedia.org/wiki/Comparison\\_of\\_web\\_conferencing\\_software](https://en.wikipedia.org/wiki/Comparison_of_web_conferencing_software)

Using telephone conferencing as the sole means of conducting a remote meeting is discouraged, as it lacks a range of functions that support a smooth and secure council meeting.

When selecting an online conferencing platform, look for the following features and functions to assist your meeting:

#### ***Checklist 1. Selecting a Conferencing Platform***

*Key functions:*

- ☐ **Video teleconferencing** – to allow for more social cues in the meeting.
- ☐ **Chat function** – to use for voting or to ask questions without interrupting the current speaker.
- ☐ **Ability to control attendees** – to mute and unmute, dismiss from meeting, etc.
- ☐ **Recording function** – so that the meeting can be efficiently shared publicly after the meeting.
- ☐ **Platform security** – most popular platforms are constantly working on their security, however, vulnerabilities arise so getting up-to-date advice on platforms is important.

*Helpful, but less critical functions:*

- ☐ **Screen sharing** – this allows the chair or technical facilitator to display the agenda, relevant reports or slides for all participants to follow.
- ☐ **Live streaming** – for real time public viewing.
- ☐ **Voting function** – for convenient tracking and recording decisions.
- ☐ **Raise hand function** – to seek to speak without interrupting the current speaker.

### 2.2 Meeting Personnel – Technical Facilitator

In addition to the usual meeting personnel of a face-to-face meeting, including a quorum of councillors, a chairperson, and any minute taker and support staff, councils should also appoint a technical facilitator

<sup>2</sup> See: <https://www.legislation.tas.gov.au/view/whole/html/inforce/current/act-2020-011>

<sup>3</sup> Tasmanian Government Gazette: [http://www.gazette.tas.gov.au/editions/2020/april\\_2020](http://www.gazette.tas.gov.au/editions/2020/april_2020)

to troubleshoot connectivity issues or assist attendees in using the various functions of the chosen meeting platform.

A technical facilitator must be someone suitably familiar and proficient with the chosen meeting platform and should preferably be an IT professional. Even if the meeting chairperson is proficient with the chosen platform, it is still recommended that a technical facilitator is on hand to assist with connection problems. An executive assistant, minute taker or other meeting support staff might be able to assist with aspects of the software platform but may not have the skills needed to troubleshoot technical connectivity issues.

In addition to troubleshooting technical problems, the technical facilitator could also manage the control aspects of the chosen meeting platform, such as screen sharing, muting and unmuting attendees, dismissing attendees, noting to the chair any chat items raised, etc.

## 2.3 Meeting Agenda

When preparing the meeting agenda, consider structuring the agenda in a manner that assists with smoother flow and dealing with matters conveniently. Meeting agendas should be simple, concise and only deal with matters that require attention or decision.

Most council meetings have some agenda items which are for information or noting, not decision. There are other possible ways to deal with these to keep formal online meetings concise and focussed. One suggestion would be to group together all items for noting, enabling the chair to deal with them all with a single motion after ascertaining with councillors if any need to be regarded separately on an exception basis. Another suggestion is to provide councillors and the public such reports outside of the meeting process – sharing via email and publishing on the council website at the same time as the Agenda goes out to provide for any questions with or without notice

After items for noting are dealt with, decisions items can be addressed individually. Items to be addressed while acting as planning authority in accordance with section 25 of the LGMPR can be addressed in the same manner and subsequent to other council business items.

Closed meeting items can be dealt with at the end of the agenda but note that meeting recording for the public and live streaming should be switched off at this stage.

➤ ***NB. Be aware that when switching meeting recording off and back on again, some platforms add the second recording to the same file as the first part of the meeting. This means that open and closed session recording can get mixed in the same file.***

## 2.4 Written Notice of Meetings Not to be Held in Person

Although the COVID-19 Act and the associated Minister's notice vary the LGMPR to allow remote meetings in the approved manner, Section 18(3) requires that the method of hosting for the meeting be:

*"...determined by a notice in writing, that is, by a means specified in one of the above paragraphs, delivered, by the person who ordinarily presides over such meetings of the body of persons, to each other member of the body of persons, unless it is not reasonably practicable to do so..."*

Essentially, this means that the chairperson (usually the Mayor, LGMPR section 10) must provide a written notice to each official participant of the method of hosting / the remote meeting platform. This section is explicit in allowing the notice to be via electronic mail. Most online web conferencing platforms will provide a meeting invitation with connection details; for convenience and compliance, these should

be included in the notice. It's probably worth advising attendees at this point if the meeting will be recorded or live streamed. For expediency and the avoidance of doubt, it is recommended that the chairperson indicate that council meetings will be held remotely in the manner specified until further notice.

## 2.5 Home Office Setup

All meeting participants and support staff should select a suitable location to connect to the remote meeting. Meeting set up should generally try to achieve the following:

### *Checklist 2. Optimising Home Office Setup*

- ☐ Privacy – use a home office or private room, particularly for closed meetings. Avoid outdoor spaces with the potential to be overheard.
- ☐ Quiet – use a space that is free from background noise. Again, avoid outdoor spaces with no protection from noise intrusion.
- ☐ Device – utilise a modern device you are familiar with.
- ☐ Headphones - preference headphones or headsets over speakers wherever possible. Speaker noise can feedback into your microphone and create echoes for other participants. Speaker noise can be overheard and can present a confidentiality risk. Headsets/headphones with integrated microphones are more private and manage noise much more effectively.
- ☐ Webcam – video conferencing allows for better meeting participation and engagement.
- ☐ Microphone location – move your microphone close to you to pick up your voice and as far away from speakers as practical.
- ☐ Meeting materials ready – ensure you have the meeting agenda and note-taking tools at the ready, whether printed or paperless.

## 2.6 Meeting Etiquette – Participating Constructively

To assist in achieving a constructive and smooth flowing meeting, develop a set of rules to guide participants in contributing to the meeting. Send your rules around before the meeting and you may wish to repeat them at the outset or in the chat function at the beginning of the meeting. Below is an example of etiquette to guide online participation.

**Meeting Etiquette (Example)**

- (1) **Connect early**– Please connect 5-10 minutes early to each session to test your connection and allow the meeting to run smoothly. Session start time is 10.00am.
- (2) **Reduce noise:**
  - (a) **Mute button on** – Keep your mute button on while you are not presenting or speaking. This will reduce background noise.
  - (b) **Use headphones instead of speakers**– Speakers can feed noise into your microphone and create an echo for all the other participants. If you can, please prefer headphones, dial in on your phone, or use a conference phone to call.
  - (c) **Microphone away from speakers**– if speakers are unavoidable.
  - (d) **Use the chat** – While chat should not be used to ask formal questions or provide formal answers, it can limit interruptions when there are questions related to technical issues or if seeking procedural clarification. Chat can be used for voting but there are some limitations that councils should be aware of related to that use – see voting. Chat can also be used to indicate you wish to speak to a matter.
  - (e) **Some platforms allow participants to raise their hand.** This can be a useful tool for the Chair in gauging whether someone wishes to speak and (with the same limitations as chat) can be used in voting.
- (3) **Don't panic!**– Moving to this format is a learning experience for everyone – and glitches are guaranteed! Please be patient.

For official business meetings, many authors recommend dressing to a remote meeting in the same way you would to a meeting in-person: in workwear<sup>4</sup>.

## 2.7 Practice Meeting

Before your first formal meeting, organise a practice run a day or more before the meeting to ensure everything can run smoothly and give participants a chance to familiarise themselves with the platform and its functions. In particular, run through the critical formal components of the meeting, such as motions and decisions, so that these can be completed fluidly on the day.

**Checklist 3. Checking Meeting Functionality:**

- ☐ **Connection** – check that everyone is able to connect through the chosen platform.
- ☐ **Sound** – check everyone's sound quality, that they can hear and be heard without echoes.
- ☐ **Mute** – check that everyone is able to locate and use the mute function.
- ☐ **Video** – use video if the connection bandwidth and quality can support it, but turn it off if it is causing audio quality to decline.
- ☐ **Chat** – check that everyone is able to locate and use the chat function and know what to use it for.
- ☐ **Screen sharing** – check that you are able to share your screen and participants can see it.
- ☐ **Record** – test that you can record your practice meeting.
- ☐ **Key meeting processes** – test critical components of the meeting, including motions and decisions.

<sup>4</sup> For example: <https://digitalready.tas.gov.au/blog/videoconferencing-etiquette-march-2020/>



## 2.8 Have a Backup Plan

Technical glitches happen – often. Make sure you are prepared to quickly troubleshoot connection problems and have a contingency plan in place. We recommend running the meeting itself on a quality, online conferencing platform but also keeping a phone number to the technical facilitator handy for all participants to deal with any connectivity issues. The chairperson should have alternative contact phone numbers and email addresses for all participants, should the meeting need to be moved to a teleconference.

## 3 Conducting Remote Meetings

Whether you are a participant, chairperson, or support personnel, conducting a remote meeting is not as fluid as meeting in person, so require special handling from all involved. This is especially important for formal council meetings with formal procedures to deal with conducting council business.

### 3.1 Chairing a Remote Meeting

The chairperson already has pivotal role in regular council meetings to facilitate the smooth transaction of council business, but this becomes all the more crucial in managing remote meetings. Consider the advice in the following sections to manage an efficient and effective meeting.

#### 3.1.1 General Tips

- (1) Prior to formally opening the meeting:
  - (a) Check in personally on all attending councillors and support personnel to gauge both their connection quality and their readiness for the remote meeting. Check that mobile phones are switched to mute or off.
  - (b) Advise participants that the meeting is to be recorded and live streamed (if applicable).
  - (c) Remind participants of the meeting etiquette and the phone number of the technical facilitator if they cannot resolve their own connection problems.
  - (d) Advise participants of how voting will be done and collected.
- (2) After formally opening the meeting:
  - (a) Check attendance formally by roll call to be recorded in the minutes, identifying each elected representative. Support personnel in attendance should be noted.
  - (b) Check and advise for the minutes that the meeting is being recorded and live streamed (if applicable).
- (3) Assist participants' navigation through the meeting:
  - (a) Share the screen of the chairperson or the technical facilitator, showing the meeting agenda or alternatively ensure a hard-copy of the meeting agenda is provided to all participants.
  - (b) Give constant opportunities for participants to keep up:
    - (i) Slow the meeting down and check in on participants;
    - (ii) Introduce each agenda item with the page number;
    - (iii) Call out each page number while moving through the agenda.
- (4) Facilitate in-turn debate and discussion, but direct this only at appropriate points:
  - (a) There may be multiple councillors speaking at once, provide opportunities to speak in turn;

- (b) Cycle discussion around all attendees;
  - (c) Check in with participants before moving on from a point of discussion/debate;
  - (d) Check the chat box regularly for any points being raised or attendees waiting to speak.
- (5) Clarify any confusion at the time. If necessary, have the minute taker repeat the sequence of events in question for clarity and elected representatives to confirm. Do not proceed past decision items without resolving uncertainty first.

### 3.1.2 Motions, Debate and Voting (Sections 16-28)

The standard procedures of Part 2, Division 2 – Motions, and Division 3 – Voting, including debate procedures, continue to apply for remote meetings, but connecting remotely will make these more difficult. To manage multiple people attempting to speak at once you can either go around the group in orderly turns, or you can use the chat function of the remote meeting platform.

#### *Motions and Debates*

For motions and debates, simply going around the group seeking movers and seconders should operate sufficiently and give all attendees the opportunity to speak.

#### *Voting*

For voting, asking councillors to record their vote for or against in the chat function provides a clear and written response that is easy to tally. Alternatively the chair will clearly name each councillor for and against each motion. Furthermore, the recording function of most web conferencing platforms will also record the written chat responses, providing a very transparent public record. Collecting votes by the chat function could occur as follows:

#### Voting through the Chat Function:

Chairperson:	<i>[Speaking]</i> I now put the motion before the Council and ask Councillors to enter their vote in the chat as either 'for' or 'against'.
	<i>[Writing]</i> Voting on item 2.2.
Councillor 1:	<i>[Writing]</i> For 2.2
Councillor 2:	<i>[Writing]</i> Against 2.2
Councillor 3:	<i>[Writing]</i> For 2.2
Chairperson:	<i>[Writing]</i> For 2.2
Chairperson:	<i>[Writing]</i> Voting closed on 2.2
	<i>[Speaking]</i> Thank you everyone for your votes. The motion is carried 3 to 1 in favour.

Where a council is providing public access to the Meeting via audio transmission or recording only, chat can still be used but the Chair should read the votes submitted by chat aloud so that there is transparency in the audio.

Voting by voice is still achievable, but votes will need to be taken one by one, by individually asking each councillor their vote for or against, with the responses tallied by the chairperson or support staff.

Voting using a show of hand requires all attendees to use video conferencing with a robust connection. Because of this, it is considered less reliable and is not recommended unless the chair clearly names each councillor for and against each motion.

Voting by exception might be convenient but it can confuse abstaining votes and cause decisions to be questioned so is not recommended.

➤ ***NB. In tallying every vote, ensure all original attendees are still present and a quorum is maintained.***

### 3.1.3 Secret Ballot

Voting by secret ballot is very difficult using online platforms, so should be avoided if possible. If a secret ballot must be employed, then the chairperson can ask councillors to email through responses to the General Manager, who can report the outcome of the vote. All councillors must be able to access their email at the time of the ballot for this to function.

### 3.1.4 Public Question Time (Section 31)

The ability to field questions is hampered with remote meetings, so should be treated differently. In particular, section 31(2)(b) in Public Question Time gives the chairperson the discretion to invite any member of the public present at an in-person meeting to ask a question during the meeting. This is very difficult to facilitate in a fair and orderly manner. To deal with this, the council may wish to relax the requirement of section 31(1) to provide written notice of a question from 7 days down to 2 days before the meeting.

Councils should clearly publicise any revised approach to public question time.

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

### 3.1.5 Dealing with Technical Difficulties – Adjournment and Abandonment

Connection problems and technical difficulties are extremely common, so expect them to arise. Have your technical facilitator at the ready to resolve issues.

Always be aware of your quorum requirement of the LGMPR to transact council business, especially during items for decision, for example:

- What is your absolute majority / the minimum number of councillors you need to take a valid vote?
- If councillors drop connection but you still have a quorum, how long will you wait for reconnection before proceeding?
- If councillors drop connection such that you lack a quorum, how long will you wait before:
  - Adjourning (section 13)?
  - Abandoning the meeting (section 12)?

There are no clear rules to determine these circumstances, but LGAT recommends, for example, the following:

Circumstance	Action
Councillor loses connection but quorum remains	<ul style="list-style-type: none"> <li>❖ Record instance in minutes and:               <ul style="list-style-type: none"> <li>➤ Items for noting: proceed</li> <li>➤ Items for decision: allow up to 5 minutes for reconnection, then proceed.</li> </ul> </li> </ul>

Councillor loses connection causing quorum to be lacking	<ul style="list-style-type: none"> <li>❖ Record instance in minutes, and</li> <li>❖ Wait 10 minutes for reconnection before adjourning for 20 minutes;</li> <li>❖ Take a role call before adjourning for the minutes;</li> <li>❖ Reconvene after 20 minute adjournment; if quorum still lacking, abandon the meeting.</li> <li>❖ Note, if due to lack of connectivity the councillor can re-join through telephone conference call.</li> </ul>
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### 3.1.6 Closed Meetings (Section 15)

The usual procedures of LGMPR section 15 apply for closed parts of meetings. However, the chairperson should ensure live streaming is switched off and public meeting recording is stopped.

Councillors must be extra vigilant when moving into a closed meeting that they cannot be overheard by members of their household.


## 3.2 After the Meeting

Once the meeting is finished, turn off live streaming and meeting recording. The meeting organisers and facilitators may wish to stay online to follow up any meeting issues and actions required. There are two main ways to do this:

- (1) The best and safest way to do this and ensure privacy is to completely close the current meeting and begin an entirely new one with the relevant people.
- (2) Alternatively, you can stay online in the current meeting, which has more potential for privacy to be breached. Wait for everyone not involved in the follow up meeting to disconnect and use your meeting controls to dismiss any connections that should not be participating.

Meeting minutes are to be treated in the same way, as stipulated by Part 2, Division 5 (Minutes) of the LGMPR.

It is recommended the meeting organisers and facilitators check in with the meeting attendees at some point after the meeting to gauge their experience of the remote meeting format and seek feedback for improvement.

	<b>POLICY – COUNCIL MEETINGS – AUDIO/VISUAL RECORDING AND LIVE STREAMING</b>	<b>Policy 6.2</b>	
		<b>Version 1</b>	<b>Date <del>12/12/17</del> <u>722/04/2020</u></b>
<b>Minutes Dated: 12/12/17</b>	<b>Approved By : Council Decision No. 161/17</b>	<b>Review Date As required but no later than 2021</b>	

### 1. OBJECTIVE

To provide an electronic recording and live streaming service of open Council meetings for the public to access.

To promote transparency, accessibility and engagement with local government decision making amongst the Glamorgan Spring Bay Council communities.

### 2. SCOPE

This policy covers recording and live streaming of all open Ordinary and Special Meetings of Council i.e. those parts not being held “in closed session”. “Closed sessions” as determined by the *Local Government Act 1993*, under regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 Statutory Rules 2015, No.38 will not be recorded.

### 3. PROCEDURE

- i. The agenda for both Ordinary and Special Meetings of Council will note at the beginning that meetings are streamed live using audio/visual technology and that the audio/visual recordings are made available to the public post the meeting (a maximum of 5 business days post a meeting). This allows time for the recordings to be checked.
- ii. The Mayor will clearly announce via a written statement at the beginning of the meeting agenda that all Ordinary and Special Meetings of Council are streamed live (audio and visually), as well as audio/visually recorded and made available to the public for viewing post the meeting.
- iii. Signs will be placed in prominent positions within the *Council Meeting Room* to inform the public entering the room that the meeting is being audio/visually streamed and recorded.



- iv. The technology for live streaming is configured so that there is a one (1) minute delay. Essentially the software has a ‘panic button’ whereby the Council staff operating the streaming and recording can stop the streaming or recording should anything occur that requires this action e.g. unexpected adjournment, closed session or inappropriate behaviour that cause the Mayor to adjourn or close the meeting.
- v. A prominent note will be included in the Agenda of all Ordinary and Special Meetings of Council that the Mayor will read aloud to ensure that the live streaming and audio visual recording of meetings is stopped should Council move into a “closed session” or as soon as an open meeting is formally closed by the Mayor.
- vi. The streaming platform utilised for recording and streaming is YouTube. This is set-up as a specific Glamorgan Spring Bay Council YouTube account, over which Council has full control of which meetings are streamed or uploaded for viewing. There is no ability for the public to comment, edit or download recordings in anyway. They can only be viewed via the Glamorgan Spring Bay Council YouTube account.
- vii. A link to the live streaming and the recording of meetings will be made available on Council’s website for ease of access.
- viii. The audio/visual recording of Council meetings does not replace the written minutes and a transcript of any of the recordings is not prepared.
- ix. The recording may be used by staff to assist with the preparation of the minutes, particularly in relation to Public Question Time.
- x. The audio/visual recording of Council meetings will be retained for a minimum of 6 months and stored via Council’s YouTube account.
- xi. The existence of this policy does not override the requirement for public questions and motions to be submitted in writing.
- xii. Local communication and advertising to inform the community that live streaming of Council meetings is available will be undertaken for at least the first 3 months of live streaming. The need for advertising/communication of audio recording and live streaming of open Council meetings will be reviewed on a regular basis. Based on the number of people clicking through to view and listen to Council meetings, it will be determined if communication of this service should be advertised from time to time to remind residents and ratepayers of its availability.

#### **4. SPECIAL PROVISIONS – COVID-19**

**These special provisions will override points i. through vi and ix. of the “Procedures” outlined within the Policy and remain in place until further notice.**

To make provision to deal with certain risks arising from the COVID-19 disease Council will, in conducting ordinary and special Council meetings, take into consideration Part 4 – “Reduction of Public Physical Contact” as stipulated in the COVID-19 Disease Emergency (Miscellaneous Provisions) Bill 2020.

All ordinary and special Council meetings will be held via remote conference until further notice.

Where it is not possible for members of the public to attend any ordinary or special Council meetings, an audio/visual recording of the open part of any ordinary or special Council meeting will be made available via Council’s website following the meeting.

Should any technical issues preclude a live stream or visual recording of any open ordinary or special Council meeting, an audio recording will be made available via Council’s website following the meeting in accordance with the requirements of the Policy.

In accordance with the GSBC Remote Meeting Guide, Glamorgan Spring Bay Council will allow questions by the public for the next ordinary meeting of Council to be provided by written notice by 12 noon the day before the meeting by either emailing [general.manager@freycinet.tas.gov.au](mailto:general.manager@freycinet.tas.gov.au) or alternatively left in the post box outside the Council Chambers located at 9 Melbourne Street, Triabunna.

#### **5.4. IMPLEMENTATION & REVIEW**

Implementation of this policy will reside with the General Manager’s office.

The Policy will be reviewed in conjunction with State and Federal compliance requirements associated with COVID-19.

#### **6.5. DELEGATION**

Responsibility of this policy is delegated to the General Manager.

#### **7.6. RESPONSIBILITY**

The responsibility to ensure this policy is enforced rests with the General Manager.

#### **8.7. REPORTING**

Data related to the number of people clicking through to watch live and view Council meetings will be reported to Council on a monthly basis as part of the regular officers’ reporting within the Ordinary Meeting of Council agendas.

#### **9.8. STATUTORY REQUIREMENTS**

The Local Government (Meeting Procedures) Regulations 2015 No.38 do not preclude the introduction of live streaming of open Council meetings or the availability of the audio/visual recording for public viewing post a meeting.

#### **109. REFERENCES**

- Risk Assessment of Audio Recording, Live Broadcasting and Publishing of Open Council Meetings: July 2015, Hobart City Council.
- Evaluation of the Council Meeting Audio and Live Broadcasting Service: November 2016, Hobart City Council.
- Council Meetings – Audio Recording Policy, City of Launceston (May 2011).
- COVID-19 Disease Emergency (Miscellaneous Provisions) Bill 2020
- Glamorgan Spring Bay Council Remote Meeting Guide

#### **11.10. ATTACHMENTS**

Nil.

## Attachment - Agenda Report Item 7.13



GSBC Audit Panel

Zoom Meeting

Tuesday 17th March 2020

3.00 pm

Meeting 3 of 4 for 2020FY

## General Business

1	<ul style="list-style-type: none"> <li>• Present &amp; Apologies</li> <li>• Conflict of Interest declarations</li> <li>• Confirmation of previous minutes</li> </ul>	<p><u>Present via Zoom:</u> Mike Derbyshire (Chairperson), Kane Ingham, Chris Schroeder, Cheryl Arnol, Rob Churchill, Marissa Walters &amp; Jenny Roya</p> <p><u>Apologies:</u> NA</p> <p>Conflicts of Interest recorded for this meeting: No new relevant conflicts for this meeting. MD Appointed to the Glenorchy Council Audit Panel</p> <p>The minutes of Dec 15, 2019 were accepted as a true record of the meeting with all in agreement.</p>
2	Actions arising from previous minutes	See Rolling Actions List
3	Update on Prosser Plains Raw Scheme & Projected costs	<ul style="list-style-type: none"> <li>• Macquarie Franklin now project managing the PPRWS</li> <li>• The final stages of commissioning are now taking place including the flushing of the pipe to remove seawater</li> <li>• A progress report with RJIP will be done this week: JR to complete</li> <li>• Mike &amp; Kane would like to see more information on the Project moving forward. Marissa to send reports.</li> <li>• Costs are now on target. Chris to contact treasury to see if shortfall can be borrowed.</li> </ul>
4	TAO Risks & Actions taken.	<ul style="list-style-type: none"> <li>• Segregation of duties: Some areas to improve that were highlighted by the auditors were discussed &amp; suggestions given. Payroll, lack of controls &amp; audit trails. Marissa is looking at an add on for payroll</li> <li>• Areas to continue monitoring are: HR: Masterfile data -access to be removed when staff leave. EFT signatories kept up to date &amp; expenditure approvals as per delegations.</li> <li>• Inadequate segregation of duties is always a concern in a small organisation however we now have more resources in the team &amp; there is progress in this area.</li> <li>• When creditors are created or modified this needs to be done by a different person separate to the staff member that pays the creditor. Jenny to organise this.</li> </ul>
5	Cash Flow/Budget Forecasts	<ul style="list-style-type: none"> <li>• Currently looking at the ½ yearly budget review via workshop with the following areas of concern:</li> <li>• Rates: Many ratepayers rely on the tourism industry so will be affected by the current situation. We may need to borrow short term with the intention of getting ahead of things &amp; reducing</li> </ul>

		<p>the impact on cash flow. Leave will also be an issue with large numbers needing to access entitlements.</p> <ul style="list-style-type: none"> <li>• Big delays in rates to be expected. Interest &amp; penalties may be foregone to help.</li> <li>• Unknown impact of FAG grant payments at this stage, still expecting 50% in advance.</li> <li>• Contractor costs are very high, with LPS Strategic Schedule going out to planning contractors.</li> <li>• Capital Works costs are high due to Grants that require work done first before the money is released.</li> <li>• VIC, NRM, Medical Centres, petrol getting into water supply at Bicheno. EPA have given 4 months to review.</li> <li>• The budget needs to be done earlier next year.</li> <li>• Update copies of the finalised budget to be provided to Mike before next meeting.</li> </ul>
6	Feb 2020 YTD Financial Reports	<ul style="list-style-type: none"> <li>• It was expressed that Marissa notes on the Financials give clarity.</li> <li>• Materials &amp; services are high.</li> <li>• Marissa to send the monthly statements to Mike &amp; Kane each month.</li> </ul>
9	Other business & close of meeting	<ul style="list-style-type: none"> <li>• Corona virus Response. GM has been updating staff and putting measures in place from Dept of Health. LGAT are issuing a plan currently.</li> <li>• The situation highlights for Council that they don't have a business continuity plan, this should be listed on the Corporate Calendar</li> <li>• Audit Charter to be reviewed at next meeting-all to bring comments</li> <li>• Procurement Audit- Jenny to update panel on findings</li> <li>• Next meeting: Tuesday June 16, 2020 @ 3.00pm</li> </ul>

Meeting Concluded: 5.10 pm

Date

Signed (Chairperson)





GLAMORGAN SPRING BAY COUNCIL

# AUDIT PANEL CHARTER

1. Objective
2. Principal purpose
3. Membership
4. Chairperson
5. Remuneration
6. Annual Work Plan
7. Meetings
8. Reporting
9. Review

**Annexure A: Work Plan**

**Annexure B: Meeting Procedures**



GLAMORGAN SPRING BAY COUNCIL

## AUDIT PANEL

### CHARTER

#### 1. Objective

The Audit Panel is established under Section 85(1) of the *Local Government Act 1993* and as directed under the *Local Government (Audit Panels) Order 2014* and the *Local Government (Audit Panels) Amendment Order 2015*.

The primary functions of the Audit Panel (the Panel) is to assist Elected Members (Councillors) of the Glamorgan Spring Bay Council (the Council) in fulfilling Council responsibilities relating to the review of the Council's performance and effectiveness as well as safeguarding its long-term financial position.

#### 2. Principal Purpose

To assist the Council in fulfilling its responsibilities relating to the review of the Council's performance and compliance in the following areas:-

- The Annual Financial Statements of the Council accurately represent the state of affairs of the Council.
- That the Strategic Plan; Annual Plan; Long-Term Financial Management and Strategic Plans; Long-Term Strategic Asset Management Plan; Asset Management Strategic Plan; and Asset Management Policy are integrated and the processes and assumptions under which those plans were prepared are documented.
- Reviewing accounting procedures, internal controls, anti-fraud, anticorruption and risk management systems, controls and policies that are in place which safeguards the Council's long-term financial position.
- Compliance with all provisions of the *Local Government Act 1993* and any other relevant legislation.
- Reviewing the effectiveness of previous recommendations made by the Panel.

The Panel is to serve as an independent and objective party to review all financial information presented to their local community (as outlined above).

### **3. Membership**

The membership of the Panel will comprise of **4 members**, whereby 2 members must be independent persons (including the independent chairperson).

An 'Independent Person' is a person who is not a Councillor, employee of Glamorgan Spring Bay Council or an employee of another Council.

The following persons are eligible to be members of the Audit Panel:-

- (a) A Councillor, other than the Mayor, of Glamorgan Spring Bay Council;
- (b) An independent member of another Council's audit panel;
- (c) An independent member appointed by Council with relevant knowledge and expertise.

The Glamorgan Spring Bay Council is to appoint all members to its Audit Panel with all independent persons having the relevant knowledge and experience.

A member of the Audit Panel will be appointed for a period not less than one year and not more than four (4) years. A Councillor representative must stand down at the next election following the appointment of the Audit Panel but shall be eligible for re-appointment if re-elected to Council.

### **4. Chairperson**

The Chairperson must be an Independent Person.

If the Panel includes more than one Independent Person, then the Glamorgan Spring Bay Council is to directly appoint the Chairperson

### **5. Remuneration**

Remuneration for independent members of the panel will be reviewed annually and set at agreed rates, subject to Council approval.

### **6. Annual Work Plan**

The Panel is to develop an Annual Work Plan that includes, but is not limited to, a schedule of meetings and the known objectives for each meeting scheduled (see Annexure A).

## **7. Meetings**

The Panel will meet not less than four (4) times a year. The Panel may hold additional meetings as and when required in order to fulfil its functions. Any two (2) members of the Panel or the General Manager may request a meeting at any time.

The General Manager (or Delegate) and Finance Manager (or Delegate) with secretariat support must attend all meetings.

Reasonable notice will be given of the meetings to all members of the Panel and an agenda is to be provided with any relevant attachments.

Meeting procedures have been developed to inform all members and Council on how the Panel will perform their functions (see Annexure B).

## **8. Reporting**

The Panel will provide a written report (minutes) to the next Ordinary Council Meeting or as soon as practical following a meeting, concerning the outcomes and/or recommendations made by the Panel which will then be noted and/or accepted by Council.

All agendas and Panel papers will be circulated to Panel members only and are to be kept confidential at all times.

## **8. Review**

This Charter will be reviewed at least every 4 years.

**Approved:-**

**Mayor Debbie Wisby**

Dated:

**GLAMORGAN SPRING BAY COUNCIL**


# **AUDIT PANEL**

## **ANNEXURE A - ANNUAL WORK PLAN**

The Audit Panel for “Glamorgan Spring Bay Council” is established under Section 85(1) of the *Local Government Act 1993* and as directed under Item 10 of the *Local Government (Audit Panels) Order 2014* and the *Local Government (Audit Panels) Amendment Order 2015*.

The Panel must develop an Annual Work Plan that includes, but is not limited to, a schedule of meetings and the known objectives for each meeting so scheduled. The Panel must meet not less than four (4) times a year and the purposed schedule of compulsory meetings for the Panel and items for discussion (but not limited to) as follows:-

<b>Quarter</b>	<b>Scheduled Meeting Date</b>	<b>Scheduled Objective</b>
January – March	March	Review of Long-Term Financial Strategic and Management Plans; Asset Strategic and Management Plans and Policies; Strategic Plan (if necessary) before Annual Budget process begins.
April – June	June	Review Annual Plan prior to adoption; compliance check against all relevant legislation; previous motions and recommendations made by Council to be in place prior to EOFY (if applicable).



July – September	September	Review of all financial system controls - both externally and internally, policies and practices safeguarding Council's long-term financial position including Risk Management and Anti-Fraud measures.
October - December	November	Review of Annual Financial Statements for accurate representation of the affairs of Council; and the Auditor-General's Report with suggested actions and recommendations to be implemented.

The Panel may hold additional meetings as and when required in order to fulfil its functions with any two (2) members of the Panel or the General Manager may request additional meetings.

# GLAMORGAN SPRING BAY COUNCIL



## AUDIT PANEL

### Annexure B - Meeting Procedures

The Audit Panel for “Glamorgan Spring Bay Council” is established under Section 85(1) of the *Local Government Act 1993* and as directed under Item 9 of the *Local Government (Audit Panels) Order 2014* states:-

*The Council may provide to its Audit Panel a charter relating to:-*

- (a) the manner in which the Audit Panel is to perform its functions; and*
- (b) the procedure of the Audit Panel in respect of its meetings.*

The following conditions and guidelines apply to all meetings held by the Audit Panel:-

1. An Audit Panel is to hold not less than four (4) meeting in each financial year. Additional meetings can be held as and when required in order to fulfil its functions. Any two (2) members of the Audit Panel or the General Manager may request additional meetings.
2. A quorum is constituted by a majority of the total number of Panel Members appointed.
3. At least one Panel Member who is an Independent Person is to be present, otherwise there is no quorum present at the meeting.
4. The General Manager (or delegate) is to attend all meetings.
5. The Finance Manager (or delegate) is to attend all meetings.
6. The Audit Panel may invite or allow any Councillor or employee of “Glamorgan Spring Bay Council” to attend one or more meetings.
7. Items 5 and 6 above **do not** apply if the Audit Panel determines that the meeting is to be held in private.
8. The Audit Panel may regulate its own proceedings.
9. All minutes, recommendations and conclusions of Audit Panel meetings are to be provided within a written report and submitted to the next Ordinary Council Meeting or as soon as reasonably practicable.
10. Council is to provide secretariat support to, and all necessary funding required by, the Audit Panel to perform its functions.